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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  
C/007/0011*

January 25, 2010

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

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

Dear Mr. Finley:

Enclosed please find a copy of the amended Letter of Credit # \_\_\_\_\_, which states that it will expire on March 15, 2010. 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 February 15, 2010), it will be forfeited (R645-301-860.222).

If you have any question, please call me at (801) 538-5264.

Sincerely,

*Angela Nance*  
Angela Nance  
Bond Coordinator

an  
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RECEIVED

NOV 16 2009

DIV. OF OIL, GAS & MINING

JPMorgan Chase Bank, N.A.  
Global Trade Services  
300 South Riverside Plaza  
Mail Code IL1-0236  
Chicago, IL 60606-0236

NOV 12, 2009

OUR L/C NO.:

APPLICANT REF. NO.:

AMENDMENT NO.: 13

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: MARCH 15, 2010  
L/C DECREASED BY: USD312,464.00

TO A NEW AGGREGATE AMOUNT OF USD1,961,000.00

ALL AMENDMENTS UNDER THIS LETTER OF CREDIT ARE SUBJECT TO THE BENEFICIARY'S  
AGREEMENT. THIS AMENDMENT SHALL NOT BE CONSIDERED OPERATIVE UNLESS THE  
BENEFICIARY COMMUNICATES THEIR AGREEMENT TO THE AMENDED TERMS. PLEASE  
INDICATE YOUR ACCEPTANCE/REJECTION BY SIGNING AND RETURNING A COPY OF THIS  
AMENDMENT VIA FAX TO (312)-233-2264 TO THE ATTENTION OF STANDBY LETTER OF  
CREDIT UNIT, 300 S. RIVERSIDE PLAZA, MAIL CODE IL1-0236, CHICAGO, ILLINOIS  
60606-0236.

STATE OF UTAH, DEPT. OF NATURAL RESOURCES - DIVISION OF OIL GAS AND MINING

ACCEPTED BY: John R. Baza  
(SIGNATURE)

PRINT NAME - TITLE John R. Baza, Director

DATE AND TEL. NO. : 11/23/09

STATE OF UTAH, DEPT. OF NATURAL RESOURCES - DIVISION OF OIL GAS AND MINING