



Incoming  
C/007/0005  
K

**KATHY L. BRITTIN**  
Risk Manager

May 19, 2010

**Via UPS Next Day**

Ms. Angela Nance  
Utah Department of Natural Resources  
Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, UT 84114-5801

Re: Canyon Fuel Company  
Permit # C/007/005  
Bond ' Rider

Dear Ms. Nance:

Enclosed a fully executed bond rider and supporting documents to bond # amending the surety company to read Argonaut Insurance Company in lieu of Rockwood Casualty Insurance Company.

I trust you will find the enclosure to be in order. If you have any questions, please do not hesitate to give me a call at (314) 994-2800.

Sincerely,

Kathy Brittin  
Risk Manager

Enclosures

cc: Greg Galecki, CFC

**RECEIVED**

**MAY 20 2010**

**DIV. OF OIL, GAS & MINING**

SURETY RIDER

To be attached to and form a part of

Bond No

Type of Reclamation  
Bond:

dated  
effective **December 19, 2008**  
(MONTH-DAY-YEAR)

executed by **Canyon Fuel Company, LLC**, as Principal,  
(PRINCIPAL)

and by **Rockwood Casualty Insurance Company**, as Surety,  
(SURETY)

in favor of **State of Utah and U.S. Department of the Interior**  
(OBLIGEE)

in consideration of the mutual agreements herein contained the Principal and the Surety hereby consent to changing

**The surety company from Rockwood Casualty Insurance Company to Argonaut Insurance Company.**

Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated.

This rider is effective **May 11, 2010**  
(MONTH-DAY-YEAR)

Signed and Sealed **May 11, 2010**  
(MONTH-DAY-YEAR)

**Canyon Fuel Company, LLC**  
(PRINCIPAL)

By:   
(PRINCIPAL) James E. Florczak, Vice President and Treasurer

**Argonaut Insurance Company**  
(SURETY)

By:   
Tara W. Mealer, Attorney-In-Fact

**EXHIBIT "D"**

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

Mine Name: Skyline Mine  
Permit Number: C/007/0005  
Effective Date: May 11, 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)

The surety company is changed from Rockwood Casualty Insurance Company to Argonaut Insurance Company.

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.
- Rider added to existing Exhibit "B"- bonding agreement  
*Surety company changed from Rockwood Casualty to Argonaut*
- 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.

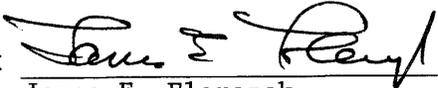
The expiration date is revised from \_\_\_\_\_ to \_\_\_\_\_.

The liability insurance carrier is changed from \_\_\_\_\_ to \_\_\_\_\_.

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

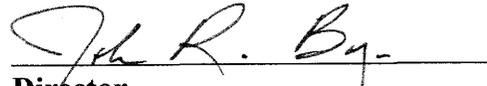
Canyon Fuel  
**IN WITNESS WHEREOF**, Company, LLC the **PERMITTEE** has hereunto set its  
signature and seal this 11th day of May, ~~2009~~ 10.

Canyon Fuel Company, LLC  
**PERMITTEE**

By:   
James E. Florczak

Title: Vice President and Treasurer

**ACCEPTED BY THE STATE OF UTAH** this 1<sup>st</sup> day of June, 2010.

  
**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 on 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.

**AFFIDAVITS  
OF  
QUALIFICATION**

**AFFIDAVIT OF QUALIFICATION  
PERMITTEE**

--ooOOoo--

I, James E. Florczak, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) Vice President and Treasurer of Canyon Fuel Company, LLC; and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said PERMITTEE is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.



(Signed) James E. Florczak, Vice President  
Name - Position and Treasurer

Subscribed and sworn to before me this 19th day of May, 2010.

  
Notary Public, Kristin L. Walker

My Commission Expires:

September 23, 2012



Attest:

STATE OF Missouri )

) ss:

COUNTY OF St. Louis )



**Argonaut Insurance Company  
225 W. Washington, 6th Floor  
Chicago, IL 60606**

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Joseph R. Poplawski, Elizabeth A. Hartzberg, Tara W. Mealer, Mary Y. Volmar, Deborah S. Hudgins

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 act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

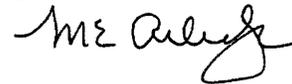
\$15,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 15th day of September, 2008.

Argonaut Insurance Company



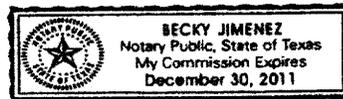
By: \_\_\_\_\_

Michael E. Arledge President

STATE OF TEXAS  
COUNTY OF BEXAR SS:

On this 15th day of September, 2008 A.D., before me, a Notary Public of the State of Texas, in and for the County of Bexar, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

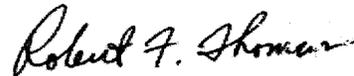
IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Bexar, the day and year first above written.



(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 11<sup>th</sup> day of MAY, 2010.



Robert F. Thomas Vice President

