

STATE OF INDIANA) BEFORE THE BOARD OF COUNTY
) SS:
COUNTY OF CLAY) COMMISSIONERS OF CLAY COUNTY,

INDIANA

IN RE THE TEMPORARY CLOSING)
)
OF COUNTY ROAD 100 E.)

**AGREEMENT FOR MODIFICATION AS TO CEMENT PAD ON
COUNTY ROAD 100 E.**

Sunrise Coal, LLC entered into an Agreement with the Board of Commissioners of Clay County, Indiana on February 4, 2013 pertaining to Sunrise Coal, LLC's construction of a reinforced concrete pad, 50 feet by 35 feet in size, to allow the crossing of mining equipment. Sunrise Coal, LLC now requests that the size of the pad be modified and expanded to 80 feet by 35 feet in size. The Board of Commissioners of Clay County, Indiana have no objections to such expansion of such cement pad. That all other provisions of the Agreement shall remain in full force and effect and be subject to this modification.

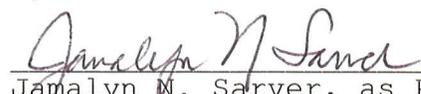
Jamalyn N. Sarver, as Property Manager for Sunrise Coal, LLC, acknowledges under the penalties of perjury that she has been duly authorized by Sunrise Coal, LLC to enter into this Agreement on behalf of Sunrise Coal, LLC.

Dated this 15th day of February, 2013.

Clay County Commissioners:

Sunrise Coal, LLC:


Paul Sinders, President


Jamalyn N. Sarver, as Property
Manager


Tony Fenwick, Member


Bryan Allender, Member