



Canyon Fuel Company, LLC
Dugout Canyon Mine
P.O. Box 1029
Wellington, Utah 84542

0020

April 1, 2004

Ms. Pamela Grubaugh-Littig
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114-5801

J. Downing
2/007/0089

RE: Revision to Reclamation Agreement, Dugout Canyon Mine, Canyon Fuel Company, LLC, C/007/039, Carbon County, Utah

Dear Ms. Grubaugh-Littig:

Attached please find:

Two copies of the "Affidavit of Qualification, Permittee" associated with the Dugout Canyon Mine reclamation agreement. A copy of the affidavit was also e-mailed to you today.

Thank you for your assistance and if you have any questions or need additional information, please call me at (435) 636-2869.

Sincerely yours,

Vicky S. Miller

Vicky S. Miller

cc: Rick Olsen, Dave Spillman

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DIV. OF OIL, GAS & MINING

**AFFIDAVIT OF QUALIFICATION
PERMITTEE**

--oo00oo--

I, Richard D. Pick, being first duly sworn under oath, deposes and says that he/she is the
(officer or agent) President and CEO of Canyon Fuel Company, LLC, the
PERMITTEE; and that he/she is duly authorized to execute and deliver the foregoing obligations; and
that said **PERMITTEE** is authorized to execute the same and has complied in all respects with the laws
of Utah in reference to commitments, undertakings and obligations herein.

(Signed) *Richard D. Pick*
Name - Position

Subscribed and sworn to before me this 31 day of MARCH, 2004

Vicky Sue Miller
Notary Public

My Commission Expires: 1-5-08

Attest:

STATE OF Utah

COUNTY OF CARBON)ss:

