to 4:30 pm, Mon.-Fri. MMOJ File No.: 0063251n ASAP 994889
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27, 2004

DIVISION OF WATER QUALITY
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

PUBLIC NOTICE OF RENEWAL OF UPDES PERMIT

PURPOSE OF PUBLIC NOTICE
THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT PUBLIC COMMENT REGARDING THE STATE OF UTAH'S INTENTION TO REISSUE A UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMIT UNDER AUTHORITY OF THE UTAH WATER QUALITY ACT, SECTION 19-5-104 AND 107, UTAH CODE ANNOTATED 1953, AS AMENDED. SAID "PERMIT " REFERS TO UPDES PERMIT AND THE STATEMENT OF BASIS. (INCLUDING THE TOTAL MAXIMUM DAILY LOADS (TMDL'S), IF APPLICABLE, AS PER SECTION 303 (d) OF THE FEDERAL CLEAN WATER ACT (CWA).

PERMIT INFORMATION

PERMITTEE NAME:	Consolidated Coal Corporation
MAILING ADDRESS:	P. O. Box 527, Emery, UT 84522
TELEPHONE NUMBER:	435-286-2301
FACILITY LOCATION:	5 Miles South of Emery on Highway 10; then East 3 Miles
UPDES PERMIT NO.:	UT0022616

BACKGROUND
Consolidation Coal Company has not been actively mining for a number of years. They are in the process of renewing their UPDES discharge permit. They anticipate that they may become active in the not to distant future. They have several discharge points for storm water and mine drain water to Quitchupah Creek.

PUBLIC COMMENTS
Public comments are invited any time prior to June 27, 2004. Comments may be directed to the Department of Environmental Quality, Division of Water Quality, 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870. All comments received prior to June 27, 2004 will be considered in the formulation of final determinations to be imposed in the renewal permit. A public hearing will be held if response to this notice indicates significant public interest. A public hearing may be held if written requests are received within the first 15 days of this public comment period that demonstrate significant public interest and substantive issues exist to warrant holding a hearing.

FURTHER INFORMATION
Additional information may be obtained upon request by calling Harry Campbell at (801) 538-6923 or by writing the aforementioned address. All information appropriate to this permit renewal is available for review at the Division of Water Quality, 288 North 1460 West, Salt Lake City, Utah.

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NOTICE OF TRUSTEE'S SALE

APN: 2-1088-0018 T.S. NO. 1062910-07
REF: TIMOTHY L. BRADY TRA: LOAN NO. 100135870

IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED November 22, 1999. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. On June 08, 2004, at 11:00am, James H. Woodall, as duly appointed Trustee under a Deed of Trust recorded November 29, 1999, as Inst. No. 00077681, in Book 00446, Page 00350, of the Official Records in the office at the County Recorder of Carbon County, State of Utah, executed by Timothy L. Brady, A Married Man, will sell at public auction to highest bidder, payable in lawful money of the United States at the time of sale. Successful bidders must tender a deposit of $5,000 in certified funds to the trustee at the time of sale, with the balance due by noon the following business day, at the office of the Trustee. At the main entrance of the Carbon County District Court 149 East 100 South, Price, Utah all right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and State described as: A parcel of land located in Carbon county, state of Utah, which is in the south half of the NW ¼ of section 20, township 14 south, range 10 east,

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NOTICE OF SET

CIVIL NO. 010402468
JUDGE LYNN W. DAVIS

IN THE FOURTH JUDICIAL DISTRICT COURT
UTAH COUNTY, STATE OF UTAH

DOROTHY J. MONSON, an individual, CEDAR POINTE EQUITIES, INC. corporation, BACK CREEK, L.C. D/B/A AUTUMN GLEN APARTMENTS limited liability company, PENTALON CORPORATION, a Utah corporati BROADWAY CENTRE L.P., a Delaware limited partnership, for themselv others similarly situated,
Plaintiffs,

v.

UTAH STATE TAX COMMISSION and STATE OF UTAH,
Defendants.

TO: ALL PERSONS, INCLUDING ENTITIES, WHO PURCHASED FL ERINGS AND PAID UTAH SALES OR USE TAX THEREON ON DECEMBER 22, 1997, WHERE THE PURCHASE INCLUDED HA SELLER INSTALL OR ARRANGE FOR THE INSTALLATION OF T COVERING.

PLEASE READ THIS NOTICE VERY CAREFULLY AND IN ITS YOUR LEGAL RIGHTS MAY BE AFFECTED BY PROCEEDING LITIGATION.

This Notice is being provided pursuant to an order of the Fou District Court for the State of Utah sitting as a Tax Court (the "Tax C purpose of this Notice is to inform you of the proposed settlement action litigation and of the hearing to be held by the Court to consider reasonableness, and adequacy of the settlement. This Notice describ you may have in connection with the settlement and what steps you relation to the settlement and this class action litigation.

I. THE LITIGATION.

On December 22, 2000, five taxpayers (the "Representative filed with the Utah State Tax Commission (the "Tax Commission") refund of the Utah sales or use tax each had overpaid on floor coverin had purchased on the basis that the seller would install or arrange for t of the floor covering (a "furnish and install purchase" or a "furnish and The Representative Taxpayers also filed the above-captioned matter Court on December 22, 2000, in order to facilitate obtaining refunds members of the class (the "Litigation"). Under Utah law, sales or not be collected on a furnish and install sale, but there has been co the proper handling of sales tax on such sales.

The Tax Commission granted the Representative Taxpaye quests, issuing each of the Representative Taxpayers a refund of sal paid on their furnish and install purchases of floor coverings. The St the Tax Commission, however, vigorously argued to the Tax C actions are not available in tax refund matters and that the refund req of a class were otherwise inappropriate as a matter of law. The State Tax Commission filed two separate motions to dismiss, both of whi by the Tax Court. They sought interlocutory appellate review of thei dismiss by the Utah Supreme Court, which was denied. They als Court to reconsider its denial of their first motion to dismiss, refused to do. The Representative Taxpayers filed a motion to cert as a class action. This motion was also vigorously opposed by t sion. After considering the arguments of the parties, the Tax Co dated June 25, 2003, certified the Litigation as a class action und of Rule 23 of the Utah Rules of Civil Procedure, appointed the Taxpayers as representatives of the class, and designated Mark K. J. Savage, Steven P. Young and their law firm, Holme Roberts counsel for the class ("Class Counsel"). After the class was cert Utah and the Tax Commission again sought appellate revie Supreme Court, which was denied.

Class Counsel and representatives of the State of Utah and sion have participated in substantial negotiations over a period which have resulted in the settlement described below.