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**State of Utah**  
DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
*Executive Director*

**Division of Oil Gas and Mining**

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

November 13, 2007

Mark Reynolds, Resident Agent  
Hiawatha Coal Company  
P.O. Box 1245  
Huntington, Utah 84528

Subject: Replacement of Letter of Credit, Hiawatha Coal Company, Hiawatha Mine, C/007/0011, Outgoing File

Dear Mr. Reynolds:

Enclosed please find a copy of the Third Amendment to Letter of Credit #00336176 that states it will expire on March 17, 2008. Please be advised that continuous bond coverage must be maintained by Hiawatha Coal Company. If this letter of credit is not replaced by another suitable bond or letter of credit at least 30 days before its expiration date (by February 19, 2008), this letter of credit will be forfeited (R645-301-860.222).

If you have any questions, please call me at (801) 538-5268.

Sincerely,

Pamela Grubaugh-Littig  
Permit Supervisor

an  
Enclosure  
cc: Price Field Office  
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JPMorgan Chase Bank, N.A.  
c/o JPMorgan Treasury Services  
Global Trade Services  
10420 Highland Manor Drive  
Tampa, FL 33610

NOV 8, 2007

L/C NO.: 00336176

ITEM NO: 0010

*Truecopy  
C/007/0011*

TO:  
STATE OF UTAH, DEPT. OF NATURAL  
RESOURCES - DIVISION OF OIL, GAS  
AND MINING  
1594 WEST NORTH TEMPLE, STE 1210  
SALT LAKE CITY, UT 84114

RE: 00336176

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

IN ACCORDANCE WITH INSTRUCTIONS RECEIVED, THE ABOVE REFERENCED STANDBY  
LETTER OF CREDIT HAS BEEN AMENDED AS FOLLOWS:

RECEIVER'S REFERENCE: NONREF  
NEW DATE OF EXPIRY: MARCH 17, 2008

AUTOMATIC EXTENSION PROVISION IS HEREBY DELETED.

AS A RESULT OF THE MERGER BETWEEN JPMORGAN CHASE BANK AND BANK ONE, NA,  
BANK ONE, NA HAS CHANGED ITS NAME TO JPMORGAN CHASE BANK, N.A. THEREFORE,  
THE NAME OF BANK ONE, NA IS REPLACED WITH THE NAME JPMORGAN CHASE BANK,  
N.A., WHEREVER SUCH BANK'S NAME APPEARS HEREIN.

THIS IS AMENDMENT NO: THREE

ALL OTHER TERMS AND CONDITIONS OF THE CREDIT REMAIN UNCHANGED.

  
\_\_\_\_\_  
AUTHORIZED SIGNATURE

RECEIVED

NOV 13 2007

DIV. OF OIL, GAS & MINING