

C0150015 Incoming

**Bronco Utah Operations LLC**  
P.O. Box 527  
Emery Utah, 84522  
(801) 286-2301

# 5058

March 28, 2016

Daron Haddock  
Utah Division of Oil, Gas and Mining  
Coal Program  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801

RECEIVED

MAR 30 2016

DIV. OF OIL, GAS & MINING

Re: CONSOL Mining Company LLC  
Emery Mine  
DOG M Permit No. C/015/015 Transfer to Bronco Utah Operations LLC  
DOG M Task ID 5058 Clean Copy Submittal

Dear Mr. Haddock:

Per your conditional approval letter dated March 24, 2016, enclosed please find two (2) clean copies of the above referenced revision, including an executed C1 form, C2 form and revised pages. A cd-rom has been included with the submittal in pdf format

Under separate cover, additional non MRP related items contained in the denial letter will be addressed.

If you have any questions concerning this request, please contact Kit Pappas.

Sincerely,



Kit Pappas  
Environmental Manager

Attachments:

## NOTICE

Notice is hereby given that Bronco Utah Operations, LLC (BUOLLC), P.O. Box 527, Emery Utah, 84522 has filed application with the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining for a permit transfer of Permit No. ACT/015/015 from CONSOL Mining Company LLC (CMCLLC) to Bronco Utah Operations LLC. BUOLLC will operate the Emery Mine under the provisions of the Utah Coal Mining and Reclamation Act and the Utah R645 Coal Mining Rules.

The permit area, as shown on the map below, is located on U.S. Geological Survey 7.5 minute quadrangle map as follows:

Township 22 South, Range 6 East

Section 27: portions of NW/4, SW/4, NE/4

Section 30: portions of NE/4

Section 32: portions of NW/4, NE/4, SE/4

Section 33: portions of NW/4, NE/4, SW/4

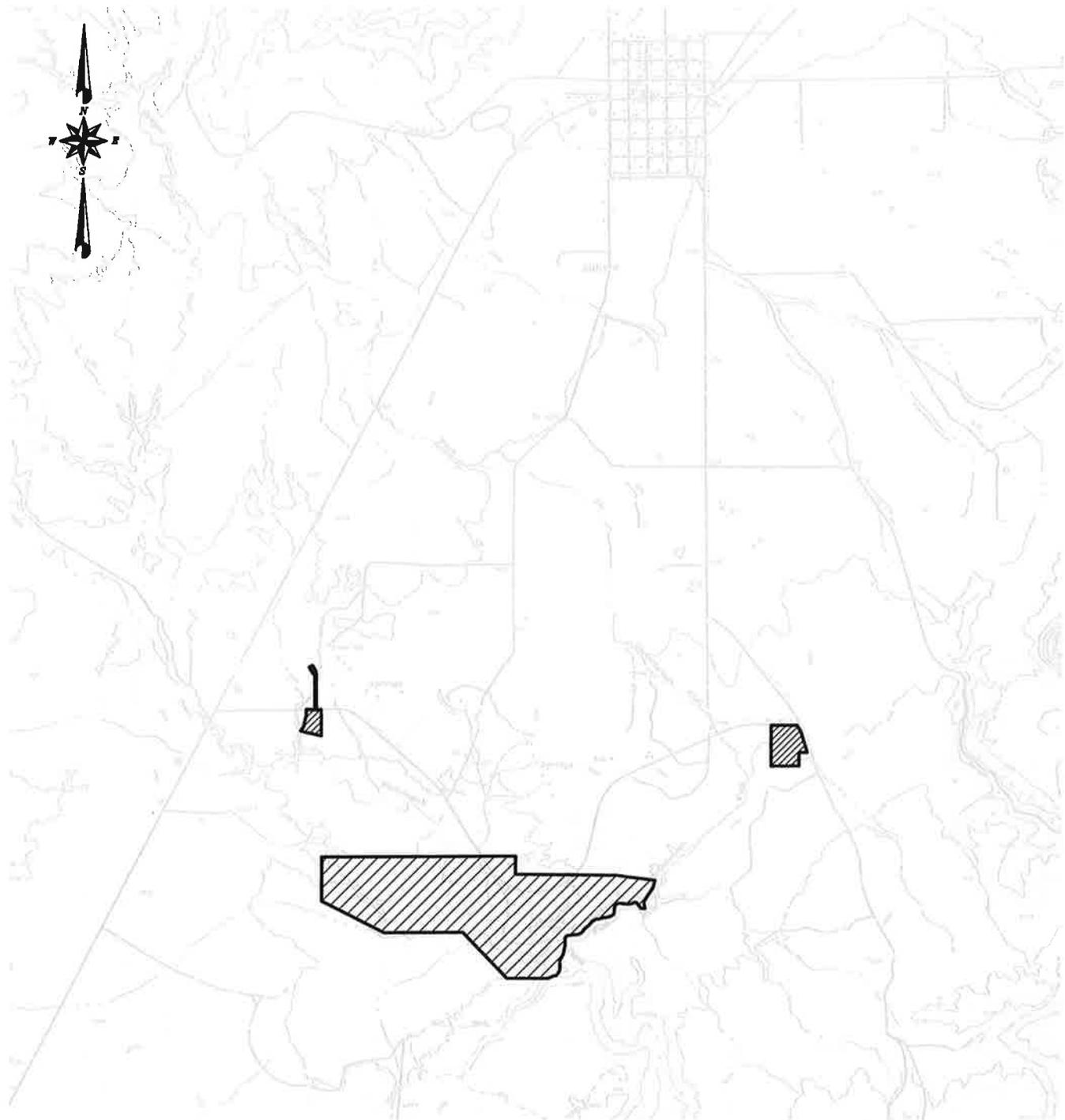
(Insert Map)

Copies of the application for this permit are available for inspection at:

Emery County Recorder's Office  
Emery County Courthouse  
Castle Dale, Utah 84513

Utah Division of Oil, Gas and Mining  
Coal Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

Written comments on this application should be submitted to the State of Utah, Division of Oil, gas & Mining at the above address. Such comments should be filed within thirty (30) days from the date of the last publication of this notice.



**Consolidation Coal Company  
 Emery Mine  
 Emery County, Utah  
 Permit # ACT015/015**



**BASE MAP:**  
 U.S.G.S 7.5 MINUTE QUADRANGLE'S. EMERY WEST 1968.  
 EMERY EAST 1968, PHOTO REVISED 1978.  
 MESA BUTTE 1968, PHOTO REVISED 1978.  
 WALKER FLATE 1968, PHOTO REVISED 1978.

**LEGEND**  
 PERMIT AREA BOUNDARY

1" 4000'  
  
 SCALE: 1"=4000'  
 CONTOUR INTERVAL 40 FEET  
 DATUM IS MEAN SEA LEVEL

## APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

**Permittee:** CONSOL Mining Company LLC (CMCLLC) transfer to Bronco Utah Operations LLC (BUOLLC)

**Mine:** Emery Mine **Permit Number:** 015/0015

**Title:** CMCLLC Permit Transfer to BUOLLC deficiency response

**Description,** Include reason for application and timing required to implement:

Permit 015/0015 transfer CMOLLC to BUOLLC Clean Copies Task ID 5058 03/16

**Instructions:** If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- |   |   |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?                                     |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?   |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6. Does the application require or include public notice publication?   |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?<br><i>Explain:</i> _____                                   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)                                |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities?   |

**Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you.** (These numbers include a copy for the Price Field Office)

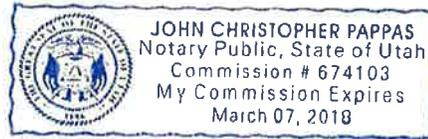
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

DAN R. BAKER  
Print Name

Dan R. Baker CEO 3/24/16  
Sign Name, Position, Date

Subscribed and sworn to before me this 24 day of MARCH, 2016

John C. Pappas  
Notary Public  
My commission Expires: MARCH 7, 2018  
Attest: State of UTAH ) ss:  
County of CARBON



|                             |                                  |  |
|-----------------------------|----------------------------------|--|
| <b>For Office Use Only:</b> | <b>Assigned Tracking Number:</b> | <b>Received by Oil, Gas &amp; Mining</b> |
|                             |                                  |  |



CHAPTER I INTRODUCTION, LEGAL, FINANCIAL AND COMPLIANCE INFORMATION

This chapter provides an introduction to the existing Emery Mine and the proposed operation during the permit term. It also includes the legal, financial and compliance information required by the regulatory program. Any references to Consol Energy Inc. or any of its subsidiaries within the permit text and maps should be considered Bronco Utah Operations, LLC (BUOLLC). These instances will be revised after closing.

I.A INTRODUCTION

The Emery Mine was owned by CONSOL Mining Company LLC (CMCLLC). CMCLLC was the operator and permittee of the Emery Mine. The Emery Mine was sold to Bronco Utah Operations, LLC in 2015. Bronco Utah Operations, LLC will be the operator and permittee of the Emery Mine. The mine is located in Emery County at the confluence of Quitchupah Creek and Christiansen Wash, approximately four miles south of the town of Emery.

Emery Mine previously produced 700,000 tons and is planned to increase production to 1,700,000 tons per year.

The permit area, controlled by Bronco Utah Operations, LLC, is projected to include a preparation plant in addition to the existing deep mine.

This application was prepared according to the format and content guidelines developed and published in February 1986 by the Division of 011, Gas and Mining. The contents of this application were prepared pursuant to Chapter I of Utah's Coal Mining and Reclamation Regulatory Program, revised in May of 1987. This application is divided into 11 chapters, and a total of 13 volumes. Plates and appendices are included following the specific chapter or parts in which they are referenced.

UMC 761

Prior to August 3, 1977, permitted underground coal mining activity was being conducted on the following lands:

T22S, R6E, SLM(Utah) Sections 28, 29, 32, and 33.

The relationship to areas designated unsuitable for mining is discussed later in this chapter under UMC 782.16.

UMC 771 23

This application was prepared following the requirements of this regulation.

The following is a list of the people and organizations who supplied information or other input for the original permit application and subsequent applications.

Revised 8/31/95  
Revised 12/13  
Revised 3/2016

1.B Legal, Financial, and Compliance Information

The Emery Mine was owned by CONSOL Mining Company LLC (CMCLLC). CMCLLC was the operator and permittee of the Emery Mine. The Emery Mine was sold to Bronco Utah Operations LLC in 2015. Bronco Utah Operations LLC will be the operator and permittee of the mine. Refer to Appendix I-1 for BUOLLC's Ownership & Control structure.

UMC 782.13, UMC 782.19

Permit Applicant: Bronco Utah Operations, LLC  
PO Box 527.  
Emery, UT 84522  
(801) 286-2301

Mine Operator: Bronco Utah Operations, LLC  
PO Box 527  
Emery, UT 84522  
(801) 286-2301

Mine Operation: Emery Mine  
P.O. Box 527  
Emery, UT 84522  
(801) 286-2301

Resident Agent: All-Search & Inspection, Inc  
1108 E South Union Ave  
Midvale, UT 84047

Bronco Utah Operations, LLC has not jointly operated any coal mines in the United States under any other names within the previous five years. Bronco Utah Operations LLC is a Delaware limited liability company, which was formed on November 16, 2015.

The Mine Safety and Health Administration identification number for the Emery Mine is 42-00079.

Revised 4/23/92  
Revised 8/31/95  
Revised 9/16/96  
Revised 10/13/03  
Revised 5/09  
Revised 12/13  
Revised 3/16

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Ownership and leasehold interest information for both surface and coal within and adjacent to the permit area and adjacent area is contained in Appendix I-2, attached to this chapter. Plate III, as indicated previously in this chapter, shows ownership and lease boundary information at a scale of 1"=500'.

Appendix I-3 contains a detailed listing of current, previous and pending coal mining related permits in the United States held, or applied for, by Bronco Utah Operations LLC, . Per deficiency responses task ID 5058, a list of permits related to officers of Bronco Utah Operations LLC have been listed. Bronco Utah Operations LLC does not hold permits at this time.

#### **UMC 782.14**

Bronco Utah Operations LLC, their subsidiaries and affiliates, and persons controlled by or under common control with Bronco Utah Operations LLC have not had any federal or state mining permits suspended or revoked nor any mining bonds or similar securities deposited in lieu of bond forfeited in the previous five (5) years.

Information on all violations received by the applicant or operator, during the past three (3) years, related to environmental requirements are contained in Appendix I-4.

Included below is a summary description of the coal mining and reclamation operations controlled by the applicant or operator in the last five (5) years.

#### **Horizon Mine**

*Permit ID C0070020*

*Carbon County, Utah*

*Owner: Hidden Splendor Resources, Inc. ("Hidden Splendor")*

*57 West 200 South, Suite 400*

*Salt Lake City, Utah 84101*

*(801) 363-0100*

*Former Parent of Owner: America West Resources, Inc. ("America West")*

*57 West 200 South, Suite 400*

*Salt Lake City, Utah 84101*

*(801) 363-0100*

Dan Baker was appointed as the President of America West in July of 2008. From July 2008 to June 2013, America West was the owner of Hidden Splendor. Hidden Splendor is the owner and operator of the Horizon Mine. Mr. Baker served as the President of America West until his resignation on June 23, 2013. Following Mr. Baker's resignation, Alexander Walker replaced Mr. Baker as President of America West. Mr. Baker has never held a position as an officer or director, or held any ownership interest in Hidden Splendor. Mr. Baker currently serves as the President and Chief Executive Officer of Bronco Utah Operations, LLC. Bronco Utah Operations, LLC has no relationship by common control or ownership with Hidden Splendor, America West or the Horizon Mine.

#### **Wildcat Loadout**

*Permit ID C0070033*

*Carbon County, Utah*

*Owner: Intermountain Power Agency ("IPA")*

*10653 S. River Front Parkway, Suite 120*

*South Jordan, Utah 84095*

*(801) 938-1333*

*Operator: Wild West Equipment & Hauling, LLC ("Wild West")  
P.O. Box 1  
Price, Utah 84501  
(435) 472-3988*

On July 22, 2013, IPA, the owner of the Wildcat Loadout filed an application to change the operator of the Wildcat Loadout to Wild West. The application listed Dan Baker as the Vice President of Wild West and included his name, title and contact information in the Operator Information section of the permit filing.

**UMC 782.15**

Right of entry and operation is based on surface or subsurface ownership by Bronco Utah Operations LLC and Bronco Utah Reserves Inc. and or on lease agreements. A detailed description of these documents is provided in Appendix I-2. These rights are not subject to pending litigation.

There will not be any surface mining of coal at the Emery Mine during the five (5) year term of this permit renewal.

**UMC 782.16**

The permit area and adjacent area, shown on Plate III-9 (Permit Boundaries and Bonding Map Exhibit D), including areas depicted as full extraction (planned subsidence) on Plate V-5 (Subsidence Monitoring Points and Buffer Zones) do not contain any of the following areas designated as unsuitable for mining:

- National Park System
- National Wildlife Refuge System
- National System of Trails
- National Wilderness Preservation System
- Wild and Scenic Rivers System
- National Recreation Areas
- National Forests
- Public Parks
- Public places included on the National Register of Historic Places.
- Public Buildings, Schools, Churches, Cemeteries, Community or Institutional Buildings.

The adjacent area contains one dwelling that is occupied intermittently (located in Sec. 30, Twp. 225, R6E) and several public roads (shown on Plate III). These will not be affected by the underground mining operation. Surface operations will not be conducted within 300 feet of the dwelling. Protection of land surface features is discussed in Chapter V.

Inserted 3/16

**APPENDIX I-1**

**OWNERSHIP AND CONTROL**

|

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# Ownership and Control Report

**Company**    Bronco Utah Operations LLC

**FEIN:** 81-0698226

**Relationship**    Officer

| NAME                       | TITLE                                       | ADDRESS<br>CITY                             | STATE ZIP | PHONE NO     | OWNERSHIP<br>% | START DATE<br>END DATE |
|----------------------------|---|---|-----------|--------------|----------------|------------------------|
| Daniel R. Baker            | Chief Executive Officer/President           | Emery Mine, P.O. Box 527<br>Emery, UT 84522 |           | 435-421-9046 | zero           | December 16, 2015      |
| Gary Takenaka              | Chief Operating Officer/Secretary/Treasurer | Emery Mine, P.O. Box 527<br>Emery, UT 84522 |           | 435-421-9046 | zero           | December 16, 2015      |
| David Petty                | Chief Financial Officer                     | Emery Mine, P.O. Box 527<br>Emery, UT 84522 |           | 435-421-9046 | zero           | December 16, 2015      |
| Bronco Coal Resources, LLC | Owner                                       | Emery Mine, P.O. Box 527<br>Emery, UT 84522 |           | 435-421-9046 | 100%           | N/A                    |

\*No individuals own a 10% or greater interest in Bronco Utah Operations LLC.

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# Ownership and Control Report

**Company**    Bronco Utah Reserves Inc.

**FEIN:** 81-0692203

**Relationship**    Officer

| NAME                       | TITLE                                       | ADDRESS<br>CITY                             | STATE ZIP | PHONE NO     | OWNERSHIP<br>% | START DATE<br>END DATE |
|----------------------------|---|---|-----------|--------------|----------------|------------------------|
| Daniel R. Baker            | Chief Operating Officer/President           | Emery Mine, P.O. Box 527<br>Emery, UT 84522 |           | 435-421-9046 | zero           | December 16, 2015      |
| Gary Takenaka              | Chief Operating Officer/Secretary/Treasurer | Emery Mine, P.O. Box 527<br>Emery, UT 84522 |           | 435-421-9046 | zero           | December 16, 2015      |
| David Petty                | Chief Financial Officer                     | Emery Mine, P.O. Box 527<br>Emery, UT 84522 |           | 435-421-9046 | zero           | December 16, 2015      |
| Bronco Coal Resources, LLC | Owner                                       | Emery Mine, P.O. Box 527<br>Emery, UT 84522 |           | 435-421-9046 | 100%           | N/A                    |

\*No individuals own a 10% or greater interest in Bronco Utah Reserves Inc.

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# Ownership and Control Report

**Company** EF1 Holdings, LLC

**FEIN:** 81-0815107

**Relationship** Officer

| NAME   | TITLE   | ADDRESS<br>CITY STATE ZIP                 | PHONE NO     | OWNERSHIP<br>% | START DATE<br>END DATE |
|--|---------|---|--------------|----------------|------------------------|
| Jordan Levy                                    | Manager | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero           | December 16, 2015      |
| Rael Nurick                                    | Manager | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero           | December 16, 2015      |
| Thomas Wood                                    | Manager | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero           | December 16, 2015      |
| Dimitri Korvyakov                              | Manager | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero           | December 16, 2015      |
| Sandton Credit Solutions Master Fund III, L.P. | Owner   | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 99.99%         | N/A                    |
| Sandton Fund III Holdings III, L.P.            | Owner   | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 0.01%          | N/A                    |

\*No individuals own a 10% or greater interest in EF1 Holdings, LLC.

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# Ownership and Control Report

**Company** Bronco Coal Resources LLC **FEIN:** 47-5158804

**Relationship** Officer

| NAME   | TITLE                                       | ADDRESS                  |                    | PHONE NO     | OWNERSHIP % | START DATE        | END DATE |
|--|---|--------------------------|--------------------|--------------|-------------|-------------------|----------|
|  |   | CITY                     | STATE ZIP          |              |             |                   |          |
| Daniel R. Baker                                | Chief Executive Officer/President           | Emery Mine, P.O. Box 527 | Emery, UT 84522    | 435-421-9046 | zero        | December 16, 2015 |          |
| Gary Takenaka                                  | Chief Operating Officer/Secretary/Treasurer | Emery Mine, P.O. Box 527 | Emery, UT 84522    | 435-421-9046 | zero        | December 16, 2015 |          |
| David Petty                                    | Chief Financial Officer                     | Emery Mine, P.O. Box 527 | Emery, UT 84522    | 435-421-9046 | zero        | December 16, 2015 |          |
| Sandton Credit Solutions Master Fund III, L.P. | Owner                                       | 25 West 45th Street      | New York, NY 10036 | 212-444-7200 | 99.99%      | N/A               |          |
| Sandton Fund III Holdings III, L.P.            | Owner                                       | 25 West 45th Street      | New York, NY 10036 | 212-444-7200 | 0.01%       | N/A               |          |

\*No individuals own a 10% or greater interest in Bronco Coal Resources LLC.

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# Ownership and Control Report

**Company** Sandton Credit Solutions Master Fund III, L.P. **FEIN:** 98-1113530 **25 West 45th Street, New York, NY 10036**

**Relationship** Authorized Person

| NAME  | TITLE   | ADDRESS<br>CITY STATE ZIP                 | PHONE NO     | OWNERSHIP<br>%                             | START DATE<br>END DATE |
|---|---|---|--------------|--|------------------------|
| Rael Nurick                                     | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero                                       | August 9, 2010         |
| Thomas Wood                                     | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero                                       | August 9, 2010         |
| Sandton Credit Solutions Onshore Fund III, L.P. | Limited Partner                               | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 70.77% Limited Partner Interest            | N/A                    |
| Sandton Credit Solutions Cayman Fund III, L.P.  | Limited Partner                               | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 29.23% Limited Partner Interest            | N/A                    |
| Sandton Credit Solutions III GP, LLC            | General Partner                               | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 100% Control Interest<br>(General Partner) | N/A                    |

\*No individuals own a 10% or greater control interest in Sandton Credit Solutions Master Fund III, L.P.

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# Ownership and Control Report

**Company** Sandton Fund III Holdings III, LLC      **FEIN:** 47-5678725      25 West 45th Street, New York, NY 10036

**Relationship** Authorized Person

| NAME   | TITLE   | ADDRESS<br>CITY                      STATE ZIP | PHONE NO     | OWNERSHIP<br>% | START DATE<br>END DATE |
|--|---|--|--------------|----------------|------------------------|
| Rael Nurick                                    | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036      | 212-444-7200 | zero           | August 9, 2010         |
| Thomas Wood                                    | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036      | 212-444-7200 | zero           | August 9, 2010         |
| Sandton Credit Solutions Master Fund III, L.P. | Owner   | 25 West 45th Street<br>New York, NY 10036      | 212-444-7200 | 100%           | N/A                    |

\*No individuals own a 10% or greater interest in Sandton Fund III Holdings III, LLC.

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# Ownership and Control Report

**Company** Sandton Credit Solutions Onshore Fund III, L.P. **FEIN:** 32-0413100 **25 West 45th Street, New York, NY 10036**

**Relationship** Authorized Person

| NAME                                 | TITLE   | ADDRESS<br>CITY STATE ZIP                 | PHONE NO     | OWNERSHIP<br>%                             | START DATE<br>END DATE |
|--------------------------------------|---|---|--------------|--|------------------------|
| Rael Nurick                          | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero                                       | August 9, 2010         |
| Thomas Wood                          | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero                                       | August 9, 2010         |
| Sandton Credit Solutions III GP, LLC | General Partner                               | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 100% Control Interest<br>(General Partner) | N/A                    |

\*No individuals own a 10% or greater control interest in Sandton Credit Solutions Onshore Fund III, L.P.

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# Ownership and Control Report

**Company** Sandton Credit Solutions Cayman Fund III, L.P. FEIN: 98-1114113      25 West 45th Street, New York, NY 10036

**Relationship** Authorized Person

| NAME   | TITLE   | ADDRESS<br>CITY STATE ZIP                 | PHONE NO     | OWNERSHIP<br>%                             | START DATE<br>END DATE |
|--|---|---|--------------|--|------------------------|
| Rael Nurick                                  | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero                                       | August 9, 2010         |
| Thomas Wood                                  | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero                                       | August 9, 2010         |
| Sandton Credit Solutions Off-Shore III, L.P. | Limited Partner                               | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 100% Limited Partner Interest              | N/A                    |
| Sandton Credit Solutions III GP, LLC         | General Partner                               | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 100% Control Interest<br>(General Partner) | N/A                    |

\*No individuals own a 10% or greater control interest in Sandton Credit Solutions Cayman Fund III, L.P.

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# Ownership and Control Report

**Company** Sandton Credit Solutions Fund III Subsidiary VIII, LLC **FEIN:** 47-5678847 **25 West 45th Street, New York, NY 10036**

**Relationship** Authorized Person

| NAME   | TITLE   | ADDRESS<br>CITY STATE ZIP                 | PHONE NO     | OWNERSHIP<br>% | START DATE<br>END DATE |
|--|---|---|--------------|----------------|------------------------|
| Rael Nurick                                  | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero           | August 9, 2010         |
| Thomas Wood                                  | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero           | August 9, 2010         |
| Sandton Credit Solutions Off-Shore III, L.P. | Owner   | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 100%           | N/A                    |

\*No individuals own a 10% or greater interest in Sandton Credit Solutions Fund III Subsidiary VIII, LLC.

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# Ownership and Control Report

**Company** Sandton Credit Solutions Off-Shore III, L.P. **FEIN:** 98-1113555      25 West 45th Street, New York, NY 10036

**Relationship** Authorized Person

| NAME                                 | TITLE   | ADDRESS<br>CITY      STATE      ZIP       | PHONE NO     | OWNERSHIP<br>%                             | START DATE<br>END DATE |
|--------------------------------------|---|---|--------------|--|------------------------|
| Rael Nurick                          | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero                                       | August 9, 2010         |
| Thomas Wood                          | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero                                       | August 9, 2010         |
| Sandton Credit Solutions III GP, LLC | General Partner                               | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 100% Control Interest<br>(General Partner) | N/A                    |

\*No individuals own a 10% or greater control interest in Sandton Credit Solutions Off-Shore III, L.P.

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# Ownership and Control Report

**Company** Sandton Credit Solutions III GP, LLC **FEIN:** 38-3910290 **25 West 45th Street, New York, NY 10036**

**Relationship** Authorized Person

| NAME                       | TITLE   | ADDRESS<br>CITY STATE ZIP                 | PHONE NO     | OWNERSHIP<br>% | START DATE<br>END DATE |
|----------------------------|---|---|--------------|----------------|------------------------|
| Rael Nurick                | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero           | August 9, 2010         |
| Thomas Wood                | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | zero           | August 9, 2010         |
| Sandton Fund Advisors, LLC | Owner   | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 100%           | N/A                    |

\*No individuals own a 10% or greater interest in Sandton Credit Solutions III GP, LLC.

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# Ownership and Control Report

**Company** Sandton Fund Advisors, LLC **FEIN:** 27-2999610 **25 West 45th Street, New York, NY 10036**

**Relationship** Authorized Person

| NAME        | TITLE   | ADDRESS<br>CITY STATE ZIP                 | PHONE NO     | OWNERSHIP<br>% | START DATE<br>END DATE |
|-------------|---|---|--------------|----------------|------------------------|
| Rael Nurick | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 50%            | August 9, 2010         |
| Thomas Wood | Managing Member of Sandton Fund Advisors, LLC | 25 West 45th Street<br>New York, NY 10036 | 212-444-7200 | 50%            | August 9, 2010         |

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**APPENDIX I-2**

**OWNERSHIP AND LEASEHOLD INTERESTS  
FOR SURFACE AND COAL**

**INCORPORATED**

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**Div. of Oil, Gas & Mining**

**Surface Land Ownership Within and Adjacent to the Permit Area**

The following information describes the surface land ownership within and adjacent to the permit. Plate I-1 shows surface land ownership in and adjacent to the permit area.

On December 16, 2015, CONSOL Mining Company LLC conveyed its interest in the surface lands at the Emery Deep Mine and Hidden Valley Mine to Bronco Utah Operations, LLC by  
(i) Special Warranty Deed, recorded in Emery County on December 22, 2015 at Entry 411521, and recorded in Sevier County on December 23, 2015 at Document No. 00391679, Book 0709, Page 0986 and  
(ii) Assignment and Assumption Agreement, recorded in Emery County on December 22, 2015 at Entry 411523. The surface interests owned, leased or controlled by Bronco Utah Operations, LLC at the Emery Deep Mine and Hidden Valley Mine are not subject to litigation.

M. Christensen  
Box 35  
Emery, Utah 84522  
(801) 286-2348

Young Investment LLC  
c/o Walt Young  
6590 W. Center St.  
Mendon, UT 84325

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

**Section 19 T22S, R6E**

George E. & Patricia Olsen  
15 E. Center  
Orangeville, Utah 84537  
(801) 748-2522

Julian Bowman  
P.O. Box 141  
Huntington, UT 84528-0141

James Olsen  
647 N. Main  
Spanish Fork, Utah 84660  
(801) 798-3322

United States of America (BLM)  
Lease No. U-5287  
Utah State Offices  
440 West 200 South, Suite 500  
Salt Lake City, Utah 84145-0155

Utah Power and Light  
P.O. Box 899  
Salt Lake City, Utah 84522  
(801) 748-2570

Wynona P. Olsen (trustee)  
3805 Highland Cove Lane  
Apt #D18  
Salt Lake City, Utah 84146

**INCORPORATED**

**APR 07 2016**

**Div. of Oil, Gas & Mining**

Inserted 12/2007  
Revised 9/09  
Revised 12/13  
Revised 3/16

**Surface Land Ownership Within and Adjacent to the Permit Area**

The following information describes the surface land ownership within and adjacent to the permit. Plate I-1 shows surface land ownership in and adjacent to the permit area.

**Section 20 T22S, R6E**

Gary Petty & Jolene  
P.O. Box 44  
Emery, Utah 84522

Glen R. Anderson  
1462 W. 6235 S.  
Murray, Utah 84107  
(801) 266-4324

Emery County  
Emery County Courthouse  
Castle Dale, Utah 84513

Osburn Bret and Lori Lynn Carter  
P.O. Box 24  
Emery, Utah 84522

Kenneth L. & Earlene Christensen  
P.O. Box 552  
Emery, Utah 84522

Jeffery Christensen  
P.O. Box 235  
Cleveland, UT 84518

Osburn Bret Carter & J.R. Lawrence  
P.O. Box 24  
Emery, Utah 84522

Utah Power and Light  
P.O. Box 899  
Salt Lake City, Utah 84110  
(801) 748-2570

**Section 21 T22S, R6E**

Wayne & Delise Staley  
482 N. 2 W.  
Emery, Utah 84522  
(801) 286-2213

John & Vicki Byars  
P.O. Box 575  
Emery, Utah 84522

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

Osburn Bret and Lori Lynn Carter  
P.O. Box 24  
Emery, Utah 84522

L.D. & C.A. Jensen  
179 W. 4 S.  
Emery, Utah 84522  
(801) 286-2297

Kent Alan Jorgensen et al  
3663 Bountiful Blvd.  
Bountiful, UT 84010-3313

Morris & Ronnie Sorensen  
P.O. Box 104  
Emery, UT 84522-0104

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Div. of Oil, Gas & Mining

Inserted 12/2007  
Revised 9/09  
Revised 12/13  
Revised 3/16

**Surface Land Ownership Within and Adjacent to the Permit Area**

The following information describes the surface land ownership within and adjacent to the permit. Plate I-1 shows surface land ownership in and adjacent to the permit area.

**Section 22 T22S, R6E**

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

John & Vicki Byars  
P.O. Box 575  
Emery, Utah 84522

Kenneth L. & Earlene Christiansen  
P.O. Box 552  
Emery, Utah 8452

D.U. Company, Inc.  
53 West Angelo Avenue  
Salt Lake City, Utah 84115

**Section 23 T22S, R6E**

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

**Section 26 T22S, R6E**

United States of America BLM  
Leased to Consolidation Coal UTU 86038

**Section 27 T22S, R6E**

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

**Section 28 T22S, R6E**

Wayne & Delise Staley  
P.O. Box 83  
Emery, Utah 84522  
(801) 286-2213

Bronco Utah Operations LLC.  
Emery Mine

P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

Russell H. Odle  
P.O. Box 23  
Emery, UT 84522-0023

**Section 29 T22S, R6E**

Russell H. Odle  
P.O. Box 23  
Emery, UT 84522-0023

Emery County  
Emery County Courthouse  
Castle Dale, Utah 84513

Morgan Robertson  
P.O. Box 65  
Emery, Utah 84522  
(Refer to Page 7b thru 7d for  
Exploration & Surface Agreement)

Rainbow Glass  
P.O. Box 340  
Orangeville, UT 84537

Bronco Utah Operations LLC.  
Emery Mine P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

Osburn Bret Carter & J.R. Lawrence  
P.O. Box 24  
Emery, Utah 84522

**INCORPORATED**

**APR 07 2008**

**Div. of Oil, Gas & Mining**

Inserted 12/2007  
Revised 9/09  
Revised 12/13  
Revised 3/16

**Surface Land Ownership Within and Adjacent to the Permit Area**

The following information describes the surface land ownership within and adjacent to the permit. Plate I-1 shows surface land ownership in and adjacent to the permit area.

**Section 30 T22S, R6E**

George E. & Patricia L. Olsen  
15 E. Center  
Orangeville, Utah 84537  
(801) 748-2522

Josiah K. Eardley  
2433 South Highway 10  
Price, Utah 84501

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

Emery County  
Emery County Courthouse  
Castle Dale, Utah 84513

Morgan C. Robertson  
P.O. Box 65  
Emery, Utah 84522  
(Right of Entry - Road & Monitoring  
Facilities, right-of-way & easement  
grant executed 10-3-88, filed &  
recorded 10-6-88, Utah, Emery County  
Book 174, Page 600-601)

Wynona P. Olsen (trustee)  
3805 Highland Cove Lane  
Apt #D18  
Salt Lake City, Utah 84146

Young Investment LLC  
c/o Walt Young  
6590 W. Center St.  
Mendon, UT 84325

Clara V. Albrechtsen  
893 N 800 E  
Bountiful, UT 84010-2848

M. Christensen  
Box 35  
Emery, Utah 84522  
(801) 286-2348

**Section 31 T22S, R6E**

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

Morgan Robertson  
P.O. Box 65  
Emery, Utah 84522

Josiah K. & Etta Marie Eardley  
2433 South Highway 10  
Price, Utah 84501

Osburn Bret Carter et al  
P.O. Box 24  
Emery, Utah 84522

**Section 32 T22S, R6E**

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

Osburn Bret Carter  
P.O. Box 24  
Emery, Utah 84522

**INCORPORATED**

**APR 07 2010**

**Div. of Oil, Gas & Mining**  
Inserted 12/2007  
Revised 9/09  
Revised 12/13  
Revised 3/16

**Surface Land Ownership Within and Adjacent to the Permit Area**

The following information describes the surface land ownership within and adjacent to the permit. Plate I-1 shows surface land ownership in and adjacent to the permit area.

**Section 33 T22S, R6E**

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

**Section 34 T22S, R6E**

Bronco Utah Operations LLC.  
Emery Mine  
P.O. Box 527  
Emery, Utah, 84522  
(801) 286-2301

United States of America (BLM)

**Section 25 T22S, R5E**

Rex Addley  
Emery, Utah 84522  
(801) 286-2250

George Lewis  
75 E. 3rd South  
Salt Lake City, Utah 84111  
Phone Unknown

Robert Lewis  
107 W. 2 S.  
Emery, Utah 84522  
(801) 286-2424

United States of America (BLM)  
Not Leased

**INCORPORATED**

**APR 07 2016**  
Inserted 12/2007  
Revised 9/09  
Revised 12/13  
Revised 3/16  
Dept. of Oil, Gas & Mining

**Coal Ownership Within and Adjacent to the Permit Area**

On December 16, 2015, CONSOL Mining Company LLC conveyed and assigned its interest in the below holdings (except Federal Coal Leases UTU-5287, UTU-50044, UTU86038 and Federal Logical Mining Unit UTU-73335, the "Federal Leases") to Bronco Utah Operations, LLC by Special Warranty Deed and Assignment and Assumption Agreement, recorded in Emery County on December 22, 2015 at Entry 411521 and 411523, respectively. On December 16, 2015, CONSOL Mining Company LLC assigned the Federal Leases to Bronco Utah Reserves, Inc. by Assignment and Assumption Agreement, recorded in Emery County on December 22, 2015 at Entry 411524. By Sublease Agreement dated December 16, 2015 Bronco Utah Reserves, Inc. subleased its interest in the Federal Leases to Bronco Utah Operations, LLC. Bronco Utah Operations, LLC is the successor in interest to Kemmerer and Consol, and references to Kemmerer and Consol below should be read as Bronco Utah Operations LLC for periods of time after December 16, 2015. The documents and lands listed below pertain only to coal ownership and are not subject to litigation. Plate I-1 shows coal ownership in and adjacent to the permit area.

**Township 22 South, Range 6 East (SLM)**

|                   |  |   |
|-------------------|--|---|
| <b>Section 19</b> | NE $\frac{1}{4}$ SW $\frac{1}{4}$<br>NW $\frac{1}{4}$ SE $\frac{1}{4}$<br>E $\frac{1}{2}$ SE $\frac{1}{4}$<br>S $\frac{1}{2}$ NE $\frac{1}{4}$ | Lease from USA (BLM) to Kemmerer and Consol dated 7/1/70 (#U-527)<br>Utah State Offices<br>University Club Building<br>Salt Lake City, Utah<br>(801) 524-5330 |
|                   | SE $\frac{1}{4}$ SW $\frac{1}{4}$<br>dated 5/14/68   | Deed from Emery County to Kemmerer Coal Co.   |
|                   | SW $\frac{1}{4}$ SE $\frac{1}{4}$  | Deed from L.M. and S.M. Pratt to Kemmerer Coal Co.<br>dated 6/22/49   |
|                   | N $\frac{1}{2}$ NE $\frac{1}{4}$<br>NW $\frac{1}{4}$   | United States of America<br>Not Leased  |
|                   | W $\frac{1}{2}$ SW $\frac{1}{4}$   | Emery County<br>95 E. Main<br>Castledale, Utah 84513<br>(801) 748-2474  |
| <b>Section 20</b> | NW $\frac{1}{4}$ SW $\frac{1}{4}$<br>S $\frac{1}{2}$ S $\frac{1}{2}$<br>NE $\frac{1}{4}$ SE $\frac{1}{4}$                                      | Lease from United States of America (BLM) to Kemmerer and Consol dated 7/1/70 (#U-5287)   |
|                   | NE $\frac{1}{4}$<br>E $\frac{1}{2}$ NW $\frac{1}{4}$<br>NE $\frac{1}{4}$ SW $\frac{1}{4}$<br>NW $\frac{1}{4}$ SE $\frac{1}{4}$                 | Deed from San Rafael Fuel Co. to Kemmerer Coal Co.<br>date 10/1/58  |
|                   | W $\frac{1}{2}$ NW $\frac{1}{4}$   | United States of America<br>Not Leased  |
| <b>Section 21</b> | W $\frac{1}{2}$ SE $\frac{1}{4}$<br>NE $\frac{1}{4}$ NE $\frac{1}{4}$<br>W $\frac{1}{2}$ NE $\frac{1}{4}$                                      | Deed from San Rafael Fuel Co.<br>to Kemmerer Coal Co.   |
|                   | SE $\frac{1}{4}$ NE $\frac{1}{4}$  | Deed from L.M. and S.M. Pratt<br>to Kemmerer Coal Co.   |

|  |                                    |   |
|--|------------------------------------|---|
| <b>Section 22</b>  | NW¼NW¼                             | Deed from San Rafael Fuel Co.<br>to Kemmerer Coal Co. dated 10/1/58   |
|  | SW¼SW¼<br>SE¼NE¼                   | Deed from San Rafael Fuel Co.<br>to Kemmerer Coal Co. dated 10/1/58   |
|  | SW¼NW¼<br>N½SW¼<br>SE¼SW¼          | Lease from United States of America<br>(BLM) to Consol dated 7/1/83 (#U-50044)  |
|  | W½SE¼<br>E½NW¼<br>W½NE¼<br>NE¼NE¼  | Deed from I. Browning to<br>Kemmerer Coal Co. dated 8/23/66   |
| <b>Section 23</b>  | SW¼NW¼                             | Deed from I. Browning to<br>Kemmerer Coal Co. dated 8/23/66   |
|  | NW¼SW¼                             | Deed from San Rafael Fuel Co.<br>to Kemmerer Coal Co. dated 10/1/58   |
|  | S1/2SW1/4                          | Lease from USA (BLM) to Consol dated October 1,2009(UTU 86038)  |
| <b>Section 26</b>  | NW1/4NW1/4                         | Lease from USA (BLM) to Consol dated October 1,2009(UTU 86038)  |
| <b>Section 27</b>  | S½ NW¼<br>SW¼NE¼                   | Deed from San Rafael Coal Co.<br>to Kemmerer Coal Co. dated 10/1/58   |
|  | N½NE¼                              | Deed from L.M. and S.M. Pratt<br>to Kemmerer Coal Co. dated 6/22/49   |
|  | S½NE¼                              | Deed from Kemmerer Coal Co.   |
| <b>Section 28</b>  | NW¼                                | Deed from San Rafael Fuel Co.<br>to Kemmerer Coal Co. dated 10/1/58   |
|  | NE¼                                | Dated from San Rafael Fuel Co.<br>to Kemmerer Coal Co. dated 10/1/58  |
|  | S½                                 | Deed from San Rafael Fuel Co.<br>to Kemmerer Coal Co. dated 10/1/58   |
| <b>Section 29</b>  | NW¼NW¼<br>E½NW¼<br>W½NE¼<br>NW¼SE¼ | Lease from United States of America<br>(BLM) to Kemmerer and Consol<br>dated 7/1/70 (#U-5287)   |
| Beginning 20 rods South of<br>the NW corner of the SW<br>Quarter of Section 29,<br>thence South 60 rods, thence<br>East 80 rods, thence North 20<br>rods, thence Northwesterly to<br>the place of the beginning. |                                    | Lease from John and Carolyn Lewis<br>to Consol and Kemmerer<br>dated 11/12/80<br>1163 E. 25th Street<br>Idaho Falls, ID 83401<br>(208) 522-3646 |

Revised/reordered 9/09  
Revised 3/16

**INCORPORATED**

**APR 07 2016**

Div. of Oil, Gas & Mining

SW $\frac{1}{4}$ NW $\frac{1}{4}$ , beginning at the NW corner of SW $\frac{1}{4}$ , thence E 80 rods, thence S 76 rods, thence Northwesterly to the place of the beginning.

Lease from George Olsen to Consolidation Coal Co. dated 12/17/80  
15 E. Center  
Orangeville, Utah  
(801) 748-2522

SE $\frac{1}{4}$ NE $\frac{1}{4}$

Lease from R.D. Jensen and D.R. Close to Consolidation Coal Co. dated 12/17/80  
520 E. 1 N.  
Cleveland, Utah 84518  
(801) 653-2252

NE $\frac{1}{4}$ NE $\frac{1}{4}$   
E $\frac{1}{2}$ SE $\frac{1}{4}$   
SW $\frac{1}{4}$ SE $\frac{1}{4}$   
NE $\frac{1}{4}$ SW $\frac{1}{4}$

Deed from San Rafael Fuel Co. to Kemmerer Coal Co. dated 10/1/58

S $\frac{1}{2}$ SW $\frac{1}{4}$

State of Utah  
Lease Relinquished by Consolidation Coal Co.

**Section 30**

S $\frac{1}{2}$ NE $\frac{1}{4}$   
E $\frac{1}{2}$ NW $\frac{1}{4}$   
NW $\frac{1}{4}$ SE $\frac{1}{4}$   
SW $\frac{1}{4}$ SE $\frac{1}{4}$   
SE $\frac{1}{4}$ SW $\frac{1}{4}$

Deed from Emery County to Kemmerer Coal Co. dated 5/14/68

N $\frac{1}{2}$ NE $\frac{1}{4}$   
SW $\frac{1}{4}$ NW $\frac{1}{4}$   
NE $\frac{1}{4}$ SW $\frac{1}{4}$

Deed from L.M. and S.M. Pratt to Kemmerer Coal Co. dated 6/22/49

NW $\frac{1}{4}$ NW $\frac{1}{4}$

Private ownership, Ralph Lewis  
4053 S. 850 W.  
Bountiful, Utah 84010  
(801) 292-1204

SW $\frac{1}{4}$ SW $\frac{1}{4}$   
S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

Lease from George Lewis to Consolidation Coal Co. dated 8/30/82

NE $\frac{1}{4}$ SE $\frac{1}{4}$

Lease from John and Carolyn Lewis to Consolidation Coal Co. dated 11/12/80

SE $\frac{1}{4}$ SE $\frac{1}{4}$

State of Utah  
Lease relinquished by Consolidation Coal Company

N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

Lease from Robert Lewis to Consolidation Coal Co. dated 10/3/74  
107 W. 2 S.  
Emery, Utah 84522  
(801) 286-2424

**Section 31**

W $\frac{1}{2}$ NE $\frac{1}{4}$   
E $\frac{1}{2}$ NW $\frac{1}{4}$   
NW $\frac{1}{4}$ NW $\frac{1}{4}$   
SW $\frac{1}{4}$ NW $\frac{1}{4}$   
W $\frac{1}{2}$ SW $\frac{1}{4}$   
SW $\frac{1}{4}$ SE $\frac{1}{4}$   
E $\frac{1}{2}$ NE $\frac{1}{4}$

Deed from Emery County to Kemmerer Coal Co. dated 5/14/68

See Note A.

Deed from San Rafael Fuel Co. to Kemmerer Coal Co. dated 10/1/58

Replaced/reordered 9/09 **INCORPORATED**

|                   |                            |  |
|-------------------|----------------------------|--|
|                   | NW¼SE¼<br>NE¼SW¼<br>SE¼SW¼ | State of Utah<br>Lease Not Renewed                               |
|                   | E½SE¼                      | Deed from L.M. and S.M. Pratt to Kemmerer Coal Co. dated 6/22/49 |
| <b>Section 32</b> | NW¼<br>E½                  | Deed from San Rafael Fuel Co. to Kemmerer Coal Co. dated 10/1/58 |
|                   | SW¼                        | Deed from L.M. and S.M. Pratt to Kemmerer Coal Co. dated 6/22/49 |
| <b>Section 33</b> | All                        | Deed from San Rafael Fuel Co. to Kemmerer Coal Co. dated 10/1/58 |
| <b>Section 34</b> | N½                         | Deed from San Rafael Fuel Co. to Kemmerer Coal Co. dated 10/1/58 |
|                   | S½                         | United States of America<br>Not Leased                           |

**Township 22 South Range 5 East (SLM)**

|                   |      |  |
|-------------------|------|--|
| <b>Section 25</b> | E½E½ | United States of America<br>Not Leased |
| <b>Section 36</b> | All  | Utah State, not leased                 |

**Township 23 South Range 5 East (SLM)**

|                  |     |  |
|------------------|-----|--|
| <b>Section 1</b> | All | United States of America<br>Not Leased |
|------------------|-----|--|

**Township 23 South Range 6 East (SLM)**

|                  |                               |  |
|------------------|-------------------------------|--|
| <b>Section 6</b> | N½W¼<br>NW¼NE¼                | See Note A.  |
|                  | NE¼NE¼                        | Deed from L.M. and S.M. Pratt to Kemmerer Coal Co. dated 6/22/49 |
| <b>Section 5</b> | NW¼NW¼                        | Deed from L.M. and S.M. Pratt to Kemmerer Coal Co. dated 6/22/49 |
|                  | E½<br>E½W½<br>W½SW¼<br>SW¼NW¼ | United States of America (BLM)<br>Not Leased                     |
| <b>Section 4</b> | W½                            | United States of America (BLM)<br>Not Leased                     |
|                  | E½                            | United States of America (BLM)<br>Not Leased                     |

NOTE A: The Kemmerer Coal Company, and its successors Consol and Bronco Utah Operations, have been paying taxes on these lands for a number of years. However, during the title investigations, the deed from Ira Browning to Kemmerer was found to be missing, but these lands are not included in the Browning estate. Therefore, it is Bronco-Consol-Kemmerer's contention that these coal lands do indeed belong to Bronco Utah operations LLC.

Replaced/reordered 9/09

Revised 3/16  
**INCORPORATED**

**APR 07 2016**

**APPENDIX I-3**

**LIST OF PERMITS**

**INCORPORATED**

**APR 07 2011**

Div. of Oil, Gas & Mining

Permits affiliated with officers of Bronco Utah Operations within the last 5 years from February 2016

Horizon Mine (DOGM Permit #C/007/0020)

Wildcat Loadout (DOGM Permit #C/007/0033)

INCORPORATED

APR 07 2016

1000 1000 1000

**APPENDIX I-4**  
**LIST OF VIOLATIONS**

**APPENDIX I-4-A Hidden Valley**

**APPENDIX I-4-B Wildcat Loadout**

**APPENDIX I-4-C Emery Deep**

**INCORPORATED**

**APR 07 2011**

Div. of Oil, Gas & Mining

**APPENDIX I-4-A**

**Hidden Valley - List of Violations**

**INCORPORATED**

**APR 07 2018**

Div. of Oil, Gas & Mining

**APPENDIX I-4-B**

**Wildcat Loadout - List of Violations**

**INCORPORATED**

**APR 07 2018**

Div. of Oil, Gas & Mining

# Utah! Permit Tracking

Revised: 2/6/2008

Change Password

Pending Tasks

CTS User's Guide

View Electronic Documents

View/Edit Photographs

View Selected Task Detail

Refresh Data

Show All Records

Custom Report

Tasks Issued by Dates

Tasks Requested by Dates

Add NEW Task

Delete Selected Task

Create Duplicate Revision of Selected Task

QUIT Tracking

| Site Name (Dbi-Click for Detail) | Permit   | Sta | Type | Year | Task ID | Task ID | Nurm | Rev | Previd | NextID | Task Name                        | Requested  | Issue Due | Issue Sent | IR Due | IR Done |
|----------------------------------|----------|-----|------|------|---------|---------|------|-----|--------|--------|----------------------------------|------------|-----------|------------|--------|---------|
| WILDCAT LOADOUT                  | C0070033 | A   | NOV  | 2013 | 4456    | 4456    | 10   | 1   |        |        | NOV#10132 FAILURE TO CONTROL COA | 11/26/2013 |           | 3/13/2014  |        |         |
| WILDCAT LOADOUT                  | C0070033 | A   | NOV  | 2013 | 4374    | 4374    | 5    | 1   |        |        | NOV#10129 CONDUCTING NON-PERMIT  | 6/20/2013  |           | 7/2/2013   |        |         |
| WILDCAT LOADOUT                  | C0070033 | A   | NOV  | 1999 | 310     | 310     | -    | 9   |        |        | FAILURE TO GET DOGM APPROVAL ON  | 1/20/1999  |           | 1/20/1999  |        |         |

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APPENDIX I-4-C

**Emery Deep - List of Violations**

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25-Feb-16

**CONSOL Energy and Related Companies - Violation History**  
**February 25, 2011 – February 25, 2016**

Attachment Page 1 of 1

**Entity to whom violation(s) were issued: CONSOL Mining Company, LLC**

PERMIT NO: ACT/015/015 MSHA NO: 42-00079 MSHA DATE: 05/13/75  
VIOLATION NO: 10088 DATE VIOL. ISSUED: 6/30/2011 ISSUED BY: Utah DOGM  
VIOLATION DESCRIPTION: Terminated because: The Permittee is collecting water monitoring data in accordance with Table VI-17 of the approved MRP. As well as provided revised water monitoring plan.  
CURRENT STATUS: TERMINATED STATUS DATE:  
REQUIRED ACTIONS:

ABATEMENT ACTIONS:

PERMIT NO: C0150015 MSHA NO: MSHA DATE:  
VIOLATION NO: C0150015 (10146) DATE VIOL. ISSUED: 6/25/2014 ISSUED BY: UT DOGM  
VIOLATION DESCRIPTION: Failed to do a quarterly inspection and P.E. certified report for the refuse pile during the first quarter of 2014.  
CURRENT STATUS: TERMINATED STATUS DATE: 6/25/2014  
REQUIRED ACTIONS: Operator needs to insure that quarterly inspection and P.E. certified reports are done for the refuse pile.

ABATEMENT ACTIONS: Operator has already completed inspection and P.E. certified report for the second quarter of 2014 on April 20, 2014.

PERMIT NO: C0150015 MSHA NO: MSHA DATE:  
VIOLATION NO: C0150015 (15148) DATE VIOL. ISSUED: 12/17/2014 ISSUED BY: UT DOGM  
VIOLATION DESCRIPTION: Failed to submit certified reports to the Division promptly after each inspection of the refuse pile.  
CURRENT STATUS: TERMINATED STATUS DATE: 12/17/2014  
REQUIRED ACTIONS: Submit refuse pile reports promptly after each inspection

ABATEMENT ACTIONS:

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**APPENDIX I-5**

**PERSONAL INJURY AND PROPERTY DAMAGE  
INSURANCE INFORMATION**

**INCORPORATED**

**APR 07 2016**

**Div. of Oil, Gas & Mining**



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/15/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|   |  |  |                                      |
|---|--|--|--------------------------------------|
| <b>PRODUCER</b><br>Diversified Insurance Group<br>136 E. South Temple Street<br>Suite 2300<br>Salt Lake City UT 84111 | <b>CONTACT NAME:</b> Regan Guth<br><b>PHONE (A/C No, Ext):</b> (801) 325-5000<br><b>E-MAIL ADDRESS:</b> rguth@digrisk.com                                    |  | <b>FAX (A/C, No):</b> (801) 532-2804 |
|   | <b>INSURER(S) AFFORDING COVERAGE</b><br>INSURER A: Illinois National Insurance Company<br>INSURER B:<br>INSURER C:<br>INSURER D:<br>INSURER E:<br>INSURER F: |  | <b>NAIC #</b><br>23817               |

**COVERAGES** CERTIFICATE NUMBER: CL15121531786 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE  | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS   |
|----------|--|-----------|----------|---------------|-------------------------|-------------------------|--|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br>OTHER: |           |          | GL 9875833    | 12/16/2015              | 12/16/2016              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000<br>\$ |
|          | <b>AUTOMOBILE LIABILITY</b><br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input type="checkbox"/> HIRED AUTOS<br><input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS   |           |          |               |                         |                         | COMBINED SINGLE LIMIT (Ea accident) \$<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>\$  |
|          | <input type="checkbox"/> <b>UMBRELLA LIAB</b> OCCUR<br><input type="checkbox"/> <b>EXCESS LIAB</b> CLAIMS-MADE<br>DED RETENTION \$   |           |          |               |                         |                         | EACH OCCURRENCE \$<br>AGGREGATE \$<br>\$   |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below  | Y/N       | N/A      |               |                         |                         | <input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER<br>E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$   |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
All operations usual to the business of the Insured at the EMERY DEEP MINE (Mine Permit C0150015).  
Blasting is not excluded under the General Liability policy.

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|---|---|
| <b>CERTIFICATE HOLDER</b><br>State of Utah<br>Utah Coal Regulatory Program<br>1594 W. North Temple, Ste 1210<br>Box 145801<br>Salt Lake City, UT 84114-5801 | <b>CANCELLATION</b><br>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.<br><br>AUTHORIZED REPRESENTATIVE<br>Regan Guth/ANMAVA |
|---|---|