

CARBON OAK, INC.

THUNDER OAKS MINE, P-3976

ALABAMA SURFACE MINING COMMISSION

SURFACE MINING PERMIT APPLICATION

PART I

ADMINISTRATIVE

Prepared by:

TASK Engineering Management Inc.

P.O. Box 660548

Birmingham, Alabama 35266-0548

Telephone: 205.978.5070

[Email: jw-task@charter.net](mailto:jw-task@charter.net)

STATE OF ALABAMA SURFACE MINING COMMISSION

- Permit Application for a Surface Coal Mine**
 Permit Application for an Underground Coal Mine
 Permit Application for a Preparation Facility

1. PERMIT APPLICANT

Name: Carbon Oak, Inc.
Street Address: 401 Franklin Street
City: Huntsville State: AL Zip: 35801
Mailing Address: 401 Franklin Street
City: Huntsville State: AL Zip: 35801
Telephone Number: (256) 533-3311
Social Security Number (Voluntary): _____
Employer Identification Number: 46-0558066
ASMC License #: L-0830

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

Name: Carbon Oak, Inc.
Street Address: 401 Franklin Street
City: Huntsville State: AL Zip: 35801
Mailing Address: 401 Franklin Street
City: Huntsville State: AL Zip: 35801
Telephone Number: (256) 533-3311
Social Security Number (Voluntary): _____
Employer Identification Number: 46-0558066
ASMC License #: L-0830

3. IDENTIFY THE OPERATORS FOR THIS MINE 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: TASK Engineering Management Inc.
Mailing Address: P.O. Box 660548
City: Birmingham State: AL Zip: 35266-0548
Telephone Number: (205) 978-5070
Email Address: jw-task@charter.net

PART I C. PROPERTY OWNERSHIP, INTEREST 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 NESCESSARY

Legal description of property or permit map symbol: S-4
SEE PERMIT MAP

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

Legal owner (s) of record: NELSON & MINNIE L. IZELL

Address: 1092 CR 683 City: SYLVANIA State: AL Zip: 35988

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 the 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	NELSON & MINNIE L. IZELL	CARBON OAK, INC.	October 27, 2012	NO

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

Legal description of property or permit map symbol: S-10
SEE PERMIT MAP

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

Legal owner (s) of record: SEVEN OAKS LAND & MINERAL, LLC
 Address: 401 FRANKLIN STREET City: HUNTSVILLE State: AL Zip: 35801

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 the 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	SEVEN OAKS LAND & MINERAL, LLC	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: S-13
SEE PERMIT MAP

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

Legal owner (s) of record: ROGER DELL & LINDA P. WALDROP
 Address: 680 COUNTY ROAD 681 City: SYLVANIA State: AL Zip: 35988

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 the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	ROGER DELL & LINDA P WALDROP	CARBON OAK, INC.	November 1, 2011	NO

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

Legal description of property or permit map symbol: S-14
SEE PERMIT MAP

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

Legal owner (s) of record: KEITH L & CARRIE H ATCHLEY
 Address: 160 COUNTY ROAD 682 City: SYLVANIA State: AL Zip: 35988

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 the 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	KEITH L & CARRIE H ATCHLEY	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: S-15
SEE PERMIT MAP

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

Legal owner (s) of record: KATHAN E WILLINGHAM
 Address: 1246 COUNTY ROAD 681 City: SYLVANIA State: AL Zip: 35988

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 the 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	KATHAN E WILLINGHAM	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-1
SEE PERMIT MAP
 Surface/Mineral/or Fee Simple (both): FEE SIMPLE & SURFACE
 Legal owner (s) of record: NELSON & MINNIE L. IZELL
 Address: 1092 CR 683 City: SYLVANIA State: AL Zip: 35988
 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 the 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	NELSON & MINNIE L. IZELL	CARBON OAK, INC.	October 27, 2011	NO

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

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

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

Legal owner (s) of record: R. C. ETHERTON
 Address: 356 MAIN STREET S City: SYLVANIA State: AL Zip: 35988

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 the 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	R. C. ETHERTON	CARBON OAK, INC.	February 6, 2012	NO

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

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

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

Legal owner (s) of record: RODNEY & PAM HITCHCOCK
 Address: 243 COUNTY ROAD 682 City: SYLVANIA State: AL Zip: 35988

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 the 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	RODNEY & PAM HITCHCOCK	CARBON OAK, INC.	November 29, 2011	NO

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

Legal description of property or permit map symbol: F-4
SEE PERMIT MAP

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

Legal owner (s) of record: GLENDA HITCHCOCK
 Address: 243 COUNTY ROAD 681 City: SYLVANIA State: AL Zip: 35988

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 the 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	GLENDA HITCHCOCK	CARBON OAK, INC.	January 1, 2012	NO

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

Legal description of property or permit map symbol: F-9
SEE PERMIT MAP

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

Legal owner (s) of record: ROGER & MARZELL SIMS
 Address: 288 COUNTY ROAD 681 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 the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	ROGER & MARZELL SIMS	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-10
SEE PERMIT MAP

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

Legal owner (s) of record: ROBERT & REGINA SIMS
 Address: 324 COUNTY ROAD 681 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 the 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	ROBERT & REGINA SIMS	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-11
SEE PERMIT MAP

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

Legal owner (s) of record: CLYDE M & KATHLEEN SHANKLES
 Address: 260 COUNTY ROAD 280 City: SYLVANIA State: AL Zip: 35988

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 the 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	CLYDE M & KATHLEEN SHANKLES	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-12
SEE PERMIT MAP

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

Legal owner (s) of record: STEVE & NANETTE MCWILLIAMS
 Address: 184 COUNTY ROAD 680 City: SYLVANIA State: AL Zip: 35988

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 the 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	STEVE & NANETTE MCWILLIAMS	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-13
SEE PERMIT MAP

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

Legal owner (s) of record: JARED MCWILLIAMS

Address: 184 COUNTY ROAD 680 City: SYLVANIA State: AL Zip: 35988

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 the 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	JARED MCWILLIAMS	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-14
SEE PERMIT MAP

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

Legal owner (s) of record: JOSHUA MCWILLIAMS
 Address: 260 COUNTY ROAD 680 City: SYLVANIA State: AL Zip: 35988

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 the 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	JOSHUA MCWILLIAMS	CARBON OAK, INC.	November 1, 2011	NO

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

Legal description of property or permit map symbol: F-15
SEE PERMIT MAP
 Surface/Mineral/or Fee Simple (both): FEE SIMPLE
 Legal owner (s) of record: BRETT HANEY C/O TENA HANEY
 Address: 11391 ROCKEY FORD RD City: PIEDMONT State: AL Zip: 36272
 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 the 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	BRETT HANEY	CARBON OAK, INC.	February 1, 2012	NO

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

Legal description of property or permit map symbol: F-16
SEE PERMIT MAP

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

Legal owner (s) of record: KRYSTIN HANEY C/O TENA HANEY
 Address: 11391 ROCKEY FORD RD City: PIEDMONT State: AL Zip: 36272

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 the 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	KRYSTIN HANEY	CARBON OAK, INC.	February 1, 2012	NO

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

Legal description of property or permit map symbol: F-17
SEE PERMIT MAP

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

Legal owner (s) of record: TENA & DERRICK HANEY
 Address: 11391 ROCKEY FORD RD City: PIEDMONT State: AL Zip: 36272

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 the 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	TENA & DERRICK HANEY	CARBON OAK, INC.	February 1, 2012	NO

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

Legal description of property or permit map symbol: F-18
SEE PERMIT MAP

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

Legal owner (s) of record: DENISE WILSON
 Address: 1117 COUNTY ROAD 108 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 the 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	DENISE WILSON	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-19
SEE PERMIT MAP

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

Legal owner (s) of record: KENNETH & JIMMIE PELL
 Address: 505 COUNTY ROAD 680 City: SYLVANIA State: AL Zip: 35988

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 the 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	KENNETH & JIMMIE PELL	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-23
SEE PERMIT MAP

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

Legal owner (s) of record: MELISSA & RICHARD SCOTT RAKESTRAW
 Address: 32 CUMBERLAND ROAD City: EMERSON State: GA Zip: 30137

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 the 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	MELISSA & RICHARD SCOTT RAKESTRAW	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-24
SEE PERMIT MAP

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

Legal owner (s) of record: STUART L. GEORGE (LIFE ESTATE) c/o KAY GEORGE
 Address: 752 COUNTY ROAD 849 City: SYLVANIA State: AL Zip: 35988

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 the 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	STUART L GEORGE	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: F-25
SEE PERMIT MAP

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

Legal owner (s) of record: ROBBIE & MISTY TURNER
 Address: 955 COUNTY ROAD 681 City: SYLVANIA State: AL Zip: 35988

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 the 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	ROBBIE & MISTY TURNER	CARBON OAK, INC.	PENDING	NO

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

Legal description of property or permit map symbol: M-1
SEE PERMIT MAP

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

Legal owner (s) of record: CONSOLIDATED, LTD
 Address: 205 5TH AVENUE W City: ONEONTA State: AL Zip: 35121

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 the 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	CONSOLIDATED, LTD	CARBON OAK, INC.	December 28, 2011	NO

PART I C. PROPERTY OWNERSHIP, INTEREST 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: SUSIE T RAYMOND ESTATE, c/o WALTER B RAYMOND
 Address: 500 SIXTH STREET NW City: FORT PAYNE State: AL Zip: 35967

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 the 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	SUSIE T RAYMOND ESTATE	CARBON OAK, INC.	December 1, 2011	NO

PART I C. PROPERTY OWNERSHIP, INTEREST 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: R C ETHERTON
 Address: 356 MAIN STREET S City: SYLVANIA State: AL Zip: 35988

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 the 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	R C ETHERTON	CARBON OAK, INC.	February 6, 2012	NO

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 owner of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW

Page 1 of 4

Name: NELSON & MINNIE LOUISE IZELL
Address: 1092 COUNTY ROAD 683
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: RC ETHERTON
Address: 356 MAIN STREET S
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: RODNEY & PAM HITCHCOCK
Address: 243 COUNTY ROAD 682
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: GLEND A HITCHCOCK
Address: 584 COUNTY ROAD 681
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: RONNIE L & SHARON G NEELEY
Address: 547 COUNTY ROAD 849
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: ROGER & MARZELL SIMS
Address: 288 COUNTY ROAD 681
City: RAINSVILLE State: AL Zip: 35986
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: ROBERT & REGINA SIMS
Address: 324 COUNTY ROAD 681
City: RAINSVILLE State: AL Zip: 35986
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

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 owner of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW

Page 2 of 4

Name: DENISE WILSON
Address: 1117 COUNTY ROAD 108
City: RAINSVILLE State: AL Zip: 35986
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: KENNETH & JIMMIE PELL
Address: 505 COUNTY ROAD 680
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: ERIS JASON CRUCE
Address: 141 PEBBLE LANE
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: BILLY WAYNE & CAROL ELAINE TURNER
Address: 1117 COUNTY ROAD 108
City: RAINSVILLE State: AL Zip: 35986
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: ANDY C. & PATSY SIMS
Address: 771 6TH STREET SW
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: MELISSA & RICHARD SCOTT RAKESTRAW
Address: 32 CUMBERLAND ROAD
City: EMERSON State: GA Zip: 30137
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE
Type of Interest (Owner, Lease or Other): OWNER

Name: LUCILLE JARROD
Address: 7645 AUSTIN DRIVE
City: CHATTANOOGA State: TN Zip: 37476
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

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 owner of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW

Page 3 of 4

Name: ROBERT B & JENNIFER R TERRELL
Address: PO BOX 1757
City: RAINSVILLE State: AL Zip: 35986
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

Name: CATHARINA COLLINGS
Address: PO BOX 271
City: MENTONE State: AL Zip: 35984
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

Name: ROGER & SANDRA NIX
Address: 1139 COUNTY ROAD 180
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

Name: ROBBIE & MISTY TURNER
Address: 955 COUNTY ROAD 681
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

Name: ROGER DELL & LINDA P. WALDROP
Address: 680 COUNTY ROAD 681
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

Name: KELLY R DUNN
Address: 3121 DENDY ROAD
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

Name: FLOYD LEE GEORGE C/O KAY JOHNSON
Address: 752 COUNTY ROAD 849
City: SYLVANIA State: AL Zip: 35988
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

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 owner of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW

Name: FRANCIS L DAWSON
Address: 6866 BLUE POND BLVD E
City: FORT PAYNE State: AL Zip: 35968
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease or Other): OWNER

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease or Other): _____

PART I C. (CONTINUED)

3. INTEREST 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

THE APPLICANT DOES NOT HAVE ANY INTEREST OR PENDING INTEREST IN ANY LANDS CONTIGUOUS TO THE PERMIT AREA.

USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW

Page 1 of 1

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: _____

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.
SW/NW, NW/SW, SW/SW - SECTION 2, T6S, R8E; SE/NE, SW/NE, SE/NW, SW/NW, NW/SW, NE/SW,
NW/SE, NE/SE, SE/SE, SW/SE, SE/SW, SW/SW - SECTION 3, T6S, R8E; NE/SE, SE/SE - SECTION 4,
T6S, R8E; NE/NE, NW/NE, NE/NW, NW/NW, SE/NW - SECTION 10, T6S, R8E; NW/NW - SECTION 11
T6S, R8E; DEKALB COUNTY, ALABAMA

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

a. Total permit acreage: 608.0 acres. See [Permit Map](#)

b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
<u>1</u>	<u>127.00</u>	<u>Letter of Credit</u>
<u>2</u>	<u>113.00</u>	<u>Letter of Credit</u>
<u>3</u>	<u>146.00</u>	<u>Letter of Credit</u>
<u>4</u>	<u>86.00</u>	<u>Letter of Credit</u>
<u>5</u>	<u>127.00</u>	<u>Letter of Credit</u>
<u>6</u>	<u>9.00</u>	<u>Letter of Credit</u>

c. Identify the increment (s) on which mining will initially begin upon issuance of this permit: Increments 1 & 6

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

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

a. Show all 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 release or 100% released. (If no permit, indicate as such)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>N/A</u>	<u>16.00</u>	<u>Pre-Law Reclaimed</u>
<u>P-1303</u>	<u>84.00</u>	<u>100% Released</u>
<u>P-2904(Interim)</u>	<u>25.00</u>	<u>100% Released & Re-permitted by P-3301</u>
<u>P-3301</u>	<u>91.00</u>	<u>100% Released</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).

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

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

PART I D. (CONTINUED)

6. Is the disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated? YES NO DeKalb County Approval Pending.

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>01-03460</u>	<u>MSHA</u>	<u>228 West Valley Ave Birmingham, AL 35209</u>	<u>ISSUED 01-22-13</u>
<u>NPDES</u>	<u>AL0081817</u>	<u>ADEM</u>	<u>1751 Federal Drive Montgomery, AL 3613</u>	<u>PENDING</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 land use restrictions for 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
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Describe access to the proposed mine from known point on the nearest public highway:
From the intersection of State Highway 75 and State Highway 35 in the town of Rainsville, take State Highway 75 north for 3.89 miles, turn right on DeKalb County Road 108 for 1.32 miles, turn left on DeKalb County Road 681 at Oak Grove Church. Mine site is 0.9 miles, north and south of DeKalb County Road 681.

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 approval public office in which a copy of this application will be filed for public inspection following notification of completeness: ASMC Website & Office

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

ATTACHMENT I-E-13

PUBLIC NOTICE FILING OF PERMIT APPLICATION

In accordance with the provision of Act. N. 81-435 of the State of Alabama and the regulations promulgated under this act, Carbon Oak, Inc., 401 Franklin Street, Huntsville, Alabama 35801 is filing an application to permit its Thunder Oaks Mine, P-3976, Surface Mine. Access to the mine is as follows:

From the intersection of State Highway 75 and State Highway 35 in the town of Rainsville, take State Highway 75 north for 3.89 miles, turn right on DeKalb County Road 108 for 1.32 miles, turn left on DeKalb County Road 681 at Oak Grove Church. Mine site is 0.9 miles, north and south of DeKalb County Road 681.

LEGAL DESCRIPTION

SW/NW, NW/SW, SW/SW - SECTION 2, T6S, R8E; SE/NE, SW/NE, SE/NW, SW/NW, NW/SW, NE/SW, NW/SE, NE/SE, SE/SE, SW/SE, SE/SW, SW/SW - SECTION 3, T6S, R8E; NE/SE, SE/SE - SECTION 4, T6S, R8E; NE/NE, NW/NE, NE/NW, NW/NW, SE/NW - SECTION 10, T6S, R8E; NW/NW - SECTION 11 T6S, R8E; DEKALB 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 Alabama Surface Mining Commission office located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for a public hearing or an informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, PO Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last day of publication of this notice.

This notice to be published in The Times-Journal Newspaper, Fort Payne, Alabama.

TO THE TIMES-JOURNAL NEWSPAPER:

Please run this notice once a week for four (4) consecutive weeks. Please send invoice and notarized proof of publication to:

TASK Engineering Management Inc.
P.O. Box 660548
Birmingham, Alabama 35266-0548
Telephone: (205) 978-5070

If you have any questions or need additional information, please call us at (205) 978-5070.

[SEE NOTORIZED PROOF OF PUBLICATION](#)