

RECEIVED

FEB 01 2016

DIVISION OF RECLAMATION  
MINING AND SAFETY

Agreement to Conduct Permitting by Electronic Means

Name of permittee representative desiring to  
opt in to ePermit:

Rudolph Fontanari

Name of permittee:

Western Slope Flagstone

Title:

owner

Signature:

Email Address for ePermit Account:

tgrosse@juno.com

Notarized Affidavit of Signature

STATE OF: \_\_\_\_\_ )

COUNTY OF: \_\_\_\_\_ ) ss.

Colorado

Mesa

The foregoing instrument was acknowledged  
before me this

15 day of Jan 2016 by  
(date) (year)

as

Rudolph Fontanari

Rudolph Fontanari  
(Name of permittee representative)

Owner  
(title)

of

Western Slope Flagstone  
(permittee)

CYNTHIA BOETTCHER-HALE  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID #20074000801  
My Commission Expires January 8, 2019

Cynthia Boettcher-Hale  
NOTARY PUBLIC

(seal)

My Commission expires:

01/08/2019

### *Agreement to Conduct Permitting by Electronic Means*

Please list all of the Permit Numbers and/or NOI numbers associated with you or your company:

|                    |                         |
|--------------------|-------------------------|
| Name of Permittee: | Western Slope Flagstone |
|--------------------|-------------------------|

Permit/NOI Numbers:

[illegible]



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

### AGREEMENT TO CONDUCT PERMITTING BY ELECTRONIC MEANS

#### *Division of Reclamation Mining and Safety - Minerals Program*

**ePermit System.** The Division of Reclamation, Mining and Safety (Division) is pleased to offer ePermit, a system designed to allow operators, interested members of the public, and governmental entities to electronically send and receive application, revision, and reporting information for Minerals Program Permits and Notices of Intent (NOIs). The Division believes that ePermit will save time and money for the State, industry, and the public. However, it is your right to decide whether or not to utilize this new system. After you have carefully read all of the following information, you may opt in to ePermit by signing and having this Agreement notarized and returning it to the Division.

**What does ePermit involve?** By opting in to ePermit, you consent that the Division may electronically send you any and all correspondence, notices, documents and information pertaining to your Minerals Permit(s) and/or NOI(s). You also agree that you will use ePermit to electronically send to the Division any and all correspondence, notices, documents and information. Such electronic correspondence, notices, documents and information represent electronic records, or “e-records” as that term is defined in C.R.S. § 24-71.3-102(7)\*.

**Email Address Required.** By opting in to ePermit, you agree that you will provide the Division with a viable email address by which you will receive e-records. You agree that, if you change your email address, it is your responsibility to provide the Division with a new email address promptly. You may provide the Division with your new email address by providing the information directly to the ePermit administrator for the Division (dnr\_drms\_permitadmin@state.co.us). You further agree that all notices required by the Division are effective upon electronic transmission to the email address you have most recently provided.

**Equipment and Software Requirements.** To receive e-records via ePermit, you will need a computer, internet access, and a web browser, (such as Microsoft Internet Explorer, Google Chrome, Mozilla Firefox, or Apple Safari). By opting in to ePermit, you represent that you have such equipment and software and that you can download, access, read, review, print and store the e-records that the Division provides to you. It is your responsibility to evaluate the capabilities and limitations of your equipment, software, and internet connection prior to signing this Agreement.

**Your Rights to Receive Paper Records and to Withdraw Consent.** You may opt out of ePermit at any time. You may request paper copies of specific e-records at any time by submitting a request to the Division. There is no charge for this service. You may also request paper copies of specific e-records without opting out of ePermit. To opt out of ePermit, or to request paper copies of any e-records, write us at:



## *Agreement to Conduct Permitting by Electronic Means*

Division of Reclamation Mining and Safety - Attn. Minerals Program ePermit Requests - 1313 Sherman St., Rm. 215 - Denver, CO 80203. Your request will not become effective until the Division has received it and has had sufficient time to act upon it (up to two (2) business days from receipt). Requests for paper records or to opt out of ePermit must be in writing, signed, and sent separate from other correspondence.

**Electronic Signature.** If you opt in to ePermit, you will be issued a unique ePermit Number. Use of that ePermit Number, and the corresponding use of a key pad, mouse or other device while using ePermit constitutes a legally binding electronic signature, as defined by C.R.S. § 24-71.3-102(8), which shall have the same legal force and effect as if actually signed by your hand in writing. By opting in to ePermit, you agree that no certification of authority or other third party verification is necessary to the validity of your electronic signature; and that the lack of such certification or third party verification will not in any way affect the enforceability of your signature on any e-records. You further agree and acknowledge that it is your sole responsibility to secure access to your ePermit Number.

**Agreement.** By your authorized signature below, you opt in to ePermit, and consent that the Division may send any and all correspondence, notices, documents and information to you electronically, via ePermit, in all matters related to annual reports and fees for your Permit(s) and/or NOI(s) listed in this agreement, unless otherwise specifically provided by law. You further consent that you will use ePermit to send any and all correspondence, notices, documents and information to the Division in all matters related to annual reports and fees for your Permit(s) and/or NOI(s). You understand that e-records have the same legal force and effect as paper documents. The Division reserves the right to send any or all e-records to you in paper form to your current mailing address on file at its sole discretion. Your agreement to opt in to ePermit represents a single legal transaction as that term is used in C.R.S. § 24-71.3-105.

Your agreement to opt into ePermit will become effective immediately upon the Division's receipt of this signed Agreement and means that you will no longer receive paper documents from the Division pertaining annual reports and fees for your Permit(s) and/or NOI(s). This Agreement, including the validity of any signatures or consents, any claims, or any disputes arising hereunder shall be construed in accordance with and governed by the Laws of the State of Colorado.

This signature on this Agreement must be notarized, and if the signature is that of a company, corporation, partnership, or governmental agency representative, must be accompanied by a notarized affidavit of signing authority of the individual for that entity.

\*(7) "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.