

0004

*Outgoing
C/015/0015
K*

From: Angela Nance
To: John Gefferth
CC: Daron Haddock; Steve Christensen
Date: 1/8/2009 11:23 AM
Subject: RE: Emery Deep Bond Revisions
Attachments: Exhibit_D.doc

Hi John,

After reviewing your Exhibit D - Stipulation to Revise Reclamation Agreement, we realized that it might be best if we clarify that we are not replacing the Bonding Agreement in its entirety, but rather adding a Surety Rider to be attached to and form a part of the existing Bonding Agreement. I made edits to Exhibit D to reflect this.

Please look it over and make sure you are comfortable with the changes that I made. If everything looks okay to you - I can simply replace the page without getting signatures again.

Please let me know if you have any questions or concerns.

Thank you,
Angela
Bond Coordinator
angelanance@utah.gov

>>> "Gefferth, John" <JohnGefferth@consolenergy.com> 1/6/2009 12:32 PM >>>
Angela
The executed Affidavit of Qualification will be overnighted today.
Attached is a pdf.

John Gefferth
CONSOL ENERGY
P.O.box 566
Sesser IL. 62884

618-625-6850 office
618-534-5151 cell
www.consolenergy.com

-----Original Message-----

From: Angela Nance [<mailto:angelanance@utah.gov>]
Sent: Tuesday, December 23, 2008 3:16 PM
To: Gefferth, John
Cc: Steve Christensen
Subject: Fwd: Emery Deep Bond Revisions

Hi John,

I received the paperwork for the Emery Deep Mine bond increase. It looks like we have all of the necessary documents with the exception of an Affidavit of Qualification for the Permittee (Jonathan Pachter). Please have the Affidavit of Qualification completed and mailed to me as soon as possible. As soon as I get the completed form - I will pass on all of the paperwork to our Director for signature.

Thank you,
Angela
Bond Coordinator

angelanance@utah.gov

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EXHIBIT “D”

**Stipulation to Revise
Reclamation Agreement
(Federal)**

Permit Number: C/015/0015
Effective Date: 12/03/2008
Bond Number: 188617

**COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT**

--ooOOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT**: (Identify and Describe Revisions below)

Attached to and forming part of Bond No. 188617 is a Surety Rider increasing the bond amount from \$2,648,000 to \$3,510,000.

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.

- _____ Replace the Reclamation agreement in its entirety.
- _____ Replace Exhibit "A"- bonded area.
- X Replace Exhibit "B"- bonding agreement
(Add Surety Rider to existing agreement to increase bond amount)
- _____ Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$2,648,000 to \$3,510,000.

The bonding type is changed from _____ to _____.

The surface disturbance is revised from _____ acre to _____ acres.

The expiration date is revised from _____ to _____.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed
from
\$ _____ to \$ _____.

IN WITNESS WHEREOF, _____ the **PERMITTEE** has hereunto set
its signature and seal this _____ day of _____, 20__.

PERMITTEE

By: _____

Title: _____

ACCEPTED BY THE STATE OF UTAH this ___ day of _____, 20__.

Director,
Division of Oil, Gas and Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power or Attorney of a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.