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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

November 6, 1991

Mr. David Emrich  
Chubb Group of Insurance Cos.  
Surety Bond Department  
One Logan Square  
Philadelphia, Pennsylvania 19103

Dear Mr. Emrich:

Re: Surety Bond Rider, Soldier Creek Coal Company, Banning Siding Loadout,  
ACT/007/034, Folder #2, Carbon County, Utah

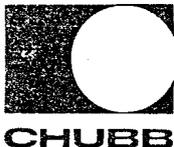
Enclosed please find the executed bond rider for the Banning Siding Loadout which your company recently issued. If you have any questions, please call.

Sincerely,

A handwritten signature in cursive script that reads "Daron R. Haddock".

Daron R. Haddock  
Permit Supervisor

Enclosure  
BONDRIDE.LET



# CHUBB GROUP OF INSURANCE COMPANIES

15 Mountain View Road, P.O. Box 1615, Warren, NJ 07061-1615

## FEDERAL INSURANCE COMPANY

RIDER to be attached to and form a part of Bond #8118-41-22 wherein Soldier Creek Coal Company is named as Principal and FEDERAL INSURANCE COMPANY as Surety, in favor of State of Utah, Division of Oil, Gas and Mining (hereinafter, DIVISION) and the United States Department of the Interior, Office of Surface Mining (hereinafter, OSM) as Obligees in the amount of \$211,000.00 executed 10/12/88 and covering Banning Loadout, Permit # : ACT/007/034.

IT IS HEREBY UNDERSTOOD AND AGREED THAT effective the 15th day of October 1991 the following wording is made part of said bond:

In the event the State-Federal Cooperative Agreement (944.30 CFR Ch. VII (7-1-90 Edition)) between DIVISION and OSM is terminated then the portion of the bond covering Federal Lands will be payable only to OSM.

Provided, however, the principal and surety shall not be liable to all obligees in the aggregate in excess of the penal sum of this bond.

The Principal hereby binds itself, its successors and assigns as Principal and FEDERAL INSURANCE COMPANY hereby binds itself, its successors and assigns, as Surety, in accordance with the terms, provisions and conditions of said bond as so amended.

IN WITNESS WHEREOF, the said Principal and Surety have caused this Rider to be duly signed and their respective seals to be hereunto affixed this 15th day of October 1991.

Soldier Creek Coal Company

By: RW Olsen  
PRESIDENT  
(Please print name and title)

FEDERAL INSURANCE COMPANY

By: J David Emrich  
J. David Emrich  
Attorney-in-fact

ACCEPTED:

State of Utah, Division of Oil, Gas and Mining

By: DANNE R. NIELSON  
DANNE R. NIELSON, DIRECTOR  
(Please print name and title)

POWER OF ATTORNEY

Know all Men by these Presents, That the FEDERAL INSURANCE COMPANY, 15 Mountain View Road, Warren, New Jersey, an Indiana Corporation, has constituted and appointed, and does hereby constitute and appoint Matthew E. Lubin, J. David Emrich, Brice R. Gamber, Denise DuMont and Alexandra S. Handago of Philadelphia, Pennsylvania-----

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 or obligations (other than Bail Bonds) given or executed in the course of its business, and any instruments amending or altering the same, and consents to the modification or alteration of any instruments referred to in said bonds or obligations.

In Witness Whereof, the said FEDERAL INSURANCE COMPANY has, pursuant to its By-Laws, caused these presents to be signed by its Vice President and Assistant Secretary and its corporate seal to be hereto affixed this 20th day of February 19 91

Corporate Seal



Richard D. O'Connor Assistant Secretary

FEDERAL INSURANCE COMPANY

By James D. Dixon Vice President

STATE OF NEW JERSEY } ss. County of Somerset

On this 20th day of February 19 91, 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; and that he is acquainted with James D. Dixon and knows him to be the Vice President of said Company, and that the signature of said James D. Dixon subscribed to said Power of Attorney is in the genuine handwriting of said James D. Dixon 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.

Janet A. Scavone Notary Public

CERTIFICATION

JANET A. SCAVONE Notary Public, State of New Jersey No 2066520 Commission Expires October 2, 1996

STATE OF NEW JERSEY } ss. County of Somerset

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 2, 1990 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. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, Vice Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

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.

I, the undersigned Assistant Secretary of FEDERAL INSURANCE COMPANY, do hereby certify that the foregoing Power of Attorney is in full force and effect.

in my hand and the seal of said Company at Warren, N.J., this 15th day of October 19 91



J. Mahley Assistant Secretary