

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 2

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 800006452
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____
- ☐ 5. BOND SUBSTITUTION _____
- ☐ 6. BOND POOL: PERMIT SPECIFIC BOND, BOND POOL ID NO. _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Atlantic Specialty Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of One Hundred Thirteen Thousand
Seven Hundred and 00/100----- Dollars (\$ 113,700.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources
- ☐ 5. Which sum is hereby substituted for the existing bond

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542,
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department for
Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in the
Commonwealth of Kentucky; that in said application the Principal estimates that
22.30 acres of land situated in Knott County will be affected by surface coal
mining and reclamation operations authorized by the permit issued pursuant to the aforesaid application requiring
this bond.


If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. If the permit issued pursuant to the aforementioned application number is covered under the Kentucky Bond Pool Program, then the Cabinet, pursuant to KRS 350.735(3), shall release this bond obligation, held by the Surety, in its entirety upon the successful completion of Phase I reclamation as defined in 405 KAR 10:040, Section 2(4)(a), and the subsequent approval by the Cabinet of the Phase I release pursuant to 405 KAR 10:040, Section 1. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: Nicholas Glancy
(PERMITTEE)

DATE: 2/28/14 OFFICIAL POSITION: President

SIGNATURE: 

Subscribed and sworn to before me by Nicholas Glancy this the 28th day of February, 2014.

NOTARY PUBLIC: Laurel J. Unsell MY COMMISSION EXPIRES: 6/17/15
#445176

COMPLETE FOR SURETY BOND:

SURETY: Atlantic Specialty Insurance Company

ADDRESS: 150 Royall Street, Canton, MA 02021

LOCAL AGENCY ISSUING BOND: Smith-Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Brook T. Smith OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: February 28, 2014

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

No. 2006817

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Minnetonka, Minnesota, does hereby constitute and appoint: **Brook T. Smith, James T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Deborah S. Neichter, Michele D. Lacrosse**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **twenty-five million dollars (\$25,000,000)** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer"), may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this ninth day of October, 2012.



By

Paul H. McDonough

Paul H. McDonough, Senior Vice President

STATE OF MINNESOTA
HENNIPEN COUNTY

On this ninth day of October, 2012, before me personally came Paul H. McDonough, Senior Vice President of ONEBEACON INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



Tara Janelle Stafford

Notary Public

I, the undersigned, Secretary of ONEBEACON INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 20th day of February, 2014.

This Power of Attorney expires
October 1, 2014



Virginia McCarthy

Virginia McCarthy, Secretary

Permittee Name ICG Hazard LLC
 Permit Number 860-0542, SU-3 Inc. # 2

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked.

GENERAL:

- ☒ Permit Number
☒ Company Name
☒ Amount
☒ County
☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
☒ Principal Listed
☒ Acres
☒ Notarized

CASH BOND:

- ☐ Item 1 Checked
☐ Payable to Kentucky State Treasurer
☐ Cashiers Check

- ☐ Certified Check
☐ Money Order

SURETY BOND:

- ☒ Surety Listed
☒ Surety Name & Address
☒ Local Agency
☒ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
☒ Attorney-In-Fact listed on Power of Attorney
☒ Dated

✓ Verified By: Brook L. Smith
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
☐ Applicant Listed
☐ Certificate of Deposit No.
☐ Signed By Applicant

- ☐ Execution Date
☐ Bank Listed as Escrow Agent
☐ Issue Date
☐ Signed By Bank Representative

____ Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
☐ Bank Name & Address
☐ Applicant Listed
☐ Issue Date

- ☐ Expiration Date
☐ Dated
☐ Letter of Credit No. Listed
☐ Signed by Bank Representative

____ Verified By: _____
 (Phone/Email) (Bank Representative)

Signature of Bond Reviewer Martie Riddle Date 4/7/14

Permittee Name ICG Hazard LLC
 Permit Number 860-0542, Am-2 Inc. # 2

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
☒ Company Name
☒ Amount
☐ County
☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
☒ Principal Listed
☒ Acres
☐ Notarized

CASH BOND:

- ☐ Item 1 Checked
☐ Payable to Kentucky State Treasurer
☐ Cashiers Check

- ☐ Certified Check
☐ Money Order

SURETY BOND: Rider

- ☒ Surety Listed
☐ Surety Name & Address
☐ Local Agency
☐ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
☒ Attorney-In-Fact listed on Power of Attorney
☒ Dated

☒ Verified By: Brook L. Smith
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
☐ Applicant Listed
☐ Certificate of Deposit No.
☐ Signed By Applicant

- ☐ Execution Date
☐ Bank Listed as Escrow Agent
☐ Issue Date
☐ Signed By Bank Representative

____ Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
☐ Bank Name & Address
☐ Applicant Listed
☐ Issue Date

- ☐ Expiration Date
☐ Dated
☐ Letter of Credit No. Listed
☐ Signed by Bank Representative

____ Verified By: _____
 (Phone/Email)

 (Bank Representative)

Signature of Bond Reviewer Martie Ridolle Date 4/20/15

Permit Number: 860-0542
 Amendment 02
 Increment Number: 2

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 800006452 effective February 28, 2014
 issued by the Atlantic Specialty Insurance Company
 in the amount of 113,700.00 DOLLARS,
 on behalf of ICG Hazard, LLC
 as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
 as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount by \$38,700.00 as follows:

Current Bond Amount: \$113,700.00

New Bond Amount: \$75,000.00

The acreage will decrease from 22.30 acres to 8.90 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 15th day of April, 2015.

Signed, sealed and dated this 15th day of April, 2015.

ICG Hazard, LLC (Principal) Atlantic Specialty Insurance Company (Surety)
 By: D. Edward Brown, V.P. By: Brook T. Smith
 Brook T. Smith, Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Minnetonka, Minnesota, does hereby constitute and appoint: **Brook T. Smith, James T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Deborah S. Neichter, Michele D. Lacrosse**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **sixty million dollars (\$60,000,000)** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds,

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this eighth day of December, 2014.

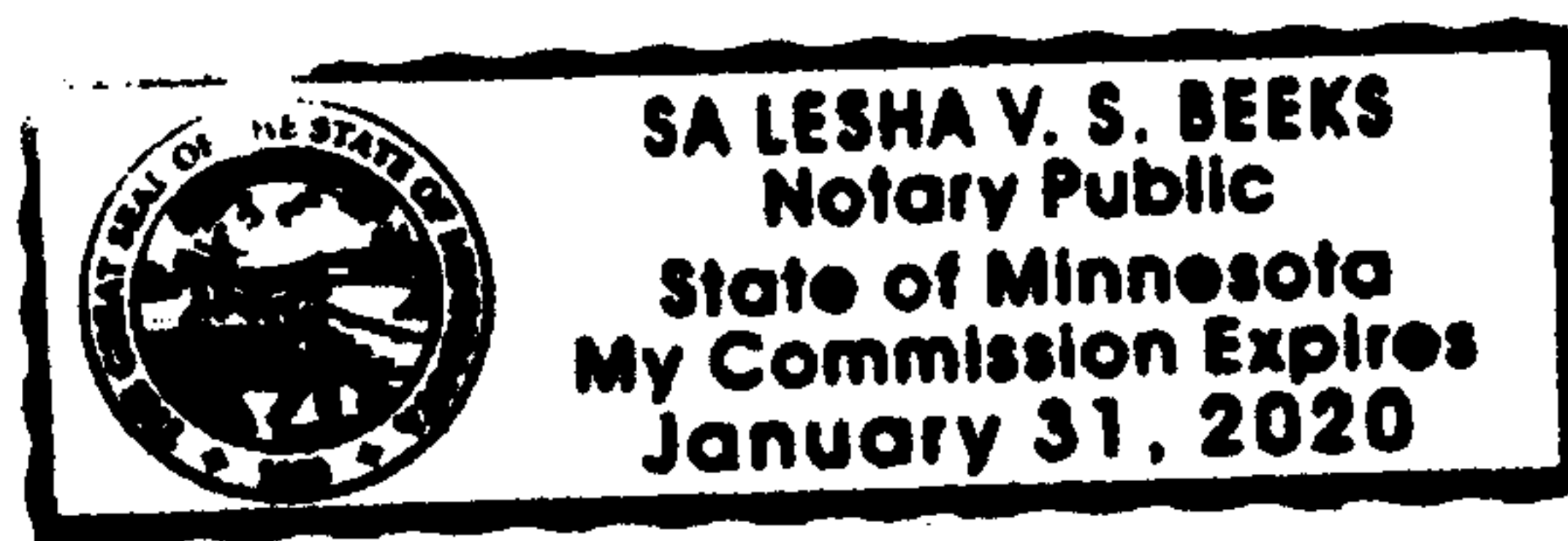
STATE OF MINNESOTA
HENNIPEN COUNTY



By

Paul J. Brehm, Senior Vice President

On this eighth day of December, 2014, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and



Notary Public

I, the undersigned, Assistant Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 15th day of April 2015.

This Power of Attorney expires
October 1, 2017



James G. Jordan, Assistant Secretary

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I HEREBY CERTIFY THAT THIS IS A TRUE
AND CORRECT COPY OF THE ORIGINAL DOCUMENT.
7-13-18

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 2

BOND SUBSTITUTION FOR EXISTING BOND # 800006452

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

☐ 1. CASH BOND _____

☒ 2. SURETY BOND NUMBER 1137618

☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____

☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Seventy-Five Thousand and 00/100-----
Dollars (\$ 75,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 8.90 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 5/23/16 OFFICIAL POSITION: VP

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 23rd day of

May, 2016.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/19

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: Theresa Pickerrell DATE: May 23, 2016

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 275860

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

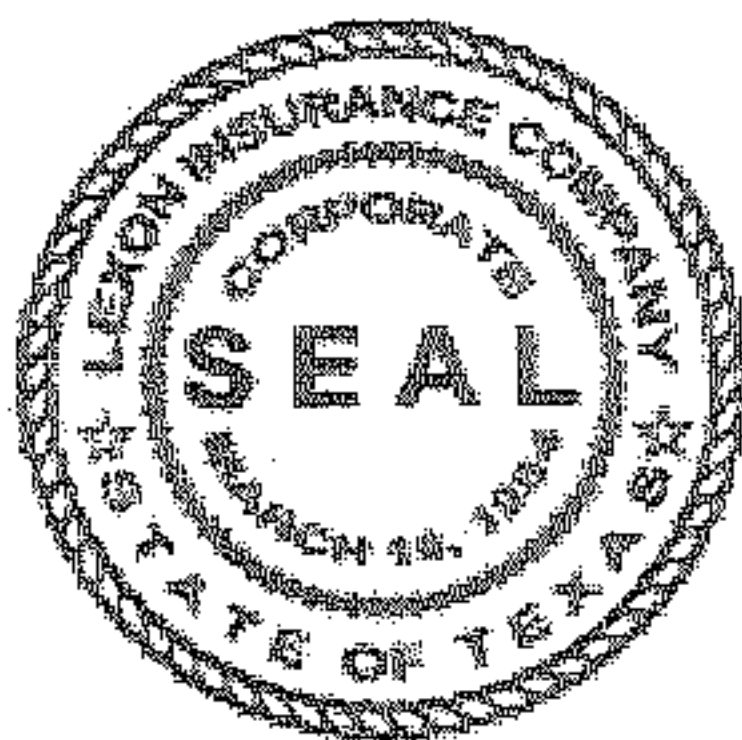
This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY

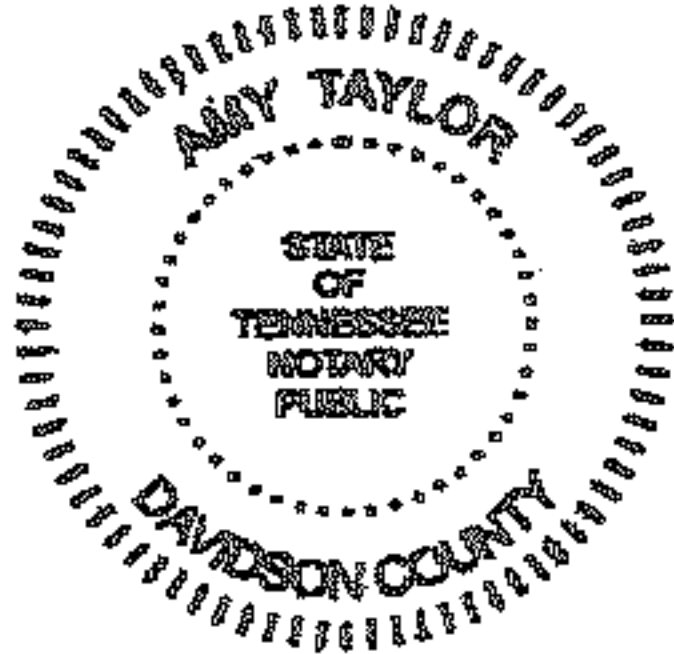


BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

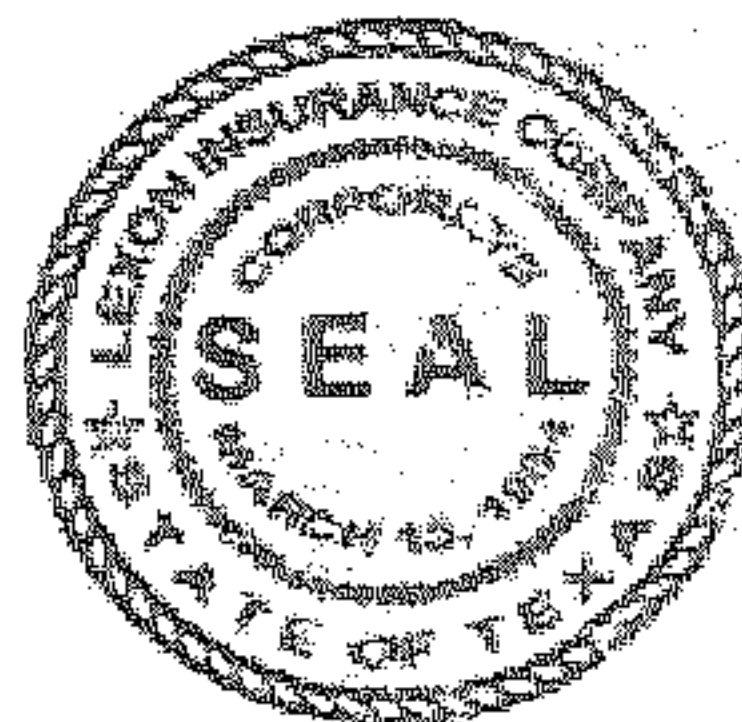
BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 23rd Day of May, 20 16.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

PINE BRANCH MINING, LLC


John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15

Laurel J. Unseld #445176
NOTARY PUBLIC

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Shart
MY COMMISSION EXPIRES 11/11/14
STATE OF COMMISSION: KENTUCKY

Resolutions- Authority of Ed Brown

Permittee Name ICG Hazard, LLC

Rev. 04/2022

Permit Number 860-0542 Re-issue Increment # 3

This checklist shall be used to verify all information submitted on each type of bond/increment. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders). Minor Field Revisions must be a separate bond.

GENERAL:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Permit Number | <input checked="" type="checkbox"/> Original Documents | <input checked="" type="checkbox"/> Notarized |
| <input checked="" type="checkbox"/> Company Name (Principal) | <input checked="" type="checkbox"/> Amount | |
| <input checked="" type="checkbox"/> County | <input checked="" type="checkbox"/> Acres | |
| <input checked="" type="checkbox"/> No corrections, alterations, additions, or whiteout | <input type="checkbox"/> Federal Lands: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | |

CASH BOND:

- | | | |
|--|--|--|
| <input type="checkbox"/> Item 1 Checked | <input type="checkbox"/> Certified Check | <input type="checkbox"/> Cashier's Check |
| <input type="checkbox"/> Payable to Kentucky State Treasurer | <input type="checkbox"/> Money Order | |

SURETY BOND:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Surety Listed | <input checked="" type="checkbox"/> Signed by Attorney-In-Fact | <input checked="" type="checkbox"/> Date |
| <input checked="" type="checkbox"/> Surety Name & Address | <input checked="" type="checkbox"/> Attorney-In-Fact listed on POA | |
| <input checked="" type="checkbox"/> Local Agency | <input checked="" type="checkbox"/> Insurance Company Seal | |
| <input checked="" type="checkbox"/> Item 2 Checked | <input type="checkbox"/> Rider: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | |

☒ Verified By: Deborah Murphy (800) 767-8622
(Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- | | |
|---|--|
| <input type="checkbox"/> Item 3 Checked | <input type="checkbox"/> Execution Date |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Bank Listed as Escrow Agent |
| <input type="checkbox"/> Certificate of Deposit No. | <input type="checkbox"/> Issue Date |
| <input type="checkbox"/> Signed By Applicant | <input type="checkbox"/> Signed By Bank Representative |

____ Verified By: _____
(Bank Representative)

LETTER OF CREDIT:

- | | | |
|--|--|---|
| <input type="checkbox"/> Item 4 Checked | <input type="checkbox"/> Expiration Date | <input type="checkbox"/> Rider: <input type="checkbox"/> Y <input type="checkbox"/> N |
| <input type="checkbox"/> Bank Name & Address | <input type="checkbox"/> Dated | |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Letter of Credit No. Listed | |
| <input type="checkbox"/> Issue Date | <input type="checkbox"/> Signed by Bank Representative | |

____ Verified By: _____
(Phone/Email) (Bank Representative)

KRGF (Kentucky Reclamation Guaranty Fund)

- | | | |
|---|--|--|
| <input type="checkbox"/> Permit Number | <input type="checkbox"/> Original Document (emailed) | <input type="checkbox"/> Acres correct |
| <input type="checkbox"/> Permittee Name | <input type="checkbox"/> Bond Amount correct | |

Signature of Bond Reviewer Amanda Fox Date 09/15/2023

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 3

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7005421
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Three Hundred Eighty-Seven Thousand
Nine Hundred and 00/100 Dollars (\$ 387,900.00).

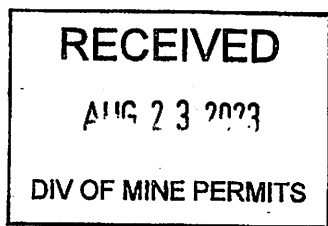
- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 96.70 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

10/10/2023



If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 8/16/23 OFFICIAL POSITION: SVP

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 16th day of August, 2023.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 1/09/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

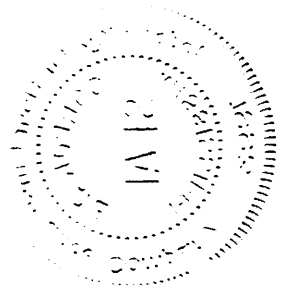
ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Susan Ritter OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: August 16, 2023

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

RECEIVED
AUG 23 2023
DIV OF MINE PERMITS



Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Ten million dollars (\$10,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of August, 2023

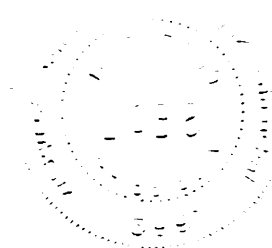


By James E. Hart
James E. Hart, Secretary

RECEIVED

AUG 23 2023

DIV OF MINE PERMITS



**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Shatt
MY COMMISSION EXPIRES 11/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018.

Jessie P. Lockett
NOTARY PUBLIC

DIV OF MINE PERMITS

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

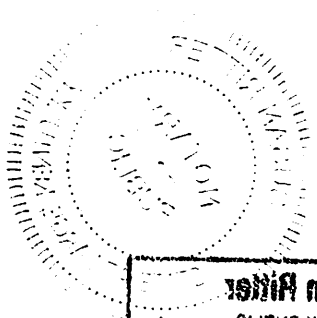
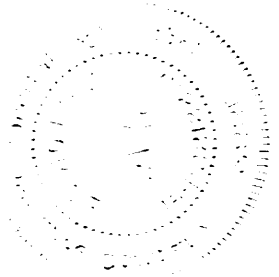
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILKE
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

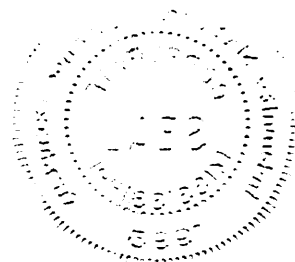
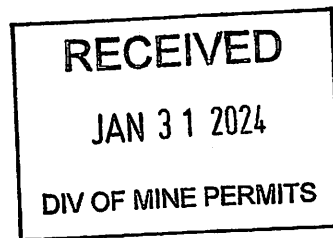
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



Permit Number: 860-0542

Increment Number: 3

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7005421 effective 8/16/2023
issued by the Indemnity National Insurance Company
in the amount of 387,900.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$387,900.00

New Bond Amount: \$299,800.00

The acreage is decreased from 96.70 acres to 74.66 acres

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 20th day of March, 2025.

Signed, sealed and dated this 20th day of March, 2025.

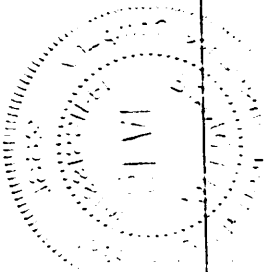
ICG Hazard, LLC (Principal) Indemnity National Insurance Company (Surety)
By: D. Edward Brown, SUP By: Kelsy Hoagland Attorney-in-Fact

Accepted By:
Commonwealth of KY Energy and Environment Cabinet

RECEIVED BY:

MAR 26 2025

DIVISION OF MINE PERMITS



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
 (i) when signed by the president, or any vice president, and sealed with the Company seal; or
 (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
 Thomas F. Elkins, President

State of Kentucky
 County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
 Notary Public

My Commission Expires 09/26/2025
 Notary ID Number: KYNP34336

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 20th day of March, 2025

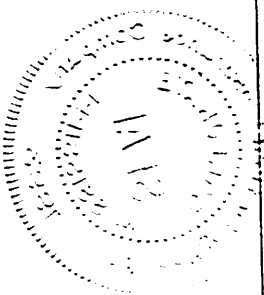


By James E. Hart
 James E. Hart, Secretary

RECEIVED BY:

MAR 26 2025

DIVISION OF MINE PERMITS



**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.

NOTARY PUBLIC Kelly Marie Short
MY COMMISSION EXPIRES 11/9/2027
STATE OF COMMISSION: KENTUCKY



PINE BRANCH MINING LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018

Susan P. Lachett
NOTARY PUBLIC

RECEIVED BY:

MAR 26 2025

DIVISION OF MINE PERMITS

SCANNED

Permittee Name ICG Hazard, LLC

Rev. 04/2022

Permit Number 860-0542 Re-issue Increment # 7

This checklist shall be used to verify all information submitted on each type of bond/increment. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders). Minor Field Revisions must be a separate bond.

GENERAL:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Permit Number | <input checked="" type="checkbox"/> Original Documents | <input checked="" type="checkbox"/> Notarized |
| <input checked="" type="checkbox"/> Company Name (Principal) | <input checked="" type="checkbox"/> Amount | |
| <input checked="" type="checkbox"/> County | <input checked="" type="checkbox"/> Acres | |
| <input checked="" type="checkbox"/> No corrections, alterations, additions, or whiteout | <input type="checkbox"/> Federal Lands: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | |

CASH BOND:

- | | | |
|--|--|--|
| <input type="checkbox"/> Item 1 Checked | <input type="checkbox"/> Certified Check | <input type="checkbox"/> Cashier's Check |
| <input type="checkbox"/> Payable to Kentucky State Treasurer | <input type="checkbox"/> Money Order | |

SURETY BOND:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Surety Listed | <input checked="" type="checkbox"/> Signed by Attorney-In-Fact | <input checked="" type="checkbox"/> Date |
| <input checked="" type="checkbox"/> Surety Name & Address | <input checked="" type="checkbox"/> Attorney-In-Fact listed on POA | |
| <input checked="" type="checkbox"/> Local Agency | <input checked="" type="checkbox"/> Insurance Company Seal | |
| <input checked="" type="checkbox"/> Item 2 Checked | <input type="checkbox"/> Rider: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | |

☒ Verified By: Deborah Murphree
(Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- | | |
|---|--|
| <input type="checkbox"/> Item 3 Checked | <input type="checkbox"/> Execution Date |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Bank Listed as Escrow Agent |
| <input type="checkbox"/> Certificate of Deposit No. | <input type="checkbox"/> Issue Date |
| <input type="checkbox"/> Signed By Applicant | <input type="checkbox"/> Signed By Bank Representative |

____ Verified By: _____
(Bank Representative)

LETTER OF CREDIT:

- | | | |
|--|--|---|
| <input type="checkbox"/> Item 4 Checked | <input type="checkbox"/> Expiration Date | <input type="checkbox"/> Rider: <input type="checkbox"/> Y <input type="checkbox"/> N |
| <input type="checkbox"/> Bank Name & Address | <input type="checkbox"/> Dated | |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Letter of Credit No. Listed | |
| <input type="checkbox"/> Issue Date | <input type="checkbox"/> Signed by Bank Representative | |

____ Verified By: _____
(Phone/Email) (Bank Representative)

KRGF (Kentucky Reclamation Guaranty Fund)

- | | | |
|---|--|--|
| <input type="checkbox"/> Permit Number | <input type="checkbox"/> Original Document (emailed) | <input type="checkbox"/> Acres correct |
| <input type="checkbox"/> Permittee Name | <input type="checkbox"/> Bond Amount correct | |

Signature of Bond Reviewer Amanda S. [Signature] Date 09/15/2023

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 7

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7005422
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Two Hundred Twenty-Three Thousand
Seven Hundred and 00/100 ----- Dollars (\$ 223,700.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 55.3 acres of
land situated in Knott/Breathitt County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

RECEIVED

AUG 23 2023

DIV OF MINE PERMITS

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 8/16/23 OFFICIAL POSITION: SVP

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 16th day of August, 2023.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/09/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

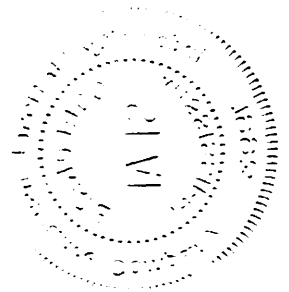
ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Susan Ritter OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: August 16, 2023

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

KELLY SHORT
Notary Public-State at Large
KENTUCKY - Notary ID # 633724
My Commission Expires 11-09-2023



RECEIVED
AUG 23 2023
DIV OF MINE PERMITS

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Ten million dollars (\$10,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025

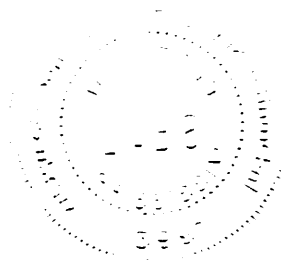
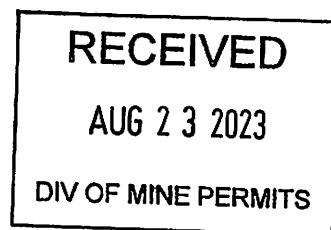
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of August, 20 23



By James E. Hart
James E. Hart, Secretary



**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Short
MY COMMISSION EXPIRES 11/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

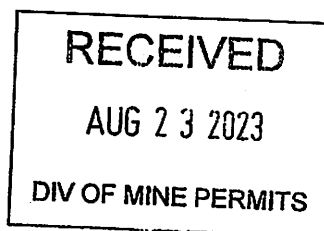
John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018.

Jessie P. Lachitt
NOTARY PUBLIC



SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

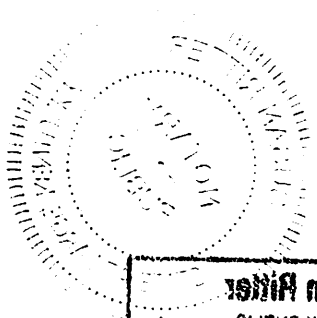
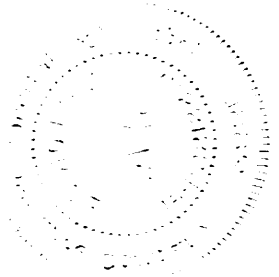
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



2025 JAN 22
NOTARY PUBLIC
STATE OF KENTUCKY
10 9 44444444
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

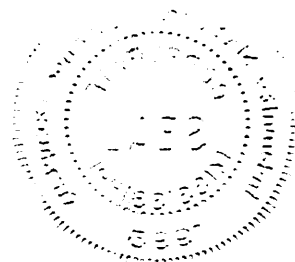
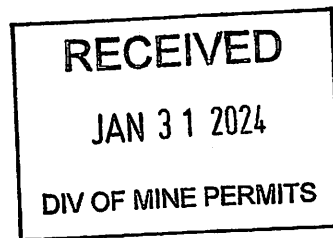
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



Permit Number: 860-0542

Increment Number: 7

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7005422 effective 8/16/2023
issued by the Indemnity National Insurance Company
in the amount of 223,700.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Oblige:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$223,700.00

New Bond Amount: \$151,800.00

The acreage is decreased from 55.30 acres to 37.61 acres

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 20th day of March, 2025.

Signed, sealed and dated this 20th day of March, 2025.

ICG Hazard, LLC (Principal)

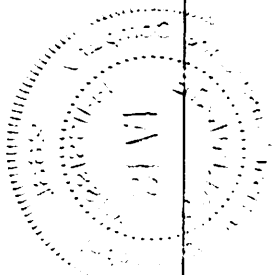
Indemnity National Insurance Company (Surety)

By: D. Edward Brown, SVP

By: Kelsy Hoagland
Kelsy Hoagland Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet



RECEIVED BY:

MAR 26 2025

DIVISION OF MINE PERMITS

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

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RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
 (i) when signed by the president, or any vice president, and sealed with the Company seal; or
 (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
 Thomas F. Elkins, President

State of Kentucky
 County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
 Notary Public

My Commission Expires 09/26/2025
 Notary ID Number: KYNP34336

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 20th day of March, 2025



By James E. Hart
 James E. Hart, Secretary

RECEIVED BY:
MAR 26 2025
DIVISION OF MINE PERMITS



RECEIVED BY:
MAR 26 2025
DIVISION OF MINE PERMITS

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Marie Skoln
MY COMMISSION EXPIRES 11/9/27
STATE OF COMMISSION: KENTUCKY



PINE BRANCH MINING LLC

John M. Potter

Kelly Marie Skoln, Notary Public, ID KYNP79221

State at Large, Kentucky

My Commission Expires on Nov. 9, 2027

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018

Jessie P. Lockett
NOTARY PUBLIC

RECEIVED BY:

MAR 26 2025

DIVISION OF MINE PERMITS

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
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N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
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N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

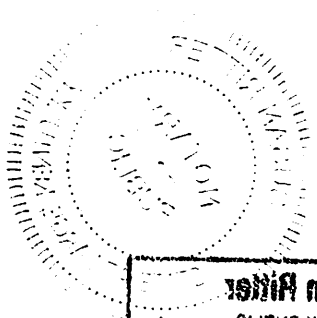
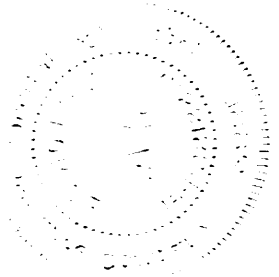
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

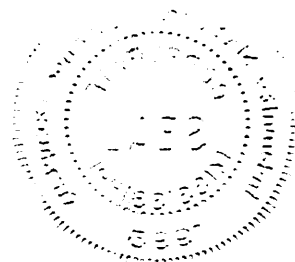
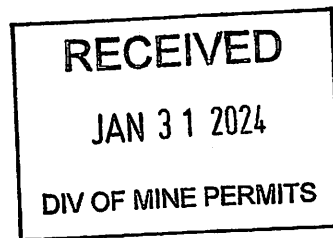
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

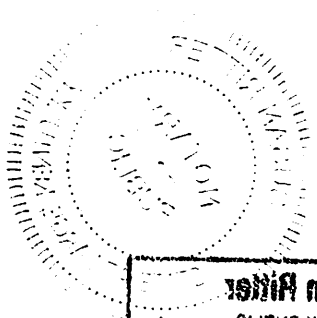
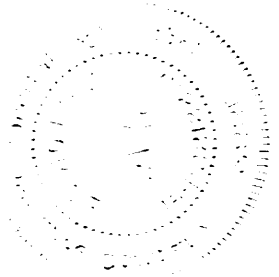
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
 (i) when signed by the president, or any vice president, and sealed with the Company seal; or
 (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By

Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By

Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

CERTIFICATE

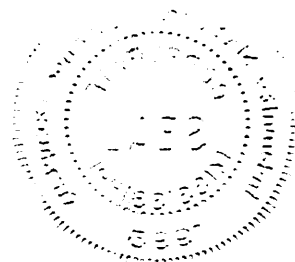
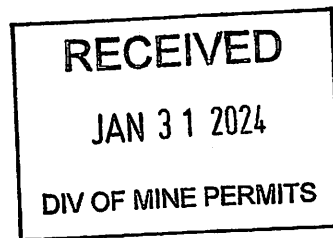
I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By

James E. Hart, Secretary



Permittee Name ICG Hazard LLC
 Permit Number 860-0542, (RI) Inc. # 11

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
- ☒ Company Name
- ☒ Amount
- ☒ County
- ☐ No corrections, alterations, additions, whiteout

- ☒ Original Documents
- ☒ Principal Listed
- ☒ Acres
- ☒ Notarized

CASH BOND:

- ☐ Item 1 Checked
- ☐ Payable to Kentucky State Treasurer
- ☐ Cashiers Check

- ☐ Certified Check
- ☐ Money Order

SURETY BOND:

- ☒ Surety Listed
- ☒ Surety Name & Address
- ☒ Local Agency
- ☒ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
- ☒ Attorney-In-Fact listed on Power of Attorney
- ☒ Dated

☒ Verified By: Theresa Pickersell
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
- ☐ Applicant Listed
- ☐ Certificate of Deposit No.
- ☐ Signed By Applicant

- ☐ Execution Date
- ☐ Bank Listed as Escrow Agent
- ☐ Issue Date
- ☐ Signed By Bank Representative

____ Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
- ☐ Bank Name & Address
- ☐ Applicant Listed
- ☐ Issue Date

- ☐ Expiration Date
- ☐ Dated
- ☐ Letter of Credit No. Listed
- ☐ Signed by Bank Representative

____ Verified By: _____
 (Phone/Email)

 (Bank Representative)

Signature of Bond Reviewer Martie Riddle Date 11/4/15

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 11

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1134120
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Two Hundred Twenty-Six Thousand
Nine Hundred & 00/100----- Dollars (\$ 226,900.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 46.2 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 10/28/15 OFFICIAL POSITION: V.P.

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 28th day of October, 2015.

NOTARY PUBLIC: Laurel J. Unseld MY COMMISSION EXPIRES: 6/17/19

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: October 28, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX-258288

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

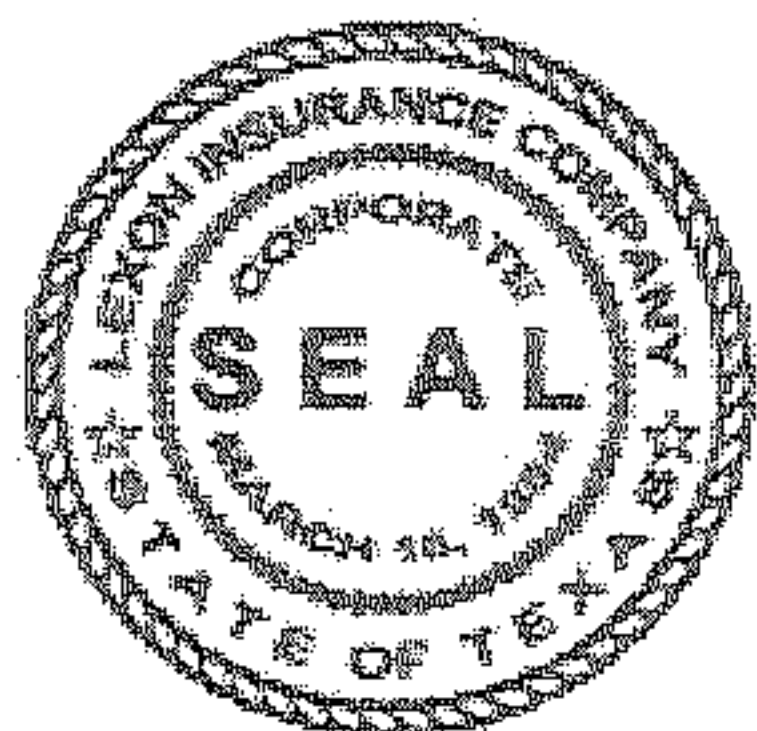
This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY



BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

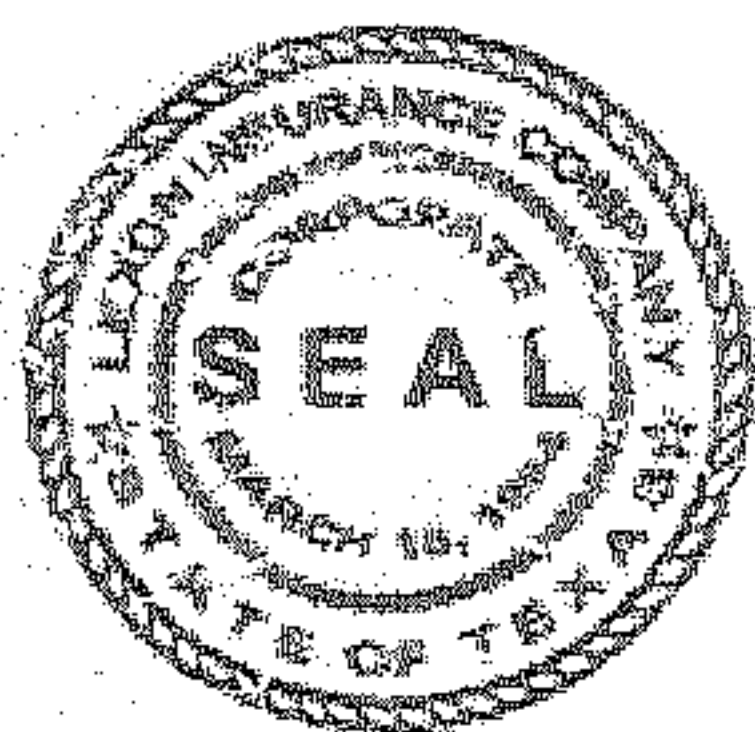
BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 28th Day of October, 2015.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL DOCUMENT.
Laurel J. Unseld
NOTARY PUBLIC
MY COMMISSION EXPIRES 6/17/19
STATE OF COMMISSION KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15

Laurel J. Unseld #445174
NOTARY PUBLIC

Permit Number: 860-0542
 Increment Number: 11
 Am-3

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1134120 effective October 28, 2015
 issued by the Lexon Insurance Company
 in the amount of 226,900.00 DOLLARS,
 on behalf of ICG Hazard, LLC
 as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
 as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$226,900.00
 New Bond Amount: \$91,900.00

The acreage will decrease from 46.2 acres to 22.7 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 30th day of November, 2016.

Signed, sealed and dated this 30th day of November, 2016.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u><i>D. Edward Brown</i></u>		By: <u><i>Theresa Pickerrell</i></u>	
<u>D. Edward Brown, VP</u>		<u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Martie Riddle

POWER OF ATTORNEY

LX- 291464

Lexon Insurance Company

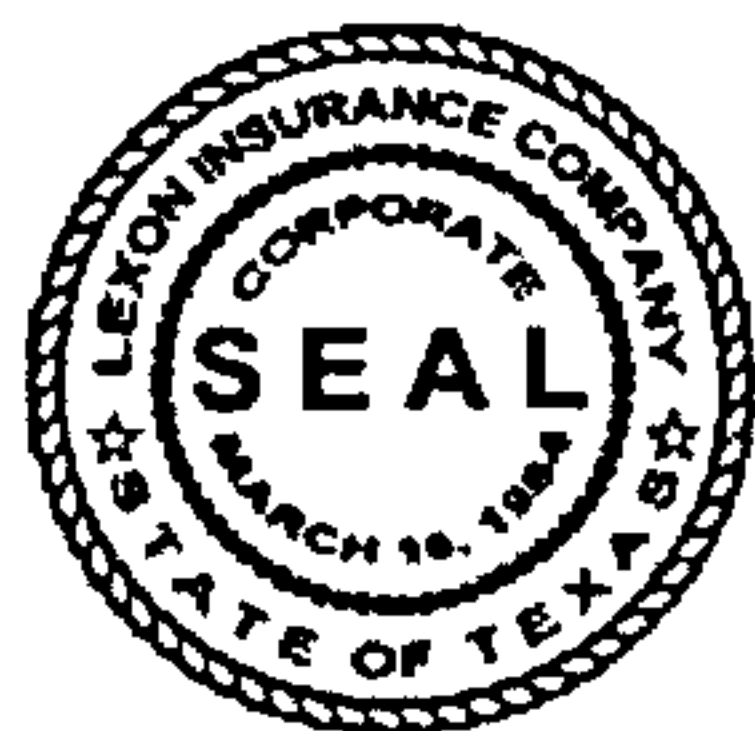
KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



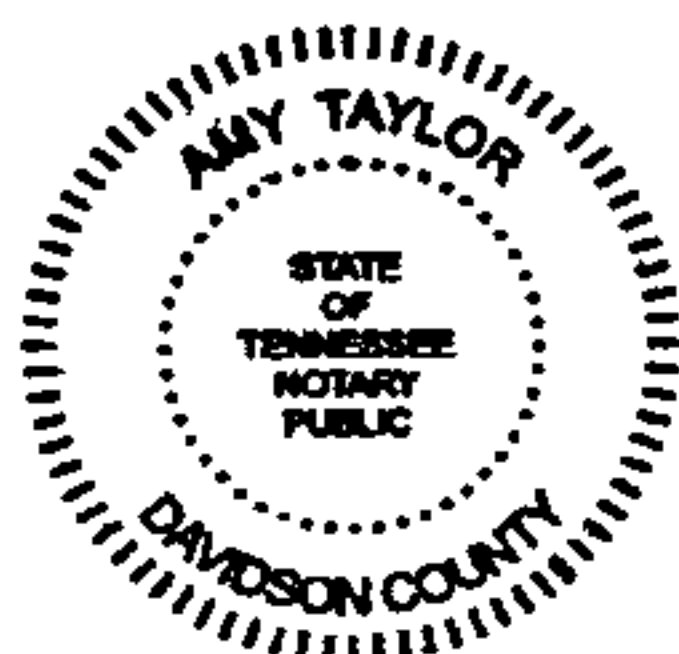
LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 2016.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelli Shafer
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permittee Name ICG Hazard LLC
 Permit Number 860-0542, Am-3 Inc. # 11,13,16-19,21,22

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
- ☒ Company Name
- ☒ Amount
- ☐ County
- ☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
- ☒ Principal Listed
- ☒ Acres
- ☐ Notarized

CASH BOND:

- ☐ Item 1 Checked
- ☐ Payable to Kentucky State Treasurer
- ☐ Cashiers Check

- ☐ Certified Check
- ☐ Money Order

SURETY BOND:

Riders

- ☒ Surety Listed
- ☐ Surety Name & Address
- ☐ Local Agency
- ☐ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
- ☒ Attorney-In-Fact listed on Power of Attorney
- ☒ Dated

☒ Verified By: Theresa Pickrell
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
- ☐ Applicant Listed
- ☐ Certificate of Deposit No.
- ☐ Signed By Applicant

- ☐ Execution Date
- ☐ Bank Listed as Escrow Agent
- ☐ Issue Date
- ☐ Signed By Bank Representative

____ Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
- ☐ Bank Name & Address
- ☐ Applicant Listed
- ☐ Issue Date

- ☐ Expiration Date
- ☐ Dated
- ☐ Letter of Credit No. Listed
- ☐ Signed by Bank Representative

____ Verified By: _____
 (Phone/Email)

 (Bank Representative)

Signature of Bond Reviewer

Martie Riddle

Date

12/6/16

LEXON Insurance Company
10002 Shelbyville Road, Suite 100
Louisville, KY 40223

SCANNED

November 6, 2018

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

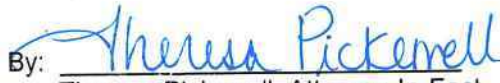
To Whom It May Concern:

The following Surety Performance Bonds written by Lexon Insurance Company covering Permit No. 860-0542 Rn-3 with ICG Hazard, LLC, as principal, remains in full force and effect throughout the term of the renewal.

Bond No.	Bond Amount	Increment No.	Bond No.	Bond Amount	Increment No.
1134120	\$91,900	11	1137343	\$407,700	13
1141630	\$159,600	14	1119373	\$156,000	16
1119374	\$191,800	17	1119375	\$263,700	18
1119376	\$1,143,600	19	1119377	\$243,200	20
1119378	\$146,400	21	1119379	\$290,900	22
1141477	\$87,000	23	1119380	\$75,000	24
1134166	\$75,000	25	1141478	\$579,700	26
1141479	\$440,000	27	1141480	\$563,600	28
1141481	\$591,600	29	1141482	\$291,900	30
1141483	\$163,700	31	1141484	\$1,059,700	32
1141492	\$896,400	33	1141493	\$75,000	34
1141494	91,800	38	1144281	\$75,000	41
1141495	\$75,000	42	1141496	\$75,000	43
1141572	\$136,000	44	1158447	\$75,000	45
1158448	\$75,000	46	1134167	\$620,600	LTT
1119480	\$300,000	SUP	1134128	\$300,000	SUP
1141508	\$150,000	SUP	1141601	\$150,000	SUP
1141602	\$150,000	SUP			

It is agreed and understood that the referenced bonds are not cumulative in nature, regardless of the number of years they may remain in effect. It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter.

LEXON Insurance Company

By: 
Theresa Pickerrell, Attorney-In-Fact

State of: Kentucky
County of: Jefferson

I certify that I know or have satisfactory evidence that Theresa Pickerrell signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: November 6, 2018

Sandra L. Fusinetti

Signature of Notary Sandra L. Fusinetti

My commission expires February 13, 2020

POWER OF ATTORNEY

LX- 11078

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Beth Frymire, Leigh McCarthy, Michael Dix, Susan Ritter its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$10,000,000.00 Ten Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY



BY

Brian Beggs
President

ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 6th Day of November, 20 18.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	11
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1134120	\$91,900		

If Surety Agent City	LEXON INSURANCE COMPANY ACRISURE LLC DBA SMITH MANUS LOUISVILLE	(Parent Company)
	Address 2307 RIVER ROAD, SUITE 200	
	State KY	ZIP 40206

Bank Name _____ Address _____
City _____ State _____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☒ Bond Substitution - replaced by bonds N-7003750
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	<u>91,900</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u> </u>	
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u>91,900</u>	
Total Reduction		\$	<u>91,900</u>
Remaining Encumbered Balance		\$	<u>0</u>
Remaining Balance on Bond #		\$	<u> </u>

Jim Ward
by Sheri Mullins

Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542
INCREMENT NUMBER (IF ANY) 11
BOND SUBSTITUTION FOR EXISTING BOND # 1134120

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003750
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
Ninety One Thousand Nine Hundred and 00/100 Dollars (\$ 91,900.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 22.70 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC:  MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

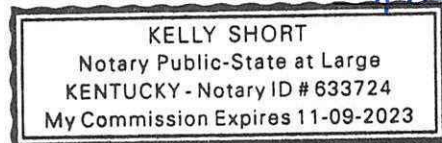
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.

NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

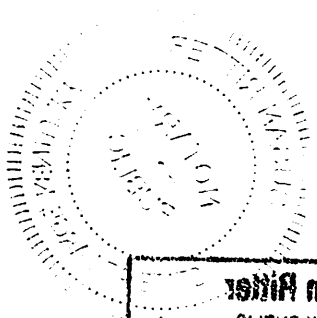
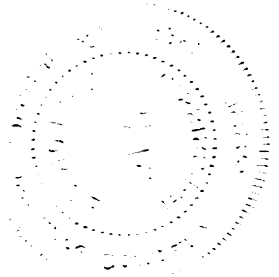
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

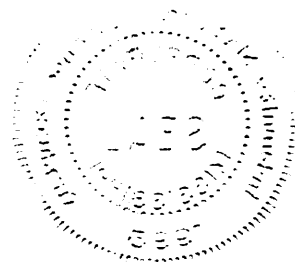
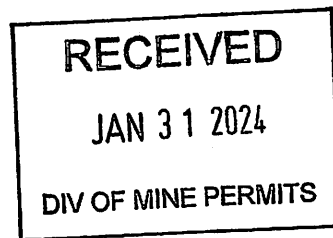
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

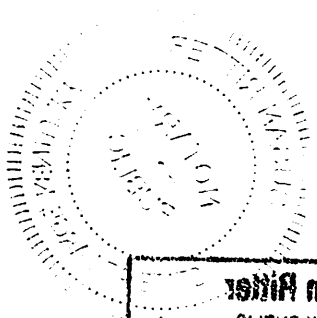
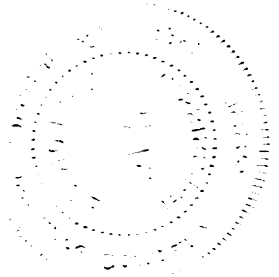
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

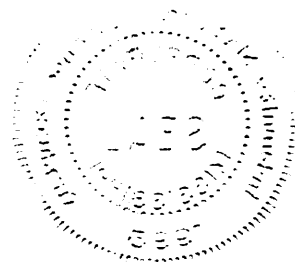
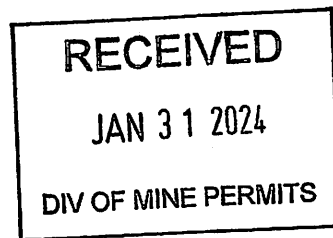
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2021.



By James E. Hart
James E. Hart, Secretary



**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542
INCREMENT NUMBER (IF ANY) 13
BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
☒ 2. SURETY BOND NUMBER 800006503
☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Atlantic Specialty Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Four Hundred Forty-Three Thousand
One Hundred and 00/100 Dollars (\$443,100.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
☒ 2. For the payment of which sum is to be well and truly made
☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 97.000 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC
(PERMITTEE)

BY: D. Edward Brown

DATE: 2/17/2015

OFFICIAL POSITION: V.P.

SIGNATURE: D. Edward Brown

Subscribed and sworn to before me by D. Edward Brown this the 17th day of Feb., 2015

NOTARY PUBLIC: Laurel J. Unsell

MY COMMISSION EXPIRES: 6/17/15

COMPLETE FOR SURETY BOND:

SURETY: Atlantic Specialty Insurance Company

ADDRESS: 150 Royall Street, Canton, MA 02021

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Brook T. Smith

OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: Brook T. Smith

DATE: February 17, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Minnetonka, Minnesota, does hereby constitute and appoint: **Brook T. Smith, James T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Deborah S. Neichter, Michele D. Lacrosse**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **twenty-five million dollars (\$25,000,000)** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer"), may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this ninth day of October, 2012.

STATE OF MINNESOTA
HENNIPEN COUNTY

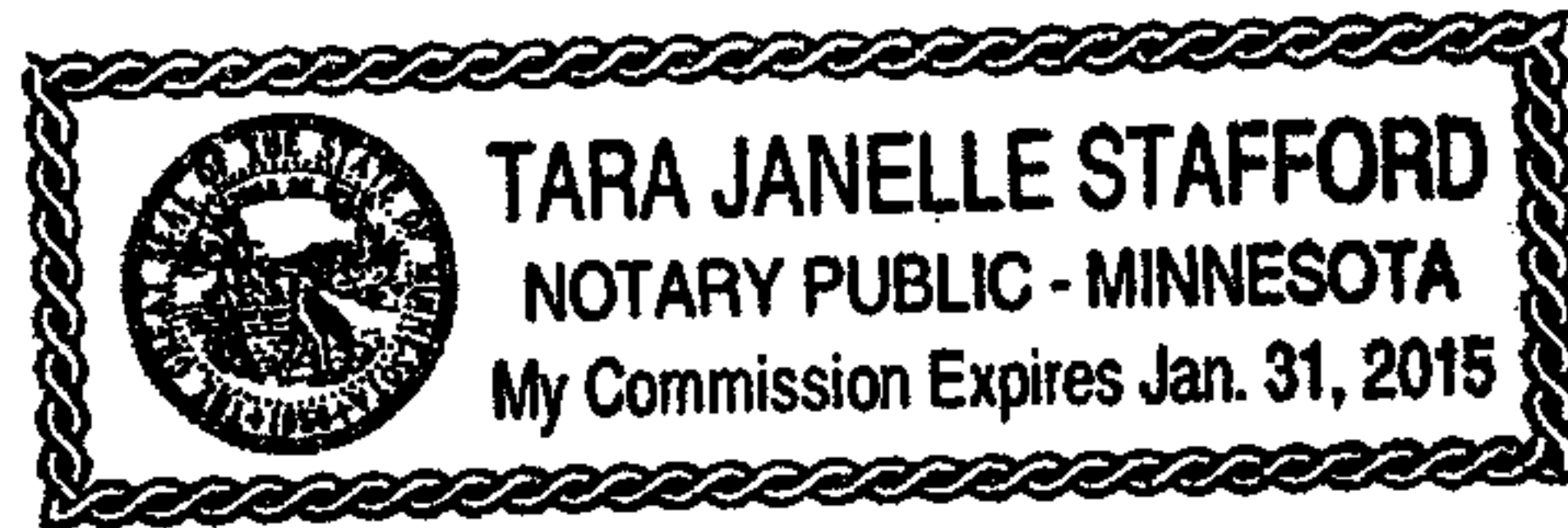


By

Paul H. McDonough

Paul H. McDonough, Senior Vice President

On this ninth day of October, 2012, before me personally came Paul H. McDonough, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



Tara Janelle Stafford

Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 17th day of February, 2015.

This Power of Attorney expires
October 1, 2015



Virginia McCarthy

Virginia McCarthy, Secretary

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I HEREBY CERTIFY THAT THIS IS A TRUE
AND CORRECT COPY OF THE ORIGINAL DOCUMENT.
Laurel J. Unseld
NOTARY PUBLIC
BY COMMISSION # 6/17/15
STATE OF KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permittee Name Z.C.G. Hazard LLC
 Permit Number 860-0542, (RI) Inc. # 13

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
☒ Company Name
☒ Amount
☒ County
☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
☒ Principal Listed
☒ Acres
☒ Notarized

CASH BOND:

- ☐ Item 1 Checked
☐ Payable to Kentucky State Treasurer
☐ Cashiers Check

- ☐ Certified Check
☐ Money Order

SURETY BOND:

- ☒ Surety Listed
☒ Surety Name & Address
☒ Local Agency
☒ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
☒ Attorney-In-Fact listed on Power of Attorney
☒ Dated

✓ Verified By: Brook L. Smith
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
☐ Applicant Listed
☐ Certificate of Deposit No.
☐ Signed By Applicant

- ☐ Execution Date
☐ Bank Listed as Escrow Agent
☐ Issue Date
☐ Signed By Bank Representative

____ Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
☐ Bank Name & Address
☐ Applicant Listed
☐ Issue Date

- ☐ Expiration Date
☐ Dated
☐ Letter of Credit No. Listed
☐ Signed by Bank Representative

____ Verified By: _____
 (Phone/Email) (Bank Representative)

Signature of Bond Reviewer Martie Riddle Date 2/24/15

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 13

BOND SUBSTITUTION FOR EXISTING BOND # 800006503

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1137343
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Four Hundred Forty-Three Thousand
One Hundred and 00/100 ----- Dollars (\$ 443,100.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 97.00 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 5/23/16 OFFICIAL POSITION: VP

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 23rd day of

May, 2016
NOTARY PUBLIC: Kelly Shart MY COMMISSION EXPIRES: 11/9/19

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Sandra L. Fusinetti OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: Sandra L. Fusinetti DATE: May 23, 2016

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 275828

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY

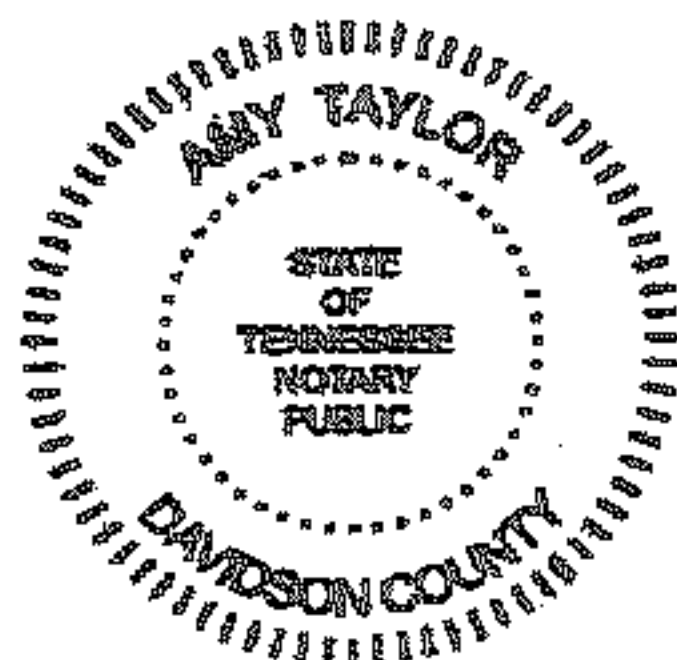


BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

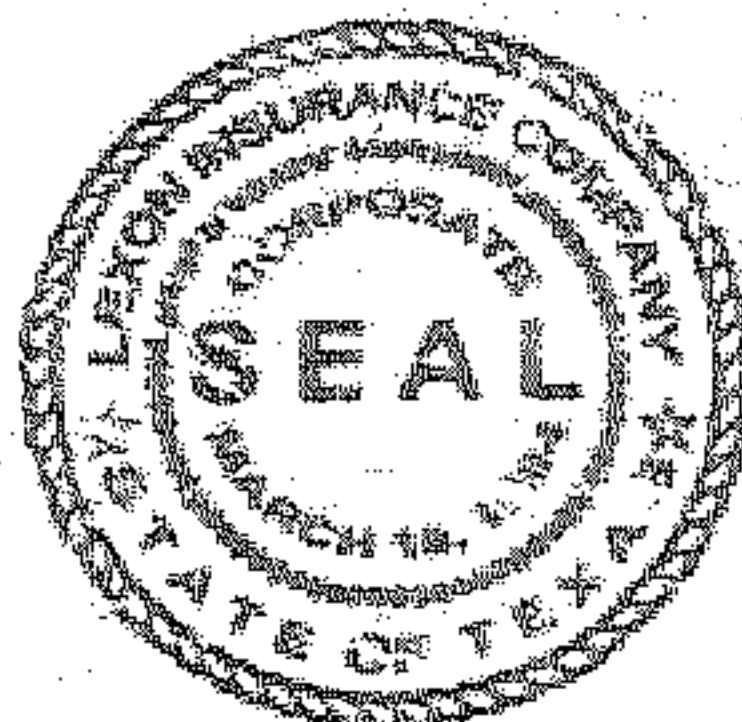
BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 23rd Day of May, 20 16.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

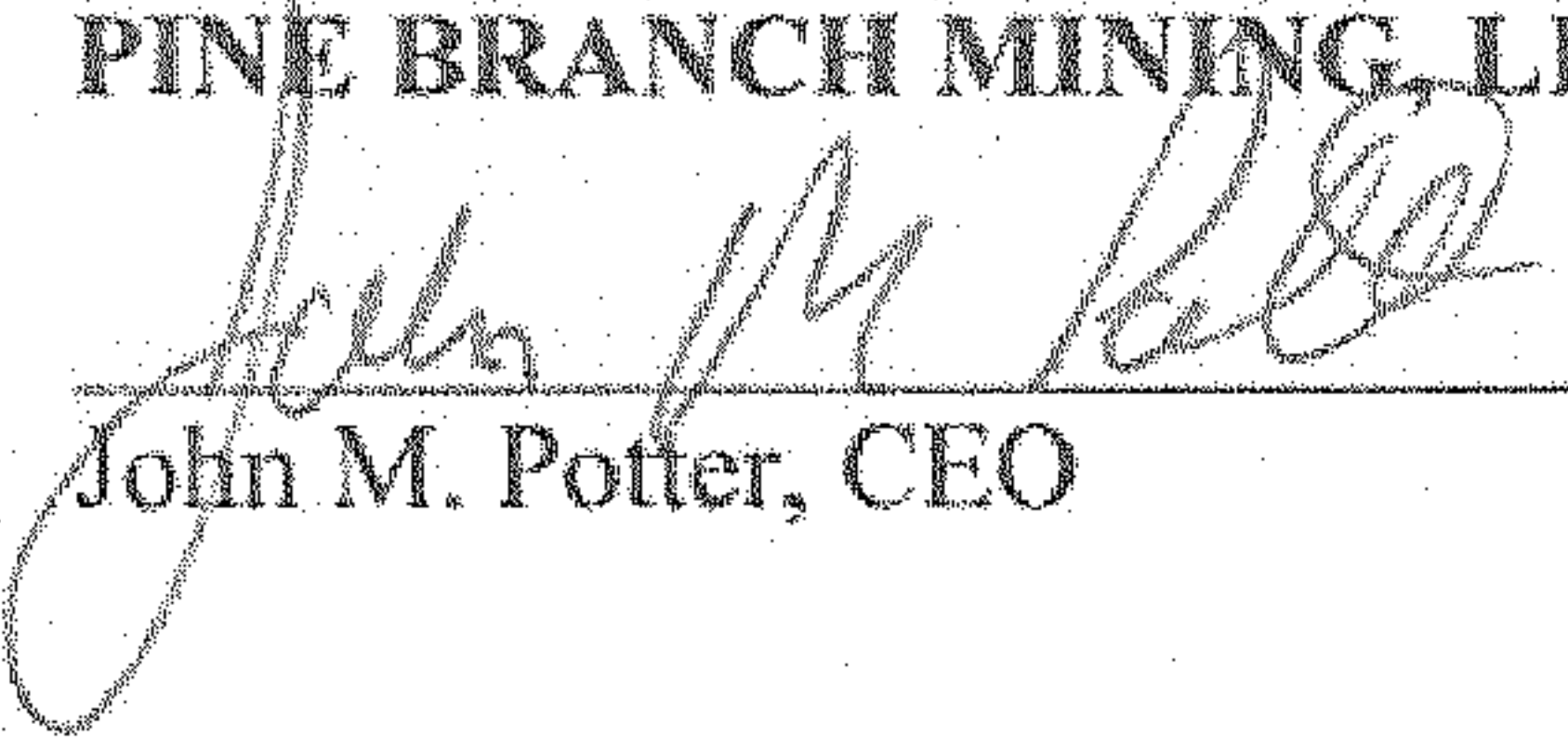
The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

PINE BRANCH MINING, LLC


John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445126
NOTARY PUBLIC

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Short
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

Resolutions- Authority of Ed Brown

Permit Number: 860-0542
 Increment Number: 13
 Am-3

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1137343 effective May 23, 2016
 issued by the Lexon Insurance Company
 in the amount of 443,100.00 DOLLARS,
 on behalf of ICG Hazard, LLC
 as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
 as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$443,100.00
 New Bond Amount: \$407,700.00

The acreage will increase from 97 acres to 101.4 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 30th day of November, 2016.

Signed, sealed and dated this 30th day of November, 2016.

ICG Hazard, LLC (Principal)

Lexon Insurance Company

(Surety)

By: [Signature]
D. Edward Brown, VP

By: [Signature]
Theresa Pickerrell
Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

[Signature]
Martie Riddle

POWER OF ATTORNEY

LX- 291463

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

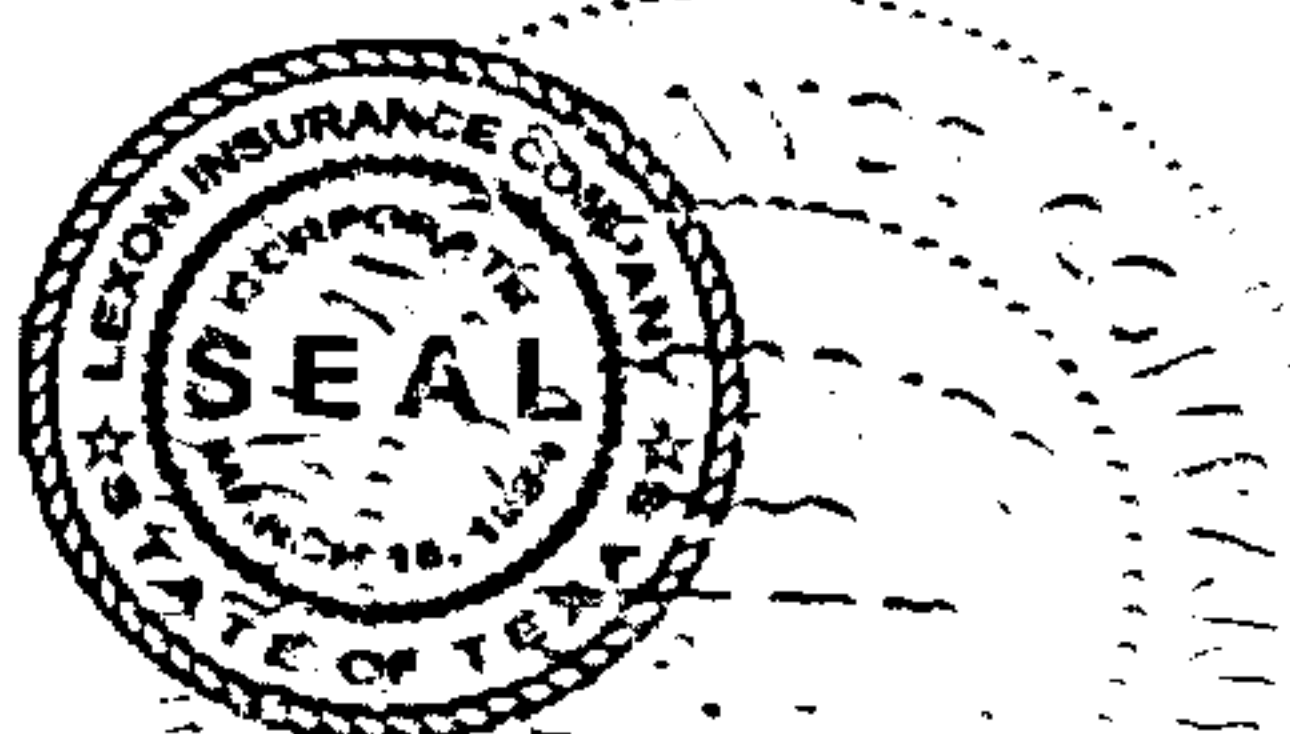
BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November 20 16.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Sharon
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 13

BOND SUBSTITUTION FOR EXISTING BOND # 1137343

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003751
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
Four Hundred Seven Thousand Seven Hundred and 00/100 Dollars (\$ 407,700.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 101.40 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.


In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC:  MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

KELLY SHORT
Notary Public-State at Large
KENTUCKY - Notary ID # 633724
My Commission Expires 11-09-2023

ADDRESS: 238 Bedford Way, Franklin, TN 37064

LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT

NOTARY PUBLIC Kelly Shao
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	13
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1137343	\$407,700		

If Certificate of Deposit or Letter of Credit

Bank Name _____ Address _____
City _____ State _____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☒ Bond Substitution - replaced by bonds N-7003751
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	<u>\$407,700</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u> </u>	
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u>407,700</u>	
Total Reduction		\$	<u>407,700</u>
Remaining Encumbered Balance		\$	<u>0</u>
Remaining Balance on Bond #			

Jim Ward
by Sheri Mullins
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage

SMITH MANUS

Sent To

2307 RIVER ROAD SUITE 200

Street, Apt.
or PO Box

LOUISVILLE, KY 40206

City, State,

Postmark
Here

0600 - 0542

t to RFI 2-5, 000116 of 824

7012 3460 0000 0567 424E 2950 0000 094E 7107

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky
County of: Jefferson

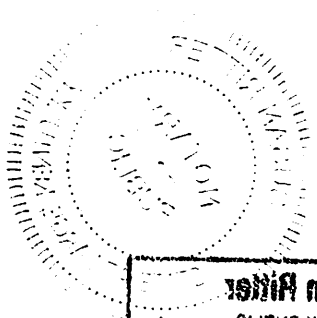
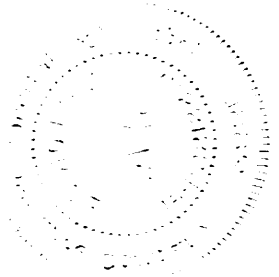
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

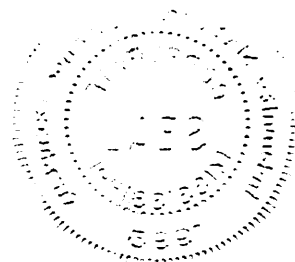
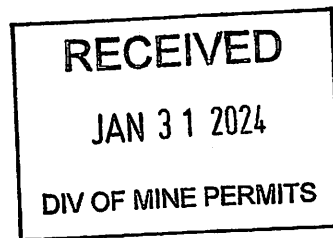
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



Permittee Name ICG Hazard LLC
 Permit Number 860-0542, (RI) Inc. # 14

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
☒ Company Name
☒ Amount
☒ County
☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
☒ Principal Listed
☒ Acres
☒ Notarized

CASH BOND:

- ☐ Item 1 Checked
☐ Payable to Kentucky State Treasurer
☐ Cashiers Check

- ☐ Certified Check
☐ Money Order

SURETY BOND:

- ☒ Surety Listed
☒ Surety Name & Address
☒ Local Agency
☒ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
☒ Attorney-In-Fact listed on Power of Attorney
☒ Dated

✓ Verified By: Theresa Pickrell
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
☐ Applicant Listed
☐ Certificate of Deposit No.
☐ Signed By Applicant

- ☐ Execution Date
☐ Bank Listed as Escrow Agent
☐ Issue Date
☐ Signed By Bank Representative

____ Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
☐ Bank Name & Address
☐ Applicant Listed
☐ Issue Date

- ☐ Expiration Date
☐ Dated
☐ Letter of Credit No. Listed
☐ Signed by Bank Representative

____ Verified By: _____
 (Phone/Email) (Bank Representative)

Signature of Bond Reviewer Martie Riddle Date 2/1/17

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 14

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1141630
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of One Hundred Fifty-Nine Thousand
Six Hundred & 00/100----- Dollars (\$ 159,600.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 39.10 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 1/25/17 OFFICIAL POSITION: VP

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 25th day of January, 2017.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/19

KELLY SHORT
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY
ID. # 545419
MY COMMISSION EXPIRES NOV. 9, 2019

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: January 25, 2017

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 293300

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix, Leigh McCarthy, Rebecca M. Reid its true and lawful Attorney(s)-In-Fact to make execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

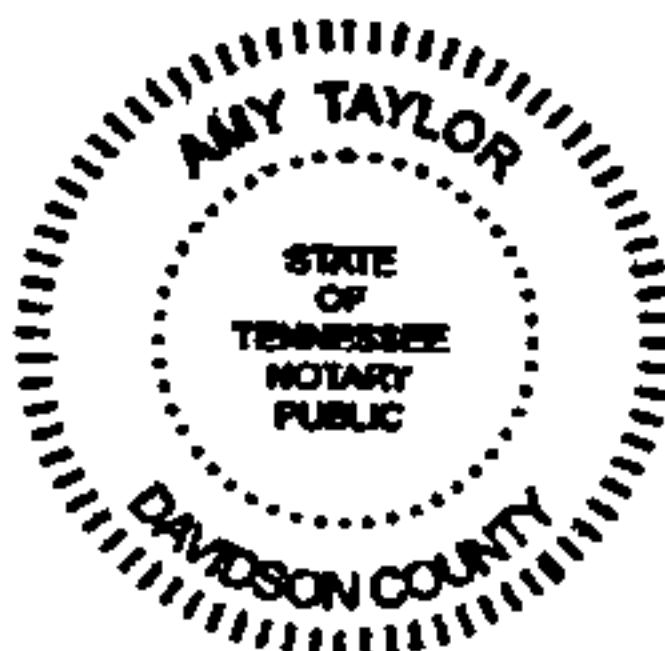


LEXON INSURANCE COMPANY

BY David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 25th Day of January, 20 17.



BY Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Short
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 14

BOND SUBSTITUTION FOR EXISTING BOND # 1141630

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003752
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
One Hundred Fifty Nine Thousand Six Hundred and 00/100 Dollars (\$ 159,600.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 39.10 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC: Kelly Shao MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: 

DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

KELLY SHORT
Notary Public-State at Large
KENTUCKY - Notary ID # 633724
My Commission Expires 11-09-2023

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelley Shand
MY COMMISSION EXPIRES 9/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC


John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	14
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1141630	\$159,600		

If Certificate of Deposit or Letter of Credit

Bank Name	_____	Address	_____
City	_____	State	_____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____

☐ Complete _____ ☐ Partial _____ # of acres overlapped _____

☐ Transfer to _____ (Company Name) Permit Number _____

☒ Bond Substitution - replaced by bonds _____ N-7003752

☐ Reduction due to permitting action dated - _____

☐ Other _____

Initial Encumbered Balance		\$	<u>159,600</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u> </u>	
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u>159,600</u>	
Total Reduction		\$	<u>159,600</u>
Remaining Encumbered Balance		\$	<u>0</u>
Remaining Balance on Bond #		\$	<u> </u>

Jim Ward
by Sheri Mullins
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

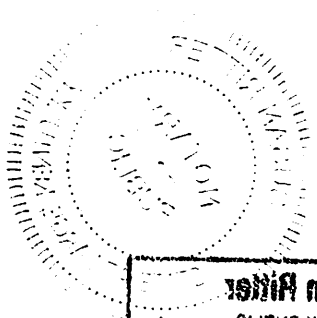
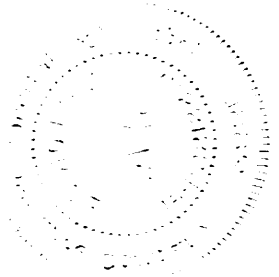
Dated on: January 16, 2024

Susan Ritter

Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2026

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

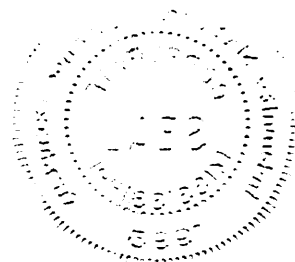
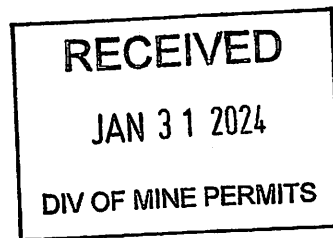
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



Permittee	ICG HAZARD LLC	Permit #	860-0542	Incr #	15
Address	3228 SUMMIT SQUARE PLACE SUITE 180				
City	LEXINGTON	State	KY	ZIP	40509

Identification Numbers	Amount	Identification Numbers	Amount
LICX1192119	\$211,900		

If Surety Agent City	LEXON INSURANCE COMPANY ACRISURE LLC DBA SMITH MANUS LOUISVILLE	Address	2307 RIVER ROAD, SUITE 200	State	KY	ZIP	40206	(Parent Company)
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Bank Name _____ Address _____
City _____ State _____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____

☐ Complete ☐ Partial # of acres overlapped _____

☐ Transfer to _____ (Company Name) Permit Number _____

☒ Bond Substitution - replaced by bonds N-7003753

☐ Reduction due to permitting action dated - _____

☐ Other _____

Initial Encumbered Balance		\$	<u>211,900</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u> </u>	
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u>211,900</u>	
Total Reduction		\$	<u>211,900</u>
Remaining Encumbered Balance		\$	<u>0</u>
Remaining Balance on Bond #		\$	<u> </u>

Jim Ward
by Sheri Mullins

Regional Office Hazard

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 15

BOND SUBSTITUTION FOR EXISTING BOND # LICX1192119

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003753
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
Two Hundred Eleven Thousand Nine Hundred and 00/100 Dollars (\$ 211,900.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 52.80 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

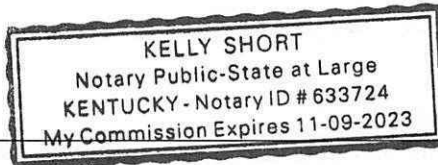
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By

Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By

Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By

James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shao
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

Permit Number: 860-0542

Increment Number: 15

Mi-6

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7003753 effective 7/1/2020
issued by the Indemnity National Insurance Company
in the amount of 211,900.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$211,900.00

New Bond Amount: \$195,800.00

The acreage will decrease from 52.80 acres to 48.60 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 8th day of March, 2021.

Signed, sealed and dated this 8th day of March, 2021.

ICG Hazard, LLC (Principal)

By:

D. Edward Brown, SVP

Indemnity National Insurance Company (Surety)

By:

Theresa Pickerrell
Theresa Pickerrell Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
 (i) when signed by the president, or any vice president, and sealed with the Company seal; or
 (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
 Thomas F. Elkins, President

State of Kentucky
 County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
 Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 8th day of March, 2021.



By James E. Hart
 James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 6/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018.

Susan P. Lachert
NOTARY PUBLIC

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

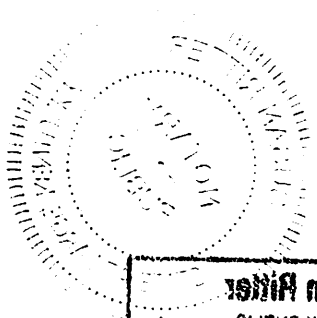
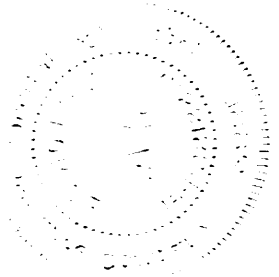
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILKE
MY COMMISSION EXPIRES MARCH 4, 2026

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

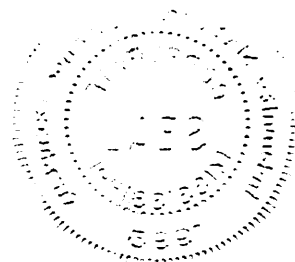
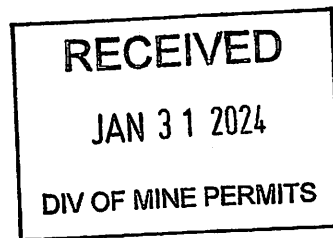
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



Permittee Name

TCG Hazard LLC

Permit Number

860-0542, Am-2 Inc. # 16-22424

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
☒ Company Name
☒ Amount
☒ County
☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
☒ Principal Listed
☒ Acres
☒ Notarized

CASH BOND:

- ☐ Item 1 Checked
☐ Payable to Kentucky State Treasurer
☐ Cashiers Check

- ☐ Certified Check
☐ Money Order

SURETY BOND:

- ☒ Surety Listed
☒ Surety Name & Address
☒ Local Agency
☒ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
☒ Attorney-In-Fact listed on Power of Attorney
☒ Dated

☒ Verified By: Jackie Koestel
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
☐ Applicant Listed
☐ Certificate of Deposit No.
☐ Signed By Applicant

- ☐ Execution Date
☐ Bank Listed as Escrow Agent
☐ Issue Date
☐ Signed By Bank Representative

_____ Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
☐ Bank Name & Address
☐ Applicant Listed
☐ Issue Date

- ☐ Expiration Date
☐ Dated
☐ Letter of Credit No. Listed
☐ Signed by Bank Representative

_____ Verified By: _____
 (Phone/Email)

 (Bank Representative)

Signature of Bond Reviewer

Martie Riddle

Date

4/20/15

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 16

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) Am-02

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1119373
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of One Hundred Fifty-Five Thousand Seven
Hundred and 00/100----- Dollars (\$ 155,700.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 38.40 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC
(PERMITTEE)

BY: D. Edward Brown

DATE: 4/15/15 OFFICIAL POSITION: Vice President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 15th day of

April, 2015.

NOTARY PUBLIC: [Signature] MY COMMISSION EXPIRES: 7-13-18

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Jackie C. Koestel OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: April 15, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 239762

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.

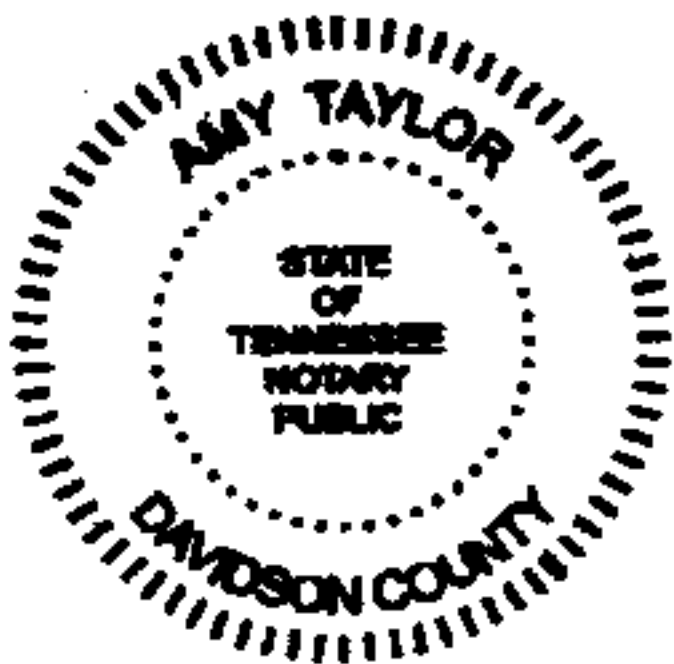
**LEXON INSURANCE COMPANY**

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 15th Day of April, 2015.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND CORRECT COPY OF THE ORIGINAL DOCUMENT.

[Signature]

7-13-18

PINE BRANCH MINING, LLC

[Signature]

John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permit Number: 860-0542
Increment Number: 16
Am-3

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119373 effective April 15, 2015
issued by the Lexon Insurance Company
in the amount of 155,700.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Oblige:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

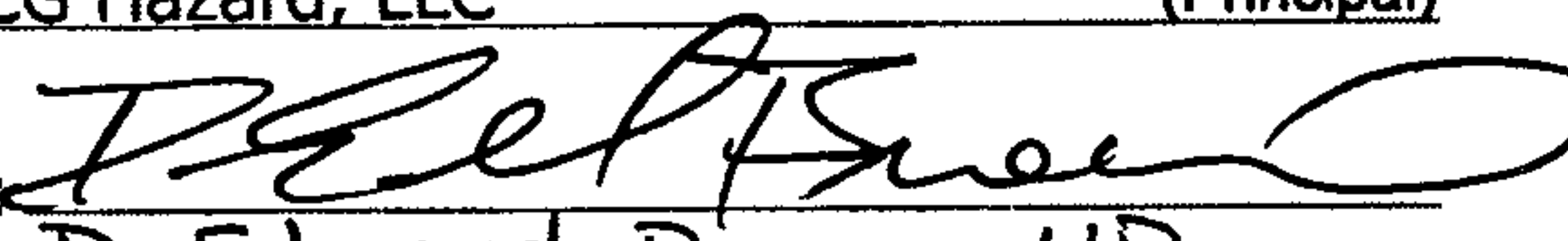
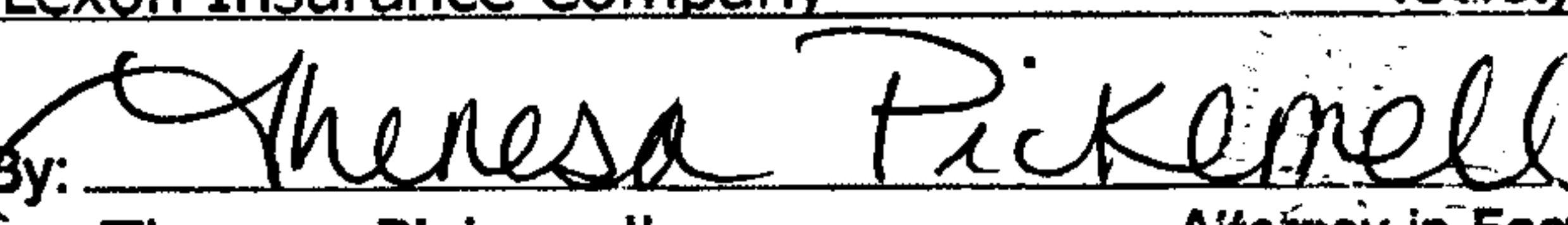
Current Bond Amount: \$155,700.00
New Bond Amount: \$156,000.00

The acreage will increase from 38.4 acres to 39 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 30th day of November, 2016.

Signed, sealed and dated this 30th day of November, 2016.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u></u>		By: <u></u>	
<u>D. Edward Brown, VP</u>		<u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

POWER OF ATTORNEY

LX- 291469

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

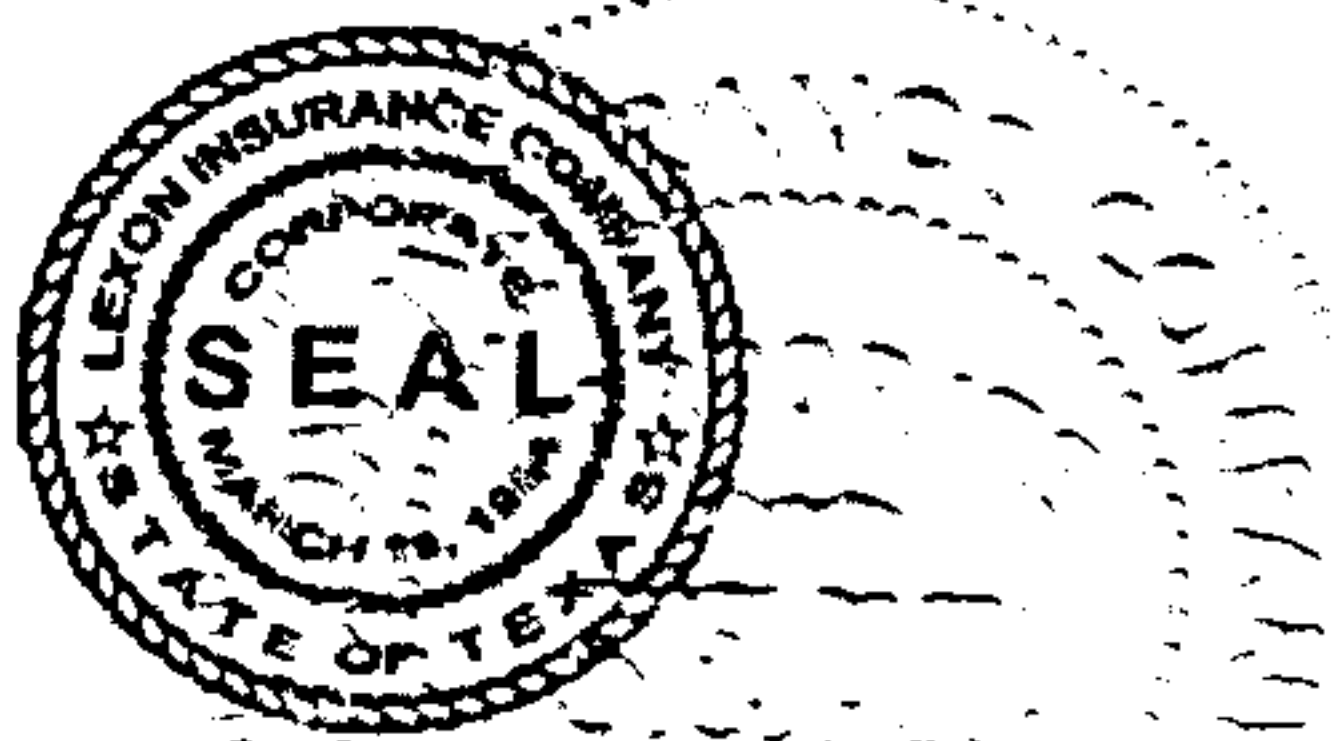
BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 20 16.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Attachment to BFL 2-5, 0001160 of 824

**ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC**

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Shair
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542
INCREMENT NUMBER (IF ANY) 16
BOND SUBSTITUTION FOR EXISTING BOND # 1119373

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003754
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
One Hundred Fifty Six Thousand and 00/100 Dollars (\$ 156,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 39.00 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: 

DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064**Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:


RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaud
MY COMMISSION EXPIRES 01/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC


John M. Potter, CEO

U.S. Postal Service™

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage

SMITH MANUS

2307 RIVER ROAD SUITE 200

LOUISVILLE, KY 40206

Sent To

Street, Apt.
or PO Box

City, State,

Postmark
Here

0600 - 0542

t to RFI 2-5, 000165 of 824

7012 3460 0000 0567 424E 2950 0000 094E 7107

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

BOND RELEASE

Permittee ICG HAZARD LLC Permit # 860-0542 Incr # 16
Address 3228 SUMMIT SQUARE PLACE SUITE 180
City LEXINGTON State KY ZIP 40509

Bond Type: ☐ Cash ☒ Surety ☐ Certificate of Deposit ☐ Letter of Credit ☐ Bond Pool

Identification Numbers	Amount	Identification Numbers	Amount
<u>1119373</u>	<u>\$156,000</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

If Surety LEXON INSURANCE COMPANY (Parent Company)
Agent ACRISURE LLC DBA SMITH MANUS
City LOUISVILLE Address 2307 RIVER ROAD, SUITE 200
State KY ZIP 40206

If Certificate of Deposit or Letter of Credit

Bank Name Address
City State ZIP

An inspection of the permitted area revealed that:

- ☐ Initial Reclamation is Complete.
☐ Acres of undisturbed area has been verified.
☐ Final Reclamation is complete and satisfactory

Permitting Actions or other administrative action has resulted in a:

- ☐ Overlap By (Company Name) Permit Number
☐ Complete ☐ Partial # of acres overlapped
☐ Transfer to (Company Name) Permit Number
☒ Bond Substitution - replaced by bonds N-7003754
☐ Reduction due to permitting action dated -
☐ Other

Therefore, you are entitled to a bond release or reduction on the identified bond(s) as shown below:

Initial Encumbered Balance	\$ <u>156,000</u>
Final Release	\$ <u> </u>
Grading Release	\$ <u> </u>
Undisturbed	\$ <u> </u>
Administrative Release	\$ <u>156,000</u>
Total Reduction	\$ <u>156,000</u>
Remaining Encumbered Balance	\$ <u>0</u>
Remaining Balance on Bond # <u> </u>	

Given under my hand on this the 24TH Day of JULY, 20 20

Jim Ward
by Sheri Mullins

Director, Division of Mine
Reclamation and Enforcement

Regional Office Hazard

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

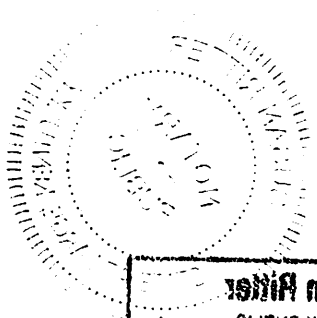
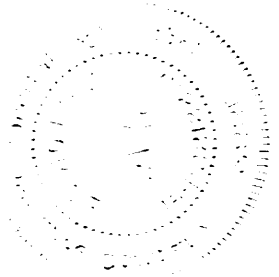
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
JAN 22 2024
SUSAN HILGER

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

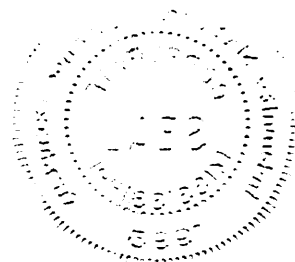
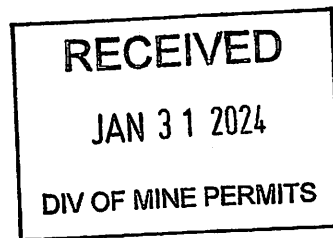
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 17

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) 02

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1119374
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of One Hundred Eighty-Seven Thousand Nine
Hundred and 00/100----- Dollars (\$ 187,900.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 46.70 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC
(PERMITTEE)

BY:

D. Edward Brown

DATE:

4/15/15

OFFICIAL POSITION:

Vice-President

SIGNATURE:

D. Edward Brown

Subscribed and sworn to before me by

D. Edward Brown

this the

15th

day of

April

, 2015

NOTARY PUBLIC:

Rougerman

MY COMMISSION EXPIRES:

7-13-18

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Jackie C. Koestel

OFFICIAL POSITION:

Attorney-in-Fact

SIGNATURE:

Jackie C. Koestel

DATE: April 15, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 239763

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.

LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 15th Day of April, 2015.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

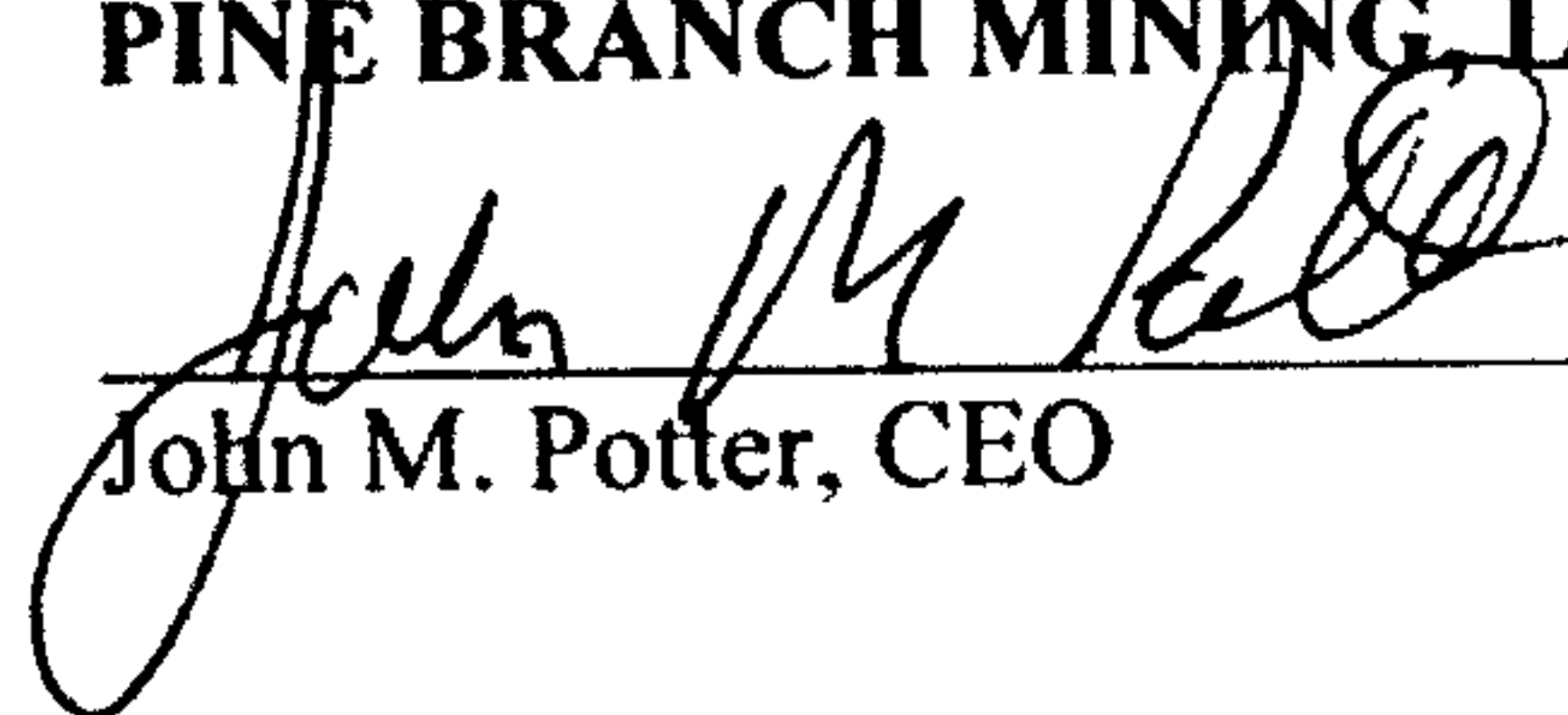
RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

NOTARY PUBLIC
STATE OF KENTUCKY
MY COMMISSION EXPIRES 7-13-18
STATE OF KENTUCKY

PINE BRANCH MINING, LLC


John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permit Number: 860-0542
 Increment Number: 17
 Am-3

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119374 effective April 15, 2015
 issued by the Lexon Insurance Company
 in the amount of 187,900.00 DOLLARS,
 on behalf of ICG Hazard, LLC
 as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
 as Oblige:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$187,900.00
 New Bond Amount: \$191,800.00

The acreage will increase from 46.7 acres to 47.6 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 30th day of November, 2016.

Signed, sealed and dated this 30th day of November, 2016.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u>D. Edward Brown, VP</u>		By: <u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

POWER OF ATTORNEY

LX- 291468

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 2016.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542
INCREMENT NUMBER (IF ANY) 17
BOND SUBSTITUTION FOR EXISTING BOND # 1119374

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003755
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
One Hundred Ninety One Thousand Eight Hundred and 00/100 Dollars (\$ 191,800.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 47.60 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

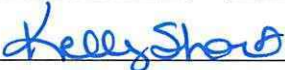
In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC:  MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

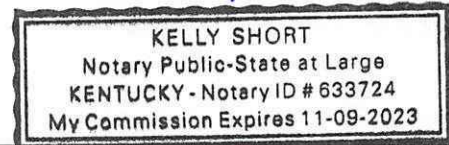
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Shao
MY COMMISSION EXPIRES 9/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

BOND RELEASE

Permittee ICG HAZARD LLC Permit # 860-0542 Incr # 17
Address 3228 SUMMIT SQUARE PLACE SUITE 180
City LEXINGTON State KY ZIP 40509

Bond Type: ☐ Cash ☒ Surety ☐ Certificate of Deposit ☐ Letter of Credit ☐ Bond Pool

Identification Numbers	Amount	Identification Numbers	Amount
<u>11193754</u>	<u>\$191,800</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

If Surety LEXON INSURANCE COMPANY (Parent Company)
Agent ACRISURE LLC DBA SMITH MANUS
City LOUISVILLE Address 2307 RIVER ROAD, SUITE 200
State KY ZIP 40206

If Certificate of Deposit or Letter of Credit

Bank Name Address
City State ZIP

An inspection of the permitted area revealed that:

- ☐ Initial Reclamation is Complete.
☐ Acres of undisturbed area has been verified.
☐ Final Reclamation is complete and satisfactory

Permitting Actions or other administrative action has resulted in a:

- ☐ Overlap By (Company Name) Permit Number
☐ Complete ☐ Partial # of acres overlapped
☐ Transfer to (Company Name) Permit Number
☒ Bond Substitution - replaced by bonds N-7003755
☐ Reduction due to permitting action dated -
☐ Other

Therefore, you are entitled to a bond release or reduction on the identified bond(s) as shown below:

Initial Encumbered Balance	\$ <u>191,800</u>
Final Release	\$ <u> </u>
Grading Release	\$ <u> </u>
Undisturbed	\$ <u> </u>
Administrative Release	\$ <u>191,800</u>
Total Reduction	\$ <u>191,800</u>
Remaining Encumbered Balance	\$ <u>0</u>
Remaining Balance on Bond # <u> </u>	

Given under my hand on this the 24TH Day of JULY, 20 20

Jim Ward
by *Shari Mullins*

Director, Division of Mine
Reclamation and Enforcement

Regional Office Hazard

Permit Number: 860-0542

Increment Number: 17

Mi-6

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7003755 effective 7/1/2020
issued by the Indemnity National Insurance Company
in the amount of 191,800.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$191,800.00

New Bond Amount: \$233,400.00

The acreage will increase from 47.60 acres to 61.80 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 8th day of March, 2021.

Signed, sealed and dated this 8th day of March, 2021.

ICG Hazard, LLC (Principal) Indemnity National Insurance Company (Surety)
By: D. Edward Brown, SVP By: Theresa Pickerrell
Theresa Pickerrell Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 8th day of March, 2021.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 4/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018.

Susan P. Lachett
NOTARY PUBLIC

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

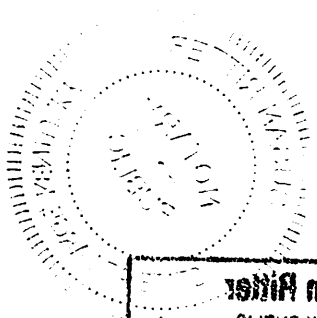
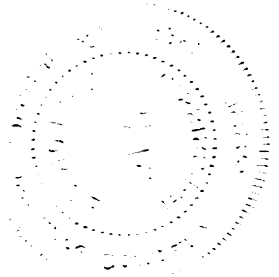
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILKE
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

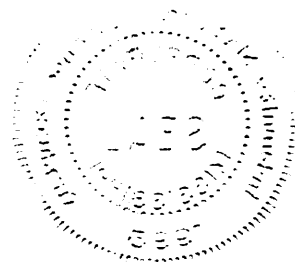
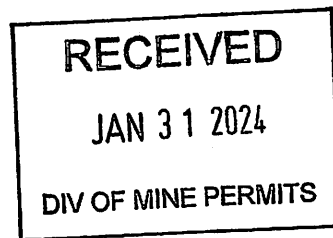
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 18

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) 02

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1119375
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Two Hundred Seventy-One Thousand
Six Hundred and 00/100 Dollars (\$ 271,600.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 67.10 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 4/15/15 OFFICIAL POSITION: Vice-President

SIGNATURE: D. Edward Brown

Subscribed and sworn to before me by D. Edward Brown this the 15th day of April, 2015.

NOTARY PUBLIC: Rogers MY COMMISSION EXPIRES: 7-13-18

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Jackie C. Koestel OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: Jackie C. Koestel DATE: April 15, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 239764

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.

LEXON INSURANCE COMPANY



BY
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 15th Day of April, 20 15.



BY
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

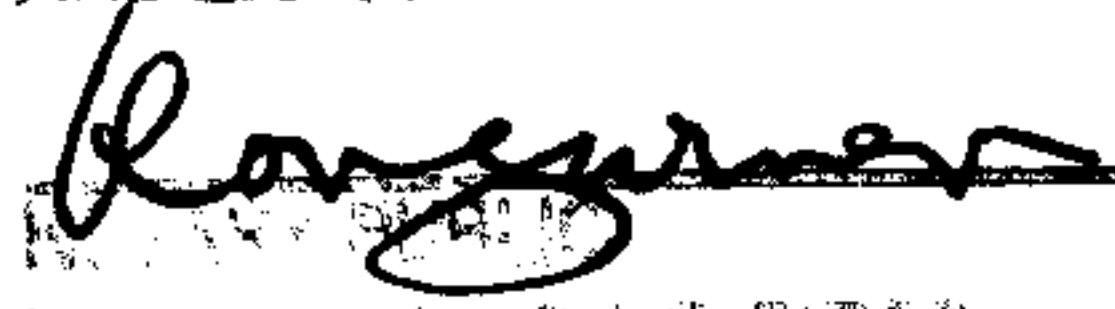
March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

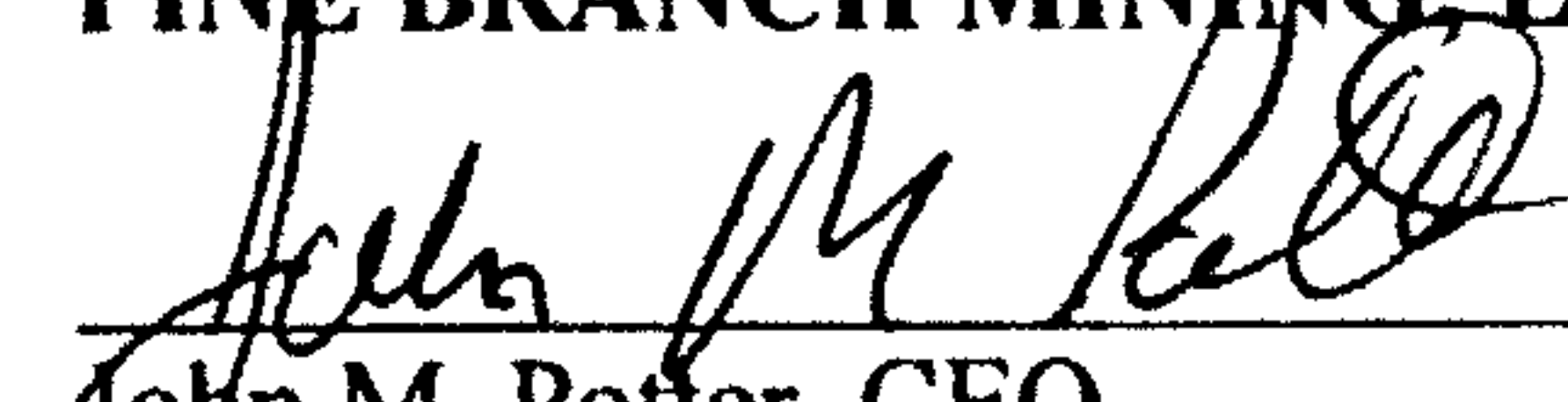
RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL DOCUMENT.

NOTARY PUBLIC
MY COMMISSION EXPIRES 7-13-18
STATE OF KENTUCKY

PINE BRANCH MINING, LLC



John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permit Number: 860-0542
 Increment Number: 18
 Am-3

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119375 effective April 15, 2015
 issued by the Lexon Insurance Company
 in the amount of 271,600.00 DOLLARS,
 on behalf of ICG Hazard, LLC
 as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
 as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$271,600.00
 New Bond Amount: \$263,700.00

The acreage will decrease fro 67.1 acres to 65.4 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 30th day of November, 2016.

Signed, sealed and dated this 30th day of November, 2016.

ICG Hazard, LLC (Principal) Lexon Insurance Company (Surety)
 By: D. Edward Brown, VP By: Theresa Pickerrell
 Theresa Pickerrell
 Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Martie Riddle

POWER OF ATTORNEY

LX- 291462

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

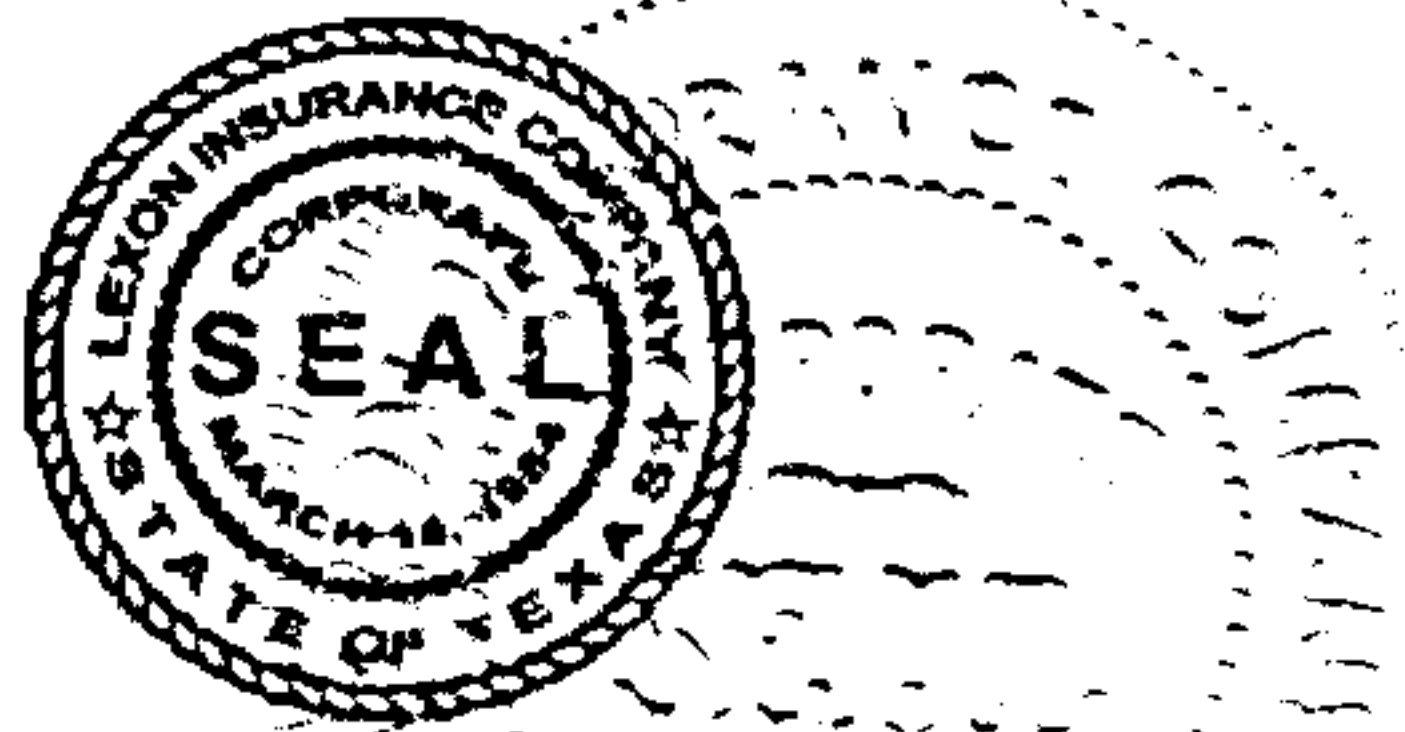
BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 2016.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Attachment to RFI 2-5 000200 of 824

**ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC**

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Short
MY COMMISSION EXPIRES 11/5/14
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542
INCREMENT NUMBER (IF ANY) 18
BOND SUBSTITUTION FOR EXISTING BOND # 1119375

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003756
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
Two Hundred Sixty Three Thousand Seven Hundred and 00/100 Dollars (\$ 263,700.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 65.40 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.


In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC:  MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: 

DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

KELLY SHORT
Notary Public-State at Large
KENTUCKY - Notary ID # 633724
My Commission Expires 11-09-2023

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shas
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

BOND RELEASE

Permittee ICG HAZARD LLC Permit # 860-0542 Incr # 18
Address 3228 SUMMIT SQUARE PLACE SUITE 180
City LEXINGTON State KY ZIP 40509

Bond Type: ☐ Cash ☒ Surety ☐ Certificate of Deposit ☐ Letter of Credit ☐ Bond Pool

Identification Numbers	Amount	Identification Numbers	Amount
<u>1119375</u>	<u>\$263,700</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

If Surety LEXON INSURANCE COMPANY (Parent Company)
Agent ACRISURE LLC DBA SMITH MANUS
City LOUISVILLE Address 2307 RIVER ROAD, SUITE 200
State KY ZIP 40206

If Certificate of Deposit or Letter of Credit

Bank Name Address
City State ZIP

An inspection of the permitted area revealed that:

- ☐ Initial Reclamation is Complete.
☐ Acres of undisturbed area has been verified.
☐ Final Reclamation is complete and satisfactory

Permitting Actions or other administrative action has resulted in a:

- ☐ Overlap By (Company Name) Permit Number
☐ Complete ☐ Partial # of acres overlapped
☐ Transfer to (Company Name) Permit Number
☒ Bond Substitution - replaced by bonds N-7003756
☐ Reduction due to permitting action dated -
☐ Other

Therefore, you are entitled to a bond release or reduction on the identified bond(s) as shown below:

Initial Encumbered Balance	\$ <u>263,700</u>
Final Release	\$ <u> </u>
Grading Release	\$ <u> </u>
Undisturbed	\$ <u> </u>
Administrative Release	\$ <u>263,700</u>
Total Reduction	\$ <u>263,700</u>
Remaining Encumbered Balance	\$ <u>0</u>
Remaining Balance on Bond # <u> </u>	

Given under my hand on this the 24TH Day of JULY, 20 20

Jim Ward
by *Cheri Mullins*
Director, Division of Mine
Reclamation and Enforcement

Regional Office Hazard

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	18
Address	250 WEST MAIN STREET, STE 2000					
City	LEXINGTON	State	KY	ZIP	40507	

Identification Numbers	Amount	Identification Numbers	Amount
N-7003756	\$260,800		

If Surety Agent City	INDEMNITY NATIONAL INSURANCE COMPANY ACRISURE LLC DBA SMITH MANUS LOUISVILLE			(Parent Company) Address 2307 RIVER RD, STE 200 State KY ZIP 40206	
----------------------	--	--	--	--	--

Bank Name	Address	
City	State	ZIP

☒ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

<input type="checkbox"/>	Overlap By	_____	(Company Name)	Permit Number	_____
<input type="checkbox"/>	Complete	<input type="checkbox"/> Partial		# of acres overlapped	_____
<input type="checkbox"/>	Transfer to	_____	(Company Name)	Permit Number	_____
<input type="checkbox"/>	Bond Substitution - replaced by bonds	_____			
<input type="checkbox"/>	Reduction due to permitting action dated -	_____			
<input type="checkbox"/>	Other	_____			

Initial Encumbered Balance		\$	\$260,800
Final Release	\$		
Grading Release	\$	151,900	PHASE I
Undisturbed	\$		
Administrative Release	\$		
Total Reduction		\$	151,900
Remaining Encumbered Balance		\$	108,900
Remaining Balance on Bond #	N-7003756 (\$108,900)		

X Justin Adams by SMC

Signed by: Stacy M. Lyons

SME-44 Rev 06/2008

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

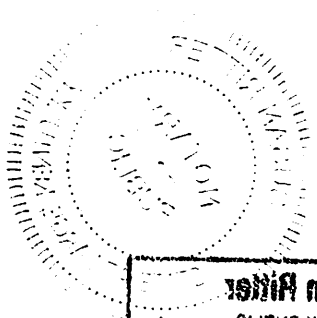
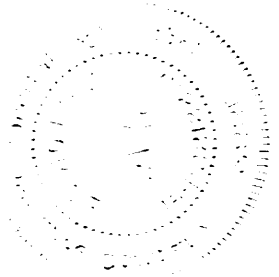
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
JAN 22 2024
2025

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

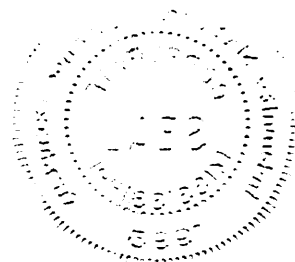
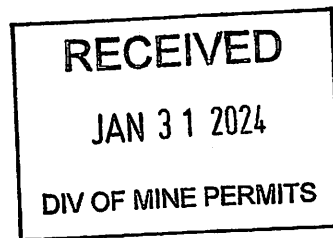
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 19

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) 02

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1119376
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Eight Hundred Ninety-One Thousand Seven
Hundred and 00/100----- Dollars (\$ 891,700.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 222.40 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 4/15/15 OFFICIAL POSITION: Vice-President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 15th day of

April, 2015.

NOTARY PUBLIC: [Signature] MY COMMISSION EXPIRES: 7-13-18

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Jackie C. Koestel OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: April 15, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 239765

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.

LEXON INSURANCE COMPANY

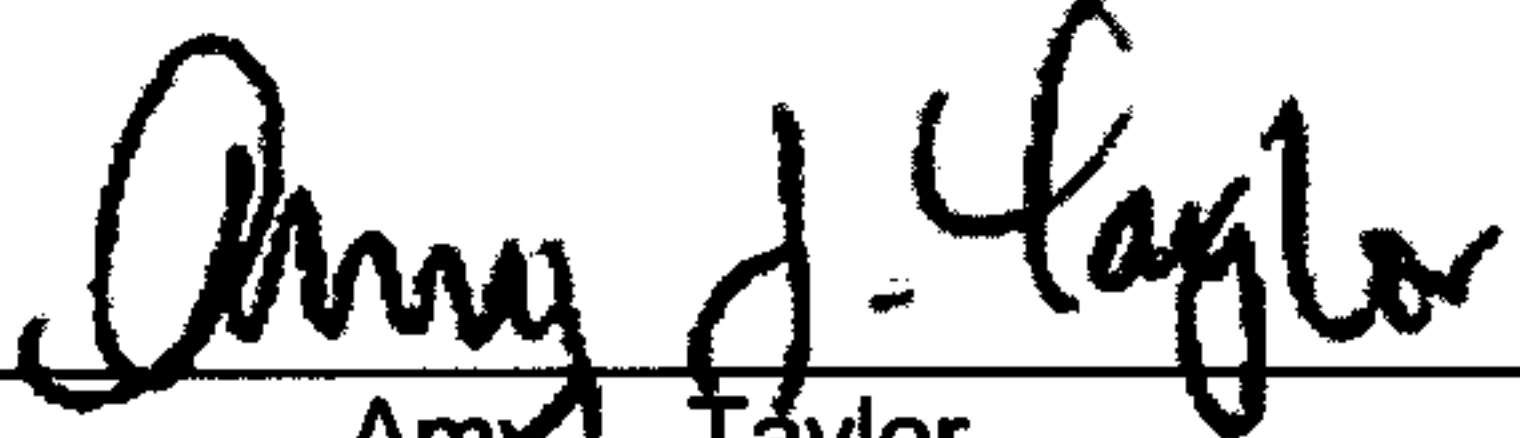
BY 
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY 
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 15th Day of April, 20 15.



BY 
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC


March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:


RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY CERTIFY THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL INSTRUMENT.

NOTARY PUBLIC
MY COMMISSION EXPIRES 1-13-18
STATE OF COMMISSION KENTUCKY

PINE BRANCH MINING, LLC



John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permittee Name ICG Hazard LLC
 Permit Number 860-0542, MA-2 Inc. # 19422

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
☒ Company Name
☒ Amount
☐ County
☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
☒ Principal Listed
☒ Acres
☐ Notarized

CASH BOND:

- ☐ Item 1 Checked
☐ Payable to Kentucky State Treasurer
☐ Cashiers Check

- ☐ Certified Check
☐ Money Order

SURETY BOND:

Riders

- ☒ Surety Listed
☐ Surety Name & Address
☐ Local Agency
☐ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
☒ Attorney-In-Fact listed on Power of Attorney
☒ Dated

☒ Verified By: Theresa Pickersell
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
☐ Applicant Listed
☐ Certificate of Deposit No.
☐ Signed By Applicant

- ☐ Execution Date
☐ Bank Listed as Escrow Agent
☐ Issue Date
☐ Signed By Bank Representative

____ Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
☐ Bank Name & Address
☐ Applicant Listed
☐ Issue Date

- ☐ Expiration Date
☐ Dated
☐ Letter of Credit No. Listed
☐ Signed by Bank Representative

____ Verified By: _____
 (Phone/Email)

 (Bank Representative)

Signature of Bond Reviewer Martie Riddle Date 12/1/15

Permit Number: 860-0542
Increment Number: 19

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119376 effective April 15, 2015
issued by the Lexon Insurance Company
in the amount of 891,700.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the amount by \$32,300.00 as follows:

Current Bond Amount: \$891,700.00
New Bond Amount: \$924,000.00

The acreage will increase from 222.40 to 231.00 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 19th day of November, 2015.

Signed, sealed and dated this 19th day of November, 2015.

ICG Hazard, LLC (Principal)

Lexon Insurance Company (Surety)

By: D. Edward Brown, V.P.

By: Theresa Pickerrell
Theresa Pickerrell Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

POWER OF ATTORNEY

LX-261750

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

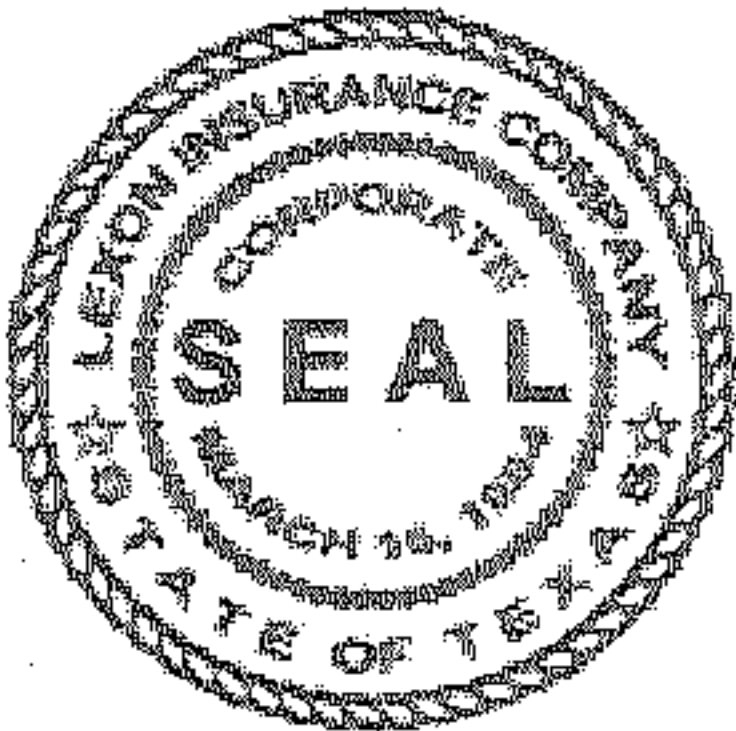
This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY

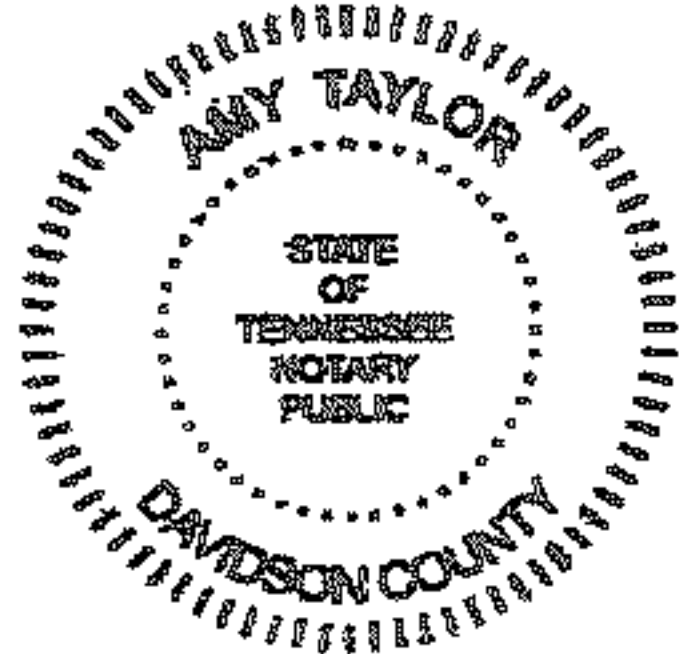


BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

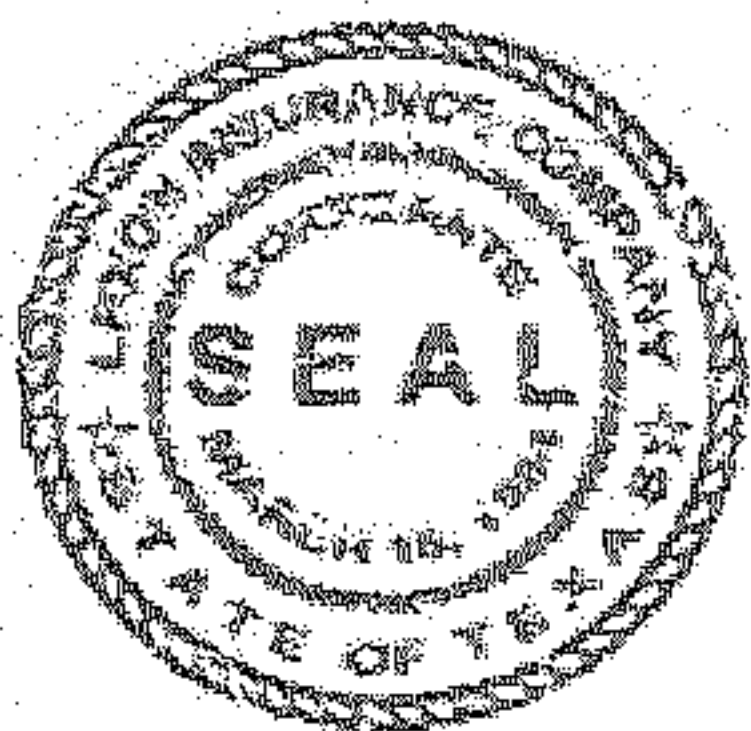
BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 19th Day of November, 20 15.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL DOCUMENT.
Laurel J. Unseld
NOTARY PUBLIC
MY COMMISSION EXPIRES 6/17/19
STATE OF COMMISSION KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119376 effective April 15, 2015
issued by the Lexon Insurance Company
in the amount of 924,000.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$924,000.00
New Bond Amount: \$1,143,600.00

The acreage will increase from 231 acres to 285.2 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 30th day of November, 2016.

Signed, sealed and dated this 30th day of November, 2016.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u>D. Edward Brown, VP</u>		By: <u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

POWER OF ATTORNEY

LX- 291467

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

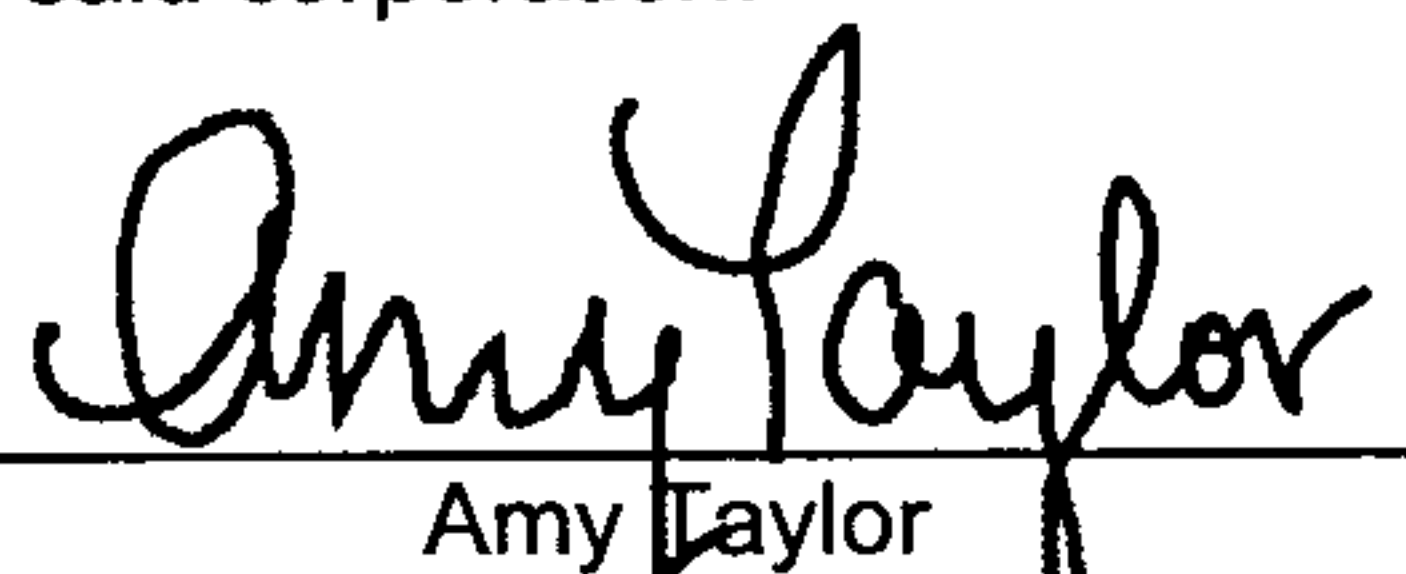
BY 
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



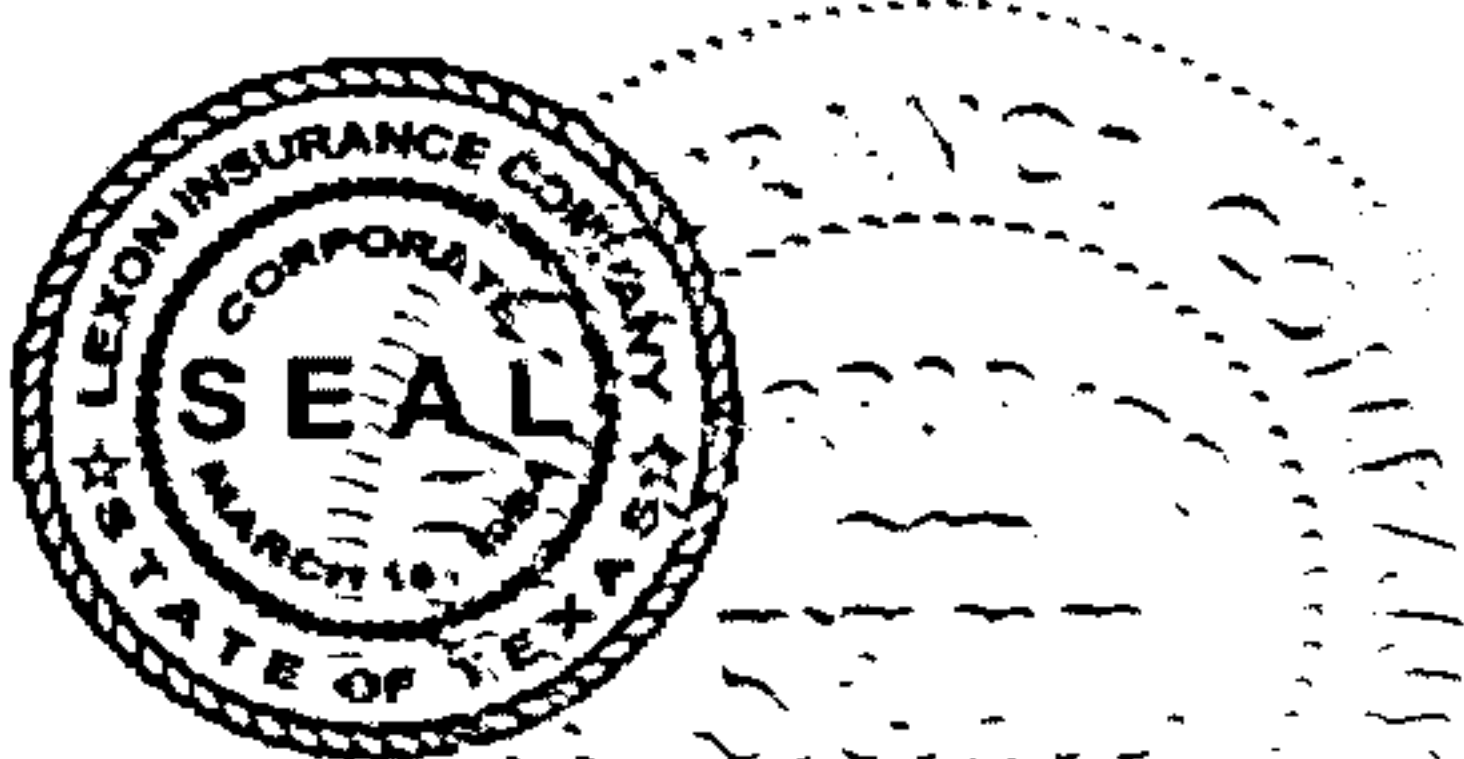
AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY 
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 2016.



BY 
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shao
MY COMMISSION EXPIRES 9/19/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 19

BOND SUBSTITUTION FOR EXISTING BOND # 1119376

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003757
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
Six Hundred Twenty Three Thousand Six Hundred and 00/100 Dollars (\$ 623,600.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 155.10 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: *[Signature]*

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC: *Kelly Short* MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

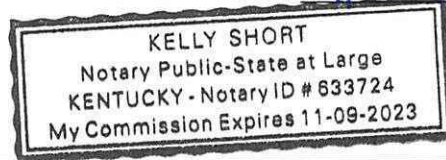
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: *Theresa Pickerrell* DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars ***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Koddy Shurt
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

BOND RELEASE

Permittee ICG HAZARD LLC Permit # 860-0542 Incr # 19
Address 3228 SUMMIT SQUARE PLACE SUITE 180
City LEXINGTON State KY ZIP 40509

Bond Type: ☐ Cash ☒ Surety ☐ Certificate of Deposit ☐ Letter of Credit ☐ Bond Pool

Identification Numbers	Amount	Identification Numbers	Amount
<u>1119376</u>	<u>\$623,600</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

If Surety LEXON INSURANCE COMPANY (Parent Company)
Agent ACRISURE LLC DBA SMITH MANUS
City LOUISVILLE Address 2307 RIVER ROAD, SUITE 200
State KY ZIP 40206

If Certificate of Deposit or Letter of Credit
Bank Name Address
City State ZIP

An inspection of the permitted area revealed that:

- ☐ Initial Reclamation is Complete.
☐ Acres of undisturbed area has been verified.
☐ Final Reclamation is complete and satisfactory

Permitting Actions or other administrative action has resulted in a:

- ☐ Overlap By (Company Name) Permit Number
☐ Complete ☐ Partial # of acres overlapped
☐ Transfer to (Company Name) Permit Number
☒ Bond Substitution - replaced by bonds N-7003757
☐ Reduction due to permitting action dated -
☐ Other

Therefore, you are entitled to a bond release or reduction on the identified bond(s) as shown below:

Initial Encumbered Balance		\$ <u>623,600</u>
Final Release	\$ <u></u>	
Grading Release	\$ <u></u>	
Undisturbed	\$ <u></u>	
Administrative Release	\$ <u>623,600</u>	
Total Reduction		\$ <u>623,600</u>
Remaining Encumbered Balance		\$ <u>0</u>
Remaining Balance on Bond # <u></u>		

Given under my hand on this the 24TH Day of JULY, 20 20

Jim Ward
by *Sheri Mullins*
Director, Division of Mine
Reclamation and Enforcement

Regional Office Hazard

Attachment to RFI 2-5, 000229 of 824
Permittee Name ICG Hazard

Permit Number 860-0542 M-06 Inc. # 15,17,19,22,23

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

31,33
44,45
48+
49

GENERAL:

- | | |
|--|---|
| <input type="checkbox"/> Permit Number | <input type="checkbox"/> Original Documents |
| <input type="checkbox"/> Company Name (Principal) | <input type="checkbox"/> Amount |
| <input type="checkbox"/> County | <input type="checkbox"/> Acres |
| <input type="checkbox"/> No corrections, alterations, additions, or whiteout | <input type="checkbox"/> Notarized |

CASH BOND:

- | | |
|--|--|
| <input type="checkbox"/> Item 1 Checked | <input type="checkbox"/> Certified Check |
| <input type="checkbox"/> Payable to Kentucky State Treasurer | <input type="checkbox"/> Money Order |
| <input type="checkbox"/> Cashiers Check | |

SURETY BOND: Rider

- | | |
|---|--|
| <input checked="" type="checkbox"/> Surety Listed | <input checked="" type="checkbox"/> Signed by Attorney-In-Fact |
| <input type="checkbox"/> Surety Name & Address | <input checked="" type="checkbox"/> Attorney-In-Fact listed on POA |
| <input type="checkbox"/> Local Agency | <input checked="" type="checkbox"/> Dated |
| <input type="checkbox"/> Item 2 Checked | |

☒ Verified By: Theresa Pickrell
(Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- | | |
|---|--|
| <input type="checkbox"/> Item 3 Checked | <input type="checkbox"/> Execution Date |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Bank Listed as Escrow Agent |
| <input type="checkbox"/> Certificate of Deposit No. | <input type="checkbox"/> Issue Date |
| <input type="checkbox"/> Signed By Applicant | <input type="checkbox"/> Signed By Bank Representative |

____ Verified By: _____
(Bank Representative)

LETTER OF CREDIT:

- | | |
|--|--|
| <input type="checkbox"/> Item 4 Checked | <input type="checkbox"/> Expiration Date |
| <input type="checkbox"/> Bank Name & Address | <input type="checkbox"/> Dated |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Letter of Credit No. Listed |
| <input type="checkbox"/> Issue Date | <input type="checkbox"/> Signed by Bank Representative |

____ Verified By: _____
(Phone/Email) (Bank Representative)

Signature of Bond Reviewer _____ Date _____

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7003757 effective 7/1/2020
issued by the Indemnity National Insurance Company
in the amount of 623,600.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$623,600.00

New Bond Amount: \$638,400.00

The acreage will increase from 155.10 acres to 159.80 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 8th day of March, 2021.

Signed, sealed and dated this 8th day of March, 2021.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Indemnity National Insurance Company</u>	<u>(Surety)</u>
By: <u>D. Edward Brown, SUP</u>		By: <u>Theresa Pickerrell</u>	
		<u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 8th day of March, 2021.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelley Shurt
MY COMMISSION EXPIRES 01/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018.

Susan P. Lachert
NOTARY PUBLIC

Permittee Name FCG Hazard, LLC

Rev. 04/2022

Permit Number 860-0542 MI-8 Increment # 19

This checklist shall be used to verify all information submitted on each type of bond/increment. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders). Minor Field Revisions must be a separate bond.

GENERAL:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Permit Number | <input checked="" type="checkbox"/> Original Documents | <input checked="" type="checkbox"/> Notarized |
| <input checked="" type="checkbox"/> Company Name (Principal) | <input checked="" type="checkbox"/> Amount | |
| <input checked="" type="checkbox"/> County <u>N/A</u> | <input checked="" type="checkbox"/> Acres | |
| <input checked="" type="checkbox"/> No corrections, alterations, additions, or whiteout | <input type="checkbox"/> Federal Lands: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | |

CASH BOND:

- | | | |
|--|--|--|
| <input type="checkbox"/> Item 1 Checked | <input type="checkbox"/> Certified Check | <input type="checkbox"/> Cashier's Check |
| <input type="checkbox"/> Payable to Kentucky State Treasurer | <input type="checkbox"/> Money Order | |

SURETY BOND:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Surety Listed | <input checked="" type="checkbox"/> Signed by Attorney-In-Fact | <input checked="" type="checkbox"/> Date |
| <input checked="" type="checkbox"/> Surety Name & Address | <input checked="" type="checkbox"/> Attorney-In-Fact listed on POA | |
| <input checked="" type="checkbox"/> Local Agency | <input checked="" type="checkbox"/> Insurance Company Seal | |
| <input checked="" type="checkbox"/> Item 2 Checked | <input checked="" type="checkbox"/> Rider: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N | |

☒ Verified By: Deborah Murphy 800-767-8622
(Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- | | |
|---|--|
| <input type="checkbox"/> Item 3 Checked | <input type="checkbox"/> Execution Date |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Bank Listed as Escrow Agent |
| <input type="checkbox"/> Certificate of Deposit No. | <input type="checkbox"/> Issue Date |
| <input type="checkbox"/> Signed By Applicant | <input type="checkbox"/> Signed By Bank Representative |

____ Verified By: _____
(Bank Representative)

LETTER OF CREDIT:

- | | | |
|--|--|---|
| <input type="checkbox"/> Item 4 Checked | <input type="checkbox"/> Expiration Date | <input type="checkbox"/> Rider: <input type="checkbox"/> Y <input type="checkbox"/> N |
| <input type="checkbox"/> Bank Name & Address | <input type="checkbox"/> Dated | |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Letter of Credit No. Listed | |
| <input type="checkbox"/> Issue Date | <input type="checkbox"/> Signed by Bank Representative | |

____ Verified By: _____
(Phone/Email) (Bank Representative)

KRGF (Kentucky Reclamation Guaranty Fund)

- | | | |
|---|--|--|
| <input type="checkbox"/> Permit Number | <input type="checkbox"/> Original Document (emailed) | <input type="checkbox"/> Acres correct |
| <input type="checkbox"/> Permittee Name | <input type="checkbox"/> Bond Amount correct | |

Signature of Bond Reviewer Amanda [Signature] Date 08/21/2023

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7003757 effective 7/1/2020
issued by the Indemnity National Insurance Company
in the amount of 474,500.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$474,500.00

New Bond Amount: \$442,500.00

The acreage will decrease from 118.90 acres to 111.0 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 14th day of August, 2023.

Signed, sealed and dated this 14th day of August, 2023.

ICG Hazard, LLC (Principal)

Indemnity National Insurance Company (Surety)

By:

D. Edward Brown, SUP

By:

Theresa Hintzman
Theresa Hintzman Attorney-in-Fact

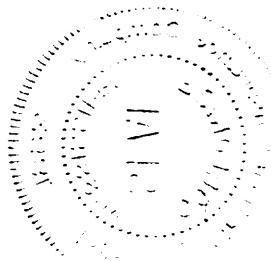
Accepted By:

Commonwealth of KY Energy and Environment Cabinet

RECEIVED

AUG 16 2023

DIV OF MINE PERMITS



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

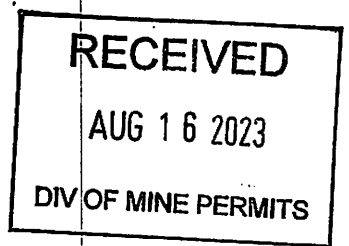
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 14th day of August, 2023



By James E. Hart
James E. Hart, Secretary



**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Short
MY COMMISSION EXPIRES 11/09/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018

Jessie P. Lockett
NOTARY PUBLIC

STATE OF MICHIGAN
DEPARTMENT OF MINES & MINE
INDUSTRIES
DIVISION OF MINE PERMITS
1000 W. WASHINGTON AVE.
ANN ARBOR, MI 48106-1500
TEL: 517.333.3333 FAX: 517.333.3334
WWW.MICHIGANMINEPERMITS.COM

RECEIVED
AUG 16 2023
DIV OF MINE PERMITS

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

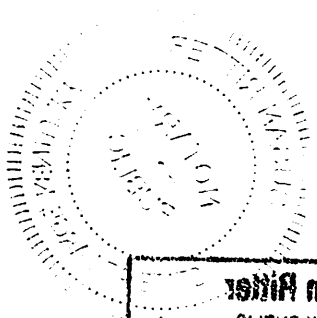
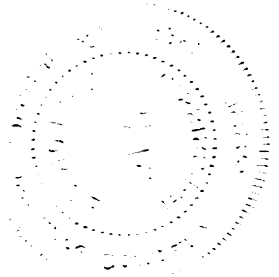
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILKE
MY COMMISSION EXPIRES MARCH 4, 2026

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
 (i) when signed by the president, or any vice president, and sealed with the Company seal; or
 (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By

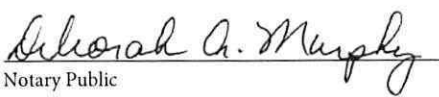

 Thomas F. Elkins, President

State of Kentucky
 County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By


 Notary Public

My Commission Expires 09/26/2025
 Notary ID Number: KYNP34336

CERTIFICATE

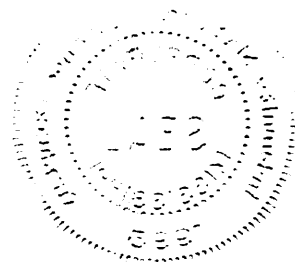
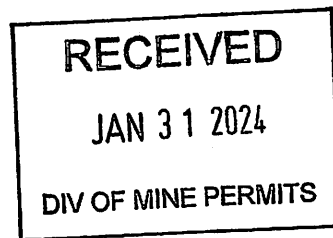
I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By


 James E. Hart, Secretary



**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 20

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) 02

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1119377
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of One Hundred Ninety-Five Thousand Six
Hundred and 00/100----- Dollars (\$ 195,600.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 48.10 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 4/15/15 OFFICIAL POSITION: Vice President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 15th day of April, 2015.

NOTARY PUBLIC: [Signature] MY COMMISSION EXPIRES: 7-13-18

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Jackie C. Koestel OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: April 15, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 239766

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.

LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 15th Day of April, 2015.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC


March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL DOCUMENT.

NOTARY PUBLIC
MY COMMISSION EXPIRES 7-13-18
STATE OF KENTUCKY

PINE BRANCH MINING, LLC


John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permittee Name

2CG Hayard LLC

Permit Number

860-05420 MA-3

Inc. #

20, 22, 24, 26-28, 30-32, 34

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
☒ Company Name
☒ Amount
☐ County
☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
☒ Principal Listed
☒ Acres
☐ Notarized

CASH BOND:

- ☐ Item 1 Checked
☐ Payable to Kentucky State Treasurer
☐ Cashiers Check

- ☐ Certified Check
☐ Money Order

SURETY BOND:Riders

- ☒ Surety Listed
☐ Surety Name & Address
☐ Local Agency
☐ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
☒ Attorney-In-Fact listed on POA
☒ Dated

✓ Verified By:

Theresa Pickerrell

(Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
☐ Applicant Listed
☐ Certificate of Deposit No.
☐ Signed By Applicant

- ☐ Execution Date
☐ Bank Listed as Escrow Agent
☐ Issue Date
☐ Signed By Bank Representative

____ Verified By: _____

(Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
☐ Bank Name & Address
☐ Applicant Listed
☐ Issue Date

- ☐ Expiration Date
☐ Dated
☐ Letter of Credit No. Listed
☐ Signed by Bank Representative

____ Verified By: _____

(Phone/Email)

(Bank Representative)

Signature of Bond Reviewer

Martha Riddle

Date

8/29/18

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119377 effective April 15, 2015
issued by the Lexon Insurance Company
in the amount of 195,600.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$195,600.00

New Bond Amount: \$243,200.00

The acreage will increase from 48.10 acres to 63.40 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 17th day of August, 2018.

Signed, sealed and dated this 17th day of August, 2018.

ICG Hazard, LLC (Principal) Lexon Insurance Company (Surety)
By: D. Edward Brown, sup By: Theresa Pickerrell
Theresa Pickerrell Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

POWER OF ATTORNEY

LX- 11078

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Beth Frymire, Leigh McCarthy, Michael Dix, Susan Ritter its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$10,000,000.00 Ten Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY

BY

Brian Beggs
President

ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 17th Day of August, 20 18.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	20
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1119377	\$243,200		

If Surety Agent City	LEXON INSURANCE COMPANY	(Parent Company)			
	ACRISURE, LLC DBA SMITH MANUS	Address	2307 RIVER ROAD, SUITE 200		
	LOUISVILLE	State	KY	ZIP	40206

If Certificate of Deposit or Letter of Credit

Bank Name	_____	Address	_____
City	_____	State	_____ ZIP _____

☒ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☐ Bond Substitution - replaced by bonds _____
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	<u>243,200</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u>122,900</u>	PHASE I
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u> </u>	
Total Reduction		\$	<u>122,900</u>
Remaining Encumbered Balance		\$	<u>120,300</u>
Remaining Balance on Bond #	1119377		

Courtney Skaggs
by Kristin Gale
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 20

BOND SUBSTITUTION FOR EXISTING BOND # 1119377

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003758
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
Thirty Six Thousand Six Hundred and 00/100 Dollars (\$ 36,600.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 63.40 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

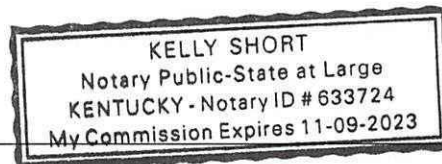
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT

NOTARY PUBLIC

MY COMMISSION EXPIRES

STATE OF COMMISSION: KENTUCKY

Kelly Shaw
11/9/23

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

Permittee	ICG HAZARD LLC	Permit #	860-0542	Incr #	20
Address	3228 SUMMIT SQUARE PLACE SUITE 180				
City	LEXINGTON	State	KY	ZIP	40509

Identification Numbers	Amount	Identification Numbers	Amount
1119377	\$36,600		

If Certificate of Deposit or Letter of Credit

Bank Name _____ Address _____

City _____ State _____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☒ Bond Substitution - replaced by bonds N-7003758
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	<u>36,600</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u> </u>	
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u>36,600</u>	
Total Reduction		\$	<u>36,600</u>
Remaining Encumbered Balance		\$	<u>0</u>
Remaining Balance on Bond #			

Jim Ward
by Sheri Mullins
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

BOND RELEASE

Permittee ICG HAZARD LLC Permit # 860-0542 Incr # 20
Address 250 WEST MAIN STREET, SUITE 2000
City LEXINGTON State KY ZIP 40507

Bond Type: ☐ Cash ☒ Surety ☐ Certificate of Deposit ☐ Letter of Credit ☐ Bond Pool

Identification Numbers	Amount	Identification Numbers	Amount
<u>N-7003758</u>	<u>\$36,600</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

If Surety INDEMNITY NATIONAL INSURANCE COMPANY (Parent Company)
Agent ACRISURE, LLC DBA SMIHT MANUS Address 2307 RIVER ROAD, SUITE 200
City LOUISVILLE State KY ZIP 40206

If Certificate of Deposit or Letter of Credit

Bank Name Address
City State ZIP

An inspection of the permitted area revealed that:

- ☐ Initial Reclamation is Complete.
☐ Acres of undisturbed area has been verified.
☒ Final Reclamation is complete and satisfactory

Permitting Actions or other administrative action has resulted in a:

- ☐ Overlap By (Company Name) Permit Number
☐ Complete ☐ Partial # of acres overlapped
☐ Transfer to (Company Name) Permit Number
☐ Bond Substitution - replaced by bonds
☐ Reduction due to permitting action dated -
☐ Other

Therefore, you are entitled to a bond release or reduction on the identified bond(s) as shown below:

Initial Encumbered Balance	\$ <u>36,600</u>
Final Release	\$ <u>36,600</u> Phase III
Grading Release	\$ <u></u>
Undisturbed	\$ <u></u>
Administrative Release	\$ <u></u>
Total Reduction	\$ <u>36,600</u>
Remaining Encumbered Balance	\$ <u>0</u>
Remaining Balance on Bond # <u></u>	

12.

Given under my hand on this the 13TH Day of DECEMBER, 20 21

X *Jim Ward*
by Kristin Gale

Signed by: Kristin Gale

Director, Division of Mine Reclamation

Regional Office Hazard

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 21

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) 02

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1119378
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Seventy-Five Thousand and 00/100-----
Dollars (\$ 75,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 14.80 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 4/15/15 OFFICIAL POSITION: Vice President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 15th day of

April, 2015.

NOTARY PUBLIC: [Signature] MY COMMISSION EXPIRES: 7-13-18

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Jackie C. Koestel OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: April 15, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 239767

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.

LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 15th Day of April, 2015.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

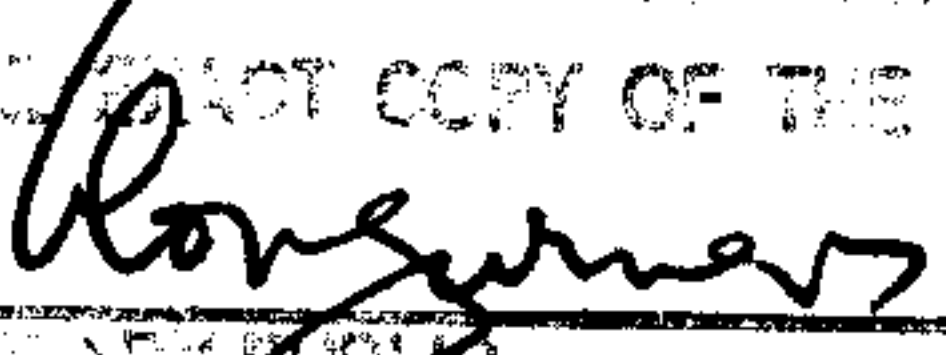
March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

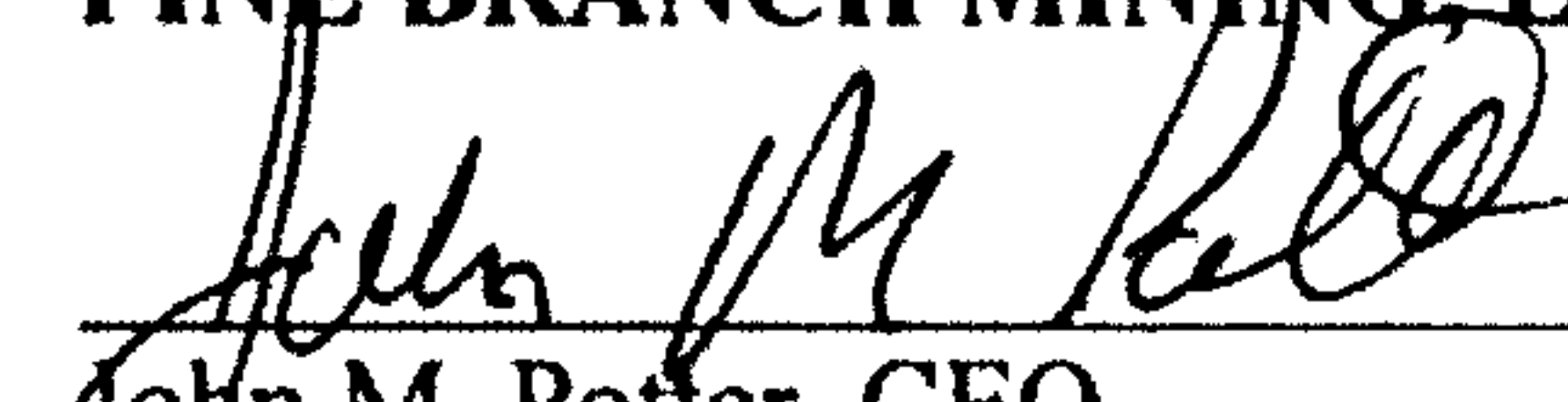
RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY CERTIFY THAT THIS IS A TRUE
AND CORRECT COPY OF THE ORIGINAL DOCUMENT.

NOTARY PUBLIC
MY COMMISSION EXPIRES 7-13-18
STATE OF KENTUCKY KENTUCKY

PINE BRANCH MINING, LLC


John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permit Number: 860-0542
Increment Number: 21
Am-3

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119378 effective April 15, 2015
issued by the Lexon Insurance Company
in the amount of 75,000.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$75,000.00
New Bond Amount: \$146,400.00

The acreage will increase from 14.8 acres to 37.8 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 30th day of November, 2016.

Signed, sealed and dated this 30th day of November, 2016.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u><i>D. Edward Brown</i></u>		By: <u><i>Theresa Pickerrell</i></u>	
<u>D. Edward Brown, VP</u>		<u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

POWER OF ATTORNEY

LX- 291466

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

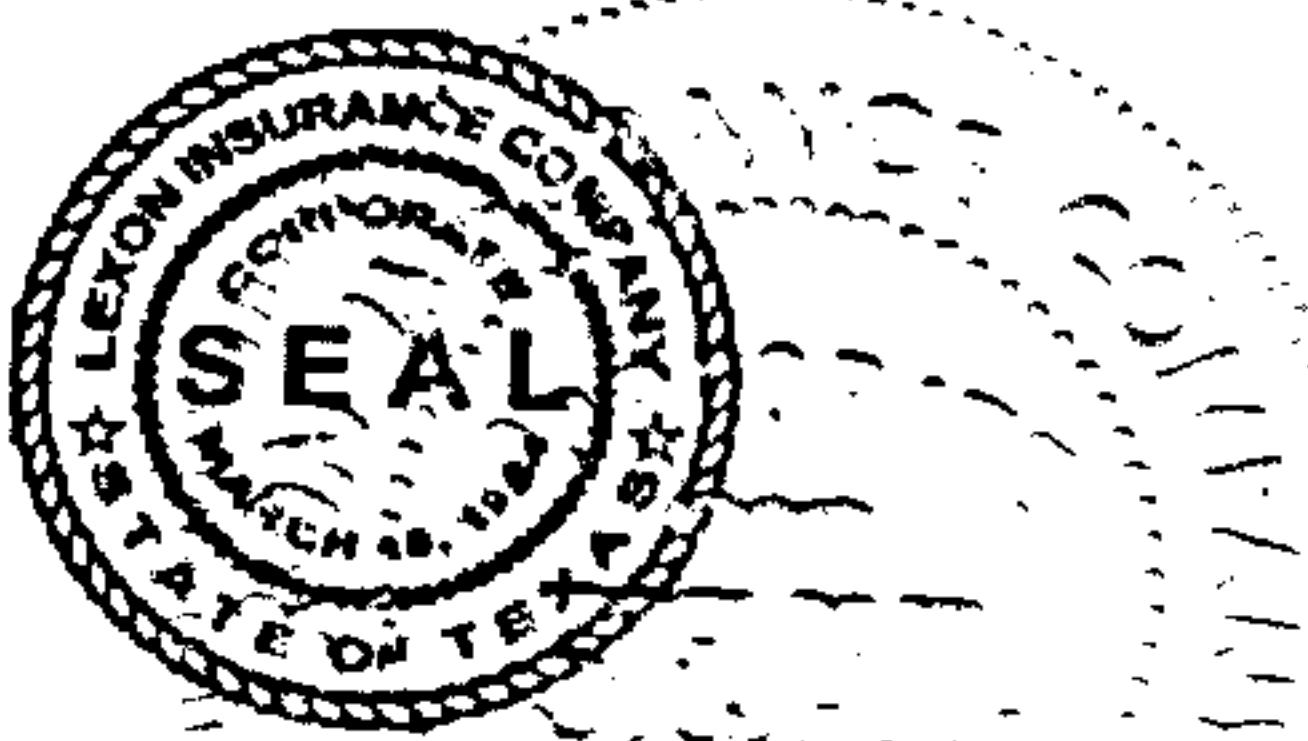
BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 20 16.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Attachment to RFI 2-5, 000267 of 824

**ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC**

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelli Shoop
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542
INCREMENT NUMBER (IF ANY) 21
BOND SUBSTITUTION FOR EXISTING BOND # 1119378

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003759
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
One Hundred Forty Six Thousand Four Hundred and 00/100 Dollars (\$ 146,400.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 37.80 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

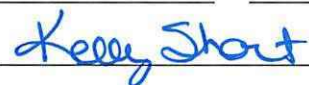
In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC:  MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

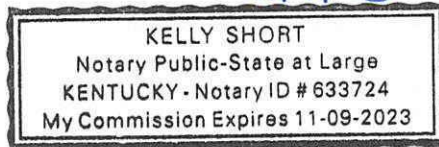
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars ***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 9/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	21
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1119378	\$146,400		

If Surety Agent City	LEXON INSURANCE COMPANY ACRISURE LLC DBA SMITH MANUS LOUISVILLE	Address	2307 RIVER ROAD, SUITE 200 KY	ZIP	40206	(Parent Company)
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Bank Name _____ Address _____
City _____ State _____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____

☐ Complete ☐ Partial # of acres overlapped _____

☐ Transfer to _____ (Company Name) Permit Number _____

☒ Bond Substitution - replaced by bonds N-7003759

☐ Reduction due to permitting action dated - _____

☐ Other _____

Initial Encumbered Balance		\$	146,600
Final Release	\$		
Grading Release	\$		
Undisturbed	\$		
Administrative Release	\$	146,600	
Total Reduction		\$	146,600
Remaining Encumbered Balance		\$	0
Remaining Balance on Bond #			

Jim Ward
by Sheri Mullins
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

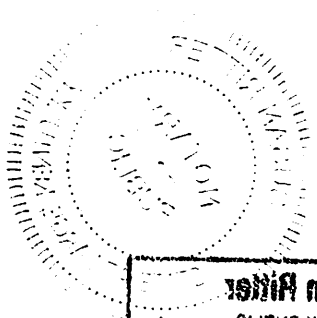
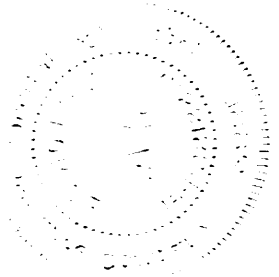
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
JAN 22 2024
SUSAN HILKE

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
 (i) when signed by the president, or any vice president, and sealed with the Company seal; or
 (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By

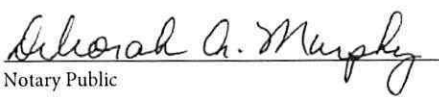

 Thomas F. Elkins, President

State of Kentucky
 County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By


 Notary Public

My Commission Expires 09/26/2025
 Notary ID Number: KYNP34336

CERTIFICATE

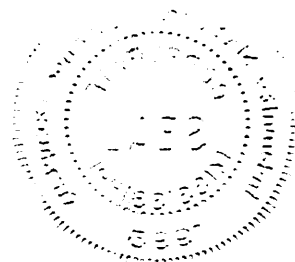
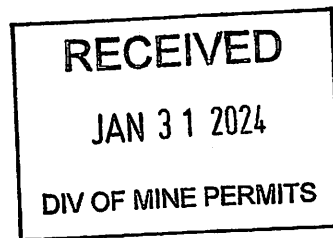
I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By


 James E. Hart, Secretary



COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 22

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) 02

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1119379
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Three Hundred Eight Thousand Eight
Hundred and 00/100----- Dollars (\$ 308,800.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 102.50 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 4/15/15 OFFICIAL POSITION: Vice President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 15th day of

April, 2015.
NOTARY PUBLIC: [Signature] MY COMMISSION EXPIRES: 7-13-18

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Jackie C. Koestel OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: April 15, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 239768

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.

LEXON INSURANCE COMPANY

BY

[Signature]
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

BY

[Signature]
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 15th Day of April, 20 15.



BY

[Signature]
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

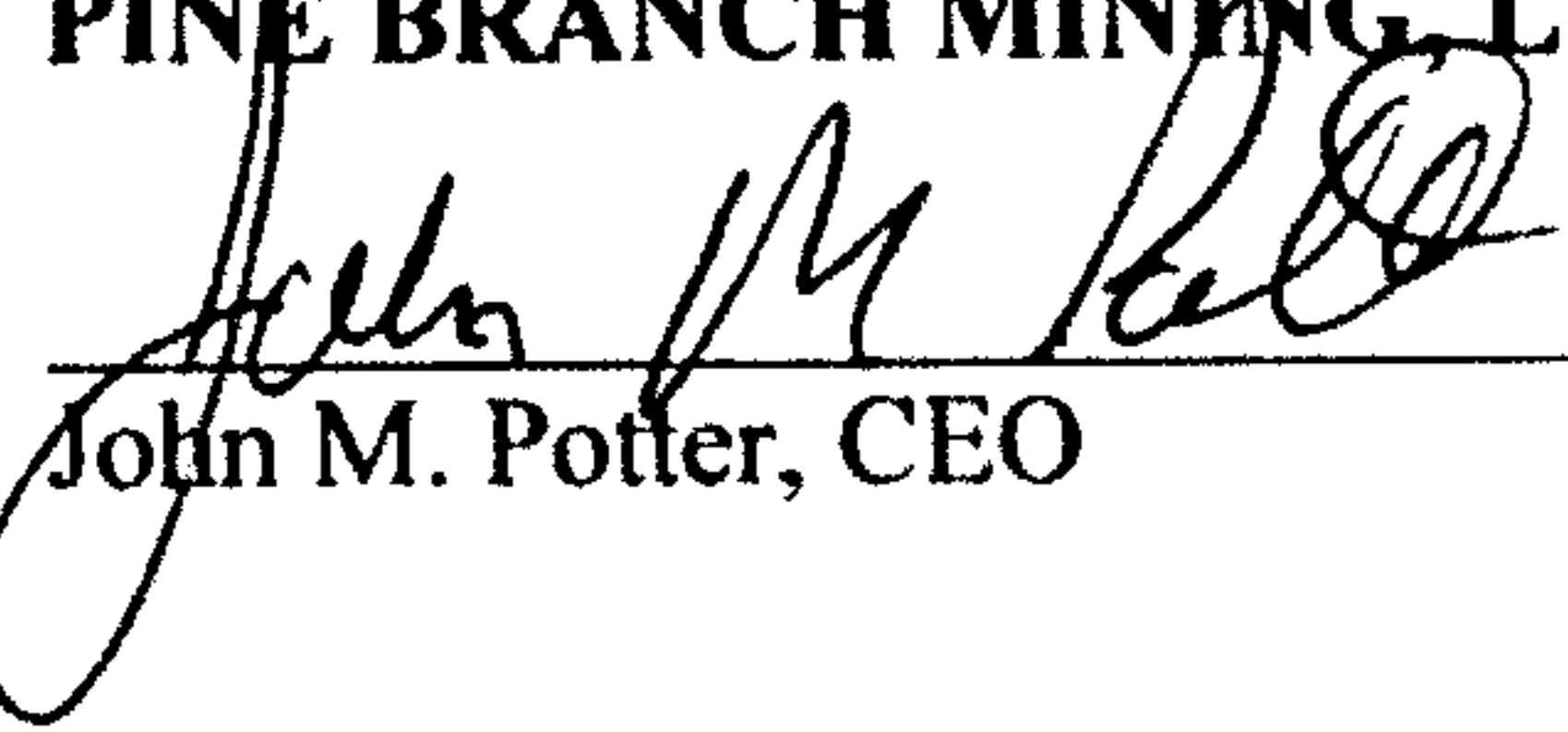
RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL DOCUMENT.

NOTARY PUBLIC
MY COMMISSION EXPIRES 7-13-18
STATE OF COMMISSION KENTUCKY

PINE BRANCH MINING, LLC


John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

Permit Number: 860-0542
Increment Number: 22

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119379 effective April 15, 2015
issued by the Lexon Insurance Company
in the amount of 308,800.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligees:

Now, Therefore, it is agreed that:

This rider will decrease the amount by \$12,000 as follows:

Current Bond Amount: \$308,800.00
New Bond Amount: \$296,800.00

The acreage will decrease from 102.50 acres to 98.60 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 19th day of November, 2015.

Signed, sealed and dated this 19th day of November, 2015.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u>D. Edward Brown</u>	<u>VP</u>	By: <u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Martie Riddle

POWER OF ATTORNEY

LX-261747

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

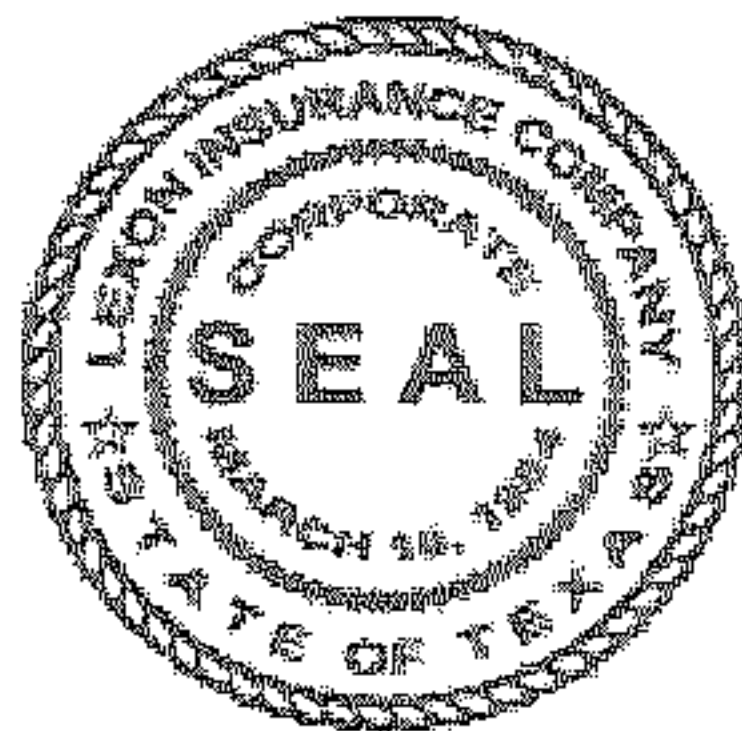
This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY

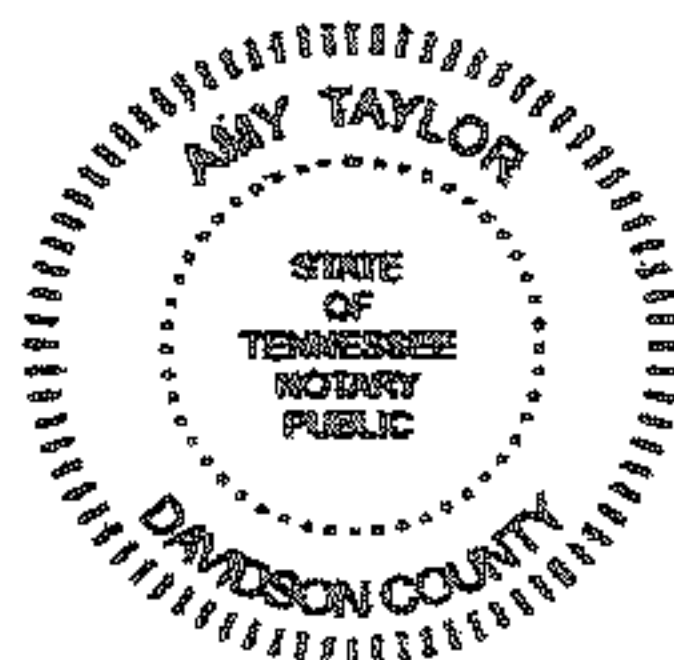


BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

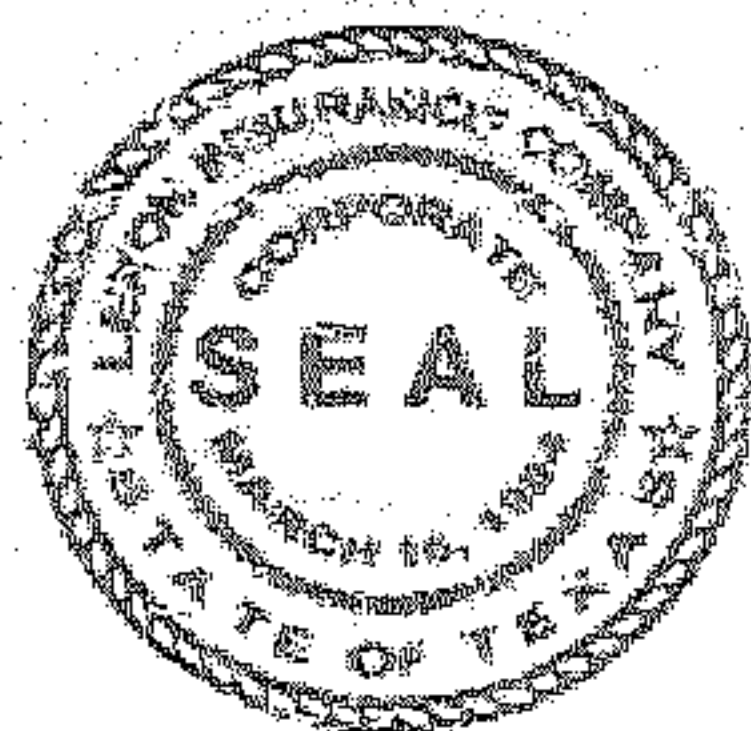
BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 19th Day of November, 2015.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL DOCUMENT.
Laurel J. Unseld
NOTARY PUBLIC
MY COMMISSION EXPIRES 6/17/19
STATE OF COMMISSION KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15

Laurel J. Unseld #445176
NOTARY PUBLIC

Permit Number: 860-0542
 Increment Number: 22
 Am-3

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119379 effective April 15, 2015
 issued by the Lexon Insurance Company
 in the amount of 296,800.00 DOLLARS,
 on behalf of ICG Hazard, LLC
 as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
 as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$296,800.00
 New Bond Amount: \$335,900.00

The acreage will increase from 98.6 acres to 111.7 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 30th day of November, 2016.

Signed, sealed and dated this 30th day of November, 2016.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u><i>D. Edward Brown</i></u>		By: <u><i>Theresa Pickerrell</i></u>	
<u>D. Edward Brown, VP</u>		<u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

POWER OF ATTORNEY

LX- 291465

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

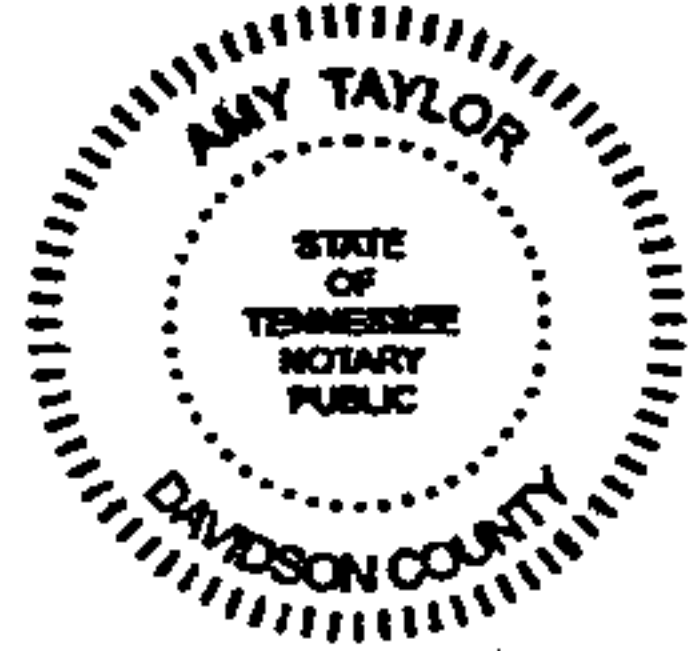


LEXON INSURANCE COMPANY

BY David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



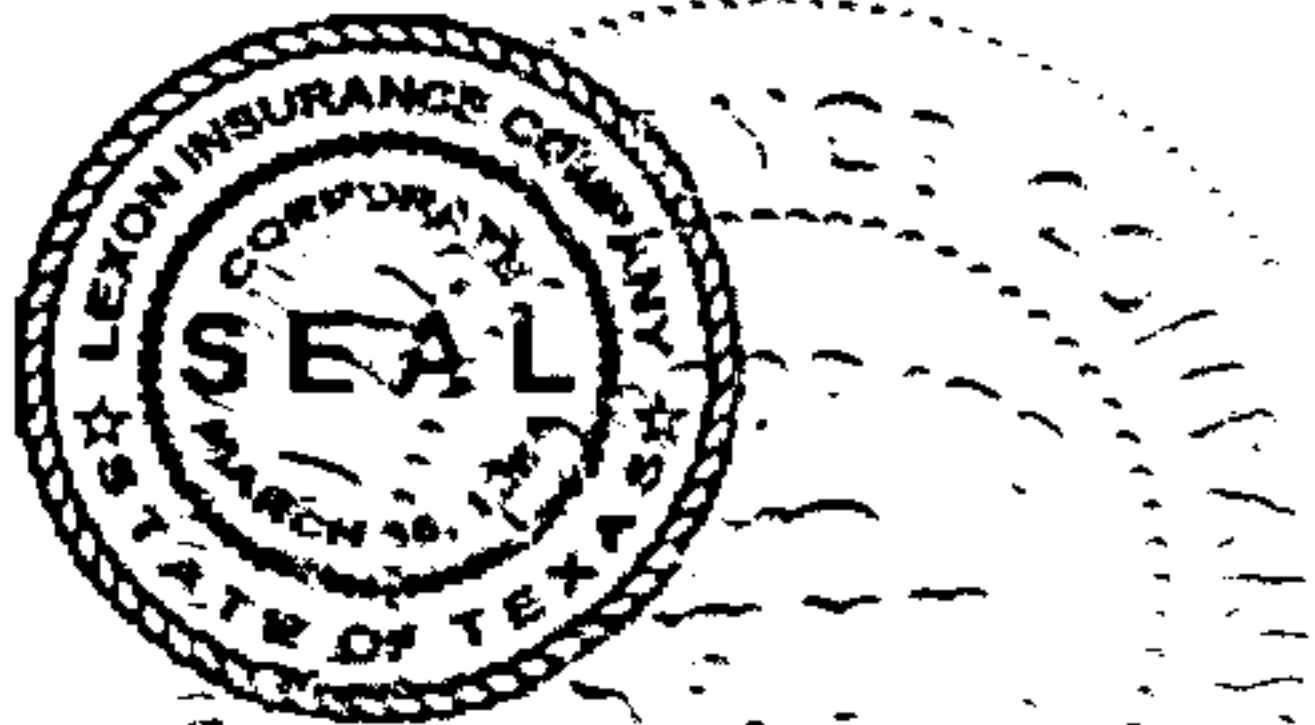
AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 20 16.



BY Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shas
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119379 effective April 15, 2015
issued by the Lexon Insurance Company
in the amount of 335,900.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$335,900.00

New Bond Amount: \$290,900.00

The acreage will decrease from 111.70 acres to 96.70 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 17th day of August, 2018.

Signed, sealed and dated this 17th day of August, 2018.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u>D. Edward Brown, SUP</u>		By: <u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Martie Riddle

POWER OF ATTORNEY

LX- 11078

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Beth Frymire, Leigh McCarthy, Michael Dix, Susan Ritter its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$10,000,000.00 Ten Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY

BY _____

Brian Beggs
President

ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY _____

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 17th Day of August, 2018.



BY _____

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shand
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

SME-44 Rev 06/2008

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 22

BOND SUBSTITUTION FOR EXISTING BOND # 1119379

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003760
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
Two Hundred Nine Thousand Six Hundred and 00/100 Dollars (\$ 209,600.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 69.10 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.


In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC:  MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

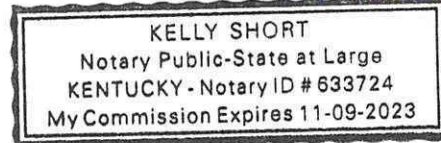
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Stas
MY COMMISSION EXPIRES 11/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	22
Address	250 WEST MAIN STREET, SUITE 2000					
City	LEXINGTON	State	KY	ZIP	40507	

Identification Numbers	Amount	Identification Numbers	Amount
N-7003760	\$95,800		

If Certificate of Deposit or Letter of Credit

Bank Name _____ Address _____
City _____ State _____ ZIP _____

☒ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☐ Bond Substitution - replaced by bonds _____
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	95,800
Final Release	\$		
Grading Release	\$	10,700	PHASE I
Undisturbed	\$		
Administrative Release	\$		
Total Reduction		\$	10,700
Remaining Encumbered Balance		\$	85,100
Remaining Balance on Bond #	N-7003760 (85,100)		

X Jim Ward
by Kristin Cole

Director, Division of Mine Reclamation

SME-44 Rev 06/2008

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7003760 effective 7/1/2020
issued by the Indemnity National Insurance Company
in the amount of 209,600.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$209,600.00

New Bond Amount: \$95,800.00

The acreage will decrease from 69.10 acres to 31.50 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 8th day of March, 2021.

Signed, sealed and dated this 8th day of March, 2021.

ICG Hazard, LLC (Principal)

Indemnity National Insurance Company (Surety)

By:

D. Edward Brown SUP

By:

Theresa Pickerrell
Theresa Pickerrell Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064**Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 8th day of March, 2021.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaud
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018.

Susan P. Lachitt
NOTARY PUBLIC

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

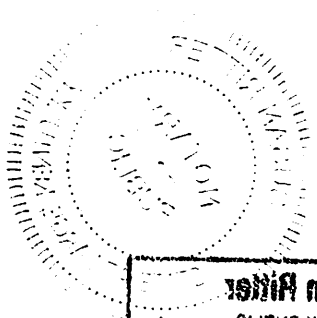
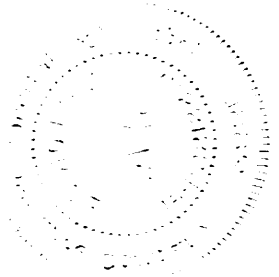
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2026

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

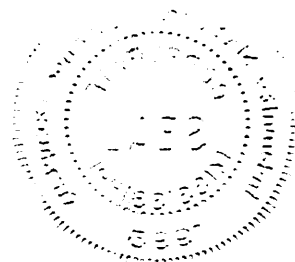
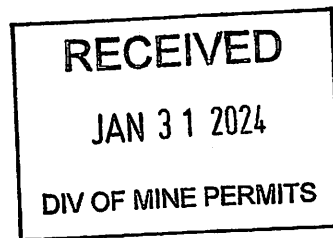
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



Permittee Name ICG Hazard LLCPermit Number 860-0542, Am-3 Inc. # 23, 26-34, 38, 42-44

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
- ☒ Company Name
- ☒ Amount
- ☒ County
- ☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
- ☒ Principal Listed
- ☒ Acres
- ☒ Notarized

CASH BOND:

- ☐ Item 1 Checked
- ☐ Payable to Kentucky State Treasurer
- ☐ Cashiers Check

- ☐ Certified Check
- ☐ Money Order

SURETY BOND:

- ☒ Surety Listed
- ☒ Surety Name & Address
- ☒ Local Agency
- ☒ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
- ☒ Attorney-In-Fact listed on Power of Attorney
- ☒ Dated

☒ Verified By: Theresa Pickrell
(Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
- ☐ Applicant Listed
- ☐ Certificate of Deposit No.
- ☐ Signed By Applicant

- ☐ Execution Date
- ☐ Bank Listed as Escrow Agent
- ☐ Issue Date
- ☐ Signed By Bank Representative

____ Verified By: _____
(Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
- ☐ Bank Name & Address
- ☐ Applicant Listed
- ☐ Issue Date

- ☐ Expiration Date
- ☐ Dated
- ☐ Letter of Credit No. Listed
- ☐ Signed by Bank Representative

____ Verified By: _____
(Phone/Email)

(Bank Representative)

Signature of Bond Reviewer Martie Riddle Date 12/6/16

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 23

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) Am-3

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1141477
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Eighty-Seven Thousand and 00/100---
_____ Dollars (\$ 87,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 29 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 11/30/16 OFFICIAL POSITION: VP.

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 30th day of November, 2016.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/19

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

KELLY SHORT
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY
ID. # 545419
MY COMMISSION EXPIRES NOV. 9, 2019

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: November 30, 2016

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 291423

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



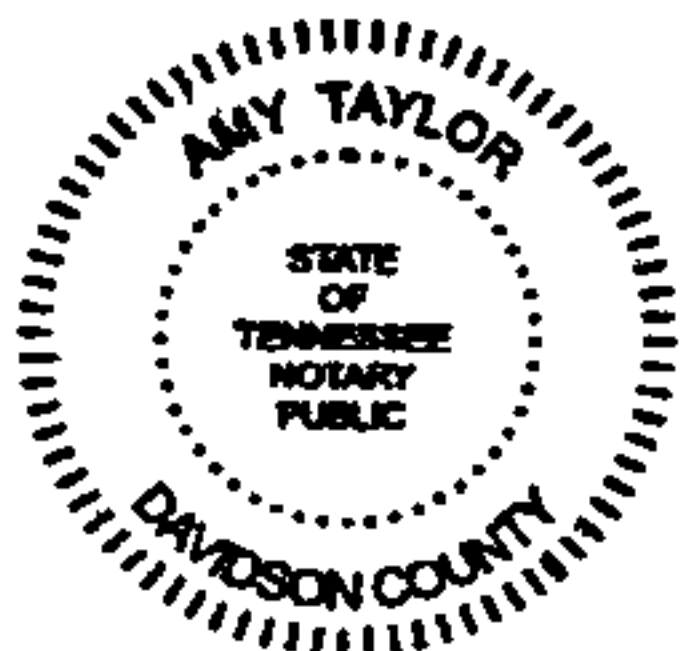
LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

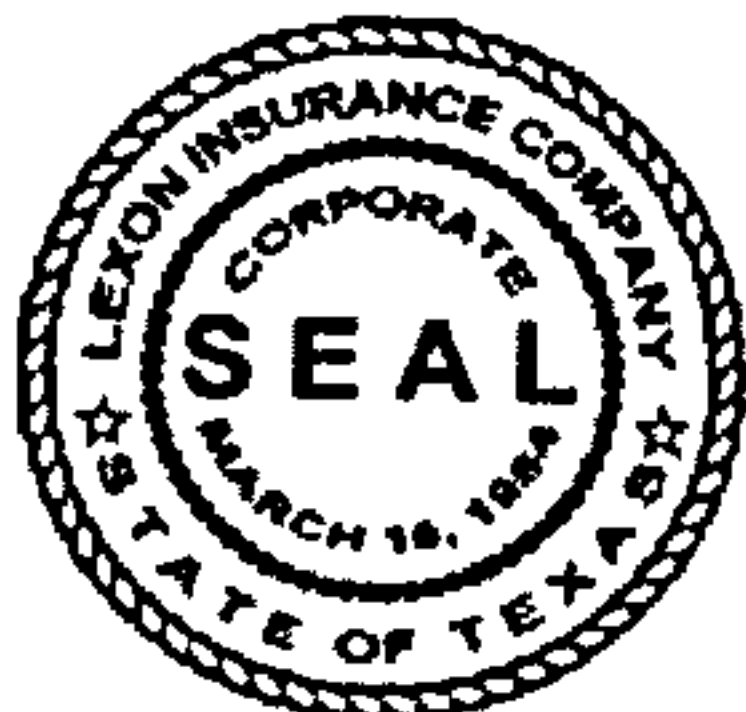
BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November 2016.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Attachment to RPT 2-S, 00031 of 824

**ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC**

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shae
MY COMMISSION EXPIRES 1/19/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 23

BOND SUBSTITUTION FOR EXISTING BOND # 1141477

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003761
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
One Hundred Seventy Eight Thousand Six Hundred and 00/100 Dollars (\$ 178,600.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 51.20 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

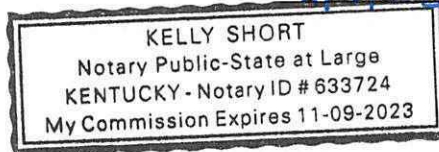
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064**Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By

Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By

Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By

James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Shas
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

BOND RELEASE

Permittee ICG HAZARD LLC Permit # 860-0542 Incr # 23
Address 3228 SUMMIT SQUARE PLACE SUITE 180
City LEXINGTON State KY ZIP 40509

Bond Type: ☐ Cash ☒ Surety ☐ Certificate of Deposit ☐ Letter of Credit ☐ Bond Pool

Identification Numbers	Amount	Identification Numbers	Amount
<u>1141477</u>	<u>\$178,600</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

If Surety LEXON INSURANCE COMPANY (Parent Company)
Agent ACRISURE LLC DBA SMITH MANUS
City LOUISVILLE Address 2307 RIVER ROAD, SUITE 200
State KY ZIP 40206

If Certificate of Deposit or Letter of Credit

Bank Name Address
City State ZIP

An inspection of the permitted area revealed that:

- ☐ Initial Reclamation is Complete.
☐ Acres of undisturbed area has been verified.
☐ Final Reclamation is complete and satisfactory

Permitting Actions or other administrative action has resulted in a:

- ☐ Overlap By (Company Name) Permit Number
☐ Complete ☐ Partial # of acres overlapped
☐ Transfer to (Company Name) Permit Number
☒ Bond Substitution - replaced by bonds N-7003761
☐ Reduction due to permitting action dated -
☐ Other

Therefore, you are entitled to a bond release or reduction on the identified bond(s) as shown below:

Initial Encumbered Balance		\$ <u>178,600</u>
Final Release	\$ <u></u>	
Grading Release	\$ <u></u>	
Undisturbed	\$ <u></u>	
Administrative Release	\$ <u>178,600</u>	
Total Reduction		\$ <u>178,600</u>
Remaining Encumbered Balance		\$ <u>0</u>
Remaining Balance on Bond # <u></u>		

Given under my hand on this the 24TH Day of JULY, 20 20

Jim Ward
by *Shari Mullins*

Director, Division of Mine
Reclamation and Enforcement

Regional Office Hazard

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7003761 effective 7/1/2020
issued by the Indemnity National Insurance Company
in the amount of 178,600.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Oblige:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$178,600.00

New Bond Amount: \$250,700.00

The acreage will increase from 51.20 acres to 73.40 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 8th day of March, 2021.

Signed, sealed and dated this 8th day of March, 2021.

ICG Hazard, LLC (Principal) Indemnity National Insurance Company (Surety)
By: D. Edward Brown, SVP By: Theresa Pickerrell
Theresa Pickerrell Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars ***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 8th day of March, 2021.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Short
MY COMMISSION EXPIRES 9/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018.

Susan P. Lachert
NOTARY PUBLIC

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number N-7003761 effective 7/1/2020
issued by the Indemnity National Insurance Company
in the amount of 430,800.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$430,800.00

New Bond Amount: \$462,700.00

The acreage will increase from 118.50 acres to 126.40 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 14th day of August, 2023.

Signed, sealed and dated this 14th day of August, 2023.

ICG Hazard, LLC (Principal)

Indemnity National Insurance Company (Surety)

By:

D. Edward Brown, SUP

By:

Theresa Hintzman
Theresa Hintzman
Attorney-in-Fact

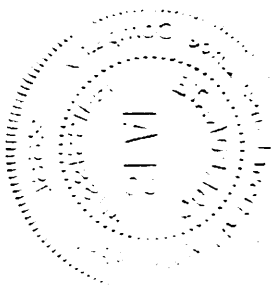
Accepted By:

Commonwealth of KY Energy and Environment Cabinet

RECEIVED

AUG 16 2023

DIV OF MINE PERMITS



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
 (i) when signed by the president, or any vice president, and sealed with the Company seal; or
 (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
 Thomas F. Elkins, President

State of Kentucky
 County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
 Notary Public

My Commission Expires 09/26/2025
 Notary ID Number: KYNP34336

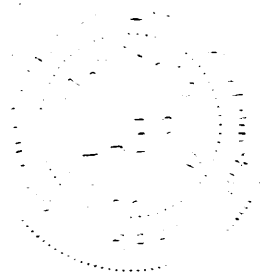
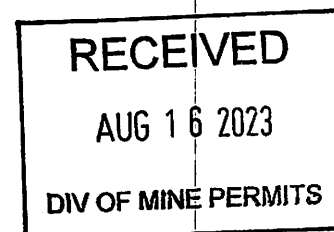
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 14th day of August, 2023



By James E. Hart
 James E. Hart, Secretary



**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shad
MY COMMISSION EXPIRES 11/09/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING LLC

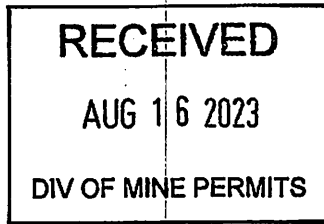
John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

This is to certify that the foregoing instrument was acknowledged before me on this 23rd day of February, 2018, by John M. Potter, CEO, of Pine Branch Mining LLC, the sole manager of Pine Branch Resources, LLC.

My commission expires: 6/10/2018

Susan P. Lachett
NOTARY PUBLIC



Permittee Name ICG Hazard, LLC

Rev. 04/2022

Permit Number 860-0542 MI-8 Increment # 23

This checklist shall be used to verify all information submitted on each type of bond/increment. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders). Minor Field Revisions must be a separate bond.

GENERAL:

- | | | |
|---|--|------------------------------------|
| <input checked="" type="checkbox"/> Permit Number | <input checked="" type="checkbox"/> Original Documents | <input type="checkbox"/> Notarized |
| <input checked="" type="checkbox"/> Company Name (Principal) | <input checked="" type="checkbox"/> Amount | |
| <input checked="" type="checkbox"/> County | <input checked="" type="checkbox"/> Acres | |
| <input checked="" type="checkbox"/> No corrections, alterations, additions, or whiteout | <input type="checkbox"/> Federal Lands: <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | |

CASH BOND:

- | | | |
|--|--|--|
| <input type="checkbox"/> Item 1 Checked | <input type="checkbox"/> Certified Check | <input type="checkbox"/> Cashier's Check |
| <input type="checkbox"/> Payable to Kentucky State Treasurer | <input type="checkbox"/> Money Order | |

SURETY BOND:

- | | | |
|---|---|-------------------------------|
| <input checked="" type="checkbox"/> Surety Listed | <input checked="" type="checkbox"/> Signed by Attorney-In-Fact | <input type="checkbox"/> Date |
| <input checked="" type="checkbox"/> Surety Name & Address | <input checked="" type="checkbox"/> Attorney-In-Fact listed on POA | |
| <input type="checkbox"/> Local Agency | <input checked="" type="checkbox"/> Insurance Company Seal | |
| <input checked="" type="checkbox"/> Item 2 Checked | <input checked="" type="checkbox"/> Rider: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N | |

☒ Verified By: Deborah Murphy 800-767-8622
(Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- | | |
|---|--|
| <input type="checkbox"/> Item 3 Checked | <input type="checkbox"/> Execution Date |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Bank Listed as Escrow Agent |
| <input type="checkbox"/> Certificate of Deposit No. | <input type="checkbox"/> Issue Date |
| <input type="checkbox"/> Signed By Applicant | <input type="checkbox"/> Signed By Bank Representative |

____ Verified By: _____
(Bank Representative)

LETTER OF CREDIT:

- | | | |
|--|--|---|
| <input type="checkbox"/> Item 4 Checked | <input type="checkbox"/> Expiration Date | <input type="checkbox"/> Rider: <input type="checkbox"/> Y <input type="checkbox"/> N |
| <input type="checkbox"/> Bank Name & Address | <input type="checkbox"/> Dated | |
| <input type="checkbox"/> Applicant Listed | <input type="checkbox"/> Letter of Credit No. Listed | |
| <input type="checkbox"/> Issue Date | <input type="checkbox"/> Signed by Bank Representative | |

____ Verified By: _____
(Phone/Email) (Bank Representative)

KRGF (Kentucky Reclamation Guaranty Fund)

- | | | |
|---|--|--|
| <input type="checkbox"/> Permit Number | <input type="checkbox"/> Original Document (emailed) | <input type="checkbox"/> Acres correct |
| <input type="checkbox"/> Permittee Name | <input type="checkbox"/> Bond Amount correct | |

Signature of Bond Reviewer Amanda [Signature] Date 08/21/2023

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

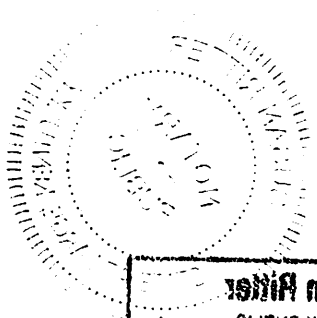
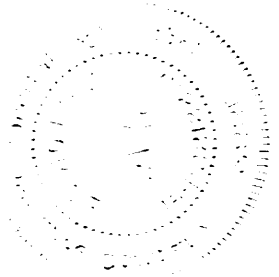
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

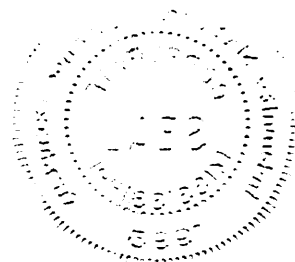
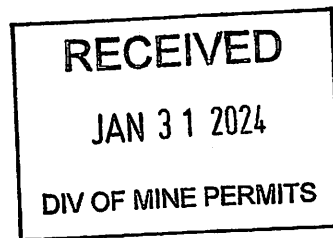
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 24

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) 02

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1119380
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Seventy-Five Thousand and 00/100-----
Dollars (\$ 75,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 20.60 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 4/15/15 OFFICIAL POSITION: Vice-President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 15th day of April, 2015.

NOTARY PUBLIC: [Signature] MY COMMISSION EXPIRES: 7-13-18

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Jackie C. Koestel OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: April 15, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 239769

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
Mv Commission Expires 01-09-16

BY Amy L. Taylor
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 15th Day of April, 2015.



BY Andrew Smith
Andrew Smith
Assistant Secretary

“WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.”

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

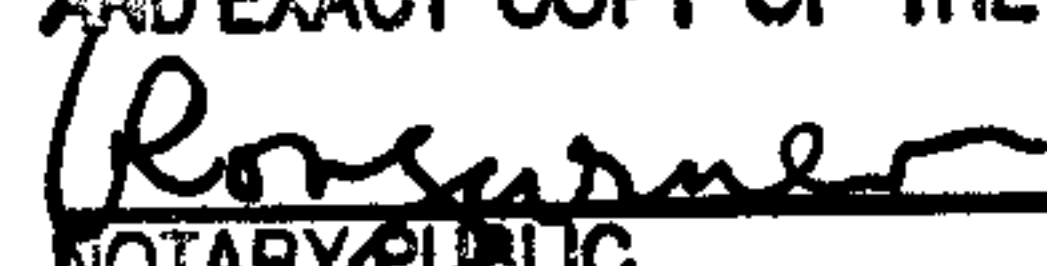
March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL DOCUMENT.

NOTARY PUBLIC
MY COMMISSION EXPIRES 7-13-18
STATE OF COMMISSION KENTUCKY

PINE BRANCH MINING, LLC


John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1119380 effective April 15, 2015
issued by the Lexon Insurance Company
in the amount of 75,000.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the acreage on the bond as follows:

Current Acreage: 20.60 acres

New Acreage: 5.30 acres

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 17th day of August, 2018.

Signed, sealed and dated this 17th day of August, 2018.

ICG Hazard, LLC (Principal) Lexon Insurance Company (Surety)
By: [Signature] By: Theresa Pickerrell
D. Edward Brown, SVP Theresa Pickerrell Attorney-in-Fact

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

[Signature]

POWER OF ATTORNEY

LX- 11078

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Beth Frymire, Leigh McCarthy, Michael Dix, Susan Ritter its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$10,000,000.00 Ten Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY

BY

Brian Beggs
President

ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 17th Day of August, 2018.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shout
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 24

BOND SUBSTITUTION FOR EXISTING BOND # 1119380

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003762
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of _____
Seventy Five Thousand and 00/100 Dollars (\$ 75,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 12.20 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.


In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC:  MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

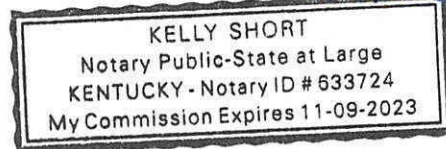
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.

NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	24
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1119380	\$75,000		

Bank Name _____ Address _____
City _____ State _____ ZIP _____

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial _____ # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☒ Bond Substitution - replaced by bonds _____ N-7003762
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	<u>75,000</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u> </u>	
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u>75,000</u>	
Total Reduction			\$ <u>75,000</u>
Remaining Encumbered Balance			\$ <u>0</u>
Remaining Balance on Bond #			

Jim Ward
by Sheri Mullins
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

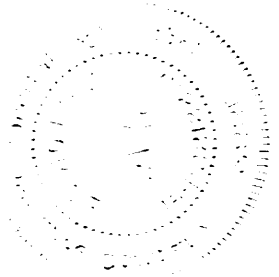
Dated on: January 16, 2024

Susan Ritter

Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
JAN 22 2024
SUSAN HILKE

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

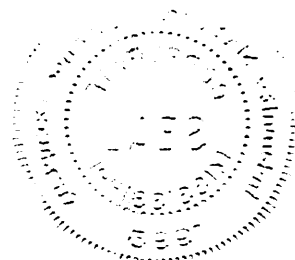
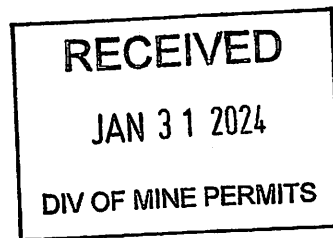
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



Permittee Name

ICG Hazard LLC

Permit Number

860-0542, MA-2 Inc. # 25-LTT

This checklist shall be used to verify all information submitted on each type of bond. It is important that all documents be on original forms prescribed by the Cabinet, unless otherwise approved, and that all the information be correct, complete and unaltered. All items listed must be checked, (with the exception of bond riders).

GENERAL:

- ☒ Permit Number
☒ Company Name
☒ Amount
☒ County
☒ No corrections, alterations, additions, whiteout

- ☒ Original Documents
☒ Principal Listed
☒ Acres
☒ Notarized

CASH BOND:

- ☐ Item 1 Checked
☐ Payable to Kentucky State Treasurer
☐ Cashiers Check

- ☐ Certified Check
☐ Money Order

SURETY BOND:

- ☒ Surety Listed
☒ Surety Name & Address
☒ Local Agency
☒ Item 2 Checked

- ☒ Signed by Attorney-In-Fact
☒ Attorney-In-Fact listed on Power of Attorney
☒ Dated

☒ Verified By: Theresa Pickrell
 (Insurance Company Representative)

ESCROW AGREEMENT: CD(s)

- ☐ Item 3 Checked
☐ Applicant Listed
☐ Certificate of Deposit No.
☐ Signed By Applicant

- ☐ Execution Date
☐ Bank Listed as Escrow Agent
☐ Issue Date
☐ Signed By Bank Representative

Verified By: _____
 (Bank Representative)

LETTER OF CREDIT:

- ☐ Item 4 Checked
☐ Bank Name & Address
☐ Applicant Listed
☐ Issue Date

- ☐ Expiration Date
☐ Dated
☐ Letter of Credit No. Listed
☐ Signed by Bank Representative

Verified By: _____
 (Phone/Email)

(Bank Representative)

Signature of Bond Reviewer

Martie Riddle

Date

12/1/15

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 25

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1134166
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Seventy-Five Thousand and 00/100-----
Dollars (\$ 75,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 4.40 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 11/19/15 OFFICIAL POSITION: V.P.

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 19th day of November, 2015.

NOTARY PUBLIC: Laurel J. Unsell MY COMMISSION EXPIRES: 6/17/19

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: November 19, 2015

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX-261749

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

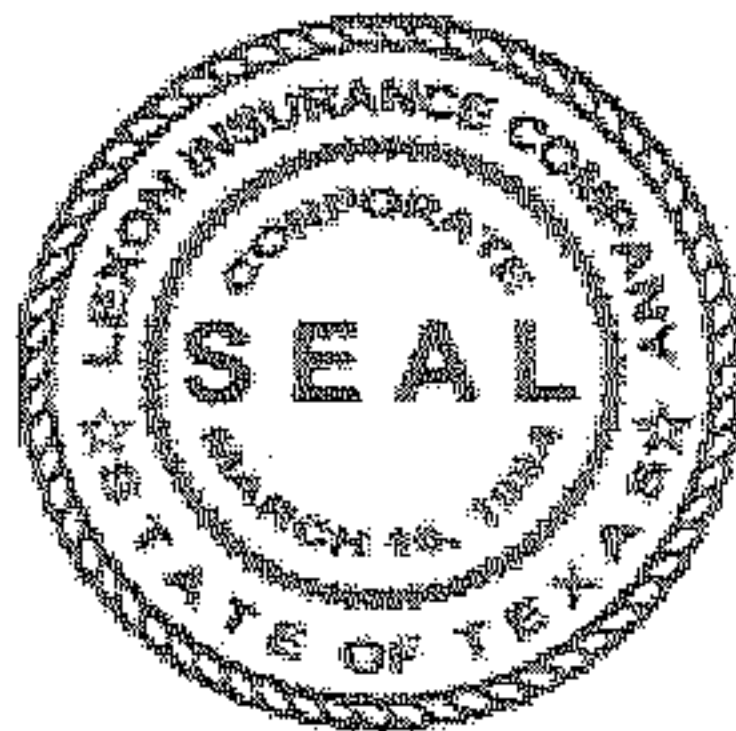
This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY

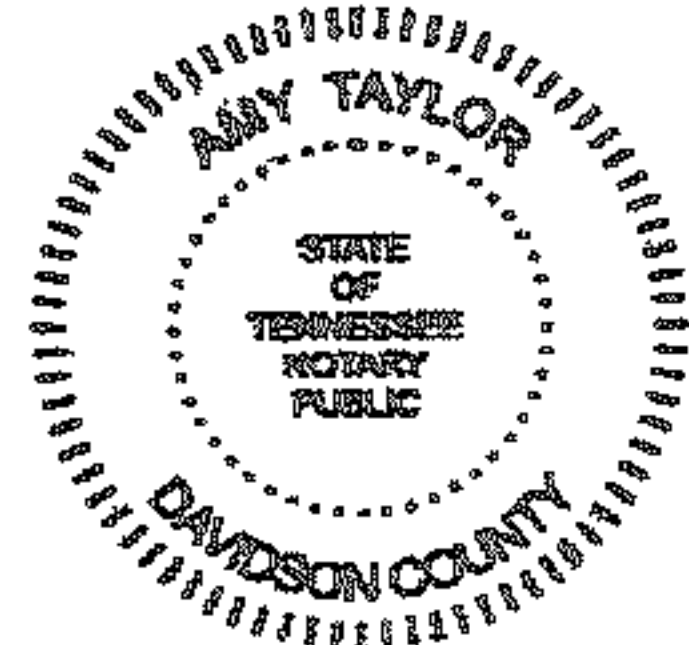


BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

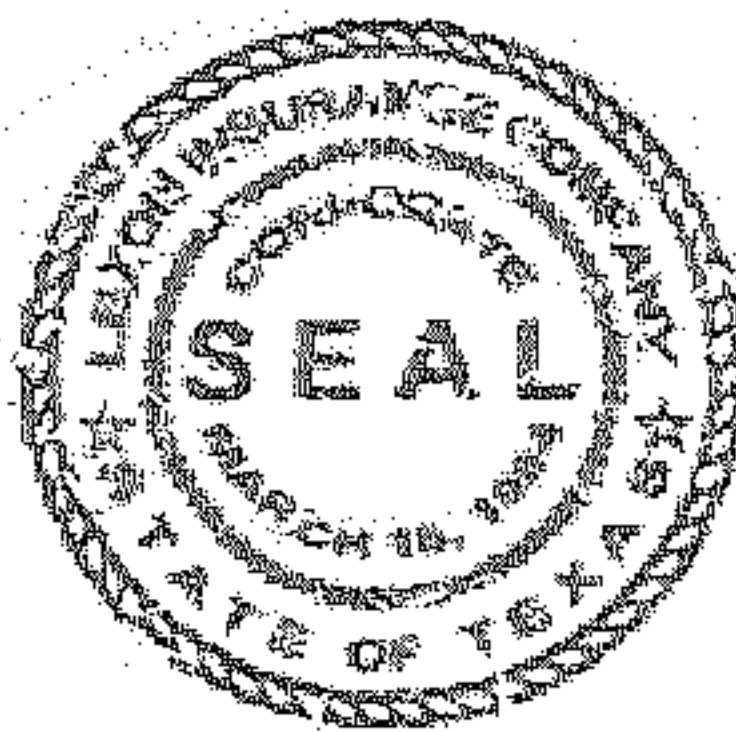
BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 19th Day of November, 2015.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL DOCUMENT.
Laurel J. Unseld
NOTARY PUBLIC
MY COMMISSION EXPIRES 6/17/19
STATE OF COMMISSION KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445126
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 25

BOND SUBSTITUTION FOR EXISTING BOND # 1134166

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _____

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003763
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
Seventy Five Thousand and 00/100 Dollars (\$ 75,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 4.40 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: [Signature] DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

KELLY SHORT
Notary Public-State at Large
KENTUCKY - Notary ID # 633724
My Commission Expires 11-09-2023

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By

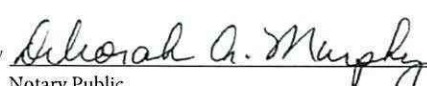

 Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By


 Notary Public

My Commission Expires 09/26/2021

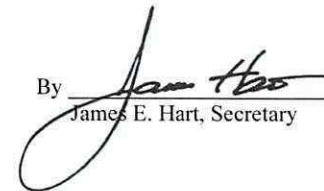
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By


 James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shao
MY COMMISSION EXPIRES 9/19/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	25
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1134166	\$75,000		

If Surety Agent City	LEXON INSURANCE COMPANY		(Parent Company)	
	ACRISURE LLC DBA SMITH MANUS	Address	2307 RIVER ROAD, SUITE 200	
	LOUISVILLE	State	ZIP	40206

If Certificate of Deposit or Letter of Credit

Bank Name _____ Address _____
City _____ State _____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____

☐ Complete ☐ Partial _____ # of acres overlapped _____

☐ Transfer to _____ (Company Name) Permit Number _____

☒ Bond Substitution - replaced by bonds _____ N-7003763

☐ Reduction due to permitting action dated - _____

☐ Other _____

Initial Encumbered Balance		\$	<u>75,000</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u> </u>	
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u>75,000</u>	
Total Reduction		\$	<u>75,000</u>
Remaining Encumbered Balance		\$	<u>0</u>
Remaining Balance on Bond #		\$	<u> </u>

Jim Ward
by Sheri Mullins
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

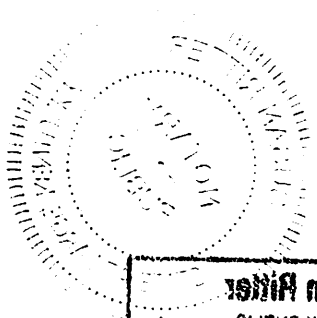
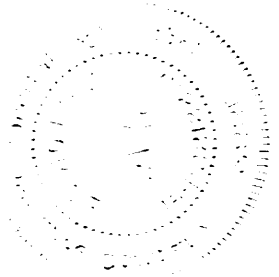
I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

Dated on: January 16, 2024

Susan Ritter
Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILGER
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

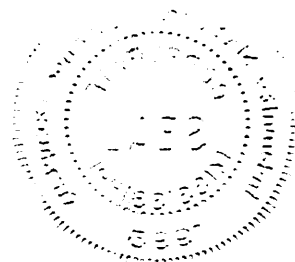
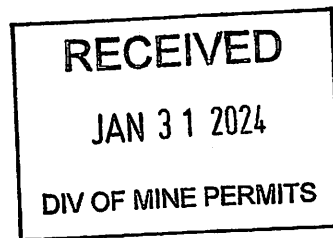
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2021.



By James E. Hart
James E. Hart, Secretary



**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 26

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) Am-3

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1141478
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of One Hundred Eighty-Four Thousand
and 00/100----- Dollars (\$ 184,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 46 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 11/30/16 OFFICIAL POSITION: V.P.

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 30th day of November, 2016.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES 11/8/19

NOTARY PUBLIC
STATE AT LARGE, KENTUCKY
ID. # 545419
MY COMMISSION EXPIRES NOV. 9, 2019

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: Theresa Pickerrell DATE: November 30, 2016

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 291424

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 20 16.



BY
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Attachment to RFL 2-5, 000070 of 024

**ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC**

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelli Shoop
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1141478 effective November 30, 2016
issued by the Lexon Insurance Company
in the amount of 184,000.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will increase the bond amount as follows:

Current Bond Amount: \$184,000.00

New Bond Amount: \$579,700.00

The acreage will increase from 46 acres to 144.40 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 17th day of August, 2018.

Signed, sealed and dated this 17th day of August, 2018.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u>D. Edward Brown, SVP</u>		By: <u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

POWER OF ATTORNEY

LX- 11078

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Beth Frymire, Leigh McCarthy, Michael Dix, Susan Ritter its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$10,000,000.00 Ten Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY

BY

Brian Beggs
President

ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 17th Day of August, 2018.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Short
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	26
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1141478	\$579,700		

If Certificate of Deposit or Letter of Credit

Bank Name	_____	Address	_____
City	_____	State	_____ ZIP _____

☒ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☐ Bond Substitution - replaced by bonds _____
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	\$579,700
Final Release	\$		
Grading Release	\$	347,800	PHASE I
Undisturbed	\$		
Administrative Release	\$		
Total Reduction		\$	347,800
Remaining Encumbered Balance		\$	231,900
Remaining Balance on Bond #	1141478		

Courtney Skaggs
by Kristin Gale
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 26

BOND SUBSTITUTION FOR EXISTING BOND # 1141478

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) Am-3

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003764
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of _____
Eighty Seven Thousand and 00/100 Dollars (\$ 87,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 144.40 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

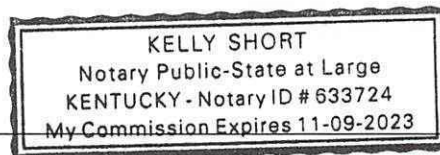
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars ***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:


RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 11/9/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC


John M. Potter, CEO

SME-44 Rev 06/2008

Attachment to RFI 2-5, 000380 of 824

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ACRISURE, LCC DBA SMITH MANUS
2307 RIVER ROAD, SUITE 200
LOUISVILLE, KY 40206



9590 9402 7962 2305 1657 72

2. Article Number (Transfer from service label)

7021 1970 0001 8074 0870

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *B. Stymie*

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

860-0542 Inc 26, 34

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery
(D)

USPS TRACKING#

Attachment to RFI 2-5, 000381 of 824



LOUISVILLE KY 400
11 JAN 2024 PM 1 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 7962 2305 1657 72

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

Division of Mine Reclamation & Enforcement

C/O LINDA FISCHER

300 Sower Boulevard, 2nd floor

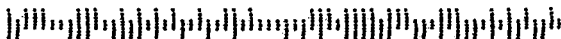
Frankfort, KY 40601

RECEIVED

JAN 17 2024

EEC/DNR

MINE RECLAMATION & ENFORCEMENT



U.S. Postal Service™

CERTIFIED MAIL™ PERMIT NO. 824

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ _____ |
| <input type="checkbox"/> Adult Signature Required | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postmark
Here

Inc 26.34

860-0542

Postage

\$

Total

\$

Sen

Str

City

ACRISURE, LCC DBA SMITH MANUS
2307 RIVER ROAD, SUITE 200
LOUISVILLE, KY 40206

Instructions

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	26
Address	250 WEST MAIN STREET, SUITE 2000					
City	LEXINGTON	State	KY	ZIP	40507	

Identification Numbers	Amount	Identification Numbers	Amount
N-7003764	\$87,000		

If Certificate of Deposit or Letter of Credit

Bank Name _____ Address _____

City _____ State _____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☒ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☐ Bond Substitution - replaced by bonds _____
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	87,000	Phase III	\$	87,000
Final Release	\$	87,000				
Grading Release	\$					
Undisturbed	\$					
Administrative Release	\$					
Total Reduction		\$	87,000			
Remaining Encumbered Balance		\$	0			
Remaining Balance on Bond #						

Signed by: Kristin Gale

SME-44 Rev 06/2008

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 27

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) Am-3

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1141479
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Five Hundred Seven Thousand Two
Hundred and 00/100----- Dollars (\$ 507,200.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 121.33 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 11/30/16 OFFICIAL POSITION: V.P.

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 30th day of

November, 2016.

NOTARY PUBLIC: Kelly Shant MY COMMISSION EXPIRES: 11/9/19

KELLY SHANT
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY
ID. # 545419
MY COMMISSION EXPIRES NOV. 9, 2019

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: Theresa Pickerrell DATE: November 30, 2016

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX-291425

Lexon Insurance Company

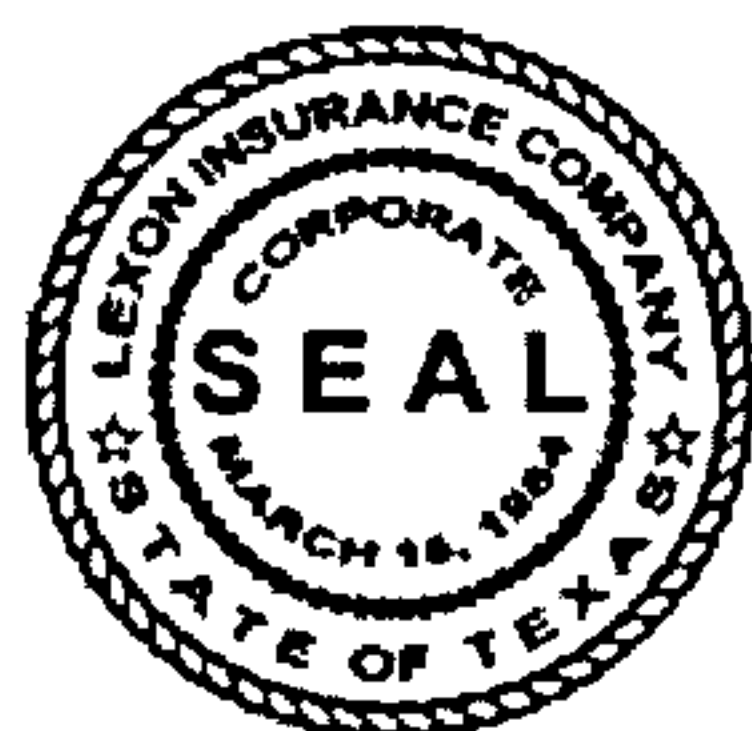
KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



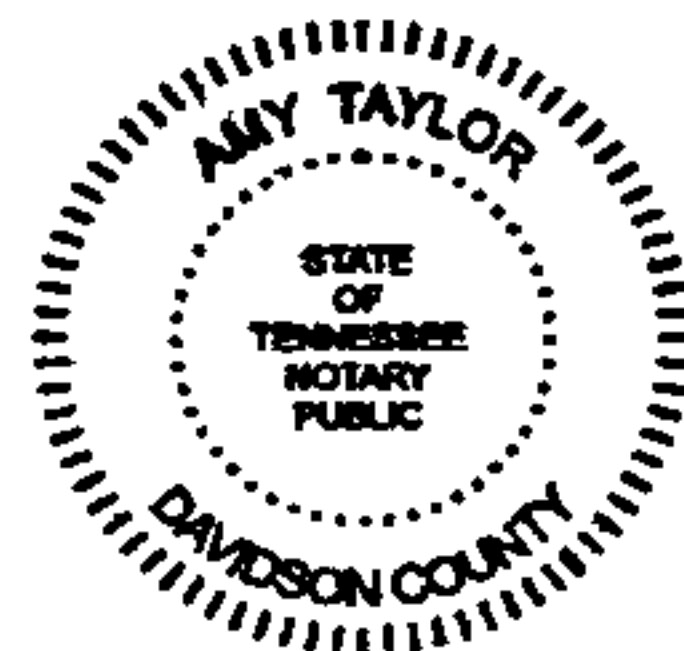
LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

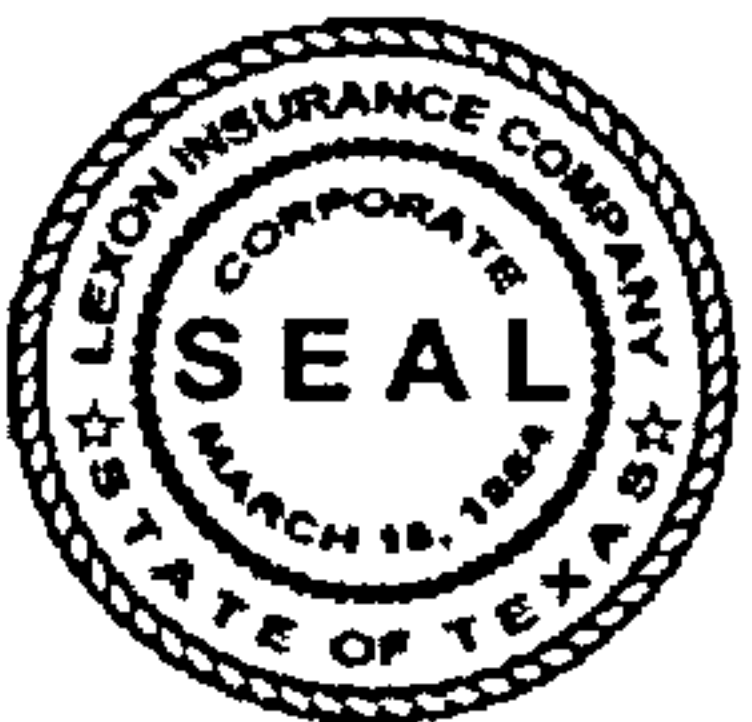
BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 2016.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 11/19/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 1141479 effective November 30, 2016
issued by the Lexon Insurance Company
in the amount of 507,200.00 DOLLARS,
on behalf of ICG Hazard, LLC
as Principal and in favor of Commonwealth of KY Energy and Environment Cabinet
as Obligee:

Now, Therefore, it is agreed that:

This rider will decrease the bond amount as follows:

Current Bond Amount: \$507,200.00

New Bond Amount: \$440,000.00

The acreage will decrease from 121.33 acres to 109.97 acres.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider is to be effective the 17th day of August, 2018.

Signed, sealed and dated this 17th day of August, 2018.

<u>ICG Hazard, LLC</u>	<u>(Principal)</u>	<u>Lexon Insurance Company</u>	<u>(Surety)</u>
By: <u>D. Edward Brown, SVP</u>		By: <u>Theresa Pickerrell</u>	
		<u>Theresa Pickerrell</u>	<u>Attorney-in-Fact</u>

Accepted By:

Commonwealth of KY Energy and Environment Cabinet

Martie Riddle

POWER OF ATTORNEY

LX- 11078

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Beth Frymire, Leigh McCarthy, Michael Dix, Susan Ritter its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$10,000,000.00 Ten Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY



BY

Brian Beggs
President

ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 17th Day of August, 20 18.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelly Shores
MY COMMISSION EXPIRES 11/9/19
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 27

BOND SUBSTITUTION FOR EXISTING BOND # 1141479

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) Am-3

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER N-7003765
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Indemnity National Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of
One Hundred Seventy Six Thousand and 00/100 Dollars (\$ 176,000.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 109.97 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.


In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: July 01, 2020 OFFICIAL POSITION: Senior Vice President

SIGNATURE: 

Subscribed and sworn to before me by D. Edward Brown this the 1st day of July, 2020.

NOTARY PUBLIC:  MY COMMISSION EXPIRES: 11/09/23

COMPLETE FOR SURETY BOND:

SURETY: Indemnity National Insurance Company

ADDRESS: 238 Bedford Way, Franklin, TN 37064

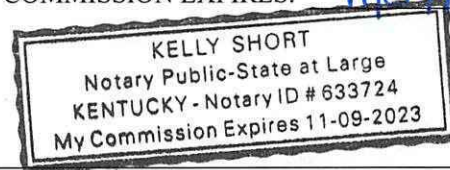
LOCAL AGENCY ISSUING BOND: Acrisure, LLC dba Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE:  DATE: July 01, 2020

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.



Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation (hereinafter the "Company"), does hereby constitute and appoint: Brook T. Smith, William R. Precious, Sandra L. Fusinetti, Mark A. Guidry, Theresa Pickerrell, Amy Bowers, Susan Ritter, and Sheryon Quinn of Louisville, Kentucky to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed Eight Million and 00/100 Dollars***** (\$8,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,

- (i) when signed by the president, or any vice president, and sealed with the Company seal; or
- (ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 6th day of November, 2017.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 6th day of November, 2017, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2021

CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 1st day of July, 2020.



By James E. Hart
James E. Hart, Secretary

**ACTION BY THE SOLE MANAGER OF
PINE BRANCH RESOURCES, LLC**

February 23, 2018

The undersigned, being the sole manager of PINE BRANCH RESOURCES, LLC (f/k/a ICG HAZARD, LLC), a Delaware limited liability corporation ("Company"), hereby consents to the following action as an action of the sole manager of the Company pursuant to the Limited Liability Company Agreement of the Company:

RESOLVED, that effective May 1, 2017, D. Edward Brown, Senior Vice President of Technical Services of the Company ("Brown") is duly authorized by the manager, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT
NOTARY PUBLIC Kelley Shaw
MY COMMISSION EXPIRES 9/17/23
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

Permittee	ICG HAZARD LLC		Permit #	860-0542	Incr #	27
Address	3228 SUMMIT SQUARE PLACE SUITE 180					
City	LEXINGTON	State	KY	ZIP	40509	

Identification Numbers	Amount	Identification Numbers	Amount
1141479	\$176,000		

If Surety	LEXON INSURANCE COMPANY				(Parent Company)
Agent	ACRISURE LLC DBA SMITH MANUS	Address	2307 RIVER ROAD, SUITE 200		
City	LOUISVILLE	State	KY	ZIP	40206

Bank Name _____ Address _____
City _____ State _____ ZIP _____

☐ Initial Reclamation is Complete.

☐ _____ Acres of undisturbed area has been verified.

☐ Final Reclamation is complete and satisfactory

☐ Overlap By _____ (Company Name) Permit Number _____
☐ Complete ☐ Partial # of acres overlapped _____
☐ Transfer to _____ (Company Name) Permit Number _____
☒ Bond Substitution - replaced by bonds N-7003765
☐ Reduction due to permitting action dated - _____
☐ Other _____

Initial Encumbered Balance		\$	<u>176,000</u>
Final Release	\$	<u> </u>	
Grading Release	\$	<u> </u>	
Undisturbed	\$	<u> </u>	
Administrative Release	\$	<u>176,000</u>	
Total Reduction		\$	<u>176,000</u>
Remaining Encumbered Balance		\$	<u>0</u>
Remaining Balance on Bond #		\$	<u>0</u>

Jim Ward
by Sheri Mullins
Director, Division of Mine
Reclamation and Enforcement

SME-44 Rev 06/2008

COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION FRANKFORT, KENTUCKY 40601

BOND RELEASE

Permittee ICG HAZARD LLC Permit # 860-0542 Incr # 27
Address 250 WEST MAIN STREET, SUITE 2000
City LEXINGTON State KY ZIP 40507

Bond Type: ☐ Cash ☒ Surety ☐ Certificate of Deposit ☐ Letter of Credit ☐ Bond Pool

Identification Numbers	Amount	Identification Numbers	Amount
<u>N-7003765</u>	<u>\$176,000</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

If Surety INDEMNITY NATIONAL INSURANCE COMPANY (Parent Company)
Agent ACRISURE, LLC DBA SMIHT MANUS Address 2307 RIVER ROAD, SUITE 200
City LOUISVILLE State KY ZIP 40206

If Certificate of Deposit or Letter of Credit

Bank Name Address
City State ZIP

An inspection of the permitted area revealed that:

- ☒ Initial Reclamation is Complete.
☐ Acres of undisturbed area has been verified.
☐ Final Reclamation is complete and satisfactory

Permitting Actions or other administrative action has resulted in a:

- ☐ Overlap By (Company Name) Permit Number
☐ Complete ☐ Partial # of acres overlapped
☐ Transfer to (Company Name) Permit Number
☐ Bond Substitution - replaced by bonds
☐ Reduction due to permitting action dated -
☐ Other

Therefore, you are entitled to a bond release or reduction on the identified bond(s) as shown below:

Initial Encumbered Balance	\$ <u>\$176,000</u>
Final Release	\$ <u></u>
Grading Release	\$ <u>110,000</u> PHASE II
Undisturbed	\$ <u></u>
Administrative Release	\$ <u></u>
Total Reduction	\$ <u>110,000</u>
Remaining Encumbered Balance	\$ <u>66,000</u>
Remaining Balance on Bond # <u>N-7003765 (66,000)</u>	

12.

Given under my hand on this the 13TH Day of DECEMBER, 20 21

Tim Ward
by *Kristin Gale*

Signed by: Kristin Gale

Director, Division of Mine Reclamation

Regional Office Hazard

SCANNED

Indemnity National Insurance Company
238 Bedford Way
Franklin, TN 37064

January 16, 2024

Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Natural Resources
Reclamation and Enforcement
Frankfort, KY 40601

To Whom It May Concern:

The following Surety Performance Bonds written by Indemnity National Insurance Company covering Permit No. 860-0542 Rn-4 with ICG Hazard, LLC as principal, remains in full force and effect.

Bond No.	Bond Amount	Increment No.
N-7005421	\$387,900	3
N-7005422	\$223,700	7
N-7005372	\$87,800	8
N-7005205	\$123,700	9
N-7003750	\$91,900	11
N-7005206	\$103,900	12
N-7003751	\$363,900	13
N-7003752	\$159,600	14
N-7003753	\$195,800	15
N-7003754	\$99,800	16
N-7003755	\$269,600	17
N-7003756	\$260,800	18
N-7003757	\$442,500	19
N-7003759	\$137,400	21
N-7003760	\$85,100	22
N-7003761	\$462,700	23
N-7003762	\$75,000	24
N-7003763	\$75,000	25
N-7003765	\$66,000	27
N-7003766	\$225,500	28
N-7003767	\$111,800	29
N-7003769	\$305,600	31
N-7003770	\$150,300	32
N-7003771	\$190,400	33
N-7005380	\$183,600	35
N-7005139	\$75,000	36
N-7005140	\$75,900	37
N-7003773	\$91,800	38
N-7003774	\$123,900	39
N-7005207	\$219,900	40
N-7003775	\$75,000	41
N-7003776	\$75,000	42
N-7003777	\$75,000	43
N-7003778	\$155,600	44
N-7003779	\$503,700	45
N-7003781	\$247,800	47

ITS

N-7005100	\$143,800	48
N-7005101	\$147,200	49
N-7004049	\$620,600	LTT
N-7004056	\$300,000	SUP
N-7004053	\$150,000	SUP
N-7004054	\$150,000	SUP

It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter and is acting under a full reservation of all rights and defenses secured to it under the terms and conditions of its bonds and all applicable laws, statutes, rules and regulations.

Indemnity National Insurance Company

By: Theresa Hintzman
Theresa Hintzman, Attorney-In-Fact

State of: Kentucky

County of: Jefferson

I certify that I know or have satisfactory evidence that Theresa Hintzman signed this document; on oath stated that she was authorized to sign the document and acknowledged it as the agent or representative of the named surety company which is authorized to do business in the State of Kentucky for the purposes mentioned in this document.

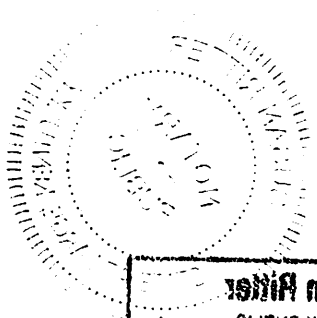
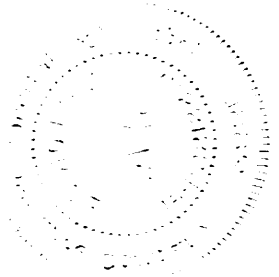
Dated on: January 16, 2024

Susan Ritter

Signature of Notary Susan Ritter



RECEIVED
JAN 22 2024
DIV OF MINE PERMITS



NOTARY PUBLIC
STATE OF KENTUCKY
SUSAN HILKE
MY COMMISSION EXPIRES MARCH 4, 2028

Indemnity National Insurance Company

238 Bedford Way
Franklin, TN 37064

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that Indemnity National Insurance Company, a Mississippi corporation, (hereinafter the "Company"), does hereby constitute and appoint: *****Brook T. Smith, William R. Precious, Mark A. Guidry*****
*****Theresa Hintzman, Amy Smith, Susan Ritter, and Kelsy Hoagland***** of Acrisure, LLC DBA Smith Manus***** to be its true and lawful Attorney-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed *****Thirty million dollars (\$30,000,000.00)***** each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following Minutes of Special Actions Taken by Written Consent of the Board of Directors, which is now in full force and effect:

Authorization to Appoint Attorneys-in-Fact and the Use of Facsimile Signatures and Facsimile Seals for the Purpose of Issuing Bonds:

RESOLVED: That the president or any vice president may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company to execute and deliver and affix the seal of the Company to bonds and related obligatory certificates and documents; and any one of said officers may remove any such attorney-in-fact or agent and revoke any power previously granted to such person, whether or not such officer appointed the attorney-in-fact or agent.

RESOLVED: That any bonds and related obligatory certificates and documents shall be valid and binding upon the Company,
(i) when signed by the president, or any vice president, and sealed with the Company seal; or
(ii) when duly executed and sealed with the Company seal by one or more attorneys-in-fact or agents pursuant to and within the limits of authority evidenced by the power of attorney issued by the Company to such person or persons a certified copy of which power of attorney must be attached thereto in order for such obligation to be binding upon the Company.

RESOLVED: That the signature of any authorized officer and the seal of the Company may be affixed to any power of attorney or certification thereof authorizing the execution and delivery of any bonds and related obligatory certificates and documents of the Company and such signature and seal then so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Indemnity National Insurance Company has been affixed thereto in Lexington, Kentucky this 20th day of August, 2021.



Indemnity National Insurance Company

By Thomas F. Elkins
Thomas F. Elkins, President

State of Kentucky
County of Fayette

On this 20th day of August, 2021, before me, a Notary Public, personally came Thomas F. Elkins, to me known, and acknowledged that he is President of Indemnity National Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Indemnity National Insurance Company thereto with the authority and at the direction of said corporation.



By Deborah A. Murphy
Notary Public

My Commission Expires 09/26/2025
Notary ID Number: KYNP34336

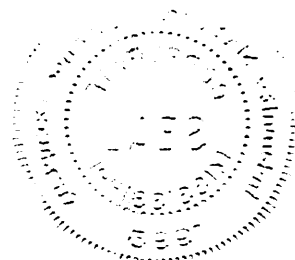
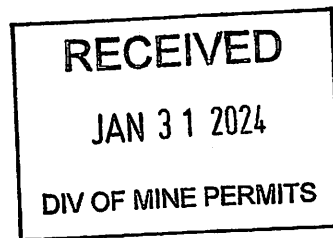
CERTIFICATE

I, James E. Hart, Secretary of Indemnity National Insurance Company, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that the Minutes of Special Actions Taken by Written Consent of the Board of Directors are now in full force and effect.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 16th day of January, 2024.



By James E. Hart
James E. Hart, Secretary



**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601**

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER 860-0542

INCREMENT NUMBER (IF ANY) 28

BOND SUBSTITUTION FOR EXISTING BOND # _____

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) Am-3

- ☐ 1. CASH BOND _____
- ☒ 2. SURETY BOND NUMBER 1141480
- ☐ 3. CERTIFICATE OF DEPOSIT NUMBER _____
- ☐ 4. LETTER OF CREDIT NUMBER _____

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned ICG Hazard, LLC
as Principal and Lexon Insurance Company as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of Four Hundred Eighty-Seven Thousand
Eight Hundred and 00/100 Dollars (\$ 487,800.00).

- ☐ 1. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
- ☒ 2. For the payment of which sum is to be well and truly made
- ☐ 3. Which sum is herewith deposited with the Cabinet's Department for Natural Resources
by and through its Escrow Agent _____
- ☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet's Department
for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number 860-0542
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that 121.5 acres of
land situated in Knott County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ICG Hazard, LLC, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ICG Hazard, LLC BY: D. Edward Brown
(PERMITTEE)

DATE: 11/30/16 OFFICIAL POSITION: V.P.

SIGNATURE: [Signature]

Subscribed and sworn to before me by D. Edward Brown this the 30th day of November, 2016.

NOTARY PUBLIC: Kelly Short MY COMMISSION EXPIRES: 11/9/19

KELLY SHORT
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY
ID. # 545419
MY COMMISSION EXPIRES NOV. 9, 2019

COMPLETE FOR SURETY BOND:

SURETY: Lexon Insurance Company

ADDRESS: 10002 Shelbyville Road, Suite 100, Louisville, KY 40223

LOCAL AGENCY ISSUING BOND: Acrisure, LLC DBA Smith Manus

ADDRESS: 2307 River Road, Suite 200, Louisville, KY 40206

BY: Theresa Pickerrell OFFICIAL POSITION: Attorney-in-Fact

SIGNATURE: Theresa Pickerrell DATE: November 30, 2016

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

POWER OF ATTORNEY

LX- 291426

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guidry, Jill Kemp, Lynnette Long, Amy Meredith, Deborah Neichter, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Rowe, Beth Frymire, Michael Dix its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY

David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

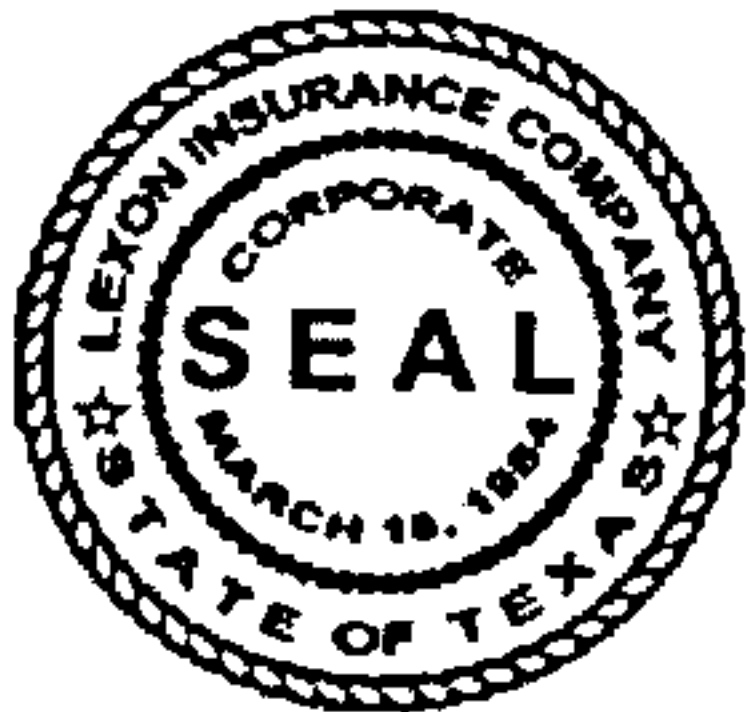
BY

Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 30th Day of November, 20 16.



BY

Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Attachment to RFL 2-5, 000406 of 824

**ACTION BY THE SOLE MEMBER OF
ICG HAZARD, LLC**

March 3, 2014

The undersigned, being the sole member of ICG HAZARD, LLC, a Delaware limited liability corporation ("Corporation"), hereby consents to the following action as an action of the sole member of the Corporation pursuant to the Limited Liability Company Agreement of the Corporation:

RESOLVED, that D. Edward Brown, Vice President- Engineering of the Company ("Brown") is duly authorized by the Member, on behalf of the Company, to execute and file all applications, documents, instruments, and papers as may be necessary for the Company to comply with requirements of any federal or state mining regulatory agency or regulations promulgated by any federal or state mining regulatory agency.

RESOLVED, that all authority conferred by these resolutions shall be deemed retroactive and any and all acts permitted or authorized hereunder but performed prior to the adoption of these resolutions are hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has executed this written action to be effective as of the date first set forth above.

I DO HEREBY ATTEST THAT THIS IS A
TRUE AND EXACT COPY OF THE
ORIGINAL DOCUMENT.
NOTARY PUBLIC Kelly Shaw
MY COMMISSION EXPIRES 11/9/15
STATE OF COMMISSION: KENTUCKY

PINE BRANCH MINING, LLC

John M. Potter
John M. Potter, CEO

COMMONWEALTH OF KENTUCKY
COUNTY OF Fayette

This is to certify that the foregoing instrument was acknowledged before me on this 3rd day of March, 2014, by John M. Potter, CEO, of Pine Branch Mining, LLC, the Member of ICG Hazard, LLC, on behalf of Pine Branch Mining, LLC.

My commission expires: 6/17/15.

Laurel J. Unseld #445176
NOTARY PUBLIC