

LJ DEVELOPMENT, INC.

256 N. MERRILL DRIVE
PUEBLO WEST, CO 81007
PHONE: 719-240-9424 FAX: 719-583-0583

RECEIVED
JUN 06 2012
Durango Field Office
Division of Reclamation,
Mining and Safety

June 4, 2012

Bob Oswald
Mr. Bob Oswald
Environmental Protection Specialist
Division of Reclamation, Mining and Safety
Durango Office
691 CR 233, Suite A-2
Durango, CO 81301

RE: SUBMITTAL OF NEWSPAPER PROOF OF PUBLICATION LEGAL NOTICE

Within ten (10) working days after the last publication or as soon thereafter as proof has been obtained, the Applicant shall mail proof of the publication required by Rule 1.6.2(1)(d) to the Office. Proof of publication may consist of either a copy of the last newspaper publication, to include the date published, or a notarized statement from the paper. An application may not be approved until such proof has been obtained.

FILE NUMBER M—1987-013 BURTON PIT
OPERATOR: SOUTHWAY CONSTRUCTION COMPANY, INC.

Dear Mr. Oswald:

Bob I have enclosed two (2) copies of the Proof of Publication affidavit documentation (Legal Public Notice) from the Del Norte Prospector Newspaper. If the documents do not meet your needs please let me know and I will correct any deficiency.

If I can be of further assistance, please call me at 719-240-9424 or e-mail jpg@incasys.com. Thank you for all of your consideration during the review procedure.

Sincerely,
Joe Gagliano



cc: file
Enclosure: two copies of the Proof of Publication document

CERTIFIED MAIL 7009 2820 0004 3271 3448

The Del Norte Prospector



Del Norte, CO 81132
Proof of Publication

STATE OF COLORADO COUNTY OF RIO GRANDE

I, Mary E. Cerny, do solemnly swear that I am a representative of the Del Norte Prospector; that the same is a weekly newspaper printed, in whole or in part, and published in the County of Rio Grande, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Rio Grande for a period of more than fifty-two consecutive weeks prior to the first publication of annexed legal notice or advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 3892 46 times consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated April 26, 2012 and that the last publication of said notice was in the issue of said newspaper dated May 17, 2012.

Mary E. Cerny Subscribed and sworn before me a notary in
and for the State of Colorado this 18 day of May A.D. 20 12

Jennifer F. Alarce
Notary Public

My Commission expires 4-24-13



ADDENDUM - RULE 162 (1990)
NEWSPAPER PUBLISHED BY LEGAL NOTICE AND NOTICE MAILED TO LANDOWNERS
PUBLIC NOTICE
SOUTHWAY CONSTRUCTION COMPANY, INC., whose address is 117 White Pine Drive Alamosa, CO 81001-2756 (Phone: 719/585-5055) is filing an application for a CONVERSION Application as per Rule 1.11 with the Colorado Mining and Land Reclamation Board under the provisions of the Colorado Land Reclamation Act for the Construction of Construction Materials. The proposed mine is known as the Barton Pit, and is located in portions of T. 35N, R. 6E, in the NE 1/4 SW 1/4 and NE 1/4 NW 1/4 of SECTION 19, 10th P.M., RIO GRANDE COUNTY, STATE OF COLORADO. The proposed date of commencement is the first quarter of 2012, and the proposed date of completion is June 2022. The proposed future use of the land is Reclamation. Additional information and terms of the application may be obtained from the Division of Reclamation, Mining, and Safety, 1315 Sherman Street, Denver, Colorado 80202, (303) 866-1567, or at the Rio Grande County Clerk and Recorder's office, Address: 905 6th Street P.O. Box, 160 Del Norte, CO 81132 or the above named applicant. Comments must be in writing and must be received by the Division of Reclamation, Mining, and Safety on June 6, 2012.