

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Carbon,)

I, Richard Shaw, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and the first publication was on the 17th day of August, 2006, and that the last publication of such notice was in the issue of such newspaper dated the 7th day of September, 2006.

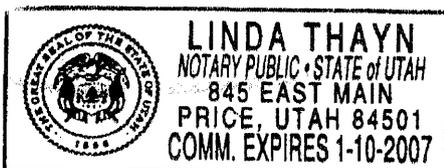
*Richard Shaw*  
Richard Shaw - Publisher

Subscribed and sworn to before me this 7th day of September, 2006.

*Linda Thayne*

Notary Public My commission expires January 10, 2007 Residing at Price, Utah

Publication fee, \$ 599.04



**PUBLIC NOTICE**

**APPLICATION FOR PHASE II BOND RELEASE  
GORDON CREEK NO. 2/7/8 MINES  
PERMIT #ACT/007/016**

**MOUNTAIN COAL COMPANY, L.L.C.  
P.O. BOX 591  
SOMERSET, COLORADO 81434**

Mountain Coal Company, P.O. Box 591, Somerset, Colorado, 81434, a wholly owned subsidiary of Arch Western Resources, L.L.C., has filed with the Division of Oil, Gas & Mining an application for partial release of the reclamation performance bond for it's Gordon Creek No. 2/7/8 Mines.

The company has completed Phase II of the approved reclamation plan for the Gordon Creek No. 2/7/8 Mines. This is based upon the establishment of revegetation and sediment control in accordance with the approved plan. There were approximately 34.88 acres of disturbed area associated with this operation. Of this, approximately 1.63 acres were associated with the new sediment ponds (to be reclaimed at a later time) and 0.73 acres were associated with the Sweet's Canyon Pond, which has been released. Phase II Bond Release is requested on all reclaimed area, exclusive of the above pond areas, or 32.52 acres.

The present bond posted for this site is a surety bond in the amount of \$256,578.00. Mountain Coal Company is applying for release of an additional \$146,578.00.

The Gordon Creek No. 2/7/8 Mines are located in Bryner Canyon, approximately 20 road miles northwest of Price, Utah. The permit area is described as follows:

- Township 13 South, Range 8 East, SLBM, Utah
- Sec. 17: SE 1/4 SW1/4 SW1/4
- Sec. 18: N1/2SE1/4, N1/2SW1/4SE1/4, S1/2NE1/4SW1/4, SE1/4SW1/4, SE1/4SW1/4SW1/4

The permit area is located on the Jump Creek, Utah, U.S. Geological Survey 7.5 minute quadrangle map.

Federal Coal Leases were #U-53159 and #U-8319.

The Gordon Creek No. 2/7/8 Mines have been operated and reclaimed under permit ACT/007/016. The existing permit was renewed and approved on August 28, 2004. The Gordon Creek No. 2/7/8 Mines were closed in November, 1990. Site demolition was completed in 1991. Backfilling and grading started in 1995 and finished in August 1997. The majority of the seeding was completed in August 1997 with additional seeding of the regraded area completed in August 1999. Additional regrading was completed in July, 1999. Phase 1 Bond Release was approved in October 2003. MCC has determined through field study the vegetation meets cover and diversity standards for Phase II Bond Release.

This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1997 and State and Federal regulations promulgated pursuant to said act.

Comments, objections, and/or a request for public hearings or informal conferences concerning this proposal may be made to: State of Utah Department of Natural Resources, Division of Oil, Gas & Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801.

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*Internal*  
*2/007/0016*