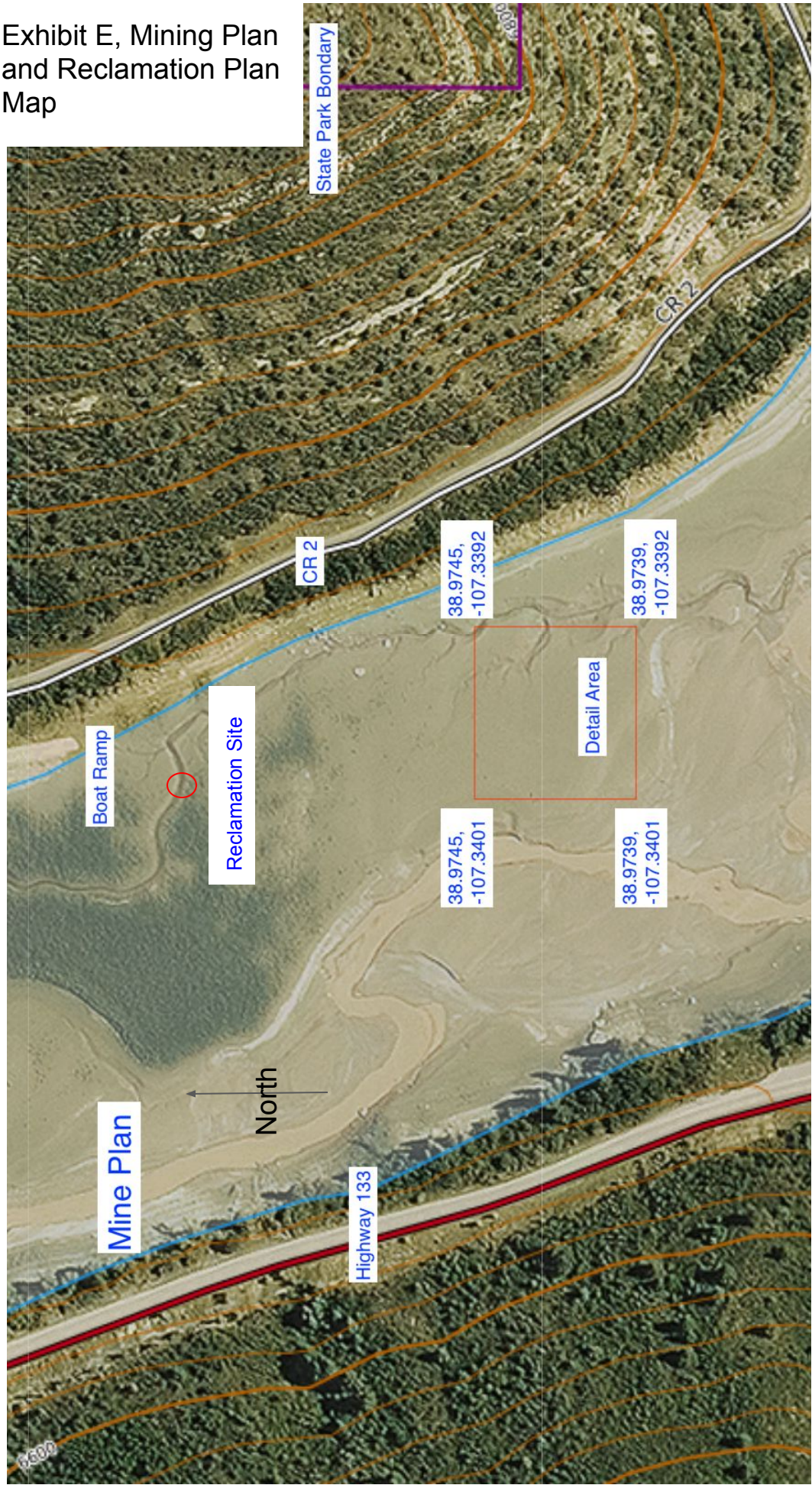
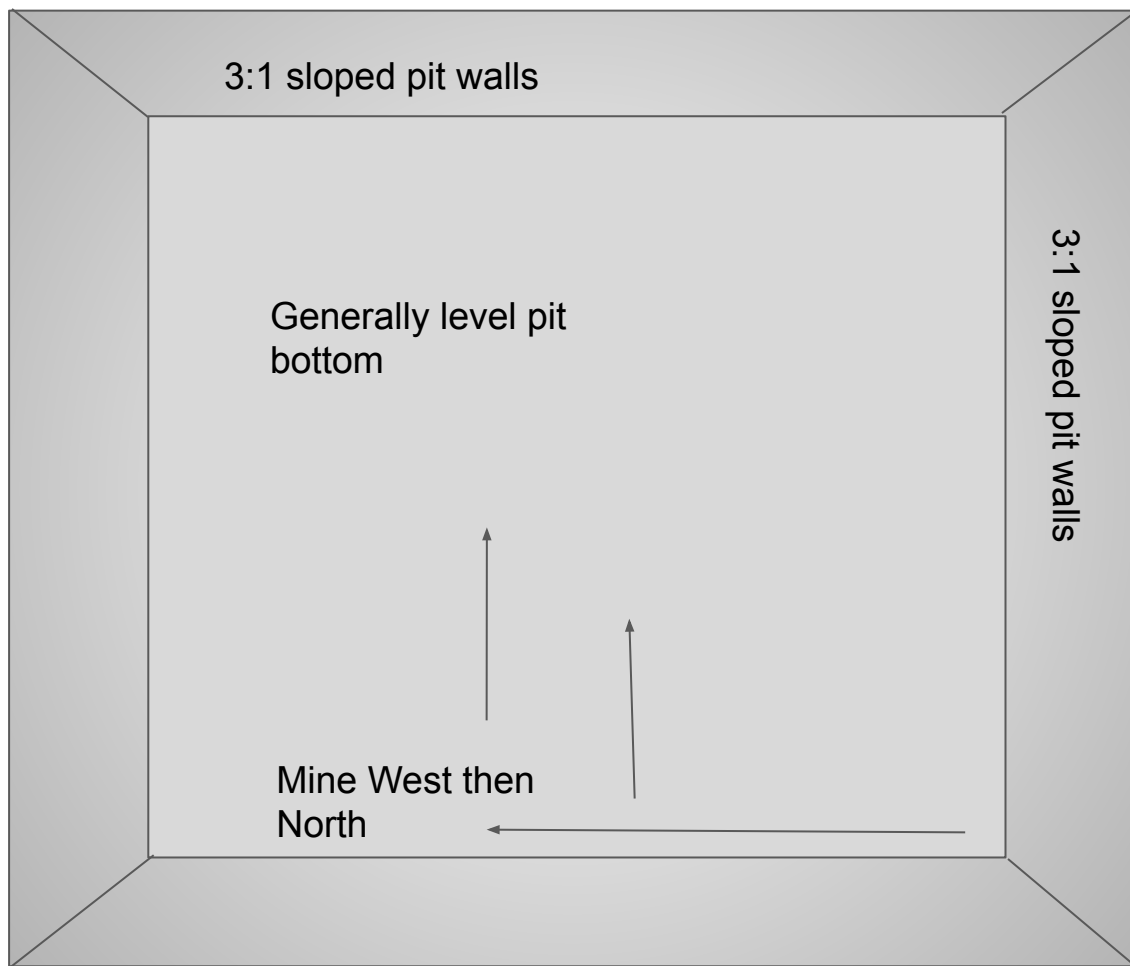


Exhibit E, Mining Plan and Reclamation Plan Map



Detail area, overhead view



Begin Mining In SE corner

Mining will:

Proceed generally from SE to NW. Adjustments will be made for specific alluvium morphology and composition, which are expected to change from year to year.

Avoid steep erosional features such as cut-banks and moisture-containing gullies

Not exceed 4 ft in depth

Not leave pit walls steeper than 3:1 distance:depth

Detail Area, Side View:



Looking north from southern end of pit, mining will proceed right to left (east to west), then away from the

Reclamation of this area will be accomplished by seasonal inundation.

Reclamation of "Reclamation Site" (small alluvium channel) will be accomplished by removal of culvert pipe and restoration of channel banks to premining morphology as detailed in the Reclamation Plan.

Exhibit F, List of Other Permits And Licenses Required

This Permit Application: 110c; Colorado Division of Reclamation Mining & Safety

Mineral Materials Permit, US Bureau of Reclamation; Attached as Right-of-Entry

--Notification to Paonia State Park and Fire Mountain Canal and Reservoir Company is required under the Mineral Materials Permit

Non-Notifying Nationwide Permit 33, US Army Corp Of Engineers; Attached

Possibly Required: Change of Land Use; Gunnison County. We are in touch with Gunnison County and will inform DRMS if this is required.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

MINERAL MATERIALS PERMIT

The UNITED STATES OF AMERICA acting through the Bureau of Reclamation (Reclamation), and Delta Brick and Climate Company (you), the purchaser, make this AGREEMENT, under the authority of the Reclamation Act, June 17, 1902, as amended and supplemented (32 Stat. 388; 43 U.S.C § 391, et seq.), the Mineral Materials Act of July 31, 1947, as amended and supplemented (61 Stat. 681), 30 U.S.C. §§ 601- 604), and the regulations at 43 CFR Part 429.

We agree:

Sec. 1. *Permit Area*- Under the terms and conditions of this permit, the United States conveys to you and you acquire the mineral materials listed in Section 2 and contained in the following [X] acquired [] withdrawn lands as shown on the map and mining plan attached to and made a part of this permit.

COUNTY	STATE	TWP	RANGE	SECTION	ALIQUOT PARTS	MERIDIAN	ACREAGE
Gunnison	CO	12S	89W	33	Within W½NE¼	6 TH Princ.	4.4 +/-

Sec. 2. *Permit Fees, Amount and Price of Materials*- The following fees and costs associated with this permit have been waived pursuant to an Administrative Determination to Waive Fees and Costs Required by 43 CFR 429, dated November 18, 2019.

KIND OF MATERIAL	QUANTITY	UNIT OF MEASURE	PRICE PER UNIT	TOTAL PRICE	Date Paid
Mixed sediment, including clay, silt, sand, and gravel	600	cubic yard	N/A	N/A	N/A
Application Fee				N/A	N/A
Administrative Fees				N/A	N/A
Total Permit Price				N/A	N/A

Reclamation's determination of the amount of materials that you have taken under the permit is binding on you. You may appeal this determination as provided in Section 24. You may not mine more than the quantity of materials shown on the permit.

Sec. 3. *Title to Mineral Materials*- You receive title to the mineral materials only after you have extracted them.

Sec. 4. *Risk of Loss*- You assume complete risk of loss for all materials to which you have title. If material covered by this permit is damaged or destroyed before title passes, you are liable for all loss suffered if you or your agents are directly or indirectly responsible for the damages. If you are not responsible for the damage or destruction, you are liable only to the extent that the loss was caused by your failure to remove the material under this permit. You are still liable for breach of permit or any wrongful or negligent act.

Sec. 5. *Liability for Damage to Materials Not Sold*- You are liable for loss or damage to materials not sold to you if you or your agents are directly or indirectly responsible for the damage or loss. You are also liable if you fail to perform under this permit according to Reclamation's instructions and the United States incurs costs resulting from your breach of any permit term or your failure to use proper conservation practices. If the damage or destruction did not result from willful or gross negligence, you are liable for lesser charges, but not less than the appraised value of the materials.

Sec. 6. *Stipulations and Reserved Terms*- Your rights are subject to the regulations at 43 CFR Part 429 now

or hereafter in force and to any special stipulations and the mining plan attached to this permit.

[X] Special stipulations are attached to this permit.

Sec. 7. *Notice of Operations*- You must notify Reclamation at least two (2) working days prior to beginning and ending operations under this permit.

Sec. 8. *Notices*- Any notice, demand, or request authorized or required by this MOA shall be deemed to have been given:

1) by you, when mailed, postage prepaid, or delivered to the Area Manager, Western Colorado Area Office, 445 W. Gunnison Ave., Ste. 221, Grand Junction, CO 81501 and;

2) by the United States, when mailed, postage prepaid, or delivered to: Delta Brick and Climate Co., P.O. Box 280, Paonia, CO 81428

The designation of the addressee or the address may be changed by notice given in the same manner as provided in this article for other notices.

Sec. 9. *Assignments*- You may not assign this permit without Reclamation's written approval.

Sec. 10. *Modification of the Approved Mining or Reclamation Plan* - You or Reclamation may initiate modification of these plans to adjust for changing conditions, or to correct any oversight pursuant to the regulations at 43 CFR Part 429.

Sec. 11. *Expiration of Permit*- This permit will expire on 12/31/2020, unless Reclamation extends the term or renews the permit.

Sec. 12. *Extension of Time* - Reclamation may grant you an extension of time in which to comply with this permit. For permits with terms over 90 days, you must apply in writing no less than 30 and no more than 90 days before your permit expires. For permits with terms of 90 days or less you must apply no later than 15 days before your permit expires.

Sec. 13. *Renewal of Permit* - Reclamation may renew your permit if you apply in writing no less than 15 days before your permit expires and you meet the necessary conditions

Sec. 14. *Time for Removing Personal Property*- You have up 30 days from the date this permit expires to remove your equipment, improvements, and other personal property from United States lands or rights-of-way. You may leave in place improvements such as roads, and bridges if Reclamation consents. Any property remaining after this period ends, including extracted materials, becomes the property of the United States. You will remain liable for any costs

of removing and disposing of the property and restoring the site.

Sec. 15. *Termination*- This permit will terminate and your rights hereunder will cease, and you will quietly deliver to the United States possession of the premises in like condition as when taken, reasonable wear and damage by the elements excepted:

(a) At the expiration of the term as provided in Section 11; or,

(b) On any date of any year, upon written notice to you, served 10 days in advance thereof; or,

(c) After failure of you to observe any of the conditions of this permit, and on the tenth day following service of written notice on you of termination because of failure to observe such condition

The notices provided by this section will be served by certified mail addressed to the respective post office address given in Section 8 and the mailing of any such notice properly enclosed, addressed, stamped, and certified, will be considered service.

Sec. 16. *Responsibility for Damages Suffered or Costs Incurred by the United States*- If you, your contractors, subcontractors, or employees breach this permit or commit any wrongful or negligent act, you are liable for any resulting damages suffered or costs incurred by the United States. You must pay the United States within 30 days after receiving a written demand from Reclamation.

Sec.17. *Unrestricted Access*- The United States reserves the right of its officers, agents, and employees at all times to have unrestricted access and ingress to, passage over, and egress from all of said lands, to make investigations of all kinds, dig test pits and drill test holes, to survey for and construct reclamation and irrigation works and other structures incident to Federal Reclamation Projects, or for any purpose whatsoever. Reclamation will make every reasonable effort to keep damages to a minimum.

Sec. 18. *Illegal Use*- Any activity deemed to be illegal on Federal lands will be cause for immediate termination of the permit.

Sec. 19. *Equal Opportunity Clause* - The actions you take in hiring must comply with the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which describe the non-discrimination clauses. You may get a copy of this order from Reclamation.

Sec. 20. *Severability*- Each provision of this permit shall be interpreted in such a manner as to be valid under applicable law, but if any provision of this

permit shall be deemed or determined by competent authority to be invalid or prohibited hereunder, such provision shall be ineffective and void only to the extent of such invalidity or prohibition, but shall not be deemed ineffective or invalid as to the remainder of such provision or any other remaining provisions, or of the permit as a whole.

Sec. 21. *Hold Harmless*- You hereby agree to indemnify and hold harmless the United States, its employees, agents, and assigns from any loss or damage and from any liability on account of personal injury, property damage, or claims for personal injury or death arising out of your activities under this permit.

Sec. 22. *Officials Not to Benefit*- No Member of Congress shall be admitted to any share or part of any permit or agreement made, entered into, or accepted

by or on behalf of the United States, or to any benefit to arise thereupon.

Sec. 23. *Effective Date*- This permit becomes effective as indicated below.

☒ On the date Reclamation signs the permit.

☐ Only after certain conditions are met; Reclamation will list the conditions below and indicate the effective date.

Sec. 24. *Appeal*- You may appeal any decision that Reclamation makes in regard to this permit under Parts 4 and 429 of Title 43 of the Code of Federal Regulations.

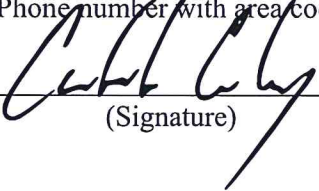
The following parties have executed this permit as of:

PURCHASER
Delta Brick & Climate Company

(Print Individual or Firm Name)
PO Box 280 Paonia, CO 81428

(Address)

720-421-2633
(Phone number with area code)


(Signature)

(Signature)

UNITED STATES OF AMERICA

By E. TEA DUNN II
(Print Name of Reclamation Official)

E. Tea Dunn II
(Signature of Reclamation Official)

Deputy AREA MANAGER
(Title)

12/17/19
(Date)

If you are a corporation, affix corporate seal here:

NOTICES

Title 18 U.S.C. 1001, makes it a crime for any person to knowingly or willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or

representations as to any matter within its jurisdiction, subject to a fine of up to \$10,000 and imprisonment up to 5 years.

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 601 et seq.; 43 CFR Part 429

PRINCIPAL PURPOSE: Reclamation uses this information to identify the parties entering into permits for disposal of mineral materials.

ROUTINE USES: Reclamation will transfer information from the record or the record itself to appropriate Federal, State, local or foreign agencies, when relevant to criminal, civil, or regulatory investigations or prosecutions.

Special Stipulations

The following special stipulations are attached to and made a part of this permit:

1. This permit is only for a pilot project to determine suitability of materials for the manufacture of ceramics, primarily bricks and tiles. Any future expansion of sediment removal from Paonia Reservoir will be subject to additional review, requirements, and potential fees prior to any such expansion.

2. The permittee shall notify the following people at least two (2) working days before starting work under this permit at the beginning and after a prolonged absence from the area:

Steve Fletcher, Manager, Fire Mountain Canal and Reservoir Co. at 970-250-8118 (cell) or sfletcher@montrose.net; and

Ed Keleher, Manager, Paonia State Park, at 970-921-5721 (office) or ed.keleher@state.co.us.

3. The permittee shall comply with any requirements of Gunnison County for use of County Road No. 2 related to this permit.

4. The permittee shall comply with any requirements of the Colorado Department of Transportation for use of Highway 133 and others related to this permit.

5. The permittee shall comply with the requirements of the 110 Limited Impact Reclamation Permit from the Colorado Division of Reclamation Mining and Safety regarding the excavation of these materials.

6. The permittee shall comply with the requirements of the US Army Corps of Engineers non-notifying Nationwide Permit 33 regarding the excavation of these materials.

7. Use of a dredge is not allowed under this permit.

8. Permittee shall salvage wetland vegetation (e.g., willows) prior to disturbance and replant them immediately upon completion of the work.

9. If threatened or endangered species are discovered during activities under this permit, the permittee shall halt such activities until consultation is completed with the U.S. Fish and Wildlife Service and protection measures are implemented. Additional surveys may be required if construction plans or proposed disturbance areas are changed.

10. In the event of discovery of evidence of possible cultural or paleontological resources, the permittee shall cease all ground disturbing activities in the area and notify Reclamation. Work shall not be resumed until authorized by Reclamation. Additional surveys will be required for cultural resources if construction plans or proposed disturbance areas are changed.



Delta Brick & Climate Company

PO Box 280

Paonia, CO 81428

deltabrick.com

Christopher Caskey

Founder

Delta Brick & Climate Company

720-421-2633

chris@deltabrick.com

U.S. Bureau of Reclamation
Western Colorado Area Office
445 West Gunnison Ave., Suite 221
Grand Junction, CO 81501-5711

September 23, 2019

Dear Reclamation Staff,

Please see attached Use Authorization Form 7-2540. This letter provides additional detail for my application. Delta Brick & Climate Company (DBCC), would like to remove sediment from Paonia Reservoir for use as feedstock in ceramics manufacturing. The location of the proposed activity is the north (upstream) end of Paonia Reservoir, between the boat ramp and Williams Creek. 6th Meridian, Section 33, Township 12 South, Range 89 West. The sediment is primarily the alluvium of Muddy Creek and is composed of gravel, sand, silt, and clay.

In 2019, we intend to use an excavator and one or more dump trucks to remove up to 200 cubic yards of sediment. Our target material is silt and clay, which settles out in layers separate from sand and gravel. Prior to excavating, we intend to locate sufficient silt and clay layers on the alluvium surface by hand-digging holes and cores. A broad, shallow excavation will follow. Sand and gravel may be harvested as well. Figure 1 shows the approximate boundaries of our work. Fewer than 10 people will work on site at any one time. The likely number is 2 to 5. Excavating and hauling of sediment will be contracted to a third party. This permit requests access to the reservoir for the remainder of 2019 and most of 2020. Activity will likely be restricted to a few days in the fall and a few days in the spring. The facilities at Paonia State Park will provide adequate sanitation. We intend to film and photograph the permitted activities for our records and for commercial use.

This work requires a 110c permit for Colorado Division of Reclamation Mining and Safety. That process is underway. This work does not require a permit from the Army Corps of Engineers.

However, if any grading is required in the reservoir, a permit/permission will be required and obtained. We are in communication with Paonia State Park, Fire Mountain Canal and Reservoir Company, the North Fork Water Conservancy District, and Gunnison County. All are broadly supportive of this project and will be kept informed of specifics.

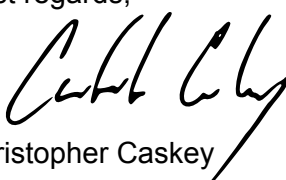
In years past, the small drainage entering the reservoir near the boat ramp has carved a channel in the alluvium. Depending on the morphology of the alluvial fan this year, it may be necessary to grade this channel to allow equipment to access adequate sediment. Care will be taken to minimize impacts to willows and other vegetation.



Figure 1, Approximate sediment removal area at Paonia State Park. Credit: CalTopo, Google

Please let me know if you have any questions.

Best regards,


Christopher Caskey