

Hiawatha Coal Company

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John R. Baza
Utah Division of Oil, Gas & mining
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January 29, 2009

Re: Approval with Stipulation of Phase I Bond Release, Hiawatha Mine, C/007/0011, Task ID# 3104.

Dear Mr. Baza:

This letter is in response to your list of Stipulations dated January 13, 2009 for conditional approval on Hiawatha Mine Phase I Bond Release.

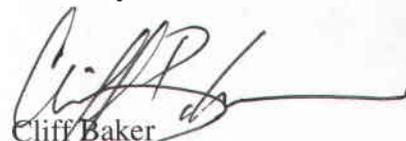
Stipulation A- Please find Five (5) Clean Copies of the Bond Release Application which encompasses all the narratives, tables, maps and any other information included in all six (6) submittals.

Stipulation B- The Revision to Exhibit V-13 will not be performed as this map reflects the proposed final topography of the Prep Plant Area. Provided in the original application are copies of Exhibit V-9 (Storage and Refuse Facilities) which shows accurate existing surface topography of slurry pond 5A, borrow areas A and F. Also included in the original application is Exhibit VII-18 (Borrow Area A), which reflects current topography as well as cross-sections of Current vs. Proposed Final topography. This was discussed with Priscilla Burton and myself, in the Price Office on Monday, January 26, 2009 and was agreed by both parties that these maps would satisfy the Stipulation.

A clean hard copy was also provided to the Price Office.

If you have any questions, please call me at (435)636-5777 (X-2501).

Sincerely,



Environmental Coordinator

File in: C/007/0011, 2009, Incoming

- Refer to:
- Confidential
- Shelf
- Expandable

Date 01/29/09 for additional information

RECEIVED

FEB 17 2009

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