

UNITED STATES

DEPARTMENT OF THE INTERIOR

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

Cloud Peak Energy  
P.O. Box 67  
Decker, MT 59025

for a mining plan modification for Federal lease MTM-94378 at the Spring Creek Mine. This mining plan approval supplements all previous mining plan approvals for the Spring Creek Mine. The approval is subject to the following conditions. Cloud Peak Energy is hereinafter referred to as the operator.

1. Statutes and Regulations.--This mining plan approval is issued pursuant to Federal lease MTM-94378; 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 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 MTM-94378 at the Spring Creek Mine and authorizes coal development or mining operations on the Federal lease within the area of mining approval. This authorization expands the approved mining plan area into the following Federal coal lands:

**Federal Lease MTM-94378**

**Tract 1**

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

Section 13:	NE ¼ SW ¼	40.0 acres
	NW ¼ SW ¼	40.0 acres
	SE ¼ SW ¼	40.0 acres
	N ½ SW ¼ SW ¼ SW ¼	20.0 acres
	N ½ SE ¼ SW ¼ SW ¼	05.0 acres
	SE ¼ SE ¼ SW ¼ SW ¼	02.5 acres

SW ¼ NW ¼ NW ¼	10.0 acres
SW ¼ NW ¼	40.0 acres
SW ¼ SE ¼ NW ¼	10.0 acres
NW ¼ NW ¼ SE ¼	10.0 acres
S ½ NW ¼ SE ¼	20.0 acres
N ½ SW ¼ SE ¼	20.0 acres
SW ¼ SW ¼ SE ¼	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 NE ¼ NW ¼ 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 NE ¼ NE ¼ of the said section; thence easterly on the E-W center line of the NE ¼ NE ¼ 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 ¼ SE ¼ SE ¼ 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 ¼ SE ¼ SE ¼ 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 ¼ of said section to the C-E-SE 1/64 sec. cor. of said section; thence northerly on the N-S center line of the NE ¼ SE ¼ 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 ¼ NE ¼ SE ¼ 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 SE ¼ 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 ¼ 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 ½ of the NW ¼ 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 ¼ NW ¼ 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 ¼ 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 ¼ NW ¼ of said section to the point of beginning, containing 137.70 acres, more or less.

Section 24: N ½ NE ¼ NW ¼ 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:	W ½ SW ¼ SE ¼	20.0 acres
	SE ¼ SW ¼ SE ¼	10.0 acres
Section 22:	NE ¼ NE ¼	40.0 acres
	N ½ NW ¼ NE ¼	20.0 acres
	SE ¼ NW ¼ NE ¼	10.0 acres
	E ¼ NE ¼ NW ¼	10.0 acres
	NE ¼ SE ¼ NE ¼	10.0 acres
Section 23:	SE ¼ NW ¼	40.0 acres
	SW ¼ NW ¼	40.0 acres
	S ½ NE ¼ NW ¼	20.0 acres
	S ½ NW ¼ NW ¼	20.0 acres
	SW ¼ SW ¼ NW ¼ NE ¼	02.5 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 ¼ SW ¼	40.0 acres
Section 26:	SE ¼ SE ¼	40.0 acres
	SW ¼ SE ¼	40.0 acres
	S ½ NW ¼ SE ¼	20.0 acres
	N ½ SE ¼ SW ¼	20.0 acres
	NW ¼ NW ¼ NE ¼ SW ¼	02.5 acres
	SW ¼ NE ¼ NE ¼ SW ¼	02.5 acres
	S ½ NE ¼ NE ¼ SW ¼	05.0 acres
	S ½ NE ¼ SW ¼	20.0 acres
	NW ¼ SW ¼	40.0 acres
Section 27:	SE ½ NE ¼ SE ¼	10.0 acres
	N ½ NE ¼ SE ¼	20.0 acres

NE ¼ NW ¼ SE ¼	10.0 acres
E ½ SE ¼ NW ¼	20.0 acres
NW ¼ NE ¼ SW ¼ NE ¼	02.5 acres
S ½ SE ¼ SW ¼ NE ¼	05.0 acres
NW ¼ SW ¼ NE ¼	10.0 acres
S ½ SW ¼ NE ¼	20.0 acres
SW ¼ NW ¼ SE ¼ NE ¼	02.5 acres
S ½ SE ¼ NE ¼	20.0 acres

Tract 3 contains 350 acres, more or less.

**Tract 4**

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

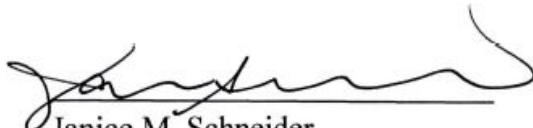
Section 30:	SW ¼ SE ¼	40.0 acres
	SE ¼ SE ¼	40.0 acres
	S ½ NW ¼ SE ¼	20.0 acres

Tract 4 contains 100 acres, more or less.

These lands in Federal lease MTM-94378 encompass 1,117.7 acres and are found on the following Montana USGS 7.5 minute Quadrangle maps: Decker, Pearl School, and Half Moon Hill and as shown on the map appended hereto as Attachment A.

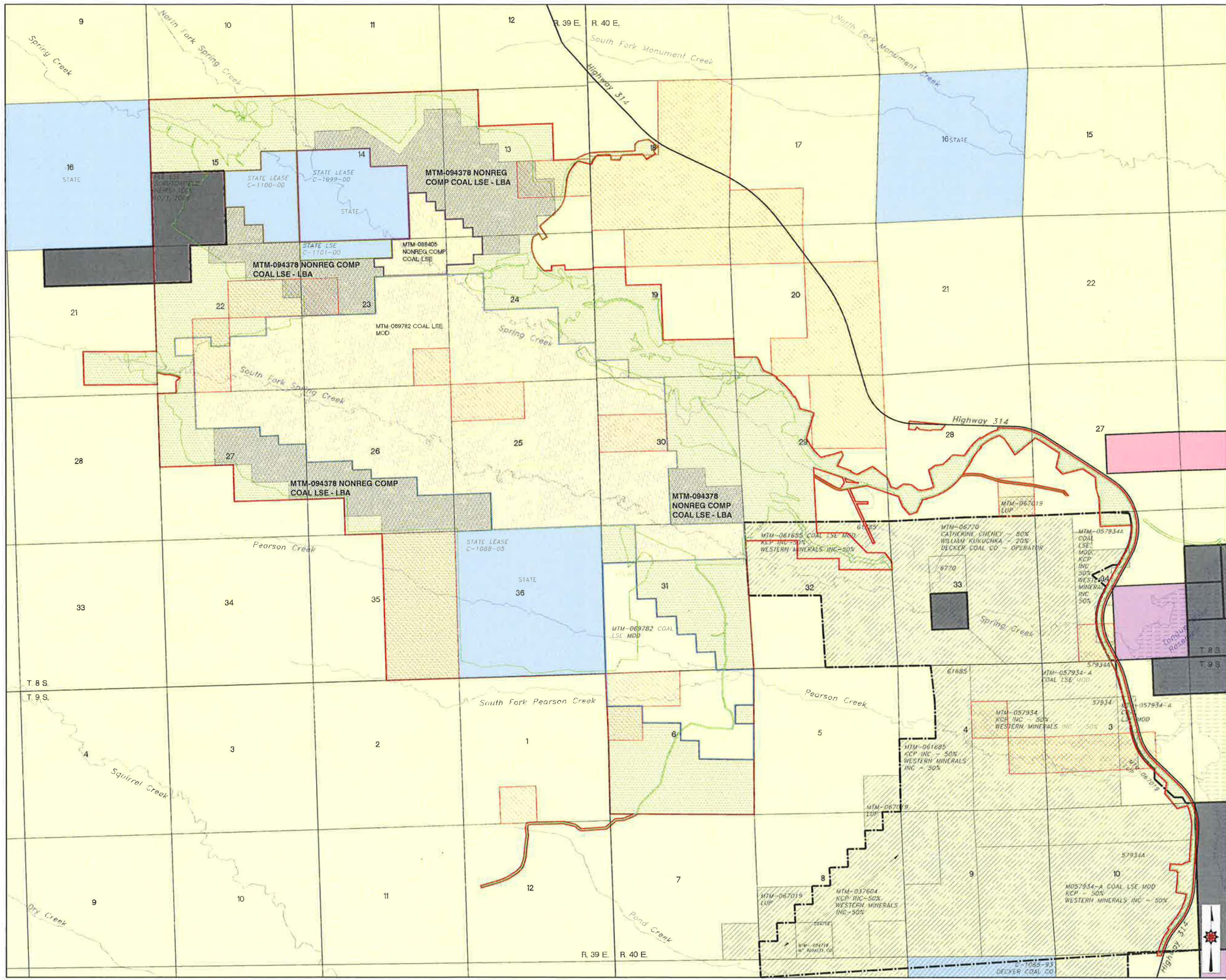
3. The operator shall conduct coal development or mining operations only as described in the complete permit application package, and approved by the Montana Department of Environmental Quality Industrial and Energy Minerals Bureau, except as otherwise directed in the conditions of this mining plan approval.
4. The operator shall comply with the terms and conditions of the leases, this mining plan approval, and the requirements of the Montana Permit No. C1979012 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 resources are discovered, the operator shall ensure that the resources are not disturbed and shall notify the Montana Department of Environmental Quality Industrial and Energy Minerals Bureau and the Office of Surface Mining Reclamation and Enforcement (OSMRE). The operator shall take such actions as are required by the Montana Department of Environmental Quality Industrial and Energy Minerals Bureau in coordination with OSMRE.
7. Treatment of cultural resources within Surface Mining Permit C1979012 and Federal lease MTM-94378 is covered by an Memorandum of Agreement (MOA) developed under the provisions of Section 106 of the National Historic Preservation Act and pursuant regulations (36 CFR 800). Treatment of all cultural resources, including incidental discoveries during the course of mining, must be handled according to the provisions of this MOA.
8. 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.

  
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Janice M. Schneider  
Assistant Secretary  
Land and Minerals Management

10-3-16  
Date

Attachment



- LEGEND**
- State of Montana SMCRA Permit Boundary
  - State of Montana SMCRA Life of Mine Disturbance Boundary revised through MR 215 October 2015.
  - State of Montana Coal Lease Boundary C-1099-00
  - State of Montana Coal Lease Boundary C-1100-00
  - State of Montana Coal Lease Boundary C-1101-00
  - State of Montana Coal Lease Boundary C-1088-05
  - Federal Coal Lease Boundary MTM 069782
  - Federal Coal Lease Boundary MTM 088405
  - Federal Coal Lease Boundary MTM 94378
  - Fee Coal Lease Boundary

- Unused Federal Coal Lands Within SMCRA Mine Permit Boundary
- Federal Mine Plan Area Previously Approved for Federal Leases MTM-067982 and MTM-88405 (2,655.0 acres last revised 12/14/01)
- Additional Federal Mine Plan Area for Federal Lease MTM-94378 (1,117.7 acres)
- Federal, State or Other Coal Lands Leased to Other Coal Company
- Federal Surface Land Tracts Within or Intersecting SMCRA Permit Area
- State Highway
- Ephemeral Stream (Note: Some Streams Within SMCRA Permit Boundary Are Currently Disturbed)
- Tongue River Reservoir

- Solid Minerals Ownership Key**
- Federal
  - State of Montana
  - Fee
  - BIA
  - Montana DNRC

- Solid Minerals Lease Data Key**
- DECKER COAL COMPANY (LNU) LOCAL MINING UNIT
  - 301 253 COAL OWNERSHIP PIN ID#  
COAL LEASE PIN ID#
  - FEDERAL COAL OWNER
  - JRCC (FED LSE APPLN #WYW-146744) COAL LESSEE  
LEASE DESCRIPTION



DATE: 10/15/14	REVISION: 1		097843 CREEK APLN P.O. BOX 61, DEER CREEK, MT 59005 PHONE: (406) 767-5241
N/T/S	Revised Boundary and Acres		<p align="center"><b>PERMIT MAP</b> FEDERAL MINE PLAN MODIFICATION ADDING FED LEASE MTM-94378</p>
DESIGN: JTB	DRAWN: JTB	DATE: 10/15/14	SHEET: 1 OF 1
SCALE: 1"=100'	FILE NUMBER: 07-012-2011-Permit Map 107811.dwg		