

Applicant: Black Warrior Minerals, Inc.
Mine Name: Seaboard Mine
Permit Number: P-3937, 2015 Renewal

STATE OF ALABAMA SURFACE MINING COMMISSION

- (X) 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: Black Warrior Minerals, Inc.
Street Address: 4788 Hwy. 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: Black Warrior Minerals, Inc.
Street Address: same as above
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: Black Warrior Minerals, Inc.
Street Address: same as above
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: Tim Thomas, c/o PERC Engineering Co., Inc.
Mailing Address: P O Box 1712
City: Jasper State: AL Zip: 35502-1712
Telephone Number: (205) 384-5553

Applicant: Black Warrior Minerals, Inc.
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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: Black Warrior Minerals, Inc.
Street Address: 4788 Hwy. 78 West
City: Cordova State: AL Zip: 35550
Mailing Address: P O Box 1190
City: Sumiton State: AL Zip: 35148
Telephone: (205) 648 - 2290
Social Security Number (Voluntary): - - -
Employer Identification Number: 63-0906846
ASMC License Number: L-698

Applicant: Black Warrior Minerals, Inc.
Mine Name: Seaboard Mine
Permit Number: P-3937, 2015 Renewal

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: Black Warrior Minerals, Inc.
(S)

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

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.
Owner/operator Lease	Black Warrior Minerals, Inc.	Black Warrior Minerals, Inc.	12/11/09	No

Applicant: Black Warrior Minerals, Inc.
Mine Name: Seaboard Mine
Permit Number: P-3937, 2015 Renewal

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: AlaWest, LLC (S), (M) & (FEE)
 Surface/Mineral/or Fee Simple (both): Surface, Mineral & Fee Simple

Legal owner(s) of record: AlaWest, LLC

Address: P O Box 412 City: Northport State: AL Zip: 35476

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	AlaWest, LLC	Black Warrior Minerals, Inc.	7/20/99	No

Legal description of property or permit map symbol: V. Day, III (S) & (M)

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

Legal owner(s) of record: V. Day, III

Address: 1651 McFarland Blvd. N. City: Tuscaloosa State: AL Zip: 35404

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	V. Day, III	Black Warrior Minerals, Inc.	10/7/2010	No

Applicant: Black Warrior Minerals, Inc.
Mine Name: Seaboard Mine
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PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: The Westervelt Company (FEE)
 Surface/Mineral/or Fee Simple (both): Fee Simple
 Legal owner(s) of record: The Westervelt Company, Attn: Bill Walker
 Address: P O Box 48999 City: Tuscaloosa State: AL Zip: 35404
 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	The Westervelt Company	Black Warrior Minerals, Inc.	Pending	No

Legal description of property or permit map symbol: United Land Corporation (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Walter Minerals, Inc.
 Address: 3500 35th Avenue City: Birmingham State: AL Zip: 35207
 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	Walter Minerals, Inc.	Black Warrior Minerals, Inc.	8/11/08	No

Applicant: Black Warrior Minerals, Inc.
Mine Name: Seaboard Mine
Permit Number: P-3937, 2015 Renewal

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 1

Name: Black Warrior Minerals, Inc.
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: AlaWest, LLC
Address: P O Box 412
City: Northport State: AL Zip: 35475
Interest owned (Surface, Coal or Fee Simple) Mineral & Fee Simple
Type of Interest (Owner, Lease , or Other): Owner

Name: V. Day, III
Address: 1651 McFarland Blvd. N.
City: Tuscaloosa State: AL Zip: 35404
Interest owned (Surface, Coal or Fee Simple) Mineral
Type of Interest (Owner, Lease , or Other): Owner

Name: The Westervelt Company
Address: Attn: Bill Walker, P O Box 48999
City: Tuscaloosa State: AL Zip: 35404
Interest owned (Surface, Coal or Fee Simple) Fee Simple
Type of Interest (Owner, Lease , or Other): Owner

Name: Walter Minerals, Inc.
Address: 3500 35th Avenue
City: Birmingham State: AL Zip: 35207
Interest owned (Surface, Coal or Fee Simple) Mineral
Type of Interest (Owner, Lease , or Other): Owner

Applicant: Black Warrior Minerals, Inc.
Mine Name: Seaboard Mine
Permit Number: P-3937, 2015 Renewal

PART I C. (CONTINUED)

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

Give the legal description of all lands contiguous to the permit area for which the 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 AS NECESSARY IN THE FORMAT BELOW

PAGE ___ OF ___ Not Applicable

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Applicant: <u>Black Warrior Minerals, Inc.</u> Mine Name: <u>Seaboard Mine</u> Permit Number: <u>P-3937, 2015 Renewal</u>
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PART I D. PERMIT AREA INFORMATION

1. Term Information

- a. Date original permit or subsequent renewal expires: 1/12/2015
- b. Term or original permit or subsequent renewal: 5 years
- c. Requested **term** of this permit renewal: 5 years
- d. Sequence number of this renewal: 1

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

Section 32, SE of SE; Section 33, SW of SW, Township 20 South, Range 8 West; Section 5, NW of NE, NE of NE, SE of NW, SW of NE, SE of NE, NW of SW, NE of SW, SW of SW, SE of SW, NW of SE, SW of SE; Section 4, NW of NW, NE of NW, SW of NW; Section 8, NE of NW, Township 21 South, Range 8 West, all within Tuscaloosa County, AL

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

- a. Total permit renewal acreage: 277 acres. Increments 1,2,3,4,5,6 & 7
- 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>66</u>	<u>Letter of Credit</u>
2.	<u>46</u>	<u>Letter of Credit</u>
3.	<u>52</u>	<u>Letter of Credit</u>
4.	<u>56</u>	<u>Letter of Credit</u>
5.	<u>41</u>	<u>Letter of Credit</u>
6.	<u>7</u>	<u>Letter of Credit</u>
7.	<u>9</u>	<u>Letter of Credit</u>

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

Applicant: <u>Black Warrior Minerals, Inc.</u> Mine Name: <u>Seaboard Mine</u> Permit Number: <u>P-3937, 2015 Renewal</u>
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PART I D. (CONTINUED)

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

Permit	ID or Permit Number	Issuing Authority	Address	Status or of issuance
<u>MSHA ID</u>	<u>01-011379</u>	<u>MSHA</u>	<u>*</u>	<u>01-14-00</u>
<u>NPDES</u>	<u>AL0071358</u>	<u>ADEM</u>	<u>**</u>	<u>12-2-99</u>
				Renewed 12/2/99 & modified

* 228 West Valley Avenue, Birmingham, AL 35209

** 1400 Coliseum Blvd., Montgomery, AL 36130

6. Did the applicant receive assistance from the Small Operator Assistance program in preparing this application?

() YES (X) NO.

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

7. Submit a certificate of proof of Liability Insurance with this application. (See ASMC Master File)

8. Describe any changes at the mining operation (on-site) which are different from the information given in the original permit application, earlier renewals, or revisions. Examples of such changes would be: previously undetected conditions which are creating adverse environmental effects, changes in the permit application such as the operating plan, reclamation timetable, or post-mining land use. In the case of underground mining operations, the anticipated underground development planned for the term of the renewal shall be described along with a subsidence control plan for the area. This plan is to be in the format of the subsidence control plan found in the permit application. **None**

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/PermitApplications.html>

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: Tuscaloosa News

Applicant: <u>Black Warrior Minerals, Inc.</u> Mine Name: <u>Seaboard Mine</u> Permit Number: <u>P-3937, 2015 Renewal</u>
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Attachment I.E.2

NOTICE OF APPLICATION TO RENEW A PERMIT FOR A SURFACE COAL MINE

Pursuant to Rule 880-X-8M.08, Black Warrior Minerals, Inc. P.O. Box 1190 Sumiton Alabama 35148, hereby gives notice that it has filed an application to renew permit P-3937-63-15-S for its Seaboard Mine located in Section 32, SE of SE; Section 33, SW of SW, Township 20 South, Range 8 West; Section 5, NW of NE, NE of NE, SE of NW, SW of NE, SE of NE, NW of SW, NE of SW, SW of SW, SE of SW, NW of SE, SW of SE; Section 4, NW of NW, NE of NW, SW of NW; Section 8, NE of NW, Township 21 South, Range 8 West, all within Tuscaloosa County, AL

A copy of the permit renewal application is available for public inspection at the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov/PermitApplications.html>. The public can also inspect this Renewal Application at the office of the Alabama Surface Mining Commission located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, AL 35501. 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.