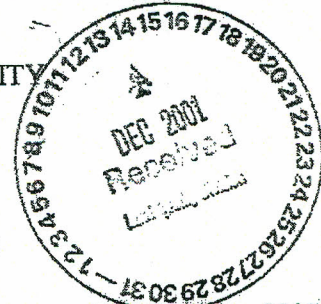


Do not make corrections to this form after printing. Forms bearing strikeouts, ink changes, etc will not be accepted.

**FILED**

MAY 21 2013

STATE OF WYOMING  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LAND QUALITY DIVISION  
CHEYENNE, WY 82002



Jim Ruby, Executive Secretary  
Environmental Quality Council

**OTHER MINERALS  
RECLAMATION PERFORMANCE BOND**

Bond No. 08071697

Know all men by these presents, that we the undersigned, CCH, L.P d/b/a Bald Butte Quarry Limited Partnership duly authorized to do business in the State of Wyoming, AS PRINCIPAL, and Fidelity and Deposit Company of Maryland a corporation organized and existing under the laws of the State of MD, and authorized to do business in the State of Wyoming, AS SURETY, are held and firmly bound unto the State of Wyoming in the sum of One Hundred Ninety-Three Thousand, Eight Hundred Seventy-Four & NO/100 Dollars (\$ 193,874.00 ), lawful money of the United States, to be paid to the State of Wyoming upon order of forfeiture by the Environmental Quality Council, for the payment of which sum, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

Whereas, the Department of Environmental Quality, Land Quality Division, issued Permit to Mine Number 551S and dated November 22, 1983, and amendment(s) numbered and dated A1-9-6-84 pursuant to the application of the Principal,

Whereas, check one of the following:

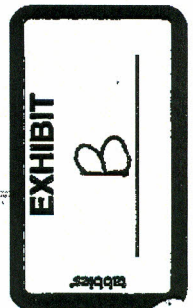
- (a) This is an original bond,
- (b) This is a bond in addition to previous bond(s) for the above mentioned \_\_\_\_\_ and which bond(s) remain(s) in full force and effect,
- (c) This is a replacement bond for:

- |   |  |
|---|--|
| (1) Bond Number <u>36-0130-25356-97-1</u>                   | Principal <u>CCH, L.P. d/b/a Bald Butte Quarry</u> |
| Surety <u>United States Fidelity &amp; Guaranty Company</u> | <u>Limited Partnership</u>                         |
|   | Dated <u>January 27, 2000</u>                      |
| (2) Bond Number _____                                       | Principal _____                                    |
| Surety _____  | Dated _____  |
| (3) Bond Number _____                                       | Principal _____                                    |
| Surety _____  | Dated _____  |

Whereas, said bond(s) shall cover any and all land affected or to be affected under above mentioned Permit and amendment(s), since the date of issuance, upon the following described land as given within said Permit and amendment(s).

Permit 551S & Amendment A1-9-6-84, SW1/4 SE1/4 and W1/2 W1/2 SE1/4 SE1/4 Section 31 Township 31N Range 63W 6th PM Niobrara County Consisting of 50 acres more or less and N 300' of the NW NE Section 6 Township 30N Range 63W

Now, therefore, the conditions of the obligation are such that, this bond shall remain in full force and effect until either released or forfeited pursuant to the provisions of the Wyoming Environmental Quality Act and the rules and regulations adopted pursuant to that Act.



PRINCIPAL

Bond No. 08071697

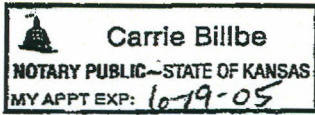
Signed and executed this 7th day of November, 2001:

BY: [Signature]
TITLE: C.C. Hutchinson Managing Partner (Corporate Seal)

State of KS ) SS.
County of Shawnee )

The foregoing instrument was acknowledged before me by (Printed Name of Principal Signatory) C.C. Hutchinson, this 7th day of November, 2001.

Witness my hand and official seal.



[Signature]
(Notary Public or other authorized officer)

Carrie A. Billbe
Title (Name printed or typed)
My Commission Expires: 6-19-05

SURETY

Signed and executed this 7th day of November, 20 01:

BY: [Signature]
TITLE: Robert P. Emerick, Attorney-in-Fact (Corporate Seal)
(please print or type)

State of KS ) SS.
County of Shawnee )

The foregoing instrument was acknowledged before me by (Name of Attorney-in-Fact) Robert P. Emerick, this 7 day of November 20 01.

Witness my hand and official seal.



[Signature]
(Notary Public or other authorized officer)

Title Jill Abshier, Notary Public
(Name printed or typed)
My Commission Expires: 9/9/02

Approved as to form and execution:

[Signature]
Attorney General

BY: [Signature]
Approved: [Signature]
Administrator, Land Quality Division

Date: 12-17-01
Date: 19 Dec 01



**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,....and to affix the seal of the Company thereto."

**CERTIFICATE**

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

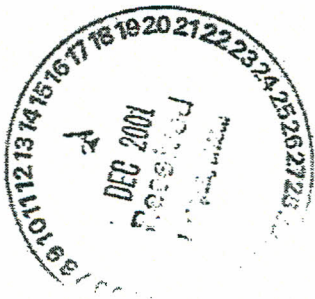
RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this

7 day of November, 2001

S. D. Watts

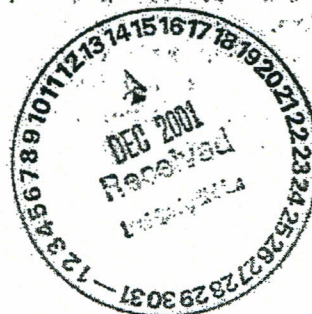
Assistant Secretary



C.C. Hutchinson  
P.O. Box 2609  
Topeka, KS 66601-2609  
785-234-5440

November 7, 2001

Department of Environmental Quality  
Herschler Building  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002  
Attn: Deanna Hill




Dear Ms. Hill

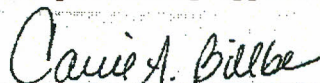
CCH L.P.'s Family Limited Partnership Agreement dated April 1, 1999, that was submitted to your office in February 2000 has not been amended in any fashion including section 2.2 and is still in effect as of November 7, 2001.

If you have further questions or need any further information, please do not hesitate to contact me at the number above.

Sincerely

  
C.C. Hutchinson  
Managing Partner CCH L.P.

On this 7th day of November, 2001 C.C. Hutchinson personally appeared before me.



NOTARY PUBLIC

