



Alpha Natural Resources

Mary S. Wong
Director of Risk Management

*Incoming
C/007/0004
&*

November 18, 2010

Ns. Angela Nance
State of Utah
Division of Oil, Gas & Mining
1584 West North Temple, Suite 1210
Salt Lake City, UT 84114-5801

Re: Replacement Bonds
Castle Gate Mining and Plateau Mining Corporation

Enclosed please find the original bonds that have been executed through Fidelity and Deposit Insurance Company as replacements for the former bonds issued by Traveler's Casualty and Surety Company. For your reference please see below:

<u>New Surety Company</u>	<u>New Bond No.</u>	<u>Bond Amount</u>	<u>Permit No.</u>	<u>Old Surety Company</u>	<u>Old Bond No.</u>
Fidelity & Deposit Co.		\$490,100.00	C/007/004	Travelers	
Fidelity & Deposit Co.		\$672,000.00	C/007/006	Travelers	
Fidelity & Deposit Co.		\$1,424,514.00	C/007/038	Travelers	

I would appreciate you reviewing and approving these bonds as soon as possible. Please return the released bonds to my attention.

Should you require additional information, please feel free to contact me at 303.749.8419.

Sincerely,

Mary S. Wong
Director of Risk Management

MSW/sg

Enclosures

RECEIVED

NOV 22 2010

DIV. OF OIL, GAS & MINING



Alpha Natural Resources

Mary S. Wong
Director of Risk Management

December 7, 2010

VIA OVERNIGHT MAIL

Ms. Angela Nance
State of Utah - Department of Natural Resources
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114-5801

Re: Bond No. 1 – Willow Creek Mine – Exhibit D and Affidavit of Qualification
Bond No. – Star Point Mine – Exhibit D and Affidavit of Qualification
Bond No. – Castle Gate Mine – Exhibit D and Affidavit of Qualification

Dear Ms. Nance:

I have enclosed Affidavits of Qualifications and Exhibit "D's" for each of the above referenced replacement bonds as per your email dated November 30, 2010.

If you should have any questions or require additional information, please feel free to contact me at 303.749.8419 or mwong@alphanr.com.

Thank you.

Sincerely,

Mary S. Wong
Director of Risk Management

MSW/sg

Enclosures

RECEIVED

DEC 08 2010

DIV. OF OIL, GAS & MINING

EXHIBIT "D"

**Stipulation to Revise
Reclamation Agreement
(Federal)**

Mine Name: Castle Gate Mine
Permit Number: C/007/0004
Effective Date: 11/01/2010
Bond Number:

COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT
--ooOOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT**: (Identify and Describe Revisions below)

Change in Surety Company from Traveler's Casualty and Surety Company to *Fidelity and Deposit Insurance Company of Maryland* (

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.

- Replace the Reclamation Agreement in its entirety.
- Replace Exhibit "A"- bonded area.
- Exhibit "B"- bonding agreement
- Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$ _____ to \$ _____

The bonding type is changed from _____ to _____.

The surface disturbance is revised from _____ acre to _____ acres.

The expiration date is revised from _____ to _____.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed from \$ _____ to \$ _____.

IN WITNESS WHEREOF, Castle Gate Holding Company the PERMITTEE has hereunto set its signature and seal this 1st day of November, 2010.

Castle Gate Holding Company
PERMITTEE

By: *Jean J. Wood*
Title: *Vice President*

ACCEPTED BY THE STATE OF UTAH this 14th day of December, 2010.

John R. Bay
Director,
Division of Oil, Gas and Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power or Attorney of a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.

This bond replaces Travelers Bond No.

effective 11/1/2010.

**Exhibit "B"- BONDING AGREEMENT
SURETY BOND**

Bond No.

Permit Number: C/007/004

**SURETY BOND
(FEDERAL COAL)
--ooOOoo--**

THIS SURETY BOND entered into and by and between the undersigned **PERMITTEE**, and **SURETY COMPANY**, hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors, and assigns unto the State of Utah, Division of Oil, Gas & Mining (**DIVISION**), and the U.S. Department of Interior, Office of Surface Mining Reclamation and Enforcement (**OSM**) in the penal sum of \$ 490,100.00 (Surety Bond Amount) for the timely performance of reclamation responsibilities of the surface disturbance described in Exhibit "A" of this **RECLAMATION AGREEMENT**.

This **SURETY BOND** shall remain in effect until all of the **PERMITTEE's** reclamation obligation have been met and released by the **DIVISION** and is conditioned upon faithful performance of all of the requirement of the Act, the applicable rules and regulations, SMCRA, the approved permit, and the **DIVISION**.

The **SURETY** will not cancel this bond at any time for any reason, including non-payment of premium or bankruptcy of the Principal during the period of liability.

The **SURETY** and their successors and assigns, agree to guarantee the obligation and to indemnify, defend, and hold harmless the **DIVISION** and **OSM** from any and all expenses which the **DIVISION** and **OSM** may sustain as a result of the **PERMITTEE's** failure to comply with the condition(s) of the reclamation obligation.

The **SURETY** will give prompt notice to the **PERMITTEE** and to the **DIVISION** and **OSM** of any notice received or action alleging to insolvency or bankruptcy of the **SURETY**, or alleging any violations or regulatory requirement which could result in suspension or revocation of the **SURETY's** license.

Terms for release or adjustment of this **BOND** are as written and agreed to by the **DIVISION** and the **PERMITTEE** in the **RECLAMATION AGREEMENT** incorporated by reference herein, to which this **SURETY AGREEMENT** has been attached as Exhibit "B".

Exhibit "B"- BONDING AGREEMENT
SURETY BOND

Permit Number: C/007/004

IN WITNESS WHEREOF, the PERMITTEE has hereunto set it's signature and seal
this 16th day of November, 2010.

CASTLE GATE HOLDING COMPANY

Frank J. Wood
PERMITTEE

By: Frank J. Wood
Title: Vice President

IN WITNESS WHEREOF, the SURETY has hereto set it's signature and seal this
1st day of November, 2010.

FIDELITY AND DEPOSIT COMPANY OF
MARYLAND

SURETY
Cynthia Farrell
By: Cynthia Farrell
Title: Cynthia Farrell Attorney in Fact

ACCEPTED BY THE STATE OF UTAH:

John R. Baza
JOHN R. BAZA, Director
Division of Oil, Gas & Mining

NOTE: An Affidavit of Qualification must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the PERMITTEE is a corporation, the Agreement shall be executed by it's duly authorized officer.

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by DAVID S. HEWETT, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Vivian CARTI, Debra A. DEMING, Cynthia FARRELL, Thomas RHATIGAN and Evangelina L. DOMINICK, all of New York, New York, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its agent and attorney-in-fact, any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md. in their two proper persons. This power of attorney revokes that issued on behalf of Betty CALDERON, Vivian CARTI, Debra A. DEMING, Cynthia FARRELL, Thomas RHATIGAN, Evangelina L. DOMINICK, dated January 16, 2009.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 26th day of March, A.D. 2009.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gregory E. Murray

By: *David S. Hewett*

Gregory E. Murray Assistant Secretary

David S. Hewett

Vice President

State of Maryland }
City of Baltimore } ss:

On this 26th day of March, A.D. 2009, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came DAVID S. HEWETT, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski

Maria D. Adamski

Notary Public

My Commission Expires: July 8, 2011

FIDELITY AND DEPOSIT COMPANY
OF MARYLAND
3910 KESWICK ROAD, BALTIMORE, MD 21211-2226

Statement of Financial Condition
As Of December 31, 2009

ASSETS

Bonds	\$ 156,584,995
Stocks	22,537,672
Cash and Short Term Investments	9,719,598
Reinsurance Recoverable	9,347,241
Other Accounts Receivable	51,052,264
TOTAL ADMITTED ASSETS	\$ 249,241,769

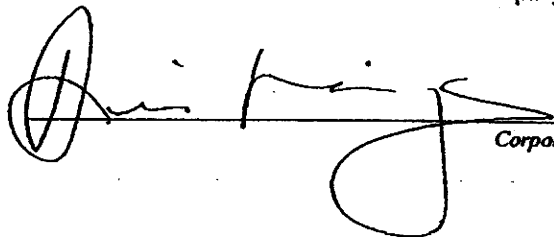
LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Taxes and Expenses	\$ 76,835
Ceded Reinsurance Premiums Payable	58,237,612
Securities Lending Collateral Liability	5,511,875
TOTAL LIABILITIES	\$ 63,826,322
Capital Stock, Paid Up	\$ 5,000,000
Surplus	180,415,448
Surplus as regards Policyholders	185,415,447
TOTAL	\$ 249,241,769

Securities carried at \$38,385,957 in the above statement are deposited as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2009 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$247,657,513 and surplus as regards policyholders \$186,999,703.

I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2009.



 Corporate Secretary

State of Illinois }
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2010.



 Notary Public

