

Document Information Form

Mine Number: C/043/001

File Name: Incoming

To: DOGM

From:

Person N/A

Company N/A

Date Sent: JAN 16, 1992

Explanation:

AFFIDAVIT AND CLARIFICATION OF
ASSIGNMENT

cc:

File in: C/043/001, 1992 Incoming

- Refer to:
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Date _____ For additional information

RECEIVED

JAN 16 1992

DIVISION OF OIL GAS & MINING

RECORDED AT REQUEST OF

Summit Minerals

270022

1987 APR 16 AM 10:23

ALAN SPRIGGS
SUMMIT COUNTY RECORDER

REC'D BY *BA J.*

WHEN RECORDED, RETURN TO:
Barbara A. Filas
221 West 2100 South
Salt Lake City, Utah 84115

AFFIDAVIT AND CLARIFICATION OF ASSIGNMENT

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

KNOW ALL MEN BY THESE PRESENTS, THAT:

The undersigned corporate officers of UTAH COAL AND ENERGY, INC. and SUMMIT MINERALS, INC. do hereby declare and state the following in order to clarify the attached Assignment which is marked Exhibit "A" and by this reference is made a part of and is incorporated into this Affidavit and Clarification of Assignment:

UTAH COAL AND ENERGY, INC., a Nevada corporation, "Assignor", did give, grant, assign, transfer, and convey unto SUMMIT MINERALS, INC., a Utah Corporation, "Assignee", its heirs,

repr File in: to hold forever all of
thei Confidential s a certain Coal Mining
 Shelf
Leas Expandable fective as of June 1,
1971 Refer to Record No 0011 Date 1-16-92
 In C 043/001, 1992 Incoming s of the records in the
offi For additional information or Summit County, State
of Utah, as follows:

Township 3 North, Range 6 East, Salt Lake Base & Meridian

Section 36: S1/2 NE1/4, N1/2 SE1/4

containing 150 acres of land, more or less, subject only to the terms and provisions contained in and to the royalties provided for in the above identified Coal Mining Lease and those provided for in Exhibit "A".

Assignee did thereby agree and shall observe and comply with Lessee's covenants as set forth in the aforesaid Lease, and will observe and comply with the laws, rules and regulations of all governmental agencies having jurisdiction.

Assignors did thereby represent that they were the lawful owners of the Coal Mining Lease therein assigned with full right and power to convey the same and that they shall defend the rights therein conveyed against the claims and demands of all persons or parties claiming, or to claim, the same, or any part thereof by, through or under Assignors.

That Assignment shall be binding upon Assignors, their successors and assigns, and upon their heirs, devisees, legatees or personal representatives of Assignors.

Executed as of this 15th day of April, 1987.

SUMMIT MINERALS, INC.

By: Ira Ferrell

Ira Ferrell, Vice-President

UTAH COAL AND ENERGY, INC.

By: John Higgins

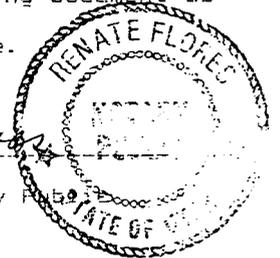
John Higgins, President

BOOK 427 PAGE 757

On this 15th day of April, 1987, personally appeared before me, John Higgins, known to me to be the President of UTAH COAL AND ENERGY, INC., did execute the foregoing document as being true and correct to the best of his knowledge.

Renate Flores

Renate Flores, Notary Public

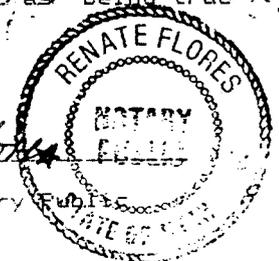


My Commission Expires 03/31/88

On this 15th day of April, 1987, personally appeared before me, Ira Ferrell, known to me to be the Vice-President of SUMMIT MINERALS, INC., did execute the foregoing document as being true and correct to the best of his knowledge.

Renate Flores

Renate Flores, Notary Public



My Commission Expires 03/31/88

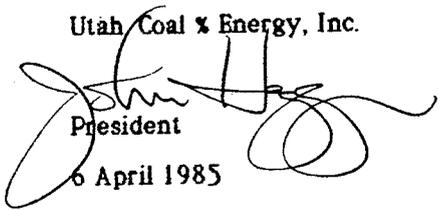
UTAH COAL & ENERGY

Utah Coal & Energy hereby assigns its interest in the coal mining leases M.L.25121, M. L. 28882, M. L. 28883, M.L. 28884, The Perry Lease, and all associated rights thereto to Summit Minerals, Inc.

Compensation shall be a royalty of \$1.00 per ton of all coal mined and produced from subject leases. Summit Minerals shall retain 50% of said royalty until all of Utah Coal & Energys outstanding debt to Summit Minerals together with interest is repaid(\$650,000.00).

Summit Minerals agrees to work diligently to secure a valid coal mining permit on subject leases.

Utah Coal & Energy, Inc.


President

6 April 1985

800 427 PAGE 759