

0010

Outgoing
c/015/0025
α

From: Angela Nance
To: mark.reynolds@hiawathacoal.com
CC: Dana Dean; Daron Haddock
Date: 1/21/2009 4:03 PM
Subject: Bear Canyon - Revised Exhibit "D"
Attachments: Exhibit_D01212008.doc; PERMITTEEAFFIDAVIT OF QUALIFICATION.doc; Exhibit_Eup dateO&DBEAR.doc

Hi Mark,

I have attached the revised Exhibit "D". This revised Exhibit "D" notes that the bond amount is changed and that the bonding type is changed. Also, I clarified that Exhibit "E" is to be attached to and form part of the original Reclamation Agreement.

I have attached Exhibit "E" so that you can edit it as necessary when you receive the final bonding information later this evening.

Please review the documents carefully and then have the Permittee sign. Also, please have the Permittee sign another Affidavit of Publication.

Any questions - please don't hesitate to call or email.

Thanks!
Angela
Bond Coordinator
angelanance@utah.gov

EXHIBIT "D"

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

Permit Number: C/015/0025
Effective Date: _____
Bond Number: _____

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)

As a result of the pending permit transfer of the Bear Canyon Mine (C/015/0025) from C.W. Mining Company to Hiawatha Coal Company, attached, as Exhibit "E", are the revised Officers and Agents of Bear Canyon Mine. Exhibit "E" shall be incorporated as part of original Reclamation Agreement (dated 1/13/1993) subject to clearance through the Applicant Violator System (AVS).

Also, the bonding type and bonding amount are changed as indicated 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In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.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"- bonded area.

_____ Replace Exhibit "B"- bonding agreement

_____ Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$1,825,000 to \$1,731,000.

The bonding type is changed from Surety Bond to Surety Bond/Letter of Credit.

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.

EXHIBIT "E"

**Revised Officers and Agents
(Federal)**

M0530005
CC: Lynn



Chemtech-Ford Laboratories
Certificate of Analysis

Lab No.: 08 16135
Lab Group No.: 94302

Name: Utah Division of Oil, Gas and Mining
Sample Site: Goldstrike Heap Effluent
Sample ID: 08 16135
System No:
Sample Type: Waste Water
Sample Date: 11/13/2008 10:00 AM
Receipt Date: 11/14/2008 12:05 PM
Sampler: DS
Sample Source:
Project: Goldstrike Mine

Parameter	Sample Result	Minimum Reporting Limit	Units	Method	Analysis Date	Analysis Time	Analyst Initials	Flag
Group A - Inorganic								
Ammonia as N	0.6	0.4	mg/L	SM 4500 NH3	11/16/2008	12:30	TSM	
Cyanide, Free	0.05	0.01	mg/L	ASTM D2036	11/24/2008	16:00	PNM	
Cyanide, Total	1.76	0.1	mg/L	ASTM D2036	11/17/2008	10:00	PNM	
Cyanide, WAD	0.12	0.002	mg/L	ASTM D2036	11/21/2008	8:00	PNM	
Nitrate as N, IC	82	2	mg/L	EPA 300.0	11/14/2008	17:00	TSM	
Nitrite as N, IC	ND	0.1	mg/L	EPA 300.0	11/14/2008	17:00	TSM	
pH	6.62	0.5	units	EPA 150.1	11/14/2008	16:00	JSH	SPH
Solids, Total Dissolved (TDS)	3930	5	mg/L	SM 2540C	11/18/2008	15:30	JSH	
Sulfate, IC	2210	20	mg/L	EPA 300.0	11/18/2008	14:00	TSM	
Group B - Metals								
Antimony, Total, ICP/MS	0.0384	0.0005	mg/L	EPA 200.8	11/19/2008	16:22	MJB	
Arsenic, Total, ICP/MS	0.061	0.005	mg/L	EPA 200.8	11/20/2008	11:38	MJB	
Barium, Total, ICP	0.017	0.005	mg/L	EPA 200.7	11/20/2008	14:49	MJB	
Cadmium, Total, ICP/MS	0.0113	0.0005	mg/L	EPA 200.8	11/19/2008	16:22	MJB	
Chromium, Total, ICP	0.006	0.005	mg/L	EPA 200.7	11/20/2008	14:49	MJB	
Cobalt, Total, ICP	0.34	0.01	mg/L	EPA 200.7	11/20/2008	14:49	MJB	
Copper, Total, ICP	ND	0.005	mg/L	EPA 200.7	11/20/2008	14:49	MJB	
Gold, Total, ICP	0.03	0.01	mg/L	EPA 200.7	11/25/2008	9:21	MJB	
Iron, Total, ICP	0.53	0.02	mg/L	EPA 200.7	11/20/2008	14:49	MJB	
Lead, Total, ICP/MS	ND	0.0005	mg/L	EPA 200.8	11/19/2008	16:22	MJB	
Magnesium, Total, ICP	37.2	0.2	mg/L	EPA 200.7	11/20/2008	14:49	MJB	
Manganese, Total, ICP	0.271	0.005	mg/L	EPA 200.7	11/20/2008	14:49	MJB	
Mercury, Total, CV	ND	0.0002	mg/L	EPA 245.1	11/18/2008	13:30	AKL	
Nickel, Total, ICP	0.269	0.005	mg/L	EPA 200.7	11/25/2008	13:49	MJB	
Potassium, Total, ICP	14.4	0.2	mg/L	EPA 200.7	11/25/2008	13:49	MJB	
Selenium, Total, ICP/MS	0.060	0.005	mg/L	EPA 200.8	11/20/2008	11:38	MJB	
Silver, Total, ICP/MS	ND	0.0005	mg/L	EPA 200.8	11/19/2008	16:22	MJB	
Thallium, Total, ICP/MS	0.0050	0.0005	mg/L	EPA 200.8	11/19/2008	16:22	MJB	
Zinc, Total, ICP	1.57	0.01	mg/L	EPA 200.7	11/20/2008	14:49	MJB	

RECEIVED
DEC 09 2008
Div. of Oil, Gas & Mining

6100 South Stratler
Murray, UT 84107
801-262-7299 Office
801-262-7378 Fax

0009



Chemtech-Ford Laboratories

Certificate of Analysis

Lab No.: 08 16135
Lab Group No.: 94302

<i>Name:</i>	Utah Division of Oil, Gas and Mining	<i>Sample Date:</i>	11/13/2008 10:00 AM
<i>Sample Site:</i>	Goldstrike Heap Effluent	<i>Receipt Date:</i>	11/14/2008 12:05 PM
<i>Sample ID:</i>	08 16135	<i>Sampler:</i>	DS
<i>System No:</i>		<i>Sample Source:</i>	
<i>Sample Type:</i>	Waste Water	<i>Project:</i>	Goldstrike Mine

Parameter	Sample Result	Minimum Reporting Limit	Units	Method	Analysis Date	Analysis Time	Analyst Initials	Flag
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Abbreviations

ND = Not detected at the corresponding Minimum Reporting Limit.
1 mg/L = one milligram per liter = 1 part per million.
1 ug/L = one microgram per liter = 1 part per billion.

Flag Descriptions

APH = The test was performed past the EPA specified holding time.
H = A high bias is suspected.
I = The analysis experienced a matrix interference which may have affected the results.
J = The result is positive and estimated. The result falls between the Minimum Reporting Limit and the Method Detection Limit.
L = A low bias is suspected.
O = The analysis was performed by an outside contract laboratory.
R = The value represents a reanalysis.
SPH = The sample was submitted for analysis past the EPA specified holding time.

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