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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

April 7, 1986

Mr. Gary L. Swinhart
Director of Risk Management
Calmat Company
3200 San Fernando Road
P. O. Box 2950
Los Angeles, California 90051

Dear Mr. Swinhart:

Re: Release of Bond, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018, Folder No. 2 and 5, Carbon County, Utah

On April 1, 1986, the Division approved the transfer of permit for the Soldier Canyon Mine from Soldier Creek Coal Company to Sunedco Coal Company.

Accordingly the Division can now honor your request of November 20, 1985, and release the bond posted by Soldier Creek Coal Company and Seaboard Surety Company as Surety. The original bond is enclosed. Please contact me if you have any further concerns.

Sincerely,

A handwritten signature in cursive script that reads "L. P. Braxton".

L. P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

SCL:jvb
Enclosure
cc: A. Klein
S. Linner
0028R-33

FILE COPY

File ACT/067/018
Folder #5

Bond Number 976943-85
Permit Number _____
Mine Name _____

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

RECEIVED

MAY 10 1985

DIVISION OF OIL
& GAS & MINING

THE MINED LANDS RECLAMATION ACT

BOND

The undersigned SOLDIER CREEK COAL CO. A DIVISION OF CALIFORNIA PORTLAND CEMENT
as principal, and SEABOARD SURETY COMPANY as COMPANY
surety, hereby jointly and severally bind ourselves, our heirs, administrators,
executors, successors and assigns unto the State of Utah, Division of Oil, Gas
and Mining, and the U. S. Department of the Interior, Office of Surface Mining
in the penal sum of FIVE HUNDRED TWENTY TWO THOUSAND FIVE HUNDRED NINETY TWO & NO/100THS
dollars (\$ 522,592.00). Such sum shall be payable to
one, but not both, of the above-named agencies.

The principal estimated in the Mining and Reclamation Plan filed with the
Division of Oil, Gas and Mining on the 11TH day of MARCH
19 85, that 11.5 acres of land will be disturbed
by this mining operation in the State of Utah. A description of the disturbed
land is attached hereto as Exhibit "A."

When the Division has determined that the principal has satisfactorily
reclaimed the above-mentioned lands affected by mining in accordance with the
approved Mining and Reclamation Plan and has faithfully performed all
requirements of the Mined Land Reclamation Act, and complied with the Rules
and Regulations adopted in accordance therewith, then this obligation shall be
void; otherwise it shall remain in full force and effect until the reclamation
is completed as outlined in the approved Mining and Reclamation Plan.

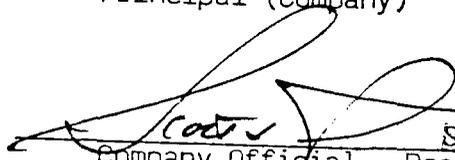
If the approved plan provides for reclamation of the land affected on a
piecemeal or cyclic basis, and the land is reclaimed in accordance with such
plan, then this bond may be reduced periodically.

In the converse, if the plan provides for a gradual increase in the area
of the land affected or increased reclamation work, then this bond may
accordingly be increased with the written approval of the surety company.

The Division shall only accept the bond of a surety company if the bond is
noncancellable by the surety at any time for any reason including, but not
limited to nonpayment of premium or bankruptcy of the permittee during the
period of liability.

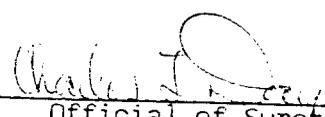
NOTE: Where one signs by virtue of Power of Attorney for a surety company, such Power of Attorney must be filed with this bond. If the principal is a corporation, the bond shall be executed by its duly authorized officers with the seal of the corporation affixed.

SOLDIER CREEK COAL CO. A DIVISION OF
CALIFORNIA PORTLAND CEMENT COMPANY
Principal (Company)

By  SECRETARY
Company Official - Position

Date: MAY 7, 1985

SEABOARD SURETY COMPANY
Surety (Company)

By  Official of Surety - Position
CHARLES L. DAY ATTORNEY-IN-FACT

DATE: MAY 6, 1985

APPROVED AS TO FORM:

By  Assistant Attorney General

NN00737
CA (1-83)

TICOR TITLE INSURANCE

tion)

OF CALIFORNIA

CITY OF Los Angeles } ss.

May 7, 1985

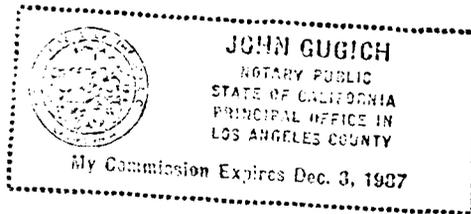
before me, the undersigned, a Notary Public in and for

te, personally appeared Scott J. Wilcott
ly known to me or proved to me on the basis
actory evidence to be the person who executed
in instrument as the Senior Vice
r, and Legal Council & Secretary

personally known to me or
o me on the basis of satisfactory evidence to be
on who executed the within instrument as the
Secretary of the Corporation
uted the within instrument and acknowledged
at such corporation executed the within instru-
rsuant to its by-laws or a resolution of its
directors.

my hand and official seal.

John Gugich
John Gugich

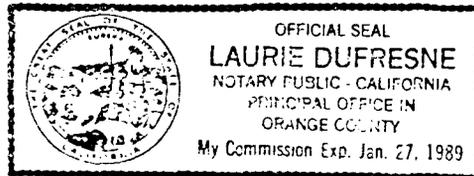


(This area for official notarial seal)

OF CALIFORNIA

COUNTY OF ORANGE

ss.:



his 6TH day MAY 19 85, before me, the undersigned Notary Public, in and for the State, personally
CHARLES L. DAY a person known to me (or proved to me on the basis of satisfactory evidence),
person who executed the written instrument as Attorney-in-Fact on behalf of the corporation therein named and
ged to me that the corporation executed it.

under my hand and Notarial Seal this

6TH day of MAY

A.D. 19 85

ssion Expires 1-27-89

Laurie Dufresne
LAURIE DUFRESNE

Notary Public.

No. 9723

New York, New York

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SEABOARD SURETY COMPANY, a corporation of the State of New York, has made, constituted and appointed and by these presents does make, constitute and appoint Charles L. Day

of Irvine, California its true and lawful Attorney-in-Fact, to make, execute and deliver on its behalf insurance policies, surety bonds, undertakings and other instruments of similar nature as follows: Without Limitations

Such insurance policies, surety bonds, undertakings and instruments for said purposes, when duly executed by the aforesaid Attorney-in-Fact, shall be binding upon the said Company as fully and to the same extent as if signed by the duly authorized officers of the Company and sealed with its corporate seal, and all the acts of said Attorney-in-Fact, pursuant to the authority hereby given, are hereby ratified and confirmed.

This appointment is made pursuant to the following By-Laws which were duly adopted by the Board of Directors of the said Company on December 8th, 1927, with Amendments to and including January 15, 1982 and are still in full force and effect: ARTICLE VII, SECTION 1:

"Policies, bonds, recognizances, stipulations, consents of surety, underwriting undertakings and instruments relating thereto. Insurance policies, bonds, recognizances, stipulations, consents of surety and underwriting undertakings of the Company, and releases, agreements and other writings relating in any way thereto or to any claim or loss thereunder, shall be signed in the name and on behalf of the Company (a) by the Chairman of the Board, the President, a Vice-President or a Resident Vice-President and by the Secretary, an Assistant Secretary, a Resident Secretary or a Resident Assistant Secretary; or (b) by an Attorney-in-Fact for the Company appointed and authorized by the Chairman of the Board, the President or a Vice-President to make such signature; or (c) by such other officers or representatives as the Board may from time to time determine. The seal of the Company shall if appropriate be affixed thereto by any such officer, Attorney-in-Fact or representative."

IN WITNESS WHEREOF, SEABOARD SURETY COMPANY has caused these presents to be signed by one of its Vice-Presidents, and its corporate seal to be hereunto affixed and duly attested by one of its Assistant Secretaries, this 6th day of December, 1982.

Attest: (Seal) [Signature] Assistant Secretary

SEABOARD SURETY COMPANY, By [Signature] Vice-President

STATE OF NEW YORK ss. COUNTY OF NEW YORK On this 6th day of December, 1982, before me personally appeared Thomas P. Gorke a Vice-President of SEABOARD SURETY COMPANY,

with whom I am personally acquainted, who, being by me duly sworn, said that he resides in the State of New Jersey; that he is a Vice-President of SEABOARD SURETY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto as Vice-President of said Company by like authority.

Samuel C. Simmons Notary Public, State of New York No. 41-9010912 Qualified in Queens County Certificate Filed in New York County Commission Expires March 30, 1986

[Signature] Notary Public

CERTIFICATE

The undersigned Assistant Secretary of SEABOARD SURETY COMPANY do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this Certificate and I do further certify that the Vice-President who executed the said Power of Attorney was one of the Officers authorized by the Board of Directors to appoint an attorney-in-fact as provided in Article VII, Section 1, of the By-Laws of SEABOARD SURETY COMPANY.

This Certificate may be signed and sealed by facsimile under and by authority of the following resolution of the Executive Committee of the Board of Directors of SEABOARD SURETY COMPANY at a meeting duly called and held on the 25th day of March 1970. "RESOLVED: (2) That the use of a printed facsimile of the corporate seal of the Company and of the signature of an Assistant Secretary on any certification of the correctness of a copy of an instrument executed by the President or a Vice-President pursuant to Article VII, Section 1, of the By-Laws appointing and authorizing an attorney-in-fact to sign in the name and on behalf of the Company surety bonds, underwriting undertakings or other instruments described in said Article VII, Section 1, with like effect as if such seal and such signature had been manually affixed and made, hereby is authorized and approved."

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Company to these presents this 6th day of MAY, 1983

SEABOARD SURETY COMPANY 1927 STATE OF NEW YORK

[Signature] Assistant Secretary Form 957 (Rev 7/84)

AFFIDAVIT OF QUALIFICATION

Charles L. Day, being first duly sworn, on oath deposes and says that ~~she~~ is the (officer or agency) Attorney in Fact of said Company, and that ~~she~~ is duly authorized to execute and deliver the foregoing obligations; that said Company is authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertakings and obligations.

(Signed)

Charles L. Day
Charles L. Day

Subscribed and sworn to before me this 14th day of May, 19 85.

Dawn M. Beebe
Notary Public, Dawn M. Beebe

My Commission Expires:

September 16, , 19 88 .

