

BANK ONE.

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CC: PIC 00070011 ✓

Bank One, NA
Global Trade Services
One Bank One Plaza
Mail Code IL1-0236
Chicago, IL 60670
Tel: (800) 634-1969 Fax: (312) 954-0203
SWIFT: FNBCUS44
Telex: ITT4330253 FNBCUI

BANK ONE, NA, 300 SOUTH RIVERSIDE PLAZA 7TH FLOOR, MAIL CODE IL1-0236, ATTN: STANDBY LETTER OF CREDIT UNIT, CHICAGO, IL 60606-0236
AMENDMENT TO LETTER OF CREDIT NUMBER

THIS IS A DUPLICATE ORIGINAL AMENDMENT NO.1. THE ORIGINAL AMENDMENT NO.1 HAS BEEN LOST BY THE BENEFICIARY WHO ARE OBLIGATED TO RETURN THIS DUPLICATE ORIGINAL BACK TO BANK ONE, NA, FOR TERMINATION IN CASE THE ORIGINAL IS FOUND.

DATE: APRIL 23, 2003

APPLICANT:
M.B.S.C., LLC. ON BEHALF OF HIAWATHA COAL COMPANY, INC.
3212 SOUTH STATE STREET

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., LLC. 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.

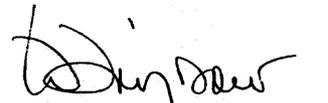
THIS AMENDMENT IS TO BE CONSIDERED AS PART OF THE ABOVE CREDIT AND MUST BE ATTACHED THERETO.

ALL OTHER TERMS AND CONDITIONS OF THE CREDIT REMAIN UNCHANGED.

BANK ONE, NA.



AUTHORIZED SIGNATURE



AUTHORIZED SIGNATURE

RECEIVED
JAN 14 2004
DIV. OF OIL, GAS & MINING