

Applicant: Kennedy Brothers Construction, LLC
Mine Name: John Poe Mine
Permit Number: P-3981

STATE OF ALABAMA SURFACE MINING COMMISSION

- (XX) Transfer Application for a Surface Coal Mine
() Transfer Application for an Underground Coal Mine
() Transfer Application for a Preparation Facility

NAME OF CURRENT PERMITTEE: Ridgeholm Energy Partners, LLC
ADDRESS: 2007 Old Montgomery Highway, Suite A
Birmingham, AL 35244

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: Kennedy Brothers Construction, LLC
Street Address: 17160 Lock 17 Road
City: Brookwood State: AL Zip: 35444
Mailing Address: 17160 Lock 17 Road
City: Brookwood State: AL Zip: 35444
Telephone Number: (205)361-6011
Social Security Number(Voluntary): - - -
Employer Identification Number: 25-5680871
ASMC License#: 817

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: Pete Parrish, PERC Engineering Co., Inc.
Mailing Address: P.O. Box 1712
City: Jasper State: AL Zip: 35502-1712
Telephone Number: (205)384-5553

Applicant: Kennedy Brothers Construction, LLC
Mine Name: John Poe Mine
Permit Number: P-3981

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.
C.

(USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY)

Name: There are none
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone Number: (____) - ____ - _____
Social Security Number: ____ - ____ - _____ (Voluntary)
Employer Identification Number: _____
ASMC License#: _____

Applicant: <u>Kennedy Brothers Construction, LLC</u> Mine Name: <u>John Poe Mine</u> Permit Number: <u>P-3981</u>

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

Page 1 of 6

Legal description of property or permit map symbol: Jason Biddle (S) & (F)
Surface/Mineral/or Fee Simple (both): Surface and Mineral
Legal owner(s) of record: Jason Biddle
Address: 670 County Road 675 City: Valley Head State: AL Zip: 35989
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Jason Biddle	Kennedy Brothers Construction, LLC	9/10/2018	No

Applicant: Kennedy Brothers Construction, LLC
 Mine Name: John Poe Mine
 Permit Number: P-3981

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Paul & Norma Biddle (S)&(F)
 Surface/Mineral/or Fee Simple (both): Surface & Mineral
 Legal owner(s) of record: Paul and Norma Biddle
 Address: 670 County Road 675 City: Valley Head State: AL Zip: 35989
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending (Yes or No) If yes, explain.
Lease	Paul and Norma Biddle	Kennedy Brothers Construction, LLC	9/10/2018	No

Legal description of property or permit map symbol: Mark Mitchell & Felicia Mitchell Hicks (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: Mark Mitchell and Felicia Mitchell Hicks
 Address: P. O. Box 369 City: Henaqar State: AL Zip: 35978
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending (Yes or No) If yes, explain.
Lease	Mark Mitchell and Felicia Mitchell Hicks	Kennedy Brothers Construction, LLC	Pending	No

Applicant: Kennedy Brothers Construction, LLC
 Mine Name: John Poe Mine
 Permit Number: P-3981

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Biddle Heirs (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: Jamie Biddle, et. al. c/o Jeff Biddle
 Address: 528 County Road 528 City: Fort Payne State: AL Zip: 35968
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Biddle Heirs	Kennedy Brothers Construction, LLC	Pending	No

Legal description of property or permit map symbol: Donald Hulgan (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: Donald Hulgan
 Address: 9031 Upchurch Lane City: Chattanooga State: TN Zip: 37416
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending (Yes or No) If yes, explain.
Lease	Donald Hulgan	Kennedy Brothers Construction, LLC	Pending	No

Applicant: Kennedy Brothers Construction, LLC
 Mine Name: John Poe Mine
 Permit Number: P-3981

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Hazel J. & Larry J. Haynes (S)

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

Legal owner(s) of record: Hazel J. and Larry J. Haynes

Address: 1899 County Road 119 City: Fort Payne State: AL Zip: 35968

Holder(s) of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Hazel J. and Larry J. Haynes	Kennedy Brothers Construction, LLC	Pending	No

Legal description of property or permit map symbol: Houston R. Biddle, Jr. (S)

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

Legal owner(s) of record: Houston R. Biddle, Jr.

Address: 212 Dilbeck Road City: Rainsville State: AL Zip: 35986

Holder(s) of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending (Yes or No) If yes, explain.
Lease	Houston R. Biddle, Jr.	Kennedy Brothers Construction, LLC	Pending	No

Applicant: Kennedy Brothers Construction, LLC
 Mine Name: John Poe Mine
 Permit Number: P-3981

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Jack R. Biddle (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: Jack R. Biddle
 Address: 237 Tucker Road City: Rainsville State: AL Zip: 35986
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Jack R. Biddle	Kennedy Brothers Construction, LLC	Pending	No

Legal description of property or permit map symbol: James H. McCurdy (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: James H. McCurdy
 Address: 1111 County Road 114 City: Valley Head State: AL Zip: 35989
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending (Yes or No) If yes, explain.
Lease	James H. McCurdy	Kennedy Brothers Construction, LLC	Pending	No

Applicant: Kennedy Brothers Construction, LLC
 Mine Name: John Poe Mine
 Permit Number: P-3981

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Orion (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Orion Oil & Gas Properties, A Texas General Partnership, C/O Greg Golladay, General Partner
 Address: 2505 Lakeview, Suite 210 City: Amarillo State: TX Zip: 79109
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Orion Oil & Gas Properties	Kennedy Brothers Construction, LLC	Pending	No

Legal description of property or permit map symbol: _____
 Surface/Mineral/or Fee Simple (both): _____
 Legal owner(s) of record: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending (Yes or No) If yes, explain.

Applicant: Kennedy Brothers Construction, LLC
Mine Name: John Poe Mine
Permit Number: P-3981

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: Hazel L. & Larry J. Haynes
Address: 1899 County Road 119
City: Fort Payne State: AL Zip: 35968
Interest owned (Surface, Coal or Fee Simple): Surface & Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: Jason Biddle
Address: 670 County Road 675
City: Valley Head State: AL Zip: 35989
Interest owned (Surface, Coal or Fee Simple): Surface & Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: James H. McCurdy
Address: 1111 County Road 114
City: Valley Head State: AL Zip: 35989
Interest owned (Surface, Coal or Fee Simple): Surface & Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: Mark Mitchell and Felicia Mitchell Hicks
Address: P. O. Box 369
City: Henagar State: AL Zip: 35978
Interest owned (Surface, Coal or Fee Simple): Surface & Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: Jack R. Biddle
Address: 237 Tucker Road
City: Rainsville State: AL Zip: 35986
Interest owned (Surface, Coal or Fee Simple): Surface & Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: Houston R. Biddle, Jr.
Address: 212 Dilbeck Road
City: Rainsville State: AL Zip: 35986
Interest owned (Surface, Coal or Fee Simple): Surface & Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: Donald Hulgan
Address: 9031 Upchurch Lane
City: Chattanooga State: TN Zip: 37416
Interest owned (Surface, Coal or Fee Simple): Surface & Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: Orion Oil & Gas Properties, A Texas General Partnership
C/O Greg Golladay, General Partner
Address: 2505 Lakeview, Suite 210
City: Amarillo State: TX Zip: 79109
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest(Owner, Lease , or Other): Owner

Applicant: Kennedy Brothers Construction, LLC
Mine Name: John Poe Mine
Permit Number: P-3981

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 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 IF NECESSARY

PAGE 1 OF 1

Legal description: There are none.

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>Kennedy Brothers Construction, LLC</u>
Mine Name: <u>John Poe Mine</u>
Permit Number: <u>P-3981</u>

PART I D. PERMIT AREA INFORMATION

1. Give the requested term of this permit: 5 years.
2. Give the acreage of the permit, each increment and the type of bonding.
 - a. Total permit acreage: 143 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>70</u>	<u>Certificate of Deposit</u>
2.	<u>63</u>	<u>Certificate of Deposit</u>
3.	<u>4</u>	<u>Certificate of Deposit</u>
4.	<u>6</u>	<u>Certificate of Deposit</u>
5.	<u> </u>	<u>Certificate of Deposit</u>
6.	<u> </u>	<u>Certificate of Deposit</u>

c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: 4

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

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

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

Upon transfer of Permit P-3981, Kennedy Brothers Construction, LLC, assumes responsibility for reclamation of disturbances created under Permit P-3981 whether done by Kennedy Brothers Construction, LLC or prior holders of Permit P-3981.

Applicant: <u>Kennedy Brothers Construction, LLC</u>
Mine Name: <u>John Poe Mine</u>
Permit Number: <u>P-3981</u>

PART I D. (CONTINUED)

4. 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	Issuing Authority	Address	Status or date of issuance
<u>MSHA ID</u>	<u>01-03489</u>	<u>MSHA</u>	<u>*</u>	<u>7/17/2015</u>
<u>NPDES</u>	<u>AL0082252</u>	<u>ADEM</u>	<u>**</u>	<u>2/6/2015</u>

* 1030 London Drive, Suite 400, Birmingham, AL 35211-4542

** 1400 Coliseum Boulevard Montgomery, AL 36110-2059

5. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application? ()YES (XX)NO
If YES, list SOAP I.D. Number: _____
6. Submit a certificate of proof of Liability Insurance with this application. See ASMC Master Insurance 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: The following notice will be published in the Mountain Valley News:

NOTICE OF APPLICATION TO TRANSFER
A SURFACE COAL MINING PERMIT

Kennedy Brothers Construction, LLC, 17160 Lock 17 Road, Brookwood, AL 35444, hereby gives notice that it has filed application to succeed by transfer to the rights granted under Alabama Surface Mining Commission Permit P-3981 currently held by Ridgeholm Energy Partners, LLC, 2007 Old Montgomery Highway, Suite A, Birmingham, AL 35244. This operation is known as the John Poe Mine and is located in the SE 1/4 of SW 1/4, SW 1/4 of SE 1/4, SE 1/4 of SE 1/4 of Section 20; NW 1/4 of NW 1/4, 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, NE 1/4 of NE 1/4, SW 1/4 of NE 1/4, SE 1/4 of NE 1/4, NE 1/4 of SW 1/4, NW 1/4 of SE 1/4, and NE 1/4 of SE 1/4 of Section 29; all in Township 5 South, Range 9 East, Dekalb County, Alabama.

A copy of the transfer application is available for public inspection on the Alabama Surface Mining Commission website at: <http://surface-mining.alabama.gov>. Written comments, objections or request for public hearing or informal conferences concerning this transfer should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390 no later than 30 days from the date of publication of this notice.

Mountain Valley News

450 Main Street East • PO BOX 765 • Rainsville, AL 35986
Phone: 256.638-6397 • Fax: 256.638.6061 • Email: mtnvalley@farmerstel.com

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for DeKalb County, State of Alabama, this day personally appeared Teresa Ledbetter, who being by me first duly sworn, deposes and says that during the times herein mentioned she was Owner of *Mountain Valley*, a newspaper of general circulation in both DeKalb County, Alabama, and Jackson County, Alabama, that the attached legal advertisement was published in said newspaper on the publication dates specified.

Regarding: Legal Notice - Transfer
a Surface Coal Mining Permit -

Publication Dates: 9-27-18 -
- -

Number of Words in Legal 224

Rate Per Word 25 cents

Total Number of Publications 1

Total Cost for all Publications \$56.00

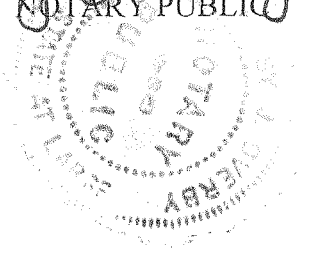
SIGNED Teresa Ledbetter
Teresa Ledbetter, Owner
Mountain Valley News

NOTARIZATION

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public in and for DeKalb County, State of Alabama on this the 27th
Day of September, 2018.

Datos Werby
NOTARY PUBLIC

(SEAL)



NOTICE OF APPLICATION TO TRANSFER A SURFACE COAL MINING PERMIT

Kennedy Brothers Construction, LLC, 17160 Lock 17 Road, Brookwood, AL 35444, hereby gives notice that it has filed application to succeed by transfer to the rights granted under Alabama Surface Mining Commission Permit P-3981 currently held by Ridgeholm Energy Partners, LLC, 2007 Old Montgomery Highway, Suite A, Birmingham, AL 35244. This operation is known as the John Poe Mine and is located in the SE 1/4 of SW 1/4, SW 1/4 of SE 1/4, SE 1/4 of SE 1/4 of Section 20; NW 1/4 of NW 1/4, 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, NE 1/4 of NE 1/4, SW 1/4 of NE 1/4, SE 1/4 of NE 1/4, NE 1/4 of SW 1/4, NW 1/4 of SE 1/4, and NE 1/4 of SE 1/4 of Section 29; all in Township 5 South, Range 9 East, Dekalb County, Alabama.

A copy of the transfer application is available for public inspection on the Alabama Surface Mining Commission website at: <http://surface-mining.alabama.gov>. Written comments, objections or request for public hearing or informal conferences concerning this transfer should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390 no later than 30 days from the date of publication of this notice.

Publish: September 27, 2018.



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM INDIVIDUAL PERMIT

PERMITTEE: Kennedy Brothers Construction, LLC
17160 Lock 17 Road
Brookwood, AL 35444

FACILITY LOCATION: John Poe Mine
3802 County Road 85
Fort Payne, AL 35968
De Kalb County
T5S, R9E, S20, S29, and S32
T6S, R9E, S5

PERMIT NUMBER: AL0082252

DSN RECEIVING STREAM

001 Unnamed tributary to Town Creek
003 Unnamed tributary to Biddle Spring Branch
005 Unnamed tributary to Town Creek
007 Unnamed tributary to Town Creek
009 Town Creek

DSN RECEIVING STREAM

002 Biddle Spring Branch
004 Unnamed tributary to Biddle Spring Branch
006 Unnamed tributary to Town Creek
008 Unnamed tributary to Town Creek
010 Unnamed tributary to Town Creek

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1388 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-17, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE: February 6, 2015

EFFECTIVE DATE: February 6, 2015

EXPIRATION DATE: February 5, 2020

MODIFICATION ISSUANCE DATE: October 16, 2018

MODIFICATION EFFECTIVE DATE: October 16, 2018

CLEANA L. DEAN

Alabama Department of Environmental Management

Applicant: Kennedy Brothers Construction, LLC
Mine Name: John Poe Mine
Permit Number: P-3981

Part VI - Verification of Permit Application (771.27)
For new Permit () Transfer (X) Renewal ()

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

Kennedy Brothers Construction, LLC, License No. L-817
Permittee:

By: Phillip Kennedy
Phillip Kennedy, Managing Member

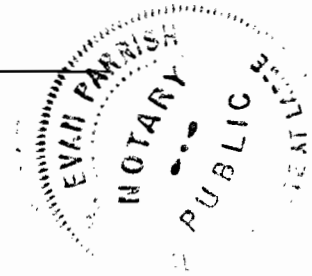
STATE OF ALABAMA)
)
WALKER COUNTY)

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

Sworn to and subscribed before me this 24TH day of SEPTEMBER, 2018.^{REP}

R. Evan Parish
Notary Public

12-15-2021
Commission Expires



AGREEMENT

This agreement is entered into this date by Ridgeholm Energy Partners, LLC and Kennedy Brothers Construction, LLC, in order to effect a transfer of Alabama Surface Mining Commission Permit No. P-3981 and the responsibility, coverage, and liability thereunder from Ridgeholm Energy Partners, LLC, to Kennedy Brothers Construction, LLC

On the date such transfer becomes effective, Kennedy Brothers Construction, LLC, agrees to assume the responsibility, coverage, and liability of Alabama Surface Mining Commission Permit P-3981 and Ridgeholm Energy Partners, LLC, agrees to relinquish all rights which it may have under said permit.

This agreement is entered into by parties this 8th day of SEPTEMBER 2018. Said transfer is to become effective on the effective date that ADEM approves this transfer.

Ridgeholm Energy Partners, LLC

Shaige Beland

Witness

BY:

Punkaj Rishi

Punkaj Rishi, Chief Executive Officer

Kennedy Brothers Construction, LLC

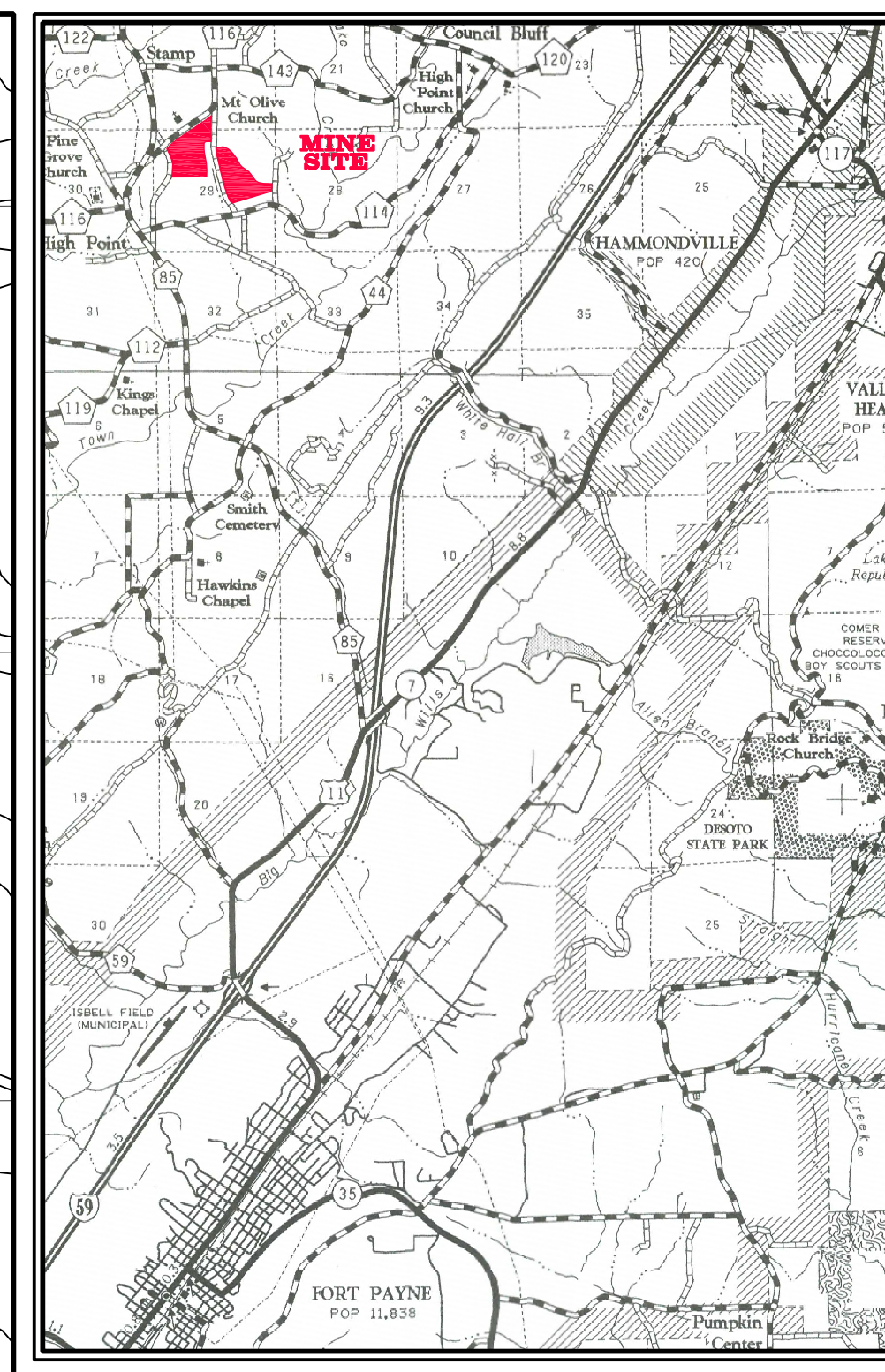
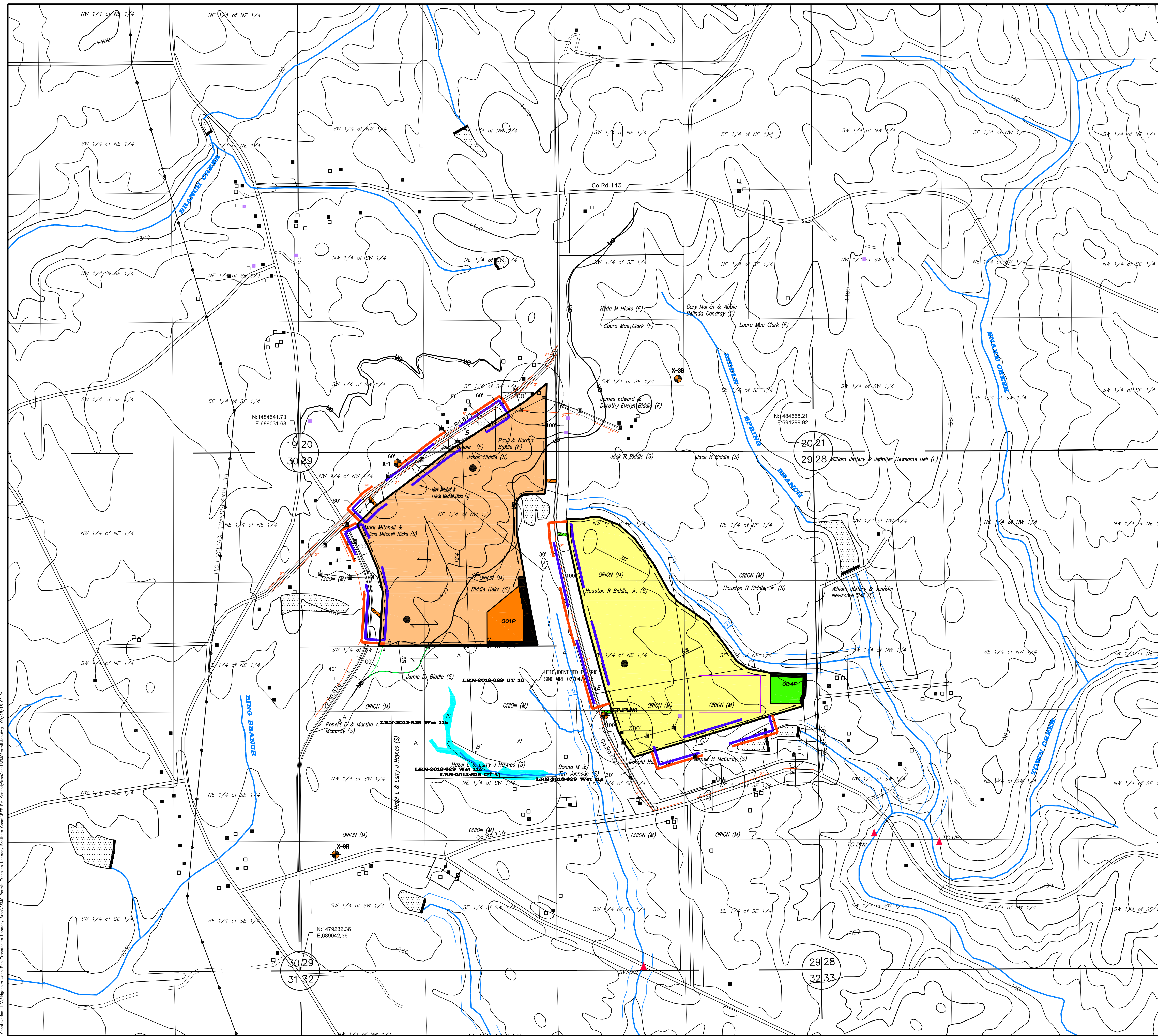
Shaige Beland

Witness

BY:

Phillip Kennedy

Phillip Kennedy, President



VICINITY MAP
Scale: 1" = 2 Miles

LEGEND

- Permit Boundary
- Previously Surface Mined by Others
- Occupied Dwelling
- Unoccupied Dwelling
- Out Building (Barn, Garage, Etc.)
- Surface Contour
- Sediment Basin
- Perennial Stream
- 100' Stream Offset
- Intermittent Stream
- Natural Drainage Course
- County Road (Paved unless otherwise designated)
- Road (Private unless otherwise shown)
- Primary Road
- Ancillary Road
- Impounded Water
- Property Line other than Forty Line
- Land Hook
- (M) Indicates Mineral Ownership
- (S) Indicates Surface Ownership
- (F) Indicates Surface and Mineral Ownership
- Slope Measurements
- Reclamation Cross-Section
- Coal Stockpile, Location Subject to Change
- Monitoring Well
- 100' Setback from Road
- Upper Cliff Coal Outcrop
- Diversion Ditch
- Wetlands (U.S. Army Corp of Engineers Jurisdiction)
- X-GR Groundwater Monitoring Site
- TC-DN2 Surface Water Monitoring Site
- County Road Right of Way
- N:1484541.73
E:889031.68
ALABAMA EAST ZONE NAD83 STATE PLANE
COORDINATES IN FEET
- Auger Mining Extents
- 30 Degree Angle of Draw
- Waterlines along County Road and Size
- Power Line/Power Pole
- Temporary Spoil Fill No. 1

BOND LEGEND

- Area bonded under Increment No. 1, 20 Acres
20 Acres Mining Area
 - Area bonded under Increment No. 2, 63 Acres
63 Acres Mining Area
 - Area bonded under Increment No. 3, 4 Acres
3 Acres For Basin 004P
1 Acre for Primary Road
 - Area bonded under Increment No. 4, 6 Acres
5 Acres For Basin 001P
1 Acre for Primary Road
- Total Permit Area 143 Acres

NOTES

- All Buildings Within 1000' of Permit Area are shown.
- Surface and Mineral Ownership By 1/4-1/4 Section Unless Otherwise Shown.
- Topsoil will be stored throughout the bonded area to facilitate efficient redistribution.
- No Municipality has Police Jurisdiction Within or Contiguous To the Permit Area. Police Jurisdiction Within And Contiguous To The Permit Area Is Provided by Jackson County.
- Ditch Location within 300' Setback from House in the NW 1/4 of the SE 1/4 of Section 29 is predicated on Homeowner Waiver.

I, R. Evan Parrish, a Registered Land Surveyor, hereby certify this map to be true and correct to the best of my knowledge, information and belief.

R. Evan Parrish, P.L.S. Date
AL Reg. #12936



Base Map Dugout Valley, Alabama
U.S.G.S. 7.5 Minute Quadrangle Sheet

PERMIT AREA
Scale: 1"=500'
Contour Interval = 20'

PERC
ENGINEERING CO., INC.
1606 Hwy. 78 West Jasper, AL 35501/P.O. Box 1712-35502
(205) 384-5553 Office (205) 295-3114 Fax

Kennedy Brothers Construction, LLC.
John Poe Mine
Permit Map / P-3981
Part of Sections 20 & 29
Township 5 South, Range 9 East
Dekalb County, Alabama

DWG NAME:	REP/JPM	DATE:	06-19-2015
DRAWN BY:	S.A.E.	SCALE:	1"=500'
APPROVED BY:	R.E.P.	JOB NUMBER:	15-04482-001