



COLORADO

Division of Reclamation,
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

March 17, 2016

Jerry Nettleton
Seneca Coal Company, LLC
37796 Routt County Road 53
P.O. Box 670
Hayden, CO 81639

**Re: Seneca II-W Mine (Permit No. C-1982-057)
Transfer of Permit**

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. 2 at the Seneca II-W 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-SO-09



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

RECEIVED

DEC 16 2015

I.

RECITALS

A. On November 22, 1994, the Mined Land Reclamation Board of the ^{Division of Reclamation,} ~~Colorado~~ ^{Mining & Safety} 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-1982-057 (the "Permit") pursuant to which Permittee has been conducting a mining and reclamation operation known as Seneca II West 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

By [Signature]
Signature of Officer

Vice President
Title of Permittee

Seneca Property, LLC

Name of Successor

By R. J. B...
Signature of Officer

Vice President
Title Successor Operator

NOTARY FOR PERMITTEE

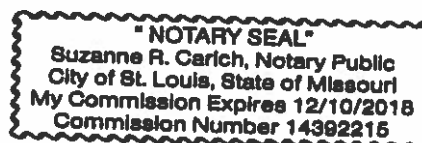
STATE OF Missouri)
CITY) ss.
COUNTY OF ST. LOUIS)

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

[Signature]
NOTARY PUBLIC

My Commission expires

12/10/2018



NOTARY FOR SUCCESSOR

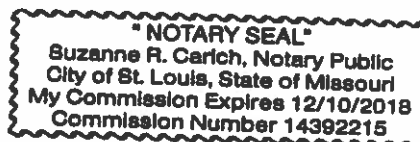
STATE OF MISSOURI)
CITY) ss.
COUNTY OF ST. LOUIS)

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