

UNITED STATES
DEPARTMENT OF THE INTERIOR

This mining plan approval document is issued by the United States of America to:

Navajo Transitional Energy Company, LLC.
Spring Creek Mine, P.O. Box 67
Decker, MT 59025

for a mining plan modification for Federal Coal Leases MTM 94378 and MTM 110693 at the Spring Creek Mine, Montana State Mining Permit (SMP) C1979012. Navajo Transitional Energy Company, LLC is hereinafter referred to as the operator. This approval is subject to the following conditions.

1. Statutes and Regulations: This mining plan approval is issued pursuant to Federal Coal Leases MTM 94378 and MTM 110693; the Mineral Leasing Act of 1920, as amended (30 U.S.C. §§ 181 et seq.); and in the case of acquired lands, the Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. §§ 351 et seq.). This mining plan approval is subject to all applicable laws and regulations of the Secretary of the Interior that are now or hereafter in force; and all such laws and regulations are made part hereof. The operator must comply with the provisions of the Federal Water Pollution and Control Act (33 U.S.C. § 1251 et seq.), the Clean Air Act (42 U.S.C. §§ 7401 et seq.), and other applicable Federal laws.
2. This document approves a mining plan modification for Federal Coal Leases MTM 94378 and MTM 110693 at Spring Creek Mine and authorizes the development of remaining 39.9 million tons of Federal coal in accordance with the life of mine mining sequence outlined in the approved Montana Department of Environmental Quality (DEQ) SMP C1979012. This authorization is for the Federal coal lands within the mining plan area as described:

Tract 1

Township 8 South, Range 39 East, Big Hom County, Montana

Section 13: NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 acres
N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	20.0 acres
N $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	2.5 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.0 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.0 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 acres
S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.0 acres
N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	20.0 acres

SW¹/₄ SW¹/₄ SE¹/₄ 10.0 acres

Section 14: Beginning at a point bearing S. 60° 25' 06" E., 2,299.67 feet from sec. cor. of secs. 10, 11, 14 and 15 and on the N-S center line of the NE¹/₄ NW¹/₄ of sec. 14 and at 528.30 feet southerly from the NE-NW 1/64 sec. cor. of sec. 14; thence on the exclusion boundary line, S. 90° 00' 00" E., 317.70 feet; thence S 55° 21' 33" E., 1,741.06; thence N. 38° 32' 16" E., 1,422.65 feet to a point on the N-S center line of the NE¹/₄ NE¹/₄ of the said section; thence easterly on the E-W center line of the NE ¹/₄ NE ¹/₄ of said section to the N-N 1/64 sec. cor. of secs. 13 and 14; thence westerly on the E-W center line of the NE ¹/₄ SE ¹/₄ SE ¹/₄ of sec. 14 to the NE-SE-SE 1/256 sec. cor. of said section; thence northerly on the N-S center line of the NE ¹/₄ SE ¹/₄ SE ¹/₄ of said section to the C-E-E-SE 1/256 sec. cor. Of said section, on the E-W center line of the SE ¹/₄ of said section to the C-ESE 1/64 sec. cor. of said section; thence northerly on the N-S center line of the NE¹/₄ SE¹/₄ of said section to the C-S-SE 1/256 sec. cor. of said section; thence westerly on the E-W center line of the SE ¹/₄ NE ¹/₄ SE ¹/₄ of said section to the C-S-N-SE 1/256 sec. cor. of said section; thence northerly on the N-S center line of the SE¹/₄ of said section to the C-E 1/16 sec. cor. of said section; thence westerly on the E-W center line of said section; thence westerly on the E-W center line of said to the C ¹/₄ sec. cor. of said section; thence northerly on the N-S center line of said section to the C-S-N 1/64 sec. cor. of said section; thence westerly on the E-W center line of the S ¹/₂ of the NW¹/₄ of said section to the SW-NW 1/64 sec. cor. of said section; thence northerly on the N-S center line of the SW ¹/₄NW¹/₄ of said section to the C-W-NW 1/64 sec. cor. of said section; thence easterly on the E-W center line of the NW ¹/₄ of said section to the C-E-NW 1/64 sec. cor. of said section; thence northerly on the N-S center line of the NW ¹/₄ NW ¹/₄ of said section to the point of beginning, containing 137.70 acres, more or less.

Section 24: N¹/₂ NE¹/₄ NW ¹/₄ 20.0 acres.

Tract 1 contains 425.20 acres, more or less.

Tract 2

Township 8 South, Range 39 East, Big Horn County, Montana

Section 15: W¹/₂ SW¹/₄ SE¹/₄ 20.0 acres
SE¹/₄ SW¹/₄ SE¹/₄ 10.0 acres

Section 22: NE¹/₄ NE¹/₄ 40.0 acres
N¹/₂ NW¹/₄ NE¹/₄ 20.0 acres
SE¹/₄ NW¹/₄ NE¹/₄ 10.0 acres
NE¹/₄ NE¹/₄ NW¹/₄ 10.0 acres
NE¹/₄ SE¹/₄ NE¹/₄ 10.0 acres

Section 23: SE¹/₄ NW¹/₄ 40.0 acres
SW¹/₄ NW¹/₄ 40.0 acres
S¹/₂ NE¹/₄ NW¹/₄ 20.0 acres

S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	20.0 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5 acres

Tract 2 contains 242.5 acres, more or less.

Tract 3

Township 8 South, Range 39 East, Big Horn County, Montana

Section 25: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 acres

Section 26: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres
 S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 acres
 N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 acres
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 acres
 S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0 acres
 S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 acres
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 acres

Section 27: SE $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 acres
 N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 acres
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 acres
 E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.0 acres
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 acres
 S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.0 acres
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.0 acres
 S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20.0 acres
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 acres
 S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.0 acres

Tract 3 contains 350 acres, more or less.

Tract 4

Township 8 South, Range 40 East, Big Horn County, Montana

Section 30: SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres
 S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 acres

Tract 4 contains 100 acres, more or less.

These lands encompass 1,117.7 acres and are found on the map as shown in appended attachments hereto referred as Attachment A and Attachment B.

3. The operator must comply with the terms and conditions of the lease, this mining plan modification approval, the requirements of Montana SMP C1979012 issued under Montana DEQ, approved pursuant to the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. §§ 1201 et seq.), and the Surface Mining Control and Reclamation Act of 1977. The Secretary retains the authority and jurisdiction to modify or cancel this approval for failure to comply with any of these items or other applicable laws and regulations.
4. This mining plan approval is binding on any person conducting coal development or mining operations under the approved mining plan and will remain in effect until superseded, canceled, or withdrawn.
5. If, during mining operations, unidentified prehistoric resources are discovered, the operator must ensure that the resources are not disturbed and must notify Montana DEQ and Office of Surface Mining Reclamation and Enforcement. The operator must take such actions as are required by Montana DEQ in coordination with the Office of Surface Mining Reclamation and Enforcement.
6. The Secretary retains jurisdiction to modify or cancel this approval, as required, on the basis of further consultation with the U.S. Fish and Wildlife Service pursuant to section 7 of the Endangered Species Act, as amended, 16 U.S.C. § 1531 et seq.

WALTER
CRUICKSHANK

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Date: 2025.03.11 14:46:39 -04'00'

Date March 11, 2025

Walter D. Cruickshank
Exercising the Delegated Authority of the
Assistant Secretary, Land and Minerals Management

Attachments: Maps A and B