

*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:	Oldcastle SW Group, Inc. dba United Companies of Mesa County
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Permit/NOI Numbers:

M-1985-016 Golden	M-1977-132 Berry	M-1977-023 R Mix Pit	M-2012-050 Otter Crk
M-1990-021 Virginia	M-2005-021 Anderson	M-1980-022 Preston	M-1998-112 4D
M-1981-240 18 Rd	M-1991-136 River Rd	M-2002-110 19 Rd	M-1986-002 Craig Rch
M-2002-114 15 Rd	M-1977-022 DSG #3	M-2010-058 Cerise	M-1996-091 Ford
M-2011-054 DeBeque	M-1994-005 Colona	M-2001-100 BLM #1	
M-1988-037 Norwood	M-1979-075 Chambers	M-2005-075 Glen's	
	M-2001-113 Seahorse	M-1981-014 Rozman	
M-1979-205 Cmbrs-Main		M-1988-079 DSG#4	M-1977-051 Cmpbell
M-1994-097 Spg Crk	M-2004-050 Janet	M-1978-287 Vader	M-1995-036 Railhead
M-2000-113 Mam Crk	M-1998-014 Gypsum	M-2006-018 N Bank	M-1996-082 Blair
M-1980-136 Eagle-W	M-1983-013 Latham	M-1977-098 Sievers	
M-1977-205 Tri-County	M-2003-037 Halderson	M-1978-349 Casey	M-1983-142 Hall


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Agreement to Conduct Permitting by Electronic Means

FEB 01 2016

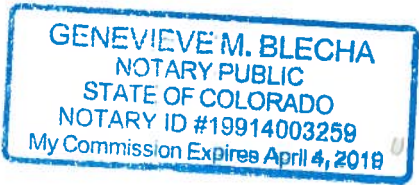
DIVISION OF RECLAMATION  
MINING AND SAFETY

Name of permittee representative desiring to opt in to ePermit: Jason Burkey  
Title: Environmental/Resource Manager  
Name of permittee: Oldcastle SW Group, Inc. dba United Companies of Mesa County  
Signature:   
ePermitting Administrator (if different from representative signing agreement) Peter Siegmund  
Email Address for ePermit Account: jburkey@oldcastlematerials.com

Notarized Affidavit of Signature

STATE OF: Colorado )  
COUNTY OF: Mesa ) ss.

The foregoing instrument was acknowledged before me this 26 day of January, 2016 by  
(date) (month) (year)  
as Jason Burkey Environmental/Resource Manager  
(Name of permittee representative) (title)  
of Oldcastle SW Group, Inc.  
dba United Companies of Mesa County  
(permittee)



Genevieve M. Blecha  
NOTARY PUBLIC

(seal)  
My Commission expires: April 4, 2019

**Affidavit of Authority to Agree to Conduct Electronic Permitting**

*The Colorado Mined Land Reclamation Board ("Board") has adopted the attached Affidavit of Authority to Execute ePermitting Documents pursuant to the Mined Land Reclamation Act (C.R.S. 34-32-101 et. seq.) and the Land Reclamation Act for the Extraction of Construction Materials (C.R.S. 34-32.5-101 et. seq.) . The Board and the Division of Reclamation Mining and Safety ("Division") have determined that it is necessary to verify the legal authority of the individual signing necessary documents.*

*Accordingly, you must provide confirmation of the legal authority of the individual signing all ePermitting documents to the Division. You may do so either by submitting a resolution of the decision-making body of your company that authorized an individual to sign the Opt-In Agreement on the company's behalf, or by completing and notarizing the attached affidavit. The Division reserves the right to require the attached affidavit in all circumstances. Please note that if you are a sole proprietor who is executing documents on you own behalf, documentation of legal authority is unnecessary.*

Before me this day, the undersigned

Peter Siegmund

[name of authorized person]

in his/her capacity as

Assistant Secretary

[title of authorized person]

("Affiant"), personally appeared and,  
being first duly sworn upon oath said:

1. This affidavit is being executed and  
submitted on behalf of

Oldcastle SW Group, Inc.

dba United Companies of Mesa County

[name of business organization]

a(n) corporation

[legal form of business organization, e.g.,  
corporation, partnership, limited liability  
company, etc.,]

in good standing in the State of Colorado (the "Company").

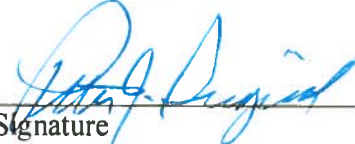
2. It is in the interest of the Company to conduct certain electronic permitting actions which are required by the Colorado Mined Land Reclamation Board and Division of Reclamation Mining and Safety pursuant to Colorado law ("ePermitting").
3. Affiant is duly authorized to sign such ePermitting Documents on behalf of the Company and to bind the Company to the same.
4. Affiant is not prohibited or limited by the Company's governing documents or by any applicable law from executing the ePermitting Documents.

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5. Affiant will inform the Division of Reclamation Mining and Safety within thirty (30) days in the event that his/her authorization to execute ePermitting Documents on the Company's behalf is terminated.

Further, Affiant sayeth not.

Peter Siegmund  
Affiant's name

  
Signature

Notarized Affidavit of Signature

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

Colorado

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

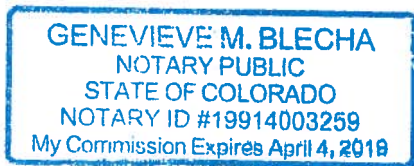
Mesa

The foregoing instrument was acknowledged  
before me this

\_\_\_\_\_ day of January, 2016 by  
(date) (month) (year)  
as

Peter Siegmund  
(Name of permittee representative)

Assistant Secretary  
(title)  
of Oldcastle SW Group, Inc.  
dba United Companies of Mesa County  
(permittee)



  
NOTARY PUBLIC

(seal)  
My Commission expires:

April 4, 2019



## 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 and paying any applicable fees. 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, it must be accompanied by**

- a) the attached notarized affidavit of signing authority of the individual for that entity, or**
- b) a resolution of the decision-making body of your company that authorizes an individual to sign the ePermitting Agreement on the company's behalf.**

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



**Oldcastle®**  
Materials  
SOUTHWEST REGION



January 26, 2016

Attention: Susan Burgmaier  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

Re: Agreements to Conduct Permitting By Electronic Means

Susan,

Enclosed for your handling are Agreements as listed below:

- (1) Agreement to Conduct Permitting by Electronic Means –  
Oldcastle SW Group, Inc. dba United Companies of Mesa County
- (2) Agreement to Conduct Permitting by Electronic Means –  
Oldcastle SW Group, Inc. dba B & B Excavating
- (3) Agreement to Conduct Permitting by Electronic Means –  
Oldcastle SW Group, Inc. dba Telluride Gravel
- (4) Agreement to Conduct Permitting by Electronic Means  
Oldcastle SW Group, Inc. dba Four Corners Materials

If you require anything additional, please contact me at 970-243-4900. Thank you for your help.

Sincerely,

Oldcastle SW Group, Inc.

Genevieve Blecha  
Office Manager

Enclosures

**RECEIVED**

FEB 01 2016

DIVISION OF RECLAMATION  
MINING AND SAFETY