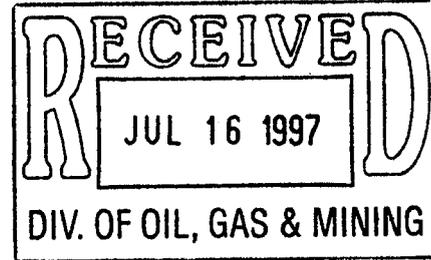


007/020 folder #3
cc: Pam
green permit binder

0052

AFFIDAVIT OF PUBLICATION



STATE OF UTAH)

ss.

County of Carbon,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and that the first publication was on the 10th day of April, 1997 and that the last publication of such notice was in the issue of such newspaper dated the 22nd day of April, 1997.

Kevin Ashby
Kevin Ashby - Publisher

Subscribed and sworn to before me this 22nd day of April, 1997.

Linda Thayne
Notary Public My commission expires January 10, 1999 Residing at Price, Utah

Publication fee, \$279.36

**PUBLIC NOTICE
APPLICATION FOR PERMIT TRANSFER
HORIZON COAL CORPORATION
HORIZON NO. 1 MINE**

Notice is hereby given that Horizon Coal Corporation, on or about April 7, 1997 submitted an "Application for Permit Transfer" for Permit ACT/007/020 covering operations for the Horizon No. 1 Mine, to the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining. The current owner, Cumberland Resources Corporation, P.O. Box 2540, Wise, Virginia, 24273 transferred ownership and control of Horizon Coal Corporation to K & K Holding Company, LLC, 15215 Fox Chase Lane, Abingdon, Virginia, 24210 on or about March 27, 1997.

Approval by the Division of Oil, Gas and Mining, will allow coal mining operations to continue in the permit areas. The lands involving activities are located in Carbon County. The mine portals are located 14 miles west of Price, Utah in the Gordon Creek-Consumers Canyon area. The permit area lies within the USGS Jump Creek, Utah 7.5 minute quadrangle.

The permit area includes land in the following:

- Township 13 South, Range 8 East, SLM Utah
- Section 8: SE 1/4 SW 1/4
- Section 17: NW 1/4 NE 1/4, S 1/2 NW 1/4, N 1/2 NW 1/4 SW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4, N 1/2 SE 1/4 SW 1/4, N 1/2 SW 1/4 SE 1/4
- Containing 300 acres more or less.

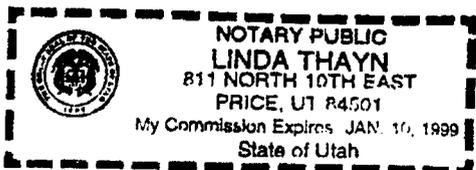
and includes a Federal Coal Right-of-Way described as follows:

- Section 8: SW 1/4 NW 1/4 SW 1/4 SE 1/4, W 1/2 SW 1/4 SW 1/4 SE 1/4
- Section 17: W 1/2 W 1/2 SW 1/4 NE 1/4
- Containing 18 acres more or less.

Copies of the complete permit application for transfer are available for public inspection at the Carbon County Clerk's Office, Carbon County Court House, 120 Main Street, Price, Utah 84501 and at the Utah Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801.

Written comments, objections, and requests for informal conferences regarding the "Application for Permit Transfer" must be submitted within 30 days of the date of the publications of this notice, to the Utah Coal Regulatory Program, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801.

Published in the Sun Advocate April 10, 15, 17, 22, 24, 29 and May 1, 6, 8 and 13, 1997.



AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

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County of Carbon,)

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Kevin Ashby
Kevin Ashby - Publisher

Subscribed and sworn to before me this 13th day of May, 1997.

Linda Thayne
Notary Public My commission expires January 10, 1999 Residing at Price, Utah

Publication fee, \$698.40

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APPLICATION FOR PERMIT TRANSFER
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