



ENTERED
04/10/2019

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

WESTMORELAND COAL COMPANY, *et al.*,
Debtors¹.

Chapter 11

Case No. 18-35672 (DRJ)

(Jointly Administered)

**STIPULATION AND AGREED ORDER RESOLVING LIMITED OBJECTION AND
RESERVATION OF RIGHTS OF OHIO MACHINERY CO. AND OMCO LEASING
CORPORATION REGARDING ASSUMPTION AND ASSIGNMENT OF CONTRACTS
AND RELATED CURE AMOUNTS**

(Docket Nos. 1243 and 1700)

This stipulation and agreed order is entered into by and among Ohio Machinery Co., d.b.a. Ohio CAT (“**Ohio CAT**”), OMCO Leasing Corporation (“**OMCO**”), Westmoreland Resource Partners, LP and certain of its direct and indirect subsidiaries, including Oxford Mining Company, LLC, who are debtors in the above-captioned cases (collectively, the “**WMLP Debtors**”), and CCU Coal and Construction, LLC (“**CCU**,” and together with Ohio CAT, OMCO, and the WMLP Debtors, each a “**Party**” and collectively, the “**Parties**”) upon the following terms and conditions:

WHEREAS, on January 22, 2019, the WMLP Debtors, with other then-debtors, filed the *Joint Expedited Motion of the WLB Debtors and the WMLP Debtors for Entry of an Order (I) Approving the Sale of (A) Substantially all of the Assets of Oxford Mining Company, LLC, and Certain of Its Subsidiaries and (B) the Buckingham Mine, (II) Authorizing the Assumption and Assignment of Executory Contracts and Unexpired Leases In Connection Therewith, and (III)*

¹ Due to the large number of debtors in these chapter 11 cases, for which joint administration has been granted, a complete list of the debtors and the last four digits of their tax identification, registration, or like numbers is not provided herein. A complete list of such information may be obtained on the website of the WMLP Debtors’ claims and noticing agent in these chapter 11 cases at www.donlinrecano.com/westmoreland. Westmoreland Coal Company’s service address for the purposes of these chapter 11 cases is 9540 South Maroon Circle, Suite 300, Englewood, Colorado 80112.

Granting Related Relief, Including Approval of the Related Sale Process [Dkt. No. 1116] (the “**Motion**”), which included a proposed notice, attached as Exhibit E to the same, with a preliminary listing of executory contracts and/or unexpired leases that the WMLP Debtors may seek to assume and assign in connection with the proposed sale transactions described in the Motion (the “**Preliminary Contract List**”). The Preliminary Contract List included various agreements with Ohio CAT and OMCO and proposed cure amounts.

WHEREAS, on February 1, 2019, Ohio CAT and OMCO filed their *Limited Objection and Reservation of Rights of Ohio Machinery Co. And OMCO Leasing Corporation* [Dkt. No. 1243] (the “**Limited Objection**”) objecting to the cure amounts listed in the Preliminary Contract List.

WHEREAS, on February 5, 2019, the Court entered an order [Dkt. No. 1289] approving the Motion (the “**Sale Order**”) and therein approving, among other things, an Asset Purchase Agreement between the WMLP Debtors and CCU with respect to the purchase of the WMLP Debtors’ Oxford mining business (the “**Oxford APA**”) and the assumption and assignment of executory contracts and unexpired leases in connection therewith, as provided for therein. The sale transaction pursuant to the Oxford APA closed on February 11, 2019 (the “**Closing Date**”).

WHEREAS, on February 25, 2019, the WMLP Debtors filed a final list of executory contracts and unexpired leases to be assumed and assigned in connection with the sale transaction for the WMLP Debtors’ Oxford business [Dkt. No. 1490] (the “**Final Contract List**”). The inclusion of agreements with OMCO and Ohio CAT on the Final Contract List was made subject to the terms of this stipulation.

WHEREAS, the Parties have agreed to fully and finally resolve the Limited Objection and the cure amounts for each of the Ohio CAT and OMCO agreements that were assumed and assigned to CCU pursuant to the Sale Order and Oxford APA as set forth herein.

WHEREFORE, based upon the foregoing, and for good cause shown, it is hereby stipulated and agreed, and upon approval by the Court of this stipulation, it is hereby adjudged, ordered and decreed:

1. The foregoing recitals are hereby incorporated herein by reference.

The OMCO Agreement

2. Pursuant to the Sale Order and the Oxford APA, the WMLP Debtors have assumed and assigned to CCU that certain *Addendum to Lease Agreement – Caterpillar 994F Loader (S/N 44200151)* (the “**OMCO Lease**”) concerning a Caterpillar 994F Loader (S/N 44200151) (the “**OMCO 994F Loader**”).

3. In full and final satisfaction of all obligations owing under the OMCO Lease, including all cure amounts, and in consideration for CCU’s agreement to purchase the OMCO 994F Loader, OMCO agrees to sell and CCU agrees to buy the OMCO 994F Loader for \$230,000.00, which CCU shall pay to OMCO by wire transfer on or before April 5, 2019. Upon receipt of such payment, all defaults under the OMCO Lease shall be deemed cured, the OMCO Lease shall be deemed terminated, and CCU shall not have any further liability under the OMCO Lease. OMCO agrees to provide CCU with a bill of sale and such other documentation as CCU may reasonably request from time to time to evidence the sale of the OMCO 994F Loader and the termination of the OMCO Lease.

The Ohio CAT Agreements

4. **Continuing Agreements.** Pursuant to the Sale Order and the Oxford APA, the WMLP Debtors have assumed and assigned to CCU the rental agreements identified in Exhibit A attached hereto (collectively, the “Continuing Agreements”) concerning various pieces of equipment.

5. In full and final satisfaction of all obligations and defaults under the Continuing Agreements that were outstanding or that existed as of the Closing Date, including all cure amounts, CCU agrees to pay the cure amounts listed on Exhibit A attached hereto totaling \$9,960.00, which CCU shall pay to Ohio CAT by wire transfer on or before April 5, 2019. Upon receipt of the cure payments described in this paragraph, all defaults under the Continuing Agreements as of the Closing Date shall be deemed cured.²

6. **Non-Continuing Agreements.** Pursuant to the Sale Order and the Oxford APA, the WMLP Debtors have assumed and assigned to CCU the rental agreements identified in Exhibit B attached hereto (collectively, the “Non-Continuing Agreements”) concerning numerous items of rental equipment (the “Non-Continuing Equipment”).

7. In full and final satisfaction of all obligations and defaults under the Non-Continuing Agreements that were outstanding or that existed as of the Closing Date, including all cure amounts, CCU agrees to pay the cure amounts listed on Exhibit B totaling \$119,671.38, which CCU shall pay to Ohio CAT by wire transfer on or before April 5, 2019. Upon receipt of the cure payments described in this paragraph, all defaults under the Non-Continuing Agreements as of the Closing Date shall be deemed cured, the Non-Continuing Agreements shall be deemed terminated, and CCU shall not have any further liability under the Non-Continuing

² The cure amounts for the Continuing Agreements reflect an agreement by Ohio CAT to reduce the prepetition portion of the cure amounts by 50%.

Agreements.³ In consideration of the termination of the Non-Continuing Agreements and all future obligations owed by CCU thereunder as contemplated herein, CCU has returned the Non-Continuing Equipment to Ohio CAT, and Ohio CAT has confirmed receipt of the returned Non-Continuing Equipment.

8. **Other Agreements.** The WMLP Debtors have not assumed or assigned rental agreement no. G95367 (the "G95367 Agreement") concerning a Pump, 10"x8" High Head Diesel (S/N 1623081) (the "G95367 Pump"); however, in full and complete satisfaction of any and all use of the G95367 Pump by CCU following the Closing Date, CCU agrees to pay \$3,693.79, which CCU shall pay to Ohio CAT by wire transfer on or before April 5, 2019. Upon receipt of the payment described in this paragraph, CCU shall not have any further liability under the G95367 Agreement. For the avoidance of doubt, nothing herein shall be construed as a release and/or waiver of the WMLP Debtors' obligations under the G95367 Agreement for use of the G95367 Pump prior to the Closing Date, and nothing herein shall prejudice rights of Ohio CAT to assert post-petition administrative claim or claims against the WMLP Debtors for such amounts due in connection therewith and/or pursuant to 11 U.S.C. §§ 365, 503 or as otherwise permitted under the Bankruptcy Code. The WMLP Debtors reserve all rights to dispute any such claims related to the G95367 Pump on any basis other than this Stipulation or the assumption, assignment and/or cure payments provided for herein and pursuant to 11 U.S.C. § 365.

Full Satisfaction of CCU Obligations / Reservation of Rights

9. The foregoing terms are in full and final satisfaction of all obligations of CCU for liabilities existing as of the Closing Date with respect to the agreements being assumed and assigned herein.

³ The cure amounts for the Non-Continuing Agreements reflect an agreement by Ohio CAT to reduce the prepetition portion of the cure amounts by 50%.

10. Ohio CAT asserts that certain of the equipment subject to either the Continuing Agreements or the Non-Continuing Agreements have suffered damages resulting in financial injury to Ohio CAT (the "Damages"). Ohio CAT reserves the right to assert a post-petition administrative claim or claims against the WMLP Debtors for such Damages under 11 U.S.C. §§ 365, 503 or as otherwise permitted under the Bankruptcy Code, notwithstanding the assumption, assignment, and cure payments provided for herein and in connection with the foregoing agreements. For the avoidance of doubt, neither this Stipulation nor the assumption, assignment and/or cure payments provided for herein and pursuant to 11 U.S.C. § 365 shall in any way prejudice the rights of Ohio CAT to assert such claim or claims against the WMLP Debtors for the Damages. The WMLP Debtors reserve all rights to dispute the merits of any such claims related to the Damages on any basis other than this Stipulation or the assumption, assignment and/or cure payments provided for herein and pursuant to 11 U.S.C. § 365.

11. As indicated herein, Ohio CAT has agreed to a fifty percent (50%) reduction of the prepetition portion of the cure amounts due under the Continuing Agreements and Non-Continuing Agreements. In consideration thereof, Ohio CAT shall be and hereby is allowed a pre-petition unsecured claim against the WMLP Debtors in the amount of this reduction, which amounts to \$44,711.44.

Signed: April 10, 2019



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

SEEN AND AGREED:

Houston, Texas
April 9, 2019

/s/ Cullen D. Speckhart

Cullen D. Speckhart (TX Bar No. 2158405)

WOLCOTT RIVERS GATES

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200 Bendix Road, Ste. 300

Virginia Beach, VA 23452

Telephone: (757) 497-6633

Email: cspeckhart@wolriv.com

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/s/ Kenneth E. McKay

Kenneth E. McKay (TX Bar No. 13690835)

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Counsel to CCU Coal and Construction, LLC

/s/ Oliver S. Zeltner

Oliver S. Zeltner (TX Bar No. 24104000)

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Telephone: (216) 586-3939

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*Conflicts Counsel for the WMLP Debtors and
Counsel for the Conflicts Committee of the
Westmoreland Resources GP, LLC Board of
Directors*

EXHIBIT A

Ohio Machinery Co. Continuing Agreements				
Customer No.	Customer Name	Agreement No.	Equipment Description	Discounted Rental Payments Due (as of Closing Date)
1057420	OXFORD MINING /SLS RTR	G31140	Broce Broom, KR-350 Self-Propelled Sweeper Serial No. 409078 ID No. R81950	\$6,300.00
1057420	OXFORD MINING /SLS RTR	G95481	6"x4" PA Trash Pump Serial No. 1672441 ID No. R84746	\$3,660.00
TOTAL				\$9,960.00

EXHIBIT B

Ohio Machinery Co. Non-Continuing Agreements				
Customer No.	Customer Name	Agreement No.	Equipment Description	Discounted Rental Payments Due (as of Closing Date)
1057420	OXFORD MINING /SLS RTR	L05744	Caterpillar D6T LGP VP 2015 Serial No. 0RAD00473 ID No. H14124	\$18,495.00
1057420	OXFORD MINING /SLS RTR	L05745	Caterpillar 323FL 2016 Serial No. 0XCF01397 ID No. H14932	\$11,188.34
1057420	OXFORD MINING /SLS RTR	G82884	Pump, 6" X 4" PA High Head DSL Serial No.1565762 ID No. R81207	\$6,269.40
1057420	OXFORD MINING /SLS RTR	G84039	Pump, 6" X 4" PA High Head DSL Serial No. 1511894N ID No. R78728	\$5,820.00
1057420	OXFORD MINING /SLS RTR	G84294	Pump, 6" X 4" PA High Head DSL Serial No. 1565759 ID No. R81204	\$3,280.00
1057420	OXFORD MINING /SLS RTR	G84297	Pump, 6" X 4" PA High Head DSL Serial No. 1511893N ID No. R78729	\$4,740.00
1057420	OXFORD MINING /SLS RTR	G86779	Pump, 6" X 4" PA High Head DSL Serial No. 1627650 ID No. R83475	\$2,182.50
1057420	OXFORD MINING /SLS RTR	G87948	Pump, 6" X 4" PA High Head DSL Serial No. 1565760 ID No. R81205	\$1,830.00
1057420	OXFORD MINING /SLS RTR	G88641	Pump, 6" X 4" PA High Head DSL Serial No. 1511893N ID No. R78729	\$7,626.21
1057420	OXFORD MINING /SLS RTR	G88791	Pump, 8" X 6" PA High Head DSL Serial No. 1504194 ID No. R78725	\$5,009.93

Ohio Machinery Co. Non-Continuing Agreements				
Customer No.	Customer Name	Agreement No.	Equipment Description	Discounted Rental Payments Due (as of Closing Date)
1057420	OXFORD MINING /SLS RTR	G89986	Pump, 6" x 4" PA High Head DSL Serial No. 1565760 ID No. R81205	\$9,480.00
1057420	OXFORD MINING /SLS RTR	G90283	Pump, 6" x 4" PA High Head DSL Serial No. 1627650 ID No. R83475	\$5,820.00
1057420	OXFORD MINING /SLS RTR	G91957	Pump, 8" x 6" PA High Head DSL Serial No. 1504193 ID No. R78724	\$00.00
1057420	OXFORD MINING /SLS RTR	G93798	Pump, 6" x 4" PA High Head DSL Serial No. 1672441 ID No. R84746	\$5,820.00
1057420	OXFORD MINING /SLS RTR	G93833	Pump, 6" x 4" PA High Head DSL Serial No. 1672440 ID No. R84747	\$1,830.00
1057420	OXFORD MINING /SLS RTR	G94357	Pump, 10" x 6" PA High Head DSL Serial No. 1514243 ID No. R78731	\$5,160.00
1057420	OXFORD MINING /SLS RTR	G94592	Pump, 6" x 4" PA High Head DSL Serial No. 1627650 ID No. R83475	\$5,820.00
1057420	OXFORD MINING /SLS RTR	G95047	Pump, 6" x 4" PA High Head DSL Serial No. 1672440 ID No. R84747	\$1,830.00
1057420	OXFORD MINING /SLS RTR	G95122	6"x4" PA Trash Pump Serial No. 1565762 ID No. R81207	\$3,310.00
1057420	OXFORD MINING /SLS RTR	G95369	6"x4" PA Trash Pump Serial No. 1672440 ID No. R84747	\$3,660.00
1057420	OXFORD MINING /SLS RTR	G95455	6"x4" PA Trash Pump Serial No. 1565759 ID No. R81204	\$3,660.00

Ohio Machinery Co. Non-Continuing Agreements				
Customer No.	Customer Name	Agreement No.	Equipment Description	Discounted Rental Payments Due (as of Closing Date)
1057420	OXFORD MINING /SLS RTR	G95460	10"x6" PA Trash Pump Serial No. 1514243 ID No. R78731	\$2,580.00
1057420	OXFORD MINING /SLS RTR	G95696	10"x6" PA Trash Pump Serial No. 1514243 ID No. R78731	\$600.00
1057420	OXFORD MINING /SLS RTR	G93831	Pump, 6" x 4" PA High Head DSL Serial No. 1511894N ID No. R78728	\$3,660.00
TOTAL				\$119,671.38

United States Bankruptcy Court
Southern District of Texas

In re:
Westmoreland Coal Company
Westmoreland Texas Jewett Coal Company
Debtors

Case No. 18-35672-drj
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0541-4

User: VrianaPor
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Date Rcvd: Apr 10, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 12, 2019.

db +Absaloka Coal, LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Basin Resources, Inc., 9540 South Maroon Circle, Suite 300, Englewood, co 80112-5730
db +Buckingham Coal Company, LLC, 9540 South Maroon Circle, Suite 300, x,
Englewood, CO 80112-5730
db +Dakota Westmoreland Corporation, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db Daron Coal Company, LLC, 9450 South Maroon Circle, Suite 300, Englewood, CO 80112
db +Harrison Resources, LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Haystack Coal Company, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Oxford Conesville, LLC, 9540 South Maroon Circle, Suite 300, Englewood, co 80112-5730
db +Oxford Mining Company, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Oxford Mining Company - Kentucky, LLC, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db +San Juan Coal Company, 9540 South Maroon Circle, Suite 300, Englewood, Co 80112-5730
db +San Juan Transportation Company, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db +Texas Westmoreland Coal Company, 9540 South Maroon Circle, Suite 300,
Englewood, Co 80112-5735
db +WCC Land Holding Company, Inc., 9540 South Maroon Circle, Suite 300,
Englewood, co 80112-5730
db +WEI - Roanoke Valley, Inc., 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db WLB Debtors, Jackson Walker, L.L.P., Patricia B. Tomasco, Houston, TX 77010
db +Western Energy Company, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Westmoreland Coal Company, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5735
db +Westmoreland Coal Company Asset Corp., 9540 South Maroon Circle, Englewood, co 80112-5735
db +Westmoreland Coal Sales Company, Inc., 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5735
db +Westmoreland Energy Services New York, Inc., 9540 South Maroon Circle, Suite 300,
Englewood, Co 80112-5730
db +Westmoreland Energy Services, Inc., 9540 South Maroon Circle, Suite 300,
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db +Westmoreland Energy, LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Westmoreland Kemmerer Fee Coal Holdings, LLC, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db +Westmoreland Kemmerer, LLC, 9540 South Maroon Circle, Suite 300, Englewood, co 80112-5730
db +Westmoreland Mining LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Westmoreland North Carolina Power, LLC, 9540 South Maroon Circle, Suite 300,
Englewood, Co 80112-5730
db +Westmoreland Partners, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5735
db +Westmoreland Power, Inc., 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Westmoreland Resource Partners, LP, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db +Westmoreland Resources GP, LLC, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db +Westmoreland Resources, Inc., 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db +Westmoreland San Juan Holdings, Inc., 9540 South Maroon Circle, Suite 300,
Englewood, Co 80112-5730
db +Westmoreland San Juan, LLC, 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
db +Westmoreland Savage Corporation, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db +Westmoreland Texas Jewett Coal Company, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
db +Westmoreland-Roanoke Valley LP, 9540 South Maroon Circle, Suite 300,
Englewood, CO 80112-5730
dbpos +WRI Partners, Inc., 9540 South Maroon Circle, Suite 300, Englewood, CO 80112-5730
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 aty +Steven Rhodes, Steven Rhodes Consulting, LLC, 1610 Arborview Rd.,
 Ann Arbor, MI 48103-3650
 aty +Todd M. Goren, Morrison Foerster LLP, 250 West 55th Street, New York, NY 10019-0050
 aty +Winfield Wilson, Division of Mine Safety and Health, U.S. Department of Labor,
 201 12th Street South, Ste. 401, Arlington, VA 22202-5414
 cr +Alex J. Sanchez, 2603 Espinoza, Trinidad, CO 81082-3912
 cr +Alva Ray Trail, 193 Dusty Miller St., Princeton, WV 24740-7663
 cr +American Guarantee and Liability Insurance Company, c/o Duane J. Brescia,
 Clark Hill Strasburger, 720 Brazos, Suite 700, Austin, TX 78701-2531
 intp +Bayou Coal Partners, LLC, Bradley Arant Boulton Cummings LLP, 600 Travis Street, Suite 4800,
 Attn: Nathan Graham, Houston, TX 77002-3024
 cr +Ben Epifanio Palomino, 537 Railroad Ave, Raton, NM 87740-3222
 intp +Bethel J. Brock, 6223 Bear Creek Meadows Drive, Wise, VA 24293-4434
 cr +Big Horn County, c/o Tara LeDay, PO Box 1269, Round Rock, TX 78680-1269
 intp +Bond Safeguard Insurance Company, Philip Eisenberg, 600 Travis, Suite 2800,
 Houston, TX 77002-2914
 cr +Bridgestone Americas Tire Operations, c/o Waller, 511 Union Street, 27th Fl,
 Attn: Blake Roth, Nashville, TN 37219-1733
 cr +CRG Financial LLC, 100 Union Avenue, Cresskill, NJ 07626-2141
 cr +Carl N Neace, 236 East Lynn Rd, Ranger, WV 25557-7003
 cr +Caterpillar Financial Services Corporation, 2120 West End Avenue, Nashville, TN 37203-5341
 cr +Colonial American Casualty and Surety Company, c/o Duane J. Brescia, Clark Hill Strasburger,
 720 Brazos, Suite 700, Austin, TX 78701-2531
 cr +CornerStone Education Loan Services, PO Box 145123, Salt Lake City, UT 84114-5123
 cr +Davis Graham & Stubbs LLP, 1550 17th Street Suite 500, Denver, CO 80202,
 UNITED STATES 80202-1500
 cr +Dennis Neuberger, 417 Front Street, Beulah, ND 58523-6729
 cr +Donna Ramsey, c/o Edwards Law Firm, 1648 Poly Drive, Suite 206, Billings, MT 59102-1704
 cr +Double M. Mud Co., Inc., PO Box 1618, Aztec, NM 87410-4618
 cr +Earl Spears, 115 Fox Dr., Pennington Gap, VA 24277-8166
 cr +Edward Leon Freeman, 8314 Birchfield Heights Rd., Wise, VA 24293
 intp +Edward Velasquez, P.O. Box 516, Aguilar, CO 81020-0516
 cr +Eugene S Castillo, 1012 Pierce Street, Trinidad, CO 81082-3649
 cr +Fidelity and Deposit Company of Maryland, c/o Duane J. Brescia, Clark Hill Strasburger,
 720 Brazos, Suite 700, Austin, TX 78701-2531
 cr +Frank Colangelo, 312 Robard Ave, Trinidad, CO 81082-3137
 cr +Freestone County et al, c/o Tara LeDay, PO Box 1269, Round Rock, TX 78680-1269
 cr +G.R. Peart, POB 114, Randolph, UT 84064-0114
 cr +Gloria Chavez, 8060 CR 69.1, Trinidad, CO 81082-9716
 intp +Harold Ray Ball, 4526 Main Hewett Creek Rd., Hewett, WV 25108-9804
 intp +Harold Richard Guptill, 790 Legion Street, Craig, CO 81625-1758
 cr +Holt Texas Ltd. dba Holt CAT and dba Holt Rental S, c/o Caldwell East & Finlayson PLLC,
 700 N. St. Mary's Street, Attn: Zachary J. Fanucchi, Suite 1825,
 San Antonio, TX 78205-3545
 intp +James K. Bills, 1125 Sorensen Dr., Kemmerer, WY 83101-3442
 cr +Jim S. Villos, P O Biox 621, Kenimerer, WY 83101-0621
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 cr +John Montano, 9315 CR 43.6, Trinidad, CO 81082-9509
 cr +Karol Kolle Latham, c/o S Marek, 1614 Crestmont, Wharton, TX 77488-3433
 cr +Katherine Kolle King, c/o S Marek, 1614 Crestmont, Wharton, TX 77488-3433
 intp +Ken Lloyd, 210 Webster St., Montpelier, ID 83254-1076
 intp +Kenneth Clark, 518 Upper Sunset Dr., Kemmerer, WY 83101-3309
 intp +Kim McKee, PO Box 27, Kemmerer, WY 83101-0027
 cr +Komatsu Financial Limited Partnership, c/o Kane Russell Coleman Logan PC,
 5051 Westheimer Road, Suite 1000, Houston, TX 77056-5749
 cr +Larry Rutherford, 205 E. 11th St W, Big Stone Gap, VA 24219
 cr +Larry Wharton, 620 N 12th St, Herrin, IL 62948-3226
 cr +Lewis A. Clark, 210 Howard Lawson Dr, Big Stone Gap, VA 24219-8522

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intp +Lexon Insurance Company, Inc., Locke Lord LLP, c/o Philip G. Eisenberg, Esq.,
2800 JPMorgan Chase Tower, 600 Travis St., Houston, TX 77002-3009

intp +Lexon Insurance Company, Inc. / Sompo Internationa, Harris Beach PLLC, ATTN: Lee Woodard,
333 W. Washington St., Ste. 200, Syracuse, NY 13202-5202

intp +Lonnie Smith, PO Box 406, Diamondville, WY 83116-0406

cr +Marvin Bauer, 309 2nd Ave SE, POB 712, Beulah, ND 58523-0712

intp +Marvin Kern, 180 Mississippi Dr., Duffield, VA 24244-4375

cr +Max Casias, 2607 Espinoza St, Trinidad, CO 81082-3936

intp +Melvin & Trudy Hatch, 405 Sixth Street, PO Box 254, Cokeville, WY 83114-0254

intp +Merida Natural Resources, LLC, Bradley Arant Boults Cummings LLP,
600 Travis Street, Suite 4800, Attn: Nathan Graham, Houston, TX 77002-3024

intp +Mining and Minerals Division, NM Energy, Minerals, 1220 South St. Frances Dr.,
Santa Fe, NM 87505-4225

cr +Monsanto Company, c/o Husch Blackwell, Attn: Buffey Klein, 1900 N. Pearl, Suite 1800,
Dallas, TX 75201-2451

intp +Montana State Fund, c/o Kelly Hart & Hallman, 201 Main Street, Suite 2500,
Fort Worth, TX 76102-3129

cr +New Mexico State Land Office, 310 Old Santa Fe Trail, Santa Fe, NM 87501-2708

intp +North American Coal Corporation, c/o Hunton Andrews Kurth LLP, 600 Travis, Suite 4200,
Houston, TX 77002-2929

intp +NorthWestern Corporation, a Delaware Corporation,, 208 N. Montana Ave., Suite 205,
Helena, MT 59601-3837

cr +Oracle America, Inc., Buchalter, a Professional Corporation, c/o Shawn M. Christianson,
55 2nd St. 17th Fl., San Francisco, Ca 94105-3493

cr +PNM Resources, Inc. and Public Services Company of, c/o Annie Catmull, Sanders McGarvey LLP,
12 Greenway Plaza #210, Houston, TX 77046-1216

cr +PacifiCorp, c/o Mark E. Hindley, STOEL RIVES LLP, 201 Main St., #1100,
Salt Lake City, UT 84111-2208

cr +PacifiCorp, c/o Oren Buchanan Haker, STOEL RIVES LLP, 760 SW Ninth, Suite 3000,
Portland, OR 97205-2587

intp +Pat Argyle, PO Box 339, Garden City, UT 84028-0339

cr +Perry Norris, P O Box 235, Randolph, UT 84064-0235

intp Railroad Commission of Texas, c/o Office of the Attorney General,
Bankruptcy & Collections Division, P. O. Box 12548, Austin, TX 78711-2548

cr Rick Halter, POB 1031, Beulah, ND 58523-1031

intp +Rick Whitmore, PO Box 201, Kemmever, WY 83101-0201

cr +Ronald E. George, Sr., POB 461, Craigsville, WV 26205-0461

cr +Rosebud County, c/o Tara LeDay, PO Box 1269, Round Rock, TX 78680-1269

cr +Rosebud County et al, c/o Tara LeDay, PO Box 1269, Round Rock, TX 78680-1269

cr +Roy R. Townsend, 145 Boat Docket Lane, Gate City, VA 24251-4596

intp +Sabine Pass Coal Group, LLC, Bradley Arant Boults Cummings LLP,
600 Travis Street, Suite 4800, Attn: Nathan Graham, Houston, TX 77002-3024

cr +Salvador Sanchez, 1601 Garfield Ave, Trinidad, CO 81082-3714

cr +Silver Spur Conveyors, Inc., Silver Spur Conveyors, Inc., P.O. Box 490, 578 Raven Road,
Raven, VA 24639, UNITED STATES 24639-0490

intp +Sompo Internatonal Insurance, c/o Philip G. Eisenberg, 2800 JP Morgan Chase Tower,
600 Travis, Suite 2800, Houston, TX 77002-2914

intp +Sonia Chae United States Securities & Exchange Com, 175 W. Jackson Blvd., Suite 1450,
Chicago, IL 60604-2710

cr +Stephanie Raver, PO Box 5128, Etna, WY 83118-0128

intp +Stephen Earl Kolle, c/o S Marek, 1614 Crestmont, Wharton, TX 77488-3433

cr +Steven Roberts, P.O. Box 4, Kemmerer, WY 83101-0004

cr +Susan K Marek, 1614 Crestmon, Wharton, TX 77488-3433

cr +Texas Comptroller of Public Accounts, John Stern, P.O. Box 12548, Austin, TX 78711-2548

cr +The Crow Tribe of Indians, c/o Barnet B. Skelton, Jr., 815 Walker, Suite 1502,
Houston, TX 77002-5832

cr The Texas Ad Valorem Taxing Jurisdictions, c/o Tara LeDay, PO Box 1269,
Round Rock, TX 78680-1269

cr +Tractor & Equipment Co., Perkins Coie LLP, 1201 Third Avenue, Suite 4900,
Seattle, WA 98101-3095

intp +Trustees of the United Mine Workers of America 199, c/o Morgan, Lewis & Bockius LLP,
Attn: Crystal Axelrod, 1000 Louisiana Street, Suite 4000, Houston, TX 77002-5048

intp +Trustees of the United Mine Workers of America, c/o Morgan, Lewis & Bockius LLP,
Attn: Crystal Axelrod, 1000 Louisiana Street, Suite 4000, Houston, TX 77002-5048

cr +U.S. Bank National Association, as Trustee and Not, Shipman & Goodwin LLP,
One Constitution Plaza, Hartford, CT 06103-1919

cr +Virginia Bates Kolle, c/o S Marek, 1614 Crestmont, Wharton, TX 77488-3433

cr +Virginia Bates Kolle Family Trust, 1614 Crestmont St, Wharton, TX 77488-3433

cr Wells Fargo Vendor Financial Services, LLC, PO Box 13708, Macon, GA 31208-3708

intp +Western Coal Acquisition Partners, LLC, Bradley Arant Boults Cummings LLP,
Attn: Jay R. Bender, 1819 Fifth Avenue North, Birmingham, AL 35203-2120

intp +Westmoreland Mining Holdings, LLC, c/o John F. Higgins, Porter Hedges LLP,
1000 Main Street, 36th Floor, Houston, TX 77002-6341

cr +Zurich American Insurance Company, c/o Duane J. Brescia, Clark Hill Strasburger,
720 Brazos, Suite 700, Austin, TX 78701-2531

cr +Zurich Insurance Company Ltd., c/o Duane J. Brescia, Clark Hill Strasburger,
720 Brazos, Suite 700, Austin, TX 78701-2531

cr +Zurich Insurance Group, Ltd., c/o Duane J. Brescia, Clark Hill Strasburger,
720 Brazos, Suite 700, Austin, TX 78701-2531

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Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

aty +E-mail/Text: ccooper@mooneygreen.com Apr 10 2019 21:51:22 Diana Bardes,
Mooney, Green, Saindon, Murphy & Welch, 1920 L Street, N.W., Suite 400,
Washington, DC 20036-5041

aty +E-mail/Text: sst@lawtoll.com Apr 10 2019 21:48:42 Sheldon S Toll,
Law Office of Sheldon S. Toll PLLC, 29580 Northwestern Hwy., Suite 1000,
Southfield, MI 48034-1031

cr E-mail/Text: houston_bankruptcy@LGBS.com Apr 10 2019 21:50:16 Harris County,
Linebarger Goggan Blair & Sampson LLP, C/O John P. Dillman, PO Box 3064,
Houston, TX 77253-3064

cr +E-mail/Text: stephen@youtzvaldez.com Apr 10 2019 21:48:44
International Union of Operating Engineers, Local, c/o Youtz & Valdez PC,
900 Gold Avenue SW, Albuquerque, NM 87102-3043

cr E-mail/Text: pat@pmfpc.com Apr 10 2019 21:51:07 United Mine Workers of America,
c/o Patrick M. Flynn, P.C., 1225 North Loop W, STE 1000, Houston, TX 77008-1775
TOTAL: 5

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

aty The WMLP Debtors and the Conflicts Committee of th
aty Vedder Price P.C.
cr ACE American Insurance Company
cr ACE Insurance Company of Texas
cr ACE Property & Casualty Insurance Company
intp Andrew Skillin
intp Ankura Trust Company, LLC
intp Anthony Winder
intp Argonaut Insurance Company
cr Avista Corporation
cr Benjamin J. Smith
intp Brett Grunig
intp Brian Nelson
intp CCU Coal and Construction LLC
intp CIBC Bank USA
intp Calder Lutz
cr Canadian Imperial Bank of Commerce
intp Charles M. Hunzie
cr Chevron Products Company, a division of Chevron U.
cr Chrystella Montoya
cr Chubb Insurance Company of Canada
cr City of Dover, Ohio
intp Clarson Moore
cr Claud E Onrada
intp Claudia Ourada
intp Clint Bowen
op Coal Act Retirees Committee
intp Connie Gunter
cr Conveyors & Equipment, Inc.
intp David Auilg
intp Dower Rolex
intp Eddie W Gomez
intp Emily Oddino
intp Epsilon Palomins
inre Ethel Nadine Mead, Trust
cr Everly I Silva, Sr.
cr Federal Insurance Company
cr First Surety Corporation
cr GT Nix Construction, Inc.
intp Gary Biebinger, Jr.
cr Genesis Alkali, LLC
intp Gilbert Remmal
cr Great Northern Insurance Company
intp Great Northern Properties L.P.
cr HYG Financial Services, Inc. fka NMHG Financial Se
cr Henry Moore
intp Hopedale Mining LLC
cr Illinois Union Insurance Company
cr James Cardill, Birdstone Gap, VT
intp James W Barker
intp Jason B Chandler
intp Jason K.
intp John B. McKnight, IV
intp John Beachler
intp Johnny L. Cantor
intp Joni Henderson
intp Kathleen Plaistd
cr Kevin L.
cr Kinder Morgan Utopia LLC

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***** BYPASSED RECIPIENTS (continued) *****

intp Larry Kennedy
 cr Lenders and Ad Hoc Noteholders
 intp Les Rex
 intp MKiall
 cr MLP Ad Hoc Group
 intp Mar-Bow Value Partners, LLC
 cr Marie Crum
 consult McKinsey Recovery & Transformation Services U.S.,
 intp Mickil Klinginbury
 cr Mine Safety and Health, US Department of Labor
 cr Montana Department of Natural Resources and Conser
 cr Montana Department of Revenue
 intp Moody's Investors Service, Inc.
 cr NRG Texas Power LLC
 intp Natural Resource Partners L.P.
 intp Navakai, Inc
 intp Neil L Argyle
 cr Nelson Brothers Mining Services, LLC
 cr Norman R. Mestos
 intp North Dakota Public Service Commissio
 cr Northwest Colstrip Owners (NWCO)
 intp Ohio Department of Natural Resources
 intp Ohio Environmental Protection Agency
 cr Ohio Machinery Co. ("Ohio Cat") and OMCO Leasing C
 cr Paul Buchanan
 cr Pension Benefit Guaranty Corporation
 cr Portland General Electric Company
 consult PricewaterhouseCoopers LLP
 cr Prudential Retirement Insurance and Annuity Company
 cr Puget Sound Energy, Inc.
 intp Robert Huff
 cr Robert T Sanchez
 cr Rock Springs Royalty Company LLC
 cr Ronald Crum
 intp Samoa Hale Jordan
 cr San Juan County Museum Association
 intp State of Montana, Department of Revenue
 cr Stephanie Crum
 cr Talen Montana, LLC
 cr Tenaska Power Services Co.
 intp Thayne Christensen
 crcm The Official Committee of Unsecured Creditors
 cr The Sierra Club
 intp The WMLP Debtors, US
 intp Tom Price
 cr Travelers Casualty and Surety Company of America
 intp Tyler Hysell
 cr U.S. Bank National Association
 cr United States Department of Labor
 cr United States Department of the Interior
 cr United States Secretary of Labor
 cr United States of America
 intp Verdie Winder
 intp Virgil Kent Service
 intp WPP LLC
 cr Wagner Equipment Co.
 cr Westchester Fire Insurance Company
 cr Westchester Surplus Lines Insurance Company
 intp Western Organization of Resource Councils
 cr Wheeler Machinery Co.
 intp Whitney Garrett
 cr Wilmington Savings Fund Society, FSB
 intp* +G. R. Peart, P.O. Box 114, Randolph, UT 84064-0114

TOTALS: 121, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

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***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 12, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 10, 2019 at the address(es) listed below:
NONE.

TOTAL: 0