

DEQ COAL SECTION • PO BOX 200901 • HELENA MT 59620-0901 • PHONE: 406-444-4970 • FAX: 406-444-4988 • EMAIL: DEQCoal@mt.gov**ASSIGNMENT OF SURFACE MINE PERMIT NO. C197012** ^{9 (should be C1979012)}

Assignments are not valid until approved by the Chief, Coal and Opencut Mining Bureau. The Department requires proof of agency.

AFFIDAVIT OF ASSIGNOR

State of Colorado)
County of Broomfield)^{ss.}

Heath Hill (Agent) as Executive Vice President & CFO (Title) of Spring Creek Coal LLC (Assignor) of P.O. Box 67 Decker, MT 59025 (Address), being duly sworn, avers that he/she is empowered to transfer and assign Surface Mine Permit No. C1979012, and that said permit is hereby transferred and assigned to Navajo Transitional Energy Company, LLC (Assignee) of P.O. Box 0958, Shiprock, NM 87420-0958 (Address).

Date: 11/14/2019 Assignor Signature: XK A H/11

Subscribed and sworn to before me, the undersigned, a Notary Public for the State of Colorado, this day of November 14, 2019.

AFFIDAVIT OF ASSIGNEE

State of Colorado)
County of Broomfield)^{ss.}

STEPHANIE A HOUSTON
Notary Public - State of Colorado
Notary ID 19944006098
My Commission Expires Apr 19, 2022

Clark Moseley (Agent) as Navajo Transitional Energy Company, LLC (Title) of CEO (Assignee) of P.O. Box 0958, Shiprock, NM 87420-0958 (Address), that he/she is a duly authorized agent of assignee, empowered to accept the assignment of Surface Mine Permit No. -C1979012 and bind the assignee as follows:

That assignee hereby adopts assignors surface mining permit application and assumes full responsibility under Title 82, Chapter 4, Part 2, MCA, for all activities which may have been previously conducted pursuant to said permit, amendments, and any preceding permits if said permit is a renewal.

That assignee assumes full responsibility under Title 82, Chapter 4, Part 2, MCA, for future activities conducted pursuant to said permit.

Date: 11/15/2019 Assignor Signature: [Signature]

Subscribed and sworn before me this 15th day of November, 2019.

Stephanie A. Houston
Notary Public for the State of Colorado
Residing at 385 Interlocken Crescent, Broomfield, CO 80021
My commission expires 4/19/22

STEPHANIE A HOUSTON
Notary Public - State of Colorado
Notary ID 19944006098
My Commission Expires Apr 19, 2022

APPROVAL OF ASSIGNMENT

The foregoing assignment of Surface Mine Permit No. C1979012 is hereby approved this
_____ day of _____, _____.

Chief, Coal and Opencut Mining Bureau
Department of Environmental Quality