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007/034 #5

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 Four (4) consecutive issues, and that the first publication was on the

4th day of November, 19 93

and that the last publication of such notice was in the issue of such newspaper of the

day of November, 19 93

Kevin Ashby

Subscribed and sworn to before me this

25th day of November, 19 93

Linda Thayn
Notary Public

My Commission expires January 10, 1995

Residing at Price, Utah

Publication fee, $ 193.60

NOTARY PUBLIC
LINDA THAYN
611 NORTH 10TH EAST
PRICE, UT 84501
My Commission Expires Jan. 10, 1995
State of Utah

PROPOSED LEGAL NOTICE
APPLICATION FOR PERMIT RENEWAL
BANNING RAIL LOADOUT

Soldier Creek Coal Company, P.O. Box I, Price, Utah 84501, is authorized, as applicant and operator, to operate the Banning Rail Loadout in Carbon County, Utah under Permit Number ACT/007/032 issued by the State of Utah, Division of Oil, Gas, and Mining. Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111, has entered into an acquisition agreement with Elk River Resources, Inc. the owner of Sage Point Coal Company, to purchase 100% of the Sage Point stock from Elk River Resources, Inc.

Soldier Creek Coal Company has filed a Permit Renewal Application, in advance of closing, with the Division of Oil, Gas, and Mining.

Approval by the Division of this application will allow coal loading operations to continue within the leasehold interest and fee lands owned by Sage Point Coal Company. The lands on which mining activity is to occur are located in Carbon County. The loading facilities are located approximately eight miles east of Wellington, Utah on or along the Denver and Rio Grande Western Railroad Company right-of-way. The five-year plan involves lands which are leased, assigned, or deeded to Sage Point Coal Company in:

T. 15 S., R. 12 E/SL Meridian, Utah, Sec. 15: portions of W-½; Sec. 16: portions of E-½ SE-¼, Sec. 21: E-½ NE-¼.

Copies of the advance Permit Transfer Application will be available for inspection at the following locations: Utah Division of Oil, Gas, and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah; Carbon County Courthouse, Price, Utah; Soldier Canyon Mine, 12 miles Northeast of Wellington, Utah; and Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111.

Written comments on the application must be submitted within 30 days of this first public notice to the Utah Division of Oil, Gas, and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180 with copies to Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111.

Published in the Sun Advocate November 4, 11, 18 and 25, 1993