

UNITED STATES

DEPARTMENT OF THE INTERIOR

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

Signal Peak Energy, LLC
100 Portal Drive
Roundup, MT 59072

for a mining plan modification for Federal Lease MTM97988 at the Bull Mountains Mine No. 1, Amendment 3. This mining plan approval supplements all previous mining plan approvals for the Bull Mountains Mine No. 1, Amendment 3. The approval is subject to the following conditions. Signal Peak Energy, LLC is hereinafter referred to as the operator.

1. Statutes and Regulations.--This mining plan approval is issued pursuant to Federal Lease MTM97988; 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 which are now or hereafter in force; and all such laws and regulations are made a part hereof. The operator shall 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 the mining plan modification for Federal Lease MTM97988 at the Bull Mountains Mine No. 1 and authorizes coal development or mining operations on the Federal leases within the area of mining plan approval. This authorization expands the approved mining plan area into the following Federal coal lands:

Township 6 North, Range 27 East, PMM, Musselshell County, Montana	
Sec. 4, lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;	479.76 acres
Sec. 8, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;	460.00 acres
Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$	600.00 acres
Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$;	520.00 acres
Sec. 22, W $\frac{1}{2}$ and SE $\frac{1}{4}$.	<u>480.00</u> acres
	Total 2,539.76 acres

These Federal coal lands encompass approximately 2,540 acres of Federal coal and are shown on the mining plan approval area map attached hereto as Attachment A.

3. The operator shall conduct coal development or mining operations only as described in the complete permit application approved by the Montana Department of Environmental Quality Industrial and Energy Minerals Bureau Coal Program, except as otherwise directed in the conditions of this mining plan approval.
4. The operator shall comply with the terms and conditions of the lease, this mining plan approval and the requirements of the Montana Permit No. C1993017 issued under the

Montana State program, approved pursuant to the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.).

5. This mining plan approval shall be binding on any person conducting coal development or mining operations under the approved mining plan and shall remain in effect until superseded, canceled, or withdrawn.
6. If during mining operations unidentified prehistoric or historic resources are discovered, the operator shall ensure that the resources are not disturbed and shall notify Montana Department of Environmental Quality Industrial and Energy Minerals Bureau Coal Program and the Office of Surface Mining Reclamation and Enforcement (OSMRE). The operator shall take such actions as are required by Montana Department of Environmental Quality Industrial and Energy Minerals Bureau Coal Program in coordination with OSMRE.
7. 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.

Assistant Secretary,
Land and Minerals Management

Date

Attachment