

Applicant: Red Mesa Energy, LLC  
Mine Name: Bledsoe Mine  
Permit Number: P-\_\_\_\_\_

# STATE OF ALABAMA SURFACE MINING COMMISSION

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

## **PART I A. IDENTIFICATION**

### **1. PERMIT APPLICANT**

Name: Red Mesa Energy, LLC  
Street Address: 722 Overbridge Lane  
City: Chattanooga State: TN Zip: 37405  
Mailing Address: 722 Overbridge Lane  
City: Chattanooga State: TN Zip: 37405  
Telephone Number: (\_\_\_\_\_)\_\_\_\_\_  
Social Security Number (Voluntary): \_\_\_\_\_  
Employer Identification Number: \_\_\_\_\_  
ASMC License#: L-841

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

Applicant: Red Mesa Energy, LLC  
Mine Name: Bledsoe Mine  
Permit Number: P- \_\_\_\_\_

**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 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:

**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: Red Mesa Energy, LLC  
 Mine Name: Bledsoe Mine  
 Permit Number: P-\_\_\_\_\_

**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**

**Part I C 1 Page 1 of 5**

Legal description of property or permit map symbol: IKL Properties, LLC (S)

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

Legal owner(s) of record: IKL Properties, LLC c/o Ray Keller

Address: P. O. Box 871 City: Stevenson State: AL Zip: 35772

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	IKL Properties, LLC	Black Mesa Energy, LLC	Pending	No
Sublease	Black Mesa Energy, LLC	Red Mesa Energy, LLC	Pending	No

Applicant: Red Mesa Energy, LLC  
 Mine Name: Bledsoe Mine  
 Permit Number: P-\_\_\_\_\_

**PART I C 1. (CONTINUED)**

Legal description of property or permit map symbol: Franklin & Foothills (M)  
 Surface/Mineral/or Fee Simple (both): Mineral  
 Legal owner(s) of record: Chester Franklin and Foothills Grain and Coal  
Transport, Inc. c/o Jim Wilkerson

Address: 1308 Woodland Trace City: Maryville State: TN Zip: 37803

Holder(s) of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchaser(s) 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	Chester Franklin & Foothills Grain and Coal Transport, Inc.	Ridgeholm Energy Partners, LLC	7/3/2013	No
Assignment	Ridgeholm Energy Partners, LLC	Black Mesa Energy, LLC	11/22/2013	No
Sublease	Black Mesa Energy, LLC	Red Mesa Energy, LLC	Pending	No

Legal description of property or permit map symbol: Jefferies Cove Corporation (S)

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

Legal owner(s) of record: Jefferies Cove Corporation c/o Billy Bean

Address: P. O. Box 581 City: Stevenson State: AL Zip: 35772

Holder(s) of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchaser(s) 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.
Surface owner over area to be mined. No lease necessary.				

Applicant: Red Mesa Energy, LLC  
 Mine Name: Bledsoe Mine  
 Permit Number: P-\_\_\_\_\_

**PART I C 1. (CONTINUED)**

Legal description of property or permit map symbol: William Roy Guess and Virginia Ann Samples (S)

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

Legal owner(s) of record: William Roy Guess and Virginia Ann Samples

Address: 270 Howell Drive City: Rainbow City State: AL Zip: 35906

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.
Surface owner over area to be mined. No lease necessary.				

Legal description of property or permit map symbol: Robert W. & Betty Dempsey (S)

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

Legal owner(s) of record: Robert W. & Betty Dempsey

Address: 2106-A Old Big Cove Road City: Owens Cross Roads State: AL Zip: 35763

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.
Surface owner over area to be mined. No lease necessary.				

Applicant: Red Mesa Energy, LLC  
 Mine Name: Bledsoe Mine  
 Permit Number: P-\_\_\_\_\_

**PART I C 1. (CONTINUED)**

Legal description of property or permit map symbol: Charles E. Beavers Life Estate (S)

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

Legal owner(s) of record: Charles E. Beavers Life Estate

Address: P. O. Box 661 City: Stevenson State: AL Zip: 35772

Holder(s) of leasehold interest: \_\_\_\_\_

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

Purchaser(s) 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.
Surface owner over area to be mined. No lease necessary.				

Legal description of property or permit map symbol: Kary J. & Carolyn R. Warren (S)

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

Legal owner(s) of record: Kary J. & Carolyn Warren

Address: 1770 Slaughter Road City: Madison State: AL Zip: 35758

Holder(s) of leasehold interest: \_\_\_\_\_

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

Purchaser(s) 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.
Surface owner over area to be mined. No lease necessary.				

Applicant: Red Mesa Energy, LLC  
 Mine Name: Bledsoe Mine  
 Permit Number: P-\_\_\_\_\_

**PART I C 1. (CONTINUED)**

Legal description of property or permit map symbol: Abbott Chapel Cemetery (S)  
 Surface/Mineral/or Fee Simple (both): Surface  
 Legal owner(s) of record: Abbott Chapel Cemetery  
 Address: 129 Edgewood Drive City: Florence State: AL Zip: 35630  
 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.
Surface owner within mine area. Adequate setback will be maintained in order to avoid subsidence within Cemetery Property.				

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: Red Mesa Energy, LLC  
Mine Name: Bledsoe Mine  
Permit Number: P- \_\_\_\_\_

**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: IKL Properties, LLC  
Address: c/o Ray Keller, P. O. Box 871  
City: Stevenson State: AL Zip: 35772  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest(Owner, Lease , or Other): Owner

Name: Chester Franklin and Foothills Grain and Coal Transport, Inc.  
Address: c/o Jim Wilkerson, 1308 Woodland Trace  
City: Maryville State: TN Zip: 37803  
Interest owned (Surface, Coal or Fee Simple): Mineral  
Type of Interest(Owner, Lease , or Other): Owner

Name: Jefferies Cove Corporation  
Address: c/o Billy Bean, P. O. Box 581  
City: Stevenson State: AL Zip: 35772  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest(Owner, Lease , or Other): Owner

Name: William Roy Guess and Virginia Ann Samples  
Address: 270 Howell Drive  
City: Rainbow City State: AL Zip: 35906  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest(Owner, Lease , or Other): Owner

Name: Robert W. and Betty Dempsey  
Address: 2106-A Old Big Cove Road  
City: Owens Cross Roads State: AL Zip: 35763  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest(Owner, Lease , or Other): Owner

Name: Charles E. Beavers Life Estate  
Address: P. O. Box 661  
City: Stevenson State: AL Zip: 35772  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest(Owner, Lease , or Other): Owner

Name: Kary J. and Carolyn R. Warren  
Address: 1770 Slaughter Road  
City: Madison State: AL Zip: 35758  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest(Owner, Lease , or Other): Owner



Applicant: <u>Red Mesa Energy, LLC</u> Mine Name: <u>Bledsoe Mine</u> Permit Number: P-_____
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**PART I D. PERMIT AREA INFORMATION**

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range, and county.

SE 1/4 of SE 1/4 and SW 1/4 of SE 1/4 of Section 12, Township 1 South, Range 7 East and in the NE 1/4 of NE 1/4 and NW 1/4 of NE 1/4 of Section 13, Township 1 South, Range 7 East, Jackson County, Alabama.

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

a. Total permit acreage: 26 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>25</u>	<u>Surety</u>
2.	<u>1</u>	<u>Surety</u>
3.	_____	_____
4.	_____	_____
5.	_____	_____

c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Increments 1 & 2

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

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

a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol. See Permit Map

b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released. (If no permit, indicate as such.)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>P-3515</u>	<u>9</u>	<u>Unknown</u>
<u>P-3760</u>	<u>4</u>	<u>Unknown</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). Red Mesa Energy, LLC will accept responsibility for all disturbance by them on this permit.

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.

Applicant: <u>Red Mesa Energy, LLC</u> Mine Name: <u>Bledsoe Mine</u> Permit Number: P- _____
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**PART I D. (CONTINUED)**

6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated? ( )YES ( X )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.

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>MSHA</u>	*	<u>Pending</u>
<u>NPDES</u>	<u>AL0069647</u>	<u>ADEM</u>	**	<u>5/2/2014</u>

\* 1030 London Drive, Birmingham, AL 35211  
 \*\* 1400 Coliseum Boulevard, Montgomery, AL 36110-2059

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
<u>Jackson County</u>	_____	_____

9. Describe access to the proposed mine from a known point on the nearest public highway: From the intersection of Jackson County Road 254 and County Road 158 near Stevenson, Alabama, go northwesterly on County Road 158 for approximately 5.5 miles to the mine site.

10. 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: \_\_\_\_\_

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 Office and 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 North Jackson Progress. See Attachment I.E.13. for proposed notice to be published.

Applicant: <u>Red Mesa Energy, LLC</u>
Mine Name: <u>Bledsoe Mine</u>
Permit Number: P- _____

Attachment I.E.13.

PUBLIC NOTICE OF FILING 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, Red Mesa Energy, LLC, 722 Overlook Lane, Chattanooga, TN 37411, hereby gives notice that it has filed an application with the Alabama Surface Mining Commission to permit an underground mining site as follows: From the intersection of Jackson County Road 254 and County Road 158 near Stevenson, Alabama, go northwesterly on County Road 158 for approximately 5.5 miles to the mine site. The area to be permitted is located in the SE 1/4 of SE 1/4 and SW 1/4 of SE 1/4 of Section 12, Township 1 South, Range 7 East and in the NE 1/4 of NE 1/4 and NW 1/4 of NE 1/4 of Section 13, Township 1 South, Range 7 East, Jackson County, Alabama as shown on the Doran Cove, Alabama United States Geological Survey quadrangle map. A copy of the permit application is available for public inspection on the Alabama Surface Mining Commission offices and on their website at <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.

**RESOLUTION OF THE JACKSON COUNTY COMMISSION**  
**No. 15-11**

BE IT RESOLVED BY THE JACKSON COUNTY COMMISSION AS FOLLOWS:  
The Jackson County Commission at its regular Commission meeting on the 2<sup>nd</sup> day of June, 2015 did resolve to amend Resolution 57 as follows:

WHEREAS, The Jackson County Commission did heretofore adopt Resolution 57 on May 20, 1996 wherein the Commission conditionally excepted an extension of County Road 158 as a public road; and

WHEREAS, the conditions of said Resolution whenever fully executed by the landowner and the County has never maintained the extension of County Road 158; and

WHEREAS, the current landowner and lessee of property fully encompassing the extension of County Road 158 have requested that the County acknowledge the road to have been declared to be a public road and the road be accepted into the County inventory; and

WHEREAS, the landowner, the landowners lessee and the County have entered into a Maintenance Agreement to assist the County and the maintenance and upkeep of the County public roads to be utilized by the landowner or the landowners lessee, its agents and contractors, during its mining operations.

NOW THEREFORE, it is hereby RESOLVED by the Jackson County Commission that Resolution 57 is hereby amended so as to provide as follows:

1) Conditioned upon the terms and provisions set out herein, the extension of that portion of County Road 158 that lies exclusively within the property boundaries of I.K.L, Inc. being approximately 1 mile in length and depicted on the map attached hereto being in Section 13 Township 1 South Range 7 East in Jackson County, Alabama is hereby declared to be a public road and accepted into the County inventory of Roads.

2) The landowner shall be responsible for maintaining the unpaved portion of said road to meet standards for Jackson County roads as established in Jackson County Road Policy for unpaved roads and for bringing said road up to standards for unpaved roads.

3) The landowner and its lessees, shall execute a Road Maintenance Agreement to provide assistance in maintaining the current paved county roads the lessee, its agents or contractors, expect to travel in preparing for, removal of and transportation of coal and other minerals from the properties of the landowner, consisting of portions of County Roads CR 158, CR 75 and CR 70.

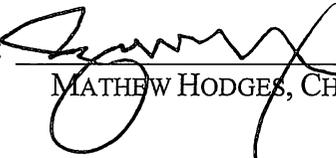
4) The road maintenance fund to be established hereunder shall be used exclusively for

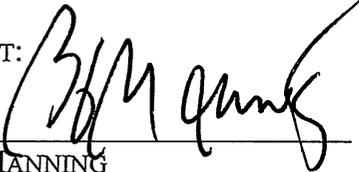
the maintenance, repair and upkeep of the County roads traveled by the landowner or its lessees, its agents and contractors in transporting of coal and other minerals

5) That portion of Resolution 57 requiring the payment of \$.18 per ton of coal mined is hereby vacated and the payments from the landowner or its lessee shall be set out in the Road Maintenance Agreement referred to herein.

Resolved with the vote of 3 yeas 0 nays and 0 abstentions.

JACKSON COUNTY COMMISSION

BY:   
MATHREW HODGES, CHAIRMAN

ATTEST:   
BOB MANNING  
COUNTY ADMINISTRATOR

