

Outgoing
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From: Angela Nance
To: TGarcia@nvenvery.com
CC: OGMCOAL
Date: 6/23/2010 1:05 PM
Subject: Wellington Bond
Attachments: exhibit_Dfrm.doc; PermitteeAFFIDAVIT OF QUALIFICATION.doc

Hi Tony,

I received the new Surety Bond for the Wellington Preparation Plant - which changes the bond from Bond Safeguard Insurance Company to Fidelity and Deposit Company of Maryland. I will begin to process this change and prepare a release letter for Bond Safeguard Insurance Company. Should this letter be addressed to you or to the bond company? If the bond company - do you have the contact information?

Lastly, in order for us to complete the change - we need to have the attached forms signed and returned. The first form is an Exhibit 'D' - Stipulation to Revise Reclamation Agreement (just noting the change in surety company) and an Affidavit of Qualification for the Permittee.

If you have any questions - please feel free to contact me.

Thank you,

Angela Nance
Business Analyst
angelanance@utah.gov

EXHIBIT "D"

**Stipulation to Revise
Reclamation Agreement
(Non-Federal)**

Permit Number: C/007/0012

Effective Date: 06/10/2010

Bond Number: _____

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STIPULATION TO REVISE RECLAMATION AGREEMENT

--ooOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT**: (Identify and Describe Revisions below)

Transfer of surety bond from Bond Safeguard Insurance Company to Fidelity and Deposit Company of Maryland.

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.

- Replace the Reclamation agreement in its entirety.
- Replace Exhibit "A"- permit area.
- Replace Exhibit "B"- bonding agreement
- Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$ _____ to \$ _____.

The bonding type is changed from _____ to _____.

The surface disturbance is revised from _____ acres to _____ acres.

The expiration date is revised from _____ to _____.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed from \$ _____ to \$ _____.

IN WITNESS WHEREOF, _____ the **PERMITTEE** has hereunto set its
signature and seal this ____ day of _____, 20____.

PERMITTEE

By: _____

Title: _____

ACCEPTED BY THE STATE OF UTAH this ____ day of _____, 20____.

Director, Division of Oil, Gas and Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.

