

February 4, 2014

Alabama Surface Mining Commission
P.O. Box 2390
Jasper, Alabama 35502-2390

RE: Birmingham Coal & Coke Co., Inc.
Gooden Creek No. 2 Mine

To Whom It May Concern:

Land Energy, Ltd. is the legal owner of record of certain real property located in:

Township 12 South, Range 11 West, Marion County, Alabama

Section 13: W $\frac{1}{2}$ of SE $\frac{1}{4}$ and E $\frac{1}{2}$ of SW $\frac{1}{4}$
Section 24: E $\frac{1}{2}$ of NW $\frac{1}{4}$, W $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$

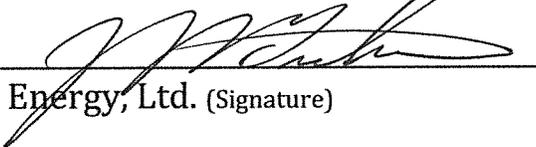
Township 12 South, Range 10 West, Walker County, Alabama

Section 19: SW $\frac{1}{4}$ of NW $\frac{1}{4}$, W $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$
Section 29: W $\frac{1}{2}$ of NW $\frac{1}{4}$
Section 30: NE $\frac{1}{4}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$

Land Energy, Ltd. hereby consents to leave basins, where acceptable, as permanent water impoundments, fish and wildlife habitats. After Phase III Bond Release approval Land Energy, Ltd. will be responsible for the sound and future maintenance of the basins.

Sincerely,

J. HOWARD GRAHAM, AGENT
Land Energy, Ltd. (Print Name and Title)


Land Energy, Ltd. (Signature)

02/05/14
Date

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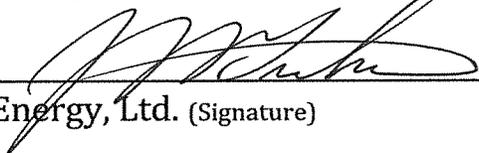
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Section 30: NE $\frac{1}{4}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$

Land Energy, Ltd. hereby agrees that the land which is to be permitted and distributed by surface coal mining activity be reclaimed under no current use or land management.

Sincerely,

J. HOWARD GRAHAM, AGENT
Land Energy, Ltd. (Print Name and Title)


Land Energy, Ltd. (Signature)

02/05/14
Date