

CHAPTER 3

LEGAL, FINANCIAL, AND COMPLIANCE
INFORMATION

CHAPTER 3

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CHAPTER 3

LEGAL, FINANCIAL, AND COMPLIANCE INFORMATION

Applicant/Operator Information

See Attachments 1 and 12 for identification of interests and compliance information pursuant to 30 CFR 778.11, 778.12, and 778.14.

Applicant and Operator Pursuant to 30 CFR 778.11(b)

C. Scott Williams, Manager
Black Mesa and Kayenta Mines
Peabody Western Coal Company
P. O. Box 650, Navajo Route 41
Kayenta, Arizona 86033 (928) 677-3201

Surface and Mineral Owners - Leasehold Pursuant to 30 CFR 778.13(a)

The names and addresses of the owners of the surface and mineral property to be mined are:

The Navajo Tribe
P.O. Box 308
Window Rock, Arizona 86515 (Surface and Minerals)

The Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona 86039 (Minerals)

Property Owners - Contiguous Property Pursuant to 30 CFR 778.13(b)

The names and addresses of the owners of property contiguous to the proposed permit area are:

The Navajo Nation	The Hopi Tribe
P.O. Box 308	P.O. Box 123
Window Rock, Arizona 86515	Kykotsmovi, Arizona 86039

PWCC does not hold any current interests on options nor does PWCC hold any pending bids for lands contiguous to the existing permit area pursuant to 30 CFR 778.13(c).

Mine Safety and Health Administration Numbers Pursuant to 30 CFR 778.13(d)

Black Mesa Mine	02-00533
Kayenta Mine	02-01195
J-7 Dam	1211-AZ-09-00533-01
J-2A Dam	1211-AZ-09-00533-02
Kayenta Fresh Water Pond	1211-AZ-09-01195-01
N-14D Dam	1211-AZ-09-01195-02
N-14E Dam	1211-AZ-09-01195-03
N-14F Dam	1211-AZ-09-01195-04
N-14G Dam	1211-AZ-09-01195-05
N-14H Dam	1211-AZ-09-01195-06
J-16A Dam	1211-AZ-09-01195-07
J-16L Dam	1211-AZ-09-01195-08
J7-Jr Dam	1211-AZ-09-01195-09

Right of Entry Information Pursuant to 30 CRE 778.15

Peabody Western Coal Company (PWCC) operates the Black Mesa and Kayenta Mines on lands leased from the Navajo and Hopi Tribes. Three leases have been signed (two with the Navajo and one with the Hopi) which provide for mining activities on three separate but contiguous tracts of land.

The original lessee was Sentry Royalty Company, a Nevada Corporation (hereinafter "Sentry"). Sentry was a wholly owned subsidiary of Peabody Coal Company, an Illinois Corporation. Peabody Coal Company, an Illinois Corporation, was a predecessor of Peabody Coal Company, a Delaware Corporation. Sentry assigned the leases to Peabody Coal Company, an Illinois Corporation, February 5, 1968, prior to merging with the Illinois Corporation. Peabody Coal Company, an Illinois Corporation, assigned the leases to Peabody Coal Company, a Delaware Corporation, February 8, 1968, prior to re-incorporation into the Delaware Corporation. PWCC is successor in interest to Peabody (see Attachment 9). The transfers and assignments were made with the consent and approval of the Navajo and Hopi Tribes and the Secretary of Interior.

Sentry obtained the first coal mining lease, February 1, 1964, for approximately 24,858 acres of Navajo Reservation land (Lease Number 14-20-0603-8580). The 1964 lease area is within the area granted to the Navajo Tribe under the Executive Order of May 17, 1884. The Navajo Tribe has 100 percent surface and mineral interest in this area.

On June 6, 1966, Sentry obtained a coal mining lease for approximately 40,000 acres of land in the Joint Mineral Use Area from the Navajo Tribe (Lease Number 14-20-0603-9910).

Because of the joint mineral interests of the two tribes in the Joint Mineral Use Area, Sentry obtained a separate lease, June 6, 1966, for the same area from the Hopi Tribe (Lease Number 14-20-0450-5743). The lease area for the 1964 lease and the Joint Mineral Use Area Leases are contiguous (Figure 1). Copies of the leases were provided to the Office of Surface Mining on January 6, 1981 as Appendices 11, 12 and 13, Volume 5, Mining and Reclamation Plan for the Black Mesa and Kayenta Mines.

The leases provide that PWCC may prospect, mine and strip leased lands for coal and kindred products, including other minerals, except for oil and gas, as may be found. Peabody also has the right to construct buildings, pipelines, plants, tanks and other structures; make excavations, openings, stockpiles, dumps, ditches, drains, roads, spur tracks, transmission lines and other improvements; and to place machinery and other equipment and fixtures and do all other things upon leased lands that may be necessary in the efficient operation of mining. PWCC may occupy that portion of the leased lands as is necessary to carry on mining operations including the right of ingress and egress and may develop and utilize water for the mining operations. A description of the land on the Black Mesa leased to PWCC may be found in Attachment 2.

On December 10, 1969, the Secretary of Interior with the consent of the Navajo Tribe granted the Navajo Project participants a right-of-way easement for the overland conveyor and coal loading site located outside the coal mining leases. On December 19, 1972 the Navajo Tribal Counsel Advisory Committee passed a resolution approving the granting of the right-of-way and easement to Peabody Coal Company. A description of the lands within the conveyor and coal loadout facility right-of-way may be found in Attachment 3. PWCC is successor in interest to Peabody Coal Company (see Attachment 3).

On June 24, 1994 PWCC submitted a Mine Support Facilities Right-Of-Way Application to the Bureau of Indian Affairs and Navajo Nation for four parcels of Navajo Tribal lands contiguous to two existing coal-mining leases located on the Black Mesa, Navajo County, Arizona. The

proposed right-of-way areas provide access for utilities, haul roads, maintenance roads, existing and additional sedimentation control ponds, and a rock borrow area which support the Black Mesa and Kayenta Mines. The right-of-way application and grant of easement for these two parcels were approved by the Navajo Nation and Bureau of Indian Affairs on August 19 and 28, 1996, respectively. A description of these approved right-of-entry documents, as required by 30 CFR 778.15(a), is presented in Attachments 3a and 3b.

On September 7, 1984 the Bureau of Indian Affairs granted Peabody a right-of-way for a 69 KV electrical transmission line between Tracks 1 and 2 of the Joint Mineral Area leases. The location of the right-of-way is shown in Attachment 4. PWCC is successor in interest to Peabody Coal Company (see Attachment 4). The revocable use permit for all environmental monitoring sites is presented in Attachment 4a.

Liability Insurance Pursuant to 30 CFR 778.18

A certificate of liability insurance may be found as Attachment 5.

Permit Term and Area

The Black Mesa and Kayenta Mines are surface coal mines operated pursuant to Permits AZ-0001 and AZ-0001D (Figure 2 and Drawings 85110 and 85360) issued by the Office of Surface Mining, and reclamation requirements of Permit AZ-0002A. Permit AZ-0001 was issued on January 29, 1982, and Permit AZ-0002A was issued on December 21, 1984. The permanent program permit for Kayenta Mine was issued on July 6, 1990. The permanent program permit is AZ-0001D and was renewed twice; first on July 6, 1995 and subsequently on July 6, 2000. Information pertaining to production and disturbed lands may be found in Chapters 5 and 21. The proposed life-of-mine permit area is shown in Figure 3 and in more detail on Drawings 85210 and 85360. A metes and bounds description for the proposed permit area may be found in Attachment 6.

This application seeks regulatory authorization to extend mining an additional 20 years to ensure adequate and uninterrupted fuel supplies for both the Mohave and Navajo Generating Stations into the future, and to combine the Black Mesa Mine Interim Program Permit area with the Kayenta Mine Permanent Program Permit area such that both mines are covered by a single Permanent Program Permit as originally intended in the 1985 Permanent Program Permit filing.

Peabody Western Coal Company (PWCC) submitted a Permanent Program Permit Application Package (PAP) in 1985 for the entire Black Mesa Complex. At that time PWCC sought to obtain authorization to mine for a period of time coincident with the coal supply agreements with the owners of MGS and the Navajo Generating Station (2005 and 2011, respectively). Now, as the coal supply agreement renewal dates approach, it is time to prepare both mines to supply coal to these customers when the terms of the coal supply agreements are extended.

The existing leases with the Navajo Nation and the Hopi Tribe entitle PWCC to mine 670 million tons of coal. With this submittal, PWCC seeks to permit all of the potentially economical surface-recoverable reserves within the existing lease boundary (approximately 803 million tons, of which about 317 million tons have been mined as of January 1, 2003, based on analysis of best available coal exploration data), recognizing that coal mining above and beyond the currently approved maximum tons in the leases (670 million tons) would be subject to tribal authorization. Thus, the mine plans in this submittal assume that the Kayenta Mine will continue for at least fifteen years beyond the currently approved life-of-mine, and that the Black Mesa Mine will continue for at least an additional 20 years. PWCC requests the Office of Surface Mining Reclamation and Enforcement (OSMRE) consider all the surface-recoverable reserves and all coal resource areas in the leases when conducting its review and approval activities including the appropriate National Environmental Policy Act compliance activities.

The Black Mesa Mine plan includes mining the J-23 reserves, so a transportation corridor will be needed to haul the J-23 coal to the coal preparation area. Two alternative alignments are contained in this application: one completely on Navajo Nation surface, and one completely on Hopi Tribe surface. PWCC plans to acquire only one right-of-way, and ultimately permit and build only one haul road. Until such time as a final decision is made on which alignment is most cost effective to construct, both alignments must be evaluated in OSMRE's review of the application. PWCC recognizes that no disturbance can be authorized until the proper right-of-entry is demonstrated.

Certification

Certification of information contained in this document as required by 30 CFR 777.11(c) may be found in Attachment 7. A copy of the fully executed OSMRE Application for Permit Transfer form is also included in Attachment 7.

Permit History

A history of mining permits issued to Peabody and its successor in interest for the Black Mesa operations may be found in Table 1.

Information Required Pursuant to 30 CFR 750.12(d)(2)

Employment, Population, Revenues and Goods. The Black Mesa mining complex is an existing operation which began producing coal in 1970. The coal mined at the complex is dedicated to meeting the fuel supply requirements of the Mohave and Navajo Electric Generating Stations. The mining plan contained in this document does not represent any change in production levels, employment or coal processing and handling facilities. Any significant cumulative effects of the mining operation on economic, social, community, government, land use, transportation and cultural conditions should have already manifested themselves, as the mining operations have remained relatively unchanged since the mid to late 1970's. Peabody has not experienced and does not expect to experience any significant problems regarding acquisition of goods and services to support the mining and reclamation operations. Major changes in the goods and services needed to support these activities are not anticipated.

Scenic and Aesthetic Resources. The site of the Black Mesa mining complex covers remote, rugged highlands ranging in elevation from approximately 6,200 to 7,200 feet. The surface is highly eroded and partially covered by sagebrush shrublands and pinyon-juniper woodlands.

The vegetation is spotty and irregular. Colors range widely. Grasses change in color seasonally from light green to brown. The shrublands are blue-green, and the woodlands are dark green. The woodlands extend from higher elevations in bands along ridge tops and slopes.

A seasonal progression reflected by the flowering aspect of scattered individuals of annual and perennial plants occurs in the woodlands. During the spring, the aspect is dominated by red-flowered penstemons and yellow-flowered mustards. In summer, mat penstemon, globe mallow and sky rocket color these woodlands with their blue, orange and red flowers. The aspect in the fall is dominated by many yellow-flowered composites. The shrublands also experience significant yellow coloring when snakeweed and rabbitbrush blossom.

Bare soil and rocks lie interspersed throughout the mining site. Soil colors range from light tan to dark brown with significant occurrences of redish tones due to porcellanite or clinker shale.

The area contains few structures: scattered hogans (dwellings), corrals and other out-buildings. Other manmade structures include fences and unimproved roads.

The vistas and features are typical of western, high desert locations. The mining complex is nestled below the rim of Black Mesa in a structural bowl, and cannot be seen even from a few miles away in most directions. Toward the north, east, and southeast, scenic vistas are limited to the uplands that form the Mesa escarpment. Toward the west and southwest, scenic vistas include the San Francisco Peaks and Hopi Mesa country. From the actual Mesa escarpment, several scenic mountain ranges, plateaus and valleys can be seen. However, at these points, the topography precludes visual identification of the mine site. The mining complex is not located on a major transportation route so that it goes unnoticed to highway travelers except for the overland conveyor and rail load-out facility that blend in well with the base of the Mesa.

The mining activities are spread out over the approximately 65,000-acre leasehold because of the nature of the coal reserves. Except from a few isolated vantage points, it is impossible to see or determine the extent of the entire operation from a single location. Due to the remote location, there is little evidence of commercial development except in the immediate vicinity of pits or preparation facilities. Even though mine equipment, support facilities, coal processing facilities, overland conveyors, a rail load-out facility, spoil piles, and haul roads have replaced native vegetation, it is possible to drive for 20 minutes at a time, from one mining area to another, with little evidence of land disturbing activities due to the dispersed nature of the operation and the irregular terrain. There are no concentrated, high noise areas. Only the sound of an occasional blast travels more than a mile or two.

The lines and forms of the mined land and spoil piles resemble the bluffs and breaks of surrounding un-mined land. The color and textures of the unearthed overburden and pits blend into the natural colors of the rocks and soils but do contrast with vegetation. The buildings and facilities also contrast with the surrounding rangeland but due to the un-concentrated construction pattern are like the scattered dwellings and outbuildings native to the area.

The recently created postmining landscape blends nicely with the existing terrain with regard to slope but the grasslands contrast with the shrublands and woodlands that are displaced. Initially, these grasslands are less diverse than the native vegetation; however, the gradual establishment of shrubs and native grasses used in the reclamation process and even trees will, in time, reduce the contrast with un-mined lands.

In summary, the aesthetic impacts of the mining complex are minor during mining and will not be significant after reclamation. The postmining landscape will have gentler topography, fewer rock outcrops and sharp breaks, and a different vegetal character. After several decades, however, the landscape and vegetation will blend in well with the surrounding un-mined lands (see photographs in Attachment 8). The resulting mosaic of subtly contrasting form and color, caused in part by the irregular shape of the original coalfields, will achieve a diverse and aesthetically pleasing visual aspect.

Cultural and Historic Resources. Information pertaining to cultural and historical sites and compliance with Federal laws aimed at protecting these resources may be found in Chapter 13.

Significant, Threatened, and Endangered Wildlife and Vegetation Species. Information regarding the location and condition of important habitats of selected indicator species, bald and golden eagles, threatened and endangered wildlife species, and critical habitats may be found in Chapters 9 and 10.

Air Quality. A discussion of air quality has been included in this document as Chapter 12.

Bond Riders

General-purpose reclamation performance bond riders that name PWCC as principal are contained in Attachment 10. Included are Surety Company Bond Numbers 259737, 348404, 4144114, 6197012, 9264222, 9264224, 9264225, and 9264241. Detailed reclamation liability cost estimates are presented in Chapter 24.

Proof of Publication

Proof of publication of notification of the filing of applications to transfer mining permits from Peabody Coal Company to PWCC is contained in Attachment 11. Also included are affidavits of publication for the 1995 and 2000 permit renewal applications.

Business Authorization

Certification by the State of Arizona authorizing PWCC to conduct business in Arizona is contained in Attachment 12.

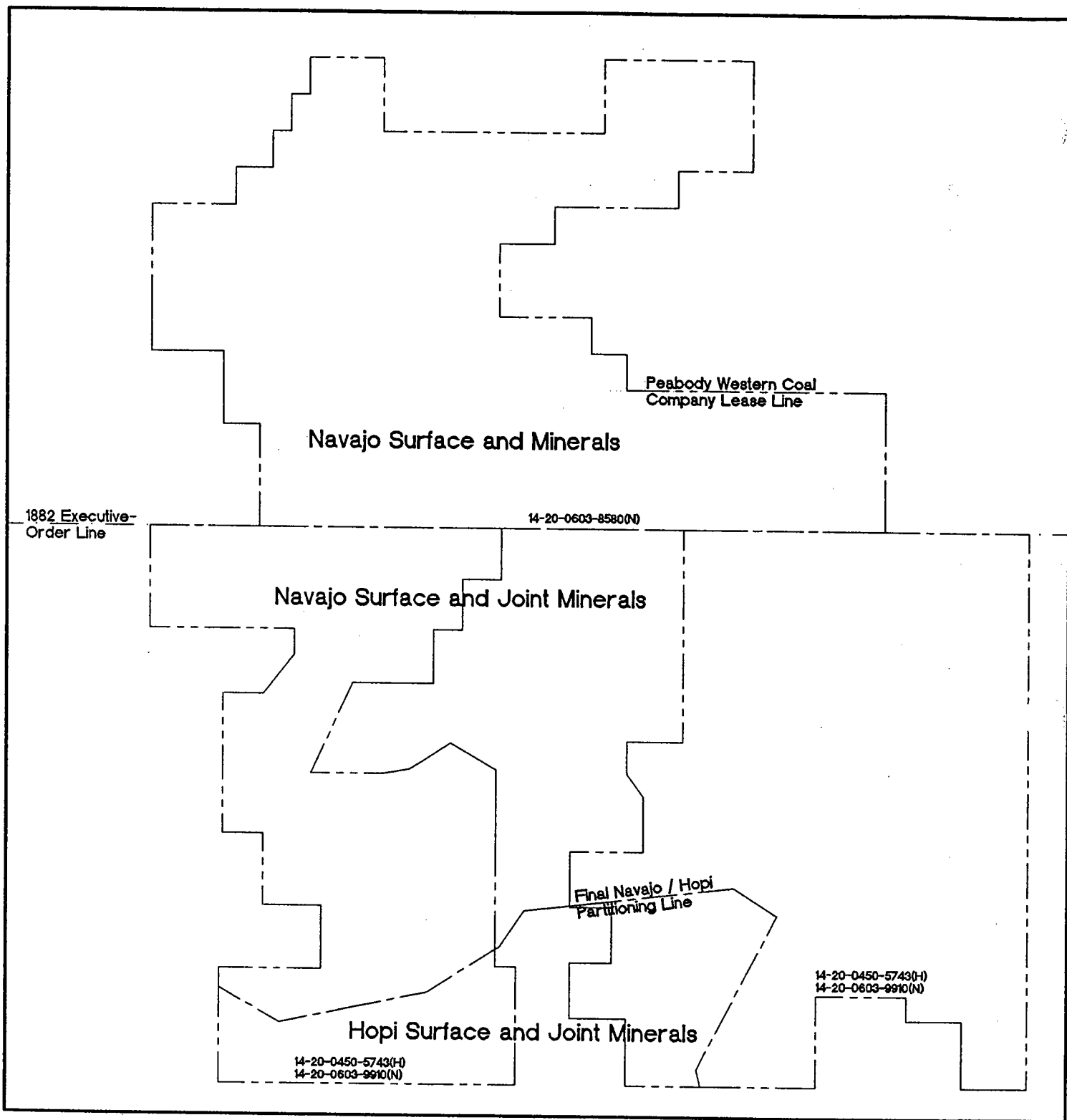


FIGURE 1

BLACK MESA LEASES
PEABODY WESTERN COAL COMPANY

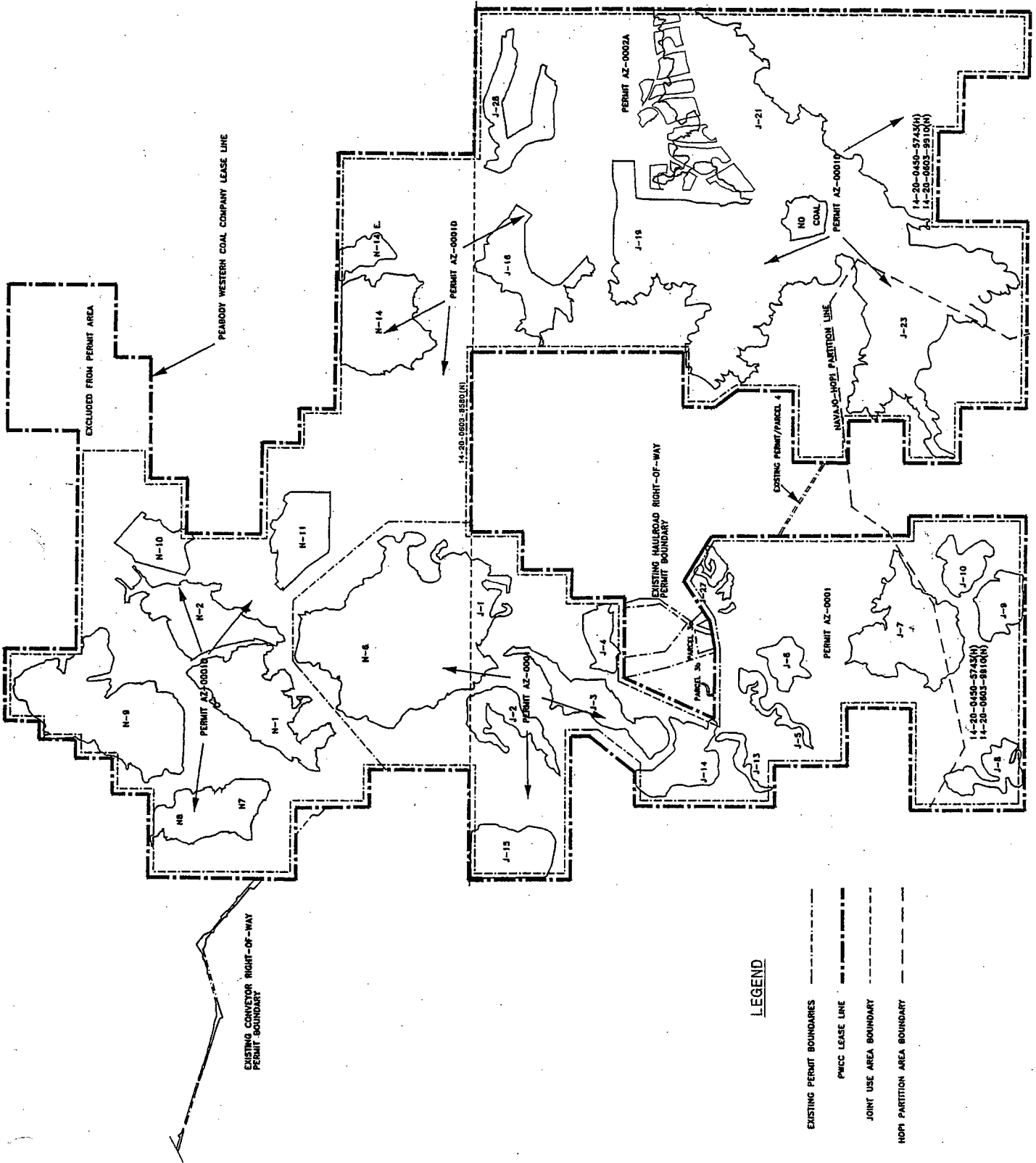


FIGURE 2
EXISTING PERMIT BOUNDARIES/BLACK MESA LEASES
PEABODY WESTERN COAL COMPANY

LEGEND

- EXISTING PERMIT BOUNDARIES
- PWCC LEASE LINE
- JOINT USE AREA BOUNDARY
- NHPA PARTITION AREA BOUNDARY

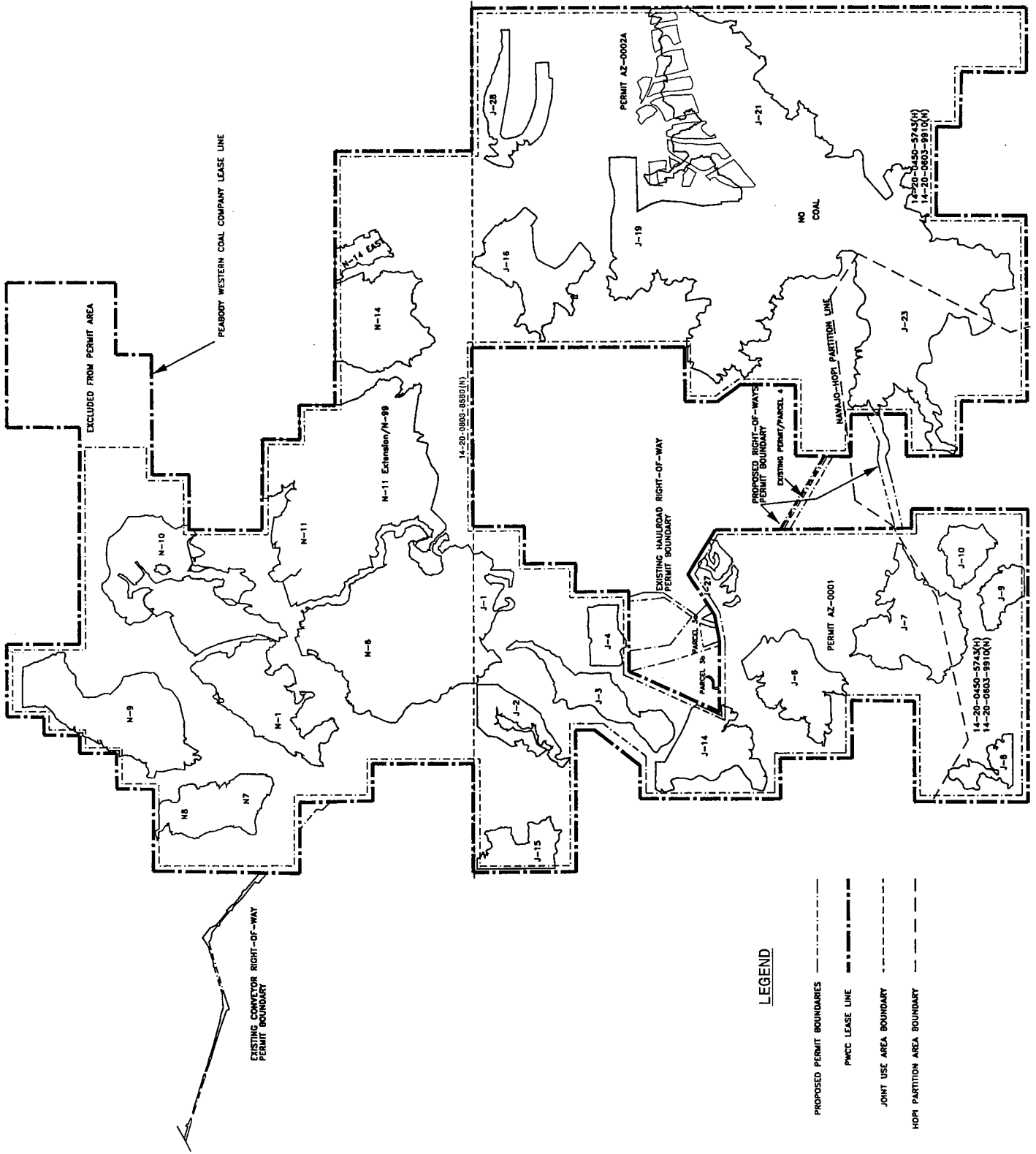


FIGURE 3
 PROPOSED PERMIT BOUNDARIES/BLACK MESA LEASES
 PEABODY WESTERN COAL COMPANY

TABLE 1
 Permit History
 Pre-SMCRA Mining and Reclamation Plans
 (U.S. Geological Survey)

<u>Mining Area(s)</u>	<u>Submittal Date</u>	<u>Approval Date</u>
J-3	02/16/70	03/25/70
J-27	04/01/70	04/21/70
J-1, N-6, N-5	06/20/72	07/13/72
N-1	01/16/73	01/03/74
N-7	10/10/73	07/16/74
N-2, N-10	10/16/73	07/16/74
J-13, J-14	10/18/73	07/16/74
J-5, J-6, J-11, J-12	01/22/74	07/16/74
J-7	05/12/75	07/21/75

Post-SMCRA Permit Activities

<u>Action</u>	<u>Date</u>
SMCRA Adopted	08/77
Interim Program	12/77
Mining and Reclamation Plan to USGS	09/79
N-7/8 Mining Plan Modification (USGS)	09/80
Leg 25, Overland Conveyor, Kayenta Mine Approved (OSM)	01/81
Mining and Reclamation Plan to OSM	01/81
Phase I Overland Conveyor and Preparation Facilities, Kayenta Mine Approved (OSM)	05/81
Interim Operating Plan (OSM)	06/81
Permit AZ-0001 (OSM)	01/82
Phase II Overland Conveyor and Preparation Facilities, Kayenta Mine Approved (OSM)	09/82
Permit AZ-0002 (OSM)	08/84
Permanent Program	09/84
Permit AZ-0002A (OSM)	12/84
Permanent Program Mining and Reclamation Plan to OSM	12/85
Permanent Program Permit AZ-0001C (OSM)	07/90
Permanent Program Permit AZ-0001D (OSM) Renewals	07/95, 07/00

ATTACHMENT 1
IDENTIFICATION OF INTERESTS
AND COMPLIANCE INFORMATION

ATTACHMENT 1

Identification of Interests and Compliance Information

Ownership and Control

Peabody Western Coal Company (PWCC) is owned by Peabody Coal Company (PCC), which in turn is owned by Interior Holdings Corporation (IHC). Peabody Holding Company, Inc. (PHCI) owns IHC. PHCI is owned by Peabody Energy Corporation (PEC). Ownership and control information for the applicant and operator, PWCC, pursuant to 30 CFR 778.11(c) and (e) is given in attached Exhibit A.

PEC, a Delaware corporation, owns directly and indirectly 46 coal related companies in the United States. The organizational chart for these companies is presented in Exhibit B.

Information on PEC and its related operating companies required by 30 CFR 778.9(a) is routinely provided to the Office of Surface Mining, Applicator Violator System (AVS) office by Mr. Ronald L. Cross, an employee of PHCI as described on the certificate in Exhibit C.

Compliance Information

Current, previous, and pending mining permits obtained by PWCC and its principals within the five-year period preceding January 7, 2004 pursuant to 30 CFR 778.12(a) and (b) are listed in Exhibit D. Pursuant to 30 CFR 778.12(c), PWCC has not owned or controlled any other surface coal mining operations within the five-year period preceding January 7, 2004.

Pursuant to 30 CFR 778.14(c), Exhibit E contains a list of Notices of Violations received by PWCC in connection with any surface coal mining and reclamation operations for the period January 7, 2001 to January 7, 2004. PWCC does not have any outstanding Notices of Violations for which the abatement period has not yet expired.

Pursuant to 30 CFR 778.14(a) and (b), PWCC has not had a State or Federal mining permit revoked nor forfeited a performance bond or similar security deposited in lieu of bond within the five-year period preceding January 7, 2004.

Resident Agent Identification Pursuant to 30 CFR 778.11(b)(2)

C.T. Corporation

P.O. Box 25089

Phoenix, AZ 85002

(602) 277-4792

Employer ID No. 51-0006522

AML Fee Payment Pursuant to 30 CFR 778.11(a)(2) and (b)(4)

The person responsible for submitting the Coal Reclamation Fee Report and for remitting the reclamation fee payment to OSM is Brent Stottlemyre, Treasurer, Peabody Western Coal Company, P. O. Box 650, Kayenta, Arizona, 86033, (928) 677-3201. The federal taxpayer identification and Employer ID No. is 86-0766626.

EXHIBIT A

PEABODY WESTERN COAL COMPANY,
DIRECTORS AND OFFICERS

Revised 11/21/03

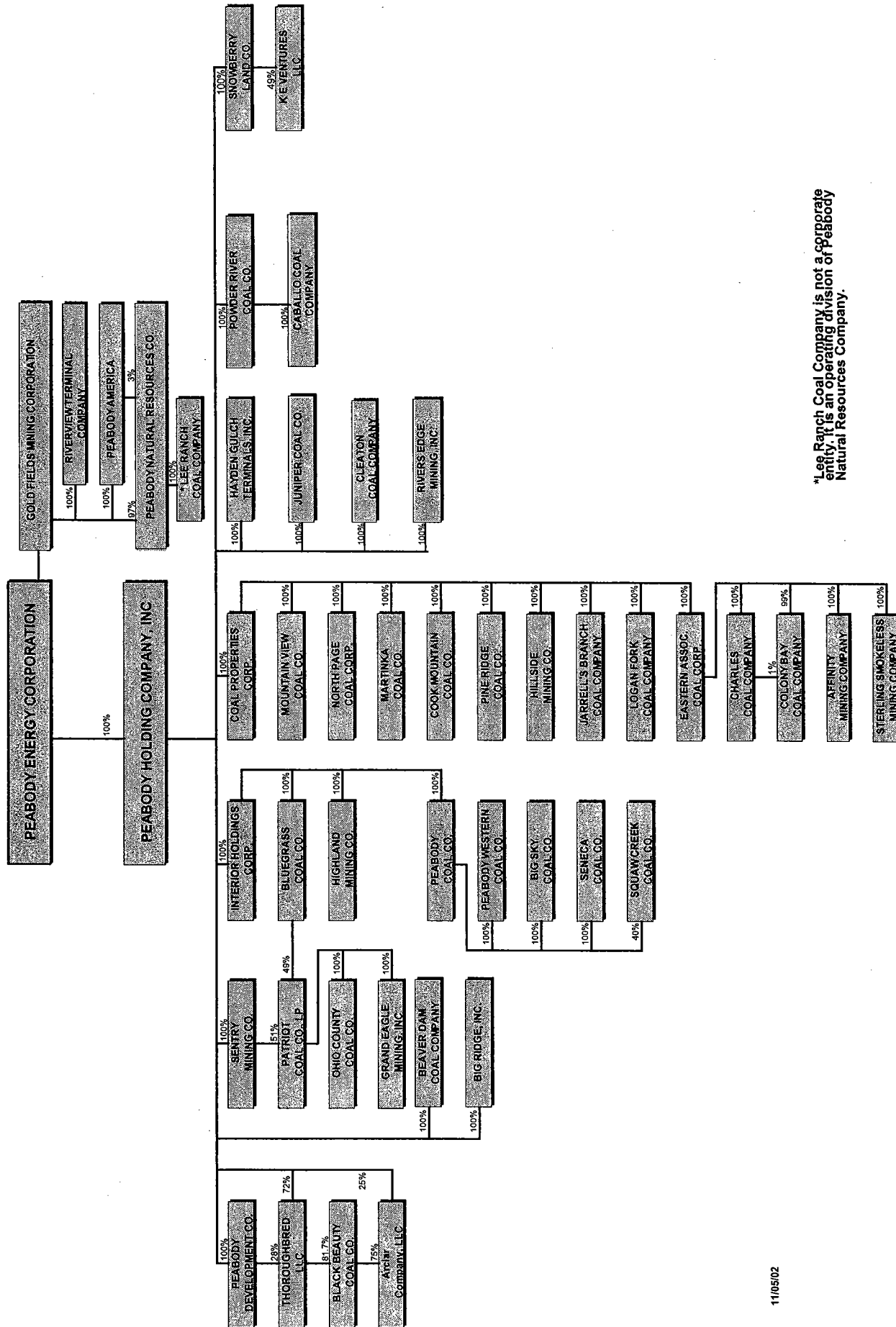
Peabody Western Coal Company
P. O. Box 650
Kayenta AZ 86033
Phone: 520-677-3201

Fed EIN: 86-0766626
Avs ID: 134706

AVS ID	Officer	Title	Begin Date	End Date
152211	Reilly, Robert L.	VICE PRESIDENT	08/28/2002	
152482	Stottlemire, L. Brent	TREASURER	08/28/2002	
152210	Hawkins, Walter L., Jr.	ASSISTANT TREASURER	01/25/2002	
100500	Klinger, Jeffery L.	ASSISTANT SECRETARY	08/27/2001	
149652	Wasik, John L.	PRESIDENT	07/10/2000	
149652	Wasik, John L.	DIRECTOR	07/10/2000	
108384	Schaab, Steven F.	VICE PRESIDENT	03/20/2000	
147403	Klingl, Joseph C.	VICE PRESIDENT	03/30/1999	
135754	Maher, Jeffrey A.	ASSISTANT TREASURER	08/10/1998	
105148	Sullivan, Edward L.	SECRETARY	06/24/1998	
084730	Peabody Coal Company	OWNER	01/04/1994	
152209	Bean, Joseph W.	ASSISTANT SECRETARY	03/14/2003	06/27/2003
100500	Klinger, Jeffery L.	ASSISTANT SECRETARY	07/28/2000	09/11/2000
100500	Klinger, Jeffery L.	VICE PRESIDENT	07/28/2000	09/11/2000
146053	Walcott, Roger B. Jr.	VICE PRESIDENT	07/28/2000	09/11/2000
102012	Sevem, James C.	VICE PRESIDENT	07/28/2000	08/27/2001
102012	Sevem, James C.	ASSISTANT SECRETARY	03/27/2000	08/27/2001
146914	Donohoe, J. E.	ASSISTANT TREASURER	04/14/1999	07/31/1999
120340	Bethel, Terry L.	ASSISTANT SECRETARY	08/10/1998	08/28/2002
140428	Whitt, Terry E.	VICE PRESIDENT	08/10/1998	02/22/1999
140956	Wagner, Douglas A.	PRESIDENT	08/10/1998	07/10/2000
120340	Bethel, Terry L.	TREASURER	08/10/1998	08/28/2002
132846	Broshears, William E.	VICE PRESIDENT	08/10/1998	07/31/1999
140956	Wagner, Douglas A.	DIRECTOR	07/30/1998	07/10/2000
146053	Walcott, Roger B. Jr.	DIRECTOR	07/30/1998	03/21/2001
107936	Whiting, Richard M.	DIRECTOR	07/30/1998	06/30/2003
142217	Almond, Bobbie S.	ASSISTANT TREASURER	05/05/1998	07/31/1998
105148	Sullivan, Edward L.	ASSISTANT SECRETARY	06/26/1997	06/24/1998
143962	Lewis, Matthew T.	ASSISTANT TREASURER	01/20/1997	07/31/1998
141927	Sirpless, Sheryl L.	ASSISTANT TREASURER	06/14/1996	01/20/1997
062330	Carson, W. Howard	PRESIDENT	01/04/1994	07/31/1998
062330	Carson, W. Howard	DIRECTOR	01/04/1994	07/31/1998
132378	Melvin, Gary L.	DIRECTOR	01/04/1994	07/31/1998
127951	Tilly, Charles W.	ASSISTANT SECRETARY	01/04/1994	07/31/1998
127951	Tilly, Charles W.	TREASURER	01/04/1994	07/31/1998
132378	Melvin, Gary L.	VICE PRESIDENT	01/04/1994	07/31/1998
127950	Crawford, G. Irene	SECRETARY	01/04/1994	06/24/1998

EXHIBIT B

ORGANIZATIONAL CHART FOR THE
PEC FAMILY OF COMPANIES



*Lee Ranch Coal Company is not a corporate entity, it is an operating division of Peabody Natural Resources Company.

EXHIBIT C

AVS CERTIFICATION DOCUMENT FOR THE
PEC FAMILY OF COMPANIES

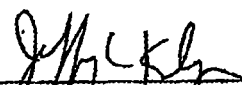
**Certificate of the Assistant Secretary of
Peabody Energy Corporation**

I, Jeffrey L. Klinger, Assistant Secretary of Peabody Energy Corporation, (formerly known as P&L Coal Holdings Corporation) do hereby certify the following:

Ronald L. Cross, an employee of Peabody Holding Company, Inc., is authorized to provide information on Peabody Energy Corporation and its related operating companies to the Office of Surface Mining, Applicant Violator System (AVS) office. This information consists of changes and updates to the AVS Ownership and Control database system which lists company officers and directors, and their beginning and ending dates of service.

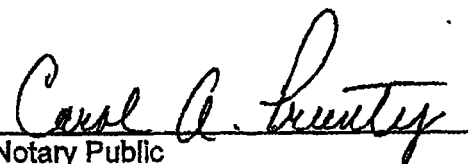
This authority pertains to the companies listed on the attached organization chart and this chart may change from time to time as companies are added and deleted.

Mr. Cross has access to Corporate Minute Books of the listed companies from which the necessary information can be obtained. Access to such information provides Mr. Cross with current information on the status of officers and directors of the listed companies.



Jeffrey L. Klinger
Assistant Secretary
Peabody Energy Corporation

Subscribed and sworn to before me this 12th day of April, 2002.



Notary Public

**CAROLA PRUNTY
NOTARY PUBLIC STATE OF MISSOURI
ST. LOUIS CITY
MY COMMISSION EXP. DEC. 22, 2002**

EXHIBIT D

CURRENT, PREVIOUS, AND PENDING
COAL MINING PERMITS

Peabody Holding Company, Inc.
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 Date: 02/03/2004

State: Arizona
Mine Name: BLACK MESA
Address: P O BOX 650
 KAYENTA, AZ, 86033

MSHA ID #: 02-01195
MSHA ID Date: 03/27/1973
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
AZ-0001	01/1995	10/2000	OSM	PCC	100% PHC
AZ-0001	10/2000	10/2005	OSM	PWCC	100% PHC

State: Arizona
Mine Name: KAYENTA
Address: P O BOX 650
 KAYENTA, AZ, 86033

MSHA ID #: 02-01195
MSHA ID Date: 03/27/1973
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
AZ-0001D	07/1995	07/2000	OSM	PWCC	100% PHC
AZ-0001D	07/2000	07/2005	OSM	PWCC	100% PHC

State: Colorado
Mine Name: HAYDEN GULCH LOADOUT
Address: 36600 RT COUNTY RD 27
 HAYDEN, CO, 81639

MSHA ID #: 05-03138
MSHA ID Date:
Employer ID #: 86-0719481

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
C-92-081	05/1998	05/2003	CODMG	HGTI	100% PHC
C-92-081	05/2003	05/2008	CODMG	HGTI	100% PHC

State: Colorado
Mine Name: SENECA II
Address: 36600 RT COUNTY RD 27
 HAYDEN, CO, 81639

MSHA ID #: 05-00304
MSHA ID Date: 11/30/1978
Employer ID #: 84-1273892

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
C-80-005	02/1997	02/2002	CODMG	SCC	100% PCC
C-80-005	02/2002	02/2007	CODMG	SCC	100% PHC

State: Colorado
Mine Name: SENECA II-W
Address: 36600 RT COUNTY RD
 HAYDEN, CO, 81639

MSHA ID #: 05-00304
MSHA ID Date: 11/30/1978
Employer ID #: 84-1273892

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
C-82-057	12/1995	12/2000	CODMG	SCC	100% PHC
C-82-057	12/2000	12/2005	CODMG	SCC	100% PHC

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Issued/Expired Mining Permits

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State: Colorado
Mine Name: YOAST MINE
Address: P.O. BOX DRAWER D
 HAYDEN, CO, 81639

MSHA ID #: 05-00304
MSHA ID Date: 11/30/1978
Employer ID #: 84-1273892

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
C-94-082	08/1995	08/2000	CODMG	SCC	100% PCC
C-94-082	08/2000	08/2005	CODMG	SCC	PHC

State: Illinois
Mine Name: BALDWIN
Address: RR 2, PO BOX 150
 MARISSA, IL, 62257

MSHA ID #: 11-01008
MSHA ID Date:
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
62/RENEWAL #2	05/1995	05/2000	ILDMM	PCC	100% PHC

State: Illinois
Mine Name: EAGLE #2 U/G
Address: PO BOX 527
 SHAWNEETOWN, IL, 62984

MSHA ID #: 11-00598
MSHA ID Date:
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
34/RENEWAL #2	08/1995	08/2000	ILDMM	PCC	100% PHC

State: Illinois
Mine Name: MARISSA
Address: RR 1, BOX 135D
 MARISSA, IL, 62257

MSHA ID #: 11-02441
MSHA ID Date:
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
48/RENEWAL #2	05/1995	05/2000	ILDMM	PCC	100% PHC

State: Illinois
Mine Name: MINE #10
Address: RT 104, PO BOX 158
 PAWNEE, IL, 62558

MSHA ID #: 11-00585
MSHA ID Date:
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
7/RENEWAL #2	02/1994	02/1999	ILDMM	PCC	100% PHC SOLD

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State: Illinois
Mine Name: RANDOLPH PREP
Address: RT 1, PO BOX 151
 MARISSA, IL, 62257

MSHA ID #: 11-01999
MSHA ID Date:
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
218/RENEWAL #1	01/1994	01/1999	ILDMM	PCC	100% PHC
63 RENEWAL #3	07/1998	07/2003	ILDMM	PCC	100% PHC

State: Illinois
Mine Name: RIVER KING #6
Address: RR 2, PO BOX 18
 MARISSA, IL, 62257

MSHA ID #: 11-00617
MSHA ID Date: 11/30/1978
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
59/RENEWAL #2	06/1995	06/2000	ILDMM	PCC	100% PHC

State: Illinois
Mine Name: ST. LIBORY
Address: RR 1, PO BOX 135D
 MARISSA, IL, 62257

MSHA ID #: 11-02441
MSHA ID Date:
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
61/RENEWAL #2	03/1995	03/2000	ILDMM	PCC	100% PHC

State: Illinois
Mine Name: TSM CENTRAL FACILITIES
Address: RR 2, PO BOX 85
 MARISSA, IL, 62257

MSHA ID #: 11-02656
MSHA ID Date:
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
87/RENEWAL #2	06/1994	06/1999	ILDMM	PCC	100% PHC

State: Illinois
Mine Name: WILL SCARLET
Address: RR 1
 STONEFORT, IL, 62987

MSHA ID #: 11-000631
MSHA ID Date:
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
114/RENEWAL #2	05/1994	05/1999	ILDMM	PCC	100% PHC

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State: Indiana
Mine Name: HAWTHORN
Address: RR 2
 CARLISLE, IN, 47838

MSHA ID #: 12-00326
MSHA ID Date: 03/15/1973
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-0001--9	05/1994	05/1999	INDNR	PCC	100% PHC
S-00266	09/1994	09/1999	INDNR	PCC	100% PHC
S-00268	08/1996	08/2001	INDNR	PCC	100% PHC
S-00332	01/1998	01/2003	INDNR	PCC	100% PHC
S-00329	07/1998	07/2003	INDNR	PCC	100% PHC

State: Indiana
Mine Name: LYNNVILLE
Address: PO BOX 7
 LYNNVILLE, IN, 47619

MSHA ID #: 12-00337
MSHA ID Date: 03/15/1973
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-00022	02/1994	02/1999	INDNR	PCC	100% PHC
S-00021	02/1994	02/1999	INDNR	PCC	100% PHC
S-00021-4	02/1994	02/1999	INDNR	PCC	100% PHC
S-00314-1	06/1995	06/2000	INDNR	PCC	100% PHC
S-00314	06/1995	06/2000	INDNR	PCC	100% PHC
S-00319	01/1996	01/2001	INDNR	PCC	100% PHC
S-00274	08/1997	08/2002	INDNR	PCC	100% PHC
S-00330	09/1997	09/2002	INDNR	PCC	100% PHC
S-00021-5	10/1997	10/1999	INDNR	PCC	100% PHC
S-00021-6	12/1997	02/1999	INDNR	PCC	100% PHC
S-00216/RENEWAL	03/1998	03/2003	INDNR	PCC	100% PHC
S-00221/RENEWAL	06/1998	06/2003	INDNR	PCC	100% PHC
S-00023/RENEWAL	07/1998	07/2003	INDNR	PCC	100% PHC
S-00020/RENEWAL	10/1998	10/2003	INDNR	PCC	100% PHC
S-00022/RENEWAL	03/1999	03/2004	INDNR	PCC	100% PHC
S-00021/RENEWAL	10/1999	10/2004	INDNR	PCC	100% PHC
S-00314	06/2000	06/2005	INDNR	PCC	100% PHC
S-00319	01/2001	01/2006	INDNR	PCC	100% PHC

State: Indiana
Mine Name: OAKLAND CITY
Address: COUNTY ROAD 550 SOUTH
 OAKLAND CITY, IN,

MSHA ID #: 12-02058
MSHA ID Date: 07/18/1989
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-00228	03/1995	03/2000	INDNR	PCC	100% PHC

State: Indiana
Mine Name: SQUAW CREEK
Address: PO BOX 111
 BOONVILLE, IN, 47601

MSHA ID #: 12-00336
MSHA ID Date: 03/15/1973
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-00008	03/1994	03/1999	INDNR	SQCC	40% PHC 60% ALCOA
S-00008-6	12/1997	03/1999	INDNR	SQCC	40% PHC 60% ALCOA

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State: Kentucky **MSHA ID #:** 15-09963
Mine Name: ALSTON **MSHA ID Date:** 11/30/1978
Address: PO BOX 148 **Employer ID #:** 13-2606920
 GRAHAM, KY, 42344

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
892-0016/RENEWAL	04/1994	04/1999	KYDSMRE	PCC	100% PHC
892-8001/RENEWAL	08/1994	08/1999	KYDSMRE	PCC	100% PHC
892-8001/RENEWAL	09/1999	08/2004	KYDSMRE	PCC	100% PHC

State: Kentucky **MSHA ID #:** NA
Mine Name: BIG RUN MINE **MSHA ID Date:**
Address: 19060 HIGHWAY 1078 SOUTH **Employer ID #:** 61-1250622
 HENDERSON, KY, 42420

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
892-5003	05/1996	05/2001	KYDSMRE	GEMI	PHC
892-5003/RENEWAL	05/2001	05/2006	KYDSMRE	GEMI	PHC

State: Kentucky **MSHA ID #:** 15-02709
Mine Name: CAMP #1 **MSHA ID Date:** 03/15/1973
Address: PO BOX 328 **Employer ID #:** 13-2606920
 MORGANFIELD, KY, 42437

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
KY-021/RENEWAL	07/1995	07/2000	OSM	PCC	100% PHC
913-5010	01/1996	01/2001	KYDSMRE	PCC	100% PHC
913-50011/RENEWAL	04/1999	07/2000	KYDSMRE	PCC	100% PHC
913-5011/RENEWAL	06/2000	07/2005	KYDSMRE	PCC	100% PHC
913-5010/RENEWAL	01/2001	01/2006	KYDSMRE	PCC	100% PHC

State: Kentucky **MSHA ID #:** 15-08357
Mine Name: CAMP #11 **MSHA ID Date:** 11/30/1978
Address: PO BOX 120 **Employer ID #:** 13-2606920
 MORGANFIELD, KY, 42437

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
KY-021/RENEWAL	07/1995	07/2000	OSM	PCC	100% PHC
913-5011/RENEWAL	04/1999	07/2000	KYDSMRE	PCC	100% PHC
913-5011/MJR#37	05/1999	07/2000	KYDSMRE	PCC	100% PHC
913-5011/RENEWAL	07/2000	07/2005	KYDSMRE	PCC	100% PHC
913-5011/MJR #38	01/2001	07/2005	KYDSMRE	PCC	100% PHC

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State: Kentucky
Mine Name: CENTER PREP PLANT
Address: PO BOX 148
 GRAHAM, KY, 42344

MSHA ID #: 15-06833
MSHA ID Date: 11/30/1978
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
892-5000/RENEWAL	08/1994	08/1999	KYDSMRE	PCC	100% PHC
892-5000/RENEWAL	07/1999	08/2004	KYDSMRE	PCC	100% PHC

State: Kentucky
Mine Name: FREEDOM MINE
Address: 19050 HIGHWAY 1078 SOUTH
 HENDERSON, KY, 42420

MSHA ID #: 15-17587
MSHA ID Date: 05/19/1995
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
851-0016	12/1994	08/1999	KYDSMRE	PCCL	100% PHC
851-0016/RENEWAL	08/1999	08/2004	KYDSMRE	PCCL	100% PHC

State: Kentucky
Mine Name: GIBRALTAR
Address: PO BOX 148
 GRAHAM, KY, 42344

MSHA ID #: 15-02065
MSHA ID Date: 08/01/1977
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
889-0007/RENEWAL	08/1994	08/1999	KYDSMRE	PCC	100% PHC
889-0032/RENEWAL	08/1995	08/2000	KYDSMRE	PCC	100% PHC
889-0032/AMDT #1	08/1998	08/2000	KYDSMRE	PCC	100% PHC
889-0102	03/1999	03/2004	KYDSMRE	PCC	100% PHC
889-0007/RENEWAL	08/1999	08/2004	KYDSMRE	PCC	100% PHC
889-0032/RENEWAL	08/2000	08/2005	KYDSMRE	PCC	100% PHC
889-0096	09/2001	01/2007	KYDSMRE	PPC	100% PHC

State: Kentucky
Mine Name: GRAHAM #3 U/G
Address: PO BOX 148
 GRAHAM, KY, 42344

MSHA ID #: 15-13283
MSHA ID Date: 12/29/1981
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
889-5002/RENEWAL	08/1994	08/1999	KYDSMRE	PCC	100% PHC
889-0004/MJR #1	01/1999	03/2001	KYDSMRE	PCC	100% PHC
889-5002/MJR #1	07/1999	08/1999	KYDSMRE	PCC	100% PHC

State: Kentucky
Mine Name: GRAND EAGLE PREPARATION
Address: 19060 HIGHWAY 1078 SOUTH
 HENDERSON, KY, 42420

MSHA ID #: 15-16231
MSHA ID Date: 05/19/1995
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
851-0014	05/1997	05/2002	KYDSMRE	PCCL	100% PHC
851-0014/RENEWAL	05/2002	05/2007	KYDSMRE	PCCL	100% PHC

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State: Kentucky
Mine Name: HIGHLAND MINE
Address: PO BOX 567
 MORGANFIELD, KY, 42437

MSHA ID #: 15-02709
MSHA ID Date: 03/15/1973
Employer ID #: 43-1869675

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
913-5011/RENEWAL	06/2000	06/2005	KYDSMRE	PCC	PHC
913-5012	03/2001	03/2006	KYDSMRE	HMC	PHC
913-8001	10/2001	10/2006	KYDSMRE	HMC	PHC

State: Kentucky
Mine Name: KEN SURFACE
Address: PO BOX 37
 ROCKPORT, KY, 42369

MSHA ID #: 15-02077
MSHA ID Date: 11/30/1978
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
892-8000/RENEWAL	09/1994	08/1999	KYDSMRE	PCC	100% PHC
892-0055/RENEWAL	04/1996	04/2001	KYDSMRE	PCC	100% PHC
892-8000/RENEWAL	07/1999	08/2004	KYDSMRE	PCC	100% PHC
892-0055/MJR #7	07/2000	04/2001	KYDSMRE	PCC	100% PHC

State: Kentucky
Mine Name: MARTWICK U/G
Address: PO BOX 656
 CENTRAL CITY, KY, 42330

MSHA ID #: 15-14074
MSHA ID Date: 02/27/1984
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
889-5003/RENEWAL	08/1994	06/1999	KYDSMRE	PCC	100% PHC
889-5005/RENEWAL	12/1994	12/1999	KYDSMRE	PCC	100% PHC
889-5003/RENEWAL	05/1999	06/2004	KYDSMRE	PCC	100% PHC

State: Kentucky
Mine Name: MOORMAN
Address: PO BOX 148
 GRAHAM, KY, 42344

MSHA ID #: 15-10736
MSHA ID Date: 11/30/1978
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
889-0010/RENEWAL	02/1994	01/1999	KYDSMRE	PCC	100% PHC
889-0089	12/1994	12/1999	KYDSMRE	PCC	100% PHC

State: Kentucky
Mine Name: PARKWAY UG
Address: PO BOX 148
 GRAHAM, KY, 42444

MSHA ID #: 15-13637
MSHA ID Date: 08/18/1982
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
889-5008/RENEWAL	08/1994	06/1999	KYDSMRE	PCC	100% PHC
889-5008/RENEWAL	06/1999	06/2004	KYDSMRE	PCC	100% PHC

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State: Kentucky
Mine Name: PATRIOT MINE
Address: 19060 HIGHWAY 1078 SOUTH
 HENDERSON, KY, 42420

MSHA ID #: 15-16231
MSHA ID Date: 05/19/1995
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
851-0018	03/1996	03/2001	KYDSMRE	PCCL	100% PHC
851-0017	05/1996	05/2001	KYDSMRE	PCCL	100% PHC
851-0032	11/1998	11/2003	KYDSMRE	PCCL	100% PHC
851-0031	03/1999	03/2004	KYDSMRE	PCCL	100% PHC
851-7002/RENEWAL	02/2000	02/2005	KYDSMRE	PCCL	100% PHC
851-0018/RENEWAL	03/2000	03/2005	KYDSMRE	PCCL	100% PHC
851-7005	09/2002	09/2007	KYDSMRE	PCCL	100% PHC
851-0033/RENEWAL	02/2003	02/2008	KYDSMRE	PCCL	100% PHC

State: Kentucky
Mine Name: RIVER QUEEN SURFACE
Address: PO BOX 148
 GRAHAM, KY, 42344

MSHA ID #: 15-03987
MSHA ID Date: 03/15/1973
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
889-8000/RENEWAL	09/1994	09/1999	KYDSMRE	PCC	100% PHC
889-0029/RENEWAL	12/1994	12/1999	KYDSMRE	PCC	100% PHC
889-8000/RENEWAL	07/1999	08/2004	KYDSMRE	PCC	100% PHC

State: Kentucky
Mine Name: RIVERVIEW (MIDWAY)
Address: PO BOX 148
 GRAHAM, KY, 42444

MSHA ID #: 15-02076
MSHA ID Date: 03/15/1973
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
492-0038/RENEWAL	08/1994	07/1999	KYDSMRE	PCC	100% PHC
492-0038/RENEWAL	06/1999	07/2004	KYDSMRE	PCC	100% PHC

State: Kentucky
Mine Name: STAR NORTH U/G
Address: PO BOX 148
 GRAHAM, KY, 42344

MSHA ID #: 15-03161
MSHA ID Date: 11/30/1978
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
889-5001/MJR #5	02/1994	05/2000	KYDSMRE	PCC	100% PHC
889-5002/RENEWAL	08/1994	08/1999	KYDSMRE	PCC	100% PHC

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State: Kentucky
Mine Name: WALTON CREEK U/G
Address: PO BOX 148
 GRAHAM, KY, 42344

MSHA ID #: 15-11331
MSHA ID Date: 11/30/1978
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
892-5001/RENEWAL	08/1994	05/1999	KYDSMRE	PCC	100% PHC
892-5001/RENEWAL	06/1999	05/2004	KYDSMRE	PCC	100% PHC

State: Montana
Mine Name: BIG SKY
Address: PO BOX 97
 COLSTRIP, MT, 59323

MSHA ID #: 24-00108
MSHA ID Date: 03/27/1973
Employer ID #: 13-2606920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
83004CR RENEWAL	07/1995	11/1999	MDEQ	BSCC	100% PCC
88004B	11/1998	11/2003	MDEQ	BSCC	100% PCC
83004CR	11/1999	11/2004	MDEQ	BSCC	100% PCC

State: Pennsylvania
Mine Name: DELMONT
Address: P. O. BOX 1233
 CHARLESTON, WV, PA, 25312

MSHA ID #: 1211PA 20120-03
MSHA ID Date:
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
500015	04/1995	04/2000	PADEP	EACC	100% PHC

State: West Virginia
Mine Name: BIG MOUNTAIN #1 SURFACE
Address: PO BOX 104
 PRENTER, WV, 25163

MSHA ID #: 46-02512
MSHA ID Date: 02/23/1973
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-6013-89	12/1994	12/1999	WVDEP	PICC	100% PHC
O-28-82	07/1995	06/2002	WVDEP	PICC	100% PHC
H-8	07/1995	04/2003	WVDEP	PICC	100% PHC
S-5030-95	06/1996	06/2001	WVDEP	PICC	100% PHC
H-6	08/1998	08/2003	WVDEP	PICC	100% PHC
S-6013-89	12/1999	12/2004	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: BIG MOUNTAIN #16
Address: PO BOX 104
 PRENTER, WV, 25163

MSHA ID #: 46-07908
MSHA ID Date: 07/18/1990
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5053-91	07/1995	02/1999	WVDEP	PICC	100% PHC
U-5053-91	02/1999	02/2004	WVDEP	PICC	100% PHC

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State: West Virginia
Mine Name: BIG MOUNTAIN PREP
Address: PO BOX 104
 PRENTER, WV, 25163

MSHA ID #: 46-03143
MSHA ID Date: 03/17/1973
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-14-83	01/1998	01/2003	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: BIG MOUNTAIN REFUSE
Address: PO BOX 104
 PRENTER, WV, 25163

MSHA ID #: 1211WV40020-1
MSHA ID Date: 01/22/1976
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-69-83	05/1998	05/2003	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: BLACK ROSE
Address: PO BOX 57
 CABIN CREEK, WV, 25035

MSHA ID #: 46-06489
MSHA ID Date: 02/26/1982
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
D-99-82	08/1997	08/2002	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: BUFFALO CREEK 1P
Address: BARRETT, WV, 25013

MSHA ID #: 46-07047
MSHA ID Date: 12/24/1985
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5013-86	06/1996	06/2001	WVDEP	EACC	100% PHC
U-5013-86	06/2001	06/2006	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: CAMPBELL CREEK 12
Address: 500 LEE STEET
 CHARLESTON, WV, 25301

MSHA ID #: 46-08460
MSHA ID Date: 12/12/1994
Employer ID #: 25-112-5516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-4011-94	09/1994	09/1999	WVDEP	EACC	100% PHC
U-4011-94	09/1999	09/2004	WVDEP	EACC	100% PHC

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State: West Virginia
Mine Name: CAMPBELL CREEK 13
Address: 500 LEE STREET
 CHARLESTON, WV, 25301

MSHA ID #: 46-01270
MSHA ID Date: 12/26/1973
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-4017-90	09/1995	09/2000	WVDEP	EACC	100% PHC
U-4017-90	09/2000	09/2005	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: CAMPBELL CREEK 2P
Address: BARRETT, WV, 25013

MSHA ID #: 46-06291
MSHA ID Date: 12/23/1982
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-4020-90	06/1996	06/2001	WVDEP	EACC	100% PHC
UO-617	09/1997	09/2002	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: CHELYAN DOCK
Address: PO BOX 57
 CABIN CREEK, WV, 25035

MSHA ID #: 46-06956
MSHA ID Date: 06/27/1985
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-49-85	10/1995	10/2000	WVDEP	MVCC	100% PHC
O-49-85	10/2000	10/2005	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: CHELYAN PREP. PLANT
Address: P. O. BOX 57
 CABIN CREEK, WV, 25035

MSHA ID #: 46-04718
MSHA ID Date: 08/01/1977
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
P-646	07/1997	07/2002	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: CHELYAN REFUSE
Address: P. O. BOX 57
 CABIN CREEK, WV, 25035

MSHA ID #: 1211WV40241-01
MSHA ID Date: 04/28/1995
Employer ID #: 25-147-4206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-3006-95	09/1997	09/2002	WVDEP	MVCC	100% PHC

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State: West Virginia
Mine Name: COLONY BAY
Address:
 BARRETT, WV, 25013

MSHA ID #: 46-06272
MSHA ID Date: 12/16/1980
Employer ID #: 55-0604613

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-12-84	02/1994	02/1999	WVDEP	CBCC	100% PHC
S-53-85	06/1995	06/2000	WVDEP	EACC	100% PHC
U-71-85	10/1995	10/2000	WVDEP	CBCC	100% PHC
S-5009-89	11/1995	11/2000	WVDEP	CBCC	100% PHC
U-5018-86	02/1996	02/2001	WVDEP	EACC	100% PHC
S-5022-94	11/1996	11/2001	WVDEP	CBCC	100% PHC
H-224	07/1997	07/2002	WVDEP	CBCC	100% PHC
H-534	09/1997	09/2002	WVDEP	EACC	100% PHC
S-7-81	09/1997	09/2002	WVDEP	CBCC	100% PHC
S-15-81	09/1997	09/2002	WVDEP	CBCC	100% PHC
87-80	09/1997	09/2002	WVDEP	EACC	100% PHC
U-71-85	10/2000	10/2005	WVDEP	CBCC	100% PHC

State: West Virginia
Mine Name: COOK MOUNTAIN SURFACE
Address: 500 LEE STREET
 CHARLESTON, WV, 25301

MSHA ID #: PENDING
MSHA ID Date:
Employer ID #: 55-073-2291

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-5002-95	04/1997	04/2002	WVDEP	CMCC	100% PHC
S-5015-94	04/1997	04/2002	WVDEP	CMCC	100% PHC

State: West Virginia
Mine Name: CUT 21
Address: PO BOX 100
 CABIN CREEK, WV, 25035

MSHA ID #: 46-02408
MSHA ID Date: 04/20/1976
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
268-76	04/1994	04/1999	WVDEP	MVCC	100% PHC
218-75	09/1995	09/2000	WVDEP	MVCC	100% PHC
H-104	07/1998	07/2003	WVDEP	MVCC	100% PHC
H-389	10/1998	10/2003	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: CUT 22
Address: PO BOX 100
 CABIN CREEK, WV, 25035

MSHA ID #: 46-06511
MSHA ID Date: 08/21/1982
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-30-82	02/1997	01/2000	WVDEP	MVCC	100% PHC
H-66	05/1998	05/2003	WVDEP	MVCC	100% PHC

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State: West Virginia
Mine Name: CUT 24
Address: PO BOX 100
 CABIN CREEK, WV, 25035

MSHA ID #: 46-02407
MSHA ID Date: 03/21/1973
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-103-80	07/1997	07/2002	WVDEP	MVCC	100% PHC
H-245	05/1998	05/2003	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: CUT 26
Address: PO BOX 100
 CABIN CREEK, WV, 25035

MSHA ID #: 46-06447
MSHA ID Date: 11/18/1981
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-21-82	05/1997	05/2002	WVDEP	MVCC	100% PHC
O-21-82	05/2002	05/2007	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: CUT 28
Address: PO BOX 100
 CABIN CREEK, WV, 25035

MSHA ID #: 46-06622
MSHA ID Date: 01/18/1983
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-31-83	04/1998	01/1999	WVDEP	MVCC	100% PHC
197-77	08/1998	01/1999	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: CUT 30
Address: PO BOX 100
 CABIN CREEK, WV, 25305

MSHA ID #: 46-02407
MSHA ID Date: 03/21/1973
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-6015-86	09/1997	09/2002	WVDEP	MVCC	100% PHC
S-6015-86	09/2002	09/2007	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: EAGLE 2P
Address: BARRETT, WV, 25013

MSHA ID #: 46-06618
MSHA ID Date: 01/05/1983
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
D-84-82	07/1997	07/2002	WVDEP	EACC	100% PHC

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State: West Virginia
Mine Name: EAGLE 4
Address: 500 LEE STREET
 CHARLESTON, WV, 25301

MSHA ID #: 46-08509
MSHA ID Date: 07/10/1995
Employer ID #: 25-112-5516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-4003-94	05/1994	05/1999	WVDEP	EACC	100% PHC
U-4003-94	05/1999	05/2004	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: FEDERAL #2
Address: RT 1 BOX 144
 FAIRVIEW, WV, 26570

MSHA ID #: 46-01456
MSHA ID Date: 08/16/1971
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-19-83	02/1998	02/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: FEDERAL #2 PREP PLANT
Address: RT 1 BOX 144
 FAIRVIEW, WV, 26570

MSHA ID #: 46-01456
MSHA ID Date: 08/16/1971
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-1010-86	05/1996	05/2001	WVDEP	EACC	100% PHC
O-124-83	09/1998	09/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: FEDERAL #2 REFUSE AREA
Address: RT 1 BOX 144
 FAIRVIEW, WV, 26570

MSHA ID #: 1211WV30066-01
MSHA ID Date: 03/27/1986
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-23-83	02/1998	02/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: HARRIS #1
Address: RT 85
 BALD KNOB, WV, 25010

MSHA ID #: 46-01271
MSHA ID Date: 02/22/1973
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-20-83	02/1998	02/2003	WVDEP	EACC	100% PHC

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State: West Virginia
Mine Name: HARRIS #2
Address: RT 85
 BALB KNOB, WV, 25010

MSHA ID #: 46-01270
MSHA ID Date: 12/22/1973
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-149-82	12/1997	12/2002	WVDEP	EACC	100% PHC
U-149-82	12/2002	12/2007	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: HARRIS PREP PLANT
Address: RT 85
 BALD KNOB, WV, 25010

MSHA ID #: 46-03135
MSHA ID Date: 02/22/1973
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-72-82	12/1997	12/2002	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: HARRIS REFUSE AREA
Address: RT 85
 BALD KNOB, WV, 25010

MSHA ID #: 1211WV40411-01
MSHA ID Date: 11/06/1975
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-13-83	01/1998	01/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: HERNSHAW 12/13
Address: 500 LEE STREET
 CHARLESTON, WV, 25301

MSHA ID #: 46-07479
MSHA ID Date: 03/18/1988
Employer ID #: 25-112-5516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5035-93	01/1995	01/2000	WVDEP	EACC	100% PHC
U-5069-86	10/1996	10/2001	WVDEP	EACC	100% PHC
U-5035-93	01/2000	01/2005	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: HERNSHAW 14P
Address: BARRETT, WV, 25013

MSHA ID #: 46-07203
MSHA ID Date: 10/01/1986
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-73-85	11/1995	11/2000	WVDEP	EACC	100% PHC

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State: West Virginia
Mine Name: HERNSHAW 1P
Address: BARRETT, WV, 25013

MSHA ID #: 46-06132
MSHA ID Date: 04/15/1980
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
UO-515	10/1997	10/2002	WVDEP	EACC	100% PHC
UO-515	10/2002	10/2007	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: HOPKINS FORK SURFACE
Address: 500 LEE STREET
 CHARLESTON, WV, 25301

MSHA ID #: PENDING
MSHA ID Date:
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-5024-96	02/1997	02/2002	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: JASPER WORKMAN BRANCH STOCKPILE
Address: BARRETT, WV, 25013

MSHA ID #: 46-06893
MSHA ID Date: 02/25/1985
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-8-82	01/1998	01/2003	WVDEP	EACC	100% PHC
O-8-82	01/2003	01/2008	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: KEYSTONE #4
Address: BARRETT, WV, 25013

MSHA ID #: 46-01498
MSHA ID Date: 02/22/1973
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-1-83	01/1998	12/1999	WVDEP	EACC	100% PHC
O-2-83	01/1998	12/1999	WVDEP	EACC	100% PHC
U-24-83	02/1998	12/1999	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: KEYSTONE #5
Address: BARRETT, WV, 25013

MSHA ID #: 46-02067
MSHA ID Date: 02/22/1973
Employer ID #: 25-1207512

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-152-82	12/1997	12/2002	WVDEP	AMC	100% PHC

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State: West Virginia
Mine Name: KEYSTONE #5 PREP PLANT
Address: BARRETT, WV, 25013

MSHA ID #: 46-05677
MSHA ID Date: 11/15/1977
Employer ID #: 25-1207512

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-135-83	10/1998	10/2003	WVDEP	AMC	100% PHC

State: West Virginia
Mine Name: KEYSTONE #5 REFUSE AREA
Address: BARRETT, WV, 25013

MSHA ID #: 1211WV40059-01
MSHA ID Date: 08/04/1976
Employer ID #: 25-1207512

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-73-82	12/1997	12/2002	WVDEP	AMC	100% PHC

State: West Virginia
Mine Name: KOPPERSTON #1
Address: GENERAL DELIVERY
 KOPPERSTON, WV, 24854

MSHA ID #: 46-01537
MSHA ID Date: 02/22/1973
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-74-82	12/1997	12/2002	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: KOPPERSTON PREP PLANT
Address: GENERAL DELIVERY
 KOPPERSTON, WV, 24854

MSHA ID #: 46-03157
MSHA ID Date: 02/22/1973
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-81-82	12/1997	12/2002	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: KOPPERSTON REFUSE
Address: GENERAL DELIVERY
 KOPPERSTON, WV, 24854

MSHA ID #: 1211WV40049-01
MSHA ID Date: 12/02/1981
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-19-83	01/1998	01/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: LEWISTON MINE
Address: 50 SCHOOL HOUSE ROAD
 SETH, WV, 25181

MSHA ID #: 46-08855
MSHA ID Date: 10/12/2000
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5010-00	06/2000	06/2005	WVDEP	PICC	100% PHC

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State: West Virginia
Mine Name: LIGHTFOOT #1
Address: PO BOX 29
 WHARTON, WV, 25208

MSHA ID #: 46-04332
MSHA ID Date: 09/03/1974
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-144-82	12/1997	12/2002	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: LIGHTFOOT #2
Address: PO BOX 29
 WHARTON, WV, 25208

MSHA ID #: 46-04955
MSHA ID Date: 11/19/1975
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-150-82	12/1997	12/2002	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: PERRY & HYLTON DE'LYN MINE
Address: BARRETT, WV, 25013

MSHA ID #: 46-07162
MSHA ID Date:
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5070-86	09/1996	09/2001	WVDEP	EACC	100% PHC
U-5070-86	09/2001	09/2006	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: POWELTON
Address: P.O. BOX 29
 WHARTON, WV, 25208

MSHA ID #: 46-07162
MSHA ID Date:
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5009-98	05/1999	05/2004	WVDEP	EACC	100% PHC
U-5008-98	05/1999	05/2004	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: RIVERS EDGE
Address: P.O. BOX 258
 CHARLESTON, WV, 25329

MSHA ID #: 46-08890
MSHA ID Date: 04/06/2001
Employer ID #: 43-1898371

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5027-00	04/2001	04/2006	WVDEP	EACC	100% PHC

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State: West Virginia
Mine Name: ROBIN HOOD / WINIFREDE B
Address: TWILIGHT, WV, 25204

MSHA ID #: NONE
MSHA ID Date:
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5048-87	12/1997	12/2002	WVDEP	PICC	100% PHC
U-5048-87	12/2002	12/2007	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: ROBIN HOOD NO. 8 PREP
Address: TWILIGHT, WV, 25204

MSHA ID #: 46-03137
MSHA ID Date: 03/21/1973
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-76-82	12/1997	12/2002	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: ROBIN HOOD NO. 8 REFUSE
Address: TWILIGHT, WV, 25204

MSHA ID #: 1211WV40043-1
MSHA ID Date: 01/15/1976
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-76-82	12/1997	12/2002	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: ROBINHOOD NO. 9
Address: TWILIGHT, WV, 25204

MSHA ID #: 46-02143
MSHA ID Date: 03/21/1973
Employer ID #: 13-260-6920

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-9-83	01/1998	01/2003	WVDEP	PICC	100% PHC
U-6010-88	05/1998	05/2003	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: ROCKLICK PREP. & REFUSE AREA
Address: 500 LEE STREET
 CHARLESTON, WV, 25301

MSHA ID #: 46-06448
MSHA ID Date: 11/18/1981
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-5020-86	02/1996	02/2001	WVDEP	EACC	100% PHC
O-5006-86	04/1996	04/2001	WVDEP	EACC	100% PHC
O-5091-86	12/1996	12/2001	WVDEP	EACC	100% PHC
S-5020-86	02/2001	02/2006	WVDEP	EACC	100% PHC

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State: West Virginia
Mine Name: TYGART RIVER MINE
Address: RT 4
 FAIRMONT, WV, 26554

MSHA ID #: 46-03805
MSHA ID Date: 03/14/1974
Employer ID #: 55-0716084

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-1001-87	04/1997	04/2002	WVDEP	MCC	100% PHC
R-747	08/1997	08/2002	WVDEP	MCC	100% PHC
EM-125	08/1997	08/2002	WVDEP	MCC	100% PHC
R-746	08/1997	08/2002	WVDEP	MCC	100% PHC
O-1001-87	04/2002	04/2007	WVDEP	MCC	100% PHC
EM-125	08/2002	08/2007	WVDEP	MCC	100% PHC

State: West Virginia
Mine Name: WELLS PREP PLANT
Address: PO BOX 29
 WHARTON, WV, 25208

MSHA ID #: 46-05295
MSHA ID Date: 09/26/1976
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-165-83	11/1998	11/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: WELLS REFUSE
Address: PO BOX 20
 WHARTON, WV, 25208

MSHA ID #: 1211WV40467-02
MSHA ID Date: 07/21/1977
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-4-83	01/1998	01/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: WHARTON #2
Address: PO BOX 29
 WHARTON, WV, 25208

MSHA ID #: 46-01809
MSHA ID Date: 08/28/1972
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-89-83	05/1998	05/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: WHARTON #4
Address: PO BOX 29
 WHARTON, WV, 25208

MSHA ID #: 46-01272
MSHA ID Date: 03/19/1973
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-143-82	12/1997	12/2002	WVDEP	EACC	100% PHC

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State: West Virginia
Mine Name: WHARTON PREP/REFUSE
Address: BARRETT, WV, 25013

MSHA ID #: 46-03136
MSHA ID Date: 04/30/1975
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-20-83	01/1998	01/2003	WVDEP	EACC	100% PHC
O-6-83	01/1998	01/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: WHITE BRANCH DEEP MINE
Address: P.O. BOX 1233
 CHARLESTON, WV, 25324

MSHA ID #: 46-08827
MSHA ID Date: 03/23/2000
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5037-97	03/1998	03/2003	WVDEP	PICC	100% PHC
U-5002-00	05/2000	05/2005	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: WHITE OAK PREP
Address: BOX 100
 CABIN CREEK, WV, 25035

MSHA ID #: 46-03175
MSHA ID Date: 08/01/1977
Employer ID #: 25-1474206

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
H-379	07/1997	07/2002	WVDEP	MVCC	100% PHC
O-16-83	01/1998	01/2003	WVDEP	MVCC	100% PHC
H-15	05/1998	05/2003	WVDEP	MVCC	100% PHC
D-587	05/1998	05/2003	WVDEP	MVCC	100% PHC
H-424	05/1998	05/2003	WVDEP	MVCC	100% PHC
H-370	05/1998	05/2003	WVDEP	MVCC	100% PHC
O-16-83	01/2003	01/2008	WVDEP	MVCC	100% PHC

State: West Virginia
Mine Name: WILLIAMS MOUNTAIN SURFACE
Address: P.O. 1233
 CHARLESTON, WV, 25301

MSHA ID #: 46-08548
MSHA ID Date: 03/01/1996
Employer ID #: 55-0737187

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
S-5029-95	03/1996	03/2001	WVDEP	PICC	100% PHC

State: West Virginia
Mine Name: WINIFREDE 13
Address: 500 LEE STREET
 CHARLESTON, WV, 25301

MSHA ID #: 46-08407
MSHA ID Date: 05/18/1994
Employer ID #: 25-112-5516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5006-93	03/1994	03/1999	WVDEP	EACC	100% PHC
U-5006-93	03/1999	03/2004	WVDEP	EACC	100% PHC

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State: West Virginia
Mine Name: WINIFREDE 13A
Address: 500 LEE STREET
 CHARLESTON, WV, 25301

MSHA ID #: 46-08650
MSHA ID Date: 07/21/1997
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5004-97	05/1997	05/2002	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: WINIFREDE 14 & 15
Address: P. O. BOX 1233
 CHARLESTON, WV, 25324

MSHA ID #: 46-08688
MSHA ID Date: 01/14/1998
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
U-5007-93	03/1994	03/1999	WVDEP	EACC	100% PHC
U-5018-96	09/1997	09/2002	WVDEP	EACC	100% PHC
U-5007-93	03/1999	03/2004	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: WINIFREDE 2P
Address: BARRETT, WV, 25013

MSHA ID #: 46-06171
MSHA ID Date: 06/26/1980
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
H-453	01/1998	01/2003	WVDEP	EACC	100% PHC

State: West Virginia
Mine Name: WINIFREDE 5P
Address: BARRETT, WV, 25013

MSHA ID #: 46-06391
MSHA ID Date: 09/18/1981
Employer ID #: 25-1125516

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
O-62-82	11/1997	11/2002	WVDEP	EACC	100% PHC
H-607	01/1998	01/2003	WVDEP	EACC	100% PHC

State: Wyoming
Mine Name: CABALLO MINE
Address: CALLER BOX 3041
 GILLETTE, WY, 82717

MSHA ID #: 48-01034
MSHA ID Date:
Employer ID #:

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
433-T4	07/1998	07/2003	WYDEQ	CCC	100% PHC

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State: Wyoming
Mine Name: N ANTELOPE/ROCHELLE COMPLEX
Address: CALLER BOX 3034
 GILLETTE, WY, 82717

MSHA ID #: 48-01353
MSHA ID Date: 04/01/1998
Employer ID #: 48-01353

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
569-T5	12/1999	12/2004	WYDEQ	PRCC	100% PHC

State: Wyoming
Mine Name: NORTH ANTELOPE
Address: CALLER BOX 3032
 GILLETTE, WY, 62717

MSHA ID #: 48-01375
MSHA ID Date:
Employer ID #: 43-1134599

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
532-T5	03/1997	12/1999	WYDEQ	NACC	100% PHC

State: Wyoming
Mine Name: RAWHIDE MINE
Address: CALLER BOX 3042
 GILLETTE, WY, 82717

MSHA ID #: 48-00993
MSHA ID Date:
Employer ID #:

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
240-T3	11/1994	11/1999	WYDEQ	CCC	100% PHC
240-T4	11/1999	11/2004	WYDEQ	PRCC	100% PHC

State: Wyoming
Mine Name: ROCHELLE MINE
Address: CALLER BOX 3035
 GILLETTE, WY, 82717

MSHA ID #: 48-01353
MSHA ID Date:
Employer ID #: 43-1295508

Permit Number	Issue Date	Expire Date	Issued By	Issued To	Applicant Ownership and Control
569-T4	08/1994	12/1999	WYDEQ	RCC	100% PHC

EXHIBIT E

COMPLIANCE INFORMATION

COMPLIANCE INFORMATION

Pursuant to Section 510(c) of the Surface Mining Control and Reclamation Act of 1977 and the applicable regulations thereunder, including 30 CFR 778.14, the attached is a listing of each violation notice received by PWCC in connection with any surface coal mining and reclamation operation for the period January 7, 2001 to January 7, 2004. PWCC does not have any outstanding Notices of Violations for which the abatement period has not yet expired. PWCC has not had a State or Federal mining permit revoked or forfeited a performance bond or similar security deposited in lieu of bond within the five-year period preceding January 7, 2004. For each violation notice reported, the list includes the following information, as applicable:

1. The company, mine, permit, MSHA ID, and State for each violation issued; the violation number, the date of issuance, and identity of the issuing regulatory authority, department, or agency;
2. A brief description of the particular violation alleged in the notice;
3. The date, location, and type of any administrative or judicial proceeding initiated concerning the violation, including, but not limited to, proceedings initiated by the applicant to obtain administrative or judicial review of the violations;
4. The penalty assessment and the current status of the proceedings and of the violation notice;
5. The actions, if any, taken by the applicant to abate or correct the violation;
6. If the abatement period for a violation in a Notice of Violation has not expired, certification that the violation is being abated or corrected to the satisfaction of the agency with jurisdiction over the violation.

It should be noted that the attached represents a complete listing of the above-described violations and their status as reflected by the file of the Office of the General Counsel of Peabody Holding Company, Inc., 701 Market Street, St. Louis, Missouri as of January 7, 2004. PWCC reserves the right to supplement this listing to reflect any information received by the Office of the General Counsel after said date.

Peabody Energy Corporation: Notice of Violation List

For NOV's Issued Between 01/31/2001 and 04/23/2003

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Date: 01/07/2004

01-003 **Company:** Peabody Western Coal Company
Mine: KAYENTA
Permit: AZ-0001D **MSHA ID:** 02-01195
County: NAVAJO **State:** Arizona
NOV: 01-020-355-001 **Issued:** 01/31/2001
Issuer: U.S. Office of Surface Mining
Cause: FAILURE TO CONDUCT BLASTING OPERATIONS IN A MANNER AS TO COMPLY WITH REGULATORY REQUIREMENTS;
Status: TERMINATED: 1/31/01;
As of: 02/16/2001
Action: NONE;
Penalty: NONE ASSESSED PER NOPA ISSUED 2/16/01;

01-004 **Company:** Peabody Western Coal Company
Mine: KAYENTA
Permit: AZ-0001D **MSHA ID:** 02-01195
County: NAVAJO **State:** Arizona
NOV: 01-020-352-001 **Issued:** 02/15/2001
Issuer: U.S. Office of Surface Mining
Cause: FAILURE TO MAINTAIN SEDIMENT CONTROL FOR A DISTURBED AREA;
Status: TERMINATED: 2/19/01;
As of: 05/21/2001
Action: REPAIRED AND MAINTAINED THE SILT FENCE. INSTALLED TEMPORARY MEASURES UNTIL WEATHER ALLOWED A MORE PERMANENT STRUCTURE;
Penalty: CONFERENCE HELD 04/24/01; ASSESSED \$660.00 PER CONCLUSION OF CONFERENCE ISSUED 5/21/01 AND PENALTY VACATED;

01-005 **Company:** Peabody Western Coal Company
Mine: KAYENTA
Permit: AZ-0001D **MSHA ID:** 02-01195
County: NAVAJO **State:** Arizona
NOV: 01-020-190-001 **Issued:** 03/08/2001
Issuer: U.S. Office of Surface Mining
Cause: FAILURE TO COMPLY WITH TERMS AND CONDITIONS OF APPROVED PERMIT. FAILURE TO RESTORE SLOPES TO 3 HORIZONTAL TO 1 VERTICAL ON AN AREA DISTURBED BY OPERATIONS (BLASTING);
Status: TERMINATED: 3/21/01;
As of: 04/09/2001
Action: ELIMINATED THE DISTURBED FEATURE AND CONSTRUCTED SLOPES NO GREATER THAN 3 TO 1 AS DESCRIBED IN APPROVED PERMIT;
Penalty: NONE ASSESSED PER NOPA ISSUED 4/09/01;

Peabody Energy Corporation: Notice of Violation List
For NOV's Issued Between 01/31/2001 and 04/23/2003

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01-006

Company: Peabody Western Coal Company
Mine: KAYENTA
Permit: AZ-0001D **MSHA ID:** 02-01195
County: NAVAJO **State:** Arizona
NOV: 01-020-352-002 **Issued:** 04/27/2001
Issuer: U.S. Office of Surface Mining
Cause: DISTURBANCE OUTSIDE THE PERMITTED AREA, MINING WITHOUT A PERMIT;
Status: TERMINATED: 4/27/01;
As of: 02/01/2002
Action: RECLAIMED THE UNPERMITTED DISTURBANCE AND CEASED ANY FURTHER ACTIVITY ON THE AREA NOT INCLUDED IN THE PERMIT. CEASED OPERATIONS OF THE COAL CONVEYOR UNTIL THE AREA WAS RECLAIMED;
Penalty: CONFERENCE HELD 01/14/2002; ASSESSED; \$440.00 PER CONCLUSION OF CONFERENCE ISSUED 02/01/02 AND PENALTY VACATED;

01-029

Company: Peabody Western Coal Company
Mine: KAYENTA
Permit: AZ-0001D **MSHA ID:** 02-01195
County: NAVAJO **State:** Arizona
NOV: 01-020-162-001 **Issued:** 08/22/2001
Issuer: U.S. Office of Surface Mining
Cause: FAILURE TO CONDUCT ALL SURFACE COAL MINING OPERATIONS ON LANDS THAT ARE AUTHORIZED FOR TERM OF PERMIT, AS DESCRIBED IN APPROVED APPLICATION AND SUBJECT TO PERFORMANCE BOND IN EFFECT;
Status: TERMINATED 8/30/01;
As of: 01/11/2002
Action: COMPANY PROMPTLY SUBMITTED A REVISION APPLICATION TO OSM ADDRESSING ALL THE CHANGES TO THE OVERBURDEN REMOVAL LIMIT OF THE MINING & RECLAMATION PLAN. REVISIONS WERE APPROVED;
Penalty: CONFERENCE HELD 12/17/01; ASSESSED \$660.00 PER CONCLUSION OF CONFERENCE ISSUED 01/11/02 AND PENALTY VACATED;

02-008

Company: Peabody Western Coal Company
Mine: KAYENTA
Permit: AZ-0001D **MSHA ID:** 02-01195
County: NAVAJO **State:** Arizona
NOV: 02-020-352-001 **Issued:** 02/28/2002
Issuer: U.S. Office of Surface Mining
Cause: FAILURE TO FOLLOW APPROVED PLAN BY NOT CONSTRUCTING ANCILLARY ROAD DITCH IN ACCORDANCE WITH THE APPROVED DESIGN;
Status: TERMINATED: 03/07/02;
As of: 03/07/2003
Action: RECONSTRUCTED THE DITCH AND ROAD TO COMPLY WITH THE APPROVED PLAN;
Penalty: CONFERENCE HELD 06/27/02; ASSESSED \$484.00 PER CONCLUSION OF CONFERENCE ISSUED 07/29/02 AND PENALTY VACATED; HEARING HELD 01/14/03; DECISION EXPECTED BY SEPTEMBER , 2003;

Peabody Energy Corporation: Notice of Violation List
For NOV's Issued Between 01/31/2001 and 04/23/2003

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03-001 **Company:** Peabody Western Coal Company
 Mine: KAYENTA
 Permit: AZ-0001D **MSHA ID:** 02-01195
 County: NAVAJO **State:** Arizona

 NOV: 03-020-190-01 **Issued:** 03/07/2003
 Issuer: U.S. Office of Surface Mining

 Cause: FAILURE TO MAINTAIN SUPPORT FACILITIES AS PER PERMIT TERMS AND CONDITIONS;
 Status: TERMINATED: 03/27/03;
 As of: 05/19/2003
 Action: A) NOTIFIED ALBUQUERQUE FIELD OFFICE INDICATING CORRECTIVE ACTION; B)
 IMPLEMENTED CONTROL MEASURES APPROVED FOR LOCATION;
 Penalty: NONE, ASSESSED PER NOPA ISSUED 05/19/03;

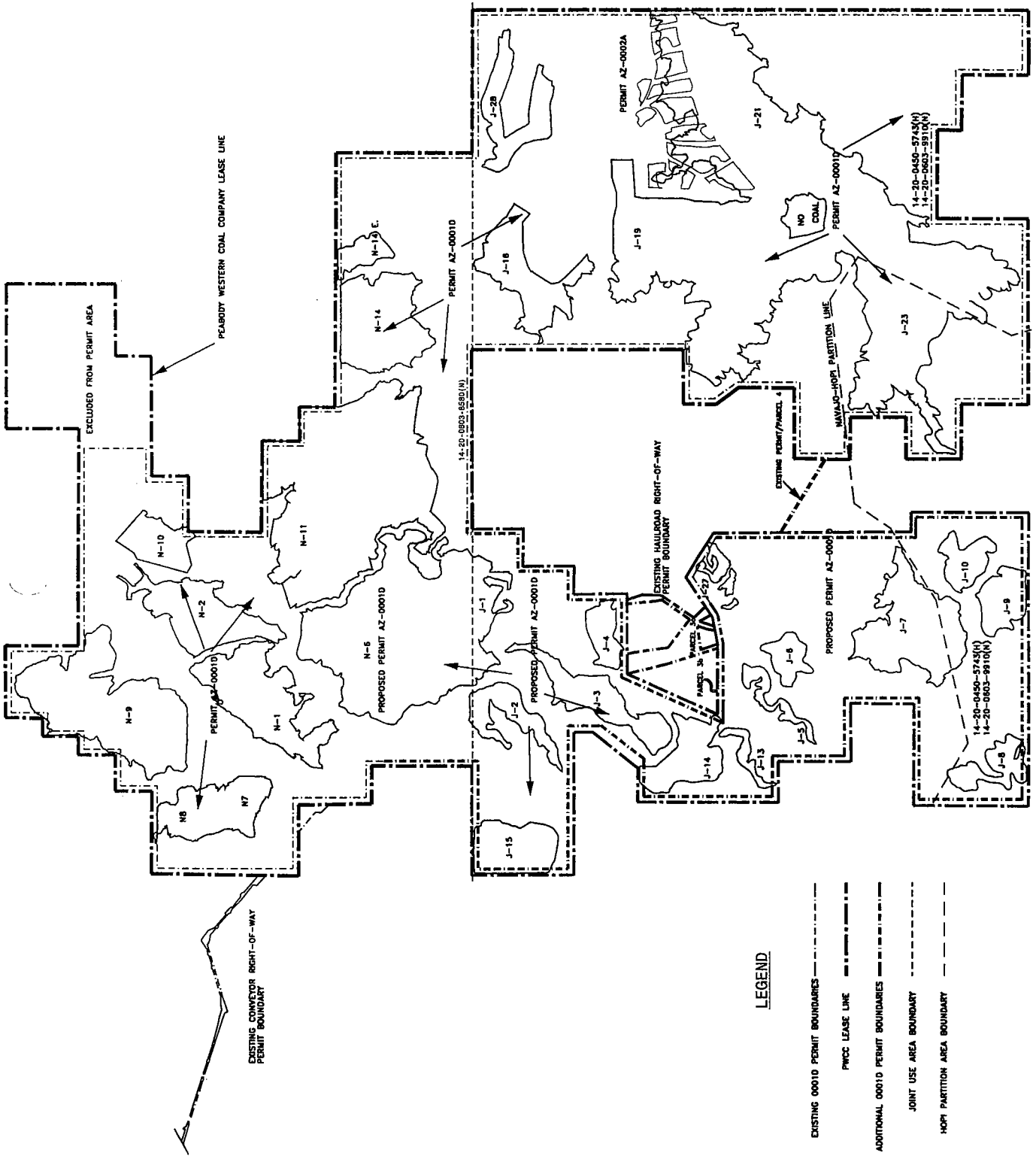
03-023 **Company:** Peabody Western Coal Company
 Mine: KAYENTA
 Permit: AZ-0001D **MSHA ID:** 02-01195
 County: NAVAJO **State:** Arizona

 NOV: 03-020-352-001 **Issued:** 04/23/2003
 Issuer: U.S. Office of Surface Mining

 Cause: FAILURE TO SHOW WEIGHT OF EXPLOSIVES AND SEISMOGRAPH INSTRUMENT IN THE
 BLASTING RECORDS;
 Status: TERMINATED: 04/24/03;
 As of: 05/19/2003
 Action: RECORDS CORRECTED AND PROVIDED COPIES TO ALBUQUERQUE FIELD OFFICE;
 Penalty: NONE, ASSESSED PER NOPA ISSUED 05/19/03;

ATTACHMENT 6

Description of Life-of-Mine
Permit Area



LEGEND

- EXISTING 00010 PERMIT BOUNDARIES ———
- PWCC LEASE LINE - - - - -
- PROPOSED ADDITIONAL 00010 PERMIT BOUNDARIES - - - - -
- JOINT USE AREA BOUNDARY - - - - -
- HOPHI PARTITION AREA BOUNDARY - - - - -

PROPOSED AND EXISTING PERMIT BOUNDARIES/BLACK MESA LEASES
PEABODY WESTERN COAL COMPANY

REVISED 11/21/2003

Permit Area Description

This description consists of five parcels that comprise the life-of-mine permit area for the Black Mesa mining complex. The parcels are: (1) a portion of the Navajo Mining Lease Area and Tracts No. 1 and 2 of the Joint Mineral Ownership Lease Areas; (2) a conveyor right-of-way and a portion of a rail loading site; (3) a coal haulage road, utility, pond, maintenance road, and monitoring access road facilities right-of-way; (4) a powerline right-of-way; and (5) a transportation corridor from the coal preparation area to the J-23 coal resource area. The total permit area for Parcels 1 thru 4 contains 62,929.74 acres, more or less. Parcel 5 will be either 126.6 or 89.6 acres, more or less, depending upon the corridor alignment selected. Drawing No. 85110, Leases, Right-of Way, and Permit Area Map, shows the permit area described herein.

Parcel No. 1: Mining Leasehold Description

A portion of the life-of-mine permit area includes the Navajo Mining Lease 14-20-0603-8580, and Tracts Nos. 1 and 2 of Navajo and Hopi Joint Mineral Ownership Mining Leases 14-20-0603-9910 and 14-20-0450-5743, respectively, in their entirety, as described in Attachment 2, except a portion of the Navajo Lease as described below. Parcel No. 1 contains 62,474.2 acres, more or less.

Beginning at a point 11,680.0 feet North and 43,033.5 feet East of U.S. Coast and Geodetic Survey Triangulation Station "Coal Mine 1951" (a brass disk set in a concrete monument);
Thence, North 90°0'0" East a distance of 1,206.5 feet to a point;
Thence, North 0°0'0" East a distance of 5,280.0 feet to a point;
Thence, North 90°0'0" East a distance of 10,550.0 feet to a point;
Thence, South 0°0'0" East a distance of 7,920.0 feet to a point;
Thence, North 90°0'0" West a distance of 5,280.0 feet to a point;
Thence, South 0°0'0" West a distance of 2,640.0 feet to a point;
Thence, South 90°0'0" West a distance of 6,476.5 feet to the Point of Beginning. Said excluded portion contains 2,383.8 acres, more or less.

Parcel No. 2: Overland Conveyor Right-of-Way and Rail Loading Site Description

This parcel contains the overland conveyor right-of-way and a portion of the coal loadout facility area described in Attachments 3 and 3a. The total nonoverlapping area contained within the overland conveyor right-of-way and the area designated as the rail loading site is 163.57 acres, more or less. The rail-loading site is more particularly described as follows:

Part B: Water Well Monitoring Road Right-of-Way Description

Following is a description of a parcel of land located on the Navajo Reservation and is also a portion of protracted Section 9, Township 35 North, Range 18 East, Gila and Salt River Meridian, Navajo County, Arizona which is more particularly described by metes and bounds as follows:

From the point described in the eighth course of that certain legal description of Tract No. 1 of the Peabody Western Coal Company lease, recorded in Docket 259, Page 406, Navajo County Records, said point being defined by Peabody Western Coal Company as Lease Corner #8, as labeled hereon.

Thence S 89°59'39" E, along said Tract No. 1 lease boundary recorded in said Docket 258, Page 406, a distance of 1,559.08 feet to the True Point of Beginning of this description, monumented with a brass cap in concrete (BC):

Thence N 32°00'23" E, a distance of 98.12 feet to the beginning of a curve;

Thence Northeasterly and Northerly a distance of 148.68 feet along a curve to the left, having a radius of 268.66 feet and a central angle of 31°42'29";

Thence N 00°17'54" E, a distance of 173.19 feet to the beginning of a curve;

Thence Northerly, Northeasterly and Easterly a distance of 272.06 feet along a curve to the right, having a radius of 154.55 feet and a central angle of 100°51'49";

Thence S 78°50'17" E, a distance of 92.91 feet to the beginning of a curve;

Thence Easterly a distance of 96.51 feet along a curve to the left, having a radius of 405.74 feet and a central angle of 13°37'44";

Thence N 87°31'58" E, a distance of 49.65 feet to the beginning of a curve;

Thence Easterly and Northeasterly a distance of 363.55 feet along a curve to the left, having a radius of 457.75 feet and a central angle of 45°30'16";

Thence N 42°01'41" E, a distance of 56.13 feet to the beginning of a curve;

Thence Northeasterly and Northerly a distance of 148.13 feet along a curve to the left, having a radius of 221.49 feet and a central angle of 38°19'04";

Thence N 03°42'37" E, a distance of 285.71 feet to a point of cusp on a curve concave to the East, having a radius of 800.00 feet and a central angle of 1°14'29" and being subtended by a chord which bears S 20°44'05" E 17.33 feet;

Thence Southerly along said curve a distance of 17.33 feet;

Thence S 21°21'19" E, a distance of 200.94 feet to the beginning of a curve;

Thence Southerly a distance of 75.81 feet along a curve to the right, having a radius of 600.00 feet and a central angle of 7°14'21"

Thence S 03°42'37" W, a distance of 17.40 feet to the beginning of a curve;

Thence Southerly and Southwesterly a distance of 228.38 feet along a curve to the right, having a radius of 341.49 feet and a central angle of 38°19'04";

Thence S 42°01'41" W, a distance of 56.13 feet to the beginning of a curve;

Thence Southwesterly and Westerly a distance of 458.85 feet along a curve to the right, having a radius of 577.75 feet and a central angle of 45°30'17";

Thence S 87°31'58" W, a distance of 49.65 feet to the beginning of a curve;

Thence Westerly a distance of 125.06 feet along a curve to the right, having a radius of 525.74 feet and a central angle of 13°37'44";

Thence N 78°50'17" W, a distance of 92.91 feet to the beginning of a curve;

Thence Westerly, Southwesterly and Southerly a distance of 60.81 feet along a curve to the left, having a radius of 34.55 feet and a central angle of 100°51'49";

Thence S 00°17'54" W, a distance of 173.19 feet to the beginning of a curve;

Thence Southerly and Southwesterly a distance of 215.09 feet along a curve to the right, having a radius of 388.66 feet and a central angle of 31°42'29";

Thence S 32°00'23" W, a distance of 23.13 feet to the above described Peabody lease line;

Thence N 89°59'39" W, along said lease line, a distance of 141.50 feet to the True Point of Beginning of this description.

The above described parcel contains 4.5379 acres of land, more or less.

Parcel No. 4: Powerline Right-of-Way Description

This parcel is described in Attachment 4 and contains 8.52 acres, more or less.

Parcel No. 5: Coal Preparation Area to J-23 Coal Resource Area R-O-W Description

Option 1: Proposed J-23 Permit Boundary Right-of-Way S1A

Beginning at a point 46,057.9 feet South and 45,009.0 feet East of U.S. Coast and Geodetic Survey Triangulation Station "Coal Mine 1951" (a brass disk set in a concrete monument);
Thence, South 68°12'19" West a distance of 782.5 feet to a point;
Thence, North 90°00'00" West a distance of 474.2 feet to a point;
Thence, South 58°55'16" West a distance of 738.2 feet to a point;
Thence, South 81°59'08" West a distance of 666.7 feet to a point;
Thence, North 62°07'57" West a distance of 636.3 feet to a point;
Thence, South 75°04'24" West a distance of 1,515.5 feet to a point;
Thence, South 77°28'31" West a distance of 3,905.9 feet to a point;
Thence, North 0°00'00" East a distance of 664.1 feet to a point;
Thence, South 80°34'42" East a distance of 270.0 feet to a point;
Thence, North 75°58'53" East a distance of 4,911.4 feet to a point;
Thence, South 84°48'26" East a distance of 1,335.1 feet to a point;
Thence, North 65°37'26" East a distance of 2,165.0 feet to a point;
Thence, South 0°00'00" West a distance of 877.8 feet to the Point of Beginning. Said excluded portion contains 126.6 acres, more or less.

Option 2: Proposed J-23 Permit Boundary Right-of-Way N1

Beginning at a point 39,574.4 feet South and 36,676.0 feet East of U.S. Coast and Geodetic Survey Triangulation Station "Coal Mine 1951" (a brass disk set in a concrete monument);
Thence, North 59°20'15" West a distance of 6,198.6 feet to a point;
Thence, South 0°00'00" West a distance of 713.0 feet to a point;
Thence, South 59°02'31" East a distance of 6,217.8 feet to a point;
Thence, North 0°00'00" East a distance of 750.3 feet to the Point of Beginning. Said excluded portion contains 89.6 acres, more or less.