

January 18, 2017

C/041/0002
Received 1/20/17
Task #5359

Utah Coal Program
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, UT 84114-5801

Re: Five-Year M&RP Permit Renewal, Canyon Fuel Company, LLC, SUFCO Mine, C/041/002

Dear Permit Supervisor:

Canyon Fuel Company, LLC, SUFCO Mine is submitting this request 120 days before the expiration of the SUFCO Mine permit on May 21, 2017 as required by Utah Coal Mining Rules 645-303-230 for the Utah Division of Oil, Gas and Mining to begin the five-year permit renewal process. Attached is the Division forms C-1 and C-2 and copies of the reclamation agreement with the proof of reclamation bond, a copy of the mine's liability insurance, and a copy of the proposed legal notice we plan to submit to the local newspapers upon the Division's approval.

If you have any questions or need additional information, please contact Vicky Miller at (435) 286-4481.

Sincerely,
CANYON FUEL COMPANY, LLC
SUFCO Mine



John D. Byars
General Manager

Enclosures

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Canyon Fuel Company, LLC

Mine: Sufco Mine

Permit Number: C/041/0002

Title: Permit Renewal

Description, Include reason for application and timing required to implement:
May 21, 2017 renewal

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?
<i>Explain:</i> _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

John D. Byars
Print Name

John D. Byars, Gen Mgr. 1-18-17
Sign Name, Position, Date

Subscribed and sworn to before me this 18 day of January, 2017

Jacquelyn Nebeker
Notary Public

My commission Expires: _____, 20____

Attest: State of _____; ss: County of _____



JACQUELYN NEBEKER
Notary Public
State of Utah
My Commission Expires 03/24/2019
COMMISSION NUMBER 681827

For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

LEGAL NOTICE

LEGAL NOTICE

Canyon Fuel Company LLC, 225 North 5th Street, 9th Floor, Grand Junction, CO 81501 has filed an application for a coal mining permit renewal under the laws of the State of Utah and the U.S. Office of Surface Mining.

Approval of this application will allow coal mining operations at the SUFCO Mine to continue within the leasehold interest and fee lands owned by Canyon Fuel Company LLC. The lands on which mining is to continue are located in Sevier and Emery County and include parts of the Fishlake National Forest and Manti-LaSal National Forest. The mine portals are located 30 miles east of Salina, Utah, located within Section 12, NW1/4, Township 22 S., Range 4 E. The approximately leasehold involves all or part of the following coal leases and fee land which have been assigned or deeded to Canyon Fuel Company LLC.

Federal Coal Lease U-28297 - (716.51 acres) - Approved January 1979

- T. 21 S., R. 5 E., SLM, Utah
 - Sec. 32, lots 1-4, N1/2S1/2
 - Sec. 33, NW1/4SW1/4
- T. 22 S., R. 5 E., SLM, Utah
 - Sec. 5, W1/2W1/2
 - Sec. 7, S1/2NE1/4, E1/2SW1/4, W1/2SE1/4;
 - Sec. 8, W1/2NW1/4

Federal Coal Lease U-062453 - (480 acres) - Approved March 1962

- T. 21 S., R. 5 E., SLM, Utah
 - Sec. 28, SW1/4SW1/4
 - Sec. 29, SE1/4SE1/4
 - Sec. 32, N1/2
 - Sec. 33, W1/2NW1/4

Federal Coal Lease U-0149084 - (240 acres) - Approved June 1966

- T. 22 S., R. 4 E., SLM, Utah
 - Sec. 12, NE1/4 and N1/2SE1/4

Federal Coal Lease SL-062583 - (3,079.83 acres) - Approved September 1941

- T. 21 S., R. 4 E., SLM, Utah
 - Sec. 36, S1/2
- T. 21 S., R. 5 E., SLM, Utah
 - Sec. 31, all;
- T. 22 S., R. 4 E., SLM, Utah
 - Sec. 1, lots 1 to 4 incl. S1/2N1/2, S1/2
 - Sec. 2, SE1/4, S1/2SW1/4;
 - Sec. 3, SE1/4SE1/4;
 - Sec. 10, E1/2NE1/4, NE1/4SE1/4;
 - Sec. 11, N1/2, N1/2S1/2;
 - Sec. 12, NW1/4
- T. 22 S., R. 5 E., SLM, Utah
 - Sec. 6, all;
 - Sec. 7, N1/2NE1/4, E1/2NW1/4

Federal Coal Lease U-47080 - (1,953.73 acres) - Approved October 1981

- T. 21 S., R. 4 E., SLM, Utah
 - Sec. 25, all;
 - Sec. 35, E1/2, E1/2SW1/4;
 - Sec. 36, N1/2.
- T. 21 S., R. 5 E., SLM, Utah
 - Sec. 30, lots 2-4, W1/2SE1/4
- T. 22 S., R. 4 E., SLM, Utah
 - Sec. 2, lots 1-4, S1/2NE1/4, S1/2NW1/4, N1/2SW1/4;
 - Sec. 3, NE1/4SE1/4.

Federal Coal Lease U-63214 - (8,826.34 acres) - Approved July 1989

- T. 21 S., R. 4 E., SLM, Utah
 - Sec. 12, E1/2SE1/4
 - Sec. 13, E1/2NE1/4, S1/2
 - Sec. 14, E1/2SW1/4, SE1/4
 - Sec. 23, E1/2, E1/2W1/2
 - Sec. 24, all.
 - Sec. 26, E1/2, E1/2SW1/4
 - Sec. 35, NW1/4, W1/2SW1/4
- T. 21 S., R. 5 E., SLM, Utah
 - Sec. 10, SE1/4NW1/4, E1/2SW1/4, E1/2E1/2SW1/4SW1/4, E1/2E1/2NW1/4SW1/4, E1/2E1/2SW1/4NW1/4
 - Sec. 15, W1/2
 - Secs. 16-21, all;
 - Sec. 22, W1/2
 - Sec. 26, W1/2NW1/4SW1/4, SW1/4SW1/4
 - Sec. 27, all;
 - Sec. 28, N1/2, N1/2SW1/4, SE1/4SW1/4, SE1/4
 - Sec. 29, E1/2NE1/4, NE1/4SE1/4
 - Sec. 30, lot 1, N1/2NE1/4
 - Sec. 33, NE1/4, E1/2NW1/4, NE1/4SW1/4, N1/2SE1/4
 - Sec. 34, NW1/4NE1/4, NW1/4, NW1/4SW1/4
- T. 22 S., R. 5 E., SLB&M, Utah
 - Sec. 3, lots 1-4, S1/2N1/2, NE1/4SW1/4, S1/2SW1/4, N1/2SE1/4, SW1/4SE1/4
 - Sec. 4, lots 1, 2, S1/2NE1/4, SE1/4SE1/4
 - Sec. 9, NE1/4NE1/4
 - Sec. 10, W1/2NE1/4, NW1/4, N1/2SW1/4.

Federal Coal Lease UTU-76195 - (5,694.66 acres) - Approved October 1999

- T. 21 S., R. 5 E., SLM
 - Sec. 2, lots 3, 4, S1/2SW1/4, SW1/4SE1/4
 - Sec. 10, E1/2
 - Sec. 11, all
 - Sec. 12, S1/2SW1/4, NW1/4SW1/4
 - Sec. 13, NW1/4, S1/2
 - Sec. 14, all
 - Sec. 15, E1/2

Sec. 22, E1/2
Sec. 23-24, all
Sec. 25, N1/2, N1/2S1/2
Sec. 26, N1/2, NE1/4SW1/4, E1/2NW1/4SW1/4, SE1/4
T. 21 S., R. 6 E., SLM
Sec. 19, lots 3-4, E1/2SW1/4
Sec. 30, lots 1-3, E1/2NW1/4, NE1/4SW1/4

Federal Coal Lease UTU-84102 - (6,175.39 acres) - Approved January 2017

T. 20 S., R. 4 E., SLM
Sec. 36, lot 4, E1/2NE1/4, NE1/4SE1/4
T. 20 S., R. 5 E., SLM
Sec. 19, lots 5-8, E1/2SW1/4, SE1/4
Sec. 20, S1/2
Sec. 21, W1/2SW1/4
Sec. 28, W1/2
Sec. 29, all
Sec. 30, all
Sec. 31, all
Sec. 32, N1/2, N1/2S1/2
Sec. 33, NW1/4NW1/4
T. 21 S., R. 4 E., SLM
Sec. 1, all
Sec. 2, SE1/4
Sec. 11, E1/2, E1/2W1/2
Sec. 12, NE1/4, W1/2, W1/2SE1/4
Sec. 13, W1/2NE1/4, NW1/4
Sec. 14, NE1/4, E1/2NW1/4
T. 21 S., R. 5 E., SLM
Sec. 6, all

State of Utah Coal Lease ML 49443-OBA - (2,553.84 acres) - Approved October 2004

T. 20 S., R. 5 E., SLB&M
Sec. 32: S1/2S1/2
Sec. 33: S1/2S1/2
T. 21 S., R. 5 E., SLB&M
Sec. 4: Lots 1, 2, 3, 4, S1/2S1/2
Sec. 5: Lots 1, 2, 3, 4, S1/2S1/2
Sec. 7: Lots 2, 3, 4, S1/2NE1/4, SE1/4
Sec. 8: All
Sec. 9: All

BLM Right-of-Way UTU-91108 – (70 acres) - Approved June 2015

T. 21 S., R. 4 E., SLB&M, Utah
Sec. 1, E1/2SE1/4SE1/4, SE1/4NE1/4SE1/4
Sec. 12, E1/2E1/2NE1/4

Fee lands owned by Canyon Fuel Company, LLC as follows:

T. 21 S., R. 5 E., SLB&M, Utah
Sec. 29, SW1/4, NW1/4, W1/2NE1/4, W1/2SE1/4
Sec. 30, S1/2NE1/4, E1/2SE1/4
Containing 640.00 acres

T. 22 S., R. 4 E., SLB&M, Utah
Sec. 18, NW1/4NE1/4
Containing 40 acres

After filing, copies of the permit application will be available for inspection at the following location:
Utah Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah.

Written comments or requests for an informal conference regarding this application may be addressed within 30 days of the last publication date of this notice, to the Utah Division of Oil, Gas and Mining, Box 145801, Salt Lake City, Utah 84114-5801.

PROOF OF LIABILITY INSURANCE



CERTIFICATE OF LIABILITY INSURANCE

BOWIE-1

OP ID: BH

DATE (MM/DD/YYYY)

01/29/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Taylorsville Road 4630 Taylorsville Rd Louisville, KY 40220 Robert P. Wessel, Jr. CPCU	CONTACT NAME: Robert P. Wessel, Jr. CPCU	
	PHONE (A/C, No, Ext): 502-493-2370 FAX (A/C, No): 502-493-2320 E-MAIL ADDRESS:	
INSURED Canyon Fuel Company, LLC Bowie Resource Holdings, LLC Jim Wolff 6100 Dutchman's Lane Ste 900 Louisville, KY 40205	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: National Union Fire	19445
	INSURER B: Lexington Insurance Company	
	INSURER C: Apollo Insurance	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER		GL 6576428	02/01/2016	02/01/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Emp Ben. \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10000		BE84160078	02/01/2016	02/01/2017	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Excess Umbrella		02567252	02/01/2016	02/01/2017	Excess Umbrella 15,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Coverage also includes Excess Excess Liability at \$10,000,000 with Apollo
 Insurance effective 2/1/16 to 2/1/17
 Permit Sufco Mine C041002 blasting and use of explosives is not excluded under the policy.

CERTIFICATE HOLDER Utah Dept of Natural Resources Division of Oil Gas and Mining 1694 W. North Temple Suite 1210 Salt Lake City, UT 84114-5801	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Robert P. Wessel Jr</i>
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PROOF OF BOND

EXHIBIT "D"

**Stipulation to Revise
Reclamation Agreement
(Federal)**

Mine Name: Sufco
Permit Number: C/041/0002
Effective Date: _____
Bond Number: _____

COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT
--ooOOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT**: (Identify and Describe Revisions below)

Addition of Rock Chute Structure at the Tipple Building (Task ID #5187) requires an increase of \$418,000 in the posted bond, increasing the required bond amount from \$3,944,000 to \$4,362,000.

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.

- Replace the Reclamation Agreement in its entirety.
- Replace Exhibit "A"- bonded area.
- Rider added to existing Exhibit "B"- bonding agreement
- Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$ 3,944,000 to \$ 4,362,000

The bonding type is changed from _____ to _____.

The surface disturbance is revised from _____ acre to _____ acres.

The expiration date is revised from _____ to _____.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed from \$ _____ to \$ _____.

Exhibit "D"
Stipulation to Revise
Reclamation Agreement
Federal

IN WITNESS WHEREOF, Canyon Fuel Company, LLC the **PERMITTEE** has hereunto set its signature and seal this 9th day of June, 2016.

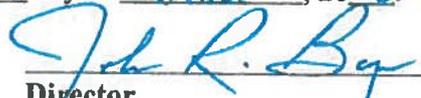
Canyon Fuel Company, LLC
PERMITTEE

By: _____


James Wolff

Title: Chief Financial Officer

ACCEPTED BY THE STATE OF UTAH this 23rd day of June, 2016


Director,
Division of Oil, Gas and Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power or Attorney of a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.

**AFFIDAVIT OF QUALIFICATION
PERMITTEE
--ooOOoo--**

I, James Wolff, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) Chief Financial Officer of Canyon Fuel Company, LLC and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said PERMITTEE is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein

Canyon Fuel Company, LLC
By: Bowie Resource Holdings, LLC, its sole member
By: Bowie Resource Partners, LLC, its sole member

James Wolff
(Signed) James Wolff, Chief Financial Officer
Name/Position

Attest: [Signature]
Secretary of the Corporation

STATE OF Kentucky
COUNTY OF Jefferson) ss:



Subscribed and sworn to before me this 13th day of June, 2019

Carolyn Burton
Notary Public

My Commission Expires:
Dec 6, 2019

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1093364 effective August 15, 2013
issued by the Lexon Insurance Company backed by Ironshore Indemnity Inc. (SUR60000007)
in the amount of 3,944,000.00 DOLLARS,
on behalf of Canyon Fuel Company, LLC
as Principal and in favor of U.S. Department of the Interior, Office of Surface Mining; State of Utah, Division of Oil,
Gas and Mining
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount by \$418,000.00 as follows:

Current Bond Amount: \$3,944,000.00
New Bond Amount: \$4,362,000.00

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 9th day of June, 2016.

Signed, sealed and dated this 9th day of June, 2016.

Canyon Fuel Company, LLC (Principal)

By:



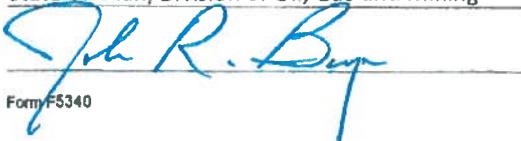
Lexon Insurance Company (Surety)

By:


Theresa Pickerrell
Attorney-in-Fact

Accepted By:

State of Utah, Division of Oil, Gas and Mining



POWER OF ATTORNEY

LX- 278414

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY



BY

Signature of David E. Campbell, President

David E. Campbell, President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY

Signature of Amy Taylor, Notary Public

Amy Taylor, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 9th Day of June, 2016.



BY

Signature of Andrew Smith, Assistant Secretary

Andrew Smith, Assistant Secretary

WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

**AFFIDAVIT OF QUALIFICATION
PERMITTEE**

--ooOOoo--

I, James Wolff, being first duly sworn under oath, deposes and says that he/~~she~~ is the (officer or agent) Chief Financial Officer of Canyon Fuel Company, LLC and that he/~~she~~ is duly authorized to execute and deliver the foregoing obligations; and that said PERMITTEE is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.

Canyon Fuel Company, LLC
By: Bowle Resource Holdings, LLC, its sole member
By: Bowle Resource Partners, LLC, its sole member

James Wolff
(Signed) James Wolff, Chief Financial Officer
Name Position

Attest: [Signature]
Secretary of the Corporation

STATE OF Kentucky)
COUNTY OF Jefferson) ss:

Subscribed and sworn to before me this 21st day of June, 2016.

Carolyn Burton
Notary Public

My Commission Expires:

Dec. 6, 2019.

