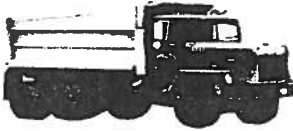


# WHITewater BUILDING MATERIALS CORPORATION

940 South 10th Street, P.O. Box 1769  
GRAND JUNCTION, COLORADO 81502



**SAND & GRAVEL PRODUCTS**  
Phone 242-7537



**READY MIXED CONCRETE**  
Phone 242-4843

**RECEIVED**

December 3, 2012

James McCurter  
PO Box 2007  
Grand Junction, CO 81502

DEC 04 2012  
GRAND JUNCTION FIELD OFFICE  
DIVISION OF  
RECLAMATION MINING & SAFETY

RE: Property under Reclamation

Jim, I was out by your property on Hwy 141 that Whitewater still has reclamation responsibility on, and noticed that you have placed a horse on the property.

During the Colorado Division of Reclamation, Mining and Safety inspection last spring they informed me that the vegetation was not acceptable due to the overgrazing done by the horses last winter. In a letter dated May 1<sup>st</sup>, 2012 to you I addressed the Divisions requirement that Whitewater restrict any grazing on the property. Whitewater feels that because of the pour rainfall this year that any grazing on the property will set back the vegetation further and possibly delay the release of the property for years.

Whitewater has been trying for the past two years to get released from the property and has been set back both times by your actions. In 2011 the vegetation was accepted but we were denied release because the inlets you installed had eroded the banks and required repair. Whitewater did that repair at our cost only to be denied this year because of the overgrazing around the lake.

I believe you are satisfied with the reclamation of the property because of an affidavit you signed August 15, 2011 but Whitewater is being placed in a precarious position between your vision and use of the property and obtaining the needed reclamation release.

Whitewater is asking you to remove any livestock from the property and write back to us stating that you either agree or not to the Divisions requirements.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark Gardner".

Mark Gardner VP  
Whitewater Building Materials Corporation

Cc: Travis Marshall