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0085

UNITED STATES BANKRUPTCY COURT

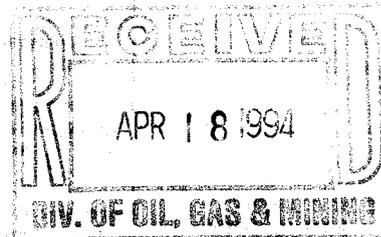
District of Colorado

721 19th Street, Denver, CO 80202-2508

ORDER AND NOTICE OF BANKRUPTCY CASE UNDER CHAPTER 11  
OF THE BANKRUPTCY CODE,  
MEETING OF CREDITORS, AND FIXING OF DATES  
(Corporation/Partnership Case)

Case Number: 94-12794 CEM  
Date Filed (or Converted) : 03/25/94

DIV OF OIL, GAS & MINING  
355 W NORTH TEMPLE  
3 TRIAD CENTER SUITE 350  
SALT LAKE CITY UT 84180-1803



IN RE (NAME OF DEBTOR)  
Sunnyside Coal Company, 84-1102281, aka  
Sunnyside Reclamation & Salvage, n

ADDRESS OF DEBTOR  
1113 Spruce Street  
Boulder, CO 80302

*File Act/007/007 #3  
Copy Jim, Lowell,  
Aaron, Joe, Pam  
Tom Mitchell, Bill  
Richards*

NAME/ADDRESS OF ATTORNEY FOR DEBTOR  
Risa Lynn Wolf-Smith  
555 17th Street  
Suite 2900  
P.O. Box 8749  
Denver, CO 80201  
Telephone Number: (303) 295-8011

NAME/ADDRESS OF TRUSTEE  
United States Trustee  
721 19th Street  
Suite 408  
Denver, CO 80202

DATE/TIME/LOCATION OF MEETING OF CREDITORS  
May 3, 1994 at 9:00 am  
U.S. Custom House, Rm 104  
U.S. Bankruptcy Court  
721 19th Street  
Denver, CO 80202

Corporation  Partnership

COMMENCEMENT OF CASE. A petition for reorganization under chapter 11 of the Bankruptcy Code has been filed in this court by or against the debtor named above, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court. If the debtor does not file all required schedules and statements, this case may be dismissed pursuant to L.B.R. 505(a). Any party desiring to object to such dismissal may do so by filing an objection and request for hearing in accordance with L.B.R. 202(c).

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money or property. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions or repossessions. If unauthorized actions are taken by a creditor against a debtor, the court may penalize that creditor. A creditor who is considering taking action against the debtor or the property of the debtor should review Sec. 362 of the Bankruptcy Code and may wish to seek legal advice. If the debtor is a partnership, remedies otherwise available against general partners are not necessarily affected by the commencement of this partnership case. The staff of the clerk of the bankruptcy court is not permitted to give legal advice.

MEETING OF CREDITORS. The debtor's representative, as specified in Bankruptcy Rule 9001(5), is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors.

PROOF OF CLAIM. Schedules of creditors have been or will be filed pursuant to Bankruptcy Rule 1007. Any creditor holding a scheduled claim which is not listed as disputed, contingent, or unliquidated as to amount may, but is not required to, file a proof of claim in this case. Creditors whose claims are not scheduled or whose claims are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the case or share in any distribution must file their proofs of claim. A creditor who desires to rely on the schedules of creditors has the responsibility for determining that the claim is listed accurately. If the court sets a deadline for filing a proof of claim, you will be notified. The place to file a proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. Proof of claim forms are available in the clerk's office of any bankruptcy court.

PURPOSE OF CHAPTER 11 FILING. Chapter 11 of the Bankruptcy Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Bankruptcy Code. The debtor will remain in possession of its property and will continue to operate any business unless a trustee is appointed.

For the Court: Bradford L. Bolton  
Clerk of the Bankruptcy Court

04/13/1994  
Date

FORM B9F 0251

# FORM 10. PROOF OF CLAIM

<b>United States Bankruptcy Court</b> District of _____		<b>PROOF OF CLAIM</b>
In re (Name of Debtor) _____		Case Number _____
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor <i>(The person or other entity to whom the debtor owes money or property)</i>	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.	
Name and Address Where Notices Should be Sent	<input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case.	
Telephone No. _____	<input type="checkbox"/> Check box if this address differs from the address on the envelope sent to you by the court.	
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: _____		Check here if this claim <input type="checkbox"/> replaces <input type="checkbox"/> amends } a previously filed claim, dated: _____
<b>1. BASIS FOR CLAIM</b>		
<input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other (Describe briefly) _____	<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (Fill out below) Your social security number _____ Unpaid compensation for services performed from _____ (date) to _____ (date)	
<b>2. DATE DEBT WAS INCURRED</b> _____		<b>3. IF COURT JUDGMENT, DATE OBTAINED:</b> _____
<b>4. CLASSIFICATION OF CLAIM.</b> Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured nonpriority, (2) Unsecured Priority, (3) Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM AT TIME CASE FILED.		
<input type="checkbox"/> <b>SECURED CLAIM \$</b> _____ Attach evidence of perfection of security interest Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other (Describe briefly) _____  Amount of arrearage and other charges at time case filed included in secured claim above, if any \$ _____	<input type="checkbox"/> <b>UNSECURED PRIORITY CLAIM \$</b> _____ Specify the priority of the claim. <input type="checkbox"/> Wages, salaries, or commissions (up to \$ 2000, earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier) - 11 U.S.C. § 507(a)(3)  <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4)  <input type="checkbox"/> Up to \$ 500 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6)  <input type="checkbox"/> Taxes or penalties of governmental units - 11 U.S.C. § 507(a)(7)  <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a) _____.	
<input type="checkbox"/> <b>UNSECURED NONPRIORITY CLAIM \$</b> _____ A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim.		
<b>5. TOTAL AMOUNT OF CLAIM AT TIME CASE FILED:</b>		
\$ _____ (Unsecured)	\$ _____ (Secured)	\$ _____ (Priority)
\$ _____ (Total)		
<input type="checkbox"/> Check this box if claim includes charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.		
<b>6. CREDITS AND SETOFFS:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes to debtor.		<b>THIS SPACE IS FOR COURT USE ONLY</b>
<b>7. SUPPORTING DOCUMENTS:</b> Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.		
<b>8. TIME-STAMPED COPY:</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		
Date _____	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)	