

From: Pam Grubaugh-Littig
To: mreynolds@etv.net
Date: 2/2/2006 3:37:15 PM
Subject: Need to Update Reclamation Agreement for Bear Canyon Mine

Mark -

The surface disturbance at the Bear Canyon Mine is currently reported in the MRP as 40.46 acres. Exhibit A of the Reclamation Agreement shows 23.54 acres. Please update Exhibit A to show that the surface disturbance is now 40.46 acres and submit Exhibit D to document the revision of the Reclamation Agreement. Please include all of the Affidavits of Qualification when you submit these documents.

There is also a correction needed on the Certificate of Insurance. R645-301-891.100 (Terms and Conditions for Liability Insurance) requires...."Such policy will provide for personal injury and property damage protection in an amount adequate to compensate any persons injured or property damages as a result of the coal mining and reclamation operations, **including the use of explosives....** The current Certificate states that "**Explosion** is included in the General Liability Policy". This must be corrected **from Explosion to the Use of Explosives (XCU).**

Please submit all of the requested informaion by March 15, 2006.

If you have any questions, please call me at 801-538-5268.

Thank you.

Pam

CC: Pete Hess; Priscilla Burton; Sheila Morrison; Wayne Hedberg

**AFFIDAVITS
OF
QUALIFICATION**

Bond Number _____

POWER OF ATTORNEY

Bond Number _____

POWER OF ATTORNEY

--ooOOoo--

The _____ (Corporation), having its principal office in _____ (Location), does hereby make, constitute and appoint _____ [Attorney(s)], as its true and lawful Attorney(s)-in-fact in their separate capacity, if more than one is named above, to make, execute, sign, seal and deliver for and on its behalf as surety and as its act and deed (without power of re-delegation) any and all bonds and undertakings and other writings obligatory in the nature thereof provided in the amount of no one bond or undertaking exceeding (\$)_____.

The execution of such bonds and undertakings shall be as binding upon said _____ (Corporation) as fully and to all intents and purposes as if the same had been duly executed and acknowledged by its regularly elected officers.

IN WITNESS THEREOF, this ___ day of _____, 20 ____.

Secretary

President

Subscribed and sworn to before me this ___ day of _____, 20 ____.

Notary Public

My Commission Expires:

_____, 20 ____.

Attest:

STATE OF _____)

COUNTY OF _____)

) ss:

Bond Number _____

EXHIBIT "A"

Bonded Area Legal Description

(Federal Coal)

Exhibit "A"
Legal Description
Federal
Bond Number _____

EXHIBIT "A"

Pursuant to R645-301- 820.110, the surety bond covers an identified increment of land within the permit area upon which the operator will initiate and conduct coal mining and reclamation operations during the initial term of the permit. This area is identified as:

Map(s) showing the BONDED AREA within the approved PERMIT AREA :

Legal description of BONDED AREA:

The above described area shall be modified as necessary to correspond to an increase in the area disturbed as a result of an expansion of coal mining and reclamation operations. The described area may also be decreased as a result of partial reclamation.

IN WITNESS WHEREOF the **SURETY** has hereunto set its signature and seal this

_____ day of _____, 20____.

SURETY

By:

Title:

EXHIBIT "D"

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

Exhibit "D"
Stipulation to Revise
Reclamation Agreement
Federal

Permit Number: _____
Effective Date: _____
Bond Number: _____

COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT
--ooOoo--

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)

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"- permit area.
- _____ Replace Exhibit "B"- bonding agreement
- _____ Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$_____ to \$_____.

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 \$_____.

Exhibit "D"
Stipulation to Revise
Reclamation Agreement
Federal

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 on 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.