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DEPARTMENT OF NATURAL RESOURCES

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Division of Oil, Gas and Mining

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C0070011
OK

December 11, 2008

Elliot Finley
Hiawatha Coal Company
P.O. Box 1240
Huntington, Utah 84528

Subject: Rejection of Ownership and Control Update, Task ID #3084, Hiawatha Mine, C/007/0011

Dear Mr. Finley:

The Division received your application for the above-noted permit change on November 19, 2008. Pursuant to R645-303-221, the Division completed the Initial Completeness Review (ICR) and denies this application for a technical review on the basis of the following deficiencies:

R645-301-112.300, Federal identification numbers are required for each business entity listed: ANR Company Inc. and Hiawatha Coal Company, Inc (HCCI) and the last four digits of each person's social security number listed as officers in ANR Company, Inc. and HCCI. • The application must include the telephone number for ANR Company, Inc. • The application must include the date Colleen Gustafson's position ended as Secretary/Treasurer and the date that Nathaniel Finley began as Secretary/Treasurer of HCCI, accompanied by notarized Secretary signature for the changes in officers. • Current MRP information indicates J.O. Kingston became President and L.A. Miller became Vice President of ANR Company Inc on June 30, 1999. Appendix I-1 contains a document signed by D.O. Kingston, President ANR Company Inc., on December 15, 1997. Please verify the start and end dates for D.O. Kingston, President ANR Company, Inc. and the amended start dates of J.O. Kingston and L.A. Miller with a notarized Secretary signature.

R645-301-114.100, Update information in Section 114.100 of the MRP that indicates the Right of Entry sublease from ANR Company expired on July 25, 2007. Identify new Right of Entry by type of document and date of execution and identify the specific lands to which it pertains.

R645-301-121.100, R645-301-112.500 and R645-301-112.600, Adjacent ownership information referenced on Surface Ownership (Ex. IV-1) and Subsurface ownership Maps (Ex. IV-2) must be brought up to date and maps must include the Township and Range boundaries.



If you have any questions, please call Priscilla Burton at (435) 613-3773 for further details.

Sincerely,

A handwritten signature in black ink, appearing to read "J.D. Smith". The signature is written in a cursive style with a large initial "J" and "S".

James D. Smith
Permit Supervisor

PB:sqs
cc: Price Field Office
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