

0001

Document Information Form

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To: DOGM

From:

Person N/A

Company N/A

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Explanation:

Mined Lands Reclamation Contract

cc:

File in:
C/007, 016, Internal

Refer to:

- Confidential
- Shelf
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Date _____ For additional information

MINED LANDS RECLAMATION CONTRACT

This Contract, made and entered into this 20 day of June, 1977, between Franklin Real Estate Company, a Pennsylvania corporation, hereinafter referred to as "Owner", and the Department of Natural Resources Board of Oil, Gas and Mining of the State of Utah, hereinafter referred to as "Board".

W I T N E S S E T H:

WHEREAS, the Owner owns and controls certain lands and leases, hereinafter more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference; and

WHEREAS, the Owner has designated Braztah Corporation, a Utah corporation, as its agent to conduct mining operations on said lands and leases, hereinafter referred to as "Operator"; and

WHEREAS, the Operator filed with the Division of Oil, Gas and Mining, a "Notice of Intention to Commence Mining Operations" to secure authorization to engage, or continue to engage, in mining operations in the State of Utah, under the terms and provisions of the Mined Land Reclamation Act, Section 40-8, UCA, 1953; and

WHEREAS, the Owner is able and willing to have reclaimed the above referenced affected lands in accordance with the approved Mining and Reclamation Plan, the Mined Land Reclamation Act and the rules and regulations adopted in accordance therewith; and

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WHEREAS, the Board has considered the factual information and recommendations provided by the staff of the Division of Oil, Gas, and Mining as to the magnitude, type and costs of the approved reclamation activities planned for the land affected; and

WHEREAS, the Board is cognizant of the nature, extent, duration of operations, the financial status of the Owner and its capabilities of carrying out the planned work.

NOW THEREFORE, for and in consideration of the mutual covenants of the respective parties hereto, the parties agree as follows:

1. The Owner promises to reclaim or have reclaimed the land affected in accordance with the approved Mining and Reclamation Plan submitted by Operator and approved by the Division of Oil, Gas and Mining on April 22, 1977, the Mined Land Reclamation Act, and the Rules and Regulations adopted in accordance therewith.

2. The Board, in lieu of the posting of a bond or other surety, hereby accepts the guarantee of the Owner to reclaim the land affected.

3. The Board and Owner both agree that the Owner will not be obligated to expend a sum in excess of that required to complete the reclamation work outlined in the Mining and Reclamation Plan which was submitted to the Division of Oil, Gas and Mining by the Operator and approved by the Division of Oil, Gas, and Mining on April 22, 1977, and which has been estimated to cost \$498,410.

IN WITNESS WHEREOF, the parties hereto have respectively

set their hands and seals this 20th day of June ¹⁹⁷⁷ 1977

W. E. [unclear]

FRANKLIN REAL ESTATE COMPANY

ATTEST:

By G. Brackman
Vice-President

W. E. [unclear]
Asst. Secretary

BOARD OF OIL, GAS AND MINING
OF THE STATE OF UTAH

By J. Daniel Stewart

	<u>Acres</u>
<u>T. 13 S. R. 10 E.</u>	
Sec. 8 - S $\frac{1}{2}$ S.W. $\frac{1}{4}$, S $\frac{1}{2}$ S.E. $\frac{1}{4}$	160
Sec. 9 - S.W. $\frac{1}{4}$, S.E. $\frac{1}{4}$, S $\frac{1}{2}$ N.E. $\frac{1}{4}$ S.E. $\frac{1}{2}$ N.W. $\frac{1}{4}$	440
Sec. 10 - E $\frac{1}{2}$ S.W. $\frac{1}{4}$, S $\frac{1}{2}$ S.E. $\frac{1}{4}$	160
Sec. 16 - N.W. $\frac{1}{4}$	160
Sec. 17 - N.E. $\frac{1}{4}$, N $\frac{1}{2}$ N.W. $\frac{1}{4}$	240
Sec. 18 - N $\frac{1}{2}$ N.E. $\frac{1}{4}$	80
Sec. 16 - S.W. $\frac{1}{4}$ S.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$	= Minus the city limits of Kenilworth
Sec. 21 - N.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$, N.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$	

OTHER LANDS

FEE COAL

	<u>Acres</u>
<u>T. 13 S. R. 9 E.</u>	
Sec. 6 - S.W. $\frac{1}{4}$, S.W. $\frac{1}{2}$ S.E. $\frac{1}{4}$ Part of S.E. $\frac{1}{2}$ S.E. $\frac{1}{4}$ Part of N.W. $\frac{1}{4}$ S.E. $\frac{1}{4}$	270
Sec. 17 S.E. $\frac{1}{2}$ N.E. $\frac{1}{2}$	40
	<u>310</u>

FEE LAND

<u>T. 13 S. R. 9 E.</u>	
Sec. 1 - S.W. $\frac{1}{4}$ N.W. $\frac{1}{2}$, S.W. $\frac{1}{4}$	200
Sec. 2 - N.E. $\frac{1}{2}$ N.E. $\frac{1}{2}$, S $\frac{1}{2}$ N.E. $\frac{1}{2}$, S $\frac{1}{2}$ N.W. $\frac{1}{4}$, S.W. $\frac{1}{4}$, S.E. $\frac{1}{4}$	520
Sec. 3 - S.E. $\frac{1}{2}$, S $\frac{1}{2}$ N.E. $\frac{1}{4}$	240
Sec. 5 - W $\frac{1}{2}$ S.W. $\frac{1}{4}$	80
Sec. 6 - Part of N.E. $\frac{1}{2}$ S.E. $\frac{1}{2}$ Part of N.W. $\frac{1}{2}$ S.E. $\frac{1}{4}$ Part of S.E. $\frac{1}{2}$ S.E. $\frac{1}{4}$	45
Sec. 8 - N $\frac{1}{2}$, S.E. $\frac{1}{2}$, N $\frac{1}{2}$ S.W. $\frac{1}{4}$ Part of S.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$	590
Sec. 9 - All But N $\frac{1}{2}$ N $\frac{1}{2}$	480
Sec. 11 N $\frac{1}{2}$ N.W. $\frac{1}{2}$	80
Sec. 12 N.W. $\frac{1}{4}$	160
Sec. 14 S.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$	40
Sec. 16 W $\frac{1}{2}$, S $\frac{1}{2}$ N.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$ N.E. $\frac{1}{2}$, S $\frac{1}{2}$ S.E. $\frac{1}{4}$ W $\frac{1}{2}$ N.W. $\frac{1}{4}$ S.E. $\frac{1}{4}$ E $\frac{1}{2}$ N.E. $\frac{1}{4}$, S $\frac{1}{2}$ N.W. $\frac{1}{4}$	540
Sec. 10 Part of N.E. $\frac{1}{2}$ S.W. $\frac{1}{4}$	195

Approximate
Acres

FEE COAL

T. 13 S. R. 10 E.

Sec. 4 - S.E.¼ S.E.¼

40.00

T. 13 S. R. 9 E.

Sec. 6 - S.W.¼ N.W.¼

40.00

And all of the land lying north of the center line of said Section 6 and south of a line described as follows:

Beginning 1,320 feet east of the S.W. corner of the N.W.¼ N.W.¼ thence east 660 thence S. 45° E. to the north boundary of the S.E.¼

40.00

120.00

GRAND TOTAL:

20,367.46 More or
Less

FEE ! AND

T. 12 S. R. 10 E.

Sec. 31 - All 629.94

T. 13 S. R. 10 E.

Sec. 2 - All 642.74

Sec. 5 - N $\frac{1}{2}$ N $\frac{1}{2}$ 162.88

Sec. 6 - S $\frac{1}{2}$ S.E. $\frac{1}{4}$, N $\frac{1}{2}$ N.E. $\frac{1}{4}$, N.W. $\frac{1}{4}$ 314.50

Sec. 4 - S $\frac{1}{2}$ S.W. $\frac{1}{4}$, S.W. $\frac{1}{4}$ S.E. $\frac{1}{4}$ 120.00

Sec. 9 - N $\frac{1}{2}$ N $\frac{1}{2}$ 160.00

Sec. 10 - N $\frac{1}{2}$ S.E. $\frac{1}{4}$ 80.00

Sec. 11 - S.W. $\frac{1}{4}$ 160.00

T. 12 S. R. 9 E.

Sec. 35 - All 640.00

Sec. 36 - N $\frac{1}{2}$ N.W. $\frac{1}{4}$, S.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$,
W $\frac{1}{2}$ S.W. $\frac{1}{4}$, S.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$ 240.00

T. 13 S. R. 9 E.

Sec. 1 - N $\frac{1}{2}$ N $\frac{1}{2}$, S.E. $\frac{1}{4}$ N.E. $\frac{1}{4}$,
E $\frac{1}{2}$ S.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$ 222.72

Sec. 2 - N $\frac{1}{2}$ N.W. $\frac{1}{4}$, N.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$ 122.96

Sec. 3 - S $\frac{1}{2}$ N.W. $\frac{1}{4}$, S.W. $\frac{1}{4}$ 240.00

Sec. 4 - S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$ 480.00

Sec. 5 - S.E. $\frac{1}{4}$, E $\frac{1}{2}$ S.W. $\frac{1}{4}$
N.W. $\frac{1}{4}$, W $\frac{1}{2}$ N.E. $\frac{1}{4}$,
S.E. $\frac{1}{4}$ N.E. $\frac{1}{4}$ 522.25

Sec. 6 - N $\frac{1}{2}$ N $\frac{1}{2}$, S.E. $\frac{1}{4}$ N.E. $\frac{1}{4}$ 198.40

And all of the land lying east of a line
described as follows:

Beginning 1,980 feet east of the S.W.
corner of the N.W. $\frac{1}{4}$ N.W. $\frac{1}{4}$; thence south
450 east to the north boundary of the S.E. $\frac{1}{4}$. 33.00

Sec. 9 - N $\frac{1}{2}$ N $\frac{1}{2}$ 160.00

Sec. 10 - N $\frac{1}{2}$ N.W. $\frac{1}{4}$, W $\frac{1}{2}$ N.E. $\frac{1}{4}$ 160.00

5,289.39

EXHIBIT A

L. M. U.

Approximate
Acres

FEDERAL LEASES

U 019524	645.12
U 25484	633.84
U 25485	543.42
SL 071737	1,960.00
SL 029093 - 046653	1,284.42
UO 58184	693.89
UO 148779	1,240.00
UO 146345	1,160.00
SL 046652	802.36
SL 048442 - 050115	<u>2,562.88</u>
	11,525.93

STATE LEASES

SL 046652 ✓	640.00
ML 1892	389.84
ML 18148 ✓	640.00
ML 11940 ✓	<u>642.33</u>
	<u>2,312.17</u>

CARBON COUNTY LEASES

T. 13 S. R. 10 E.

Sec. 5 S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$,	
Sec. 6 S $\frac{1}{2}$ N.E. $\frac{1}{4}$, N $\frac{1}{2}$ S.E. $\frac{1}{4}$	
Sec. 8 E $\frac{1}{2}$ N.E. $\frac{1}{4}$, N.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$	759.97

T. 12 S. R. 10 E.

Sec. 28 N.W. $\frac{1}{4}$ N.W. $\frac{1}{4}$	40.00
Sec. 29 S $\frac{1}{2}$ N.E. $\frac{1}{4}$, W $\frac{1}{2}$ S.E. $\frac{1}{4}$	
E $\frac{1}{2}$ S.W. $\frac{1}{4}$, S.W. $\frac{1}{4}$ S.W. $\frac{1}{4}$	280.00
Sec. 30 S.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$	<u>40.00</u>
	<u>1,119.97</u>