

### Document Information Form

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Affidavit of Publication

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- Confidential
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Date \_\_\_\_\_ For additional information

AFFIDAVIT OF PUBLICATION

#3

PR0/007/039

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 1 (One) consecutive issues, and that the first publication was on the 26th day of November, 1996 and that the last publication of such notice was in the issue of such newspaper dated the 26th day of November, 1996.

*Kevin Ashby*  
Kevin Ashby - Publisher

Subscribed and sworn to before me this 26th day of November, 1996.

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

Publication fee, \$91.36

**PUBLIC NOTICE**  
**Transfer of Application for Permit**  
**Canyon Fuel Company, LLC**  
**Dugout Canyon Mine**

Notice is hereby given that Canyon Fuel Company, LLC, 555 Seventeenth Street, Denver Colorado 80202, on or about November 19, 1996, submitted a Request for Transfer of Permit Application for the pending mine permit application submitted for the Dugout Canyon Mine to the State of Utah, Department of Natural Resources, Division of Oil, Gas, and Mining. The original applicant, Soldier Creek Coal Company, P.O. Box 1029, Wellington, Utah 84542, will be merged into Canyon Fuel Company, LLC on or about December 20, 1996. In conjunction with the anticipated merger and change in the name of the applicant, the Canyon Fuel Company, LLC filed the Request for Transfer of Permit Application in advance of closing to obtain approval to transfer the Dugout Canyon Mine application from Soldier Creek Coal Company to Canyon Fuel Company, LLC and to otherwise revise the information Chapter 1 of the application consistent with the change in the name of the applicant. In all other respects, the original application will be unmodified by the transfer.

Approval by the Division of Oil, Gas, and Mining of the transfer will allow substitution of the Canyon Fuel Company, LLC as the applicant and permittee for the Dugout Mining Permit. Approval of the amended permit application will allow mining operations at the permit area. The permit area will include property presently owned by Soldier Creek Coal Company located within Section 23, Township 13 S., Range 12 E and certain state leases. This location is approximately 12 miles northeast of Wellington, Utah. The properties to be mined include portions of the following:

**LEGAL DESCRIPTION**

State Lease ML-42648 - (3640 acres)

T 13 S., R. 12 E., SLBM, Utah

Section 8: E 1/2

Section 10: S 1/2

Section 11: S 1/2

Sections 14 and 15: All

Section 17: NE 1/4; E 1/2 SW 1/4; SE 1/4

Section 20: E 1/2 NW 1/4; SW 1/4 NW 1/4; N 1/4; N 1/2 NE 1/4

Section 21: N 1/2 NW 1/4; NE 1/4

Section 22: N 1/2; N 1/2 S 1/2

Section 23: W 1/2 NW 1/4

State Lease ML-42649 - (2212 acres)

T. 13 S., R. 12 E., SLBM, Utah

Section 3: Lots 1, 2, 3, 4, S 1/2 (all)

Section 4: Lots 1, 2, 3, 4, S 1/2 (all)

Section 4: Lots 1, 2, SE 1/4

Section 9: All

Section 10: N 1/2

Section 11: N 1/2

Fee land owned by Soldier Creek Coal Company (800) acres as described below:

T. 13 S., R. 12 E., SLBM, Utah

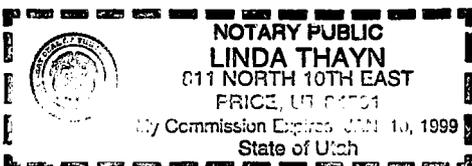
Section 16: All

Section 23: E 1/2 NW 1/4; W 1/2 NE 1/4

Copies of the complete Request for Revision of Permit Application 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 offices at 1594 West North Temple, Suite 1210, Salt lake City, Utah 82114-5801.

Written comments, objections, and requests for informal conferences regarding the Application for Revision of permit Application must be submitted, within 30 days of the date of the first publication of this notice on November 19, 1996, to the Utah Division of Oil, Gas, and Mining, 1594 West North Temple, Suite 1210, Box 155801, Salt lake City, Utah 84114-5801. This notice corrects the address of Soldier Creek Coal Company.

First published in the **Sun Advocate** on November 19, 1996.  
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- Confidential
- Shelf
- Expandable

Refer to Record No. 0005 Date \_\_\_\_\_  
In C/ 007, 0039, Internal  
For additional information