

SECTION 4

PERMITTEE OWNERSHIP AND CONTROL

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BHP Navajo Coal Company Corporate Organization Structure

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[4.A](#) Verification of Owners and Controllers for BHP Navajo Coal Company

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PERMITTEE OWNERSHIP AND CONTROL

LIST OF REVISIONS DURING PERMIT TERM

REV. NUMBER	REVISION DESCRIPTION	DATE APPROVED
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SECTION 4 PERMITTEE OWNERSHIP AND CONTROL

4.1 Owners and Controllers

The BHP Navajo Coal Company (BNCC) Corporate Organizational Structure can be found in [Figure 4.1-1](#).

4.1.1 Names and Addresses of Principal Shareholders

The principal shareholder of the permittee is:

BHP Billiton New Mexico Coal, Inc.
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801
Telephone: +44 (0) 207 802 4098
Federal ID #: 45-2485938

Whose principal shareholder is:

BHP Coal Holdings Pty. Ltd.
Level 20, Waterfront Place
1 Eagle Street
Brisbane, Queensland 4000 Australia
Telephone: +61 07 3227 5600

Addresses and telephone numbers for officers and directors are the same as the company for which they hold office. This information for the applicant and other entities with ownership interest is provided in [Table 4.1-1](#), [Table 4.1-2](#), [Table 4.1-3](#), [Table 4.1-4](#), and [Table 4.1-5](#).

[Appendix 4.A](#) contains a copy of the affidavit verifying the ownership and control information for BNCC is accurate and complete. The original will remain on file at the mine office and the Office of Surface Mining Reclamation and Enforcement (OSM) Western Region office in Denver, Colorado, for review.

4.2 Operations Controlled in Common

[Table 4.2-1](#) presents the surface coal mine operations owned or controlled by the applicant, BNCC, or its operators. Only operations owned or controlled within five years of the date of the permit application package submittal are presented in [Table 4.2-1](#).

4.3 Pending Permit Applications

The applicant, BNCC, does not have any pending permit applications.

4.4 Rebutted Ownership and Control Documentation

The ownership and control documentation for BNCC or its owners and controllers are not being challenged by the applicant.

Personnel

Persons or organizations responsible for data collection, analysis, and preparation of this permit application package section:

Kent Applegate
Marian Wimsatt
Matt Owens
BHP Navajo Coal Company

Table 4.1-1 Ownership and Control Companies

Business	Address & Telephone No.	Federal ID No.
BHP Billiton Limited	Level 27 BHP Billiton Centre 180 Lonsdale Street Melbourne, Victoria 3000 Australia Telephone No. +61 1300 554757	N/A
BHP Coal Holdings Pty. Ltd	Level 20, Waterfront Place 1 Eagle Street Brisbane, Queensland 4000 Australia Telephone No. +61 07 3227 5600	N/A
BHP Billiton New Mexico Coal, Inc.	c/o The Corporation Trust Company 1209 Orange Street Wilmington DE 19801 USA Telephone No. +44 (0) 207 802 4098	45-2485938
BHP Navajo Coal Company	300 West Arrington, Suite 200 Farmington, NM 87401 Telephone No. (505) 598-4200	85-0436672
San Juan Coal Company	300 West Arrington, Suite 200 Farmington, NM 87401 Telephone No. (505) 598-4200	94-2557286
San Juan Transportation Company	300 West Arrington, Suite 200 Farmington, NM 87401 Telephone No. (505) 598-4200	94-2785883

Table 4.1-2 BHP Billiton Limited Corporate Officers

Name	Title	Code	Date Elected
<i>Active Officers*</i>			
Crawford, David Alexander	Director	DIR	May 1, 1994
Schubert, John Michael	Director	DIR	Jun 1, 2000
Buchanan, John Gordon St. Clair	Director	DIR	Feb 1, 2003
Codeiro, Carlos Antonio Souza	Director	DIR	Aug 26, 2005
Kloppers, Marius Jacques	Director	DIR	Jan 1, 2006
Nasser, Jacques	Director	DIR	Jun 6, 2006
McAloon, Jane	Secretary	SEC	Oct 25, 2006
Rumble, Keith Christopher	Director	SEC	Sep 1, 2008
Murdy, Wayne William	Director	DIR	Jun 18, 2009
Broomhead, Malcolm William	Director	DIR	Mar 31, 2010
Hewson, Carolyn Judith	Director	DIR	Mar 31, 2010
Vadera, Shriti	Director	DIR	Jan 1, 2011
Maxsted, Lindsay Philip	Director	DIR	Mar 23, 2011
Joyner, Elisabeth Jane	Director	DIR	Mar 24, 2011

Resigned Officers

Name	Title	Code	Date Elected	Date Resigned

*Current as of Feb 9, 2012

Table 4.1-3 BHP Coal Holdings Pty. Ltd. Corporate Officers

Name	Title	Code	Date Elected
<i>Active Officers*</i>			
Oberholzer, Gideon Johannes	Director	DIR	Dec 15, 2008
Buckle, Jill Margaret	Secretary	SEC	Sep 22, 2008
Ruddell, David	Alternate Director	DIR	Jul 28, 2011

Resigned Officers

Name	Title	Code	Date Elected	Date Resigned
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*Current as Feb 9, 2012

Table 4.1-4 BHP Billiton New Mexico Coal, Inc. Corporate Officers

Name	Title	Code	Date Elected
<i>Active Officers*</i>			
Fourie, Jacobus Gerhardus	President & COO	DIR, COO	Apr 1, 2010
Risner, Patrick	Director & Vice President	DIR, VP	Apr 18, 2011
Clarke, Steve C.	Director & Treasurer	DIR, TRS	Apr 18, 2011
Grand, David T. Jr.	Secretary	SEC	Apr 18, 2011
Fourie, Jacobus Gerhardus	Director	DIR	Apr 18, 2011

Resigned Officers

Name	Title	Code	Date Elected	Date Resigned

*Current as of Feb 9, 2012

Table 4.1-5 BHP Navajo Coal Company Corporate Officers

Name	Title	Code	Date Elected
<i>Active Officers*</i>			
Francis, Alfred	Vice President	VP	Jul 14, 2004
Fourie, Jacobus Gerhardus	Director, President & COO	DIR, PRS, COO	Apr 1, 2010
Clarke, Steve C.	Director	DIR	Feb 7, 2011
Risner, Patrick	Director	DIR	Feb 7, 2011
Risner, Patrick	Vice President	VP	Feb 15, 2011
Jr., David T. Grand	Secretary	ASC	Aug 31, 2011
Jacobs, Carin	Vice President	VP	Oct 1, 2011

Resigned Officers

Name	Title	Code	Date Elected	Date Resigned

*Current as of Feb 9, 2012

Table 4.2-1 Surface Coal Mine Operations Controlled in Common

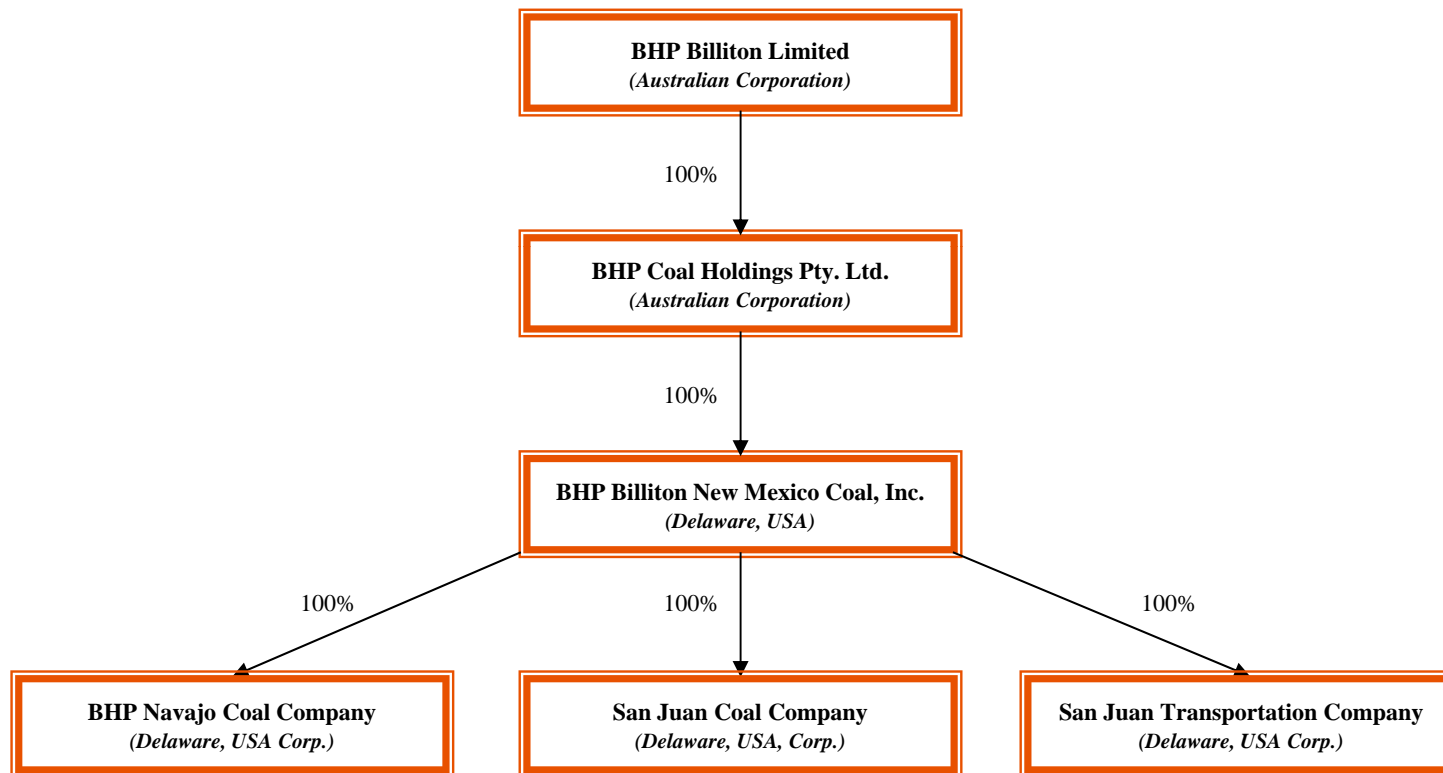
Mine name	Address	Employer ID	Permit no.	MSHA # & issue date	RA ¹
La Plata Mine	P. O. Box 210 La Plata, NM 87418	941369381	11-01	29-01825 Jan 10, 2001	MMD OSM
La Plata Transportation	P. O. Box 210 La Plata, NM 87418	941369381	11-01 NM-0014E	29-01825 Jan 10, 2001	MMD OSM
Navajo Mine	P.O. Box 1717 Fruitland, NM 87416	941369381	NM-0003F	29-00097 Sep 26, 2004	OSM
Pinabete Permit Area ²	P.O. Box 1717 Fruitland, NM 87416	941369381	NM- XXXXXX	29-00097 Apr 2, 1984	OSM
San Juan Mine	P. O. Box 561 Waterflow, NM 87421	941369381	09-01	29-02170 Sep 1, 1997	MMD

¹ Regulatory Authority: OSM - Office of Surface Mining Regulation and Enforcement
MMD – New Mexico Mining & Minerals Division

³ BHP Navajo Coal Company has not been issued a permit number from OSM for Pinabete permit area at the time of submittal. This table will be updated accordingly once an OSM permit number has been obtained.

BHP Navajo Coal Company Corporate Organizational Structure

Figure 4.1-1



Appendix 4.A

Verification of Owners and Controllers for BHP Navajo Coal Company


OWNERSHIP AND CONTROL VERIFICATION

BHP NAVAJO COAL COMPANY
PINABETE PERMIT APPLICATION
SAN JUAN COUNTY, NEW MEXICO

STATE OF NEW MEXICO §

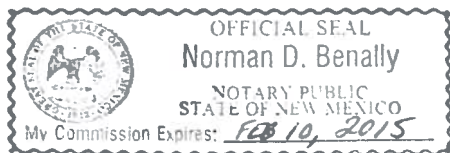
COUNTY OF SAN JUAN §


Marian L. Wimsatt, Specialist – Land and Water, BHP Navajo Coal Company, on oath deposes and says that the AVS information, regarding ownership and control contained in this permit application package is accurate and complete to the best of her knowledge and belief.

By: 
Marian L. Wimsatt
Specialist -Land and Water
BHP Navajo Coal Company

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Marian L. Wimsatt, known to me to be a responsible person of BHP Billiton Ltd., after having been duly sworn by me, on oath deposes as set forth above.

SUBSCRIBED AND SWORN to be the said Marian L. Wimsatt this 5 day of March, 2012, to certify which witness my hand and seal of office.





Notary Public in and for
San Juan County, Farmington, New Mexico

My Commission Expires:

Feb 10, 2015