

2003

Hiawatha Coal Company

Annual Report

## GENERAL INFORMATION

|   |                         |
|---|-------------------------|
| 1. Permit Number                              | ACT/007/011             |
| 2. Mine Name                                  | Hiawatha Complex        |
| 3. Permittee Name                             | Hiawatha Coal Company   |
| 4. Operator Name<br>(if other than Permittee) |                         |
| 5. Permit Expiration Date                     | 3/14/07                 |
| 6. Permit Number                              |                         |
| 7. Company Representative, Title              | Elliot Finley, Pres.    |
| 8. Phone Number                               | (435) 637-1778          |
| 9. Fax Number                                 | (435) 637-1778          |
| 10. E-mail Address                            |                         |
| 11. Mailing Address                           | P.O. Box 1202           |
|   | Huntington , Utah 84528 |
|   |                         |
|   |                         |
| 12. Resident Agent, Title                     | Elliot Finley, Pres.    |
| 13. Mailing Address                           | P.O. Box 1202           |
|   | Huntington , Utah 84528 |
|   |                         |
|   |                         |
| 14. Number of Binders Submitted               | 2                       |

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DIV. OF OIL, GAS &amp; MINING

**IDENTIFICATION OF OTHER PERMITS**

Identify other permits which are required in conjunction with mining and reclamation activities.

| Permit Type                         | ID Number   | Description              | Expires on |
|-------------------------------------|-------------|--------------------------|------------|
| 1. MSHA Mine ID(s)                  | 42-02157    | King Mines               | N/A        |
| 2. MSHA Impoundment(s)              | 01          | Slurry Impoundment No. 1 |            |
|                                     | 03          | Slurry Impoundment No. 5 |            |
|                                     |             |                          |            |
| 3. NPDES/UPDES Permit(s)<br>(water) | UT0023094   | Minor Industrial         | 9/30/04    |
|                                     |             |                          |            |
|                                     |             |                          |            |
| 4. PSD (Air ) Permit(s)             | BAQE-502-89 | Issued 10/29/99          |            |
| 5.                                  | 04          | Refuse Pile No.1         |            |
| 6.                                  |             |                          |            |

**CERTIFIED REPORTS**

List the certified inspection reports as required by the rules and under the approved plan which must be periodically submitted to the Division. Specify whether the information is included as APPENDIX A to this Annual Report or currently ON FILE with the Division.

| Certified Reports:    | Reports Required? |    | INCLUDED or ON FILE w/DOGM? |         | Comments |
|-----------------------|-------------------|----|-----------------------------|---------|----------|
|                       | YES               | NO | Included                    | ON FILE |          |
| 1. Excess Spoil Piles |                   | X  |                             |         |          |
| 2. Refuse Piles       | X                 |    | X                           |         |          |
| 3. Impoundments       | X                 |    | X                           |         |          |
| 4.                    |                   |    |                             |         |          |
| 5.                    |                   |    |                             |         |          |



**LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION**

Changes in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is requesting that each permitted review and update the legal, financial, compliance and related information in the plan as part of the Annual Report. Provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other changes as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include any certified financial statements, audits or worksheets which may be required to meet bonding requirements. Specify whether the information is currently ON FILE with the Division or included as APPENDIX C to this Annual Report.

| Legal/Financial Data:                                | Report Required? |    | INCLUDED or ON FILE w/DOGM? |         | Comments |
|--|------------------|----|-----------------------------|---------|----------|
|  | YES              | NO | Included                    | ON FILE |          |
| 1. Department of Commerce, Annual Report of Officers | x                |    | x                           |         |          |
| 2. Other   |                  |    |                             |         |          |
|  |                  |    |                             |         |          |
|  |                  |    |                             |         |          |
|  |                  |    |                             |         |          |

**MINE MAPS**

Copies of mine maps, current and up-to-date through at least December 31, 1998, are to be provided to the Division as APPENDIX D to this Annual Report in accordance with the requirements of R645-301-525.270. These map copies shall be made in accordance with 30 CFR 75.1200, as required by MSHA. Upon request, mine maps shall be kept confidential by the Division.

| Map Number(s) | Map Title / Description | Confidential? |
|---------------|-------------------------|---------------|
|               |                         |               |
|               |                         |               |
|               |                         |               |
|               |                         |               |
|               |                         |               |



# APPENDIX A

## Certified Reports

Excess Spoil Piles  
Refuse Piles  
Impoundments  
as required  
under R645-301-514

## Contents

Slurry Impoundments and Refuse Piles report.  
Sediment Pond Annual Inspections

|                            |                             |                          |          |
|----------------------------|-----------------------------|--------------------------|----------|
| Permit Number              | ACT\007\011                 | Report Date              | 12/29/03 |
| Mine Name                  | Hiawatha Complex            |                          |          |
| Company Name               | Hiawatha Coal Company, Inc. |                          |          |
| Impoundment Identification | Impoundment Name            | Slurry Impoundment No. 1 |          |
|                            | Impoundment Number          | N/A                      |          |
|                            | UPDES Permit Number         | N/A                      |          |
|                            | MSHA ID Number              | 1211-UT-09-00098-01      |          |

**IMPOUNDMENT INSPECTION**

|   |                  |  |  |
|---|------------------|--|--|
| Inspection Date   | 12/29/03         |  |  |
| Inspected By  | Charles Reynolds |  |  |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | Annual           |  |  |

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

1,423.30 tons of coal fines were recovered from the pond in 2003. All of these fines were sold during 2003.

|  |  |
|--|--|
| Required for an impoundment which functions as a SEDIMENTATION POND. | 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.<br><br>The surface elevation of the unrecovered coal fines in the pond varies significantly, ranging from 7156 to 7160. The embankment top remains at elevation 7175. |
|  | 3. Principle and emergency spillway elevations.<br><br>N/A   |

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

The pond is currently inactive, with minimal water, but controls runoff from portions of the disturbed area. Ponds fines are currently being recovered from the impoundment.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Coal fine sale and removal is expected to continue in 2004.

|                         |  |
|-------------------------|--|
| Qualification Statement | I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability. |
|                         | Signature: <u>Charles Reynolds</u> Date: <u>12/29/03</u>   |



| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT  |   | N/A                      | Page 1 of 2 |
|--|---|--------------------------|-------------|
| Permit Number  | ACT\007\011   | Report Date              | 12/29/03    |
| Mine Name  | Hiawatha Complex  |                          |             |
| Company Name   | Hiawatha Coal Company, Inc.   |                          |             |
| Impoundment Identification   | Impoundment Name  | Slurry Impoundment No. 5 |             |
|  | Impoundment Number  | N/A                      |             |
|  | UPDES Permit Number   | N/A                      |             |
|  | MSHA ID Number  | 1211-UT-09-00098-03      |             |
| <b>IMPOUNDMENT INSPECTION</b>  |   |                          |             |
| Inspection Date  | 12/29/03  |                          |             |
| Inspected By   | Charles Reynolds  |                          |             |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)  | Annual/Quarterly  |                          |             |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>Reclamation of the main cell was completed in 2001. No slurry was added to or removed from the North Cell during 2003. No structural changes have been made to the outside embankment.</p>   |   |                          |             |
| Required for an impoundment which functions as a SEDIMENTATION POND.   | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>The current elevation of the slurry sediment is 7,055.</p>   |                          |             |
|  | <p>3. Principle and emergency spillway elevations.</p> <p>N/A</p>   |                          |             |
| <p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>N/A</p>   |   |                          |             |
| <p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The top of the outside embankment remains at elevation 7,068. The coal fines remain at elevation 7,055. There are no signs of instability and no fires have occurred.</p> |   |                          |             |
| Qualification Statement  | <p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Charles Reynolds</u> Date: <u>12/29/03</u></p> |                          |             |

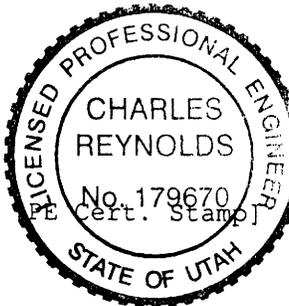
**CERTIFIED REPORT**

| IMPOUNDMENT EVALUATION (If NO, explain under Comments)   | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan?   | X   |    |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition?                                  | X   |    |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | X   |    |

**COMMENTS AND OTHER INFORMATION**

*(This area is currently blank for comments and other information.)*

**Certification Statement:**



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: CHARLES REYNOLDS, MINING ENGINEER  
 (Full Name and Title)

Signature: *Charles Reynolds* Date: 12/29/03

P.E. Number & State: 179670, Utah

|  |                             |  |             |
|--|-----------------------------|--|-------------|
| INSPECTION AND CERTIFIED REPORT<br>ON EXCESS SPOIL PILE OR REFUSE PILE   |                             | 1  | Page 1 of 2 |
| Permit Number  | ACT/007/011                 | Report Date  | 12/29/03    |
| Mine Name  | Hiawatha Complex            |  |             |
| Company Name   | Hiawatha Coal Company, Inc. |  |             |
| Excess<br>Spoil Pile or<br>Refuse Pile<br>Identification   | File Name                   | Refuse Pile No. 1  |             |
|  | File Number                 | 1  |             |
|  | MSHA ID Number              | 1211-UT-09-02157-04  |             |
| Inspection Date  | 12/29/03                    |  |             |
| Inspected By   | Charles Reynolds            |  |             |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection,<br>Critical Installation, or Completion of Construction) |                             | Annual   |             |
|  |                             | Attachments to Report? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes |             |
| <b>Field Evaluation</b>  |                             |  |             |
| 1. Foundation preparation, including the removal of all organic material and topsoil.<br>Pile remains inactive.                    |                             |  |             |
| 2. Placement of underdrains and protective filter systems.<br>N/A  |                             |  |             |
| 3. Installation of final surface drainage systems.<br>N/A  |                             |  |             |
| 4. Placement and compaction of fill materials.<br>No material has been added to the pile.  |                             |  |             |

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

No signs of embankment instability were observed. No fires have occurred.

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse File structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

No changes have been made to the configuration of the pile.

**Certification Statement**



I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: CHARLES REYNOLDS, MINING ENGINEER  
(Full Name and Title)

Signature: Charles Reynolds Date: 12/29/03

P.E. Number & State: 179670, Utah

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT  |   | D003            | Page 1 of 2 |
|--|---|-----------------|-------------|
| Permit Number  | ACT\007\011   | Report Date     | 12/29/03    |
| Mine Name  | Hiawatha Complex  |                 |             |
| Company Name   | Hiawatha Coal Company, Inc.   |                 |             |
| Impoundment Identification   | Impoundment Name  | Upper Rail Yard |             |
|  | Impoundment Number  | D003            |             |
|  | UPDES Permit Number   | UT-0023094      |             |
|  | MSHA ID Number  | N/A             |             |
| <b>IMPOUNDMENT INSPECTION</b>  |   |                 |             |
| Inspection Date  | 12/29/03  |                 |             |
| Inspected By   | Charles Reynolds  |                 |             |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)  | Annual/Quarterly  |                 |             |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond banks showed no signs of instability or hazardous conditions.</p>   |   |                 |             |
| Required for an impoundment which functions as a SEDIMENTATION POND.   | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 0.60 ac-ft<br/> 60% cleanout elevation = 7,211.5<br/> 100% sediment storage elevation = 7,212.7<br/> Existing sediment elevation = 7,207.7 (Average)</p>   |                 |             |
|  | <p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,214.5<br/> Emergency spillway elevation = 7,217.7</p>  |                 |             |
| <p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The inlet and outlets appear in good condition. No discharges were reported or occurred during 2003.</p>                          |   |                 |             |
| <p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The existing sediment volume is 0.15 ac-ft. The existing storage capacity is 2.28 ac-ft, which is greater than the 0.76 ac-ft required.</p> |   |                 |             |
| Qualification Statement  | <p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Charles Reynolds</u> Date: <u>12/29/03</u></p> |                 |             |

**CERTIFIED REPORT**

**IMPOUNDMENT EVALUATION (If NO, explain under Comments)**

**YES**

**NO**

1. Is impoundment designed and constructed in accordance with the approved plan?

X

2. Is impoundment free of instability, structural weakness, or any other hazardous condition?

X

3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?

X

**COMMENTS AND OTHER INFORMATION**

The pond appears to be functioning normally and has adequate storage. No measurable difference in sediment level in 2003.

**Certification Statement:**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: CHARLES REYNOLDS, MINING ENGINEER  
(Full Name and Title)

Signature: Charles Reynolds Date: 12/29/03

P.E. Number & State: 179670, Utah

|                            |                             |                                |          |
|----------------------------|-----------------------------|--------------------------------|----------|
| Permit Number              | ACT\007\011                 | Report Date                    | 12/29/03 |
| Mine Name                  | Hiawatha Complex            |                                |          |
| Company Name               | Hiawatha Coal Company, Inc. |                                |          |
| Impoundment Identification | Impoundment Name            | Sed. Pond N. of Slurry pond #1 |          |
|                            | Impoundment Number          | D004                           |          |
|                            | UPDES Permit Number         | UT-0023094                     |          |
|                            | MSHA ID Number              | N/A                            |          |

**IMPOUNDMENT INSPECTION**

|   |                  |  |  |
|---|------------------|--|--|
| Inspection Date   | 12/29/03         |  |  |
| Inspected By  | Charles Reynolds |  |  |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | Annual           |  |  |

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The pond banks showed no signs of instability or hazardous conditions.

|  |  |
|--|--|
| Required for an impoundment which functions as a SEDIMENTATION POND. | 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.<br><br>Sediment storage capacity = 0.48 ac-ft<br>60% cleanout elevation = 7,087.8<br>100% sediment storage elevation = 7,089.1<br>Existing sediment elevation = 7,085.0 |
|  | 3. Principle and emergency spillway elevations.<br><br>Principle spillway elevation = 7,089.3<br>Emergency spillway elevation = 7,093.5  |

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.  
 The inlet and outlets appear in good condition. No discharges were reported or occurred during 2003. Pond slopes are well vegetated.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
 The existing sediment volume is 0.03 ac-ft. The existing storage capacity is 1.51 ac-ft, which is greater than the 0.54 ac-ft required.

|                                |  |
|--------------------------------|--|
| <b>Qualification Statement</b> | I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.<br><br>Signature: <u>Charles Reynolds</u> Date: <u>12/29/03</u> |
|--------------------------------|--|

**CERTIFIED REPORT**

IMPOUNDMENT EVALUATION (If NO, explain under Comments)

YES

NO

1. Is impoundment designed and constructed in accordance with the approved plan?

X

2. Is impoundment free of instability, structural weakness, or any other hazardous condition?

X

3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?

X

COMMENTS AND OTHER INFORMATION

Sediment has not increased significantly during 2003.

Certification Statement:



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: CHARLES REYNOLDS, MINING ENGINEER  
(Full Name and Title)

Signature: Charles Reynolds Date: 12/29/03

P.E. Number & State: 179670, Utah

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT  |   | D006                            | Page 1 of 2 |
|--|---|---------------------------------|-------------|
| Permit Number  | ACT\007\011   | Report Date                     | 12/29/03    |
| Mine Name  | Hiawatha Complex  |                                 |             |
| Company Name   | Hiawatha Coal Company, Inc.   |                                 |             |
| Impoundment Identification   | Impoundment Name  | Sed. Pond NE. of Slurry pond #5 |             |
|  | Impoundment Number  | D006                            |             |
|  | UPDES Permit Number   | UT-0023094                      |             |
|  | MSHA ID Number  | N/A                             |             |
| <b>IMPOUNDMENT INSPECTION</b>  |   |                                 |             |
| Inspection Date  | 12/29/03  |                                 |             |
| Inspected By   | Charles Reynolds  |                                 |             |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)  | Annual  |                                 |             |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond's bank showed no signs of instability or hazardous conditions.</p>  |   |                                 |             |
| Required for an impoundment which functions as a SEDIMENTATION POND.   | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 1.21 ac-ft<br/> 60% cleanout elevation = 6,990.0<br/> 100% sediment storage elevation = 6,991.1<br/> Existing sediment elevation = 6,987.4</p>   |                                 |             |
|  | <p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 6,993.1<br/> Emergency spillway elevation = 6,994.5</p>  |                                 |             |
| <p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.</p> <p>The pond is under 12" of snow, with no water. The inlet and outlets appear in good condition. No discharges were reported or occurred during 2003.</p> |   |                                 |             |
| <p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond currently contains 0.04 sediment. The existing storage capacity is 2.96 ac-ft, which is greater than the 1.32 ac-ft required.</p>                        |   |                                 |             |
| Qualification Statement  | <p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Charles Reynolds</u> Date: <u>12/29/03</u></p> |                                 |             |

**CERTIFIED REPORT**

IMPOUNDMENT EVALUATION (If NO, explain under Comments)

YES

NO

1. Is impoundment designed and constructed in accordance with the approved plan?

X

2. Is impoundment free of instability, structural weakness, or any other hazardous condition?

X

3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?

X

**COMMENTS AND OTHER INFORMATION**

The sediment level has not changed measurably in 2003. The pond is in good functioning order.

**Certification Statement:**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: CHARLES REYNOLDS, MINING ENGINEER  
(Full Name and Title)

Signature: Charles Reynolds Date: 12/29/03

P.E. Number & State: 179670, Utah

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT   |   | D007                            | Page 1 of 2 |
|---|---|---------------------------------|-------------|
| Permit Number   | ACT\007\011   | Report Date                     | 12/29/03    |
| Mine Name   | Hiawatha Complex  |                                 |             |
| Company Name  | Hiawatha Coal Company, Inc.   |                                 |             |
| Impoundment Identification  | Impoundment Name  | Sed. Pond SE. of Slurry pond #5 |             |
|   | Impoundment Number  | D007                            |             |
|   | UPDES Permit Number   | UT-0023094                      |             |
|   | MSHA ID Number  | N/A                             |             |
| <b>IMPOUNDMENT INSPECTION</b>   |   |                                 |             |
| Inspection Date   | 12/29/03  |                                 |             |
| Inspected By  | Charles Reynolds  |                                 |             |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)   | Annual  |                                 |             |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond bank showed no signs of instability or hazardous conditions.</p>   |   |                                 |             |
| Required for an impoundment which functions as a SEDIMENTATION POND.  | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 0.68 ac-ft<br/> 60% cleanout elevation = 6,990.9<br/> 100% sediment storage elevation = 6,992.2<br/> Existing sediment elevation = 6,986.7</p>   |                                 |             |
|   | <p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 6,992.5<br/> Emergency spillway elevation = 6,998.0</p>  |                                 |             |
| <p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The pond is under snow. The inlet and outlets appear in good condition. No discharges were reported or occurred during 2003.</p> |   |                                 |             |
| <p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond currently contains 0.18 sediment. The existing storage capacity is 2.39 ac-ft, which is greater than the 0.74 ac-ft required.</p> |   |                                 |             |
| Qualification Statement   | <p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Charles Reynolds</u> Date: <u>12/29/03</u></p> |                                 |             |

**CERTIFIED REPORT**

**IMPOUNDMENT EVALUATION (If NO, explain under Comments)**

**YES**

**NO**

1. Is impoundment designed and constructed in accordance with the approved plan?

X

2. Is impoundment free of instability, structural weakness, or any other hazardous condition?

X

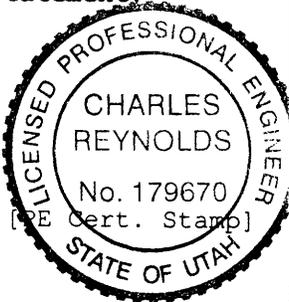
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?

X

**COMMENTS AND OTHER INFORMATION**

The pond appears to be functioning normally and has adequate storage.

**Certification Statement:**



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: CHARLES REYNOLDS, MINING ENGINEER  
(Full Name and Title)

Signature: Charles Reynolds Date: 12/29/03

P.E. Number & State: 179670, Utah

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT  |   | D008             | Page 1 of 2 |
|--|---|------------------|-------------|
| Permit Number  | ACT\007\011   | Report Date      | 12/29/03    |
| Mine Name  | Hiawatha Complex  |                  |             |
| Company Name   | Hiawatha Coal Company, Inc.   |                  |             |
| Impoundment Identification   | Impoundment Name  | Middle Fork Pond |             |
|  | Impoundment Number  | D008             |             |
|  | UPDES Permit Number   | UT-0023094       |             |
|  | MSHA ID Number  | N/A              |             |
| <b>IMPOUNDMENT INSPECTION</b>  |   |                  |             |
| Inspection Date  | 12/29/03  |                  |             |
| Inspected By   | Charles Reynolds  |                  |             |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)  | Annual  |                  |             |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond banks showed no signs of instability or hazardous conditions.</p>   |   |                  |             |
| Required for an impoundment which functions as a SEDIMENTATION POND.   | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 0.48 ac-ft<br/> 60% cleanout elevation = 8,034.8<br/> 100% sediment storage elevation = 8,036.1<br/> Existing sediment elevation = 8,031.6</p>   |                  |             |
|  | <p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 8,042.0<br/> Emergency spillway elevation = 8,045.5</p>  |                  |             |
| <p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The inlet and outlets appear in good condition. No discharges were reported or occurred during 2003.</p>                                  |   |                  |             |
| <p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond currently contains 0.00 ac-ft of sediment. The existing storage capacity is 3.16 ac-ft, which is greater than the 0.92 ac-ft required.</p> |   |                  |             |
| Qualification Statement  | <p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Charles Reynolds</u> Date: <u>12/29/03</u></p> |                  |             |

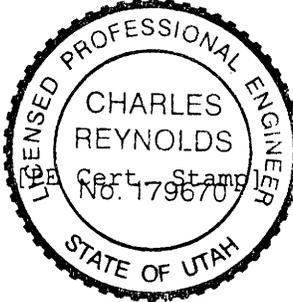
**CERTIFIED REPORT**

| IMPOUNDMENT EVALUATION (If NO, explain under Comments)   | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan?   | X   |    |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition?                                  | X   |    |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | X   |    |

**COMMENTS AND OTHER INFORMATION**

Sediment level did not change measurably in 2003.

**Certification Statement:**



The seal is circular with a double border. The outer border contains the text 'LICENSED PROFESSIONAL ENGINEER' at the top and 'STATE OF UTAH' at the bottom. The inner circle contains the name 'CHARLES REYNOLDS' in the center, with 'Cert. Stamp' and 'No. 179670' written below it.

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: CHARLES REYNOLDS, MINING ENGINEER  
(Full Name and Title)

Signature: *Charles Reynolds* Date: 12/29/03

P.E. Number & State: 179670, Utah

|                            |                             |                      |          |
|----------------------------|-----------------------------|----------------------|----------|
| Permit Number              | ACT\007\011                 | Report Date          | 12/29/03 |
| Mine Name                  | Hiawatha Complex            |                      |          |
| Company Name               | Hiawatha Coal Company, Inc. |                      |          |
| Impoundment Identification | Impoundment Name            | South Fork Mine Yard |          |
|                            | Impoundment Number          | D009                 |          |
|                            | UPDES Permit Number         | UT-0023094           |          |
|                            | MSHA ID Number              | N/A                  |          |

**IMPOUNDMENT INSPECTION**

|  |                  |  |  |
|--|------------------|--|--|
| Inspection Date  | 12/29/03         |  |  |
| Inspected By   | Charles Reynolds |  |  |
| Reason for Inspection<br><small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small> | Annual           |  |  |

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.  
 The pond banks showed no signs of instability or hazardous conditions.

|  |  |
|--|--|
| Required for an impoundment which functions as a SEDIMENTATION POND. | 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.<br><br>Sediment storage capacity = 0.76 ac-ft<br>60% cleanout elevation = 7,902.2<br>100% sediment storage elevation = 7,903.5<br>Existing sediment elevation = 7,901.9 |
|  | 3. Principle and emergency spillway elevations.<br><br>Principle spillway elevation = 7,903.5<br>Emergency spillway elevation = 7,910.6  |

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.  
 The inlet and outlets appear in good condition. No discharges were reported or occurred during 2003.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.  
 The pond currently contains 0.51 acre-ft of sediment. The existing storage capacity is 3.38 ac-ft, which is greater than the 2.99 ac-ft required.

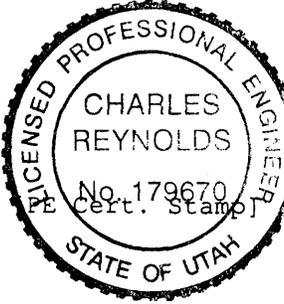
|                                |  |
|--------------------------------|--|
| <b>Qualification Statement</b> | I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.<br><br>Signature: <u>Charles Reynolds</u> Date: <u>12/29/03</u> |
|--------------------------------|--|

| IMPOUNDMENT EVALUATION (If NO, explain under Comments)   | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan?   | X   |    |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition?                                  | X   |    |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | X   |    |

**COMMENTS AND OTHER INFORMATION**

The sediment depth was lowered significantly in 2002. Sediment level did not change measurably in 2003.

**Certification Statement:**



No. 179670  
cert. stamp

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: CHARLES REYNOLDS, MINING ENGINEER  
(Full Name and Title)

Signature: *Charles Reynolds* Date: 12/29/03

P.E. Number & State: 179670, Utah

| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT  |   | D011                              | Page 1 of 2           |
|--|---|-----------------------------------|-----------------------|
| Permit Number  | ACT\007\011   | Report Date                       | 12/29/03              |
| Mine Name  | Hiawatha Complex  |                                   |                       |
| Company Name   | Hiawatha Coal Company, Inc.   |                                   |                       |
| Impoundment Identification   | Impoundment Name  | South Fork Truck Loading Facility |                       |
|  | Impoundment Number  | D011                              |                       |
|  | UPDES Permit Number   | UT-0023094                        |                       |
|  | MSHA ID Number  | N/A                               |                       |
| <b>IMPOUNDMENT INSPECTION</b>  |   |                                   |                       |
| Inspection Date  | 12/29/03  |                                   |                       |
| Inspected By   | Charles Reynolds  |                                   |                       |
| Reason for Inspection<br>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)  | Annual  |                                   |                       |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>The pond banks showed no signs of instability or hazardous conditions.</p>   |   |                                   |                       |
| Required for an impoundment which functions as a SEDIMENTATION POND.   | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment storage capacity = 0.47 ac-ft<br/> 60% cleanout elevation = 7,712.3<br/> 100% sediment storage elevation = 7,714<br/> Existing sediment elevation = 7,710.8</p>   |                                   |                       |
|  | <p>3. Principle and emergency spillway elevations.</p> <p>Principle spillway elevation = 7,713<br/> Emergency spillway elevation = 7,718.7</p>  |                                   |                       |
| <p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>The inlet and outlets appear in good condition. No discharges were reported or occurred during 2003.</p>                                  |   |                                   |                       |
| <p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The pond currently contains 0.17 ac-ft of sediment. The existing storage capacity is 0.67 ac-ft, which is greater than the 0.31 ac-ft required.</p> |   |                                   |                       |
| Qualification Statement  | <p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> |                                   |                       |
|  | Signature: <u>Charles Reynolds</u>  |                                   | Date: <u>12/29/03</u> |

**CERTIFIED REPORT**

| IMPOUNDMENT EVALUATION (If NO, explain under Comments)   | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan?   | X   |    |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition?                                  | X   |    |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | X   |    |

**COMMENTS AND OTHER INFORMATION**

No measurable change in sediment level in 2003.

**Certification Statement:**



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: CHARLES REYNOLDS, MINING ENGINEER  
 (Full Name and Title)

Signature: *Charles Reynolds* Date: 12/29/03

P.E. Number & State: 179670, Utah

# APPENDIX B

## Reporting of Technical Data

including monitoring data, reports, maps, and other information  
as required under the approved plan  
or as required by the Division  
in accordance with the requirements of R645-301-130 and R645-301-140.

### Contents

Climatological Data  
Subsidence Data

## Rain Record 2003

|          |        |           |        |       |      |
|----------|--------|-----------|--------|-------|------|
| Jan 5    | 0.05"  | snow      | Aug 16 | trace | rain |
| Jan 10   | 0.02"  | snow      | Aug 17 | 0.01" | rain |
| Feb 13   | 0.1"   | snow      | Aug 18 | 0.75" | rain |
| Feb 28   | trace  | snow      | Aug 19 | trace | rain |
| Mar 4    | 0.02"  | snow      | Aug 22 | 0.03" | rain |
| Mar 15   | 0.22"  | rain/snow | Sept 2 | 0.15" | rain |
| Mar 16   | 0.03"  | rain      | Sept 5 | trace | rain |
| Mar 17   | 0.01"  | rain      | Nov 21 | .365" | snow |
| Mar 18   | trace  | rain      | Nov 26 | .365" | snow |
| Mar 19   | 0.01"  | snow      | Dec 25 | 1.25" | snow |
| Mar 24   | 0.5"   | rain/snow | Dec 27 | .25"  | snow |
| Mar 26   | 0.20"  | snow      | Dec 29 | trace | snow |
| Mar 27   | 0.04"  | snow      |        |       |      |
| April 3  | trace  | snow      |        |       |      |
| April 5  | 0.01"  | snow      |        |       |      |
| April 6  | trace  | snow      |        |       |      |
| April 15 | 0.03"  | snow      |        |       |      |
| April 18 | trace  | snow      |        |       |      |
| April 20 | 0.02"  | rain      |        |       |      |
| April 21 | 0.24"  | rain      |        |       |      |
| April 22 | 0.08"  | rain/snow |        |       |      |
| May 9    | 1.01"  | rain      |        |       |      |
| May 16   | 0.02"  | rain      |        |       |      |
| May 30   | 0.06"  | rain      |        |       |      |
| June 9   | trace  | rain      |        |       |      |
| June 11  | 0.025" | rain      |        |       |      |
| June 12  | 0.1"   | rain      |        |       |      |
| June 18  | 0.15"  | rain      |        |       |      |
| June 19  | 0.36"  | rain      |        |       |      |
| June 23  | 0.1"   | rain      |        |       |      |
| June 24  | 0.3"   | rain      |        |       |      |
| July 6   | trace  | rain      |        |       |      |
| July 17  | trace  | rain      |        |       |      |
| July 22  | 0.01"  | rain      |        |       |      |
| July 29  | trace  | rain      |        |       |      |
| July 30  | 0.1"   | rain      |        |       |      |
| Aug 4    | 0.4"   | rain      |        |       |      |
| Aug 8    | 0.1"   | rain      |        |       |      |
| Aug 11   | trace  | rain      |        |       |      |
| Aug 12   | 0.1"   | rain      |        |       |      |
| Aug 13   | 0.02"  | rain      |        |       |      |
| Aug 14   | trace  | rain      |        |       |      |
| Aug 15   | 0.11"  | rain      |        |       |      |

# APPENDIX C

## Legal, Financial, Compliance and Related Information

Annual Report of Officers  
as submitted to the Utah Department of Commerce  
and other changes in ownership and control information  
as required under R645-301-110.

### CONTENTS

Annual Report of Officers





Office of the Secretary of State  
P.O. Box 25125, Salt Lake City, Utah 84125-0125

**ANNUAL REPORT / RENEWAL FORM**

| Entity Number | Entity Type                     | Renewal Fee | Delinquent Date | Total Late renewal Fee | Date Entity Can No Longer Renew |
|---------------|---------------------------------|-------------|-----------------|------------------------|---------------------------------|
| 1363607-0142  | Corporation - Domestic - Profit | \$10.00     | 06/30/2002      | \$20.00                | 09/09/2002                      |

SUBMIT SEPARATE PAYMENTS FOR MULTIPLE RENEWALS  
CHANGES MADE ON THE FORM ON THE REVERSE MUST BE TYPE WRITTEN OR COMPUTER GENERATED

OK 11/23/02

CARL E KINGSTON  
HIAWATHA COAL COMPANY, INC.  
3212 S STATE ST  
SALT LAKE CITY UT 84115

000000587806COR0000136360014200000000000000001000

(Detach coupon above even if changes are made on the reverse side of this form)

**INSTRUCTIONS FOR ANNUAL REPORT/RENEWAL - PLEASE READ CAREFULLY**

RENEW ONLINE

RENEW ONLINE

**TIMELY RENEWAL:** Pursuant to Utah Law, all renewals must be filed within their legally prescribed time. Failure to do so may result in the loss of all protection and privileges in the State of Utah.

**RENEWAL FEES:** Application fees are subject to change by the Legislature each July 1<sup>st</sup>. The fees quoted above are current at the time this renewal form was printed. The "Total Late Renewal Fee" quoted above is the total amount due if renewing after the entity's Delinquent Date.

**RENEWAL:** Please submit original form only. If no changes need to be made to registered information, carefully detach the coupon above and submit with the appropriate fee in the enclosed return envelope. For multiple renewals please submit separate payments. Payments are accepted by check or money order and should be payable to "State of Utah" DO NOT SEND CASH. Please indicate registration number and/or business name on check.

**CHANGES:** At the time of renewal changes can be made to the entity's registered information with no fee by using the form printed on the reverse. If making changes, return the detached coupon, the form with changes and the appropriate fee in the enclosed return envelope. Ensure that the changes made on the reverse side of this form are being made to the entity with which this renewal is associated.

If you have questions concerning this renewal or would like to check the status of your record please contact the Corporations Information Center at: (801) 530-4849 or toll free in-state (877) 526-3994 or go to <http://www.state.ut.us/serv/bus>. Forms may be downloaded from our Web site: <http://www.commerce.state.ut.us>

ENTITY SPECIFIC INFORMATION:

[www.utah.gov/commerce/abr](http://www.utah.gov/commerce/abr)

**Corporation - Domestic - Profit:** ONE (1) corporate officer with address (UCA 16-10A-830) & THREE (3) directors with addresses (UCA 16-10A-803) (exception: 16-10A-803-1b) must be reported by the entity's first anniversary annual report.

**Corporation - Foreign - Profit:** What the home state law requires

**Professional Corporation:** ONE (1) director with address and ONE (1) corporate officer with address, each must be an individual licensed to render the same specific professional services as those for which the corporation is organized or be qualified to be an officer or director under the applicable licensing act for which the corporation is organized (UCA 16-11-8)

Use the form on the reverse to set forth any change in registered information, there is no additional fee involved when changing registered information for an entity in conjunction with that entity's renewal. When filling out the form, it must be type written or computer generated.

**REGISTERED PRINCIPAL INFORMATION**

To view principal information go to <http://www.utah.gov/commerce/abr>  
You will need to enter the following information on the internet:

ENTITY NUMBER: 1363607-0142  
RENEWAL ID: 587806

\*The following renewals will be updated in our system within seven days\*  
Please print the following form for your records

| Fee Summary For:   |   |
|--|---|
| CARLE KINGSTON<br>HIAWATHA COAL COMPANY, INC.<br>3212 S STATE ST<br>SALT LAKE CITY, UT 84115                                     | Renewal Fee : 10.00<br>Total Fee Paid<br>on June 3, 2003: 10.00 |
| Businesses Renewed   |   |
| Business Name: HIAWATHA COAL COMPANY, INC.<br>Entity Number: 1363607-0142<br>Registration Date: 6/30/1997<br>State of Origin: UT |   |

RENEWED