

NATIONAL COAL OF ALABAMA, INC.

MEREDYTH MINE, P-3899

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: National Coal of Alabama, Inc.
Street Address: 1810 Alabama Ave., Suite 101
City: Jasper State: AL Zip: 35501
Mailing Address: Same as Above
City: _____ State: __ Zip: _____
Telephone Number: (205) 221-4676
Social Security Number(Voluntary): - -
Employer Identification Number: _____
ASMC License#: L-558

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

Name: National Coal of Alabama, Inc.
Street Address: 1810 Alabama Ave., Suite 101
City: Birmingham State: AL Zip: 35253
Mailing Address: Same as Above
City: _____ State: __ Zip: _____
Telephone Number: (205) 221-4676
Social Security Number(Voluntary): - -
Employer Identification Number: _____
ASMC License#: L-558

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

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.

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: National Coal of Alabama, Inc.
Street Address: 1810 Alabama Ave., Suite 101
City: Birmingham State: AL Zip: 35253
Mailing Address: Same as Above
City: _____ State: __ Zip: _____
Telephone Number: (205) 221-4676
Social Security Number(Voluntary): - -
Employer Identification Number: _____
ASMC License#: L-558

**NATIONAL COAL OF ALABAMA, INC.
MEREDYTH MINE, P-3899**

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, F-15
(SEE PERMIT MAP)

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

Legal owner(s) of record: JOHN W. & LYNN TIDWELL

Address: 3580 HWY 243 City: HALEYVILLE State: AL Zip: 35565

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	JOHN & LYNN TIDWELL	HOPE COAL CO., INC.	06-06-06	NO

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

Legal description of property or permit map symbol: _____ **F-26** _____
(SEE PERMIT MAP)

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

Legal owner(s) of record: **TERRY & GREGORY YARBROUGH & SARA J. COCHRAN & IVA L. MCNUTT**

Address: **7733 NEWBURG RD** City: **HALEYVILLE** State: **AL** Zip: **35064-1299**

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	TERRY W. & GREGORY YARBROUGH SARA J. COCHRAN & IVA L. MCNUTT	HOPE COAL CO., INC.	PENDING	NO

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

Legal description of property or permit map symbol: _____ **F-39** _____

(SEE PERMIT MAP)

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

Legal owner(s) of record: **DEBORAH ADERHOLDT**

Address: **2201 COUNTY ROAD 51** City: **HALEYVILLE** State: **AL** Zip: **35565**

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	DEBORAH ADERHOLDT	HOPE COAL CO., INC.	PENDING	NO

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

Legal description of property or permit map symbol: _____ **F-44** _____

(SEE PERMIT MAP)

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

Legal owner(s) of record: **ROBINSON & SONS CONSTRUCTION, INC.**

Address: **80 5TH AVE.** City: **HALEYVILLE** State: **AL** Zip: **35565**

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	ROBINSON & SONS CONSTRUCTION, INC.	HOPE COAL CO., INC.	PENDING	NO

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

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

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

Legal owner(s) of record: Black Stone Natural Resources 1/2 interest, William Tidwell 1/4 interest, Quimby Tidwell 1/8 interest, Cairlton 1/8 interest

Address: 1001 Fannin, Suite 2020 City: Houston State: TX Zip: 77002

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	Black Stone Natural Resources	HOPE COAL CO., INC.	08-29-2008	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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Page 1 of 2
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Name: JOHN W. & LYNN TIDWELL ETUX
Address: 3580 HWY 243 SOUTH
City: HALEYVILLE State: AL Zip: 35556
Interest owned (Surface, Coal or Fee Simple): FEE
Type of Interest (Owner, Lease, or Other): OWNER

Name: THURLO & VERA LEAGUE
Address: 48 CO. RD. 3214
City: HALEYVILLE State: AL Zip: 35556
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: TERRY W. & GREGORY YARBROUGH & SARA J. COCHRAN & IVA L. MCNUTT
Address: 7733 NEWBURG RD
City: HALEYVILLE State: AL Zip: 35556
Interest owned (Surface, Coal or Fee Simple): FEE
Type of Interest (Owner, Lease, or Other): OWNER

Name: JMS INVESTMENTS c/o JOE MACK SMITH
Address: 7155 STATE HWY 13
City: HALEYVILLE State: AL Zip: 35556
Interest owned (Surface, Coal or Fee Simple): FEE
Type of Interest (Owner, Lease, or Other): OWNER

Name: MELINDA SESSIONS & SUSAN HAGGARD c/o BILLY MCNUTT
Address: 2712 15TH AVE
City: HALEYVILLE State: AL Zip: 35565
Interest owned (Surface, Coal or Fee Simple): FEE
Type of Interest (Owner, Lease, or Other): OWNER

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 2 of 2

Name: TERESA CARROLL

Address: 2404 15TH AVE

City: HALEYVILLE State: AL Zip: 35556

Interest owned (Surface, Coal or Fee Simple): FEE

Type of Interest (Owner, Lease , or Other): OWNER

Name: DONNIE & LARRY ADERHOLT c/o LARRY ADERHOLT

Address: 2201 COUNTY ROAD 51

City: HALEYVILLE State: AL Zip: 35556

Interest owned (Surface, Coal or Fee Simple): FEE

Type of Interest (Owner, Lease , or Other): OWNER

Name: ROBINSON & SONS CONSTRUCTION, INC.

Address: 80 5TH AVE.

City: HALEYVILLE State: AL Zip: 35556

Interest owned (Surface, Coal or Fee Simple): FEE

Type of Interest (Owner, Lease , or Other): OWNER

Name: Black Stone Natural Resources

Address: 1001 Fannin, Suite 2020

City: Houston State: TX Zip: 77002

Interest owned (Surface, Coal or Fee Simple): MINERAL

Type of Interest (Owner, Lease , or Other): OWNER

Name: C. L. Posey Estate c/o Glennis Posey

Address: P. O. Box 699

City: Double Springs State: AL Zip: 35553

Interest owned (Surface, Coal or Fee Simple): MINERAL

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

=====
Legal description: _____

Describe the nature of the interest: _____

=====
Legal Description: _____

Describe the nature of the interest: _____

=====
Legal description: _____

Describe the nature of the interest: _____

**NATIONAL COAL OF ALABAMA, INC.
MEREDYTH MINE, P-3899**

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/NE, NW/NE, NW/SE, NE/SW, NE/NW, SE/NW, SW/NW & NW/NW of Section 3, NE/NE, SW/SE, NW/SE, NE/SW, SE/SW, SW/SW & NW/SW of Section 4, Township 9 South, Range 10 West, in Winston County, Alabama. The SE/SW of Section 34, Township 8 South, Range 10 West: in Franklin County, Alabama.

3. Give the acreage of the permit, each increment and the type of bonding.
 - a. Total permit acreage: 298.0 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.	62.0	Certificate of Deposit
2.	66.0	Certificate of Deposit
3.	82.0	Certificate of Deposit
4.	32.0	Certificate of Deposit
5.	42.0	Certificate of Deposit
6.	14.0	Certificate of Deposit

c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Inc. No. 1, 2, 5 and 6

4. Has any acreage in the proposed permit area been previously disturbed by mining? () YES (XX) 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>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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.

NATIONAL COAL OF ALABAMA, INC.

MEREDYTH MINE, P-3899

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.

NATIONAL COAL OF ALABAMA, INC.

License No.: L-558

Licensee:

By: Scott Deppe
President

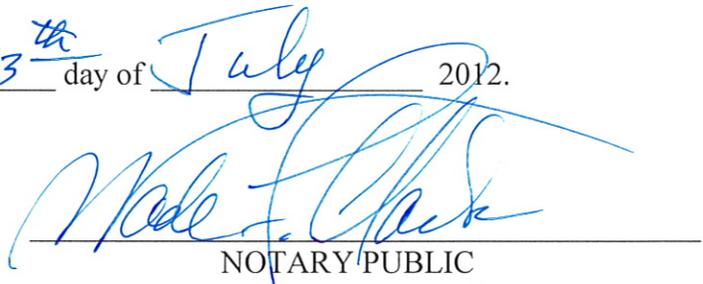


STATE OF ALABAMA)))

COUNTY OF WALKER)))

Before me, the undersigned authority, personally appeared Scott Deppe 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 13th day of July 2012.



NOTARY PUBLIC

My Commission Expires: 7/6/16

{ S E A L }

NATIONAL COAL OF ALABAMA, INC.

MEREDYTH MINE, P-3899

**ALABAMA SURFACE MINING COMMISSION
SURFACE MINING PERMIT APPLICATION**

PART VII

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-3871

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: National Coal of Alabama, Inc.

License No.: L-558

By: 
Scott Deppe, President

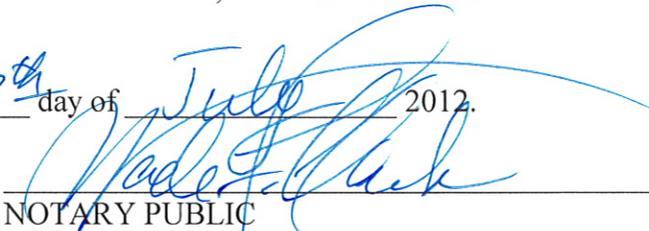
Date: 7/13/2012

STATE OF ALABAMA)))

COUNTY OF WALKER)))

Before me, the undersigned authority, personally appeared **Scott Deppe** 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 13th day of July 2012.


NOTARY PUBLIC

My Commission Expires: 7/6/16

{ S E A L }