

Document Information Form

Mine Number: C/007/018

File Name: Incoming

To: DOGM

From:

Person N/A

Company United Pacific Insurance Company

Date Sent: N/A

Explanation:

Power of Attorney

cc:

File in: C/007, 018, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

UNITED PACIFIC INSURANCE COMPANY

HEAD OFFICE, PHILADELPHIA, PENNSYLVANIA

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the UNITED PACIFIC INSURANCE COMPANY, a corporation duly organized under the laws of the State of Pennsylvania, does hereby make, constitute and appoint William N. Burke, Dan W. Burton, Mary C. Jones, Michelle M. Ulery, Karen D. Grammer., individually, of Houston, Texas, its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed any and all bonds and undertakings of suretyship and to bind the UNITED PACIFIC INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the UNITED PACIFIC INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

This Power of Attorney is granted under and by authority of Article VII of the By-Laws of UNITED PACIFIC INSURANCE COMPANY which became effective September 7, 1978, which provisions are now in full force and effect, reading as follows:

ARTICLE VII - EXECUTION OF BONDS AND UNDERTAKING

1. The Board of Directors, the President, the Chairman of the Board, any Senior Vice President, any Vice President or Assistant Vice President or other officer designated by the Board of Directors shall have power and authority to (a) appoint Attorney(s)-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney(s)-in-Fact at any time and revoke the power and authority given to them.

2. Attorney(s)-in-Fact shall have power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

3. Attorney(s)-in-Fact shall have power and authority to execute affidavits required to be attached to bonds, recognizances, contracts of indemnity or other conditional or obligatory undertakings and they shall also have power and authority to certify the financial statement of the Company and to copies of the By-Laws of the Company or any article or section thereof.

This Power of Attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of UNITED PACIFIC INSURANCE COMPANY at a meeting held on the 5th day of June, 1979, at which a quorum was present, and said Resolution has not been amended or repealed:

"Resolved that the signatures of such directors and officers and the seal of the Company may be affixed to any such Power of Attorney or any certificates relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such Power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company, in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the UNITED PACIFIC INSURANCE COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed, this 5 day of April, 1993

UNITED PACIFIC INSURANCE COMPANY



Charles B. Schmar
Vice President

STATE OF Pennsylvania
COUNTY OF Philadelphia

}ss.

On this 5 day of April, 1993 persons to me known to be the Vice President of the foregoing instrument and affixed the seal of the Company, and the Resolution, set forth there

File in:

- Confidential
- Shelf
- Expandable

Refer to Record No 0019 Date _____

In C/ 007, 018, Incoming

For additional information

Witnessed that he executed and attested the on 1, 2, and 3 of the By-Laws of said

Valencia Wortham

and for State of Pennsylvania Philadelphia



VALENCIA
City of Philadelphia
My Commission Expires _____

Anita Zippert, Secretary of the UNITED PACIFIC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said UNITED PACIFIC INSURANCE COMPANY, which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 15th day of September 1993



Anita Zippert
Secretary

UNITED PACIFIC INSURANCE COMPANY

HEAD OFFICE, PHILADELPHIA, PENNSYLVANIA

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the UNITED PACIFIC INSURANCE COMPANY, a corporation duly organized under the laws of the State of Pennsylvania, does hereby make, constitute and appoint William N. Burke, Dan W. Burton, Mary C. Jones, Michelle M. Ulery, Karen D. Grammer., individually, of Houston, Texas, its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed any and all bonds and undertakings of suretyship and to bind the UNITED PACIFIC INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the UNITED PACIFIC INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

This Power of Attorney is granted under and by authority of Article VII of the By-Laws of UNITED PACIFIC INSURANCE COMPANY which became effective September 7, 1978, which provisions are now in full force and effect, reading as follows:

ARTICLE VII - EXECUTION OF BONDS AND UNDERTAKING

1. The Board of Directors, the President, the Chairman of the Board, any Senior Vice President, any Vice President or Assistant Vice President or other officer designated by the Board of Directors shall have power and authority to (a) appoint Attorney(s)-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney(s)-in-Fact at any time and revoke the power and authority given to them.
2. Attorney(s)-in-Fact shall have power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.
3. Attorney(s)-in-Fact shall have power and authority to execute affidavits required to be attached to bonds, recognizances, contracts of indemnity or other conditional or obligatory undertakings and they shall also have power and authority to certify the financial statement of the Company and to copies of the By-Laws of the Company or any article or section thereof.

This Power of Attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of UNITED PACIFIC INSURANCE COMPANY at a meeting held on the 5th day of June, 1979, at which a quorum was present, and said Resolution has not been amended or repealed:

"Resolved that the signatures of such directors and officers and the seal of the Company may be affixed to any such Power of Attorney or any certificates relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such Power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company, in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the UNITED PACIFIC INSURANCE COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed, this 5 day of April, 1993

UNITED PACIFIC INSURANCE COMPANY

STATE OF Pennsylvania
COUNTY OF Philadelphia

}ss.



Charles B. Schmalz
Vice President

On this 5 day of April, 1993 personally appeared Charles B. Schmalz to me known to be the Vice President of the UNITED PACIFIC INSURANCE COMPANY, and acknowledged that he executed and attested the foregoing instrument and affixed the seal of said corporation thereto, and that Article VII, Section 1, 2, and 3 of the By-Laws of said Company, and the Resolution, set forth therein, are still in full force.



NOTARIAL SEAL
VALENCIA WORTHAM, Notary Public
City of Philadelphia, Phila. County
My Commission Expires Nov. 18, 1996

Valencia Wortham
Notary Public in and for State of Pennsylvania
Residing at Philadelphia

Anita Zippert, Secretary of the UNITED PACIFIC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said UNITED PACIFIC INSURANCE COMPANY, which is still in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 15th day of September 1993



Anita Zippert
Secretary



1 RELIANCE INSURANCE COMPANY
Home Office — Philadelphia, Pennsylvania
Administrative Offices — Philadelphia, Pennsylvania

6 UNITED PACIFIC INSURANCE COMPANY
Home Office — Tacoma, Washington
Administrative Offices — Philadelphia, Pennsylvania

INCREASE/~~DECREASE~~ RIDER

To be attached to and form part of Reclamation BOND NO. U1712871-1 issued by the
Surety on behalf of Soldier Creek Coal Company as principal
in favor of Utah - Department of Natural Resources said bond having been issued in
the amount of Five Hundred Twenty-two Thousand Five Hundred DOLLARS (\$ 522,592.00)
Ninety-two & no/100
effective from the 15th day of September 19 93

It is hereby understood and agreed the amount of the aforesaid bond is hereby increased/~~decreased~~
from Five Hundred Twenty-two Thousand Five Hundred Ninety- DOLLARS (\$ 522,592.00)
two & no/100
to Three Million Two Hundred Thirty-eight Thousand & no/100 DOLLARS (\$3,238,000.00)
effective as of the 15th day of September 19 93

Provided, however, the liability of the Surety for defaults occurring
prior to the 15th day of September 19 93 shall not exceed
Five Hundred Twenty-two Thousand Five Hundred Ninety-two & DOLLARS (\$ 522,592.00)
no/100
and the liability for defaults occurring after said date shall not exceed
Three Million Two Hundred Thirty-eight Thousand & no/100 DOLLARS (\$3,238,000.00)
and the total liability of the Surety shall in no event exceed
Three Million Two Hundred Thirty-eight Thousand & no/100----- DOLLARS (\$3,238,000.00)

Signed, sealed and dated this 15th day of September 19 93

Soldier Creek Coal Company
By Coby C. Hesse
Coby C. Hesse, Vice Pres PRINCIPAL
United Pacific Insurance Company
By Dan W. Burton
Dan W. Burton, ATTORNEY-IN-FACT

