

**JIM WALTER RESOURCES, INC.  
HIGHWAY 59 MINE NO. 1, P-3906**

**JIM WALTER RESOURCES, INC.**

**HIGHWAY 59 MINE NO. 1, P-3906**

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  
 Transfer Application for an Underground Coal Mine  
 Transfer Application for a Preparation Facility

NAME OF CURRENT PERMITTEE: Walter Minerals, Inc.  
ADDRESS: 3000 Galleria Blvd. Ste. 1700 Birmingham, AL 35236-1360

## PART I A. IDENTIFICATION

### 1. PERMIT APPLICANT

Name: Jim Walter Resources, Inc.  
Street Address: 16243 Highway 216  
City: Brookwood State: AL Zip: 35444  
Mailing Address: P. O. BOX 133  
City: Brookwood State: AL Zip: 35444  
Telephone Number: (205) 554-6150  
Social Security Number (Voluntary): - -  
Employer Identification Number: 59-2981186  
ASMC License#: L-613

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

Name: Jim Walter Resources, Inc.  
Street Address: 16243 Highway 216  
City: Brookwood State: AL Zip: 35444  
Mailing Address: P. O. BOX 133  
City: Brookwood State: AL Zip: 35444  
Telephone Number: (205) 554-6150  
Social Security Number (Voluntary): - -  
Employer Identification Number: 59-2981186  
ASMC License#: L-613

### 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

**JIM WALTER RESOURCES, INC.  
HIGHWAY 59 MINE NO. 1, P-3906**

**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: Jim Walter Resources, Inc.  
Street Address: 16243 Highway 216  
City: Brookwood State: AL Zip: 35444  
Mailing Address: P. O. BOX 133  
City: Brookwood State: AL Zip: 35444  
Telephone Number: (205) 554-6150  
Social Security Number (Voluntary): - -  
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**JIM WALTER RESOURCES, INC.  
HIGHWAY 59 MINE NO. 1, P-3906**

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

Legal description of property or permit map symbol: S-14

SEE PERMIT MAP

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

Legal owner(s) of record: JIM WALTER RESOURCES

Address: 16243 HIGHWAY 216 City: BROOKWOOD State: AL Zip: 35444

Holders of leasehold interest: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: AL 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	JIM WALTER RESOURCES	UNITED LAND CORP.	March 6, 2008	NO

**JIM WALTER RESOURCES, INC.  
HIGHWAY 59 MINE NO. 1, P-3906**

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

Legal description of property or permit map symbol: S-16

SEE PERMIT MAP

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

Legal owner(s) of record: CSX TRANSPORTATION

Address: 500 WATER STREET City: JACKSONVILLE State: FL Zip: 32202

Holders of leasehold interest: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: AL 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	CSX TRANSPORTATION	UNITED LAND CORP.	PENDING	NO

**JIM WALTER RESOURCES, INC.  
HIGHWAY 59 MINE NO. 1, P-3906**

**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: WALTER MINERALS, INC.  
Address: 3000 GALLERIA BLVD. STE. 1700  
City: BIRMINGHAM State: AL Zip: 35236  
Interest owned (Surface, Coal or Fee Simple): SURFACE, MINERAL & FEE  
Type of Interest (Owner, Lease, or Other): OWNER

Name: JIM WALTER RESOURCES  
Address: 16243 HIGHWAY 216  
City: BROOKWOOD State: AL Zip: 35444  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease, or Other): OWNER

Name: CSX TRANSPORTATION  
Address: 500 WATER STREET  
City: JACKSONVILLE State: FL Zip: 32202  
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:**

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**

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=====  
Legal description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====  
Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====  
Legal description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**JIM WALTER RESOURCES, INC.  
HIGHWAY 59 MINE NO. 1, P-3906**

**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.

SW/SE and SE/SE of Section 17, NW/NE, NE/NE, SE/NE, SW/NE, SE/NW, SW/NW, NE/SW, NW/SE and NE/SE of Section 20, Township 20 South, Range 7 West. All being located in Tuscaloosa County, Alabama.

3. Give the acreage of the permit, each increment and the type of bonding.
- a. Total permit acreage: 200 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.	136.0	Certificate of Deposit
2.	64.0	Certificate of Deposit

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Inc. No. 1

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>26 Acres</u>	<u>Pre-Law</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.



**WALTER MINERALS, INC.  
HIGHWAY 59 MINE NO. 1, P-3906  
ATTACHMENT 1-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, Jim Walter Resources, Inc., 16243 Highway 216, Brookwood, AL 35444 hereby gives notice that it has filed application to succeed by transfer to the rights granted under Surface Coal Mining Permit P-3906 currently held by Walter Minerals, Inc., 3000 Galleria Blvd. Ste. 1700 Birmingham, AL 35236-1360. The operation is known as the Highway 59 Mine No. 1. Access to the mine is as follows:

From the intersection of Alabama Highway 216 and Tuscaloosa County Road 59 in Brookwood, Alabama, travel north on Tuscaloosa County Road 59 approximately 2.7 miles to the mine entrance on the right. The mine entrance will be marked and signs will be posted.

SW/SE and SE/SE of Section 17, NW/NE, NE/NE, SE/NE, SW/NE, SE/NW, SW/NW, NE/SW, NW/SE and NE/SE of Section 20, Township 20 South, Range 7 West. All being located 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 one time as soon as possible. Please send invoice and notarized proof of publication to:

Jim Walter Resources, Inc.  
16243 Highway 216  
Brookwood, AL 35444  
Telephone (205) 554-6150

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