

NOTE: DO NOT MODIFY THIS FORM.

Submit two (2) copies. Pages 1 & 2 must be initialed and dated where indicated. *Signature preferred in blue ink.*

State of Wyoming

**Department of Environmental Quality
Land Quality Division
Application for Small Mining Permit or
Amendment to a Small Mining Permit**

In accordance with W.S. §35-11-401(j), for Noncoal Surface Mining operations, involving not more than ten thousand (10,000) cubic yards of overburden and ten (10) acres of affected land in any one (1) year.

1. a. Name, Mailing Address, Phone Number, and Fax Number of Applicant: _____
Evans Construction Company, PO Box 4309, Jackson, Wyoming 83001
phone: (307) 733-3029 fax: (307) 733-8313

b. If the applicant is a partnership, association, corporation or limited liability co., (circle one) then the names and addresses of all managers, partners and executives directly responsible for operations in this State:

Name: Lane Bybee Address: PO Box 4309, Jackson, WY 83001
Title: President Phone No.: (307) 733-3029

Name: Mitch Lewis Address: PO Box 4309, Jackson, WY 83001
Title: Vice President Phone No.: (307) 733-3029

Name: _____ Address: _____
Title: _____ Phone No.: _____

Name: _____ Address: _____
Title: _____ Phone No.: _____

2. Name, Mailing Address, Phone Number, and Fax Number of the agent or person to whom any notice under the provisions of Wyoming Environmental Quality Act or Land Quality Division Rules and Regulations adopted thereunder may be sent: Jill Callaco, Evans Construction Company
PO Box 4309, Jackson, WY 83001; phone (307) 733-3029, fax (307) 733-8313

3. Attach the following information as part of the specific appendices:

a. Appendix "A"

Names and addresses of surface and mineral owners of record within the proposed permit (amendment) area

b. Appendix "B"

Names and last known addresses of the owners of record of the surface rights of the lands immediately adjacent to the proposed permit (amendment) area.

c. Appendix "C"

i. All lands to be included in the proposed permit (amendment) area shall be tabulated by legal subdivision, section, township, range and county, if any, and the number of acres for each subdivision listed.

ii. Lands which are to be part of the proposed permit (amendment) area, for which no right to mine is claimed shall be identified in item c. i. above as such and tabulated separately listing the number of acres for each legal subdivision.

iii. Lands which are located within other permit areas shall be identified and a copy of the land use agreement with the other permittee shall be attached as part of this application.

- iv. An original United States Geological Survey topographic map showing; (1) the permit area boundary; (2) the boundaries of the lands to be affected; (3) the location of adjudicated groundwater wells inside and within one-half mile of the permit area; and (4) the outline of all areas previously disturbed by or which will be affected by underground mining.

d. Appendix "D"

Support information as described in Land Quality Division Noncoal Rules and Regulations, Chapter 9, Section 1(a)(i)(C).

4. Mineral(s) to be mined: Sand and Gravel

Mining method to be used: Excavators and Front End Loaders, open excavation

5. Estimated dates of commencement and termination of the proposed operation:

Start: November 1, 2007 Terminate: unknown

6. The total number of acres in the proposed permit (amendment) area and an estimate of the total number of acres to be affected by the operation:

Permit Acres	Approved Acreage to Affect
Original Permit <u>10</u>	Original Permit <u>10</u>
Approved Amendments <u>0</u>	Approved Amendments <u>0</u>
This Application <u>58</u>	This Application <u>12</u>
Total Acres <u>58</u>	Total Acres <u>12</u>

Note: Total Affected Acreage must not exceed ten (10) acres per year.

7. The name, if any, by which the permit (amendment) lands or any part thereof are known: Lots 1-4 River Springs Subdivision Plat 705

8. A filing fee of \$ 100.00 (\$ 200.00 for amendments) plus \$10.00 for each acre in the requested permit (amendment) area. The maximum fee shall not exceed \$ 2000.00.

9. The application shall include a mining plan and reclamation plan dealing with the extent to which the mining operation will disturb, change or deface the lands to be affected, the proposed future use or uses and the plan whereby the operator will reclaim the affected lands to the proposed future use or uses. The mining plan and reclamation plan shall be consistent with the objectives and purposes of the Wyoming Environmental Quality Act and the Rules and Regulations promulgated.

10. The applicant may have the local Soil Conservation District assist in preparation of, provide data for, permit research, review and comment upon the reclamation.

11. The following obligation is incumbent upon the approval of this application:

The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit, to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

Final Sworn Statement

State of Wyoming)
)ss
County of Teton)

I Mitch Lewis being duly sworn on my oath that I am the applicant (or chief executive officer of the applicant if a corporation) for the foregoing mining permit (amendment); that I have read the said application and fully know the contents thereof; that all statements contained in the permit (amendment) application are true and correct to my best knowledge and belief, by execution of this statement I certify that Evans Construction Company has the right and power by legal estate owned to mine from the land for which this permit (amendment) is desired; that Evans Construction Company has not forfeited, or is not involved on forfeiture proceedings for, a bond posted for reclamation purposes; and by completion and submission of this application, hereby give consent to allow the Director, the Administrator and/or his authorized representatives, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to any and all lands covered by this permit and amendments thereto and to inspect and copy any records or documents, obtain or monitor any samples or sampling, for any activities associated with the operation and permit. Records or equipment shall not require advance notice.

Dated this 2nd day of July, 2008.

[Signature]
Signature
Mitch Lewis
Name printed or typed
Vice President
Title

(Corporate Seal)

The foregoing instrument was acknowledged before me by _____
this 2nd day of July, 2008.

Witness my hand and official seal.

[Signature]
(Notary Public or Secretary if a Corporation)
Vickie L. Giles
(Name printed or typed)



(Notary Seal)

My Commission Expires: 4-3-10

The State of Wyoming)
)ss
Department of Environmental Quality)

This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This permit (amendment) grants only the right to affect the land described in Appendix "C" of the application.

Acceptance of the approved permit (amendment) obligates the operator to abide by the standard conditions specified in Item 11 of this application form. Any condition and/or special condition attached to approval of this permit (amendment) shall supersede and/or replace and conflicts with the original permit, amendments or any revisions.

Additional special conditions and limitations are as follows:

Approved: _____
Administrator
Land Quality Division
Department of Environmental Quality

Approved: _____
Director
Department of Environmental Quality

Effective Date: _____