

**FIRST AMENDMENT OF COAL MINING LEASE**

**THIS FIRST AMENDMENT OF COAL MINING LEASE**, entered into this 20<sup>th</sup> day of October, 2017, by and between **RGGS LAND & MINERALS, LTD., L.P.**, a Delaware limited liability partnership, hereinafter referred to as "**RGGS**", and **JESSE CREEK MINING, LLC**, a Delaware limited liability company, hereinafter referred to as "**Lessee**".

**WITNESSETH**

WHEREAS, by Coal Mining Lease dated August 16, 2016 (the "Lease"), RGGS granted Lessee the right to mine and remove coal by surface and highwall mining methods from certain lands in Shelby County, Alabama (said lands as described in the Lease are hereinafter referred to as the "Premises"); and

WHEREAS, RGGS and Lessee desire to amend said Lease in accordance with the provisions provided below;

NOW THEREFORE, in consideration of the covenants and promises of Lessee, as expressed to be kept and performed in said Lease, and as expressed herein below, and intending to be legally bound, the parties hereto agree that said Lease, is hereby amended as follows:

1. A tract of land where RGGS owns minerals and mining rights consisting of twenty (20) acres lying in the South West diagonal half of the North West quarter of the South West quarter of Section 13, Township 21 South, Range 4 West, Shelby County, Alabama is hereby added to the Premises of the Lease as described on Exhibit A and shown on the map labeled Exhibit B, both attached hereto and made a part hereof.
2. All other terms and conditions of the Lease shall remain unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment of Coal Mining Lease to be executed by their duly authorized officers or representatives on the day and year first above written.

**LESSOR: RGGS LAND & MINERALS, LTD., L.P.**


**By: Gordy Oil Company, a Texas corporation**

**Its: General Partner**


By:   
**Russell D. Gordy - President**

Date: 10/16/2017

**JESSE CREEK MINING, LLC**

By:   
**Its: CEO**

Date: 10/20/17

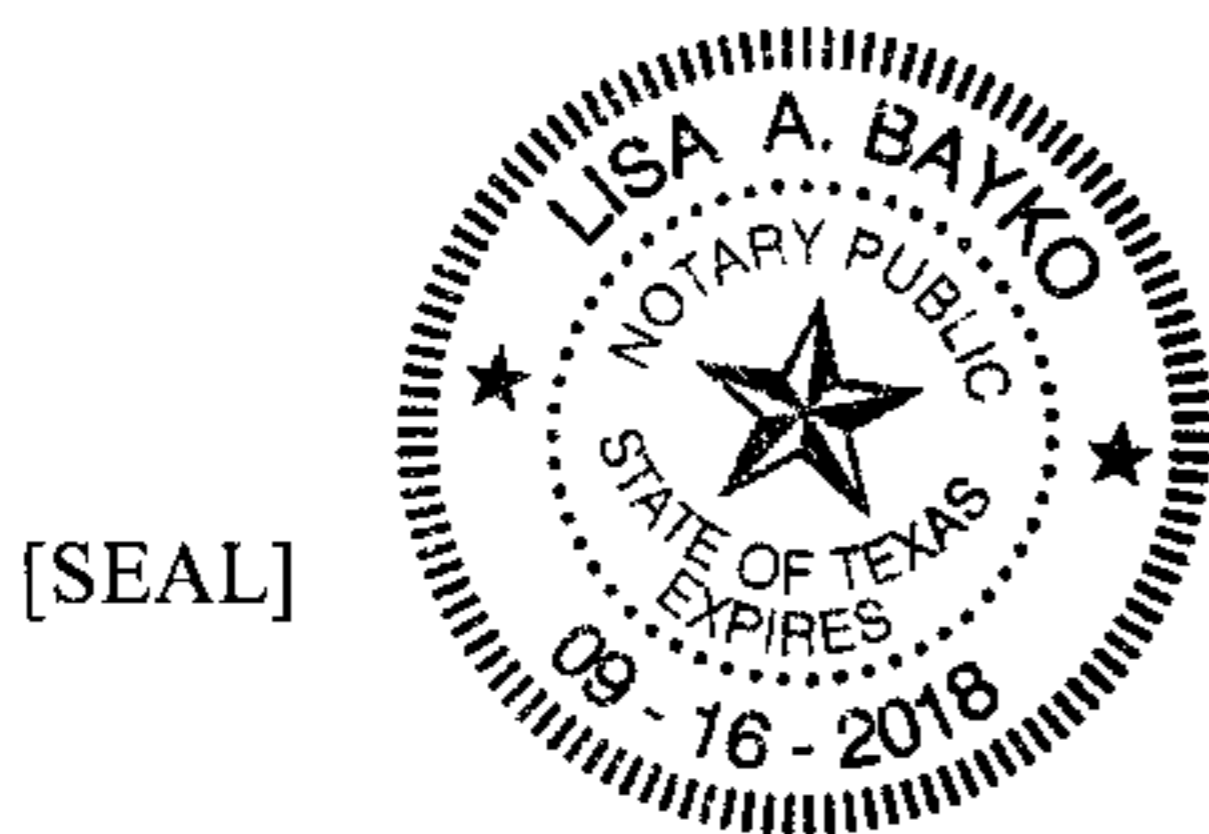
  
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11/27/2017 11:55:17 AM FILED/CERT

STATE OF TEXAS )  
COUNTY OF HARRIS )

I, Lisa A. Bayko, 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 OF OFFICE this, the 16th day of October, 2017.



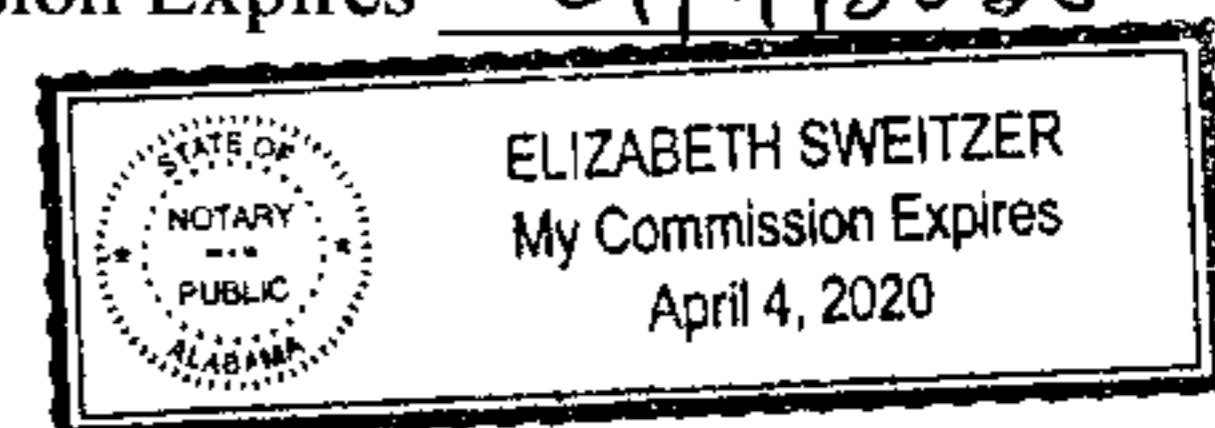
Lisa A. Bayko  
Notary Public  
My Commission Expires: 9/16/2018

STATE OF ALABAMA \*  
COUNTY OF SHELBY \*

Before me, the undersigned, a Notary Public in and for said County and State, on this 20 day of October, 2017, personally appeared B Scott Spears, known to me to be the identical person who subscribed the name of **JESSE CREEK MINING, LLC** 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 20 day of October, 2017.

Notary Public Elizabeth Sweitzer  
State of Alabama  
County of Shelby  
My Commission Expires 4/4/2020



## EXHIBIT A

The following described lands are where RGGGS Land & Minerals Ltd. L.P. owns minerals and mining rights under surface owned by SWF Birmingham, LLC and USS which were leased to Jesse Creek Mining, LLC by the Coal Mining Lease dated August 16, 2016.

Township 21 South, Range 4 West  
Shelby County, Alabama

Section	Description	Acres
13	The South West diagonal half of the South East quarter of The South West quarter.	20
	The South West quarter of the South West quarter.	40
14	The South West quarter of the South East quarter.	40
15	The East half of the South East quarter.	80
22	The East half of the North East quarter.	80
23	The North half of the section	320
24	The North half of the North West quarter.	80
Total Acres		660

The following described lands where RGGGS Land & Minerals Ltd. L.P. owns minerals and mining rights under surface owned by SWF Birmingham, LLC are hereby added to the lease premises described above by the First Amendment to Coal Mining Lease hereto attached.

Township 21 South, Range 4 West  
Shelby County, Alabama

Section	Description	Acres
13	The South West diagonal half of the North West quarter of The South West quarter.	20

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## RGG'S AND MINERALS LTD L.P.

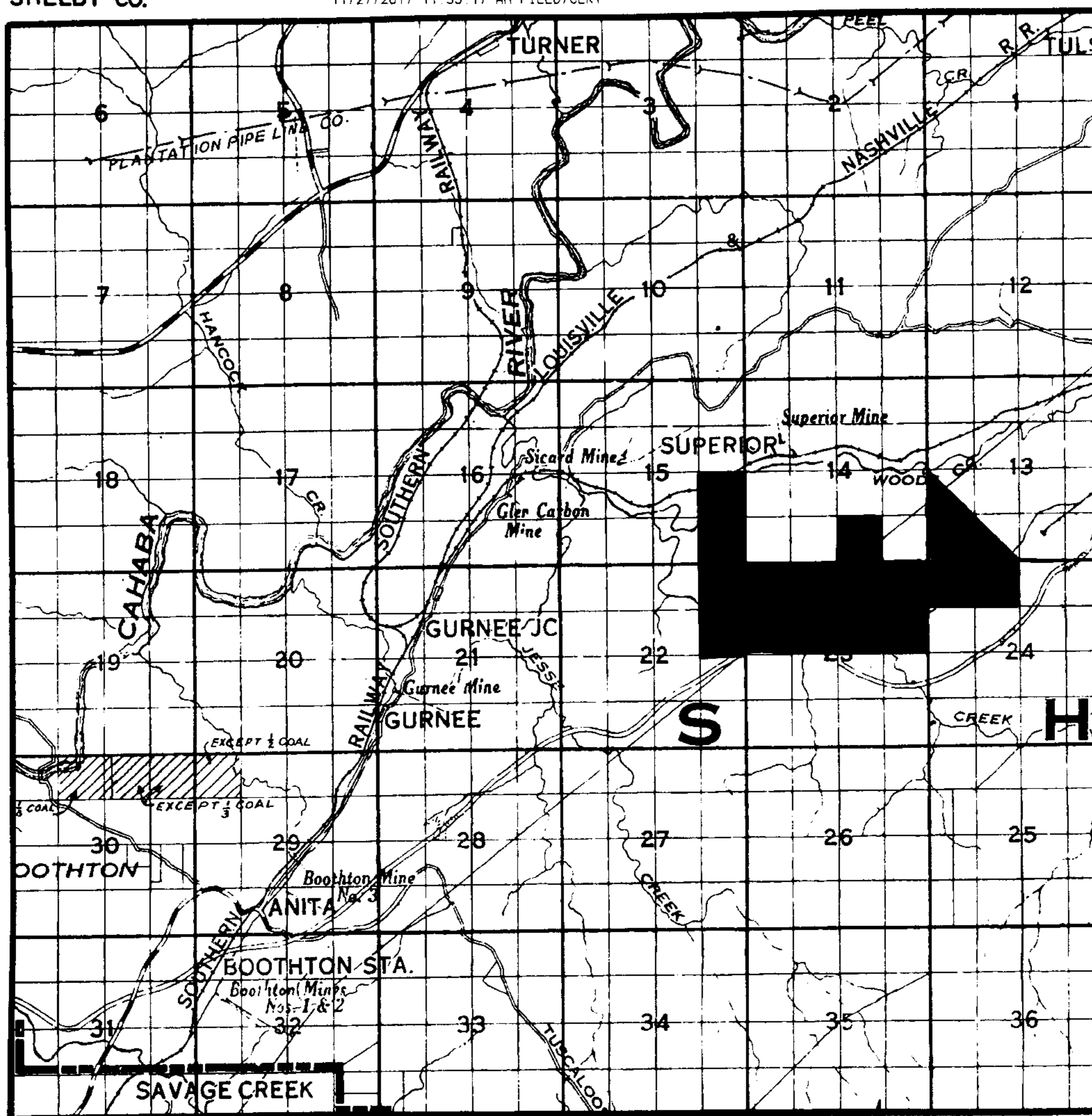
APPROXIMATE SCALE 1" = 4,000'



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BIBB CO.  
 SHELBY CO.

T.21S.-R.4 W.



Lands where RGG'S Land & Minerals Ltd. L.P. owns minerals and mining rights under surface owned by SWF Birmingham, LLC and USS which were leased to Jesse Creek Mining, LLC according to the terms of the Coal Mining Lease dated August 16, 2016.

Lands where RGG'S Land & Minerals Ltd. L.P. owns minerals and mining rights under surface owned by SWF Birmingham, LLC are hereby added to the Premises by the First Amendment to Coal Mining Lease.