LAND RECLAMATION COMMISSION

STATE OF MISSOURI
P.O. BOX 176
JEFFERSON CITY, MISSOURI 65102
573-751-4041

Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

BENTON COUNTY STONE CO., INC.

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements In the application, a permit is hereby granted to engage in surface mining of limestone in the state of Missouri. The extent of the Proposed mining operation(s) will be on ten acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Renewal

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
McDonald	33, 34	21N	32W	10	0	10	BCS-01	1963

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 4th day of March 2004

DIRECTOR OF STAFF
Land Reclamation Commission

Permit No. 0916
Effective Date 04/01/2004
Expiration Date 03/31/2005

MO 780-1122 (6-95)

RECEIVED

FEB 25 2004

MISSOURI LAND RECLAMATION COMMISSION

MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION

PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL		DATE	
Benton County Stone Co., Inc.		2-16-04	
ADDRESS	CITY	STATE	ZIP CODE
P.O. Box 988	Pryor	OK	74362
CONTACT PERSON		TELEPHONE NUMBER	
James Kemp		918-825-3370	

FEES: COMPLETE SECTION I OR SECTION II

SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:

1. To compute the site fee complete the information below:

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay $150 For sites operated six months or more per permit year pay $300
1. BCS-01	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$ 300
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	$
TOTAL SITE FEE →		$ 300

2. Acreage Fee $5 X 10 **number of acres bonded** ..... $ 50.00

3. Annual Permit Fee ..... $ 500

4. Total Fee (Add totals from 1, 2 and 3) ..... $ 850.00

NOTE: If Total Fee exceeds $2,500.00 then pay only ..... $ 2,500

SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:

1. Annual Permit Fee ..... $ 300

SIGNATURE OF APPLICANT	TITLE	DATE
[signature]	Pres	2/18/04

Appeared before me this 18th day of February, 2004, to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSER SEAL	STATE OF Oklahoma	COUNTY (OR CITY OF ST. LOUIS)
	SUBSCRIBED AND SWORN BEFORE ME, THIS 18th DAY OF February YEAR 2004	USE RUBBER STAMP IN CLEAR AREA BELOW.
	NOTARY PUBLIC SIGNATURE: Deborah L Davis	MY COMMISSION EXPIRES: 2-9-2008
	NOTARY PUBLIC NAME (TYPED OR PRINTED) # 00002349: Deborah L. Davis # 00002349	

FOR DEPARTMENT USE ONLY: APPROVED BY	DATE APPROVED	PERMIT NUMBER	EXPIRATION DATE
[signature]	3/2/04	0916	3/31/05

MO 780-1780 (12-02)

RECEIVED

FEB 6 2003

MISSOURI LAND RECLAMATION COMMISSION

MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORM

To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER	PERMIT NUMBER
BCS -01	916

COMPANY NAME: Benton County Stone Co., Inc.

COUNTY	1/4 SECTION	SECTION
McDonald		33, 34
TOWNSHIP	**RANGE**	**ACRES**
T21N	R32W	182

RIVER OR STREAM NAME (FOR IN-STREAM ACRES):

MINERAL COMMODITY	ESTIMATED TONS/YEAR (FOR GRAVEL SITES)
Limestone	

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE): James Allen Kemp Revocable Trust & Kemp Land Co. L.L.C.

ADDRESS: P.O. Box 988

CITY	STATE	ZIP CODE
Pryor	OK	74362

SOURCE OF RIGHT TO MINE (CHECK ONE):

- ☐ MINERAL DEED
- ☒ WARRANTY DEED
- ☒ LEASE
- ☐ VERBAL AGREEMENT
- ☐ OTHER (DESCRIBE):

DATE OF AGREEMENT: 1/14/03

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE): Same

ADDRESS:

CITY	STATE	ZIP CODE

SOURCE OF RIGHT TO MINE (CHECK ONE):

- ☐ MINERAL DEED
- ☐ WARRANTY DEED
- ☐ LEASE
- ☐ VERBAL AGREEMENT
- ☐ OTHER (DESCRIBE):

DATE OF AGREEMENT:

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.

MO 780-1036 (12-91)

RECEIVED
FEB 6 2003
MISSOURI LAND
RECLAMATION COMMISSION

MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
MINE PLAN

P.O. BOX 176
JEFFERSON CITY, MO 65102

TYPE OF PLAN (CHECK ONE):
☐ SHORT TERM, FOR ONE PERMIT YEAR
☒ LONG TERM, FOR PERIOD THROUGH DATE 2025

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY

(See site description)

OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.

A. TOPSOIL

AVERAGE DEPTH OF TOPSOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING	IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?
6-12 INCHES	☐ YES OR ☒ NO

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL

Interfering vegetation and trees will be removed when necessary to allow for operation of mobile equipment. Soil material will be removed and segregated before drilling/blasting or mining occurs to prevent contamination. Soil materials will be windrowed, stockpiled, or redistributed on previously graded areas. Soil removal will be kept at least 10 feet ahead of the excavation area. Equipment used in topsoil removal will include dozers, excavators, front-end loaders, and haul trucks.

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION

Whenever topsoil is not respread immediately, the topsoil will be stockpiled in a stable area within the permit area where it will not be exposed to excessive water, wind erosion or contaminants. Stockpiles and/or windrows will be graded and protected from erosion by establishment of temporary or permanent vegetation and/or mulching (see Revegetation Plan). This will be accomplished during the first normal favorable planting season after construction. Equipment used for topsoil stabilization will include dozers, and farm equipment (tractors, discs, seed drills, mulchers).

Site Description

The quarry site is located in southwestern McDonald County, west of Jane (Hwy 71) and along the Missouri-Arkansas border.

The majority of the site is drained by tributaries and drainages of Mill Creek which flows to the northwest and enters the Elk River near Noel, Missouri.

Soils within the quarry site include the Moko – rock outcrop complex, the Jolly Mill – Bandavin complex, the Rueter – Goss - Jollymill complex and the Waban – Cedargap unit.

These soils are normally found on ridgetops, side slopes, and foot slopes that are dissected by drainage ways and small creeks. The Waban – Cedargap unit is located along Mill Creek and is occasionally flooded. Areas along Mill Creek have been previously developed (mined) for gravel and have been identified on the attached map. Limestone quarry operations will take place on the ridgetops and outcrop slopes, and should not affect Mill Creek or the previously disturbed areas.

A detailed soil survey for all of McDonald County is currently being completed by the NRCS (U.S. Dept. of Agriculture). Information from the Springfield MLRA indicates that topsoil thicknesses range from 4-12 inches, with the depth to bedrock ranging from 4-60" across the site.

Vegetation across the area containing the limestone resources is dominated by trees and understory vegetation. Vegetation along Mill Creek and its tributaries consists primarily of grassland which has been hayed and used as pasture for cattle.

RECEIVED

FEB 6 2003

MISSOURI LAND
RECLAMATION COMMISSION

RECEIVED
FEB 6 2003
MISSOURI LAND RECLAMATION COMMISSION

B. SPOIL

DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

Because the limestone outcrops across the permit area or is located within 30 inches of the surface; spoil/overburden generation will be minimal. When spoil is generated, it will be stockpiled or immediately used for backfill material along the final highwalls in areas identified on the Reclamation Plan Map. Stockpiled spoil material will be protected from excessive erosion.

C. ACID MATERIALS

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)

None anticipated

D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

The first cut will be at the rock outcrop southeast of the access road. From there the pit will advance into the hill to the southwest.

A buffer zone of approximately 100 ft. will be established at all property boundaries to provide lateral support.

YES	NO	
☐	☒	Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?
☐	☒	Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right of way, and in no case may the excavation be closer to the right of way than fifty feet or twenty-five feet plus one and one-half (1-½) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)
☐	☒	Will any excavation start at or within fifty feet (50') of any property line? (NOTE: If the answer is "yes", a safety barrier may be needed.)

MO 780-1327 (12-91)

RECEIVED
FEB 6 2003
MISSOURI LAND
RECLAMATION COMMISSION

RECLAMATION PLAN - 10 CSR 40-10.020(2)(D)2.

A. REVEGETATION (Attach additional sheets, if needed)

REVEGETATION MIX #1	PURPOSE OR LAND USE	B. SEEDING OR PLANTING TIME
Cool Season Mix	Topsoiled Areas/Slopes	Spring/Fall

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Seeding equipment will consist of tractors, discs, drags, seed drills, and broadcast spreaders. Areas which have been topsoiled will be disced and dragged and then seeded with a drill or broadcast in the case of small areas, legumes, forbs.

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
Fescue	20.0		
P. Ryegrass	10.0		
Red Clover	3.0		
K. Lespedeza	3.0		

REVEGETATION MIX #2	PURPOSE OR LAND USE	B. SEEDING OR PLANTING TIME
Temporary Stabilization	Stockpiles/Windrows	As Necessary

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Seeding equipment will consist of tractors, discs, drags, rangeland seed drill and broadcast spreaders. Stockpiles/windrows will be graded and/or dragged until smooth then seeded by drilling (large areas) or broadcasting.

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
Annual Ryegrass*	15#'s/ac.		
Wheat*	30#'s/ac.		
Oats*	30#'s/ac.		
Perrenial Ryegrass*	15#'s/ac.		
* Normally only one	species will	be used.	

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

MO 780-1327 (12-91) PAGE 3 OF 5

RECEIVED
FEB 6 2003
MISSOURI LAND RECLAMATION COMMISSION

B. GRADING

DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES

Because the limestone outcrops at the surface or is located within 3 feet of the surface, grading will be limited to highwall areas designated for backfilling and stockpile areas. Affected areas will be graded to a free draining topography suitable for the intended post-mine use. Slopes in backfilled areas will be no steeper than 33% (3:1).

It is anticipated that the floor of the reclaimed area will consist of solid rock or graded crushed rock/mine waste.

C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES

GRADING

Backfilling and grading of designated highwall areas will occur following the completion of mining in an area, or within 12 months after the expiraton or renewal of the permit under which surface mine distrubance occurred unless the area is needed as part of the active operations.

REPLACEMENT OF TOPSOIL

Topsoil will be replaced when an area has been backfilled and/or graded and weather conditions allow for revegetation and/or site stabilization.

REVEGETATION

Revegetation(seeding/planting) will occur following topsoil replacement and shall be completed within 24 months after expiration or renewal with establishment of vegetation by the second growing season unless an area is needed as part of the active operation.

AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES) (12 inches)

D. USE OF LAND WHEN RECLAIMED Estimate acreage of each land use below, after reclamation	**ESTIMATED ACRES:**
Wildlife (forest or other habitat with livestock excluded) (Undisturbed)	± 100 Ac.
Agricultural (pasture, cropland, and horticultural)	
Development (residential, industrial, and recreational) (Includes Access Roads)	± 82 Ac.
Water impoundments (for wildlife, agricultural, or development)	

MO 780-1327 (12-91)

PAGE 4 OF 5

By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.

2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo (Supp. 1990), and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.

3. I have obtained the approval of all landowner's for all proposed post-reclamation land uses.

4. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

SIGNATURE OF APPLICANT	TITLE	DATE
[signature]	Pres	1/27/03

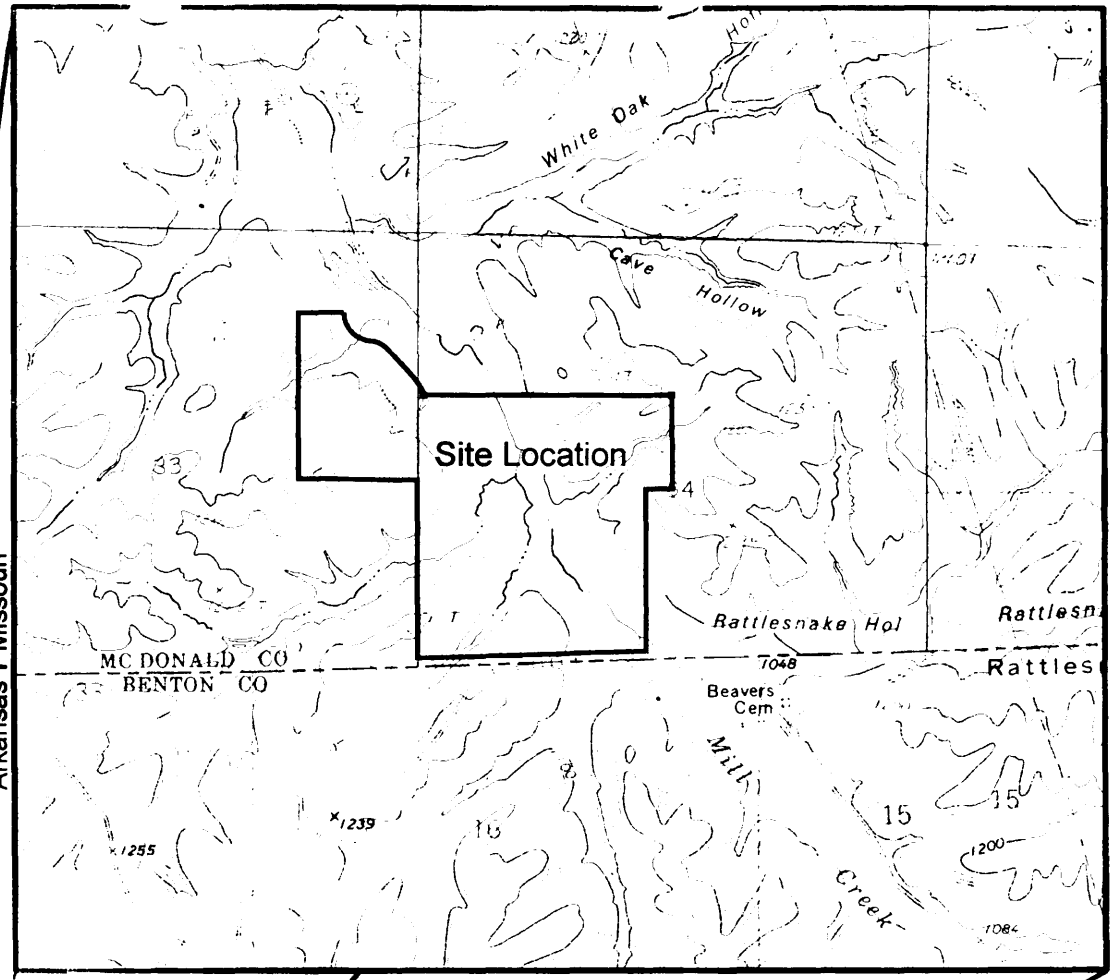
NOTARY PUBLIC EMBOSSER SEAL	STATE	COUNTY (OR CITY OF ST. LOUIS)
	Oklahoma	Mayes
	SUBSCRIBED AND SWORN BEFORE ME, THIS 27th DAY OF January 2003	USE RUBBER STAMP IN CLEAR AREA BELOW
	NOTARY PUBLIC SIGNATURE #00002349 [signature] / MY COMMISSION EXPIRES 2-9-2004	
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Deborah L. Davis #00002349	

APPROVED BY (DIRECTOR'S REPRESENTATIVE)	DATE APPROVED	PERMIT NUMBER
[signature]	3-22-03	916

MC 780-1327 (12-91)

PAGE 5 OF 5

Scale: 1" = 2000'



Section 33 & 34, T.21N., R.32W.

McDonald County

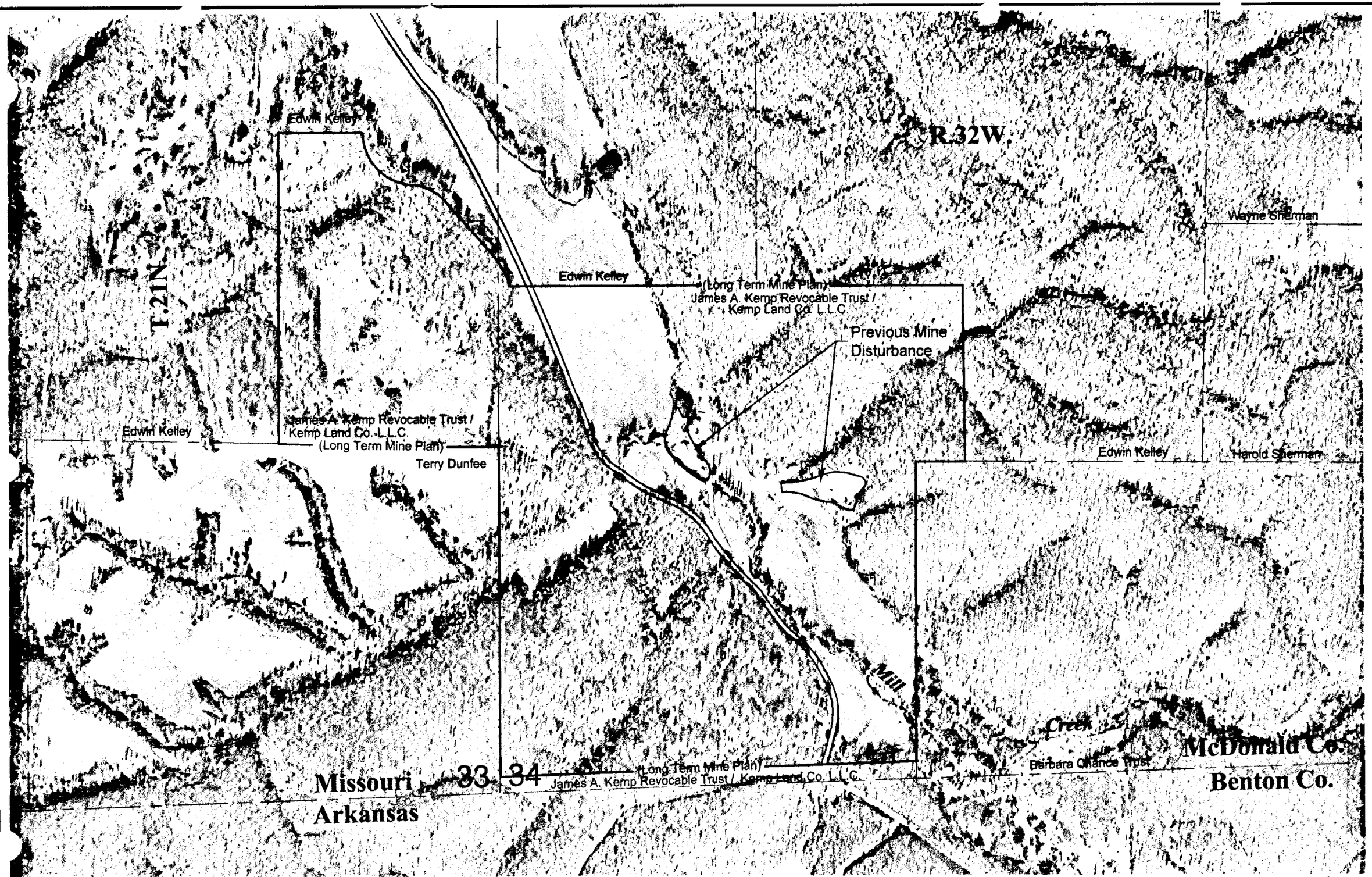
RECEIVED
FEB 27 2003
MISSOURI LAND
RECLAMATION COMMISSION

Benton County Stone

McDonald County Quarry BCS-01

General Location Map

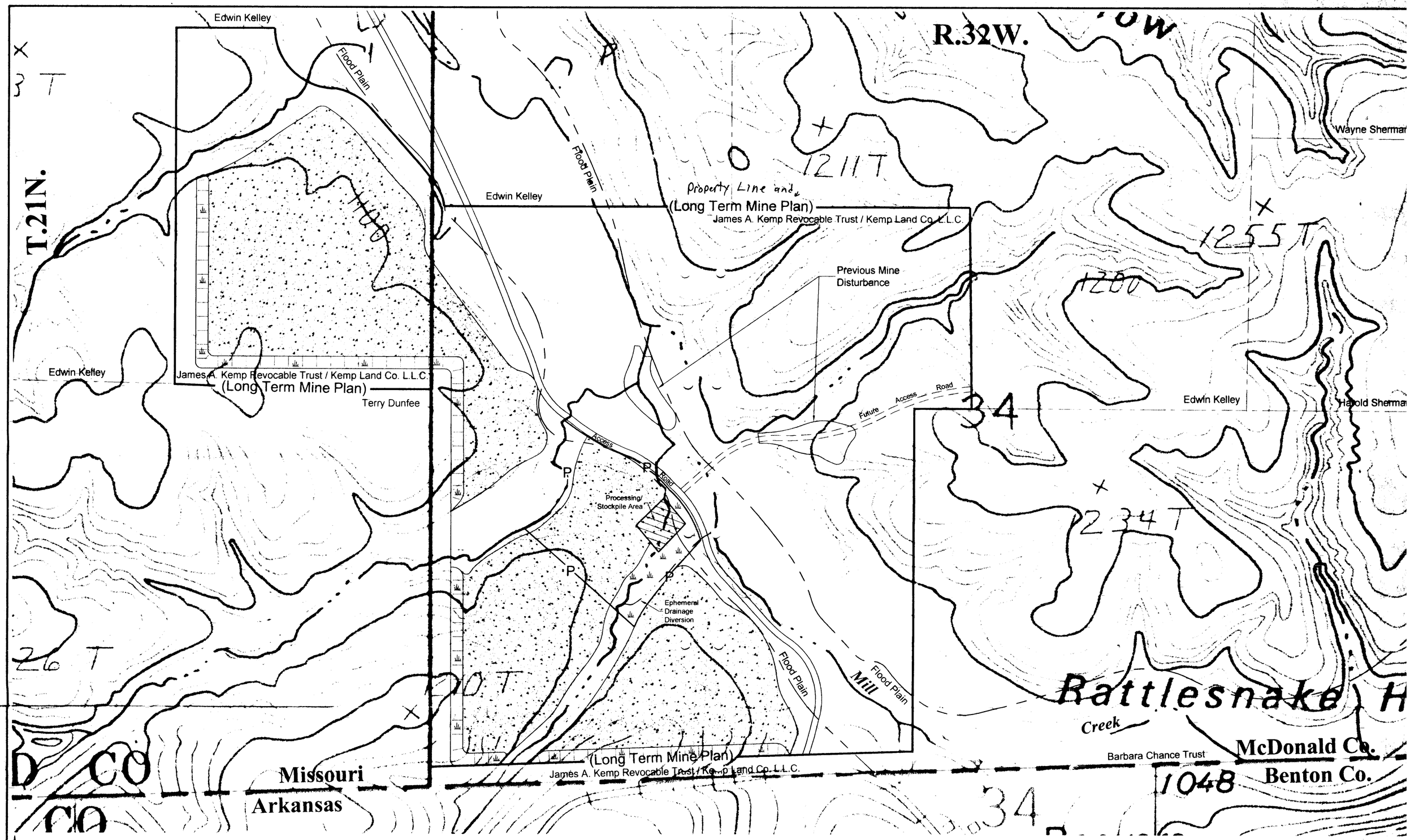
Triad Environmental Services
P.O. Box 1507 Pittsburg, KS 66762
(620) 231-5660 Fax (620) 231-5661



Benton County Stone

McDonald County Quarry BCS-01

Triad Environmental Services
P.O. Box 1507 Pittsburg, KS 66762
(620) 231-5660 Fax (620) 231-5661



- area above highwall that will be revegetated

-P- - initial permit area

- area to be mined + reclaimed as development

remaining acreage to be left undisturbed or reclaimed to wildlife

Benton County Stone
McDonald County Quarry BCS-01
Conceptual Reclamation Plan

Triad Environmental Services
P.O. Box 1507 Pittsburg, KS 66762
(620) 231-5660 Fax (620) 231-5661

information obtained via phone conversation w/ Terry Fox of Triad TT 3-12-03