



State of Utah

**Department of
Natural Resources**

MICHAEL R. STYLER
Executive Director

**Division of
Oil, Gas & Mining**

JOHN R. BAZA
Division Director

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

December 16, 2010

Corey Heaps, Vice President
Castle Valley Mining LLC
2352 North 7th Street, Unit B
Grand Junction, Colorado 81501

Subject: Permit Transfer, Bear Canyon Mine, Castle Valley Mining LLC,
C/015/0025, Task #3654, Outgoing File

Dear Mr. Heaps:

The permit transfer for the Bear Canyon Mine is approved. Enclosed are two (2) copies of the revised permanent program permit for the Bear Canyon Mine. Please note the special conditions attached.

Please have both permits signed by the designated signatory authority and return one signed copy to the Division.

At this time please submit 8 clean copies of the Chapter 1 revisions that were submitted with the permit transfer for incorporation into the MRP. Once we receive these clean copies, a stamped incorporated copy will be sent to you for insertion into your MRP.

Good luck in your mining endeavors. If you have any questions, please call me.

Sincerely,


John R. Baza
Director

JRB/sqs
Enclosures
cc: James Fulton, OSM, WRCC
O:\015025.BCN\PERMIT\2010Transfer\BazaLetter.doc

Outgoing
C0150025
#3654
R

UTAH DIVISION OF OIL, GAS AND MINING
STATE DECISION DOCUMENT

For
PERMIT TRANSFER

Bear Canyon Mine
Castle Valley Mining LLC
C/015/0025
Emery County, Utah

December 16, 2010

Contents

- Administrative Overview
- Permitting Chronology
- Findings
- Permit
- Notice of Publication
- Guaranty of Payment of AML Fees
- AVS Compliance Memo

ADMINISTRATIVE OVERVIEW

Bear Canyon Mine Permit Transfer
Castle Valley Mining LLC
C/015/0025
December 16, 2010

Background

The Bear Canyon Mine was originally permitted by Co-Op Mining Company (aka CW Mining) in the Huntington Canyon area. The original permit for the Bear Canyon Mine was issued on November 1, 1985, with subsequent permit renewals on May 29, 1991, November 2, 1995, November 2, 2000, November 2, 2005 and November 2, 2010. Mining began in the Blind Canyon Seam, and in 1994, the Division approved mining the Tank seam. The Division received the proposal to mine on the east side of the Bear Canyon Fault (Wild Horse Ridge) on December 18, 1998, this mine expansion received mining plan approval on February 1, 2002. On September 26, 2005, the Division approved a minor amendment to add a 40-acre Incidental Boundary Change (IBC) to federal lease U-38727.

On April 5, 2007 the Division approved the addition of private and federal leases associated with the Morhland area for an addition of 7591.29 acres to the Bear Canyon Mine permit area. This addition received federal mine plan approval on July 3, 2007.

Room and pillar mining occurs in the Bear Canyon seam (middle seam) the Hiawatha seam (lower seam) and the Tank Seam. The permit area now encompasses 10991.83 acres and the disturbed area is 40.46 acres.

In June of 2008, CW Mining, permittee and operator of the Bear Canyon Mine, attempted a sale of the mine to Hiawatha Coal Company. Hiawatha Coal Company approached the Division of Oil, Gas, and Mining in July of 2008 for a permit transfer. The transfer was complicated by an involuntary bankruptcy petition filed by a creditor of CW Mining, and reluctance by the surety company to transfer the bond coverage.

In April of 2009, the Bankruptcy Court declared that the sale of the mine and assets to Hiawatha Coal Company was not valid and the Trustee retains rights to the mine and all assets of CW Mining. Subsequently, the Division denied the permit transfer.

A transfer application that will assign the permit to Castle Valley Mining LLC was received on October 12, 2010 and approved December 16, 2010.

Public Notice

The applicant submitted the permit transfer application on October 12, 2010. The application was determined administratively complete on November 4, 2010. The applicant published notice for the permit transfer on November 9, 2010 in the Emery County Progress and the Sun Advocate. On December 8th the Division received objections to the transfer and requests for an informal conference from Peter W. Guyon representing Hiawatha Coal Company, Inc., David Kingston representing ANR Company Inc., and P Matthew Cox representing C.O.P. Development. While not a regulatory requirement, the Division agreed to hold an informal conference and accept comments from those requesting the conference. An informal conference was held on December 16, 2010 regarding the transfer. No issues were raised that would prevent the transfer from going forward and it was concluded that the transfer would be allowed.

AVS Check

While conducting an AVS check on the entities involved in the transfer, it was discovered that there were outstanding AML fees that had not been paid by the previous owner. To resolve this issue, the new owner (Rhino Energy LLC) has provided a Guaranty of Payment of AML Fees. This guaranty assures that the fees will be paid so the transfer can proceed.

Recommendation for Approval

The Division made the decision on December 16, 2010 to approve the permit transfer on the fact that 1) The terms and conditions of the existing permit are being satisfactorily met; 2) The present coal mining and reclamation operations are in compliance with the environmental protection standards of the State Program; 3) The transfer does not substantially jeopardize the operator's continuing ability to comply with the State Program on existing permit areas; and 4) The operator has provided evidence of having liability insurance and a performance bond which will be in effect for the operation and will continue in full force and effect.

CHRONOLOGY

Bear Canyon Mine Permit Renewal
Castle Valley Mining LLC
C/015/0025
December 16, 2010

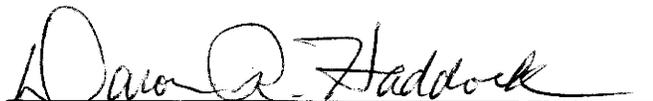
- October 12, 2010 Castle Valley Mining LLC submits permit transfer application.
- November 4, 2010 The application is determined administratively complete.
- November 4, 2010 The Division notifies local, state, and federal agencies as well as water users that the permit transfer application for the Bear Canyon Mine is administratively complete.
- November 9, 2010 Castle Valley Mining LLC advertises public notice of permit transfer for the Bear Canyon Mine in the Emery County Progress and the Sun Advocate.
- December 6, 2010 Castle Valley Mining posts a reclamation bond with the Division in the amount of \$1,830,000.
- December 8, 2010 The Division receives objections to the transfer and requests for an informal conference from Peter W. Guyon representing Hiawatha Coal Company, Inc., David Kingston representing ANR Company Inc., and P Matthew Cox representing C.O.P. Development.
- December 9, 2010 The end of the public comment period.
- December 16, 2010 The Division holds an informal conference regarding the transfer.
- December 16, 2010 Division approves the transfer of the Bear Canyon Mine permit.

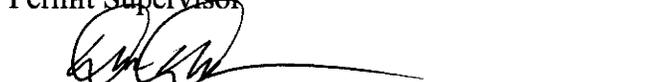
PERMIT TRANSFER FINDINGS

Bear Canyon Mine
Castle Valley Mining LLC
C/015/0025

December 16, 2010

1. The permit transfer application was submitted and contained all of the information required under R645-303-321.
2. The application for transfer was advertised in a newspaper of general circulation. (R645-303-322).
3. The applicant is eligible to receive a permit. (See AVS Check) (R645-303-341).
4. The public was provided opportunity to provide comment on the transfer application by mail as well as in an Informal Conference. (R645-303-330).
5. The operator has provided evidence of maintaining liability insurance in full effect by submitting a Certificate of Liability Insurance which shows the required coverages. (National Union Fire Ins Co of Pittsburgh PA--Policy #GL0936045)(R645-303-233.140).
6. The operator has a Surety Bond on file with the Division and has provided evidence that this instrument will remain in full effect. (Surety Bond #929518448 in the amount of \$1,830,000 issued by Continental Casualty Company) (R645-303-342).
7. The operator has submitted all information as required to date, by the Division for this transfer. (R645-303-343).


Permit Supervisor


Associate Director of Mining


Director

FEDERAL

**PERMIT
C/015/0025**

December 16, 2010

**STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801
(801) 538-5340**

This permit, C/015/0025, is issued for the State of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

**Castle Valley Mining, LLC
2352 North 7th Street, Unit B
Grand Junction, Colorado 81501
(970)245-2987**

for the Bear Canyon Mines. A performance bond is filed with the Division in the amount of \$1,830,000 payable to the State of Utah, Division of Oil, Gas and Mining and the United States Department of Interior, Office of Surface Mining Reclamation and Enforcement. The Division must receive a copy of this permit signed and dated by the Permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 PERMIT AREA - The Permittee is authorized to conduct coal mining and reclamation operations on the following described lands within the permit area of the Bear Canyon Mines, situated in the State of Utah, Emery County, and located as follows:

Township 16 South, Range 7 East, SLBM

- Sec. 1: Lots 1 and 2, S1/2 NE1/4, SE1/4;
- Sec. 10: N1/2, N1/2 S1/2, SE1/4 SW1/4, S1/2 SE1/4;
- Sec. 11: All;
- Sec. 12: All;
- Sec. 13: All;
- Sec. 14: NE1/4, E1/2 NW1/4, S1/2;
- Sec. 23: E1/2, E1/2 W1/2;
- Sec. 24: All;
- Sec. 25: All;
- Sec. 26: NE1/4 NE1/4, NW1/4 NE1/4, N1/2 SW1/4, NE1/4 and the access/haul road and topsoil storage area as shown on Plate 2-1.

Township 16 South, Range 8 East, SLBM

- Sec. 6: Lots 11-14, E1/2 SW1/4, W1/2 SE1/4, SE1/4SE1/4;
Sec. 7: All;
Sec. 8: NW1/4, W1/2 E1/2, N1/2 SW ¼, SE1/4 SW1/4, SW1/4 SW1/4;
Sec. 16: All;
Sec. 17: All;
Sec. 18: All;
Sec. 19: S1/2 NW1/4, SW1/4, SW1/4 SE1/4, N1/2SE1/4, S1/2 NE1/4, Lot 1,
NE1/4 NW1/4, N1/2 NE1/4;
Sec. 20: S1/2 NW1/4, N1/2 SW1/4, N1/2 NW1/4, NE1/4, NE1/4 SE1/4;
Sec. 21: E1/2 NW1/4, NE1/4, N1/2 SE1/4, W1/2 NW1/4, N1/2 SW1/4, SE1/4SW1/4, S1/2SE1/4;
Sec. 30: W1/2, W1/2 NE1/4, NW1/4 SE1/4; and
Sec. 31: NE1/4 NW1/4, NW1/4 NE1/4

This legal description is for the permit area of the Bear Canyon Mines. The Permittee is authorized to conduct coal mining and reclamation operations connected with mining on the foregoing described property subject to the conditions of the leases, the approved mining plan, including all conditions and all other applicable conditions, laws and regulations.

- Sec. 3 COMPLIANCE** - The Permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.
- Sec. 4 PERMIT TERM** - This permit becomes effective on December 16, 2010 and expires on November 2, 2015.
- Sec. 5 ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the approval of the Director, DOGM. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13{e} and R645-303.
- Sec. 6 RIGHT OF ENTRY** - The Permittee shall allow the authorized representative of the DOGM, including but not limited to inspectors, and representatives of the OSMRE, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- (a) Have the rights of entry provided for in 30 CFR 840.12, R645-400-110, 30 CFR 842.13 and R645-400-220;
 - (b) Be accompanied by private persons for the purpose of conducting an inspection in accordance with R645-400-210 and 30 CFR 842, when the inspection is in response to an alleged violation reported to the Division by the private person.

Sec. 7 SCOPE OF OPERATIONS - The Permittee shall conduct underground coal mining activities only on those lands specifically designated as within the permit area on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond.

Sec. 8 ENVIRONMENTAL IMPACTS - The Permittee shall minimize any adverse impact to the environment or public health and safety through but not limited to:

- (a) Any accelerated monitoring to determine the nature and extent of noncompliance and the results of the noncompliance;
- (b) Immediate implementation of measures necessary to comply; and
- (c) Warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

Sec. 9 DISPOSAL OF POLLUTANTS - The Permittee shall dispose of solids, sludge, filter backwash or pollutants in the course of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.

Sec. 10 CONDUCT OF OPERATIONS - The Permittee shall conduct its operations:

- (a) In accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
- (b) Utilizing methods specified as conditions of the permit by DOGM in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 11 EXISTING STRUCTURES - As applicable, the Permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.

Sec. 12 RECLAMATION FEE PAYMENTS - The operator shall pay all reclamation fees required by 30 CFR Part 870 for coal produced under the permit, for sale, transfer or use.

Sec. 13 AUTHORIZED AGENT - The Permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.

Sec. 14 COMPLIANCE WITH OTHER LAWS - The Permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq), and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.

Sec. 15 PERMIT RENEWAL - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 16 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the Permittee shall ensure that the site(s) is not disturbed and shall notify the DOGM. DOGM, after coordination with OSMRE, shall inform the Permittee of necessary actions required. The Permittee shall implement the mitigation measures required by DOGM within the time frame specified by DOGM.

Sec. 17 APPEALS - The Permittee shall have the right to appeal as provided for under R645-300.

Sec. 18 SPECIAL CONDITIONS - There are special conditions associated with this permitting action, as described in Attachment A.

The above conditions (Secs. 1-18) are also imposed upon the Permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the Permittee to comply with the terms of this permit and the lease. The Permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of DOGM and the Permittee at any time to adjust to changed conditions or to correct an oversight. DOGM may amend these conditions at any time without the consent of the Permittee in order to make them consistent with any Federal or State statutes and any regulations.

THE STATE OF UTAH

By: John R. Byr
Date: 12/16/10

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

Authorized Representative of the Permittee

Date: _____

**ATTACHMENT A
Special Conditions**

1. Castle Valley Mining Company LLC will submit surface and ground water quality data for the Bear Canyon Mine on a quarterly basis in an electronic format through the Electronic Data Input web site, <http://hlunix.hl.state.ut.us/cgi-bin/appx-ogm.cgi> throughout the life of the permit.
2. Castle Valley Mining Company LLC will comply with the terms of the Guaranty of Payment of AML Fees set forth in the document dated December 13, 2010 and signed by Joe Miller, Vice President and Secretary of Rhino Energy LLC.
3. Castle Valley Mining Company LLC will comply with the Special Forest Service Stipulations regarding compliance with the National Historic Preservation Act.

The following stipulations will apply to both NFS and private lands associated with the Bear Canyon Lease Expansion project area. The subsidence monitoring and reporting requirements for the NFS lands will also include appropriate notification to the Division.

For private lands that involve subsidence related impacts to cultural and historic resources, the Division will be the appropriate agency for initial contact and coordination, in place of the Forest Service as outlined below for subsidence related impacts to cultural and historic resources on NFS lands:

Forest Service NHPA Stipulations

1. **Monitoring of Subsidence.** Castle Valley Mining will conduct annual subsidence monitoring of National Forest System Lands (NFS) throughout the life of the mine. Should subsidence occur, Castle Valley Mining will provide an accurate map of the entire subsidence area. Castle Valley Mining will ensure that a qualified archaeologist will then examine the location of the subsidence area relative to previous inventories and known sites within fifteen (15) working days of the identification of the subsidence. Depending on the location of subsidence in relation to previous inventories and known sites, the following stipulations will apply (to each subsidence event):
 - a. **Previously Inventoried and No Sites.** If subsidence occurs on NFS lands within an area that has undergone previous archaeological inventory, and no sites are present within the area of subsidence, or no sites eligible to the National Register of Historic Places are present in the area of subsidence, no further work will need to be done. Castle Valley Mining or their consulting archaeologist will notify the U.S. Forest Service (USFS) regarding this determination within fifteen (15) working days of making the determination. The USFS will provide the information to SHPO.
 - b. **Previously Inventoried and Known Sites.** If subsidence occurs on NFS lands within an area that has undergone previous archaeological inventory, and known archaeological sites, previously

determined eligible to the National Register of Historic Places are present in the subsidence area, Castle Valley Mining will have a qualified archaeologist examine the effects of subsidence upon the site(s) in question within fifteen (15) working days of making this determination. The archaeologist will provide a report, for review by the USFS in a timely manner that makes recommendations regarding whether or not the effects of subsidence are adverse. The USFS will

make a final determination of the effects of subsidence. The USFS will then consult with the SHPO regarding the effects determination. If the effect is determined to be adverse, procedures following

36CFR800.6 and the stipulations below regarding evaluation and archaeological treatment will be followed.

- c. **Not Previously Inventoried.** If subsidence occurs on NFS lands within an area that has not undergone previous archaeological inventory, Castle Valley Mining will have a qualified archaeologist conduct a field examination of the subsidence area within fifteen (15) working days of making this determination (in consultation with the USFS and SHPO). Depending on the presence or absence of sites in the subsidence area, the following stipulations will apply (to each subsidence event):
 - i. **No Sites.** If no sites are present within the area of subsidence, the archaeologist will make a recommendation of No Historic Properties Affected to the USFS in a timely manner. The USFS will make a final determination of the effects of subsidence. The USFS will then consult with the SHPO regarding the effects determination per 36CFR800.4(c).
 - ii. **Newly Discovered Sites.** If a site or sites are found within the area of subsidence, the archaeologist will provide a report and make recommendations of eligibility and effect to the USFS (per 36CFR800.4(c)(2) and 36CFR800.5) regarding the site(s) and subsidence effects on the site(s) in a timely manner. The USFS will make a final determination of eligibility of the site(s) and the effects of subsidence on the site(s). The USFS will then consult with the SHPO regarding the effects determination. If the effect to any site eligible to the National Register of Historic Places is determined to be adverse, procedures following 36CFR800.6 and the stipulations below regarding evaluation and archaeological treatment will be followed.
 - d. **Time Lines.** In all cases SHPO and the Tribes will be afforded thirty (30) calendar days following receipt of reports/consultation requests to respond.
 - e. **Conducting Consultation.** The USFS will consult with tribes, SHPO, and the Utah Division of Oil, Gas and Mining (UDOGM) during this process at a level appropriate to the nature of the resources (if any) and effects to the resources (if any) taking into account comments and concerns received previously from the tribes and consulting parties.
2. **Discoveries in Area of Potential Effect (APE).** Should unanticipated cultural or historic resources be observed within the APE during, but not limited to, Castle Valley Mining's quarterly ground-water monitoring, annual subsidence monitoring, OGM's field visits, construction of any mine-related structures or features, future archeological surveys conducted within the permit area, or otherwise brought to USFS attention, Castle Valley Mining will halt any work within the vicinity of the discovery that could harm the discovery and notify the USFS within 24 hours of the discovery. Castle Valley Mining will also protect the site. The USFS will notify SHPO of said resources within seven (7) days of resource discovery. If

determined appropriate, the USFS will require Castle Valley Mining to record the discovery, conduct additional evaluations as necessary, and provide correlating reports. The USFS will make determinations of eligibility and effect regarding the discovery.

- a. **No Historic Properties Affected or No Adverse Effects.** If a determination of No Historic Properties Affected or No Adverse Effects is made, the USFS will consult with the SHPO regarding the determination following 36CFR800.4-5.
 - b. **Adverse or Potentially Adverse.** If effects to a site that is determined via this process to be eligible to the National Register of Historic Places are determined adverse or potentially adverse, the USFS, Castle Valley Mining and SHPO will reconvene to recommend and draft appropriate measures to avoid, minimize, or mitigate adverse effects.
 - c. **Time Lines.** In all cases SHPO and the Tribes will be afforded thirty (30) calendar days following receipt of reports/consultation requests to respond.
 - d. **Conducting Consultation.** The USFS will consult with tribes, SHPO, and UDOGM during this process at a level appropriate to the nature of the resources (if any) and effects to the resources (if any) taking into account comments and concerns received previously from the tribes and consulting parties.
3. **Funding of Work.** Castle Valley Mining will fund and implement any future and all cultural or historic resources fieldwork, analysis, and monitoring, required under these stipulations.

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

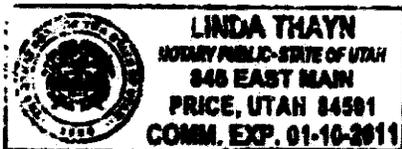
I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 1 (One) consecutive issues, and on the Utah legals.com webwsite; the first publication was on the 9th day of November, 2010, and that the last publication of such notice was in the issue of such newspaper dated the 9th day of November, 2010.

Richard Shaw - Publisher

Subscribed and sworn to before me this 9th day of November, 2010.

Notary Public My commission expires January 10, 2011 Residing at Price, Utah

Publication fee, \$ 85.37



NOTICE OF PERMIT TRANSFER

Castle Valley Mining Co. 2352 North 7th Street, Unit B, Grand Junction, Colorado 81501 has submitted to the Utah Division of Oil, Gas & Mining a request to transfer coal mining permit G/01542. The mining permit will be transferred from Castle Valley Mining Co. to Emery County State of C.V. Mining Company, 2352 North 7th Street, Unit B, Grand Junction, Colorado 81501. Permit No. G/01542 was originally issued on October 1, 1985. The permit has been renewed and extended for five years. The original permit was issued with the intent of being done on November 2, 2010. The Bear Canyon Mine is located in Bear Canyon, approximately 12 road miles west of Huntington, Utah. The permit area, found on the USGS Hiawatha Quadrangle map, is described as follows:

Township 16 South, Range 7 East, SLBM
Sec. 1: Lots 1 and 2, S1/2 NE1/4, SE1/4;
Sec. 10: N1/2, N1/2 S1/2, SE1/4 SW1/4, S1/2 SE1/4;
Sec. 11: All;
Sec. 12: All;
Sec. 13: All;
Sec. 14: NE1/4, E1/2 NW1/4, S1/2;
Sec. 23: E1/2, E1/2 W1/2;
Sec. 24: All;
Sec. 25: All;
Sec. 26: NE1/4 NE1/4, NW1/4 NE1/4, N1/2 SW1/4, NE1/4 and the access/haul road and topsoil storage area as shown on Plate 2-1 of the Bear Canyon Mining and Reclamation Plan;

Township 16 South, Range 8 East, SLBM
Sec. 6: Lots 11-14, E1/2 SW1/4, W1/2 SE1/4, SE1/4 SE1/4;
Sec. 7: All;
Sec. 8: NW1/4, W1/2 E1/2, N1/2 SW1/4, SE1/4 SW1/4, SW1/4 SW1/4;
Sec. 16: All;
Sec. 17: All;
Sec. 18: All;
Sec. 19: S1/2 NW1/4, SW1/4, SW1/4 SE1/4, N1/2 SE1/4, S1/2 NE1/4, Lot 1, NE1/4 NW1/4, N1/2 NE1/4;
Sec. 20: S1/2 NW1/4, N1/2 SW1/4, N1/2 NW1/4, NE1/4, NE1/4 SE1/4;
Sec. 21: E1/2 NW1/4, NE1/4, N1/2 SE1/4, W1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4, S1/2 SE1/4;
Sec. 30: W1/2, W1/2 NE1/4, NW1/4 SE1/4; and
Sec. 31: NE1/4 NW1/4, NW1/4 NE1/4;

Written comments, objections, or a request for and informal conference should be directed to the Utah Division of Oil, Gas & Mining, P.O. Box 145801, Salt Lake City, Utah 84114-5801. Copies of the transfer request and current mining and reclamation plan are available for public inspection at the office of the Utah Division of Oil, Gas & Mining, Salt Lake City, or at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84513.

Published in the Emery County Progress November 9, 2010.

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Carbon,)

I, Richard Shaw, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State a true copy of which is hereto attached, was published in the full issue of such newspaper for 1 (One) consecutive issues, and on the Utah legals.com website, the first publication was on the 9th day of November, 2010, and that the last publication of such notice was in the issue of such newspaper dated the 9th day of November 2010.

Richard Shaw - Publisher

Subscribed and sworn to before me this 9th day of November, 2010.

Notary Public My commission expires January 10, 2011 Residing at Price, Utah

Publication fee, \$ 133.37



NOTICE OF PERMIT TRANSFER

Castle Valley Mining LLC, 2352 North 7th Street, Unit B, Grand Junction, Colorado 81501 has submitted to the Utah Division of Oil, Gas & Mining a request to transfer coal mining permit D-015/025. The coal mining permit will be transferred from Kenneth A. Rushton, trustee of the Bankruptcy Estate of C.W. Mining Company, 99 West Main Street, Suite 112, Lehi, Utah 84043 to Castle Valley Mining LLC, 2352 North 7th Street, Unit B, Grand Junction, Colorado 81501. Permit No. D-015/025 was originally issued November 1, 1985. The permit has been renewed several times over the years. The original permit was issued with the last expiration date of November 2, 2010. The Bear Canyon Mine is located in Carbon County, approximately 12 road miles West of Huntington, Utah. The mine area, found on the USGS Hawatha Quadrangle map, is described as follows:

Township 16 South, Range 7 East, SLBM
Sec. 1: Lots 1 and 2, S1/2 NE1/4, SE1/4
Sec. 10: N1/2, N1/2 S1/2, SE1/4 SW1/4, S1/2 SE1/4;
Sec. 11: All;
Sec. 12: All;
Sec. 13: All;
Sec. 14: NE1/4, E1/2 NW1/4, S1/2;
Sec. 23: E1/2, E1/2 W1/2;
Sec. 24: All;
Sec. 25: All;
Sec. 26: NE1/4 NE1/4, NW1/4 NE1/4, N1/2 SW1/4, NE1/4 and the access/haul road and topsoil storage area as shown on Plate 2-1 of the Bear Canyon Mining and Reclamation Plan.

Township 16 South, Range 7 East, SLBM
Sec. 11: E1/2 NW1/4, W1/2 SE1/4, SE1/4 SE1/4;
Sec. 20: NW1/4, W1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4, SW1/4 SW1/4;
Sec. 21: All;
Sec. 22: NW1/4 SW1/4, SW1/4 SE1/4, N1/2 SE1/4, S1/2 NE1/4, Lot 1, NW1/4 NE1/4;
Sec. 23: NW1/4, N1/2 SW1/4, N1/2 NW1/4, NE1/4, NE1/4 SE1/4;
Sec. 24: NE1/2 NW1/4, NE1/4, N1/2 SE1/4, W1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4, S1/2 SE1/4;
Sec. 30: W1/2, W1/2 NE1/4, NW1/4 SE1/4; and
Sec. 31: NE1/4 NW1/4, NW1/4 NE1/4.

Written comments, objections, or requests for an informal conference should be directed to the Utah Division of Oil, Gas & Mining, P.O. Box 145801, Salt Lake City, Utah 84114-5801. Copies of the transfer request and current mining and reclamation plans are available for public inspection at the office of the Utah Division of Oil, Gas & Mining, Salt Lake City, or at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84513.

Published in the Sun Advocate November 9, 2010.

GUARANTY OF PAYMENT OF AML FEES

The undersigned, Rhino Energy, LLC ("Rhino"), hereby guarantees to the Utah Division of Oil, Gas & Mining ("DOGM") the payment to DOGM of the following AML fees: (i) ACT/015/025, second quarter of 2009, balance as of November 30, 2010 -- \$57,925.588, (ii) ACT/015/025, third quarter of 2009, balance as of November 30, 2010 -- \$4,942.86, and (iii) interest and penalties accruing thereon after November 30, 2010 (collectively, the "Fees"), if, and only if, the DOGM permit for the Bear Canyon mine (ACT/015/025) has been transferred to Castle Valley Mining LLC (the "Transfer"), and the Fees are not timely paid as described in the following sentence. If within ninety (90) days after the date of the Transfer the Fees have not been paid in full, Rhino shall pay the unpaid amount of such Fees within ten (10) days following Rhino's receipt of notice of non-payment from DOGM sent to the address below.

By acceptance of the Guaranty, DOGM acknowledges that Rhino has made no agreements, promises, warranties or representations to DOGM relating to the subject matter of this Guaranty other than those set forth expressly in this Guaranty.

Dated this 13th day of December, 2010.

RHINO ENERGY LLC

By Joe Miller
Its Vice President; Secretary

424 Lewis Hargett Circle, Suite 250
Lexington, Kentucky 40503
Attention: General Counsel



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

December 16, 2010

TO: Internal File

FROM: Daron R. Haddock, Permit Supervisor 

RE: Compliance Review for Section 510 (c) Findings – Bear Canyon Mine, Castle Valley Mining LLC, C/015/0025, Task ID #3654

As of the writing of this memo, there are no NOVS or COs which are not corrected or in the process of being corrected. There are no finalized Civil Penalties, which are outstanding and overdue in the name of Castle Valley Mining LLC. Castle Valley Mining LLC does not demonstrate a pattern of willful violations, nor have they been subject to any bond forfeitures for any operation in the state of Utah.

The recommendation from the Applicant Violator System (AVS) denotes that all connected entities either do not have any civil penalties or outstanding violations.

O:\015025.BCN\PERMIT2010TRANSFER\510C.DOC



U.S. Department of the Interior Office of Surface Mining
Applicant/Violator System

suzanne.steab (UT) | Logo

[Click for the Office of Surface Mining Website](#)

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[HOME](#) > ENTITY EVALUATE

Evaluation on Entity Number: 250853
0 Violations

[Print Report](#)

Entity Evaluation

Entity Number	250853
Entity Name	Castle Valley Mining LLC
Date of Evaluation	12/1/2010 6:26:44 PM
Requested Individual	suzanne.steab

CAUTION: The Applicant/Violator System (AVS) is an informational database. Permit eligibility determinations are made by the regulatory authority with jurisdiction over the permit application not by the AVS. Results which display outstanding violations may not include critical information about settlements or other conditions that affect permit eligibility. Consult the AVS Office at 800-643-9748 for verification of information prior to making decisions on these results.

There were no violations retrieved by the system

Evaluation OFT

Entities: 54

- 153723 Wexford Capital Llc - ()
- 151387 Mark D Zand - (Corporate Officer)
- 151387 Mark D Zand - (Member)
- 153724 Charles E Davidson - (Chairman of the Board)
- 153724 Charles E Davidson - (Corporate Officer)
- 153724 Charles E Davidson - (Member)
- 153725 Joseph M Jacobs - (Corporate Officer)
- 153725 Joseph M Jacobs - (Member)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Chief Financial Officer)
- 153726 Jay L Maymudes - (Corporate Officer)
- 153726 Jay L Maymudes - (Member)
- 153726 Jay L Maymudes - (Treasurer)
- 153727 Kenneth A Rubin - (Corporate Officer)
- 153727 Kenneth A Rubin - (Member)
- 153728 Frederick B Simon - (Corporate Officer)

- 153728 Frederick B Simon - (Member)
- 153730 Robert H Holtz - (Assistant Secretary)
- 153730 Robert H Holtz - (Corporate Officer)
- 153730 Robert H Holtz - (Member)
- 153795 Paul Jacobi - (Vice President)
- 153798 Taurus Investors Llc - (Subsidiary Company)
- 151387 Mark D Zand - (Vice President)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153728 Frederick B Simon - (Vice President)
- 153730 Robert H Holtz - (Vice President)
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- 153801 Arthur Amron - (Vice President)
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- 159210 Elizabeth Branham - (Controllor)
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- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 153799 Valentis Investors Llc (class A) - (Subsidiary Company)
- 151387 Mark D Zand - (Vice President)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
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-----159654 Christopher N Moravec - (Senior Vice President)
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-----250852 Corey Heaps - (Vice President)
---153800 Artis Investors Llc (class A) - (Subsidiary Company)
-----151387 Mark D Zand - (Vice President)
-----153725 Joseph M Jacobs - (President)
-----153726 Jay L Maymudes - (Secretary)
-----153726 Jay L Maymudes - (Treasurer)
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- 159654 Christopher N Moravec - (Senior Vice President)
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- 250852 Corey Heaps - (Vice President)
- 153801 Arthur Amron - (Corporate Officer)
- 153801 Arthur Amron - (Member)
- 153801 Arthur Amron - (Secretary)
- 153803 Joseph Curran - (Vice President)
- 153804 Mark Leferman - (Vice President)
- 153816 Artis Investors Llc (class B) - (Subsidiary Company)
- 151387 Mark D Zand - (Vice President)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
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- 159214 Rhino Energy LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
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- 133188 Andrew Cox - (Vice President)
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- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)

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- 250852 Corey Heaps - (Vice President)
- 154872 Callidus Investors Llc - (Subsidiary Company)
- 153725 Joseph M Jacobs - (President)
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- 153726 Jay L Maymudes - (Treasurer)
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- 158796*Chad Hunt - (Vice President)
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- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 159393 Ethan Silverman - (Vice President)
- 159394 Daniel P Debono - (Vice President)
- 159395 Ken Clements - (Vice President)
- 159396 Henry Scholder - (Vice President)
- 159397 Anne Marie Segal - (Vice President)
- 159398 John V Doyle - (Vice President)
- 159399 Eric Wood - (Vice President)
- 159400 Peter Chan - (Vice President)
- 159402 Susan Odonovan - (Vice President)
- 153812 Wexford Advisors Llc - ()
- 153724 Charles E Davidson - (Chairman of the Board)
- 153724 Charles E Davidson - (Member)
- 153724 Charles E Davidson - (Shareholder)
- 153725 Joseph M Jacobs - (Member)
- 153725 Joseph M Jacobs - (President)
- 153725 Joseph M Jacobs - (Shareholder)
- 153726 Jay L Maymudes - (Member)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Shareholder)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153730 Robert H Holtz - (Member)
- 153730 Robert H Holtz - (Shareholder)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 153810 Wexford Special Situations 1996 Lp - (Subsidiary Company)
- 159322 Solitair Llc - (Subsidiary Company)
- 151387 Mark D Zand - (Vice President)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153727 Kenneth A Rubin - (Vice President)

- 153728 Frederick B Simon - (President)
- 153730 Robert H Holtz - (Vice President)
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- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 153817 Wexford 97 Advisors Llc - ()
- 153724 Charles E Davidson - (Chairman of the Board)
- 153724 Charles E Davidson - (Member)

- 153724 Charles E Davidson - (Shareholder)
- 153725 Joseph M Jacobs - (Member)
- 153725 Joseph M Jacobs - (President)
- 153725 Joseph M Jacobs - (Shareholder)
- 153726 Jay L Maymudes - (Member)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Shareholder)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153730 Robert H Holtz - (Member)
- 153730 Robert H Holtz - (Shareholder)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 153813 Wexford Special Situations 1997 Lp - (Subsidiary Company)
- 153811 Imprimis Investors Llc - (Subsidiary Company)
- 153725 Joseph M Jacobs - (President)
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- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (Vice President)

- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 153815 Wexford Special Situations 1997 Institutional Lp - (Subsidiary Company)
- 153811 Imprimis Investors Llc - (Subsidiary Company)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153727 Kenneth A Rubin - (Vice President)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 159322 Solitair Llc - (Subsidiary Company)
- 151387 Mark D Zand - (Vice President)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153727 Kenneth A Rubin - (Vice President)
- 153728 Frederick B Simon - (President)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)

- 159214 Rhino Energy LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 063815 David G Zatezalo - (President)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (Vice President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 153820 Wexford Spectrum Advisors Llc - ()
- 151387 Mark D Zand - (Member)
- 151387 Mark D Zand - (Vice President)
- 153724 Charles E Davidson - (Chairman of the Board)
- 153724 Charles E Davidson - (Member)
- 153725 Joseph M Jacobs - (Member)
- 153725 Joseph M Jacobs - (President)

- 153726 Jay L Maymudes - (Member)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153727 Kenneth A Rubin - (Member)
- 153727 Kenneth A Rubin - (Vice President)
- 153728 Frederick B Simon - (Member)
- 153728 Frederick B Simon - (Vice President)
- 153730 Robert H Holtz - (Member)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Member)
- 153801 Arthur Amron - (Vice President)
- 246735 Wexford Spectrum Fund L P - (Subsidiary Company)
- 159214 Rhino Energy LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 063815 David G Zatezalo - (President)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (Vice President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (President)
- 159209 Joseph Miller - (Assistant Secretary)

- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 153822 Wexford V Advisors Llc - ()
- 153724 Charles E Davidson - (Chairman of the Board)
- 153724 Charles E Davidson - (Member)
- 153725 Joseph M Jacobs - (Member)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Member)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153730 Robert H Holtz - (Member)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Member)
- 153801 Arthur Amron - (Vice President)
- 153821 Wexford Partners V Lp - (Subsidiary Company)
- 153799 Valentis Investors Llc (class A) - (Subsidiary Company)
- 151387 Mark D Zand - (Vice President)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153728 Frederick B Simon - (Vice President)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 159214 Rhino Energy LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 063815 David G Zatezalo - (President)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (Vice President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)

- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 153824 Wexford Vi Advisors Llc - ()
- 151387 Mark D Zand - (Member)
- 151387 Mark D Zand - (Vice President)
- 153724 Charles E Davidson - (Chairman of the Board)
- 153724 Charles E Davidson - (Member)
- 153725 Joseph M Jacobs - (Member)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Member)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153727 Kenneth A Rubin - (Member)
- 153727 Kenneth A Rubin - (Vice President)
- 153728 Frederick B Simon - (Member)
- 153728 Frederick B Simon - (Vice President)
- 153730 Robert H Holtz - (Member)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Member)
- 153801 Arthur Amron - (Vice President)
- 153823 Wexford Partners Vi Lp - (Subsidiary Company)
- 153798 Taurus Investors Llc - (Subsidiary Company)
- 151387 Mark D Zand - (Vice President)
- 153725 Joseph M Jacobs - (President)

- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153728 Frederick B Simon - (Vice President)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 159214 Rhino Energy LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 063815 David G Zatezalo - (President)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (Vice President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)

- 153826 Wexford Mit Distressed Advisors Llc - ()
 - 151387 Mark D Zand - (Member)
 - 151387 Mark D Zand - (Vice President)
- 153724 Charles E Davidson - (Chairman of the Board)
 - 153724 Charles E Davidson - (Member)
 - 153725 Joseph M Jacobs - (Member)
 - 153725 Joseph M Jacobs - (President)
 - 153726 Jay L Maymudes - (Member)
 - 153726 Jay L Maymudes - (Secretary)
 - 153726 Jay L Maymudes - (Treasurer)
 - 153726 Jay L Maymudes - (Vice President)
 - 153727 Kenneth A Rubin - (Member)
 - 153727 Kenneth A Rubin - (Vice President)
 - 153728 Frederick B Simon - (Member)
 - 153728 Frederick B Simon - (Vice President)
 - 153730 Robert H Holtz - (Member)
 - 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
 - 153801 Arthur Amron - (Member)
 - 153801 Arthur Amron - (Vice President)
- 153825 Wexford Mit Distressed Lp - (Subsidiary Company)
- 153800 Artis Investors Llc (class A) - (Subsidiary Company)
 - 151387 Mark D Zand - (Vice President)
 - 153725 Joseph M Jacobs - (President)
 - 153726 Jay L Maymudes - (Secretary)
 - 153726 Jay L Maymudes - (Treasurer)
 - 153726 Jay L Maymudes - (Vice President)
 - 153730 Robert H Holtz - (Vice President)
 - 153801 Arthur Amron - (Assistant Secretary)
 - 153801 Arthur Amron - (Vice President)
- 159214 Rhino Energy LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
 - 063815 David G Zatezalo - (President)
 - 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
 - 153726 Jay L Maymudes - (Secretary)
 - 153726 Jay L Maymudes - (Treasurer)
 - 153726 Jay L Maymudes - (Vice President)
 - 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
 - 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
 - 158796 Chad Hunt - (Vice President)
- 159209 Joseph Miller - (Assistant Secretary)
 - 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
 - 159210 Elizabeth Branham - (Controller)
 - 159210 Elizabeth Branham - (Vice President)

- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 153816 Artis Investors Llc (class B) - (Subsidiary Company)
- 151387 Mark D Zand - (Vice President)
- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 159214 Rhino Energy LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 063815 David G Zatezalo - (President)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (Vice President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)

- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)
- 250852 Corey Heaps - (Vice President)
- 246731 Wexford VII Advisors LLC - ()
- 151387 Mark D Zand - (Shareholder)
- 151387 Mark D Zand - (Vice President)
- 153724 Charles E Davidson - (Chairman of the Board)
- 153724 Charles E Davidson - (Member)
- 153724 Charles E Davidson - (Shareholder)
- 153725 Joseph M Jacobs - (Member)
- 153725 Joseph M Jacobs - (President)
- 153725 Joseph M Jacobs - (Shareholder)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Shareholder)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153727 Kenneth A Rubin - (Shareholder)
- 153727 Kenneth A Rubin - (Vice President)
- 153728 Frederick B Simon - (Shareholder)
- 153728 Frederick B Simon - (Vice President)
- 153730 Robert H Holtz - (Shareholder)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Shareholder)
- 153801 Arthur Amron - (Vice President)
- 154873 Wexford Partners Vii L P - (Subsidiary Company)
- 154872 Callidus Investors Llc - (Subsidiary Company)

- 153725 Joseph M Jacobs - (President)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153728 Frederick B Simon - (Vice President)
- 153730 Robert H Holtz - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 159214 Rhino Energy LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 063815 David G Zatezalo - (President)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (Vice President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 250852 Corey Heaps - (Vice President)
- 250853 Castle Valley Mining LLC - (Subsidiary Company)
- 063815 David G Zatezalo - (Chief Executive Officer)
- 133188 Andrew Cox - (Vice President)
- 151387 Mark D Zand - (Chairman of the Board)
- 153726 Jay L Maymudes - (Secretary)
- 153726 Jay L Maymudes - (Treasurer)
- 153726 Jay L Maymudes - (Vice President)
- 153795 Paul Jacobi - (Vice President)
- 153801 Arthur Amron - (Assistant Secretary)
- 153801 Arthur Amron - (Vice President)
- 157749 Richard Boone - (Chief Financial Officer)
- 157749 Richard Boone - (Senior Vice President)
- 158796 Chad Hunt - (President)
- 159209 Joseph Miller - (Assistant Secretary)
- 159209 Joseph Miller - (Vice President)
- 159210 Elizabeth Branham - (Assistant Secretary)
- 159210 Elizabeth Branham - (Controller)
- 159210 Elizabeth Branham - (Vice President)
- 159654 Christopher N Moravec - (Senior Vice President)
- 246681 Gary Isaac - (Assistant Secretary)

-----250852 Corey Heaps - (Vice President)

Narrative

Request Narrative