

HIAWATHA COAL COMPANY, INC.

P.O. Box 1240
Huntington, Utah 84528



Office (435) 687-1778
FAX (435) 687-1378

April 8, 2011

Coal Program
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

To Whom It May Concern,

Re: Annual Report 2010, Hiawatha Coal Company, Hiawatha Mine, C/007/011

Enclosed is an electronic submittal of the 2010 Annual Report for Hiawatha Coal Company.

If you have any questions, please contact me at (801) 857-0399 at charles.reynolds@hiawathacoal.com.

Sincerely,

A handwritten signature in cursive script that reads "Charles Reynolds".

Charles Reynolds, PE
Mine Manager

To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.

GENERAL INFORMATION

Permittee Name	Hiawatha Coal Company, Inc.
Mine Name	Hiawatha Mine Complex
Operator Name (If other than permittee)	
Permit Expiration Date	March 14, 2012
Permit Number	C/007/0011
Authorized Representative Title	Elliot Finley, President
Phone Number	(435) 637-1778
Fax Number	(435) 687-5057
E-mail Address	efinley@efinley.com
Mailing Address	P.O. Box 1240, Huntington, Utah 84528
Designated Representative	Charles Reynolds
Resident Agent	Elliot Finley, President
Resident Agent Mailing Address	Same as above.
Number of Binders Submitted	Electronic submittal

IDENTIFICATION OF OTHER PERMITS

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	42-02157	King Mines	N/A
Refuse Piles	01	Slurry Impoundment #1	N/A
	03	Slurry Impoundment #5a	N/A
	04	Refuse Pile No. 1	N/A
NPDES/UPDES Permit(s)	UT0030942	UPDES, Minor Industrial	December 31, 2014
PSD Permit(s) (Air)	DAQE-50289-00	Issued October 29, 1999	N/A
Other			

CERTIFIED REPORTS

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	Required		Included or Included	DOGM file location Vol, Chapter, Page	Comments
	Yes	No			
Excess Spoil Piles		No			
Refuse Piles	Yes		Included		Appendix A
Impoundments	Yes		Included		Appendix A
Other					
Water Monitoring	Yes			Electronic Database	

COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the MRP and conditions accepted with the permit are completed throughout the year.

REPORTING OF OTHER TECHNICAL DATA

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

*Reminder: If equipment has been abandoned during 2008, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

Change in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is Requesting that each permittee review and update the legal, financial, compliance and related information in the plan as part of the annual report. Please provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other change as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include certified financial statements, audits or worksheets, which may be required to meet bonding requirements. Specify whether the information is currently on file with the Division or included as Appendix C to the report.

Legal / Financial Update	Required		Included or Included	DOGM File location Vol, Chapter, Page	Comments
	Yes	No			
Department of Commerce, Annual Report Officers	X		X		
Other					

APPENDIX A

Certified Reports

Excess Spoil Piles
Refuse Piles
Impoundments

As required under R645-301-514

CONTENTS

Slurry Pond 1 Annual Inspection
Slurry Pond 5a Annual Inspection
Refuse Pile 1 Annual Inspection
Pond D003 Annual Inspection Report
Pond D004 Annual Inspection Report
Pond D006 Annual Inspection Report
Pond D007 Annual Inspection Report
Pond D008 Annual Inspection Report
Pond D009 Annual Inspection Report
Pond D0011 Annual Inspection Report

Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		

Company Name Hiawatha Coal Company, Inc.

Excess Spoil Pile or Refuse Pile Identification	Pile Name	Slurry Pond 1
	Pile Number	
	MSHA ID Number	N/A

Inspection Date 12/21/2010
Inspected By Charles Reynolds

Reason for Inspection Annual
(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)

Attachments to Report? No Yes

Field Evaluation

1. **Foundation preparation, including the removal of all organic material and topsoil.**
N/A

2. **Placement of underdrains and protective filter systems.**
N/A

3. **Installation of final surface drainage systems.**
N/A

4. **Placement and compaction of fill materials.**
No material was added or removed from the pond in 2010.

5. **Final grading and revegetation of fill.**
N/A

6. **Appearances of instability, structural weakness, and other hazardous conditions.**

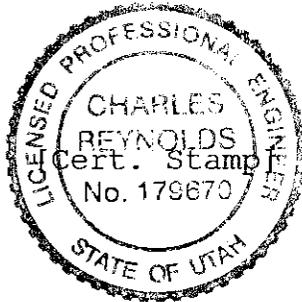
6. Appearances of instability, structural weakness, and other hazardous conditions.

No signs of embankment instability were observed. No fires have occurred.

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

No changes have been made to the configuration of the pile.

Certification Statement



I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Charles Reynolds, Mining Engineer
(Full Name and Title)

Signature: Charles Reynolds Date: 12/21/2011

P.E. Number & State: 179670 Utah

Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		

Company Name Hiawatha Coal Company, Inc.

Excess Spoil Pile or Refuse Pile Identification	Pile Name	Slurry Pond 5A
	Pile Number	
	MSHA ID Number	N/A

Inspection Date 12/21/2010
Inspected By Charles Reynolds

Reason for Inspection Annual
(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)
Attachments to Report? No Yes

Field Evaluation

1. Foundation preparation, including the removal of all organic material and topsoil.
N/A

2. Placement of underdrains and protective filter systems.
N/A

3. Installation of final surface drainage systems.
N/A

4. Placement and compaction of fill materials.
No material was added to or removed from the pond in 2010.

5. Final grading and revegetation of fill.
N/A

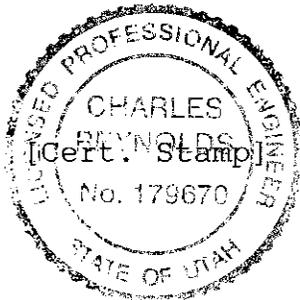
6. Appearances of instability, structural weakness, and other hazardous conditions.

No signs of embankment instability were observed. No fires have occurred.

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

No changes have been made to the configuration of the pond. The slurry pond 5a was inspected as a refuse pile since the banks and interior contain coal fines and refuse.

Certification Statement



I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Charles Reynolds, Mining Engineer
(Full Name and Title)

Signature: *Charles Reynolds* Date: 12/21/2010

P.E. Number & State: 179670 Utah

Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		

Company Name Hiawatha Coal Company, Inc.

Excess Spoil Pile or Refuse Pile Identification	Pile Name	Refuse Pile No. 1
	Pile Number	1
	MSHA ID Number	1211-UT-09-02157-04

Inspection Date 12/21/2010
Inspected By Charles Reynolds

Reason for Inspection Annual
(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)
Attachments to Report? No Yes

Field Evaluation

1. Foundation preparation, including the removal of all organic material and topsoil.
N/A.

2. Placement of underdrains and protective filter systems.
N/A

3. Installation of final surface drainage systems.
N/A

4. Placement and compaction of fill materials.
No material was added or removed from the pile in 2010.

5. Final grading and revegetation of fill.
N/A

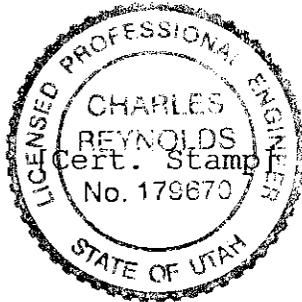
6. Appearances of instability, structural weakness, and other hazardous conditions.

No signs of embankment instability were observed. No fires have occurred.

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

No changes have been made to the configuration of the pile.

Certification Statement

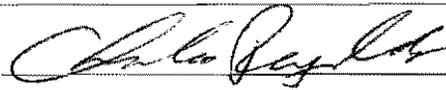


I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Charles Reynolds, Mining Engineer
(Full Name and Title)

Signature: Charles Reynolds Date: 12/21/2011

P.E. Number & State: 179670 Utah

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D003	Page 1 of 2
Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Upper Rail Yard Sediment Pond	
	Impoundment Number	D003	
	UPDES Permit Number	UT0023094	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	December 21, 2010		
Inspected By	Charles Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual, Quarterly.		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of structural weakness, erosion or any other hazards.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.60 ac-ft 60% cleanout elevation = 7211.5 100% sediment storage elevation = 7212.7 Existing sediment elevation = 7207.7		
	3. Principle and emergency spillway elevations.		
	Principle spillway elevation = 7214.5 Emergency spillway elevation = 7217.7		
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outcrops of embankments, etc.			
Pond is dry, but covered with snow. No discharges occurred during the year 2010. Pond inlets and outlets are good. Pond is well vegetated. The pond's configuration has not changed since last annual inspection.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
No changes in the geometry of the pond have occurred. The existing sediment volume is 0.15 ac-ft. The existing storage capacity is 2.28 ac-ft, which is greater than the 0.76 Ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 	Date:	12/21/2010

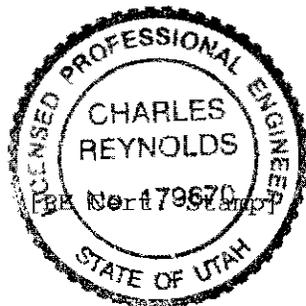
CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

COMMENTS AND OTHER INFORMATION

The pond is well vegetated and appears to be functioning normally. Pond has adequate Storage capacity. There is no measurable difference in the sediment level from 2009.

Certification Statement:

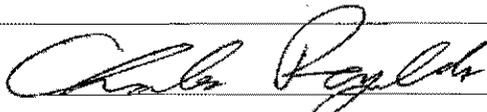


I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: Charles Reynolds, Mining Engineer
 (Full Name and Title)

Signature: *Charles Reynolds* Date: 12/21/2010

P.E. Number & State: 179670, Utah

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D004	Page 1 of 2
Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Pond North of Slurry Pond 1	
	Impoundment Number	D004	
	UPDES Permit Number	UT0023094	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	December 21, 2010		
Inspected By	Charles Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual, Quarterly.		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of structural weakness, erosion or any other hazards.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.84 ac-ft 60% cleanout elevation = 7087.8 100% sediment storage elevation = 7089.1 Existing sediment elevation = 7085.0		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 7089.3 Emergency spillway elevation = 7093.2			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
Pond is dry, but covered with snow. No discharges occurred during the year 2010. Pond inlets and outlets are good. Pond is well vegetated. The pond's configuration has not changed since last annual inspection.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
No changes in the geometry of the pond have occurred. The existing sediment volume is 0.03 ac-ft. The existing storage capacity is 1.38 ac-ft, which is greater than the 0.54 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 12/21/2010

CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)

YES

NO

1. Is impoundment designed and constructed in accordance with the approved plan?

X

2. Is impoundment free of instability, structural weakness, or any other hazardous condition?

X

3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?

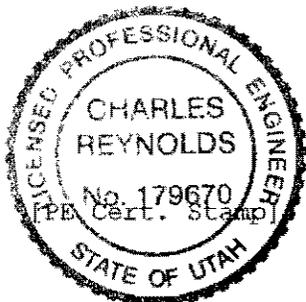
X

COMMENTS AND OTHER INFORMATION

Sediment pond appears to be functioning according to its design. The sediment level has not increased significantly since the previous certification in 2009.

Certification Statement:

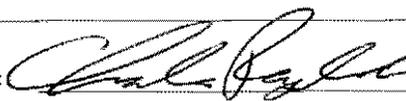
I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: Charles Reynolds Mining Engineer
(Full Name and Title)

Signature: Charles Reynolds Date: 12/21/2010

P.E. Number & State: 179670, Utah

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D006	Page 1 of 2
Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Pond East of Slurry Pond 5A	
	Impoundment Number	D006	
	UPDES Permit Number	UT0023094	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	December 21, 2010		
Inspected By	Charles Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual, Quarterly.		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of structural weakness, erosion or any other hazards.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 1.21 ac-ft 60% cleanout elevation = 6990.0 100% sediment storage elevation = 6991.1 Existing sediment elevation = 6987.4		
	3. Principle and emergency spillway elevations.		
	Principle spillway elevation = 6992.6 Emergency spillway elevation = 6993.75		
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
Pond is dry, but covered with snow. No discharges occurred during the year 2010. Pond inlets and outlets are good. Pond is well vegetated. The pond's configuration has not changed since last annual inspection.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
No changes in the geometry of the pond have occurred. The pond currently contains 0.04 ac-ft of sediment. The existing storage capacity is 2.96 ac-ft, which is greater than the 1.32 ac-ft required.			
Qualification Statement	I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 12/21/2010

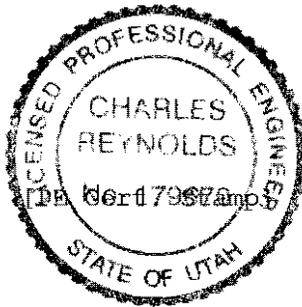
CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

COMMENTS AND OTHER INFORMATION

Sediment pond appears to be functioning according to its design. The sediment level has not increased significantly since the previous certification in 2009.

Certification Statement:

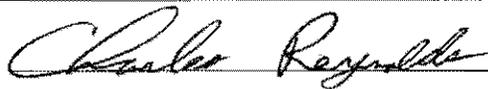


I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: Charles Reynolds, Mining Engineer
 (Full Name and Title)

Signature: *Charles Reynolds* Date: 12/21/2010

P.E. Number & State: 179670, Utah

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D007	Page 1 of 2
Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Pond Southeast of Slurry Pond 5	
	Impoundment Number	D007	
	UPDES Permit Number	UT0023094	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	December 21, 2010		
Inspected By	Charles Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual, Quarterly.		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of structural weakness, erosion or any other hazards.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.68 ac-ft 60% cleanout elevation = 6,990.9 100% sediment storage elevation = 6,991.2 Existing sediment elevation = 6,986.2		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 6,991.7 Emergency spillway elevation = 6,996.5			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
Pond is dry, but covered with snow. No discharges occurred during the year 2010. Pond inlets and outlets are good. Pond is well vegetated. The pond's configuration has not changed since last annual inspection.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
No changes in the geometry of the pond have occurred. The pond currently contains 0.18 ac-ft sediment. The existing storage capacity is 2.42 ac-ft, which is greater than the 0.74 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature:		Date:

CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)

YES

NO

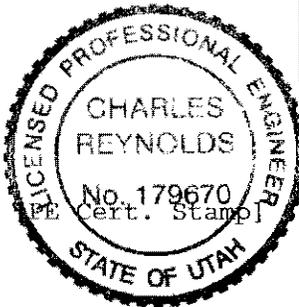
1. Is impoundment designed and constructed in accordance with the approved plan?
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?

COMMENTS AND OTHER INFORMATION

Sediment pond appears to be functioning according to its design. The sediment level has not increased significantly since the previous certification in 2009.

Certification Statement:

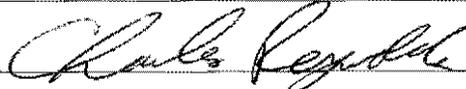
I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: Charles Reynolds, Mining Engineer
 (Full Name and Title)

Signature: Charles Reynolds Date: 12/21/2010

P.E. Number & State: 179670, Utah

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D008	Page 1 of 2
Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Middle Fork Sediment Pond	
	Impoundment Number	D008	
	UPDES Permit Number	UT0023094	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	December 21, 2010		
Inspected By	Charles Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual, Quarterly.		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of structural weakness, erosion or any other hazards.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.48 ac-ft 60% cleanout elevation = 8,034.8 100% sediment storage elevation = 8,036.1 Existing sediment elevation = 8,031.0		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 8,042.0 Emergency spillway elevation = 8,045.5			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.			
Pond is dry, but covered with snow. No discharges occurred during the year 2010. Pond inlets and outlets are good. Pond is well vegetated. The pond's configuration has not changed since last annual inspection.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
No changes in the geometry of the pond have occurred. The pond currently contains no sediment. The existing storage capacity is 3.6 ac-ft, which is greater than the 0.92 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 12/21/2010

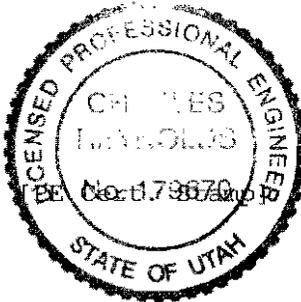
CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		

COMMENTS AND OTHER INFORMATION

Sediment pond appears to be functioning according to its design. The sediment level has not increased significantly since the previous certification in 2009.

Certification Statement:



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: Charles Reynolds, Mining Engineer
 (Full Name and Title)

Signature: Charles Reynolds Date: 12/21/2010

P.E. Number & State: 179670, Utah

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D009	Page 1 of 2
Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	South Fork Upper Sediment Pond	
	Impoundment Number	D009	
	UPDES Permit Number	UT0023094	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	December 21, 2010		
Inspected By	Charles Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual, Quarterly.		

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

The pond's dam appeared sound with no signs of structural weakness, erosion or any other hazards.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.
	Sediment storage capacity = 0.76 ac-ft 60% cleanout elevation = 7,902.2 100% sediment storage elevation = 7,903.5 Existing sediment elevation = 7,901.9
	3. Principle and emergency spillway elevations.
	Principle spillway elevation = 7,903.5 Emergency spillway elevation = 7,910.6

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond is dry, but covered with snow. No discharges occurred during the year 2010. Pond inlets and outlets are good. Pond is well vegetated. The pond's configuration has not changed since last annual inspection.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes in the geometry of the pond have occurred. The pond currently contains 0.47 acre-ft of sediment. The existing storage capacity is 3.28 ac-ft, which is greater than the 2.99 ac-ft required.

Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.	
	Signature: <u>Charles Reynolds</u>	Date: <u>12/21/2010</u>

CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)

YES

NO

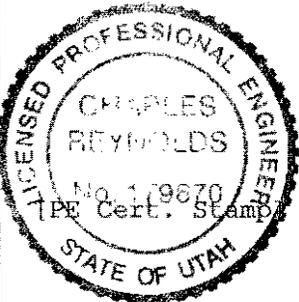
1. Is impoundment designed and constructed in accordance with the approved plan?
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?

COMMENTS AND OTHER INFORMATION

Sediment pond appears to be functioning according to its design. The sediment level has not increased significantly since the previous certification in 2009.

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: Charles Reynolds, Mining Engineer
 (Full Name and Title)

Signature: Charles Reynolds Date: 12/21/2010

P.E. Number & State: 179670, Utah

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D011	Page 1 of 2
Permit Number	C/007/011	Report Date	12/21/2010
Mine Name	Hiawatha Mine Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	South Fork Lower Sediment Pond	
	Impoundment Number	D011	
	UPDES Permit Number	UT0023094	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	December 21, 2010		
Inspected By	Charles Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual, Quarterly.		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's dam appeared sound with no signs of structural weakness, erosion or any other hazards.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.36 ac-ft 60% cleanout elevation = 7,713.9 100% sediment storage elevation = 7,713 Existing sediment elevation = 7,709.8		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 7,713 Emergency spillway elevation = 7,718.7			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.			
Pond is dry, but covered with snow. No discharges occurred during the year 2010. Pond inlets and outlets are good. Pond is well vegetated. The pond's configuration has not changed since last annual inspection.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
No changes in the geometry of the pond have occurred. The pond currently contains 0.07 ac-ft of sediment. The existing storage capacity is 0.71 ac-ft, which is greater than the 0.31 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 	Date:	12/21/2010

CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)

YES

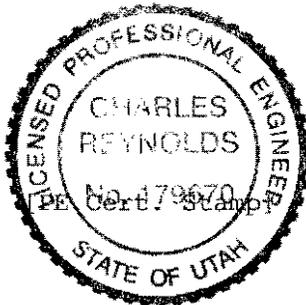
NO

1. Is impoundment designed and constructed in accordance with the approved plan?
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?

COMMENTS AND OTHER INFORMATION

Sediment pond appears to be functioning according to its design. The sediment level has not increased significantly since the previous certification in 2009.

Certification Statement:



I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: Charles Reynolds, Mining Engineer
 (Full Name and Title)

Signature: Charles Reynolds Date: 12/21/2010

P.E. Number & State: 179670, Utah

APPENDIX B

Reporting of Technical Data

Including monitoring data, reports, maps, and other information
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

CONTENTS

None

APPENDIX C

Legal Financial, Compliance and Related Information

Annual Report of Officers
As submitted to the Utah Department of Commerce

Other change in ownership and control information
As required under R645-301-110

CONTENTS

Annual Report of Officers

Utah Business Search - Registered Principals

Registered Principals

Name	Type	City	Status
HIAWATHA COAL COMPANY, INC.	Corporation	Salt Lake City	Active
Position	Name	Address	
Registered Agent	CARL E KINGSTON	3212 S STATE ST	Salt Lake City UT 8411
President	E O FINLEY	3212 S STATE ST	Salt Lake City UT 8411
Director	E O FINLEY	3212 S STATE ST	Salt Lake City UT 8411
Director	N J FINLEY	3212 S STATE ST	Salt Lake City UT 8411
Vice President	N J FINLEY	3212 S STATE ST	Salt Lake City UT 8411
Treasurer	N J FINLEY	3212 S STATE ST	SALT LAKE CITY UT 84115
Secretary	N J FINLEY	3212 S STATE ST	SALT LAKE CITY UT 84115

If you believe there may be more principals, click here to

Search by:

- Search by:
- Business Name
- Number
- Executive Name
- Search Hints

Name:

APPENDIX D

Mine Maps

As required under R645-302-525-270

CONTENTS

None

APPENDIX E

Other Information

In accordance with the requirements of R645-301 and R645-302

CONTENTS