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**BANK ONE, NA - 1717 MAIN STREET, 11TH FLOOR, DALLAS, TEXAS 75201  
TELEPHONE 1-888-525-9395  
AMENDMENT TO LETTER OF CREDIT NUMBER STI20510**

**DATE: APRIL 23, 2003**

**APPLICANT:  
M.B.S.C., L.L.C. ON BEHALF OF HIAWATHA COAL COMPANY, INC.  
3212 SOUTH STATE STREET  
SALT LAKE CITY, UTAH 84105**

**BENEFICIARY:  
STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1594 WEST NORTH TEMPLE, SUITE 1210  
SALT LAKE CITY, UTAH 84114**

**AMENDMENT NUMBER ONE (1)**

GENTLEMEN:

PLEASE BE ADVISED THAT THE SUBJECT LETTER OF CREDIT HAS BEEN AMENDED AS FOLLOWS:

- **APPLICANT'S NAME IS AMENDED TO:  
M.B.S.C., L.L.C. ON BEHALF OF HIAWATHA COAL COMPANY, INC.**
- **INSERT EVERGREEN LANGUAGE AS FOLLOWS:  
IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT, FOR ADDITIONAL ONE-YEAR PERIODS FROM THE PRESENT OR ANY FUTURE EXPIRATION DATE, UNLESS WE NOTIFY YOU IN WRITING BY REGISTERED MAIL OR OVERNIGHT COURIER, AT LEAST THIRTY (30) DAYS PRIOR TO THE THEN CURRENT EXPIRATION DATE, THAT WE ELECT NOT TO EXTEND THIS LETTER OF CREDIT FOR AN ADDITIONAL ONE-YEAR PERIOD.**

THIS AMENDMENT IS TO BE CONSIDERED AS PART OF THE ABOVE CREDIT AND MUST BE ATTACHED THERETO.

ALL OTHER TERMS AND CONDITIONS OF THE CREDIT REMAIN UNCHANGED.

BANK ONE, NA

  
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AUTHORIZED SIGNATURE  
SS:

RECEIVED  
APR 24 2003

DIV. OF OIL, GAS & MINING