

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

BLACK WARRIOR MINERALS, INC.

MINE NO. 1, P-3950

ALABAMA SURFACE MINING COMMISSION
SURFACE MINING PERMIT APPLICATION

P A R T I

Prepared by:

MCGEHEE ENGINEERING CORP.

P. O. Box 3431
450 19th Street West
Jasper, Alabama 35502-3431
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Email: staff's first name@mcgehee.org

STATE OF ALABAMA SURFACE MINING COMMISSION

- 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: P.O. Box 1190
City: Sumiton State: AL Zip: 35148
Mailing Address: Same as Above
City: _____ State: _____ Zip: _____
Telephone Number: (205) 648-2290
Social Security Number (Voluntary): - -
Employer Identification Number: _____
ASMC License#: L-0698

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

Name: Black Warrior Minerals, Inc.
Street Address: P.O. Box 1190
City: Sumiton State: AL Zip: 35148
Mailing Address: Same as Above
City: _____ State: _____ Zip: _____
Telephone Number: (205) 648-2290
Social Security Number (Voluntary): - -
Employer Identification Number: _____
ASMC License#: L-0698

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

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

4. CONTACT PERSON FOR PERMIT REVIEW ISSUES AND CORRESPONDENCE

Name: McGehee Engineering, Corp.
Mailing Address: P. O. Box 3431, 450 19th Street West
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 221-0686
Email Address: jwhitlock@mcgehee.org

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

PART I B. OWNERSHIP AND CONTROL

1. PERMIT APPLICANT OWNERSHIP AND CONTROL.

At the time of filing of this application provide an update of all information contained in the applicant's license file or certify that the information contained in the license is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

A license update is included.

Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

2. OPERATOR OWNERSHIP AND CONTROL.

If someone other than the permittee has been identified as the operator under this permit, an update of the ownership and control information contained in the operator's license file must be provided or certify that the information contained in the license file is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

A license update is included.

Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

3. CONTROL OF MINING OPERATION THROUGH CONTROL OF COAL TO BE MINED.

Provide the information below for any person or entity who owns or controls the coal to be mined under this permit and who, by lease, sublease, or other contract:

- A. has the right to receive the coal after mining, or,
- B. has the authority to determine the manner in which the operator or permittee conducts surface coal mining operations.

(USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY)

Name: Black Warrior Minerals, Inc.

Street Address: P.O. Box 1190

City: Sumiton State: AL Zip: 35148

Mailing Address: Same as Above

City: _____ State: _____ Zip: _____

Telephone Number: (205) 648-2290

Social Security Number(Voluntary): - -

Employer Identification Number: _____

ASMC License#: L-0698

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

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: F-1, M-1 & S-1

(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): SURFACE, MINERAL & FEE

Legal owner(s) of record: BLACK WARRIOR MINERALS, INC.

Address: PO Box 1549 City: Jasper State: Al. Zip: 35502

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
DEED	DRUMMOND COAL COMPANY	BLACK WARRIOR MINERALS INC.	12/15/2009 07/16/2010	No

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

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

Legal description of property or permit map symbol: F-2 & S-2
SEE PERMIT MAP

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

Legal owner(s) of record: M LLC
 Address: 500 Southland Dr. Ste. 212 City: Birmingham State: AL Zip: 35226

Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: AL Zip: _____

Description of right to enter or mine:

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

Describe Right of Entry(If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
PENDING	M LLC	BLACK WARRIOR MINERALS INC.	5-21-2013	NO

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

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

Legal description of property or permit map symbol: S-3
SEE PERMIT MAP
 Surface/Mineral/or Fee Simple (both): SURFACE
 Legal owner(s) of record: SUMLEARAN, LLC.
 Address: 829 Reynolds Crest City: Vestavia Hills State: AL Zip: 35242
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: AL Zip: _____
Description of right to enter or mine:

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

Describe Right of Entry(If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
PENDING	SUMLEARAN, LLC.	BLACK WARRIOR MINERALS INC.	1-20-2012	NO

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

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

Legal description of property or permit map symbol: M-2
 SEE PERMIT MAP
 Surface/Mineral/or Fee Simple (both): MINERAL
 Legal owner(s) of record: WALTER MINERALS, INC.
 Address: 3000 Riverchase Galleria Suite 1700 City: Birmingham State: AL Zip: 35244
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: AL Zip: _____
Description of right to enter or mine:

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

Describe Right of Entry(If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	WALTER MINERALS, INC.	BLACK WARRIOR MINERALS, INC.	03/17/2009 Amended 12-30-2013	NO

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

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

Legal description of property or permit map symbol: **M-3**
 SEE PERMIT MAP

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

Legal owner(s) of record: **HUDDLESTON MINERALS, LLC.**

Address: **5133 Selkirk Dr.** City: **Birmingham** State: **AL** Zip: **35242**

Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: **AL** Zip: _____

Description of right to enter or mine:

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

Describe Right of Entry(If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
PENDING	HUDDLESTON MINERALS, LLC.	BLACK WARRIOR MINERALS INC.	4-28-2011	NO

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.
INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Page 1 of 2
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Name: DRUMMOND COAL COMPANY
Address: PO BOX 1549
City: JASPER State: AL Zip: 35502
Interest owned (Surface, Coal or Fee Simple): SURFACE, MINERAL & FEE
Type of Interest (Owner, Lease, or Other): OWNER

Name: M LLC
Address: 500 SOUTHLAND DR. STE. 212
City: BIRMINGHAM State: AL Zip: 35226
Interest owned (Surface, Coal or Fee Simple): SURFACE & FEE
Type of Interest (Owner, Lease, or Other): OWNER

Name: SUMLEARAN, LLC.
Address: 829 REYNOLDS CREST
City: VESTAVIA HILLS State: AL Zip: 35242
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: CHARLES R. WILLIS & JOHN D. WILLIS
Address: PO BOX 361
City: MORRIS State: AL Zip: 35116
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: KENNETH S. & EILEEN T. ROGERS
Address: 141 SARDIS RD.
City: GARDENDALE State: AL Zip: 35071
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: STATE OF ALABAMA SCHOOL LANDS
Address: 64 NORTH UNION STREET, SUITE 464
City: MONTGOMERY State: AL Zip: 36104
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: MARY L. KNOX
Address: 1442 SARDIS RD.
City: GARDENDALE State: AL Zip: 35071
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.
INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Page 2 of 2
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Name: WALTER MINERALS, INC.
Address: 3000 RIVERCHASE GALERIA SUITE 1700
City: BIRMINGHAM State: AL Zip: 35244
Interest owned (Surface, Coal or Fee Simple): MINERAL
Type of Interest (Owner, Lease, or Other): OWNER

Name: HUDDLESTON MINERALS, LLC.
Address: 5133 SELKIRK DR.
City: BIRMINGHAM State: AL. Zip: 35242
Interest owned (Surface, Coal or Fee Simple): MINERAL
Type of Interest (Owner, Lease, or Other): OWNER

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

PART I C. (CONTINUED)

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

THE APPLICANT HAS NO INTEREST IN ANY LANDS OR CONTIGUOUS LAND
OTHER THAN THE PERMITTED AREA.

Give the legal description of all lands contiguous to the permit area for which the permit applicant:

- 1. Holds an interest,
- 2. Holds an option, or
- 3. Has made a bid for ownership, lease or other interest.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Legal description: _____

Describe the nature of the interest: _____

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Legal Description: _____

Describe the nature of the interest: _____

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Legal description: _____

Describe the nature of the interest: _____

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

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.

NW/SE, SW/SE, SE/SE and NE/SE of Section 9, SW/SW, NW/SW, NE/SW, SW/NW, SE/NW, NW/NW, NE/NW, SW/NE, SE/NE, NW/NE, and NE/NE of Section 16, NE/SE of Section 17, Township 15 South, Range 3 West. All being located in Jefferson County, Alabama.

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

a. Total permit acreage: 354.0 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.	78.0	Certificate of Deposit
2.	87.0	Certificate of Deposit
3.	92.0	Certificate of Deposit
4.	32.0	Certificate of Deposit
5.	37.0	Certificate of Deposit
6.	28.0	Certificate of Deposit

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

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

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

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

SEE PERMIT MAP

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

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>Pre-law</u>	<u>65 Acres</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling?
() YES (XX) NO.

If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950**

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 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>01-03437</u>	<u>MSHA</u>	<u>228 West Valley Ave. Birmingham, AL 35209</u>	<u>1-25-11</u>
<u>NPDES</u>	<u>AL0079707</u>	<u>ADEM</u>	<u>1751 Federal Drive Montgomery, AL 36130</u>	<u>09-30-08</u>

8. Is the property in the permit covered by zoning or other land use restrictions? YES NO.
 If yes, indicate the jurisdictional authority and zoning or landuse restriction for the entire permit area. If more than one zoning classification exists for the permit area, identify the boundaries of each on the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
<u>Jefferson County</u>	<u>I3-S</u>	<u>YES</u>
<u>Jefferson County</u>	<u>A-1</u>	<u>No</u>

9. Describe access to the proposed mine from a known point on the nearest public highway: From the intersection of Mt. Olive Road and Sardis Road travel east on Sardis Road approximately 1.5 mile and the mine entrance will be on the right. The boundaries to the permit area will be marked and signs will be posted.

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?
 YES NO
 If YES, list SOAP I.D. Number: _____

11. Submit a certificate of proof of Liability Insurance with this application.

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: Alabama Surface Mining Commission and Alabama Surface Mining Commission 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: See Attachment I-E-13

**BLACK WARRIOR MINERALS, INC.
MINE NO. 1, P-3950
ATTACHMENT 1-E-13**

PUBLIC NOTICE FILING OF PERMIT APPLICATION

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Black Warrior Minerals, Inc., P.O. Box 1190, Sumiton, Alabama 35148 is filing an application to renew its Mine No. 1 (P-3950) permit, Surface Mine. Access to the mine is as follows:

From the intersection of Mt. Olive Road and Sardis Road travel east on Sardis Road approximately 1.5 mile and the mine entrance will be on the right. The boundaries to the permit area will be marked and signs will be posted.

NW/SE, SW/SE, SE/SE and NE/SE of Section 9, SW/SW, NW/SW, NE/SW, SW/NW, SE/NW, NW/NW, NE/NW, SW/NE, SE/NE, NW/NE, and NE/NE of Section 16, NE/SE of Section 17, Township 15 South, Range 3 West. All being located in Jefferson County, Alabama.

A copy of the permit application is available for public inspection and review on the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>. A copy of the permit application is also available for public inspection and review at the office of the Alabama Surface Mining Commission located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for public hearing or request for informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last date of publication of this notice.

This notice to be published in the Birmingham News Newspaper.

TO THE BIRMINGHAM NEWS:

Please run this notice once a week for four (4) consecutive weeks starting September 25th, October 2ND, October 9th, and ending October 16th. Please send invoice and notarized proof of publication to:

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

Also, please send a notarized proof of publication to:

McGehee Engineering Corp.
P. O. Box 3431
Jasper, AL 35502-3431
Telephone (205) 221-0686

If you should have any questions or need additional information, please call: (205) 221-0686.