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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*  
0070011  
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April 23, 2009

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

Subject: Letter of Credit #00336176, Hiawatha Coal Company, Hiawatha Mine, C/007/0011, Outgoing File

Dear Mr. Finley:

Enclosed please find a copy of the amended Letter of Credit #00336176, which states that it will expire on June 15, 2009. Please be advised that Hiawatha Coal Company must maintain continuous bond coverage. If this letter of credit is not renewed or replaced at least 30 days before its expiration date (by May 15, 2009), it will be forfeited (R645-301-860.222).

If you have any questions, please feel free to call me at (801) 538-5264.

Sincerely,

Angela Nance  
Bond Coordinator

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

FEB 10, 2009  
OUR L/C NO.: 00336176  
APPLICANT REF. NO.: 00336176  
AMENDMENT NO.: 10

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

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: JUNE 15, 2009  
L/C DECREASED BY: USD564,536.00

THE AMOUNT OF THIS LETTER OF CREDIT HAS BEEN DECREASED TO A NEW AGGREGATE  
AMOUNT OF U.S. \$2,273,464.00.

THE REDUCTION IS IN ACCORDANCE WITH YOUR LETTER DATED JANUARY 13, 2009  
SIGNED BY JOHN R. BAZA.

ALL OTHER TERMS AND CONDITIONS OF THE CREDIT REMAIN UNCHANGED.

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

RECEIVED

FEB 11 2009  
Page 1 of 1

DIV. OF OIL, GAS & MINING