

NOTE: **DO NOT MODIFY THIS FORM.** Use typewriter or print neatly with blue ink. Submit two (2) copies one of which must be an original Form I (t) as supplied by the Department of Environmental Quality, Land Quality Division.

STATE OF WYOMING
DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
APPLICATION FOR
PERMIT TRANSFER

- I. (a) Name, telephone number, and mailing address of transferor (current permittee): _____
Contura Coal West, Inc., Eagle Butte Mine
P.O. Box 3040, Gillette, WY 82717-3040, (307) 687-3300
- (b) Location of mining operation (county): Campbell
- (c) Permit number to be transferred: 428-T7
- (d) The total number of acres in the approved permit area and the total approved affected acreage.

Permit Acres	Approved Acreage to Affect
Original Permit <u>5,101</u>	Original Permit <u>3,973</u>
Approved Amendments <u>5,152.8</u>	Approved Amendments <u>4,892.4</u>
Total Acres <u>10,253.8</u>	Total Acres <u>8,865.4</u>

Attach a legal description of above acreages as Appendix "C" and original USGS Quad Map(s) with permit and amendment areas clearly shown and identified.

2. (a) Name, telephone number, and mailing address of transferee (proposed permittee): _____
Blackjewel, LLC, Eagle Butte Mine
P.O. Box 3040, Gillette, WY 82717-3040 (307) 687-3300
- (b) If the Transferee is a partnership, association, corporation or limited liability co., the names and addresses of all managers, partners and executives directly responsible for operations in this State:

Name: <u>Shane D. Durgin</u>	Address: <u>P.O. Box 3039, Gillette, WY 82717</u>
Title: <u>Chief Operating Officer</u>	Phone No: <u>(307) 687-3462</u>
Name: <u>Daniel P. Baker</u>	Address: <u>P.O. Box 3039, Gillette, WY 82717</u>
Title: <u>Vice President Operations</u>	Phone No: <u>(307) 687-3450</u>
Name: <u>Jeoffrey J. Pilon</u>	Address: <u>P.O. Box 3039, Gillette, WY 82717</u>
Title: <u>Vice president Engineering</u>	Phone No: <u>(307) 687-3406</u>
Name: _____	Address: _____
Title: _____	Phone No. _____

3. Name, telephone number, and address of the agent or person of the Transferee to whom any notices under the provisions of the Wyoming Environmental Quality Act, Land Quality Division or Rules and Regulations adopted thereunder may be sent: Mark Thrall
P.O. Box 3040, Gillette, WY 82717-3040
4. The provisions of the transferred permit are severable, and if any provision of the permit, or the application of any provision of the permit, to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

DEQ Exhibit 3

Initial SD

Date 8/30/18

Permit No. _____
 TFN No. _____

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STATE OF WYOMING

DEPARTMENT OF ENVIRONMENTAL QUALITY
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P.O. Box 3040, Gillette, WY 82717-3040 (307) 687-3300
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Title: <u>Vice President Operations</u>	Phone No: <u>(307) 687-3450</u>
Name: <u>Jeoffrey J. Pilon</u>	Address: <u>P.O. Box 3039, Gillette, WY 82717</u>
Title: <u>Vice president Engineering</u>	Phone No: <u>(307) 687-3406</u>
Name: _____	Address: _____
Title: _____	Phone No. _____

3. Name, telephone number, and address of the agent or person of the Transferee to whom any notices under the provisions of the Wyoming Environmental Quality Act, Land Quality Division or Rules and Regulations adopted thereunder may be sent: Mark Thrall
P.O. Box 3040, Gillette, WY 82717-3040
4. The provisions of the transferred permit are severable, and if any provision of the permit, or the application of any provision of the permit, to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

5. For surface coal mining operations, right of entry to or inspection of any operation, premises, records, or equipment shall not require advance notice.

SWORN STATEMENT OF TRANSFEROR

State of Wyoming)
)ss
County of Campbell)

I Shane D. Durgin being duly sworn on my oath that I am the Transferor (or President or Vice President if the Transferor is a corporation) for the foregoing permit transfer; that I have read the said application and fully know the contents thereof; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief; by execution of this statement I certify that Transferor is in full compliance with the Wyoming Environmental Quality Act, the Rules and Regulations promulgated thereunder, and the terms and conditions of Mining Permit No. 428-T7. Approval of this transfer by the Department of Environmental Quality does not constitute a conclusion that the Transferor is in full compliance.

Dated this 30th day of August, 20 18.

Signature: *Shane D. Durgin*

Name: Shane D. Durgin
(Printed or typed)

Title: Chief Operating Officer

(Corporate Seal)

no corporate seal

The foregoing instrument was acknowledged before me by Shane D. Durgin this 30th day of August, 20 18.

Witness my hand and official seal.

Tina M. Hutt
(Notary Public or Secretary if a Corporation)



Tina M. Hutt
(Name printed or typed)

(Notary Seal)

My Commission Expires: 3/9/2021

5. For surface coal mining operations, right of entry to or inspection of any operation, premises, records, or equipment shall not require advance notice.

SWORN STATEMENT OF TRANSFEROR

State of Wyoming)
)ss
County of Campbell)

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Dated this 30th day of August, 2018.

Signature: *Shane D. Durgin*

Name: Shane D. Durgin
(Printed or typed)

Title: Chief Operating Officer

(Corporate Seal)

no corporate seal

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Tina M. Hutt
(Notary Public or Secretary if a Corporation)



(Notary Seal)

Tina M. Hutt
(Name printed or typed)

My Commission Expires: 3/9/2021

FINAL SWORN STATEMENT OF TRANSFEREE

State of Wyoming)
)ss
County of Campbell)

I Shane D. Durgin being duly sworn on my oath that I am the Transferee (or President or Vice President if the Transferee is a corporation) for the foregoing mining permit transfer; that I have read the said application and fully know the contents thereof; that I further agree to be bound by all of the terms and conditions of the original permit and any amendments, revisions, or renewals thereof and accept all unfulfilled reclamation liabilities of statutes, rules and of the permit; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief, by execution of this statement I certify that Blackjewel, LLC, Transferee, or entities controlled by or under common control with the transferee has the right and power by legal estate owned to mine from the land for which this permit transfer is desired; that transferee or entities controlled by or under common control with the transferee has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes; and if a **surface coal mining application**, that transferee or entities controlled by or under common control with the transferee has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and the applicant or entities controlled by or under common control with the applicant has not had any Federal or State coal mining permits suspended or revoked in the five years preceding the date of this applicant; and by completion and submission of this application, hereby give consent to allow the Director, the Administrator and/or his authorized representatives, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to any and all lands covered by this permit and amendments thereto and to inspect and copy any records or documents, obtain or monitor any samples or sampling, for any activities associated with the operation and permit.

Dated this 30th day of August, 2018.

Signature: Shane D. Durgin

Name: Shane D. Durgin
(Printed or typed)

Title: Chief Operating Officer

(Corporate Seal)

no corporate seal

The foregoing instrument was acknowledged before me by Shane D. Durgin this 30th day of August, 2018.

Witness my hand and official seal.

Tina M. Hutt
(Notary Public or Secretary if a Corporation)

Tina M. Hutt
(Name printed or typed)



(Notary Seal)

My Commission Expires: 3/9/2021

Initial SD

Date 8/30/18

6 1/299

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STATE OF WYOMING
DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
APPLICATION FOR
PERMIT TRANSFER

MB SM PS JH KM BK DL CHEY DE LM DM GY JM DS



I. (a) Name, telephone number, and mailing address of transferor (current permittee):
Contura Coal West, Inc., Eagle Butte Mine
P.O. Box 3040, Gillette, WY 82717-3040, (307) 687-3300

(b) Location of mining operation (county): Campbell

(c) Permit number to be transferred: 428-T7

(d) The total number of acres in the approved permit area and the total approved affected acreage:

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Blackjewel, LLC, Eagle Butte Mine
P.O. Box 3040, Gillette, WY 82717-3040 (307) 687-3300

(b) If the Transferee is a partnership, association, corporation or limited liability co., the names and addresses of all managers, partners and executives directly responsible for operations in this State:

Name: Jeffrey J. Pilon Address: P.O. Box 3039, Gillette, WY 82717
Title: Chief Operating Officer Phone No: (307) 687-3406

Name: Daniel P. Baker Address: P.O. Box 3039, Gillette, WY 82717
Title: Vice President Operations Phone No: (307) 687-3450

Name: _____ Address: _____
Title: _____ Phone No: _____

Name: _____ Address: _____
Title: _____ Phone No: _____

3. Name, telephone number, and address of the agent or person of the Transferee to whom any notices under the provisions of the Wyoming Environmental Quality Act, Land Quality Division or Rules and Regulations adopted thereunder may be sent: Mark Thrall
P.O. Box 3040, Gillette, WY 82717-3040

4. The provisions of the transferred permit are severable, and if any provision of the permit, or the application of any provision of the permit, to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

Initial [Signature]

Date 9/12/2018

Permit No. 428
TFN No. 6 1/299

DEQ03-
PERMIT NO. 00007

5. For surface coal mining operations, right of entry to or inspection of any operation, premises, records, or equipment shall not require advance notice.

SWORN STATEMENT OF TRANSFEROR

State of Wyoming)
)ss
County of Campbell)

I Jeffrey J. Pilon being duly sworn on my oath that I am the Transferor (or President or Vice President if the Transferor is a corporation) for the foregoing permit transfer; that I have read the said application and fully know the contents thereof; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief; by execution of this statement I certify that Transferor is in full compliance with the Wyoming Environmental Quality Act, the Rules and Regulations promulgated thereunder, and the terms and conditions of Mining Permit No. 428-T7. Approval of this transfer by the Department of Environmental Quality does not constitute a conclusion that the Transferor is in full compliance.

Dated this 12th day of September, 20 18.

No Corporate Seal
(Corporate Seal)

Signature: [Signature]
Name: Jeffrey J. Pilon
(Printed or typed)
Title: Chief Operating Officer

The foregoing instrument was acknowledged before me by Jeffrey J. Pilon this 12th day of September, 20 18.

Witness my hand and official seal.

Carol Herrmann
(Notary Public or Secretary if a Corporation)



(Notary Seal)

Carol Herrmann
(Name printed or typed)

My Commission Expires: June 5, 2021



Initial JP

Date 9/12/2018

Permit No. 428-DEQ03-
TFN No. 6-00008

FINAL SWORN STATEMENT OF TRANSFEREE

State of Wyoming)
County of Campbell)ss
)

I Jeffrey J. Pilon being duly sworn on my oath that I am the Transferee (or President or Vice President if the Transferee is a corporation) for the foregoing mining permit transfer; that I have read the said application and fully know the contents thereof; that I further agree to be bound by all of the terms and conditions of the original permit and any amendments, revisions, or renewals thereof and accept all unfulfilled reclamation liabilities of statutes, rules and of the permit; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief, by execution of this statement I certify that Blackjewel, LLC, Transferee, or entities controlled by or under common control with the transferee has the right and power by legal estate owned to mine from the land for which this permit transfer is desired; that transferee or entities controlled by or under common control with the transferee has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes; and if a **surface coal mining application**, that transferee or entities controlled by or under common control with the transferee has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and the applicant or entities controlled by or under common control with the applicant has not had any Federal or State coal mining permits suspended or revoked in the five years preceding the date of this application; and by completion and submission of this application, hereby give consent to allow the Director, the Administrator and/or his authorized representatives, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to any and all lands covered by this permit and amendments thereto and to inspect and copy any records or documents, obtain or monitor any samples or sampling, for any activities associated with the operation and permit.

Dated this 12th day of September, 2018.

No Corporate Seal
(Corporate Seal)

Signature: [Signature]
Name: Jeffrey J. Pilon
(Printed or typed)
Title: Chief Operating Officer

The foregoing instrument was acknowledged before me by Jeffrey J. Pilon this 12th day of September, 2018.

Witness my hand and official seal.



(Notary Seal)

Carol Herrmann
(Notary Public or Secretary if a Corporation)

Carol Herrmann
(Name printed or typed)

My Commission Expires: June 5, 2021

Initial JP

Date 9/12/2018

Permit No. 428
TFN No. DEQ03-00009

THE STATE OF WYOMING)
)ss
DEPARTMENT OF ENVIRONMENTAL QUALITY)

This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions.

1. This permit transfer grants only the right to affect the lands described in Appendix "C" of the permit.
2. The transferee has acquired a good and sufficient reclamation bond fully executed and signed. The bond shall be effective on the date of transfer.
3. The transferee, or such other person as required by W.S. §35-11-410, has acquired a license to mine for lands described in Appendix "C" of the permit.
4. Acceptance of the approved permit transfer obligates the operator to abide by the standard conditions specified in the original permit. Any condition and/or special condition attached to this permit transfer shall supersede and/or replace any conflicts with the original permit, amendments, coal renewals or any revision.

(Lined area for notes or comments)

APPROVED: _____
Administrator
Land Quality Division
Department of Environmental Quality

APPROVED: _____
Director
Department of Environmental Quality

Effective Date: _____

Initial 

Date 9/12/2014

Permit No. 428
TFN No. 6 1/299

6 1/299

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STATE OF WYOMING
DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
APPLICATION FOR
PERMIT TRANSFER

MB SM PS JH KM BK DL CHEY DE LM DM GY JM DS



I. (a) Name, telephone number, and mailing address of transferor (current permittee):
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P.O. Box 3040, Gillette, WY 82717-3040, (307) 687-3300

(b) Location of mining operation (county): Campbell

(c) Permit number to be transferred: 428-T7

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P.O. Box 3040, Gillette, WY 82717-3040 (307) 687-3300

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Title: Chief Operating Officer Phone No: (307) 687-3406

Name: Daniel P. Baker Address: P.O. Box 3039, Gillette, WY 82717
Title: Vice President Operations Phone No: (307) 687-3450

Name: _____ Address: _____
Title: _____ Phone No: _____

Name: _____ Address: _____
Title: _____ Phone No: _____

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P.O. Box 3040, Gillette, WY 82717-3040

4. The provisions of the transferred permit are severable, and if any provision of the permit, or the application of any provision of the permit, to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

Initial [Signature]

Date 9/12/2018

Permit No. 428
TFN No. 6 1/299

5. For surface coal mining operations, right of entry to or inspection of any operation, premises, records, or equipment shall not require advance notice.

SWORN STATEMENT OF TRANSFEROR

State of Wyoming)
County of Campbell)ss
)

I Jeffrey J. Pilon being duly sworn on my oath that I am the Transferor (or President or Vice President if the Transferor is a corporation) for the foregoing permit transfer; that I have read the said application and fully know the contents thereof; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief; by execution of this statement I certify that Transferor is in full compliance with the Wyoming Environmental Quality Act, the Rules and Regulations promulgated thereunder, and the terms and conditions of Mining Permit No. 428-T7. Approval of this transfer by the Department of Environmental Quality does not constitute a conclusion that the Transferor is in full compliance.

Dated this 12th day of September, 20 18.

No Corporate Seal
(Corporate Seal)

Signature: [Signature]
Name: Jeffrey J. Pilon
(Printed or typed)
Title: Chief Operating Officer

The foregoing instrument was acknowledged before me by Jeffrey J. Pilon this 12th day of September, 20 18.

Witness my hand and official seal.



(Notary Seal)

Carol Herrmann
(Notary Public or Secretary if a Corporation)

Carol Herrmann
(Name printed or typed)

My Commission Expires: June 5, 2021



Initial JP

Date 9/12/2018

Permit No. 428-DEQ03-
TFN No. 6-00012

FINAL SWORN STATEMENT OF TRANSFEREE

State of Wyoming)
County of Campbell)ss
)

I Jeffrey J. Pilon being duly sworn on my oath that I am the Transferee (or President or Vice President if the Transferee is a corporation) for the foregoing mining permit transfer; that I have read the said application and fully know the contents thereof; that I further agree to be bound by all of the terms and conditions of the original permit and any amendments, revisions, or renewals thereof and accept all unfulfilled reclamation liabilities of statutes, rules and of the permit; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief, by execution of this statement I certify that Blackjewel, LLC, Transferee, or entities controlled by or under common control with the transferee has the right and power by legal estate owned to mine from the land for which this permit transfer is desired; that transferee or entities controlled by or under common control with the transferee has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes; and if a **surface coal mining application**, that transferee or entities controlled by or under common control with the transferee has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and the applicant or entities controlled by or under common control with the applicant has not had any Federal or State coal mining permits suspended or revoked in the five years preceding the date of this application; and by completion and submission of this application, hereby give consent to allow the Director, the Administrator and/or his authorized representatives, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to any and all lands covered by this permit and amendments thereto and to inspect and copy any records or documents, obtain or monitor any samples or sampling, for any activities associated with the operation and permit.

Dated this 12th day of September, 2018.

No Corporate Seal
(Corporate Seal)

Signature: [Signature]
Name: Jeffrey J. Pilon
(Printed or typed)
Title: Chief Operating Officer

The foregoing instrument was acknowledged before me by Jeffrey J. Pilon this 12th day of September, 2018.

Witness my hand and official seal.



(Notary Seal)

Carol Herrmann
(Notary Public or Secretary if a Corporation)

Carol Herrmann
(Name printed or typed)

My Commission Expires: June 5, 2021

Initial JP

Date 9/12/2018

Permit No. 428
TFN No. DEQ03-00013

THE STATE OF WYOMING)
)ss
DEPARTMENT OF ENVIRONMENTAL QUALITY)

This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions.

1. This permit transfer grants only the right to affect the lands described in Appendix "C" of the permit.
2. The transferee has acquired a good and sufficient reclamation bond fully executed and signed. The bond shall be effective on the date of transfer.
3. The transferee, or such other person as required by W.S. §35-11-410, has acquired a license to mine for lands described in Appendix "C" of the permit.
4. Acceptance of the approved permit transfer obligates the operator to abide by the standard conditions specified in the original permit. Any condition and/or special condition attached to this permit transfer shall supersede and/or replace any conflicts with the original permit, amendments, coal renewals or any revision.

[Lined area for additional conditions or notes]

APPROVED: _____
Administrator
Land Quality Division
Department of Environmental Quality

APPROVED: _____
Director
Department of Environmental Quality

Effective Date: _____

Initial 

Date 9/12/2014

Permit No. 428
TFN No. 6 1/299

INDEX SHEET FOR MINE PERMIT AMENDMENTS OR REVISIONS

MINE COMPANY NAME: Contura Coal West, LLC

MINE NAME: Eagle Butte Mine

PERMIT NO.: 428-T7

ORIGINAL SUBMITTAL DATE: January 30, 2018, **August 30, 2018**

Statement:
I, (Mark Thrall), an authorized representative of Contura Coal West, LLC declare that only the items listed on this and all consecutively numbered Index Sheets are intended as revisions to the current permit document. In the event that other changes inadvertently occurred due to this revision, those unintentional alterations will not be considered approved. Please initial and date.

- NOTES: 1) Include all revision or change elements and a brief description of or reason for each revision element.
2) List all revision or change elements in sequence by volume number; number index sheets sequentially as needed.

VOLUME NUMBER	PAGE, MAP OR OTHER PERMIT ENTRY TO BE REMOVED	PAGE, MAP OR OTHER PERMIT ENTRY TO BE ADDED	DESCRIPTION OF CHANGE
1	Introduction Page Page i	Introduction Page Page i	Replaced references to Contura Coal West, LLC and Contura Wyoming Land Company with Blackjewel, LLC.
1	Section 1.1	Section 1.1	Insert new Form 1(t) when approved.
1	Section 1.2 Page 1.2-1	Section 1.2 Page 1.2-1 thru 1.2-3	Added listing for new License to Mine for Blackjewel, LLC and inserted new Form 3. Removed listings for all previous License to Mine documents.
1	Section 1.4 Pages 1.4-1 – 1.4-6	Section 1.4 Pages 1.4-1 – 1.4-4	Revised paragraph 1 to include reference to the transfer of rights from Contura Coal West, LLC and Contura Wyoming Land Company, LLC to Blackjewel, LLC. Revised listing for Sub-Section 1.4.18 to “VACANT”. Replace current Certificates of Authority with new ones for Blackjewel, LLC. Removed certificates for Contura Wyoming Land Company, LLC as it no longer exists.
1	Sub-Section 1.4.18 All		Removed Sub-Section 1.4-18 “Contura Wyoming Land Company, LLC Surface Landowner’s Consent” as Blackjewel, LLC is now the operator and land owner of all permit lands.
1	Section 1.5 Page 1.5-1	Section 1.5 Page 1.5-1	Replaced occurrences of Contura Coal West, LLC or Contura with Blackjewel, LLC or Blackjewel.
1	Section 1.7 Page 1.7-1	Section 1.7 Page 1.7-1	Paragraph 4 - Replaced reference to Contura Coal West, LLC with Blackjewel, LLC.
1	Table 1.7-3 Pages 1.7-6 thru 1.7-7	Table 1.7-3 Page 1.7-6	Revised Table 1.7-3 “Principal Officers and Directors” to reflect new organization.

INDEX SHEET FOR MINE PERMIT AMENDMENTS OR REVISIONS

VOLUME NUMBER	PAGE, MAP OR OTHER PERMIT ENTRY TO BE REMOVED	PAGE, MAP OR OTHER PERMIT ENTRY TO BE ADDED	DESCRIPTION OF CHANGE
1	Section 1.10 Page 1.10-1	Section 1.10 Page 1.10-1	Replaced references to Contura Coal West, LLC with Blackjewel, LLC. Added paragraph referencing right of entry statements and documents found in Section 1.4.
1	Table 1.10-1 All	Table 1.10-1 Page 1	Updated Table 1.10-1 "Blackjewel, LLC Review of Three Year Violation History".
1	Table 1.10-2 All	Table 1.10-2 Page 1	Updated Table 1.10-2 "Permits and Pending Applications".
1	Table 1.10-3 All	Table 1.10-3 Pages 1 - 7	Updated Table 1.10-3 "List of Current Licenses and Permits".
1	Section 1.11	Section 1.11	Insert new Publisher's Affidavit after permit transfer publication.

INTRODUCTION

Contura Coal West, LLC assigned its rights and changed its name to Blackjewel, LLC on December 8, 2017. Any references to Contura Coal West, LLC or Contura Wyoming Land Company found in text or on maps throughout the Eagle Butte Mine Permit 428 shall be interpreted as Blackjewel, LLC.

SECTION 1.2

LICENSE TO MINE

At the request of WDEQ/LQD, permit application forms, license to mine applications, certificate of public liability documents and bond riders are maintained separately from the permit document at the Sheridan and Cheyenne offices of LQD and at the Eagle Butte Mine offices.

License to Mine No. 428-L11 was issued to Blackjewel, LLC, Eagle Butte Mine effective January 22, 2018.

NOTE: **DO NOT CUT OR MODIFY THIS FORM.** Sign with blue ink. Submit two (2) copies, one of which must be an original Form 3 as supplied by the Department of Environmental Quality, Land Quality Division.

COPY

STATE OF WYOMING
DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
APPLICATION FOR LICENSE TO MINE

This application in duplicate for a license to mine is submitted in accordance with the provisions of the Wyoming Statute §35-11-410.

1. Applicant Information Name: Blackjewel, LLC Phone: (307) 687-3301
Address: Blackjewel L.L.C.
1051 Main Street
Milton, West Virginia 25541

2. Location of mining operation (County): Campbell

3. (a) A copy of the mining permit, submitted herewith, for the lands which are to be affected by the proposed mining operation:
Permit No. 428 Issued 29th day of June, 2017

(b) If the applicant is other than the permit holder, a copy of the instrument of permission submitted herewith, from the permit holder granting to the applicant the right thereto;

4. Maps showing the location and the numbers of acres to be affected by the proposed mining operation for the first year of operation if less than the full extent of the permit area.

(Map of affected area may be submitted with legal description if desired). The scale of maps shall be reasonable so as to show necessary detail, width of map not to exceed 48".

Suggested scales: Up to 10 acres - 1" = 100'
Up to 40 acres - 1" = 200'
40 acres or more - 1" = 400'

5. Date (month and year) when operation will commence: Upon Approval
Estimated date (year) of termination of the proposed mining operation: 2030

6. A fee of \$25.00.

7. Name, telephone number, and address of the agent or persons to whom any notice under the provisions of the Wyoming Environmental Quality Act, Land Quality Division or Rules and Regulations adopted thereunder may be sent: Name: Mark Thrall Phone: 307-687-3308
Address: Mark Thrall
Eagle Butte Mine
PO Box 3040 Gillette Wyoming 82717

8. The provisions of this license are severable, and if any provision of the license, or the application of any provision of this license to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this license shall not be affected thereby.

LQD

DEC 21 2017

RECEIVED

TFN6 4/293

RECD DEC 15, 2017

Form 3
Rev. 6/2013
Page 1 of 2

Initial ST
(Principal)

Date 12/12/17

Permit No. PT0428-T7
TFN No. 64/293

FINAL SWORN STATEMENT

State of Wyoming)
)ss.
County of Campbell)

I Shane D. Durgin being duly sworn on my oath that I am the applicant (or the President or Vice President if the applicant is a corporation) for the foregoing "License to Mine"; that I have read the said application and fully know the contents, thereof; and that all statements contained in the License to Mine application are true and correct to my best knowledge and belief; by execution of this statement I certify that Blackjewel L.L.C, applicant or entities controlled by or under common control with the applicant has the right and power by the legal estate owned to mine from the land for which this License to Mine is desired; that applicant or entities controlled by or under common control with the applicant has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes nor has had a mining permit or a license to mine suspended or revoked; and if a **surface coal mining application**, that applicant or entities controlled by or under common control with the applicant has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and that applicant or entities controlled by or under common control with the applicant has not had any Federal or State Coal mining permits or licenses to mine suspended or revoked in the five years preceding the date of this application.

Dated this 12th day of December, 2017.

Signature Shane D. Durgin

(Corporate Seal)

Name Shane D Durgin
(printed or typed)

Title Senior Vice President and Chief Operating Officer

The foregoing instrument was acknowledged before me by Shane D. Durgin, this 12th day of December, 2017.

Witness my hand and official seal.



Tina M. Hutt
Notary Public or Secretary if a Corporation

Tina M. Hutt
(Name printed or typed)

This application when returned to you with the validating signature of the Administrator of the Land Quality Division, Department of Environmental Quality, becomes your License No. L-11.
Effective date: Jan. 22, 2018.

Approved by:

By: [Signature]
Administrator
Land Quality Division
Department of Environmental Quality

[Signature]
Director
Department of Environmental Quality
LQD

DEC 21 2017

TFN6 4/293

RECD DEC 15, 2017

RECEIVED

Form 3
Rev. 6/2013
Page 2 of 2

Initial SA
(Principal)

Date 12/12/17

Permit No. PT0428-T7
TFN No. 04/293

SECTION 1.4

SURFACE OWNER CONSENTS

The documents in this section may refer to AMAX, Meadowlark Farms, RAG Wyoming Land Company, RAG Coal West, Inc., Foundation Wyoming Land Company, Foundation Coal West, Inc., Alpha Wyoming Land Company, Alpha Coal West, Inc., Contura Wyoming Land Company, LLC, Contrua Coal West, LLC, or Blackjewel, LLC. Meadowlark Farms was a subsidiary of AMAX. Both AMAX and Meadowlark Farms assigned their respective rights to AMAX Coal Company, and Amax Coal West, Inc. Amax Coal West, Inc. changed its name to RAG Coal West, Inc. on June 30, 1999. Both RAG Coal West, Inc. and RAG Wyoming Land Company assigned their respective rights and changed their name to Foundation Coal West, Inc. and Foundation Wyoming Land Company on July 30, 2004. Foundation Coal West, Inc., and Foundation Wyoming Land Company assigned their respective rights and changed their names to Alpha Coal West, Inc. and Alpha Wyoming Land Company on July 31, 2009. Alpha Coal West, Inc. and Alpha Wyoming Land Company assigned their respective rights and changed their names to Contura Coal West, LLC and Contura Wyoming Land Company, LLC on July 25, 2016. Contura Coal West, LLC and Contura Wyoming Land Company, LLC assigned their respective rights and changed their names to Blackjewel, LLC on December 8, 2017.

Surface Ownership Right of Entry statements and documents required under Chapter 2, Section 2, (a)(iii) are provided herein as listed below:

- 1.4.1 Easement, Encroachment, and Sublease Agreement between Meadowlark Farms, Inc., and Carter Oil Company and Fred S. Wagensen
- 1.4.2 Letter Agreement between Meadowlark Farms, Inc., and The Carter Mining Company, Fred S. Wagensen and John G. Oedekoven
- 1.4.3 Settlement Agreement between Michael Elmore, Rita Elmore and Meadowlark Farms, Inc.
- 1.4.4 Lease Agreement between Michael Elmore, Rita Elmore and Meadowlark Farms, Inc.
- 1.4.5 Lease and Encroachment Agreement between Peabody Coal company and Meadowlark Farms, Inc.
- 1.4.6 Easement and Encroachment Agreement between Peabody Coal Company and AMAX, Inc.
- 1.4.7 Railroad Right-of-Way Agreement between Peabody Coal Company and AMAX, Inc.
- 1.4.8 Purchase Contract between Meadowlark Inc. and Lewis and Fern Grams

- 1.4.9 Consent from Wyoming Highway Department
- 1.4.10 Agreement between the Wyoming State Highway Commission and AMAX, Inc.
- 1.4.11 Assignment of Agreements from Peabody Coal Company to Cities Service Company
- 1.4.12 Agreement to transfer Peabody Diversion between Carter Oil Company and Meadowlark Farms, Inc.
- 1.4.13 Surface Owner consent for Postmining Land Use
- 1.4.14 Assignment of Agreements from Cities Service Company to Phillips Petroleum Company
- 1.4.15 Assignment and Assumption Agreement from AMAX Coal Company to Amax Coal West, Inc.
- 1.4.16 Assignment and Assumption Agreement from Meadowlark Farms, Inc. to Amax Land Company
- 1.4.17 Cooperative Agreement for the Traffic Control and Blasting Plan between Wyoming Department of Transportation and Alpha Coal West, Inc.
- 1.4.18 VACANT
- 1.4.19 Western Fuels-Wyoming, Inc. Surface Landowner's Consent.
- 1.4-20 Western Fuels-Wyoming, Inc. 2015 Postmine Topography Revision Agreement

Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "BLACKJEWEL L.L.C." IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-SEVENTH DAY OF NOVEMBER, A.D. 2017.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "BLACKJEWEL L.L.C." WAS FORMED ON THE TWENTY-FOURTH DAY OF MARCH, A.D. 2017.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN ASSESSED TO DATE.



6350320 8300

SR# 20177231651

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Authentication: 203627851

Date: 11-27-17

STATE OF WYOMING
Office of the Secretary of State

I, ED MURRAY, SECRETARY OF STATE of the STATE OF WYOMING, do hereby certify that the filing requirements for the issuance of this certificate have been fulfilled.

CERTIFICATE OF Authority

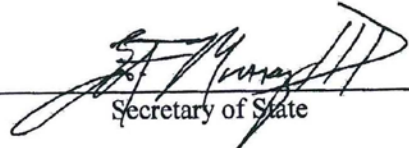
Blackjewel L.L.C.

Accordingly, the undersigned, by virtue of the authority vested in me by law, hereby issues this Certificate.

I have affixed hereto the Great Seal of the State of Wyoming and duly executed this official certificate at Cheyenne, Wyoming on this **4th** day of **December, 2017**.



Filed Date: 12/04/2017


Secretary of State

By: Angela Gonzales

1.5 **Certificate of Public Liability Insurance**

Blackjewel, LLC has a public liability insurance policy in force for the Eagle Butte surface mining and reclamation operation. Blackjewel will maintain the required insurance in force over the life of the permit, including any renewal necessary for completion of reclamation activities. An updated Certificate of Insurance will be provided to the Land Quality Division annually.

Comprehensive general liability coverage is for all operations under Department of Environmental Quality permits as referenced on the certificate and amendments thereto, including the use of explosives in such operations. The insurer will notify the Department of Environmental Quality if Blackjewel fails to renew the policy annually.

SECTION 1.7

APPENDIX B - ADJACENT LANDS

Section 1.7 provides the names and last known addresses of all parties having a valid interest in the lands within one-half mile of the Eagle Butte permit area. Table 1.7-1 lists the owners of record of the surface rights for lands adjacent to the permit area (within one-half mile of the permit area). For a visual display of these surface owners please refer to Map 1.6-1. Table 1.7-2 lists the owners and the last known addresses of record of the coal resource within one-half mile of the permit area. These coal owners are shown on Map 1.6-2.

Table 1.6-1 and Table 1.7-1 provide the lists of surface owners requiring notification for certain permitting actions.

The information was obtained in February 2015 through a search of the Campbell County Courthouse records by Environmental Solutions, Inc. Courthouse records were current through November 5, 2014. Previous search results were updated as needed to bring the resulting names and addresses listings current as of that date. No liability for errors in prior adjudication searches is assumed.

Pursuant to Chapter 2, Section 2. (a)(i) and Chapter 12, Section 1. (a)(ix)(C) of the WDEQ/LQD Coal Rules and Regulations, Blackjewel, LLC is providing the names and addresses of officers and directors, the resident agent of the applicant, and principal stockholders. These are shown on Table 1.7-3. In addition, the names under which the applicant operates or previously operated a surface coal mining operation in the United States within the five years preceding the date of application are also included.

Table 1.7-1			
Surface Owners of Record in the Adjacent Area			
Name	Address		
2nd Chance, LLC	P.O. Box 828	Sheridan, WY 82801-0828	
Alpha Wyoming Land Company, LLC	Attn: Tammy Okray	P.O. Box 3039	Gillette, WY 82717-3039
Andresen, Roxanne	5720 Hannum Rd.	Gillette, WY 82716-1442	
Basin Electric Power Cooperative & Basin Electric Power Cooperative	Tri-State Generation & Transmission 1717 E. Interstate Ave.	1717 E. Interstate Ave. Bismarck, ND 58503-0564	Bismarck, ND 58503-0564
Bennett, Lucus S.	P. O. Box 7063	Gillette, WY 82717-7063	
Big 10 Properties, LLC	60 Cedar Hills Dr.	Rozet, WY 82727-8812	
Blakeman Propane Inc.	4111 N. US Highway 14-16	Gillette, WY 82716-8500	
Board of County Commissioners	500 S. Gillette Ave., Ste. 212	Gillette, WY 82716-4329	
Board of County Commissioners	500 S. Gillette Ave., Ste. 1100	Gillette, WY 82716-4211	
Buchners Enterprises, LLC	25 China Mary Rd.	Evanston, WY 82930-2546	
Bunker, Philip & Campbell County	Bright, Jennifer 500 S Gillette Ave., Ste. 1100	1387 Palomino Rd. Gillette, WY 82716-4211	Gillette, WY 82716-1758
Campbell County Airport Board	2000 Airport Rd., Ste. 108	Gillette, WY 82716-8112	
Campbell County School District	P. O. Box 3033	Gillette, WY 82717-3033	
Carlisle, Rochelle L.	4053 Tabiano Rd.	Gillette, WY 82716-1742	
CBM Pumps & Service, Inc.	P. O. Box 2193	Gillette, WY 82717-2193	
Chotvacs, Wade R. & Margi R.	P. O. Box 770816	Steamboat Springs, CO 80477-0816	
Cox Rentals, LLC	4106 Brorby Blvd.	Gillette, WY 82718-9388	
Craig, Darrel E.	P. O. Box 1256	Gillette, WY 82717-1256	
Curran, Patrick	1338 Palomino Rd.	Gillette, WY 82716-1757	
Davis, Robert A. & Amy L.	1082 Twister Dr.	Gillette, WY 82716-1759	
Deml, Patrick & Andrea	804 Pioneer Ave.	Gillette, WY 82718-3906	
DFS Properties, LLC	377 Clarion Dr.	Gillette, WY 82718-7592	
Douglas, Family Properties, LLC	P. O. Box 113	Whitewood, SD 57793-0113	
E&S Properties, LLC	P. O. Box 3859	Gillette, WY 82717-3859	
Edwards, Glen & Jean	199 Crazy Horse Ln.	Gillette, WY 82716-1134	
Edwards, Glenn "Bob"	199 Crazy Horse Ln.	Gillette, WY 82716-1134	
Edwards, Glenn Robert	199 Crazy Horse Ln.	Gillette, WY 82716-1134	
Edwards, Glenn Robert & Jean	199 Crazy Horse Ln.	Gillette, WY 82716-1134	
Equal LLC	P.O. Box 1052	Gillette, WY 82717-1052	
Equal LLC	P.O. Box 3646	Gillette, WY 82717-3646	
Erickson, Arnold F. & Dixie D.	2415 Airport Rd.	Gillette, WY 82716-8104	
Extek, Inc.	811 Ridgewood Dr.	Gillette, WY 82716-2311	
Foote, Alvin Dale & Donna	1288 Palomino Rd.	Gillette, WY 82716-1760	
Garman Leasing, LLC	320 S. Gillette Ave. Ste. 2	Gillette, WY 82716-3722	
GCR Services WY/CO, LLC	1530 Business Cir.	Gillette, WY 82716-1402	
Gill, Craig A. & Irene C.	1443 Palomino Rd.	Gillette, WY 82716-1745	
Gilsdorf, Joseph M. & Gray, Jess & Carole Revocable Trusts	Oksanen, Karla J. 12301 Highway 59 N.	205 Battle Cry Ln. Gillette, WY 82716-1103	Gillette, WY 82716-1137
Greff, Jerome & Tami	3201 Oakcrest Dr.	Gillette, WY 82718-5943	
GT Investments, Inc.	471 US Highway 16 E.	Buffalo, WY 82834-9514	
Gulley, Steven & Candace	P. O. Box 3818	Gillette, WY 82717-3818	
Haines, Ramie L. & Mary Jean	6507 Hendrich Ct.	Gillette, WY 82718-7441	
Haines, Thomas & Joyce	105 Twilight Ct.	Gillette, WY 82716-1032	
Haines, Thomas D. & Joyce M.	105 Twilight Ct.	Gillette, WY 82716-1032	
Happs, Janet L. & Cindy L. & Karen A.	1244 Palomino Rd.	Gillette, WY 82716-1760	

Table 1.7-1			
Surface Owners of Record in the Adjacent Area			
Name	Address		
Hardy, Dorothy D.	9860 N. US Highway 14-16	Gillette, WY 82716-1000	
Harter, Donald D.	404 S. Brooks Ave.	Gillette, WY 82716-3934	
Holden, Anthony S. & Janell R.	3407 Cameo Ct.	Gillette, WY 82718-9397	
Holden, Todd Q. & Brenda J.	3825 Carter Ave.	Gillette, WY 82716-1662	
Hoy, Philip Living Trust	Box 1656	Gillette, WY 82717-1656	
Hurm, Dennis D.	P. O. Box 3404	Gillette, WY 82717-3404	
JACT Enterprises, Inc.	5 MES Dr.	Gillette, WY 82716-4601	
James, Timothy & Susan	P. O. Box 2813	Gillette, WY 82717-2813	
KLX Energy Services, LLC	1300 Corporate Center Way	Wellington, FL 33414-8599	
LaPlante, Jeremy J. & Julie R.	3927 Twister Dr.	Gillette, WY 82716-1750	
Larson, Branden D. & Stephanie A.	3944 Twister Dr.	Gillette, WY 82716-1749	
Leiker, Susan	4009 Tabiano Rd.	Gillette, WY 82716-1742	
Lynde, Judy Kay	P.O. Box 325	Gillette, WY 82717-0325	
Magna Real Estate Development, LLC	385 Interlocken Crescent Ste. 250	Broomfield, CO 80021-8062	
Matthews Property, LLC	490 La Paz Ct.	Billings, MT 59101-6871	
Means First Extension Water & Sewer Dist.	P. O. Box 1661	Gillette, WY 82717-1661	
Miller, Herbert D. & Danene R.	198 Crazy Horse Ln.	Gillette, WY 82716-1135	
Miller Properties, LLC	198 Crazy Horse Ln.	Gillette, WY 82716-1135	
Mines, David L.	104 Robin St.	Yankton, SD 57078-4701	
Moorehead, Coi M. & Kelly M.	4003 Hannum Rd.	Gillette, WY 82716-1618	
Mountain States Telephone & Telegraph Co.	931 14th St.	Denver, CO 80202-2994	
Nanneman, Gayle J. Revocable Trust	1810 Gold Rd.	Gillette, WY 82716-1511	
North Gillette Business Park, LLC	P.O. Box 3300	Gillette, WY 82717-3300	
North Star Energy & Construction, LLC	P.O. Box 250	Buffalo, WY 82834-0250	
Noyolaparra, Juan	1325 Palomino Rd.	Gillette, WY 82716-1758	
O'Brien, William E.	1157 Twister Dr.	Gillette, WY 82716-1747	
O'Loughlin, Christopher M. & Kelli R.	4015 Twister Dr.	Gillette, WY 82716-1752	
Peabody Cabllo Mining, LLC	Attn: Howard Schrinar	P.O. Box 1508	Gillette, WY 82717-1508
PLCA Rental, LLC	P.O. Box 2816	Gillette, WY 82717-2816	
PROMAAC Systems, Inc.	3903 Garman Rd.	Gillette, WY 82716-1533	
Pungello, Gwen	70 Virginia Rd. Apt. 14D	White Plains, NY 10603-1418	
Reeves, Antoinette R.	900 Richards Ave.	Gillette, WY 82716-4741	
Rehbein, Kevin M. & Shelley R.	4048 Twister Dr.	Gillette, WY 82716-1751	
Richards, William B. & Karen S.	P. O. Box 2154	Gillette, WY 82717-2154	
Riddle, Sara Beth & Paisley, Jeane L. C/O	Energy Conservation Technologies, LLC	P.O. Box 3740	Gillette, WY 82717-3740
Roe, Douglas R. & Carol M.	109 War Chant Dr.	Gillette, WY 82716-1109	
Rosenberry, Ann M.	190625 County Rd. G.	Scottsbluff, NE 69361-5703	
S & D Real Estate, LLC &	Goodman Management, LLC	607 Old Santa Fe Trail	Santa Fe, NM 87505-0308
Schlautmann, John C/O	Baysinger, Eric Lee	4800 N. Highway 14-16	Gillette, WY 82716-8520
Schuh, Donald F. Revocable Living Trust	377 Clarion Dr.	Gillette, WY 82718-7592	
Sinclair, Robert A.	4551 Hannum Rd.	Gillette, WY 82716-1419	
Smith Construction Inc.	P.O. Box 1687	Gillette, WY 82717-1687	
State of Wyoming	Dir/Office of State Lands & Investments	122 W 25th St.	Cheyenne, WY 82001-3004
Stotts, Gary L.	1168 Palomino Rd.	Gillette, WY 82716-1755	
Tabor, Burl H. & Luraetta K.	85 Grosventre Way	Gillette, WY 82716-2427	
Tree House LLC	501 Sinclair St.	Gillette, WY 82718-6460	

Table 1.7-1			
Surface Owners of Record in the Adjacent Area			
Name	Address		
Twenty Mile Land Co., LLC	P.O. Box 69	Gillette, WY 82717-0069	
USA Petrovalve, Inc.	10603 W. Sam Houston Parkway N. Ste. 300	Houston, TX 77064-4660	
Watts, Gerald & Wendy	1043 Palomino Rd.	Gillette, WY 82716-1754	
Western Company of North America	Attn: Baker Hughes - Prop. Tax Dept.	P. O. Box 4740	Houston, Tx 77210-4740
Western Fuels Wyoming, Inc.	3629 N Garner Lake Rd.	Gillette, WY 82716-9702	
Woods, Kevin & Paul R.	3996 Twister Dr.	Gillette, WY 82716-1749	
Youngberg, Randall M. & Susan	1175 Palomino Rd.	Gillette, WY 82716-1756	

**Table 1.7-2
Coal Owners of Record in the Adjacent Area**

Name	Address		
Bricker, Burt Daylaf	487 Recluse Road	Recluse, WY 82725	
Bricker, Gail Lynn	487 Recluse Road	Recluse, WY 82725	
Bricker, Mark Clayton	1785 Sidney Avenue	Port Orchard, WA 98366	
Bricker, Raymond F.	487 Recluse Road	Recluse, WY 82725	
Croskey, Lois J.	R. D. #2	Fredonia, PA 16124	
Dabney, Eva Lucille Revocable Trust	487 Recluse Road	Recluse, WY 82725	
Davis Oil Company	410 17th St., Ste 1400	Denver, CO 80202	
Delaney, Nancy Lee		Recluse, WY 82725	
Franklin, Irving Lee	Rt. 1	Bridgeport, NE 69336	
Franklin, Walter Wayne and Helen	Rt. 1	Bridgeport, NE 69336	
Hanslip, Richard E.	P.O. Box 485	Big Horn, WY 82833	
Hart, Sharlene Kay	2519 153rd St. NW	Gig Harbor, WA 98335	
Johnson, Edith Beatrice	Edith Beatrice Johnson Living Trust	1806 Martin Avenue	Sheridan, WY 82801
Kirlough, Marcia A.	30201 Crestview Drive	Bay Village, OH 44140	
Lasley, Catherine Haney	301 S. Market Street	Wichita, KS 67202	
Lasley, James M. and Catherine E., Trust (The)	1170 Pacific Pointe	Arroyo Grande, CA 93420	
Marshall, Alice M.	738 Clark Avenue	Billings, MT 59101	
Marshall, Debra S.	2121 Louise Lane	Billings, MT 59102	
Marshall, John C.	3805 Slalom Dr., #295	Billings, MT 59102	
Marshall, Joseph L. and Betty Marie, Trustees	Joseph L. Marshall Agreement of Trust	12474 N. Hwy 59	Gillette, WY 82716
Marshall, Joseph L. and Betty Marie, Trustees	Betty Marie Marshall Agreement of Trust	12474 N. Hwy 59	Gillette, WY 82716
Middleswart, Milton A.	487 Recluse Road	Recluse, WY 82725	
Miller, Charles H.	163 Kelvington Drive	Monroeville, PA 15146	
Moyer, Lloyd E., heirs of	No address available		
Moyer, Robert L.	Box 116	Clark, PA 16113	
Nichols, Anita Mae	920 North Main	Sheridan, WY 82801	
Nichols, Leonard Lee and Joanne A. Nichols	421 Sage Avenue	Kemmerer, WY 83101	
Nichols, Nattie Mae	487 Recluse Road	Recluse, WY 82725	
Oedekoven, Edna F., Attorney-in-Fact	487 Recluse Road	Recluse, WY 82725	
Oedekoven, Fred Lynn		Recluse, WY 82725	
Oedekoven, Richard Lewis		Recluse, WY 82725	
Rolando, Linda K.	P. O. Box 421	Colstrip, MT 59323	
Sindelar, Charlene	6340 Buckboard Road # 3	Casper, WY 82604	
Stroup, Nancy Rose Trust	HC 81, Box 54	Hobson, MT 59452	
Sullivan, Preston	2517 W. Cove Creek Ct.	Highlands Ranch, CO 80129	
Swearngin, Bonnie Trust	297 Kurtz	Sheridan, WY 82801	
Swearngin, Jack	1802 32nd Street	Cody, WY 82414	
Swearngin, Virginia N., Trustee	Virginia N. Swearngin Agreement of Trust dated 2/4/04	P. O. Box 301	Story, WY 82842
Thayer, Viola Ida	c/o Edna Frances Oedekoven	Recluse, WY 82725	
United States of America	Bureau of Land Management	P. O. Box 1828	Cheyenne, WY 82003
Wyoming, State, Office of State Lands and Investments	Herschler Bldg, 3rd Floor West	122 W. 25th Street	Cheyenne, WY 82002

Table 1.7-3 – PRINCIPAL OFFICERS AND DIRECTORS

Blackjewel, LLC			
Address	Belle Ayr Mine P.O. Box 3039 Gillette, WY 82717-3039	Eagle Butte Mine P.O. Box 3040 Gillette, WY 82717-3040	
FEIN#	26-3810823		
Name	Position	Beginning Date	Ending Date
Shane D. Durgin	Chief Operating Officer	12/8/2017	
Daniel P. Baker	Vice President Operations	12/8/2017	
Jeffrey J. Pilon	Vice President Engineering	12/8/2017	

Blackjewel Holdings, LLC			
Address	1051 Main Street Milton, WV 25541		
FEIN#	26-3810823		
Name	Position	Beginning Date	Ending Date
Jeffery A. Hoops	President & CEO	3/24/2017	
Drew Kesler	Chief Financial Officer	3/24/2017	

SECTION 1.10

STATEMENT OF COMPLIANCE AND RIGHT OF ENTRY

This statement is given to meet the requirements of the Department of Environmental Quality – Land Quality Division Coal Rules and Regulations, Chapter 2, Section 2 a(ii)-(v). Neither Blackjewel, LLC nor any entities controlled by or under common control with Blackjewel, LLC has had any mining permit suspended or revoked in the last five years or forfeited a mining bond or similar security deposit in lieu of bond.

Table 1.10-1 contains a list of notices of violation as required by W.S. 35-11-406(a)(xiv) describing the violation, when it occurred, and abatement action taken, the issuing regulatory authority, and any proceedings initiated concerning the violation. All surface coal mining operations owned or controlled by Blackjewel, LLC are currently in compliance with all applicable laws.

Table 1.10-2 lists all pending and current coal mining permits, which Blackjewel, LLC holds as required by Chapter 2, Section 2 (a)(i)(C).

Pursuant to Chapter 2, Section 2 (a)(v) of the Coal Rules and Regulations, Table 1.10-3 lists the identifying Mine Safety and Health Administration identification number for the Eagle Butte Mine and licenses, permits, or approvals needed by Blackjewel, LLC to conduct the proposed operation, whether and when they have been issued, the issuing authority, and the steps to be taken to comply with the requirements.

The necessary right of entry statements and documents required by W.S. 35-11-406 (a)(ii) and (b)(xi) are found in the "Surface Owner's Consent" Section 1.4. These documents clearly explain and support the legal rights claimed by Blackjewel, LLC; none of which are subject to pending litigation.

Mineral ownership Right of Entry statements and documents required under Chapter 2, Section 2(a)(iii) are provided in Appendix 1.10-1 of Permit No. 428. Appendix 1.10-1 incorporates by reference all coal leases and warranty deeds for the Eagle Butte Mine, including the approved Logical Mining Unit (LMU). In fulfillment of Condition 5 to the 428-T2 permit, the letter from the Department of Interior approving mining of Federal lease W-78631, supplementing approval of mining Federal lease W-0313773, is included.

Table 1.10-1

Blackjewel, LLC - Review of Three-Year Violation History

Permittee	Permit #	MSHA #	NOV #	Inspector	Date Issued	Status	Violation Activity
Alpha Coal West, Inc.	428	48-01078	5632-15	Kurt King	11/18/2015	NOV Issued	Description of Violations: Spoil was dozed onto topsoil at a reclaimed area.
					5/27/2016	Abated/Terminated	Current Actions Taken to Abate: Area was cleaned in November 2015 and then re-seeded on May 18, 2016. Area was inspected on May 26, 2016 by Stacy Page/DEQ-LQD and violation was terminated on May 27, 2016.

Table 1.10-2

Permits and Pending Applications

Mining is authorized by the permits listed after each of the following mines and the companies under which whose name the mines were operated.

All permits issued within the last 5 years preceding the date of this application for surface coal mining operations in the United States.

Permittee	Mine Name	SMCRA Number	Location	Status	Expiration Date
Blackjewel, LLC	Eagle Butte Mine	428	Eagle Butte Mine	Active	11/3/2020
Blackjewel, LLC	Belle Ayr Mine	214	Belle Ayr Mine	Active	10/28/2018

TABLE 1.10-3

List of Current Licenses and Permits

Authority Issuing and Permit	Date Issued
<u>STATE OF WYOMING:</u>	
(1) COAL LEASES:	
• State Lease No. 0-27078	effective April 2, 1975
(2) SCORIA LEASES:	
• State Leases Nos. SG-1533, SG-1598, and SG-1744	
<u>BUREAU OF LAND MANAGEMENT:</u>	
(1) COAL LEASES:	
• Logical Mining Unit – WYW133406 combines Federal leases WYW0313773, WYW78631, and WYW-124783, WYW155132	effective September 4, 2009
• Logical Mining Unit – CASPLMU11 combines Federal leases WYW0313773 (Original - 09/01/65) and WYW78631 (Little Rawhide Tract - 09/01/82)	effective August 1, 1992
• Lease-By-Application (LBA) WYW-124783 (Southwest Extension amendment area)	effective August 1, 1995
• Lease-By-Application (LBA) WYW-155132 (Eagle Butte West Tract)	effective May 1, 2008
(2) SCORIA LEASES:	
Federal W-168488	
(3) RESOURCE RECOVERY and PROTECTION PLAN (R2P2) Modifications:	
• Original Lease	April 22, 1980
• Little Rawhide Tract Lease	August 27, 1985
• Create LMU (CASPLMU11)	March 11, 1992
• Remove coal west of Highway 14-16	March 22, 1993
• Reopening West Pit	January 11, 1995
• Reorient axis of pit	December 21, 1995
• Remove low BTU coal	January 31, 1997
• Geotech – water sands	October 15, 1998
• Two highwall failures	November 13, 1998
• LBA R2P2	January 5, 1999
• Rocks	March 31, 2000
• Change Orientation of Mining Progression	May 7, 2003
• Reduce R2P2 Reserves by 1,000,000 tons	January 15, 2004
• Change Orientation of Mining Progression	October 26, 2005
• Modify Produced Coal Sequence Plan	February 16, 2007
• West Eagle Butte Lease WYW155132	May 7, 2009
• Include Lease WYW155132 in LMU WYW133406	May 13, 2011
• Modify Mine Plan	February 7, 2015
• West Pit Gas Line Coal By-Pass	November 8, 2017
<u>MINE SAFETY and HEALTH ADMINISTRATION:</u>	
Modification Docket No. M-95-061-C (Used Oil / ANFO Blending Facility)	Number: 48-01078 (not a permit) approved March 6, 1996

TABLE 1.10-3

- continued -

List of Current Licenses and Permits

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS (Dept. of Treasury):

20-Manufacturer of High Explosives: License/Permit applied for – awaiting new license.

U.S. NUCLEAR REGULATORY COMMISSION:

Materials License #49-26963-03
Expiration date April 30, 2023

FEDERAL COMMUNICATIONS COMMISSION:

KTY898

Expires 8/25/2023

WYOMING GAME & FISH DEPARTMENT:

Migratory Birds of High Federal Interest and Raptor Mitigation Plan (approved 2/9/16)

LAND QUALITY DIVISION - Department of Environmental Quality:

Permit No. 428-T7

renewed November 3, 2015

AIR QUALITY DIVISION - Department of Environmental Quality:

Permit No. MD-957

Issued 12/08/03

CT-4301

Issued 6/13/06

MD-1251A

Issued 8/30/07

MD-8887A

Issued 8/3/10

MD-12435

Issued 11/21/11

MD-13299

Issued 6/22/12

WATER QUALITY DIVISION - Department of Environmental Quality:

NPDES Permit No. WY-0026018

Exp. 7/31/18

NPDES Stormwater Permit No. WYR-000210

Exp. 8/31/17

WQD-PC 90-253 Monitoring Well Network

07/90

WYOMING STATE ENGINEER'S OFFICE & WATER QUALITY DIVISION:

<u>Reservoir</u>	<u>Authority Issuing & Permit</u>	<u>Priority Date</u>
<u>WATER QUALITY NPDES:</u>		
EBNPDES 002	SE-P8036R	2/9/79
EBNPDES 012	SE-P11168R	5/11/01
EBNPDES 013	SE-P8700R	8/22/83
EBNPDES 014	SE-P8701R	8/22/83
EBNPDES 018	SE-P9651R	4/18/88

TABLE 1.10-3

- continued -

List of Current Licenses and Permits

WYOMING STATE ENGINEER'S OFFICE & WATER QUALITY DIVISION:

<u>Reservoir</u>	<u>Authority Issuing & Permit</u>	<u>Priority Date</u>
<u>SEDIMENT RESERVOIRS:</u>		
EB Sediment Trap 4	SE-P7981R	3/24/78
Haul Road Reservoir	SE-11553R	1/27/03
Sediment EB 40	SE-P9417R	4/11/88
Sediment EB 42	SE-P8382R	9/25/81
Sediment EB 45	SE-P8383R	9/25/81
Sediment EB 113	SE-P9687R	4/10/91
Tadpole Reservoir	SE-P10126R	2/15/95
<u>STOCK RESERVOIRS:</u>		
EB #2-78	SE-P8390SR	7/24/78
EB #3-78	SE-P8391SR	7/24/78
Rawhide #1 Reservoir	SE-P374SR	9/14/53
Rawhide #2 Reservoir	SE-P375SR	9/14/53
<u>FLOOD CONTROL RESERVOIRS:</u>		
EB 122 Reservoir	SE 14490R	3/4/16
EB 123 Reservoir	SE-14253R	6/2/14
EB 124 Reservoir	SE-P13702R	10/20/10
<u>WATER SUPPLY</u>		
West Fast Fill Reservoir	SE-13800R	4/4/11
<u>DIVERSIONS:</u>		
Section 21 Diversion		
Little Rawhide Creek Diversion No. 6		
Slip Draw Diversion		

TABLE 1.10-3

- continued -

List of Current Licenses and Permits

WYOMING STATE ENGINEER'S OFFICE & WATER QUALITY DIVISION:

<u>Reservoir</u>	<u>Authority Issuing & Permit</u>	<u>Priority Date</u>
<u>DITCHES:</u>		
Chassel 1	P12232D	2/6/14
Chassel 2	P12233D	2/6/14

WYOMING STATE ENGINEER'S OFFICE:

<u>Wells by Name</u>	<u>Permit Number</u>	<u>Priority Date</u>	<u>Well Type</u>
344403OW	158731W	4/30/2004	MON
345398OW	158730W	4/30/2004	MON
350395OW	158728W	4/30/2004	MON
357398OW	158727W	4/30/2004	MON
357402OW	158729W	4/30/2004	MON
412060W(A)	110345W	6/8/1998	MON
412060W(B)	110344W	6/8/1998	MON
412120W	110347W	6/8/1998	MON
415060	147382W	10/7/2002	MON
430061W	110343W	6/8/1998	MON
452060W	110346W	6/8/1998	MON
531043W	143293W	3/4/2002	MIS
540053W	95910W	6/27/1994	MON
542039W	105958W	4/11/1997	DEW
543043W	P95913W	6/27/1994	MON
AUDIO WELL #1	P7932W	1/28/1971	STO
AV1-2	P65871W	10/31/1983	MON
AV2-1	P65866W	10/31/1983	MON
AV2-2	P65865W	10/31/1983	MON
AV2-3	P65864W	10/31/1983	MON
AV2-4	P65863W	10/31/1983	MON
AV3-3	P65860W	10/31/1983	MON
AV3-4	P65859W	10/31/1983	MON
AV6-1	P90145W	11/20/1992	MON
AV6-2	P90146W	11/20/1992	MON
AV7-1	P90148W	11/20/1992	MON
AV7-2	P90149W	11/20/1992	MON
AV7-4	P90151W	11/20/1992	MON

TABLE 1.10-3

- continued -

List of Current Licenses and Permits**WYOMING STATE ENGINEER'S OFFICE:**

Wells by Name	Permit Number	Priority Date	Well Type
AV8-1	P90155W	11/20/1992	MON
AV8-2	P90156W	11/20/1992	MON
AV8-3	P90157W	11/20/1992	MON
AVF 7-8	P91273W	4/7/1993	MON
AVF 7-9	P91274W	4/7/1993	MON
AVF 8-4	P91275W	4/7/1993	MON
BAN 1	P42108W	12/20/1977	MON
BAN 1A	P42109W	12/20/1977	MON
BAN 2	P42110W	12/20/1977	MON
C417YY-1	P45222W	9/26/1978	MON
C 493 IM	P52421W	6/10/1980	MON
C 494 CK	P111766W	9/15/1998	MON
C 494 CN	P52423W	6/10/1980	MON
C547JF	P82763W	6/13/1990	MON
C547JG	P82762W	6/13/1990	MON
D 66A	P70316W	6/5/1985	MON
D 66L	P70315W	6/5/1985	MON
D 66LG	P43542W	5/22/1978	MON
D 66LG1	P43543W	5/22/1978	MON
D 66LG2	P43544W	5/22/1978	MON
D186FD	P76382W	2/29/1988	MON
D187	P68518W	9/20/1984	MON
D266	P58592W	4/23/1981	MON
D 414NB	P43536W	5/22/1978	MON
DEQ1701	P75332W	8/21/1987	MON
DEQ1702	P75333W	8/21/1987	MON
DEQ2001	P75329W	8/21/1987	MON
DEQ2002	P75330W	8/21/1987	MON
D 490NN	P43538W	5/22/1978	MON
D 490NN1	P43539W	5/22/1978	MON
DEQ2003	P75331W	8/21/1987	MON
EAGLE BUTTE SOUTH PIT	P64038W	3/29/1983	MIS
EAGLE BUTTE SOUTH PIT ENLG	P66645W	3/5/1984	MIS
EB1603	P69380W	2/11/1985	MON
EB1605	P69379W	2/11/1985	MON

TABLE 1.10-3

- continued -

List of Current Licenses and Permits

WYOMING STATE ENGINEER'S OFFICE:

Wells by Name	Permit Number	Priority Date	Well Type
EB1606	P69378W	2/11/1985	MON
EB2201	181530	5/29/2007	MON
EB2701	181531	5/29/2007	MON
EB3302	N/A		MON
EB3402	N/A		MON
EBM390072A	P95844W	6/13/1994	MON
EBM390072B	P95845W	6/13/1994	MON
GN 6	P32080W	1/16/1976	MON
GN 7(OB)	P42111W	12/20/1977	MON
GNH 3	P42121W	12/20/1977	MON
GNH 5	P42123W	12/20/1977	MON
GT2001	P75459W	8/28/1987	MON
GT2002	P75460W	8/28/1987	MON
GT2003	P75461W	8/28/1987	MON
GT2005	P75463W	8/28/1987	MON
GT2006	P75464W	8/28/1987	MON
GT2007	P75532W	9/17/1987	MON
GT2008	P75533W	9/17/1987	MON
GT2101	P75529W	9/17/1987	MON
GT2103	P75531W	9/17/1987	MON
MW-1 (C547JA)	P84438W	2/13/1991	MON
MW-4 (C547JL-1)	P84441W	2/13/1991	MON
MW-7 (C547H-PRO7)	P85586W	8/21/1991	MON
MW-9 (C547KJ-PRO6)	P85588W	8/23/1991	MON
MW-12 (PRO12)	P85591W	7/18/1991	MON
MW-14 (C547CB)	P85593W	2/15/1991	MON
MW-15 (C547CN)	P85594W	2/16/1991	MON
MW-16 (C546IM-PRO1)	P85595W	9/3/1991	MON
MW-19 (C547KA-PRO5)	P85598W	9/18/1991	MON
NORTH CRUSHER #1	P33028W	1/27/1976	RES,IND
NORTH CRUSHER #1 ENL 1	P47618W	4/15/1977	MIS
NORTH CRUSHER #1 ENL 2	P66644W	3/5/1984	MIS
N SERVICE #1	P33026W	1/27/1976	MIS
N SERVICE #1 ENL	P51361W	2/28/1980	IND,MIS
NORTH SERVICE #2	P42768W	7/29/1977	IND
NORTH SERVICE #2 ENL	P66643W	3/5/1984	MIS

TABLE 1.10-3

- continued -

List of Current Licenses and Permits

WYOMING STATE ENGINEER's OFFICE:

Wells by Name	Permit Number	Priority Date	Well Type
NWNE4	157241	2/18/2004	MIS
PRO15	P97467W	10/10/1994	MON
PRO16	P97468W	10/10/1994	MON
PRO17	P97469W	10/10/1994	MON
PROSPECTOR #1	P34920W	9/23/1976	MIS
RHV2001	P76032W	12/4/1987	MON
RHV2002	P76033W	12/4/1987	MON
RHV2003	P76034W	12/4/1987	MON
RHV2004	P76035W	12/4/1987	MON
Section 19 SESE	UW201236	10/21/2013	MIS
Section 20 NESW	UW195347	4/11/2011	MIS
Section 20 NWSW	UW195348	4/11/2011	MIS
Section 20 SWSE	UW198147	5/12/2008	MIS
Section 20 SWSW	UW191657	10/2/2009	MIS
Section 26 SENW	UW202571	7/28/2014	MIS
Section 26 NESW	UW202569	7/21/14	MIS
Section 29 NENW	UW191892	10/5/2009	MIS
Section 29 NWNE	UW198146	5/12/2008	MIS
Section 29 NWNW	UW191891	10/5/2009	MIS
Section 29 SESW	UW191659	10/2/2009	MIS
Section 29 SWSE	UW198149	5/12/2008	MIS
Section 32 NWNE	UW193372	7/9/2010	MIS
WEB-AVF-2	P161907W	9/7/2004	MON

DOM = Domestic

MON = Monitoring

MISC = Miscellaneous

STO = Stock

DEW = Dewatering

RES, IND = Residential/Industrial



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Re: Eagle Butte Transfer AVS Check

1 message

Kim Pandullo <kim.pandullo@wyo.gov>
To: Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Mon, Feb 12, 2018 at 10:31 AM

AVS was run on this application on 2/8/18. Ended with 45 conditional violations but 0 were outstanding.

Thank you and have a wonderful day!!

Kim Pandullo
Administrators' Secretary
Office Support Specialist II

State of Wyoming
DEQ-Land Quality Division **Note: NEW ADDRESS**
200 W. 17th St., Suite 10
Cheyenne, WY 82002
kim.pandullo@wyo.gov
(307) 777-7655
fax (307) 635-1784

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On Mon, Feb 12, 2018 at 10:07 AM, Mark Rogaczewski <mark.rogaczewski@wyo.gov> wrote:
Kim,

Please perform a AVS check for Eagle Butte Mine - Permit 428-T7 - Transfer from Contura Coal West, LLC to Blackjewel, LLC - TFN 6 1/299.

Thanks,

Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

E-Mail to and from me, in connection with the transaction

DEQ03-00042

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E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

**DEQ03-
00043**

61/299



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Eagle Butte Transfer AVS Check

1 message

Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Mon, Feb 12, 2018 at 10:07 AM

To: Kim Pandullo <kim.pandullo@wyo.gov>

Kim,

Please perform a AVS check for Eagle Butte Mine - Permit 428-T7 - Transfer from Contura Coal West, LLC to Blackjewel, LLC - TFN 6 1/299.

Thanks,

Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

**DEQ03-
00044**



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Re: FW: Wyoming Insurance - WY Dept of Environmental COI

1 message

Craig Hults <craig.hults@wyo.gov>

Wed, Apr 4, 2018 at 4:25 PM

To: Mark Thrall <Mark.Thrall@blackjewel.us>

Cc: Mark Rogaczewski <mark.rogaczewski@wyo.gov>, Tina Hutt <Tina.Hutt@blackjewel.us>

Mark, to date I have not received the hard-copies of the Blackjewel COI's. The electronic attachments provided had a certificate for PT0214 and not PT0428. Also I note that the endorsement attachment has an incorrect reference to PT0212 instead of PT0214 and the endorsement should state that "in the event of any substantive changes to the policy" the certificate holder will be given 45 days notice. The endorsement currently states in the event of "cancellation" we will be provided notice. Finally, the endorsement was addressed to "Craig Hill" instead of "Craig Hults"; I wouldn't have required revision to that but if it is going to be revised for the other corrections I thought I would mention it. Please do not hesitate to contact me. Craig.

On Thu, Feb 22, 2018 at 2:09 PM, Mark Thrall <Mark.Thrall@blackjewel.us> wrote:

Have you received and reviewed the Blackjewel certificates?

From: Mark Thrall
Sent: Tuesday, February 6, 2018 10:26 AM
To: Craig Hults <craig.hults@wyo.gov>
Subject: Wyoming Insurance - WY Dept of Environmental COI

Craig;

Have you received these?

Please note new contact information:

Mark Thrall
Environmental Manager Sr.
Eagle Butte and Belle Ayr Mines
Blackjewel, LLC
PO Box 3040
Gillette, WY 82717-3040
mark.thrall@blackjewel.us
307-687-3308 Work
307-689-1565 Cell

**DEQ03-
00045**



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Fwd: TFN's 6 1/299 and 6 2/299 - Blackjewel Transfer Application forms

1 message

Carol Bilbrough <carol.bilbrough@wyo.gov>

Fri, Apr 6, 2018 at 9:59 AM

To: Mark Rogaczewski <mark.rogaczewski@wyo.gov>

That is one concern out of the way. Our bond is still good.

----- Forwarded message -----

From: **Craig Hults** <craig.hults@wyo.gov>

Date: Fri, Apr 6, 2018 at 9:51 AM

Subject: Re: TFN's 6 1/299 and 6 2/299 - Blackjewel Transfer Application forms

To: Carol Bilbrough <carol.bilbrough@wyo.gov>

Carol, Contura is in good standing with the WY SOS. See attached. Craig.

On Fri, Apr 6, 2018 at 9:36 AM, Carol Bilbrough <carol.bilbrough@wyo.gov> wrote:

Craig, would you please check into the status of Contura Coal West, LLC? Per the email chain below, it would be good to know the status of the company. thanks

----- Forwarded message -----

From: **Mark Rogaczewski** <mark.rogaczewski@wyo.gov>

Date: Fri, Apr 6, 2018 at 9:23 AM

Subject: Re: TFN's 6 1/299 and 6 2/299 - Blackjewel Transfer Application forms

To: Carol Bilbrough <carol.bilbrough@wyo.gov>

Carol,

I have relayed LQD's concerns related to the bond submittal a couple of times to Mark Thrall and Tina Hutt. I also included the requirement for a bond to be submitted in my March 9, 2018 review letters for their transfer applications. Kyle is also aware that LQD has not received bond instruments.

Mark

On Fri, Apr 6, 2018 at 8:53 AM, Carol Bilbrough <carol.bilbrough@wyo.gov> wrote:

Mark, I checked the bond spreadsheet and there is no evidence that they have submitted a bond. Do you know anything about their plans? If Conturra doesnt exist as a company any more, there is some urgency in getting a new bond.

thanks, Carol

On Fri, Apr 6, 2018 at 7:43 AM, Mark Rogaczewski <mark.rogaczewski@wyo.gov> wrote:

Thanks!

On Wed, Apr 4, 2018 at 4:30 PM, Craig Hults <craig.hults@wyo.gov> wrote:

Mark and Shannon, the above referenced transfer application forms are acceptable as submitted and may be approved. Also I sent a reminder to Mark Thrall re: the insurance certificates. They have not been received to date. The electronic copy that was provided was only for PT0214 and the endorsement attachment contained some errors as well. Will hopefully hear back soon regarding the certificates. It seems the insurance is in place we just need the supporting paperwork for that portion. Craig.

--

Craig Hults, Natural Resources Program Principal

**DEQ03-
00046**

Land Quality Division, Wyoming Department of Environmental Quality
200 W. 17th Street, Suite 10 (Note New Address)
Cheyenne, WY 82002

(307) 777-7066, craig.hults@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

--

Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

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--

Carol Bilbrough, PhD
Program Manager
WDEQ Land Quality Division
307-777-6772
carol.bilbrough@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

--

Mark Rogaczewski
Supervisor
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2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

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--

Carol Bilbrough, PhD
Program Manager

**DEQ03-
00047**

WDEQ Land Quality Division
307-777-6772
carol.bilbrough@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

--

Craig Hults, Natural Resources Program Principal

Land Quality Division, Wyoming Department of Environmental Quality
200 W. 17th Street, Suite 10 (Note New Address)
Cheyenne, WY 82002

(307) 777-7066, craig.hults@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

--

Carol Bilbrough, PhD
Program Manager
WDEQ Land Quality Division
307-777-6772
carol.bilbrough@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

 **Contura_SOS_Standing_(4_6_2018).pdf**
18K

**DEQ03-
00048**

BLACKJEWEL

From: Heather Hammond [<mailto:heather@blackdiamondinsurancegroup.com>]
Sent: Monday, January 29, 2018 2:48 PM
To: Jeff Hoops <Jeff.Hoops@blackjewel.us>; Mark Thrall <Mark.Thrall@blackjewel.us>
Cc: Joff Pilon <Joff.Pilon@blackjewel.us>; Shane Durgin <Shane.Durgin@blackjewel.us>;
csr@blackdiamondinsurancegroup.com
Subject: RE: PRB Weekly Coal Inventories and Wyoming Insurance - WY Dept of Environmental COI

See attached COI as requested for Wyoming Department of Environmental. If you need anything further, please let me know. Thanks!

Thank you,

Heather Hammond

534 East Main Street

Stanville KY 41659

606-478-2400 ph

606-478-2401 fax



Confidentiality notice: This e-mail message, including any attachments, may contain legally privileged and/or confidential information. If you are not the intended recipient(s), you are hereby notified that any dissemination, distribution, printing, or copying of this e-mail message is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete this e-mail message from your computer and server. Please be advised that insurance coverage cannot be bound via an e-mail message. Direct conversation or written request is required.

--
Craig Hults, Natural Resources Program Principal

Land Quality Division, Wyoming Department of Environmental Quality
200 W. 17th Street, Suite 10 (Note New Address)
Cheyenne, WY 82002

(307) 777-7066, craig.hults@wyo.gov

**DEQ03-
00049**

4/6/2018

State of Wyoming Mail - Re: FW: Wyoming Insurance - WY Dept of Environmental COI

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

**DEQ03-
00050**



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

BlackJewel LLC - Insurance Certificates

1 message

Craig Hults <craig.hults@wyo.gov>

Mon, Apr 30, 2018 at 10:37 AM

To: Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Mark, here is a scan of the insurance certificates. Appears all issues I had noted with previous submittals have been addressed. Will get formal approval letter drafted this week. Craig.

--

Craig Hults, Natural Resources Program Principal

Land Quality Division, Wyoming Department of Environmental Quality
200 W. 17th Street, Suite 10 (Note New Address)
Cheyenne, WY 82002

(307) 777-7066, craig.hults@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

**DEQ03-
00051**

6/1/299



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

MR	KM	DE	GY
SM	BK	LM	JM
PS	DL	DM	DS
JH	CHEY		

Mark Thrall
Blackjewel LLC
PO Box 3039
Gillette, WY 82717

RE: Bond Return – Permit Nos. PT0428 & PT0214
PT0428: XL Specialty Insurance Company Surety No. US00085572SU18A
PT0428: Atlantic Specialty Insurance Company Surety No. 800036595
PT0428: Endurance American Insurance Company Surety No. EAIC79000049
PT0214: XL Specialty Insurance Company Surety No. US00085571SU18A
PT0214: Endurance American Insurance Company Surety No. EAIC79000048

Dear Mr. Thrall:

As requested, the above referenced Surety Bonds are enclosed. The Surety Bonds had received a favorable review from the Attorney General's Office, and would be acceptable. However, we understand you'd prefer to change the amounts within the bond instruments before submissions.

Should you have any questions regarding your bond instrument, please feel free to contact Casey Robb (307-777-6910 or casey.robbs2@wyo.gov).

Sincerely,

Casey Robb
Bonding Analyst
Department of Environmental Quality
Enclosures

Date: 8/7/18



CR
cc: District 3 – Mark Rogaczewski

6/1/299



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

Mark Thrall
Blackjewel LLC
PO Box 3039
Gillette, WY 82717

JR	KM	DE	GY
SM	BK	LM	JM
PS	DL	DM	DS
JH	<u>CHEY</u>		

RE: Bond Acceptances – Permit No. PT0428
New Bond: Endurance American Insurance Company Surety No. EAIC179000049
New Bond: Endurance Assurance Corporation Reinsurance for Surety No. EAIC179000049
New Bond: Atlantic Specialty Insurance Company Surety No. 800036595
New Bond: Indemnity National Insurance Company Surety No. N-7001126
New Bond: XL Specialty Insurance Company Surety No. US00085572SU18A

Dear Mr. Thrall:

The above referenced bonds have been accepted by the Wyoming Department of Environmental Quality, and copies are enclosed. This permit's total aggregate bond amount provided by and for Blackjewel LLC is now \$128,215,000.00 in accordance with the April 4, 2018 Director's Bond Letter. **Please be advised this is only an approval for the above referenced bonds, and not an approval for the permit transfer.** The details of the bonding for the permit are on the back side of this page.

Should you have any questions regarding your bond instrument, please feel free to contact Casey Robb (307-777-6910 or casey.robb2@wyo.gov).

Sincerely,

Date: 8/29/18

Todd Parfitt
Director
Department of Environmental Quality
Enclosures

TP:CR

cc: District 3 – Mark Rogaczewski
cc: District 3 – Pat Seurer



Permit No.	Bond Provided By	Bond Action	Bond No.	Bond Type	Previous Bond Amount	Change	Direct Writing Surety Coverage Amount	Reinsurance Amount	Current Bond Amount	Total Required Bond Amount
					A	B	C	D	E+H+I	F
PT0428	Blackjewel LLC	Acceptance	EAICT790000048	Surety		\$58,466,000.00	\$40,000,000.00		\$58,466,000.00	
PT0428	Blackjewel LLC	Acceptance	EAICT790000049	Reinsurance				\$18,466,000.00	\$0.00	
PT0428	Blackjewel LLC	Acceptance	800096595	Surety		\$30,000,000.00			\$30,000,000.00	
PT0428	Blackjewel LLC	Acceptance	N-7001126	Surety		\$5,000,000.00			\$5,000,000.00	
PT0428	Blackjewel LLC	Acceptance	US00085725U18A	Surety		\$34,749,000.00			\$34,749,000.00	
Totals For					\$0.00	\$128,215,000.00	\$40,000,000.00	\$18,466,000.00	\$128,215,000.00	\$128,215,000.00

Permit No.	Bond Provided By	Bond Action	Bonder	Bond No.	Bond Type	Current Bond Amount
PT0428	Contura Coal West LLC	None	Argonaut Insurance Company	SUR0037151	Surety	\$40,000,000.00
PT0428	Contura Coal West LLC	None	Aspen American Insurance Company	SU08197	Surety	\$26,200,000.00
PT0428	Contura Coal West LLC	None	U.S. Specialty Insurance Company	1000963308	Surety	\$11,199,000.00
PT0428	Contura Coal West LLC	None	Atlantic Specialty Insurance Company	800017873	Surety	\$30,000,000.00
PT0428	Contura Coal West LLC	None	North American Specialty Insurance Company	2181641	Surety	\$15,000,000.00
PT0428	Contura Coal West LLC	None	XL Specialty Insurance Company	US00079865SU17A	Surety	\$12,500,000.00
Totals For						\$134,899,000.00



BLACKJEWEL

Belle Ayr and Eagle Butte Mines

August 30, 2018

Mr. Mark Rogaczewski
Supervisor
Department of Environmental Quality
2100 West 5th Street
Sheridan WY 82801

RE: Permit Transfers
Belle Ayr Mine Permit 214-T8, TFN 6 2/299
Eagle Butte Mine Permit 428-T7, TFN 6 1/299

Dear Mr. Rogaczewski:

Blackjewel, LLC herein, submits response to comments that were received on March 9, 2018 for the Eagle Butte and Belle Ayr Mines application for permit transfers.

The reclamation performance bonds for Eagle Butte and Belle Ayr were accepted by the Department of Environmental Quality on August 29, 2018. Approved Certificates of Insurance were received on May 4, 2018.

Eagle Butte Mine: Section 1.2 has been revised to remove references to all License to Mine documents prior to L11 for Blackjewel, LLC. All pages from Section 1.2 are being submitted. We request that any active License to Mine documents other than L6 (Dry Fork Coal Co.) and L11 be terminated. Form 1(t) and Table 1.7-3 Principal Officers and Directors are being resubmitted to reflect organizational changes since the original submittal.

Belle Ayr Mine: Section 1.2 does not list any previous License to Mine documents, so no change has been made as requested. We request that any active License to Mine documents other than L10 be terminated. Form 1(t) and Table 1.10-4 Principal Officers and Directors are being resubmitted to reflect organizational changes since the original submittal.

Should you have any questions regarding this information please feel free to contact me at (307) 687-3308 or Tina Hutt at (307) 687-3302.

Sincerely,

Mark Thrall
Environmental Manager

STATE OF WYOMING * SECRETARY OF STATE
EDWARD A. BUCHANAN
BUSINESS DIVISION

2020 Carey Avenue, Cheyenne, WY 82002-0020

Phone 307-777-7311 · Fax 307-777-5339

Website: <http://soswy.state.wy.us> · Email: business@wyo.gov

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name	Contura Coal West, LLC		
Filing ID	2016-000720534		
Type	Limited Liability Company	Status	Active

General Information

Old Name		Sub Status	Current
Fictitious Name		Standing - Tax	Good
		Standing - RA	Good
Sub Type		Standing - Other	Good
Formed in	Delaware	Filing Date	07/19/2016 10:09 AM
Term of Duration	Perpetual	Delayed Effective Date	
		Inactive Date	

Principal Address

2273 Bishop Rd
Gillette, WY 82718

Mailing Address

2273 Bishop Rd
Gillette, WY 82718

Registered Agent Address

Corporation Service Company
1821 Logan Ave
Cheyenne, WY 82001

Parties

Type	Name / Organization / Address
------	-------------------------------

Notes

Date	Recorded By	Note
------	-------------	------

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name	Contura Coal West, LLC		
Filing ID	2016-000720534		
Type	Limited Liability Company	Status	Active

Most Recent Annual Report Information

Type	Original	AR Year	2017
License Tax	\$54,419.42	AR Exempt	N
AR Date	7/11/2017 8:23 AM		
Web Filed	N		

Officers / Directors

Type	Name / Organization / Address
------	-------------------------------

Principal Address

2273 Bishop Rd
Gillette, WY 82718

Mailing Address

2273 Bishop Rd
Gillette, WY 82718

Annual Report History

Num	Status	Date	Year	Tax
02875902	Original	07/11/2017	2017	\$54,419.42

Amendment History

ID	Description	Date
2018-002261476	RA Name/Address Change Registered Agent # Changed From: 0162225 To: 0173386 Registered Agent Organization Name Changed From: C T Corporation System To: Corporation Service Company Registered Agent Physical Address 1 Changed From: 1908 Thomes Ave To: 1821 Logan Ave	03/10/2018
2017-002099884	Delinquency Notice - Tax	07/02/2017
2016-001961346	Address Update Principal Address 1 Changed From: 2079 Herndon Rd To: 2273 Bishop Rd Principal City Changed From: McClure To: Gillette Principal State Changed From: VA To: WY Principal Postal Code Changed From: 24269 To: 82718	10/08/2016
2016-001955282	Address Update Principal Address 1 Changed From: 1615 Brett Rd OPS III To: 2079 Herndon Rd Principal City Changed From: New Castle To: McClure Principal State Changed From: DE To: VA Principal Postal Code Changed From: 19720 To: 24269	09/26/2016
See Filing ID	Initial Filing	07/19/2016

61/299



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Transfer Update/Draft SDD

1 message

Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Wed, Oct 3, 2018 at 2:30 PM

To: Mark Thrall <Mark.Thrall@blackjewel.us>, Gretchen Anderson <Gretchen.Anderson@blackjewel.us>

Gretchen and Mark,

LQD has completed our review of the review responses and new Form 1t's associated with the transfer applications for the Belle Ayr and Eagle Butte Mines from Contura Coal West, LLC to Blackjewel, LLC. There are no outstanding topics remaining to be addressed.

Please review the attached draft revised State Decision Documents (SDD) for the referenced transfer applications. Only sections of the current SDD needing revisions are provided for your review. Please let me know whether or not you have any questions. If you have no questions, I will send these applications to final public notice and forward the attached draft SDD's to Cheyenne to be made available for public review with the application materials.

Thanks,

--
Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

2 attachments

 **428TransfertoBlackjewelSDDTFN61299.docx**
23K

 **214TransferBlackjewelSDDTF62299MJR.docx**
23K

DEQ03-00058

6 1/299



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

AVS Check Eagle Butte Mine - TFN 6 1/299

1 message

Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Wed, Oct 3, 2018 at 12:01 PM

To: Tammi Pusheck <tammi.pusheck1@wyo.gov>, Karin Quigley <karin.quigley@wyo.gov>

Kari,

Please perform an Applicator Violator System check for Contura Coal West, LLC - Eagle Butte Mine - Permit 428 - Transfer to Blackjewel, LLC. This transfer application is being tracked under TFN 6 1/299.

Please let me know if you have any questions.

Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

**DEQ03-
00059**

BLACKJEWEL

Belle Ayr and Eagle Butte Mines

October 18, 2018

Mr. Mark Rogaczewski
Land Quality Division
Department of Environmental Quality
2100 West 5th St.
Sheridan, WY 82801

**Re: Affidavits of Notice, Transfer Applications
Belle Ayr Mine, Permit No. 214-T8, TFN 6 2/299
Eagle Butte Mine, Permit No. 428-T7, TFN 6 1/299**

Dear Mark:

Enclosed are the Affidavits of Notice for the Belle Ayr and Eagle Butte Mine Permit Transfers. The final Public Notice began running on October 9, 2018 in the Gillette News-Record for four consecutive weeks. Copies of the current mine plan maps were mailed to the Wyoming Oil and Gas Conservation Commission and copies of the complete transfer applications including the draft State Decision Documents have been filed with the Campbell County Clerk.

Please contact me at 307-687-3413 if you have questions or concerns.

Sincerely,



Gretchen Anderson, P.E.
Environmental Compliance Manager

Enclosures

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION

IN THE MATTER OF THE PERMIT TRANSFER)
APPLICATION FOR CONTURA COAL WEST, LLC)
EAGLE BUTTE MINE, PERMIT 428-T7, TRANSFER)
TO BLACKJEWEL L.L.C.)
TFN 6 1/299)

**AFFIDAVIT OF MARK THRALL
OF NOTICE**

I, Mark Thrall, after being duly sworn upon my oath, deposes and states as follows:

1. I am appointed to the office of Environmental Manager for Blackjewel, L.L.C. I am submitting this affidavit to comply with the sworn statement requirement in W.S. §35-11-406(j). In my capacity as Environmental Manager, I am responsible for ensuring that Contura Coal West, LLC has complied with the notice requirements in W.S. §35-11-406(j) for the above-captioned permit application. This application is for a coal mine permit transfer.
2. On October 5, 2018, Contura Coal West, LLC received notice from the Department of Environmental Quality, Land Quality Division that it has determined our application is complete and suitable for final publication.
3. On October 9, 2018, The Gillette News-Record printed the first notice in the required four week sequence for final publication of this application. On October 9, 2018, Contura Coal West, LLC mailed a copy of the application mining plan map to the Wyoming Oil and Gas Conservation Commission.

DATED 10-18-18

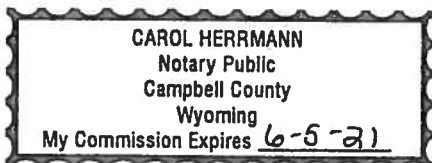


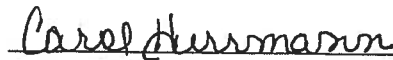
Signature

Mark Thrall, Environmental Manager

STATE OF WYOMING)
)ss
COUNTY OF CAMPBELL)

Subscribed, sworn to and acknowledged before me by Mark Thrall
on this 18th day of October, 20 18.





Notary Public

My Commission expires: June 5, 2021