

**AFFIDAVIT OF PUBLICATION**

STATE OF UTAH)

SS.

County of Emery,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, 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 4 (Four) consecutive issues, and that the first publication was on the 2nd day of April, 1996 and that the last publication of such notice was in the issue of such newspaper dated the 23rd day of April, 1996.

*Kevin Ashby*

Kevin Ashby - Publisher

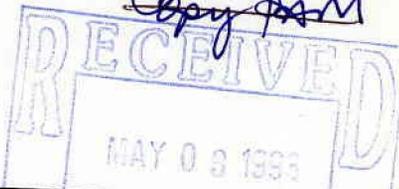
Subscribed and sworn to before me this 23rd day of April, 1996.

*Linda Thayne*

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

Publication fee, \$261.12

*ACT 10/15/004  
Copy JAM #2*



**PUBLIC NOTICE**  
**HUNTINGTON CANYON NO. 4 MINE**  
Permit #INA/015/004  
Mountain Coal Company  
P.O. Box 591  
Somerset, Colorado 81434

**Application for Final Release of Performance Bond**  
Mountain Coal Company completed reclamation Phase I at its Huntington Canyon No. 4 Mine during the period of August 15, 1985 through September 30, 1985. Phase I Bond Release was granted on November 10, 1986. The company completed reclamation Phase II, which is based on establishment of revegetation and sediment control in accordance with the approved reclamation plan. Phase II Bond Release was granted on November 15, 1985. The Company has now completed Phase III, which is based on successful completion of all mining and reclamation operations with a minimum period of 10 years following reclamation. The original permit approval was on April 29, 1985.

In accordance with the provisions of R645-301-880, of the Utah Coal Mining Rules, notice is hereby given to the general public that Mountain Coal Company is applying for final release of the performance bond posted for this operation.

The original bond posted for this property was \$360,104.00 of which \$216,062.40 (60%) was released on November 10, 1986 upon approval of Phase I Bond Release. An additional \$97,307.60 was released on November 15, 1985 upon approval of Phase II Bond Release. The present bond posted for this site is \$46,734.00. Mountain Coal Company is seeking release of the balance of the original bond, or \$46,734.00.

The Huntington Canyon No. 4 Mine is located in Mill Fork Canyon, approximately 35 road miles southwest of Price, Utah. The following are the legal descriptions of the permit area:

- Township 16 South Range 7 East, SLBM, Utah
- Sec. 8 SW 1/4, S 1/4 SE 1/4
- Sec. 9 S 1/4, SW 1/4 SW 1/4 SE 1/4
- Sec. 16: All of Section
- Sec. 17: E 1/4

The permit area is located on the Rilda Canyon, Utah, U.S. Geological Survey 15 minute quadrangle map.

Federal Coal leases were #U-33454 and #SL-064903. These leases have been terminated.

The reclamation work was performed on approximately 37 acres of disturbed and affected area located on the following described lands:  
Township 16 South, Range 7 East SLBM, Utah

- Sec. 16: SW 1/4 SE 1/4
- Sec. 16: S 1/4 SW 1/4
- Sec. 17: SE 1/4 SE 1/4

The Division will now evaluate the proposal to determine whether it meets all the criteria of the Permanent Program Performance Standards according to the requirements of the Utah Coal Mining Rules.

Utah completion of the evaluation for said reclamation, a decision will be made as to approval or disapproval of the application. The reclamation plan is available for public review at: Division of Oil, Gas, and Mining, 355 West North Temple, 3 Triad Center Suite 350, Salt Lake City, Utah 84180-1203, and the Emery County Courthouse, Castle Dale, Utah 84513.

Written comments, objections, and requests for public hearing or informal conference on this proposal may be addressed to the Director of the Division: Mr. Jim Carter, Director, Division of Oil, Gas, and Mining, 355 West Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203, Attention: Mr. Lowell Braxton.

Published in the Emery County Progress April 2, 9, 16 and 23, 1996.

