

UNITED STATES
DEPARTMENT OF THE INTERIOR

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

Coteau Properties Company
Freedom Mine
204 County Rd. 15
Beulah, ND 58523

for a mining plan modification for Federal Coal Lease NDM 91535 at the Freedom Mine, North Dakota State Mining Permit NACT-0201. Coteau Properties Company is hereinafter referred to as the operator. This approval is subject to the following conditions.

1. Statutes and Regulations: This mining plan approval is issued pursuant to Federal Coal Lease NDM 91535; 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 that are now or hereafter in force; and all such laws and regulations are made part hereof. The operator must 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 Coal Lease NDM 91535 at Freedom Mine and authorizes coal development or mining operations on that part of the Federal lease within the area of the mining plan approval. This authorization expands the approved mining plan area into the following Federal coal lands:

Township 145 North, Range 88 West
Section 4: E½ (320 acres)

Township 144 North, Range 89 West
Section 12: E½ (320 acres)

These lands in Federal lease NDM 91535 encompass approximately 640 acres and are shown on the map appended hereto referred 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 North Dakota Public Service Commission (PSC) except as otherwise directed in any conditions of any valid mining plan, including this mining plan modification.
4. The operator must comply with the terms and conditions of the Federal coal lease, this mining plan modification approval, and the requirements of North Dakota PSC Permit

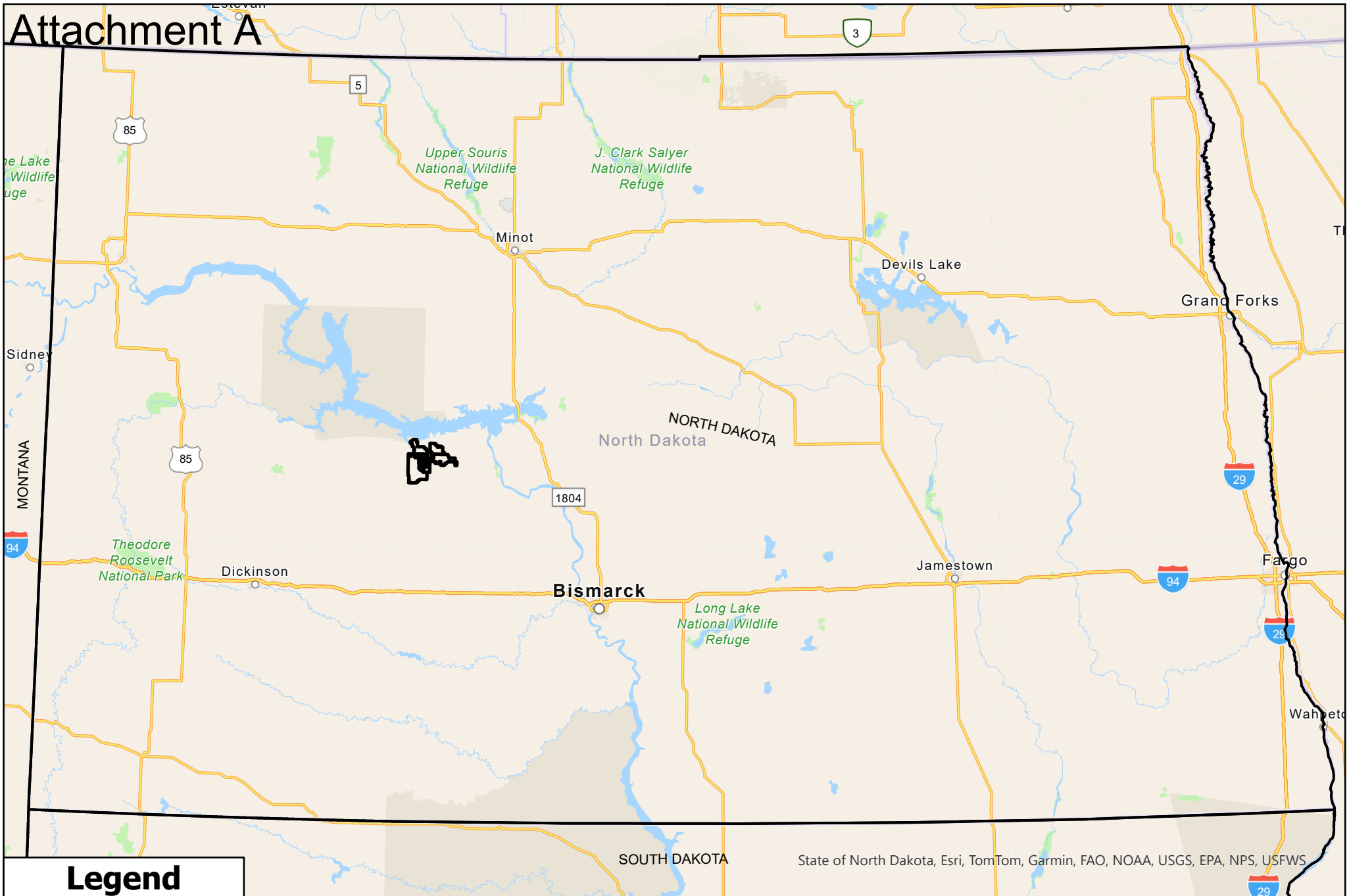
NACT-0201 issued under North Dakota State program approved pursuant to the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. §§ 1201 *et seq.*). The Secretary retains the authority and jurisdiction to modify or cancel this approval for failure to comply with any of these items or other applicable laws and regulations.

5. This mining plan approval is binding on any person conducting coal development or mining operations under the approved mining plan and will remain in effect until superseded, canceled, or withdrawn.
6. If, during mining operations, unidentified prehistoric resources are discovered, the operator must ensure that the resources are not disturbed and must notify North Dakota PSC and Office of Surface Mining Reclamation and Enforcement (OSMRE). The operator must take such actions as are required by North Dakota PSC in coordination with the 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.*

Leslie Shockley Beyer
Assistant Secretary
Land and Minerals Management
U.S. Department of the Interior

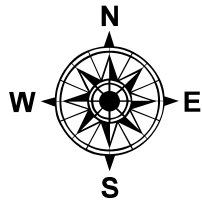
Date _____

Attachment A



Legend

-  Freedom Mine Permit Boundary
-  Montana/Dakotas State Boundaries



0 10 20 40 60 80 Miles

UNITED STATES DEPARTMENT OF
THE INTERIOR BUREAU OF LAND
MANAGEMENT MONTANA-DAKOTAS

No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of this data for individual use or aggregate use with other data. BLM data may be updated without notice.

Attachment A. Existing mine permit boundaries and tracts proposed in Alternative D, Mining Plan Modification Tracts

