

STATE OF
COUNTY OF SHELBY


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MEMORANDUM OF LEASE

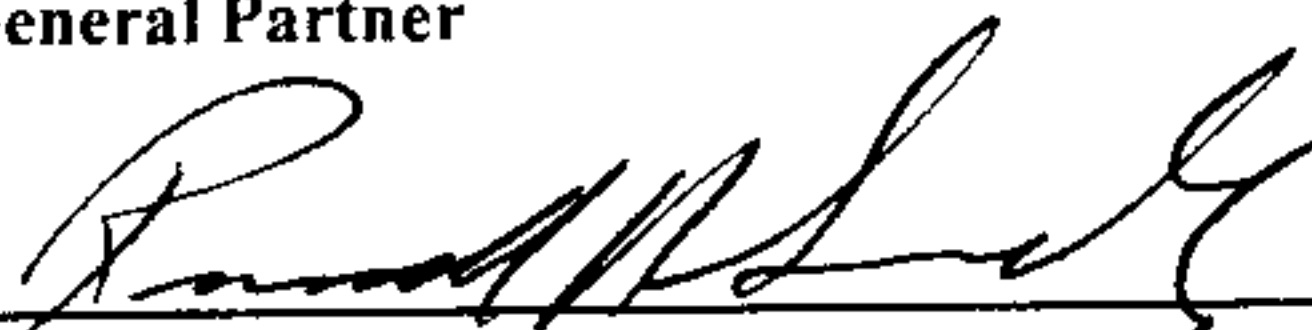
KNOW ALL MEN BY THESE PRESENTS, that Jessee Creek Mining, LLC (the "Lessee"), an Alabama limited liability company, by virtue of a Coal Mining Lease dated February 14, 2013 (the "Lease") did lease certain rights to mine coal by surface and highwall mining methods in the Gholson and Clark Seams as may exist in certain lands located in Shelby County, Alabama described in Exhibit "A" and shown on map marked Exhibit "B", both attached hereto and made a part of this Memorandum of Lease, from **RGGS LAND & MINERALS, LTD., L.P.**, a Delaware limited liability company, successors to United States Steel Corporation who was successor by conversion to United States Steel LLC and remote successor to USX Corporation. The Lease provides for a term of five (5) years.

This Memorandum of Lease is placed of record by Lessor and Lessee to serve as notice of the execution and existence of said Lease, and is in no way to supersede, abrogate, change or modify any of the terms, conditions, rights or obligations of any of the parties, all of which are set forth in detail in said Lease. The terms and conditions of said Lease are made a part hereof by reference for all purposes, to be the same effect as though written in extenso herein.


This is the 14th day of FEBRUARY, 2013.


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Shelby Cnty Judge of Probate, AL
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LESSOR: RGGS LAND & MINERALS, LTD., L.P.
By: Gordy Oil Company, a Texas corporation
Its: General Partner

By: 
Russell D. Gordy, President
Date: February 14, 2013

LESSE: JESSEE CREEK MINING, LLC

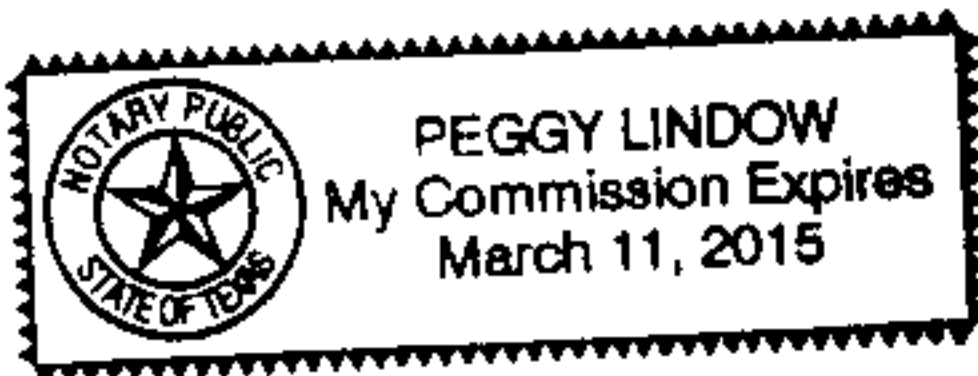
By: 
Its: President
Date: 2/14/13

STATE OF TEXAS

COUNTY OF HARRIS

I, Peggy Lindow, a Notary Public, in and for said County in said State, hereby certify that Russell D. Gordy, whose name as President of Gordy Oil Company, a Texas Corporation, general partner of RGGGS Land & Minerals, Ltd., L.P., a Delaware Limited Partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited partnership.

Given under my hand and seal this 17th day of February, 2013.



Peggy Lindow
Notary Public
State of Texas
County of Harris
My Commission Expires 3-11-2015

STATE OF

COUNTY OF Shelby

Before me, the undersigned, a Notary Public in and for said County and State, on this 14th day of February, 2013, personally appeared John A. McNabb, known to me to be the identical person who subscribed the name of President to the foregoing instrument as its officer and acknowledged to me that he executed the same as his free and voluntary act and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal this 14th day of February, 2013.


Dulrah Danley Kinsman
Notary Public
State of Alabama
County of Shelby
My Commission Expires 11/18/15

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Shelby Cnty Judge of Probate, AL
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Exhibit A

Lands where RGGS Land & Minerals owns mineral rights and rights to use surface owned by United States Steel Corporation which are leased to Jessee Creek Mining, LLC by the document hereto attached.

Township 21 South, Range 4 West		Shelby County, Alabama
Section	Description	Acres
20	Southeast diagonal half of the Southeast quarter of the Southeast quarter	20
21	East half of the Northwest quarter	80
	Southeast diagonal half of the Southwest quarter of the Northwest quarter	20
	West half of the Southwest quarter	80
	Northwest diagonal half of the Northeast quarter of the Southwest quarter	20
28	Northwest quarter of the Northwest quarter.	40
29	East half of the Northeast quarter	80
	Southeast diagonal half of the Southwest quarter of the Northeast quarter	20
	Northwest quarter of the Southeast quarter	40
	Northwest diagonal half of the Northeast quarter of the Southeast quarter	20
	Northwest diagonal half of the Southwest quarter of the Southeast quarter	20
	Northeast diagonal half of the Southeast quarter of the Southwest quarter	20
	Southeast diagonal half of the Northeast quarter of the Southwest quarter	20
Total Acres		480


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RG LAND & MINERALS LTD., L.P.

EXHIBIT B

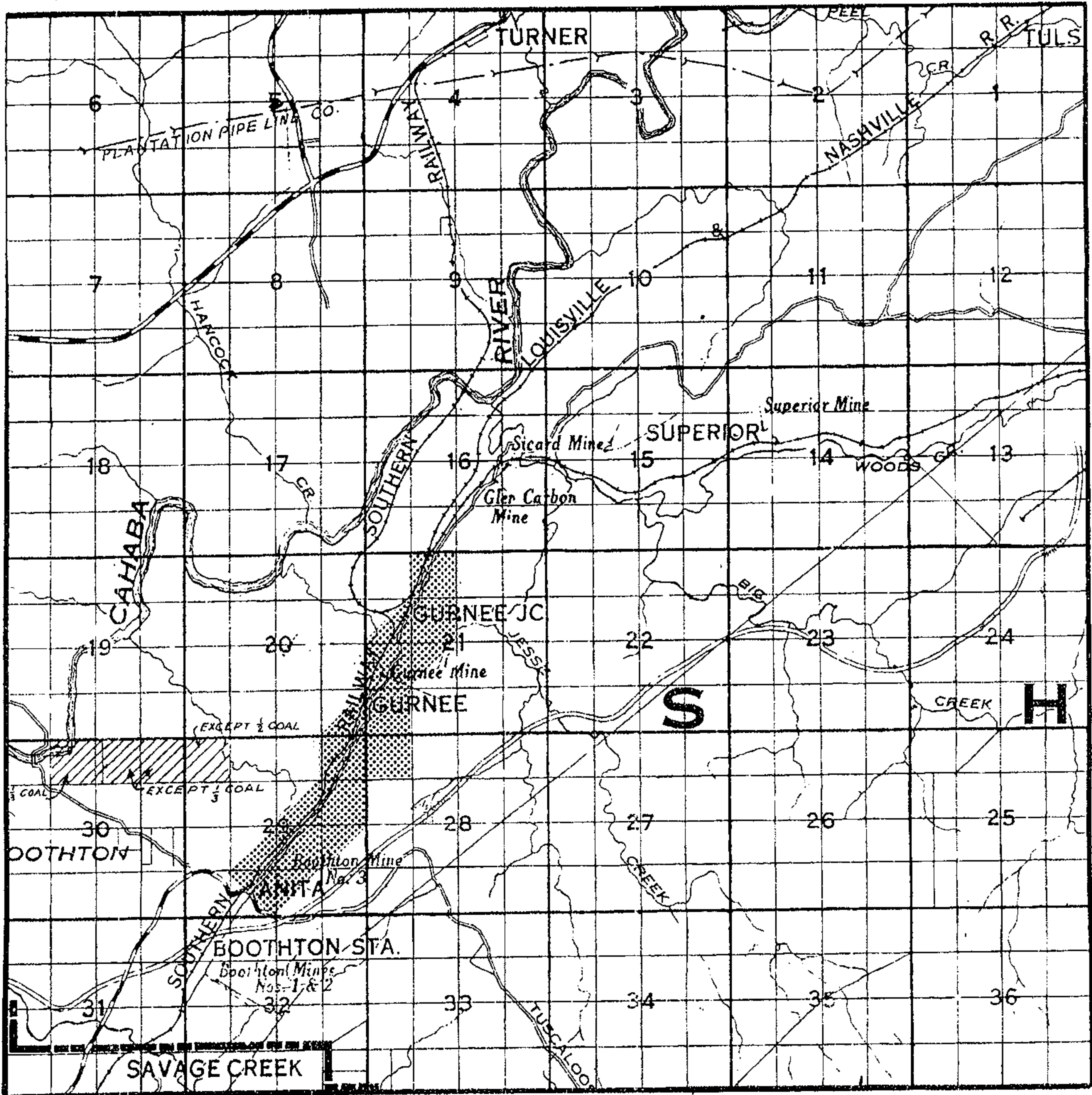
APPROXIMATE SCALE: 1" = 4,000 FEET

AUGUST, 2012

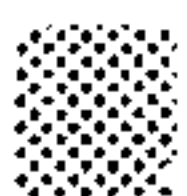


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Shelby Cnty Judge of Probate, AL
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T.21S.-R.4 W.



BIBB CO.
SHELBY CO.



Lands leased to Jesse Creek Mining LLC for mining of the Gholson and Clark Seams by surface mining methods according to the terms of the document hereto attached.