

SECTION 4

PERMITTEE OWNERSHIP AND CONTROL

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PERMITTEE OWNERSHIP AND CONTROL

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PERMITTEE OWNERSHIP AND CONTROL

LIST OF FIGURES

FIGURE NUMBER	FIGURE TITLE
4-1	Navajo Transitional Energy Company, LLC Corporate Organizational Structure

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PERMITTEE OWNERSHIP AND CONTROL

LIST OF APPENDICES

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NUMBER	APPENDIX TITLE
4.A	Verification of Owners and Controllers for Navajo Transitional Energy Company
4.B	Surface Coal Mine Operations Controlled in Common

SECTION 4

PERMITTEE OWNERSHIP AND CONTROL

LIST OF REVISIONS DURING PERMIT TERM

REV.		DATE
NUMBER	REVISION DESCRIPTION	APPROVED

4 PERMITTEE OWNERSHIP AND CONTROL

4.1 Owners and Controllers

Navajo Transitional Energy Company (referred to in this permit application package as “NTEC”, “applicant”, or “permittee”) is the owner of Navajo Mine.

On December 30, 2013, Navajo Transitional Energy Company (NTEC) acquired ownership of Navajo Mine Coal Company, LLC. (NMCC), successor to Navajo Mine interests previously held by BHP Navajo Coal Company (BNCC), BHP Billiton, BHP Minerals, and Utah International. On October 1, 2021, NTEC acquired ownership of Bisti Fuels Company, LLC. (Bisti Fuels; previous disclosed agent and operator for NTEC at Navajo Mine) from North American Coal Company. Bisti Fuels, now a wholly owned subsidiary of NTEC, will remain as the operator of Navajo Mine. On October 1, 2021, NTEC created and assigned NTEC Natural Resources, LLC to manage Bisti Fuels Company, LLC. Any reference in this permit application package to North American Coal Company, BNCC, BHP Billiton, BHP Minerals, Utah International, and Utah Construction and Mining as those companies relate to Navajo Mine, should be understood to be a reference to NTEC’s interests.

4.1.1 Names and Addresses of Principal Shareholders

The principal shareholder of the permittee is:

The Navajo Nation
c/o The Navajo Nation Office of the Attorney General
Doreen N. McPaul, Attorney General
P.O. Box 1749
Window Rock, Arizona, 86515
Telephone: (928) 871-6345
Federal ID #: 46-4009272

Addresses and telephone numbers for officers and directors are the same as the company for which they hold office. This information for the applicant and other entities with ownership interest is provided in Table 4-1 Applicant Ownership and Control Companies, Table 4-2 NTEC Officers and Directors, Table 4-3 NTEC Natural Resources Officers and Directors, and Table 4-4 Bisti Fuels Company, LLC Officers and Directors. The NTEC corporate organizational structure can be found in Figure 4-1.

Appendix 4.A contains a copy of the affidavit verifying the ownership and control information for NTEC is accurate and complete.

4.1.2 Ownership and Control - Coal Controller

Is the coal to be mined at this operation owned or controlled by another person or business? () Yes (X) No

If yes, does that person or business have the right to receive such coal after mining or have the authority to determine the manner in which the surface coal mining operations at this operation are conducted under a lease, sublease, or other contract? () Yes () No

If yes, provide the following information for the coal controller. Not Applicable

NTEC will not utilize a disclosed agent for the No Name Permit Area.

4.1.3 Names and Addresses of Operator

NTEC will serve as the mine operator for the No Name Permit.

4.2 Operations Controlled in Common

Appendix 4.B presents the surface coal mine operations owned or controlled by the applicant, NTEC. Only operations owned or controlled within five years of the date of the permit application package submittal are presented in Appendix 4.B.

4.3 Other Permits and Licenses

Other permits maintained at Navajo Mine are provided in Section 8.

4.4 MSHA Numbers

The MSHA Identification number for Navajo Mine is 29-00097.

4.5 Facilities or Structures Used in Common

Navajo Mine does not use any facilities or structures with a separate permitted mining operation. Arizona Public Service Four Corners Power Plant is not a permitted mining operation as it does not engage in surface coal mining and reclamation operations.

Table 4-1 Applicant Ownership and Control Companies

Business	Address & Telephone No.	Federal ID No.
Navajo Transitional Energy Company, LLC. (NTEC)	P.O. Box 958 Shiprock, NM, 87420-0958 Telephone No. (505) 278-8625	46-4009272
NTEC Natural Resources, LLC	4801 N Butler Ave Suite 12000 Farmington, NM 87401 Telephone No. (505) 278-8625	
Bisti Fuels Company, LLC	P.O. Box 3767 Farmington, NM 87499-3767 Telephone No. (505) 598-4200	47-4822674

Table 4-2 Navajo Transitional Energy Company Officers

Active Officers*

Name	Title	Date Elected
McLaughlin, Timothy H.	Management Committee Member	5/5/2017
	Chairman	3/2/2019
Jenkins, Peter E.	Management Committee Member	7/23/2016
Denetclaw Jr., Peter	Management Committee Member	7/23/2016
	Vice Chairman	11/4/2017
Haskie, Lionel	Management Committee Member	5/1/2018
	Secretary	3/2/2019
Rosetta, Aaron	Management Committee Member	8/26/2017
Talker, Christopher	Management Committee Member	5/5/2018
	Management Committee Executive	2/1/2022
Lund, Lavern K.	Chief Executive Office	2/1/2022
Masters, Bernard	General Counsel	12/1/2018
Tipton III, Harry B.	Chief Growth Officer	4/1/2019
Ziegler, Rick J.	Chief Operating Officer	3/1/2022
Hofer, Michael	Chief Financial Officer	12/12/2022

Resigned Officers

Name	Title	Date Elected	Date Resigned
Adams, Matthew	Director, Senior Tax Counsel	10/24/2019	2/26/2024
Adams, Matthew	Vice President Senior Tax Counsel	10/24/2019	8/30/2023
	Management Committee Member	10/13/2019	1/31/2022
Moseley, Clark A.	Chief Executive Officer	12/01/2014	1/31/2022
Fagely, Tim	Vice President, Process Improvement	10/20/2022	3/4/2022
Gisin, Michael J.	Chief Financial Office	8/10/2015	4/6/2022
Lund, Lavern K.	Sr. Vice President, Commercial and Operations	2/1/2021	3/1/2022
Tipton III, Harry B.	Sr. Vice President, Operations and Corporate Development	4/1/2019	3/1/2022
Wood, Grant R.	Management Committee Member	5/3/2013	12/17/2017
Passamaneck, Richard S.	Management Committee Member	5/3/2013	8/26/2017
Gunderson, Steve	Management Committee Member	5/3/2013	10/27/2017
Tsosie, David Harrison	General Counsel	7/13/2015	11/30/2017
Yazzie, Steve	Management Committee Member	1/26/2019	8/24/2019
Fagely, Tim	Chief Operations Officer	4/11/2016	10/12/2020

*Current as of 5/7/2024

Table 4-3 NTEC Natural Resources, LLC Company Officers

Active Officers*

Name	Title	Date Elected
Lund, LaVern K.	Chief Executive Officer	2/1/2022
Tipton III, Harry B.	Chief Growth Officer	10/1/2021
Ziegler, Rick J.	Chief Operating Officer	3/1/2022
Masters, Bernard	General Counsel	10/1/2021
Hofer, Michael	Chief Financial Officer	12/12/2022

Resigned Officers

Name	Title	Date Elected	Date Resigned
Moseley, Clark A.	Chief Executive Officer	10/1/2021	1/31/2022
Fagely, Tim	Vice President, Process Improvement	10/1/2021	3/4/2022
Lund, LaVern K.	Vice President, Commercial and Operations	10/1/2021	3/1/2022
Gisin, Michael J.	Chief Financial Officer	10/1/2021	4/6/2022

*Current as of April 6, 2023

Table 4-4 Bisti Fuels Company, LLC Company Officers

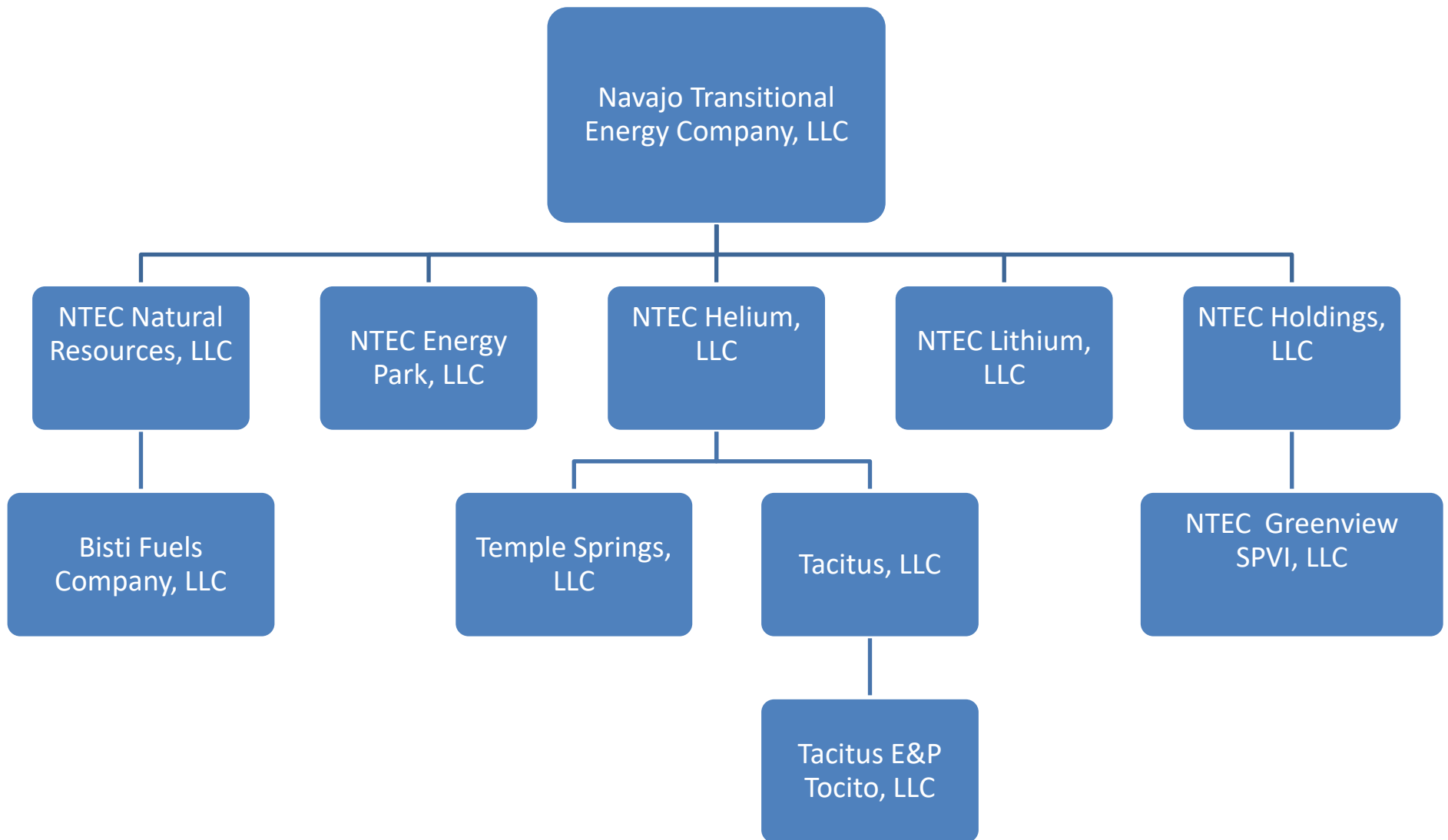
Active Officers

Name	Title	Date Elected	
Lund, LaVern K.	Chief Executive Officer	2/1/2022	
Tipton III, Harry B.	Chief Growth Officer	10/1/2021	
Masters, Bernard	General Counsel	10/1/2021	
Hofer, Michael	Chief Financial Officer	12/12/2022	
Zeigler, Rick J.	Chief Operating Officer	3/1/2022	

Resigned Officers

Name	Title	Date Elected	Date Resigned
Moseley, Clark A.	Chief Executive Officer	10/1/2021	1/31/2022
Fagely, Tim	Vice President, Process Improvement	10/1/2021	3/4/2022
Gisin, Michael	Chief Financial Officer	10/1/2021	4/6/2022
Zeigler, Rick J.	President & Manager	1/1/2016	9/30/2021
LaVern K. Lund	Vice President, Commercial and Operations	2/1/2021	3/1/2022
Dewing, Carrol L.	Senior Vice President	3/2/2016	9/30/2021
	Manager	8/14/2015	9/30/2021
Sullivan, J. Patrick Jr.	Senior Vice President	3/2/2016	9/30/2021
	Manager	8/14/2015	9/30/2021
Neumann, John D.	Secretary	8/14/2015	9/30/2021
	Manager	8/14/2015	9/30/2021
Dale, Eric A	Treasurer	1/4/2017	9/30/2021
Hart, Andrew B	Controller	9/20/2019	9/30/2021
	Assistant Controller	2/8/2019	9/19/2019
Dilluvio, Matthew J.	Assistant Secretary	6/20/2019	9/30/2021
Fry, Sarah E.	Assistant Secretary	5/1/2017	9/30/2021
Haberer, Miles B.	Assistant Secretary	8/14/2015	9/30/2021
	Manager	8/14/2015	9/30/2021
Butler, J.C. Jr.	Assistant Secretary	4/11/2016	4/15/2018
	Senior Vice President	4/1/2019	1/31/2021
Lund, LaVern K.	Manager	4/1/2019	1/31/2021
Ojalvo, Sarah	Vice President - Human Resources	3/2/2016	2/3/2020
Goeckner, Jody	Assistant Vice President - Engineering	3/2/2016	10/16/2019
Pokorny, John R.	Controller	8/14/2015	9/20/2019
Hawkins, Andy	Vice President - Business and Procurement	3/2/2016	6/17/2019
Adkins, Jesse L.	Assistant Secretary	8/14/2015	5/24/2019
Tipton, Harry B. III	Senior Vice President	3/2/2016	3/31/2019
	Manager	8/14/2015	3/31/2019
Garrett, Aaron	Vice President - Operations	3/2/2016	12/31/2018
Johnson, Randy	Vice President – Engineering	4/11/2016	12/31/2018

*Current as of April 6, 2023



VERIFICATION OF PERMIT UPDATE

**Navajo Transitional Energy Company, LLC
NAVAJO MINE PERMIT
SAN JUAN COUNTY, NEW MEXICO**

I, LaVern K. Lund, swear and affirm, under oath and in writing that the information regarding this submittal contained in the Navajo Mine PAP is accurate and complete in accordance with Federal regulations under 30 CFR 778.

The following changes have occurred to the PAP:

- Owner and Operator, no change;
- Officers and Directors, new changes, and
- Violation History, no changes

Signature: _____



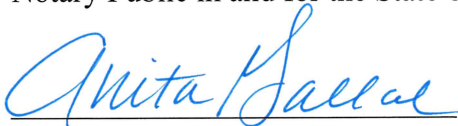
LaVern K. Lund

Management Committee Executive & CEO Officer
Navajo Transitional Energy Company, LLC

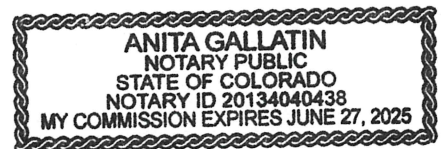
STATE OF COLORADO §

COUNTY OF BROOMFIELD §

SUBSCRIBED AND SWORN to before me, in my presence, this 8 day of May, 2024, a Notary Public in and for the State of Colorado.



Notary Public



My Commission Expires: June 27, 2025

Appendix 4.B

Surface Coal Mine Operations Controlled in Common

SURFACE COAL MINING PERMITS AND PENDING PERMITS HELD BY NAVAJO TRANSITIONAL ENERGY COMPANY AND ITS AFFILIATES AS OF SEPTEMBER 24, 2025		
Federal or State Permit Identification	Date of Approval	Status

Operator: *Bisti Fuels Company, LLC, a Nevada limited liability company*

P.O. Box 3767

Farmington, New Mexico 87499

Telephone No. (505) 598-4200

Employer I.D.: *47-4822674*

Permittee: *Navajo Transitional Energy Company, LLC ("NTEC")*

P.O. Box 958

Shiprock, New Mexico 87420-0958

Telephone No. (505) 278-8625

All mining permits are issued by Office of Surface Mining Reclamation and Enforcement, Western Region Office, Denver, Colorado

Mine: *Navajo Mine*

San Juan County, Fruitland, New Mexico

MSHA I.D.: *29-00097; Issued 4/2/1984*

Note: *The following permits are owned by Navajo Transitional Energy Company, LLC.*

Navajo Mine Permit NM-0003H

9/25/2019

Replaced by Permit No. NM0003-I

Navajo Mine Permit NM-0003I

9/25/2024

Active

Pinabete Mine Permit NM0042A

7/6/2016

Replaced by Permit NM-0042B

Pinabete Mine Permit NM-0042B

7/6/2021

Active

SURFACE COAL MINING PERMITS AND PENDING PERMITS		
HELD BY NAVAJO TRANSITIONAL ENERGY COMPANY AND ITS AFFILIATES AS OF SEPTEMBER 24, 2025		
Federal or State Permit Identification	Date of Approval	Status

Operator: Navajo Transitional Energy Company, LLC ("NTEC")
P.O. Box 958
Shiprock, New Mexico 87420-0958
Telephone No. (505) 278-8625

Employer I.D.: 46-4009272

Permittee: Navajo Transitional Energy Company, LLC ("NTEC")
P.O. Box 958
Shiprock, New Mexico 87420-0958
Telephone No. (505) 278-8625

All mining permits are issued by Wyoming Department of Environmental Quality, Land Quality Division, Cheyenne, Wyoming

Mine: Antelope Mine
Converse County, Gillette, Wyoming

MSHA I.D.: 48-01337; Issued 12/3/1985

Note: The following permits are owned by Navajo Transitional Energy Company, LLC.

Antelope Mine Permit PT0525	3/8/2019	Transferred to NTEC on 10/25/2021
Antelope Mine Permit PT0525	10/25/2021	Active

SURFACE COAL MINING PERMITS AND PENDING PERMITS		
HELD BY NAVAJO TRANSITIONAL ENERGY COMPANY AND ITS AFFILIATES AS OF SEPTEMBER 24, 2025		
Federal or State Permit Identification	Date of Approval	Status

Operator: *Navajo Transitional Energy Company, LLC ("NTEC")*

P.O. Box 958

Shiprock, New Mexico 87420-0958

Telephone No. (505) 278-8625

Employer I.D.: *46-4009272*

Permittee: *Navajo Transitional Energy Company, LLC ("NTEC")*

P.O. Box 958

Shiprock, New Mexico 87420-0958

Telephone No. (505) 278-8625

All mining permits are issued by Wyoming Department of Environmental Quality, Land Quality Division, Cheyenne, Wyoming

Mine: *Cordero Rojo Mine*

Campbell County, Gillette, Wyoming

MSHA I.D.: *48-00992; Issued 5/20/2016*

Note: The following permits are owned by Navajo Transitional Energy Company, LLC.

Cordero Rojo Mine Permit PT0237

1/30/2017

Transferred to NTEC on 10/25/2021

Cordero Rojo Mine Permit PT0237

1/26/2022

Active

SURFACE COAL MINING PERMITS AND PENDING PERMITS HELD BY NAVAJO TRANSITIONAL ENERGY COMPANY AND ITS AFFILIATES AS OF SEPTEMBER 24, 2025		
Federal or State Permit Identification	Date of Approval	Status

Operator: *Navajo Transitional Energy Company, LLC ("NTEC")*

P.O. Box 958

Shiprock, New Mexico 87420-0958

Telephone No. (505) 278-8625

Employer I.D.: *46-4009272*

Permittee: *Navajo Transitional Energy Company, LLC ("NTEC")*

P.O. Box 958

Shiprock, New Mexico 87420-0958

Telephone No. (505) 278-8625

All mining permits are issued by Montana Department of Environmental Quality, Air, Energy and Mining Division, Helena, Montana

Mine: *Spring Creek Mine*

Big Horn County, Decker, Montana

MSHA I.D.: *24-01457; Issued 12/12/1980*

Note: *The following permits are owned by Navajo Transitional Energy Company, LLC.*

Spring Creek Mine Permit C1979012

3/27/2020

Transferred to NTEC on 6/3/2021

Spring Creek Mine Permit C1979012

6/3/2021

Active

SURFACE COAL MINING PERMITS AND PENDING PERMITS		
HELD BY NAVAJO TRANSITIONAL ENERGY COMPANY AND ITS AFFILIATES AS OF SEPTEMBER 24, 2025		
Federal or State Permit Identification	Date of Approval	Status

Operator: Navajo Transitional Energy Company, LLC ("NTEC")
P.O. Box 958
Shiprock, New Mexico 87420-0958
Telephone No. (505) 278-8625

Employer I.D.: 46-4009272

Permittee: Navajo Transitional Energy Company, LLC ("NTEC")
P.O. Box 958
Shiprock, New Mexico 87420-0958
Telephone No. (505) 278-8625

All mining permits are issued by Wyoming Department of Environmental Quality, Land Quality Division, Cheyenne, Wyoming

Mine: Youngs Creek Mine
Sheridan County, Gillette, Wyoming

MSHA I.D.: 48-01044; Issued 10/25/2018

Note: The following permits are owned by Navajo Transitional Energy Company, LLC.

Youngs Creek Mine Permit 407	12/28/2020	Active, Transferred to NTEC
Youngs Creek Mine Permit 407	11/17/2021	Active

SURFACE COAL MINING PERMITS AND PENDING PERMITS HELD BY NAVAJO TRANSITIONAL ENERGY COMPANY AND ITS AFFILIATES AS OF SEPTEMBER 24, 2025			
Federal or State Permit Identification	Date of Approval	Status	Special Notes

Operator: Navajo Transitional Energy Company, LLC ("NTEC")

P.O. Box 958

Shiprock, New Mexico 87420-0958

Telephone No. (505) 278-8625

Employer I.D.: 46-4009272

Permittee: Navajo Transitional Energy Company, LLC ("NTEC")

P.O. Box 958

Shiprock, New Mexico 87420-0958

Telephone No. (505) 278-8625

All mining permits are issued by Office of Surface Mining Reclamation and Enforcement, Appalachian Region, Knoxville Field Office

Mine: Sequatchie Valley Coal

Sequatchie County, Tennessee

MSHA I.D.: 40-00759; Inactive

Note: The following permits are owned by Navajo Transitional Energy Company, LLC.

Sequatchie Valley Coal Permit 3334, formerly Permit 2408	The original permit became effective on December 27, 1985. The permit expired on December 26, 1995. Effective January 17, 2025, Navajo Transitional Energy Company, LLC, is the permittee. Site in reclamation.
Sequatchie Valley Coal Permit 3335, formerly Permit 2409	The original permit became effective on January 18, 1985. The permit expired on January 17, 1995. Effective January 17, 2025, Navajo Transitional Energy Company, LLC, is the permittee. Site in reclamation.
Sequatchie Valley Coal Permit 3338, formerly Permit 83-C-031	The original permit became effective on June 9, 1983. The permit expired on June 8, 1993. Effective January 17, 2025, Navajo Transitional Energy Company, LLC, is the permittee. Site in reclamation.
Sequatchie Valley Coal Permit 3337, Formerly 81-143	The original permit became effective on July 1, 1981. The permit expired on July 14, 1986. Effective January 17, 2025, Navajo Transitional Energy Company, LLC, is the permittee. Site in reclamation.
Sequatchie Valley Coal Permit 3336, formerly Permit 79-183	The original permit became effective on August 23, 1979. The permit expired on August 28, 1980. Effective January 17, 2025, Navajo Transitional Energy Company, LLC, is the permittee. Site in reclamation.