



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

April 21, 2016

Jerry Nettleton
Seneca Property LLC
29515 Routt County Road No. 27
Oak Creek, CO 80467

Re: Yoast Mine (Permit No. C-1994-082)
Transfer of Permit *SD-1*

Dear Mr. Nettleton:

This letter is to inform you that the Division of Reclamation, Mining and Safety's Proposed Decision to approve Transfer of Permit No. 1 at the Yoast Mine became final on March 12, 2016. No requests for a formal hearing were received within the comment period.

If you have questions or need additional information, please contact me.

Sincerely,

Janet H. Binns
Environmental Protection Specialist
Janet.binns@state.co.us

C-50-08



SD-1



Seneca Coal Company, LLC

Janet Binns
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

SCANNED

December 11, 2015
RECEIVED

DEC 16 2015

SD-1
Division of Reclamation,
Mining & Safety

RE: Yoast Mine Permit No. C-1994-082 Succession of Operators (SQ-2)
Updates to Adjudication File, change of permitting contact, and change to mailing address

Janet,

Pursuant to Rule 2, Section 8.6 of the Rules and Regulations please find enclosed application for transfer of Yoast Surface Mine Permit C-1994-082 from Seneca Coal Company, LLC to Seneca Properties, LLC. Seneca Coal Company, LLC and Seneca Properties, LLC are wholly owned subsidiaries of Peabody Energy. In addition, there will be a new primary contact, a change of mailing address, and a new location for the public copy of the permit.

The mailing address should change as follows:

Seneca Coal Company, LLC
Yoast Mine
36600 Routt County Road #27
PO Box 670
Hayden, CO 81639-0670

TO

Seneca Properties, LLC
Yoast Mine
29515 Routt County Road #27
Oak Creek, CO 80467

The application package contains the following:

- Completed (scanned) form for Request for Transfer of Coal Permit and Succession of Operators
- Public Notice
- Tab 3 – Revised text. Please replace the entire Tab 3 in the currently approved permit
- Tab 3 Attachment 3-1 Certificate of Incorporation. Please replace with updated version
- Tab 3 Attachment 3-2 Certificate of Authority To Transact Business in Colorado. Please replace with updated version
- Tab 3 Attachment 3-5 Owner, Officer, and Director Information. Please replace Attachment 3-5 with the updated version
- Tab 3 Appendix 3-2 Names and Addresses of Owners of Record of Surface, Coal, and Gas Within the Adjacent to the Seneca II-W Mine. Please replace Appendix 3-2 with the updated version.
- Tab 3 Exhibit 3-1 Surface Ownership Map. Please replace Surface Owner Map

The current Insurance Certificate will not need to be updated as it lists Peabody Energy Corporation and Subsidiaries as the insured. Hard copies of the signed Succession of Operators form and Performance Bond

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



REQUEST FOR TRANSFER OF COAL PERMIT AND SUCCESSION OF OPERATORS

DEC 16 2015

I.

Division of Reclamation,
Mining & Safety

RECITALS

A. On November 22, 1994, the Mined Land Reclamation Board of the Colorado Department of Natural Resources (the "State") granted to Seneca Coal Company, LLC, address P.O. Box 670 36600 Routt County Road #27 Hayden, CO 81639-0670 ("Permittee") permit number C-1994-082 (the "Permit") pursuant to which Permittee has been conducting a mining and reclamation operation known as Yoast Mine in the County of Routt, State of Colorado.

B. Permittee wishes to assign the permit to Seneca Property, LLC, address 29515 Routt County Road #27, Oak Creek, CO 80467, as Successor Operator ("Successor") and Successor wishes to become Successor Permittee under the permit.

C. Successor understands that the reclamation plan (the "Plan") required by the permit and by applicable State laws and regulations has not been completed and is willing to assume full responsibility for the completion of the Plan.

II.

AGREEMENTS

Permittee and Successor hereby agree, for their own benefit and for the benefit of the State, such agreements to be effective ipso facto upon the approval by the State of the transfer of the Permit from Permittee to Successor, as follows:

1. Successor has inspected the mining and reclamation operations to its entire satisfaction and is fully aware of the condition thereof. Successor understands and accepts all of the conditions of the Permit.
2. Successor will complete the reclamation plan, and hereby assumes liability for completing such plan as to all areas heretofore disturbed, as well as to all areas hereafter disturbed. Successor will perform all of the obligations of the Permittee under the Permit which have not heretofore been performed by Permittee.

3. Successor hereby tenders to the State its attached reclamation bond*, which is to be substituted for the bond and surety heretofore filed by the Permittee effective upon the release of the latter bond and surety.

4. Successor represents to the State that, to the best of its knowledge, information and belief, it is not in violation of any of the provisions of the Colorado Surface Coal Mining Reclamation Act with respect to any other operation conducted by it in the State of Colorado.

Permittee and Successor hereby request the State to consent to the assignment of the Permit, to recognize Successor as Successor Operator under the Permit, and to accept the tendered substitute bond and surety in place of the bond and surety presently on file with the State.

* Attach executed reclamation bond.

EXECUTED this 10th day of December, 2015.

Seneca Coal Company, LLC

Name of Permittee

Seneca Property, LLC

Name of Successor

By



Signature of Officer

Vice President

Title of Permittee

By



Signature of Officer

Vice President

Title Successor Operator

NOTARY FOR PERMITTEE

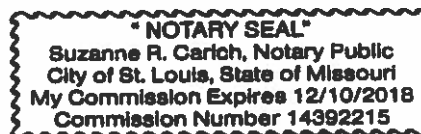
STATE OF MISSOURI)
CITY ST. LOUIS) ss.
COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this 10th day of DECEMBER, 2015, by JOHN R. SCHWARTZ as VICEPRESIDENT of SENECA COAL COMPANY, LLC.


NOTARY PUBLIC

My Commission expires

12/10/2018



NOTARY FOR SUCCESSOR

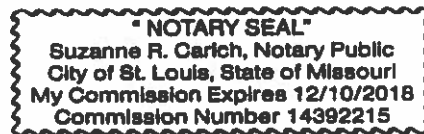
STATE OF MISSOURI)
CTY) ss.
COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this 10th day of DECEMBER,
2015, by ROBERT F. BRUER as
VICE PRESIDENT of SENECA PROPERTY, LLC.

Suzanne R. Carich
NOTARY PUBLIC

My Commission expires:

12/10/2018



CONSENT OF STATE

- (a) Consent is hereby granted to the transfer of the Permit above referred to
from Seneca Coal Company, LLC to
Seneca Property, LLC.
- (b) Seneca Property, LLC
is hereby recognized as Successor Operator under such Permit.
- (c) The bond substitution above proposed is hereby accepted and approved.

STATE OF COLORADO
DEPARTMENT OF NATURAL RESOURCES
MINED LAND RECLAMATION BOARD
DIVISION OF RECLAMATION, MINING AND SAFETY

Date: 4.20, 17

By [Signature]
Division Director

March 12, 2016

Ginny's
Signature

PUBLIC NOTICE

Seneca Coal Company, LLC, 36600 Routt County Road #27, P.O. Box 670, Hayden, Colorado 81639, on behalf of the Yoast Mine, has filed with the Colorado Division of Reclamation Mining and Safety for a permit transfer. The application proposes the transfer of Surface Mine Permit No. C-1994-082 from Seneca Coal Company, LLC to Seneca Properties, LLC. Seneca Coal Company, LLC and Seneca Properties, LLC are wholly owned subsidiaries of Peabody Energy. No changes to the currently approved mining and reclamation plan are proposed.

The general legal description of the Yoast Permit Area is described as:

T6N, R87W

Section 28:	Portions of NW/4, NW/4 SW/4, SW/4 NE/4
Section 29:	Portions of SE/4
Section 32:	Portions of NW/4 NE/4, W/2 E/2

T5N, R87W

Section 5:	Portions of W/2 E/2
Section 8:	Portions of NW/4, SW/4, W/2 NE/4, and W/2 SE/4
Section 16:	SW/4 NW/4, NW/4 SW/4, and portions of SW/4 SW/4, NW/4 NW/4, SE/4 NW/4, NE/4 SW/4, and SW/4 SE/4
Section 17:	All
Section 18:	NE/4 SE/4, S/2 SE/4
Section 19:	E/2 and portions of E/2 W/2
Section 20:	SW/4 NW/4, N/2 NW/4, W/2 SW/4 and portions of N/2 NE/4
Section 29:	NW/4 NW/4
Section 30:	S/2 NW/4

All west of the 6th Principal Meridian; totaling 2,318.3 acres.

Legal owners of record of the surface of the permit area are:

- Camilletti & Sons
- Carroll Family Land LLLP
- Hallenbeck, Dennis A. and Laurie L.
- Patrick, John
- Public Service Company of Colorado
- Sage Creek Holdings LLC
- 20 Mile Sheep LLC
- USA

The Yoast Mine is located approximately 8.5 miles southeast of the Town of Hayden, Colorado. The USGS 7.5 Minute Quadrangle Maps of Dunckley and Mt. Harris, Colorado, contain the described permit area.

A copy of the transfer package is available for public inspection at the Hayden Public Library, 225 E. Jefferson Avenue, Hayden, Colorado 81639.