

**CERTIFIED MAIL
RETURN RECEIPT NO. 7005 1820 0006 1123 5157**

RECEIVED

APR 07 2006

Division of Minerals and Geology

Date: April 6, 2006

Mr. Tom Schreiner
Division of Minerals and Geology
1313 Sherman Street, Room 215
Denver, CO 80203



Re: Riverview Resource, Permit No. M-1999-098 – Technical Revision Request

Dear Tom:

This letter is submitted as a technical revision request for the above-referenced permit. Aggregate Industries is proposing to delete from Cell 2 of the mine plan approximately 4.5 acres of undisturbed land in exchange for mining of a strip of land between Cell 4 and Cell 5, containing approximately 3 acres. The exchange areas are noted on the enclosed copy of the approved mining plan for the permit.

The land between Cell 4 and Cell 5 and owned by AI is within the currently approved permit area but was not originally proposed for mining because it contains a drain tile associated with a decreed water right owned by an adjacent land owner. The water right, known as the Elder Aquaculture Diversion (Case No. 89CW030), is owned by Raymond Jones. A copy of the recorded warranty deed by which Mr. Jones received title to his property and a copy of the change in ownership filed with the State Engineers Office, naming Mr. Jones as the owner of the water right, are enclosed. Aggregate Industries has recently obtained permission from Mr. Jones to mine through the drain tile as evidenced in the enclosed letter, dated February 10, 2006.

Mining is currently being conducted in Cell 4 and is proposed to progress north through the drain tile area into Cell 5. No mining operations have occurred in Cell 2 and the area proposed for removal from affected area has not been disturbed. The exchange of area to be affected within the permit boundaries does not result in an increased area of disturbance.

Enclosed is a second copy of this letter for the Division's records together with a check in the amount of \$188.00 for the technical revision requested by this letter. Please call me at (970) 336-6525 if you have any questions or need additional information.

Very truly yours,

Connie N. Davis

Connie Nickle Davis
Land Resources Assistant

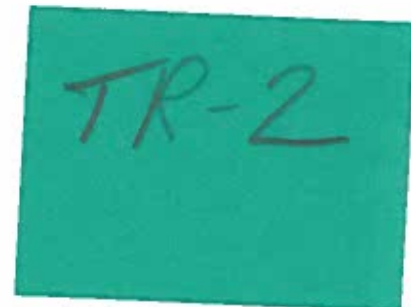
Enclosures

cc: Aggregate Industries-WCR, Inc.

Aggregate Industries

West Central Region, Inc.
1707 Cole Blvd., Suite 100
Golden, CO 80401

Connie Nickle Davis, Support Services
P. O. Box 337231, Greeley, CO 80633
970-336-6526 Fax: 970-378-6856



February 10, 2006

Mr. Raymond Jones
P. O. Box 476
Windsor, CO 80550



Dear Short:

In accordance with my discussions with you on behalf of Aggregate Industries (AI), it is our intent to reach an agreement by which AI shall be granted permission by you to mine through a drain tile associated with your Elder Aquaculture Diversion (Case No. 89CW030) water right which currently runs through land owned by AI, located in the NW ¼, NE ¼, Section 32, Township 6 North, Range 66 West, Weld County, Colorado. AI is currently mining this property, known as Riverview Resource, under State Division of Minerals and Geology (DMG) Permit No. M-1999-098. The strip of land currently set aside from mining for the drain tile and mining setback, as shown on the enclosed mine plan between Cell 4 and Cell 5, is approximately 100 feet wide by 1350 feet long, containing approximately 3.1 acres.

In consideration of your granting to AI permission to remove the drain tile, AI agrees to pay to you the sum of \$8,500.00 and shall provide to you a 25-foot wide non-exclusive access easement along the eastern border of Cell 5. The access easement to be granted will be approximately 900 feet along and contains approximately .5165 acres. Upon completion of mining Cell 5, AI agrees to grade and black base a 12-foot wide access road through the easement. It is expressly understood that the easement shall be non-exclusive and may be used by AI or others for purposes including but not limited to access and utility lines.

As additional consideration, you have indicated a desire to obtain compensation from AI adequate to install a split rail fence around your property and to convert the concrete aquaculture raceways on your property to an alternate use by saw cutting the concrete wall extensions above the base raceways and backfilling the base structures to accommodate capping with a concrete slab. AI believes that the reasonable costs associated with these projects is \$20,000.00 and therefore proposes to pay this amount to you as additional compensation for your granting of the right to AI to remove the drain tile.

Upon completion of mining in Cell 5, AI will incorporate an outlet from the proposed Cell 5 pond to provide up to the .7 cfs of water associated with the Elder Aquaculture Diversion. It is specifically understood and agreed between AI and you that you shall be responsible for all legal actions and costs associated with the use of said water.

During our discussions regarding compensation for removal of the drain tile you have also reiterated concerns regarding current and future impacts to groundwater levels on your property as a result of AI's mining activities. Matters related to groundwater impacts from mining operations

Aggregate Industries

West Central Region, Inc.
1707 Cole Blvd., Suite 100
Golden, CO 80401

Connie N. Davis, Land Resources
P. O. Box 337231, Greeley, CO 80633
(970) 336-6526

Mr. Raymond Jones
February 10, 2006
Page Two

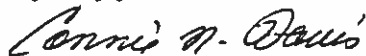
have already been addressed through the agreement executed between you and AI, dated December 16th, 2004, and are further addressed in the groundwater management plan under AI's DMG permit. As previously agreed, AI will provide water to you during such times as AI's activity is the primary cause of reduced groundwater levels in the area. When AI's mining activities progress away from your property, it is expected that groundwater will rebound to historic levels. AI will, however, continue to monitor groundwater levels at its Riverview Resource operation throughout the life of the mine in accordance with the groundwater management plan under its DMG permit and will provide mitigation measures in accordance with the plan. Such mitigation includes measures to be taken in the event groundwater level increases more than 18 inches above the baseline data for that time of the year.

With groundwater issues addressed as noted through our existing agreement and AI's DMG permit, compensation proposed for your granting permission to AI to mine through the drain tile associated with the Elder Aquaculture Diversion water right includes total cash payments of \$28,500.00 together with the access easement described above. Acceptance of this proposal, as acknowledged by your signature below, shall provide AI with immediate access to the existing drain tile for removal, and the proposed compensation shall be delivered to you as follows:

- Payment of the sum of \$8,500.00 shall be delivered to you within ten (10) days of your acceptance of this proposal.
- Payment of the remaining proposed cash compensation in the amount of \$20,000.00 will be made by AI to you in two equal installments payable thirty (30) days and (60) days from the date of your acceptance of this proposal. Additional compensation for the fence and conversion of the aquaculture raceways to provide a foundation for an alternative use may be further negotiated upon your obtaining and presenting to AI at least two estimates obtained for such work, with said compensation to be limited to construction related time and materials and exclusive of any surveying, design or permitting costs.
- The non-exclusive easement shall be reserved to you, and upon completion of mining of Cell 5, the easement will be surveyed by AI and the grant of said easement will be recorded in the Records of Weld County and delivered to you.

We look forward to your response in to this proposal.

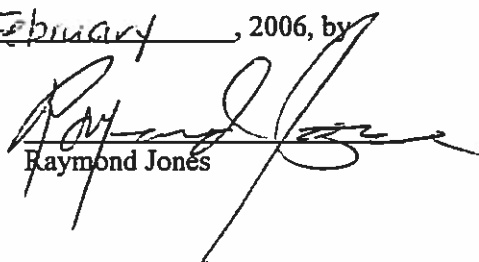
Very truly yours,



Connie N. Davis
Land Resources Assistant

cc: Aggregate Industries-WCR, Inc. – Mike Refer, Phillip Harris

APPROVED AND ACCEPTED this 5th day of February, 2006, by
Raymond Jones.



Raymond Jones

Connie N. Davis, Land Resources
P. O. Box 337231, Greeley, CO 80633
(970) 336-6526

168

2951168 05/14/2002 02:10P JA Suld Tsukamoto
1 of 1 R 5.00 D 17.10 Weld County CO

RECEIVED

JUL 25 2002

WARRANTY DEED

THIS DEED, Made this 10th day of May, 2002,
between Gregory C. Wright

of the County of Weld and State of Colorado
grantor, and Raymond M. Jones

whose legal address is 9217 Eastmond Park Drive #205, Windsor, CO 80524

of the County of Weld and State of Colorado, grantor:
WITNESSETH, That the grantor, for and in consideration of the sum of ONE HUNDRED SEVENTY ONE
THOUSAND AND NO/100

-----DOLLARS, (\$171,000.00).

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 grantor, his heirs and assigns forever, all the real property together with
improvements, if any, situate, lying and being in the County of Weld and State of Colorado,
described as follows:

Lot A of Recorded Exemption No. 0805-32-1-RE-1959, according to the plat
recorded March 17, 1997 in Book 1596 as Reception No. 2538173, being a portion
of the Northeast quarter of Section 32, Township 6 North, Range 66 West of the
6th P.M.,
County of Weld, State of Colorado

TOGETHER WITH all minerals owned by the Grantor.

TOGETHER WITH water rights described as Aquaculture Hatchery Well 90 CW 026,
Downstream Aquaculture Diversion 90 CW 028 and Tiger Run Aquaculture
Diversion 90 CW 029.
also known by street and number as 13640 WCR 64, Greeley, Colorado

TOGETHER with all and singular the hereditaments and appurtenances thereto 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 the said premises above bargained and described, with the appurtenances, unto the grantor, 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 executing 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 or nature soever, 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 38 (Title Review), of the contract dated

April 2, 2002, 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 deed on the date set forth above.

Gregory C. Wright
Gregory C. Wright

STATE OF COLORADO

COUNTY OF LARIMER

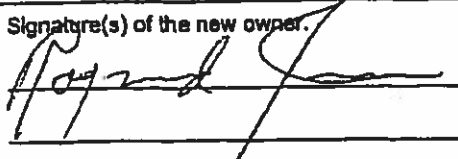
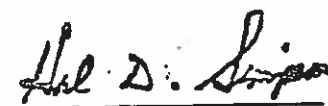

The foregoing instrument was signed before me this 10th day of May, 2002 by
Gregory C. Wright

My Commission expires: September 11, 2004

Witness my hand and official seal

Cherie DuCharme
Notary Public
Cherie DuCharme

✓ Grantor's mailing address: P.O. Box 476, Windsor, CO 80550

Form No. GWS-11 06/00	STATE OF COLORADO OFFICE OF THE STATE ENGINEER 818 Centennial Bldg., 1313 Sherman St., Denver, CO 80203 (303) 866-3581 Fax (303) 866-3589	For Office Use Only <div style="text-align: center;"> RECEIVED JUL 25 2002 <small>WATER RESOURCES STATE ENGINEER COLORADO</small> </div> <div style="margin-top: 10px;"> Rec # 003/323 If your well has an absolute water right, decreed by the court and the well is not registered with the State Engineer, enter the Water Court Case Number / Civil Action Number and well number as decreed: <u>90CW030, 90CW027, 95CW025</u> <u>90CW029, 99CW030, 90CW026</u> </div>
CHANGE IN OWNERSHIP/ADDRESS CORRECTION OF THE WELL LOCATION		
Insert the Well Permit Number <u>048615-F</u>		
Name, address and phone of the person claiming ownership of the well:		
NAME(S) <u>Raymond M. Jones</u>		
Mailing Address <u>P.O. Box 476</u>		
City, St. Zip <u>Windsor CO 80550</u>		
Phone (<u>970</u>) <u>686-0394</u>		
This form is filed by the named individual/entity claiming that they are the owner of the well permitted as referenced above. This filing is made pursuant to C.R.S. 37-90-143.		
WELL LOCATION: County <u>Weld</u> Owner's Well Designation _____ <u>13640 WCP, 104</u> <u>Greely</u> <u>CO</u> (Address) (City) (State) (Zip) <u>NE 1/4 of the NE 1/4, Sec. 32, Twp. 10</u> <input checked="" type="checkbox"/> N. or <input type="checkbox"/> S., Range <u>66</u> <input type="checkbox"/> E. or <input checked="" type="checkbox"/> W., <u>6th</u> P.M. Distance from Section Lines <u>940</u> Ft. From <input checked="" type="checkbox"/> N. or <input type="checkbox"/> S., <u>2/30</u> Ft. From <input checked="" type="checkbox"/> E. or <input type="checkbox"/> W. Line. Subdivision Name _____ Lot <u>A</u> , Block _____, Filing/Unit _____		
The above listed owner(s) say(s) that he, she (they) own the well described herein. The existing record is being amended for the following reasons: <input checked="" type="checkbox"/> Change in name of owner <input type="checkbox"/> Change in mailing address <input type="checkbox"/> Correction of location for exempt wells permitted prior to May 8, 1972 and non-exempt wells permitted after May 17, 1965. Please see the reverse side for further information regarding correction of the well location.		
I (we) claim and say that I (we) (are) the owner(s) of the well described above and that the commencement of extraction of ground water from this well, lawfully made under the well permit, occurred on the date indicated, and that the statements made herein are true to my (our) knowledge.		
Please print the Signer's Name & Title <u>Raymond M. Jones</u>	Signature(s) of the new owner. 	Date <u>7/25/02</u>
It is the responsibility of the new owner of this well to complete and sign the form. Signatures of agents are acceptable if an original letter of agency signed by the owner is attached to the form upon its receipt.		
ACCEPTED AS A CHANGE IN OWNERSHIP AND/OR MAILING ADDRESS.		
 State Engineer	 By	<u>02.20.2003</u> Date

STATE OF COLORADO

DIVISION OF MINERALS AND GEOLOGY

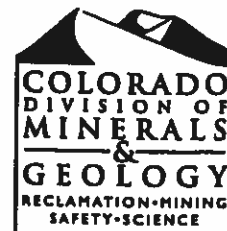
Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

FAX: (303) 832-8106



Bill Owens
Governor

Russell George
Executive Director

Ronald W. Cattany
Division Director
Natural Resource Trustee

April 17, 2006

Mr. Mike Refer
Aggregate Industries - WCR, Inc.
1707 Cole Blvd., Ste. 100
Golden, CO 80401

Re: Riverview Resources, Permit No. M-1999-098, Technical Revision Approval, Revision No. TR-2

Dear Mr. Refer:

On April 17, 2006 the Division of Minerals and Geology approved the Technical Revision application submitted to the Division on April 11, 2006, addressing the following:

Delete 4.5 acres of undisturbed land from Cell 2 and add 3.1 acres of affected land between Cell 4 and Cell 5, all of which is within the Riverview Resources permit boundary.

The terms of the Technical Revision No. 2 approved by the Division are hereby incorporated into Permit No. M-1999-098. All other conditions and requirements of Permit No. M-1999-098 remain in full force and effect. There is no change in the amount of financial warranty required as a result of this technical revision approval.

If you have any questions, please contact me at (303) 866-4921.

Sincerely,

Thomas A. Schreiner
Environmental Protection Specialist

Cc: Carl Mount, DMG (via E-Mail)

LEGEND

[illegible]

- COMPLETION OF THE MAJOR CISTS CONSTITUTE THE SIZE OF THE CISTS HAVE VARY FROM 10 TO 50 CM. AND ARE CONTROL
- THE PROCESSING AREA WILL CONTAIN THE FOLLOWING CISTS, ASPHALT, CEMENT, PLANK, SCALE, CISTS, SALT, CRACKER, SCORPER, COMPOS
- REE AND STEEL CLOUTER COMPOS 1 TO 8 REECS AND 1 TO 6 SIZES

SURROUNDING PROPERTY OWNERS

- [illegible]

APR 07 2006

Division of Minerals and Geology

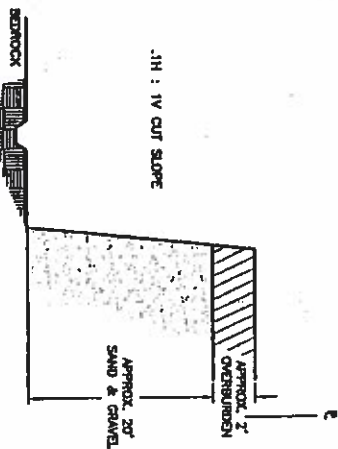
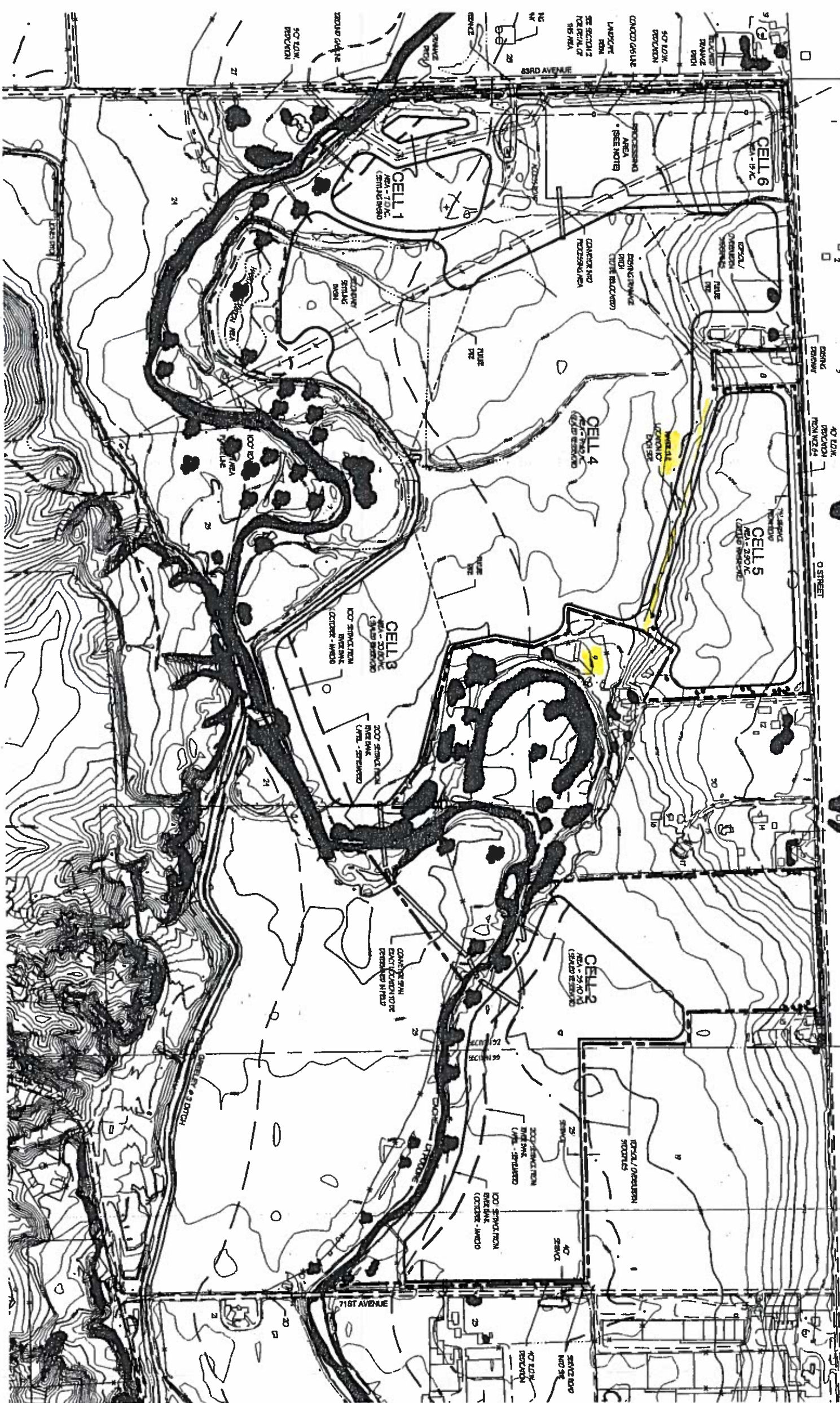
MINIMUM MINING SETBACKS FROM STRUCTURES

100 FEET FROM HOLES, BUILDINGS, INFRASTRUCTURE, TOWERS, AND THE BANK OF THE POLICE RIVER

75 FEET FROM THE DESIGN BANK OF HWY OF 0 STREET

70 FEET FROM THE DESIGN BANK OF HWY OF 0 STREET AND TSW ANALYSIS

50 FEET FROM THE EXISTENCE OF UNDEVELOPED AREAS



7/12/99					
99-1B2	5	6/5/00	EPS	PEA	less revisions
EPS	4	2/23/00	EPS	SLE	less revisions
	3	1/12/00	EPS	SLE	less revisions
	2	9/3/99	EPS	SLE	less revisions
	1	7/30/99	EPS	SLE	less revisions
Glinda.Dwg	NO	DATE	BY	CHK'D	DESCRIPTION
300' +/-	REVISIONS				

CAMAS COLORADO INC.

RIVERVIEW RESOURCE

MINING PLAN

Final as filed for recording



Consultants for Land, Minerals, and Water
11990 Grant Street - Suite 304
Denver, Co. 80233
(303)452-6611 Fax: (303)452-2759
FTP: [ftp.csl.net/uscr/tutapple](ftp://ftp.csl.net/uscr/tutapple)