

**Snell & Wilmer**  
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ddragoo@swlaw.com

SALT LAKE CITY, UTAH

PHOENIX, ARIZONA

TUCSON, ARIZONA

IRVINE, CALIFORNIA

DENVER, COLORADO

LAS VEGAS, NEVADA

May 16, 2007

**HAND DELIVERED**

Ms. Pamela Grubaugh-Littig  
Utah Division of Oil, Gas & Mining  
1594 West North Temple  
Salt Lake City, Utah 84116

*Denise A. Drago*  
C/007/0013

**RE: Lila Canyon Extension, Horse Canyon Mine, C/007/013**

Dear Ms. Grubaugh-Littig:

On behalf of UtahAmerican Energy, Inc. ("UEI"), enclosed is the following:

1. An original and six copies of a revised Appendix 1-1, Section 10 (Murray Energy Holdings Co.) and the redlines showing the changed text;
2. Secretarial Certificate verifying that Clyde I. Borrell was President of UEI as of December 7, 2005, when Surety Bond No. ISM-2217 was executed by UEI as principal;
3. Affidavit of Qualification, Surety Company, signed by Rockwood Casualty Insurance Co. with corporate seal; and
4. Exhibit A, Legal Description, Bond No. ISM-2217.

Also enclosed are forms C-1 and C-2.

We appreciate your assistance in this matter.

Very truly yours,



Denise A. Drago

DAD:jmc:443083

Enclosures

cc: Jay Marshall  
Bruce Hill

**RECEIVED**

**MAY 16 2007**

**DIV. OF OIL, GAS & MINING**

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

Permittee: UtahAmerican Energy, Inc.

Mine: Horse Canyon Mine--Lila Canyon Extension

Permit Number: ACT/007/013

Title: \_\_\_\_\_

Description, Include reason for application and timing required to implement: \_\_\_\_\_

**Instructions:** If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes  No 1. Change in the size of the Permit Area? Acres: \_\_\_\_\_ Disturbed Area: \_\_\_\_\_  increase  decrease.
- Yes  No 2. Is the application submitted as a result of a Division Order? DO# \_\_\_\_\_
- Yes  No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes  No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes  No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes  No 6. Does the application require or include public notice publication?
- Yes  No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes  No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes  No 9. Is the application submitted as a result of a Violation? NOV # \_\_\_\_\_
- Yes  No 10. Is the application submitted as a result of other laws or regulations or policies?  
*Explain:* \_\_\_\_\_
- Yes  No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes  No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes  No 13. Does the application require or include collection and reporting of any baseline information?
- Yes  No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes  No 15. Does the application require or include soil removal, storage or placement?
- Yes  No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes  No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes  No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes  No 19. Does the application require or include certified designs, maps or calculation?
- Yes  No 20. Does the application require or include subsidence control or monitoring?
- Yes  No 21. Have reclamation costs for bonding been provided?
- Yes  No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes  No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach five (5) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Denise A. Drago  
Print Name

Denise A. Drago, Attorney May 16, 2007  
Sign Name, Position, Date

Subscribed and sworn to before me this 16th day of May, 2007

Julie G. McKenzie  
Notary Public

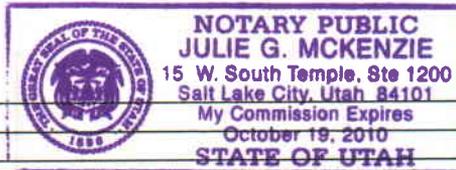
October 19, 2010

My commission Expires:

Attest: State of Utah

} ss:

County of Salt Lake



RECEIVED

MAY 16 2007

DIV. OF OIL, GAS & MINING



**SECRETARY'S CERTIFICATE  
UTAHAMERICAN ENERGY, INC.**

I, Michael O. McKown, as Secretary of UtahAmerican Energy, Inc., hereby verify that Clyde I. Borrell was the President of UtahAmerican Energy, Inc., as of December 7, 2005, the date of execution of the Surety Bond No. ISM-2217 with Rockwood Casualty Insurance Co.

DATED this 15 day of May, 2007.



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Michael O. McKown  
Secretary  
UtahAmerican Energy, Inc.

**MURRAY ENERGY HOLDINGS CO.**

29325 Chagrin Boulevard, Suite 300  
Pepper Pike, Ohio 44122

Officers:

Robert E. Murray	President & CEO	6/30/03	11/29/05
Scott Boyle	President & CEO	11/29/05	12/20/05
Michael D. Loiacono	President & CEO	1/10/05	4/23/07
Robert D. Moore	President & CEO	4/23/07	
Michael D. Loiacono	Treasurer	1/10/05	
		6/30/03	
Michael O. McKown	Secretary	6/30/03	

Incorporation Information:

State of Incorporation	Delaware; Charter No. 3676958
Date of Incorporation	June 27, 2003
ID #	20-0100463

Shareholders:

Robert Eugene Murray  
Robert Edward Murray  
Jonathan Robert Murray  
Ryan Michael Murray  
Fifth Third Bank of  
Northeast Ohio, Trustee

Directors:

Robert E. Murray	6/30/03	
Michael D. Loiacono	6/30/03	4/23/07
Michael O. McKown	6/30/03	
Robert D. Moore	4/23/07	

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Robert D. Moore	President & CEO	<del>5</del> 4/23/07	
Michael D. Loiacono	Treasurer	1/10/05	
		6/30/03	
Michael O. McKown	Secretary	6/30/03	

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