

August 10, 2003

Alabama Surface Mining Commission
P.O. Box 2390
Jasper, Alabama 35502-2390

RE: Birmingham Coal & Coke Co., Inc.
Ninna V. Mine / Revision R-11 Area

Gentlemen:

I hereby request and consent to change the post mining land use of our land at the above referenced facility. The requested change is to leave a sediment basin as a permanent water impoundment, fish and wildlife habitat. After Phase III Bond Release approval I will be responsible for the sound and future maintenance of this basin.

Sincerely,

Marion D. Sanders

Marion D. Sanders

9-24-03

Date

Marion D. Sanders
2685 Redmill / Saragossa Road
Jasper, AL 35503



To: Alabama Surface Mining Commission
PO Box 2390
Jasper, AL 35502

From: HDJ Land Company
1205 1st Avenue SW
Cullman, AL 35055

Re: Birmingham Coal & Coke Co., Inc. / Ninna V Mine P-3675

To Whom It May Concern:

I am the legal owner of record of certain property located in:

NW 1/4 of the SE 1/4, Section 19;
Township 12 South: Range 9 West: Walker County, Alabama.

- 1) As owner, I hereby agree that the land which is to be permitted and disturbed by surface mining activity be reclaimed as: no current use or land management.
- 2) The pond listed below will be left as a Permanent Water Impoundment. We agree to be responsible for the sound future maintenance of the pond after it's final bond release by the Alabama Surface Mining Commission.


Joyce Marie Eidson
Majority Partner

10/9/00
Date



To: Alabama Surface Mining Commission
PO Box 2390
Jasper, AL 35502

From: Joe Jackson

Re: Birmingham Coal & Coke Co., Inc. / Ninna V Mine P-3675

To Whom It May Concern:

I am the legal owner of record of certain property located in:

SW 1/4 of the SW 1/4, Section 17;
Township 12 South; Range 9 West; Winston County, Alabama.

As such owner, I hereby agree that part of said land which has been permitted and disturbed by surface mining activity be reclaimed by Birmingham Coal & Coke Co., Inc. as: no current use or land management. I also request that both ponds on my property remain as permanent water impoundments. I understand that with this agreement I am allowing Birmingham Coal & Coke and/or their representatives access to the property to allow for a 100% bond release of all bonds held by the Alabama Surface Mining Commission.


Property Owner


Date

Birmingham Coal & Coke Co., Inc.

2477 Valleydale Road, Suite B3
Birmingham, AL 35244
205-982-8971 • Fax 205-982-8973

November 19, 2002

Mr. Joe Jackson
Via: Hand Delivery

Dear Mr. Jackson:

Birmingham Coal & Coke Co., Inc. will agree to leave the two ponds that you allowed Moss-Levin Joint Venture to build on your property as Permanent Water Impoundments (PWI) provided that you sign the attached land use form. These ponds will have to be removed by current state law if the change to make them PWI's is not made.

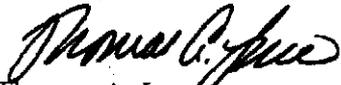
We also agree to leave you an access road across the spillway that will enable you to traverse it during most types of weather.

It is our intention to make this change to our permit to allow these ponds to stay during our next revision. All costs associated with the engineering and design of this change to our permit will be paid by Birmingham Coal & Coke.

Your consent below will allow Birmingham Coal & Coke access to these ponds until a 100% Bond Release is granted by the Alabama Surface Mining Commission.

You can show your agreement by signing below. Thank you for your cooperation. If you have any questions please feel free to call.

Sincerely,


Thomas A. Lewis


Joe Jackson

TAL/kat

Attachment

August 10, 2003

Alabama Surface Mining Commission
P.O. Box 2390
Jasper, Alabama 35502-2390

RE: Birmingham Coal & Coke Co., Inc.
Ninna V. Mine / Revision R-11 Area

Gentlemen:

I hereby request and consent to change the post mining land use of our land at the above referenced facility. The requested change is to leave a sediment basin as a permanent water impoundment, fish and wildlife habitat. After Phase III Bond Release approval I will be responsible for the sound and future maintenance of this basin.

Sincerely,

L B Wideman 9-24-03
Linwood Wideman Date

for Linwood & Rachael Wideman

Address: _____

Address: _____

Address: _____



TO: STATE OF ALABAMA
SURFACE MINING COMMISSION
P.O. BOX 2390
JASPER, ALABAMA 35502-2390

FROM: LINWOOD WIDEMAN

NAUVOO, ALABAMA 35578

RE: BIRMINGHAM COAL & COKE CO., INC.- NINNA V. MINE P-3675

TO WHOM IT MAY CONCERN:

I AM THE LEGAL OWNER OF RECORD OF CERTAIN REAL PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 12 SOUTH, RANGE 9 WEST, WALKER COUNTY, ALABAMA.

AS THE OWNER, I HEREBY AGREE THAT THE LAND WHICH IS TO BE PERMITTED AND DISTURBED BY SURFACE MINING ACTIVITY BE RECLAIMED UNDER NO CURRENT USE OR LAND MANAGEMENT. I ALSO REQUEST THAT POND #008 LOCATED IN SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 12 SOUTH, RANGE 9 WEST, WALKER COUNTY, ALABAMA BE LEFT AS A PERMANENT IMPOUNDMENT. I AGREE TO BE RESPONSIBLE FOR THE FUTURE MANAGEMENT OF THE POND AFTER ITS FINAL RELEASE BY THE SURFACE MINING COMMISSION.

BY: *Lin Woodman* DATE: 2-23-00
LINWOOD WIDEMAN

To: STATE OF ALABAMA
SURFACE MINING COMMISSION
P.O. BOX 2390
JASPER, AL 35502-2390

From: Southern Timber Venture

Re: Birmingham Coal & Coke Co. INC
NINNA V P-3675

To whom it may concern:

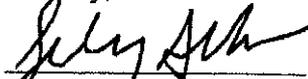
We are the legal owner of record of certain real property located in:

SE ¼ OF NE 1/4 , W ½ OF SE 1/4 , AND THE SW ¼ all in Section 18; Township 12 South,
Range 9 West

As such owner, we hereby agree that part of said land which has been permitted and disturbed by surface mining activity be reclaimed as: no current use or land management.

I also consent to change the post mine land use of our pond/ponds at the above referenced facility. The requested change is to leave a sediment basin as a permanent water impoundment, fish and wildlife habitat. After Phase III Release approval I will be responsible for the sound and future maintenance of this basin/basins.

Sincerely,


Southern Timber Venture

3-11-03
Date

To: STATE OF ALABAMA
SURFACE MINING COMMISSION
P.O. BOX 2390
JASPER, AL 35502-2390

From: Edith Farris

Re: Birmingham Coal & Coke Co. INC
Ninna V P-3675

To whom it may concern:

I am the legal owner of record of certain real property located in:

SE ¼ of the SE ¼ of Section 18, Township 12 South, Range 9 West Winston County, AL

As the owner, I request the pond on my property remain as permanent water impoundment. I understand that with this agreement I am to be responsible for the future management and liability of the pond after its final release by the surface mining commission.

Pond #(s) 023

Sincerely,

Edith Farris

Edith Farris

3-4-14

Date

Address: 541 CR 38

Address: Nova VU00 Al 35578