

0017

Document Information Form

Mine Number: 4007/022

File Name: Incoming

To: DOGM

From:

Person N/A

Company N/A

Date Sent: APRIL 18, 1983

Explanation:

THE MINED LANDS RECLAMATION ACT

cc:

File in:
C/ 4007/022, 1983, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

0017

File Act/007/022
Folder No. 5

MR FORM 5

(Revised January 1983)
(Non-Federal)

BOND #8094-24-78

JIM

APR 19 1983

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES AND ENERGY
DIVISION OF OIL, GAS AND MINING
4241 State Office Building
Salt Lake City, Utah 84114

RECEIVED

APR 18 1983

C. V. Spurr

THE MINED LANDS RECLAMATION ACT

DIVISION OF
OIL, GAS & MINING

BOND

The undersigned BEAVER CREEK COAL COMPANY
as principal, and FEDERAL INSURANCE COMPANY as
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 in the penal sum of FIVE HUNDRED FIFTY THOUSAND AND NO/100-----
-----dollars (\$ 550,000.00).

The principal estimated in a "Notice of Intention to Commence Mining
Operations and a Mining and Reclamation Plan," filed with the Division of Oil,
Gas and Mining on the 22nd day of April,
19 83, that 160 acres of land will be affected by this mining
operation in the State of Utah. A description of the affected land is attached
hereto as Exhibit "A."

If the principal shall satisfactorily reclaim the above-mentioned lands
affected by mining by the said principal in accordance with the Mining and
Reclamation Plan and shall faithfully perform all requirements of the Mined
Land Reclamation Act, and comply 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.

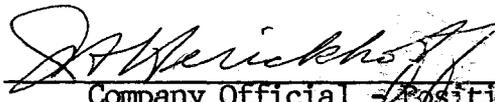
If the approved plan provides for reclamation of the land affected on a
piecemeal or cyclic basis, and the land is reclaimed in accordance with such
plan, then this bond may be reduced periodically.

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.

File in:
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Refer to Record No 0017 Date 4-18-83
In C1007/022, 1983, Incoming
For additional information

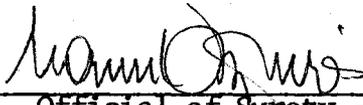
NOTE: Where one signs by virtue of Power of Attorney for a surety company, such Power of Attorney must be filed with this bond. If the principal is a corporation, the bond shall be executed by its duly authorized officers with the seal of the corporation affixed.

Beaver Creek Coal Company
Principal (Company)

By 
Company Official - Position
J.A. Herickhoff, General Manager

Date: April 22, 1983

FEDERAL INSURANCE COMPANY
Surety (Company)

By 
Official of Surety - Position
Norman D. Squires, Attorney-in-Fact
447 East First South
Salt Lake City, Utah 84111

DATE: April 22, 1983

STATE OF UTAH

County of Salt Lake

} ss.:

On this 22nd day of April, in the year nineteen hundred and

eighty-three, A. D., before me, Joanne Memmott, a Notary Public in and for the said

County of Salt Lake, State of Utah, residing therein, duly commissioned and sworn,

personally appeared Norman D. Squires, known to me to be the Attorney(s) in Fact of Federal Insurance Company executing the annexed instrument, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal in said county the day and year in this certificate first above written.

Joanne Memmott

Notary Public in and for the County of Salt Lake, State of Utah.

My Commission expires My Commission Expires Aug. 2, 1986;

C.V. SPUR COAL PROCESSING AND LOADOUT FACILITY

EXHIBIT A

AFFECTED AREA

SW/4, SECTION 11, T 15 S, R 10 E, SLM, UTAH
160 ACRES MORE OR LESS

POWER OF ATTORNEY

Know all Men by these Presents, That the FEDERAL INSURANCE COMPANY, 100 William Street, New York, New York, a New Jersey Corporation, has constituted and appointed, and does hereby constitute and appoint J. Eastman Hatch, Leland J. Paxton, Norman D. Squires, Richard G. Taylor and George L. Williams of Salt Lake City, Utah-----

each its true and lawful Attorney-in-Fact to execute under such designation in its name and to affix its corporate seal to and deliver for and on its behalf as surety thereon or otherwise, bonds of any of the following classes, to-wit:

1. Bonds and Undertakings (other than Fiduciary Bonds) filed in any suit, matter or proceeding in any Court, or filed with any Sheriff or Magistrate, for the doing or not doing of anything specified in such Bond or Undertaking, in which the penalty of the bond or undertaking does not exceed the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00).
2. Surety Bonds to the United States of America or any agency thereof, including those required or permitted under the laws or regulations relating to Customs or Internal Revenue; License and Permit Bonds or other indemnity bonds under the laws, ordinances or regulations of any State, City, Town, Village, Board or other body or organization, public or private; bonds to Transportation Companies, Lost Instrument bonds, Lease bonds, Workmen's Compensation bonds, Miscellaneous Surety bonds and bonds on behalf of Notaries Public, Sheriffs, Deputy Sheriffs and similar public officials.
3. Bonds on behalf of contractors in connection with bids, proposals or contracts.

In Witness Whereof, the said FEDERAL INSURANCE COMPANY has, pursuant to its By-Laws, caused these presents to be signed by its Assistant Vice-President and Assistant Secretary and its corporate seal to be hereto affixed this 1st day of January 19 81

FEDERAL INSURANCE COMPANY
By



George McClellan
Assistant Vice-President



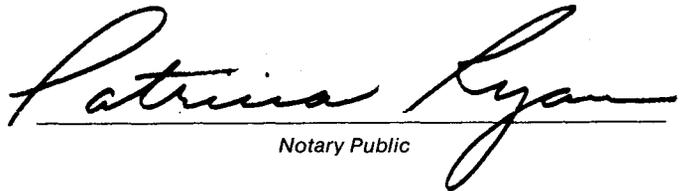
Richard D. O'Connor
Assistant Secretary



STATE OF NEW JERSEY
County of Essex ss:

On this 1st day of January 19 81, before me personally came Richard D. O'Connor, to me known and by me known to be Assistant Secretary of the FEDERAL INSURANCE COMPANY, the Corporation described in and which executed the foregoing Power of Attorney and the said Richard D. O'Connor being by me duly sworn, did depose and say that he is Assistant Secretary of the FEDERAL INSURANCE COMPANY and knows the corporate seal thereof; that the seal affixed to the foregoing Power of Attorney is such corporate seal and was thereto affixed by authority of the By-Laws of said Company and that he signed said Power of Attorney as Assistant Secretary of said Company by like authority; that he is acquainted with George McClellan and knows him to be Assistant Vice-President of said Company, and that the signature of said George McClellan subscribed to said Power of Attorney is in the genuine handwriting of said George McClellan and was thereto subscribed by authority of said By-Laws and in deponent's presence.

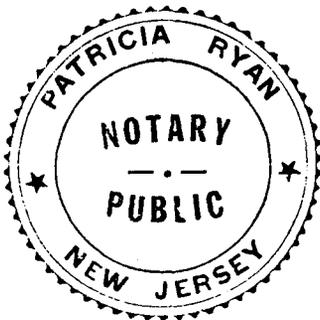
*Acknowledged and Sworn to before me
on the date above written.*



Notary Public

PATRICIA RYAN
NOTARY PUBLIC OF NEW JERSEY

My Commission Expires December 11, 19 83



SHORT HILLS, N.J. }
County of Essex } ss.

I, the undersigned, Assistant Secretary of the FEDERAL INSURANCE COMPANY, do hereby certify that the following is a true excerpt from the By-Laws of the said Company as adopted by its Board of Directors on March 11, 1953 and amended May 27, 1971 and that this By-Law is in full force and effect.

ARTICLE XVIII.

Section 2. All bonds, undertakings, contracts and other instruments other than as above for and on behalf of the Company which it is authorized by law or its charter to execute, may and shall be executed in the name and on behalf of the Company either by the Chairman or the Vice-Chairman or the President or a Vice-President, jointly with the Secretary or an Assistant Secretary, under their respective designations, except that any one or more officers or attorneys-in-fact designated in any resolution of the Board of Directors or the Executive Committee, or in any power of attorney executed as provided for in Section 3 below, may execute any such bond, undertaking or other obligation as provided in such resolution or power of attorney.

Section 3. All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the Vice-Chairman or the President or a Vice-President or an Assistant Vice-President, jointly with the Secretary or an Assistant Secretary, under their respective designations."

And I further certify that I have compared the foregoing copy of the POWER OF ATTORNEY with the original thereof and the same is a correct and true copy of the whole of said original Power of Attorney and that said Power of Attorney has not been revoked.

And I further certify that said FEDERAL INSURANCE COMPANY is duly licensed to transact fidelity and surety business in each of the States of the United States of America, District of Columbia, Puerto Rico, and each of the Provinces of Canada with the exception of Prince Edward Island; and is also duly licensed to become sole surety on bonds, undertakings, etc., permitted or required by law.

Given under my hand and the seal of said Company at Short Hills, N.J., this 22nd day of April, 19 83.



Assistant Secretary