



APPLICATION TO WYOMING
DEPARTMENT OF ENVIRONMENTAL
QUALITY - LAND QUALITY DIVISION
FOR
SMALL MINING PERMIT

GECR, LLC-Etna Pit

Section 10, T35N, R119W

Applicant:

GECR, LLC

dba

Rocky Top Rock

PO Box 3258/50 West Highway 26

Alpine, WY 83128

Prepared By:

Sunrise Engineering, Inc.

PO Box 609

Afton, WY 83110



54/191



Index Sheet for GECR, LLC dba Rocky Top Rock

Final Public Notice

Final Public Notice Documents

I.K Proof of Final Public Notice ✓

Please add the attached pages I.K.2 – I.K.4 to Section I.K, Proof of Final Notice.

I.L Proof of Filing with County Clerk ✓

Please add the attached pages I.L.2 – I.L.3 to Section I.L, Proof of Filing with County Clerk.

I.M Proof of Public Mailing ✓

Please add the attached pages I.M.2 – I.M.3 to Section I.M Proof of Public Mailing

*Inserted
JMK 11/2/11*

Index Sheet for Rocky Top Rock
1st Round Technical Comments



General Comment ✓

Please replace the binder covers and introductory page in each binder with the attached cover and introductory pages. Also, please replace the side covers in each binder with the attached side cover sheets.

Technical Review

Mine Plan ✓

Please replace existing page MP-5 in the Mine Plan with the attached page MP-5

Please replace page MP-9 in the Mine Plan with the attached MP-9.

I.F Agency Permits ✓

Please replace existing page I.F.2 with the attached page I.F.2 and add the attached Lincoln County Wastewater Permit to section I.F Agency Permits.

*Inserted
JAM
9/19/11*



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54/191

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 - See Table of Contents (letters) in this Section
- G. Appendix A – Surface and Mineral Owners Within Permit Area
- H. Appendix B – Surface Rights Holders Within ½ Mile of Permit Area
 - Map showing all Property Owners within ½ mile is attached
- I. Appendix C – Deeds - Legal Tabulation of Lands Within Permit Area
 - Map with 22.2 acres (total boundary) and 19 Mining area w/legal
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TFN 5 4/191
RECD APR 13, 2011

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IV. Reclamation Plan

V. NOI

VI. WY-PDES/SWPPP

TFN 5 4/191
RECD APR 13, 2011

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: GECR, LLC (Ganelle Edward:
PO Box 3258 - 50 West Highway 26, Alpine, Wyoming 83128
Phone (307) 654-7587 Fax (307) 654-7287

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: Ganelle Edwards - Phone (307) 654-7587 - Fax (307) 654-7287 Address: 50 West Highway 26, Alpine, Wyoming 83128
Title: Owner Phone No.: Phone (307) 654-7587

Name: Clarence Reinhart Address: 50 West Highway 26, Alpine, Wyoming 83128
Title: Owner Phone No.: Phone (307) 654-7587

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: Ganelle Edwards - Phone (307) 654-7587 - Fax (307) 654-7287
PO Box 3258 (50 West Highway 26) Alpine, WY 83128

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: Surface

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

Start: April 1, 2011 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 _____	Original Permit <u>0 Acres</u>
Approved Amendments _____	Approved Amendments <u>0 Acres</u>
This Application <u>22.5 Acres</u>	This Application <u>19 Acres</u>
Total Acres <u>22.5 Acres Owned</u>	Total Acres <u>19 Acres</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: Rocky Top Rock

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 Lincoln)

I Ganelle Edwards 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 GEGR, LLC has the right and power by legal estate owned to mine from the land for which this permit (amendment) is desired; that GEGR, LLC 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 17 day of March, 20 11.

Ganelle Edwards
Signature

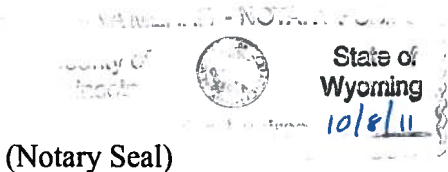
(Corporate Seal)

Ganelle Edwards
Name printed or typed
Owner
Title

The foregoing instrument was acknowledged before me by Ganelle Edwards this 17 day of March, 20 11.

Witness my hand and official seal.

Diana Merritt
(Notary Public or Secretary if a Corporation)



(Notary Seal)

Diana Merritt
(Name printed or typed)

My Commission Expires: 10/8/11



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: _____

DO NOT CUT OR MODIFY THIS FORM. Use typewriter or print neatly with blue or black ink. Submit two (2) copies one of which must be an original Form 3 as supplied by the Department of Environmental Quality, Land Quality Division.

STATE OF WYOMING
DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
APPLICATION FOR LICENSE TO MINE

This application in duplicate for a license to mine is submitted in accordance with the provisions of the Wyoming Statute §35-11-410.

1. Name, telephone number, and mailing address of applicant: GECR, LLC
PO Box 3258 - 50 West Highway 26, Alpine, Wyoming 83128
Phone (307) 654-7587 Fax (307) 654-7287

2. Location of mining operation (County): Lincoln County

3. (a) A copy of the mining permit, submitted herewith, for the lands which are to be affected by the proposed mining operation:

Permit No. _____ Issued _____ day of _____, 2010.

(b) If the applicant is other than the permit holder, a copy of the instrument of permission submitted herewith, from the permit holder granting to the applicant the right thereto;

4. Maps showing the location and the numbers of acres to be affected by the proposed mining operation for the first year of operation if less than the full extent of the permit area.

(Map of affected area may be submitted with legal description if desired). The scale of maps shall be reasonable so as to show necessary detail, width of map not to exceed 48".

Suggested scales: Up to 10 acres - 1" = 100'
Up to 40 acres - 1" = 200'
40 acres or more - 1" = 400'

5. Date (month and year) when operation will commence: April 1, 2011

Estimated date (year) of termination of the proposed mining operation: Unknown

6. A fee of \$25.00.

7. Name, telephone number, and address of the agent or persons to whom any notice under the provisions of the Wyoming Environmental Quality Act, Land Quality Division or Rules and Regulations adopted thereunder may be sent: Ganelle Edwards

PO Box 3258 (50 West Highway 26), Alpine, Wyoming 83128

Phone (307) 654-7587 Fax (307) 654-7287

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

Initial [Signature] Date 9/7/2010
(Principal)

Permit No. _____
TFN No. 5 4 / 191



State of Wyoming)
)ss.
County of Lincoln)

I Ganelle Edwards being duly sworn on my oath that I am the applicant (or the President or Vice President if the applicant is a corporation) for the foregoing "License to Mine"; that I have read the said application and fully know the contents, thereof; and that all statements contained in the License to Mine application are true and correct to my best knowledge and belief; by execution of this statement I certify that GECR, LLC, applicant or entities controlled by or under common control with the applicant has the right and power by the legal estate owned to mine from the land for which this License to Mine is desired; that applicant or entities controlled by or under common control with the applicant has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes nor has had a mining permit or a license to mine suspended or revoked; and if a **surface coal mining application**, that applicant or entities controlled by or under common control with the applicant has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and that applicant or entities controlled by or under common control with the applicant has not had any Federal or State Coal mining permits or licenses to mine suspended or revoked in the five years preceding the date of this application.

Dated this 7 day of Sept, 2010.

Signature *Ganelle Edwards*

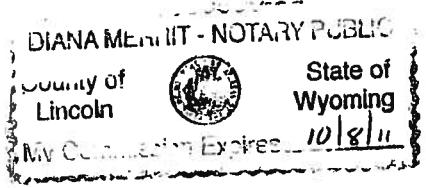
(Corporate Seal)

Name Ganelle Edwards
(printed or typed)

Title Owner

The foregoing instrument was acknowledged before me by Ganelle Edwards, this 7 day of Sept, 2010.

Witness my hand and official seal.



Diana Merritt
Notary Public or Secretary if a Corporation

Pract Notary
Title (Name printed or typed)

This application when returned to you with the validating signature of the Administrator of the Land Quality Division, Department of Environmental Quality, becomes your License No. _____
Effective date: _____

Approved by:

By: _____
Administrator
Land Quality Division
Department of Environmental Quality

Director
Department of Environmental Quality

Initial *GE*
(Principal)

Date 9/7/2010

Permit No. _____
TFN No. 54191



I.C.1. RECLAMATION PERFORMANCE BOND – BOND CALCULATIONS

This section contains the bond calculations projected for the first twelve (12) months of the mining operation. Subsequent Annual Reports will contain updated and revised bond calculations as the mining operation develops.

It is projected that two acres will be disturbed during the first year. But with the installation of the 3 proposed ponds two acres will be water so the total acreage to be reclaimed remains at 10 acres.

GECR, LLC will secure a reclamation bond for 10 acres which includes the existing 10 Acre Exemption LMO #775ET.

The access road off of US Highway 89 is the only access to the operation. It will not be reclaimed at the conclusion of the mining operation.

Topsoil on the two acre expansion area at the site is estimated to be two feet in depth. The amount to be salvaged on the two acres will be 6450 cubic yards. The existing topsoil piles contain approximately 5000 cubic yards for a total of 11,450 cubic yards of topsoil available for reclamation. The topsoil will be restored to a depth of at least eight inches over any disturbed area. The existing sandy loam seam will be placed at a minimum depth of six inches over reclaimed areas prior to placing topsoil.

After the placement of overburden and topsoil in reclaimed areas, the area will be scarified prior to seeding. Straw mulch will be placed over the topsoil and crimped to hold it into the soil.

Reclamation costs are figured using numbers supplied by Sunrise Engineering from estimates created from other construction projects in the region.

Equipment used will include loaders, a blade, a dozer, a tractor and drill and trucks.

SUNRISE ENGINEERING, INC.
CONSULTING ENGINEERS AND SURVEYORS
Preliminary Opinion of Probable Cost



Project: GECR, LLC Etna Location
Reclamation Costs For 10 Acres

Date: 16-Aug-11
By: CR

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Mobilization	1	L.S.	\$ 2,000.00	\$ 2,000.00
2	Placing and Grading Overburden (6" Minimum)	11,450	Cu. Yd.	\$ 0.90	\$ 10,305.00
3	Placing and Grading Topsoil (6" Minimum)	11,450	Cu. Yd.	\$ 0.90	\$ 10,305.00
4	Scarify Area to 12" Depth	10	Acres	\$ 60.00	\$ 600.00
5	Seed Costs	10	Acres	\$ 150.00	\$ 1,500.00
6	Seed Drilling	10	Acres	\$ 80.00	\$ 800.00
7	Mulching	10	Acres	\$ 300.00	\$ 3,000.00
	CONSTRUCTION SUBTOTAL				\$ 28,510.00
	Construction Management				\$ 3,000.00
	PROJECT COST				\$ 31,510.00
	25% Contingency				\$ 7,877.50
	TOTAL PROJECT COST				\$ 39,387.50

DOCUMENT IS PRINTED ON CHEMICALLY REACTIVE PAPER - THE BACK OF THIS DOCUMENT INCLUDES A TAMPER EVIDENT CHEMICAL WASH WARNING BUB

TFN 5 2/125, J-2, Receipt # 1872
908ET

000110

GECR LLC
PO BOX 3258
ALPINE, WY 83128
PH 307-654-7587

1ST BANK
(307) 854-3829
70 HWY 88
ALPINE, WY 83128
68-33/1029

DATE	CHECK NO.	CHECK AMOUNT
8/3/10	110	\$11,500.00

ELEVEN THOUSAND FIVE HUNDRED AND NO/100

PAY TO
THE ORDER
OF

Wyoming DEQ
Land Quality Division

[Signature]
NOT VALID UNLESS CASHED IN 90 DAYS



⑈000110⑈ ⑆02300336⑆ 76700232 9⑈

NOTES

RECEIPT

DATE 8-20-2010 NO. 1872

RECEIVED FROM GECA LLC

ADDRESS P.O. Box 3258, Alpine, WY 83128

Eleven Thousand Five Hundred Dollars \$11,500.00

FOR TFN 5 2/125 cash bond for Reclamation

908ET

CHK NO. 000110

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	
BALANCE DUE		MONEY ORDER	

J-2

BY Vina Luta

©2005 81810

LOO RECD
MAR 3.2011
TFN 5 4/191

Mine Permit No. _____

I.D. Surface Owner Consent Statement, LQD Form 8

This Section contains:

- LQD Form 8 – Signed statement by Ganelle Edwards and Clarence Reinhart, owners of the lands within the permit area
- Surface Landowners Consent


TFN 5 4/191
RECD APR 13, 2011

1.D. SURFACE OWNERS CONSENT, LQD FORM 8

GECR, LLC – Ganelle Edwards and Clarence Reinhart certify we are the owners of a portion of the S½ SW¼ SE ¼ and a portion of N½ NW¼ SE ¼ (22.2 Acres) of Section 10, Township 35 North, Range 119 West, 6th PM, Lincoln County, Wyoming.

GECR, LLC


Ganelle Edwards, Owner


Clarence Reinhart, Owner

Regular Mine Permit No. _____

LQD RECD
MAR 3.2011
TFN 5 4/191

SURFACE LANDOWNER'S CONSENT


I, Ganelle Edwards, CERTIFY that I hold surface rights on the following lands on which GEGR, LLC holds mineral estate rights:

Portion of S1/2 SW 1/4 SE 1/4	Section	10	, T.	35	N., R.	119	W.
Portion of N1/2 NW 1/4 SE 1/4 (22.2 Acres)	Section	10	, T.	35	N., R.	119	W.
	Section		, T.		N., R.		W.
	Section		, T.		N., R.		W.
	Section		, T.		N., R.		W.
	Section		, T.		N., R.		W.
	Section		, T.		N., R.		W.

County of Lincoln.

I have examined the mining plans and reclamation plan prepared by EAGLE ROCK ENGINEERING + LAND SURVEYING, PC in compliance with the Wyoming ENVIRONMENTAL QUALITY ACT, and do hereby approve said plans, and give my consent to enter and carry out said mining and reclamation programs on said lands as proposed therein.

Dated this 7 day of Sept, 20 10.


Surface Landowner (Signature)

Ganelle Edwards
Name (printed or typed)

Diana Murrill 9/7/10
(Witness) (Date)

Mine Permit No. _____

I.E. Other Owners Consent Statements

This Section contains:

- Statements of other owners if applicable

LOD RECD
MAR 3.2011
TFN 5 4/191

1.E.

OTHER OWNER CONSENT STATEMENTS

There are adjoining property owners, however there are no occupied dwellings, homes, public buildings, schools, churches, community or institutional buildings, parks or cemeteries, etc... within three hundred feet of the lands which will be effected by GECR, LLC Mining operations; thus no additional consent statements are presented.

LOD RECD
MAR 3, 2011
TFW 5 4/191

I.F. LIST OF PERMITS FROM OTHER AGENCIES ASSOCIATED WITH THE MINING OPERATION

This section discusses affected permitting agencies for any such other permits necessary in association with this Small Mining Operation.

1. GEGR, LLC has a permit with the DEQ/Air Quality Division to operate gravel crushing, screening, stockpiling, exposed acreage and haul activity associated with the proposed small mine permit. The permit number is CT-11553-1. A DEQ/Air Quality Division permit to operate equipment associated with the gravel operation has Permit No. CT-11553-2 Hot mix asphalt or concrete batch plants cannot be located/operated at the site unless authorized by an appropriate permit modification.

2. At this time GEGR, LLC does not intend to dispose of solid or hazardous waste from sources outside the mining operation within the permit area; therefore, GEGR LLC has not applied for a DEQ Solid Hazardous Waste Division Permit.

3. GEGR, LLC will not appropriate groundwater used in the mining or material processing operation. So no State Engineer permits are necessary.

4. GEGR, LLC will construct a water impoundment for use in the mining or material processing operation. GEGR, LLC is applying for a State Engineers Permit, (SW-3), for the reservoir.

5. The pit area is located such that no wetlands will be encountered or disturbed by the GEGR, LLC mining operation. So no Army Corps of Engineers permit is necessary.

6. All storm water runoff will be contained in the gravel pit area. GEGR, LLC has received authorization for storm water under permit authorization number WYR32-0689.

7. A copy of the approved Lincoln County Conditional Use Permit, to mine gravel, is included in this section.

8. GECR, LLC has an M-3 Access Permit from the Wyoming Department of Transportation, for entrance onto US Highway 30. The permit number is LN -1C-11780.

9. The Storm Water Pollution Prevention Plan (SWPPP) has been modified and is included in this Appendix.

10. A copy of the Lincoln County Wastewater Facility Permit is included in this section.

In general, copies of permits are not included in this section, but are available upon request from GECR, LLC.





EAGLE ROCK ENGINEERING

CIVIL ◦ PLANNING ◦ SURVEYING

Idaho Falls Office

3811 Willow Ridge • Idaho Falls, ID 83406
208.542.2665 • Fax 745-8391

Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83440
208.359.2665 • Fax 745-8391

January 26, 2011

Department of Environmental Quality
Air Quality Division
Attn: Nick Meeker
510 Meadow View Drive - District 2 Field Office
Lander, WY 82520

RE: ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

Nick,

GEGR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West (see attached deed).

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres.

Attached are the forms you indicated to submit which include the Air Quality Mining/Quarry Operations Permit Form, Crushing/Screening Operations Permit Form, County Approval Letter, and Map with Legal Description.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GEGR, LLC

LQD RECD
MAR 3 2011
TFN 5 4/191



STATE OF WYOMING
 Department of Environmental Quality
 Air Quality Division
 WAQS&R Chapter 6, Section 2 Permit Application
 Mining/Quarry Operations - Non Coal
 Permit Application Form



LQD
 APR 25 2011
 RECEIVED

Please submit three (3) copies of the complete application

COMPANY: GEGR. LLC DBA Rocky Top Rock

Contact: Ganelle Edwards/Clarence Reinhart Title: Owners

Mailing Address: PO Box 3258

City: Alpine State: Wyoming Zip: 83128

Phone: (307) 654-7587 Fax: (307) 654-7287 E-Mail: trctrc@silverstar.com

MINE/QUARRY NAME: GEGR. LLC DBA Rocky Top Rock

New Mine/Quarry: Modification to existing Mine/Quarry:

Size of Mine/Quarry: 22.2 Acres

Legal Description: SW 1/4 SE 1/4 Section 10 T 35 N R 119 W

Latitude: 43°01'35"N Longitude: 111°01'12"W

County: Lincoln

Number of residences within 1 mile radius: 200 Plus Distance to nearest residence: 1000 ft

TYPE OF MATERIAL MINED: (This form is Not for Coal Mines) Gravel

Total Material Available: 900 K tons Max. Annual Production: 130 K tons/yr

Max. Hourly Production: 60 tons/hr Avg. Hourly Production: 35 tons/hr

Max. Hours of Operation: 12 hours/day 6 days/week 32 weeks/year

EQUIPMENT/OPERATION PLANNED AT THIS SITE: (mark all that apply)

Crushing*	<input checked="" type="checkbox"/>	Stockpiling*	<input checked="" type="checkbox"/>
Screening*	<input checked="" type="checkbox"/>	Blasting*	<input type="checkbox"/>
Hot Mix Asphalt Plant*	<input checked="" type="checkbox"/>	Concrete Batch Plant*	<input type="checkbox"/>

*Operation of crushers, screens, stock piling, blasting, hot mix asphalt plants or concrete batch plants at the quarry will only be allowed if so designated on this application.

*Any crushers, screens, hot mix asphalt plants, or concrete batch plants must have a separate, valid air quality permit to operate at this mine/quarry.

This application must include:

- Documentation that the proposed site is located in accordance with proper land use planning as determined by the appropriate state or local agency charged with such responsibility (local planning and zoning department, county commissioners, etc) (Per Chapter 6, Section 2(c)(iv) of the WAQS&R).
- A map identifying the site location and mining activities (for operations 10 acres or less) or a mine plan (for operations more than 10 acres). (The mine plan from the Land Quality Division (LQD) Application [Item 9 on LQD Form 1(s)] may be used; a reclamation plan is not required.)

I. GANELLE B. EDWARDS : MANAGING MEMBER

Responsible Official (Please print or type)

Title

state that I have knowledge of the facts herein set forth and that the same are true and correct to the best of my knowledge and belief. I further certify that the maximum production rate listed in this application reflects the maximum anticipated production rate at this mine/quarry. The facility will operate in compliance with all Wyoming Air Quality Standards and Regulations.

Signature: [Signature] Date: 4/19/2011

54/101



STATE OF WYOMING
 Department of Environmental Quality
 Air Quality Division
 WAQS&R Chapter 6, Section 2 Permit Application
 Mining Quarry Operations - Non Coal



WYCMING

DISTURBED/OPEN ACREAGE

Acreage Subject to Wind Erosion: 22.2 acres

TOPSOIL

Tons/day removed: 0.5 - 1.0 tons/year removed: 10 - 20

Fugitive Particulate Control Method and Frequency: Water as needed

TOPSOIL STOCKPILES

No. of Topsoil Stockpiles: 2 - 4 Size of Piles: 2,500 tons or yd³ (circle one)

Topsoil Stockpile Fugitive Control Method and Frequency: Water as needed

OVERBURDEN

Tons/day removed: 0.5 tons/year removed: 10

Fugitive Particulate Control Method and Frequency: Water as needed

OVERBURDEN STOCKPILES

No. of Overburden Stockpiles: 2 - 4 Size of Piles: 2,000 tons or yd³ (circle one)

Overburden Stockpile Fugitive Control Method and Frequency: Water as needed

MINED MATERIAL

Tons/day Removed: 720 Maximum tons/year removed: 130 K

Fugitive Particulate Control Method and Frequency: Water as needed

MINED MATERIAL STOCKPILES

No. of Mined Material Stockpiles 6 Size of Piles: 2,000 - 2,500 tons or yd³ (circle one)

Mined Material Stockpile Fugitive Control Method and Frequency: Water as needed

BLASTING

Number of Blasts per year: 0

Type of Blasting Agent Used: NA Amount of Blasting Agent Used: NA tons/yr

Horizontal Area of Blast: NA ft²

Operational Practices used for Emission Control: NA

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STATE OF WYOMING
 Department of Environmental Quality
 Air Quality Division
 WAQS&R Chapter 6, Section 2 Permit Application
 Mining Quarry Operations - Non Coal
 Mined Material Information 2



ACCESS & HAUL ROADS *

Maximum Distance Material will be Hauled until Reaching Pavement: 0 - 0.5 miles
 Fugitive Particulate Control Method: Water - May use Mag Chloride or Pave Roadway into Pit
 Type of Dust Suppressant Used: Water and/or possibly Mag Chloride Pave
 Control Application Frequency: As Needed

* The application **MUST** include a map identifying all haul roads, including county roads, other unpaved roads, and the first paved road associated with the mining activities.

HAUL TRUCKS (Trucks that Transport Product from the Quarry)

Truck Type 1 (Description): 10 Wheeler Dump Truck - Tandem Axle
 No of Trucks: Varies Capacity (tons): 26 Empty Weight (lbs): 18 K

Truck Type 2 (Description): 18 Wheeler Belly Dump
 No of Trucks: Varies Capacity (tons): 40 - 45 Empty Weight (lbs): 30 K

Truck Type 3 (Description): _____
 No of Trucks: _____ Capacity (tons): _____ Empty Weight (lbs): _____

Truck Type 4 (Description): _____
 No of Trucks: _____ Capacity (tons): _____ Empty Weight (lbs): _____

CRUSHING/SCREENING/HOT MIX ASPHALT PLANT/CONCRETE BATCH PLANT:

If crushing or screening equipment, a hot mix asphalt plant, or concrete batch plant will be operating at the mine and does not have a valid air quality permit or relocation permit, the appropriate application form (Forms AQD-CS1-4, AQD-HM1-4, or AQD-CB1-3) must be submitted for the equipment.

OTHER

Other Emission Sources and Control: _____

Samsung Track Hoe SE 210

John Deere Loader 624G

John Deere Loader 644H

John Deere Grader JD 770

Caterpillar (CAT) Loader 950

John Deere 350 Dozer (D3)

Kelberg Crusher 1036 Pioneer Jaw

Crusher Year 1949 or 1951

Wash Plant

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STATE OF WYOMING
Department of Environmental Quality
Air Quality Division
WAQS&R Chapter 6, Section 2 Permit Application
Crushing/Screening Operations
Permit Application Form



Please submit three (3) copies of the complete application

COMPANY GECR, LLC DBA Rocky Top Rock

Contact: Ganelle Edwards/Clarence Reinhart Title: Owners

Mailing Address: PO Box 3258

City: Alpine State: Wyoming Zip: 83128

Phone: (307) 654-7587 Fax: (307) 654-7287 E-Mail: trctrc@silverstar.com

INITIAL LOCATION

Legal Description: SW 1/4 SE 1/4: Section 10 T 35 N R 119 W

Latitude: 43°01'35" N Longitude: 111°01'12" W

County: Lincoln

Is the initial location an existing mine/quarry: yes no

Mine/Quarry Name: GECR Rocky Top Rock Mine/Quarry Owner: Ganelle Edwards/Clarence Reinhart

AQD Permit Number (for existing mine): _____

TYPE OF MATERIAL CRUSHED/SCREENED:

Max. Hourly Production: 60 tons/hr Max. Annual Production: 130 K tons/year

Avg. Hourly Production: 35 tons/hr

Max. Hours of Operation: 12 hours/day 6 days/week 32 weeks/year

EQUIPMENT/OPERATION (mark all that apply)

Crushing Screening Stockpiling Conveyor Transfer and Drop Points How many: 6 - 10

Is the equipment intended for stationary or portable use: Stationary Portable

- This application must include:**
1. A brief process description with a plot plan depicting site set up with location of controls.
 2. Application form AQD-MN1-4 for the mine/quarry, if mine/quarry is not permitted.

I, GANELLE B EDWARDS MANAGING MEMBER
 Responsible Official (Please print or type) Title

state that I have knowledge of the facts herein set forth and that the same are true and correct to the best of my knowledge and belief. I further certify that the maximum production rate listed in this application reflects the maximum anticipated production rate for this crushing/screening operation. The facility will operate in compliance with all Wyoming Air Quality Standards and Regulations.

Signature: [Signature] Date: 1/28/2011



STATE OF WYOMING
 Department of Environmental Quality
 Air Quality Division
 WAQS&R Chapter 6, Section 2 Permit Application
 Crushing/Screening Operations
 Crusher/Screen Form



CRUSHER #1

Primary Secondary Tertiary Other

Manufacturer: Kolberg Model #: Pioneer 1036 Serial #: _____

Type: Jaw Cone Impact Other

Date manufactured: 1949 or 1951 Max. crusher capacity per hour: _____ tons

Subject to NSPS - OOO (manufactured after August 1, 1985): yes no

CRUSHER #2

Primary Secondary Tertiary Other

Manufacturer: _____ Model #: _____ Serial #: _____

Type: Jaw Cone Impact Other

Date manufactured: _____ Max. crusher capacity per hour: _____ tons

Subject to NSPS - OOO (manufactured after August 1, 1985): yes no

(Use additional Crusher/Screen Forms if using more than 2 crushers)

SCREEN #1

Manufacturer: Kolberg Model #: 2D6012 Type: Inclined 2 Deck 60"x 12'

Date manufactured: Guess 1973 Serial #: 702-60-12-73-2

Operating in conjunction with a crusher: yes no Max. capacity of crusher: 150 tons per hour

SCREEN #2

Manufacturer: Simplicity Wash Plant Model #: _____ Type: Incline

Date manufactured: _____ Serial #: _____

Operating in conjunction with a crusher: yes no Max. capacity of crusher: _____ tons per hour

(Use additional Crusher/Screen Forms if using more than 2 screens)

SOURCE CONTROL

Sources will be controlled as follows:

	No Control	Water Spray	Chemical Dust Suppressant	Other (explain)
Feed hopper	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transfer Points	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 3
Inlet to Crushers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 1 - Feeder to Hopper
Outlet of Crushers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 40' x 36" Conveyor Belt
Inlet to Screens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 50' x 36" Conveyor
Outlet of Screens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 40' x 36" Conveyor Belt
Haul Roads	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stockpiles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Power Source: Line Power Energy Lower Valley Generator *150KW

* If using generator, submit Form AQD-CS3 Generator Form.

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STATE OF WYOMING
 Department of Environmental Quality
 Air Quality Division
 WAQS&R Chapter 6, Section 2 Permit Application
 Crushing/Screening Operations
 Generator Form



WYOMING

GENERATOR #1 INFORMATION

Manufacturer: Whisper Watt 150 KVA AC Model #: DB-1651K (DCA150SSK) Serial #: 3618297
 Year: 1997 Site Horsepower Rating: 150 KW Annual Operating Hours: 500

Fuel Type:

Natural Gas LP Gas Diesel Gasoline

Fuel Consumption (specify units): _____ Fuel Sulfur Content (specify units): _____

Emissions Data:

	g/hp-hr	lb/hr	tpy
NO _x			
CO			
VOC			
PM ₁₀			
SO _x			

Emissions Control:

- Lean Burn
- AFRC
- NSCR
- SCR
- Tier I Certified
- Tier II Certified
- Tier III Certified
- Other (Describe)

GENERATOR #2 INFORMATION

Manufacturer: _____ Model #: _____ Serial #: _____
 Year: _____ Site Horsepower Rating: _____ Annual Operating Hours: _____

Fuel Type:

Natural Gas LP Gas Diesel Gasoline

Fuel Consumption (specify units): _____ Fuel Sulfur Content (specify units): _____

Emissions Data:

	g/hp-hr	lb/hr	tpy
NO _x			
CO			
VOC			
PM ₁₀			
SO _x			

Emissions Control:

- Lean Burn
- AFRC
- NSCR
- SCR
- Tier I Certified
- Tier II Certified
- Tier III Certified
- Other (Describe)

(Use additional Generator Forms if using more than 2 generators)

ADDITIONAL INFORMATION:

Please use the following hierarchy for determining emissions from generators.

1. Emission rates in g/hp-hr based on manufacturer's information: Provide a copy of the manufacturer's information with the application.
2. Emission rates in g/hp-hr based on actual test data: Provide a copy of the test report with the application.
3. Emission factors: Documentation from the manufacturer must be provided with the application stating no emission factors are available for the generator before the Division will accept other emission factors such as AP-42.

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Idaho Falls Office

3811 Willow Ridge • Idaho Falls, ID 83406
208.542.2665 • Fax 745-8391

Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83440
208.359.2665 • Fax 745-8391

August 31, 2010

Department of Environmental Quality
Water Quality Division
Attn: Mark Baron
510 Meadow View Drive - District 2 Field Office
Lander, WY 82520

RE: ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

Mark,

GECR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West (see attached deed).

DEQ/LQD is requiring, as part of the application process, a storm water discharge permit from your office.

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres.

Attached is a copy of the application package with drawings and letters from various jurisdictions for your review.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GECR, LLC

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Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83444
208.359.2665 • Fax 745-8391

August 31, 2010

Department of Environmental Quality
Land Quality Division
Attn: Tanya King
510 Meadow View Drive - District 2 Field Office
Lander, WY 82520

RE: ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

Tanya,

GEGR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West (see attached deed).

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres.

Attached is the application package with letters from various jurisdictions for your review.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GEGR, LLC

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310 North 2nd East Suite 135 • Rexburg, ID 83444
208.359.2665 • Fax 745-839

August 31, 2010

Wyoming State Engineers Office
Attn: Jade Henderson
PO Box 277
Cokeville, WY 83114

RE: ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

Jade,

GECR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit from the 10 acre exemption to a regular mining gravel permit. The Department of Environmental Quality (DEQ) requires a permit from the State Engineers office to appropriate surface/groundwater and impoundment used in the mining or material processing operation.

GECR is in the process of drilling a well to supply water to the newly constructed office within the gravel pit, however at this time, do not anticipate using the surface/groundwater for mining operations nor anticipate holding water.

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres. The property is located in Section 10, Township 35 North, Range 119 West (see attached deed).

Attached is a vicinity map and proof of ownership for your review. Please review and let me know if you should need further information.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GECR, LLC

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THE STATE

OF WYOMING

DAVE FREUDENTHAL
GOVERNOR

PATRICK T. TYRRELL
STATE ENGINEER

HARRY C. LaBONDE, JR.
DEPUTY STATE ENGINEER

State Engineer's Office

ALLAN CUNNINGHAM
ADJUDICATION OFFICER
STATE BOARD OF CONTROL

115 Park Street, PO BOX 277
COKEVILLE, WY 83114
(307)279-3441
FAX (307)279-3217
jhende@seo.wyo.gov

RANDY TULLIS, SUPERINTENDENT
WATER DIVISION I
CARMINE LoGUIDICE, SUPERINTENDENT
WATER DIVISION II
LOREN SMITH, SUPERINTENDENT
WATER DIVISION III
JADE HENDERSON, SUPERINTENDENT
WATER DIVISION IV

9 September 2010

Paul Snarr, Engineering Project Mgr
Eagle Rock Engineering and Land Surveying
1331 Fremont Ave
Idaho Falls, ID 83402

Re: GEGR's Rocky Top Gravel Pit mining

Dear Mr. Snarr:

As we discussed, this letter is in response to your letter of August 31, 2010 regarding expanded gravel mining at the above-referenced Pit.

Thomas Drilling has applied (TF No. 42-7-171W) for a proper permit from the State Engineer for drilling GEGR's well that will be used to supply water. Beyond that, GEGR LLC will not need an additional water right permit for this mining unless their excavation encounters water (whether opening the aquifer to evaporation, dewatering, impounding, diverting, or using water). It also appears that the operation is far-enough away from ditches in the vicinity as to not use or interfere.

If we can be of further assistance, please let us know.

Best regards,

Jade Henderson
Water Superintendent

copy: Kevin Payne, Asst Supt
Jeremy Manley, Groundwater Section

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208.542.2665 • Fax 745-8391

310 North 2nd East Suite 135 • Rexburg, ID 83444
208.359.2665 • Fax 745-839

August 31, 2010

US Army Corps Of Engineers, Wyoming Office
Attn: Thomas Johnson
2232 Dell Range Blvd, Suite 210
Cheyenne, WY 82009

RE: ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

Thomas,

GEGR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West (see attached deed).

The Department of Environmental Quality (DEQ) requires a permit/letter from the US Army Corps of Engineers Office to ensure compliance regarding disturbance or operation within wetlands/ waters of the United States.

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres.

Attached is a vicinity map and proof of ownership for your review. Please review and let me know if you should need further information.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GEGR, LLC

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REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
WYOMING REGULATORY OFFICE
2232 DELL RANGE BOULEVARD, SUITE 210
CHEYENNE WY 82009-4942

November 18, 2010

Wyoming Regulatory Office

Mr. Clarence Reinhart
GERC, LLC – Rocky Top Rock
P.O. Box 3258
Alpine, Wyoming 83128

Dear Mr. Reinhart:

This letter is in response to information we received from Eagle Rock Engineering (ERE) on September 8, 2010, concerning Department of the Army authorization to undertake gravel mining activities at the Rocky Top Gravel Pit near Etna. The mining permit area includes 22.5 acres located on property owned by GERC, LLC in the SE ¼ of the SW ¼ of Section 10, Township 35 North, Range 119 West, Lincoln County, Wyoming.

The U.S. Army Corps of Engineers regulates the placement of dredged and fill material into waters of the United States in accordance with Section 404 of the Clean Water Act (33 U.S.C. 1344). The term "waters of the United States" has been broadly defined by statute, regulation, and judicial interpretation to include all waters that were, are, or could be used in interstate commerce such as streams, reservoirs, lakes and adjacent wetlands. The Corps regulations are published in the *Code of Federal Regulations* as 33 CFR Parts 320 through 332. Information on Section 404 program requirements in Wyoming can be obtained from our web site at <https://www.nwo.usace.army.mil/html/od-rwy/Wyoming.htm>

We have reviewed maps ERE provided and aerial photographs of the mine permit area. We determined that the mining operation will be located entirely in upland. There is an irrigation ditch to the East of the mine that will be avoided entirely. There is also a tributary to the Salt River located on the Western portion of the property in which no mining or discharge of fill material will occur. Therefore, the locations where gravel mining operations will take place do not contain any waters of the United States as defined at 33 CFR Part 328.3(a).

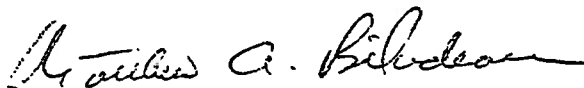
In the March 28, 2000, edition of the *Federal Register* (Vol. 65, No. 60), the Corps implemented an administrative appeals process for jurisdictional determinations. This letter serves as an approved jurisdictional determination. The landowner and other affected parties may appeal any determination to the Northwestern Division Appeals Officer, Mr. David Gesl, by obtaining a Notification of Administrative Appeal Options and Process (NAO) form at our web site. Section "D" of the NAO explains the procedures for appeal. The NAO form must be submitted to Mr. Gesl at the address shown on the NAO form prior to **January 18, 2010**, or forfeit the right to an administrative appeal.

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As a result of this analysis, we determined that Department of the Army authorization is not required for any gravel mining activities in the Rocky Top Gravel Pit as described by ERE because it would not require any discharges of dredged or fill material into waters of the United States. This determination does not eliminate requirements to obtain any other applicable federal, state, tribal, or local permits.

Thank you for your interest in cooperating with requirements of the U.S. Army Corps of Engineers' regulatory program. Please contact Mr. Kevin Little at (307) 772-2300 and reference file NWO-2010-2187 if you have any questions.

Sincerely,



Matthew A. Bilodeau
Program Manager
Wyoming Regulatory Office

Copies Furnished:

Gay Edwards
GECR, LLC
P.O. Box 3258
Alpine, Wyoming 83128

✓ Paul Snarr
Eagle Rock Engineering
1331 Fremont Ave
Idaho Falls, Idaho 83402

The Omaha District, Regulatory Branch, Wyoming Regulatory Office is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete a Customer Service Survey found on our web site at <https://www.nwo.usace.armv.mil/html/od-rwv/survev.htm> Paper copies of the survey are also available upon request for those without Internet access.

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Idaho Falls Office

3811 Willow Ridge • Idaho Falls, ID 83406
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Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83440
208.359.2665 • Fax 745-8391

August 31, 2010

Wyoming Department of Transportation/D3
Attn: Tory Thomas
PO Box 1260
Rock Springs, WY 82902

RE: ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION/HIGHWAY ACCESS

Tory,

GEGR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West (see attached deed).

The Department of Environmental Quality (DEQ) requires a permit from the Wyoming Department of Transportation authorizing access to Highway 89 at MP 107.40.

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres.

Attached is Form M3, vicinity map, proof of ownership and a copy of the ingress/egress easement for your review. Please review and let me know if you should need further information.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GEGR, LLC

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MAR 3 2011
TFW 5 4/191

WYOMING DEPARTMENT OF TRANSPORTATION ACCESS PERMIT

Date of Application: August 31, 2010

The Undersigned hereby makes application for permission to construct an access driveway(s) described below and as shown on the attached sketch or plan "hereby made part of this application" to:

TO BE FILLED OUT BY PROPERTY OWNER

LOCATION OF PROPERTY:

Located on Highway 89 in Lincoln County, approximately 0.0 miles

S of Etna, for INGRESS or EGRESS to a
N.S.E.W *City, town or Highway Junction*

Existing Gravel Pit, on the W side of the Highway.
RESIDENCE OR TYPE OF BUSINESS *N.S.E.W*


AGREEMENT:

I, the undersigned property owner, request permission to construct an access driveway on department right-of-way for the above property, subject to the restrictions and regulations contained in the "RULES AND REGULATIONS FOR ACCESS DRIVEWAY(S) TO WYOMING STATE HIGHWAYS" current edition. In consideration of these regulations, the applicant agrees:

- 1) To construct the driveway in a safe manner so as not to interfere with existing authorized facilities previously permitted nor endanger public travel and to perform all related work in a neat and workmanlike manner, to use materials acceptable to the Department of Transportation and leave the right-of-way clean and in a condition equal to or better than the original condition.
- 2) To fully protect any traffic on the highway during construction covered hereunder by proper barricades, flaggers, and/or signs as shown in the TRAFFIC CONTROL FOR ROADWAY WORK OPERATIONS manual, and to hold harmless the Wyoming Department of Transportation, its officers and employees from all dangers, expenses, claims or liabilities arising out of any alleged damages of any nature to person or property, due to the construction performance or nonperformance of work, or existence of said driveway.
- 3) That no driveway shall be constructed such that there will be parking or servicing of vehicles within the highway right-of-way.
- 4) That the profile grade of the driveway shall be constructed as indicated on attached sketch or plan sheet(s) and shall in no case be graded or maintained in such a way that water/mud will run out onto the highway surface.
- 5) That this permit shall become VOID if construction is not completed within 365 days after initiation of construction or one (1) year from approval date if construction has not been started.
- 6) That any change in land use which could generate greater traffic volumes or vehicle types will nullify this agreement and a new application must be submitted for approval.
- 7) That the Wyoming Department of Transportation reserves the right to inspect this installation at any time during construction until accepted by the Department, and to require changes at any time necessary to provide protection of life and property on or adjacent to the highway. Once the approach/access has been accepted by the Department it then becomes the property of the Wyoming Department of Transportation and theirs to maintain and repair except for snow or debris removal.
- 8) To any additional requirements as described in the DISTRICT ENGINEERING , REQUIREMENTS/COMMENTS section on the back page of this permit, and/or any on attached sketch or plan sheets.

APPLICANT Ganelle Edwards ADDRESS PO Box 3258
(Print)

FIRM NAME GEOR. LLC CITY Alpine STATE WY ZIP 83128

PHONE NUMBER (307) 654-7587 SIGNATURE 

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MAR 3 2011
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Idaho Falls Office

3811 Willow Ridge • Idaho Falls, ID 83406
208.542.2665 • Fax 745-8391

Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83440
208.359.2665 • Fax 745-8391

August 31, 2010

Lincoln County Planning and Development
Attn: John Woodward/Planning Director
421 Jefferson Street, Suite 701
61 East 5th Avenue
Afton, WY 83110

RE: ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

John,

GECR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West (see attached deed).

The Department of Environmental Quality (DEQ) requires a permit/statement from Lincoln County Planning and Development indicating the gravel pit meets County requirements.

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres.

Attached is the Conditional Use Permit Application, vicinity map and proof of ownership for your review. Please review and let me know if you should need further information.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GECR, LLC

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MAR 3.2011
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BEFORE THE PLANNING & ZONING COMMISSION

LINCOLN COUNTY, WYOMING

In the Matter of

Rocky Top Gravel Pit Expansion

Request for Conditional Use Permit Application

File No. 107 PZ 10

RECOMMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

THIS MATTER having come before the Planning & Zoning Commission on the 17th day of November, 2010 for a Conditional Use Permit Application. The Planning & Zoning Commission have reviewed the application, the Staff Report by the Planning Office, and heard any relevant evidence from the applicant, neighbors, governmental agencies, and other concerned citizens regarding the project. The Planning & Zoning Commission hereby make the following:

FINDINGS OF FACT

This is a Conditional Use Permit Application for the expansion of Rocky Top Gravel Pit from 10 acres to 22.2 acres in the Rural Zone area. The location is in Township 35 North, Range 119 West, Section 10, 6th Principle Meridian, Lincoln County, Wyoming, approximately ¼ mile west of Etna and US HWY 89.

Applicant operates an existing gravel pit approximately one-fourth mile from Etna. The site was originally operated by the McNeels. Currently, GECR can mine materials within a ten acre portion of the 22 acre property. The gravel pit has been in operation since before Lincoln County adopted a Zoning Resolution and operates as a conforming land use in the Rural Zone. As such, operation of this pit includes customary uses associated with pits such as screening, crushing, concrete batching and asphalt batching. The applicant proposes enlargement of the current operations. Wyoming Department of Environmental Quality (WDEQ) requires approval of a Small Mine Permit Application in order to mine more than ten acres at one time. The WDEQ application requires verification of local zoning compliance. The applicant also seeks continued permission to crush gravel, batch concrete and batch asphalt as market demands require.

Planning Staff finds that the request to remove gravel from the proposed site is consistent with the Lincoln County Comprehensive Plan and Land Use Regulations and that there are no significant off site impacts that cannot be mitigated. Requirements for the approval of the application, the approval from the Department of Environmental Quality, still need to be produced. Staff would recommend approval of this project with the conditions noted and any others that the Commission deems necessary for its conformance with the Comprehensive Plan and Land Use Regulations for Lincoln County.

There were no written public comments as of the writing of this staff report. However, John Clark did speak with Planning Director, John Woodward, about noticing requirements. Mr. Clark expressed concern with safety along the access road that he shares with the applicants

LQU RECD
MAR 3.2011
IFN 5 4/191

Planning Staff Recommendation:

Planning Staff recommends that the Planning and Zoning Commission recommend approval to the Board of County Commissioners for file #107 PZ 10, a Conditional Use Permit Application for a Gravel Pit Expansion, with the following Findings of Approval and Conditions of Approval:

- Findings of Approval A. through F.
- Conditions of Approval 1. through 6.

FINDINGS OF APPROVAL:

- A. County approval of the project is consistent with the provisions of W.S. 18-5-201 authorizing the Board of County Commissioners to regulate the use of lands in the unincorporated area of the county.
- B. The proposal is consistent with the provisions of Lincoln County Comprehensive Plan Section III. Economic Development Goals:
 - a. Promote and assist in the development of commercial, recreational and industrial activities.
 - b. Promote the exploration and development of mineral and alternative energy sources in Lincoln County.
Objective 1. Promote and support the development of infrastructure in and around the towns and community centers for the creation and expansion of new and existing businesses.
- C. The proposal is consistent with the standards found in Lincoln County Land Use Regulations Section 6.8 Land Use Siting Standards and Requirements:
 - B. Batch Plants
 1. Siting Criteria.
 - a. Land use not allowed adjoining to an existing residential subdivision.
 - b. Land use not allowed within 1,000 feet of existing home(s), unless home owner(s) give written permission. Distance measured from the project boundaries of the batch plant to the existing home(s).
 - c. Operation shall be deemed permanent if the months of operation exceed six months.
 - F. Gravel Pits
 1. Siting Criteria for Rural Zone.
 - a. Land use not allowed adjoining to an existing residential subdivision.
 - b. Land use not allowed within 1,000 feet of existing home, unless home owner(s) give written permission. Distance measured from the project boundaries of the gravel pit to the existing home(s).
 2. Standards.
 - a. Submission of a reclamation plan with the application.

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MAR 3 2011
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b. The Lincoln County Weed and Pest shall certify that rock from the gravel pit rock does not contain seeds which will promote noxious weeds and evidence of such certification shall be submitted to the Planning Office.

- D. The proposal is consistent with the procedures of Lincoln County Land Use Regulations Chapter 3 Conditional Uses, Variance and Mapping Procedures.
- E. The proposal, with conditions, will not substantially impair the appropriate use of the neighboring property and will serve the public need, convenience and welfare since the project adjoins agricultural parcels on three sides and commercial lots on the fourth side. Project approval does not preclude reasonable development of adjacent properties. Aggregate products do serve the public need, convenience and welfare.
- F. The proposal, with conditions, is designed to be compatible with adjacent land uses and the area of its location.

CONDITIONS OF APPROVAL:

- 1. This permit is to operate the uses outlined in the project description. Significant alternations from the uses described in the application shall require additional permitting.
- 2. The Contractor/Developer shall be responsible for dust control on access road as necessary.
- 3. Lincoln County Weed & Pest shall certify the gravel is weed free and does not contain seeds which will promote noxious weeds
- 4. Permanent outdoor lighting fixtures shall be in compliance with Lincoln County Land Use Regulations Section 6.10 Lighting. Portable lighting will have shielded fixtures.
- 5. Operation hours shall be limited to Monday through Friday during the hours of 7:00 a.m. to 7:00 p.m. unless approved for a specific time period by the Board of County Commissioners.
- 6. After hours maintenance shall be limited to a small crew, of less than five persons.
- 7. Applicants will maintain 1,000 foot buffer from existing Klint Clark home, unless home owner provides written permission. Distance measured from the project boundaries of the gravel pit to the existing home.

CONCLUSIONS OF LAW

This Conditional Use Application **IS / IS NOT CONSISTENT** with the following required findings of the Lincoln County Land Use Regulations and Comprehensive Plan:

- The proposed Conditional Use **IS** / IS NOT consistent with the standards of the Lincoln County Land Use Regulations and **IS** / IS NOT consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
- The proposed Conditional Use **WILL** / **WILL NOT** substantially impair the appropriate use of neighboring property; and **WILL** / WILL NOT serve the public need, convenience and welfare.

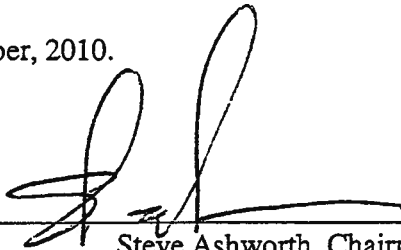
LQD RECD
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The proposed Conditional Use IS NOT designed to be compatible with adjacent land uses and the area of its location.

Now, therefore, based on these findings, the Planning & Zoning Commission takes the following action:

- Recommend Approval** to the Board of County Commissioners of the Conditional Use Permit application with the conditions and with required findings, as noted;
- € **Recommend Approval** to the Board of County Commissioners of the Conditional Use Permit application subject to modifications and conditions as the Commission deems necessary in order for the project to meet required findings;
- € **Recommend Denial** to the Board of County Commissioner of the Conditional Use Permit application stating findings in support of the action; or
- € **Table** the Conditional Use Permit application and direct the Applicant / Planning Staff to take specific steps to bring the application into conformance with the standards and the policies of the Land Use Regulations, and the goals and objectives of the Comprehensive Plan. The Chairman shall set a specific date when the application is to be heard again.

DETERMINED this 17th day of November, 2010.



Steve Ashworth, Chairman

LQD RECD
MAR 3.2011
TFN 5 4/191

CERTIFICATE OF MAILING

I, Tara L. Sawaya, hereby certify that on the 18 day of November, 2010, I caused a true and correct copy of the foregoing Final Determination to be served by depositing the same in the United States mail, duly enveloped, postage prepaid, addressed to:

GEER, LLC
Ganelle Edwards & Clarence Reinhart
P.O. Box 3258
Alpine, WY 83128

Paul Snarr, Engineering Project Mgr
Eagle Rock Engineering & Land Surveying
1331 Fremont Ave.
Idaho Falls, ID 83402

Tara L. Sawaya

Tara Sawaya

LQD RECD
MAR 3 2011
TFN 5 4/191

BEFORE THE BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY, WYOMING

In the Matter of

Expansion of Rocky Top Gravel Pit
Request for Conditional Use Permit Application

File No. 107 PZ 10

FINAL DETERMINATION

THIS MATTER having come before the Board of County Commissioners on the 8th day of December, 2010 for a Conditional Use Permit Application. The Board of County Commissioners have reviewed the application, the Staff Report by the Planning Office, and heard any relevant evidence from the applicant, neighbors, governmental agencies, and other concerned citizens regarding the project. The Board of County Commissioners hereby make the following:

FINDINGS OF FACT

This is a Conditional Use Permit Application for an expansion of Rocky Top Gravel Pit from 10 acres to 22.2 acres. The Applicants operates an existing gravel pit approximately ¼ mile west of Etna and US HWY 89, located in Township 35 North, Range 119 West, Section 10, 6th Principle Meridian, Lincoln County, Wyoming. The site was originally operated by the McNeels. Currently, GEGR can mine materials within a ten acre portion of the 22 acre property. The gravel pit has been in operation since before Lincoln County adopted a Zoning Resolution and operates as a conforming land use in the Rural Zone. As such, operation of this pit includes customary uses associated with gravel pits. The applicant proposes enlargement of the current operations. Wyoming Department of Environmental Quality (WDEQ) requires approval of a Small Mine Permit Application in order to mine more than ten acres at one time. The WDEQ application requires verification of local zoning compliance.

Staff finds that the request to remove gravel from the proposed site is consistent with the Lincoln County Comprehensive Plan and Land Use Regulations and that there are no significant off site impacts that cannot be mitigated. Requirements for the approval of the application, the approval from the Department of Environmental Quality, still need to be produced. Staff would recommend approval of this project with the conditions attached and any others that the Commission deems necessary for it conformance with the Comprehensive Plan and Land Use Regulations for Lincoln County.

PUBLIC COMMENT

John Clark, an adjacent landowner, spoke with Planning Director, John Woodward, about noticing requirements and expressed concern with safety and dust along the access road that he shares with the applicants. Also, Andy and Joanne Matz sent an email against the expansion, citing various items.

TFN 5 4/191
RECD APR 13, 2011

RECOMMENDATION

On November 17, 2010, the Planning and Zoning Commission sent a recommendation of **Approval** to the Board of County Commissioners of file #107 PZ 10, with:

- Findings of Approval A through F
- Conditions of Approval 1 through 7

FINDINGS OF APPROVAL:

- A. County approval of the project is consistent with the provisions of W.S. 18-5-201 authorizing the Board of County Commissioners to regulate the use of lands in the unincorporated area of the county.
- B. The proposal is consistent with the provisions of Lincoln County Comprehensive Plan Section III. Economic Development Goals:
- a. Promote and assist in the development of commercial, recreational and industrial activities.
 - b. Promote the exploration and development of mineral and alternative energy sources in Lincoln County.
- Objective 1. Promote and support the development of infrastructure in and around the towns and community centers for the creation and expansion of new and existing businesses.
- C. The proposal is consistent with the standards found in Lincoln County Land Use Regulations Section 6.8 Land Use Siting Standards and Requirements:
- B. Batch Plants
 - 1. Siting Criteria.
 - a. Land use not allowed adjoining to an existing residential subdivision.
 - b. Land use not allowed within 1,000 feet of existing home(s), unless home owner(s) give written permission. Distance measured from the project boundaries of the batch plant to the existing home(s).
 - c. Operation shall be deemed permanent if the months of operation exceed six months.
 - F. Gravel Pits
 - 1. Siting Criteria for Rural Zone.
 - a. Land use not allowed adjoining to an existing residential subdivision.
 - b. Land use not allowed within 1,000 feet of existing home, unless home owner(s) give written permission. Distance measured from the project boundaries of the gravel pit to the existing home(s).
 - 2. Standards.
 - a. Submission of a reclamation plan with the application.
 - b. The Lincoln County Weed and Pest shall certify that rock from the gravel pit rock does not contain seeds which will promote noxious weeds and evidence of such certification shall be submitted to the Planning Office.

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RECD APR 13, 2011

- D. The proposal is consistent with the procedures of Lincoln County Land Use Regulations Chapter 3 Conditional Uses, Variance and Mapping Procedures.
- E. The proposal, with conditions, will not substantially impair the appropriate use of the neighboring property and will serve the public need, convenience and welfare since the project adjoins agricultural parcels on three sides and commercial lots on the fourth side. Project approval does not preclude reasonable development of adjacent properties. Aggregate products do serve the public need, convenience and welfare.
- F. The proposal, with conditions, is designed to be compatible with adjacent land uses and the area of its location.

CONDITIONS OF APPROVAL:

- 1. This permit is to operate the uses outlined in the project description. Significant alternations from the uses described in the application shall require additional permitting.
- 2. The Contractor/Developer shall be responsible for dust control on access road ~~as necessary~~ *(modified - see approval)*
- 3. Lincoln County Weed & Pest shall certify the gravel is weed free and does not contain seeds which will promote noxious weeds
- 4. Permanent outdoor lighting fixtures shall be in compliance with Lincoln County Land Use Regulations Section 6.10 Lighting. Portable lighting will have shielded fixtures.
- 5. Operation hours shall be limited to Monday through Friday during the hours of 7:00 a.m. to 7:00 p.m. unless approved for a specific time period by the Board of County Commissioners.
- 6. After hours maintenance shall be limited to a small crew, of less than five persons.
- 7. Applicants will maintain 1,000 foot buffer from existing Klint Clark home, unless home owner provides written permission. Distance measured from the project boundaries of the gravel pit to the existing home.

CONCLUSIONS OF LAW

This Conditional Use Application **IS / IS NOT CONSISTENT** with the following required findings of the Lincoln County Land Use Regulations and Comprehensive Plan:

- The proposed Conditional Use IS / IS NOT consistent with the standards of the Lincoln County Land Use Regulations and IS / IS NOT consistent with the goals and objectives of the Lincoln County Comprehensive Plan.
- The proposed Conditional Use WILL / WILL NOT substantially impair the appropriate use of neighboring property; and WILL / WILL NOT serve the public need, convenience and welfare.
- The proposed Conditional Use IS / IS NOT designed to be compatible with adjacent land uses and the area of its location.

Now, therefore, based on these findings, the Board of County Commissioners takes the following action:

Approve the Conditional Use Permit application with the conditions and with required findings, as noted;

Approve the Conditional Use Permit application subject to conditions and findings as the Board deems necessary;

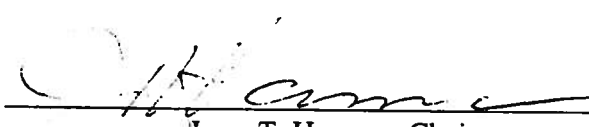
Deny the Conditional Use Permit application stating findings in support of the action; or

Table the Conditional Use Permit application and direct the Applicant / Planning Staff to take specific steps to bring the application into conformance with the standards and the policies of the Land Use Regulations, and the goals and objectives of the Comprehensive Plan. The Chairman shall set a specific date when the application is to be heard again.

Modify Condition of Approval #2 to be:

"2. The Contractor/Developer shall be responsible for dust control on access road and to mag water at least once per year if the road isn't paved."

DETERMINED this 8th day of December, 2010.



Jerry T. Harmon, Chairman

CERTIFICATE OF MAILING

I, Corey Roberts, hereby certify that on the 8th day of December, 2010, I caused a true and correct copy of the foregoing Final Determination to be served by depositing the same in the United States mail, duly enveloped, postage prepaid, addressed to:

GEGR, LLC
Ganelle Edwards & Clarence Reinhart
P.O. Box 3258
Alpine, WY 83128



Corey Roberts

TFN 5 4/191
RECD APR 13, 2011



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Idaho Falls Office

Rexburg Office

3811 Willow Ridge • Idaho Falls, ID 83406
208.542.2665 • Fax 745-8391

310 North 2nd East Suite 135 • Rexburg, ID 83444
208.359.2665 • Fax 745-839

August 31, 2010

Wyoming Game and Fish Department
Wildlife Habitat Protection Program
Attn: Gwen Booth
5400 Bishop Boulevard
Cheyenne, WY 82006

RE: ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

Gwen,

GECR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West (see attached deed).

The Department of Environmental Quality (DEQ) permitting process requires documentation from the Wyoming Game and Fish Department to ensure compliance with the Wildlife Habitat Protection Program.

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres with a possibility of an additional 10 acres.

Attached is a vicinity map and proof of ownership for your review. Please review and let me know if you should need further information.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GECR, LLC

LOD RECD
MAR 3.2011
5 4/191



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4610

Web site: <http://gf.state.wy.us>

GOVERNOR
DAVE FREUDENTHAL

DIRECTOR
STEVE K. FERRELL

COMMISSIONERS
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FRED LINDZEY - Vice President
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AARON CLARK
JERRY GALLES
MIKE HEALY
CLIFFORD KIRK

September 28, 2010

WER 12135
Eagle Rock Engineering
Mining Permit Modification
Rocky Top Gravel Pit
GEGR, LLC
Lincoln County

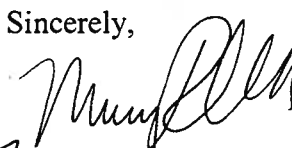
Paul Snarr,
Engineering Project Manager
Eagle Rock, Engineering and Land Surveying, PC
1331 Fremont Avenue
Idaho Falls, Idaho 83402

Dear Mr. Snarr:

The staff of the Wyoming Game and Fish Department has reviewed the Mining Permit Modification for the Rocky Top Gravel Pit submitted by GEGR, LLC in Lincoln County. We have no terrestrial wildlife or aquatic concerns pertaining to this mining permit modification.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Gary Fralick, Senior Wildlife Biologist, at 307-883-2998.

Sincerely,


John Emmerich
Deputy Director

JE:MF:gfb

cc: USFWS
Rob Gibson, WGFD-Jackson Region
Gary Fralick, WGFD-Jackson Region

LQD RECD
MAR 3.2011
TFN 5 4/191



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208.542.2665 • Fax 745-8391

310 North 2nd East Suite 135 • Rexburg, ID 83444
208.359.2665 • Fax 745-839

August 31, 2010

Wyoming State Historic Preservation Office
Attn: Mary Hopkins
2301 Central Avenue, Barrett Building, 3rd Floor
Cheyenne, WY 82002

**RE: ROCKY TOP ROCK GRAVEL PIT/MINING PERMIT MODIFICATION –
ARCHEOLOGICAL EXEMPTION SECTION 106 COMPLIANCE LETTER**

Mary,

GEGR, LLC is going through the permitting process to expand the existing Rocky Top Rock Gravel Pit from a 10 acre exemption to a regular mining gravel permit. The Department of Environmental Quality/Land Quality Division (DEQ/LQD) is requiring an archeological clearance for the gravel pit and additional acreage proposed to be mined. I would like to request a Section 106 Compliance letter on this expansion.

The existing gravel pit is located in Section 10, Township 35 North, Range 119 West in Etna, Wyoming being a portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$. Gravel has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include their entire property which consists of 22.2 acres. GEGR, LLC is also looking at purchasing farm ground North and adjacent to this pit for future gravel which would include an additional 10 acres.

The ground around the gravel pit consists of the 10 acre mined gravel pit, 4 acres disturbed and graded which include parking areas and shop areas and the remaining 8 acres (and possible purchase of 10 additional acres) plowed and irrigated alfalfa fields.

Attached is a vicinity map showing the existing gravel pit and shop buildings and a USGS 7.5 Minute Topographic Map with the project area highlighted.

LQD REC'D
MAR 3.2011
TFW 5 4/191



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IDAHO FALLS (208) 542-2665 REXBURG (208) 359-2665
Fax (208) 522-2664
1331 Fremont Ave, Idaho Falls, ID 83402

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GEGR, LLC
DEQ/LQD

LQD RECD
MAR 3.2011
TFW 5 4/191

ARTS. PARKS. HISTORY.

Wyoming State Parks & Cultural Resources

State Historic Preservation Office
Barrett Building, 3rd Floor
2301 Central Avenue
Cheyenne, WY 82002
Phone: (307) 777-7697
Fax: (307) 777-6421
<http://wyoshpo.state.wy.us>

September 22, 2010

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC
310 North 2nd East Suite 135
Rexburg, ID 83440

re: GEGR, LLC., Rocky top Rock Gravel Pit/Mining Permit Modification (SHPO File #
0910RLC016)

Dear Mr. Snarr:

Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO)
regarding the above referenced project.

A search of our records shows that a cultural resource survey has been conducted for a 10 acre portion of the Area of Potential Effect (APE). Additionally, we concur that the 10 acre mined area and the 4 disturbed acres (including the parking and shop areas) are completely disturbed and do not warrant any further investigation. However, the plowed and irrigated alfalfa fields have not been disturbed to such an extent that they no longer retain the potential to contain cultural resources. Indeed, the proximity of the Salt River and a review of the 1889 Government Land Office Plat indicate a high potential for prehistoric and historic period resources.

Prior to any ground disturbing activities in the plowed and irrigated alfalfa field portions of the APE, we recommend the Wyoming Department of Environmental Quality carry out appropriate efforts necessary for identification of historic properties, which may include a file search, background research, consultation, consideration of visual effects, sample field investigations or field survey. The identification efforts must be conducted by a consultant meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 22716, Sept. 1983). A report detailing the results of these efforts must be provided to SHPO staff for our review and comment.

We have enclosed a copy of a cultural resource consultants list for your use. Please refer to SHPO project control number #0910RLC016 on any future correspondence dealing with this project. If you have any questions, please contact me at 307-777-5497.

Sincerely,



Richard L. Currit
Senior Archaeologist



Dave Freudenthal, Governor
Milward Simpson, Director

LQD RECD
MAR 3.2011
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Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83440
208.359.2665 • Fax 745-8391

January 31, 2011

Baker & Heap Irrigation
Attn: Kendall Jenkins
1177 WY State Highway 239
Freedom, WY 83120

RE: BAKER HEAP IRRIGATION/CONFORMATION TO MINE GRAVEL NEAR DITCH

Kendall,

GECR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit from the 10 acre exemption to a regular mining gravel permit. The Department of Environmental Quality (DEQ) is requiring conformation from Baker Heap Irrigation granting permission to continue mining as long as we confirm the ditch will not be disrupted.

GECR, LLC has a 30 ft ingress/egress easement between the ditch and gravel pit which will keep mining operations from disturbing the ditch.

As per our conversation you indicated the Baker Heap ditch does not have a Board of Directors or an irrigation company overseeing the ditch and that the individual users maintain the ditch. You gave me contacts of other ditch users; however those I talked too also indicated they did not feel they should sign. I then called Jade Henderson with the State Engineers Office Board of Control and he indicated that no one person can really sign off and said GECR, LLC has some ownership in the ditch as well.

Attached is e-mail correspondence with Jade Henderson from the State Engineers Office and a memo with regarding the contact users of the Baker Heap Ditch.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

LQD RECD
MAR 3.2011
TFN 5 4/191

Cc: GECR, LLC

Paul Snarr

From: Jade Henderson [jhende@seo.wyo.gov]
Sent: Monday, January 31, 2011 2:35 PM
To: Paul Snarr
Cc: Kevin Payne; Nathan Henschel
Subject: RE: GEGR, LLC dba Rocky Top Rock Ditch Information

Paul: Sounds like you're headed in the right direction with a letter to all the co-owners in the Baker & Heap Ditch. If they're not organized into a ditch company, I don't even know who all the users are in that Ditch. Surveyor Scherbel Ltd in Afton has filed a petition in the neighborhood that requires consent from or notice to all landowners with water rights in Baker & Heap Ditch, but I don't think they've submitted ownership documentation to our central BOC office yet for all its water rights. JADE

From: Paul Snarr [mailto:psnarr@erengr.com]
Sent: Monday, January 31, 2011 2:14 PM
To: Jade Henderson
Subject: GEGR, LLC dba Rocky Top Rock Ditch Information

Jade,

I have talked to a couple of people that use the ditch and they both indicated they were alright with the gravel pit mining operations, however would rather not sign a letter giving permission. They both said there really was not a company overseeing the ditch just several that use it. There is a 30' ingress/egress easement between the ditch and gravel pit and with a 3:1 slope, I don't see where the ditch would be effected.

DEQ wants a letter in the permit binder with permission from Baker Heap Irrigation and I thought I would draft letter addressed to Baker Heap and just explain the correspondence I have had with phone calls regarding the ditch – possibly this email.

If you have any suggestions please let me know.

Thank you,

*Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying*

*Phone: (208) 542-2665
Cell: (208) 346-3656
Fax: (208) 745-8391
Email: psnarr@erengr.com*

From: Jade Henderson [mailto:jhende@seo.wyo.gov]
Sent: Friday, January 28, 2011 3:12 PM
To: Paul Snarr
Subject: RE: GEGR, LLC dba Rocky Top Rock Gravel Pit

Yes, looks like SW¼SE¼ of Section 10, T35N R119W has 38 acres under the Baker & Heap Ditch certificate Proof 15260, Permit 3258E. Your client appears to own some 22 acres of that forty. JADE

From: Paul Snarr [mailto:psnarr@erengr.com]
Sent: Friday, January 23, 2011 2:12 PM

LOD RECD
MAR 3 2011
TFN 5 4/191

**EAGLE ROCK ENGINEERING & LAND
SURVEYING, PC**

OFFICE MEMORANDUM



IDAHO FALLS (208) 542-2665
REXBURG (208) 359-2665

DATE: January 31, 2011

Project Code: 10052

TO: PROJECT FILE

FROM: PAUL SNARR
Engineering Project Manager

Project Identification:
GECR, LLC DEQ Application

RE: BAKER HEAP DITCH FOR DEQ APPLICATION PERMIT

Tanya King with DEQ said we need a letter from Baker Heap Irrigation confirming we won't be doing work around or with the ditch.

Contacted Kendall Jenkins 307-880-2642. He told me that there is not an Irrigation Board just individual users that maintain the ditch. He indicated he was alright with the gravel pit in the area however did not want to sign for all of the users. He told me to try contacting Robert Choma 307-413-2842 and he indicated the same. I talked to Clarence Reinhart with GECR, LLC dba Rocky top Rock and he told me to contact Jon Clark (307) 883-2690. I called him and he said he was not a user of the ditch however was going to see Kendall Jenkins and call me back on 2-2-2011.

I talked to Lance Batemen (another user of the ditch) and he indicated the same.

I called Jade Henderson with the State Engineers Office Board of Control Cokeville Office (307) 777-7354 Ext 2 Ext 2 for advice. He indicated if they are not organized that I would probably need all signatures and he did not have this information. Attached is e-mail correspondence with Jade.

DEQ NOTE:

If the gravel pit operations disrupt the ditch causing leakage the owner will be responsible to repair the ditch.

Cc: Project File

LQO RECD
MAR 3.2011
TFN 5 4/191



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Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83440
208.359.2665 • Fax 745-8391

January 20, 2011

US Fish and Wildlife
Attn: Mark Sattelberg
5353 Yellowstone Road, Suite 308 A
Cheyenne, WY 82009

RE: GECR; LLC DBA ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

Mark,

GECR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West.

The Department of Environmental Quality (DEQ) permitting process requires documentation from the US Fish and Wildlife Agency to ensure we are not disturbing birds and raptors in the continuation of the mining operation.

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include the remaining property that can be mined. There is approximately 5 acres remaining that can be mined of the 22.2 acres they currently own.

I have personally been on site several times and we have had surveyors on site on several different occasions and have not seen birds or raptors that would be disturbed. We have also talked to the original owner and he indicated he did not see issues associated with this.

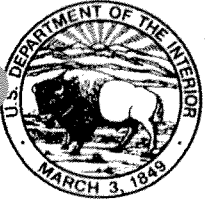
Attached is a vicinity map and proof of ownership for your review. Please review and let me know if you should need further information.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

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United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ecological Services
5353 Yellowstone Road, Suite 308A
Cheyenne, Wyoming 82009

In Reply Refer To:
ES-61411/WY11CPA0091

FEB 11 2011

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC
1331 Fremont Ave.
Idaho Falls, ID 83402

Dear Mr. Snarr:

Thank you for your letter of January 20, 2011, received in our office on January 26, regarding the permitting process to modify the Rocky Top Gravel Pit located at Section 10, Township 35 North, Range 119 West, Lincoln County, Wyoming. The mine is authorized under a 10-acre mining exemption, but the owners, GEGR, LCC, want to obtain a regular gravel mining permit and expand operations to 22.2 acres.

In response to your request, the Service is providing you with the following information pursuant to the Migratory Bird Treaty Act (MBTA), 16 U.S.C. 703, and the Bald and Golden Eagle Protection Act (BGEPA), 16 U.S.C. 668. Other fish and wildlife resources are considered under the Fish and Wildlife Coordination Act and the Fish and Wildlife Act of 1956, as amended, 70 Stat. 1119, 16 U.S.C. 742a-742j. Wetlands are afforded protection under Executive Orders 11990 (wetland protection) and 11988 (floodplain management), as well as section 404 of the Clean Water Act.

Using the map that you provided and follow up research, we note that the mine is located within 0.5 miles of the Salt River, which can serve as viable habitat for a host of bird species including bald eagles (*Haliaeetus leucocephalus*). Although you noted that surveyors did not observe birds or raptors at the mine, we recommend monitoring for bald eagles along the portions of the Salt River in proximity to the mine to ensure you remain in compliance with the BGEPA and MBTA.

Migratory Birds: The MBTA, enacted in 1918, prohibits the taking of any migratory birds, their parts, nests, or eggs except as permitted by regulations, and does not require intent to be proven. Section 703 of the MBTA states, "Unless and except as permitted by regulations ... it shall be unlawful at any time, by any means or in any manner, to ... take, capture, kill, attempt to take, capture, or kill, or possess ... any migratory bird, any part, nest, or eggs of any such bird..." The BGEPA, prohibits knowingly taking, or taking with wanton disregard for the consequences

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of an activity, any bald or golden eagles or their body parts, nests, or eggs, which includes collection, molestation, disturbance, or killing.

Work that could lead to the take of a migratory bird or eagle, their young, eggs, or nests should be coordinated with our office before any actions are taken. Removal or destruction of such nests, or causing abandonment of a nest could constitute violation of one or both of the above statutes. Removal of any active migratory bird nest or nest tree is prohibited. For golden eagles, inactive nest permits are limited to activities involving resource extraction or human health and safety. Mitigation, as determined by the local Service field office, may be required for loss of these nests. No permits will be issued for an active nest of any migratory bird species, unless removal of an active nest is necessary for reasons of human health and safety. Therefore, if nesting migratory birds are present on, or near the project area, timing is a significant consideration and needs to be addressed in project planning.

If nest manipulation is proposed for this project, the project proponent should contact the Service's Migratory Bird Office in Denver at 303-236-8171 to see if a permit can be issued for this project. No nest manipulation is allowed without a permit. If a permit cannot be issued, the project may need to be modified to ensure take of a migratory bird or eagle, their young, eggs or nest will not occur.

Migratory Birds of High Federal Interest (MBHFI) may nest within or adjacent to the proposed permit area. The Service does not maintain site specific information on the nesting locations of the birds on the MBHFI list (enclosed). Site-specific nest location information may be available from the Wyoming Game and Fish Department (WGFD), other applicable land management agencies, or can be determined through the use of species-specific surveys conducted on site in accordance with scientifically accepted protocols and guidelines. If site-specific information indicates that MBHFI do occur at or in the vicinity (e.g., 1 mile) of the proposed project area, we can provide additional site and species-specific recommendations.

The Service's Wyoming Field Office has compiled a list of MBHFI from the ongoing work among State and Federal agencies, non-governmental organizations, and the interested public that produced the Wyoming Bird Conservation Plan. This list serves as our list of Migratory Bird Species of Management Concern in Wyoming.

Sensitive Species

Bald Eagle: The Service removed the bald eagle, except in portions of Arizona, from the list of threatened and endangered species protected under the Act (72 FR 37346; 73 FR 23966). However, the protections provided to the bald eagle under the BGEPA and the MBTA remain in place. The term "disturb" under the BGEPA has recently been defined as: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (72 FR 31332).

To assist with the delisting transition, the Service has developed National Bald Eagle Management Guidelines to advise land managers when and under what circumstances the

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protective provisions of the MBTA and BGEPA may apply to their activities. These guidelines are available on our web page at <http://www.fws.gov/migratorybirds/baldeagle.htm>. In western states with more open habitats additional conservation recommendations may also apply. Please note, our office in collaboration with the Wyoming Game and Fish Department, will be developing additional guidelines to adequately address the unique conditions of our state. We will issue a notice when the guidelines specific to Wyoming are completed. Additionally, the Service has proposed a permit structure under the BGEPA that is similar to the permit structure that exists under the Act for unavoidable impacts. However, this structure is currently undergoing public comment and is not yet in place. Please contact our office if you have any questions regarding this permit structure or the delisting decision. You should also contact our office if you require technical assistance regarding any planned or ongoing activities related to the requirements of the MBTA, BGEPA, or the National Bald Eagle Management Guidelines.

Wetlands/Riparian Areas

Wetlands may be impacted by the proposed project. Wetlands perform significant ecological functions which include: (1) providing habitat for numerous aquatic and terrestrial wildlife species, (2) aiding in the dispersal of floods, (3) improving water quality through retention and assimilation of pollutants from storm water runoff, and (4) recharging the aquifer. Wetlands also possess aesthetic and recreational values. If wetlands may be destroyed or degraded by the proposed action, those wetlands in the project area should be inventoried and fully described in terms of their functions and values. Acreage of wetlands, by type, should be disclosed and specific actions should be outlined to avoid, minimize, and compensate for all unavoidable wetland impacts.

Riparian or streamside areas are a valuable natural resource and impacts to these areas should be avoided whenever possible. Riparian areas are the single most productive wildlife habitat type in North America. They support a greater variety of wildlife than any other habitat. Riparian vegetation plays an important role in protecting streams, reducing erosion and sedimentation as well as improving water quality, maintaining the water table, controlling flooding, and providing shade and cover. In view of their importance and relative scarcity, impacts to riparian areas should be avoided. Any potential, unavoidable encroachment into these areas should be further avoided and minimized. Unavoidable impacts to streams should be assessed in terms of their functions and values, linear feet and vegetation type lost, potential effects on wildlife, and potential effects on bank stability and water quality. Measures to compensate for unavoidable losses of riparian areas should be developed and implemented as part of the project.

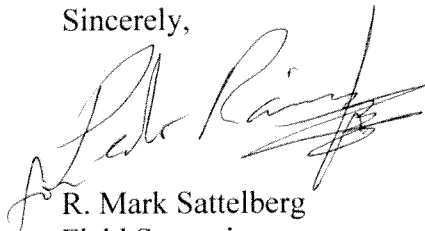
Plans for mitigating unavoidable impacts to wetland and riparian areas should include mitigation goals and objectives, methodologies, time frames for implementation, success criteria, and monitoring to determine if the mitigation is successful. The mitigation plan should also include a contingency plan to be implemented should the mitigation not be successful. In addition, wetland restoration, creation, enhancement, and/or preservation does not compensate for loss of stream habitat; streams and wetlands have different functions and provide different habitat values for fish and wildlife resources.

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Best Management Practices (BMPs) should be implemented within the project area wherever possible. BMPs include, but are not limited to, the following: installation of sediment and erosion control devices (e.g., silt fences, hay bales, temporary sediment control basins, erosion control matting); adequate and continued maintenance of sediment and erosion control devices to insure their effectiveness; minimization of the construction disturbance area to further avoid streams, wetlands, and riparian areas; location of equipment staging, fueling, and maintenance areas outside of wetlands, streams, riparian areas, and floodplains; and re-seeding and re-planting of riparian vegetation native to Wyoming in order to stabilize shorelines and streambanks.

We appreciate your efforts to ensure the conservation of Wyoming's fish and wildlife resources. If you have questions regarding this letter or your responsibilities under the Act and/or other authorities or resources described above, please contact Mark Bellis of my office at the letterhead address or phone (307) 352-0377.

Sincerely,



R. Mark Sattelberg
Field Supervisor
Wyoming Field Office

cc: WDEQ, Land Quality Division, Program Supervisor, Lander, WY (M. Moxley)
WGFD, Non-game Coordinator, Lander, WY (B. Oakleaf)
WGFD, Statewide Habitat Protection Coordinator, Cheyenne, WY (M. Flanderka)

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Migratory Bird Species of Management Concern in Wyoming

(Migratory Birds of High Federal Interest)

Based on the *Wyoming Bird Conservation Plan* (Cerovski et al. 2000)

May 2, 2002

U.S. Fish and Wildlife Service, Wyoming Field Office,
5353 Yellowstone Road, Suite 308A, Cheyenne, Wyoming 82009

The Wyoming Field Office of the U.S. Fish and Wildlife Service (Service) has compiled the following list from the ongoing work among State and Federal agencies, non-governmental organizations, and the interested public that produced the Wyoming Bird Conservation Plan. This list will now serve as our list of Migratory Bird Species of Management Concern in Wyoming, in place of the previous list based on the Migratory Nongame Birds of Management Concern in the United States: the 1995 List. The Wyoming Bird Conservation Plan identified priority species based on a number of criteria (see below) using the best information available for these generally un-studied species. In many cases, this list reflects identified threats to habitat because no information is available on the species population trends. In some cases it reflects identified population declines though no causal factors have been identified.

The following tables and explanatory text are taken directly from the Wyoming Bird Conservation Plan (Cerovski et al. 2000). For more information on this listing process, this report is available from our Wyoming Field Office, 5353 Yellowstone Road, Suite 308A, Cheyenne, Wyoming 82009; or Wyoming Game and Fish Department (WGFD), Nongame Branch, 260 Buena Vista, Lander, Wyoming 82520.

Table 1. **Level I Species (Conservation Action)**. Species clearly needs conservation action. Includes species of which Wyoming has a high percentage of and responsibility for the breeding population, and the need for additional knowledge through monitoring and research into basic natural history, distribution, etc.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Mountain Plover ^d	28	4	3	Shortgrass Prairie, Shrub-steppe
Trumpeter Swan	26	3	3	Wetlands
Sage Grouse	26	5	3	Shrub-steppe
McCown's Longspur	26	3	2	Shortgrass Prairie, Shrub-steppe
Baird's Sparrow	26	2	3	Shortgrass Prairie
Ferruginous Hawk	23	4	3	Shrub-steppe, Shortgrass Prairie
Brewer's Sparrow	23	5	5	Shrub-steppe, Mountain-foothills Shrub
Wilson's Phalarope	22	3	5	Wetlands
Franklin's Gull	22	3	3	Wetlands
Sage Sparrow	22	5	2	Shrub-steppe, Mountain-foothills Shrub

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Table 1. **Level I Species (Conservation Action)**, continued.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Swainson's Hawk	21	3	3	Plains/Basin Riparian
Long-billed Curlew	21	2	3	Shortgrass Prairie
Short-eared Owl	20	3	3	Shortgrass Prairie
Northern Goshawk	19	4	3	High Elevation Conifer, Mid Elevation Conifer, Aspen
Peregrine Falcon	19	3	3	Specialized (cliffs)
Burrowing Owl	19	3	4	Shortgrass Prairie
Forster's Tern	19	2	3	Wetlands
Bald Eagle	18	3	3	Montane Riparian, Plains/Basin Riparian
Upland Sandpiper	18	2	2	Shortgrass Prairie
Black Tern	18	3	3	Wetlands
Whooping Crane	n/a	n/a	n/a	Wetlands
Piping Plover	n/a	n/a	n/a	Wetlands, Aquatic

^a From the PIF Priority Database (Carter et al. 1997).

^b AI = Area Importance (from the PIF Priority Database, Carter et al. 1997).

^c PT = Population Trend (from the PIF Priority Database, Carter et al. 1997).

^d Species in all capital letters previously appeared on the Service's 1995 list.

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Table 2. **Level II Species (Monitoring)**. The action and focus for the species is monitoring. Includes species of which Wyoming has a high percentage of and responsibility for the breeding population, species whose population trend is unknown, species that are peripheral for breeding in the habitat or state, or species for which additional knowledge is needed.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Calliope Hummingbird	23	5	3	Mid Elevation Conifer, Montane Riparian
Lewis' Woodpecker	23	3	3	Low Elevation Conifer, Plains/Basin Riparian
Cassin's Kingbird	22	3	3	Juniper Woodland, Plains/Basin Riparian
Lark Bunting	22	4	4	Shortgrass Prairie, Shrub-steppe
American White Pelican	21	3	3	Aquatic
Williamson's Sapsucker	21	3	3	Mid Elevation Conifer
Black-backed Woodpecker	21	3	3	Mid Elevation Conifer, High Elevation Conifer
Gray Flycatcher	21	3	3	Juniper Woodland, Mountain-foothills Shrub
Juniper Titmouse ^d	21	3	3	Juniper Woodland
Dickcissel	21	3	3	Shortgrass Prairie
Chestnut-collared Longspur	21	2	3	Shortgrass Prairie
Harlequin Duck	20	3	3	Montane Riparian
Snowy Plover	20	3	3	Wetlands
Black-chinned Hummingbird	20	2	3	Plains/Basin Riparian, Shrub-steppe
Rufous Hummingbird	20	2	3	Mid Elevation Conifer
Red-naped Sapsucker	20	3	2	Aspen
Three-toed Woodpecker	20	4	3	Mid Elevation Conifer, High Elevation Conifer
Willow Flycatcher	20	3	4	Montane Riparian, Plains/Basin Riparian
Hammond's Flycatcher	20	2	3	High Elevation Conifer with Aspen, Montane Riparian
Cordilleran Flycatcher	20	3	3	Montane Riparian, Mid Elevation Conifer
Pygmy Nuthatch	20	3	3	Low Elevation Conifer
Marsh Wren	20	3	4	Wetlands
American Dipper	20	3	3	Montane Riparian
Plumbeous Vireo	20	3	3	Mid Elevation Conifer, Low Elevation Conifer
Townsend's Warbler	20	3	3	High Elevation Conifer, Mid Elevation Conifer
Dusky Flycatcher	19	3	2	Low Elevation Conifer, Aspen, Mountain-foothills Shrub
Western Bluebird	19	3	3	Juniper Woodland, Low Elevation Conifer

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Table 2. **Level II Species (Monitoring)**, continued.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Sage Thrasher	19	5	2	Shrub-steppe
Grasshopper Sparrow	19	3	5	Shortgrass Prairie, Shrub-steppe
Bobolink	19	2	3	Shortgrass Prairie, Shrub-steppe
Common Loon	18	3	3	Wetlands
Black-billed Cuckoo	18	2	3	Plains/Basin Riparian
Red-headed Woodpecker	18	2	3	Plains/Basin Riparian, Low Elevation Conifer
Yellow-billed Cuckoo	18	3	3	Plains/Basin Riparian
Eastern Screech-Owl	18	3	3	Plains/Basin Riparian
Western Screech-Owl	18	3	3	Plains/Basin Riparian
Great Gray Owl	18	3	3	Mid Elevation Conifer, High Elevation Conifer
Boreal Owl	18	3	3	High Elevation Conifer
Broad-tailed Hummingbird	18	2	2	Montane Riparian, Plains/Basin Riparian, Mid Elevation Conifer
Western Scrub-Jay ^d	18	3	3	Juniper Woodland
Loggerhead Shrike	18	3	3	Shrub-steppe
Vesper Sparrow	18	5	4	Shrub-steppe
Lark Sparrow	18	3	4	Shrub-steppe
Golden-crowned Kinglet	17	3	3	High Elevation Conifer
MacGillivray's Warbler	17	3	1	Montane Riparian, Plains/Basin Riparian
Ash-throated Flycatcher ^d	16	2	3	Juniper Woodland
Bushtit ^d	16	3	3	Juniper Woodland
Brown Creeper	16	3	3	Mid Elevation Conifer, High Elevation Conifer
Merlin	15	3	3	Low Elevation Conifer
Sprague's Pipit	n/a	n/a	n/a	Grassland, Plains/Basin Riparian, Shortgrass Prairie
Barn Owl	n/a	n/a	n/a	Shortgrass Prairie, Urban
White-faced Ibis	n/a	n/a	n/a	Wetlands, Aquatic
American Bittern	n/a	n/a	n/a	Wetlands, Aquatic
Common Tern	n/a	n/a	n/a	Wetlands, Aquatic
Purple Martin	n/a	n/a	n/a	Wetlands, Aquatic/Basin Riparian, Montane Riparian

^a From the PIF Priority Database (Carter et al. 1997).

^b AI = Area Importance (from the PIF Priority Database).

^c PT = Population Trend (from the PIF Priority Database).

^d Nicholoff, S. 2002. Wyoming Bird Conservation Plan, Version 1.1. Wyoming Partners In Flight and Wyoming Game and Fish Department, Lander. In press.

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Wyoming Partners In Flight Process for Prioritizing Species

Wyoming Partners In Flight participants developed the current list of priority species based on a combination of the seven criteria in the national Partners In Flight Priority Database (Carter et al. 1997). This database serves as a defensible method of prioritizing both species and habitats in need of conservation. The criteria include Wyoming-dependent and Wyoming-independent factors. The Wyoming-independent criteria are constant over a species' range and do not vary for each species. The Wyoming-dependent criteria were the key components used to prioritize species and their conservation action needs. In the absence of any more rigorous statewide surveys, Breeding Bird Survey data dating back to 1968 were used to determine population trends in Wyoming.

Criteria

Within each criterion below, a species was given a rank score ranging from 1 to 5, with 1 being the least critical rank and 5 the most critical. Each ranked species could potentially receive a low score of 7 and a high score of 35. However, setting conservation goals based only on total score could be misleading; therefore, each total score was reviewed in conjunction with its component parts. In Wyoming, species were initially ranked using total score, area importance, and population trend.

1. Relative Abundance (RA) - The abundance of a bird, in appropriate habitat within its entire range, relative to other bird species. This criterion gives an indication of a species' vulnerability to withstand cataclysmic environmental changes. A low score would indicate a higher relative abundance, therefore reducing the risk of complete extirpation from losses in one or more regions. Higher scores indicate a lower relative abundance, thus more vulnerability to drastic losses or population changes.

2. Breeding Distribution (BD) - A relative measure of breeding range size as a proportion of North America (defined as the main body of the continent, excluding Greenland, through Panama and the islands of the Caribbean, comprising an area of 22,059,680 km² [National Geographic Society 1993]), and as such it provides an index of a species' vulnerability to random environmental events. High scores indicate localized breeding, thus a higher likelihood of serious decline from drastic environmental changes. Low scores indicate wide breeding distribution, therefore less likelihood of extirpation. Used for breeding birds only.

3. Non-breeding Distribution (ND) - A relative measure of non-breeding, or winter, range size as a proportion of North America, and as such it provides an index of a species' vulnerability to random environmental events. High scores indicate localized distribution on the non-breeding grounds. Low scores indicate wide distribution on the non-breeding grounds, therefore less likelihood of extirpation. Used for wintering birds only.

4. Threats on Breeding Grounds (TB) - The ability of a habitat in an area to support populations of a species in that area. Two factors are considered here: 1) each species' demographic and ecological vulnerability (the potential inability of a species to recover from population loss by normal reproductive effort due to low reproductive rate, high juvenile mortality, or both; and the level of ecological specialization of a species and, hence, its potential inability to withstand environmental change), and 2) habitat loss or disruption (a combination of the amount of habitat or conditions necessary for survival and reproductive success that has been lost since 1945, and the amount that is anticipated to be lost in the future). High scores indicate either a large loss of habitat or a species that is an extreme ecological specialist. Low scores

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indicate a stable or increasing habitat or a species that is an ecological generalist. Used for both breeding and wintering birds.

5. Threats on Non-breeding Grounds (TN) - Range-wide threats on non-breeding, or winter, grounds. This is scored using the same criteria as threats on breeding grounds but reflects non-breeding issues, including migratory habitat. Used for wintering birds only.

6. Population Trend (PT) - The overall population trend of each species assigned independently for each state, province, or physiographic area. This criterion must meet two thresholds, reliability and magnitude, to warrant either a very high or very low score. When possible, a score was assigned using BBS data, which incorporated a population trend uncertainty score based on the statistical validity of the BBS data (i.e. a species must be detected on a minimum of 14 BBS routes per state for population trends to have statistical significance). This criterion was chosen to alert managers to species with modest, but certain, population declines.

7. Area Importance (AI) - The abundance of a species within a state, province, or physiographic area relative to its abundance throughout its range. This criterion helps direct conservation efforts toward areas that are most important to a species' survival. Area Importance is scored locally; therefore, high scores indicate that a large proportion of the species' breeding or winter range occurs in Wyoming, or a species is using a habitat that is only available in Wyoming. Low scores indicate that a small proportion of the species' range occurs in Wyoming, or the preferred habitat is widespread across its range. Used for both breeding and wintering birds.

Priority Species

Priority bird species in Wyoming were identified from the PIF Priority Database (Carter et al. 1997) and by qualitative, informed decisions. Those species with a total score of 18 or above, Area Importance (AI) of 3 or above, and/or Population Trend (PT) of 3 or above from the database, or with a total score less than 18 but of significant local interest were identified as the highest priority species. However, as more information becomes available, the highest priority species for Wyoming may change, as this is a dynamic database that allows for updated information to be periodically inserted and reviewed. The primary habitat type or types required for breeding were identified for each species to determine the highest priority habitat types for the state.

Literature Cited

Carter, M. F., W. C. Hunter, D. N. Pashley, J. S. Bradley, C. S. Aid, J. Price, and G. S. Butcher. 1997. Setting landbird conservation priorities for states, provinces, and physiographic areas of North America. Partners In Flight Priority Database Final Report, Colorado Bird Observatory, Brighton.

Cerovski, A., M. Gorges, T. Byer, K. Duffy, and D. Felley. 2000. Wyoming Bird Conservation Plan, Version 1.0. Wyoming Partners In Flight, Lander, WY.

Nicholoff, S. 2002. Wyoming Bird Conservation Plan, Version 1.1. Wyoming Partners In Flight and Wyoming Game and Fish Department, Lander. In press.

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EAGLE ROCK ENGINEERING

CIVIL ◦ PLANNING ◦ SURVEYING

Idaho Falls Office

3811 Willow Ridge • Idaho Falls, ID 83406
208.542.2665 • Fax 745-8391

Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83440
208.359.2665 • Fax 745-8391

January 31, 2011

Baker & Heap Irrigation
Attn: Kendall Jenkins
1177 WY State Highway 239
Freedom, WY 83120

RE: BAKER HEAP IRRIGATION/CONFORMATION TO MINE GRAVEL NEAR DITCH

Kendall,

GEGR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit from the 10 acre exemption to a regular mining gravel permit. The Department of Environmental Quality (DEQ) is requiring conformation from Baker Heap Irrigation granting permission to continue mining as long as we confirm the ditch will not be disrupted.

GEGR, LLC has a 30 ft ingress/egress easement between the ditch and gravel pit which will keep mining operations from disturbing the ditch.

As per our conversation you indicated the Baker Heap ditch does not have a Board of Directors or an irrigation company overseeing the ditch and that the individual users maintain the ditch. You gave me contacts of other ditch users; however those I talked too also indicated they did not feel they should sign. I then called Jade Henderson with the State Engineers Office Board of Control and he indicated that no one person can really sign off and said GEGR, LLC has some ownership in the ditch as well.

Attached is e-mail correspondence with Jade Henderson from the State Engineers Office and a memo with regarding the contact users of the Baker Heap Ditch.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

Cc: GEGR, LLC

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RECD APR 13, 2011

Paul Snarr

From: Jade Henderson [jhende@seo.wyo.gov]
Sent: Monday, January 31, 2011 2:35 PM
To: Paul Snarr
Cc: Kevin Payne; Nathan Henschel
Subject: RE: GEGR, LLC dba Rocky Top Rock Ditch Information

Paul: Sounds like you're headed in the right direction with a letter to all the co-owners in the Baker & Heap Ditch. If they're not organized into a ditch company, I don't even know who all the users are in that Ditch. Surveyor Scherbel Ltd in Afton has filed a petition in the neighborhood that requires consent from or notice to all landowners with water rights in Baker & Heap Ditch, but I don't think they've submitted ownership documentation to our central BOC office yet for all its water rights. JADE

From: Paul Snarr [mailto:psnarr@erengr.com]
Sent: Monday, January 31, 2011 2:14 PM
To: Jade Henderson
Subject: GEGR, LLC dba Rocky Top Rock Ditch Information

Jade,

I have talked to a couple of people that use the ditch and they both indicated they were alright with the gravel pit mining operations, however would rather not sign a letter giving permission. They both said there really was not a company overseeing the ditch just several that use it. There is a 30' ingress/egress easement between the ditch and gravel pit and with a 3:1 slope, I don't see where the ditch would be effected.

EQ wants a letter in the permit binder with permission from Baker Heap Irrigation and I thought I would draft letter addressed to Baker Heap and just explain the correspondence I have had with phone calls regarding the ditch – possibly this email.

If you have any suggestions please let me know.

Thank you,

*Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying*

*Phone: (208) 542-2665
Cell: (208) 346-3656
Fax: (208) 745-8391
Email: psnarr@erengr.com*

From: Jade Henderson [mailto:jhende@seo.wyo.gov]
Sent: Friday, January 28, 2011 3:12 PM
To: Paul Snarr
Subject: RE: GEGR, LLC dba Rocky Top Rock Gravel Pit

Yes, looks like SW¼SE¼ of Section 10, T35N R119W has 38 acres under the Baker & Heap Ditch certificate Proof 15260, Permit 3258E. Your client appears to own some 22 acres of that forty. JADE

From: Paul Snarr [mailto:psnarr@erengr.com]
Sent: Friday, January 28, 2011 2:12 PM

**EAGLE ROCK ENGINEERING & LAND
SURVEYING, PC**

OFFICE MEMORANDUM



IDAHO FALLS (208) 542-2665
REXBURG (208) 359-2665

DATE: January 31, 2011

Project Code: 10052

TO: PROJECT FILE

FROM: PAUL SNARR
Engineering Project Manager

Project Identification:
GECR, LLC DEQ Application

RE: BAKER HEAP DITCH FOR DEQ APPLICATION PERMIT

Tanya King with DEQ said we need a letter from Baker Heap Irrigation confirming we won't be doing work around or with the ditch.

Contacted Kendall Jenkins 307-880-2642. He told me that there is not an Irrigation Board just individual users that maintain the ditch. He indicated he was alright with the gravel pit in the area however did not want to sign for all of the users. He told me to try contacting Robert Choma 307-413-2842 and he indicated the same. I talked to Clarence Reinhart with GECR, LLC dba Rocky top Rock and he told me to contact Jon Clark (307) 883-2690. I called him and he said he was not a user of the ditch however was going to see Kendall Jenkins and call me back on 2-2-2011.

I talked to Lance Batemen (another user of the ditch) and he indicated the same.

I called Jade Henderson with the State Engineers Office Board of Control Cokeville Office (307) 777-7354 Ext 2 Ext 2 for advice. He indicated if they are not organized that I would probably need all signatures and he did not have this information. Attached is e-mail correspondence with Jade.

DEQ NOTE:

If the gravel pit operations disrupt the ditch causing leakage the owner will be responsible to repair the ditch.

Cc: Project File

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RECD APR 13, 2011



EAGLE ROCK ENGINEERING

CIVIL ◦ PLANNING ◦ SURVEYING

Idaho Falls Office

3811 Willow Ridge • Idaho Falls, ID 83406
208.542.2665 • Fax 745-8391

Rexburg Office

310 North 2nd East Suite 135 • Rexburg, ID 83440
208.359.2665 • Fax 745-8391

January 20, 2011

US Fish and Wildlife
Attn: Mark Sattelberg
5353 Yellowstone Road, Suite 308 A
Cheyenne, WY 82009

RE: GECR; LLC DBA ROCKY TOP GRAVEL PIT – MINING PERMIT MODIFICATION

Mark,

GECR, LLC is going through the permitting process to modify the Rocky Top Rock Gravel Pit located in Etna, Wyoming from a 10 acre mining exemption to a regular mining gravel permit. The property is located in Section 10, Township 35 North, Range 119 West.

The Department of Environmental Quality (DEQ) permitting process requires documentation from the US Fish and Wildlife Agency to ensure we are not disturbing birds and raptors in the continuation of the mining operation.

This gravel pit has been mined for many years under the 10 acre exemption and now under new ownership would like to expand the mining operation to include the remaining property that can be mined. There is approximately 5 acres remaining that can be mined of the 22.2 acres they currently own.

I have personally been on site several times and we have had surveyors on site on several different occasions and have not seen birds or raptors that would be disturbed. We have also talked to the original owner and he indicated he did not see issues associated with this.

Attached is a vicinity map and proof of ownership for your review. Please review and let me know if you should need further information.

Should you have any questions or concerns feel free to contact me at (208) 542-2665.

Thank you,

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
5353 Yellowstone Road, Suite 308A
Cheyenne, Wyoming 82009



In Reply Refer To:
ES-61411/WY11CPA0091

FEB 11 2011

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC
1331 Fremont Ave.
Idaho Falls, ID 83402

Dear Mr. Snarr:

Thank you for your letter of January 20, 2011, received in our office on January 26, regarding the permitting process to modify the Rocky Top Gravel Pit located at Section 10, Township 35 North, Range 119 West, Lincoln County, Wyoming. The mine is authorized under a 10-acre mining exemption, but the owners, GEGR, LCC, want to obtain a regular gravel mining permit and expand operations to 22.2 acres.

In response to your request, the Service is providing you with the following information pursuant to the Migratory Bird Treaty Act (MBTA), 16 U.S.C. 703, and the Bald and Golden Eagle Protection Act (BGEPA), 16 U.S.C. 668. Other fish and wildlife resources are considered under the Fish and Wildlife Coordination Act and the Fish and Wildlife Act of 1956, as amended, 70 Stat. 1119, 16 U.S.C. 742a-742j. Wetlands are afforded protection under Executive Orders 11990 (wetland protection) and 11988 (floodplain management), as well as section 404 of the Clean Water Act.

Using the map that you provided and follow up research, we note that the mine is located within 0.5 miles of the Salt River, which can serve as viable habitat for a host of bird species including bald eagles (*Haliaeetus leucocephalus*). Although you noted that surveyors did not observe birds or raptors at the mine, we recommend monitoring for bald eagles along the portions of the Salt River in proximity to the mine to ensure you remain in compliance with the BGEPA and MBTA.

Migratory Birds: The MBTA, enacted in 1918, prohibits the taking of any migratory birds, their parts, nests, or eggs except as permitted by regulations, and does not require intent to be proven. Section 703 of the MBTA states, "Unless and except as permitted by regulations ... it shall be unlawful at any time, by any means or in any manner, to ... take, capture, kill, attempt to take, capture, or kill, or possess ... any migratory bird, any part, nest, or eggs of any such bird..." The BGEPA, prohibits knowingly taking, or taking with wanton disregard for the consequences

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of an activity, any bald or golden eagles or their body parts, nests, or eggs, which includes collection, molestation, disturbance, or killing.

Work that could lead to the take of a migratory bird or eagle, their young, eggs, or nests should be coordinated with our office before any actions are taken. Removal or destruction of such nests, or causing abandonment of a nest could constitute violation of one or both of the above statutes. Removal of any active migratory bird nest or nest tree is prohibited. For golden eagles, inactive nest permits are limited to activities involving resource extraction or human health and safety. Mitigation, as determined by the local Service field office, may be required for loss of these nests. No permits will be issued for an active nest of any migratory bird species, unless removal of an active nest is necessary for reasons of human health and safety. Therefore, if nesting migratory birds are present on, or near the project area, timing is a significant consideration and needs to be addressed in project planning.

If nest manipulation is proposed for this project, the project proponent should contact the Service's Migratory Bird Office in Denver at 303-236-8171 to see if a permit can be issued for this project. No nest manipulation is allowed without a permit. If a permit cannot be issued, the project may need to be modified to ensure take of a migratory bird or eagle, their young, eggs or nest will not occur.

Migratory Birds of High Federal Interest (MBHFI) may nest within or adjacent to the proposed permit area. The Service does not maintain site specific information on the nesting locations of the birds on the MBHFI list (enclosed). Site-specific nest location information may be available from the Wyoming Game and Fish Department (WGFD), other applicable land management agencies, or can be determined through the use of species-specific surveys conducted on site in accordance with scientifically accepted protocols and guidelines. If site-specific information indicates that MBHFI do occur at or in the vicinity (e.g., 1 mile) of the proposed project area, we can provide additional site and species-specific recommendations.

The Service's Wyoming Field Office has compiled a list of MBHFI from the ongoing work among State and Federal agencies, non-governmental organizations, and the interested public that produced the Wyoming Bird Conservation Plan. This list serves as our list of Migratory Bird Species of Management Concern in Wyoming.

Sensitive Species

Bald Eagle: The Service removed the bald eagle, except in portions of Arizona, from the list of threatened and endangered species protected under the Act (72 FR 37346; 73 FR 23966). However, the protections provided to the bald eagle under the BGEPA and the MBTA remain in place. The term "disturb" under the BGEPA has recently been defined as: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (72 FR 31332).

To assist with the delisting transition, the Service has developed National Bald Eagle Management Guidelines to advise land managers when and under what circumstances the

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protective provisions of the MBTA and BGEPA may apply to their activities. These guidelines are available on our web page at <http://www.fws.gov/migratorybirds/baldeagle.htm>. In western states with more open habitats additional conservation recommendations may also apply. Please note, our office in collaboration with the Wyoming Game and Fish Department, will be developing additional guidelines to adequately address the unique conditions of our state. We will issue a notice when the guidelines specific to Wyoming are completed. Additionally, the Service has proposed a permit structure under the BGEPA that is similar to the permit structure that exists under the Act for unavoidable impacts. However, this structure is currently undergoing public comment and is not yet in place. Please contact our office if you have any questions regarding this permit structure or the delisting decision. You should also contact our office if you require technical assistance regarding any planned or ongoing activities related to the requirements of the MBTA, BGEPA, or the National Bald Eagle Management Guidelines.

Wetlands/Riparian Areas

Wetlands may be impacted by the proposed project. Wetlands perform significant ecological functions which include: (1) providing habitat for numerous aquatic and terrestrial wildlife species, (2) aiding in the dispersal of floods, (3) improving water quality through retention and assimilation of pollutants from storm water runoff, and (4) recharging the aquifer. Wetlands also possess aesthetic and recreational values. If wetlands may be destroyed or degraded by the proposed action, those wetlands in the project area should be inventoried and fully described in terms of their functions and values. Acreage of wetlands, by type, should be disclosed and specific actions should be outlined to avoid, minimize, and compensate for all unavoidable wetland impacts.

Riparian or streamside areas are a valuable natural resource and impacts to these areas should be avoided whenever possible. Riparian areas are the single most productive wildlife habitat type in North America. They support a greater variety of wildlife than any other habitat. Riparian vegetation plays an important role in protecting streams, reducing erosion and sedimentation as well as improving water quality, maintaining the water table, controlling flooding, and providing shade and cover. In view of their importance and relative scarcity, impacts to riparian areas should be avoided. Any potential, unavoidable encroachment into these areas should be further avoided and minimized. Unavoidable impacts to streams should be assessed in terms of their functions and values, linear feet and vegetation type lost, potential effects on wildlife, and potential effects on bank stability and water quality. Measures to compensate for unavoidable losses of riparian areas should be developed and implemented as part of the project.

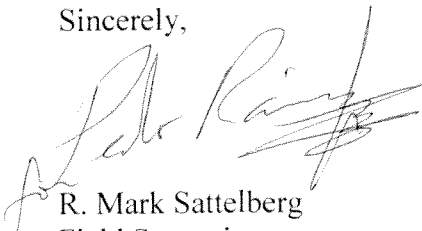
Plans for mitigating unavoidable impacts to wetland and riparian areas should include mitigation goals and objectives, methodologies, time frames for implementation, success criteria, and monitoring to determine if the mitigation is successful. The mitigation plan should also include a contingency plan to be implemented should the mitigation not be successful. In addition, wetland restoration, creation, enhancement, and/or preservation does not compensate for loss of stream habitat; streams and wetlands have different functions and provide different habitat values for fish and wildlife resources.

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Best Management Practices (BMPs) should be implemented within the project area wherever possible. BMPs include, but are not limited to, the following: installation of sediment and erosion control devices (e.g., silt fences, hay bales, temporary sediment control basins, erosion control matting); adequate and continued maintenance of sediment and erosion control devices to insure their effectiveness; minimization of the construction disturbance area to further avoid streams, wetlands, and riparian areas; location of equipment staging, fueling, and maintenance areas outside of wetlands, streams, riparian areas, and floodplains; and re-seeding and re-planting of riparian vegetation native to Wyoming in order to stabilize shorelines and streambanks.

We appreciate your efforts to ensure the conservation of Wyoming's fish and wildlife resources. If you have questions regarding this letter or your responsibilities under the Act and/or other authorities or resources described above, please contact Mark Bellis of my office at the letterhead address or phone (307) 352-0377.

Sincerely,



R. Mark Sattelberg
Field Supervisor
Wyoming Field Office

cc: WDEQ, Land Quality Division, Program Supervisor, Lander, WY (M. Moxley)
WGFD, Non-game Coordinator, Lander, WY (B. Oakleaf)
WGFD, Statewide Habitat Protection Coordinator, Cheyenne, WY (M. Flanderka)

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Migratory Bird Species of Management Concern in Wyoming

(Migratory Birds of High Federal Interest)

Based on the *Wyoming Bird Conservation Plan* (Cerovski et al. 2000)

May 2, 2002

U.S. Fish and Wildlife Service, Wyoming Field Office,
5353 Yellowstone Road, Suite 308A, Cheyenne, Wyoming 82009

The Wyoming Field Office of the U.S. Fish and Wildlife Service (Service) has compiled the following list from the ongoing work among State and Federal agencies, non-governmental organizations, and the interested public that produced the Wyoming Bird Conservation Plan. This list will now serve as our list of Migratory Bird Species of Management Concern in Wyoming, in place of the previous list based on the Migratory Nongame Birds of Management Concern in the United States: the 1995 List. The Wyoming Bird Conservation Plan identified priority species based on a number of criteria (see below) using the best information available for these generally un-studied species. In many cases, this list reflects identified threats to habitat because no information is available on the species population trends. In some cases it reflects identified population declines though no causal factors have been identified.

The following tables and explanatory text are taken directly from the Wyoming Bird Conservation Plan (Cerovski et al. 2000). For more information on this listing process, this report is available from our Wyoming Field Office, 5353 Yellowstone Road, Suite 308A, Cheyenne, Wyoming 82009; or Wyoming Game and Fish Department (WGFD), Nongame Branch, 260 Buena Vista, Lander, Wyoming 82520.

Table 1. **Level I Species (Conservation Action)**. Species clearly needs conservation action. Includes species of which Wyoming has a high percentage of and responsibility for the breeding population, and the need for additional knowledge through monitoring and research into basic natural history, distribution, etc.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Mountain Plover ^d	28	4	3	Shortgrass Prairie, Shrub-steppe
Trumpeter Swan	26	3	3	Wetlands
Sage Grouse	26	5	3	Shrub-steppe
McCown's Longspur	26	3	2	Shortgrass Prairie, Shrub-steppe
Baird's Sparrow	26	2	3	Shortgrass Prairie
Ferruginous Hawk	23	4	3	Shrub-steppe, Shortgrass Prairie
Brewer's Sparrow	23	5	5	Shrub-steppe, Mountain-foothills Shrub
Wilson's Phalarope	22	3	5	Wetlands
Franklin's Gull	22	3	3	Wetlands
Sage Sparrow	22	5	2	Shrub-steppe, Mountain-foothills Shrub

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Table 1. **Level I Species (Conservation Action)**, continued.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Swainson's Hawk	21	3	3	Plains/Basin Riparian
Long-billed Curlew	21	2	3	Shortgrass Prairie
Short-eared Owl	20	3	3	Shortgrass Prairie
Northern Goshawk	19	4	3	High Elevation Conifer, Mid Elevation Conifer, Aspen
Peregrine Falcon	19	3	3	Specialized (cliffs)
Burrowing Owl	19	3	4	Shortgrass Prairie
Forster's Tern	19	2	3	Wetlands
Bald Eagle	18	3	3	Montane Riparian, Plains/Basin Riparian
Upland Sandpiper	18	2	2	Shortgrass Prairie
Black Tern	18	3	3	Wetlands
Whooping Crane	n/a	n/a	n/a	Wetlands
Piping Plover	n/a	n/a	n/a	Wetlands, Aquatic

^a From the PIF Priority Database (Carter et al. 1997).

^b AI = Area Importance (from the PIF Priority Database, Carter et al. 1997).

^c PT = Population Trend (from the PIF Priority Database, Carter et al. 1997).

^d Species in all capital letters previously appeared on the Service's 1995 list.

Table 2. **Level II Species (Monitoring)**. The action and focus for the species is monitoring. Includes species of which Wyoming has a high percentage of and responsibility for the breeding population, species whose population trend is unknown, species that are peripheral for breeding in the habitat or state, or species for which additional knowledge is needed.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Calliope Hummingbird	23	5	3	Mid Elevation Conifer, Montane Riparian
Lewis' Woodpecker	23	3	3	Low Elevation Conifer, Plains/Basin Riparian
Cassin's Kingbird	22	3	3	Juniper Woodland, Plains/Basin Riparian
Lark Bunting	22	4	4	Shortgrass Prairie, Shrub-steppe
American White Pelican	21	3	3	Aquatic
Williamson's Sapsucker	21	3	3	Mid Elevation Conifer
Black-backed Woodpecker	21	3	3	Mid Elevation Conifer, High Elevation Conifer
Gray Flycatcher	21	3	3	Juniper Woodland, Mountain-foothills Shrub
Juniper Titmouse ^d	21	3	3	Juniper Woodland
Dickcissel	21	3	3	Shortgrass Prairie
Chestnut-collared Longspur	21	2	3	Shortgrass Prairie
Harlequin Duck	20	3	3	Montane Riparian
Snowy Plover	20	3	3	Wetlands
Black-chinned Hummingbird	20	2	3	Plains/Basin Riparian, Shrub-steppe
Rufous Hummingbird	20	2	3	Mid Elevation Conifer
Red-naped Sapsucker	20	3	2	Aspen
Three-toed Woodpecker	20	4	3	Mid Elevation Conifer, High Elevation Conifer
Willow Flycatcher	20	3	4	Montane Riparian, Plains/Basin Riparian
Hammond's Flycatcher	20	2	3	High Elevation Conifer with Aspen, Montane Riparian
Cordilleran Flycatcher	20	3	3	Montane Riparian, Mid Elevation Conifer
Pygmy Nuthatch	20	3	3	Low Elevation Conifer
Marsh Wren	20	3	4	Wetlands
American Dipper	20	3	3	Montane Riparian
Plumbeous Vireo	20	3	3	Mid Elevation Conifer, Low Elevation Conifer
Townsend's Warbler	20	3	3	High Elevation Conifer, Mid Elevation Conifer
Dusky Flycatcher	19	3	2	Low Elevation Conifer, Aspen, Mountain-foothills Shrub
Western Bluebird	19	3	3	Juniper Woodland, Low Elevation Conifer

Table 2. **Level II Species (Monitoring)**, continued.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Sage Thrasher	19	5	2	Shrub-steppe
Grasshopper Sparrow	19	3	5	Shortgrass Prairie, Shrub-steppe
Bobolink	19	2	3	Shortgrass Prairie, Shrub-steppe
Common Loon	18	3	3	Wetlands
Black-billed Cuckoo	18	2	3	Plains/Basin Riparian
Red-headed Woodpecker	18	2	3	Plains/Basin Riparian, Low Elevation Conifer
Yellow-billed Cuckoo	18	3	3	Plains/Basin Riparian
Eastern Screech-Owl	18	3	3	Plains/Basin Riparian
Western Screech-Owl	18	3	3	Plains/Basin Riparian
Great Gray Owl	18	3	3	Mid Elevation Conifer, High Elevation Conifer
Boreal Owl	18	3	3	High Elevation Conifer
Broad-tailed Hummingbird	18	2	2	Montane Riparian, Plains/Basin Riparian, Mid Elevation Conifer
Western Scrub-Jay ^d	18	3	3	Juniper Woodland
Loggerhead Shrike	18	3	3	Shrub-steppe
Vesper Sparrow	18	5	4	Shrub-steppe
Lark Sparrow	18	3	4	Shrub-steppe
Golden-crowned Kinglet	17	3	3	High Elevation Conifer
MacGillivray's Warbler	17	3	1	Montane Riparian, Plains/Basin Riparian
Ash-throated Flycatcher ^d	16	2	3	Juniper Woodland
Bushtit ^d	16	3	3	Juniper Woodland
Brown Creeper	16	3	3	Mid Elevation Conifer, High Elevation Conifer
Merlin	15	3	3	Low Elevation Conifer
Sprague's Pipit	n/a	n/a	n/a	Grassland, Plains/Basin Riparian, Shortgrass Prairie
Barn Owl	n/a	n/a	n/a	Shortgrass Prairie, Urban
White-faced Ibis	n/a	n/a	n/a	Wetlands, Aquatic
American Bittern	n/a	n/a	n/a	Wetlands, Aquatic
Common Tern	n/a	n/a	n/a	Wetlands, Aquatic
Purple Martin	n/a	n/a	n/a	Wetlands, Aquatic/Basin Riparian, Montane Riparian

^a From the PIF Priority Database (Carter et al. 1997).

^b AI = Area Importance (from the PIF Priority Database).

^c PT = Population Trend (from the PIF Priority Database).

^d Nicholoff, S. 2002. Wyoming Bird Conservation Plan, Version 1.1. Wyoming Partners In Flight and Wyoming Game and Fish Department, Lander. In press.

Wyoming Partners In Flight Process for Prioritizing Species

Wyoming Partners In Flight participants developed the current list of priority species based on a combination of the seven criteria in the national Partners In Flight Priority Database (Carter et al. 1997). This database serves as a defensible method of prioritizing both species and habitats in need of conservation. The criteria include Wyoming-dependent and Wyoming-independent factors. The Wyoming-independent criteria are constant over a species' range and do not vary for each species. The Wyoming-dependent criteria were the key components used to prioritize species and their conservation action needs. In the absence of any more rigorous statewide surveys, Breeding Bird Survey data dating back to 1968 were used to determine population trends in Wyoming.

Criteria

Within each criterion below, a species was given a rank score ranging from 1 to 5, with 1 being the least critical rank and 5 the most critical. Each ranked species could potentially receive a low score of 7 and a high score of 35. However, setting conservation goals based only on total score could be misleading; therefore, each total score was reviewed in conjunction with its component parts. In Wyoming, species were initially ranked using total score, area importance, and population trend.

1. Relative Abundance (RA) - The abundance of a bird, in appropriate habitat within its entire range, relative to other bird species. This criterion gives an indication of a species' vulnerability to withstand cataclysmic environmental changes. A low score would indicate a higher relative abundance, therefore reducing the risk of complete extirpation from losses in one or more regions. Higher scores indicate a lower relative abundance, thus more vulnerability to drastic losses or population changes.

2. Breeding Distribution (BD) - A relative measure of breeding range size as a proportion of North America (defined as the main body of the continent, excluding Greenland, through Panama and the islands of the Caribbean, comprising an area of 22,059,680 km² [National Geographic Society 1993]), and as such it provides an index of a species' vulnerability to random environmental events. High scores indicate localized breeding, thus a higher likelihood of serious decline from drastic environmental changes. Low scores indicate wide breeding distribution, therefore less likelihood of extirpation. Used for breeding birds only.

3. Non-breeding Distribution (ND) - A relative measure of non-breeding, or winter, range size as a proportion of North America, and as such it provides an index of a species' vulnerability to random environmental events. High scores indicate localized distribution on the non-breeding grounds. Low scores indicate wide distribution on the non-breeding grounds, therefore less likelihood of extirpation. Used for wintering birds only.

4. Threats on Breeding Grounds (TB) - The ability of a habitat in an area to support populations of a species in that area. Two factors are considered here: 1) each species' demographic and ecological vulnerability (the potential inability of a species to recover from population loss by normal reproductive effort due to low reproductive rate, high juvenile mortality, or both; and the level of ecological specialization of a species and, hence, its potential inability to withstand environmental change), and 2) habitat loss or disruption (a combination of the amount of habitat or conditions necessary for survival and reproductive success that has been lost since 1945, and the amount that is anticipated to be lost in the future). High scores indicate either a large loss of habitat or a species that is an extreme ecological specialist. Low scores

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indicate a stable or increasing habitat or a species that is an ecological generalist. Used for both breeding and wintering birds.

5. Threats on Non-breeding Grounds (TN) - Range-wide threats on non-breeding, or winter, grounds. This is scored using the same criteria as threats on breeding grounds but reflects non-breeding issues, including migratory habitat. Used for wintering birds only.

6. Population Trend (PT) - The overall population trend of each species assigned independently for each state, province, or physiographic area. This criterion must meet two thresholds, reliability and magnitude, to warrant either a very high or very low score. When possible, a score was assigned using BBS data, which incorporated a population trend uncertainty score based on the statistical validity of the BBS data (i.e. a species must be detected on a minimum of 14 BBS routes per state for population trends to have statistical significance). This criterion was chosen to alert managers to species with modest, but certain, population declines.

7. Area Importance (AI) - The abundance of a species within a state, province, or physiographic area relative to its abundance throughout its range. This criterion helps direct conservation efforts toward areas that are most important to a species' survival. Area Importance is scored locally; therefore, high scores indicate that a large proportion of the species' breeding or winter range occurs in Wyoming, or a species is using a habitat that is only available in Wyoming. Low scores indicate that a small proportion of the species' range occurs in Wyoming, or the preferred habitat is widespread across its range. Used for both breeding and wintering birds.

Priority Species

Priority bird species in Wyoming were identified from the PIF Priority Database (Carter et al. 1997) and by qualitative, informed decisions. Those species with a total score of 18 or above, Area Importance (AI) of 3 or above, and/or Population Trend (PT) of 3 or above from the database, or with a total score less than 18 but of significant local interest were identified as the highest priority species. However, as more information becomes available, the highest priority species for Wyoming may change, as this is a dynamic database that allows for updated information to be periodically inserted and reviewed. The primary habitat type or types required for breeding were identified for each species to determine the highest priority habitat types for the state.

Literature Cited

- Carter, M. F., W. C. Hunter, D. N. Pashley, J. S. Bradley, C. S. Aid, J. Price, and G. S. Butcher. 1997. Setting landbird conservation priorities for states, provinces, and physiographic areas of North America. Partners In Flight Priority Database Final Report, Colorado Bird Observatory, Brighton.
- Cerovski, A., M. Gorges, T. Byer, K. Duffy, and D. Felley. 2000. Wyoming Bird Conservation Plan, Version 1.0. Wyoming Partners In Flight, Lander, WY.
- Nicholoff, S. 2002. Wyoming Bird Conservation Plan, Version 1.1. Wyoming Partners In Flight and Wyoming Game and Fish Department, Lander. In press.

SMALL WASTEWATER FACILITY (SEPTIC TANK) PERMIT LINCOLN COUNTY, WYOMING

Revised 1/0/09

website: www.lcwy.org, Planning

J. Cash

\$50.00 FEE - New Facility
\$75.00 FEE - Replacement or Modification
\$100.00 FEE - Enhanced Septic

APPLICANT/OWNER(S)

NAME: RELR DBA ROCKY TOP ROCK
Clarence Reinhart & Genele Edwards
 ADDRESS: PO Box 3258
Alpine, Wyoming 83128
 PHONE: (307) 654-7587
 EMAIL: trctrc@silverstar.com

BUILDER/INSTALLER/REPRESENTATIVE

NAME: _____
 ADDRESS: _____
 PHONE: _____
 EMAIL: _____

ENHANCED DEALER: _____
 MAINT. AGREEMENT RECORD: BOOK _____ PAGE _____

FOR OFFICE USE ONLY	
Date Rec'd:	<u>6-15-10</u>
Date Accepted:	_____
Permit #:	<u>145 SW 10</u>
PIN #:	<u>3519-105-90-774</u>
SYSTEM STATUS:	<input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Modify <input type="checkbox"/> Replace <input type="checkbox"/> Enhanced
Physical Address:	<u>370 Pit Run</u>

PROJECT LOCATION: TOWNSHIP / RANGE / SECTION: T35 North, Range 119 West, 6th PM, Section 10

OR SUBDIVISION NAME and LOT NUMBER _____

The compliance with construction standards and operation and maintenance of the facility to meet the applicant's design are the responsibility of the applicant, owner, or operator. This permit shall become null and void two years from the issuance. A renewal may be requested prior to the expiration date of the permit. A copy of your Warranty Deed is required along with this application. Refer to Lincoln County, Wyoming Land Use Regulations (LUR) Appendix E Small Wastewater Design Standards.

INSPECTION IS REQUIRED BEFORE BACKFILLING!

I certify to the best of my knowledge, that the information and materials submitted with this application are true and correct.
OWNER'S or AUTHORIZED SIGNATURE

[Signature]
 NAME: _____ DATE: _____
 Signing this permit application authorizes county personnel the right of ingress and egress from said lands for any and all inspection purposes necessary to the exercise of this permit.

APPROVAL FOR CONSTRUCTION BY
 ADMINISTRATOR: Judy Rose DATE: 6-22-10

INSPECTION PERFORMED BY: John Woodward DATE: 6-28-10

APPROVAL BY
 ADMINISTRATOR: Judy Rose DATE: 7-15-10

If you need assistance or information contact the Planning Office at (307) 877-9056
Fax: (307) 877-6439, 520 Topaz Street Suite 109, Kemmerer, WY 83101

OR
the Planning Office at (307) 885-3106
Fax: (307) 885-3774, 421 Jefferson St. Suite 701, 61 E. 5th Ave., Afton, WY 83110



54/101

APPENDIX A

Surface and Mineral Owners
Within Permit Area

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LQD RECD
MAR 3.2011
TFW 5 4/191

1.A. SURFACE AND MINERAL OWNERS WITHIN PERMIT AREA

Attached in this section is the deed for GEGR, LLC from Bert and Ranell McNeel which acknowledges all rights surface and mineral to described property.

LOD RECD
MAR 3.2011
TFN 5 4/191

WARRANTY DEED

000228

Bert R. McNeel, Jr. and Ranell H. McNeel, Husband and Wife,
grantor(s) of **Alpine**, State of **Wyoming**, for and in consideration of Ten Dollars and Other Good and Valuable Consideration, in hand paid, receipt whereof is hereby acknowledged, do(es) Convey and Warrant To

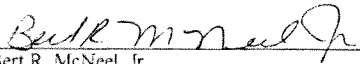
GECR, LLC, a Wyoming Limited Liability Company,
grantee(s), whose address is: 50 W Hwy 26 Alpine, WY, 83128 the following described real estate, situate in **Lincoln** County and State of **Wyoming**, to wit:

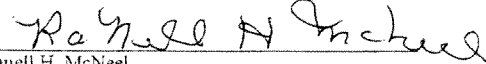
A portion of Section 10, Township 35 North, Range 119 West of the 6th P.M., Lincoln County Wyoming being more particularly described as follows:

BEGINNING at the South Quarter Corner of said Section 10 and running thence
North 00°10'02" East, 773.14 feet along the North-South Center Section line and parallel
along a fence line to a fence line extended;
thence North 88°29' 23" East, 987.66 feet along said fence line to a point on the West side of
an irrigation ditch;
thence South 34°44'19" East, 578.94 feet along the West line of said ditch to a point in line
with the North-South Center Line of the Southeast Quarter of said Section to a point in a
fence;
thence South 00°06'47" West, 331.48 feet along said fence line to the East 1/16 corner;
thence North 89°38'58" West, 1318.84 feet to the POINT OF BEGINNING.

Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming

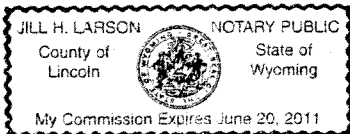
Witness my/our hand(s) this 7 day of July, 2010.

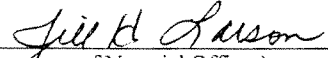

Bert R. McNeel, Jr.


Ranell H. McNeel

State of Wyoming
County of Lincoln

This Instrument was acknowledged before me on 7 day of July, 2009
By Bert R. McNeel, Jr. and Ranell H. McNeel




(Signature of Notarial Officer)

My Commission Expires:
6-20-2011

RECEIVED 7/7/2010 at 11:10 AM
RECEIVING # 954269
BOOK: 750 PAGE: 223
JEANNE WAGNER
LINCOLN COUNTY CLERK, KEMMERER, WY

LQD RECD
MAR 3, 2011
TFN 5 4/191

000853

LRWD TITLE COMP. TEL: 1-800-750-1100 JUL 17 2010 14:56:00.001 P.02

WARRANTY DEED

DELPHIA J. McNEEL, Successor Trustee, for the uses and purposes set forth in the Bert R. McNeal and Delphia J. McNeal Revocable Trust between Grantors and Trustees, dated the 26th day of April, 1993, Bert R. McNeal and Delphia J. McNeal, Beneficiaries
grantor of Afton, County of Lincoln, State of Wyoming, hereby CONVEY and WARRANT to

BERT R. McNEEL, JR. and RANELL H. McNEEL, husband and wife, as tenants by the entireties

grantee of Alpine, County of Lincoln, State of Wyoming.

for the sum of Ten dollars and other good and valuable consideration the following described tract or land in Lincoln County, State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

W&S&E of Section 10, Township 35 North, Range 119 West, 6th P.M., Lincoln County, Wyoming.

Subject to reservations and restrictions contained in the United States Patent and to easements and rights-of-way of record or in use.

Together with all improvements and appurtenances thereon.

#160
Recorded 5/24/1996 at 10:51 A.M.
in Book 38198 Page 693 Kemmerer, WY
No 825912 Marsha Moe, Clerk

WITNESS, the hand of said grantor, this 13th

day of July A.D. 1996

Signed in the presence of

Delphia J. McNeal
Delphia J. McNeal, Successor Trustee

STATE OF WYOMING

County of Lincoln

On the 13th day of July A.D. 1996 personally appeared before me Delphia J. McNeal, Successor Trustee, for the uses and purposes set forth in the Bert R. McNeal and Delphia J. McNeal Revocable Trust between Grantors and Trustees, dated the 26th day of April, 1993 the signer of the within instrument, who duly acknowledged to me that s/he executed the same.

RECORDING DATA

Entry No.

Fee \$

RECORDED INDEXED
PLATTED ABSTRACTED
COMPARSED DELIVERED

Roger T. [Signature]
Notary Public



Commission expires 1/25/2011
Residing in Afton WY

LQD RECD
MAR 3 2011
TFN 5 4/191

The Land Company

~~1-H~~
~~H-1~~

SURFACE RIGHTS HOLDERS WITHIN ½ MILE

Attached is the map as required by DEQ with all surface ownership within ½ mile of the GECR, LLC dba Rocky Top Rock Gravel Pit.

DEQ requested verification of the distance between the Klint Clark residence and the mining operation. Lincoln County Planning and Development, Jonathan Teichert verified the distance prior to the meeting with Lincoln County and from the home to the edge of the mining area was just over 1000 ft. It was also noted in the meeting that this gravel pit has been in existence many years prior to the County issuing a building permit this close to a gravel pit.

Note: The attached ownerships showing "ETAL" and Tax Exempt are included in a table at the end of this section.

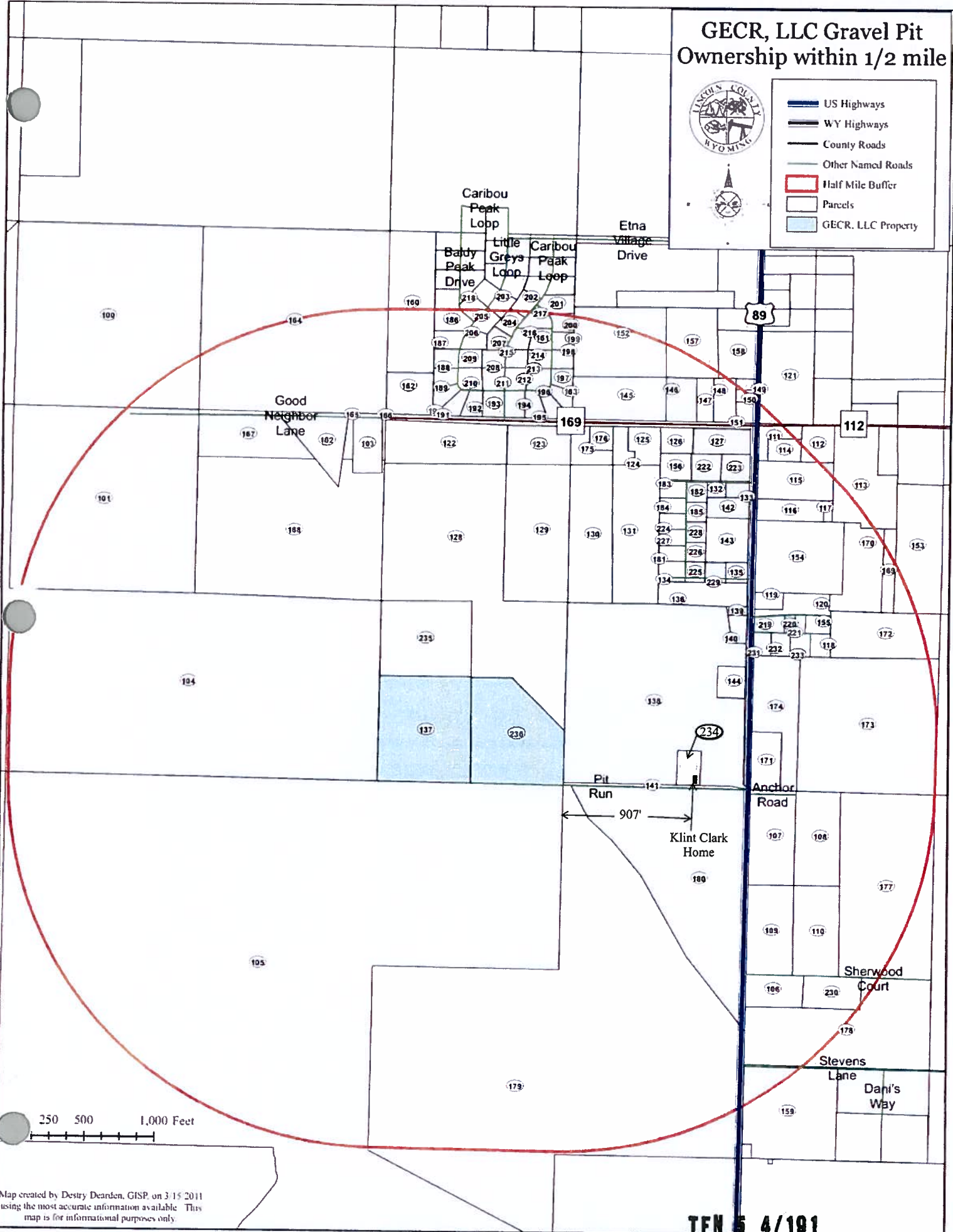
Small Mine Permit No. _____

TFN 5 4/191
RECD APR 13, 2011

GECR, LLC Gravel Pit Ownership within 1/2 mile



- US Highways
- WY Highways
- County Roads
- Other Named Roads
- Half Mile Buffer
- Parcels
- GECR, LLC Property



250 500 1,000 Feet

Map created by Destry Dearden, GISP, on 3/15/2011 using the most accurate information available. This map is for informational purposes only.

TEN 5 4/191
RECD AUG 30, 2011

OWNERSHIP	LABEL	MAILING ADDRESS
MATZ, JOANNE S & ANDREW	100	BOX 5233, ETNA, WY 831180000
OX YOKE B LLC	101	PO BOX 5053, ETNA, WY 83118
BAKER, DONALD L & CLAUDIA B	102	BOX 5015, ETNA, WY 831180000
BATEMAN, STEVEN R & BECKY D	103	BOX 5132, ETNA, WY 831180000
DEC, CARL & SUPUNSA	104	3511 S PENNY COVE, SALT LAKE CITY, UT 84115
GLASPY FAMILY TRUST	105	1424 EAST FOREST OAKS (I), FRESNO, CA 937200000
LUTZ, FREDERICK W & SHIRLEY A TRUSTEES	106	BOX 820, JACKSON, WY 830010000
TIBBITTS, DAVID ETAL	107	BOX 3695, JACKSON, WY 83001
TIBBITTS, DAVID ETAL	108	BOX 3695, JACKSON, WY 83001
TIBBITTS, DAVID ETAL	109	BOX 3695, JACKSON, WY 83001
TIBBITTS, DAVID ETAL	110	BOX 3695, JACKSON, WY 83001
KOLP, PATRICK A & SYLVIA L, TRUSTEES	111	BOX 5057, ETNA, WY 831180000
GORBUTT, NEWTON & DIONE LIV TRUST	112	BOX 4578, PAGOSA SPRGS, CO 811570000
AUSTIN DEVELOPMENT, INC	113	BOX 5211, ETNA, WY 83118
ITTNER, SUSAN C	114	PO BOX 5273, ETNA, WY 83118
SNOW PEAK PROPERTIES, LLC	115	BOX 3001, ALPINE, WY 83128
JH INVESTMENTS LLC	116	BOX 11725, JACKSON, WY 830020000
SNOW PEAK PROPERTIES, LLC	117	BOX 3001, ALPINE, WY 83128
MAVY, EMMETT & ROMINA	118	BOX 3821, ALPINE, WY 83128
KNIGHT, FLOYD & GLORIA	119	BOX 5172, ETNA, WY 831180000
COUTTS, SAMUEL F	120	1018 COTTAGE WAY, ENCINITAS, CA 920245857
LDS CHURCH REAL ESTATE DEPT.	121	50 E N TEMPLE 12TH FLOOR, SALT LAKE CITY, UT 841500000
MCNEEL GROUP, LLC	122	BOX 4374, BEDFORD, WY 83112
STADMUELLER, AUGUST & GENEAL TRUSTEES	123	BOX 5007 (I) (X), ETNA, WY 83118000C
WOLFLEY, RAYMA TRUSTEE	124	BOX 5002, ETNA, WY 831180000
GIBSON, DONALD N & LORA LEIGH	125	BOX 5229, ETNA, WY 831180000
JONES, DARLENE G	126	BOX 9706, JACKSON, WY 83002
ROBERTS, DELAINE & NELDA	127	PO BOX 5173, ETNA, WY 831180000
MCNEEL GROUP, LLC	128	BOX 4374, BEDFORD, WY 83112
STADMUELLER, AUGUST & GENEAL TRUSTEES	129	BOX 5007 (I), ETNA, WY 831180000
DAVIDSON, CAROL ANN	130	BOX 5038, ETNA, WY 83118
SEGO VENTURES, LLC	131	BOX 164, THAYNE, WY 83127
RAVER, CHAD A	132	BOX 2315, JACKSON, WY 83001
NEEB, BILL	133	BOX 5211, ETNA, WY 83118
MOTZKUS, RUSSELL & MICHELLE	134	4271 WILLOW CREEK LANE, BEDFORD, WY 83112
MOTZKUS, RUSSELL & MICHELLE	135	BOX 4246, BEDFORD, WY 831120000
GIBBONS-BUCANS, CONNIE TRUSTEE	136	107675 N HWY 89 (I), ETNA, WY 831180000
GECR, LLC	137	50 W HWY 26, ALPINE, WY 83128
CLARK, J JON & DEANNA TRUSTEES	138	BOX 5083, ETNA, WY 831180000
STAR VALLEY HISTORICAL SOCIETY	139	

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OWNERSHIP	LABEL	MAILING ADDRESS
BAKER, LLOYD B	140	BOX 210, THAYNE, WY 831270000
GLASPY FAMILY TRUST	141	1424 EAST FOREST OAKS, FRESNO, CA 937200000
HOFF, TRISTAN D & MEREDITH L	142	BOX 7939, JACKSON, WY 83002
BAGLEY, DIANE N ETAL	143	12333 SPRING LAKE ROAD, KLAMATH FALLS, OR 97603
CLARK, J JON & DEANNA TRUSTEES	144	BOX 5083, ETNA, WY 831180000
KSR 1217, LC	145	41 NORTH KEARL, GRANTSVILLE, UT 84029
LIVINGSTON, BARBARA J, ETAL TRUSTEES	146	6154 CARRIAGE HOUSE WAY, RENO, NV 89519
COOK, LINDA L.	147	BOX 5115, ETNA, WY 831185115
US BANK NATIONAL ASSOCIATION TRUSTEE	148	4828 LOOP CENTRAL DRIVE, HOUSTON, TX 77081
TAYLOR, BART W & JULIE	149	BOX 5082, ETNA, WY 831180000
BARNARD, AMBER D & CHESTER R	150	BOX 5034, ETNA, WY 83118
CARLSTON, JANICE ETAL	151	BOX 5214, ETNA, WY 831180000
KSR 1217, LC	152	41 NORTH KEARL, GRANTSVILLE, UT 84029
ETNA MEADOWS, LLC	153	3510 SHERWOOD BLVD, DELRAY BEACH, FL 33445
LINCOLN COUNTY WYOMING	154	
COUTTS, SAMUEL F	155	1018 COTTAGE WAY, ENCINITIS, CA 920245857
BURTNESS, PETER G TRUSTEE	156	BOX 359, SANTA YNEZ, CA 93460
TAYLOR, BART W & JULIE	157	BOX 5082, ETNA, WY 831180000
TAYLOR, BART W & JULIE	158	BOX 5082, ETNA, WY 831180000
STEVENS, MARK D & BECKERMAN, DANI	159	2-2935 EAST CLIFF DRIVE, SANTA CRUZ, CA 950620000
KEHR LEVY, LLC	160	BOX 1711, WILSON, WY 83014
DREAM VENTURE II, LLC	161	970 W BROADWAY, BOX 299, JACKSON, WY 83001
KEHR LEVY, LLC	162	BOX 1711, WILSON, WY 83014
DREAM VENTURE II, LLC	163	970 W BROADWAY, BOX 299, JACKSON, WY 83001
NICKER WHINNEY, LLC	164	970 W BROADWAY, BOX 291, JACKSON, WY 83001
BATEMAN, REX H & DOREEN TRUSTEE	165	BOX 5096, ETNA, WY 831180000
BATEMAN, REX H & DOREEN TRUSTEE	166	BOX 5096, ETNA, WY 831180000
BATEMAN, REX H & DOREEN TRUSTEE	167	BOX 5096, ETNA, WY 831180000
BATEMAN, REX H & DOREEN TRUSTEE	168	BOX 5096, ETNA, WY 831180000
ROBINSON, JOHN PEART III ETAL	169	GENERAL DELIVERY, ETNA, WY 831180000
SNOW PEAK PROPERTIES, LLC	170	BOX 3001, ALPINE, WY 83128
IVIE, TONY	171	107452 HWY 89, ETNA, WY 831189700
ETNA MEADOWS, LLC	172	3510 SHERWOOD BLVD, DELRAY BEACH, FL 33445
LINCOLN COUNTY SCHOOL DISTRICT #2	173	
LINCOLN COUNTY SCHOOL DISTRICT #2	174	
DAVIDSON, CAROL ANN	175	BOX 5038, ETNA, WY 83118
CLEGG, WENDY A	176	BOX 5038, ETNA, WY 83118
LANDS WEST INVESTMENT CO LLC	177	PO BOX 51156, IDAHO FALLS, ID 83405
MCFARLAND, ROBERT L & CECILIA G	178	BOX 5084, ETNA, WY 83118-0000
SILVER BAR INVESTMENTS	179	1424 EAST FOREST OAKS, FRESNO, CA 93720

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OWNERSHIP	LABEL	MAILING ADDRESS
BITTON, LEAH C TRUSTEE	180	107423 N HWY 89, ETNA, WY 831180000
SIMONET, WILLIAM ETUX	181	BOX 5393, ETNA, WY 83118
GRILL, RANDY A & JAMIE L	182	BOX 13223, JACKSON, WY 83002
MADIWAL, SASHIDHAR ETUX	183	BOX 5211, ETNA, WY 83118
SCHERBEL, KARL F & HOLLI	184	BOX 3894, ALPINE, WY 83128
MCCORMICK, AARON C & SIVANNA K	185	BOX 3333, ALPINE, WY 83128
DREAM VENTURE II, LLC	186	970 W BROADWAY, BOX 299, JACKSON, WY 83001
BAKER, WAYNE B TRUSTEE	187	BOX 110, FREEDOM, WY 83120
DREAM VENTURE II, L.L.C	188	970 W BROADWAY, BOX 299, JACKSON, WY 83001
TURNER, JOHN & LAURA	189	3955 SOUTH PARK LOOP, JACKSON, WY 83001
DREAM VENTURE II, L.L.C	190	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	191	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	192	970 W BROADWAY, BOX 299, JACKSON, WY 83001
WOLF, BRANDAN J	193	1658 SOUTH 54TH STREET, MILWAUKEE, WI 53214
SAVARESE, PAIGE	194	BOX 1111, JACKSON, WY 83001
DREAM VENTURE II, LLC	195	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	196	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	197	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	198	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	199	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	200	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	201	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	202	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	203	970 W BROADWAY, BOX 299, JACKSON, WY 83001
SAVARESE, PAIGE	204	BOX 1111, JACKSON, WY 83001
SILVER SAGE HOMES	205	BOX 621, VICTOR, ID 83455
DREAM VENTURE II, LLC	206	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	207	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	208	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	209	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	210	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	211	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	212	970 W BROADWAY, BOX 299, JACKSON, WY 83001
COY, THOMAS B	213	BOX 3626, ALPINE, WY 83128
DREAM VENTURE II, LLC	214	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	215	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	216	970 W BROADWAY, BOX 299, JACKSON, WY 83001
CLARK, JOEL S	217	BOX 6277, JACKSON, WY 83002
DREAM VENTURE II, LLC	218	970 W BROADWAY, BOX 299, JACKSON, WY 83001
COUTTS, SAMUEL F	219	1018 COTTAGE WAY, ENCINITAS, CA 920245857

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OWNERSHIP	LABEL	MAILING ADDRESS
COUTTS, SAMUEL F	220	1018 COTTAGE WAY, ENCINITAS, CA 920245857
COUTTS, SAMUEL F	221	1018 COTTAGE WAY, ENCINITAS, CA 820245857
BURTNESS, PETER G TRUSTEE	222	BOX 359, SANTA YNEZ, CA 93460
WYGEN INVESTMENTS LIMITED PARTNERSHIP	223	PO BOX 359, SANTA YNEZ, CA 93460
SCHERBEL, KARL F & HOLLI	224	BOX 3894, ALPINE, WY 83128
CUSTOM CONSTRUCTION, INC.	225	BOX 4246, BEDFORD, WY 831120000
COZIAH, MICHAEL D & SONIA S	226	BOX 771, AFTON, WY 83110
LARSON, DIANA L ETBAR	227	BOX 5393, ETNA, WY 83118
WOLFLEY ENTERPRISES, INC	228	BOX 10, FAIRVIEW, WY 83119
MOTZKUS, RUSSELL & MICHELLE	229	BOX 4246, BEDFORD, WY 831120000
LUTZ, FREDERICK W & SHIRLEY A	230	BOX 820, JACKSON, WY 83001
MAVY, EMMETT & ROMINA	231	BOX 3821, ALPINE, WY 83128
MAVY, EMMETT & ROMINA	232	BOX 3821, ALPINE, WY 83128
MAVY, EMMETT & ROMINA	233	BOX 3821, ALPINE, WY 83128
CLARK, KLINT & SIHERALEE	234	BOX 5285, ETNA, WY 83118
MCNEEL GROUP, LLC	235	BOX 4374, BEDFORD, WY 83112
GEGR, LLC	236	

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OWNERSHIP	LEGAL DESCRIPTION	TAX ID	SUBDIVISION	LOT	MAILING ADDRESS
AUSTIN DEVELOPMENT, INC	6.56 AC PT NW4SW4	35191130015300			BOX 5211, ETNA, WY 83118
BAGLEY, DIANE N ETAL	2.13 AC. PT NE4SE4	35191040019900			12333 SPRING LAKE ROAD, KLAMATH FALLS, OR 97603
BAKER, DONALD L & CLAUDIA B	1.27 AC. PT. NE4SW4	35191030021500			BOX 5015, ETNA, WY 831180000
BAKER, LLOYD B	.75 AC. PT SE4SE4	35191040016400			BOX 210, THAYNE, WY 831270000
BAKER, WAYNE B TRUSTEE	LOT 6	35191010001400	ETNA VILLAGE ESTATES SUB	6	BOX 110, FREEDOM, WY 83120
BARNARD, AMBER D & CHESTER R	.44 AC PT SE4SE4NE4	35191010017500			BOX 5034, ETNA, WY 83118
BATEMAN, REX H & DOREEN TRUSTEE	9.34 AC. NE4SW4 PT	35191030000701			BOX 5096, ETNA, WY 831180000
BATEMAN, REX H & DOREEN TRUSTEE	9.34 AC. NE4SW4 PT	35191030000701			BOX 5096, ETNA, WY 831180000
BATEMAN, REX H & DOREEN TRUSTEE	9.34 AC. NE4SW4 PT	35191030000701			BOX 5096, ETNA, WY 831180000
BATEMAN, REX H & DOREEN TRUSTEE	27.40 AC. NE4SW4 PT	35191030000700			BOX 5096, ETNA, WY 831180000
BATEMAN, STEVEN R & BECKY D	2.00 AC. PT NE4SW4	35191030042300			BOX 5132, ETNA, WY 831180000
BITTON, LEAH C TRUSTEE	24.05 AC. E2NE4 PT	35191510006000			107423 N HWY 89, ETNA, WY 831180000
BURTNESS, PETER G TRUSTEE	1.02 AC. PT NE4SE4 (TRACT 1)	35191040002800			BOX 359, SANTA YNEZ, CA 93460
BURTNESS, PETER G TRUSTEE	1.02 AC. PT NE4SE4 (TRACT 2)	35191040002900			BOX 359, SANTA YNEZ, CA 93460
CARLSTON, JANICE ETAL	.88 AC. PT SE4NE4	35191010020200			BOX 5214, ETNA, WY 831180000
CLARK, J JON & DEANNA TRUSTEES	37.07 AC. SE4SE4	35191040002400			BOX 5083, ETNA, WY 831180000
CLARK, J JON & DEANNA TRUSTEES	1.00 AC. PT SE4SE4	35191040000200			BOX 5083, ETNA, WY 831180000
CLARK, JOEL S	LOT 47	35191010005500	ETNA VILLAGE ESTATES SUB	47	BOX 6277, JACKSON, WY 83002
CLARK, KLINT & SHERALEE	1.00 AC. SE4SE4	35191040002500			BOX 5285, ETNA, WY 83118
CLEGG, WENDY A	.64 AC. PT NE4SE4	35191040024100			BOX 5038, ETNA, WY 83118
COOK, LINDA L.	.65S AC. PT SE4NE4	35191010000300			BOX 5115, ETNA, WY 83118S115
COUTTS, SAMUEL F	LOT 1	35191130019800	CIRCLE J SUBDIVISION	1	1018 COTTAGE WAY, ENCINITAS, CA 920245857
COUTTS, SAMUEL F	LOT 5	35191130019400	CIRCLE J SUBDIVISION	5	1018 COTTAGE WAY, ENCINITAS, CA 920245857
COUTTS, SAMUEL F	LOT 2	35191130019500	CIRCLE J SUBDIVISION	2	1018 COTTAGE WAY, ENCINITAS, CA 920245857
COUTTS, SAMUEL F	LOT 3	35191130019600	CIRCLE J SUBDIVISION	3	1018 COTTAGE WAY, ENCINITAS, CA 920245857
COUTTS, SAMUEL F	LOT 4	35191130019700	CIRCLE J SUBDIVISION	4	1018 COTTAGE WAY, ENCINITAS, CA 820245857
COY, THOMAS B	LOT 42	35191010005000	ETNA VILLAGE ESTATES SUB	42	BOX 3626, ALPINE, WY 83128
COZIAH, MICHAEL D & SONIA S	LOT 9	35191040016000	CLEARVIEW VILLAGE II	9	BOX 771, AFTON, WY 83110
CUSTON CONSTRUCTION, INC.	LOT 12	35191040016300	CLEARVIEW VILLAGE II	12	BOX 4246, BEDFORD, WY 831120000
DAVIDSON, CAROL ANN	8.06 AC. PT NE4SE4	35191040014700			BOX 5038, ETNA, WY 83118
DAVIDSON, CAROL ANN	1.39 AC. PT NE4SE4	35191040014701			BOX 5038, ETNA, WY 83118
DEC, CARL & SUPUNSA	80 AC.(S2SW4)	35191030011800			3511 S PENNY COVE, SALT LAKE CITY, UT 84115
DREAM VENTURE II, LLC	LOT 46	35191010005400	ETNA VILLAGE ESTATES SUB	46	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 16	35191010002400	ETNA VILLAGE ESTATES SUB	16	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 5	35191010001300	ETNA VILLAGE ESTATES SUB	5	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 7	35191010001500	ETNA VILLAGE ESTATES SUB	7	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 9	35191010001700	ETNA VILLAGE ESTATES SUB	9	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 10	35191010001800	ETNA VILLAGE ESTATES SUB	10	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 11	35191010001900	ETNA VILLAGE ESTATES SUB	11	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 14	35191010002200	ETNA VILLAGE ESTATES SUB	14	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 15	35191010002300	ETNA VILLAGE ESTATES SUB	15	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 17	35191010002500	ETNA VILLAGE ESTATES SUB	17	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 18	35191010002600	ETNA VILLAGE ESTATES SUB	18	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 19	35191010002700	ETNA VILLAGE ESTATES SUB	19	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 20	35191010002800	ETNA VILLAGE ESTATES SUB	20	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 21	35191010002900	ETNA VILLAGE ESTATES SUB	21	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 31	35191010003900	ETNA VILLAGE ESTATES SUB	31	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 32	35191010004000	ETNA VILLAGE ESTATES SUB	32	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 35	35191010004300	ETNA VILLAGE ESTATES SUB	35	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 36	35191010004400	ETNA VILLAGE ESTATES SUB	36	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 37	35191010004500	ETNA VILLAGE ESTATES SUB	37	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 38	35191010004600	ETNA VILLAGE ESTATES SUB	38	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 39	35191010004700	ETNA VILLAGE ESTATES SUB	39	970 W BROADWAY, BOX 299, JACKSON, WY 83001

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NOTE: ETAL/TAX EXEMPT - SEE LAST SHEET
 THIS SECTION.

OWNERSHIP	LEGAL DESCRIPTION	TAX ID	SUBDIVISION	LOT	MAILING ADDRESS
DREAM VENTURE II, LLC	LOT 40	35191010004800	ETNA VILLAGE ESTATES SUB	40	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 41	35191010004900	ETNA VILLAGE ESTATES SUB	41	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 43	35191010005100	ETNA VILLAGE ESTATES SUB	43	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 44	35191010005200	ETNA VILLAGE ESTATES SUB	44	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 45	35191010005300	ETNA VILLAGE ESTATES SUB	45	970 W BROADWAY, BOX 299, JACKSON, WY 83001
DREAM VENTURE II, LLC	LOT 48	35191010006600	ETNA VILLAGE ESTATES SUB	48	970 W BROADWAY, BOX 299, JACKSON, WY 83001
ETNA MEADOWS, LLC	71.50 AC. NE4SW4 PT SW4SW4 NW4SW4 SE4SW4	35191130018900			3510 SHERWOOD BLVD, DELRAY BEACH, FL 33445
ETNA MEADOWS, LLC	71.50 AC. NE4SW4 PT SW4SW4 NW4SW4 SE4SW4	35191130018900			3510 SHERWOOD BLVD, DELRAY BEACH, FL 33445
GEGR, LLC	11.97 AC. PT W2SW4SE4	35191040022700			50 W HWY 26, ALPINE, WY 83128
GEGR, LLC	10.34 AC. PT SW4SE4	35191040023100			
GIBBONS-BUCANS, CONNIE TRUSTEE	2.50 AC. PT NE4SE4	35191040000400			107675 N HWY 89 (I), ETNA, WY 831180000
GIBSON, DONALD N & LORA LEIGH	1.32 AC. PT NE4SE4	35191040022800			BOX 5229, ETNA, WY 831180000
GLASPY FAMILY TRUST	NW4NE4, NW4, E2SW4, W2SE4, E2SE4 PT	35191510016500			1424 EAST FOREST OAKS (I), FRESNO, CA 937200000
GLASPY FAMILY TRUST	.88 AC. PT SE4SE4	35191040017800			1424 EAST FOREST OAKS, FRESNO, CA 937200000
GORBUTT, NEWTON & DIONE LIV TRUST	1.43 AC PT NW4SW4	35191130033600			BOX 4578, PAGOSA SPRGS, CO 811570000
GRILL, RANDY A & JAMIE L	LOT 2	35191040026000	CLEARVIEW VILLAGE I	2	BOX 13223, JACKSON, WY 83002
HOFF, TRISTAN D & MEREDITH L	1.13 AC. PT NE4SE4	35191040022900			BOX 7939, JACKSON, WY 83002
ITTNER, SUSAN C	.81 AC. PT NW4SW4	35191130034300			PO BOX 5273, ETNA, WY 83118
IVIE, TONY	2.00 AC, PT SW4SW4	35191130006300			107452 HWY 89, ETNA, WY 831189700
JH INVESTMENTS LLC	1.66 AC. PT NW4SW4	35191130010700			BOX 11725, JACKSON, WY 830020000
JONES, DARLENE G	1.00 AC. PT NE4SE4	35191040022600			BOX 9706, JACKSON, WY 83002
KEHR LEVY, LLC	PT LOT 1	35191010014200	GOOD NEIGHBOR SUB	1	BOX 1711, WILSON, WY 83014
KEHR LEVY, LLC	PT LOT 1	35191010014201	GOOD NEIGHBOR SUB	1	BOX 1711, WILSON, WY 83014
KNIGHT, FLOYD & GLORIA	.59 AC. PT NW4SW4	35191130033700			BOX 5172, ETNA, WY 831180000
KOLP, PATRICK A & SYLVIA L, TRUSTEES	.96 AC. PT NW4SW4	35191130032900			BOX 5057, ETNA, WY 831180000
KSR 1217, LC	5.25 AC PT SE4NE4	35191010013801			41 NORTH KEARL, GRANTSVILLE, UT 84029
KSR 1217, LC	5.37 AC PT SE4NE4	35191010013800			41 NORTH KEARL, GRANTSVILLE, UT 84029
LANDS WEST INVESTMENT CO LLC	20.49 AC. NW4NW4 PT	35191420025800			PO BOX 51156, IDAHO FALLS, ID 83405
LARSON, DIANA L ETBAR	LOT 8	35191040015900	CLEARVIEW VILLAGE II	8	BOX 5393, ETNA, WY 83118
LDS CHURCH REAL ESTATE DEPT.	7.95 AC. SW4NW4 PT	35191120018901			50 E N TEMPLE 12TH FLOOR, SALT LAKE CITY, UT 841500000
LINCOLN COUNTY SCHOOL DISTRICT #2	21.39 AC. PT SW4SW4	35191130019000			
LINCOLN COUNTY SCHOOL DISTRICT #2	5.50 AC. PT SW4SW4	35191130019001			
LINCOLN COUNTY WYOMING	6.53 AC. PT NW4SW4	35191130020000			
LIVINGSTON, BARBARA J, ETAL TRUSTEES	2.00 AC PT SE4NE4	35191010009200			6154 CARRIAGE HOUSE WAY, RENO, NV 89519
LUTZ, FREDERICK W & SHIRLEY A	2.00 AC. S2NW4 PT	35191420011000			BOX 820, JACKSON, WY 83001
LUTZ, FREDERICK W & SHIRLEY A TRUSTEES	2.00 AC PT N2SW4NW4	35191420041400			BOX 820, JACKSON, WY 830010000
MADIWAL, SASHIDHAR ETUX	LOT 3	35191040026100	CLEARVIEW VILLAGE I	3	BOX 5211, ETNA, WY 83118
MATZ, JOANNE S & ANDREW	40 AC. SW4NW4	35191020011300			BOX 5233, ETNA, WY 831180000
MAVY, EMMETT & ROMINA	LOT 4	35191130034200	PARADISE VALLEY	4	BOX 3821, ALPINE, WY 83128
MAVY, EMMETT & ROMINA	LOT 1	35191130003500	PARADISE VALLEY	1	BOX 3821, ALPINE, WY 83128
MAVY, EMMETT & ROMINA	LOT 2	35191130034400	PARADISE VALLEY	2	BOX 3821, ALPINE, WY 83128
MAVY, EMMETT & ROMINA	LOT 3	35191130034500	PARADISE VALLEY	3	BOX 3821, ALPINE, WY 83128
MCCORMICK, AARON C & SIVANNA K	LOT 5	35191040026300	CLEARVIEW VILLAGE I	5	BOX 3333, ALPINE, WY 83128
MC FARLAND, ROBERT L & CECILIA G	11.97 AC. S2NW4 PT	35191420010000			BOX 5084, ETNA, WY 83118-0000
MCNEEL GROUP, LLC	4.69 AC. PT NW4SE4	35191040022401			BOX 4374, BEDFORD, WY 83112
MCNEEL GROUP, LLC	31.12 AC. PT NW4SE4, PT E2SW4SE4	35191040022400			BOX 4374, BEDFORD, WY 83112
MCNEEL GROUP, LLC	8.03 AC. PT W2SW4SE4	35191040023000			BOX 4374, BEDFORD, WY 83112
MOTZKUS, RUSSELL & MICHELLE	LOT 11	35191040016200	CLEARVIEW VILLAGE II	11	4271 WILLOW CREEK LANE, BEDFORD, WY 83112
MOTZKUS, RUSSELL & MICHELLE	LOT 14	35191040001100	CLEARVIEW VILLAGE II	14	BOX 4246, BEDFORD, WY 831120000
MOTZKUS, RUSSELL & MICHELLE	LOT 13	35191040016500	CLEARVIEW VILLAGE II	13	BOX 4246, BEDFORD, WY 831120000
NEEB, BILL	.54 AC. PT NE4SE4	35191040005300			BOX 5211, ETNA, WY 83118
NICKER WHINNEY, LLC	42.89 AC. SE4NW4	35191020008800			970 W BROADWAY, BOX 291, JACKSON, WY 83001
OX YOKE B LLC	40.00 AC NW4SW4	35190230001800			PO BOX 5053, ETNA, WY 83118

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OWNERSHIP	LEGAL DESCRIPTION	TAX ID	SUBDIVISION	LOT	MAILING ADDRESS
RAVER, CHAD A	LOT 1	35191040025900	CLEARVIEW VILLAGE I	1	BOX 2315, JACKSON, WY 83001
ROBERTS, DELAINE & NELDA	1.98 AC. PT NE4SE4	35191040012000			PO BOX 5173, ETNA, WY 831180000
ROBINSON, JOHN PEART III ETAL	1.15 AC PT NW4SW4	35191130033900			GENERAL DELIVERY, ETNA, WY 831180000
SAVARESE, PAIGE	LOT 13	35191010002100	ETNA VILLAGE ESTATES SUB	13	BOX 1111, JACKSON, WY 83001
SAVARESE, PAIGE	LOT 33	35191010004100	ETNA VILLAGE ESTATES SUB	33	BOX 1111, JACKSON, WY 83001
SCHERBEL, KARL F & HOLLI	LOT 4	35191040026200	CLEARVIEW VILLAGE I	4	BOX 3894, ALPINE, WY 83128
SCHERBEL, KARL F & HOLLI	LOT 6	35191040015700	CLEARVIEW VILLAGE II	6	BOX 3894, ALPINE, WY 83128
SEGO VENTURES, LLC	7.38 AC. PT NE4SE4	35191040000300			BOX 164, THAYNE, WY 83127
SILVER BAR INVESTMENTS	103.12 AC. NE4 PT, NW4SE4 PT	35191510026500			1424 EAST FOREST OAKS, FRESNO, CA 93720
SILVER SAGE HOMES	LOT 34	35191010006500	ETNA VILLAGE ESTATES SUB	34	BOX 621, VICTOR, ID 83455
SIMONET, WILLIAM ETUX	LOT 10	35191040016100	CLEARVIEW VILLAGE II	10	BOX 5393, ETNA, WY 83118
SNOW PEAK PROPERTIES, LLC	3.24 AC PT NW4SW4	35191130034100			BOX 3001, ALPINE, WY 83128
SNOW PEAK PROPERTIES, LLC	3.24 AC. PT NW4SW4	35191130034100			BOX 3001, ALPINE, WY 83128
SNOW PEAK PROPERTIES, LLC	5.78 AC. PT NW4SW4	35191130034000			BOX 3001, ALPINE, WY 83128
STADMUELLER, AUGUST & GENEAL TRUSTEES	2.51 AC. PT NW4SE4	35191040013901			BOX 5007 (I) (X), ETNA, WY 831180000
STADMUELLER, AUGUST & GENEAL TRUSTEES	10.40 AC. PT NW4SE4	35191040013900			BOX 5007 (I), ETNA, WY 831180000
STAR VALLEY HISTORICAL SOCIETY	.25 AC. PT SE4SE4	35191040022500			
STEVENS, MARK D & BECKERMAN, DANI	LOT 3	35191420026600	WINDY ACRES	3	2-2935 EAST CLIFF DRIVE, SANTA CRUZ, CA 950620000
TAYLOR, BART W & JULIE	2.87 AC PT SE4NE4	35191010005601			BOX 5082, ETNA, WY 831180000
TAYLOR, BART W & JULIE	5.95 AC PT SE4NE4	35191010005600			BOX 5082, ETNA, WY 831180000
TAYLOR, BART W & JULIE	2.87 AC PT SE4NE4	35191010005601			BOX 5082, ETNA, WY 831180000
TIBBITTS, DAVID ETAL	LOT 1	35191420039100			BOX 3695, JACKSON, WY 83001
TIBBITTS, DAVID ETAL	LOT 2	35191420039100			BOX 3695, JACKSON, WY 83001
TIBBITTS, DAVID ETAL	LOT 4	35191420039100			BOX 3695, JACKSON, WY 83001
TIBBITTS, DAVID ETAL	LOT 3	35191420039100			BOX 3695, JACKSON, WY 83001
TURNER, JOHN & LAURA	LOT 8	35191010001600	ETNA VILLAGE ESTATES SUB	8	3955 SOUTH PARK LOOP, JACKSON, WY 83001
US BANK NATIONAL ASSOCIATION TRUSTEE	1.18 AC PT SE4NE4	35191010025300			4828 LOOP CENTRAL DRIVE, HOUSTON, TX 77081
WOLF, BRANDAN J	LOT 12	35191010002000	ETNA VILLAGE ESTATES SUB	12	1658 SOUTH 54TH STREET, MILWAUKEE, WI 53214
WOLFLEY ENTERPRISES, INC	LOT 7	35191040015800	CLEARVIEW VILLAGE II	7	BOX 10, FAIRVIEW, WY 83119
WOLFLEY, RAYMA TRUSTEE	1.04 AC. NE4SE4	35191040000100			BOX 5002, ETNA, WY 831180000
WYGEN INVESTMENTS LIMITED PARTNERSHIP	1.03 AC. PT NE4SE4 (TRACT 3)	35191040003000			PO BOX 359, SANTA YNEZ, CA 93460

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 MAR 3.2011
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OWNERSHIPS WITHIN 1/2 MILE OF GRAVEL PIT

ETAL's & TAX EXEMPT ADDRESSES FROM PREVIOUS ADDRESS SHEET

Ownership	Mailing Address
Bagley, Diane N ETAL	See Address Previous Sheet
Fullmer, Michelle Clay	PO Box 136, Menan, ID 83434
Schwab, Lorene Hahn	PO Box 413, Thayne, WY 83127
Carlston, Janice ETAL	See Address Previous Sheet
Acosta, Enrique	PO Box 5214, Etna, WY 83118
GECR, LLC	PO Box 3258, Alpine, WY 83128
Lincoln County School District #2	PO Box 219, Afton, WY 83110
Livingston, Barbara J ETAL Trustees	6154 Carriage House Way, Reno, NV 89509
Livingston, Gregory J	50 West Liberty Street, Suite 650, Reno, NV 89501
Burton, Bartlett & Glogovac	50 West Liberty Street, Suite 650, Reno, NV 89501
Robinson, John Peart III ETAL	General Delivery, Etna, WY 83118
Hyde, Hanna	General Delivery, Etna, WY 83118
Star Valley Historical Society	PO Box 1212, Afton, WY 83110
Tibbitts, David ETAL	See Address Previous Sheet
Heigel, Stephanie	PO Box 3695, Jackson, WY 83001

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 MAR 3.2011
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APPENDIX C

Legal Tabulation of Lands
Within Permit Area

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LQD RECD
MAR 3.2011
TFN 5 4/191

WARRANTY DEED

000228

Bert R. McNeel, Jr. and Ranell H. McNeel, Husband and Wife,
grantor(s) of Alpine, State of Wyoming, for and in consideration of Ten Dollars and Other Good and Valuable
Consideration, in hand paid, receipt whereof is hereby acknowledged, do(es) Convey and Warrant To

GECR, LLC, a Wyoming Limited Liability Company,
grantee(s), whose address is: 50 W Hwy 26 Alpine, WY, 83128 the following described real estate, situate in
Lincoln County and State of Wyoming, to wit:

A portion of Section 10, Township 35 North, Range 119 West of the 6th P.M., Lincoln County Wyoming being
more particularly described as follows:

BEGINNING at the South Quarter Corner of said Section 10 and running thence
North 00°10'02" East, 773.14 feet along the North-South Center Section line and parallel
along a fence line to a fence line extended;
thence North 88°29' 23" East, 987.66 feet along said fence line to a point on the West side of
an irrigation ditch;
thence South 34°44'19" East, 578.94 feet along the West line of said ditch to a point in line
with the North-South Center Line of the Southeast Quarter of said Section to a point in a
fence;
thence South 00°06'47" West, 331.48 feet along said fence line to the East 1/16 corner;
thence North 89°38'58" West, 1318.84 feet to the POINT OF BEGINNING.

Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of
Wyoming.

Witness my/our hand(s) this 7 day of July, 2010.

Bert R. McNeel, Jr.
Bert R. McNeel, Jr.

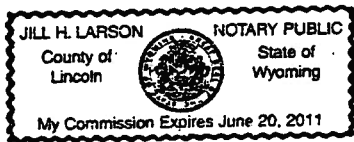
Ranell H. McNeel
Ranell H. McNeel

State of Wyoming
County of Lincoln

This Instrument was acknowledged before me on 7 day of July, 2009
By Bert R. McNeel, Jr. and Ranell H. McNeel.

Jill H. Larson
(Signature of Notarial Officer)

My Commission Expires:
6-20-2011



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BOOK: 750 PAGE: 228
JEANNE WAGNER
LINCOLN COUNTY CLERK, KEMMERER, WY

LQD RECD
MAR 3, 2011
TFN 5 4/191

\$6.00 RECORDED Feb. 22, 1994 AT 11:00 AM
 IN VOL. 345 PR. PAGE 465 LINCOLN CO. WYO.
 NO. 9008

EASEMENT

465

BRYCE C. ROBERTS AND JEANNINE C. ROBERTS, husband and wife, and A. DARWIN WOLFLEY and LOLA F. WOLFLEY, husband and wife, hereinafter referred to as grantors, for and in consideration of TEN DOLLARS and other valuable consideration, in hand paid, receipt of which is hereby acknowledged, grant and convey to the BERT R. MCNEEL and DELPHIA J. MCNEEL TRUST hereinafter referred to as Grantees, the following described perpetual right-of-way easement for the following purposes and under the following conditions:

1. Purpose of Easement. This easement shall be for the purpose of providing ingress and egress to the property described in paragraph 2.
2. Property Benefited by Easement. This easement shall be for the benefit of the following described property:

The Southwest quarter of the Southeast quarter (SW1/4SE1) of Section 10, Township 35 North, Range 119 West of the 6th P. M., Wyoming.

3. Description of Easement.

The South 29 feet of the Southeast quarter of the Southeast quarter (SE1/4SE1) of Section 10, Township 35 North, Range 119 West of the 6th P. M., Wyoming.

4. Binding Effect. The terms and conditions of this easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties named in this instrument.

Dated: February 11, 1994.

Bryce C. Roberts

 BRYCE C. ROBERTS

Jeannine C. Roberts

 JEANNINE C. ROBERTS

A. Darwin Wolfley

 A. DARWIN WOLFLEY

Lola F. Wolfley

 LOLA F. WOLFLEY

STATE OF WYOMING)
) SS.
 COUNTY OF LINCOLN)

The foregoing instrument was acknowledged before me by Bryce C. Roberts and Jeannine C. Roberts, husband and wife, and A. Darwin Wolfley and Lola F. Wolfley, husband and wife, this 11 day of February, 1994.

Witness my hand and official seal.

My Commission Expires:

9-14-96



Tracy Merrett

 NOTARY PUBLIC

LOG RECD
 MAR 3, 2011
 TFM 5 4/191

A PARCEL OF LAND LOCATED IN THE SW ¼ SE ¼ QUARTER OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 119 EAST OF THE 6TH PM, LINCOLN COUNTY WYOMING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS S89°38'58"E 50.00 FEET AND N0°10'02"E 50.22 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION AND RUNNING THENCE N00°10'02"E 724.54 FEET; THENCE N88°29'23"E 865.91 FEET; THENCE S34°44'19"E 599.41 FEET; THENCE S0°06'47"W 282.40 FEET; THENCE N89°38'58"W 583.80 FEET; N54°09'01"W 123.04 FEET TO A POINT OF CURVE HAVING A RADIUS OF 60.00 FEET THENCE ALONG SAID CURVE TO THE RIGHT 55.81 FEET THROUGH A CENTRAL ANGLE OF 53°17'30" 53.82 FEET; THENCE N0°51'37"W 60.27 FEET; THENCE N88°29'18"W 147.60 FEET; THENCE S01°30'42"W 162.09 FEET; THENCE N89°38'58"W 347.63 FEET TO THE POINT OF BEGINNING, CONTAINING 18 ACRES.



EAGLE ROCK ENGINEERING
 CIVIL & PLANNING SURVEYING
 IDAHO LICENSE (2018) 542-2665 KENTUCKY (2008) 359-2665



DESIGNED BY:	PAUL J. SNARR
DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO.	10041
SCALE:	1:300
DATE:	FEBRUARY 2, 2011
REVISION:	FEBRUARY 2, 2011
CAD NAME:	WYOMING BASE DWG

OFFICES AT:
 1331 Fremont Ave.
 Idaho Falls, Idaho
 83402

310 N 2nd East, Suite
 153 Rexburg, Idaho
 83440

ATTENTION
 THIS DOCUMENT DESIGN OR ANY PART THEREOF IN DETAIL OR CONCEPT IS THE PROPERTY OF EAGLE ROCK ENGINEERING, AND SHALL NOT BE COPIED IN ANY FORM WITHOUT THE WRITTEN AUTHORIZATION OF EAGLE ROCK ENGINEERING.

MINING BOUNDARY MAP
 18 ACRES
 QD RECD
 MAR 3.2011
 PREPARED BY: JEN 5 4/191
 GECR L.L.C.
 DBA ROCKY TOP ROCK GRAVEL PIT

GENERAL MAP 8

EASEMENTS

Easements of Lands Within Permit Area

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

Note: DEQ had a note in the review that asked about ditch easements. GECR, LLC dba Rocky Top Rock owns 22.2 acres along the Baker Heap Ditch. This is also confirmed with an e-mail attached in the Section 1-F Permits from Other Agencies. A letter was written to the Baker Heap Irrigation Company and could not be sent because there is not an organized irrigation company. This section is clarified by numerous phone conversations with various users and with Jade Henderson with the State Engineers Office Board of Control.

LOU RECD
MAR 3.2011
TFN 5 4/191

AGREEMENT AND UNDERGROUND UTILITY EASEMENT

THIS AGREEMENT made between Bert R McNeel Jr and Ranell H McNeel, husband and wife, of the County of Lincoln, State of Wyoming, (hereinafter called GRANTOR), and Lower Valley Energy, Inc., and Silver Star Telephone Company, Inc, both parties being Public Utility Companies (herein after called GRANTEE). The parties agree as follows:

RECITALS

The GRANTOR owns certain real property located within the County of Lincoln, State of Wyoming.

The GRANTEE are owners of Public Utility Companies providing electrical power and telephone services.

The GRANTEE desires to receive a twenty (20) foot underground utility easement across the real property owned by the GRANTOR.

The GRANTOR desires to have use of electrical power and telephone service to their property provided by the GRANTEE.

The parties desire to enter into an agreement for the easement and items set forth above.

SECTION ONE AGREEMENT OF PARTIES

The GRANTORS hereby agree to grant to the GRANTEES a twenty (20) foot non-exclusive underground utility easement across their herein described real property. In return, the GRANTEES specifically agree to provide electrical power and telephone service to the property upon payment of normal and customary charges. The easement and those items described in this paragraph, in addition to the mutual promises of the parties, shall serve as consideration for this agreement and easement.

SECTION TWO IDENTIFICATION OF BURDENED PROPERTY

The real property owned by the GRANTOR, whose property shall be burdened by the underground utility easement is described in Book 387, Page 693 of the official records of the Lincoln County Clerk for the County of Lincoln, State of Wyoming and in the attached Exhibit A, attached hereto and made part of this document by reference and incorporation.

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BOOK: 749 PAGE: 847

JEANNE WAGNER

LINCOLN COUNTY CLERK, KEMMERER, WY

PAGE 1 OF 6
BOWERS LAW FIRM, PC

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MAR 3.2011
TFN 5 4/191

SECTION THREE
CONVEYANCE OF EASEMENT

600848

In consideration of the easement and those items set forth above, another valuable consideration to them paid, GRANTORS hereby grant and convey to the GRANTEES, its successors and assigns forever, a non-exclusive easement for the construction, repair, maintenance, operation, and inspection of underground utilities, lines and appurtenances, the location of said easement being described as follows:

The West 20 feet and a portion of the South 20 feet of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Quit Claim Deed Instrument No. 825812 of Section 10, Township 35 North, Range 119 West, 6th P.M., Lincoln County, Wyoming, more particularly described as follows:

Beginning at the South Quarter Corner of Section 10, Township 35 North, Range 119 West, 6th P.M., Lincoln County, Wyoming and running thence N.00°10'02"E. 1313.65 feet along the North-South Center Section line; thence S.89°51'35"E. 20.00 feet; thence S.00°10'02"W. 1293.72 feet; thence S.89°38'58"E. 461.27 feet parallel with the South line of said Section; thence N.00°08'24"E. 120.20 feet to a building; thence S.89°38'58"E. 20.00 feet along said building; thence S.00°08'24"W. 74.93 feet; thence S.89°38'58"E. 48.71 feet to a building; thence S.00°08'24"W. 20.00 feet along said building; thence N.89°38'58"W. 48.71 feet; thence S.00°08'24"W. 45.27 feet to a point on the South line of said Section; thence N.89°38'58"W. 501.28 feet along said South Section line to the Point of Beginning, containing 0.902 acres.

SECTION FOUR
CONSTRUCTION AND MAINTENANCE

The GRANTEE shall have a right-of-way to enter and inspect the underground utilities, lines, and appurtenances.

SECTION FIVE
TITLE OF PARTIES

The GRANTORS expressly represent that they are the owners of the described real property and have the legal right to grant to the GRANTEE the easement as described in this Agreement. GRANTEES expressly represent that they are the owners of Wyoming Public Utility Companies and are authorized to provide Electric Power and Telephone Services.

LQD RECD
MAR 3.2011
TFN 5 4/191

SECTION SIX
USE OF EASEMENT

000849

Both parties shall have unlimited private and commercial use of the herein described easement for any use that they feel is appropriate, providing however, that Grantee's use shall be that of underground utilities, lines, and appurtenances.

SECTION SEVEN
EASEMENT TO RUN WITH LAND

This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of the parties to this agreement, their respective heirs, successors, or assigns.

SECTION EIGHT
INDEMNITY

Each of the parties agrees to indemnify and hold the other harmless from and against any and all liability for personal injury or property damage when such injury or damage shall result from, arise out of, or be attributable to any use, maintenance or repair undertaken by either party.

SECTION NINE
NOTICES

Any notice provided for or concerning this agreement shall be in writing and be deemed sufficiently given when sent by certified or registered mail if sent to the respective address of each party as set forth at the beginning of this agreement.

SECTION TEN
GOVERNING LAW

It is agreed that this agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Wyoming.

SECTION ELEVEN
ENTIRE AGREEMENT

This agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this agreement shall not be binding upon either party except to the extent incorporated in this agreement.

SECTION TWELVE
MODIFICATION OF AGREEMENT

Any modification of this agreement or additional obligation assumed by either

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MAR 3.2011
TFN 5 4/191

party in connection with this agreement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

SECTION THIRTEEN
NO WAIVER

The failure of either party to this agreement to insist upon the performance of any of the terms and conditions of this agreement, or the waiver of any breach of any of the terms and conditions of this agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect, as if no such forbearance or waiver had occurred.

SECTION FOURTEEN
WAIVER OF HOMESTEAD RIGHTS

The Grantor hereby waives and releases all right to the described easement under and by virtue of the homestead exemption laws of the state of Wyoming to the extent that such rights may interfere with the purposes of this easement.

SECTION FIFTEEN
PARAGRAPH HEADINGS

The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

In witness whereof, each party to this agreement has caused it to be executed on the date indicated below the provisions of this agreement.

DATED this 17 day of June, 2010.

GRANTOR:

Bert R McNeel Jr and Ranell H McNeel, husband and wife

Bert R McNeel
Bert R. McNeel

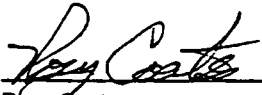
Ranell H McNeel
Ranell H. McNeel

GRANTEE:

Lower Valley Energy, Inc., and Silver Star Telephone Company, Inc



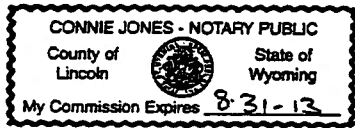
Kim Tippetts
Lower Valley Energy, Inc.



Rory Coates
Silver Star Telephone Company, inc

STATE OF WYOMING)
) SS.
COUNTY OF LINCOLN)

On this 17th day of June, in the year of 2010, before me the undersigned notary public, personally appeared Bert R McNeel Jr and Ranell H McNeel, husband and wife, personally known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




NOTARY PUBLIC

My Commission Expires: Aug 31, 2013

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MAR 3 2011
TFN 5 4/191

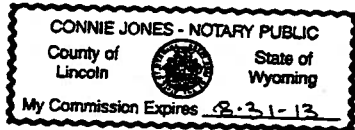
STATE OF WYOMING
COUNTY OF LINCOLN

)
) SS.
)

00852

The foregoing instrument was acknowledged before me by Kim Tippetts who personally appeared and was personally known to me, and after being duly sworn and upon their oath, represented that they are employees of Lower Valley Energy Inc., that the instrument was signed on behalf of Lower Valley Energy Inc., by the authority of the Board of Directors and that they executed the foregoing instrument on behalf of Lower Valley Energy Inc., and that this instrument was the free act and deed of Lower Valley Energy Inc., this 23 day of ^{June} ~~May~~, 2010.

WITNESS my hand and official seal.



Connie Jones
NOTARY PUBLIC

My Commission Expires: Aug 31, 2013

STATE OF WYOMING
COUNTY OF LINCOLN

)
) SS.
)

The foregoing instrument was acknowledged before me by Rory Coates who personally appeared and was personally known to me, and after being duly sworn and upon their oath, represented that they are employees of Silver Star Telephone Company Inc., that the instrument was signed on behalf of Silver Star Telephone Company Inc., by the authority of the Board of Directors and that they executed the foregoing instrument on behalf of Silver Star Telephone Company Inc., and that this instrument was the free act and deed of Silver Star Telephone Company Inc., this 28 day of ^{June} ~~May~~, 2010.

WITNESS my hand and official seal.



Connie Jones
NOTARY PUBLIC

My Commission Expires: Aug 31, 2013

LOD RECD
MAR 3.2011
TFN 5 4/191

000853

LRND TITLE COMP.

TEL: 701.755.0010

JUL 11 20 14:56:00.001 P.04

WARRANTY DEED

DELPHIA J. McNEEL, Successor Trustee, for the uses and purposes set forth in the Bert R. McNeel and Delphia J. McNeel Revocable Trust between Grantors and Trustees, dated the 26th day of April, 1993, Bert R. McNeel and Delphia J. McNeel, Beneficiaries grantor of Afton, County of Lincoln, State of Wyoming, hereby CONVEY and WARRANT to _____, State of Wyoming, hereby

BERT R. McNEEL, JR. and RANELL H. McNEEL, husband and wife, as tenants by the entireties

grantee of Alpine, County of Lincoln, State of Wyoming.

for the sum of Ten dollars and other good and valuable consideration the following described tract of land in Lincoln County, State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

W^{1/2}S^{1/2}E^{1/2} of Section 10, Township 35 North, Range 119 West, 6th P.M., Lincoln County, Wyoming.

Subject to reservations and restrictions contained in the United States Patent and to easements and rights-of-way of record or in use.

Together with all improvements and appurtenances thereon.

Recorded 5/4/1996 at 10:58 A.M.
 in Book 3878 Page 693 Kemmerer, WY
 No. 825812 Marsha Moe, Clerk

WITNESS, the hand of said grantor, this 18th

day of July A.D. 1996

Signed in the presence of

Delphia J. McNeel
 Delphia J. McNeel, Successor Trustee

STATE OF WYOMING }
 County of Lincoln } ss.
 On the 18th day of July A.D. 1996 personally appeared before me Delphia J. McNeel, Successor Trustee, for the uses and purposes set forth in the Bert R. McNeel and Delphia J. McNeel Revocable Trust between Grantors and Trustees, dated the 26th day of April, 1993 the signer of the within instrument, who duly acknowledged to me that s/he executed the same.

RECORDING DATA
 Entry No. Fee \$
 RECORDED INDEXED
 PLATTED ABSTRACTED
 COMPARED DELIVERED



Roger G. [Signature]
 Notary Public
 Commission expires 1-22-2005
 Residing in AFTON, WY

LCD RECD
 MAR 3.2011
 TFW 5 4/191

The Land _____ mpany

AGREEMENT AND UNDERGROUND UTILITY EASEMENT

THIS AGREEMENT made between The McNeel Group LLC, a Wyoming Close Limited Liability Company, c/o Betty Jo Goodman and W. Lloyd McNeel, of the County of Lincoln, State of Wyoming, (hereinafter called GRANTOR), and Lower Valley Energy, Inc., and Silver Star Telephone Company, Inc, both parties being Public Utility Companies (herein after called GRANTEE). The parties agree as follows:

RECITALS

The GRANTOR owns certain real property located within the County of Lincoln, State of Wyoming.

The GRANTEE are owners of Public Utility Companies providing electrical power and telephone services.

The GRANTEE desires to receive a twenty (20) foot underground utility easement across the real property owned by the GRANTOR.

The GRANTOR desires to have use of electrical power and telephone service to their property provided by the GRANTEE.

The parties desire to enter into an agreement for the easement and items set forth above.

**SECTION ONE
AGREEMENT OF PARTIES**

The GRANTORS hereby agree to grant to the GRANTEES a twenty (20) foot non-exclusive underground utility easement across their herein described real property. In return, the GRANTEES specifically agree to provide electrical power and telephone service to the property upon payment of normal and customary charges. The easement and those items described in this paragraph, in addition to the mutual promises of the parties, shall serve as consideration for this agreement and easement.

**SECTION TWO
IDENTIFICATION OF BURDENED PROPERTY**

The real property owned by the GRANTOR, whose property shall be burdened by the underground utility easement is described in Book 671, Page 310 and 311 of the official records of the Lincoln County Clerk for the County of Lincoln, State of Wyoming and in the attached Exhibit A, attached hereto and made part of this document by reference and incorporation.

RECEIVED 6/30/2010 at 11:46 AM
RECEIVING # 954175
BOOK: 749 PAGE: 854
JEANNE WAGNER

PAGE 1 OF 7 LINCOLN COUNTY CLERK, KEMMERER, WY
BOWERS LAW FIRM, PC

LQD RECD
MAR 3.2011
TFN 5 4/191

SECTION THREE
CONVEYANCE OF EASEMENT

000855

In consideration of the easement and those items set forth above, another valuable consideration to them paid, GRANTORS hereby grant and convey to the GRANTEES, its successors and assigns forever, a non-exclusive easement for the construction, repair, maintenance, operation, and inspection of underground utilities, lines and appurtenances, the location of said easement being described as follows:

The West 20 feet of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Quit Claim Deed
Instrument No. 932882 of Section 10, Township 35 North, Range
119 West, 6th P.M., Lincoln County, Wyoming, more particularly
described as follows:

Beginning at a point that is N.00°10'02"E. 1313.65 feet along the
North-South Center Section line from the South Quarter Corner of
Section 10, Township 35 North, Range 119 West, 6th P.M., Lincoln
County, Wyoming and running thence N.00°09'14"E. 1330.31 feet
along said Center Section line parallel to a fence line to the Center
of said Section; thence S.89°43'22"E. 20.00 feet; thence
S.00°09'14"W. 1330.26 feet; thence N.89°51'35"W. 20.00 feet to
the Point of Beginning, containing 0.611 acres.

SECTION FOUR
CONSTRUCTION AND MAINTENANCE

The GRANTEE shall have a right-of-way to enter and inspect the underground utilities, lines, and appurtenances.

SECTION FIVE
TITLE OF PARTIES

The GRANTORS expressly represent that they are the owners of the described real property and have the legal right to grant to the GRANTEE the easement as described in this Agreement. GRANTEES expressly represent that they are the owners of Wyoming Public Utility Companies and are authorized to provide Electric Power and Telephone Services.

SECTION SIX
USE OF EASEMENT

Both parties shall have unlimited private and commercial use of the herein described easement for any use that they feel is appropriate, providing however, that Grantee's use shall be that of underground utilities, lines and appurtenances.

LGD RECD
MAR 3.2011
TFN 5 4/191

SECTION SEVEN
EASEMENT TO RUN WITH LAND

This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of the parties to this agreement, their respective heirs, successors, or assigns.

SECTION EIGHT
INDEMNITY

Each of the parties agrees to indemnify and hold the other harmless from and against any and all liability for personal injury or property damage when such injury or damage shall result from, arise out of, or be attributable to any use, maintenance or repair undertaken by either party.

SECTION NINE
NOTICES

Any notice provided for or concerning this agreement shall be in writing and be deemed sufficiently given when sent by certified or registered mail if sent to the respective address of each party as set forth at the beginning of this agreement.

SECTION TEN
GOVERNING LAW

It is agreed that this agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Wyoming.

SECTION ELEVEN
ENTIRE AGREEMENT

This agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this agreement shall not be binding upon either party except to the extent incorporated in this agreement.

SECTION TWELVE
MODIFICATION OF AGREEMENT

Any modification of this agreement or additional obligation assumed by either party in connection with this agreement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

SECTION THIRTEEN
NO WAIVER

The failure of either party to this agreement to insist upon the performance of any

of the terms and conditions of this agreement, or the waiver of any breach of any of the terms and conditions of this agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect, as if no such forbearance or waiver had occurred.

SECTION FOURTEEN
WAIVER OF HOMESTEAD RIGHTS

The Grantor hereby waives and releases all right to the described easement under and by virtue of the homestead exemption laws of the state of Wyoming to the extent that such rights may interfere with the purposes of this easement.

SECTION FIFTEEN
PARAGRAPH HEADINGS

The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

In witness whereof, each party to this agreement has caused it to be executed on the date indicated below the provisions of this agreement.

DATED this 17 day of June, 2010.

GRANTOR:

The McNeel Group LLC, a Wyoming Close Limited Liability Company, c/o Betty Jo Goodman and W. Lloyd McNeel

Betty Jo Goodman

Betty Jo Goodman Member
The McNeel Group

W. Lloyd McNeel

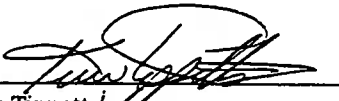
W. Lloyd McNeel Member
The McNeel Group

LGD RECD
MAR 3 2011
TFN 5 4/191

GRANTEE:

000858

Lower Valley Energy, Inc., and Silver Star Telephone Company, Inc



Kim Tippetts
Lower Valley Energy, Inc.



Rory Coates
Silver Star Telephone Company, inc

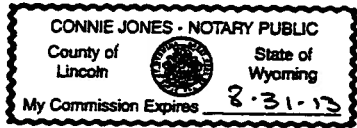
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LOD RECD
MAR 3.2011
TFN 5 4/191

STATE OF WYOMING)
) SS.
COUNTY OF LINCOLN)

The foregoing instrument was acknowledged before me by Betty Jo Goodman, who appeared before me and was personally known to me, and was by whom duly sworn and upon oath represented that she was a member of The McNeel Group LLC, that the instrument was signed on behalf of The McNeel Group LLC, by the authority of the board of directors or trustees thereof, acknowledged the instrument to be the free act and deed of The McNeel Group LLC this 17th day of June, 2010.

WITNESS my hand and official seal.



Connie Jones
NOTARY PUBLIC

My Commission Expires: Aug 31, 2013

STATE OF WYOMING)
) SS.
COUNTY OF LINCOLN)

The foregoing instrument was acknowledged before me by W. Lloyd McNeel, who appeared before me and was personally known to me, and was by whom duly sworn and upon oath represented that he was a member of The McNeel Group LLC, that the instrument was signed on behalf of The McNeel Group LLC, by the authority of the board of directors or trustees thereof, acknowledged the instrument to be the free act and deed of The McNeel Group LLC this 17th day of June, 2010.

WITNESS my hand and official seal.



Connie Jones
NOTARY PUBLIC

My Commission Expires: Aug 31, 2013

LQD REC'D
MAR 3, 2011
TFN 5 4/191

STATE OF WYOMING)
) SS.
COUNTY OF LINCOLN)

The foregoing instrument was acknowledged before me by Kim Tippetts who personally appeared and was personally known to me, and after being duly sworn and upon their oath, represented that they are employees of Lower Valley Energy Inc., that the instrument was signed on behalf of Lower Valley Energy Inc., by the authority of the Board of Directors and that they executed the foregoing instrument on behalf of Lower Valley Energy Inc., and that this instrument was the free act and deed of Lower Valley Energy Inc., this 23 day of ~~May~~ ^{June}, 2010.

WITNESS my hand and official seal.



Connie Jones
NOTARY PUBLIC

My Commission Expires: Aug 31, 2013

STATE OF WYOMING)
) SS.
COUNTY OF LINCOLN)

The foregoing instrument was acknowledged before me by Rory Coates who personally appeared and was personally known to me, and after being duly sworn and upon their oath, represented that they are employees of Silver Star Telephone Company Inc., that the instrument was signed on behalf of Silver Star Telephone Company Inc., by the authority of the Board of Directors and that they executed the foregoing instrument on behalf of Silver Star Telephone Company Inc., and that this instrument was the free act and deed of Silver Star Telephone Company Inc., this 28th day of ~~May~~ ^{June}, 2010.

WITNESS my hand and official seal.



Connie Jones
NOTARY PUBLIC

My Commission Expires: Aug 31, 2013

LOD RECD
MAR 3.2011
TFN 5 4/191

RECEIVED 9/6/2007 at 9:22 AM

RECEIVING # 932882

BOOK: 671 PAGE: 310

JEANNE WAGNER

LINCOLN COUNTY CLERK, KEMMERER, WY

QUITCLAIM DEED

000861

000310

KNOW ALL MEN BY THESE PRESENTS, That Betty Jo Goodman, Jane Leeper, William Lloyd McNeel, and Pamela Hentschel, of Bedford, Lincoln County, Wyoming, grantors, in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is acknowledged, convey and quitclaim unto McNeel Group LLC, a Wyoming Close Limited Liability Company, grantee, of c/o Betty Jo Goodman, PO Box 4374, Bedford, WY 83112, forever, all such right, title, interest, property, possession, claim and demand as they have or ought to have, in or to all the following described premises, in the County of Lincoln, State of Wyoming, to-wit:

The property described in that certain Quitclaim Deed dated April 26, 1993, and recorded in the office of the Lincoln County Clerk on April 28, 1993, in Book 327 PR, page 664, more particularly described as follows:

SW1/4SE1/4 and the West 27 acres of the NW1/4SE1/4 (also and otherwise described as: Beginning at the center of said Section 10, and running thence East 54 rods; thence South 80 rods; thence West 54 rods; thence North 80 rods, to place of beginning), all in Section 10, T35N, R119W of the 6th P.M.; together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, and more particularly those water rights through the East Side Canal under appropriation of 8/8/1904, those water rights through the East Side Canal 1st Enl. Pine Tree Ditch under appropriation of 8/8/1904, and those water rights through the Baker & Heap Ditch under Appropriation of 9/8/1913.

35
19
10

LESS and EXCEPT the property described in that certain Warranty Deed dated July 18, 1996, and recorded in the office of the Lincoln County Clerk on September 4, 1996, in Book 387 PR, page 693, more particularly described as follows:

W1/2SW1/4SE1/4 of Section 10, T35N, R119W of the 6th P.M., Lincoln County, Wyoming.

EXCEPTING and RESERVING unto Delphia J. McNeel for her life, all rights concerning the portion of the above-described property consisting of the residence and related outbuildings on approximately 1 acre of land, including without limitation, the sole use, control, benefit, and right to possession and all rents and profits therefrom. Upon the death of Delphia J. McNeel, the grantees shall take title to the described real property subject to this life estate in fee simple absolute.

Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming.

LGD RECD
MAR 3 2011
TFM 5 4/191

DATED as of this 16 day of October, 2006.

000311

Betty Jo Goodman
Betty Jo Goodman

Jane M. Leeper
Jane Leeper

William Lloyd McNeel
William Lloyd McNeel

Pamela Hentschel
Pamela Hentschel

STATE OF WYOMING :
: ss.
COUNTY OF LINCOLN :

The foregoing Quitclaim Deed was acknowledged before me by Betty Jo Goodman this 28th day of ~~October~~, 2006.

November

Witness my hand and official seal.



Gerald L. Goulding
NOTARY PUBLIC

My commission expires: May 2, 2007.

STATE OF ARIZONA :
: ss.
COUNTY OF MARICOPA :

The foregoing Quitclaim Deed was acknowledged before me by Jane Leeper this 16th day of October, 2006.

Witness my hand and official seal.



OFFICIAL SEAL
LISA M. CASCADEN
NOTARY PUBLIC
PINAL COUNTY, ARIZONA
MY COMMISSION EXPIRES AUGUST 17, 2009

Lisa M. Cascaden
NOTARY PUBLIC

My commission expires: August 17, 2009.

LGD RECD
MAR 3 2011
TFN 5 4/191

STATE OF WYOMING :
: ss.
COUNTY OF Sweetwater

000312

The foregoing Quitclaim Deed was acknowledged before me by William Lloyd McNeel this 18 day of July, 2007.

Witness my hand and official seal.

Linda K. Beauchamp
NOTARY PUBLIC

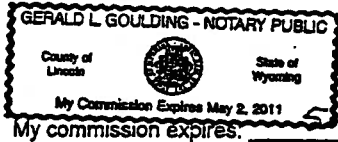
My commission expires November 9, 2008

STATE OF ~~ARIZONA~~ WYOMING :
: ss.
COUNTY OF LINCOLN



The foregoing Quitclaim Deed was acknowledged before me by Pamela Hentschel this 18th day of June, 2007.

Witness my hand and official seal.



Gerald L. Goulding
NOTARY PUBLIC

My commission expires 5-2-2011

LQD RECD
MAR 3.2011
TFN 5 4/191

MAPS

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

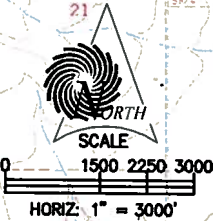
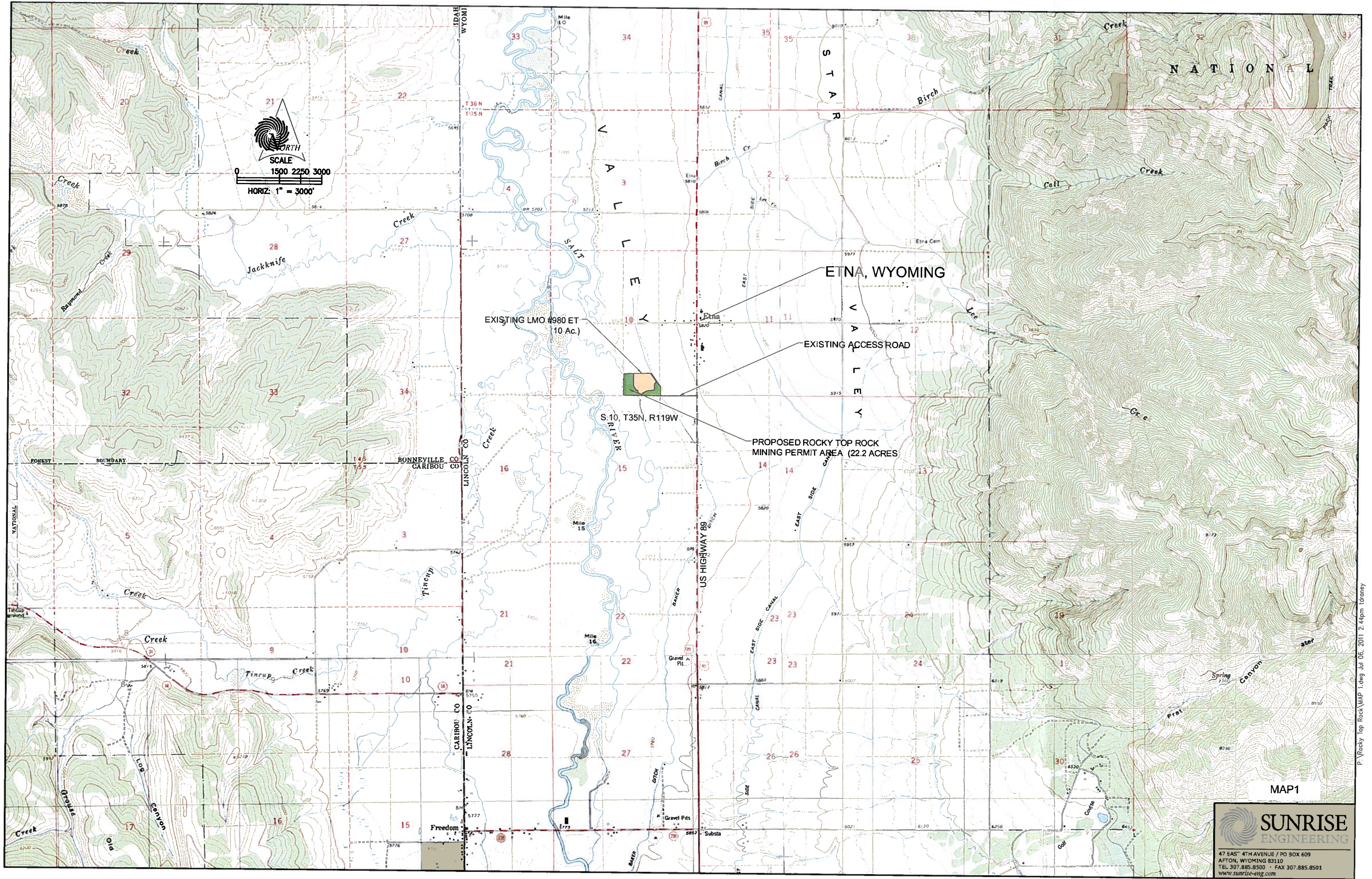
GENERAL MAPS

- 1-Project Vicinity Map
- 2-Mining and Buffer Area Map
- 3-Utility Map 1
- 4-Utility Map 2
- 5-Contour Map Current Conditions
- 6-Soil Test Hole Location Map
- 7-Boundary Map Total 22.2 Acres
- 8-Boundary Map Total 22.2 Acres with Aerial
- 9-Topographic Maps with Proposed Permit Area (4 Maps)

MINING & RECLAMATION MAPS

- 1-Mine Map 1 – Mining Sequence Map
- 2-Mine Map 2 – Mine Plan Sequence Map Top Soil and Staging Areas
- 3-Reclamation Map 1 – Reclamation Area Map

TEN 5 4/191
RECD APR 13, 2011



ETINA, WYOMING

EXISTING LMO #980 ET
(10 Ac.)

EXISTING ACCESS ROAD

PROPOSED ROCKY TOP ROCK
MINING PERMIT AREA (22.2 ACRES)

S-10, T35N, R119W

US HIGHWAY 89

NATIONAL

MAP1

SUNRISE ENGINEERING

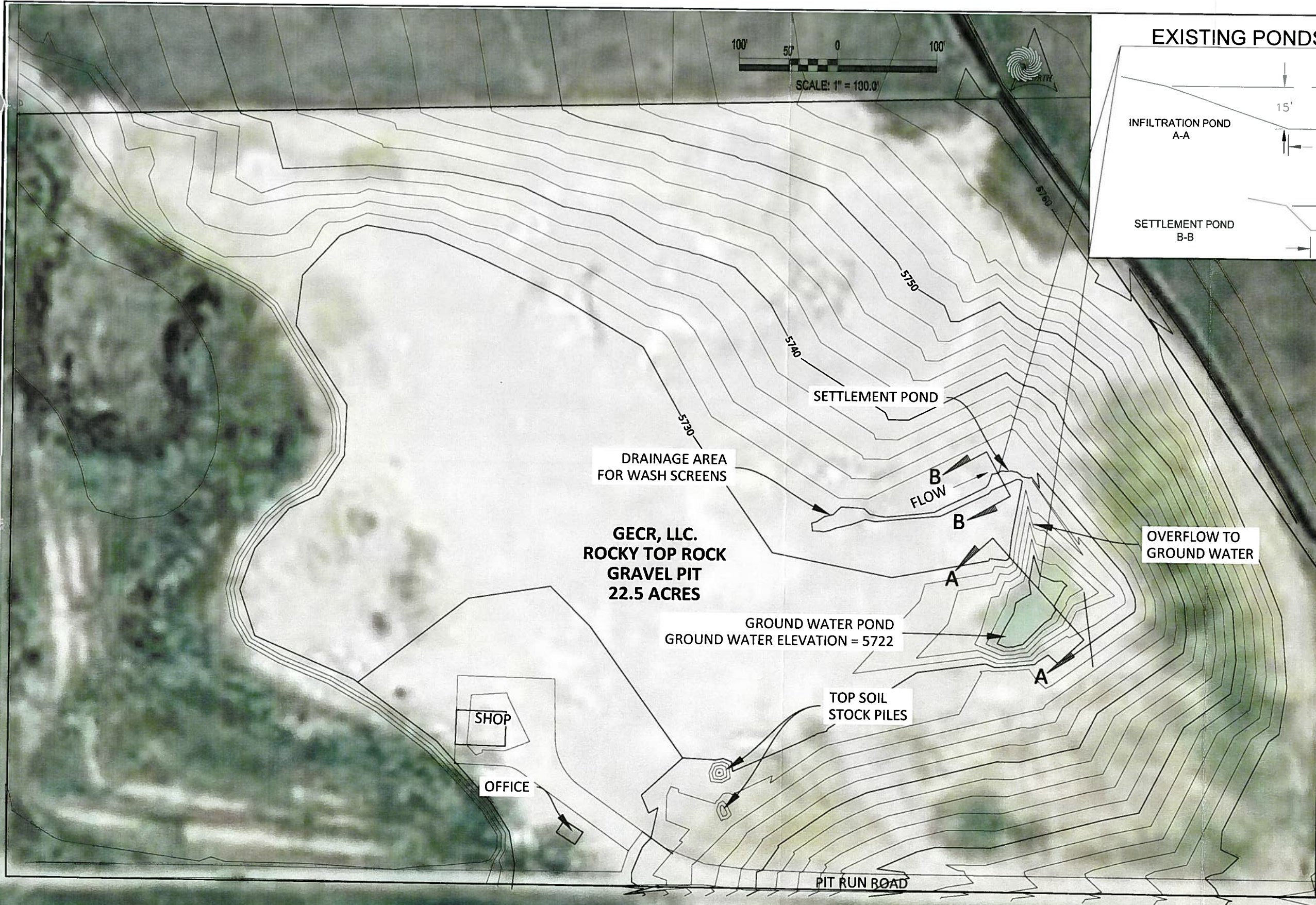
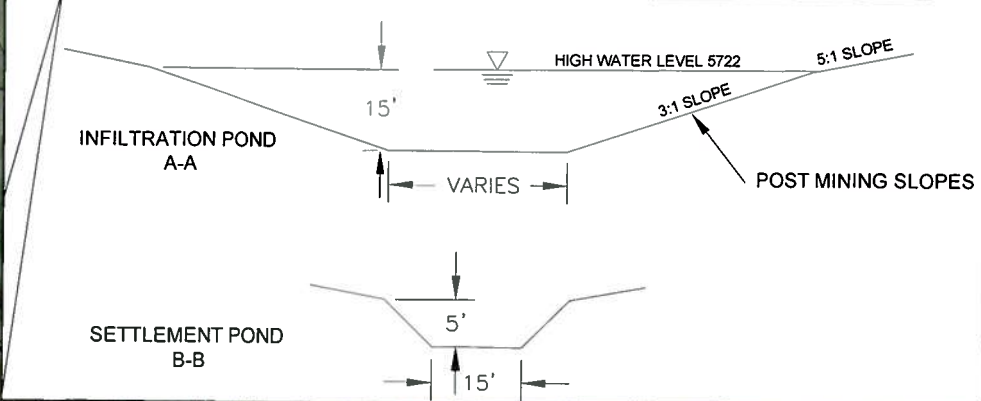
47 EAST 4TH AVENUE / PO BOX 609
 ALTON, WYOMING 83110
 TEL 307.885.8500 • FAX 307.885.8501
 www.sunrise-eng.com

TFN 5 4/191

P:\Rocky Top Rock\MAP 1.dwg Jul 06, 2011 2:44pm Idarany




EXISTING PONDS CROSS SECTIONS



OVERFLOW TO GROUND WATER

REV. NO.	COMMENT	DATE



SUNRISE ENGINEERING
 47 EAST 4TH AVENUE
 AFTON, WYOMING 83110
 TEL 307.885.8500 · FAX 307.885.8501
 www.sunrise-eng.com

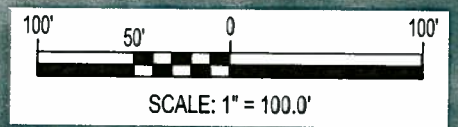
GECR, LLC


ROCKY TOP ROCK EXISTING CONTOUR MAP

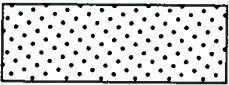
REV. NO.	DESIGNED	DRAWN	CHECKED	SHEET NO.	GENERAL
00000	CR	TLD	XXX	of 000	MAP 5

P:\Rocky Top Rock\CAD\Map 5.dwg Aug 16, 2011 2:52pm croiney

SEE SOIL INFORMATION TAB



 BUFFER AREA

 MINING AREA

EAGLE ROCK ENGINEERING
 CIVIL & PLANNING SURVEYING
 IDAHO 11/15/2018 512-2665 RIVINGTON, IDAHO 83405



DESIGNED BY:	PAUL J. SNARR
DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO.:	10041
SCALE:	1:100
DATE:	NOVEMBER 4, 2010
REVISION:	JANUARY 26, 2011
CAD NAME:	WYOMING BASE.DWG

OFFICES AT:
 1331 Fremont Ave.
 Idaho Falls, Idaho 83402

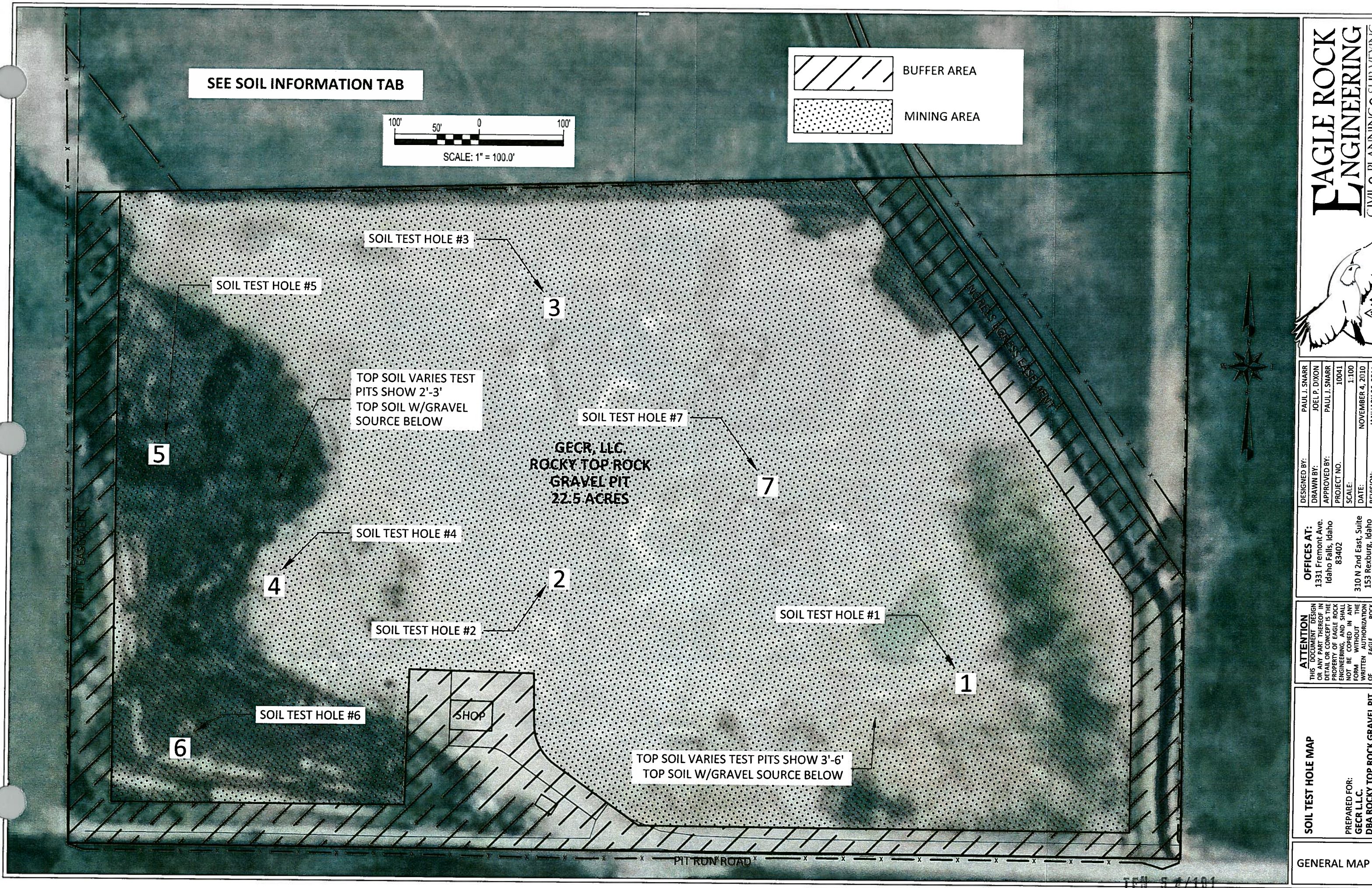
310 N 2nd East, Suite
 153 Rexburg, Idaho 83440

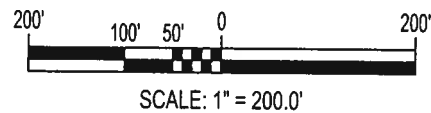
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SOIL TEST HOLE MAP

PREPARED FOR:
 GEGR L.L.C.
 DBA ROCKY TOP ROCK GRAVEL PIT

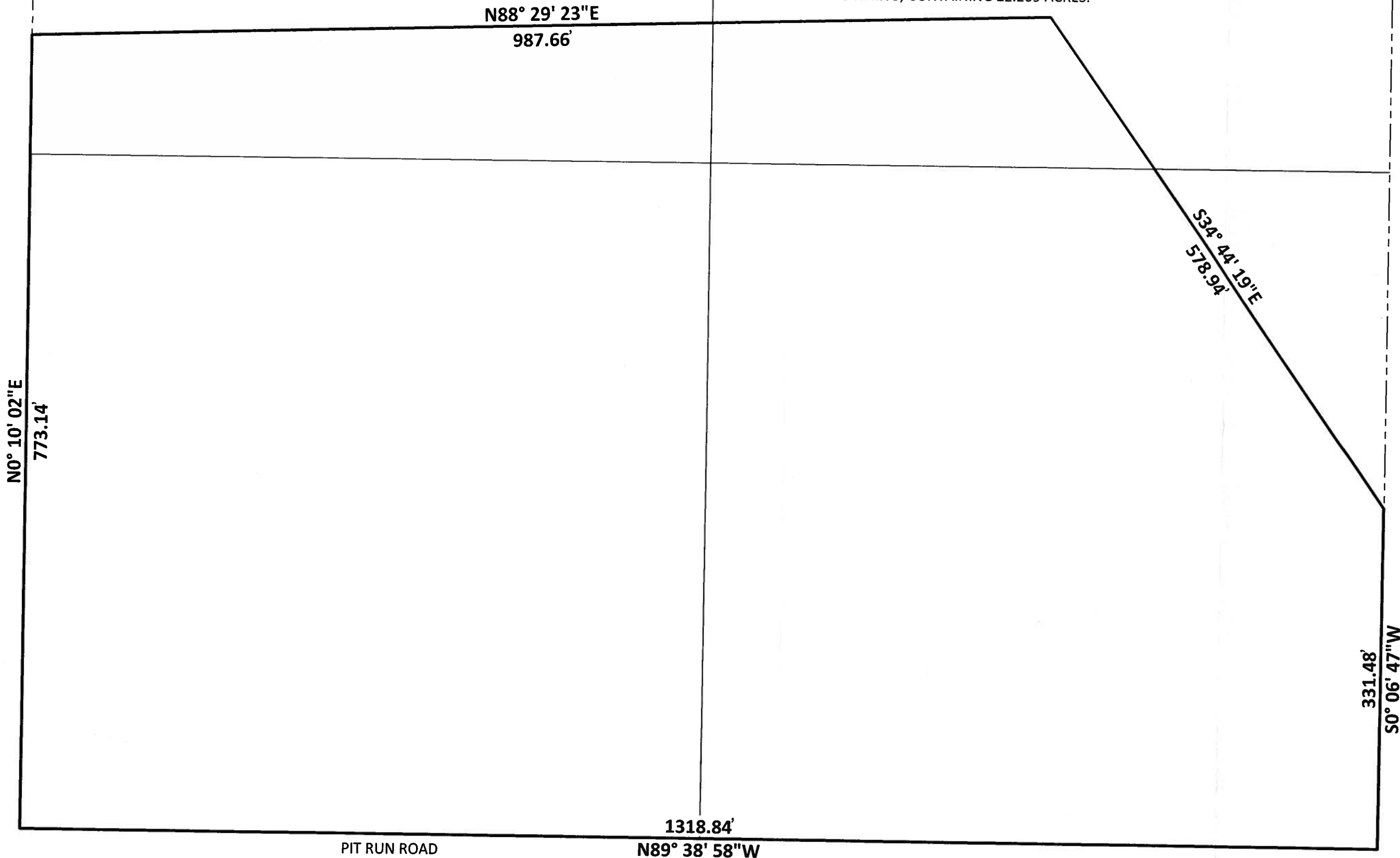
GENERAL MAP 6





BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 119 WEST, 6TH P.M., LINCOLN COUNTY, WYOMING AND RUNNING THENCE N.00°10'02"E. 773.14 FEET ALONG THE NORTH-SOUTH CENTER SECTION LINE AND PARALLEL ALONG A FENCE LINE TO A FENCE LINE EXTENDED; THENCE N.88°29'23"E. 987.66 FEET ALONG SAID FENCE LINE TO A POINT ON THE WEST SIDE OF AN IRRIGATION DITCH; THENCE S.34°44'19"E. 578.94 FEET ALONG THE WEST LINE OF SAID DITCH TO A POINT IN LINE WITH THE NORTH-SOUTH CENTER LINE OF THE SOUTHEAST ¼ OF SAID SECTION TO A POINT IN A FENCE; THENCE S.00°06'47"W. 331.48 FEET ALONG SAID FENCE LINE TO THE EAST 1/16 CORNER; THENCE N.89°38'58"W. 1318.84 FEET TO THE POINT OF BEGINNING, CONTAINING 22.209 ACRES.



EAGLE ROCK ENGINEERING
 CIVIL & PLANNING SURVEYING
 IDAHO FALLS (208) 512-2665
 RENO (775) 459-2665



DESIGNED BY:	PAUL J. SNARR
DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO.	10041
SCALE:	1:100
DATE:	JANUARY 27, 2011
REVISION:	JANUARY 27, 2011
CAD NAME:	WYOMING BASE.DWG

OFFICES AT:
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 Idaho Falls, Idaho
 83402

310 N 2nd East, Suite
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 83440

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BOUNDARY MAP

PREPARED FOR:
 GECR L.L.C.
 DBA ROCKY TOP ROCK GRAVEL PIT

GENERAL MAP 7

TFN 54/101



BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 119 WEST, 6TH P.M., LINCOLN COUNTY, WYOMING AND RUNNING THENCE N.00°10'02"E. 773.14 FEET ALONG THE NORTH-SOUTH CENTER SECTION LINE AND PARALLEL ALONG A FENCE LINE TO A FENCE LINE EXTENDED; THENCE N.88°29'23"E. 987.66 FEET ALONG SAID FENCE LINE TO A POINT ON THE WEST SIDE OF AN IRRIGATION DITCH; THENCE S.34°44'19"E. 578.94 FEET ALONG THE WEST LINE OF SAID DITCH TO A POINT IN LINE WITH THE NORTH-SOUTH CENTER LINE OF THE SOUTHEAST ¼ OF SAID SECTION TO A POINT IN A FENCE; THENCE S.00°06'47"W. 331.48 FEET ALONG SAID FENCE LINE TO THE EAST 1/16 CORNER; THENCE N.89°38'58"W. 1318.84 FEET TO THE POINT OF BEGINNING, CONTAINING 22.209 ACRES.



DESIGNED BY:	PAUL J. SWARR
DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SWARR
PROJECT NO.	10041
SCALE:	1:100
DATE:	APRIL 6, 2011
REVISION:	N/A
CAD NAME:	WYOMING BASE.DWG

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BOUNDARY MAP
 WITH AERIAL

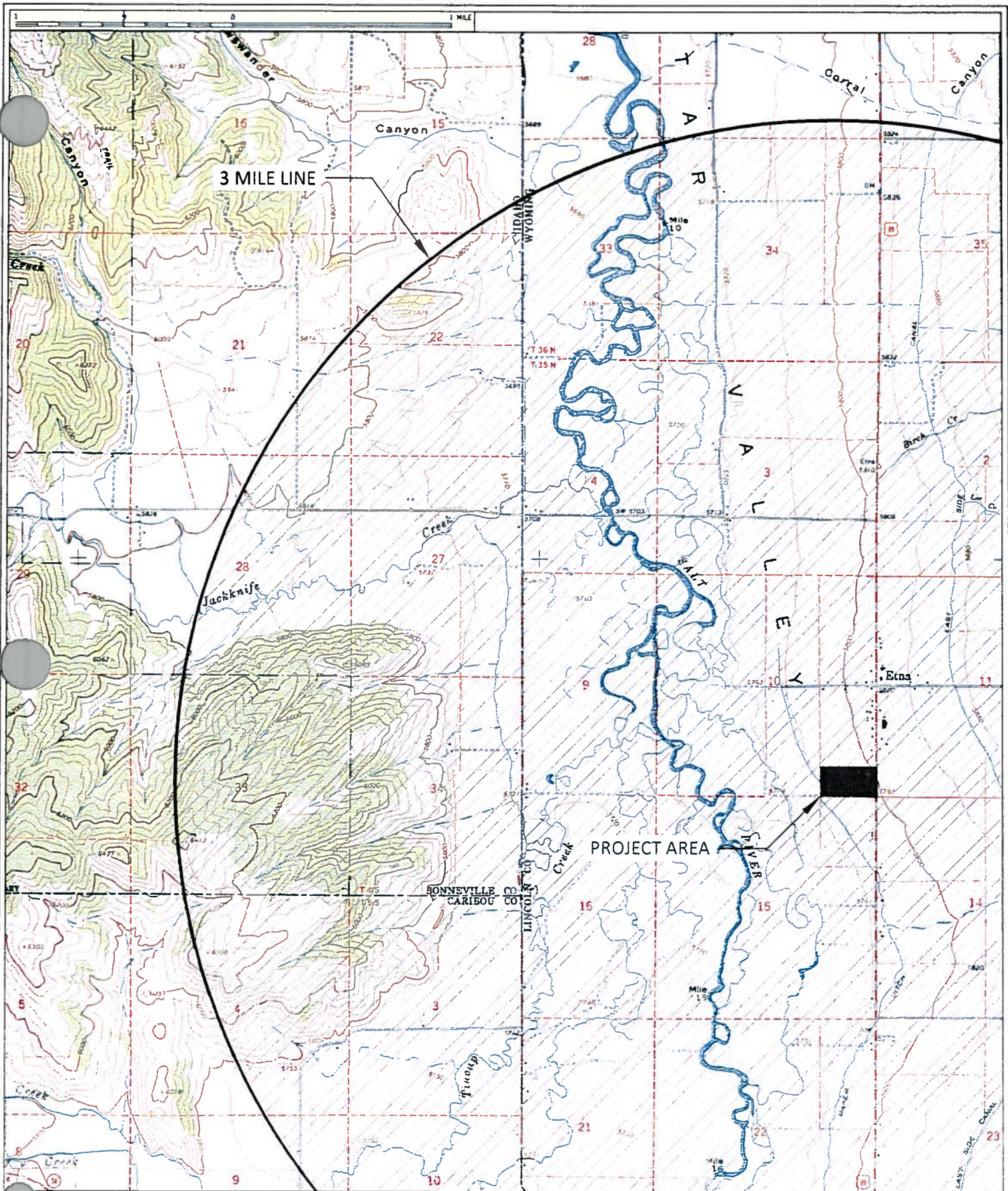
PREPARED FOR:
 GEGR L.L.C.
 DBA ROCKY TOP ROCK GRAVEL PIT

GENERAL MAP 8

EAGLE ROCK ENGINEERING
 CIVIL & PLANNING SURVEYING
 IDAHO FALLS, IDAHO 83402
 PHONE: 208-512-2665
 FAX: 208-512-2665

PIT RUN ROAD

APR 11 10 51 AM '11



OFFICES AT:
 1331 Fremont Ave
 Idaho Falls, Idaho 33402
 310 N 2nd East, Suite 153
 Rexburg, Idaho 83440

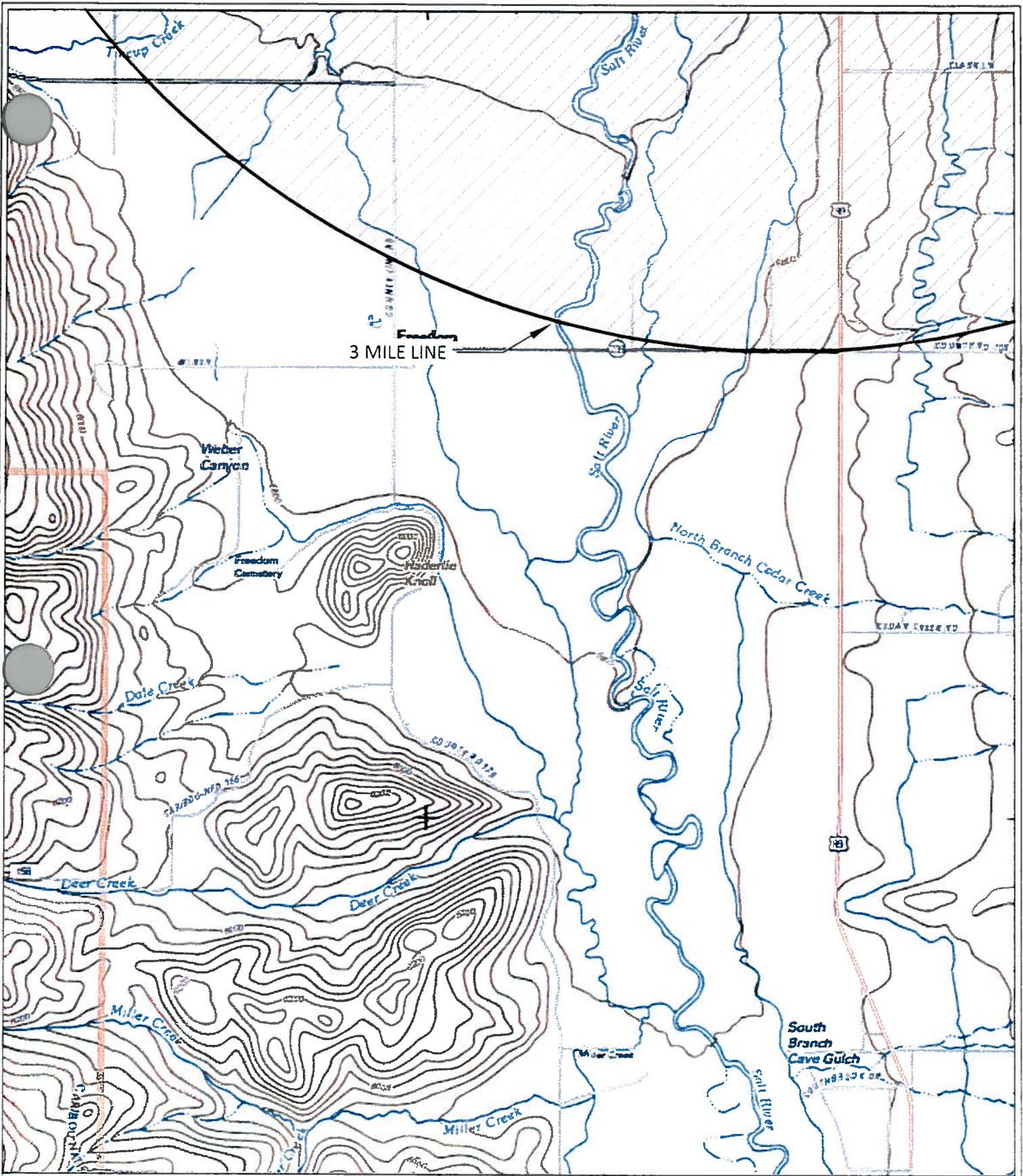
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DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO.:	10052
SCALE:	SEE GRAPHIC SCALE
DATE:	MARCH, 2011
REVISION:	N/A
CAD NAME:	USGS MAPS.DWG



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TEL 547191 REMBURG, ID 83440-2605

REC'D APR 13, 2011



3 MILE LINE

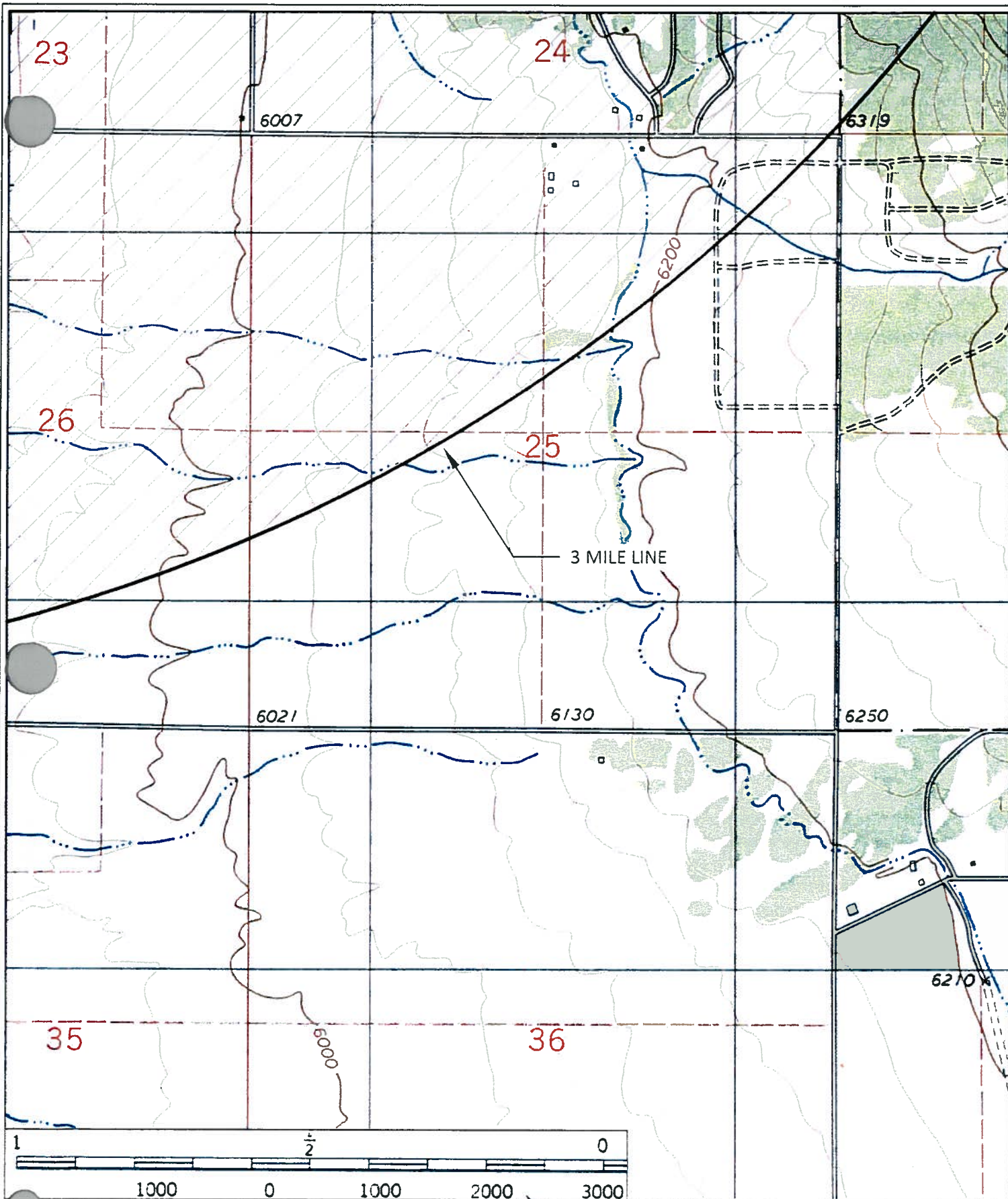


OFFICES AT:
 1331 Fremont Ave.
 Idaho Falls, Idaho 33402
 310 N 2nd East, Suite 153
 Rexburg, Idaho 33440

TITLE:	USGS MAP #2
DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO.	10052
SCALE:	SEE GRAPHIC SCALE
DATE:	MARCH, 2011
REVISION:	N/A
CAD NAME:	USGS MAPS.DWG



EAGLE ROCK ENGINEERING
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 TEL: 208-359-2655
 FAX: 208-359-2655
 REC'D APR 13, 2011



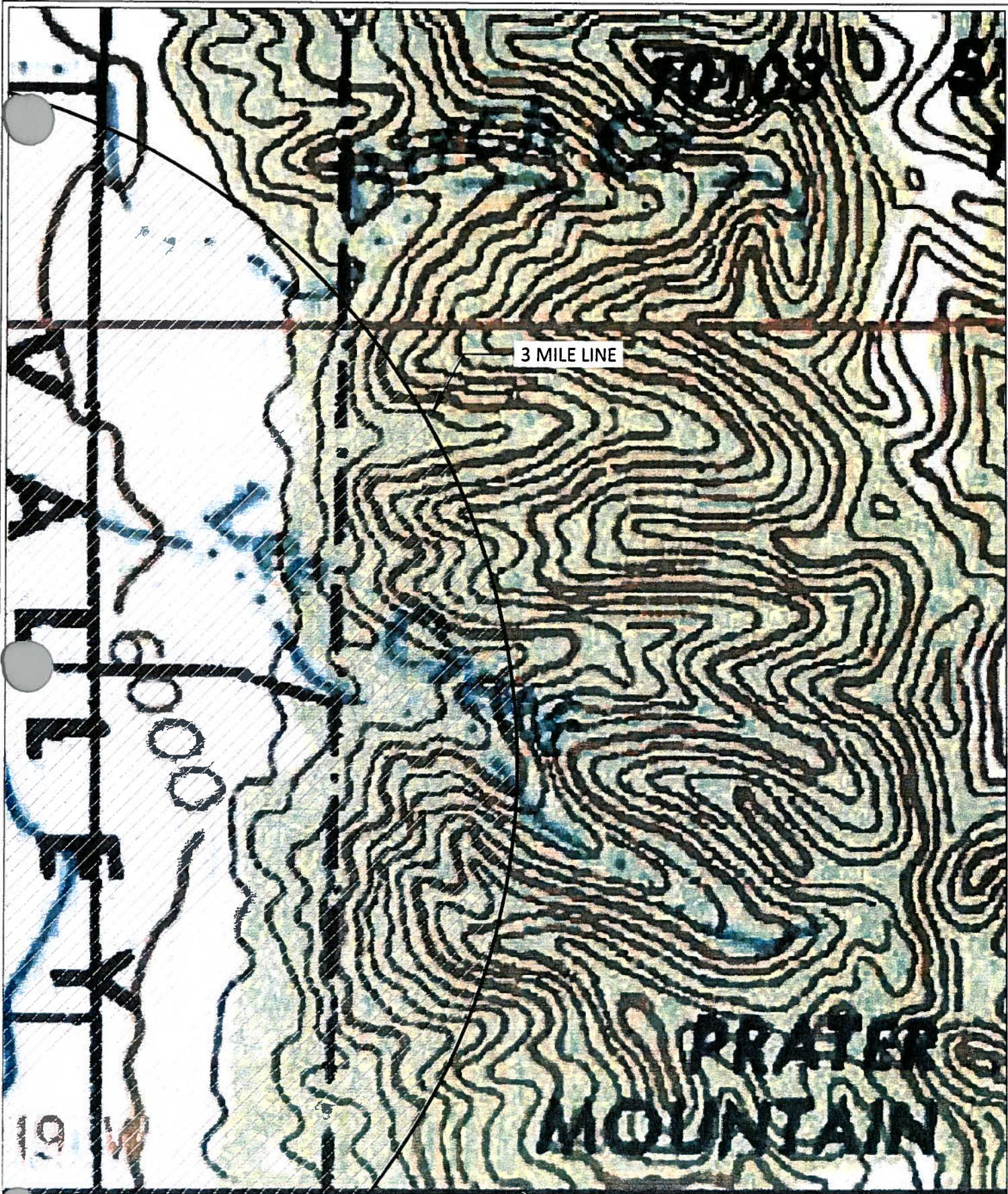
OFFICES AT:
 1331 Fremont Ave.
 Idaho Falls, Idaho 33402
 310 N 2nd East, Suite 153
 Rexburg, Idaho 33440

TITLE:	USGS MAP #3
DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO:	10052
SCALE:	SEE GRAPHIC SCALE
DATE:	MARCH, 2011
REVISION:	N/A
CAD NAME:	USGS MAPS.DWG



EAGLE ROCK
ENGINEERING
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 IDAHO FALLS, IDAHO 33402 REXBURG, IDAHO 33420

TELEPHONE 541/101
 DECEMBER 13, 2011



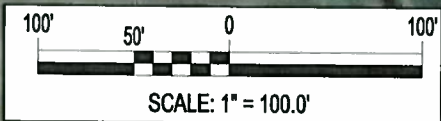
OFFICES AT:
 1331 Fremont Ave.
 Idaho Falls, Idaho 83402
 310 N 2nd East, Suite 153
 Rexburg, Idaho 83440

TITLE:	USGS MAP #1
DRAWN BY:	JOEL P DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO.	10052
SCALE:	NTS
DATE:	MARCH, 2011
REVISION:	N/A
CAD NAME:	USGS MAPS.DWG



EAGLE ROCK
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 REGD APR 13, 2011

NOTES:
 1. MINING AREA SEQUENCE MAY CHANGE. ESTIMATE ONLY



MINE AREA #2

POTENTIAL WETLANDS
 AREA
 NOT TO BE MINED


MINING AREA #1
 (CURRENT 10 ACRE PARCEL)

MINE AREA #2

SHOP

OFFICE

PIT RUN ROAD

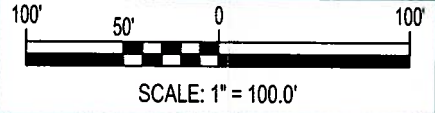
REV NO.	COMMENT	DATE			
 SUNRISE ENGINEERING 47 EAST 4TH AVENUE AFTON, WYOMING 83110 TEL 307.885.8500 • FAX 307.885.8501 www.sunrise-eng.com					
GECR, LLC ROCKY TOP ROCK MINING AREA MAP 1					
SEI NO. 00000	DESIGNED CR	DRAWN TLD	CHECKED XXX	SHEET NO. of 000	MINE MAP 1

TFN 5 4/191

P:\Rocky Top Rock\CAD\Mine Map 1.dwg Aug 16, 2011 2:53pm craine

NOTES:

- 1. THIS PIT HAS BEEN MINED FOR MANY YEARS AND TOP SOIL HAS BEEN STRIPPED IN MOST AREAS.
- 2. SEQUENCE OF TOP SOIL STRIPPING IS AN ESTIMATE ONLY.
- 3. TOP SOIL STOCKPILE AREAS WILL LIKELY BE MOVED AS NEEDED.



EAGLE ROCK ENGINEERING
 CIVIL & PLANNING & SURVEYING
 IDAHO FALLS, IDAHO 83402
 TEL: 208-542-2665 FAX: 208-542-2665

DESIGNED BY:	PAUL J. SNARR
DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO.:	10041
SCALE:	1:100
DATE:	JANUARY 27, 2011
REVISION:	APRIL 6, 2011
CAD NAME:	WYOMING BASE.DWG

OFFICES AT:
 1331 Fremont Ave.
 Idaho Falls, Idaho
 83402

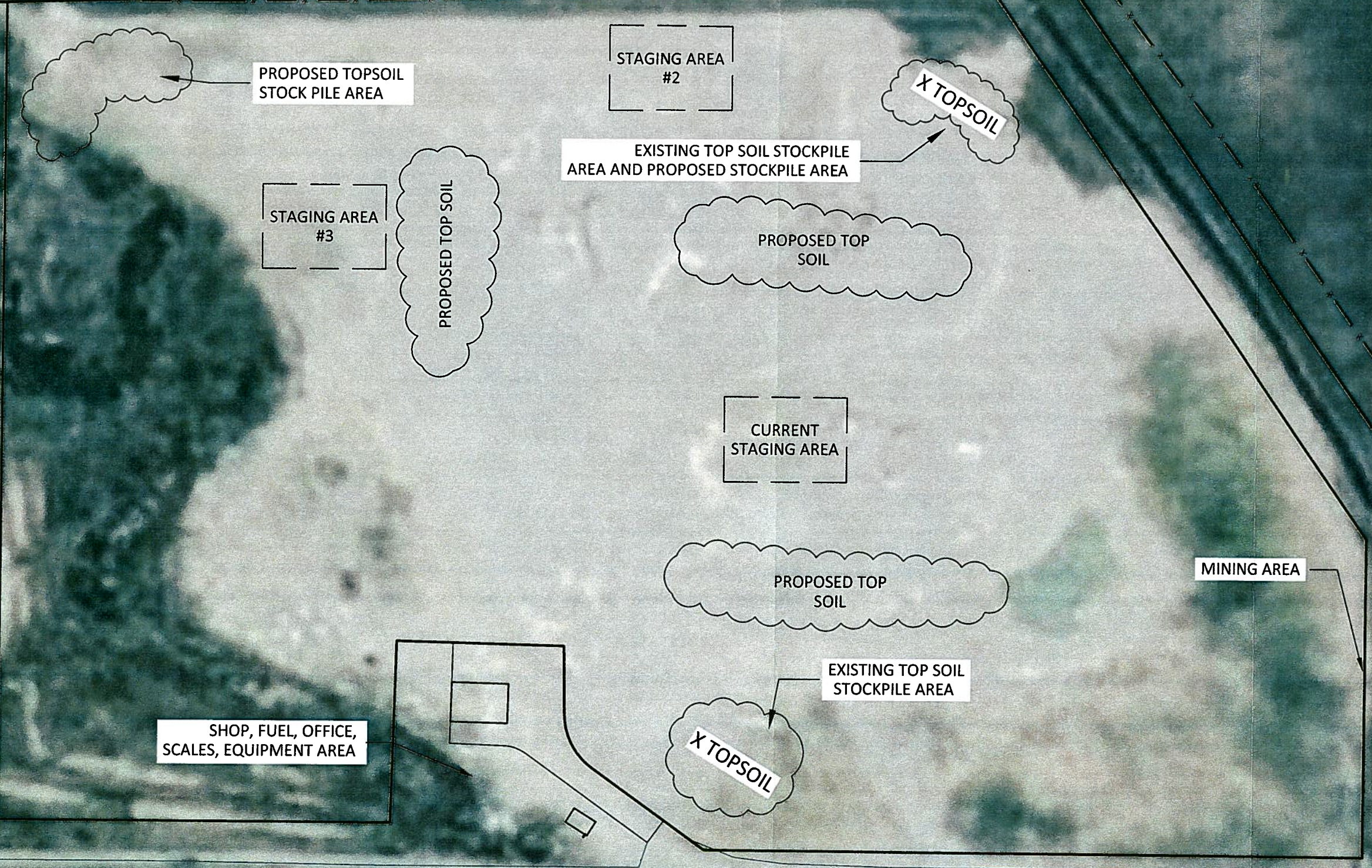
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MINE PLAN SEQUENCE MAP TOPSOIL & STAGING AREAS

PREPARED FOR:
 GEGR L.L.C.
 DBA ROCKY TOP ROCK GRAVEL PIT

MINE MAP 2



REV 5/4/10
 REGR 500 10.2011

I.J. PROOF OF FIRST (COMPLETENESS) PUBLIC NOTICE

This section contains the verbiage for the 1st Public Notice which was published in the Star Valley Independent, on September 8th and 15th.

The subsequent page is the proof of publishing from the newspaper.



PUBLIC NOTICE

GECR, LLC of Alpine, Wyoming has filed a mining permit expansion application with the Land Quality Division of the Wyoming Department of Environmental Quality for the mining of Sand & Gravel in Lincoln County, Wyoming. The area is approximately 0.5 miles southwest of Etna, Wyoming on Highway 89. The application may be viewed at the Cheyenne or Lander Office of the Land Quality Division. The application will be re-advertised for public comment prior to approval by the Department of Environmental Quality.

Any interested parties are encouraged to review the application and contact the appropriate Land Quality Division District Supervisor with questions about the application. Upon request by an interested party, the Land Quality Division may schedule a public meeting to discuss the application.



I SARAH HALE, Managing Editor of the Star Valley Independent, published weekly at Afton, Lincoln County, Wyoming, do solemnly swear that the notice, a copy of which is hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive issues, commencing with the issue date sept 8 2011, and ending with issue dated sept 15 2011.

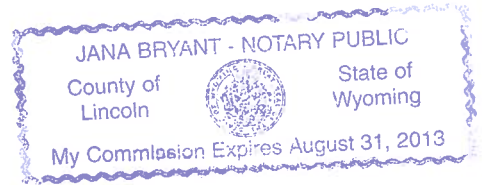


Sarah Hale

Subscribed and sworn in before me this 15th day of September 2011.

Jana Bryant
Notary Public

My commission expires August 31, 2013



PUBLIC NOTICE
GECR, LLC of Alpine, Wyoming has filed a mining permit expansion application with the Land Quality Division of the Wyoming Department of Environmental Quality for the mining of Sand and Gravel in Lincoln County, Wyoming. The area is approximately 0.5 miles southwest of Etna, Wyoming on Highway 89. The application may be viewed at the Cheyenne or Lander Office of the Land Quality Division. The application will be re-advertised for public comment prior to approval by the Department of Environmental Quality
Any interested parties are encouraged to review the application and contact the appropriate Land Quality Division District Supervisor with questions about the application. Upon request by an interested party, the Land Quality Division may schedule a public meeting to discuss the application.
Publish September 8 & 15, 2011

Proof of Final Public Notice

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LGD RECD
MAR 3.2011
TFN 5 4/191

I.K. PROOF OF FINAL NOTICE AND PROOF OF PUBLICATION



This section contains the verbiage for the Final Public Notice that was published in the Star Valley Independent on October 13th and 20th, 2011.

The subsequent page is the proof of publishing from the newspaper.

PUBLIC NOTICE



GEGR, LLC of Alpine, WY has applied for a small mining permit from the Land Quality Division of the Department of Environmental Quality for the State of Wyoming. The mining permit area for the mining of sand and gravel will be located in: SW ¼, SE ¼ of Section 35, T35N, R119W, Lincoln, County, Wyoming. The area is located, approximately 0.5 miles southwest of Etna, Wyoming on Highway 89. A portion of the permit area has been permitted as a limited mining operation, (10 acre) #908 ET. The proposed operation is scheduled to begin December, 2011 and is estimated to continue until unknown date. The land, after mining, will be returned to agricultural use. Information regarding the proposed mining operation and reclamation procedures may be reviewed in the Office of the Land Quality Division of the Department of Environmental Quality in Cheyenne and Lander, Wyoming, the office of GEGR, LLC in Alpine, WY or the Lincoln County Clerk's Office in Kemmerer, Wyoming.

Upon request by an interested party, the Land Quality Division may schedule an informal conference to discuss the application. If such a meeting is scheduled, it must be prior to the date for the close of public comments. If concerns about the permit are not resolved by the Land Quality Division, written objections to the proposed mining operation must be received by the Administrator of the Land Quality Division of the Department of Environmental Quality, Herschler Building, 122 West 25th Street, Cheyenne, WY 82002, before the close of business on November 21, 2011. If an objection is submitted a public hearing shall be held within twenty (20) days after the final date for filing objections unless a different period is stipulated to by the parties. The Council or Director shall publish notice of the time, date and location of the hearing or conference in a newspaper of general circulation in the locality of the proposed operation once a week for two (2) consecutive weeks immediately prior to the hearing or conference. The hearing shall be conducted as a contested case in accordance with the Wyoming Administrative Procedure Act (W.S. §16-3-101 through §16-3-115), and the right of judicial review shall be afforded as provided in that act. All parties as given in W.S. §13-11-406(j) will be mailed a copy of this notice. The Wyoming Oil and Gas Commission will be mailed a copy of the application mine plan map as required by W.S. §35-11-406(j).

I SARAH HALE, Managing Editor of the Star Valley Independent, published weekly at Afton, Lincoln County, Wyoming, do solemnly swear that the notice, a copy of which is hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive issues, commencing with the issue date Oct 13 2011, and ending with issue dated Oct 20 2011.



Sarah Hale

Subscribed and sworn in before me this 20th day of October 2011.

Jana Bryant
Notary Public



My commission expires August 31, 2013

PUBLIC NOTICE

GECR, LLC of Alpine, WY has applied for a small mining permit from the Land Quality Division of the Department of Environmental Quality for the State of Wyoming. The mining permit area for the mining of sand and gravel will be located in: SW ¼, SE ¼ of Section 35, T35N, R119W, Lincoln, County, Wyoming. The area is located, approximately 0.5 miles southwest of Etna, Wyoming on Highway 89. A portion of the permit area has been permitted as a limited mining operation, (10 acre) #908 ET. The proposed operation is scheduled to begin December, 2011 and is estimated to continue until unknown date. The land, after mining, will be returned to agricultural use. Information regarding the proposed mining operation and reclamation procedures may be reviewed in the Office of the Land Quality Division of the Department of Environmental Quality in Cheyenne and Lander, Wyoming, the office of GECR, LLC in Alpine, WY or the Lincoln County Clerk's Office in Kemmerer, Wyoming. Upon request by an interested party, the Land Quality Division may schedule an informal conference to discuss the application. If such a meeting is scheduled, it must be prior to the date for the close of public comments. If concerns about the

permit are not resolved by the Land Quality Division, written objections to the proposed mining operation must be received by the Administrator of the Land Quality Division of the Department of Environmental Quality, Herschler Building, 122 West 25th Street, Cheyenne, WY 82002, before the close of business on November 21, 2011. If an objection is submitted a public hearing shall be held within twenty (20) days after the final date for filing objections unless a different period is stipulated to by the parties. The Council or Director shall publish notice of the time, date and location of the hearing or conference in a newspaper of general circulation in the locality of the proposed operation once a week for two (2) consecutive weeks immediately prior to the hearing or conference. The hearing shall be conducted as a contested case in accordance with the Wyoming Administrative Procedure Act (W.S. §16-3-101 through §16-3-115), and the right of judicial review shall be afforded as provided in that act. All parties as given in W.S. §13-11-406(j) will be mailed a copy of this notice. The Wyoming Oil and Gas Commission will be mailed a copy of the application mine plan map as required by W.S. §35-11-406(j).

Publish October 13 & 20, 2011

1.K.4

54/191

Proof of Filing with County Clerk

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LQD RECD
MAR 3, 2011
TFN 5 4/191

I.L. PROOF OF FILING WITH COUNTY CLERK



This section contains the Affidavit of Filing from the Lincoln County Clerk.



Jeanne Wagner
County Clerk

LINCOLN COUNTY CLERK

925 Sage Avenue, Suite 101
Kemmerer, WY 83101
Telephone (307) 877-2020
FAX (307) 877-3101



April Brunski
Deputy

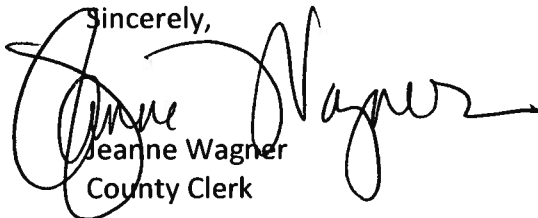
October 21, 2011

Wyoming Department of Environmental Quality
Land Quality Division

To Whom It May Concern:

This is to certify that I received a Small Mining Permit for GEGR, LLC – Etna Pit (Section 10, T35N, R119W) from Sunrise Engineering, Inc. on October 11, 2011. It has been made available to the public and will remain so throughout the notice period.

Sincerely,


Jeanne Wagner
County Clerk

Proof of Public Mailing

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LGD RECD
MAR 3.2011
TFN 5 4/191



I.M. PROOF OF PUBLIC MAILING

Page I.M.2 is the Affidavit which constitutes the proof of mailing for notification of all parties listed in Appendices A and B and proof of mailing to the Wyoming Oil and Gas Commission.

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION



IN THE MATTER OF THE SMALL MINE
PERMIT APPLICATION OF GEGR, LLC
TFN 5 4/191

**AFFIDAVIT OF CLYDE RAINEY
OF NOTICE**

I, Clyde Rainey, after being duly sworn upon my oath, deposes and states as follows:

1. I am appointed to the office of agent for GEGR, LLC. I am submitting this affidavit to comply with the sworn statement requirement in W.S. §35-11-406(j). In my capacity as agent I am responsible for ensuring that GEGR has complied with the notice requirements in W.S. §35-11-406(j) for the above-captioned permit application. This application is for a new noncoal small mine permit/amendment.
2. On October 6, 2011, GEGR received notice from the Department of Environmental Quality, Land Quality Division that it has determined our application is complete and suitable for final publication.
3. On October 13, 2011, the Star Valley Independent printed the first notice in the required two week sequence for final publication of this application. On October 14, 2011, GEGR, LLC mailed a copy of the notice to all surface owners of record of the land within the permit area, to all surface owners of record of immediately adjacent lands, and to all surface owners within one-half (1/2) mile of the proposed mining site. On October 7, 2011, GEGR, LLC mailed a copy of the application mining plan map to the Wyoming Oil and Gas Commission.

DATED 10-24-11.

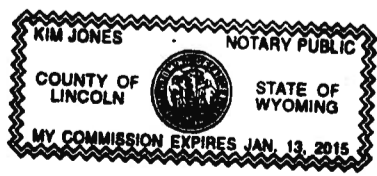
Clyde Rainey
Clyde Rainey, Agent

STATE OF WYOMING)
) ss.
COUNTY OF LINCOLN)

Subscribed, sworn to and acknowledged before me by Clyde Rainey on this 24 day of Oct, 2011.

[Signature]
Notary Public

My Commission expires: Jan. 13, 2015



APPENDIX D-1

Land Use Information

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LGD RECD
MAR 3.2011
TFN 5 4/191

D-1 LAND USE INFORMATION

GEGR, LLC dba Rocky Top Gravel Pit is located Southwest of Etna, Wyoming in Section 10, Township 35 North, Range 119 West of the Principal Meridian in Lincoln County, Wyoming.

Historically, the gravel pit area and surrounding properties were used as agricultural/cattle grazing ground. The bordering and surrounding properties remain as farming and cattle grazing. DEQ commented on wildlife within the area. This entire valley sees wildlife within the area; however the project site is entirely fenced and rarely, if ever, sees wildlife within the boundary of the gravel pit.

Prior to GEGR, LLC the permit area was mined for several years by Mr. Bert McNeel under a DEQ 10 acre exemption. The gravel pit site was located to meet DEQ and Lincoln County requirements that would mitigate the impact of homes located near the site. Recently, Lincoln County granted a building permit for a home that is just over 1000' from the existing pit.

The entire perimeter of the site is fenced with the only entrance into the project on the south boundary line. There is a ditch (Baker & Heap) on the eastern edge of the property which flows to the south and serves several properties in the area. Through several contacts with users in the area, the Baker & Heap Irrigation ditch is not an organized company (see Section I-F Agency Permits); however the users maintain their own individual ditch areas surrounding their property. The owners have granted a 30 foot access easement between the ditch and gravel pit to the property owners to the north. This easement will also serve to buffer excavation and mitigate damages to the ditch.

The terrain of the gravel is basically at natural ground around the perimeter and slopes to the west. The ground on the north, east, and a portion of the south boundary is approximately 20 foot higher than the ground lying to the west and the remaining portion of the south property (see Map Section-General Map 5 Contours).

Storm water is contained on site to mitigate runoff from leaving the site and as stated above the site slopes to the west which creates an area on the west to collect the storm water. The west boundary has a 50 foot utility easement which creates a natural buffer with the adjoining property owner.

GEGR, LLC has constructed a new shop, office with scales for keeping records of mined material and maintenance/storage for the equipment needed for the gravel pit.

Small Mine Permit No. _____

TFN 5 4/191
RECD APR 13, 2011

APPENDIX D-3

Archeological & Cultural
Resource Information

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LQD RECD
MAR 3.2011
TFM 5 4/191

GECR, LLC dba Rocky Top Gravel Pit is located Southwest of Etna, Wyoming in Section 10, Township 35 North, Range 119 West of the Principal Meridian in Lincoln County, Wyoming.

Attached in this Section is a letter from the State Historic Preservation Office (SHPO) regarding the gravel pit, Area of Potential Effect (APE). The letter concludes that the gravel pit area has indeed been disturbed and does not warrant additional investigation. The letter also indicates "the plowed and irrigated alfalfa fields adjacent to this property have not been disturbed to an extent that they no longer retain the potential to contain cultural resources". It also indicates the proximity to the Salt River has a high potential for prehistoric and historical resources.

The following is documentation regarding DEQ's comment requiring an archeological study to be performed in the area beyond current ownership of this proposed Small Mine Permit.

This application is only affecting the area GECR, LLC currently owns and has been deemed disturbed. Paul Snarr with Eagle Rock Engineering called Richard Currit the Senior Archeologist with SHPO 3-25-2011 in response to his attached letter and discussed his comments. He said that if we were not disturbing the farmed areas outside the permit area, he did not have concerns. His recommendation was based on discussions that the owner was including and purchasing additional property for this application.

The property adjacent to this gravel pit is private property and at this time the owners GECR, LLC is not applying to mine beyond their property lines.

During excavations by Wind River Materials, if any historical or cultural resources are discovered, work will be halted immediately, the Wyoming Department of Environmental Quality-Land Quality Division (WDEQ-LQD) and the Wyoming State Parks and Cultural Resources Division (SHPO) staff shall be contacted and the cultural materials shall be evaluated by an archaeologist or historian meeting the Secretary of Interior's Professional Qualifications Standards (48 FR 22716, Sept. 1983).

Small Mine Permit No. _____

TFN 5 4/191
RECD AUG 30, 2011

ARTS. PARKS. HISTORY.

Wyoming State Parks & Cultural Resources

State Historic Preservation Office
Barrett Building, 3rd Floor
2301 Central Avenue
Cheyenne, WY 82002
Phone: (307) 777-7697
Fax: (307) 777-6421
<http://wyoshpo.state.wy.us>

September 22, 2010

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC
310 North 2nd East Suite 135
Rexburg, ID 83440

re: GEGR, LLC., Rocky top Rock Gravel Pit/Mining Permit Modification (SHPO File #
0910RLC016)

Dear Mr. Snarr:

Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO) regarding the above referenced project.

A search of our records shows that a cultural resource survey has been conducted for a 10 acre portion of the Area of Potential Effect (APE). Additionally, we concur that the 10 acre mined area and the 4 disturbed acres (including the parking and shop areas) are completely disturbed and do not warrant any further investigation. However, the plowed and irrigated alfalfa fields have not been disturbed to such an extent that they no longer retain the potential to contain cultural resources. Indeed, the proximity of the Salt River and a review of the 1889 Government Land Office Plat indicate a high potential for prehistoric and historic period resources.

Prior to any ground disturbing activities in the plowed and irrigated alfalfa field portions of the APE, we recommend the Wyoming Department of Environmental Quality carry out appropriate efforts necessary for identification of historic properties, which may include a file search, background research, consultation, consideration of visual effects, sample field investigations or field survey. The identification efforts must be conducted by a consultant meeting the Secretary of the Interior's Professional Qualification Standards (48 FR 22716, Sept. 1983). A report detailing the results of these efforts must be provided to SHPO staff for our review and comment.

We have enclosed a copy of a cultural resource consultants list for your use. Please refer to SHPO project control number #0910RLC016 on any future correspondence dealing with this project. If you have any questions, please contact me at 307-777-5497.

Sincerely,



Richard L. Currit
Senior Archaeologist



Dave Freudenthal, Governor
Milward Simpson, Director

LQD RECD
MAR 3 2011
CFW 5 4/191

APPENDIX D-5

Topography & Geology

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

NOTE: See Map Section of this Permit Binder for total and mining boundary, contours, etc...

LGD RECD
MAR 3, 2011
TFN 5 4/191

TOPOGRAPHY & GEOLOGY

Star Valley is located 30 miles South of Jackson Hole and lies between the Salt River Range in Western Wyoming and the Webster Range in Eastern Idaho. Three National Forests surround Star Valley and include the Bridger Teton, Caribou, and Targhee National Forests. The gravel pit is generally located on the Southwest City limits of Etna, Wyoming approximately $\frac{1}{4}$ - $\frac{1}{2}$ mile from the meandering Salt River which runs through the valley.

Historically, the property was used as agricultural ground with the bordering and surrounding properties remaining farm/cattle grazing ground. The topography in the area is fairly flat with a mild slope to the Southwest with mountains to the east and west of the property. I contacted the USGS office and talked to several people within their office for additional information regarding the geology in the area and was told to contact Wayne Sutherland with the Wyoming State Geological Survey and his comments are attached following this page.

The permit area has been mined for several years by Mr. Bert McNeel under a DEQ 10 acre exemption. The new owners have made several upgrades to the gravel pit including a new shop, office with scales and landscaping. The Baker Heap Ditch is located on the eastern boundary of the gravel pit which runs north to south and serves several farms in the area. GEGR, LLC also has water rights from the ditch.

GEGR, LLC has granted an ingress/egress easement between the ditch and gravel pit for the property owners to the North. This will help mitigate any disturbance to the ditch with mining operations. The ground in the gravel pit slopes to the Southwest creating significant sidewalls in the gravel pit on the North, East, and partially along the South. The terrain on the West line and a portion of the South will not have significant side walls due to the slope within the pit.

Top Soil depths vary within the pit; however a good average is approximately 2 ft with good gravel lying below. Data from the USDA – NRCS Custom Soil Report for the area consists of approximately 1 ft silt loam and a silty clay loam to 2.5 ft with gravel below.

Attached are gradations of the material being mined within the gravel pit.

Maps of the property are shown in the section titled MAPS – for the slope see General Map 5 – Contour Map and General Map 8 Mining Area Map.

Small Mine Permit No. _____

Paul Snarr

From: Wayne Sutherland [WSuthe@uwyo.edu]
Sent: Tuesday, March 29, 2011 9:26 AM
To: Paul Snarr
Subject: RE: GEGR LLC Rocky Top Rock Gravel Pit

Wyoming State Geological Survey
March 29, 2011

Paul Smarr
Eagle Rock Engineering
Idaho Falls, ID
Ph 208-542-2665
Email psnarr@erengr.com

Paul,

I have no detailed geologic map of the area, but the location you describe in T35N, R119W, Sec. 10, near the S. edge of Etna, WY, appears to be Quaternary unconsolidated alluvium along the Salt River.

If I can answer any further questions, please drop me a note.

Wayne M. Sutherland
Gemstones, Metals, and Economic Geology Specialist
Wyoming State Geological Survey
P.O. Box 1347
Laramie, WY 82073-1347
Ph 307-766-2286 Ext 247
Email wsuthe@uwyo.edu

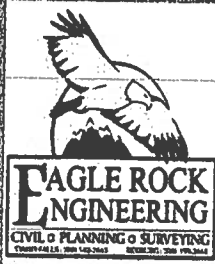
From: Paul Snarr [mailto:psnarr@erengr.com]
Sent: Tuesday, March 29, 2011 9:22 AM
To: Wayne Sutherland
Subject: GEGR LLC Rocky Top Rock Gravel Pit

Wayne,

Thanks for your help on this,

*Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying*

*Phone: (208) 542-2665
Cell: (208) 346-3656
Fax: (208) 745-8391
Email: psnarr@erengr.com*



Sieve Analysis

EAGLE ROCK ENGINEERING AND LAND SURVEYING, PC

1331 Fremont Avenue
 Idaho Falls, Idaho 83402
 Phone: (208) 542-2665
 Fax: (208) 522-2664

310 North 2nd East, Ste 135
 Rexburg, Idaho 83440
 Phone: (208) 359-2665
 Fax: (208) 22-2664

Project: GECR, LLC Gravel Pit	Project No.: 10052
Project Location: Etna WY, Lincoln County	Sample No.: Pit Run Gravel
Soil Description: Pit Run Gravel	Sample Depth: from Stock Pile
Tested By: Reliance Testing - Lab #11269	Test Date: 10/2/2010

Sample Data:	Weight (grams)	Mass of Split	Sand/Clay (100) = SE	3/11.9 (100) = 26
Mass Wet Sample (Combined)	10708	842.5		
Mass Dry (M ₂)	842.5/684.2	Ratio of Split	See Reliance Aggregate Data Sheet	
Pan Mass	3465.1	4.113	Testing Laboratory Qualification # LQ6013	

Sieve Size	Weight Retained	Cumulative Wt Retained	% Retained	% Cumulative Retained	Wt Passing	% Passing	Total % Passing (F)	ITD Specification
2"		991.7		9			91	90-100
1 1/2"		2075.2		19			81	
1"		3224.7		30			70	55-83
3/4"		4074.4		38			62	
1/2"		5387.4		50			50	
3/8"		5952.3		56			44	
#4		7242.9		68			32	30-60
#8		8021.9		75			25	
#16		8585.8		80			20	
#30		9057.6		85			15	10-25
#50		9535.1		89			11	
#100		9854.7		92			8	
#200		10018.4		93.6			6.4	0-8
Pan		10055.4						

Tested By: Ben Ball WAQTC #22484

LQD RECD
 MAR 3, 2011
 TFN 5 4/191



Sieve Analysis

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 Fax: (208) 522-2664

310 North 2nd East, Ste 135
 Rexburg, Idaho 83440
 Phone: (208) 359-2665
 Fax: (208) 522-2664

Project: GEGR, LLC Gravel Pit
Project Location: Etna WY, Lincoln County
Soil Description: 3/4" Base Gravel
Tested By: KJR

Project No.: 10052
Sample No.: Sub Base and Base 1 - WY DOT W
Sample Depth: From Stock Pile
Test Date: 10/4/2010

Sample Data:	Weight (grams)	F=W%/Ws	AASHTO T2	AASHTO T87	ASTM C117	ASTM D422
Weight of Dry Sample & Container:	2076.6		AASHTO T11	AASHTO T88	ASTM C136	ASTM D1140
Weight of Container:	154.5		AASHTO T27	ASTM D75	ASTM D421	ASTM D5444
Weight of Dry Sample (Ws):	1922.1		Unified Soil Classification/WY DOT 2003 Specifications			

Sieve Size	Weight Retained	Cumulative Wt Retained	% Retained	% Cumulative Retained	Wt Passing	% Passing	Total % Passing (F)	Jurisdiction Specification
2"		0		0.0			100	100
1 1/2"		0		0.0			100	100
1"		0		0.0			100	90-100
3/4"		117.3		5.6			94	NA
1/2"		366.4		18			82	60-85
3/8"		481.7		23			77	NA
#4		941.7		45			55	45-65
#8		1282.1		62			38	33-53
#16		1431.5		69			31	NA
#30		1587.4		76			24	10-30
#50		1703.3		82			18	NA
#100		1867.4		90			10	NA
#200		2017.6		97			3	3-12
Pan		2076.6		100			0	0

LQD RECD
 MAR 3.2011
 TFN 5 4/191



Sieve Analysis

EAGLE ROCK ENGINEERING AND LAND SURVEYING, PC
 1331 Fremont Avenue
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 Fax: (208) 522-2664

310 North 2nd East, Ste 135
 Rexburg, Idaho 83440
 Phone: (208) 359-2665
 Fax: (208) 522-2664

Project: GECR LLC Grave Pit	Project No.: 10052
Project Location: Etna WY, Lincoln County	Sample No.: 3/4" Washed Rock/CA
Soil Description: 3/4" Washed Rock/Course Agg for Conc.	Sample Depth: From Stock Pile
Tested By: KJR	Test Date: 0/4/2010

Sample Data:	Weight (grams)	$F = W\%/W_s$	AASHTO T2	AASHTO T87	ASTM C117	ASTM D422
Weight of Dry Sample & Container:	2074.8		AASHTO T11	AASHTO T88	ASTM C136	ASTM D1140
Weight of Container:	154.5		AASHTO T27	ASTM D75	ASTM D421	ASTM D5444
Weight of Dry Sample (Ws):	1920.3		Unified Soil Classification/WY DOT 2003 Specifications			

Sieve Size	Weight Retained	Cumulative Wt Retained	% Retained	% Cumulative Retained	Wt Passing	% Passing	Total % Passing (F)	Jurisdiction Specification
1 1/2"		0.0		0.0			100	100
1"		0.0		0.0			100	95-100
3/4"		220.4		11			89	NA
1/2"		819.4		39			61	25-60
3/8"		1384.2		67			33	NA
#4		2033.7		98			2	0-10
#8		2057.8		99			1	0-5
#16		2058.6		99			1	NA
#30		2061.3		99			1	NA
#50		2064.2		99			1	NA
#100		2064.4		99			1	NA
#200		2071.2		99.8			0.2	0-2
Pan		2074.8		100.0			0.0	NA

LDD RECD
 MAR 3.2011
 TFN 5 4/191



Sieve Analysis

EAGLE ROCK ENGINEERING AND LAND SURVEYING, PC
 1331 Fremont Avenue Idaho Falls, Idaho 83402 Phone: (208) 542-2665 Fax: (208) 522-2664
 310 North 2nd East, Ste 135 Rexburg, Idaho 83440 Phone: (208) 359-2665 Fax: (208) 522-2664

Project: GECR, LLC Gravel Pit	Project No.: 10052
Project Location: Etna WY, Lincoln County	Sample No.: FA-1
Soil Description: Sand/Fine Aggregate for Concrete	Sample Depth: From Stock Pile
Tested By: KJR	Test Date: 10/4/2010

Sample Data:	Weight (grams)	$F = W\%/W_s$	AASHTO T2	AASHTO T87	ASTM C117	ASTM D422
Weight of Dry Sample & Container:	1778.9		AASHTO T11	AASHTO T88	ASTM C136	ASTM D1140
Weight of Container:	91.2		AASHTO T27	ASTM D75	ASTM D421	ASTM D5444
Weight of Dry Sample (Ws):	1687.7		Unified Soil Classification/WY DOT 2003 Specifications			

Sieve Size	Weight Retained	Cumulative Wt Retained	% Retained	% Cumulative Retained	Wt Passing	% Passing	Total % Passing (F)	Jurisdiction Specification
3/8"		0.0		0			100	100
#4		0.0		0			100	95-100
#8		467.6		26			74	NA
#16		885.3		50			50	45-80
#30		1313.2		74			26	NA
#50		1496.7		84			16	40481
#100		1643.4		92			8	2-10
#200		1723.7		97			3	0-4
Pan		1778.9		100			0	NA

LDD RECD
 MAR 3, 2011
 TFW 5 4/191



Sieve Analysis

EAGLE ROCK ENGINEERING AND LAND SURVEYING, PC
 1331 Fremont Avenue
 Idaho Falls, Idaho 83402
 Phone: (208) 542-2665
 Fax: (208) 522-2664

310 North 2nd East, Ste 135
 Rexburg, Idaho 83440
 Phone: (208) 352-2665
 Fax: (208) 222-2664

Project: GEGR, LLC Gravel Pit	Project No: 1005
Project Location: Etna WY, Lincoln County	Sample No.: Natural Sand
Soil Description: Natural Sand/Wet	Sample Depth: From Stock Pile
Tested By: Reliance Testing - Lab #11141	Test Date: 9/10/2010

Sample Data:	Weight (grams)	% Moisture	Sand/Clay (100) = SE	2.7/4.3 (100) = 63
Mass Dry Sample (Combined)	365	7.4%		
Mass Dry (M ₂)	365	Mass Washed Through #200 = 34.5	See Reliance Aggregate Data Sheet	
Mass of Water	27		Testing Laboratory Qualification # LQ6013	

Sieve Size	Weight Retained	Cumulative Wt Retained	% Retained	% Cumulative Retained	Wt Passing	% Passing	Total % Passing (F)	ITD Specification
2"				0				
1 1/2"				0				
1"				0				
3/4"				0				
1/2"				0				
3/8"		0.0		0			100	
#4		0.3		0			100	100
#8		0.4		0			100	95-100
#16		1.5		0			100	70-100
#30		10.5		3			97	40-75
#50		67.8		19			81	10-35
#100		200.7		55			45	2-15
#200		310.0		85			15.1	0-5
Pan		330.3						

Tested By: Ben Ball WAQTC #22484

LGD RECD
 MAR 3.2011
 TFM 5 4/191



Sieve Analysis

EAGLE ROCK ENGINEERING AND LAND SURVEYING, PC

1331 Fremont Avenue
 Idaho Falls, Idaho 83402
 Phone: (208) 542-2665
 Fax: (208) 522-2664

310 North 2nd East, Ste 135
 Rexburg, Idaho 83440
 Phone: (208) 359-2665
 Fax: (208) 522-2664

Project: GECR, LLC Gravel Pit	Project No.: 10052
Project Location: Etna WY, Lincoln County	Sample No.: RG-1
Soil Description: Pea Gravel	Sample Depth: From Stock Pile
Tested By: KJR - On Site	Test Date: 9/16/2010

Sample Data:	Weight (grams)		AASHTO T2	AASHTO T87	ASTM C117	ASTM D422
Weight of Dry Sample & Container:	2029.6	F=W%/Ws	AASHTO T11	AASHTO T88	ASTM C136	ASTM D1140
Weight of Container:	154.6		AASHTO T27	ASTM D75	ASTM D421	ASTM D5444
Weight of Dry Sample (Ws):	1875		Unified Soil Classification			

Sieve Size	Weight Retained	Cumulative Wt Retained	% Retained	% Cumulative Retained	Wt Passing	% Passing	Total % Passing (F)	Jurisdiction Specification
3/4"		0.0		0.0			100	NA
3/8"		0.0		0.0			100	NA
#4		1790.0		88.2			12	NA
#8		2025.3		99.8			0	NA
#16		2026.2		100			0	NA
#30		2026.4		100			0	NA
#50		2026.5		100			0	NA
#100		2026.5		100			0	NA
#200		2027.2		100			0	NA
Pan		2029.6		100			0	NA

LOD RECD
 MAR 3, 2011
 TFN 5 4/191

APPENDIX D-6

Hydrological Data
Surface and Ground Water

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LQD RECD
MAR 3.2011
TFN 5 4/191

APPENDIX D – 6

PREMINING SURFACE AND GROUNDWATER

A. Surface water

The Baker Ditch is located on the East line of the property and runs from north to south. The ditch is not an organized irrigation company at this time however, it has many users. GEGR, LLC owns 22.5 acres along the ditch and also has irrigation rights to said ditch.

There is a 30' ingress/egress easement between the ditch and gravel pit for the property owner to the north. The placement of the easement will mitigate disturbances to the ditch and eliminate the possibility of contaminants entering the ditch due to mining activities.

The gravel pit contains all storm water leaving the site. Due to the high walls on the north, east and part of the south, storm water runoff generally flows to the southwest; however there are low areas within the gravel pit which holds storm water. There is a natural berm on the west which eliminates storm water from leaving the gravel pit area. Part of the area was recently excavated to install lines (power and phone) to serve the office and shop areas. The Salt River meanders generally south to north approximately $\frac{1}{4}$ - $\frac{1}{2}$ mile from the operations. Again, runoff from the gravel pit is contained on site and only generated by the pit.

B. Groundwater

Attached are well logs from the State Engineers Office website that were drilled in the same Section, Township, and Range of the permit area. Included with the list are detailed reports of 2 wells in the same $\frac{1}{4}$ Section, one of which is the well log for

GECR, LLC DBA Rocky Top Rock Permit # P193711.0W drilled specifically for the GECR, LLC office and shop potable water only.

There is one ground water pond (see General Map 5 Contour Map Current Conditions) with water elevation of 5722 which is approximately 8-10 feet below the existing gravel pit floor. GECR, LLC is applying for a reservoir permit for this pond. Water from the pond is pumped to the crushing/wash screening process. The excess water from the wash screening process gravity flows through a pipe/ditch to a holding pond near the ground water pond. The water from the holding pond then overflows back into the ground water pond.

As mining progresses, two additional groundwater ponds will be created. The approximate size and location of these ponds is shown on Reclamation Map 1. The ground water ponds will be constructed with berms to mitigate erosion from the surface water or other contaminants entering the ground water. The mining operation will ensure a minimum of 4 to 5 foot clearances between the mine floor and ground water except in the ponds. The location of the proposed ponds is shown

C. Monitoring Wells/Water Quality

According to the previous owner and current operator of the gravel pit, the ground water elevation fluctuates from three to four feet throughout the year depending on the snow pack and spring precipitation. Because most of the irrigation in the area is now sprinkler irrigation, the ground water is influenced less than when most of the irrigation was flood type.

The soils series present in the permit boundary are excessively permeable. The Baker Ditch located along the east boundary of the site flows during irrigation season and could have a slight impact on ground water. There are no observed locations where water from the ditch appears to be draining into the pit area.

GECR, LLC has installed a monitoring well near the south west corner of the property. It consists of an 18" diameter corrugated metal pipe buried 8 feet vertically in the ground.

A second monitoring well was installed in May, 2011. It is located between the existing pond and the monitoring well near the south west corner of the property. It consists of an 8" pvc pipe buried 12 feet vertically in the ground.

On May 11, 2011, Sunrise Engineering measured the ground water elevation in the pond and the two monitoring wells. The depth to ground water was the same in each location. This indicates that the hydraulic gradient is generally from south to north. The map showing the location of the monitoring wells, pond and the hydraulic gradient has been added to Appendix D-6.

For consistency, sampling of the ground water will occur in Monitoring Well #2. As requested by DEQ, sampling and testing will take place yearly for several years and then DEQ may direct GECR, LLC to alter the frequency of sampling and testing. The yearly sample will be tested for constituents listed in the DEQ-LQD non-coal guideline number 8. A sample from Monitoring Well #2 was collected in June, 2011. The testing results are included in Appendix D-6.

Logged in as: SNARR, PAUL

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Search Option: Find Water Rights

Water Right Search Results

1 of 1 Page(s) [GO](#)

[Click here to hide the columns.](#) Water Right Number Ascending [GO](#) [EXPORT TO EXCEL](#)


	View Summary	WR Number	Priority Date	Priority text	Summary WR Status	Company	First Name	Last Name	Facility Name	Uses	Twn	Rng	Sec	Qtr-Qtr	Survey Type, Survey Number, Survey Suffix	SubDivision Name	Subdivision Block	Subdivision Lot	Total Flow (CFS)/ Appropriation (GPM)	Total depth (Ft)	StaticWaterLevel (Ft)	Well Log (Y/N)	D O P (f)
	View Summary	P128574.0W	08/29/2000			Wyo State Dept. of Environmental Quality			4194	MON	035N	119W	10	NE1/4SE1/4	A13-				0	30.00	-7.00		
	View Summary	P136586.0W	07/18/2001		Complete				DELPHIA NO 1	DOM_GW	035N	119W	10	NW1/4SE1/4	A14-				15.000	80.00	3.00		
	View Summary	P137215.0W	08/13/2001		Complete				ANDREW MATZ WELL # 1	DOM_GW	035N	119W	10	SW1/4NW1/4	A7-				18.000	60.00	3.00		
	View Summary	P151369.0W	05/22/2003		Complete				BURNSIDE # 1	DOM_GW	035N	119W	10	SW1/4NE1/4	A3-				25.000	60.00	35.00		
	View Summary	P158772.0W	05/10/2004				ANDREW & JOANNE	MATZ	MATZ 1	DOM_GW; STK	035N	119W	10	SW1/4NW1/4	A7-				25.000				
	View Summary	P183575.0W	10/16/2007		Complete				WHITE BUFFALO #1	DOM_GW	035N	119W	10	NE1/4SE1/4	A				15.000	165.00	120.00	N	1
	View Summary	P74962.0W	06/08/1987		Complete		DONALD L.	BAKER	BAKER 1	DOM_GW	035N	119W	10	NE1/4SW1/4					8.000	58.00	22.50		
	View Summary	P3258.0E	09/18/1913	09/18/1913	Fully Adjudicated		Nels	Sanderson	Baker & Heap Ditch {Enl. of}	IRR_SW; STO	035N	119W	10	SE1/4SE1/4									
	View Summary	P184887.0W	10/03/2007		Incomplete	DREAMVENTURE II, LLC			ETNA VILLAGE ESTATES WELL #1	MIS	035N	119W	10	NW1/4NE1/4	A				265.000				
	View Summary	P193711.0W	08/17/2010		Incomplete	GERC, LLC			ROCKY TOP	MIS	035N	119W	10	SW1/4SE1/4	A				25.000				

Disclaimers for Water Right Search:
 The records found by this search may or may not reflect the actual situation on the ground.
 The territorial priority dates found by this search may or may not reflect the actual priority dates or order of priority.

TFN 5 4/191
 RECD APR 13, 2011

Print

PERMIT SUMMARY

Instrument: WELLS AND SPRINGS	
Facility Name : ROCKY TOP	 Water Right Status : INCOMPLETE
Application Number : UW5-10308	Date Accepted for Processing : 08/17/2010
Temporary File Number : 42-7-171W	Priority Date : 08/17/2010
Permit Number : P193711.0W	Division : 4 District : 12
Proof Number :	SC Original Expiration Date : 12/31/2011
Docket Number :	SC Extended Expiration Date :
Order Number :	SC Actual Date :
Certificate Record Number :	BU Original Expiration Date : 12/31/2011
Auto Cancellation Date :	BU Extended Expiration Date :
Extended Auto Cancellation Date :	BU Actual Date :
Last Modified By : littlewo	Last Modified Date : 09/16/2010

General Info

Type Of Diversion:	Well, Production Well	
Supply Type:	Original Supply	
Special Cases:		
Appropriation Amount :	25.000 GPM	
Prefix	Water Right Number	Suffix

Appropriator(s)

Appropriator	Last Name	First Name	Company	City	State
Applicant			GERC, LLC	ALPINE	Wyoming
Agent			THOMAS DRILLING INC	AFTON	Wyoming

Beneficial Uses

Beneficial Uses:	Miscellaneous-- Ground Water(lawn and landscape watering less than 1 arce.), Miscellaneous-- Ground Water(Potable & Sanitary Supply for churches, schools, m)
------------------	--

Top

TFN 5 4/191
RECD APR 13, 2011

Water Right POD

Principal Meridian	Township	Range	Section	Quarter	Qtr-Qtr	SurveyType	Number	Primary POD
06	035N	119W	10	SE	SWSE	Aliquot Parts		Y

Water Right POU

Principal Meridian	Township	Range	Section	Quarter	Q-Q	Land Owner Type	Use	Supply Type
06	035N	119W	10	SE	SWSE	Patented	Miscellaneous-- Ground Water	ORIGINAL
06	035N	119W	10	SE	SWSE	Patented	Miscellaneous-- Ground Water	ORIGINAL

1

Supply Type	Acres
Original	0.000

Total acres irrigated : 0.000

Construction

[Top](#)

Well Log/Water Quality

[Top](#)

Comments

[Top](#)

Documents

Document Type	Document Name	Document Date	Document Created by	Document Uploaded by	Uploaded Date	View
<input type="checkbox"/> Application						
<input type="checkbox"/> Letter						
<input type="checkbox"/> Permit						

Appropriation for Ground Water

Appropriation Amount (GPM)	25.00
----------------------------	-------

[Top](#)

Related Transactions

Instrument Type	Instrument Name	Instrument Code	WR Number Type	WR Number
Application	Wells and Springs	UW5	Permit	P193711.0W

TFN 5 4/191
RECD APR 13, 2011

Print

PERMIT SUMMARY

Instrument: ENLARGEMENT OF A DITCH, PIPELINE OR PUMP	
Facility Name : BAKER & HEAP DITCH {ENL. OF}	Water Right Status : FULLY ADJUDICATED
Application Number :	Date Accepted for Processing :
Temporary File Number :	Priority Date : 09/18/1913
Permit Number : P3258.OE	Division : 4 District : 12
Proof Number :	SC Original Expiration Date : 06/15/1915
Docket Number :	SC Extended Expiration Date :
Order Number :	SC Actual Expiration Date :
Certificate Record Number :	BU Original Expiration Date :
Auto Cancellation Date :	BU Extended Expiration Date :
Extended Auto Cancellation Date :	BU Actual Expiration Date :
Last Modified By :	Last Modified Date : 01/01/1800

General Info

Type Of Diversion:	Not Applicable		
Supply Type:	Original Supply		
Special Cases:	Enlargement		
Prefix	Water Right Number	Suffix	

Appropriator(s)

Appropriator	Last Name	First Name	Company	City	State
Applicant	Sanderson	Nels		Etna	Wyoming
Applicant	Erickson	Robert		Etna	Wyoming

Beneficial Uses

Beneficial Uses:	Irrigation-- Surface water(), Stock (STO) Use()
------------------	---

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Water Right POD

Principal Meridian	Township	Range	Section	Quarter	Qtr-Qtr	SurveyType	Number	Primary POD
06	035N	119W	10	SE	SESE			Y

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RECD APR 13, 2011

06	035N	119W	34	SW	SWSW			N
----	------	------	----	----	------	--	--	---

Stream Source

Source	Tributary Of	Tributary Of	Tributary Of	WR Number Type	WR Number
Salt River	Snake River			P	3258

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Water Right POU

Principal Meridian	Township	Range	Section	Quarter	Q-Q	Land Owner Type	Use	Supply Type
06	035N	119W	10	SE	NWSE			ORIGINAL
06	035N	119W	10	SE	SWSE			ORIGINAL
06	035N	119W	15	SE	NESE			ORIGINAL
06	035N	119W	15	SE	SESE			ORIGINAL

Supply Type	Acres
Original	88.000

Total acres irrigated : 88.000

Comments

Created Date	Comment Details	Created by
1/1/1800 12:00:00 AM	Remuna AprAmt, AprUnit, Use :0CFSIRR, STO	MIGRATED

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Documents

Appropriation Amount

Permitted Amount:	Total Flow (CFS) = 1.260	Total Capacity (AF/Yr) = 0
	Diversion capacity at the headgate (CFS) =	

[Top](#)

Related Transactions

Instrument Type	Instrument Name	Instrument Code	WR Number Type	WR Number
-----------------	-----------------	-----------------	----------------	-----------

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DRILLING JOB LOG

Longitude: _____
 Latitude: _____

START DATE: 8 _____
 END DATE: _____
 WORKERS: _____

OWNER: GERC LLC

CONTRACTOR: _____

JOB LOCATION: Gravel Pit

BENTONITE: _____ BAGS _____ FT. TO _____ FT. DRIVE SHOE _____ WELL CAP _____

PERFS: TYPE _____ HRS _____ FROM _____ FT TO _____ FT.

STEEL CASING SIZE: _____ FROM _____ TO _____ AND _____ FROM _____ TO _____

PVC CASING SIZE: _____ FROM _____ TO _____

OPEN HOLE: SIZE: _____ FROM _____ TO _____ DEVELOPMENT: HRS _____

FOOTAGE / DESCRIPTION / WATER LOCATION & GPM

① 20' 10" surface seal	10 Bags medium chips
② 6" Drive shoe	
③ 6" well cap - green	
0-10 gravel sand	
10-20 gravel clay more clay	
20-40 gravel	
40-60 gravel sand water	10 gpm
60-68 gravel sand water	20 gpm
68-78 sand gravel water	40 gpm really sandy
78- 88 92 hard gravel	50 sandy
92-100 gravel some sand	100 gpm

STATE OF WYOMING
OFFICE OF THE STATE ENGINEER
HERSCHLER BLDG., 4-E CHEYENNE, WYOMING 82002
(307) 777-6163

\$75 JR

APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

APPLICATION FOR WELLS AND SPRINGS

Note: Only springs flowing 25 gallons per minute or less, where the proposed use is Domestic and/or Stock Watering, will be considered as ground water appropriations.

FOR OFFICE USE ONLY

Temporary Filing No. U.W. 42-7-171

PERMIT NO. U.W. 193711
WATER DIVISION NO. 4 DISTRICT 12
U.W. DISTRICT Lincoln County

NOTE: Do not fold this form. Use typewriter or print nearby with black ink.
ALL ITEMS MUST BE COMPLETED BEFORE APPLICATION IS ACCEPTABLE

NAME AND NUMBER OF WELL or SPRING Rocky Top

1. Name of applicant(s) GERC, LLC Phone _____

2. Address of applicant(s) 50 W Hwy 26 Alpine WY 83128
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

3. Name & address of agent to receive correspondence and notices Thomas Drilling, Inc
131 W Rocky Rd Afton WY 83110 Phone 307-885-3976
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

4. Use to which the water will be applied
- Domestic Use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totaling one acre or less. Number of houses served? _____
 - Stock Watering Normal livestock use at four tanks or less within one mile of well or spring. Stock-watering pipelines and commercial feedlots are a Miscellaneous use. Number of stock tanks? _____
 - Irrigation Watering of any lands for agricultural purposes not covered by the definition of domestic use (large-scale lawn watering of golf courses, cemeteries, recreation areas, etc., are Miscellaneous uses).
 - Municipal Use of water in incorporated Towns and Cities. Note 1: use of water in unincorporated towns, subdivisions, improvement districts, mobile home parks, etc. are Miscellaneous uses. Note 2: a permit may be required by the Wyoming Department of Environmental Quality (WDEQ) if the well will be classified as a public water supply under the WDEQ's rules and regulations.
 - Industrial Long term use of water for the manufacture of a product or production of oil/gas or other minerals (oil field water flood operations, power plant water supply, etc.). (Describe in REMARKS)
 - Miscellaneous Any use of water not defined under previous definitions such as stock-watering pipelines, subdivisions, mine dewatering, mineral/oil exploration drilling, potable supplies in office, etc. (Describe in REMARKS). Note: a permit may be required by the WDEQ if the well will be classified as a public water supply under the WDEQ's rules and regulations. Potable & sanitary use at an office & lawn/landscape & acre around office building. 3A
 - Coalbed Methane Water produced in the production of coal bed methane gas. Note: wells used in the production of coal bed methane gas will require a permit from the Wyoming Oil and Gas Conservation Commission.
 - Monitor, Observation Note: a WDEQ permit may be required. Test Well (Describe in REMARKS)

5. Location of the well or spring: (NOTE: Quarter-quarter (40 acre subdivision) MUST be shown. EXAMPLE: SE 1/4 NW 1/4 of Sec. 12, Township 14 North, Range 68 West.)
Lincoln County, SW 1/4 SE 1/4 of Sec. 10, T. 35 N., R. 119 W. of the 6th P.M. (W.R.M.), Wyoming. If located in a platted subdivision, also provide Lot/Tract _____ Block _____ of the Subdivision (or Add'n) of _____ Resurvey Location: Tract _____ (or Lot) _____.

6. Estimated depth of the well or spring is 120 ft. Estimated production interval is 100 ft. to 120 ft.

7. (a) MAXIMUM instantaneous flow of water to be developed and beneficially used: 25 gallons per minute.
NOTE: if for Domestic and/or Stock-watering use, this application will be processed for a maximum of 25 gallons per minute. For a spring, after approval of this application, some type of artificial diversion or improvement must be constructed to qualify for a water right.

(b) MAXIMUM volumetric quantity of water to be developed and beneficially used per calendar year: 1 .
Circle appropriate units: (Gallons) (Acres Feet) NOTE: A four person family utilizes approximately one (1) acre-foot of water per year or 325,000 gallons.

8. Mark the point(s) or area(s) of use in the tabulation box below. Note: Upper row refers to the quarter of the section. Next row refers to the quarter of the quarter section.

TABULATION BOX

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
35	119	10																	

Permit No. U.W. 193711 SEE REVERSE SIDE Book No. 1397 Page No. 11

9. If for irrigation use:
 a. Describe MAXIMUM acreage to be irrigated in each 40 acre subdivision in the tabulation box above.
 b. Land will be irrigated from this well only.
 c. Land is irrigated from existing water right(s) with water from this well to be additional supply. Describe existing water right(s) under REMARKS.

10. If for irrigation use, describe method of irrigation, i.e. center pivot sprinkler, flood, etc.: _____

11. The well or spring is to be constructed on lands owned by GECR, LLC
 (The granting of a permit does not constitute the granting of a right-of-way. If any easement or right-of-way is necessary in connection with this application, it should be understood that the responsibility is the applicant's. A copy of the agreement should accompany this application. If the land is privately owned and the owner is not the co-applicant.)

12. The water is to be used on lands owned by GECR, LLC
 (If the landowner is not the applicant, a copy of the agreement relating to the usage of the appropriated water on the land should be submitted to this office. If the landowner is included as co-applicant on the application, this procedure need not be followed.) NOTE: Water rights attach to the area(s) and/or point(s) of use.

REMARKS: Water to be used for Ismail office - bathroom
outside hydrant

Under penalties of perjury, I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete.
Thomas Dillinger, Sandy Thomas July 9, 2010 Original
 Signature of Applicant or Authorized Agent Date Aug 16, 2010 2010

THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION

DOMESTIC AND/OR STOCK WATERING USES (Domestic use is defined as use of water in 3 single family dwellings or less, noncommercial watering of lawns and gardens totalling one acre or less.)	\$50.00
COAL BED METHANE USE	\$50.00
IRRIGATION, MUNICIPAL, INDUSTRIAL, AND MISCELLANEOUS USES	\$75.00
MONITOR (For water level measurements or chemical quality sampling) or TEST WELL USES	No Fee

IF WELL WILL SERVE MULTIPLE USES, SUBMIT ONLY ONE (THE HIGHER) FILING FEE.
 THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

THE STATE OF WYOMING)
) ss.
 STATE ENGINEER'S OFFICE)
 This instrument was received and filed for record on the 17th day of August, A.D. 2010, at 9:30 o'clock A. M.
 Permit No. U.W. 193711 _____
 for State Engineer

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 application is approved subject to the condition that the proposed use shall not interfere with any existing rights to ground water from the same source of supply and is subject to regulation and correlation with surface water rights, if the ground and surface waters are interconnected. The use of water hereunder is subject to the further provisions of Chapter 160, Session Laws of Wyoming, 1957, and any subsequent amendments thereto.
 Granting of a permit does not guarantee the right to have the water level or artesian pressure in the well maintained at any specific level. The well should be constructed to a depth adequate to allow for the maximum development and beneficial use of ground water in the source of supply.
 If the well is a flowing artesian well, it shall be so constructed and equipped that the flow may be shut off when not in use without loss of water into sub-surface formations or at the land surface.
 Coal Bed Methane wells have Additional Conditions and Limitations on attachment sheet.

Approval of this application may be considered as authorization to proceed with construction of the proposed well or spring. A Statement of Completion must be filed within thirty (30) days of completion of construction, including pump installation.

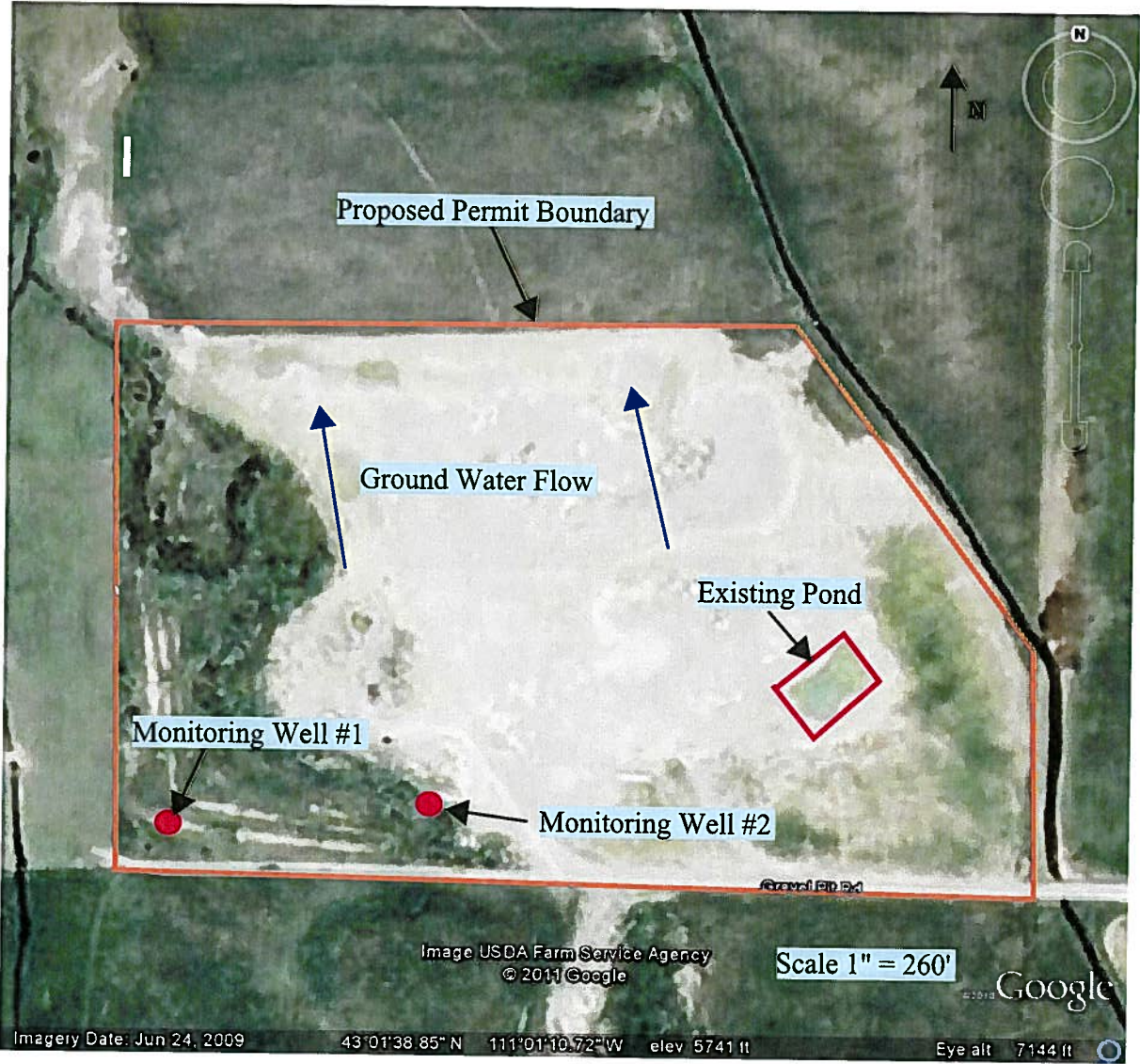
Completion of construction and completion of the beneficial use of water for the purposes specified in item 4 of this application will be made by December 31, 2011.

The amount of appropriation shall be limited to the quantity to which permittee is entitled as determined at time of proof of application of water to beneficial use.

Witness my hand this 10th day of Sept, A.D. 2010.
 for Patrick T. Tyrrell
 PATRICK T. TYRRELL State Engineer

Ground Water Monitoring Sites

Rocky Top Rock Proposed Small Mining Permit Gravel Pit
Section 10 T35N R119W



TFN 5 4/191
RECD AUG 30, 2011



ANALYTICAL SUMMARY REPORT

July 20, 2011

GEGR LLC
370 Pit Run
Etna, WY 83118

Workorder No.: C11061182 Quote ID: C3609 - Test Holes at Gravel Pit

Project Name: Rocky Top Rock

Energy Laboratories, Inc. Casper WY received the following 2 samples for GEGR LLC on 6/29/2011 for analysis.

Sample ID	Client Sample ID	Collect Date	Receive Date	Matrix	Test
C11061182-001	Test Well 1	06/28/11 0:00	06/29/11	Aqueous	Metals by ICP/ICPMS, Dissolved Metals by ICP/ICPMS, Total Alkalinity QA Calculations Sample Filtering Fluoride E300.0 Anions Nitrogen, Ammonia Nitrogen, Nitrate + Nitrite Metals Preparation by EPA 200.2 Solids, Total Dissolved
C11061182-002	Test Well 2	06/28/11 0:00	06/29/11	Aqueous	Same As Above

This report was prepared by Energy Laboratories, Inc., 2393 Salt Creek Hwy., Casper, WY 82601. Any exceptions or problems with the analyses are noted in the Laboratory Analytical Report, the QA/QC Summary Report, or the Case Narrative.

The results as reported relate only to the item(s) submitted for testing. All samples are reported on an as received basis unless otherwise indicated. Samples corrected for dry weight indicate units that have -dry appended.

If you have any questions regarding these test results, please call.

Report Approved By:

Stephanie D. Waldrop
Stephanie D. Waldrop
Reporting Supervisor

LABORATORY ANALYTICAL REPORT

Prepared by Casper, WY Branch

Client: GEGR LLC
Project: Rocky Top Rock
Lab ID: C11061182-001
Client Sample ID: Test Well 1

Report Date: 07/20/11
Collection Date: 06/28/11
Date Received: 06/29/11
Matrix: Aqueous

Analyses	Result	Units	Qualifier	RL	MCL/ QCL	Method	Analysis Date / By
MAJOR IONS							
Carbonate as CO ₃	7	mg/L		5		A2320 B	06/30/11 16:36 / jba
Bicarbonate as HCO ₃	378	mg/L		5		A2320 B	06/30/11 16:36 / jba
Calcium	94	mg/L		1		E200.7	06/30/11 22:21 / cp
Chloride	11	mg/L		1		E300.0	07/01/11 20:36 / ljl
Fluoride	0.1	mg/L		0.1		A4500-F C	07/07/11 10:10 / jba
Magnesium	22	mg/L		1		E200.7	06/30/11 22:21 / cp
Nitrogen, Ammonia as N	0.21	mg/L		0.05		A4500-NH ₃ G	07/06/11 15:28 / dc
Nitrogen, Nitrate+Nitrite as N	1.3	mg/L		0.1		E353.2	06/30/11 16:33 / dc
Potassium	2	mg/L		1		E200.7	06/30/11 22:21 / cp
Sodium	10	mg/L		1		E200.7	06/30/11 22:21 / cp
Sulfate	25	mg/L	D	2		E300.0	07/01/11 20:36 / ljl
PHYSICAL PROPERTIES							
Solids, Total Dissolved TDS @ 180 C	378	mg/L		.10		A2540 C	06/30/11 16:21 / wc
METALS - DISSOLVED							
Arsenic	ND	mg/L		0.001		E200.8	07/01/11 16:17 / sml
Cadmium	ND	mg/L		0.01		E200.7	06/30/11 22:21 / cp
Chromium	ND	mg/L		0.05		E200.7	06/30/11 22:21 / cp
Iron	ND	mg/L		0.03		E200.7	06/30/11 22:21 / cp
Molybdenum	ND	mg/L		0.1		E200.7	06/30/11 22:21 / cp
Selenium	0.002	mg/L		0.001		E200.8	07/01/11 16:17 / sml
Zinc	2.29	mg/L		0.01		E200.7	06/30/11 22:21 / cp
METALS - TOTAL							
Boron	ND	mg/L		0.1		E200.7	07/06/11 14:40 / cp
Iron	0.29	mg/L		0.03		E200.7	07/06/11 14:40 / cp
Manganese	0.01	mg/L		0.01		E200.7	07/06/11 14:40 / cp
DATA QUALITY							
A/C Balance (± 5)	-2.28	%				Calculation	07/07/11 12:54 / kbh
Anions	7.35	meq/L				Calculation	07/07/11 12:54 / kbh
Cations	7.02	meq/L				Calculation	07/07/11 12:54 / kbh
Solids, Total Dissolved Calculated	370	mg/L				Calculation	07/07/11 12:54 / kbh
TDS Balance (0.80 - 1.20)	1.02					Calculation	07/07/11 12:54 / kbh

Report Definitions:
 RL - Analyte reporting limit.
 QCL - Quality control limit.
 D - RL increased due to sample matrix.

MCL - Maximum contaminant level.
 ND - Not detected at the reporting limit.

LABORATORY ANALYTICAL REPORT

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock
Lab ID: C11061182-002
Client Sample ID: Test Well 2

Report Date: 07/20/11
Collection Date: 06/28/11
Date Received: 06/29/11
Matrix: Aqueous

Analyses	Result	Units	Qualifier	RL	MCL/ QCL	Method	Analysis Date / By
MAJOR IONS							
Carbonate as CO3	ND	mg/L		5		A2320 B	06/30/11 17:02 / jba
Bicarbonate as HCO3	331	mg/L		5		A2320 B	06/30/11 17:02 / jba
Calcium	81	mg/L		1		E200.7	06/30/11 22:25 / cp
Chloride	12	mg/L		1		E300.0	07/01/11 20:52 / ljl
Fluoride	0.1	mg/L		0.1		A4500-F C	07/07/11 10:13 / jba
Magnesium	19	mg/L		1		E200.7	06/30/11 22:25 / cp
Nitrogen, Ammonia as N	0.08	mg/L		0.05		A4500-NH3 G	07/06/11 15:30 / dc
Nitrogen, Nitrate+Nitrite as N	1.3	mg/L		0.1		E353.2	06/30/11 16:36 / dc
Potassium	5	mg/L		1		E200.7	06/30/11 22:25 / cp
Sodium	8	mg/L		1		E200.7	06/30/11 22:25 / cp
Sulfate	26	mg/L	D	2		E300.0	07/01/11 20:52 / ljl
PHYSICAL PROPERTIES							
Solids, Total Dissolved TDS @ 180 C	321	mg/L		.10		A2540 C	06/30/11 16:21 / wc
METALS - DISSOLVED							
Arsenic	0.001	mg/L		0.001		E200.8	07/01/11 16:31 / sml
Cadmium	ND	mg/L		0.01		E200.7	06/30/11 22:25 / cp
Chromium	ND	mg/L		0.05		E200.7	06/30/11 22:25 / cp
Iron	ND	mg/L		0.03		E200.7	06/30/11 22:25 / cp
Molybdenum	ND	mg/L		0.1		E200.7	06/30/11 22:25 / cp
Selenium	0.001	mg/L		0.001		E200.8	07/01/11 16:31 / sml
Zinc	0.05	mg/L		0.01		E200.7	06/30/11 22:25 / cp
METALS - TOTAL							
Boron	ND	mg/L		0.1		E200.7	07/06/11 14:44 / cp
Iron	0.99	mg/L		0.03		E200.7	07/06/11 14:44 / cp
Manganese	0.05	mg/L		0.01		E200.7	07/06/11 14:44 / cp
DATA QUALITY							
A/C Balance (± 5)	-2.35	%				Calculation	07/07/11 12:54 / kbh
Anions	6.39	meq/L				Calculation	07/07/11 12:54 / kbh
Cations	6.10	meq/L				Calculation	07/07/11 12:54 / kbh
Solids, Total Dissolved Calculated	329	mg/L				Calculation	07/07/11 12:54 / kbh
TDS Balance (0.80 - 1.20)	0.980					Calculation	07/07/11 12:54 / kbh

Report Definitions:
 RL - Analyte reporting limit.
 QCL - Quality control limit.
 D - RL increased due to sample matrix.

MCL - Maximum contaminant level.
 ND - Not detected at the reporting limit.



QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock

Report Date: 07/20/11
Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: A2320 B										
Sample ID: MBLK	3	Method Blank								Batch: R147622
Alkalinity, Total as CaCO3		4	mg/L	1						Run: MANTECH_110630A 06/30/11 08:55
Carbonate as CO3		ND	mg/L	1						
Bicarbonate as HCO3		4	mg/L	1						
Sample ID: LCS										
Alkalinity, Total as CaCO3		Laboratory Control Sample								Run: MANTECH_110630A 06/30/11 09:10
		208	mg/L	5.0	102	90	110			
Sample ID: LCS										
Alkalinity, Total as CaCO3		Laboratory Control Sample								Run: MANTECH_110630A 06/30/11 16:27
		213	mg/L	5.0	105	90	110			
Sample ID: C11061182-001ADUP										
Alkalinity, Total as CaCO3		Sample Duplicate								Run: MANTECH_110630A 06/30/11 16:45
		329	mg/L	5.0				2.0	10	

Qualifiers:

RL - Analyte reporting limit.

ND - Not detected at the reporting limit.



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QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock

Report Date: 07/20/11
Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: A2540 C										
Sample ID: MBLK1_		Method Blank								Batch: R147661
Solids, Total Dissolved TDS @ 180 C		ND	mg/L	4						06/30/11 16:14
Run: BAL-1_110630B										
Sample ID: LCS1_		Laboratory Control Sample								06/30/11 16:15
Solids, Total Dissolved TDS @ 180 C		995	mg/L	10	99	90	110			
Run: BAL-1_110630B										
Sample ID: C11061180-001ADUP		Sample Duplicate								06/30/11 16:19
Solids, Total Dissolved TDS @ 180 C		426	mg/L	10				0.4	10	
Run: BAL-1_110630B										
Sample ID: C11061189-001AMS		Sample Matrix Spike								06/30/11 16:23
Solids, Total Dissolved TDS @ 180 C		2280	mg/L	10	103	90	110			
Run: BAL-1_110630B										

Qualifiers:

RL - Analyte reporting limit.

ND - Not detected at the reporting limit.

TFN 5 4/191
REC'D AUG 30, 2011



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QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock

Report Date: 07/20/11

Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: A4500-F C										
Sample ID: MBLK Fluoride		Method Blank ND	mg/L	0.05						Batch: R147797 07/07/11 09:41
Sample ID: LCS Fluoride		Laboratory Control Sample 2.00	mg/L	0.10	100	90	110			Run: MANTECH_110707A 07/07/11 09:43
Sample ID: C11061182-002AMS Fluoride		Sample Matrix Spike 2.12	mg/L	0.10	99	80	120			Run: MANTECH_110707A 07/07/11 10:17
Sample ID: C11061182-002AMSD Fluoride		Sample Matrix Spike Duplicate 2.16	mg/L	0.10	101	80	120	1.9	10	Run: MANTECH_110707A 07/07/11 10:23

Qualifiers:

RL - Analyte reporting limit.

ND - Not detected at the reporting limit.

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Gillette, WY 866-686-7175 • Rapid City, SD 888-672-1225 • College Station, TX 888-690-2218

QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock

Report Date: 07/20/11
Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: A4500-NH3 G										
Sample ID: MBLK-1		Method Blank								Batch: R147728
Nitrogen, Ammonia as N		ND	mg/L	0.02						Run: TECHNICON_110706A 07/06/11 12:14
Sample ID: LCS-2		Laboratory Control Sample								
Nitrogen, Ammonia as N		2.05	mg/L	0.050	102	90	110			Run: TECHNICON_110706A 07/06/11 12:16
Sample ID: LFB-3		Laboratory Fortified Blank								
Nitrogen, Ammonia as N		1.84	mg/L	0.050	94	80	120			Run: TECHNICON_110706A 07/06/11 12:18
Sample ID: C11061182-002DMS		Sample Matrix Spike								
Nitrogen, Ammonia as N		2.00	mg/L	0.050	98	80	120			Run: TECHNICON_110706A 07/06/11 15:36
Sample ID: C11061182-002DMSD		Sample Matrix Spike Duplicate								
Nitrogen, Ammonia as N		2.01	mg/L	0.050	98	80	120	0.5		Run: TECHNICON_110706A 07/06/11 15:38 10

Qualifiers:

RL - Analyte reporting limit.

ND - Not detected at the reporting limit.

TFN 5 4/191
RECD AUG 30, 2011

QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GEGR LLC
Project: Rocky Top Rock

Report Date: 07/20/11
Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: E200.7										
Sample ID: MB-110630A	9	Method Blank								
										Batch: R147581
Cadmium		ND	mg/L	0.0005						06/30/11 10:41
Calcium		ND	mg/L	0.1						
Chromium		ND	mg/L	0.002						
Iron		ND	mg/L	0.001						
Magnesium		ND	mg/L	0.05						
Molybdenum		0.002	mg/L	0.001						
Potassium		ND	mg/L	0.05						
Sodium		ND	mg/L	0.2						
Zinc		ND	mg/L	0.001						
										Run: ICP2-C_110630B
Sample ID: LFB-110630A	9	Laboratory Fortified Blank								
										06/30/11 10:45
Cadmium		0.950	mg/L	0.010	95	85	115			
Calcium		48.9	mg/L	0.50	98	85	115			
Chromium		0.940	mg/L	0.050	94	85	115			
Iron		0.939	mg/L	0.030	94	85	115			
Magnesium		49.8	mg/L	0.50	100	85	115			
Molybdenum		0.916	mg/L	0.10	91	85	115			
Potassium		48.0	mg/L	0.50	96	85	115			
Sodium		47.6	mg/L	0.50	95	85	115			
Zinc		0.928	mg/L	0.010	93	85	115			
										Run: ICP2-C_110630B
Sample ID: C11061199-001BMS2	9	Sample Matrix Spike								
										06/30/11 22:05
Cadmium		1.90	mg/L	0.010	93	70	130			
Calcium		154	mg/L	1.0	94	70	130			
Chromium		1.90	mg/L	0.050	93	70	130			
Iron		1.96	mg/L	0.030	96	70	130			
Magnesium		115	mg/L	1.0	95	70	130			
Molybdenum		1.90	mg/L	0.10	93	70	130			
Potassium		93.3	mg/L	1.0	89	70	130			
Sodium		103	mg/L	1.0	97	70	130			
Zinc		1.93	mg/L	0.010	95	70	130			
										Run: ICP2-C_110630B
Sample ID: C11061199-001BMSD	9	Sample Matrix Spike Duplicate								
										06/30/11 22:09
Cadmium		1.91	mg/L	0.010	93	70	130	0.4	20	
Calcium		152	mg/L	1.0	92	70	130	1.3	20	
Chromium		1.92	mg/L	0.050	94	70	130	1.2	20	
Iron		1.95	mg/L	0.030	96	70	130	0.4	20	
Magnesium		117	mg/L	1.0	96	70	130	1.2	20	
Molybdenum		1.93	mg/L	0.10	94	70	130	1.6	20	
Potassium		91.6	mg/L	1.0	88	70	130	1.8	20	
Sodium		105	mg/L	1.0	99	70	130	2.3	20	
Zinc		1.92	mg/L	0.010	94	70	130	0.5	20	

Qualifiers:

RL - Analyte reporting limit.

ND - Not detected at the reporting limit.

QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock

Report Date: 07/20/11

Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: E200.7										
Sample ID: MB-30325	3	Method Blank								Batch: 30325
Boron		0.05	mg/L	0.03						Run: ICP2-C_110706A 07/06/11 13:48
Iron		ND	mg/L	0.008						
Manganese		ND	mg/L	0.0002						
Sample ID: LCS3-30325	3	Laboratory Control Sample								
Boron		0.538	mg/L	0.10	98	85	115			Run: ICP2-C_110706A 07/06/11 13:52
Iron		2.63	mg/L	0.030	105	85	115			
Manganese		2.61	mg/L	0.010	104	85	115			
Sample ID: C11061180-002CMS3	3	Sample Matrix Spike								
Boron		0.541	mg/L	0.10	95	70	130			Run: ICP2-C_110706A 07/06/11 14:56
Iron		2.55	mg/L	0.030	102	70	130			
Manganese		2.53	mg/L	0.010	101	70	130			
Sample ID: C11061180-002CMSD	3	Sample Matrix Spike Duplicate								
Boron		0.552	mg/L	0.10	98	70	130	2.0	20	Run: ICP2-C_110706A 07/06/11 15:01
Iron		2.57	mg/L	0.030	103	70	130	0.7	20	
Manganese		2.57	mg/L	0.010	103	70	130	1.4	20	

Qualifiers:

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QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock

Report Date: 07/20/11

Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: E200.8										
Sample ID: LRB										
2 Method Blank										
Arsenic		ND	mg/L	0.0001						
Selenium		0.0003	mg/L	0.0003						
Run: ICPMS2-C_110701A										
Batch: R147620										
07/01/11 10:23										
Sample ID: LFB										
2 Laboratory Fortified Blank										
Arsenic		0.0539	mg/L	0.0010	108	85	115			
Selenium		0.0544	mg/L	0.0010	108	85	115			
Run: ICPMS2-C_110701A										
07/01/11 10:26										
Sample ID: C11061189-008BMS4										
2 Sample Matrix Spike										
Arsenic		0.0571	mg/L	0.0010	114	70	130			
Selenium		0.0575	mg/L	0.0010	114	70	130			
Run: ICPMS2-C_110701A										
07/01/11 17:09										
Sample ID: C11061189-008BMSD										
2 Sample Matrix Spike Duplicate										
Arsenic		0.0565	mg/L	0.0010	113	70	130	1.0	20	
Selenium		0.0571	mg/L	0.0010	113	70	130	0.7	20	
Run: ICPMS2-C_110701A										
07/01/11 17:12										

Qualifiers:

RL - Analyte reporting limit.

ND - Not detected at the reporting limit.

TFN 5 4/191
RECD AUG 30. 2011



QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock

Report Date: 07/20/11

Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: E300.0										
Sample ID: ICV-110701										
2 Initial Calibration Verification Standard										
Chloride		10.1	mg/L	1.0	101	90	110			
Sulfate		39.9	mg/L	1.0	100	90	110			
Sample ID: ICB2-110701										
2 Initial Calibration Blank, Instrument Blank										
Chloride		0.0340	mg/L	1.0		0	0			07/01/11 11:21
Sulfate		0.110	mg/L	1.0		0	0			
Method: E300.0										
Sample ID: ICB-110701										
2 Method Blank										
Chloride		0.06	mg/L	0.04						Batch: R147651
Sulfate		ND	mg/L	0.1						07/01/11 10:35
Sample ID: LFB-110701										
2 Laboratory Fortified Blank										
Chloride		10.1	mg/L	1.0	100	90	110			Run: IC2-C_110701A
Sulfate		40.5	mg/L	1.0	101	90	110			07/01/11 10:50
Sample ID: LFB-110701										
2 Laboratory Fortified Blank Duplicate										
Chloride		10.1	mg/L	1.0	100	90	110	0.6		Run: IC2-C_110701A
Sulfate		40.3	mg/L	1.0	101	90	110	0.4		07/01/11 11:06
Sample ID: C11061180-001AMS										
2 Sample Matrix Spike										
Chloride		29.6	mg/L	1.0	103	80	120			Run: IC2-C_110701A
Sulfate		158	mg/L	1.6	100	80	120			07/01/11 19:50
Sample ID: C11061180-001AMSD										
2 Sample Matrix Spike Duplicate										
Chloride		29.5	mg/L	1.0	102	80	120	0.2		Run: IC2-C_110701A
Sulfate		157	mg/L	1.6	99	80	120	0.4		07/01/11 20:06

Qualifiers:

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QA/QC Summary Report

Prepared by Casper, WY Branch

Client: GECR LLC
Project: Rocky Top Rock

Report Date: 07/20/11

Work Order: C11061182

Analyte	Count	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: E353.2										
Sample ID: MBLK-1		Method Blank								Batch: R147578
Nitrogen, Nitrate+Nitrite as N		ND	mg/L	0.06						06/30/11 13:11
Run: TECHNICON_110630A										
Sample ID: LCS-2		Laboratory Control Sample								06/30/11 13:13
Nitrogen, Nitrate+Nitrite as N		2.50	mg/L	0.10	100	90	110			
Run: TECHNICON_110630A										
Sample ID: LFB-3		Laboratory Fortified Blank								06/30/11 13:16
Nitrogen, Nitrate+Nitrite as N		1.88	mg/L	0.10	96	90	110			
Run: TECHNICON_110630A										
Sample ID: C11061175-005DMS		Sample Matrix Spike								06/30/11 16:21
Nitrogen, Nitrate+Nitrite as N		4.11	mg/L	0.10	101	90	110			
Run: TECHNICON_110630A										
Sample ID: C11061175-005DMSD		Sample Matrix Spike Duplicate								06/30/11 16:23
Nitrogen, Nitrate+Nitrite as N		4.15	mg/L	0.10	103	90	110	1.0		10
Run: TECHNICON_110630A										

Qualifiers:

RL - Analyte reporting limit.

ND - Not detected at the reporting limit.

TFN 5 4/191
RECD AUG 30, 2011

Energy Laboratories Inc Workorder Receipt Checklist

GECR LLC



C11061182

Login completed by: Debra Williams

Date Received: 6/29/2011

Reviewed by: BL2000\sdobos

Received by: ckw

Reviewed Date: 6/30/2011

Carrier Ground name:

- | | | | |
|---|---|--|--|
| Shipping container/cooler in good condition? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | Not Present <input type="checkbox"/> |
| Custody seals intact on shipping container/cooler? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | Not Present <input type="checkbox"/> |
| Custody seals intact on sample bottles? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | Not Present <input checked="" type="checkbox"/> |
| Chain of custody present? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| Chain of custody signed when relinquished and received? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| Chain of custody agrees with sample labels? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| Samples in proper container/bottle? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| Sample containers intact? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| Sufficient sample volume for indicated test? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| All samples received within holding time? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| Container/Temp Blank temperature: | 6.8°C On Ice | | |
| Water - VOA vials have zero headspace? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | No VOA vials submitted <input checked="" type="checkbox"/> |
| Water - pH acceptable upon receipt? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Not Applicable <input type="checkbox"/> |

Contact and Corrective Action Comments:

Samples for dissolved metals were subsampled, filtered and preserved with 2 mL HNO3 in lab upon receipt to pH <2.



Chain of Custody and Analytical Request Record

PLEASE PRINT (Provide as much information as possible.)

Project Name, PWS, Permit, Etc. Rocky Top Rock

Sample Origin Rocky Top Rock State:

Contact Name: Gay Phone/Fax: 307-654-7587

Invoice Contact & Phone: Gay Edwards 654-7587

Company Name: GEGR, LLC

Report Mail Address: PO Box 3258

Invoice Address: Alpine, WY 83128

EPA/State Compliance: Yes No

Sampler: (Please Print) gegr@silverstar.com

Quote/Bottle Order: C3609

SAMPLE IDENTIFICATION (Name, Location, Interval, etc.)	Collection Date	Collection Time	MATRIX	Number of Containers		Comments:
				Air Water Solids	DW - Drinking Water	
1 Test well 1	6/28/11	1:00	IW	1	1	SEE ATTACHED ANALYSIS REQUESTED Standard Turnaround (TAT) <u> </u> R U S H Contact ELI prior to RUSH sample submittal for charges and scheduling - See Instruction Page Shipped by: <u>USGARS</u> Cooler ID(s): <u>C3706</u> Receipt Temp: <u>16.8 °C</u> On Ice: <input checked="" type="checkbox"/> N Custody Seal: <input checked="" type="checkbox"/> N On Cooler: <input checked="" type="checkbox"/> N Intact: <input checked="" type="checkbox"/> N Signature Match: <input checked="" type="checkbox"/> N LABORATORY USE ONLY <u>11061182</u>
2 Test well 1	6/28/11		IW	1	1	
3 Test well 1	6/28/11		IW	1	1	
4 Test well 1	6/28/11		IW	1	1	
5 Test well 2	6/28/11		IW	1	1	
6 Test well 2	6/28/11		IW	1	1	
7 Test well 2	6/28/11		IW	1	1	
8 Test well 2	6/28/11		IW	1	1	
9						
10						

Special Report/Formats:
 DW EDD/EDT (Electronic Data)
 POTW/MWTP Format:
 State: LEVEL IV
 Other: NELAC

Relinquished by (print): Diana Marritt Date/Time: 6/28/11 1:00
 Relinquished by (print): Date/Time:

Signature: Diana Marritt
 Signature:

Received by (print): Date/Time:
 Received by (print): Date/Time:

Received by Laboratory: Date/Time: 6/29/11 9:15
 Signature: Signature:

Sample Disposal: Return to Client:
 Lab Disposal:

In certain circumstances, samples submitted to Energy Laboratories, Inc. may be subcontracted to other certified laboratories in order to complete the analysis requested. This serves as notice of this possibility. All sub-contract data will be clearly noted on your analytical report. Visit our web site at www.energylab.com for additional information, downloadable fee schedule, forms, and links.

APPENDIX D-7

Top Soil Assessment

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

EQU RECD
MAR 3.2011
TFN 5 4/191

D-7 TOP SOIL ASSESSMENT

Attached is information from the USDA NRCS - Natural Resources Conservation Service including maps of the area and various soil types.

Test holes explorations were performed within the gravel pit and location to the test holes are shown in the Map Section of this report - General Map 6. Top soil was found to range approximately 2' with a good gravel source below.

The USDA NRCS data in this section lists silt loam from 0 to 11 inches, silty clay loam from 11 to 31 inches and gravely loamy sand from 31 to 60 inches (see the soil report attached next sheet). Sources of reclamation material as shown in the following report lists cryaquolis, cryaquepts, greyback gravelly loam, huffine silt loam, thayne loam, and turson silt loam with fair ratings for reclamation of the gravel pit when complete.

The topsoil will be stockpiled separately from the other gravel sources being mined and used for the reclamation of the pit see Mine Map 1 in the Map Section of this report.

Regular Mine Permit No. _____

100 RECD
MAR 3 2011
[FW 5 4/191

D-7 TOP SOIL ASSESSMENT

Attached is information from the USDA NRCS - Natural Resources Conservation Service including maps of the area and various soil types.

Test holes explorations were performed within the gravel pit and location to the test holes are shown in the Map Section of this report - General Map 6. Top soil was found to range approximately 2' with a good gravel source below.

The USDA NRCS data in this section lists silt loam from 0 to 11 inches, silty clay loam from 11 to 31 inches and gravely loamy sand from 31 to 60 inches (see the soil report attached next sheet). Sources of reclamation material as shown in the following report lists cryaquolis, cryaquepts, greyback gravelly loam, huffine silt loam, thayne loam, and turson silt loam with fair ratings for reclamation of the gravel pit when complete.

The topsoil will be stockpiled separately from the other gravel sources being mined and used for the reclamation of the pit see Mine Map 1 in the Map Section of this report.

Small Mine Permit No. _____

TFN 5 4/191
RECD APR 13, 2011

USDA United States
Department of
Agriculture



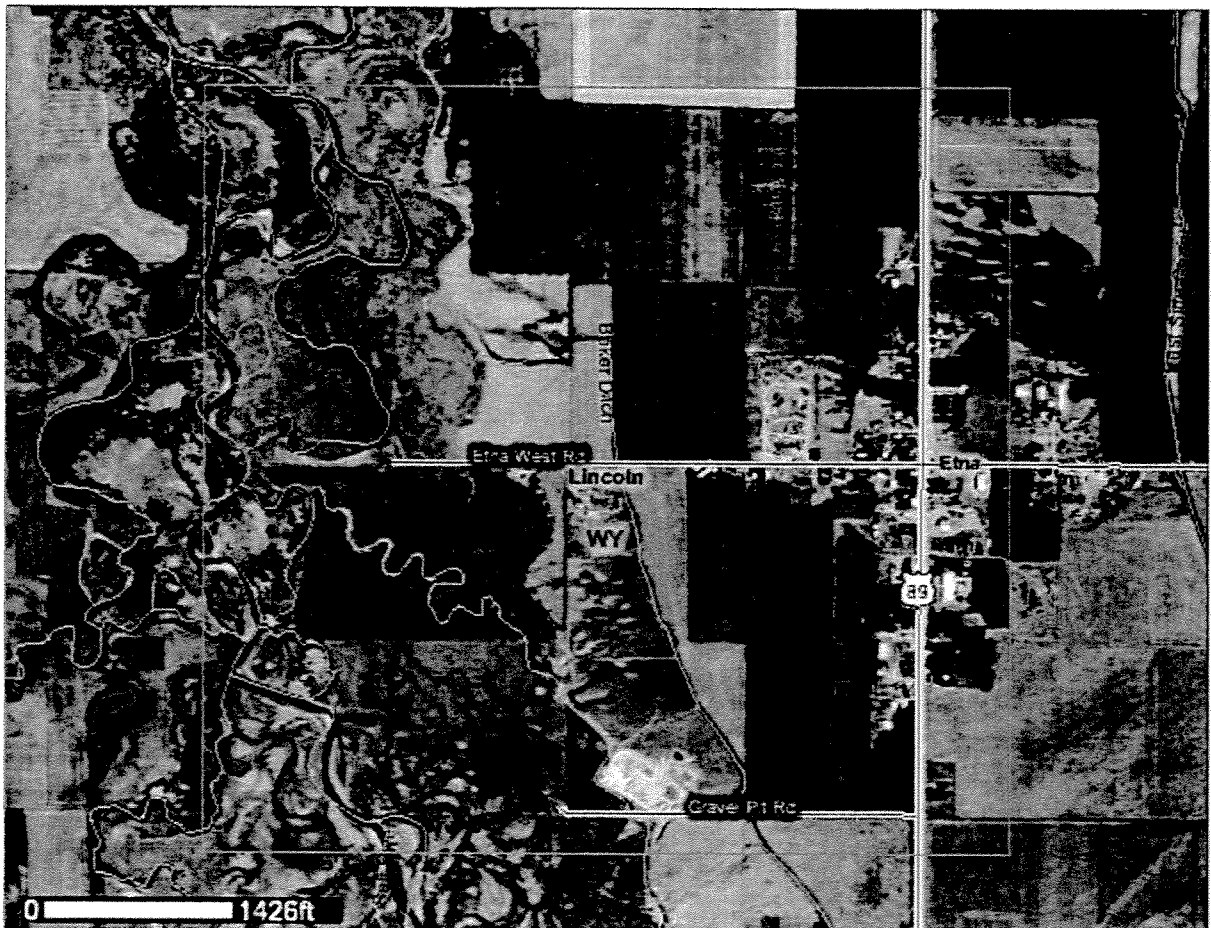
NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Star Valley Area, Wyoming-Idaho

GEGR, LLC dba Rocky Top Rock
Soil Assessment



TFN 5 4/191
RECD APR 13, 2011

January 27, 2011

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://soils.usda.gov/sqi/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://soils.usda.gov/contact/state_offices/).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Soil Data Mart Web site or the NRCS Web Soil Survey. The Soil Data Mart is the data storage site for the official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

Custom Soil Resource Report

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Source Report
Map



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MAP LEGEND

- Area of Interest (AOI)
- Soils
- Soil Map Units
- Special Point Features**
 - Blowout
 - Borrow Pit
 - Clay Spot
 - Closed Depression
 - Gravel Pit
 - Gravelly Spot
 - Landfill
 - Lava Flow
 - Marsh or swamp
 - Mine or Quarry
 - Miscellaneous Water
 - Perennial Water
 - Rock Outcrop
 - Saline Spot
 - Sandy Spot
 - Severely Eroded Spot
 - Sinkhole
 - Slit/slip
 - Sodic Spot
 - Spoil Area
 - Stony Spot
- Special Line Features**
 - Gully
 - Short Steep Slope
 - Other
- Political Features**
 - Cities
 - PLSS Township and Range
 - PLSS Section
- Water Features**
 - Oceans
 - Streams and Canals
- Transportation**
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Very Stony Spot
- Wet Spot
- Other

MAP INFORMATION

Map Scale: 1:15,400 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 12N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Star Valley Area, Wyoming-Idaho
 Survey Area Data: Version 6, Nov 30, 2010

Date(s) aerial images were photographed: 8/28/1994

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Star Valley Area, Wyoming-Idaho (WY623)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CR	Cryaquolls and Cryaquepts	0.3	0.0%
Gg	Greyback gravelly loam	453.0	56.7%
HuB	Huffine silt loam, 3 to 6 percent slopes	2.1	0.3%
TeA	Thayne loam, 0 to 3 percent slopes	25.8	3.2%
ThA	Thayne gravelly loam, 0 to 3 percent slopes	8.9	1.1%
Tu	Turson silt loam	280.3	35.1%
W	Water	28.8	3.6%
Totals for Area of Interest		799.1	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

Custom Soil Resource Report

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Star Valley Area, Wyoming-Idaho

CR—Cryaquolls and Cryaquepts

Map Unit Setting

Mean annual precipitation: 18 to 20 inches

Mean annual air temperature: 37 to 41 degrees F

Frost-free period: 40 to 73 days

Map Unit Composition

Cryaquepts and similar soils: 45 percent

Cryaquolls and similar soils: 45 percent

Minor components: 10 percent

Description of Cryaquolls

Setting

Landform: Flood plains

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium derived from igneous, metamorphic and sedimentary rock

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Depth to water table: About 0 to 6 inches

Frequency of flooding: Frequent

Frequency of ponding: None

Interpretive groups

Land capability classification (irrigated): 5w

Land capability (nonirrigated): 5w

Description of Cryaquepts

Setting

Landform: Flood plains

Down-slope shape: Linear

Across-slope shape: Linear

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Depth to water table: About 0 to 6 inches

Frequency of flooding: Frequent

Frequency of ponding: None

Interpretive groups

Land capability classification (irrigated): 5w

Land capability (nonirrigated): 5w

Minor Components

Dipman

Percent of map unit: 5 percent

Custom Soil Resource Report

Landform: Flood plains

Narrows

Percent of map unit: 5 percent

Landform: Flood plains

Gg—Greyback gravelly loam

Map Unit Setting

Elevation: 5,800 to 7,500 feet

Mean annual precipitation: 18 to 21 inches

Mean annual air temperature: 30 to 45 degrees F

Frost-free period: 30 to 60 days

Map Unit Composition

Greyback and similar soils: 85 percent

Minor components: 15 percent

Description of Greyback

Setting

Landform: Mountain slopes

Landform position (three-dimensional): Mountainflank

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium derived from igneous, metamorphic and sedimentary rock and/or glaciofluvial deposits derived from igneous, metamorphic and sedimentary rock

Properties and qualities

Slope: 0 to 6 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 14 percent

Gypsum, maximum content: 5 percent

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 5.0

Available water capacity: Low (about 4.2 inches)

Interpretive groups

Land capability classification (irrigated): 4s

Land capability (nonirrigated): 6s

Ecological site: LOAMY (15-19W) (R043XY222WY)

Custom Soil Resource Report

Typical profile

0 to 7 inches: Gravelly loam
7 to 18 inches: Gravelly loam
18 to 28 inches: Very gravelly sandy loam
28 to 60 inches: Very gravelly loamy sand

Minor Components

Greyback cb-l

Percent of map unit: 10 percent

Greyback gr-l 6-10% slopes

Percent of map unit: 5 percent

HuB—Huffine silt loam, 3 to 6 percent slopes

Map Unit Setting

Mean annual precipitation: 16 to 24 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 60 to 90 days

Map Unit Composition

Huffine and similar soils: 85 percent
Minor components: 15 percent

Description of Huffine

Setting

Landform: Mountain slopes
Landform position (three-dimensional): Mountainflank
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium and/or loess

Properties and qualities

Slope: 3 to 6 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Available water capacity: Moderate (about 7.3 inches)

Interpretive groups

Land capability classification (irrigated): 6c
Land capability (nonirrigated): 4s
Ecological site: LOAMY (15-19W) (R043XY222WY)

Custom Soil Resource Report

Typical profile

0 to 11 inches: Silt loam
11 to 31 inches: Silty clay loam
31 to 60 inches: Very gravelly loamy sand

Minor Components

Thayne I

Percent of map unit: 10 percent

Robana sil

Percent of map unit: 5 percent

TeA—Thayne loam, 0 to 3 percent slopes

Map Unit Setting

Elevation: 5,700 to 6,500 feet
Mean annual precipitation: 18 to 21 inches
Mean annual air temperature: 30 to 45 degrees F
Frost-free period: 30 to 60 days

Map Unit Composition

Thayne and similar soils: 85 percent
Minor components: 15 percent

Description of Thayne

Setting

Landform: Mountain slopes
Landform position (three-dimensional): Mountainflank
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Gravelly alluvium derived from igneous, metamorphic and sedimentary rock

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Gypsum, maximum content: 5 percent
Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 5.0
Available water capacity: Moderate (about 6.8 inches)

Custom Soil Resource Report

Interpretive groups

Land capability classification (irrigated): 4c

Land capability (nonirrigated): 4c

Ecological site: LOAMY (15-19W) (R043XY222WY)

Typical profile

0 to 12 inches: Loam

12 to 24 inches: Gravelly loam

24 to 60 inches: Very gravelly loam

Minor Components

Thayne gr-l

Percent of map unit: 10 percent

Huffine sil

Percent of map unit: 5 percent

ThA—Thayne gravelly loam, 0 to 3 percent slopes

Map Unit Setting

Elevation: 5,700 to 6,500 feet

Mean annual precipitation: 18 to 21 inches

Mean annual air temperature: 30 to 45 degrees F

Frost-free period: 30 to 60 days

Map Unit Composition

Thayne and similar soils: 80 percent

Minor components: 20 percent

Description of Thayne

Setting

Landform: Mountain slopes

Landform position (three-dimensional): Mountainflank

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Gravelly alluvium derived from igneous, metamorphic and sedimentary rock

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

*Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.60 to 2.00 in/hr)*

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 15 percent

Gypsum, maximum content: 5 percent

Custom Soil Resource Report

Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 5.0
Available water capacity: Moderate (about 6.3 inches)

Interpretive groups

Land capability classification (irrigated): 4s
Land capability (nonirrigated): 4s
Ecological site: LOAMY (15-19W) (R043XY222WY)

Typical profile

0 to 12 inches: Gravelly loam
12 to 24 inches: Gravelly loam
24 to 60 inches: Very gravelly loam

Minor Components

Greyback gr-I

Percent of map unit: 15 percent

Thayne I

Percent of map unit: 5 percent

Tu—Turson silt loam

Map Unit Setting

Elevation: 5,600 to 7,000 feet
Mean annual precipitation: 18 inches
Mean annual air temperature: 32 to 46 degrees F
Frost-free period: 30 to 70 days

Map Unit Composition

Turson and similar soils: 75 percent
Minor components: 25 percent

Description of Turson

Setting

Landform: Mountain valleys
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from igneous, metamorphic and sedimentary rock

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.60 to 2.00 in/hr)
Depth to water table: About 30 to 60 inches
Frequency of flooding: Frequent
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent

Custom Soil Resource Report

Gypsum, maximum content: 5 percent
Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 5.0
Available water capacity: Moderate (about 6.9 inches)

Interpretive groups

Land capability classification (irrigated): 4w
Land capability (nonirrigated): 4w
Ecological site: SUBIRRIGATED (15-19W) (R043XY274WY)

Typical profile

0 to 12 inches: Silt loam
12 to 30 inches: Silt loam
30 to 60 inches: Very gravelly loamy sand

Minor Components

Unnamed sil over grv material
Percent of map unit: 10 percent

Unnamed sp drained sil
Percent of map unit: 10 percent

Dipman cl
Percent of map unit: 5 percent
Landform: Flood plains

W—Water

Map Unit Composition
Water: 100 percent

Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

Construction Materials

Construction materials interpretations are tools designed to provide guidance to users in selecting a site for potential source of various materials. Individual soils or groups of soils may be selected as a potential source because they are close at hand, are the only source available, or they meet some or all of the physical or chemical properties required for the intended application. Example interpretations include roadfill, sand and gravel, topsoil and reclamation material.

Source of Reclamation Material (GECR, LLC dba Rocky Top Rock Soil Assessment)

Reclamation material is used in areas that have been drastically disturbed by surface mining or similar activities. When these areas are reclaimed, layers of soil material or unconsolidated geological material, or both, are replaced in a vertical sequence. The reconstructed soil favors plant growth. The ratings do not apply to quarries or other mined areas that require an offsite source of reconstruction material. The ratings are based on the soil properties that affect erosion and stability of the surface and the productive potential of the reclaimed soil. These properties include the content of sodium, salts, and calcium carbonate; reaction; available water capacity; erodibility; texture; content of rock fragments; and content of organic matter and other features that affect fertility.

The soils are rated "good," "fair," or "poor" as potential sources of reclamation material. The ratings are based on the amount of suitable material and on soil properties that affect the ease of excavation and the performance of the material after it is in place. The thickness of the suitable material is a major consideration. The ease of excavation is affected by large stones, depth to a water table, and slope. How well the soil performs in place after it has been compacted and drained is determined by its

Custom Soil Resource Report

strength (as inferred from the AASHTO classification of the soil) and linear extensibility (shrink-swell potential). Normal compaction, minor processing, and other standard construction practices are assumed.

When the material is properly used in reclamation, a rating of "good" means that establishing and maintaining vegetation are relatively easy, that the surface is stable and resists erosion, and that the reclaimed soil has good potential productivity. A rating of "fair" means that vegetation can be established and maintained and the soil can be stabilized through modification of one or more properties. For satisfactory performance, it may be necessary to topdress with better suited material or add soil amendments. A rating of "poor" means that revegetation and stabilization are very difficult and costly. To establish and maintain vegetation, it is necessary to topdress with better suited material.

Numerical ratings between 0.00 and 0.99 are given after the specified features. These numbers indicate the degree to which the features limit the soils as sources of reclamation material. The lower the number, the greater the limitation.

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Custom Source Report
 Map—Source of Reclamation Material (GLC dba Rocky Top Rock Soil Assessment)



Map Scale: 1:15,400 if printed on A size (8.5" x 11") sheet.



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MAP LEGEND

- Area of Interest (AOI)
 - Area of Interest (AOI)
- Soils
 - Soil Map Units
- Soil Ratings
 - Poor
 - Fair
 - Good
 - Not rated or not available
- Political Features
 - Cities
 - PLSS Township and Range
 - PLSS Section
- Water Features
 - Oceans
 - Streams and Canals
- Transportation
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads

MAP INFORMATION

Map Scale: 1:15,400 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 12N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Star Valley Area, Wyoming-Idaho
 Survey Area Data: Version 6, Nov 30, 2010

Date(s) aerial images were photographed: 8/28/1994

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Custom Soil Resource Report

Tables—Source of Reclamation Material (GECR, LLC dba Rocky Top Rock Soil Assessment)

Source of Reclamation Material— Summary by Map Unit — Star Valley Area, Wyoming-Idaho						
Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
CR	Cryaquolls and Cryaquepts	Not rated	Cryaquolls (45%)		0.3	0.0%
			Cryaquepts (45%)			
			Dipman (5%)			
			Narrows (5%)			
Gg	Greyback gravelly loam	Fair	Greyback (85%)	Too sandy (0.22)	453.0	56.7%
				Organic matter content low (0.12)		
				Droughty (0.37)		
HuB	Huffine silt loam, 3 to 6 percent slopes	Fair	Huffine (85%)	Organic matter content low (0.12)	2.1	0.3%
				Water erosion (0.90)		
				Too clayey (0.88)		
TeA	Thayne loam, 0 to 3 percent slopes	Fair	Thayne (85%)	Organic matter content low (0.12)	25.8	3.2%
ThA	Thayne gravelly loam, 0 to 3 percent slopes	Fair	Thayne (80%)	Organic matter content low (0.12)	8.9	1.1%
Tu	Turson silt loam	Fair	Turson (75%)	Organic matter content low (0.12)	280.3	35.1%
				Water erosion (0.99)		
W	Water	Not rated	Water (100%)		28.8	3.6%
Totals for Area of Interest					799.1	100.0%

Source of Reclamation Material— Summary by Rating Value		
Rating	Acres in AOI	Percent of AOI
Fair	770.0	96.4%
Null or Not Rated	29.1	3.6%
Totals for Area of Interest	799.1	100.0%

Rating Options—Source of Reclamation Material (GECR, LLC dba Rocky Top Rock Soil Assessment)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

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Tie-break Rule: Lower

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APPENDIX D-8

Vegetation Inventory

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LCD RECD
MAR 3 2011
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D-8 VEGETATION INVENTORY

The vegetation of the properties contiguous and surrounding the permit area is currently seeded for cattle grazing (pasture mix) or being farmed.

This gravel pit has been mined for several years and vegetation within the pit consists of a very small amount of natural vegetation mainly around the outer boundary and sparse amounts within the pit.

The Southeast quadrant of the proposed expansion area has been mined and reclaimed. No additional mining will occur in this area.

The 10 acre exemption area is all gravel with virtually no vegetation to speak of. Mining will continue in this area.

Tom Johnson of the Corps of Engineers Office in Cheyenne visited the site in June, 2011 and expressed to the owner that there appeared to be areas in the expansion to the west that could be classified as wetlands.

Katie Salsbury of Intermountain Aquatics visited the site on July 18, 2011 to consult on the wetland issues and perform a vegetation study in the expansion area. After investigating the site, she determined that there are wetlands existing in the proposed western expansion area. With this understanding, the owner decided to not extend the mining to the west beyond the disturbed boundary shown on the Mine Map 1.

With no plan to mine west of the disturbed boundary, we consulted with Tanya King of DEQ concerning her requirements for a vegetation study in the disturbed between the west of the 10-acre boundary and the disturbed boundary. She directed that since the area had been previously disturbed no additional vegetation study will be needed.

The owner is currently having some landscaping performed in portions of the pit, mainly around the shop and office areas which consists of planting trees and seeding using a University Pasture Mix - see included sheet for the mixture, rates of coverage, purity, and germination details. This mix is similar to surrounding properties being used for cattle grazing.

Lincoln County Weed and Pest Control perform inspections and spray for noxious weeds. They can also be reached at (307) 885-3394 for questions or issues as needed.

Included in this section is the Weed Inventory and Map completed by Lincoln County Weed and Pest Department (LCWP).

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RECD AUG 30, 2011

LINCOLN COUNTY WEED & PEST CONTROL DISTRICT

— IN COOPERATION WITH THE —
WYOMING DEPARTMENT OF AGRICULTURE
P.O. BOX 1117
AFTON, WYOMING 83110
(307) 885-(WEED) 9333 • (FAX) 307-886-5211



May 9, 2011



Paul Snarr
Engineering Project Manager
Eagle Rock Engineering and Land Surveying

I inspected the Rocky Top Rock gravel pit near Etna, Wyoming on Monday May 2, 2011. Checking on vegetation for endangered species I found none.

The wet area is inhabited with willows, Booth's Willow, *Salix boothii*, the most common willow in the west.

In the middle of the gravel pit I found about 9 plants of Salt cedar, *Tamarix ramosissima*. Lincoln County Weed and Pest has a policy to control the weeds in all gravel pits within the bounds of Lincoln County. I will go back during the week of May 9, 2011 and spray these plants as they are very noxious and not a common weed in North Lincoln County.

Other weeds in the wet area are: Spotted knapweed, Houndstongue, Canada thistle, Musk thistle, and Black henbane. These weeds need to be sprayed before the ground is disturbed. LCWP will do this in June.

I have attached a map showing the location of the Salt cedar.

There are no other problems observed at the site for new excavation.

Sincerely,

Farrel Hoopes
LCWP Assistant Supervisor

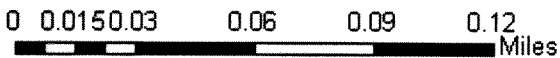
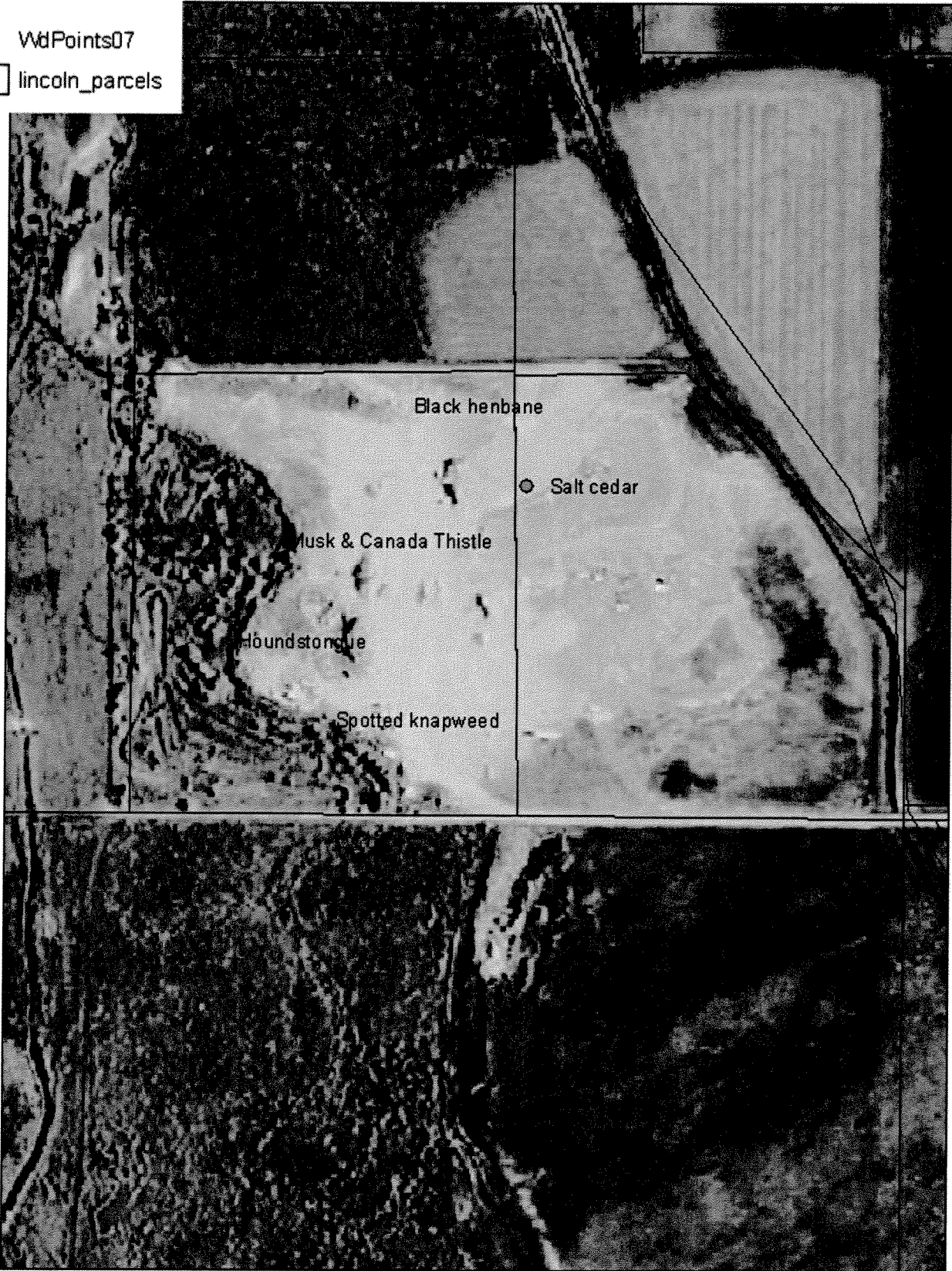
54/191

Rocky Top Rock Gravel Pit



Legend

- WdPoints07
- lincoln_parcel



54/191

APPENDIX D-9

Wildlife Inventory

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LGD REC
MAR 3, 2011
TEN 5 4/191

D-9

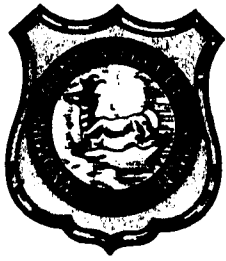
WILDLIFE INVENTORY INCLUDING BIRDS & RAPTORS

Attached in this Appendix are the following documents regarding Wildlife and Raptors in the area:

- Wyoming Game and Fish Department
- US Fish and Wildlife
- Correspondence with Non Game Biologist/ Wyoming Game and Fish Department

Small Mine Permit No. _____

TFN 5 4/101
NEED APR 13, 2011



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4610

Web site: <http://gf.state.wy.us>

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September 28, 2010

WER 12135
Eagle Rock Engineering
Mining Permit Modification
Rocky Top Gravel Pit
GECR, LLC
Lincoln County

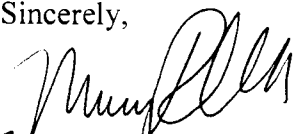
Paul Snarr,
Engineering Project Manager
Eagle Rock, Engineering and Land Surveying, PC
1331 Fremont Avenue
Idaho Falls, Idaho 83402

Dear Mr. Snarr:

The staff of the Wyoming Game and Fish Department has reviewed the Mining Permit Modification for the Rocky Top Gravel Pit submitted by GECR, LLC in Lincoln County. We have no terrestrial wildlife or aquatic concerns pertaining to this mining permit modification.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Gary Fralick, Senior Wildlife Biologist, at 307-883-2998.

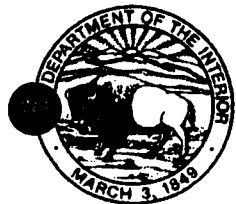
Sincerely,


John Emmerich
Deputy Director

JE:MF:gfb

cc: USFWS
Rob Gibson, WGFD-Jackson Region
Gary Fralick, WGFD-Jackson Region

LCD RECD
MAR 3 2011
TFN 5 4/191



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
5353 Yellowstone Road, Suite 308A
Cheyenne, Wyoming 82009



In Reply Refer To:
ES-61411/WY11CPA0091

FEB 11 2011

Paul Snarr, Engineering Project Manager
Eagle Rock Engineering and Land Surveying, PC
1331 Fremont Ave.
Idaho Falls, ID 83402

Dear Mr. Snarr:

Thank you for your letter of January 20, 2011, received in our office on January 26, regarding the permitting process to modify the Rocky Top Gravel Pit located at Section 10, Township 35 North, Range 119 West, Lincoln County, Wyoming. The mine is authorized under a 10-acre mining exemption, but the owners, GEGR, LCC, want to obtain a regular gravel mining permit and expand operations to 22.2 acres.

In response to your request, the Service is providing you with the following information pursuant to the Migratory Bird Treaty Act (MBTA), 16 U.S.C. 703, and the Bald and Golden Eagle Protection Act (BGEPA), 16 U.S.C. 668. Other fish and wildlife resources are considered under the Fish and Wildlife Coordination Act and the Fish and Wildlife Act of 1956, as amended, 70 Stat. 1119, 16 U.S.C. 742a-742j. Wetlands are afforded protection under Executive Orders 11990 (wetland protection) and 11988 (floodplain management), as well as section 404 of the Clean Water Act.

Using the map that you provided and follow up research, we note that the mine is located within 0.5 miles of the Salt River, which can serve as viable habitat for a host of bird species including bald eagles (*Haliaeetus leucocephalus*). Although you noted that surveyors did not observe birds or raptors at the mine, we recommend monitoring for bald eagles along the portions of the Salt River in proximity to the mine to ensure you remain in compliance with the BGEPA and MBTA.

Migratory Birds: The MBTA, enacted in 1918, prohibits the taking of any migratory birds, their parts, nests, or eggs except as permitted by regulations, and does not require intent to be proven. Section 703 of the MBTA states, "Unless and except as permitted by regulations ... it shall be unlawful at any time, by any means or in any manner, to ... take, capture, kill, attempt to take, capture, or kill, or possess ... any migratory bird, any part, nest, or eggs of any such bird..." The BGEPA, prohibits knowingly taking, or taking with wanton disregard for the consequences

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of an activity, any bald or golden eagles or their body parts, nests, or eggs, which includes collection, molestation, disturbance, or killing.

Work that could lead to the take of a migratory bird or eagle, their young, eggs, or nests should be coordinated with our office before any actions are taken. Removal or destruction of such nests, or causing abandonment of a nest could constitute violation of one or both of the above statutes. Removal of any active migratory bird nest or nest tree is prohibited. For golden eagles, inactive nest permits are limited to activities involving resource extraction or human health and safety. Mitigation, as determined by the local Service field office, may be required for loss of these nests. No permits will be issued for an active nest of any migratory bird species, unless removal of an active nest is necessary for reasons of human health and safety. Therefore, if nesting migratory birds are present on, or near the project area, timing is a significant consideration and needs to be addressed in project planning.

If nest manipulation is proposed for this project, the project proponent should contact the Service's Migratory Bird Office in Denver at 303-236-8171 to see if a permit can be issued for this project. No nest manipulation is allowed without a permit. If a permit cannot be issued, the project may need to be modified to ensure take of a migratory bird or eagle, their young, eggs or nest will not occur.

Migratory Birds of High Federal Interest (MBHFI) may nest within or adjacent to the proposed permit area. The Service does not maintain site specific information on the nesting locations of the birds on the MBHFI list (enclosed). Site-specific nest location information may be available from the Wyoming Game and Fish Department (WGFD), other applicable land management agencies, or can be determined through the use of species-specific surveys conducted on site in accordance with scientifically accepted protocols and guidelines. If site-specific information indicates that MBHFI do occur at or in the vicinity (e.g., 1 mile) of the proposed project area, we can provide additional site and species-specific recommendations.

The Service's Wyoming Field Office has compiled a list of MBHFI from the ongoing work among State and Federal agencies, non-governmental organizations, and the interested public that produced the Wyoming Bird Conservation Plan. This list serves as our list of Migratory Bird Species of Management Concern in Wyoming.

Sensitive Species

Bald Eagle: The Service removed the bald eagle, except in portions of Arizona, from the list of threatened and endangered species protected under the Act (72 FR 37346; 73 FR 23966). However, the protections provided to the bald eagle under the BGEPA and the MBTA remain in place. The term "disturb" under the BGEPA has recently been defined as: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (72 FR 31332).

To assist with the delisting transition, the Service has developed National Bald Eagle Management Guidelines to advise land managers when and under what circumstances the

protective provisions of the MBTA and BGEPA may apply to their activities. These guidelines are available on our web page at <http://www.fws.gov/migratorybirds/baldeagle.htm>. In western states with more open habitats additional conservation recommendations may also apply. Please note, our office in collaboration with the Wyoming Game and Fish Department, will be developing additional guidelines to adequately address the unique conditions of our state. We will issue a notice when the guidelines specific to Wyoming are completed. Additionally, the Service has proposed a permit structure under the BGEPA that is similar to the permit structure that exists under the Act for unavoidable impacts. However, this structure is currently undergoing public comment and is not yet in place. Please contact our office if you have any questions regarding this permit structure or the delisting decision. You should also contact our office if you require technical assistance regarding any planned or ongoing activities related to the requirements of the MBTA, BGEPA, or the National Bald Eagle Management Guidelines.

Wetlands/Riparian Areas

Wetlands may be impacted by the proposed project. Wetlands perform significant ecological functions which include: (1) providing habitat for numerous aquatic and terrestrial wildlife species, (2) aiding in the dispersal of floods, (3) improving water quality through retention and assimilation of pollutants from storm water runoff, and (4) recharging the aquifer. Wetlands also possess aesthetic and recreational values. If wetlands may be destroyed or degraded by the proposed action, those wetlands in the project area should be inventoried and fully described in terms of their functions and values. Acreage of wetlands, by type, should be disclosed and specific actions should be outlined to avoid, minimize, and compensate for all unavoidable wetland impacts.

Riparian or streamside areas are a valuable natural resource and impacts to these areas should be avoided whenever possible. Riparian areas are the single most productive wildlife habitat type in North America. They support a greater variety of wildlife than any other habitat. Riparian vegetation plays an important role in protecting streams, reducing erosion and sedimentation as well as improving water quality, maintaining the water table, controlling flooding, and providing shade and cover. In view of their importance and relative scarcity, impacts to riparian areas should be avoided. Any potential, unavoidable encroachment into these areas should be further avoided and minimized. Unavoidable impacts to streams should be assessed in terms of their functions and values, linear feet and vegetation type lost, potential effects on wildlife, and potential effects on bank stability and water quality. Measures to compensate for unavoidable losses of riparian areas should be developed and implemented as part of the project.

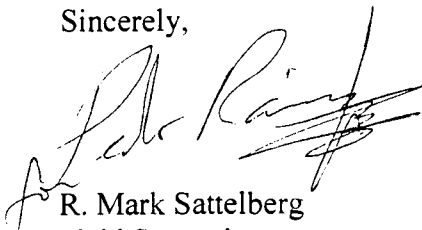
Plans for mitigating unavoidable impacts to wetland and riparian areas should include mitigation goals and objectives, methodologies, time frames for implementation, success criteria, and monitoring to determine if the mitigation is successful. The mitigation plan should also include a contingency plan to be implemented should the mitigation not be successful. In addition, wetland restoration, creation, enhancement, and/or preservation does not compensate for loss of stream habitat; streams and wetlands have different functions and provide different habitat values for fish and wildlife resources.

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Best Management Practices (BMPs) should be implemented within the project area wherever possible. BMPs include, but are not limited to, the following: installation of sediment and erosion control devices (e.g., silt fences, hay bales, temporary sediment control basins, erosion control matting); adequate and continued maintenance of sediment and erosion control devices to insure their effectiveness; minimization of the construction disturbance area to further avoid streams, wetlands, and riparian areas; location of equipment staging, fueling, and maintenance areas outside of wetlands, streams, riparian areas, and floodplains; and re-seeding and re-planting of riparian vegetation native to Wyoming in order to stabilize shorelines and streambanks.

We appreciate your efforts to ensure the conservation of Wyoming's fish and wildlife resources. If you have questions regarding this letter or your responsibilities under the Act and/or other authorities or resources described above, please contact Mark Bellis of my office at the letterhead address or phone (307) 352-0377.

Sincerely,



R. Mark Sattelberg
Field Supervisor
Wyoming Field Office

cc: WDEQ, Land Quality Division, Program Supervisor, Lander, WY (M. Moxley)
WGFD, Non-game Coordinator, Lander, WY (B. Oakleaf)
WGFD, Statewide Habitat Protection Coordinator, Cheyenne, WY (M. Flanderka)

Migratory Bird Species of Management Concern in Wyoming

(Migratory Birds of High Federal Interest)

Based on the *Wyoming Bird Conservation Plan* (Cerovski et al. 2000)

May 2, 2002

U.S. Fish and Wildlife Service, Wyoming Field Office,
5353 Yellowstone Road, Suite 308A, Cheyenne, Wyoming 82009

The Wyoming Field Office of the U.S. Fish and Wildlife Service (Service) has compiled the following list from the ongoing work among State and Federal agencies, non-governmental organizations, and the interested public that produced the Wyoming Bird Conservation Plan. This list will now serve as our list of Migratory Bird Species of Management Concern in Wyoming, in place of the previous list based on the Migratory Nongame Birds of Management Concern in the United States: the 1995 List. The Wyoming Bird Conservation Plan identified priority species based on a number of criteria (see below) using the best information available for these generally un-studied species. In many cases, this list reflects identified threats to habitat because no information is available on the species population trends. In some cases it reflects identified population declines though no causal factors have been identified.

The following tables and explanatory text are taken directly from the Wyoming Bird Conservation Plan (Cerovski et al. 2000). For more information on this listing process, this report is available from our Wyoming Field Office, 5353 Yellowstone Road, Suite 308A, Cheyenne, Wyoming 82009; or Wyoming Game and Fish Department (WGFD), Nongame Branch, 260 Buena Vista, Lander, Wyoming 82520.

Table 1. **Level I Species (Conservation Action)**. Species clearly needs conservation action. Includes species of which Wyoming has a high percentage of and responsibility for the breeding population, and the need for additional knowledge through monitoring and research into basic natural history, distribution, etc.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Mountain Plover ^d	28	4	3	Shortgrass Prairie, Shrub-steppe
Trumpeter Swan	26	3	3	Wetlands
Sage Grouse	26	5	3	Shrub-steppe
McCown's Longspur	26	3	2	Shortgrass Prairie, Shrub-steppe
Baird's Sparrow	26	2	3	Shortgrass Prairie
Ferruginous Hawk	23	4	3	Shrub-steppe, Shortgrass Prairie
Brewer's Sparrow	23	5	5	Shrub-steppe, Mountain-foothills Shrub
Wilson's Phalarope	22	3	5	Wetlands
Franklin's Gull	22	3	3	Wetlands
Sage Sparrow	22	5	2	Shrub-steppe, Mountain-foothills Shrub

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REQD APR 13, 2011

Table 1. **Level I Species (Conservation Action)**, continued.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Swainson's Hawk	21	3	3	Plains/Basin Riparian
Long-billed Curlew	21	2	3	Shortgrass Prairie
Short-eared Owl	20	3	3	Shortgrass Prairie
Northern Goshawk	19	4	3	High Elevation Conifer, Mid Elevation Conifer, Aspen
Peregrine Falcon	19	3	3	Specialized (cliffs)
Burrowing Owl	19	3	4	Shortgrass Prairie
Forster's Tern	19	2	3	Wetlands
Bald Eagle	18	3	3	Montane Riparian, Plains/Basin Riparian
Upland Sandpiper	18	2	2	Shortgrass Prairie
Black Tern	18	3	3	Wetlands
Whooping Crane	n/a	n/a	n/a	Wetlands
Piping Plover	n/a	n/a	n/a	Wetlands, Aquatic

^a From the PIF Priority Database (Carter et al. 1997).

^b AI = Area Importance (from the PIF Priority Database, Carter et al. 1997).

^c PT = Population Trend (from the PIF Priority Database, Carter et al. 1997).

^d Species in all capital letters previously appeared on the Service's 1995 list.

Table 2. **Level II Species (Monitoring)**. The action and focus for the species is monitoring. Includes species of which Wyoming has a high percentage of and responsibility for the breeding population, species whose population trend is unknown, species that are peripheral for breeding in the habitat or state, or species for which additional knowledge is needed.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Calliope Hummingbird	23	5	3	Mid Elevation Conifer, Montane Riparian
Lewis' Woodpecker	23	3	3	Low Elevation Conifer, Plains/Basin Riparian
Cassin's Kingbird	22	3	3	Juniper Woodland, Plains/Basin Riparian
Lark Bunting	22	4	4	Shortgrass Prairie, Shrub-steppe
American White Pelican	21	3	3	Aquatic
Williamson's Sapsucker	21	3	3	Mid Elevation Conifer
Black-backed Woodpecker	21	3	3	Mid Elevation Conifer, High Elevation Conifer
Gray Flycatcher	21	3	3	Juniper Woodland, Mountain-foothills Shrub
Juniper Titmouse ^d	21	3	3	Juniper Woodland
Dickcissel	21	3	3	Shortgrass Prairie
Chestnut-collared Longspur	21	2	3	Shortgrass Prairie
Harlequin Duck	20	3	3	Montane Riparian
Snowy Plover	20	3	3	Wetlands
Black-chinned Hummingbird	20	2	3	Plains/Basin Riparian, Shrub-steppe
Rufous Hummingbird	20	2	3	Mid Elevation Conifer
Red-naped Sapsucker	20	3	2	Aspen
Three-toed Woodpecker	20	4	3	Mid Elevation Conifer, High Elevation Conifer
Willow Flycatcher	20	3	4	Montane Riparian, Plains/Basin Riparian
Hammond's Flycatcher	20	2	3	High Elevation Conifer with Aspen, Montane Riparian
Cordilleran Flycatcher	20	3	3	Montane Riparian, Mid Elevation Conifer
Pygmy Nuthatch	20	3	3	Low Elevation Conifer
Marsh Wren	20	3	4	Wetlands
American Dipper	20	3	3	Montane Riparian
Plumbeous Vireo	20	3	3	Mid Elevation Conifer, Low Elevation Conifer
Townsend's Warbler	20	3	3	High Elevation Conifer, Mid Elevation Conifer
Dusky Flycatcher	19	3	2	Low Elevation Conifer, Aspen, Mountain-foothills Shrub
Western Bluebird	19	3	3	Juniper Woodland, Low Elevation Conifer

Table 2. **Level II Species (Monitoring)**, continued.

Species	PIF Score ^a	AI ^b	PT ^c	Primary Habitat Type(s)
Sage Thrasher	19	5	2	Shrub-steppe
Grasshopper Sparrow	19	3	5	Shortgrass Prairie, Shrub-steppe
Bobolink	19	2	3	Shortgrass Prairie, Shrub-steppe
Common Loon	18	3	3	Wetlands
Black-billed Cuckoo	18	2	3	Plains/Basin Riparian
Red-headed Woodpecker	18	2	3	Plains/Basin Riparian, Low Elevation Conifer
Yellow-billed Cuckoo	18	3	3	Plains/Basin Riparian
Eastern Screech-Owl	18	3	3	Plains/Basin Riparian
Western Screech-Owl	18	3	3	Plains/Basin Riparian
Great Gray Owl	18	3	3	Mid Elevation Conifer, High Elevation Conifer
Boreal Owl	18	3	3	High Elevation Conifer
Broad-tailed Hummingbird	18	2	2	Montane Riparian, Plains/Basin Riparian, Mid Elevation Conifer
Western Scrub-Jay ^d	18	3	3	Juniper Woodland
Loggerhead Shrike	18	3	3	Shrub-steppe
Vesper Sparrow	18	5	4	Shrub-steppe
Lark Sparrow	18	3	4	Shrub-steppe
Golden-crowned Kinglet	17	3	3	High Elevation Conifer
MacGillivray's Warbler	17	3	1	Montane Riparian, Plains/Basin Riparian
Ash-throated Flycatcher ^d	16	2	3	Juniper Woodland
Bushtit ^d	16	3	3	Juniper Woodland
Brown Creeper	16	3	3	Mid Elevation Conifer, High Elevation Conifer
Merlin	15	3	3	Low Elevation Conifer
Sprague's Pipit	n/a	n/a	n/a	Grassland, Plains/Basin Riparian, Shortgrass Prairie
Barn Owl	n/a	n/a	n/a	Shortgrass Prairie, Urban
White-faced Ibis	n/a	n/a	n/a	Wetlands, Aquatic
American Bittern	n/a	n/a	n/a	Wetlands, Aquatic
Common Tern	n/a	n/a	n/a	Wetlands, Aquatic
Purple Martin	n/a	n/a	n/a	Wetlands, Aquatic/Basin Riparian, Montane Riparian

^a From the PIF Priority Database (Carter et al. 1997).

^b AI = Area Importance (from the PIF Priority Database).

^c PT = Population Trend (from the PIF Priority Database).

^d Nicholoff, S. 2002. Wyoming Bird Conservation Plan, Version 1.1. Wyoming Partners In Flight and Wyoming Game and Fish Department, Lander. In press.

Wyoming Partners In Flight Process for Prioritizing Species

Wyoming Partners In Flight participants developed the current list of priority species based on a combination of the seven criteria in the national Partners In Flight Priority Database (Carter et al. 1997). This database serves as a defensible method of prioritizing both species and habitats in need of conservation. The criteria include Wyoming-dependent and Wyoming-independent factors. The Wyoming-independent criteria are constant over a species' range and do not vary for each species. The Wyoming-dependent criteria were the key components used to prioritize species and their conservation action needs. In the absence of any more rigorous statewide surveys, Breeding Bird Survey data dating back to 1968 were used to determine population trends in Wyoming.

Criteria

Within each criterion below, a species was given a rank score ranging from 1 to 5, with 1 being the least critical rank and 5 the most critical. Each ranked species could potentially receive a low score of 7 and a high score of 35. However, setting conservation goals based only on total score could be misleading; therefore, each total score was reviewed in conjunction with its component parts. In Wyoming, species were initially ranked using total score, area importance, and population trend.

1. Relative Abundance (RA) - The abundance of a bird, in appropriate habitat within its entire range, relative to other bird species. This criterion gives an indication of a species' vulnerability to withstand cataclysmic environmental changes. A low score would indicate a higher relative abundance, therefore reducing the risk of complete extirpation from losses in one or more regions. Higher scores indicate a lower relative abundance, thus more vulnerability to drastic losses or population changes.

2. Breeding Distribution (BD) - A relative measure of breeding range size as a proportion of North America (defined as the main body of the continent, excluding Greenland, through Panama and the islands of the Caribbean, comprising an area of 22,059,680 km² [National Geographic Society 1993]), and as such it provides an index of a species' vulnerability to random environmental events. High scores indicate localized breeding, thus a higher likelihood of serious decline from drastic environmental changes. Low scores indicate wide breeding distribution, therefore less likelihood of extirpation. Used for breeding birds only.

3. Non-breeding Distribution (ND) - A relative measure of non-breeding, or winter, range size as a proportion of North America, and as such it provides an index of a species' vulnerability to random environmental events. High scores indicate localized distribution on the non-breeding grounds. Low scores indicate wide distribution on the non-breeding grounds, therefore less likelihood of extirpation. Used for wintering birds only.

4. Threats on Breeding Grounds (TB) - The ability of a habitat in an area to support populations of a species in that area. Two factors are considered here: 1) each species' demographic and ecological vulnerability (the potential inability of a species to recover from population loss by normal reproductive effort due to low reproductive rate, high juvenile mortality, or both; and the level of ecological specialization of a species and, hence, its potential inability to withstand environmental change), and 2) habitat loss or disruption (a combination of the amount of habitat or conditions necessary for survival and reproductive success that has been lost since 1945, and the amount that is anticipated to be lost in the future). High scores indicate either a large loss of habitat or a species that is an extreme ecological specialist. Low scores

indicate a stable or increasing habitat or a species that is an ecological generalist. Used for both breeding and wintering birds.

5. Threats on Non-breeding Grounds (TN) - Range-wide threats on non-breeding, or winter, grounds. This is scored using the same criteria as threats on breeding grounds but reflects non-breeding issues, including migratory habitat. Used for wintering birds only.

6. Population Trend (PT) - The overall population trend of each species assigned independently for each state, province, or physiographic area. This criterion must meet two thresholds, reliability and magnitude, to warrant either a very high or very low score. When possible, a score was assigned using BBS data, which incorporated a population trend uncertainty score based on the statistical validity of the BBS data (i.e. a species must be detected on a minimum of 14 BBS routes per state for population trends to have statistical significance). This criterion was chosen to alert managers to species with modest, but certain, population declines.

7. Area Importance (AI) - The abundance of a species within a state, province, or physiographic area relative to its abundance throughout its range. This criterion helps direct conservation efforts toward areas that are most important to a species' survival. Area Importance is scored locally; therefore, high scores indicate that a large proportion of the species' breeding or winter range occurs in Wyoming, or a species is using a habitat that is only available in Wyoming. Low scores indicate that a small proportion of the species' range occurs in Wyoming, or the preferred habitat is widespread across its range. Used for both breeding and wintering birds.

Priority Species

Priority bird species in Wyoming were identified from the PIF Priority Database (Carter et al. 1997) and by qualitative, informed decisions. Those species with a total score of 18 or above, Area Importance (AI) of 3 or above, and/or Population Trend (PT) of 3 or above from the database, or with a total score less than 18 but of significant local interest were identified as the highest priority species. However, as more information becomes available, the highest priority species for Wyoming may change, as this is a dynamic database that allows for updated information to be periodically inserted and reviewed. The primary habitat type or types required for breeding were identified for each species to determine the highest priority habitat types for the state.

Literature Cited

- Carter, M. F., W. C. Hunter, D. N. Pashley, J. S. Bradley, C. S. Aid, J. Price, and G. S. Butcher. 1997. Setting landbird conservation priorities for states, provinces, and physiographic areas of North America. Partners In Flight Priority Database Final Report, Colorado Bird Observatory, Brighton.
- Cerovski, A., M. Gorges, T. Byer, K. Duffy, and D. Felley. 2000. Wyoming Bird Conservation Plan, Version 1.0. Wyoming Partners In Flight, Lander, WY.
- Nicholoff, S. 2002. Wyoming Bird Conservation Plan, Version 1.1. Wyoming Partners In Flight and Wyoming Game and Fish Department, Lander. In press.

Paul Snarr

From: Susan Patla [Susan.Patla@wgf.state.wy.us]
Sent: Friday, March 18, 2011 9:11 AM
To: Paul Snarr
Subject: Re: Raptor Information

Paul,

I reviewed the material you sent. I conduct aerial surveys for bald eagles twice a year in the Salt River drainage. Last year the nearest nest was located some miles to the north on the Idaho side of the river. This was in Section 3 T4S R46E. Although I do not know the exact location of the gravel pit, this nest is far enough away from that TRS it is in, not to have concerns. Also, there are not any suitable nest trees in the river section closest to the gravel pit. It is an area that wintering swans use.

I will be flying a survey this year on March 29, weather permitting. If I find any closer occupied bald eagle nests, I will let you know.

Best, Susan

Susan Patla
Nongame Biologist
Wyoming Game and Fish Department
PO Box 67
420 N. Cache
Jackson, WY 83001

office: (307) 733-2383 ext 229
cell: (307) 413-1222
Fax: (307) 733-2276

>>> "Paul Snarr" <psnarr@erengr.com> 3/17/2011 6:10 PM >>>
Tim,

I am working on a DEQ application to modify an existing 10 acre exempt gravel pit to a small mining permit. DEQ required letters regarding wildlife and raptors from the US Game and Fish and also from the Wyoming Game and Fish. I received their correspondence and DEQ gave me your contact for additional information.

I have attached a letter with the comments from both the US and Wyoming Game and Fish and DEQ's latest comment.

I really appreciate your help with this,

Let me know if you should need further information,

Thank you,



Paul Snarr, Engineering Project Manager

Eagle Rock Engineering and Land Surveying

Phone: (208) 542-2665

Cell: (208) 346-3656

Fax: (208) 745-8391

Email: <<mailto:kroland@erengr.com>> psnarr@erengr.com



APPENDIX D-10

Wetlands Information

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LCD RECD
MAR 3.2011
TFN 5 4/191

D-10 WETLANDS INFORMATION

Attached in this Appendix are the following documents regarding Wetlands:

- US Army Corps of Engineers

The letter written to the US Army Corps is located in Section I.F. Letters and Permits to/from Other Agencies.

Small Mine Permit No. _____

TFD 5 4/101
REC'D APR 13, 2011



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
WYOMING REGULATORY OFFICE
2232 DELL RANGE BOULEVARD, SUITE 210
CHEYENNE WY 82009-4942

November 18, 2010

Wyoming Regulatory Office

Mr. Clarence Reinhart
GERC, LLC – Rocky Top Rock
P.O. Box 3258
Alpine, Wyoming 83128

Dear Mr. Reinhart:

This letter is in response to information we received from Eagle Rock Engineering (ERE) on September 8, 2010, concerning Department of the Army authorization to undertake gravel mining activities at the Rocky Top Gravel Pit near Etna. The mining permit area includes 22.5 acres located on property owned by GERC, LLC in the SE ¼ of the SW ¼ of Section 10, Township 35 North, Range 119 West, Lincoln County, Wyoming.

The U.S. Army Corps of Engineers regulates the placement of dredged and fill material into waters of the United States in accordance with Section 404 of the Clean Water Act (33 U.S.C. 1344). The term "waters of the United States" has been broadly defined by statute, regulation, and judicial interpretation to include all waters that were, are, or could be used in interstate commerce such as streams, reservoirs, lakes and adjacent wetlands. The Corps regulations are published in the *Code of Federal Regulations* as 33 CFR Parts 320 through 332. Information on Section 404 program requirements in Wyoming can be obtained from our web site at <https://www.nwo.usace.army.mil/html/od-rwy/Wyoming.htm>

We have reviewed maps ERE provided and aerial photographs of the mine permit area. We determined that the mining operation will be located entirely in upland. There is an irrigation ditch to the East of the mine that will be avoided entirely. There is also a tributary to the Salt River located on the Western portion of the property in which no mining or discharge of fill material will occur. Therefore, the locations where gravel mining operations will take place do not contain any waters of the United States as defined at 33 CFR Part 328.3(a).

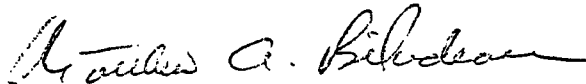
In the March 28, 2000, edition of the *Federal Register* (Vol. 65, No. 60), the Corps implemented an administrative appeals process for jurisdictional determinations. This letter serves as an approved jurisdictional determination. The landowner and other affected parties may appeal any determination to the Northwestern Division Appeals Officer, Mr. David Gesl, by obtaining a Notification of Administrative Appeal Options and Process (NAO) form at our web site. Section "D" of the NAO explains the procedures for appeal. The NAO form must be submitted to Mr. Gesl at the address shown on the NAO form prior to January 18, 2010, or forfeit the right to an administrative appeal.

LOD RECD
MAR 3 2011
TFN 5 4/191

As a result of this analysis, we determined that Department of the Army authorization is not required for any gravel mining activities in the Rocky Top Gravel Pit as described by ERE because it would not require any discharges of dredged or fill material into waters of the United States. This determination does not eliminate requirements to obtain any other applicable federal, state, tribal, or local permits.

Thank you for your interest in cooperating with requirements of the U.S. Army Corps of Engineers' regulatory program. Please contact Mr. Kevin Little at (307) 772-2300 and reference file NWO-2010-2187 if you have any questions.

Sincerely,



Matthew A. Bilodeau
Program Manager
Wyoming Regulatory Office

Copies Furnished:

Gay Edwards
GECR, LLC
P.O. Box 3258
Alpine, Wyoming 83128

✓ Paul Snarr
Eagle Rock Engineering
1331 Fremont Ave
Idaho Falls, Idaho 83402

The Omaha District, Regulatory Branch, Wyoming Regulatory Office is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete a Customer Service Survey found on our web site at <https://www.nwo.usace.army.mil/html/od-rwb/survey.htm>. Paper copies of the survey are also available upon request for those without Internet access.

MINE PLAN

Regular Mining Permit
Application

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LOD RECD
MAR 3.2011
TFN 5 4/191

MINE PLAN

A. ROADS

General Map 1 of the Map Section shows the location of the access/haul road associated with the proposed mine site. The access road is an existing private road and is surfaced with road base material. GEGR, LLC has an easement for access along the road. The owner plans to pave the approach section of the roadway from the right of way line to its connection with Highway 89. The road will remain after the gravel pit has been reclaimed.

B. DRAINAGE CONTROL STRUCTURES

GEGR, LLC does not anticipate extensive surface water runoff along the boundary of the pit area or haul/access road. GEGR, LLC has Authorization to Discharge Storm Water Associated with Mineral Activities (Permit No. WYR32-0689) and has established a Storm Water Pollution Prevention Plan.

A berm will be constructed and seeded at ground level on the north and east of the pit to contain surface runoff from entering the pit area.

C. TOPSOIL SALVAGE AND STOCKPILES

GEGR, LLC will salvage all available topsoil. It is estimated this will average about two feet thick according to test pits excavated. If topsoil depth is found to be greater than 2 feet in isolated areas, then the topsoil will be salvaged to full depth. The topsoil will be salvaged using a loader and/or dozer.

All topsoil stripped from the pit area will be placed in the topsoil stockpiles as shown on Mine Map 2 located in the bottom of the existing pit or used to reclaim the portions of the pit which are ready for topsoil placement. These piles shall have a sign placed on them indicating "Topsoil". A 10-foot buffer from the edge of the topsoil piles to the permit boundaries and pit edge shall be maintained. An 8-10 foot buffer of lands stripped of topsoil will be maintained along the entire perimeter of the disturbance to protect native undisturbed lands

outside of the permit boundary. A buffer zone of at least 4 feet will be maintained between topsoil piles and other stockpiles.” All topsoil piles will be constructed with 3:1 slopes.

There are two existing topsoil stockpiles at the site. They contain approximately 5000 cubic yards of topsoil. The piles are illustrated on Mine Map 2. All topsoil available will be used in reclamation. Depths of topsoil placed during reclamation, are discussed in the Reclamation Plan section.

GERC LLC will broadcast seed the topsoil stockpiles with Wheatgrass at a rate of at least 15 lbs/acre in order to stabilize the stockpiles and lessen the potential for invasion of weedy species. Each topsoil stockpile and additions to the stockpile will be seeded during the first available growing season.

D. OVERBURDEN STOCKPILES

Based on previous operational history, and test pit investigation, there is no overburden between the topsoil and material below which can be processed for sale.

A seam of sandy, silt material intermixed with gravel pockets is present in the center of the existing 10 acre permit area. It extends from east to west across the width of the permit area. Currently the exposed seam is 8 to 10 feet deep and up to 50 feet wide. This material will be used in reclamation to create a root zone below the topsoil. This seam will remain in place until it is used in reclamation.

E. PROCESSED AND NON-SALEABLE MINERAL STOCKPILES

Mine Map 1 shows the sequence of the mining area. Area #1 has been mined under a 10 Acre Exemption Permit. GECR, LLC will complete excavation in Area #1 and progress to Area #2 after approval of the Small Mining Permit. The reject material that is not saleable will be distributed back onto the completed pit floor or used as fill to create the needed slopes during reclamation. The final slopes of the pit areas are shown on Reclamation Map 1.

Spoils and mineral stockpiles will not be placed on un-stripped native lands. If these stockpiles are placed adjacent to native lands, a buffer of at least eight feet will be maintained.

F. PIT PROGRESSION

Mine Map 1 identifies a general sequence of pits by numbered units. Area #1 includes the existing 10-Acre Permit boundary. Upon approval of this application GEGR, LLC plans to complete excavation in Area #1 and move to Area #2 for material extraction. GEGR, LLC anticipates that it will complete excavation in Area # 1 and move to area # 2 immediately following the issuance of this permit. The area in the southeast corner of the permit boundary (previous Area #2) on earlier Mine Map 1 has been mined and reclaimed. It is being included within the permit boundary. However, no additional mining will take place in this area.

The depth of the pit will be approximately elevation 5726. The depth of the bottom of the proposed ponds will be approximately 5707.

Excavation of material will be with a dozer and loader until the excavation reaches ground water. Excavation below groundwater will be accomplished with a track hoe. Maximum excavation depth below ground water level in the proposed ponds is expected to be approximately 15 feet.

High walls will be maintained with a 1:1 slope during excavation. Some material may be dozed downhill on the high wall sections as excavation progresses in these areas. Reclamation of the high wall areas may require that material be pushed up the slopes.

No mining is planned north east of the Baker Ditch.

Existing mining topography is shown on shown on General Map 5. Final mining topography is shown on Reclamation Map 1.

GEGR, LLC projects the sequence through the permit area based upon its knowledge of the current need for construction materials in the region. The exact rate at which the expansion will take place is unknown and will be somewhat determined by market needs.

In each Annual Report, GECCR, LLC will provide an updated map with existing pit area and a projection of future mining for at least the next twelve month period.

GECCR, LLC has staked proposed boundary corners. These stakes will facilitate proper location of the pit, and roads.

No materials will be pushed over escarpment on any sides of the pit.

G. PLANT SITE

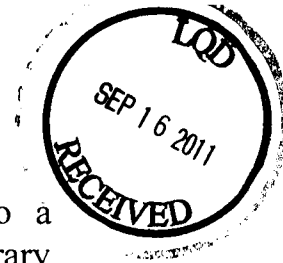
Mine Map 2 shows the location of the current staging/processing areas 1 and 2, shop, fuel, office, scales equipment and stockpiles areas. The equipment includes crushing and screening machinery, wash plant, loaders, track hoe and trucks. GECCR, LLC may from time to time locate an asphalt batching plant at the site but only with modification of the existing air quality permit. GECCR, LLC has no plans to locate a concrete batching plant at the site. The processing area will move west with the pit progression into Area #2.

A fuel tank storage area is located on site but not within the permit area. There are two 1000 gallon tanks and one 500 gallon tank within a spill enclosure containment area per DEQ specifications. Fuel at the site is limited to what is contained in this storage tanks and the fuel contained in the equipment working at the site.

GECCR, LLC will have available sorbent pads in the maintenance building. These pads will be used to absorb any petroleum products which may leak from equipment excavating below groundwater level. The mine operator will be responsible for the countermeasures in controlling a leak.

H. WATER SOURCES

Water used in crushing and in the wash plant is pumped from a groundwater supply pond shown on General Map 5.



The water exiting the wash plant flows through a pipe into a settlement ditch/pond. Water overflows from the temporary settlement pond into the ground water supply pond. The layout of the groundwater pond and settlement pond is shown on General Map 5. Cross-sections of the groundwater and settlement ponds have been added to General Map 5.

The settlement pond is a ditch which ends in a 20 foot diameter pond.

GECR, LLC is applying to the Wyoming State Engineers Office to permit the initial groundwater pond in the southeast section of the permit area. The pond will be known as Rocky Top Reservoir #1. It is shown on Reclamation Map 1.

The Storm Water Pollution Prevention Plan (SWPPP) requires GECR, LLC to inspect the equipment on site for petroleum leaks and spills.

I. PREVENTION OF ENDANGERMENT AND PUBLIC NUISANCE

1. Nearby Dwellings

There is no occupied dwelling, home, public building, school, church, community or institutional building park or cemetery within three hundred (300) feet of the proposed affected area. The nearest home is approximately 900 feet from the east permit boundary. No mining operations will be conducted within 1000 feet of the nearest home.

2. Normal Operating Hours

GECR, LLC will operate processing equipment and/or haul material from 7:00 AM to 7:00 PM on Monday through Saturday. Saturday operations were permitted by the County Commissioners at a Commissioner meeting on June 21, 2011 and only include the sale of products not mining, screening or crushing.

Carol Ann Putnam with Lincoln County School District No. 2 was contacted on April 5, 2011 regarding safety concerns near the entrance road to the pit. She indicated that the access road is

not traveled by a school bus. A bus does stop near the entrance of the road at 7 AM and 3 PM to load and unload students. Truck drivers entering and exiting the access road will observe required stopping requirements during bus loading and unloading.

Buses exit and enter the school north of the pit access road. There have been no issues associated with truck traffic from the access road and bus traffic in and out of the school.

3. Entrance Sign

GECR, LLC will post a permit identification sign along the haul/access road corridor near its junction with US Highway 89. The sign will contain the following information:

GECR, LLC, dba Rocky Top Rock
307-883-7587 or 208-709-8177
PO Box 3258
Alpine, WY 83128
Agent: Clarence Reinhart
LQD Permit No. _____

4. Blasting Plan

GECR, LLC does not plan any explosives use in association with this sand and gravel mining operation.

5. County Zoning and Planning

Mining and associated operations are allowed in the rural zone of Lincoln County. Section I.F of the Adjudication Information contains the Conditional Use Permit from Lincoln County issued to GECR, LLC.

6. Weed Control

During the application process for the Lincoln County Conditional Use Permit, the Lincoln County Weed and Pest

inspected the permit area in May, 2011. A copy of their inspection letter is included in Appendix D-8.

GECR, LLC will strive to prevent the spread and/or serious infestations of designated and prohibited noxious weeds within the permit area through the following practices:

- GECR, LLC will not disturb future areas until such time as they prepare that area to be mined.
- GECR, LLC will broadcast a mixture of quick growing grasses on all topsoil stockpiles and select disturbed lands in order to limit the potential for weedy invasions.
- If weed infestations occur, GECR, LLC will consult with the Lincoln County Weed and Pest Agency for suitable control practices. All applications of chemical herbicides will be made by licensed applicators

7. Prevention of Endangerment

The permit area is currently fenced and gated.

Speed limits along access and haul roads associated with the permit area will be 15 m.p.h.

8. Dust Suppression

Dust suppression along the access road will be accomplished by application of Mag. Chloride once some improvements are made to the gravel road. Currently dust suppression is accomplished using water applied with a water trailer. The application of water will depend on conditions. The owner has plans to pave the access road in the future.

9. Wildlife Protection

In a cooperative effort to preserve the wildlife resources of the State, GECR, LLC commits to:

Notify the LQD Lander District Office, the WGFD District Biologist, and the USFWS if any of the information in this Appendix is known to have significantly changed as the mining operation progresses.

10. Noise

Homes near the gravel pit are located to the east and north of the pit. Because the crusher, wash plant and excavation are all located below existing ground level, the impact of noise on the homes is minimized. No issues have been raised by homeowners related to noise.

11. Lighting

There is no lighting on the crusher or wash plant. One light is located near the top east end of the maintenance building. The light is directed towards the ground below. Because the building is located below ground level, homes to the east and north are not affected by the light.

J. SOLID WASTE HANDLING PLAN

a. Clean Fill Importation and Burial

GE CR, LLC may periodically import clean fill and bury it in the borrow area. GE CR, LLC acknowledges that "Clean Fill" means material consisting solely of uncontaminated natural soil and rock, hardened asphalt rubble, brick and concrete rubble that does not create a health hazard, public or private nuisance or a detriment to the environment.

b. Mining Operation Non-Hazardous Solid Wastes

GE CR, LLC mining and processing operation may generate small amounts of non-hazardous solid waste. These solid wastes might include spent tires, wooden or paper packing materials, used oil filters (drained for at least 48 hours), empty

(and well-drained) lubricant containers, metal equipment parts, etc.

GECR, LLC will remove these items from the site and dispose of them at an authorized landfill. GECR, LLC will not burn any of these solid waste materials.

c. Imported, Non-Mining Generated Solid Wastes

GECR, LLC will not import any other solid wastes other than the clean fill described above.

d. Petroleum-Contaminated Soils

GECR, LLC acknowledges that periodic equipment maintenance and/or accidents may result in spills of petroleum products. A petroleum product is any crude oil or liquid petroleum fraction including, but not limited to gasoline, diesel fuel and used or unused motor oils, excluding hardened asphalt rubble.

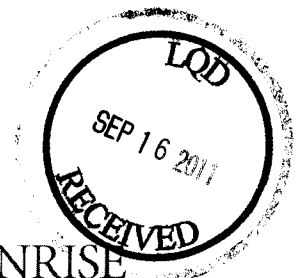
If the spill involves no more than twenty-five (25) gallons, GECR, LLC will pick up the petroleum-contaminated soils and dispose of the soils at an off-site permitted treatment facility. Spills over twenty-five (25) gallons will immediately be reported to the Water Quality and Land Quality Divisions.

e. Human Waste

GECR, LLC has a permanent restroom located in the office on site for their employees to use.

f. Toxic or Acid Forming Materials

GECR, LLC does not anticipate encountering or creating any toxic or acid forming materials during the mining process.



Material Safety Data Sheet

MSDS ID: WT-150B

*** Section 1 - Chemical Product and Company Identification ***

Product Name: USI 4030

Chemical Name: Anionic emulsion polymer

Unique Solutions for Industry, LLC. 950 Warm Springs Rd. #103 Henderson, NV 89011	Phone: Non-emergency # (800) 242-2271 Emergency # (800) 424-9300 CHEMTREC (NA) International # (703) 527-3887 CHEMTREC (Call Collect)
---	---

General Comments

Emergency telephone numbers are to be used only in the event of chemical emergencies involving a spill, leak, fire, exposure or accident involving the product. All Non-emergency questions should be directed to the Toll Free, Non-Emergency number above.

*** Section 2 - Hazards Identification ***

Emergency Overview

Irritant to eyes and Skin. OSHA classifies this product as an irritant under 29 CFR1910.1200.

Potential Health Effects: Eyes

Irritant to the eyes.

Potential Health Effects: Skin

Irritant to the skin.

Potential Health Effects: Ingestion

May be harmful if swallowed. Seek medical attention.

Potential Health Effects: Inhalation

Avoid prolonged inhalation of heated and/or concentrated vapors.

HMIS Ratings: Health: 1 Fire: 1 Reactivity: 0 Pers. Prot.: B

Hazard Scale: 0 = Minimal 1 = Slight 2 = Moderate 3 = Serious 4 = Severe * = Chronic hazard

*** Section 3 - Composition / Information on Ingredients ***

CAS #	Component	Percent
25085-02-3	2-Propenoic acid, sodium salt, polymer with 2-propenamide	35-45
64742-47-8	Petroleum distillates, hydrotreated light	20-30
127087-87-0	Poly(oxy-1,2-ethanediyl), α -(4-nonylphenyl)- ω -hydroxy-, branched	1-3

Component Information/Information on Non-Hazardous Components

All Components are on Listed on TSCA (40 CFR 700)

Material Safety Data Sheet

MSDS ID: WT-150B

*** Section 4 - First Aid Measures ***

First Aid: Eyes

Immediately flush eyes with water for at least 15 minutes, while holding eyelids open. Seek medical attention.

First Aid: Skin

Flush thoroughly with water.

First Aid: Ingestion

If ingested, get immediate medical attention. Do not induce vomiting unless instructed to do so by medical personnel.

First Aid: Inhalation

Inhalation of mists into lungs may cause pulmonary disorder. Move victim to fresh air. Consult physician regarding any continued discomfort.

*** Section 5 - Fire Fighting Measures ***

General Fire Hazards

Petroleum hydrocarbon component, if separated from product, is combustible. Vapors can ignite under certain conditions, explosively. Flashpoint of product is $> 200^{\circ}\text{F}$

Upper Flammable Limit (UFL): Not determined

Lower Flammable Limit (LFL): Not determined

Method Used: Pensky Martin Closed Cup (PMCC)

Flash Point: $>200^{\circ}\text{F}$

Flammability Classification:

Auto Ignition: Not determined

Hazardous Combustion Products

On thermal decomposition oxides of carbon and nitrogen.

Extinguishing Media

Dry chemical, foam, carbon dioxide, water fog.

Fire Fighting Equipment/Instructions

Firefighters should wear full protective clothing including self contained breathing apparatus.

NFPA Ratings: Health: 1 Fire: 1 Reactivity: 0

Hazard Scale: 0 = Minimal 1 = Slight 2 = Moderate 3 = Serious 4 = Severe

*** Section 6 - Accidental Release Measures ***

Containment Procedures

Remove sources of ignition. Contain spill with inert materials (sand, earth, absorbent). Wear protective gear during cleanup.

Clean-Up Procedures

Do not allow spills to enter soil or surface water. Absorb spill with inert material. Shovel material into appropriate container for disposal. Remove sources of ignition.

Evacuation Procedures

Isolate area. Keep unnecessary personnel away.

Special Procedures

Avoid skin contact and inhalation of vapors during disposal of spills. Wear appropriate protective equipment and clothing during clean-up. Follow all local, state, federal and provincial regulations for disposal. Remove spills promptly as they may make floors slippery. Several washes and/or the use of detergents may be necessary to completely clean any spill.

Material Safety Data Sheet

MSDS ID: WT-150B

*** Section 7 - Handling and Storage ***

Handling Procedures

Handle as an eye and respiratory tract irritant.

Storage Procedures

Store in a dry, closed container.

*** Section 8 - Exposure Controls / Personal Protection ***

A: Component Exposure Limits

No information is available.

Engineering Controls

Provide adequate ventilation to minimize worker exposure.

PERSONAL PROTECTIVE EQUIPMENT

Personal Protective Equipment: Eyes/Face

Wear safety glasses with side shields or goggles.

Personal Protective Equipment: Skin

Skin contact should be minimized. Impervious gloves (rubber or neoprene) are recommended.

Personal Protective Equipment: Respiratory

Not required under normal operating conditions.

Personal Protective Equipment: General

Obey reasonable safety precautions and practice good housekeeping. Wash thoroughly after handling.

*** Section 9 - Physical & Chemical Properties ***

Appearance:	Milky white liquid	Odor:	Mild hydrocarbon odor
Physical State:	Liquid	pH:	Not Established
Vapor Pressure:	Not Established	Vapor Density:	Not Established
Boiling Point:	Not Established	Melting Point:	<23°F
Solubility (H2O):	Emulsion- slightly soluble in water.	Specific Gravity:	~1 (water = 1)
Evaporation Rate:	<1 (butyl acetate =1)	Flash Point	> 200°F

*** Section 10 - Chemical Stability & Reactivity Information ***

Chemical Stability

Stable under usual application conditions.

Chemical Stability: Conditions to Avoid

None identified.

Incompatibility

Strong oxidizers.

Hazardous Decomposition

None identified.

Hazardous Polymerization

Hazardous polymerization will not occur.

Material Safety Data Sheet

MSDS ID: WT-150B

*** Section 11 - Toxicological Information ***

Acute and Chronic Toxicity

A: General Product Information

Eye and skin irritant. May aggravate existing medical conditions such as rashes, allergies or other sensitive areas. Symptoms may include reddening, swelling of affected areas with possible itching, burning or other discomfort.

B: Acute Toxicity-LD50/LC50

No information is available

Carcinogenicity

A: General Product Information

NTP: No

IARC: No

OSHA: No

B: Component Carcinogenicity

No information is available.

Chronic Toxicity

No information is available

*** Section 12 - Ecological Information ***

Ecotoxicity

A: General Product Information

C.O.D.: 1,790,300 mg/l

B.O.D.: 386,300 mg/l

B: Component Analysis - Ecotoxicity - Aquatic Toxicity

No information available,

Environmental Fate

Not Established.

*** Section 13 - Disposal Considerations ***

US EPA Waste Number & Descriptions

A: General Product Information

Incinerate or dispose of solidified product according to local, state and federal regulations.

B: Component Waste Numbers

No EPA Waste Numbers are applicable for this product's components.

Disposal Instructions

Contain and collect using absorbent material if needed. Flush residuals to drain for normal biological treatment. Place collected material into suitable containers for proper disposal.

*** Section 14 - Transportation Information ***

International Transportation Regulations

This product is not regulated as a hazardous material by the United States (DOT) or Canadian (TDG) transportation regulations.

Material Safety Data Sheet

MSDS ID: WT-150B

*** Section 15 - Regulatory Information ***

US Federal Regulations

A: General Product Information

SARA 313 reportable toxic chemicals - None

B: Clean Air Act

No information is available.

C: Component Analysis

No information is available.

State Regulations

B: Component Analysis – State

This product contains <0.1% residual acrylamide (CAS # 79-06-1), and the following states recognize acrylamide as a carcinogen or suspected carcinogen: CA (Prop 65), MA, MN, NJ & PA.

Component Analysis - WHMIS IDL

No components are listed in the WHMIS IDL.

Component Analysis - Inventory

Component	CAS #	TSCA	CAN	EEC
2-Propenoic acid, sodium salt, polymer with 2-propenamamide	25085-02-3	Yes	DSL	Not regulated as a polymer
Petroleum distillates, hydrotreated light	64742-47-8	Yes	DSL	EINECS
Poly(oxy-1,2-ethanediyl), α -(4-nonylphenyl)- ω -hydroxy-, branched	127087-87-0	Yes	DSL	Not regulated as a polymer

*** Section 16 - Other Information ***

Other Information

The information provided in this Material Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process unless specified in the text.

MSDS History

Sections 2 & 3 have been reversed to reflect newly proposed August 2004 Standards format recommendation for 2007 implementation. Toxicological data has been added to Section 12. Additional State information has been added to Section 15.

Contact: Product Compliance Officer

Contact Phone: (800) 242-2271

This is the end of MSDS ID: WT-150B

IV - RECLAMATION PLAN

Regular Mining Permit
Application

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LCD RECD
MAR 3 2011
TFW 5 4/191

RECLAMATION PLAN

A. POSTMINING LAND USE

The post mining land use will be similar to pre-mining use which included non-irrigated pasture land. Irrigation was not part of the pre-mining use nor will it be included in the post-mining land use.

Three ponds will be constructed during the mining process. The ponds will remain after reclamation. Their locations and sizes are shown on Reclamation Map 1. Rocky Top Reservoir #1 in the southeastern portion of the pit is being permitted with the State Engineer's Office at this time. The construction of the remaining two ponds may be several years away. They will be permitted as they are constructed.

The shop and office are permanent structures and will remain on site and used for future operations with livestock and/or equipment maintenance. Other permanent structures including the scales and fuel tanks will be removed at the time the site is reclaimed.

B. BACKFILLING AND CONTOURING PRACTICES

As soon as the pit development allows, GEGR, LLC will initiate a direct backhaul and placement of excess reject material, material from the sandy silt and clay seam in the middle of the pit and topsoil. The placement of topsoil, sand seam and reject material will be accomplished using loaders, a blade, a dozer, a paddle-wheel scraper and trucks. This direct backhaul will first occur around the existing pit area during the development of Area #2 as shown on Mine Map 1.

At the time of final reclamation, GEGR, LLC will remove all materials from the processing area and backfill those materials in the exhausted pit area. All processing and staging areas will be ripped prior to topsoil replacement. A layer of the sand seam at least 6 inches thick will be placed beneath the topsoil layer to help create a root zone for the re-vegetation.

GEGR, LLC will reestablish post-mining slopes and configurations, which are as stable as possible. No slopes steeper than 3 to 1 will be

allowed. The post mining slopes will tie to undisturbed native lands with as little change in slope gradient as possible.

Reclamation Map 1 shows the proposed post-mining slopes and contours including how the contours will tie to the area outside the permit area. The final depth of the pit will vary slightly but the general elevation of the pit bottom will be approximately 5726. The elevation of the bottom of the proposed ponds will be approximately 5707.

The haul/access road will remain following final reclamation.

C. REVEGETATION PRACTICES

GECR, LLC will redistribute salvaged or imported topsoil when properly graded areas are available, placing it at an evenly distributed six inch thickness throughout all disturbed areas. Eight inches will be all of the topsoil that will be available at the site given the two existing topsoil piles containing an estimated 5000 cubic yards and only 2 additional acres being added to the excavated area with an estimated existing topsoil volume of 6450 cubic yards. This total volume of 11,450 cubic yards spread over 10 acres gives an approximate 8 inch layer of topsoil for reclamation. If additional topsoil is needed to adequately cover the reclaimed area, it will be imported. Following the distribution of the sandy seam and topsoil, the area to be planted will be ripped or scarified to a depth of at least 12 inches to ensure that surface compaction does not hinder re-vegetation.

The reclamation procedures will seek to employ direct haul of topsoil to graded areas as soon as the overall pit development allows.

GECR, LLC will seed a permanent seed mixture of grasses on reclaimed lands at the first available suitable seeding period in the spring or fall. Permanent seeding will not occur when the topsoil is too wet or too dry or frozen to accommodate normal farm equipment operation. GECR, LLC will use standard farming equipment to seed the site. The seed mixture to be used including application rates is listed below

University Pasture Mix

Seed Species	% Mix	Purity & Germination %
Fawn Tall Fescue	31.19	85
Botanic Orchard Grass	28.65	85
VNS Smooth Brome Grass	28.64	76
Crusade White Clover	4.48	61
Inert	6.18	
Other Crops	0.45	
<p>Note: Seed Application rate is 15 lbs/acre – Straw Mulch application rate is 2500 lbs/acre. Some seeding was completed around the shop on 10-31-2010. Seeding will generally be drilled; however areas will be broadcast.</p>		

The grass seed mixtures will also be used on topsoil berms along the outer perimeter of the mined sections.

Following the seeding of reclaimed areas, mulch will be applied to protect those areas. Straw mulch will be used and crimped into the soil.

D. PROTECTION OF NEWLY SEEDED RECLAMATION

GEGR, LLC will protect newly seeded areas from domestic animal grazing by the following method:

1. Grazing Deferral

The domestic animal grazing will be excluded during the first two years following reclamation and seeding in any given area and not before the release of the bond by WDEQ-LQD.

E. EROSION, SILTATION AND POLLUTION PREVENTION

GEGR, LLC will rely on the use of the established Storm Water Pollution Prevention Plan (SWPPP) to control erosion and prevent pollution of any waterway.

The SWPPP includes monthly inspections of the site and machinery to avoid pollutants making their way into adjacent waterways.

F. WATER USE IN RECLAMATION

GECR, LLC does not plan any use of ground water or surface water in reclamation activities and does not anticipate any hydro mulch or hydro seeding practices and does not plan to irrigate any reclaimed lands before the establishment of plants.

G. RECLAMATION TIMETABLE

The actual date for permanent reclamation will depend upon regional market sales and the relative rate of mining. There is no meaningful method for predicting sales and the dates of mine progression.

GECR, LLC does commit to initiating a direct backfilling and top soiling and permanent seeding progression as soon as possible. GECR, LLC will continue the direct backfilling and permanent seeding progress as long as a pit configuration and other operational factors allow. GECR, LLC will project the expected schedule of reclamation in each Annual Report.

H. NOXIOUS WEED CONTROL

GECR, LLC will work closely with the Lincoln County Weed and Pest in the control of noxious weeds.

The Lincoln County Weed and Pest inspected the site in May, 2011. They will continue to monitor and spray the property in the future. A copy of their letter and map is included in Appendix D-8.

Paul Snarr

From: Jason Feltner [jfeltn@seo.wyo.gov]
Sent: Wednesday, April 06, 2011 1:08 PM
To: psnarr@reng.com
Subject: Permitting for a gravel mine operation
Attachments: Pit map example.pdf

Mr. Snarr,

This email is a follow up to our phone conversation of April 6, 2011.

As we discussed, you will need to obtain an reservoir permit for the sump location as it will remain post mine. To obtain this permit, you must submit an SW-3 application for Industrial (gravel mining operations) and wildlife purposes. The wildlife purposes will cover the existence of the facility after mining ceases.

As the main pit does not intersect ground water and therefore will not store water, you do not need to permit the entire capacity of the gravel pit.

I have attached an example map for your information. For your project, the drainage and runoff calculations are not necessary. Your map should include; the location map, plan view, capacity table, cross-sections through the pit, signed seal of the engineer or survey licensed in Wyoming and the title block.

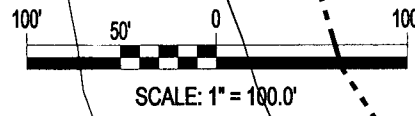
If you have any questions, please do not hesitate to contact me (information below) as I will be happy to help you in any way I can.

Have a great day,

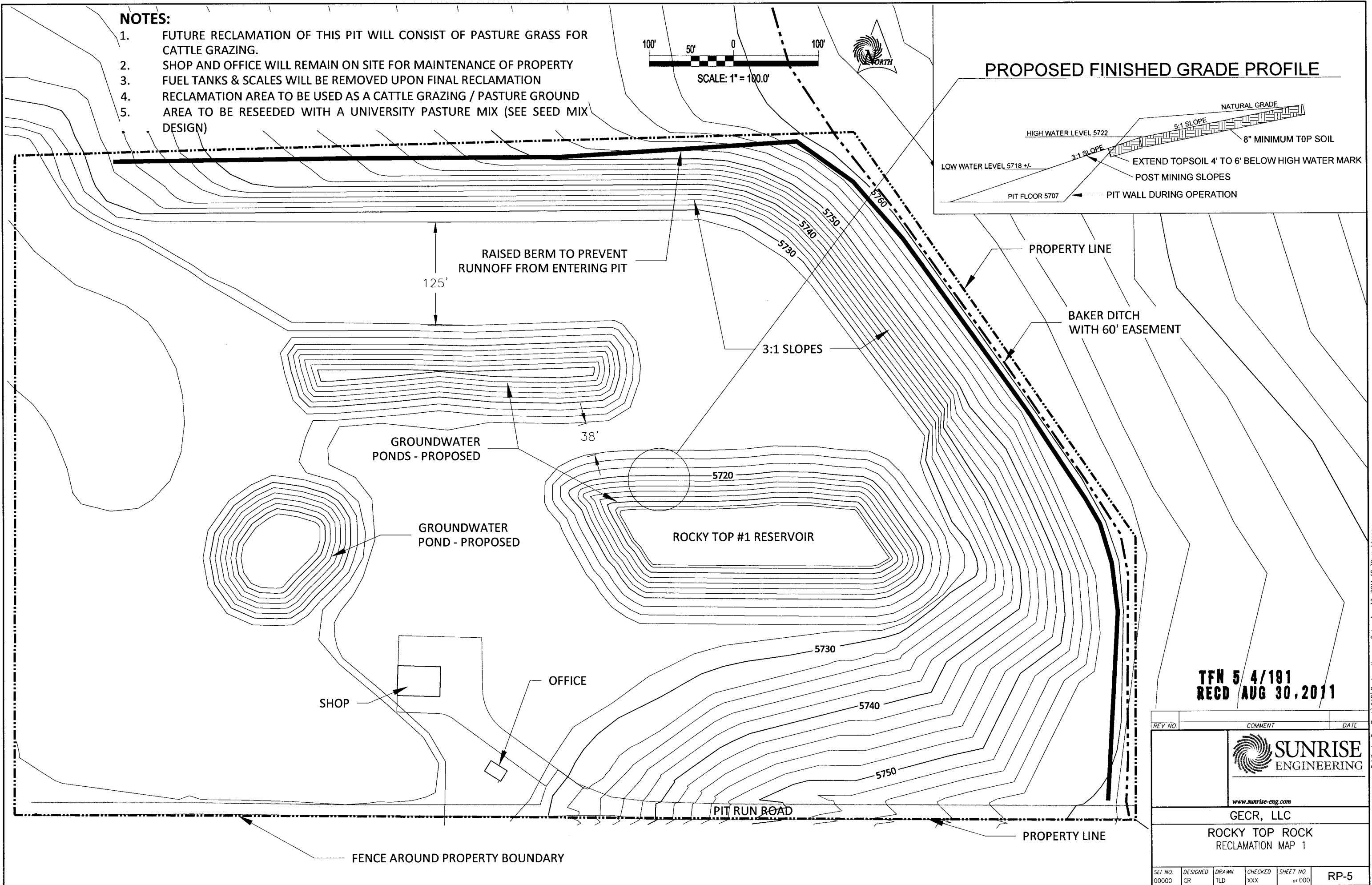
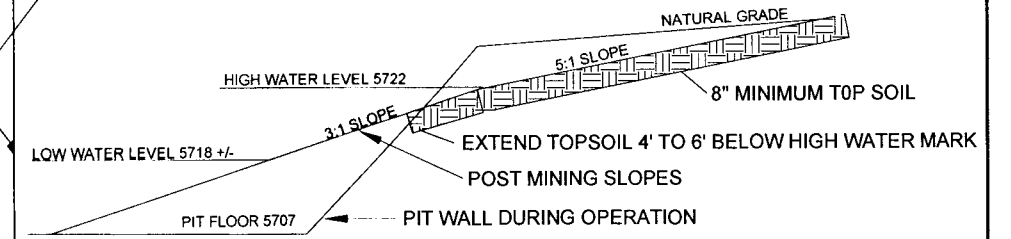
Jason Feltner
Senior Water Management Specialist
JFELTN@SEO.WYO.GOV
307-777-8789
<http://seo.state.wy.us/>
Online Permitting now available

NOTES:


1. FUTURE RECLAMATION OF THIS PIT WILL CONSIST OF PASTURE GRASS FOR CATTLE GRAZING.
2. SHOP AND OFFICE WILL REMAIN ON SITE FOR MAINTENANCE OF PROPERTY
3. FUEL TANKS & SCALES WILL BE REMOVED UPON FINAL RECLAMATION
4. RECLAMATION AREA TO BE USED AS A CATTLE GRAZING / PASTURE GROUND
5. AREA TO BE RESEEDED WITH A UNIVERSITY PASTURE MIX (SEE SEED MIX DESIGN)



PROPOSED FINISHED GRADE PROFILE



**TFN 5 / 4 / 191
RECD AUG 30, 2011**

REV. NO.	COMMENT	DATE
 SUNRISE ENGINEERING <small>www.sunrise-eng.com</small>		
GECR, LLC ROCKY TOP ROCK RECLAMATION MAP 1		
SEI NO. 00000	DESIGNED CR	DRAWN TLD
CHECKED XXX	SHEET NO. of 000	RP-5

P:\Rocky Top Rock\CAD\Reclamation map2.dwg Aug 19, 2011 10:39am tdraney

NOI PERMIT

Regular Mining Permit
Application

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LCD RECD
MAR 3.2011
TFN 5 4/191

NOTICE OF INTENT

TO REQUEST DISCHARGE AUTHORIZATION FOR STORM WATER FROM MINERAL MINING OR INDUSTRIAL ACTIVITIES

General Mineral Mining, WYR32-0000 or
General Industrial WYR00-0000



Official Use Only

Date received:

Coverage under the General Permit (WYR32-0000 for mineral mines or WYR00-0000 for industrial facilities) is required before the initiation of mining-related activities.

- ✓ Please print or type.
- ✓ All items must be completed accurately and in their entirety or the NOI will be deemed incomplete and processing will be delayed.
- ✓ Storm water discharges from a mineral mining or industrial activity are covered under the general permit when the administrator provides a letter of authorization (LOA) to the applicant (see Part 1 of the permits).
- ✓ Authorizations issued under the general permit are subject to an annual \$100 permit fee for as long as the authorization is active or until the general permit expires. The annual billing cycle is based on the calendar year from January 1 to December 31. There is no need to pay the fee with the application. All permit fees are invoiced at the end of the billing cycle.
- ✓ An original signature of the applicant is required. Faxes cannot be accepted.

1. Check the box that applies to your industrial activity: Mineral Mining (SIC 14) or Industrial

2. Name, address, and telephone number of the industrial or mining activity operator. This is the company, individual, or organization that has day-to-day supervision and control of activities occurring at the mine or other covered site and which will be the permittee:

Operator name: GEGR, LLC DBA Rocky Top Rock

Mailing address: PO Box 3258

Alpine, Wyoming 83128

Telephone: (307) 654-7587

Fax: (307) 654-7287

3. Name, legal description and county of the facility for which this notice is being filed:
Note that a project location using section, township and range OR a street address is required:

Facility Name

GEGR, LLC DBA Rocky Top Rock

LGD RECD
MAR 3 2011
TFN 5 4/191

Legal
Description :

Quarter/quarter: Section: 10 Township: 35 N Range: 119 W of 6th PM County: Lincoln

Street address if applicable: Pit Run Road – Private Lane West of Highway 89

Latitude and Longitude to the nearest 15 seconds (optional): 43°01'35"N-111°01'12"W

4. Land Quality Division permit number for mining facilities: TFN – 5 4/191 – Temporary No.

5. Name of the nearest defined drainage(s) which could receive runoff from the authorized facility, whether it contains water or not. Include bodies of water such as lakes and wetlands where applicable.
Salt River – Approximately ¼ mile West of the Gravel Pit – There is an irrigation ditch on the East Boundary line, however it is located at a higher elevation.

6. Will storm water from the project enter a municipal storm sewer? Yes No
If so, what municipality?
To what water body does the storm sewer discharge?

7. Has a "Storm Water Pollution Prevention Plan," following the requirements presented in the appropriate general storm water permit, been prepared for the facility?
 Yes No
Please note that the SWPPP is a permit requirement and you will not be issued coverage under the general permit unless you answer yes to this question.

8. Briefly describe the primary industrial activities conducted at this facility:
Mining of gravel, crushing, wash plant, etc... Gravel will be used for various projects including but not limited to roadway construction.

9. Provide a list of specific pollutants that may be exposed to storm water at the facility:
Top soil, overburden, gravel all of which includes stockpiles and un-disturbed property, and slopes associated with gravel pits.

10. What is the primary Standard Industrial Classification (SIC) code for this facility? 1442

LCD RECD
MAR 3, 2011
TFN 5 4/191

11. **Attachments:** For any mineral mining activity comprising more than 50 acres, the permittee must submit the SWPPP with the NOI. This requirement applies only to the Mineral Mining General Permit, not the Industrial General Permit.

12a. Agreement to comply. Submission of the NOI to the Department constitutes full agreement by the operator to meet and comply with all requirements of this general permit.

12b. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. In addition, I certify that I am aware of the terms and conditions of the mineral mining general permit and I agree to comply with those requirements.

<i>Authorized signatories for this notice of intent are the following:</i>	
<i>For corporations:</i>	<i>A principal executive officer of at least the level of vice president, or the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the overall operation of the facility from which the discharge originates.</i>
<i>For partnerships:</i>	<i>A general partner.</i>
<i>For a sole proprietorship:</i>	<i>The proprietor.</i>
<i>For a municipal, state, federal or other public facility:</i>	<i>Either a principal executive officer or ranking elected official.</i>

GAWELLE B EDWARDS
Printed Name of Person Signing

MANAGING MEMBER
Title

G. Edwards
Signature of Applicant

1/3/2011
Date

307 883 7587
Telephone

Section 35-11-901 of Wyoming Statutes provides that:

"Any person who knowingly makes any false statement, representation, or certification in any application . . . shall, upon conviction, be fined not more than ten thousand dollars (\$10,000) per day for each violation or imprisoned for not more than one (1) year, or both."

Mail or hand deliver this application to:
WYPDES Storm Water Permits Section
DEQ/WQD
Herschler Building – 4W
122 West 25th Street
Cheyenne, WY 82002

DEQ use only:	
Outfall:	SW
River Basin:	
Stream Class:	
City Code:	
Basin Code	
HUC Code:	

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MAR 3 2011
TFN 5 4/191

NPDES/SWPPP PERMIT

Regular Mining Permit
Application

GERC, LLC DBA
Rocky Top Rock
PO Box 3258
Alpine, WY 83128

LOD RECD
MAR 3 2011
TFN 5 4/191

**WYOMING POLLUTANT DISCHARGE ELIMINATION SYSTEM (WY-PDES)
Storm Water Pollution Prevention Plan (SWPP Plan)**

(to be on site at all times)

Project Name: GECR, LLC DBA Rocky Top Rock Gravel Pit
Project #: Eagle Rock Engineering & Land Surveying #10052

6.2.1 SITE DESCRIPTION

6.2.1.1 NATURE OF THE CONSTRUCTION ACTIVITY

This SWPP plan addresses the mining of a 22.2 acre gravel pit. The gravel pit has been mined for several years under the DEQ 10 acre exemption. The new owners have changed status of this pit from the 10 acre exemption to a regular mining permit (in application process 12-2010).

Work will occur on the property owned by GECR, LLC located in Etna, Wyoming in Lincoln County (Section 10, Township 35 North, Range 119 West of the 6th PM). The project area is surrounded by agricultural and cattle grazing ground. The surrounding properties are on fairly level terrain, however the gravel pit slopes and drains to the southwest to a normal drainage area.

These mining activities will be performed according to State and local Specifications and DEQ's Best Management Practices.

6.2.2. SITE MAP

See attached Plans.

6.2.2 ADDITIONAL SITE DESCRIPTION

Total area of the site:	22.2 acres
Total area which drains into waters of the U.S. (estimated)	0 acres
Area to be disturbed by excavation, grading, or other activities (estimated):	22 acres

6.2.3. MATERIALS INVENTORY

6.2.3.1 EXPOSED MATERIALS INVENTORY

Gravel processed in this pit consists of but not limited to pit run, ¾ gravel, sand, pea gravel, top soil, overburden, etc... Gravel will be used for all types of construction including roadway/highway construction, concrete mix, asphalt mix, etc... The processed gravel will be stockpiled and used (sold and Hauled) as construction activities and economic conditions allow.

The stockpiles will be seeded if not used and idle for 1 year or more to eliminate material including soil from washing off site.

GECR, LLC has constructed an office with scales, shop, and above ground fuel tanks. The fuel has a containment area in the case of spills or leaks.

This is an existing gravel source and has been in operation for several years. All runoff has and will continue to be contained on site eliminating potentials of storm water and sediment from entering waters of the US. GECR, LLC does not anticipate changes with runoff as mining continues.

Equipment on site consists of the following:

- Samsung Track Hoe SE210
- John Deere Loader 624G
- John Deere Loader 644H
- John Deere Grader JD770
- Caterpillar (CAT) Loader 950
- John Deere 350 Dozer (D3)
- Crusher – Kolberg Crusher
- Wash Plant

6.2.3.2 MATERIAL STORAGE & PROCESSING

As mining is performed the gravel will be stockpiled in separate piles which will be sold and hauled to construction sites. Gravel operation will consist of crushing and using a wash plant to remove sand/silt from the mining production.

The water source for the wash plant is a groundwater pond (Main Pond - Pond 1). A pump is placed in this pond (clean water pond) and fed to the wash plant. The water runs through the wash plant and recycles to a 2nd pond (non ground water pond – holding pond).

GEGR, LLC treats the recycled water with injection of an anionic solution polymer which helps with flocculation of the solids. This causes the solids to sink to the bottom of the recycled pond thereby allowing water to enter the 1st pond (main pond) through an overflow pipe eliminating the sandy solids getting into the main pond.

6.2.3.3 HISTORY OF SPILLS/LEAKS

To the best of our knowledge there have been no major leaks or spills within this gravel pit. The mining operation has been ongoing for several years. The runoff has and will continue to be contained on site with the use of berms eliminating potentials of storm water and sediment from entering waters of the US. GECR, LLC does not anticipate changes with runoff as mining continues.

6.2.3.4 CONTROLS USED TO MANAGE POLLUTANTS

Water is used to help with the control of the mining operation including stockpiles and access roads. The owner is contemplating using mag chloride to mitigate blowing dust on the haul road. Storm water is kept on site by natural contours of the terrain and berms.

Equipment is looked at regularly to keep oil and fuel spills under control. The fueling area is also totally contained to eliminate spills.

6.2.3.5 LIST OF SPILLS OF TOXIC/HAZARDOUS POLLUTANTS (OCCURRED)

To the best of our knowledge no significant spill has taken place on this site. If spills and or leaks did occur it would be from fueling of equipment.

6.2.4 SAMPLING DATA

Sampling data would be the various mining material on the site. Again, the pollutants from this material is contained on site.

6.2.5 MEASURES & CONTROLS

Measures & Controls (BMP's) to reduce pollutants from leaving the site include:

- Maintaining slope grades
- Keep pit clean from unnecessary debris
- Disturb as little vegetation as possible
- Position stockpiles to ensure pollutants do not enter waters of the US
- Construct ditches/berms to keep runoff from leaving site
- Inspect fuel tanks (installed fuel containment for fuel tanks)
- Keep equipment well maintained to avoid oil and fuel leaks
- Inform employees of stormwater pollution sources and prevention

6.2.5.1 GOOD HOUSEKEEPING

GEGR, LLC has the staff to keep pollutants on site. They keep the site well graded and clean. They have landscaped around the new office and shop and have seeded miscellaneous areas of the gravel pit.

Housekeeping: The following materials may be present at the project site. Discharge of pollutants from these sources will be prevented as described below.

- | | | | |
|-------------------------------------|--------------------|-------------------------------------|-------------------|
| <input checked="" type="checkbox"/> | Gasoline | <input checked="" type="checkbox"/> | Oils or grease |
| <input type="checkbox"/> | Paints or solvents | <input checked="" type="checkbox"/> | Litter and debris |

- Sanitary wastes
 Other _____
- Concrete (from on-site manufacturing or truck washdown)

Erosion of gravel & soil

- GEGR ensures compliance with spill prevention and containment before the start of on-site construction activities.
- GEGR shall comply with ensuring berms and ditches are in place to mitigate runoff from leaving the project site.
- GEGR shall comply with Specifications regarding washing of trucks and other equipment and ensure that no wash water enters any ditch, drainage, or canal.
- Litter and debris shall be picked up by employees in accordance with DEQ Specifications.

6.2.5.2 PREVENTIVE MAINTENANCE

Pollution control measures identified in this plan shall be kept in good and effective condition during the mining of this gravel pit by GEGR, LLC employees assigned to the project site. Any controls that are not performing effectively shall be promptly repaired or replaced.

GEGR personnel will inspect all disturbed areas of the construction site for evidence of (or potential for) pollutants on site and for effectiveness of erosion control measures. Inspections will take place at least every seven calendar days and within 24 hours after any storm of more than 0.5 inches, except as noted below:

- * During seasonally arid periods in areas with average annual rainfall of 20 inches or less inspections will take place at least once a month.
- * Portions of the project that have attained final stabilization, inspections will take place at least once a month.

The following individuals have been authorized by GEGR, LLC to perform the site inspections and prepare revisions to this SWPP plan:

- Gravel Pit Supervisor
 Engineer
 Others

6.2.5.3 SPILL PREVENTION & RESPONSE PROCEDURES

The fueling area has been installed with new tanks and a concrete encasement has been installed to hold fuel if a spill or leak occurs. In any event GEGR employees will provide inspections of equipment to ensure equipment is working properly and there are no visible leaks.

If by chance a spill does occur, DEQ will be notified of the spill and proper procedures will be followed.

- * Spills of 25 gallons or less – contaminated soil will be promptly removed and relocated to an approved waste site or moved to an area within the gravel pit and then treated prior to placement as backfill. Treatment will generally consist of natural weathering and/or disking and/or turning and tilling until the soil has been cleaned.
- * Spills greater than 25 gallons, DEQ will be notified immediately to determine how the spill should be handled.

In the event of a petroleum release to pit water, sorbant pads will be applied immediately to control the spill. The sorbant pads will be stored on-site in the machine shed. The pads will be collected and stored in a suitable container and appropriately labeled for management as required by state regulation.

All employees shall report all spills/leaks to the following personnel:

Gravel Pit Supervisor Owner

6.2.5.4 SEDIMENT & EROSION CONTROL

This mining operation will include the soil stabilization practices marked below. These practices will be employed according to Best Management Practices or follow Standard Specifications, Special Provisions, or policies as noted.

Stabilization Practice

X	Temporary seeding
X	Permanent seeding
X	Mulching
X	Berms
X	Ditches
	Vegetative buffer strips
	Protection of trees
X	Preserving mature vegetation
	Silt Fences
	Straw Bales
	Earth dikes
X	Drainage swales
	Sediment traps
	Check dams
	Subsurface drains
	Pipe slope drains
	Level spreaders
	Storm drain inlet protection
	Rock outlet protection
	Reinforced soil retaining systems

	Gabions
	Temp.or permanent sediment basins

Other Stabilization Practices:

Additional measures may be required as directed by GEGR, LLC.

** Stabilization measures must be initiated as soon as practicable. If stockpiles are idle for 1 year, seeding shall be completed to mitigate erosion.*

6.2.5.5 MANAGEMENT OF RUNOFF

This mining operation will include the soil stabilization practices marked below. These practices will be employed according to Best Management Practices or follow Standard Specifications, Special Provisions, or policies as noted.

<u>Stabilization Practice</u>	<u>BMP, Std. Spec. or Other Standard</u>
<input checked="" type="checkbox"/> Berms	Ensure Runoff remains on site
<input checked="" type="checkbox"/> Ditches	Ensure Runoff remains on site
<input checked="" type="checkbox"/> Snow Management	Keep snow away from property lines/ditches

Other Stabilization Practices:

Additional measures may be required as directed by GEGR, LLC.

** Ensure storm water runoff remains on site and away from waters of the US.*

6.2.6 COMPREHENSIVE SITE COMPLIANCE INSPECTION

Qualified personnel shall conduct site compliance evaluations over the entire 22.2 acres of this mining permit.

The following individuals have been authorized by GEGR, LLC to perform the site inspections and prepare revisions to this SWPP plan:

- Gravel Pit Supervisor
- Engineer
- Others

- 6.2.6.1 CONTRIBUTING AREAS/POTENTIAL PROBLEM AREAS
- 6.2.6.2 INSPECTION REPORTING
- 6.2.6.3 INSPECTION DEFICIENCIES
- 6.2.6.4 ANNUAL SITE INSPECTIONS

Sections 6.2.6.1 through 6.2.6.4 shall be performed by:

Qualified personnel shall perform visual inspection and report below. This shall be completed in no case less than once per year. Inspection shall include the following 3 tables:

Inspection Date/Inspector (Name)	Inspection Observation	Control Measures	Signature of Inspector

TFN 5 4/191
 RECD AUG 30, 2011

6.2.7 RECORD KEEPING & INTERNAL REPORTING PROCEDURES
6.2.7.1 INCIDENTS – SPILLS/DISCHARGES
6.2.7.2 MAINTENANCE ACTIVITIES

Sections 6.2.7 through 6.2.7.2 shall be performed by:

Qualified personnel shall perform visual inspection and report below. This shall be completed when observation of non conforming discharges, spills, etc...

Inspection Date/Inspector (Name)	Incident (Spill or Pollutant Discharge)	Control Measures	Signature of Inspector

6.2.8 NON-STORM WATER DISCHARGES

Related Effluents – discharge from fire fighting activities, fire hydrant flushing, waterline flushing, irrigation drainage, lawn watering, routine external building wash down, pavement wash, air conditioning condensate, springs, uncontaminated groundwater, foundation drains, (non detergents)

The certification at the end of this SWPPP certifies there are no issues with **Related Effluents**. Upon a visual inspection while surveying the property Eagle Rock Engineering did not see problems with Related Effluents. There is a ditch on site and buildings owned by the applicant, however we did not see any issues with said "Related Effluents".

Non-storm water from the sources marked below may combine with storm water and be present in the discharge at this site.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Hydrant or water line flushing | <input checked="" type="checkbox"/> Vehicle wash down water |
| <input checked="" type="checkbox"/> Dust control water | <input checked="" type="checkbox"/> Irrigation drainage |
| <input checked="" type="checkbox"/> Springs or ground water | <input type="checkbox"/> Air conditioner condensate |
| <input checked="" type="checkbox"/> Pavement or building wash water (without detergents) | <input type="checkbox"/> Foundation or footings drains (without (contaminants)) |
| <input checked="" type="checkbox"/> Wet Lands | |

6.3 CONSISTANCY WITH OTHER PLANS

The applicant may reference other SWPPP developed for other agencies if applicable.

6.4 IMPLEMENTATION

6.4.1 IMMEDIATE IMPLEMENTATION

6.4.2 PERMITEES AUTHORIZED TO DISCHARGE

Sections 6.4 through 6.4.2 imply the SWPPP shall be implemented immediately upon notification of coverage by DEQ.

6.5 KEEPING PLAN CURRENT

This is a working document and shall be revised when there is a change in design, construction, operation, or maintenance that changes the potential for discharge of pollutants to waters of the State.

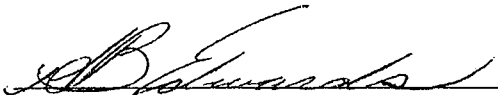
This SWPP Plan shall remain on site at all times and can be reviewed at any time by DEQ.

- 6.6 SWPPP REVIEW
- 6.6.1 DEQ ADMINISTRATIVE REVIEW
- 6.6.2 DEQ ADMINISTRATIVE REVIEW
- 6.6.3 DEQ ADMINISTRATIVE REVIEW/OWNER PROTECTION
- 6.7 PLAN RETENTION

Sections 6.6 through 6.7 imply the SWPPP shall be available to DEQ. Owner shall modify the Plan as directed by DEQ.

6.8 CERTIFICATION

"I certify under penalty of law that I understand the terms and conditions of the Wyoming Pollutant Discharge Elimination System (WY-PDES) & Storm Water Pollution Prevention Plan (SWPPP) Permit associated with the mining activity from the construction site identified as part of this certification."



GECR, LLC DBA Rocky Top Rock

1/3/2011

Date Signed

P03258 ALPINE, WY
370 PIT ROAD, ETNA WY


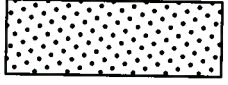
Office Address

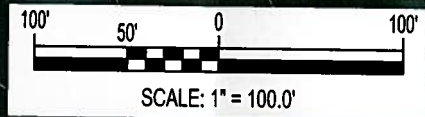
307 883 7587

Telephone No.

6.9 EMPLOYEE TRAINING

Appropriate personnel of all levels of responsibility shall be informed of spill response, good housekeeping, and material management practices for pollutants in storm water runoff.

 RECLAMATION AREA
 MINING AREA



PROPERTY LINE

RECLAMATION AREA
NO MINING WITHIN THIS AREA
AT THIS TIME.

GEGR, LLC
 ROCKY TOP ROCK
 GRAVEL PIT
 22.5 ACRES

PROPOSED LIMITS

SHOP

OFFICE

PROPERTY LINE

PIT RUN ROAD

EAGLE ROCK
ENGINEERING
 CIVIL & PLANNING SURVEYING
 IDAHO FALLS, IDAHO 83402 (208) 359-2665



DESIGNED BY:	PAUL J. SNARR
DRAWN BY:	JOEL P. DIXON
APPROVED BY:	PAUL J. SNARR
PROJECT NO.	10041
SCALE:	1:100
DATE:	NOVEMBER 4, 2010
REVISION:	JANUARY 26, 2011
CAD NAME:	WYOMING BASE.DWG

OFFICES AT:
 1331 Fremont Ave.
 Idaho Falls, Idaho
 83402
 310 N 2nd East, Suite
 153 Rexburg, Idaho
 83440

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CONTOUR MAP
 PREPARED FOR:
 GEGR L.L.C.
 DBA ROCKY TOP ROCK GRAVEL PIT

GENERAL MAP 5

LQD RECD
 MAR 3.2011