

PROSPECT MINING & DEVELOPMENT CO., INC.

CORINTH MINE, P-3731

ALABAMA SURFACE MINING COMMISSION

SURFACE MINING PERMIT APPLICATION

P A R T I

Prepared by:

MCGEHEE ENGINEERING CORP.

P. O. Box 3431
450 19th Street West
Jasper, Alabama 35502-3431
Telephone: (205) 221-0686
Fax: (205) 221-7721

STATE OF ALABAMA SURFACE MINING COMMISSION

() Transfer Application for a Surface Coal Mine
(XX) Transfer Application for an Underground Coal Mine
(XX) Transfer Application for a Preparation Facility

NAME OF CURRENT PERMITTEE: Warrior Investment, Inc.
ADDRESS: 209 Highway 195 Jasper, AL 35503

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: Prospect Mining and Development Company, Inc.
Street Address: 218 Highway 195
City: Jasper State: AL Zip: 35503
Mailing Address: 218 Highway 195
City: Jasper State: AL Zip: 35503
Telephone Number: (205) 553-9669
Social Security Number(Voluntary): - -
Employer Identification Number: _____
ASMC License#: L-788

2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION FEES

Name: Prospect Mining and Development Company, Inc.
Street Address: 218 Highway 195
City: Jasper State: AL Zip: 35503
Mailing Address: 218 Highway 195
City: Jasper State: AL Zip: 35503
Telephone Number: (205) 553-9669
Social Security Number(Voluntary): - -
Employer Identification Number: _____
ASMC License#: L-788

3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE

Name: SAME AS PERMITTEE
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone Number: (_____) _____ - _____
Social Security Number(Voluntary): - -
Employer Identification Number: _____
ASMC License#: _____

4. CONTACT PERSON FOR PERMIT REVIEW ISSUES AND CORRESPONDENCE

Name: McGehee Engineering, Corp.
Mailing Address: P. O. Box 3431, 450 19th Street West
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 221-0686
Email Address: jwhitlock@mcgehee.org

PART I B. OWNERSHIP AND CONTROL

1. PERMIT APPLICANT OWNERSHIP AND CONTROL.

At the time of filing of this application provide an update of all information contained in the applicant's license file or certify that the information contained in the license is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

A license update is included.

Information contained in the license file is accurate and complete at the time of filing of this application.

No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

2. OPERATOR OWNERSHIP AND CONTROL.

If someone other than the permittee has been identified as the operator under this permit, an update of the ownership and control information contained in the operator's license file must be provided or certify that the information contained in the license file is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

A license update is included.

Information contained in the license file is accurate and complete at the time of filing of this application.

No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

3. CONTROL OF MINING OPERATION THROUGH CONTROL OF COAL TO BE MINED.

Provide the information below for any person or entity who owns or controls the coal to be mined under this permit and who, by lease, sublease, or other contract:

A. has the right to receive the coal after mining, or,

B. has the authority to determine the manner in which the operator or permittee conducts surface coal mining operations.

(USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY)

Name: Prospect Mining and Development Company, Inc.

Street Address: 218 Highway 195

City: Jasper State: AL Zip: 35503

Mailing Address: 218 Highway 195

City: Jasper State: AL Zip: 35503

Telephone Number: (205) 553-9669

Social Security Number(Voluntary): - -

Employer Identification Number: _____

ASMC License#: L-788

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS

1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY.

INSTRUCTIONS:

Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner(s) of record (as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and mine both the surface and mineral separately. Give the nature of such right (i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom, and the date executed, and whether that right is the subject of pending litigation.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

Legal description of property or permit map symbol: S-2 & M-2
(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): Fee Simple

Legal owner(s) of record: Alabama Power Company, Inc.

Address: 800 North 18th Street City: Birmingham State: AL Zip: 35291

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry(If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes,explain
LEASE	Alabama Power Company, Inc.	Warrior Investment Co., Inc.	08/01/93	NO
ASSIGNMENT	Warrior Investment Co., Inc.	Prospect Mining & Development Co., Inc.	06/03/2016	NO

**PROSPECT MINING & DEVELOPMENT CO., INC.
CORINTH MINE, P-3731**

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: _____ **S-6**

 (SEE PERMIT MAP)
 Surface/Mineral/or Fee Simple (both): _____ **Surface**
 Legal owner(s) of record: **Warrior Investment Co., Inc.**
 Address: **218 Highway 195 North** City: **Jasper** State: **AL** Zip: **35503**
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry(If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Owner Book 1480 Page 684 Recorded 08/28/95				NO
Lease	Warrior Investment Co., Inc.	Prospect Mining & Development Co., Inc.	Pending	NO

PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.
INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Name: Alabama Power Company, Inc.
Address: 800 North 18th Street
City: BIRMINGHAM State: AL Zip: 35291
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease, or Other): OWNER

Name: Warrior Investment Co., Inc.
Address: 218 Highway 195 North
City: Jasper State: AL Zip: 35503
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

PART I C. (CONTINUED)

3. INTERESTS OR PENDING INTERESTS IN LANDS CONTIGUOUS TO THE PERMIT AREA.
INSTRUCTIONS:

Give the legal description of all lands contiguous to the permit area for which the permit applicant:

1. Holds an interest,
2. Holds an option, or
3. Has made a bid for ownership, lease or other interest.

THE APPLICANT HAS NO INTEREST IN ANY LANDS OR CONTIGUOUS LAND
OTHER THAN THE PERMITTED AREA.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Legal description: _____

Describe the nature of the interest: _____

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Legal description: _____

Describe the nature of the interest: _____

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Legal description: _____

Describe the nature of the interest: _____

=====
Legal description: _____

Describe the nature of the interest: _____

PART I D. PERMIT AREA INFORMATION

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations pursuant to this renewal. List each quarter-quarter section, section, township, range, and county.

SW/SW, SE/SW OF SECTION 29, SW/SE, SE/SE OF SECTION 30, NW/NE, NE/NE, SE/NW, SW/NE, SE/NE, NE/SW, NW/SE, SE/SW OF SECTION 31, NW/NW, NE/NW, SW/NW OF SECTION 32, TOWNSHIP 15 SOUTH, RANGE 6 WEST, NE/NW, NW/NE, SE/NW, SW/NE, NE/SW, SW/SW, SE/SW OF SECTION 6, NW/NW, SW/NW OF SECTION 7, TOWNSHIP 16 SOUTH, RANGE 6 WEST, SE/NE OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 7 WEST, ALL IN WALKER COUNTY, ALABAMA.

3. Give the acreage of the permit renewal, each increment and the type of bonding.
 - a. Total permit renewal acreage: 137.0 acres

b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
1.	<u>59.0</u>	<u>Surety Bond</u>
2.	<u>13.0</u>	<u>Surety Bond</u>
3.	<u>9.0</u>	<u>Surety Bond</u>
4.	<u>55.0</u>	<u>Surety Bond</u>
5.	<u>1.0</u>	<u>Surety Bond</u>

NOTE: (Areas that may be included in the renewal of a permit may included that part of the permit which has not been disturbed by mining and those incidental areas necessary to facilitate the mining operations. For underground mining, existing surface areas contained in the permit may be included in the renewal of a permit. No new acres may be added to the permit as part of this renewal).

**PROSPECT MINING & DEVELOPMENT CO., INC.
CORINTH MINE, P-3731**

PART I D. (CONTINUED)

5. List all other licenses and permits required to conduct mining operations including, but not limited to, MSHA I.D. and NPDES. Give the identification or permit number, the name and address of the issuing authority, and the status or date of approval or issuance of each:

Permit	ID or Permit Number	Issuing Authority	Address	Status or date of issuance
MSHA ID	<u>01-03002</u>	<u>MSHA</u>	<u>135 Gemini Circle Birmingham, AL 35209</u>	<u>10/15/93</u>
NPDES	<u>AL0066869</u>	<u>ADEM</u>	<u>1400 Coliseum Drive Montgomery, AL 36110</u>	<u>08/01/98</u>

6. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?
 YES NO
 If YES, list SOAP I.D. Number: _____

7. Submit a certificate of proof of Liability Insurance with this application.

8. Is the property in the permit covered by zoning or other land use restrictions? YES NO.
 If yes, indicate the jurisdictional authority and zoning or landuse restriction for the entire permit area. If more than one zoning classification exists for the permit area, identify the boundaries of each on the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
<u>N/A</u>	_____	_____
_____	_____	_____
_____	_____	_____

PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION

12. Give the name of the approved public office in which a copy of this application will be filed for public inspection following notification of completeness: Alabama Surface Mining Commission and Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>
13. Enclose a copy of the notice of filing of this application which will appear in a newspaper of general circulation in the vicinity of the mine and identify the name of the newspaper: [See Attachment I-E-2](#)

PUBLIC NOTICE FILING OF PERMIT APPLICATION

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Prospect Mining & Development Co., Inc., 218 Highway 195 Jasper, AL 35501 hereby gives notice that it has filed application to succeed by transfer to the rights granted under Surface Coal Mining Permit P-3731-64-19-U currently held by Warrior Investment, Inc. The operation is known as Corinth Mine and is located in:

SW/SW, SE/SW OF SECTION 29, SW/SE, SE/SE OF SECTION 30, NW/NE, NE/NE, SE/NW, SW/NE, SE/NE, NE/SW, NW/SE, SE/SW OF SECTION 31, NW/NW, NE/NW, SW/NW OF SECTION 32, TOWNSHIP 15 SOUTH, RANGE 6 WEST, NE/NW, NW/NE, SE/NW, SW/NE, NE/SW, SW/SW, SE/SW OF SECTION 6, NW/NW, SW/NW OF SECTION 7, TOWNSHIP 16 SOUTH, RANGE 6 WEST, SE/NE OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 7 WEST, ALL IN WALKER COUNTY, ALABAMA.

A copy of the permit application is available for public inspection and review on the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>. A copy of the permit application is also available for public inspection and review at the office of the Alabama Surface Mining Commission located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for public hearing or request for informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last date of publication of this notice.

This notice to be published in the Daily Mountain Eagle Newspaper.

TO THE DAILY MOUNTAIN EAGLE:

Please run this notice one time as soon as possible. Please send invoice and notarized proof of publication to:

Prospect Mining & Development Co., Inc.
218 Highway 195
Jasper, Alabama 35501
Telephone (205) 384-9000

Also, please send a notarized proof of publication to:

McGehee Engineering Corp.
P. O. Box 3431
Jasper, AL 35502-3431
Telephone (205) 221-0686

If you should have any questions or need additional information, please call: (205) 221-0686