



Interwest Mining Company
Huntington Office
P. O. Box 310
15 North Main Street
Huntington, UT 84528

January 26, 2018

Utah Coal Program
Utah Division of Oil, Gas, and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Subj: Notice of the Return of the Deer Creek Waste Rock Site to PacifiCorp, PacifiCorp, Deer Creek Mine, C/015/0018, Emery County Utah.

This letter is to notify the Division that the Deer Creek Waste Rock Site, sold to Bowie Refined Coal (BRC Wellington, LLC) in 2015, has been returned to PacifiCorp. The site has been returned to PacifiCorp ownership and control *via* the warranty deed (copy attached), executed on January 4, 2018. The original sales agreement (dated August 11, 2015) provided BRC with the entire 31.92 acre area of the waste rock disposal site. PacifiCorp has resumed right of entry into this site.

Bowie was not able to obtain a permit transfer between the date of the sale and the date of return of the site to PacifiCorp. References to the site will remain in the operation and reclamation plans, and the Deer Creek Permit and Legal and Financial Volume. The BRC application for permit transfer was unsuccessful.

If you have any questions or concerns regarding this notification, please contact myself at 435-687-4712 or Dennis Oakley at 435-687-4825.

Sincerely,

Kenneth Fleck
Geology and Environmental Affairs Manager

Cc: Chuck Semborski, IMC
Dennis Oakley, IMC
Scott Child, IMC
file

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Stoel Rives, LLP
Attn: Richard R. Hall
201 S. Main St., Suite 1100
Salt Lake City, Utah 84111

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED

Waste Rock Site Parcel

BRC WELLINGTON, LLC, a Delaware limited liability company, having a mailing address of 6100 Dutchmans Lane, 9th Floor, Louisville, Kentucky 40205, as "**Grantor**", hereby conveys and warrants, against all those claiming by, through or under Grantor, but not otherwise, to PACIFICORP, an Oregon corporation, having a mailing address of 1407 West North Temple, Suite 310, Salt Lake City, Utah 84116, as "**Grantee**," for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, that certain parcel of real property located in Emery County, State of Utah, together with any and all interests, rights and appurtenances thereto, as well as any and all improvements thereon (if any), as more particularly described in Exhibit A attached hereto (described hereinafter as the "**Real Property**").

Subject to: (i) any state of facts that an accurate and complete ALTA/ACSM Land Title Survey might disclose, (ii) all zoning regulations, restrictions, rules and ordinances, land use regulations, building restrictions, and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction, and (iii) reservations, easements, rights-of-way, declarations, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity.

IN WITNESS WHEREOF, the said Grantor has executed this Special Warranty Deed as of this 4th day of January, 2017.

BRC WELLINGTON, LLC,
a Delaware limited liability company

By: James J. Doolff
Its: CFO

Exhibit A

Waste Rock Site Parcel Legal Description

That certain parcel of land located in Emery County, State of Utah, as more particularly described as follows:

Beginning at the Northeast corner of Section 6, Township 17 South, Range 8 East, SLB&M, and running thence S 89°52'00" W, 1272.00 feet along Section line; thence S 00°08'00" W, 610.00 feet; thence S 83°28'43" E, 302.04 feet; thence S 72°54'35" E, 314.08 feet; thence S 63°06'41" E, 224.51 feet; thence S 48°18'17" E, 268.40 feet; thence S 20°06'29" W, 1066.85 feet; thence S 39°24'03" W, 846.37 feet, more or less to the Northerly right-of-way of SR-31; thence N 89°39'06" E, 139.42 feet along said right-of-way; thence N 43°39'42" E, 1520.19 feet; thence N 31°02'18" E, 412.96 feet; thence N 22°58'45" E, 1322.55 feet to the North line of Section 5, Township 17 South, Range 8 East, SLB&M.; thence N 89°44'10" W, 744.58 feet along Section line to the point of beginning.

Containing 49.05 acres more or less