

Appendix 2.A

Permit Area Description

The Pinabete ~~permit~~ Permit area is fully contained in ~~BHP Navajo Coal~~ Navajo Transitional Energy Company's (BNCCNTEC) mining lease (lease description provided in Section 6).

Upon approval of the Pinabete Permit Application Package, BNCCNTEC will survey the Pinabete boundary and replace this appendix.

~~Certified copies of Appendices are available in Certified Exhibit binders.~~

Appendix 2.A

Navajo Mine Area 4 Permit Boundary Description

Beginning at a point in Section 9, T26N, R16W, NMPM, San Juan County, New Mexico. Said corner is also known as P-4 in Appendix 6.A of the Navajo Mine Lease Boundary, which has Navajo Mine Coordinates of Northing 2003912.77, Easting 291003.83 and New Mexico State Plane Coordinates, West Zone, NAD 83 of Northing 2003977.72, 2513912.49;

Thence N 48°29'19" E a distance of 403.02 feet to a tentative point called A-2;

Thence N 67°03'44" E a distance of 673.83 feet to a tentative point called A-4;

Thence S 00°00'11" E a distance of 294.28 feet to a tentative point called A-6;

Thence N 66°33'04" E a distance of 2275.61 feet to a tentative point called A-8;

Thence N 90°00'00" E a distance of 8601.57 feet to a tentative point called A-10;

Thence N 74°57'18" E a distance of 8495.58 feet to a tentative point called A-12 on the Navajo Mine Lease Boundary line in Section 6, T26N, R15W, NMPM;

Thence S 00°09'59" E along Navajo Mine Lease Boundary line as described by Scott Andrae dated August 1991, a distance of 1803.69 feet to the south 1/4 corner of said Section 6, also called L-122 in Appendix 6.A;

Thence S 00°04'50" E a distance of 5279.64 feet to the north 1/4 corner of Section 18, T26N, R15W, NMPM, also called L-124 in Appendix 6.A;

Thence S 00°05'09" E a distance of 3960.21 feet to the south 1/16 corner of said Section 18, also called L-126 in Appendix 6.A;

Thence S 89°58'43" W a distance of 1320.42 feet to the southwest 1/16 corner of said Section 18, also called L-128 in Appendix 6.A;

Thence S 00°03'58" E a distance of 1320.16 feet to the west 1/16 corner of said section 18 and Section 19, T26N, R15W, NMPM, also called L-130 in Appendix 6.A;

Thence S 89°57'56" W a distance of 1262.07 feet to the northwest corner of said Section 19, also called L-132 in Appendix 6.A;

Thence S 00°00'05" W a distance of 2641.54 feet to the west 1/4 corner of said Section 19;

Thence S 00°00'17" E a distance of 1319.29 feet to the south 1/16 corner of said Section 19 and Section 24, T26N, R16W, NMPM, also called L-134 in Appendix 6.A;

Thence N 89°58'58" W a distance of 2639.17 feet to the south 1/16 corner of said Section 24, also called L-136 in Appendix 6.A;

Thence S 00°00'27" W a distance of 1319.80 feet to the south 1/4 corner of said Section 24, also called L-138 in Appendix 6.A;

Thence S 00°00'58" W a distance of 1319.99 feet to the north 1/16 corner of Section 25, T26N, R16W, also called L-140 in Appendix 6.A;

Thence N 89°04'34" W a distance of 4845.76 feet to a tentative point called A-18;

Thence N 29°12'52" W a distance of 3430.69 feet to a tentative point called A-20;

Thence N 10°31'01" W a distance of 836.09 feet to a tentative point called A-22;

Thence S 82°35'08" W a distance of 1896.50 feet to a point called P-8 in Appendix 6.A;

Thence N 00°00'00" E a distance of 5200.00 feet to a point called P-7 in Appendix 6.A;

Thence N 67°30'00" W a distance of 5000.00 feet to a point called P-6 in Appendix 6.A;

Thence N 38°00'00" W a distance of 5000.00 feet to a point called P-5 in Appendix 6.A;

Thence N 60°47'01" E a distance of 1875.16 feet to a point called P-4 in Appendix 6.A, which is the point of beginning.



Wilson Begay
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