



GARY R. HERBERT  
Governor

SPENCER J. COX  
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

January 23, 2018

Patrick Collins, Resident Agent  
Mt. Nebo Scientific, Inc.  
P.O. Box 337  
Springville, UT 84663

Subject: Midterm Completion Response, Wellington Prep Plant, Price River Terminal, LLC, C/007/0012, Task #5600

Dear Mr. Collins:

The Division of Oil, Gas and Mining (the Division) has completed its review of the Midterm Completion Response and recommended conditional approval of the amendment. Final approval of the amendment will be granted when the following conditions have been met:

- 1) Provide two clean copies prepared for incorporation. A stamped incorporated copy will be returned to you for inclusion into your copy of the Mining and Reclamation Plan (MRP).
- 2) The current bond amount for the Wellington Prep Plant is a surety bond in the amount of \$4,142,000.00 posted with Liberty Mutual Insurance Co. #019046962. A rider to increase the bond \$485,000.00 for a total of \$4,627,000.00 is required. Please submit the attached Exhibit "D" along with the surety rider to the Division. Contact Suzanne Steab, Bond Coordinator at (801) 538-5265 if you have any questions. The revisions to the MRP and bond cost estimates that reflect the increased bond amount have been approved.

Please provide the additional bond documents and two clean copies by no later than February 27, 2018.

If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron R. Haddock  
Coal Program Manager

DRH/sqs  
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**EXHIBIT "D"**

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

Permit Number: C/007/0012

Effective Date: \_\_\_\_\_

Bond Number: \_\_\_\_\_

**COAL**

**STIPULATION TO REVISE RECLAMATION AGREEMENT**

--ooOOoo--

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)

As a result of the Division of Oil, Gas & Mining's midterm permit review, the required bond to maintain adequate coverage is \$4,627,000. The permittee is required to submit an increase rider for an amount of \$485,000 increasing the current bond of \$4,142,000 to the required total of \$4,627,000

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 \$ 4,142,000 to \$ 4,627,000.

The bonding type is changed from Letter of Credit to Surety Bond.

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.

**AFFIDAVIT OF QUALIFICATION  
PERMITTEE  
--ooOOoo--**

I, \_\_\_\_\_, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) \_\_\_\_\_ of \_\_\_\_\_; and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said PERMITTEE is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.

\_\_\_\_\_  
(Signed)  
Name - Position

Attest: \_\_\_\_\_  
Secretary of the Corporation

STATE OF \_\_\_\_\_ )

) ss:

COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_, 20 \_\_\_\_.

