

DMC

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106

CONSTRUCTION MATERIALS
REGULAR (112) OPERATION
RECLAMATION PERMIT APPLICATION FORMCHECK ONE: ☒ There is a File Number Already Assigned to this Operation

Ampl

Permit # M - 2,007 - 025 -

(Please reference the file number currently assigned to this operation)

☐ New Application (Rule 1.4.5)☒ Amendment Application (Rule 1.10)☐ Conversion Application (Rule 1.11)Bill Ritter, Jr.
GovernorHarris D. Sherman
Executive DirectorRonald W. Cattany
Division Director
Natural Resource Trustee

Permit # M - 2007 - 025 - (provide for Amendments and Conversions of existing permits)

The application for a Construction Materials Regular 112 Operation Reclamation Permit contains three major parts: (1) the application form; (2) Exhibits A-S, Addendum 1, any sections of Exhibit 6.5 (Geotechnical Stability Exhibit; and (3) the application fee. When you submit your application, be sure to include one (1) complete signed and notarized ORIGINAL and one (1) copy of the completed application form, two (2) copies of Exhibits A-S, Addendum 1, appropriate sections of 6.5 (Geotechnical Stability Exhibit, and a check for the application fee described under Section (4) below. Exhibits should **NOT** be bound or in a 3-ring binder; maps should be folded to 8 1/2" X 11" or 8 1/2" X 14" size. To expedite processing, please provide the information in the format and order described in this form.

GENERAL OPERATION INFORMATION

Type or print clearly, in the space provided, ALL information requested below.1. Applicant/operator or company name (name to be used on permit): Delta County1.1 Type of organization (corporation, partnership, etc.): Government2. Operation name (pit, mine or site name): Whiting Pit3. Permitted acreage (new or existing site):

3.1 Change in acreage (+)

3.2 Total acreage in Permit area

115.0 permitted acres

0.17 acres

115.17 acres

4. Fees:

4.1 New Application

4.2 New Quarry Application

4.4 Amendment Fee

4.5 Conversion to 112 operation (set by statute)

RECEIVED

FEB 04 2015

DIVISION OF RECLAMATION
MINING AND SAFETY\$2,696.00 application fee\$3,342.00 quarry application\$2,229.00 amendment fee\$2,696.00 conversion fee5. Primary commodity(ies) to be mined: Gravel

Sand

5.1 Incidental commodity(ies) to be mined: 1. - lbs/Tons/yr 2. / lbs/Tons/yr

3. / lbs/Tons/yr 4. / lbs/Tons/yr 5. / lbs/Tons/yr

5.2 Anticipated end use of primary commodity(ies) to be mined: Road construction aggregate

5.3 Anticipated end use of incidental commodity(ies) to be mined: _____

Office of
Mined Land Reclamation

Denver • Grand Junction • Durango

Office of
Active and Inactive Mines

✓ AF & Report
✓ No Violations

6. **Name of owner of subsurface rights of affected land:** Delta County
If 2 or more owners, "refer to Exhibit O".

7. **Name of owner of surface of affected land:** Delta County

8. **Type of mining operation:** ☒ Surface ☐ Underground

9. **Location Information:** The center of the area where the majority of mining will occur:

COUNTY: Delta

PRINCIPAL MERIDIAN (check one): ☒ 6th (Colorado) ☐ 10th (New Mexico) ☐ Ute

SECTION (write number): S 15

TOWNSHIP (write number and check direction): T 15 ☐ North ☒ South

RANGE (write number and check direction): R 95 ☐ East ☒ West

QUARTER SECTION (check one): ☐ NE ☐ NW ☒ SE ☐ SW

QUARTER/QUARTER SECTION (check one): ☐ NE ☐ NW ☒ SE ☐ SW

GENERAL DESCRIPTION: (the number of miles and direction from the nearest town and the approximate elevation): _____
Approximately 3 miles east of Delta, Colorado at about 5250 feet above sea level.

10. **Primary Mine Entrance Location** (report in either Latitude/Longitude **OR** UTM):

Latitude/Longitude:

Example: (N) 39° 44' 12.98"
(W) 104° 59' 3.87"

Latitude (N): deg 38 min 44 sec 30.29 (2 decimal places)

Longitude (W): deg 107 min 59 sec 56.10 (2 decimal places)

OR

Example: (N) 39.73691°
(W) -104.98449°

Latitude (N) _____ (5 decimal places)

Longitude (W) _____ (5 decimal places)

OR

Universal Transverse Mercator (UTM)

Example: 201336.3 E NAD27 Zone 13
4398351.2 N

UTM Datum (specify NAD27, NAD83 or WGS 84) Nad 83 Zone 13

Easting _____

Northing _____

11. **Correspondence Information:**

APPLICANT/OPERATOR (name, address, and phone of name to be used on permit)

Contact's Name: Bob Kalenak Title: Delta County Engineer
Company Name: Delta County
Street/P.O. Box: 501 Palmer St. P.O. Box: _____
City: Delta
State: Colorado Zip Code: 81416
Telephone Number: (970) - 874-2035
Fax Number: (970) - 874-2455

PERMITTING CONTACT (if different from applicant/operator above)

Contact's Name: Michael Ripp Title: Consultant
Company Name: MVR Resources, Inc.
Street/P.O. Box: _____ P.O. Box: 54
City: Delta
State: Colorado Zip Code: 81416
Telephone Number: (970) - 874-5127
Fax Number: () -

INSPECTION CONTACT

Contact's Name: Larry Record Title: Road and Bridge Foreman
Company Name: Delta County
Street/P.O. Box: 501 Palmer St. P.O. Box: _____
City: Delta
State: Colorado Zip Code: 81416
Telephone Number: (970) - 874-2133
Fax Number: (970) - 874-0246

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

CC: STATE OR FEDERAL LANDOWNER (if any)

Agency: _____
Street: _____
City: _____
State: _____ Zip Code: _____
Telephone Number: () -

12. **Primary future (Post-mining) land use (check one):**

- | | | |
|--|--|--|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input checked="" type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) | | <input type="checkbox"/> Solid Waste Disposal(WD) |

13. **Primary present land use (check one):**

- | | | |
|--|--|--|
| <input type="checkbox"/> Cropland(CR) | <input type="checkbox"/> Pastureland(PL) | <input type="checkbox"/> General Agriculture(GA) |
| <input checked="" type="checkbox"/> Rangeland(RL) | <input type="checkbox"/> Forestry(FR) | <input type="checkbox"/> Wildlife Habitat(WL) |
| <input type="checkbox"/> Residential(RS) | <input type="checkbox"/> Recreation(RC) | <input type="checkbox"/> Industrial/Commercial(IC) |
| <input type="checkbox"/> Developed Water Resources(WR) | | |

14. **Method of Mining:** Briefly explain mining method (e.g. truck/shovel): Front-end loader and/or excavator loading into trucks or directly to crusher

15. **On Site Processing:** ☒ Crushing/Screening

13.1 Briefly explain mining method (e.g. truck/shovel): Crush and screen material to produce construction aggregate. May have asphalt plant on site on occasion.

List any designated chemicals or acid-producing materials to be used or stored within permit area: none

16. **Description of Amendment or Conversion:**

If you are amending or converting an existing operation, provide a brief narrative describing the proposed change(s).

This amendment removes 0.66 acres from the permit area and adds 0.83 acres to the permit area from an adjacent parcel owned by Thomas S. Whiting at the time the permit was obtained in 2007. Delta County purchased the parcel from Mr. Whiting in 2012. The parcels were re-configured by a boundary adjustment and this amendment addresses the desired change in permit boundary. All other aspects of the permit and operation remain the same.

Maps and Exhibits:

Two (2) complete, unbound application packages must be submitted. One complete application package consists of a signed application form and the set of maps and exhibits referenced below as Exhibits A-S, Addendum 1, and the Geotechnical Stability Exhibit. Each exhibit within the application must be presented as a separate section. Begin each exhibit on a new page. Pages should be numbered consecutively for ease of reference. If separate documents are used as appendices, please reference these by name in the exhibit.

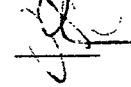
With each of the two (2) signed application forms, you must submit a corresponding set of the maps and exhibits as described in the following references to Rule 6.4, 6.5, and 1.6.2(1)(b):

EXHIBIT A	Legal Description
EXHIBIT B	Index Map
EXHIBIT C	Pre-Mining and Mining Plan Map(s) of Affected Lands
EXHIBIT D	Mining Plan
EXHIBIT E	Reclamation Plan
EXHIBIT F	Reclamation Plan Map
EXHIBIT G	Water Information
EXHIBIT H	Wildlife Information
EXHIBIT I	Soils Information
EXHIBIT J	Vegetation Information
EXHIBIT K	Climate Information
EXHIBIT L	Reclamation Costs
EXHIBIT M	Other Permits and Licenses
EXHIBIT N	Source of Legal Right-To-Enter
EXHIBIT O	Owners of Record of Affected Land (Surface Area) and Owners of Substance to be Mined
EXHIBIT P	Municipalities Within Two Miles
EXHIBIT Q	Proof of Mailing of Notices to County Commissioners and Conservation District
EXHIBIT R	Proof of Filing with County Clerk or Recorder
EXHIBIT S	Permanent Man-Made Structures
Rule 1.6.2(1)(b)	ADDENDUM 1 - Notice Requirements (sample enclosed)
Rule 6.5	Geotechnical Stability Exhibit (any required sections)

The instructions for preparing Exhibits A-S, Addendum 1, and Geotechnical Stability Exhibit are specified under Rule 6.4 and 6.5 and Rule 1.6.2(1)(b) of the Rules and Regulations. If you have any questions on preparing the Exhibits or content of the information required, or would like to schedule a pre-application meeting you may contact the Office at 303-866-3567.

Responsibilities as a Permittee:

Upon application approval and permit issuance, this application becomes a legally binding document. Therefore, there are a number of important requirements which you, as a permittee, should fully understand. These requirements are listed below. Please read and initial each requirement, in the space provided, to acknowledge that you understand your obligations. If you do not understand these obligations then please contact this Office for a full explanation.

 1. Your obligation to reclaim the site is not limited to the amount of the financial warranty. You assume legal liability for all reasonable expenses which the Board or the Office may incur to reclaim the affected lands associated with your mining operation in the event your permit is revoked and financial warranty is forfeited;

2. The Board may suspend or revoke this permit, or assess a civil penalty, upon a finding that the permittee violated the terms or conditions of this permit, the Act, the Mineral Rules and Regulations, or that information contained in the application or your permit misrepresent important material facts;
3. If your mining and reclamation operations affect areas beyond the boundaries of an approved permit boundary, substantial civil penalties, to you as permittee can result;
4. Any modification to the approved mining and reclamation plan from those described in your approved application requires you to submit a permit modification and obtain approval from the Board or Office;
5. It is your responsibility to notify the Office of any changes in your address or phone number;
6. Upon permit issuance and prior to beginning on-site mining activity, you must post a sign at the entrance of the mine site, which shall be clearly visible from the access road, with the following information (Rule 3.1.12):
 - a. the name of the operator;
 - b. a statement that a reclamation permit for the operation has been issued by the Colorado Mined Land Reclamation Board; and,
 - c. the permit number.
7. The boundaries of the permit boundary area must be marked by monuments or other markers that are clearly visible and adequate to delineate such boundaries prior to site disturbance.
8. It is a provision of this permit that the operations will be conducted in accordance with the terms and conditions listed in your application, as well as with the provisions of the Act and the Construction Material Rules and Regulations in effect at the time the permit is issued.
9. Annually, on the anniversary date of permit issuance, you must submit an annual fee as specified by Statute, and an annual report which includes a map describing the acreage affected and the acreage reclaimed to date (if there are changes from the previous year), any monitoring required by the Reclamation Plan to be submitted annually on the anniversary date of the permit approval. Annual fees are for the previous year a permit is held. For example, a permit with the anniversary date of July 1, 1995, the annual fee is for the period of July 1, 1994 through June 30, 1995. Failure to submit your annual fee and report by the permit anniversary date may result in a civil penalty, revocation of your permit, and forfeiture of your financial warranty. It is your responsibility, as the permittee, to continue to pay your annual fee to the Office until the Board releases you from your total reclamation responsibility.
10. For joint venture/partnership operators: the signing representative is authorized to sign this document and a power of attorney (provided by the partner(s)) authorizing the signature of the representative is attached to this application.

NOTE TO COMMENTORS/OBJECTORS:

It is likely there will be additions, changes, and deletions to this document prior to final decision by the Office. Therefore, if you have any comments or concerns you must contact the applicant or the Office prior to the decision date so that you will know what changes may have been made to the application document.

The Office is not allowed to consider comments, unless they are written, and received prior to the end of the public comment period. You should contact the applicant for the final date of the public comment period.

If you have questions about the Mined Land Reclamation Board and Office's review and decision or appeals process, you may contact the Office at (303) 866-3567.

Certification:

As an authorized representative of the applicant, I hereby certify that the operation described has met the minimum requirements of the following terms and conditions:

1. To the best of my knowledge, all significant, valuable and permanent man-made structure(s) in existence at the time this application is filed, and located within 200 feet of the proposed affected area have been identified in this application (Section 34-32.5-115(4)(e), C.R.S.).
2. No mining operation will be located on lands where such operations are prohibited by law (Section 34-32.5-115(4)(f), C.R.S.);
3. As the applicant/operator, I do not have any extraction/exploration operations in the State of Colorado currently in violation of the provisions of the Colorado Land Reclamation Act for the Extraction of Construction Materials (Section 34-32.5-120, C.R.S.) as determined through a Board finding.
4. I understand that statements in the application are being made under penalty of perjury and that false statements made herein are punishable as a Class 1 misdemeanor pursuant to Section 18-8-503, C.R.S.

This form has been approved by the Mined Land Reclamation Board pursuant to section 34-32.5-112, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to section 34-32.5-123, C.R.S.

Signed and dated this _____ day of _____, _____.

ROBERT KALENDAR DELTA COUNTY
Applicant/Operator or Company Name

If Corporation Attest (Seal)

Signed: _____

Signed: _____

Corporate Secretary or Equivalent

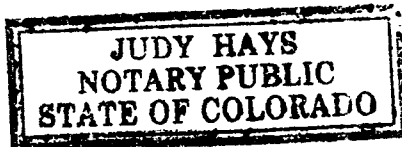
Title: COUNTY ENGINEER

Town/City/County Clerk

State of CO)

County of Delta) ss.

The foregoing instrument was acknowledged before me this 13th day of JUN,
2015, by _____ as _____ of _____



Judy Hays
Notary Public

My Commission expires: 06/02/2016

SIGNATURES MUST BE IN BLUE INK

You must post sufficient Notices at the location of the proposed mine site to clearly identify the site as the location of a

Exhibit A – Legal Description

The SW1/4 of the SW1/4 of Section 14, Township 15 South, Range 95 West of the 6th P.M.

The SE1/4 of the SE1/4 of Section 15, Township 15 South, Range 95 West of the 6th P.M.

And part of the SW1/4 of the SE1/4 of Section 15, Township 15 South, Range 95 West of the 6th P.M. EXCEPTING THEREFROM the following described property: Part of the SE1/4SW1/4SE1/4 of Section 15, Township 15 South, Range 95 West of the 6th P.M. described as beginning at the SE corner of the SW1/4SE1/4 of said Section 15, thence West 558.62 feet; thence N 04° 35'43"W, 316.57 feet; thence N 89 59' 06" E, 584.13 feet to the east line of said SW1/4 SE1/4; thence on said east line S00 01'37"W, 315.32 feet to the point of beginning.

County of Delta,
State of Colorado.

An example Structure Agreement which meets the requirements of the Statutes is shown below.

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. East utility access dirt road. Owner: Jack Evans
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Riverside Aggregates, LLC (print applicant/company name),
by Rudy Torres (print representative's name), as Member (print
representative's title), does hereby certify that Jack Evans (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Friederichs Pit 112 (operation name),
File Number M-2010-080.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant RIVERSIDE AGGREGATES, LLC Representative Name RUDY TORRES

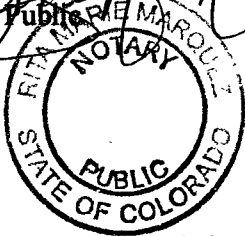
Date 1-21-15 Title OWNER / MEMBER

STATE OF COLORADO) ss. /

COUNTY OF PROWERS)

The foregoing was acknowledged before me this 21st day of January, 2015, by
Rudy Torres as Owner / Member of Riverside Aggregates, LLC.

[Signature] My Commission Expires: 7/22/15
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner JACK EVANS Name Jack Evans

Date 1/22/15 Title LANDOWNER

STATE OF COLORADO)
) ss.
COUNTY OF PROWERS)

The foregoing was acknowledged before me this 22nd day of January, 2015, by
Jack Evans as landowner of property

Christine M. Sanchez My Commission Expires: 11/14/2017
Notary Public

CHRISTINE M SANCHEZ
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134071369
MY COMMISSION EXPIRES 11/14/2017

An example Structure Agreement which meets the requirements of the Statutes is shown below.

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. Southwest 3 wire fence
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Riverside Aggregates, LLC (print applicant/company name),
by Rudy Torres (print representative's name), as Member (print
representative's title), does hereby certify that Hans Friederichs (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Friederichs Pit 112 (operation name),
File Number M-2010-080 .

This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations. Any alteration or modification to this form shall result in voiding this form.

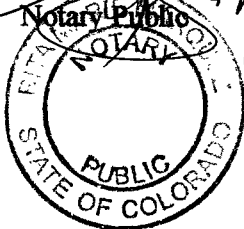
NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant RIVERSIDE ANTI-REBATES, LLC Representative Name RUDY TORRES
Date 1-21-15 Title OWNER MEMBER
STATE OF COLORADO)
) ss.
COUNTY OF PROWERS)

The foregoing was acknowledged before me this 21st day of January, 2015, by Andy Jones as Owner / Member of Riverside Aggregate, LLC

My Commission Expires: 7/22/15



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner HAUS FRIEDERICH'S Name [Signature]

Date 1-21-15 Title LANDOWNER

STATE OF COLORADO)
) ss.
COUNTY OF PROWERS

The foregoing was acknowledged before me this 21st day of January, 2015, by
Haus Friedrichs as landowner of property

[Signature]
Notary Public

My Commission Expires: 7/22/15

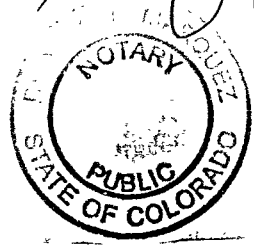


Exhibit N – Source of Legal Right-to-Enter

The property is owned by Delta County. A copy of the Warranty Deed is attached.

All other exhibits remain the same as in the original application.

WARRANTY DEED

HTC
H328487

This Deed, made February 28, 2012

Between **Thomas S. Whiting** of the County Delta, State of COLORADO, grantor(s) and **Delta County Colorado Acting through the Board of County Commissioners of Delta County**, whose legal address is 501 2nd St SW, Delta, CO 81416 County of Delta, and State of COLORADO, grantee.

WITNESS, That the grantor, for and in the consideration of the sum of **EIGHTEEN THOUSAND DOLLARS AND NO/100'S (\$18,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Delta, State of COLORADO described as follows:

Part of the SE 1/4 SW 1/4 SE 1/4 of Section 15, Township 15 South, Range 95 West of the 6th P.M. described as beginning at the SE corner of the SW 1/4 SE 1/4 of said Section 15;
Thence West 660 feet to the SW corner of said SE 1/4 SW 1/4 SE 1/4;
Thence North 45° East to the NE corner of said SE 1/4 SW 1/4 SE 1/4;
Thence South 660 feet along the East line of said SE 1/4 SW 1/4 SE 1/4 to the point of beginning.
County of Delta, State of Colorado

also known by street and number as **19512 G Road, Delta, CO 81416**

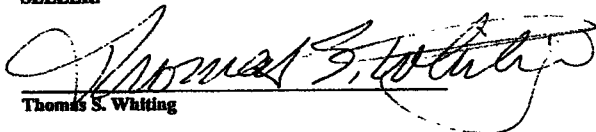
TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 (Title Review) of the contract dated, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLER:


Thomas S. Whiting

STATE OF COLORADO
COUNTY OF DELTA

}ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me February 28, 2012 by **Thomas S. Whiting**.

Witness my hand and official seal.


Notary Public
My Commission expires: 3/27/2014

TANA M. CARRILLO
NOTARY PUBLIC
STATE OF COLORADO

Wdcorp

ESCROW NO. 461-H8328487-091-TC

HTC

Exhibit Q
Proof of Notice to County Commissioners and Soil Conservation District

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION**

NOTICE TO THE BOARD OF COUNTY COMMISSIONERS

Delta COUNTY

Delta County (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Delta County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to Rangeland use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Board of County Commissioners before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

MV R *Resources, Inc.*

February 2, 2015

Delta County Board of County Commissioners
501 Palmer
Delta, CO 81416

Re: Application for an Amendment to a Mined Land Reclamation Permit

We are delivering to you here permit application documents for the Whiting Pit, pursuant to C.R.S. 34-32.5-110(5)© and 34-32.5-112(9)(a).

Please acknowledge receipt of this copy of the permit application by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it.

Respectfully Submitted,
MVR Resources, Inc.

Michael Ripp
Consultant

Enclosure

RECEIVED THIS 2 DAY OF February, 2015
MLRB application documents for the above mine

By Robert B. DeValley
For the Delta County Board of County Commissioners

NOTICE OF FILING APPLICATION
FOR COLORADO MINED LAND RECLAMATION PERMIT
FOR **REGULAR (112) CONSTRUCTION MATERIALS EXTRACTION OPERATION**

NOTICE TO THE BOARD OF SUPERVISORS
OF THE LOCAL CONSERVATION DISTRICT

Delta DISTRICT

Delta County (the "Applicant/Operator") has applied for a Regular (112) reclamation permit from the Colorado Mined Land Reclamation Board (the "Board") to conduct the extraction of construction materials operations in Delta County. The attached information is being provided to notify you of the location and nature of the proposed operation. The entire application is on file with the Division of Reclamation, Mining, and Safety (the "Division") and the local county clerk and recorder.

The applicant/operator proposes to reclaim the affected land to Rangeland use. Pursuant to Section 34-32.5-116(4)(m), C.R.S., the Board may confer with the local Conservation Districts before approving of the post-mining land use. Accordingly, the Board would appreciate your comments on the proposed operation. Please note that, in order to preserve your right to a hearing before the Board on this application, you must submit written comments on the application within twenty (20) days of the date of last publication of notice pursuant to Section 34-32.5-112(10), C.R.S.

If you would like to discuss the proposed post-mining land use, or any other issue regarding this application, please contact the Division of Reclamation, Mining, and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567.

NOTE TO APPLICANT/OPERATOR: You must attach a copy of the application form to this notice. If this is a notice of a change to a previously filed application you must either attach a copy of the changes, or attach a complete and accurate description of the change.

MVR *Resources, Inc.*

February 2, 2015

Delta Soil Conservation District
690 Industrial Blvd.
Delta, CO 81416

Re: Application for an Amendment to a Mined Land Reclamation Permit

We are delivering to you here permit application documents for the Whiting Pit, pursuant to C.R.S. 34-32.5-110(5)© and 34-32.5-112(9)(a).

Please acknowledge receipt of this copy of the permit application by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it.

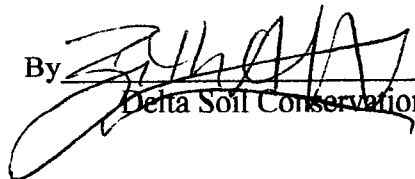
Respectfully Submitted,
MVR Resources, Inc.

Michael Ripp
Consultant

Enclosure

RECEIVED THIS 2 DAY OF February, 2015
MLRB application documents for the above mine

By



Delta Soil Conservation District

Exhibit R
Proof of Filing with County Clerk and Recorder

Delta County Whiting Pit
DMG 112 Amendment 1 Application

MVR R *Resources, Inc.*

February 2, 2015

Delta County Clerk and Recorder
501 Palmer
Delta, CO 81416

Re: Application for an Amendment to a Mined Land Reclamation Permit

We are delivering to you here permit application documents for the Whiting Pit, pursuant to C.R.S. 34-32.5-110(5)© and 34-32.5-112(9)(a).

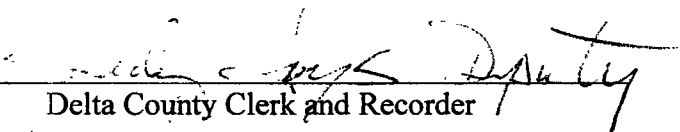
Please acknowledge receipt of this copy of the permit application by signing in the appropriate space provided below and return a signed copy of this cover letter to the person delivering it. Please hold the document for public review to be picked up after the application has been heard by the Mined Land Reclamation Board. (Approx. 90 days)

Respectfully Submitted,
MVR Resources, Inc.

Michael Ripp
Consultant

Enclosure

RECEIVED THIS 2nd DAY OF February, 2015
MLRB application documents for the above mine

By 
Delta County Clerk and Recorder

ADDENDUM 1 – Notice Requirements

NOTICE

This site is the location of a construction materials operation known as the Whiting Pit. Delta County, whose address and phone number is 501 Palmer Street, Delta, Colorado 81416, 970-874-2035, has applied for an Amendment to a Reclamation Permit with the Mined Land Reclamation Board.

Anyone wishing to comment on the application may view the application at the Delta County Clerk and Recorder's Office, 501 Palmer Street, Delta, Colorado 81416 and should send comments prior to the end of the public comment period to the Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, Colorado 80203.

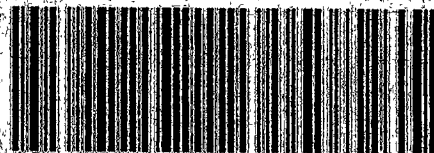
Certification:

I, Michael Ripp, hereby certify that I posted a sign containing the above notice for the proposed permit area known as the Whiting Pit on February 2, 2015.

Michael Ripp
SIGNATURE

2/2/15
DATE

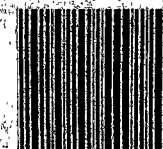
P.O. Box 54
Delta, CO 81416



7014 0150 0001 7540 5835



UNITED STATES
POSTAL SERVICE



1000

80203

FIRST CLASS

Division of Reclamation, Mining + Safety
1313 Sherman St., Room 215
Denver, CO 80203

Division of Reclamation, Mining, and Safety

Fee Receipt for M2007025

Delta County

000000000

Receipt #: 18924

Date: 02/06/2015

Permit: M2007025

Payment Method	Revenue Code	Fee Description/Notes	Amount
114063 msr	4300-MAMD	Minerals Amendment Fees M2007-025	\$2,229.00
Receipt Total:			\$2,229.00