AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Jenni Fasselin, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State of Utah and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and on the Utah legals.com webwsite; the first publication was on the 6th day of October, 2015, and that the last publication of such notice was in the issue of such newspaper dated the 27th day of October, 2015.

Jenni Fasselin

Jenni Fasselin – Publisher

Subscribed and sworn to before me this 27th day of October 2015.

Linda Thayn

Notary Public My commission expires January 10, 2019 Residing at Price, Utah

Publication fee, $ 168.00

LINDA THAYN
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 680835
COMM. EXP. 01-10-2019

NOTICE OF PERMIT APPLICATION
BRC WELLINGTON LLC

Notice is hereby given that BRC Wellington LLC, 6100 Dutchmans Lane, Suite 900, Louisville, Kentucky 40205 has submitted an application to the Utah Division of Oil, Gas and Mining (the "Division") to recover coal from the Deer Creek waste rock site located approximately 6 miles northwest of Huntington, Utah. The permit area for this facility is located in Sections 5 and 6, Township 18 S., Range 8 E., SLBM and contains approximately 30.92 acres.

The Division has determined that this application is administratively complete. A copy of the permit application is available for public inspection at the following locations:

Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114-5801

Written comments, objections, or a request for an informal conference regarding the above application should be directed to the Division at the above address within the next 30 days.

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