

ASMC Use Only:

Fee: _____
Bond Required: _____
Date Approved: _____

APPLICATION FOR PERMIT REVISION

Name of Permittee: Black Warrior Minerals, Inc.
License Number: L-698 Permit Number: P-3922-64-14-S
Permit Expiration Date: 07/16/14 Mine Name: Manchester East Mine
Revision Number: Revision R-3

Nature of Proposed Revision:

- 1) Add 7.0 Mining acres to Increment No. 4.
- 2) Add 2.0 Incidental acres to Increment No. 6 for Basin 043P.
- 3) Transfer 25.0 Mining Acres and 2.0 Incidental Acres from Increment No. 4 for Basin 038P and Access to Increment No. 2 for mining area.
- 4) Transfer 27.0 Mining Acres from Increment No. 5 to Increment No 2.
- 5) Transfer 19.0 Mining Acres from Increment No. 2 to Increment No. 4.
- 6) Transfer 2.0 Mining Acres from Increment No. 5 to Increment No. 4.
- 7) Transfer 97.0 Mining Acres from Increment No. 2 to Increment No. 1.
- 8) Transfer 3.0 Mining Acres from Increment No. 2 to Increment No. 6 for the extension of Primary Road 2P and Coal Yard.

- 9) Delete Basin 039P and transfer acreage to mining acres.
- 10) Delete Basin 040P and transfer acreage to mining acres.
- 11) Delete Basin 041P and transfer acreage to mining acres.
- 12) Delete Basin 009P and drainage course east of Basin 009P and transfer acreage to mining acres.
- 13) Delete 0.0 incidental acres (a portion of Basin 039) as undisturbed.
- 14) Update the General Plan through the addition of Basin 043P.
- 15) Submit Detailed Design Plans for Basin 043P.
- 16) Update the Hydrologic Monitoring Plan.
- 17) Update the Operations Plan.
- 18) Extend Primary Road 2P from Station 27+44 to 52+45 at coal yard.
- 19) Submit Detailed Design Plans for the extension of Primary Road 2P.
- 20) Extend Topsoil Variance to include acreage added by this revision.

Attach Detailed estimate of effect of proposed revision on reclamation costs.

Applicant: Black Warrior Minerals, Inc.
Mine Name: Manchester East Mine
Permit Number: P-3922 Revision R-3

STATE OF ALABAMA SURFACE MINING COMMISSION

- (X) Permit Application for a Surface Coal Mine
() Permit Application for an Underground Coal Mine
() Permit Application for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: Black Warrior Minerals Inc.
Street Address: 4788 Highway 78 West
City: Cordova State: AL Zip: 35550
Mailing Address: P.O. Box 1190
City: Sumiton State: AL Zip: 35148
Telephone Number: (205) 648-2290
Social Security Number (Voluntary): _____
Employer Identification Number: 63-0906486
ASMC License#: L-698

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

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

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

Name: Applicant
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: Leslie Stephens c/o PERC Engineering Co., Inc.
Mailing Address: Post Office Box 1712
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 384-5553

ALSO PLEASE COPY:

Black Warrior Minerals, Inc.
P.O. Box 1190
Sumiton, AL 35148
Telephone: (205) 648-2290

Applicant: Black Warrior Minerals, Inc.
Mine Name: Manchester East Mine
Permit Number: P-3922 Revision R-3

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 IA through Part IF 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: **NOT APPLICABLE**

- 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: Applicant
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: (____) _____-_____
Social Security Number (Voluntary): _____-_____
Employer Identification Number: _____
ASMC License Number: _____

Applicant: <u>Black Warrior Minerals, Inc.</u> Mine Name: <u>Manchester East Mine</u> Permit Number: <u>P-3922 Revision R-3</u>

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

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Legal description of property or permit map symbol: _____
Roger W. Perry (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Roger W. Perry
Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
Holders of leasehold interest: Black Warrior Minerals, Inc.
Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
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	Roger W. Perry	Black Warrior Minerals, Inc.	8/11/08 and 4/25/12	No

Applicant: Black Warrior Minerals, Inc.
 Mine Name: Manchester East Mine
 Permit Number: P-3922 Revision R-3

PART I C. (CONTINUED)

Legal description of property or permit map symbol: Kilgore, Etal (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Kilgore, Etal c/o Don Kilgore
 Address: 409 19th Street City: Jasper State: AL Zip: 35501
 Holders of leasehold interest: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 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	Kilgore, Etal	Black Warrior Minerals, Inc.	06/25/08	No

Legal description of property or permit map symbol: _____
Black Warrior Minerals, Inc. (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 Holders of leasehold interest: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 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 Warrior Minerals, Inc	Black Warrior Minerals, Inc.	8/11/08	No

Applicant: Black Warrior Minerals, Inc.
 Mine Name: Manchester East Mine
 Permit Number: P-3922 Revision R-3

PART I C. (CONTINUED)

Legal description of property or permit map symbol: Bankhead Development, Ltd.
 (M)

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

Legal owner(s) of record: Bankhead Development, Ltd. c/o Howard Graham

Address: 812 Airport Road S. City: Jasper State: AL Zip: 35501

Holder(s) of leasehold interest: Black Warrior Minerals, Inc.

Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148

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	Bankhead Development, Ltd.	Black Warrior Minerals, Inc.	05/22/08	No

Legal description of property or permit map symbol: John H. Bankhead & Co., Inc.
 (S)

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

Legal owner(s) of record: John H. Bankhead & Co., Inc.

Address: P.O. Box 2385 City: Jasper State: AL Zip: 35502

Holder(s) of leasehold interest: Black Warrior Minerals, Inc.

Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148

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 H. Bankhead & Co., Inc.	Black Warrior Minerals, Inc.	8/11/08	No

Applicant: Black Warrior Minerals, Inc.
 Mine Name: Manchester East Mine
 Permit Number: P-3922 Revision R-3

PART I C. (CONTINUED)

Legal description of property or permit map symbol: Samuel O'Rear Estate (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: Samuel O'Rear Estate c/o Douglas Farris
 Address: P.O. Box 1030 City: Jasper State: AL Zip: 35502
 Holders of leasehold interest: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 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	Samuel O'Rear Estate	Black Warrior Minerals, Inc.	7/3/07	No

Legal description of property or permit map symbol: Edna O'Rear Estate (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Edna O'Rear Estate c/o Douglas Farris
 Address: P.O. Box 1030 City: Jasper State: AL Zip: 35502
 Holders of leasehold interest: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 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	Edna O'Rear Estate	Black Warrior Minerals, Inc.	7/3/07	

Applicant: Black Warrior Minerals, Inc.
 Mine Name: Manchester East Mine
 Permit Number: P-3922 Revision R-3

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Regions Bank (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Regions Bank c/o Alan Morris, Nat. Res. Dept.
 Address: P.O. Box 11426 City: Birmingham State: AL Zip: 35202
 Holders of leasehold interest: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 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 Pending	Regions Bank	Black Warrior Minerals, Inc.	5/7/12	

Legal description of property or permit map symbol: RMK Select Timberland Investment Fund 1, LLC(S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: RMK Select Timberland Investment Fund 1, LLC c/o RMK Timberland Group
 Address: 260 Peachtree St. NE Suite 1800 City: Atlanta State: GA Zip: 30303
 Holders of leasehold interest: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 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	RMK Select Timberland Investment Fund 1, LLC	Black Warrior Minerals, Inc.	6/17/09	No

Applicant: Black Warrior Minerals, Inc.
 Mine Name: Manchester East Mine
 Permit Number: P-3922 Revision R-3

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Raymond E. Faught, Jr. (S) & (M)

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

Legal owner(s) of record: Raymond E. Faught Jr. c/o Edward Faught

Address: 1240 Brianwood Dr. NE City: Atlanta State: GA Zip: 30306

Holders of leasehold interest: Black Warrior Minerals, Inc.

Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148

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	Raymond E. Faught, Jr.	Black Warrior Minerals, Inc.	6/1/10	No

Legal description of property or permit map symbol: Simmons Agency, LTD. (S)

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

Legal owner(s) of record: Simmons Agency, LTD. (S)

Address: P.O. Box 130 City: Jasper State: AL Zip: 35502

Holders of leasehold interest: Black Warrior Minerals, Inc.

Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148

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	Simmons Agency, LTD.	Black Warrior Minerals, Inc.	06/09/09	No

Applicant: Black Warrior Minerals, Inc.
 Mine Name: Manchester East Mine
 Permit Number: P-3922 Revision R-3

Legal description of property or permit map symbol: Ralph, Kaylene Williams and Gary Allen Woods (S)

Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: Ralph, Kaylene Williams and Gary Allen Woods
 Address: 2303 Fall City Rd. City: Jasper State: AL Zip: 35503
 Holders of leasehold interest: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 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 Pending	Ralph, Kaylene Williams and Gary Allen Woods	Black Warrior Minerals, Inc.		

Legal description of property or permit map symbol: Ralph & Kaylene Marie Williams (M)

Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Ralph & Kaylene Marie Williams
 Address: 2303 Fall City Rd. City: Jasper State: AL Zip: 35503
 Holders of leasehold interest: Black Warrior Minerals, Inc.
 Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148
 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 Pending	Ralph & Kaylene Marie Williams	Black Warrior Minerals, Inc.		No

Applicant: Black Warrior Minerals, Inc.
 Mine Name: Manchester East Mine
 Permit Number: P-3922 Revision R-3

Legal description of property or permit map symbol: Sam Murphy Trust, Regions Bank of Alabama (S)

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

Legal owner(s) of record: Sam Murphy Trust c/o Regions Bank of Alabama

Address: P.O. Box 11426 City: Birmingham State: AL Zip: 35202

Holders of leasehold interest: Black Warrior Minerals, Inc.

Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148

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 Pending	Sam Murphy Trust c/o Regions Bank of Alabama	Black Warrior Minerals, Inc.		No

Legal description of property or permit map symbol: Vister Williams (M)

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

Legal owner(s) of record: Mrs. Vistor Williams c/o Gretel Ferrell

Address: 6246 Hwy. 195 City: Jasper State: AL Zip: 35503

Holders of leasehold interest: Black Warrior Minerals, Inc.

Address: P.O. Box 1190 City: Sumiton State: AL Zip: 35148

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 Pending	Vister Williams	Black Warrior Minerals, Inc.		No

Applicant: Black Warrior Minerals, Inc.
Mine Name: Manchester East Mine
Permit Number: P-3922 Revision R-3

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 AS NECESSARY IN THE FORMAT BELOW

PAGE 1 OF 2

Name: Roger W. Perry
Address: P.O. Box 1190
City: Sumiton State: AL Zip: 35148
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: Kilgore, Etal.
Address: 409 19th Street
City: Jasper State: AL Zip: 35501
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease, or Other): Owner

Name: Black Warrior Minerals, Inc.
Address: P.O. Box 1190
City: Sumiton State: AL Zip: 35148
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease, or Other): Owner

Name: Bankhead Development, Ltd. c/o Howard Graham
Address: 812 Airport Road S.
City: Jasper State: AL Zip: 35501
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease, or Other): Owner

Name: John H. Bankhead & Co., Inc.
Address: P.O. Box 2385
City: Jasper State: AL Zip: 35502
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: Regions Bank c/o Alan Morris, Nat. Res. Dept.
Address: P.O. Box 11426
City: Birmingham State: AL Zip: 35202
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease, or Other): Owner

Name: RMK Timberland Group c/o John Lang
Address: 201 Williams Ave
City: Huntsville State: AL Zip: 35801
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: Raymond E. Faught, Jr. c/o Edward Faught
Address: 1240 Brianwood Dr. NE
City: Atlanta State: GA Zip: 30306
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Applicant: Black Warrior Minerals, Inc.
Mine Name: Manchester East Mine
Permit Number: P-3922 Revision R-3

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 AS NECESSARY IN THE FORMAT BELOW

PAGE 2 OF 2

Name: Ralph, Kaylene Williams and Gary Allen Woods
Address: 2303 Fall City Road
City: Jasper State: AL Zip: 35503
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease , or Other): Owner

Name: Ralph & Kaylene Marie Williams
Address: 2303 Fall City Road
City: Jasper State: AL Zip: 35503
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease , or Other): Owner

Name: Sam Murphy Trust, Regions Bank of Alabama
Address: P.O. Box 11426
City: Birmingham State: AL Zip: 35202
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease , or Other): Owner

Name: Vister Williams c/o Gretel Ferrell
Address: 6246 Hwy. 195
City: Jasper State: AL Zip: 35503
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease , or Other): Owner

Name: Simmons Agency, LTD.
Address: P.O. Box 130
City: Jasper State: AL Zip: 35502
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease , or Other): Owner

Name: Samuel O'Rear Estate c/o Douglas Farris
Address: P.O. Box 1030
City: Jasper State: AL Zip: 35502
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease , or Other): Owner

Name: Edna O'Rear Estate c/o Douglas Farris
Address: P.O. Box 1030
City: Jasper State: AL Zip: 35502
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease , or Other): Owner

Name: Raymond E. Faught, Jr. c/o Edward Faught
Address: 4212 Overbrook Rd.
City: Birmingham State: AL Zip: 35222
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease , or Other): Owner

acreage comprising the Premises). However, no such termination shall affect the obligations of Lessee to pay any accrued royalties with respect to such part of the Premises so taken.

19. **NOTICE.** Any notice provided for or permitted herein to be given by either party to the other party shall be given in writing and shall be conclusively deemed to have been given upon deposit thereof in the United States mail, registered or certified mail (with effective date of receipt being the date of receipt as indicated on return receipt certificate), postage prepaid and addressed as follows:

- A. **Lessor to Lessee**
Black Warrior Minerals, Inc.
P. O. Box 1190
Sumiton, AL 35148

- B. **Lessee to Lessor**
Regions Bank
Natural Resources Department
P. O. Box 10463
Birmingham, Alabama 35202

20. **LESSOR AS TRUSTEE.** The undersigned Regions Bank, Birmingham, Alabama, executes this instrument solely in the representative capacity named herein, and expressly limits its liability hereunder to the property now or hereafter held by it in the representative capacity named.

21. **PARTIES IN INTEREST.** Lessee certifies that it is not an officer, employee, or a director (including city director) of Regions Bank or any affiliate of the Bank. Lessee further certifies that it is not acting on behalf of and it is not an immediate family member of any of the aforementioned.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the day and year first above written.

ATTEST:

REGIONS BANK, TRUSTEE



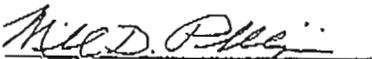
ITS: Vice President

BY: 

ITS: Vice President and Geologist

ATTEST:

Black Warrior Minerals, Inc.



ITS: C.O.O.



ITS: President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that G. Allen Morris and Anthony J. Edwards, whose names as Vice President and Geologist and Vice President, respectively, of Regions Bank, an Alabama banking corporation, are signed to the foregoing lease, and who are known to me, acknowledged before me on this day that, being informed of the contents of the lease, they, as such officers and with full corporate authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and seal this 7th day of May, 2012.

Melinda Valdez
Notary Public
My Commission Expires 8-21-2013

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Raney Perry and Michael Phillips, whose names as President and Chief Operating Officer, respectively, of Black Warrior Minerals, Inc., a Corporation, are signed to the foregoing lease, and who are known to me, acknowledged before me on this day that, being informed of the contents of the lease, they, as such officers and with full corporate authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and seal this 7th day of May, 2012.

Melinda Valdez
Notary Public
My Commission Expires 8-21-13

Attached hereto and made a part of that certain Coal Strip Mining Lease dated May 7, 2012, by and between Regions Bank, Trustee, "Lessor", and Black Warrior Minerals, Inc., "Lessee".

MINERAL RIGHTS ONLY

WALKER COUNTY, ALABAMA

Township 13 South, Range 7 West

Section 5: SE/4 of NW/4; that part of the NE/4 of NW/4 located south of the creek; and that part of the W/2 of NE/4 located west of the creek.

THE STATE OF ALABAMA §

COUNTY OF WALKER §

COAL MINING LEASE

THIS LEASE AGREEMENT, made and entered into on the 25th day of April, 2012 between **ROGER W. PERRY, RANCEY PERRY, LEAH M. PERRY HAYNIE** party of the first part (hereinafter referred to as "Lessor"), and **BLACK WARRIOR MINERALS, INC.**, an Alabama corporation, party of the second part (hereinafter referred to as "Lessee"),

WITNESSETH:

That Lessor for and in consideration of the royalties to be paid and the covenants, agreements and stipulations hereinafter set forth, has granted, demised, let and leased and by these presents does let and lease unto Lessee, to the extent of its interest, and Lessee does hereby lease, for the term, rentals and purposes hereinafter set forth, those certain tracts or parcels of land situated in Walker County, Alabama (hereinafter collectively called "said land or premises") and described in Exhibit "A" and Exhibit "B" attached to and made part hereof.

In consideration of the said lease by Lessor, the parties hereto covenant and agree as follows:

1. Purpose: Lessee shall have the right to mine and remove all seams of coal in said land by the surface mining method only, and the right to exercise all of Lessor's mining rights for mining and removing coal by the surface method of mining and removing such coal, and shall have the right to the full extent that the Lessor has such right to use, during the term of this lease, the said lands for all purposes necessary, convenient or desirable in carrying on such operations. It is understood that no right or privilege is given or granted to Lessee except such rights and privileges as the Lessor may lawfully give and grant by virtue of its ownership.

2. Term: The term of this lease shall be for seven years (7) commencing on April 25th 2012 and ending on April 25th 2019, unless sooner terminated, said term hereinafter referred to as the initial term of this lease.

3. Royalty: Lessee shall, as rental for the rights herein granted, pay to Lessor not later than the 20th day of each month for all coal mined and sold from the premises during the preceding month a royalty equal to the greater of the following:

A. Surface Only. ~~Four~~ and no cents (~~00~~) per ton of each ton of 2000 pounds or ~~of~~ of the sales price F.O.B. pit for each ton of 2,000 pounds of coal removed and sold from the premises during the preceding month;

B. The gross sales price of said coal so mined shall be F.O.B. pit. If coal mined from the premises is blended with coal of lesser quality mined elsewhere than from the premises, the gross sales price shall be deemed to be that which the coal mined from the premises would have brought if not so blended; in the case of coal used by Lessee and not sold, or coal sold F.O.B. some point other than the mine pit, the gross sales price shall be deemed to be that price which the coal would have brought had it been sold F.O.B. mine pit. If coal mined from the premises is to be blended with coal mined elsewhere than from the premises and the gross sales price is to be negatively affected by this blending, then consent must be obtained from Lessor in writing.

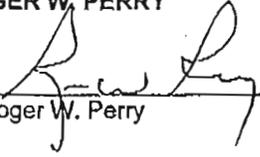
Weights and prices shall be determined in the manner from time to time agreed upon between the parties hereto, and in the event of any dispute as to weights or prices, said dispute shall be submitted to arbitration as provided for herein. Remittances of royalties provided for herein shall be accompanied by certificates signed by Lessee showing the total amount of coal mined and sold during the preceding month and the

This agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, successors, assigns and personal representatives, subject, however, to paragraph 15 above.

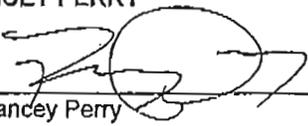
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the date first set out above.

Lessors:

ROGER W. PERRY

By: 
Roger W. Perry

RANCEY PERRY

By: 
Rancey Perry

LEAH M. PERRY HAYNIE

By: 
Leah M. Perry Haynie

Lessee:

BLACK WARRIOR MINERALS, INC.

By: 
Rancey Perry

STATE OF ALABAMA §
WALKER COUNTY §

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **Roger W. Perry** who is known to me, acknowledged before me on this day, that being informed of the contents of the foregoing instrument, he executed the same voluntarily.

GIVEN under my hand and seal this 25th day of April, 2012.

Brenda Kimbrell
Notary Public - State of Alabama

STATE OF ALABAMA §
WALKER COUNTY §

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **Rancey Perry** who is known to me, acknowledged before me on this day, that being informed of the contents of the foregoing instrument, he executed the same voluntarily.

GIVEN under my hand and seal this 25th day of April, 2012.

Brenda Kimbrell
Notary Public - State of Alabama

STATE OF ALABAMA §
WALKER COUNTY §

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **LEAH M. PERRY HAYNIE** who is known to me, acknowledged before me on this day, that being informed of the contents of the foregoing instrument, she executed the same voluntarily.

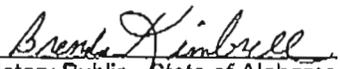
GIVEN under my hand and seal this 25th day of April, 2012.

Brenda Kimbrell
Notary Public - State of Alabama

THE STATE of ALABAMA §
COUNTY OF WALKER §

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that **Rancey Perry**, whose name is signed as **President of Black Warrior Minerals, Inc.** an Alabama corporation, to the foregoing instrument and who is known to me, acknowledged before me on this day, that being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily on the day same bears date for said corporation.

GIVEN under my hand and seal this 25th day of April, 2012.


Notary Public - State of Alabama

Parcel I: The North 5 acres of the E 1/2 of the NE 1/4 of the NW 1/4 of Section 8, Township 13, Range 7 West, and the E 1/2 of the SE 1/4 of the SW 1/4 of Section 5, Township 13, Range 7 West. Except the coal and other minerals.

Parcel II: A non-exclusive easement for ingress and egress over and across the existing road which is situated upon the property which is hereafter described. This easement is only across the existing road and the grantees shall have the right to make improvements upon said road including paving if they so desire.

A non-exclusive easement for ingress and egress over and across the following described property:

A road easement located in the Northeast quarter of the Northwest quarter of Section 8, Township 13 South, Range 7 West, Walker County, Alabama, more particularly described as follows:

Commence at the northeast corner of the Northeast quarter of Northwest quarter; thence South 0 degrees 29 minutes 30 seconds East (S 0° 29' 30" E), along the east line of said forty a distance of 332.34 feet to the point of beginning; thence South 0 degrees 29 minutes 30 seconds East (S 0° 29' 30" E), along the east line of said forty a distance of 145.05 feet; thence South 8 degrees 7 minutes 39 seconds West (S 8° 7' 39" W), a distance of 51.52 feet; thence South 4 degrees 7 minutes 32 seconds West (S 4° 7' 32" W), a distance of 70.75 feet; thence South 3 degrees, 18 minutes, 31 seconds East (S 3° 18' 31" E), a distance of 90.13 feet; thence South 9 degrees 56 minutes 30 seconds East (S 9° 56' 30" E), a distance of 55.03 feet to intersect with the north right-of-way of County Road 1387; thence South 89 degrees 48 minutes 40 seconds West (S 89° 48' 40" W), along said right-of-way a distance of 10.91 feet; thence North 83 degrees 49 minutes 11 seconds West (N 83° 49' 11" W), along said right-of-way a distance of 20.85 feet; thence North 9 degrees 56 minutes 30 seconds West (N 9° 56' 30" W), a distance of 56.05 feet; thence North 3 degrees 18 minutes 31 seconds West (N 3° 18' 31" W), a distance of 85.51 feet; thence North 4 degrees 7 minutes 32 seconds East (N 4° 7' 32" E), a distance of 73.75 feet; thence North 8 degrees 7 minutes 40 seconds East (N 8° 7' 40" E), a distance of 99.83 feet; thence North 4 degrees 47 minutes 34 seconds East (N 4° 47' 34" E), a distance of 84.28 feet; thence North 3 degrees 37 minutes 30 seconds West (N 3° 37' 30" W), a distance of 10.04 feet; thence North 90 degrees 0 minutes 0 seconds East (N 90° 0' 0" E), a distance of 15.36 feet to the true point of beginning; and containing 0.26 acres, or 11282 square feet.

A road easement located in the Northwest quarter of the Northeast quarter of Section 8, Township 13 South, Range 7 West, Walker County, Alabama, more particularly described as follows:

Begin at the northwest corner of the Northwest quarter of the Northeast quarter; thence North 90 degrees 0 minutes 0 seconds East (N 90° 0' 0" E), along the north line of said forty a distance of 27.62 feet; thence South 2 degrees 41 minutes 19 seconds West (S 2° 41' 19" W), a distance of 138.86 feet; thence South 3 degrees 50 minutes 10 seconds West (S 3° 50' 10" W), a distance of 121.60 feet; thence South 3 degrees 37 minutes 30 seconds East (S 3° 37' 30" E), a distance of 82.79 feet; thence South 4 degrees 47 minutes 34 seconds West (S 4° 47' 34" W), a distance of 87.37 feet; thence South 8 degrees 7 minutes 40 seconds West (S 8° 7' 40" W), a distance of 48.14 feet to intersect with the west line of said forty; thence North 0 degrees 29 minutes 30 seconds West (N 0° 29' 30" W), along the west line of said forty a distance of 477.39 feet to the true point of beginning; and containing 0.17 acres, or 7381 square feet.

The North ten acres (10) of the West ½ of the SE1/4 of the SW1/4 of Section 5 Township 13 South, Range 7 West, Walker County, Alabama. Minerals and usual mining rights excepted.

The North ½ of the NW1/4 of the NE1/4 of the NW1/4 of Section 8, Township 13 South, Range 7 West of the Huntsville Meridian Also the South ½ of the North ½ of the NE1/4 of the NW1/4 and the South ½ of the NE1/4 of the NW1/4, all in Section 8, Township 13 South, Range 7 West of the Huntsville Meridian, in Walker County, Alabama

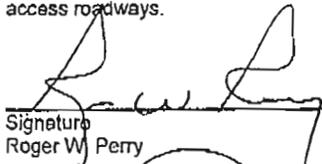
LAND USE COMMENT BY PROPERTY OWNER

Mr. Steve Hinkle
Alabama Surface Mining Commission
P.O. Box 2390
Jasper, AL 35502-2390

RE: BLACK WARRIOR MINERALS, INC.
Manchester East Mine P-3922

Dear Mr. Hinkle:

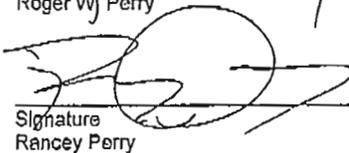
We the undersigned are hereby notifying the Alabama Surface Mining Commission that the pre-mining land use of property owned or controlled by us, located in the Manchester East Mine permit, being parts of Section 8 and 5, Township 13 South, Range 7 West, Walker County, AL is undeveloped lands with no current use or management, and the post mining land use is undeveloped land with no planned use or management, permanent water impoundments* and all access roadways.



Signature
Roger W. Perry

4-25-12

Date



Signature
Rancey Perry

4-25-12

Date



Signature
Leah M. Perry-Haynie

4-25-12

Date

* We will be responsible for the sound maintenance of the structure following Phase III release.

IN THE CIRCUIT COURT OF WALKER COUNTY, ALABAMA

ROGER PERRY,

PLAINTIFF

vs.

MILTON WOLFE,

DEFENDANT

CASE NO. CV-2011-173

FILED

DEC 15 2011

Susan Adams
CIRCUIT CLERK - WALKER COUNTY, AL

ORDER

This cause having come before The Court on a Petition to Redeem Tax Sale Property and a Settlement Agreement having been entered into by the Parties hereto, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. That the Settlement Agreement which is attached hereto as Exhibit "A" is incorporated herein.
2. That the Circuit Clerk is authorized and directed to release and pay over to Milton Wolfe the [REDACTED] which was paid into Court by Roger Perry.
3. That Milton Wolfe is hereby divested and Roger Perry is hereby vested with all right, title and interest of Milton Wolfe in and to the following described property;

The North ten (10) acres of the West 1/2 of the SE 1/4 of the SW 1/4 of Section 5, Township 13 South, Range 7 West, Walker County, Alabama. Mineral and usual mining rights excepted.

Dated this the 15th day of December, 2011.

Jimmy K. Schuman
WALKER COUNTY CIRCUIT JUDGE

16⁰⁰
3⁰⁰ ref
6.00

25⁰⁰

Recording Fee 25.00, TOTAL 25.00

Recorded In JUDGE BK 2272 PG 670, 12/15/2011 12:36:11
Rick Allison, Judge of Probate, Walker County, Alaba

I do solemnly swear that the below list of Property returned by me, _____, is a full and complete return of

all the property owned by SAID _____

or in which _____ had any interest whatever, the situs of which for taxation or exemption from taxation, is in this County, on the first Of October of the Present tax year, so help me God.

X

Sworn to and subscribed before me this the 15TH day of

Signature Of Person Making Return

DECEMBER 2011

TO: PERRY, ROGER

Home Phone _____

C/O BLACK WARRIOR MINERALS

Business Phone _____

PO BOX 1190

SUMITON AL 35148

REAL AND PERSONAL PROPERTY

WALKER COUNTY JASPER, ALABAMA

TO: JERRY GUTHRIE
REVENUE COMMISSIONER
WALKER COUNTY - JASPER, AL 35501

JERRY GUTHRIE

ACCOUNT No.

80423

TAX RETURN YEAR

2012

AFFIDAVIT TO CLAIM EXEMPTION

UNDER SECTION 40 - 9-19, CODE OF ALABAMA

I HEREBY CERTIFY UNDER OATH AND SUBJECT TO THE PENALTIES PROVIDED BY LAW THAT:

10-03-05-0-000-008.000

JLK

05-13-07

3

P/O NWSESW

BY COURT ORDER CV-2011-173
MILTON WOLFE PREVIOUS OWNER

2013 WORKED FOR 2012 TO REMOVE FROM
MILTON WOLFE'S ACCT

- I am the owner and occupant of the Property in which I make this Homestead Exemption Claim,
- I am over the age of 65
- I am totally or permanently disabled
- Our net annual taxable income for the year _____ was \$12,000 or less.

TAX PAYER

8.00
6.00
20.00
34.00

V-20,000

This instrument was prepared by
Scott Thornley
Maddox, Thornley & Sanders
301 19th Street, West
Jasper, AL 35501

SEND TAX NOTICE TO:

(Name) **Roger W. Perry**
(Address) **P.O. Box 1190**
Sumiton, AL 35148

Deed Tax 20.00
Recording Fee 14.00
TOTAL 34.00

DML 2283 323
Recorded In Above Book and Page
01/26/2012 10:34:30 AM
Rick Allison
Judge of Probate
Walker County, Alabama

WARRANTY DEED

STATE OF ALABAMA)
WALKER COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of [redacted] and other good and valuable considerations to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, we, **Peggy Rigsby Shelton, a single woman and Jackie L. Bowen, a single woman** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Roger W. Perry** (herein referred to as grantee, whether one or more), the following described real estate, situated in Walker County, Alabama, to-wit:

The North 1/2 of the NW 1/4 of the NE 1/4 of the NW 1/4 of Section 8, Township 13 South, Range 7 West of Huntsville Meridian. Also, the South 1/2 of North 1/2 of the NE 1/4 of the NW 1/4 and the North 1/2 of the South 1/2 of the NE 1/4 of the NW 1/4, all in Section 8, Township 13 South, Range 7 West of Huntsville Meridian, in Walker County, Alabama.

Source of Title: Nelson Rigsby, the grantee in that deed at Book 505 page 281, died intestate in or around 1992. At the time of his death, he had no spouse and was survived by his four children being, to-wit: Peggy Rigsby Shelton, Jackie L. Bowen, Bobby J. Rigsby and Tommy A. Rigsby. Bobby J. Rigsby died in or around January of 2003. At the time of his death he had no spouse and he had no lineal descendants. Tommy Rigsby died in or around April of 1997. At the time of his death, he had no spouse and no lineal descendants. The grantors herein constitute the heirs at law of Nelson Rigsby, deceased.

TO HAVE AND TO HOLD to the said grantee, his heirs and assigns forever.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, his heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand and seals, this 19th day of January, 2012.

Peggy Rigsby Shelton (Seal)
PEGGY RIGSBY SHELTON

Jackie L. Bowen (Seal)
JACKIE L. BOWEN

STATE OF Alabama
COUNTY OF Jefferson

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that **Peggy Rigsby Shelton**, a **single woman** whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 19th day of January, 2012.

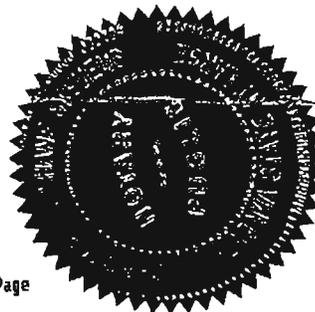
Chris S. Str
NOTARY PUBLIC
My Commission Expires: 02/02/14

STATE OF Alabama
COUNTY OF Jefferson

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that **Jackie L. Bowen**, a **single woman** whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 19th day of January, 2012.

Chris S. Str
NOTARY PUBLIC
My Commission Expires: 02/02/14



DWL 2283 324
Recorded In Above Book and Page
01/26/2012 10:34:30 AM
Rick Allison
Judge of Probate
Walker County, Alabama

SEND TAX NOTICE TO:

(Name) Roger Perry
(Address) P.O. Box 1190
Dimiton, AL 35148

This instrument was prepared by
Scott Thornley
Maddox, Thornley & Sanders
301 19th Street, West
Jasper, Alabama 35501

CORPORATION FORM, WARRANTY DEED

STATE OF ALABAMA)
WALKER COUNTY) KNOW ALL MEN BY THESE PRESENTS:

That in consideration of [redacted] and other good and valuable considerations to the undersigned grantor, Synovus Bank, a Georgia chartered bank, formerly known as Columbus Bank and Trust Company, as successor by merger to First National Bank of Jasper, a corporation, in hand paid by Roger Perry the receipt whereof is acknowledged, Synovus Bank, a Georgia chartered bank, formerly known as Columbus Bank and Trust Company, as successor by merger to First National Bank of Jasper, does by these presents grant, bargain, sell and convey unto Roger Perry (herein referred to as grantee, whether one or more), the following described real estate, situated in Walker County, Alabama, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

The Grantor reserves all royalties from that Coal Mining Lease between the Grantor and Black Warrior Minerals, Inc. dated March 30, 2011.

TO HAVE AND TO HOLD to the said grantee, his heirs and assigns forever.

And said Grantor for itself, its successors and assigns covenant with the said Grantee his and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the said Grantee his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Synovus Bank, a Georgia chartered bank, formerly known as Columbus Bank and Trust Company, as successor by merger to First National Bank of Jasper, a corporation, by its Vicepres namely David P. O'Mary who is authorized to execute this conveyance, has set its signature and seal this 8 day of February, 2012.

SYNOVUS BANK, A GEORGIA CHARTERED BANK, FORMERLY KNOWN AS COLUMBUS BANK AND TRUST COMPANY, AS SUCCESSOR BY MERGER TO FIRST NATIONAL BANK OF JASPER

BY: [Signature]
Its: ENR

Deed Tax 11.50, Recording Fee 19.00, TOTAL 30.50

Recorded In DML BK 2283 Pg 613, 02/09/2012 08:47:21 AM
Rick Allison, Judge of Probate, Walker County, Alabama

STATE OF ALABAMA
COUNTY OF WALKER

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that David S. O'mary, whose name as Vice-Pres. of Synovus Bank, a Georgia chartered bank, formerly known as Columbus Bank and Trust Company, as successor by merger to First National Bank of Jasper, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 8 day of February, 2012.



NOTARY PUBLIC

My Commission Expires: 8-6-13

PML 2283 614
Recorded In Above Book and Page
02/09/2012 08:47:21 AM
Rick Allison
Judge of Probate
Walker County, Alabama

Exhibit "A"

Parcel I: The North 5 acres of the E 1/2 of the NE 1/4 of the NW 1/4 of Section 8, Township 13, Range 7 West, and the E 1/2 of the SE 1/4 of the SW 1/4 of Section 5, Township 13, Range 7 West. Except the coal and other minerals.

Parcel II: A non-exclusive easement for ingress and egress over and across the existing road which is situated upon the property which is hereafter described. This easement is only across the existing road and the grantees shall have the right to make improvements upon said road including paving if they so desire.

A non-exclusive easement for ingress and egress over and across the following described property:

A road easement located in the Northeast quarter of the Northwest quarter of Section 8, Township 13 South, Range 7 West, Walker County, Alabama, more particularly described as follows:

Commence at the northeast corner of the Northeast quarter of Northwest quarter; thence South 0 degrees 29 minutes 30 seconds East (S 0° 29' 30" E), along the east line of said forty a distance of 332.34 feet to the point of beginning; thence South 0 degrees 29 minutes 30 seconds East (S 0° 29' 30" E), along the east line of said forty a distance of 145.05 feet; thence South 8 degrees 7 minutes 39 seconds West (S 8° 7' 39" W), a distance of 51.52 feet; thence South 4 degrees 7 minutes 32 seconds West (S 4° 7' 32" W), a distance of 70.75 feet; thence South 3 degrees, 18 minutes, 31 seconds East (S 3° 18' 31" E), a distance of 90.13 feet; thence South 9 degrees 56 minutes 30 seconds East (S 9° 56' 30" E), a distance of 55.03 feet to intersect with the north right-of-way of County Road 1387; thence South 89 degrees 48 minutes 40 seconds West (S 89° 48' 40" W), along said right-of-way a distance of 10.91 feet; thence North 83 degrees 40 minutes 11 seconds West (N 83° 40' 11" W), along said right-of-way a distance of 20.05 feet; thence North 9 degrees 56 minutes 30 seconds West (N 9° 56' 30" W), a distance of 56.05 feet; thence North 3 degrees 18 minutes 31 seconds West (N 3° 18' 31" W), a distance of 85.51 feet; thence North 4 degrees 7 minutes 32 seconds East (N 4° 7' 32" E), a distance of 73.75 feet; thence North 8 degrees 7 minutes 40 seconds East (N 8° 7' 40" E), a distance of 99.83 feet; thence North 4 degrees 47 minutes 34 seconds East (N 4° 47' 34" E), a distance of 84.28 feet; thence North 3 degrees 37 minutes 30 seconds West (N 3° 37' 30" W), a distance of 10.04 feet; thence North 90 degrees 0 minutes 0 seconds East (N 90° 0' 0" E), a distance of 15.36 feet to the true point of beginning; and containing 0.26 acres, or 11282 square feet.

A road easement located in the Northwest quarter of the Northeast quarter of Section 8, Township 13 South, Range 7 West, Walker County, Alabama, more particularly described as follows:

Begin at the northwest corner of the Northwest quarter of the Northeast quarter; thence North 90 degrees 0 minutes 0 seconds East (N 90° 0' 0" E), along the north line of said forty a distance of 27.62 feet; thence South 2 degrees 41 minutes 19 seconds West (S 2° 41' 19" W), a distance of 138.86 feet; thence South 3 degrees 50 minutes 10 seconds West (S 3° 50' 10" W), a distance of 121.60 feet; thence South 3 degrees 37 minutes 30 seconds East (S 3° 37' 30" E), a distance of 62.79 feet; thence South 4 degrees 47 minutes 34 seconds West (S 4° 47' 34" W), a distance of 87.37 feet; thence South 8 degrees 7 minutes 40 seconds West (S 8° 7' 40" W), a distance of 48.14 feet to intersect with the west line of said forty; thence North 0 degrees 29 minutes 30 seconds West (N 0° 29' 30" W), along the west line of said forty a distance of 477.39 feet to the true point of beginning; and containing 0.17 acres, or 7381 square feet.

Recorded In DMU BK 2283 PG 615, 02/09/2012 08:47:21 AM
Rick Allison, Judge of Probate, Walker County, Alabama

For Identification Purposes Only:

SYNOVUS BANK, A GEORGIA CHARTERED BANK, FORMERLY KNOWN AS COLUMBUS BANK AND TRUST COMPANY, AS SUCCESSOR BY MERGER TO FIRST NATIONAL BANK OF JASPER

BY: [Signature]
Its: EUP

Applicant: <u>Black Warrior Minerals, Inc.</u> Mine Name: <u>Manchester East Mine</u> Permit Number: <u>P-3922 Revision R-3</u>

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 NE 1/4 of NW 1/4, SW 1/4 of NW 1/4, SE 1/4 of NW 1/4, NW 1/4 of NE 1/4, SW 1/4 of NE 1/4, SE 1/4 of NE 1/4, NW 1/4 of SW 1/4, NE 1/4 of SW 1/4, SW 1/4 of SW 1/4, SE 1/4 of SW 1/4, NW 1/4 of SE 1/4, NE 1/4 of SE 1/4, SW 1/4 of SE 1/4, SE 1/4 of SE 1/4 of Section 5; NE 1/4 of NW 1/4, NW 1/4 of NE 1/4, SW 1/4 of NE 1/4, SE 1/4 of NE 1/4, NW 1/4 of SE 1/4, NE 1/4 of SE 1/4, SW 1/4 of SE 1/4, SE 1/4 of SE 1/4, of Section 6; NW 1/4 of NE 1/4, NE 1/4 of NE 1/4 of Section 7, NW 1/4 of NW 1/4, NE 1/4 of NW 1/4 of Section 8, Township 13 South, Range 7 West, Walker County, Alabama.

3. Give the acreage of the permit, each increment and the type of bonding.

- a. Total revision acreage: 9 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>131</u>	<u>Letter of Credit</u>
2.	<u>54</u>	<u>Letter of Credit</u>
3.	<u>100</u>	<u>Letter of Credit</u>
4.	<u>144</u>	<u>Letter of Credit</u>
5.	<u>90</u>	<u>Letter of Credit</u>
6.	<u>41</u>	<u>Letter of Credit</u>

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Increment 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.
- 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>P-3514</u>	<u>Approx. 30</u>	<u>Reclaimed</u>
<u>P-3191</u>	<u>0 bonded</u>	<u>Phase III Bond Release</u>
<u>P-3788</u>	<u>0 bonded</u>	<u>Phase III Bond Release</u>
<u>P-3830</u>	<u>112 Remain</u>	<u>Phase I & II releases & active mining</u>

- c. For each area which has not been reclaimed or received a 100% release, indicate whether you intend to assume responsibility for reclamation of the area under this permit and its performance bond(s).
P-3191, P-3788 & P-3830 are all Black Warrior Minerals, Inc. permits and for any acreage re-permitted under the proposed Manchester East Mine, Black Warrior Minerals, Inc. will assume responsibility.

Applicant: <u>Black Warrior Minerals, Inc.</u> Mine Name: <u>Manchester East Mine</u> Permit Number: <u>P-3922 Revision R-3</u>

PART I D. (CONTINUED)

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. All setbacks will be observed until waivers are obtained.

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. See original permit application

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>01-01362</u>	<u>M.S.H.A.</u>	<u>*</u>	<u>05/19/09</u>
<u>NPDES</u>	<u>AL0025399</u>	<u>A.D.E.M.</u>	<u>**</u>	<u>02/01/08</u>

* 228 West Valley Avenue, Birmingham, AL 35209

** 1400 Coliseum Blvd., Montgomery, AL 36130

8. Is the property in the permit covered by zoning or other land use restrictions? ()YES (X)NO.

If yes, indicate the jurisdictional authority and zoning or land use area. If more than one zoning classification exists for the permit area, identify the boundaries of each 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 the intersection of SR-118 and SR-195 in Jasper, Alabama go North on Highway 195 approximately 6.5 miles to Amerson Rd. Travel northeast on Amerson Road approximately 2.4 miles to mine site. Signs will identify permit area.

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application? ()YES (XXX)NO

If YES, list SOAP I.D. Number: _____

11. Submit a certificate of proof of Liability Insurance with this application. See ASMC Master File

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: ASMC 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: Daily Mountain Eagle, See Attachment for I.E.13.

Applicant: <u>Black Warrior Minerals, Inc.</u>
Mine Name: <u>Manchester East Mine</u>
Permit Number: <u>P-3922 Revision R-3</u>

Attachment for I.E.13.

PUBLIC NOTICE OF PERMIT APPLICATION

In accordance with the provisions of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Black Warrior Minerals, Inc., P.O. Box 1190, Sumiton, AL 35148, hereby gives notice that it has filed an application with the Alabama Surface Mining Commission to revise permit P-3922-64-14-S for its Manchester East Mine located in Walker County. The permit area lies within the NE/NW, SW/NW, SE/NW, NW/NE, SW/NE, SE/NE, NW/SW, NE/SW, SW/SW, SE/SW, NW/SE, NE/SE, SW/SE, SE/SE of Section 5; NE/NW, NW/NE, SW/NE, SE/NE, NW/SE, NE/SE, SW/SE, SE/SE of Section 6; NW/NE, NE/NE, of Section 7; NW/NW, NE/NW of Section 8, Township 13 South, Range 7 West, Walker County, Alabama.

The revision, R-3, includes items to: 1) Add 7.0 Mining acres to Increment No. 4. 2) Add 2.0 Incidental acres to Increment No. 6 for Basin 043P. 3) Transfer 25.0 Mining Acres and 2.0 Incidental Acres from Increment No. 4 for Basin 038P and Access to Increment No. 2 for mining area. 4) Transfer 27.0 Mining Acres from Increment No. 5 to Increment No 2. 5) Transfer 19.0 Mining Acres from Increment No. 2 to Increment No. 4. 6) Transfer 2.0 Mining Acres from Increment No. 5 to Increment No. 4. 7) Transfer 97.0 Mining Acres from Increment No. 2 to Increment No. 1. 8) Transfer 3.0 Mining Acres from Increment No. 2 to Increment No. 6 for the extension of Primary Road 2P and Coal Yard. 9) Delete Basin 039P and transfer acreage to mining acres. 10) Delete Basin 040P and transfer acreage to mining acres. 11) Delete Basin 041P and transfer acreage to mining acres. 12) Delete Basin 009P and drainage course east of Basin 009P and transfer acreage to mining acres. 13) Update the General Plan through the addition of Basin 043P. 14) Submit Detailed Design Plans for Basin 043P. 15) Update the Hydrologic Monitoring Plan. 16) Update the Operations Plan. 17) Extend Primary Road 2P from Station 27+44 to 52+45 at coal yard. 18) Submit Detailed Design Plans for the extension of Primary Road 2P. 19) Extend Topsoil Variance to include acreage added by this revision.

A copy of the permit application is available for public inspection at the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>. Written comments, objections, or requests for informal conferences should be submitted to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, within 30 days from the last publication of this notice.