

**SPECIAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS that METROPOLITAN LIFE INSURANCE COMPANY, in consideration of the sum of One Dollar and other good and valuable considerations paid by BLUE RANGE MINING CO., L.P., a Delaware Limited Partnership, whose address is 36 East Mercury Street, Butte, Montana 59701, does hereby sell and convey unto the said BLUE RANGE MINING CO., L.P., and assigns forever, the following described premises, situated in Sheridan County, Wyoming, to-wit:

See Legal description attached hereto and made a part hereof.

Together with all the tenements, hereditaments, and appurtenances to the same belonging, and the estate, right, title, claim, or demand whatsoever of the said Metropolitan Life Insurance Company, of, in, and to the same or any part thereof.

To Have and to Hold the above-described premises, with the appurtenances, upon the said Blue Range Mining Co., L.P., and assigns, forever.

And the Metropolitan Life Insurance Company does covenant to warrant and defend said premises only against the lawful claims of all persons claiming by, through, or under it, subject, however, to:

- (1) Any state of facts an accurate survey may show;
- (2) Rights-of-way or easements, if any, for public roads or other purposes heretofore laid out or established and now existing over and across any part of the said land;
- (3) Reservations and exceptions in patents from the United States or the State of Wyoming;
- (4) All building, use, zoning, sanitary and environmental restrictions;
- (5) Mineral and royalty reservations and conveyances of record and oil and gas and mineral leases of record;

said land being conveyed as a tract and not on an acreage basis.

Metropolitan Life Insurance Company hereby reserves to itself for the benefit of said Metropolitan Life Insurance Company, its successors and assigns, one-half of the oil, gas and other minerals in, on and under the above described property, owned by Metropolitan Life Insurance Company immediately prior to this conveyance, together with the right of ingress and egress for purposes of exploration, development, production and storage of the same.

In Witness Whereof, the said Metropolitan Life Insurance Company has caused these presents to be executed in its corporate name by the Asst. Vice-President this 8th day of March, 1989.

METROPOLITAN LIFE INSURANCE COMPANY,  
a New York Corporation

By  John E. Wiedmeier  
Its Assistant Vice-President



STATE OF KANSAS )  
 ) ss  
COUNTY OF JOHNSON )

On this 8th day of March, 1989, before me, a notary public in and for said State, personally appeared John E. Wiedmeier, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of said corporation.

Nona Kay Reeves  
Notary Public for the State of Kansas  
Residing at Overland Park, Kas.  
My commission expires 9-13, 1989



LEGAL DESCRIPTION

Township 57 North, Range 81 West, 6th P.M., Sheridan County, Wyoming

Section 4: All

Section 5: All

Section 6: South 1/2 NE 1/4, SE 1/4 NW 1/4, Lots 8, 9, 10, 11, 12, and that portion of Lot 13 lying north of the following described fence line: Beginning at a point on a fence line on the west line of said Lot 13, said point being S03°52'55"E, 107.69 feet from the east quarter corner of Section 1, T57N, R82W; thence S64°29'35"E, 78.02 feet along said fence line to a fence corner; thence N88°36'02"E, 852.08 feet along said fence line to a fence corner; thence N88°57'49"E, 503.08 feet along said fence line to a fence corner, said point being S85°33'50"E, 1436.83 feet from said east quarter corner of Section 1.

Section 9: East 1/2, North 1/2 NW 1/4

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Section 1: That portion of the North 1/2 and NE 1/4 SE 1/4 of said Section 1 lying northeasterly of the following described fence line: Beginning at a point on a fence line on the east line of said Section 1, said point being S03°52'55"E, 107.69 feet from the east quarter corner of said Section 1; thence N64°29'35"W, 492.10 feet along said fence line to a fence corner; thence N70°43'05"W, 3595.45 feet along said fence line to a fence corner; thence N45°34'57"W, 1600.49 feet along said fence line to a fence corner, thence N61°11'33"W, 281.99 feet along said fence line to a point on the approximate west line of said Section 1, said point being S0°48'22"E, 196.22 feet from the northwest corner of said Section 2.

Section 2: That portion of Lot 1 of said Section 2 lying northeasterly of the following described fence line: Beginning at a point on a fence line and the approximate east line of said Section 2, said point being S0°48'22"E, 196.22 feet from the northeast corner of said Section 2; thence N61°11'33"W, 384.13 feet along said fence line to a point on the approximate north line of said Section 2, said point being S88°06'37"W, 85.38 feet from the closing corner to the southwest corner of Section 36, T58N, R82W.

Township 58 North, Range 81 West, 6th P.M., Sheridan County, Wyoming

Section 19: All

Section 20: All

Section 21: All

Section 28: All

Section 29: All

Section 30: All

Section 31: All

Section 32: All

Section 33: All

Township 58 North, Range 82 West, 6th P.M., Sheridan County, Wyoming

Section 22: SE 1/4, Sth 1/2 NE 1/4, SE 1/4 NW 1/4, East 1/2 SW 1/4, Lots 1, 2, 3, 4, 5, 6, and that portion of Lot 7 lying northeasterly of the following described fence line: Beginning at a point on a fence line and the approximate south line of said Section 22, said point being N89°33'01"E, 163.21 feet from the closing corner to the southwest corner of said Section 22; thence N52°02'34"W, 204.49 feet along said fence line to a fence corner; thence leaving said fence line N32°29'53"W, 8.10 feet to a point, said point being the southeast corner of Section 21, T58N, R82W.

Section 23: All

Section 24: All

Section 25: All

Section 26: All

Section 27: East 1/2 SE 1/4, NE 1/4, NE 1/4 NW 1/4, and that portion of the SE 1/4 NW 1/4, NE 1/4 SW 1/4, West 1/2 SE 1/4, Lot 1, and Lot 2 lying northeasterly of the following described fence line: Beginning at a point on the approximate south line of said Section 27, said point being S89°36'36"W, 1949.34 feet from the southeast corner of said Section 27; thence N06°12'00"W, 1428.98 feet to a point on a fence line; thence N53°56'27"W, 747.62 feet along said fence line to a fence corner; thence N49°58'57"W, 979.91 feet along said fence line to a fence corner; thence N33°00'51"W, 1564.82 feet along said fence line to a fence corner; thence N09°21'02"E, 921.34 feet along said fence line to a fence corner; thence N52°02'34"W, 887.66 feet along said fence line to a fence corner on the approximate north line of said Section 27, said point being N89°33'01"E, 163.21 feet from the closing corner to the northwest corner of said Section 27.

Section 34: That portion of the NE 1/4 lying northeasterly of the following described line: Beginning at a point on a fence line and the east line of said Section 34, said point being S0°20'09"E, 2481.89 feet from the northeast corner of said Section 34; thence N57°40'59"W, 465.99 feet along said fence line to a fence corner; thence N45°33'49"W, 1577.69 feet along said fence line to a point; thence leaving said fence line S34°30'32"W, 62.38 feet to a point on the centerline of the Badger Creek County Road; thence N49°55'25"W, 404.87 feet along said centerline to a point; thence leaving said centerline of the Badger Creek County Road N06°12'00"W, 910.98 feet to a point on the approximate north line of said Section 34, said point being S89°36'36"W, 1949.34 feet from the northeast corner of said Section 34;

Section 35: NE 1/4, East 1/2 NW 1/4, NW 1/4 NW 1/4, and that portion of the SW 1/4 NW 1/4, North 1/2 SW 1/4, North 1/2 SE 1/4, and Lot 1 lying northeasterly of the following described fence line: Beginning at a point on a fence line and the approximate south line of said Section 35, said point being S88°06'37"W, 85.38 feet from the closing corner to the southeast corner of Section 35; thence N61°11'33"W, 173.23 feet along said fence line to a fence corner; thence N53°33'13"W, 735.64 feet along said fence line to a fence corner; thence N18°55'49"W, 845.93 feet along said fence line to a fence corner; thence N89°42'54"W, 2364.28 feet along said fence line to a fence corner; thence N57°40'59"W, 2163.76 feet along said fence line to a point on the west line of said Section 35, said point being S0°20'09"E, 2481.89 feet from the northwest corner of said Section 35.

Also including an easement 40 feet wide for ingress and egress being 20 feet on each side of a centerline situated in the North 1/2 SE 1/4 of Section 1, T57N, R82W, said centerline described as follows: Beginning at a point on the centerline of the Badger Creek County Road, said point being N54°45'37"W, 2110.88 feet from the southeast corner of said Section 1; thence N41°51'22"E, 420.25 feet along said centerline to a point; thence N56°24'55"E, 311.60 feet along said centerline to a point; thence N67°24'22"E, 273.91 feet along said centerline to a point; thence N73°07'34"E, 329.38 feet along said centerline to a point; thence N43°01'59"E, 311.92 feet along said centerline to a point; thence N53°23'56"E, 243.93 feet along said centerline to a point; thence N36°14'39"E, 148.93 feet along said centerline to a point on a fence line, said point being S22°03'06"E, 139.05 feet from the east quarter corner of said Section 1.

Also including an easement 40 feet wide for ingress and egress being 20 feet on each side of a centerline situated in the NE 1/4 SW 1/4 and Lot 3 of Section 35, T58N, R82W, said centerline described as follows: Beginning at a point on the centerline of the Badger Creek County Road, said point being S24°03'53"E, 4578.14 feet from the northwest corner of said Section 35; thence N19°15'31"E, 572.62 feet along said centerline to a point on a fence line, said point being S29°27'29"E, 4180.07 feet from said northwest corner of Section 35.

Also including an easement 40 feet wide for ingress and egress being 20 feet on each side of a centerline situated in the SE1/4NW1/4, Lot 2, and Lot 3 of Section 27, T58N, R82W; said centerline described as follows: Beginning at a point on the centerline of the Badger Creek County Road, said point being S01°58'01"E, 815.32 from the east quarter corner of Section 28, T58N, R82W; thence N39°29'57"E, 219.23 feet along said centerline to a point; thence N50°32'31"E, 94.43 feet along said centerline to a point; thence N04°20'29"E, 263.19 feet along said centerline to a point; thence N34°06'54"E, 147.77 feet along said centerline to a point; thence N59°22'59"E, 308.69 feet along said centerline to a point; thence N52°32'37"E, 424.12 feet along said centerline to a point; thence N33°44'14"E, 277.21 feet along said centerline to a point on a fence line, said point being N67°58'25"E, 1186.00 feet from said east quarter corner of Section 28.