

SOUTHLAND RESOURCES , INC.

SEARLES MINE NO. 5, P-3894

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

STATE OF ALABAMA SURFACE MINING COMMISSION

- Renewal Application for a Surface Coal Mine**
 Renewal Application for an Underground Coal Mine
 Renewal Application for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: Southland Resources, Inc.
Street Address: P.O. Box 770
City: Cottondale State: AL Zip: 35453
Mailing Address: P.O. Box 770
City: Cottondale State: AL Zip: 35453
Telephone Number: (205) 554-1550
Social Security Number(Voluntary): - -
Employer Identification Number: 63-1174488
ASMC License#: L-652

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

Name: Southland Resources, Inc.
Street Address: P.O. Box 770
City: Cottondale State: AL Zip: 35453
Mailing Address: P.O. Box 770
City: Cottondale State: AL Zip: 35453
Telephone Number: (205) 554-1550
Social Security Number(Voluntary): - -
Employer Identification Number: 63-1174488
ASMC License#: L-652

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

Name: SAME AS PERMITTEE
Street Address: _____
City: _____ State: AL Zip: _____
Mailing Address: _____
City: _____ State: AL 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

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: Southland Resources, Inc.

Street Address: P.O. Box 770

City: Cottondale State: AL Zip: 35453

Mailing Address: P.O. Box 770

City: Cottondale State: AL Zip: 35453

Telephone Number: (205) 554-1550

Social Security Number (Voluntary): - - -

Employer Identification Number: 63-1174488

ASMC License#: L-652

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: F-1 & M-1
(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): FEE & MINERAL

Legal owner(s) of record: WALTER ENERGY, INC.

Address: P. O. Box 361370 City: BIRMINGHAM State: AL Zip: 35236

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	WALTER ENERGY, INC.	SOUTHLAND RESOURCES INC.	05-01-08	NO

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

=====
 Page 2 of 4
 =====

Legal description of property or permit map symbol: _____ **F-2** _____

(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): _____ **FEE** _____

Legal owner(s) of record: **ALABAMA DEPT. OF CONSERVATION AND NATURAL RESOURCES, STATE LANDS DIVISION ATTN: JAMES H. GRIGGS**

Address: **64 NORTH UNION STREET** City: **MONTGOMERY** State: **AL** Zip: **36130**

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	STATE OF ALABAMA.	SOUTHLAND RESOURCES INC.	05-02-09	NO

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

=====
Page 3 of 4
 =====

Legal description of property or permit map symbol: F-3

(SEE PERMIT MAP)

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

Legal owner(s) of record: KELLERMAN LAND ASSOCIATES c/o AMSOUTH BANK TRUSTEE

Address: P.O. BOX 11426 City: BIRMINGHAM State: AL Zip: 35202

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	KELLERMAN LAND ASSOCIATES.	SOUTHLAND RESOURCES, INC.	03-20-00	NO

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

Legal description of property or permit map symbol: S-30
 (SEE PERMIT MAP)
 Surface/Mineral/or Fee Simple (both): SURFACE
 Legal owner(s) of record: SOUTHLAND RESOURCES, INC.
 Address: 5710 UNIVERSITY BLVD. EAST City: COTTONDALE State: AL Zip: 35453
 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
DEED	SOUTHLAND RESOURCES INC	SOUTHLAND RESOURCES INC.	01-19-12	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

=====
Page 1 of 1
=====

Name: KELLERMAN LAND ASSOCIATES
Address: P.O. BOX 11426
City: BIRMINGHAM State: AL Zip: 35202
Interest owned (Surface, Coal or Fee Simple): FEE
Type of Interest (Owner, Lease, or Other): OWNER

Name: SOUTHLAND RESOURCES, INC
Address: 5710 UNIVERSITY BLVD. EAST
City: COTTONDALE State: AL Zip: 35453
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: WALTER ENERGY, INC.
Address: P. O. Box 361370
City: BIRMINGHAM State: AL Zip: 35236
Interest owned (Surface, Coal or Fee Simple): FEE & MINERAL
Type of Interest (Owner, Lease, or Other): OWNER

Name: ALABAMA DEPT. OF CONSERVATION AND NATURAL RESOURCES, STATE LANDS
DIVISION ATTN: JAMES H. GRIGGS
Address: 64 NORTH UNION STREET
City: MONTGOMERY State: AL Zip: 36130
Interest owned (Surface, Coal or Fee Simple): FEE
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:

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

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.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

=====
Page 1 of 1
=====

=====
Legal description: _____

Describe the nature of the interest: _____

=====
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. List each quarter-quarter section, section, township, range, and county.

THE SW/SW, SE/SW, NE/SE, SW/SE, SE/SE & NW/SE OF SECTION 31 AND THE NW/SW & SW/SW OF SECTION 32 ALL IN TOWNSHIP 19 SOUTH, RANGE 7 WEST. THE NW/NW, SW/NW & NW/SW OF SECTION 5, THE NW/NE, NE/NE, SE/NE, SW/NE, NE/NW, SE/NW, NW/NW, NW/SE, NE/SE, SE/SE, SW/SE, NE/SW SE/SW, SW/SW OF SECTION 6, NW/NE, NE/NW, NW/NW, SE/NW OF SECTION 7, ALL IN TOWNSHIP 20 SOUTH, RANGE 7 WEST. NE/NE OF SECTION 12, IN TOWNSHIP 20 SOUTH, RANGE 8 WEST. ALL IN TUSCALOOSA COUNTY, ALABAMA.

3. Give the acreage of the permit, each increment and the type of bonding.
 - a. Total permit acreage: 451.0 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.	94.0	Certificate of Deposit
2.	73.0	Certificate of Deposit
3.	17.0	Certificate of Deposit
4.	194.0	Certificate of Deposit
5.	56.0	Certificate of Deposit
6.	15.0	Certificate of Deposit
7.	2.0	Certificate of Deposit

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Currently mining in Inc. No. 4, 6 & 7

4. Has any acreage in the proposed permit area been previously disturbed by mining? (XX) YES () NO

If yes, supply the following for any and all previously disturbed areas:

- a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol.

SEE [PERMIT MAP](#)

- b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released.(If no permit, indicate as such)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>N/A</u>	<u>261.0</u>	<u>Pre-Law</u>
<u>P-3577</u>	<u>5.0</u>	<u>100% Released</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling? () YES (XX) NO.

If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.

PART I D. (CONTINUED)

6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated?
 () YES (XX) NO.
 If YES, enclose a copy of the approval granted by the government entity which has jurisdiction over the road. The approval must state the minimum distance disturbance will be allowed to the road or road right-of-way.

7. 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
<u>MSHA ID</u>	<u>01-03236</u>	<u>MSHA</u>	<u>228 West Valley Ave. Birmingham, AL 35209</u>	<u>05-01-02</u>
<u>NPDES</u>	<u>AL0078638</u>	<u>ADEM</u>	<u>1751 Federal Drive Montgomery, AL 36130</u>	<u>Public Notice 3/18/03 Issue Date 05/01/03</u>

8. Is the property in the permit covered by zoning or other land use restrictions? () YES (XX) 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
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Describe access to the proposed mine from a known point on the nearest public highway: From intersection of Tuscaloosa Co. Rd. 59 and Kellerman-Burchfield Road, travel east on the Kellerman-Burchfield Road approximately 0.90 miles to the mine entrance on right.. The mine entrance will be marked and signs will be posted.

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

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

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-13

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, Southland Resources, Inc., P.O. Box 770, Cottondale, AL 35453 is filing an application to renew its Searles Mine No. 5 (P-3894) permit, Surface Mine. Access to the mine is as follows:

From intersection of Tuscaloosa Co. Rd. 59 and Kellerman-Burchfield Road, travel east on the Kellerman-Burchfield Road approximately 0.90 miles to the mine entrance on right.. The mine entrance will be marked and signs will be posted.

THE SW/SW, SE/SW, NE/SE, SW/SE, SE/SE & NW/SE OF SECTION 31 AND THE NW/SW & SW/SW OF SECTION 32 ALL IN TOWNSHIP 19 SOUTH, RANGE 7 WEST. THE NW/NW, SW/NW & NW/SW OF SECTION 5, THE NW/NE, NE/NE, SE/NE, SW/NE, NE/NW, SE/NW, NW/NW, NW/SE, NE/SE, SE/SE, SW/SE, NE/SW SE/SW, SW/SW OF SECTION 6, NW/NE, NE/NW, NW/NW, SE/NW OF SECTION 7, ALL IN TOWNSHIP 20 SOUTH, RANGE 7 WEST. NE/NE OF SECTION 12, IN TOWNSHIP 20 SOUTH, RANGE 8 WEST. ALL IN TUSCALOOSA 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 Tuscaloosa News Newspaper.

TO THE TUSCALOOSA NEWS:

Please run this notice once a week for four (4) consecutive weeks beginning on July 14th, July 16th, July 23rd and July 30th. Please send invoice and notarized proof of publication to:

Southland Resources, Inc.
P.O. Box 770
Cottondale, AL 35453
Telephone (205) 554-1550

Also please send a notarized proof of publication to:

If you should have any questions or need additional information, please call:

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

SOUTHLAND RESOURCES, INC.

SEARLES MINE NO. 5, P-3894

ALABAMA SURFACE MINING COMMISSION
SURFACE MINING PERMIT APPLICATION

P A R T V I

Prepared by:

MCGEHEE ENGINEERING CORP.
P. O. Box 3431
450 19th Street West
Jasper, Alabama 35502-3431
Telephone (205) 221-0686

PART VI - VERIFICATION OF PERMIT APPLICATION (771.27)

I, the undersigned operator and holder of an A.S.M.C. license do hereby submit this as my application for a permit to engage in surface coal mining operation and certify that the information in the application is true and correct to the best of my information and belief. This application is submitted in conformance with rules and regulations of the Commission and it is agreed that any operations pursuant to the permit will be conducted in accordance with those rules and regulations. I further certify that I will keep the Commission advised of any changes of facts as may pertain to the license information or this permit application.

SOUTHLAND RESOURCES, INC.

License No.: **L-652**

Licensee:

By: **Pat A. Jones**
President

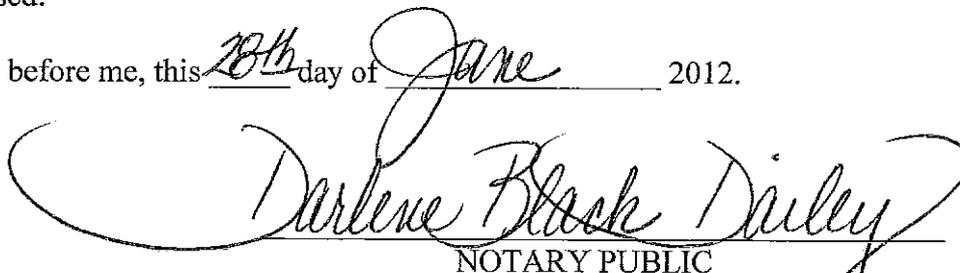


STATE OF ALABAMA)))

COUNTY OF WALKER)))

Before me, the undersigned authority, personally appeared **Pat A. Jones** who being duly sworn upon oath, deposed and said, that he has read the foregoing application, that he is the responsible official of the applicant who executed the application, that the facts and matters contained therein are true and correct to the best of his information and belief, and that he executed the same for the purposes therein expressed.

Sworn to and subscribed before me, this 28th day of June 2012.



NOTARY PUBLIC

My Commission Expires: 4/16/14

{SEAL}

SOUTHLAND RESOURCES, INC.

SEARLES MINE NO. 5, P-3894

ALABAMA SURFACE MINING COMMISSION

SURFACE MINING PERMIT APPLICATION

P A R T V I I

Prepared by:

MCGEHEE ENGINEERING CORP.

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

PART VII - FINAL VERIFICATION OF PERMIT APPLICATION P-3894

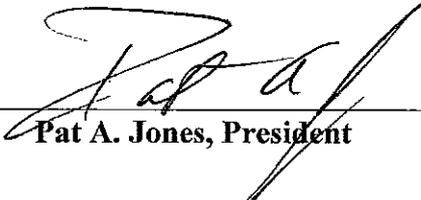
I, the undersigned operator and holder of an A.S.M.C. license, do hereby certify that:

- The information in the license file regarding ownership and control and violation information is accurate and complete as of this date.
- The information in the license file regarding ownership and control and violation information is not accurate and complete as of this date. The necessary update is attached.

This application is submitted in conformance with rules and regulations of the Commission and it is agreed that any operations pursuant to the permit will be conducted in accordance with those rules and regulations. I further certify that I will keep the Commission advised of any changes of facts as may pertain to the license information or this permit application.

Licensee: Southland Resources Inc.

License No.: L-652

By: 
Pat A. Jones, President

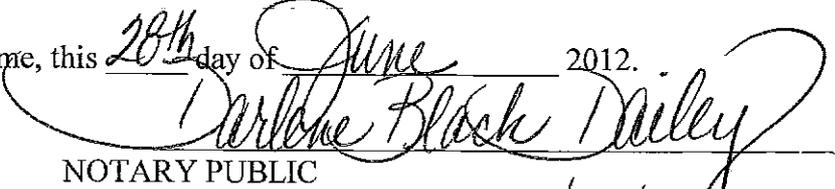
Date: 6/28/2012

STATE OF ALABAMA)))

COUNTY OF WALKER)))

Before me, the undersigned authority, personally appeared **Pat A. Jones** who being duly sworn upon oath, deposed and said, that he has read the foregoing application, that he is the responsible official of the applicant who executed the application, that the facts and matters contained therein are true and correct to the best of his information and belief, and that he executed the same for the purposes therein expressed.

Sworn to and subscribed before me, this 28th day of June 2012.


NOTARY PUBLIC

My Commission Expires: 4/16/14
{ S E A L }