

0039

TRANSACTION REPORT

NOV-07-2007 WED 04:35 PM

FOR: OIL, GAS & MINING

801 359 3940

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
NOV-07	04:34 PM	4815351	54"	3	SEND	OK	103	
TOTAL :						54S PAGES:	3	



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

*Outgoing of
c/007/0011*

UTAH DIVISION OF OIL, GAS AND MINING FACSIMILE COVER SHEET

DATE: November 7, 2007

FAX#: 481-5351

ATTN: Cally Johnson

COMPANY: Chase

NUMBER OF PAGES (INCLUDING THIS ONE): 3

FROM: Don G-L

If you do not receive all of the pages, or if they are illegible, please call (801) 538-5340. We are sending from a sharp facsimile machine. Our telecopier number is (801) 359-3940.

MESSAGES:

*Called Morgan/Chase
on 11/9/07
to verify John Baza
is the Director.
312-954-2842*



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

UTAH DIVISION OF OIL, GAS AND MINING FACSIMILE COVER SHEET

DATE: November 7, 2007

FAX#: 481-5351

ATTN: Cally Johnson

COMPANY: Chase

NUMBER OF PAGES (INCLUDING THIS ONE): 3

FROM: Tom G-L

If you do not receive all of the pages, or if they are illegible, please call (801) 538-5340. We are sending from a sharp facsimile machine. Our telecopier number is (801) 359-3940.

MESSAGES: _____

Director's Signature

Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.



M.B.S.C., L.L.C.

10 West Century Parkway
Salt Lake City, Utah 84115

October 30, 2007

JPMorgan Chase Bank, NA
Cally Johnson
80 West Broadway, Suite 200
Salt Lake City, Utah 84101

Dear Cally:

Please amend our Letter of Credit #9629378 in the name of M.B.S.C., L.L.C. in the amount of \$2,838,000.00, to show a final expiration date of March 17, 2008 and to delete the auto roll provision.

Sincerely,

M.B.S.C., L.L.C.

By: Meadowsprings, Inc., Manager

By: 
C.W. Benson, President

Accepted By:

State of Utah
Department of Natural Resources
Division of Oil, Gas & Mining

By: 

RECEIVED

NOV 02 2007

DIV. OF OIL, GAS & MINING

BANK ONE

11-1-03
Evergreen

BANK ONE, NA - 1717 MAIN STREET, 11TH FLOOR, DALLAS, TEXAS 75201

TELEPHONE: 1-888-525-9395

IRREVOCABLE STANDBY LETTER OF CREDIT NO. STI20510

PLACE AND DATE OF ISSUE:
DALLAS, TEXAS 12/23/2002

DATE AND PLACE OF EXPIRY:
12/18/2003 IN DALLAS, TEXAS

APPLICANT:
M.B.S.C., LLC.
3212 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84105

ADVISING BANK:
NOT APPLICABLE

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

AMOUNT: USD2,838,000.00
TWO MILLION EIGHT HUNDRED
THIRTY EIGHT THOUSAND AND
NO/100 U.S. DOLLARS

GENTLEMEN:

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT IN YOUR FAVOR AVAILABLE BY BENEFICIARY'S SIGHT DRAFT(S) DRAWN ON BANK ONE, NA WHEN ACCOMPANIED BY THE ORIGINAL OF THIS CREDIT AND THE FOLLOWING DOCUMENT(S):

- BENEFICIARY'S SIGNED AND DATED STATEMENT STATING THAT: QUOTE - PURSUANT TO R645-301-880,900, HIAWATHA COAL COMPANY, INC. IS IN VIOLATION OF THE SURFACE MINING CONTROL AND RECLAMATION ACT THE REGULATORY SYSTEM, THE PERMIT AND THE RECLAMATION PLAN. - UNQUOTE

SPECIAL CONDITIONS:

PARTIAL DRAWINGS ARE PROHIBITED.

DRAFTS MUST BE MARKED: "DRAWN UNDER BANK ONE, NA CREDIT NO. STI20510."

WE HEREBY ENGAGE WITH YOU THAT ALL DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH ALL THE TERMS AND CONDITIONS OF THIS CREDIT WILL BE DULY HONORED IF DRAWN AND PRESENTED FOR PAYMENT TO BANK ONE, NA, ATTN: STANDBY LETTER OF CREDIT DEPARTMENT, AT 1717 MAIN STREET, 11TH FLOOR, DALLAS, TEXAS 75201 ON OR BEFORE THE EXPIRATION OF THIS LETTER OF CREDIT.

THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1993 REVISION) INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 500.


AUTHORIZED SIGNATURE
BANK ONE, NA
SS:

RECEIVED
NOV 02 2007
DIV. OF OIL, GAS & MINING