

MADISON COUNTY PLANNING COMMISSION

P. O. Box 608, Canton, Mississippi

Phone 601-859-1177 or 601-855-5501

Henry Brown, Chairman

Andy Clark, Attorney

Brad Sellers, Zoning Administrator

Madison County Planning Commission met on February 14, 2013, to consider a petition filed by Warren Excavation, LLC. The Members of the Commission voted to recommend approval of this petition to the Madison County board of Supervisors, with the following restrictions/requirements:

1. County roads would not be used as a haul route unless there is a point of delivery on that road.
2. Truck traffic using Highway 463 would be restricted during peak school traffic hours. (As recommended by the Superintendent of Schools.)
3. A buffer will be maintained from adjacent property, and Highway 22
4. A survey will be conducted of the existing cemetery to located any unmarked graves, and a 50 foot buffer will be maintained from the cemetery.
5. A flagman will be onsite during hours of operation

Warren Excavation
108 Lexington Drive
Madison, Mississippi 39110

December 19, 2012

Brad Sellers
Zoning Administrator
P.O. Box 608
Canton, Mississippi 39046

RE: Existing Surface Mine Expansion/New Permit
JNL Pitt #1, Permit #MSR322191 Geology Permit # 45-151

Dear Mr. Sellers:

Please find enclosed the documentation required for the expansion of or the issuance of a new permit related to the aforementioned surface mine currently being operated in Madison County, Mississippi under the named and numbered permit.

Should you have any questions and or concerns, please contact either:

Doug Warren, Warren Excavation: cell (601) 946- 1767
office (601) 856- 3988

Jim Giddy, Project Consultant: cell (601) 259- 6330
office (601) 359- 4263

Sincerely,



Doug Warren
Warren Excavation

APPLICATION FOR SPECIAL EXCEPTION
Surface Mining Operation

Applicant WARREN EXCAVATION, LLC 108 Lexington Drive Madison, MS	Street Address of Property (if different address): 3364 Hwy 22 (APPROX) Madison MS 39110
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
DEC 19, 2012	A1	See (Exhibit A)	081B-04-005/01	ZONE X	See (Exhibit B)

Other Comments: As per Section 2604 of the Madison County Zoning Ordinance.

Respectfully Submitted

Doog Warren
 Doog Warren

Petition submitted to Madison County Planning and Development Commission on Feb 14, 2013

Recommendation of Madison County Planning and Development Commission on Petition Approve with restrictions

Public Hearing date as established by the Madison County Board of Supervisors MARCH 18 2013

Final disposition of Petition _____

Surface Mining Proposal:

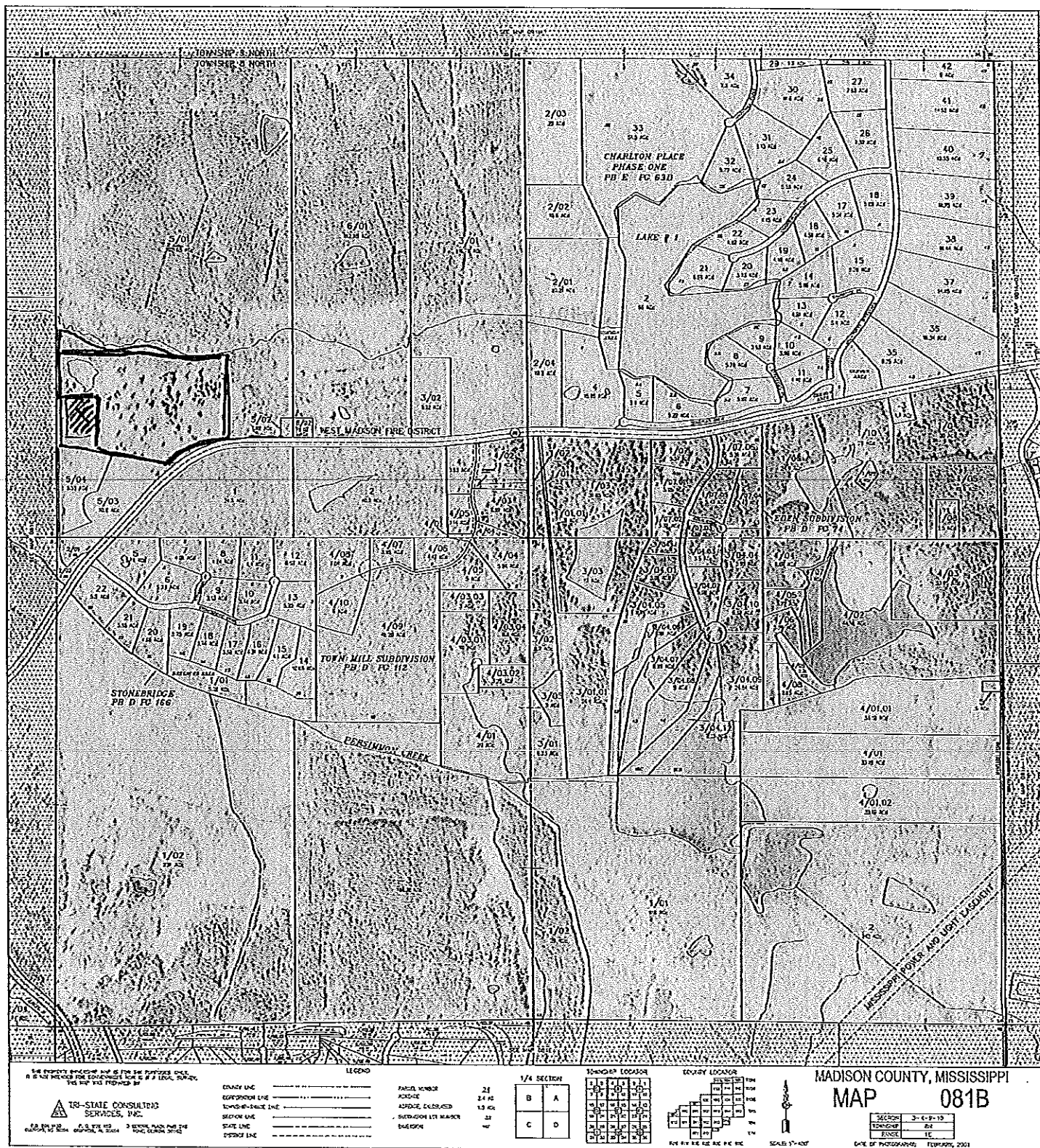
Exhibit A

**Warren Excavation, LLC
108 Lexington Drive
Madison, Mississippi 39110**

1. Proof of Ownership: JNL Land & Pine, LP (attached exhibit c)
2. Lease Agreement: Warren Excavation, LLC (attached exhibit c1)
3. Legal Description: 35 acres in the NW 1/4 of Section 4, Township 8N, Range 1E of Madison County, Mississippi (map attached, exhibit b)
4. Hours/Life of operation: Hours: 6:00 AM to 7:00 PM, Monday thru Saturday
Life: Approx. 48 months from approval date
5. Haul Route: Loads will ingress and egress the subject site off of MS Hwy. 22. (map attached exhibit d)
6. Road Damage: No impact upon county roads as all ingress and egress will be from and to a state highway.
7. Traffic Plan: Appropriate styled and sized signs on either side of access to the site, both East and West on MS Hwy 22, to inform motorists of trucks entering the highway.
8. MDEQ Application: On file for approval at MDEQ, Application for Surface Mining permit, filed 12-20, 2012. (See attached application exhibit e)
9. Reclamation Plan: Site to be graded on a slope of approx. 3 to 1, covered with appropriate soil and seeded with grass to return it to use as pasture land. Reclamation will return the site to a similar state suitable for grazing purposes.
10. Erosion control plan: Use of hay bales, or screen barriers and or settling pond(s) to control and or prevent run off and/or silt from entering adjacent stream. Run off and/or silt will be directed to existing pond as needed. (Map attached exhibit d)

11. Road Bond proposal: None, no impact to county road(s). (See #5 above)
12. Site Plan: see #s 9 and 10
13. Adjacent Land Owners (exhibit f)
- a. Nancy McReynolds
420 Warwick Rd.
Clinton, MS 39056
 - b. Richard & Courtney Williams
102 Primrose Landing
Clinton, MS 39046
 - c. Mark S. Jordan
607 Highland Colony Parkway
Rigeland, MS 39157
 - d. Virginia Giddy
235 2nd Street
Flora, MS 39071
14. ROWs: MS Highway 22; site will not impact or encroach upon existing highway ROW.
15. Zoning: A1 (see attached maps, exhibit g)
16. Contour(s) Topographical Map(s) (exhibit h)

EXHIBIT B



▨ - 4 acre exempted, #1

□ - site #2

BOOK 1898 PAGE 0929

Indexing Instruction:

SW1/4 of SE1/4, Section 33, Township 9 North, Range 1 East; NW1/4; W1/2 of NE1/4; N1/2 of SW1/4; NW1/4 of SE1/4; all of SW1/4 of SE1/4, and all of SE1/4 of SW1/4, Section 4 Township 8 North, Range 1 East; all of SW 1/4 of SW1/4, Section 4 Township 8 North, Range 1 East; all of Section 9 Township 8 North, Range 1 East lying West of Livingston Road, all located in Madison County, Mississippi

Less and except a metes and bounds description in the West 1/2 and also in the West 1/2 of the East 1/2, all lying on the North side of Mississippi State Highway No. 22 in Section 4, Township 8 North, Range 1 East of Madison County, Mississippi

STATE OF MISSISSIPPI

467056

COUNTY OF MADISON

**CORRECTED
QUITCLAIM DEED**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, VIRGINIA L. GIDDY, (Grantor), do hereby convey, transfer and quitclaim unto J.N.L. LAND & PINE, L.P., a Mississippi limited partnership, all of my right, title and interest in and to the following described lands located in Madison County, Mississippi, to-wit:

Southwest quarter of Southeast quarter, Section 33, Township 9 North, Range 1 East; Northwest quarter; West half of Northeast quarter; North half of Southwest quarter; Northwest quarter of Southeast quarter; all of Southwest quarter of Southeast quarter, and all of Southeast quarter of Southwest quarter that lies North of Livingston and Canton Road, Section 4, Township 8 North, Range 1 East; all of Southwest quarter of Southwest quarter, Section 4, Township 8 North, Range 1 East, that lies North and West of Livingston and Canton Road; all of Section 9, Township 8 North, Range 1 East lying West of Livingston Road, subject to outstanding right of way and easement in favor of United Gas Public Service Company, less and except lot for cemetery.

BOOK 1898 PAGE 0930

LESS AND EXCEPT from the above described property any and all lands owned by the Grantor which are located South of Highway 22 in Madison, Madison County, Mississippi.

LESS AND EXCEPT a tract of land situated in the West ½ and also in the West ½ of the East ½, all lying on the North side of Mississippi State Highway No. 22, in Section 4, Township 8 North, Range 1 East of Madison County, Mississippi, and more particularly described as follows:

Commencing from a concrete monument on the northern right-of-way line of Mississippi State Highway No. 22, said concrete monument being West a distance of 232.20 feet from a fence line representing the east line of the West ½ of the East ½ of Section 4, Township 8 North, Range 1 East, Madison County, Mississippi; thence North 89° 50' 26" West along the northern right-of-way line for 844.47 feet to an iron pin at the "Point of Beginning" of the tract herein described; thence North 89° 50' 26" West and continuing along the said north right-of-way line for 350.00 feet to an iron pin; thence North 0° 06' 36" West for 253.39 feet to an iron pin; thence North 89° 53' 32" East for 350.00 feet to an iron pin; thence South 0° 06' 36" East for 255.03 feet to the said "Point of Beginning", containing 2.04 acres, more or less.

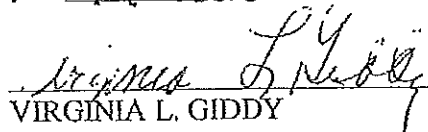
together with all improvements situated thereon and all appurtenances thereunto belonging.

The above-described real property is no part of the homestead of the Grantor nor is it adjacent or contiguous thereto.

There is excepted from this conveyance all building restrictions, protective covenants, mineral reservations and conveyances and easements of record affecting said property.

This deed is to correct and clarify the Quitclaim Deed filed in Book 479, at Page 404, because the above described property excepted out was not conveyed to the Grantee in the above referenced Quitclaim Deed because the Grantor did not own the said property at that time.

WITNESS my signature, this the 28th day of March, 2005.

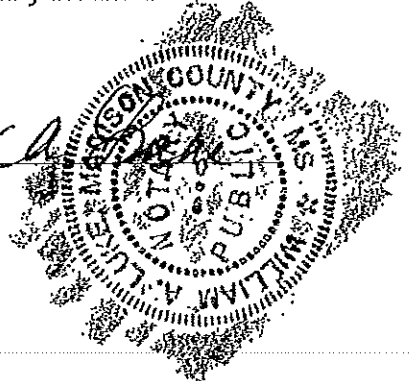

VIRGINIA L. GIDDY

STATE OF MISSISSIPPI

COUNTY OF Madison

PERSONALLY appeared before me the undersigned authority in and for the aforesaid county and state, on this 28th day of March, 2005, within my jurisdiction, the within named VIRGINIA L. GIDDY, who acknowledged before me that she executed the above and foregoing Quitclaim Deed on the day and year therein stated, as her voluntary act and deed.

William C. [Signature]
NOTARY PUBLIC



My Commission Expires:

09.30.2005

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES AUG 30, 2007
BONDED THRU STEGALL NOTARY SERVICE

GRANTORS' ADDRESS:

Virginia L. Giddy
235 Second Street
Flora, Mississippi 39071
(601) 879-8791

GRANTEE'S ADDRESS:

J.N.L. Land & Pine, L.P.
235 Second Street
Flora, Mississippi 39071
(601) 879-8791

The preparer does not by this instrument certify validity of title nor the correctness of the description contained herein.

PREPARED BY:

Ralph A. Yelverton, MS Bar #10303
STUBBLEFIELD & YELVERTON, PLLC
Post Office Drawer 320399
3900 Lakeland Drive, Suite 401
Jackson, Mississippi 39232
(601) 936-4910

13-1319
(E)

MADISON COUNTY MS This instrument was
filed for record March 31, 2005, at 8:00 A.M.
Book 1898 Page 929
ARTHUR JOHNSTON, C. C.
BY: [Signature] D.C.



BOOK 0479 PAGE 404

327829

Indexing Instruction:

STUBBLEFIELD & HARVEY, PLLC
3900 Lakeland Drive, Suite 401
Lakeland Oaks
Jackson, MS 39208

pd 9.00

SW1/4 of SE1/4, Section 33, Township 9 North, Range 1 East; NW1/4; W1/2 of NE1/4; N1/2 of SW1/4; NW1/4 of SE1/4; all of SW1/4 of SE1/4, and all of SE1/4 of SW1/4, Section 4 Township 8 North, Range 1 East; all of SW 1/4 of SW1/4, Section 4 Township 8 North, Range 1 East; all of Section 9 Township 8 North, Range 1 East lying West of Livingston Road, all located in Madison County, Mississippi

STATE OF MISSISSIPPI

COUNTY OF MADISON

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, VIRGINIA L. GIDDY, (Grantor), do hereby convey, transfer and quitclaim unto J.N.L. LAND & PINE, L.P., a Mississippi limited partnership, all of my right, title and interest in and to the following described lands located in Madison County, Mississippi, to-wit:

Southwest quarter of Southeast quarter, Section 33, Township 9 North, Range 1 East; Northwest quarter; West half of Northeast quarter; North half of Southwest quarter; Northwest quarter of Southeast quarter; all of Southwest quarter of Southeast quarter, and all of Southeast quarter of Southwest quarter that lies North of Livingston and Canton Road, Section 4, Township 8 North, Range 1 East; all of Southwest quarter of Southwest quarter, Section 4, Township 8 North, Range 1 East, that lies North and West of Livingston and Canton Road; all of Section 9, Township 8 North, Range 1 East lying West of Livingston Road, subject to outstanding

right of way and easement in favor of United Gas Public Service Company, less and except lot for cemetery.

LESS AND EXCEPT from the above described property any and all lands owned by the Grantor which are located South of Highway 22 in Madison, Madison County, Mississippi.

together with all improvements situated thereon and all appurtenances thereunto belonging.

The above-described real property is no part of the homestead of the Grantor nor is it adjacent or contiguous thereto.

There is excepted from this conveyance all building restrictions, protective covenants, mineral reservations and conveyances and easements of record affecting said property.

WITNESS my signature, this the 26th day of December, 2000.

Virginia L. Giddy
VIRGINIA L. GIDDY

STATE OF MISSISSIPPI
COUNTY OF Rankin

PERSONALLY appeared before me the undersigned authority in and for the aforesaid county and state, on this 26th day of December, 2000, within my jurisdiction, the

within named VIRGINIA L. GIDDY, who acknowledged before me that she executed the above and foregoing Quitclaim Deed on the day and year therein stated, as her voluntary act and deed.

John S. Duncan
NOTARY PUBLIC
STAFFORD, HINDS COUNTY, MISSISSIPPI

My Commission Expires:
August 24, 2001

GRANTORS' ADDRESS:

GRANTEE'S ADDRESS:

Virginia L. Giddy
235 Second Street
Flora, Mississippi 39071
(601) 879-8791

J.N.L. Land & Pine, L.P.
235 Second Street
Flora, Mississippi 39071
(601) 879-8791

The preparer does not by this instrument certify validity of title nor the correctness of the description contained herein.

PREPARED BY:

J. Stephen Stubblefield
STUBBLEFIELD & HARVEY, PLLC
3900 Lakeland Drive, Suite 401
Jackson, Mississippi 39208
(601) 936-4910

STATE OF MISSISSIPPI, COUNTY OF MADISON

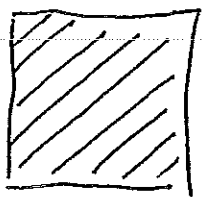
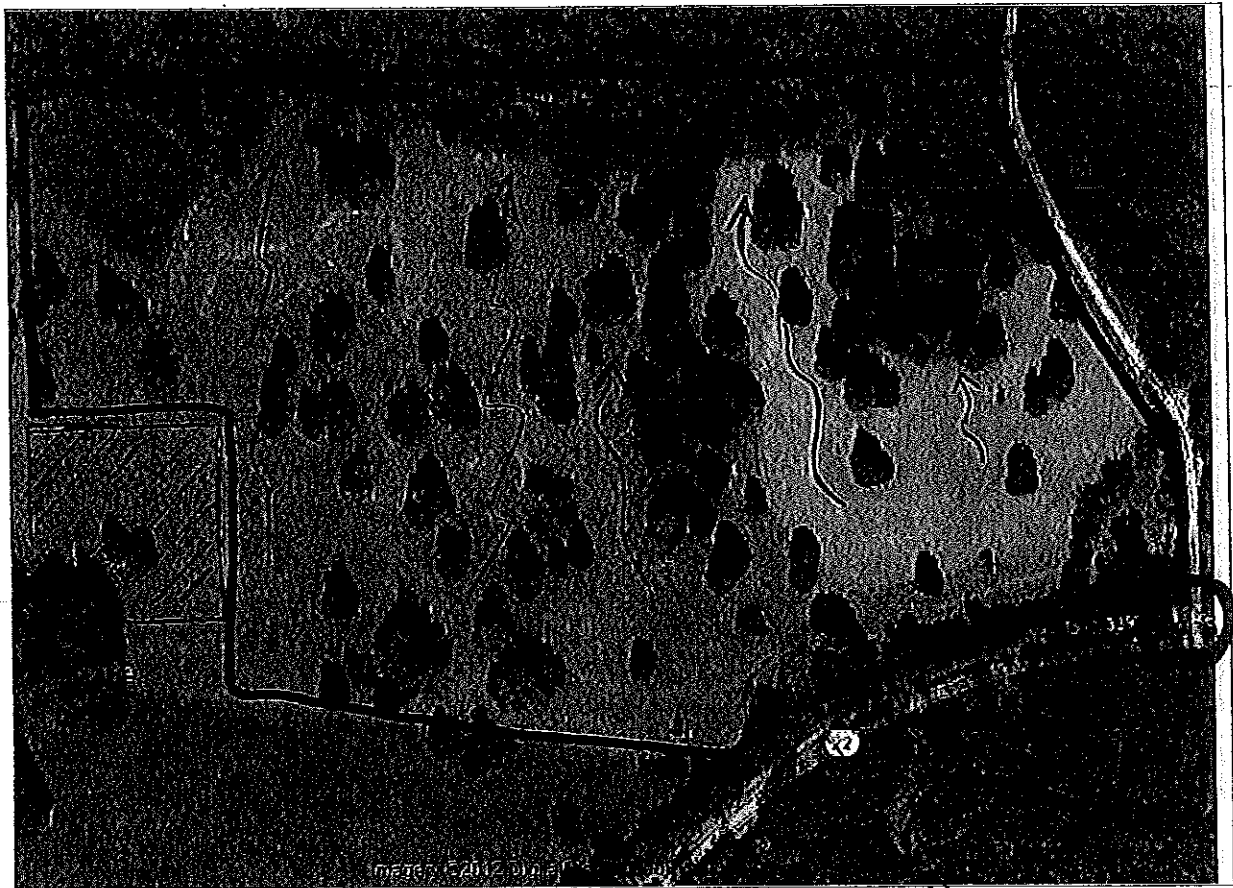


I certify that the within instrument was filed for record in my office this *26* day of *Jan*, 2001, at *9* o'clock *A*. M., and was duly recorded on the *JAN 26 2001*, Book No. *479*, Page *404*.

STEVE DUNCAN, CHANCERY CLERK BY: *Chandler* D.C.

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



4 acre permitted site #1



- Direction of drainage/run off



- permit area #2

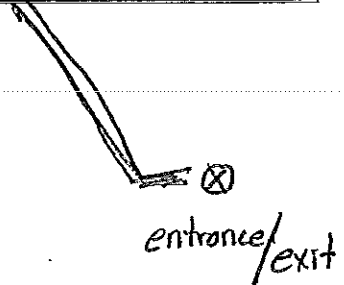


EXHIBIT E

Warren Excavation
108 Lexington Drive
Madison, Mississippi 39110

December 19, 2012

James Matheny
Mining and Reclamation Division
Office of Geology
MS Department of Environmental Quality
P.O. Box 2279
Jackson, Mississippi 39225-2279

RE: Existing Surface Mine Expansion
JNL Pitt #1, Permit #MSR322191 Geology Permit # 45-151

Dear Sir:

Please find enclosed the documentation required for the expansion of the aforementioned surface mine currently being operated in Madison County, Mississippi under the named and numbered permit.

Should you have any questions and or concerns, please contact either:

Doug Warren, Warren Excavation: cell (601) 946- 1767
office (601) 856- 3988

Jim Giddy, Project Consultant: cell (601) 259- 6330
office (601) 359- 4263

Sincerely,



Doug Warren
Warren Excavation

EXHIBIT "E"

Permit No. _____
A.I. No. _____

STATE OF MISSISSIPPI

Application No. _____

APPLICATION TO AMEND AN EXISTING PERMIT

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY / MINING & RECLAMATION DIVISION

P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515
Fax (601) 961-5521

Other permits required: Y/N	Date
NPDES	_____
State Operating Permit	_____
Corps of Engineers	_____
_____	_____
_____	_____

City/County approval	Required	Yes	No
Received Date:	_____		
County	_____		
City	_____		

For Office use only

A. GENERAL INFORMATION

Existing Permit No. MSR32 2191 Current Acreage 4

1. Name of Applicant: WARREN EXCAVATION, LLC
Mailing Address: 108 Lexington Dr., Madison MS 39110
E-mail Address: _____
Phone No. 601-856-3988 Fax No. 601-856-3504
Authorized Representative DOUG WARREN

2. Engineering Firm, (Consultant) etc.: JIM GIDDY
Mailing Address: 3364 Hwy 22 Madison, MS 39110
E-mail Address: sgiddy@ego.state.ms.us
Phone No. 601-259-6330 Fax No. _____

3. Name of Mine: JNL Land & Pine #1 Mine Supervisor: DOUG WARREN
Phone No. 601-856-3988 Fax No. 601-856-3504

4. Location of Operation (to nearest quarter-quarter section):
04 8N 1E MADISON
Section Township Range County

5. Physical address or nearest named road MISSISSIPPI HWY 22 (3364 HWY 22)

6. Type of Amendment
 Amendment to Expand Operation Amendment not involving an acreage change

7. Method of Operation
 Open Pit Strip Dredge Wash Operation, if so Water Source _____
Wash System Type Closed system Open system

8. Acres of new excavation → 35
New haul roads, plant site, storage piles, etc. → 1
Total new acreage → 36
Number of acres already permitted → 4
Total acres for amended permit → 40
Materials to be mined Top Soil

9. Is the Permit Area located: Yes No
a. within 100 feet of a public road? _____ X
b. within 100 feet of a cemetery? X _____
c. within 300 feet of an occupied building? _____ X

If YES to a, b, or c, a letter must be filed with the Office giving permission from the owner or maintaining authority to mine within these distances to the subject property.

10. Has the applicant applied for, or have, any other permits or licenses that pertain to this or any other mining operation? Yes No

If "YES," list them in the space provided on page 5, or attach separate pages, and give the current status of each, including any violations or penalties.

B. MINING PROCEDURE AND ENVIRONMENTAL ANALYSIS

1. Description of materials:

Thickness of overburden 0.5 ft.
(Topsoil MUST be stockpiled for use during reclamation)
Thickness of useable material 11.5 ft.
Total depth of excavation 12 ft.
Estimated annual production 87,500 tons

2. Anticipated Schedule (month/year)

Begin clearing 8 / 12
Begin mining 9 / 12
Complete mining 9 / 15
Begin reclamation 11 / 12
Complete reclamation 11 / 15

3. Depth to ground water: _____ ft.

5. Types of erosion control structures that will be utilized.

4. How will dust be controlled?

Water on haul roads

Settling ponds Drainage ditches
 Diversion berms Terraced slopes

6. Describe the land to be affected by mining as it presently exists:

a. Land use Pasture b. Predominant vegetation grass

7. Will explosives be used? ___ Yes No

8. Is test-boring data available? Yes ___ No

9. Are toxic materials likely to be encountered at any time? ___ Yes No

10. Will there be any discharge to local streams or other bodies of water? ___ Yes No

If any of questions 7-10 are answered "YES," provide additional information on page 5, or attach separate pages.

C. RECLAMATION PLAN

NOTE: It is suggested that the county NRCS office be consulted for specific recommendations on the following items.

1. Describe the soil handling technique for the reclamation phase of the operation:

Topsoil segregated Mixed strata _____

2. Describe the protection method for the stockpiled topsoil.

berm around the storage pile
 grass cover on the pile (recommended)
 stored under a cover

3. How will highwalls, standing faces, and banks be reduced to minimize erosion? (All highwalls must be sloped, minimum 3 horizontal to 1 vertical.)

slopes will be terraced
 sloped to a gradient of 3 to 1
 blended with surrounding contours

4. What is the general plan for reclamation?

- reforestation
- establish grass cover
- pond or lake
- _____

5. What planting method will be used?

- broadcast seed mechanical seeding
- seeding by manual labor
- _____

6. How will fertilizer and lime be applied and incorporated?

- harrowing broadcasting disking

7. Quantity of lime and fertilizer to be applied?

a. For initial planting

lime: 1 tons per acre

fertilizer: 13 - 13 - 13(type) 250 pounds per acre

b. For successive years prior to 100% release

fertilizer: 13 - 13 - 13 (type) 250 pounds per acre

when: MARCH (month)

8. Describe the planting schedule:

Tree or Seed Species	Tree spacing or lbs./acre	Planting Season
<u>Broadcast - FALL/SPRING</u>	200 <u>100</u>	<u>FALL / Spring</u>
<u>Rye - Fall</u>	<u>100</u>	
<u>Bermuda - Spring</u>	<u>10 + 20</u>	

9. Will the area be mulched? Yes No If yes, rate per acre _____

Method of holding in place: crimped _____

10. How will the vegetation be maintained until the final bond release?

watering

mowing

times per year 3

approximate month(s) MAY , JUNE , SEPTEMBER

repairing gullies

replanting eroded areas

11. How will debris be disposed of when the mine is finally closed?

- burying burning hauling away

12. Will a soil analysis be submitted for this site? Yes No

NOTE: available from the Cooperative Extension Service through the applicant's County Agent

13. Estimated cost per acre for reclamation of this site: \$1,000.00 (minimum of \$1,000 per acre)

D. NAMES AND ADDRESSES OF PERSONS AFFECTED BY THIS OPERATION

1. Landowner(s) of area to be mined/leased

Name: <u>JNL Land & Pine, LP</u>	Name: _____
Address: <u>3364 Hwy 22</u>	Address: _____
<u>Madison, MS</u>	_____
Phone: <u>601-259-6330</u>	Phone: _____

2. Landowner(s) within 500 feet of the area

Name: <u>Nancy McReynolds</u>	Name: <u>Paul Williams</u>
Address: <u>420 Warwick Rd</u>	Address: <u>102 Primrose Landing</u>
<u>Clinton, MS</u>	<u>Clinton, MS</u>
Phone: <u>601-918-2319</u>	Phone: <u>601-955-7602</u>
Name: <u>Mark S. Jordan</u>	Name: <u>Virginia Giddy</u>
Address: <u>607 Highland Colony Pkwy</u>	Address: <u>235 2nd St.</u>
<u>Ridgeland, MS</u>	<u>Flora, MS</u>
Phone: _____	Phone: <u>601-259-6330</u>

3. Person(s) living on permit area

Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Phone: _____	Phone: _____

N/A

I declare that I have knowledge of the facts presented in the preceding pages and in all of the items attached to this application; furthermore, I certify that they are true to the best of my knowledge.

12-5-12
date

Doug Warren
signature

Doug WARREN
printed name

Manager
title

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515

ORGANIZATION REPORT

This is the initial and principal instrument that identifies an organization to the Office of Geology. It is imperative that it be fully and correctly executed and filed with the Office of Geology.

1. Full Name of Organization: WARREN EXCAVATION, LLC
2. Post Office Box or Street Address, City, State, and Zip and Telephone Number: 601-856-3504
108 Lexington Dr., Madison, MS 39110
3. Type of Organization (state whether corporation, partnership, limited partnership, joint venture, individual, trust, etc.): Limited Liability Corporation
4. If reorganized, give full name and address of previous organization. NA
5. If foreign corporation, give state or country under the laws of which it was incorporated. NA
6. If foreign corporation, give name and address of person registered as Mississippi agent. NA
7. If limited partnership, give name of Mississippi county in which certificate detailing the organization was filed. NA
8. Directors, Officers, Partners, Trustees, and General Partners* (required of all organizations except individuals):

Title	Name	Address
<u>Managing Partner</u>	<u>Doug Warren</u>	<u>108 Lexington Dr., Madison MS</u>
<u>Member</u>	<u>Jordan Warren</u>	<u>"</u>
<u>Member</u>	<u>Stephanie Warren</u>	<u>"</u>

*If separate Form MRD-1's are already on file for any partner or joint venturer, include and clearly specify the organization names that appear on those forms.

I declare that I am authorized to make this report, that it was prepared by me or under my supervision, and that facts and information stated herein are true, correct, and complete to the best of my knowledge.

12-5-12
Date

Doug Warren
Signature

Warren Excavation, LLC
Organization

Doug Warren
Name of Person (Print)

108 Lexington Dr.
Street Address or P. O. Box

Title (If agent, attach authorization from operator)

Madison MS 39110
City State Zip

Telephone: 601-856-3504
(Area Code) (Number)

E. ADDITIONAL COMMENTS

Item Number	Space for detailed answers to any of the previous items. Indicate item number to which the answers apply.
	BORING DATA: attached as EXHIBIT A
	Letter of Owner — EXHIBIT B
#10	MARTIAL PIT, Redwood MS, # P07-015; closed

If more space is required, use full sheets of paper the same size as this page. Attach all sheets to this application.

"EXHIBIT A"

BURNS COOLEY DENNIS, INC.
GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS

278 COMMERCE PARK DRIVE
RIDGELAND, MISSISSIPPI 39157

BUS: (601) 856-2332
FAX: (601) 856-3552

POST OFFICE BOX 12828
JACKSON, MISSISSIPPI 39236

EARTHWORK TESTING REPORT

To: Warren Excavation
108 Lexington Drive
Madison, Mississippi 39110

Date.: June 30, 2012

Project No.: 120300

Attn: Doug Warren

Report No.: 1

Project: Giddy Pit Laboratory Testing

Laboratory test results are presented in this report for earthwork testing performed for the above-captioned project.

LABORATORY TESTING:

3 Atterberg Limits (1 pt.) (Code 6010)
3 - 200 Wash (Code 6020)

Laboratory tests were performed on samples submitted to our office on June 27, 2012. The results of laboratory tests are presented on Figure 1.

COMMENTS:

We appreciate the opportunity to be of service on this project. If you should have any questions concerning this report, please do not hesitate to call us.

REPORTED BY: *Douglas R. Cooper*
CMET Manager

REVIEWED BY: *Robert J. Garner*
Engineer

"EXHIBIT A"

**BURNS COOLEY DENNIS, INC.
GEOTECHNICAL CONSULTANTS**

278 COMMERCE PARK DRIVE
RIDGELAND, MISSISSIPPI 39157

BUS: (601) 856-2332
FAX: (601) 856-3552

POST OFFICE BOX 12828
JACKSON, MISSISSIPPI 39236

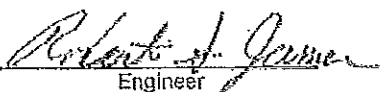
EARTHWORK TESTING REPORT

Project Name: Giddy Pit Laboratory Testing	Project No.: 120300
Material:	County: Madison
Submitted by: Contractor	Sampled by: Contractor
Reported To: Warren Excavation	Date Sampled: 06/27/12
Producer: Giddy Pit	Dated Received: 06/27/12
Intended Use:	Date Reported: 06/30/12

Class	Group			TEST RESULTS			Specification Limits	
BCD Lab No.	9416	9416	9416					
Sample Location								
Depth, ft.	2	9	12					
Code	6020	6020	6020					
SIEVE ANALYSIS --TOTAL % PASSING BY WEIGHT (SQUARE OPENINGS)								
No. 3" Sieve								
No. 1 1/2" Sieve								
No. 1" Sieve								
No. 1/2" Sieve								
No. 4 Sieve								
No. 10 Sieve								
MECHANICAL ANALYSIS MATERIAL PASSING NO. 10 SIEVE								
% Pass No. 10 Sieve								
% Pass No. 40 Sieve								
% Pass No. 60 Sieve								
% Pass No. 200 Sieve	99.5	98.3	98.7					
% Pass No. 270 Sieve								
% Silt								
% Clay								
Est. CBR								
pH								
AASHTO								
U. S. C. S.	CL	CL	CH					
Code	6010	6010	6010					
PHYSICAL CHARACTERISTICS MATERIAL PASSING NO. 40 SIEVE								
Liquid Limit	48	38	52					
Plastic Limit	24	22	21					
Plasticity Index	24	16	31					
Shrinkage Limit								
Shrinkage Ratio								
Volume Change								
Natural Moisture (%)								

Remarks:

Reported By: 
CMET Manager

Reviewed By: 
Engineer

"EXHIBIT B"

November 26, 2012

James Matheny
Office of Geology
Mining & Reclamation Division
P.O. Box 2279
Jackson, Mississippi 39225-2279

Re: Application to Amend an Existing Permit
Question # 9. b.

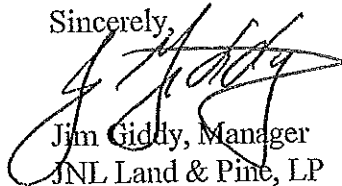
Dear Mr. Matheny:

Pursuant to question 9b, related to the aforementioned application, please accept this letter as permission from the owner to mine within the stated distance of a cemetery.

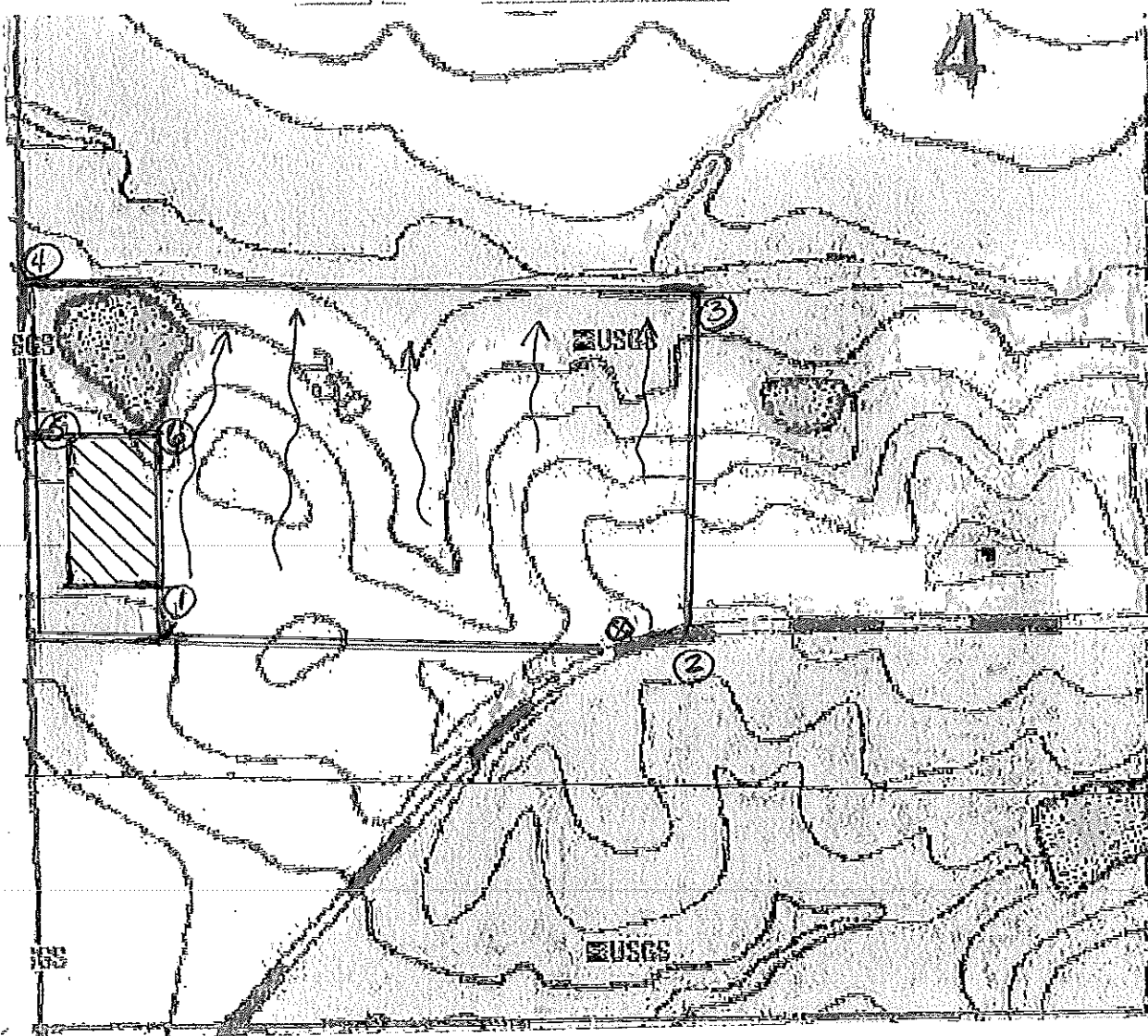
The cemetery is located upon and surrounded by land owned by JNL Land & Pine, LP and consists of two head stones erected some One Hundred- Fifty (150) years ago. As the managing partner of JNL Land & Pine, LP, I have been unable to locate a "maintaining authority". To my knowledge the subject cemetery has never been maintained by any one other than my deceased grandmother or myself.

Please be assured that the mining operation will in no way intrude upon the grounds of the cemetery and will be limited to the distances prescribed. I have listed my contact information should you have any questions and or concerns.

Sincerely,



Jim Giddy, Manager
JNL Land & Pine, LP
3364 Hwy 22
Madison, MS 39110
Cell: 601-259-6330
Work: 601- 359-4263



▭ • Permitted Area

↗ • Drainage

▨ • JNL #1 MINE

⊗ • Access Point

1. N 32° 33.792'
W 090° 12.461'

2. N 32° 33.815'
W 090° 12.148'

3. N 32° 33.916'
W 090° 12.181'

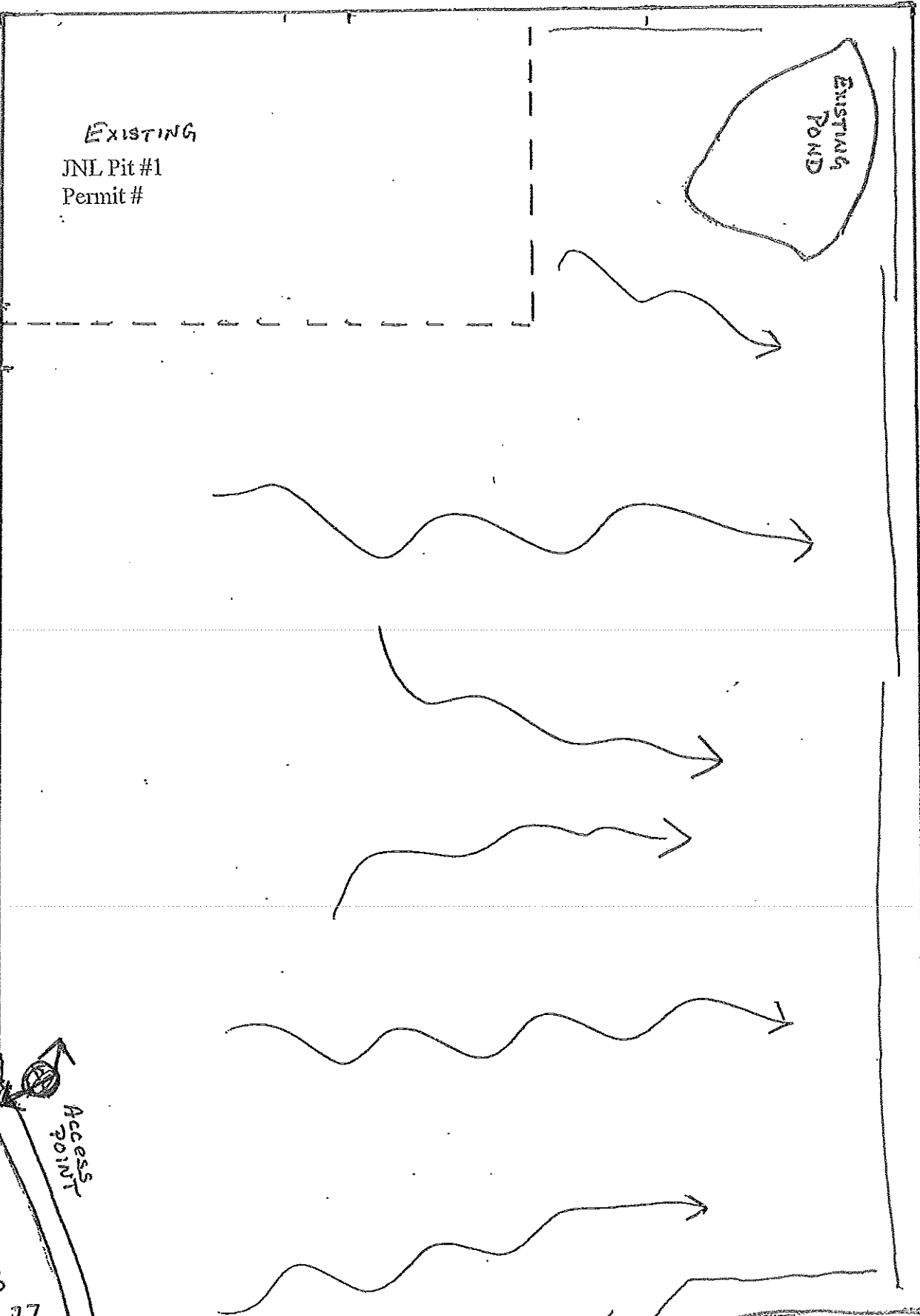
4. N 32° 33.967'
W 090° 12.535'

5. N 32° 33.906'
W 090° 12.535'

6. N 32° 33.903'
W 090° 12.475'

SITE PLAN

↖ - ROW OFF
| - ROW OFF BARRIERS



EXISTING
JNL Pit #1
Permit #

EXISTING
POND

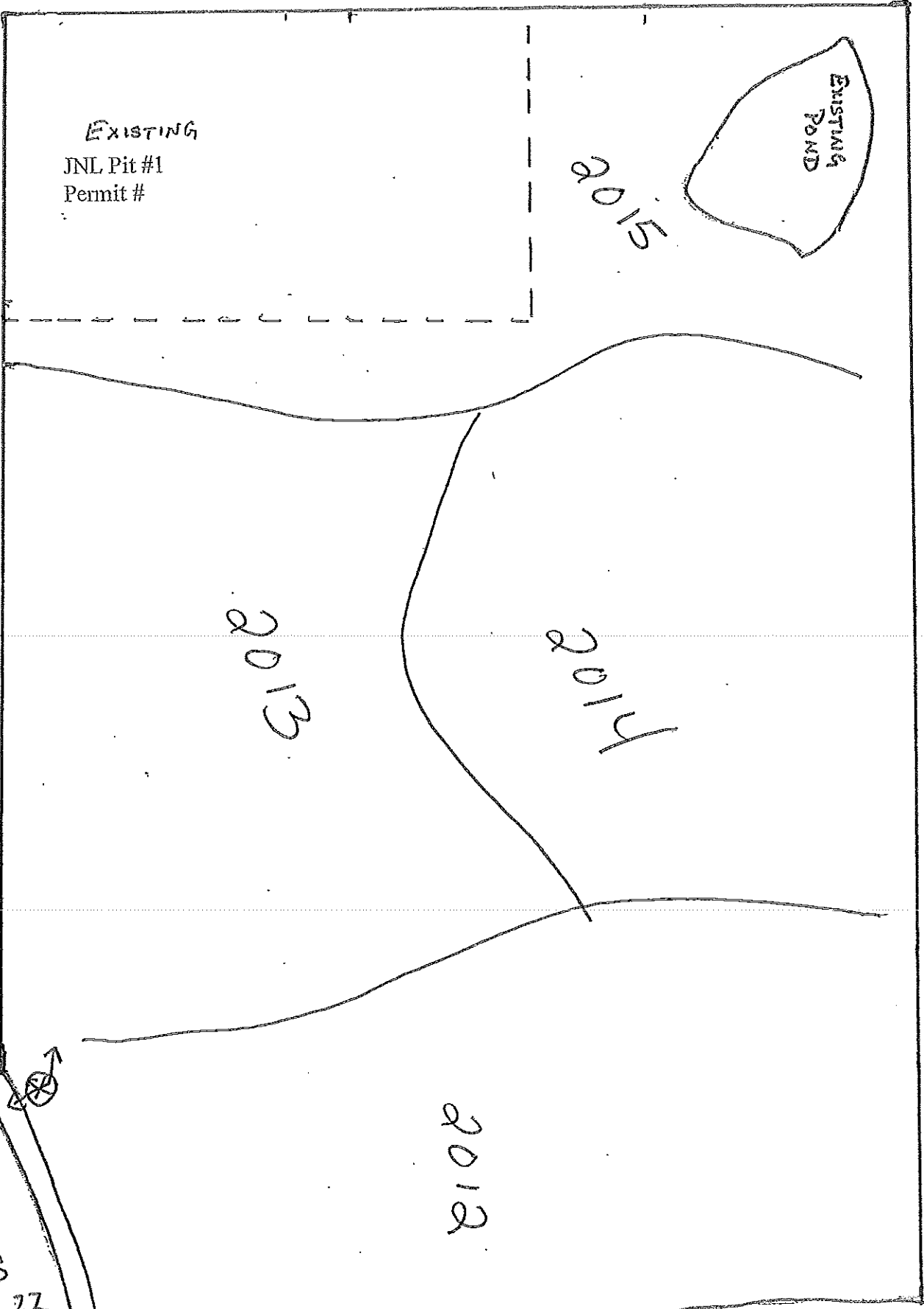
ACCESS
POINT

MS
HWY 22

Warren Excavation 1" = 200ft.
Date: 12-5-12

N

MAP # 3 YEARLY MINING PLAN



EXISTING
JNL Pit #1
Permit #

EXISTING
POND

2015

2013

2014

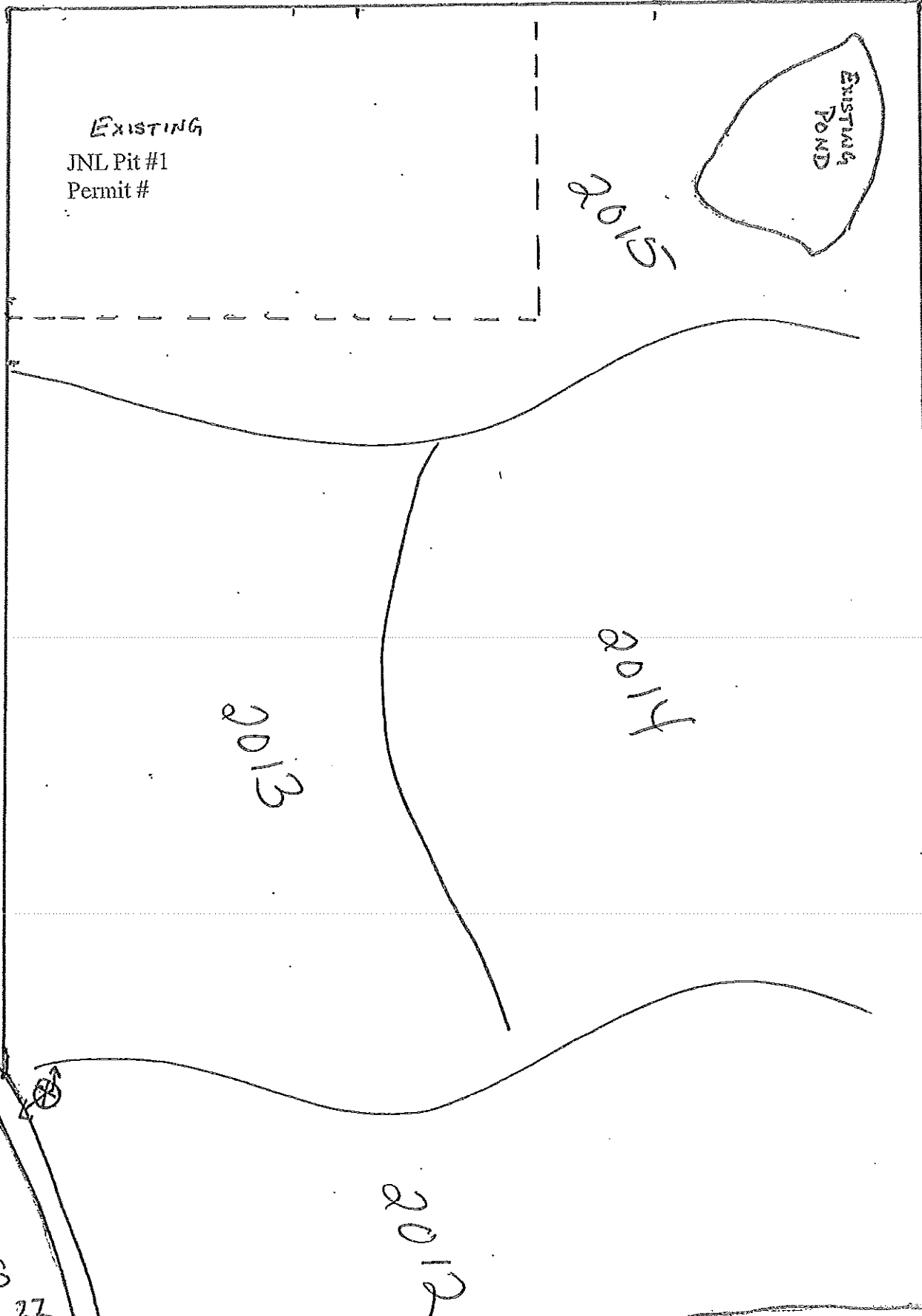
2012

MS
HWY 22

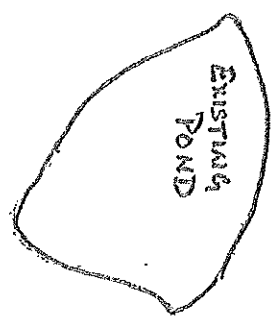
Warren Excavation 1" = 200ft.
Date: 12-5-12

N

MAP # 4 YEARLY RECLAMATION



EXISTING
JNL Pit #1
Permit #



2015

2014

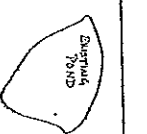
2013

2013

MS
HWY 22

Warren Excavation 1" = 200ft.
Date: 12-5-12

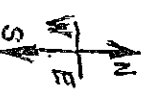
N



EXISTING
INLET
PERMIT #

MS
NOV 27

Warden Excavation 1" = 200ft.
Date:

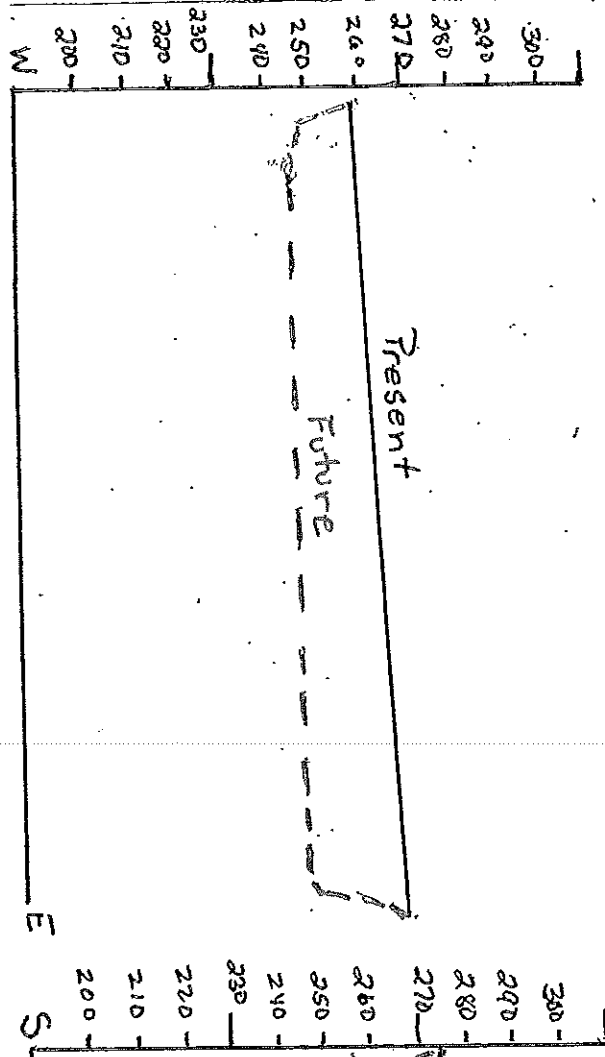


MAP # 5
CROSS SECTIONS
2-5-12

JUL # 1

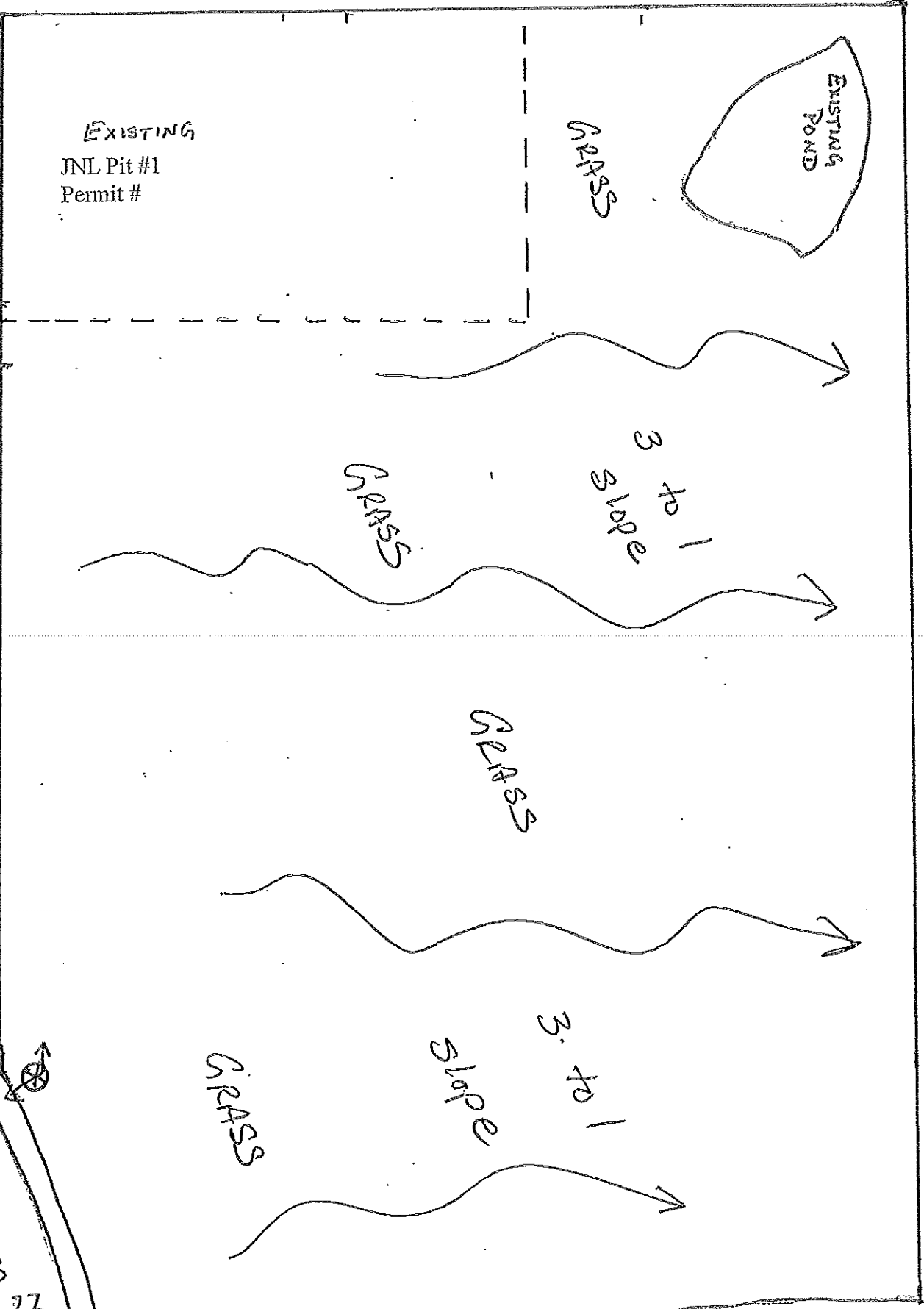
WARDEN EXCAVATION

VERTICAL SCALE 1" = 40ft.



HORIZONTAL SCALE 1" = 425 ft.

MAP # 6 RECLAMATION



EXISTING
JNL Pit #1
Permit #

EXISTING
POND

GRASS

GRASS

3 to 1
slope

GRASS

GRASS

3 to 1
slope

MS
HWY 22

Warren Excavation 1" = 200ft.
Date: 12-5-12

N



CERTIFICATE OF LIABILITY INSURANCE

OP ID: SS

DATE (MM/DD/YYYY)

10/23/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Wellington Associates, Inc. 7 River Bend Pl Flowood, MS 39232 William D. Horne, Jr.	Phone: 601-420-0174 Fax: 601-420-1890	CONTACT NAME: Sandy Shows PHONE (A/C, Ho, Ext): 601-420-0174 FAX (A/C, No): 601-420-1890 E-MAIL ADDRESS: sandy@wellingtonassociates.com PRODUCER CUSTOMER ID #: WARRD-1
	INSURER(S) AFFORDING COVERAGE INSURER A: Employers Mutual Companies INSURER B: LUBA Casualty Ins Co. INSURER C: Torus National Ins Co INSURER D: INSURER E: INSURER F:	
INSURED Warren Excavation, LLC Norman Doug Warren 108 Lexington Drive Madison, MS 39110	NAIC #	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

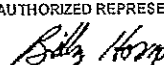
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			4X70694	04/08/12	04/08/13	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMPIOP AGG	\$ 2,000,000
	GENL AGGREGATE LIMIT APPLIES PER:							\$
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							\$
A	AUTOMOBILE LIABILITY			4X70694	04/08/12	04/08/13	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS							\$
	<input type="checkbox"/> NON-OWNED AUTOS							\$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB			48466B120GLI	04/08/12	04/08/13	EACH OCCURRENCE	\$ 5,000,000
	<input type="checkbox"/> EXCESS LIAB	<input checked="" type="checkbox"/> OCCUR					AGGREGATE	\$ 5,000,000
	<input type="checkbox"/> DEDUCTIBLE							\$
	RETENTION \$ 0							\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			28116892	07/01/12	07/01/13	<input checked="" type="checkbox"/> WC STATUTORY LIMITS	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input checked="" type="checkbox"/> Y/N	N/A				E.L EACH ACCIDENT	\$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L DISEASE - POLICY LIMIT	\$ 1,000,000
A	Inland Marine			4X70694	04/08/12	04/08/13	Leased	600,000
	\$1000 Ded						Scheduled	3,862,063

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 RE: Dirt Pit
 40 Acres located in NW 1/4 of Sec 4 Township 8N, Range 1E, Madison, MS

CERTIFICATE HOLDER

CANCELLATION

JNLLA-1 JNL Land and Pine, LP 3364 Hwy 22 Madison, MS 39110	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	---

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MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY

Mining and Reclamation Division
P. O. Box 20307
Jackson, Mississippi 39289-1307
(601) 961-5515

Application
Number

Permit Number

PERFORMANCE BOND

Bond No. 1005333

KNOW ALL MEN BY THESE PRESENTS, that Warren Excavation, LLC

108 Lexington Drive, Madison, MS 39110

as Principal, hereinafter called Principal, and The Hanover Insurance Company

440 Lincoln Street, Worcester, MA 01653

as Surety, hereinafter called Surety, are held and firmly bound unto the State of Mississippi in the amount of _____

Forty Thousand Dollars and 00/100 _____ Dollars (\$ 40,000.00)

for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents:

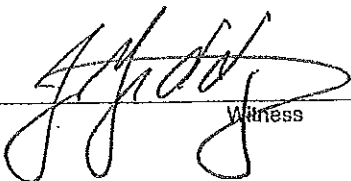
WHEREAS, Principal has filed an application with the Office of Geology, hereinafter called Office, for a permit to engage in a surface mining operation as required by the Mississippi Surface Mining and Reclamation Act of 1977 (Section 53-7-1 et seq., Mississippi Code of 1972), hereinafter called the Act, which permit application is by reference made a part hereof; in said

application Principal estimates that 40 Madison County acres of land will be affected by the surface mining operation; and said application contains a plan for reclamation of lands to be affected by the proposed mining operation.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if Principal shall faithfully perform the reclamation plan approved by the Office on all affected lands covered by said permit application in accordance with the Act, the rules and regulations of the Office, and the conditions of the surface mining permit, then this obligation shall be null and void, otherwise to remain in full force and effect.

Whenever Principal shall be, and declared by the Office to be, in default under the surface mining permit, Surety shall be given written notice of such default and may commence corrective action within sixty (60) days from the date of such notice, all in accordance with Section 53-7-35, Mississippi Code of 1972.

Dated this 10th day of October, 2012


Witness

Warren Excavation, LLC

Principal

By Doug Warren

Doug Warren managing member
Print Name and Title

The Hanover Insurance Company

Surety

By Trina Cobb

Trina Cobb Attorney-in-Fact

Print Name and Title

Resident Mississippi Agent

Bottrell Insurance

rev. 11/02

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

Trina Cobb

of Jackson, MS and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated

any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

Surety Bond Number: 1005333
Principal: Warren Excavation, LLC
Obligee: State of Mississippi, Mining and Reclamation Division


and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 6th day of October 2011.



THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA


Robert Thomas, Vice President

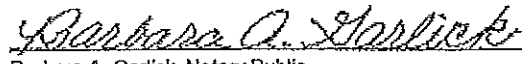

Mark Fitzgerald, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 6th day of October 2011 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



BARBARA A. GARLICK
Notary Public
Commonwealth of Massachusetts
My Commission Expires Sept. 21, 2018


Barbara A. Garlick, Notary Public
My Commission Expires September 21, 2018


I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 10th day of October 2012.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA


Glenn Margosian, Vice President

LEASE AGREEMENT

The parties to this lease, by signature(s) below, agree to the following terms and conditions set out below.

Parties: The parties to this lease are Warren Excavation, LLC, as Lessee (Warren) and JNL Land and Pine, LP, as Lessor (JNL).

Purpose: The parties agree that this Lease Agreement is entered into expressly and for the sole purpose of operation and maintenance of a top soil mine by Warren. The area to be mined is forty (40) acres, more or less, specifically identified by the parties and subject to those mining permits issued by Madison County, Mississippi and the Mississippi Department of Environmental Quality. Said area being described as:
40 acres, more or less, lying in the NW 1/4 of Section 4,
Township 8N, Range 1E of Madison County, Mississippi,
all areas being North of Mississippi Highway 22.

Scope: The parties agree that Warren shall have the following responsibilities:

1. Conform all mining operations to industry standards and/or those standards set out in the approved permit documents as issued and approved by MDEQ and/or Madison County, Mississippi.
2. Set, erect and/or prepare such run off/erosion control barriers prior to commencing mining operations as required by the aforementioned permit documents and to maintain such barriers during all mining operations.
3. Digging and loading of all mining material.
4. Keeping and maintaining accurate records of all loads, either by tandem truck or trailer truck, of top soil removed per day from the designated mining area and providing the same to JNL on a thirty day (30) basis.
5. Reclaim and/or return the designated mining area to a condition that will conform to the aforementioned permit documents issues by MDEQ and Madison County, Mississippi.

Insurance: Warren agrees to indemnify, save and hold harmless JNL, its partners, members and or associates from any and all liability resulting, either directly or indirectly, from those mining operations which are the subject of this agreement. Further, Warren agrees to maintain liability insurance sufficient to cover any potential claims and to provide proof of such coverage to JNL through an insurance declaration page from such insurance carrier.

Compensation: The Parties agree that Warren shall compensate JNL for each load of material removed from the mining area at rate of \$ 11.20 per tandem truck load and/or \$18.40 per trailer truck load. Further, that said payments shall be made to JNL on a thirty day (30) cycle or basis.

Duration: The Parties agree that the duration of this agreement shall be one year from the date

of signatures affixed. Further, that the duration may be extended as agreed to by the parties in writing and attached to this agreement as an amendment.

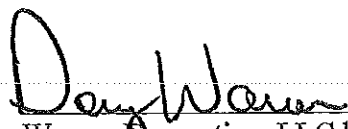
Amendments: The parties agree that this Lease may be amended at anytime during the life of the Lease Agreement and that any amendment shall be in writing and attached to the lease document.

Suspension: JNL, through its representative expressly reserves the right to halt, suspend and or terminate all mining operations on the subject acreage at its sole discretion should any disagreement between the parties arise or upon any unforeseen circumstances that would require the same.

Rights: The parties agree, that this Lease does not grant to Warren any rights to the subject mining area outside those usual and customary for the operation of a top soil mine. Further, that JNL retains all rights and privilegess associated with ownership of the subject acreage.

Termination: This agreement may be terminated prior to the stated length of duration by either party, or both parties, for non- compliance of the terms set out above. The parties agree that a period of ten (10) days notice shall be given of an intent to terminate this agreement.

Agreed to this 1st day of September, 2012.


Warren Excavation, LLC by,
Doug Warren, Managing Member
108 Lexington Drive
Madison, Mississippi 39110

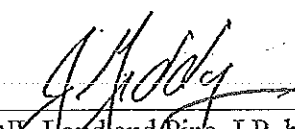

JNL Land and Pine, LP, by,
RVC, LLC, General Partner by,
Jim Giddy, Manager
3364 Hwy 22
Madison, Mississippi 39110

EXHIBIT E

Warren Excavation
108 Lexington Drive
Madison, Mississippi 39110

December 19, 2012

Chief, Environmental Permits Division
C/O Mike Noone
MS Department of Environmental Quality
Office of Pollution Control
P. O. Box 2261
Jackson, Mississippi 39225

RE: Existing Surface Mine Expansion
JNL Pitt #1, Permit #MSR322191 Geology Permit # 45-151

Dear Sir:

Please find enclosed the documentation required for the expansion of the aforementioned surface mine currently being operated in Madison County, Mississippi under the named and numbered permit.

Should you have any questions and or concerns, please contact either:

Doug Warren, Warren Excavation: cell (601) 946- 1767
office (601) 856- 3988

Jim Giddy, Project Consultant: cell (601) 259- 6330
office (601) 359- 4263

Sincerely,



Doug Warren
Warren Excavation

MAJOR MODIFICATION FORM FOR MINING GENERAL PERMIT MSR32



INSTRUCTIONS

Coverage recipients shall notify the Mississippi Department of Environmental Quality of plans to expand the acreage or "footprint" of an existing mining activity or modify the existing mining operation. This form must be submitted when (check all that apply):

- SWPPP details have been developed and are ready for MDEQ review for subsequent phases of an existing, covered mining activity
- "Footprint" identified in the original MNOI is proposed to be enlarged (a modified SWPPP and an updated USGS topographic map must be submitted)
- Mine dewatering is proposed
- Mine dewatering has been discontinued
- Closed loop wash operations are proposed
- Closed loop wash operations have been discontinued

This form must be signed by the original coverage recipient under Mississippi's Mining General Permit. A different operator must have general permit coverage transferred prior to coverage being modified. Coverage recipients are authorized to discharge storm water associated with proposed expansions of dewater pits or operate a recirculation system with no discharge, under the conditions of the General Permit, only upon receipt of written notification of approval by the MDEQ. If mining activities change which will incorporate a hydraulic dredging operation or a discharge of process wastewaters to State waters additional permitting actions shall be required.

COVERAGE RECIPIENT INFORMATION

COVERAGE RECIPIENT CONTACT PERSON: Doug WARREN

COMPANY NAME: Warren Excavation

STREET OR P.O. BOX: 108 Lexington Dr.

CITY: Madison STATE: MS ZIP: 39110

PHONE # (INCLUDE AREA CODE): 601-854-3988

PROJECT INFORMATION

MINING STORM WATER GENERAL PERMIT COVERAGE NUMBER: MSR32 2 #9 1

ADDITIONAL ACREAGE TO BE DISTURBED: 36 TOTAL ACREAGE: 40

MINE NAME: JNL PITT #1 GEOLOGY APPLICATION/PERMIT NO. 45-151

CITY: Madison COUNTY: Madison

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 gathered and evaluated 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.

Doug Warren
Signature (must be signed by coverage recipient)

12-12-12
Date

Doug Warren
Printed Name

Manager
Title

Please submit this form to:

Chief, Environmental Permits Division
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

Updated/Amended Storm Water Pollution Prevention Plan (SWPPP)

SITE INFORMATION

The operation expansion of a top soil mine on four acres or less of existing pastureland, to include thirty-six (36) additional acres. The proposed expansion site is adjacent to and abuts three sides of the existing permitted mine area. The proposed expansion site comprises level areas interrupted by a gentle depression. The expansion area slopes off to the north towards an un-named stream which eventually empties into Persimmon Creek. The proposed site is dotted with cedar trees and generally covered with existing grasses for grazing.

CONTROLS

A. Vegetative Controls: An undisturbed buffer zone of approximately, but not less than, twenty (20) feet will be maintained around the proposed site. An initial layer of top soil will be stored and or stockpiled for use in site reclamation when operations cease. As the site is mined the affected area will be graded on an approximate 3 to 1 slope and temporarily seeded with in seven to ten working days. After operations cease, a final grading will be conducted to contour the site and the same will be permanently seeded within seven to ten working days.

B. Structural Controls: A run off barrier of berms and or settling pond(s) will be placed as required to contain/prevent run off/silt as the contour of the site dictates. The main area(s) affected will be to the East and North of the site. An existing pond will also be utilized, if necessary, to control run off/silt and prevent entry into the un-named creek which runs east to west

HOUSE KEEPING PRACTICES

Equipment maintenance and repairs will take place at/on a designated location on acreage not covered or included in the expanded site. No materials that are, or potentially, toxic will be stored on the permitted site.

POST MINING/ STORM WATER MANAGEMENT

The permitted site will be graded and sloped as dictated to prevent erosion, on an approximately 3 to 1 slope. The stockpiled topsoil will be re-distributed and permanently seeded, fertilized to return the affected area to pastureland suitable for grazing. The site will be monitored

and re-seeded/fertilized as necessary to prevent erosion.

IMPLEMENTATION SEQUENCE

1. Place and secure runoff/silt barriers as dictated by contours of the site.
2. Remove and stockpile initial layer top soil.
3. Grade, seed, and fertilize as needed for reclamation to pastureland.

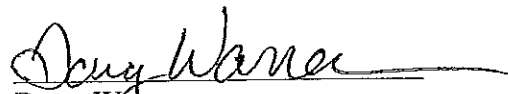
MAINTENANCE PLAN

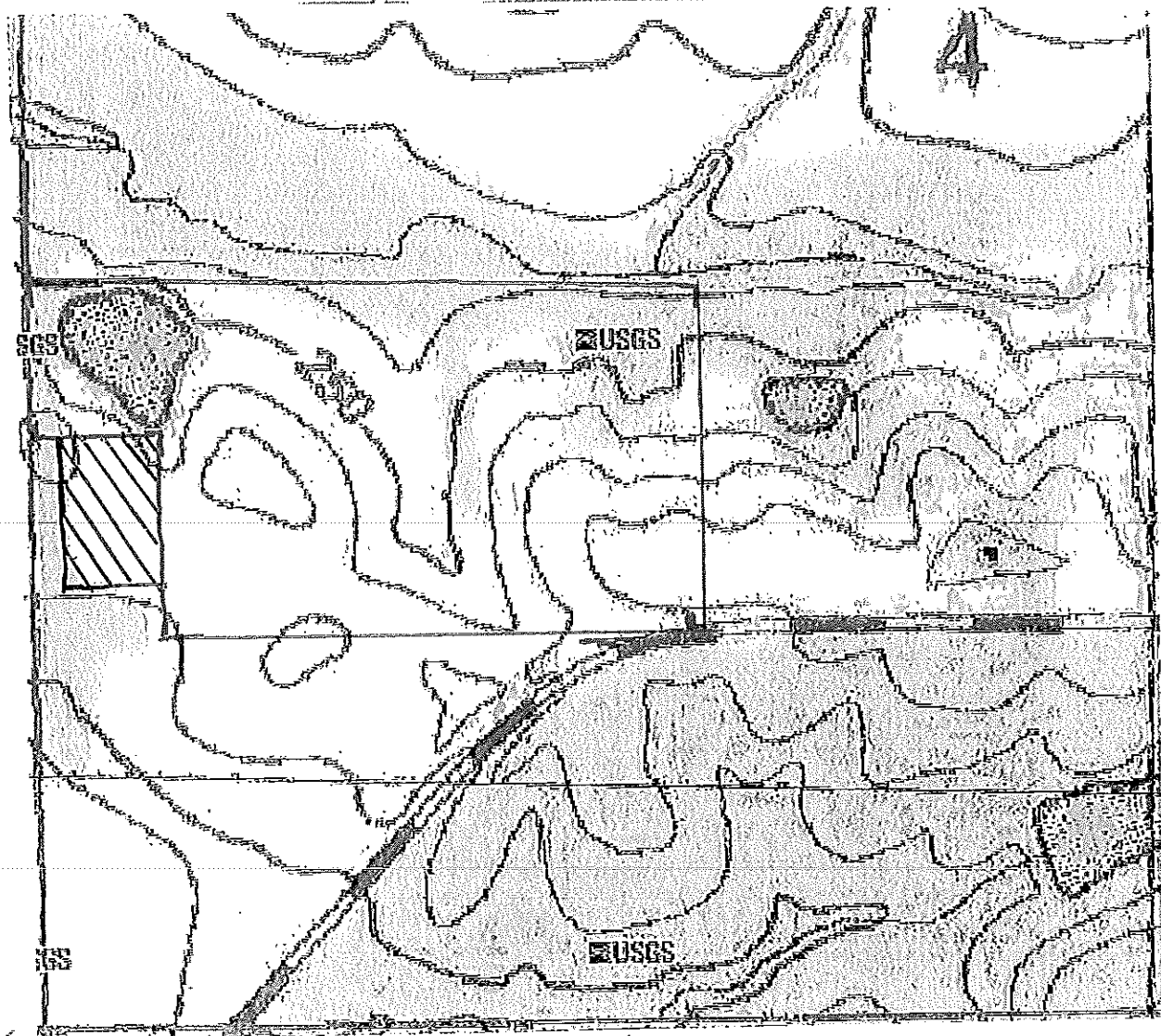
Inspect the site after each significant rainfall, or at least once a week. Repair and/or replace hay or screen barriers as needed to prevent run off and control erosion. Seed and or re-seed, grade and or re-grade as necessary.

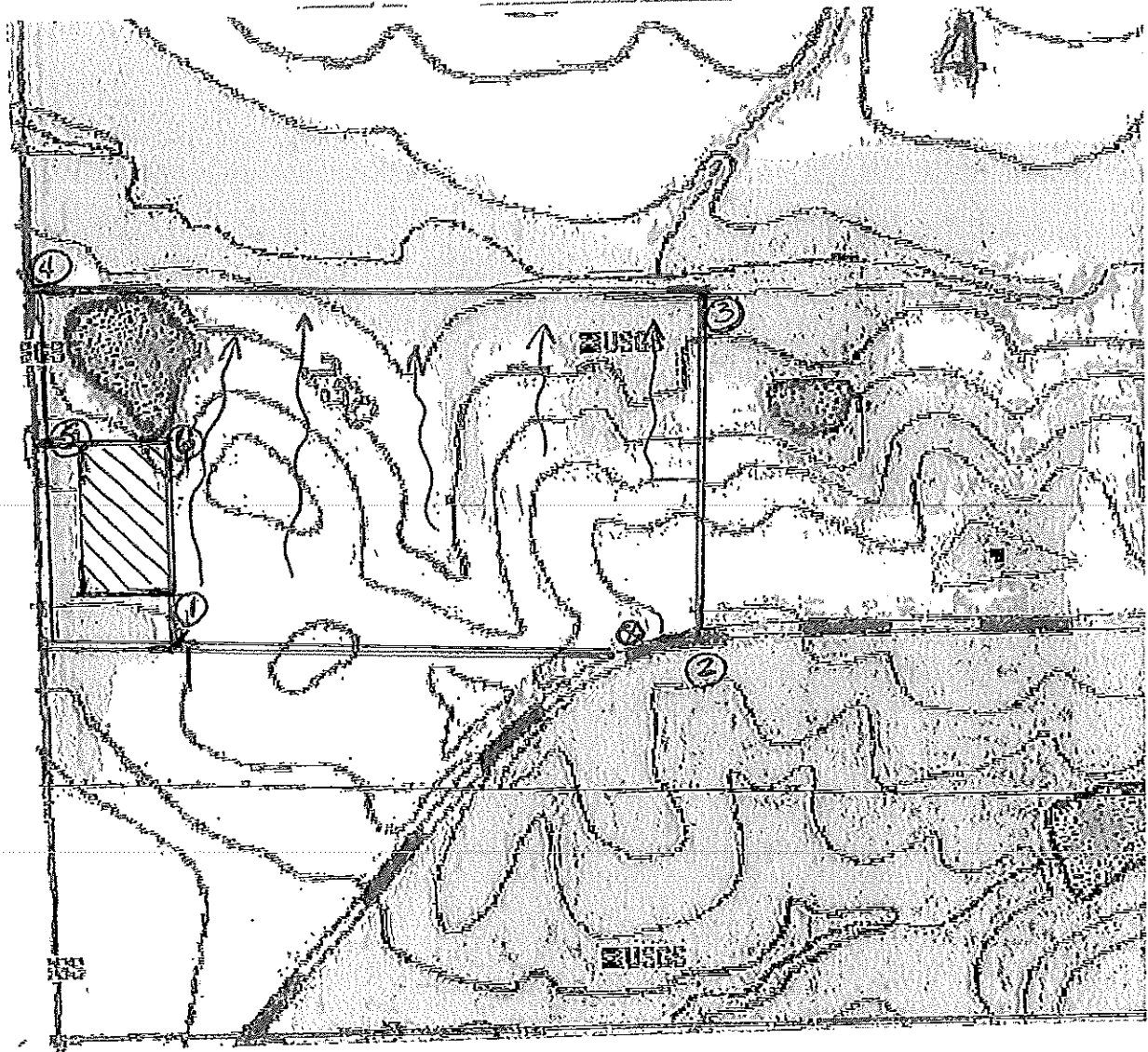
MAPS

Updated site and topographical maps are attached

Warren Excavation, LLC
108 Lexington Drive
Madison, Mississippi 39110
By: Doug Warren, Managing Partner


Doug Warren





▭ • Permitted Area

↗ • Drainage

▨ • JNL #1 MINE

⊗ • Access Point

1. N 32° 33.792'
W 090° 12.461'

2. N 32° 33.815'
W 090° 12.148'

3. N 32° 33.916'
W 090° 12.181'

4. N 32° 33.967'
W 090° 12.535'

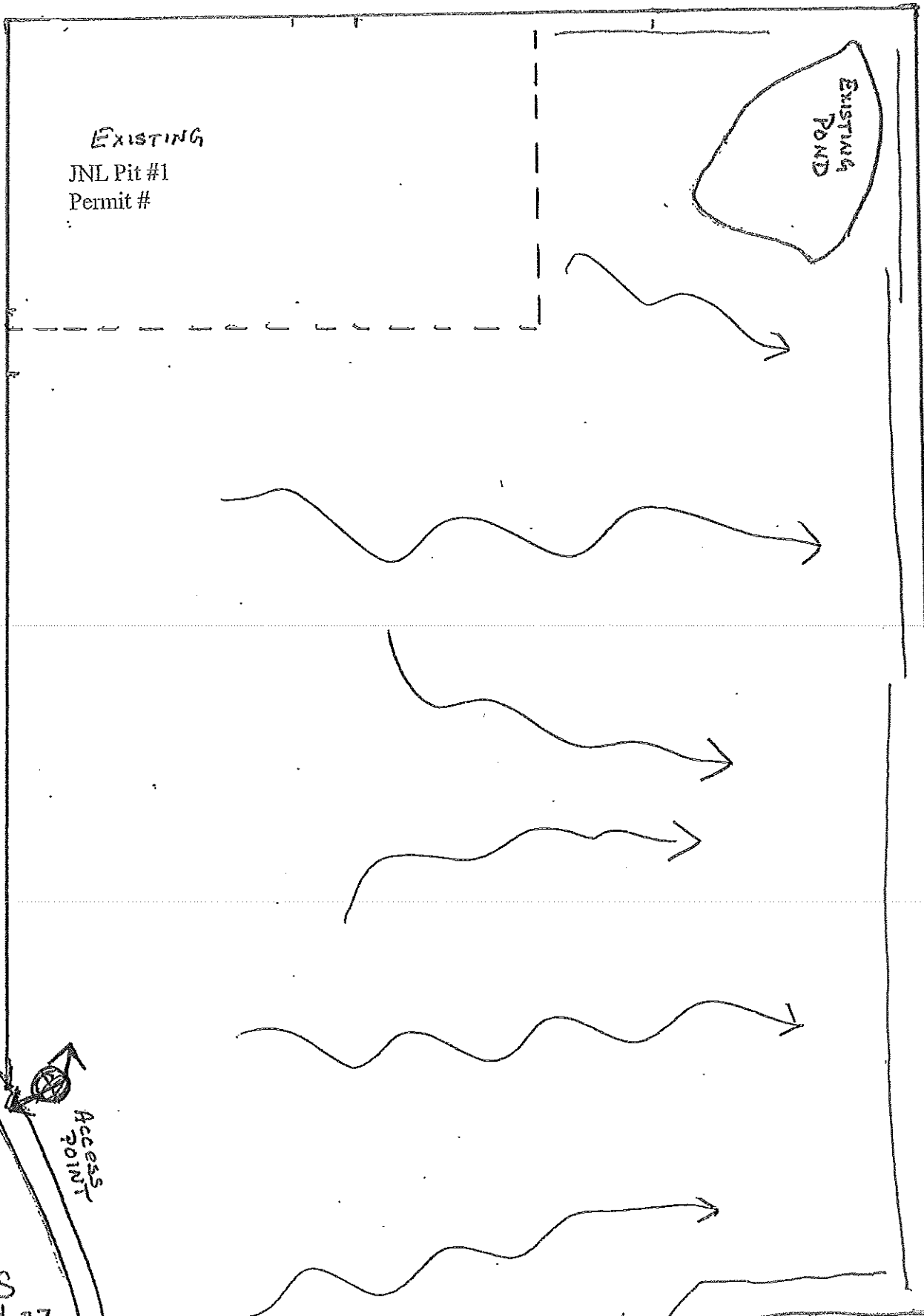
5. N 32° 33.906'
W 090° 12.535'

6. N 32° 33.903'
W 090° 12.475'

SITE PLAN

~ - RUN OFF

| - RUN OFE BARRIERS



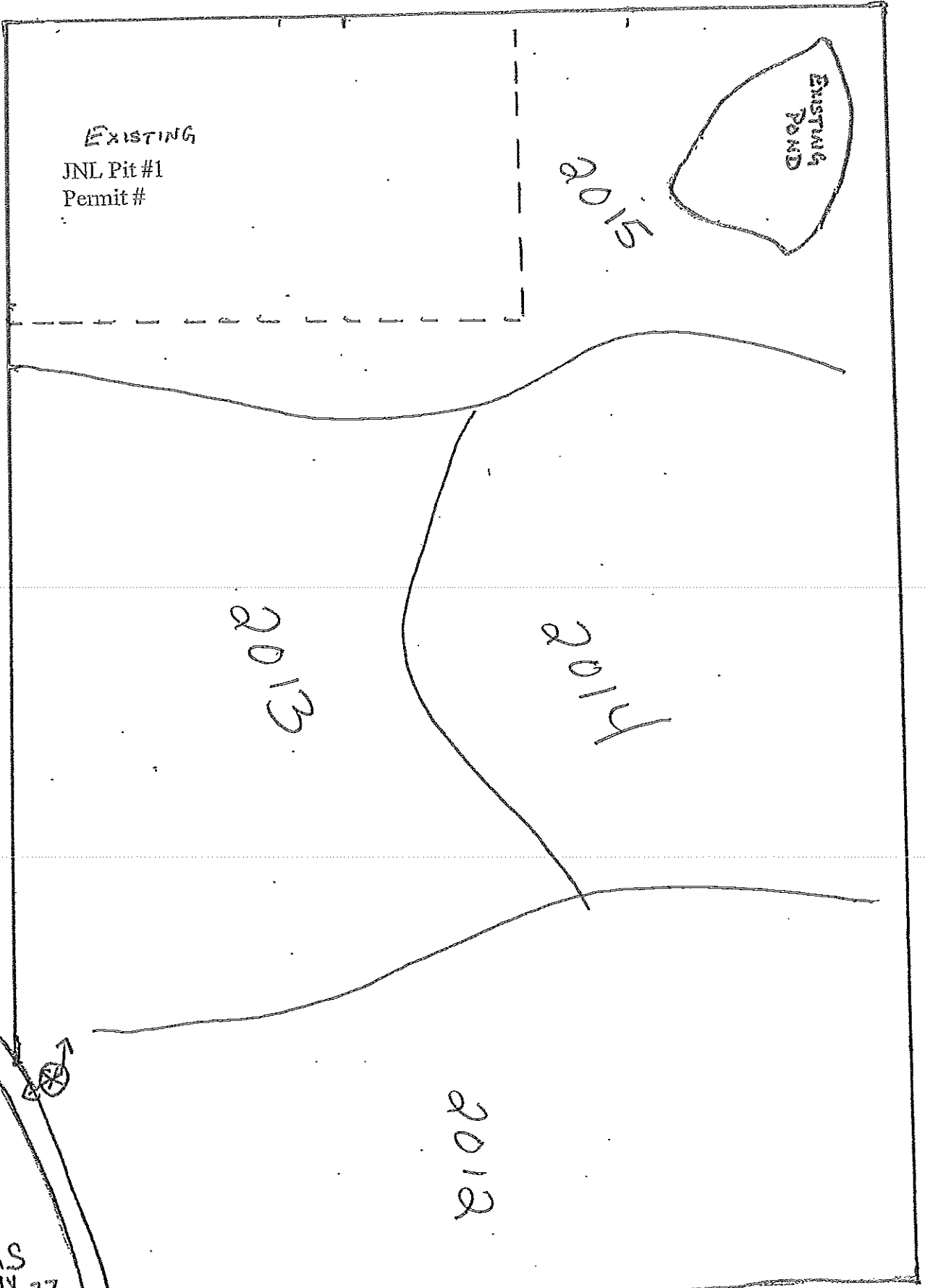
ACCESS POINT

MS HWY 22

Warren Excavation 1" = 200ft.
Date: 12-5-12

N

MAP # 3 YEARLY MINING PLAN



EXISTING
JNL Pit #1
Permit #

EXISTING
POND

2015

2014

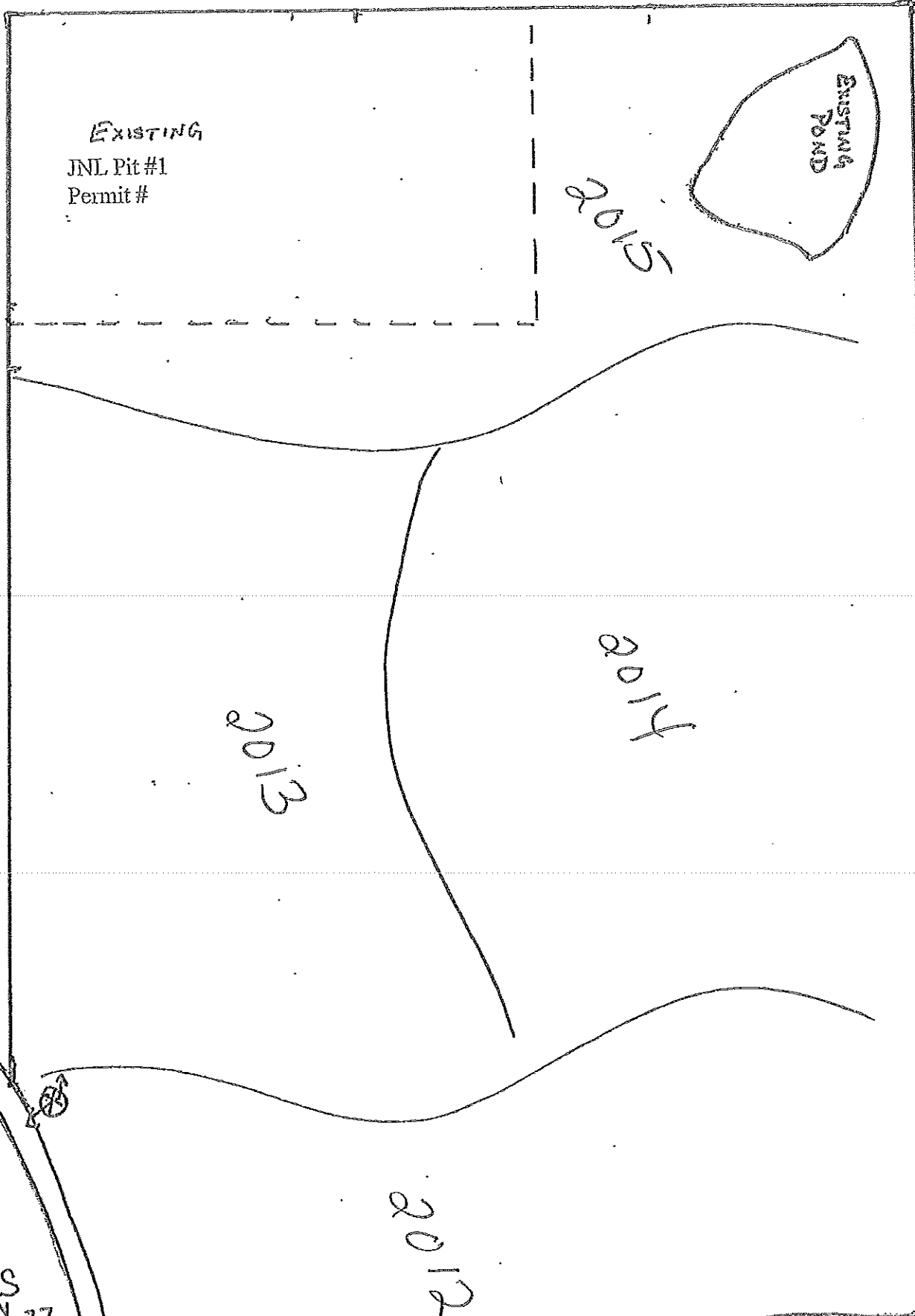
2013

2012

MS
HWY 22

Warren Excavation 1" = 200ft.
Date: 12-5-12

MAP # 4 YEARLY RECLAMATION



Warren Excavation 1" = 200ft.
Date: 12-5-12



Existing
DNL # 1
Permit #

MS
01/27

Warden Excavation 1" = 200ft
Date:



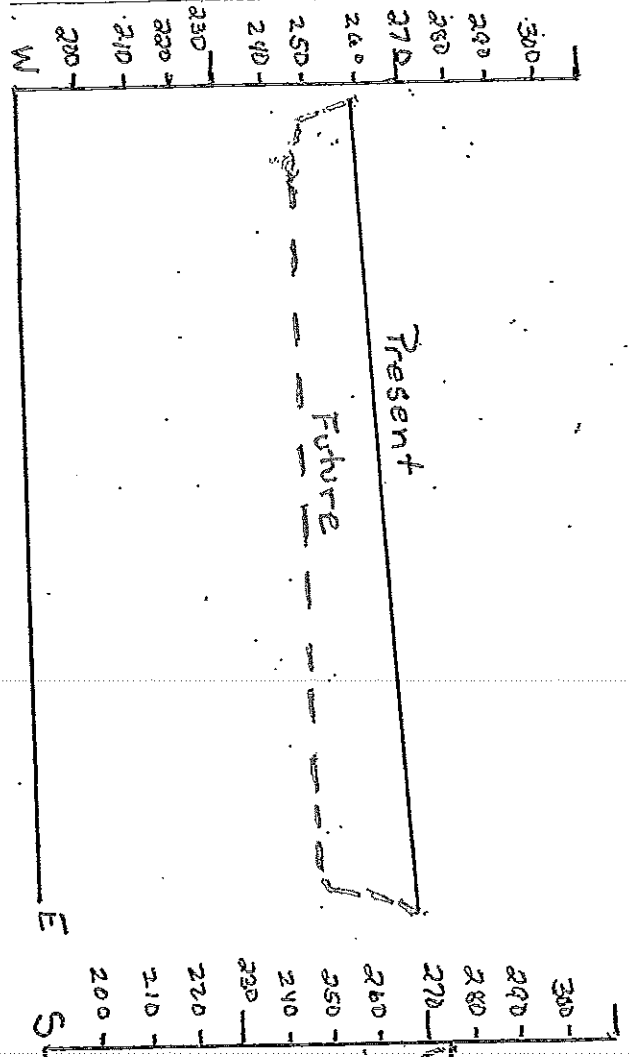
MAP # 5 CROSS SECTIONS

JNL # 1

12-5-2

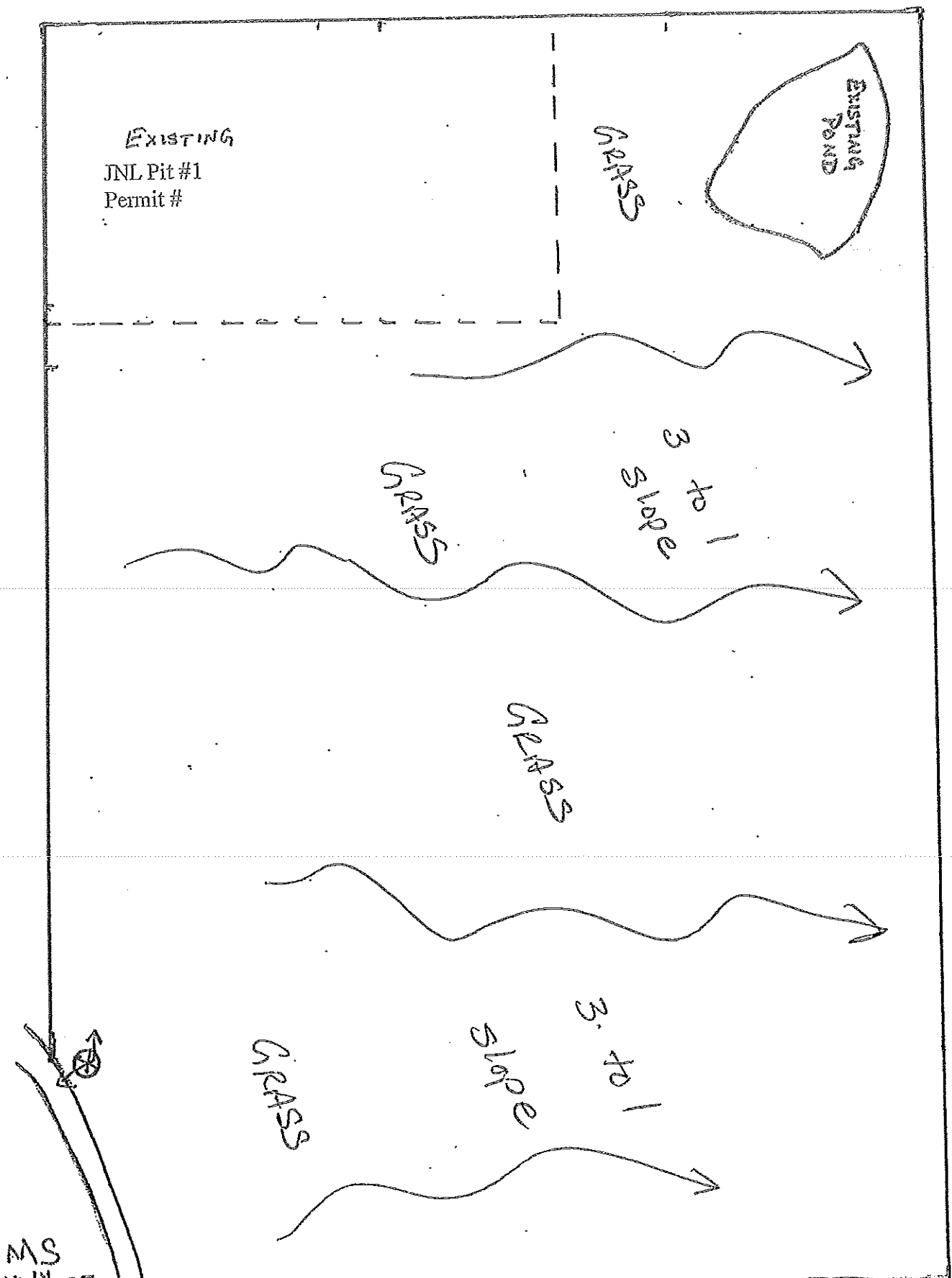
WARDEN EXCAVATION

VERTICAL SCALE 1" = 40 FT.



HORIZONTAL SCALE 1" = 425 FT.

MAP # 6 RECLAMATION



EXISTING
JNL Pit #1
Permit #

EXISTING
POND

GRASS

GRASS

3 to 1
slope

GRASS

GRASS

3 to 1
slope

MS
HWY 22

Warren Excavation 1" = 200ft.
Date: 12-5-12



CERTIFICATE OF LIABILITY INSURANCE

OP ID: SS

DATE (MM/DD/YYYY)
10/23/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED; subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Wellington Associates, Inc. 7 River Bend Pl Flowood, MS 39232 William D. Horne, Jr.	Phone: 601-420-0174 Fax: 601-420-1890	CONTACT NAME: Sandy Shows PHONE (A/C, No, Ext): 601-420-0174 FAX (A/C, No): 601-420-1890 E-MAIL ADDRESS: sandy@wellingtonassociates.com PRODUCER CUSTOMER ID #: WARRD-1
	INSURED Warren Excavation, LLC Norman Doug Warren 108 Lexington Drive Madison, MS 39110	
		INSURER(S) AFFORDING COVERAGE
		INSURER A: Employers Mutual Companies
		INSURER B: LUBA Casualty Ins Co.
		INSURER C: Torus National Ins Co
		INSURER D:
		INSURER E:
		INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	SUBR INSR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			4X70694	04/08/12	04/08/13	EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			4X70694	04/08/12	04/08/13	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
								\$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE			48466B120GLI	04/08/12	04/08/13	EACH OCCURRENCE	\$ 5,000,000
	<input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$ 0						AGGREGATE	\$ 5,000,000
								\$
								\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	28116892	07/01/12	07/01/13	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
A	Inland Marine			4X70694	04/08/12	04/08/13	Leased	600,000
	\$1000 Ded						Scheduled	3,862,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 104, Additional Remarks Schedule, if more space is required)
 RH: Dirt Pit
 40 Acres located in NW 1/4 of Sec 4 Township 8N, Range 1E, Madison, MS

CERTIFICATE HOLDER**CANCELLATION**

JNLLA-1

JNL Land and Pine, LP
 3364 Hwy 22
 Madison, MS 39110

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Billy Horne

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY

Mining and Reclamation Division
P. O. Box 20307
Jackson, Mississippi 39289-1307
(601) 961-5515

Permit Number

Application
Number

PERFORMANCE BOND

Bond No. 1005333

KNOW ALL MEN BY THESE PRESENTS, that Warren Excavation, LLC

108 Lexington Drive, Madison, MS 39110

as Principal, hereinafter called Principal, and The Hanover Insurance Company

440 Lincoln Street, Worcester, MA 01653

as Surety, hereinafter called Surety, are held and firmly bound unto the State of Mississippi in the amount of _____

Forty Thousand Dollars and 00/100 Dollars (\$ 40,000.00)
for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns,
jointly and severally, firmly by these presents:

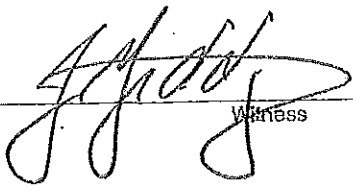
WHEREAS, Principal has filed an application with the Office of Geology, hereinafter called Office, for a permit to engage in a surface mining operation as required by the Mississippi Surface Mining and Reclamation Act of 1977 (Section 53-7-1 et seq., Mississippi Code of 1972), hereinafter called the Act, which permit application is by reference made a part hereof; in said

application Principal estimates that 40 Madison County acres of land will be affected by the surface mining operation; and said application contains a plan for reclamation of lands to be affected by the proposed mining operation.

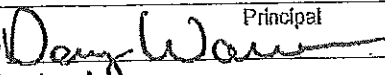
NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if Principal shall faithfully perform the reclamation plan approved by the Office on all affected lands covered by said permit application in accordance with the Act, the rules and regulations of the Office, and the conditions of the surface mining permit, then this obligation shall be null and void, otherwise to remain in full force and effect.

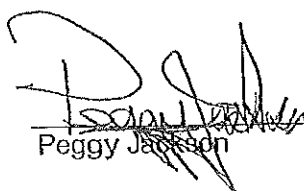
Whenever Principal shall be, and declared by the Office to be, in default under the surface mining permit, Surety shall be given written notice of such default and may commence corrective action within sixty (60) days from the date of such notice, all in accordance with Section 53-7-35, Mississippi Code of 1972.

Dated this 10th day of October, 2012

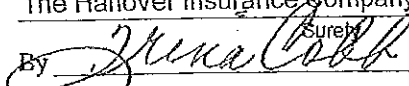


Witness

Warren Excavation, LLC
Principal
By 
Doug Warren managing member
Print Name and Title



Peggy Jackson
Witness

The Hanover Insurance Company
Surety
By 
Trina Cobb
Print Name and Title
Attorney-in-Fact

Resident Mississippi Agent

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

Trina Cobb

of Jackson, MS and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated

any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

Surety Bond Number: 1005333

Principal: Warren Excavation, LLC

Obligee: State of Mississippi, Mining and Reclamation Division

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 6th day of October 2011.



THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Robert Thomas
Robert Thomas, Vice President

Maria Fitzgerald
Maria Fitzgerald, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 6th day of October 2011 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



BARBARA A. GARLICK
Notary Public
Commonwealth of Massachusetts
My Commission Expires Sept. 21, 2018

Barbara A. Garlick

Barbara A. Garlick, Notary Public
My Commission Expires September 21, 2018

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 10th day of October 2012

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Trina Cobb

LEASE AGREEMENT

The parties to this lease, by signature(s) below, agree to the following terms and conditions set out below.

Parties: The parties to this lease are Warren Excavation, LLC, as Lessee (Warren) and JNL Land and Pine, LP, as Lessor (JNL).

Purpose: The parties agree that this Lease Agreement is entered into expressly and for the sole purpose of operation and maintenance of a top soil mine by Warren. The area to be mined is forty (40) acres, more or less, specifically identified by the parties and subject to those mining permits issued by Madison County, Mississippi and the Mississippi Department of Environmental Quality. Said area being described as:
40 acres, more or less, lying in the NW 1/4 of Section 4,
Township 8N, Range 1E of Madison County, Mississippi,
all areas being North of Mississippi Highway 22.

Scope: The parties agree that Warren shall have the following responsibilities:

1. Conform all mining operations to industry standards and/or those standards set out in the approved permit documents as issued and approved by MDEQ and/or Madison County, Mississippi.
2. Set, erect and/or prepare such run off/erosion control barriers prior to commencing mining operations as required by the aforementioned permit documents and to maintain such barriers during all mining operations.
3. Digging and loading of all mining material.
4. Keeping and maintaining accurate records of all loads, either by tandem truck or trailer truck, of top soil removed per day from the designated mining area and providing the same to JNL on a thirty day (30) basis.
5. Reclaim and/or return the designated mining area to a condition that will conform to the aforementioned permit documents issues by MDEQ and Madison County, Mississippi.

Insurance: Warren agrees to indemnify, save and hold harmless JNL, its partners, members and or associates from any and all liability resulting, either directly or indirectly, from those mining operations which are the subject of this agreement. Further, Warren agrees to maintain liability insurance sufficient to cover any potential claims and to provide proof of such coverage to JNL through an insurance declaration page from such insurance carrier.

Compensation: The Parties agree that Warren shall compensate JNL for each load of material removed from the mining area at rate of \$ 11.20 per tandem truck load and/or \$18.40 per trailer truck load. Further, that said payments shall be made to JNL on a thirty day (30) cycle or basis.

Duration: The Parties agree that the duration of this agreement shall be one year from the date

of signatures affixed. Further, that the duration may be extended as agreed to by the parties in writing and attached to this agreement as an amendment.

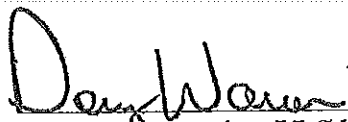
Amendments: The parties agree that this Lease may be amended at anytime during the life of the Lease Agreement and that any amendment shall be in writing and attached to the lease document.

Suspension: JNL, through its representative expressly reserves the right to halt, suspend and or terminate all mining operations on the subject acreage at its sole discretion should any disagreement between the parties arise or upon any unforeseen circumstances that would require the same.

Rights: The parties agree, that this Lease does not grant to Warren any rights to the subject mining area outside those usual and customary for the operation of a top soil mine. Further, that JNL retains all rights and privilegess associated with ownership of the subject acreage.

Termination: This agreement may be terminated prior to the stated length of duration by either party, or both parties, for non- compliance of the terms set out above. The parties agree that a period of ten (10) days notice shall be given of an intent to terminate this agreement.

Agreed to this 1st day of September, 2012.


Warren Excavation, LLC by,
Doug Warren, Managing Member
108 Lexington Drive
Madison, Mississippi 39110

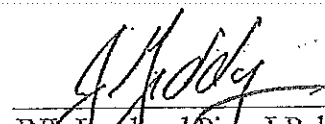

JNL Land and Pine, LP, by,
RVC, LLC, General Partner by,
Jim Giddy, Manager
3364 Hwy 22
Madison, Mississippi 39110

EXHIBIT F

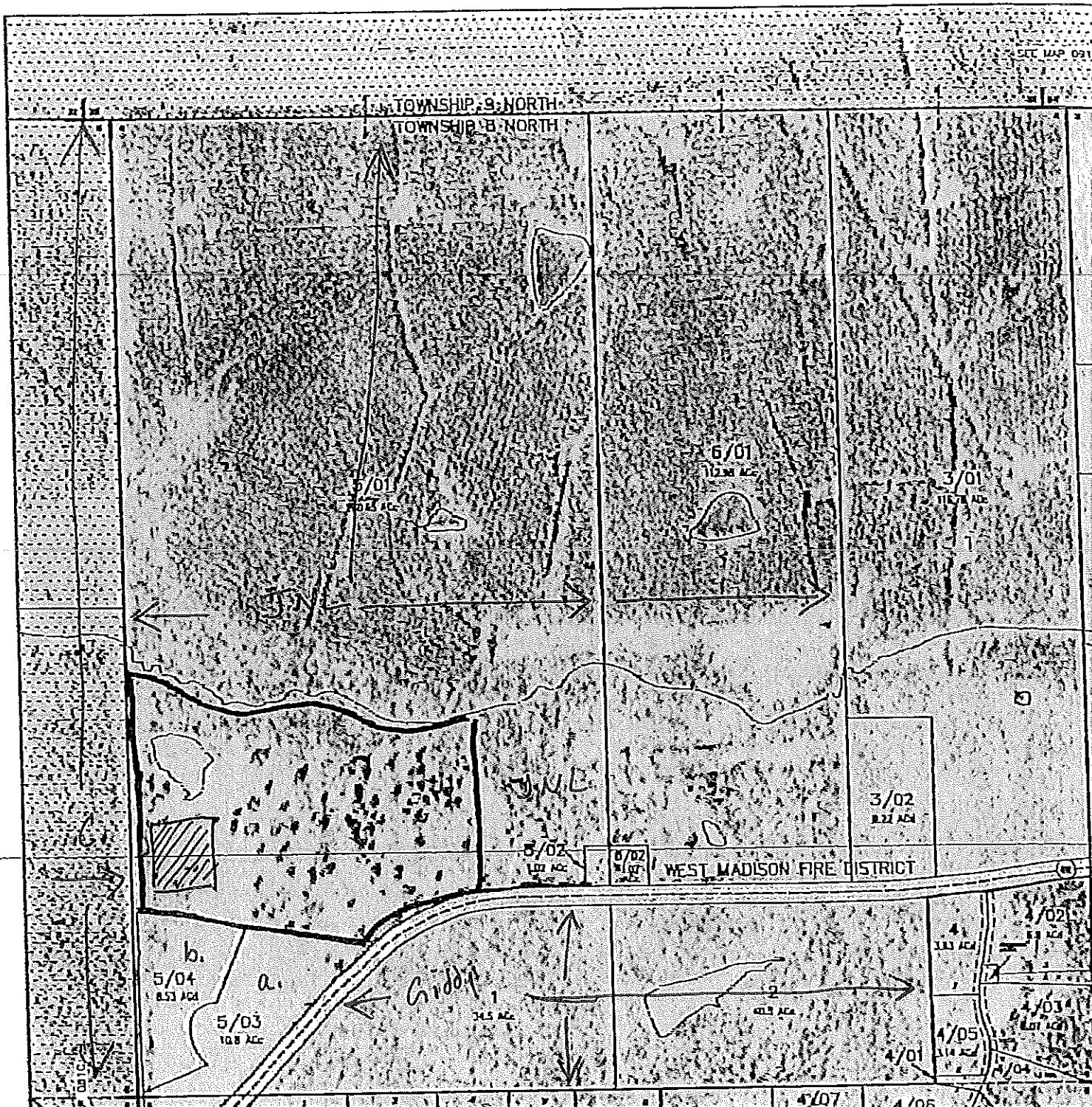


EXHIBIT G

Madison County

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Planning & Zoning

[Planning and Zoning](#)

[Planning Board Minutes](#)

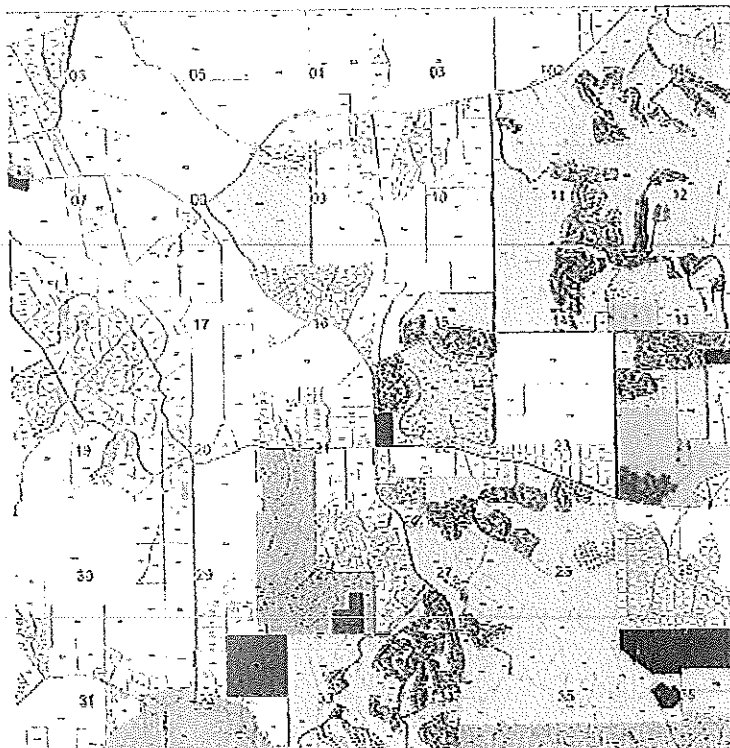
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[Panel Key > Zone 081](#)



Legend

ALL_ZONE	Zone		C1A		PVD		R1B		R5		SU1
	all other values		A1		C2		R1		R2		TYP
	C1		MHP		R1A		R3		I2		

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Madison County

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[Panel Key > Zone 081 > Section 04](#)

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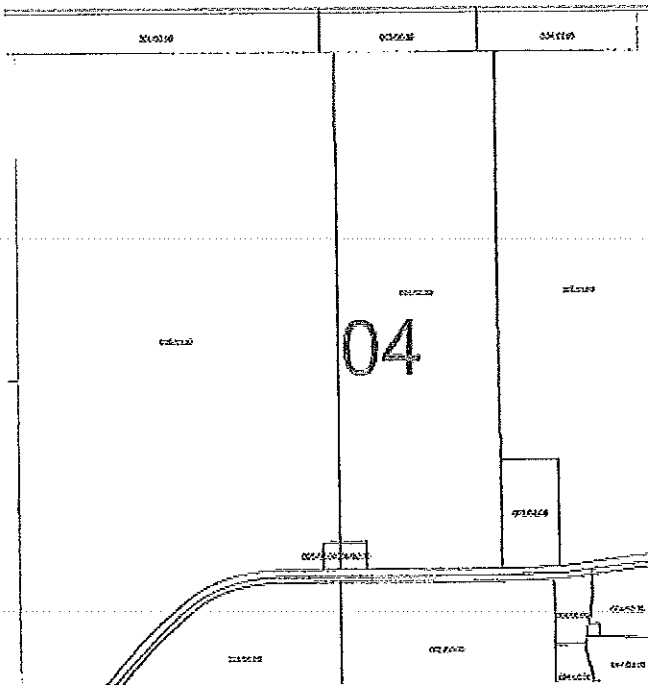
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Legend

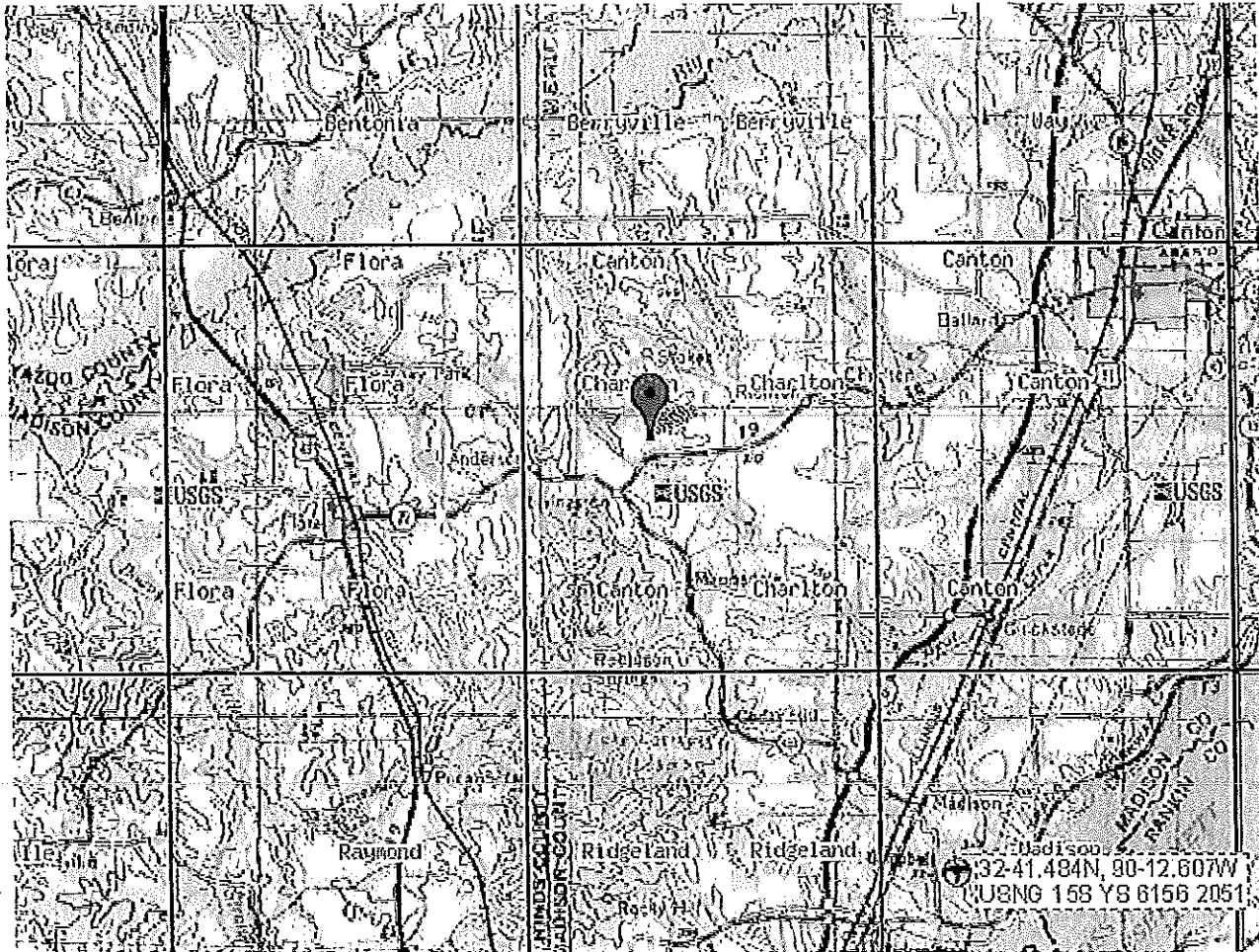
ALL_ZONE	Zone	CIA	PUB	R1B	R5	SU1
() all other values	A1	C2	R1	R2	TIP	
	CI	MHP	RIA	R3	I2	

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EXHIBIT H



- Dot
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- Switch
- The
- zoom
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- SEL
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- available
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