



COURT FILE NO. 2301-16114

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

IN THE MATTER OF THE *COMPANIES' CREDITORS
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, as amended

COM
Nov 13, 2025

AND IN THE MATTER OF THE COMPROMISE OR
ARRANGEMENT OF MANTLE MATERIALS GROUP, LTD.

APPLICANTS MANTLE MATERIALS GROUP, LTD.

DOCUMENT **AFFIDAVIT**

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION
OF PARTY
FILING THIS
DOCUMENT

Gowling WLG (Canada) LLP

1600, 421 – 7th Avenue S.W.
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Email: tom.cumming@gowlingwlg.com
cameron.brunet@gowlingwlg.com

File No. A171561

Attention: Tom Cumming / Cameron Brunet

AFFIDAVIT OF BYRON LEVKULICH
SWORN ON NOVEMBER 3, 2025

I, BYRON LEVKULICH, of the City of Denver, in the State of Colorado, **MAKE OATH
AND SAY THAT:**

1. I am a director of the applicant, Mantle Materials Group, Ltd. (“**Mantle**”) and have personal knowledge of the matters herein deposed to, except where stated to be based upon information and belief, in which case I verily believe same to be true.
2. I am authorized to swear this Affidavit as a corporate representative of Mantle.

3. In preparing this Affidavit, I have consulted with legal, financial and other advisors of Mantle. I have also reviewed Mantle's business records relevant to these proceedings and have satisfied myself that I am possessed of sufficient information and knowledge to swear this Affidavit.
4. Additional background to the matters and proceedings described in this Affidavit are set out in my Affidavits sworn November 1, 2023 (the "**November 1 Affidavit**"), November 27 (the "**November 27 Affidavit**"), December 18, 2023 (the "**December 18 Affidavit**"), February 22, 2024 (the "**February 22 Affidavit**"), and the September 20, 2024 Affidavit (the "**September 10 Affidavit**", and collectively, the "**Prior Affidavits**").
5. This Application is made in the proceedings of Mantle under the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, as amended (the "**CCAA**", and the proceedings commenced thereby, the "**CCAA Proceedings**") commenced by an Order of the Honourable Associate Chief Justice D.B. Nixon pronounced on January 10, 2024 (the "**Initial Order**").

Relief Sought

6. I make this Affidavit in support of this Application for, *inter alia*:
 - (a) an Order extending the Stay Period up to and including December 4, 2026;
 - (b) giving leave to Mantle to use the proceeds of sale of certain shares in Atlas Aggregates Inc. ("**Atlas**") pursuant to a share purchase agreement dated January 19, 2024 (the "**Arrow-West APA**") between Mantle and Arrow-West Holdings Ltd. ("**Arrow-West**"), if such use is determined by Mantle and the Monitor to be necessary to fund Mantle's reclamation work during the *CCAA* Proceedings; and
 - (c) such further and other relief as counsel requests and this Honourable Court may grant.

Background of Mantle and the CCAA Proceedings

7. Mantle carried on the business in Alberta of extracting, crushing and processing gravel and other aggregates and marketing and selling such gravel and aggregates to construction companies, municipalities and service companies in the oil and gas industry (the “**Business**”).
8. The ultimate parent of Mantle is Resource Land Fund V, LP (“**RLF V**”), a Delaware limited partnership, which is a private equity fund that invests in land resources and is managed by Resource Land Holdings, LLC (“**RLH LLC**”), which is based in Denver, Colorado. RLF V acquired JMB Crushing Systems Inc. (“**JMB**”), a corporate predecessor of Mantle, pursuant to a share purchase agreement that closed in November of 2018.
9. Mantle held interests in parcels of land (the “**Mantle Lands**”) located in the counties of Athabasca, Thorhild, Smoky Lake, Lac La Biche, St. Paul, Two Hills and in the Municipal District of Bonnyville, including:
 - (a) parcels of Crown lands (“**Crown Lands**”) pursuant to fourteen (14) surface material leases (each a “**SML**”);
 - (b) a parcel of Crown land pursuant to a commercial/industrial lease (a “**DML**”) with the Crown in right of the Province of Alberta; and
 - (c) parcels of freehold lands (“**Freehold Lands**”) pursuant to eight (8) aggregate royalty agreements (each, a “**Royalty Agreement**”) with owners of Freehold Lands.
10. An operator of gravel and aggregate pits is required to reclaim and restore the lands pursuant to the following:
 - (a) for the gravel and aggregate pits located on Freehold Lands, the *Environmental Protection and Enhancement Act*, RSA 2000, E-12, as amended, the *Conservation and Reclamation Regulation*, AR 115/93, as amended, and the regulations and codes thereunder (collectively, the “**EPEA**”), and the *Code of Practice for Pits* under the *EPEA*; and

- (b) for gravel and aggregate pits located on Crown Lands, the EPEA, the *Public Lands Act*, RSA 2000, Chapter P-40, *Public Lands Administration Regulation*, AR 187/2011, as amended, and the terms and provisions of the SMLs and DMLs and other documentation entered into in connection therewith

(collectively, the “**Environmental Laws**”).

Alberta Environment and Public Areas (the “**AEPA**”) has regulatory authority in respect of Freehold Lands and the AEPA and Alberta Forestry and Parks (the “**AFP**”) have regulatory authority with respect to the Crown Lands.

11. Under the Environmental Laws, operators must restore the lands on which gravel and aggregate pits are located to the state they were in prior to pit operations being commenced. This generally requires the removal of debris, the recontouring of the land, the placing of topsoil and the planting of appropriate vegetation on the reclaimed lands (“**Reclamation Work**”). Once the Reclamation Work is completed, there is a two year assessment period under the Environmental Laws (the “**Assessment Period**”), during which the operator is required to monitor the lands and address any issues arising during the Assessment Period or identified by the AEPA such as erosion, excessive weeds or the failure of the planted vegetation to grow or thrive. To the extent any such issues arise, the operator is required to perform additional Reclamation Work in order to rectify the issues. At the end of the Assessment Period, provided that the AEPA is satisfied with that the Reclamation Work has been performed, the operator will apply to the AEPA for a reclamation certificate (a “**Reclamation Certificate**”) in respect of such lands and will generally be entitled to a return of the reclamation security that it has provided to the AEPA or AFP.
12. In the approximately twelve (12) month period following RLF V’s acquisition of JMB, RLF V became aware of the following issues with JMB and its business:
 - (a) JMB’s reclamation obligations were significantly understated in its books and records and, contrary to industry best practices, JMB and its predecessors in title had not been carrying out reclamation work in the ordinary course of its operations, and therefore had built up substantial unperformed reclamation obligations; and

- (b) the accounts receivable recorded on JMB's books and records prior to RLF V's acquisition were substantially over-stated.

As a result, notwithstanding that RLF V had injected substantial capital into JMB following its acquisition, JMB's cash flow was not sufficient to pay its indebtedness as it became due and the directors and management of JMB determined, in consultation with its financial advisors, that JMB was not financially viable in its current state and could not continue to operate unless it was restructured.

- 13. JMB and a related company therefore commenced *CCAA* proceedings in 2020 (the “**2020 CCAA Proceedings**”). FTI was appointed as monitor and carried out a sale and investment solicitation process (the “**2020 SISF**”). RLF V submitted a stalking horse credit bid in order to protect its economic interest and investment in JMB.
- 14. During the 2020 SISF, RLH LLC and the Monitor learned that the actual inventory of gravel and other valuable aggregates of JMB was only a fraction of the inventory recorded in JMB's books and records by its old management. In another negative development which occurred during the 2020 *CCAA* Proceedings, the AEPA issued environmental protection orders (“**EPOs**”) against JMB's gravel and aggregate pits.
- 15. Unfortunately, these developments referred to in paragraphs 11 and 14 resulted in potential purchasers of JMB's assets having limited interest in bidding on or purchasing them. As such, subject to several discrete sales of assets, the credit bid of RLF V was the highest and best bid, and was implemented through a complex purchase and sale agreement which included a reverse vesting order and corporate arrangement, resulting in Mantle being the successor entity.
- 16. Following Mantle's acquisition of JMB and its business, new management was hired with operational, financial and environmental expertise in the gravel and aggregate extraction industry, proper financial controls and books and records were implemented, and Mantle carried out reclamation work required in respect of the Mantle Lands. However, notwithstanding these improvements, Mantle experienced a sustained working capital deficiency resulting from insufficient sales, which meant it did not have sufficient revenue

to service and repay its financial and trade indebtedness and satisfy the legacy Reclamation Obligations. In the Spring of 2023, the directors in consultation with Mantle's management and financial advisors determined that Mantle could not continue to operate without a significant capital injection, which was unavailable, and that therefore Mantle required protection of this Honourable Court in order to resolve its affairs in a manner that was in the best interests of its stakeholders.

Proceedings under the *BIA* and *CCAA*

17. On July 14, 2023, Mantle filed a notice of intention to make a proposal under Division I of Part III of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, as amended (the "**BIA**", and the proceedings commenced thereby, the "**NOI Proceedings**"). FTI Consulting Canada Inc. ("**FTI**") was appointed as proposal trustee (in such capacity, the "**Proposal Trustee**"). Mantle's goal in the NOI Proceedings was to enable Mantle to do the following:
 - (a) liquidate its business and assets in a commercially reasonable manner, including selling its equipment and any Mantle Lands that were potentially sellable to other companies in the industry;
 - (b) carry out the Reclamation Work on the remaining Mantle Lands required to perform its Reclamation Obligations in a manner satisfactory to the AEPA and the AFP and in accordance with the Environmental Laws and EPOs and obtain Reclamation Certificates in respect thereof; and
 - (c) distribute any net amounts to creditors after reserving for any remaining Reclamation Obligations and payment of the operating, reclamation and liquidation costs incurred in the NOI Proceedings and these *CCAA* Proceedings.
18. The aggregate Reclamation Obligations associated with all of the Mantle Lands was estimated by Mantle to be, as at June 30, 2023, \$3,553,180, of which \$1,678,308 related to Mantle Lands which were not sellable because they did not have economically extractable reserves of aggregate and gravel (the "**Unsellable Lands**"). Based on the analysis of Mantle and the Proposal Trustee, however, other companies in the industry might be interested in purchasing Mantle Lands that had economically recoverable reserves (the

“**Sellable Lands**”). The Reclamation Obligations in respect of the Sellable Lands was estimated to be \$1,874,872 and Mantle intended to sell its interests in those lands subject to the requirement that the purchasers would assume such Reclamation Obligations.

19. RLF Canada Lender Limited (the “**Interim Lender**”), an affiliate of Mantle’s parent, agreed to provide interim financing on a first priority basis in order to fund the remaining operations, sales and reclamation work during the NOI Proceedings. Pursuant to an Order of the Honourable Justice C.C. Feasby made on August 15, 2023, as amended August 28, 2023 (the “**Amended August Order**”), the Court, *inter alia*:
 - (a) approved an interim financing provided by the Interim Lender (the “**Interim Financing**”);
 - (b) granted charges securing the fees and expenses of the Proposal Trustee and its counsel and Mantle’s counsel, the Interim Financing and the obligations of Mantle to indemnify its officers and directors for certain liabilities that may arise during the proceedings (collectively, the “**Restructuring Charges**”); and
 - (c) declared that the Restructuring Charges rank in priority to any other security, charges or encumbrances.
20. During the fall of 2023, Mantle continued operations to the extent required to fulfil contracts to sell inventory that were of net economic benefit to the estate, carried out sale processes in respect of its equipment and the sellable Mantle Lands and performed the majority of the Reclamation Work required to address and satisfy its Reclamation Obligations. However, as described below, Mantle required more than the six month period available under the *BIA* in order to fully perform its Reclamation Obligations, obtain Reclamation Certificates and complete the transactions to sell Mantle Lands that had economically exploitable reserves.
21. In the Initial Order pronounced on January 10, 2024, the NOI Proceedings were taken up and continued in the *CCAA* Proceedings pursuant to section 11.6 of the *CCAA*, and FTI was appointed as monitor (the “**Monitor**”).

22. The Initial Order was amended and restated by the Order of the Honourable Justice R.A. Neufeld pronounced on January 16, 2024 (the “**Amended Initial Order**”). The Stay Period, as defined in paragraph 14 of the Amended Initial Order, was extended to March 1, 2024 by the Amended Initial Order, to September 30, 2024 by an Order of the Honourable Justice M. Hollins pronounced on February 23, 2024 (the “**February Stay Extension Order**”), and to November 14, 2025 by the Order of the Honourable Justice C.M. Jones pronounced on September 20, 2024 (the “**September Stay Extension Order**”).
23. Mantle was able to sell the Sellable Lands on the basis that the purchasers thereof assumed the Reclamation Obligations, which sale transactions were approved by the following Orders of this Honourable Court:
 - (a) a Sale Approval and Vesting Order of the Honourable Justice M.H. Hollins pronounced February 13, 2024, approving a sale pursuant to an asset purchase agreement dated February 9, 2024 (the “**PHI APA**”) between Mantle and PEA Holdings Incorporated (“**PHI**”);
 - (b) a Sale Approval and Vesting Order of the Honourable Justice M.H. Hollins pronounced on February 23, 2024 approving a sale pursuant to an asset purchase agreement dated January 12, 2024 (the “**CSP APA**”) between Mantle and the County of St. Paul no. 19 (“**CSP**”);
 - (c) a Sale Approval and Vesting Order of the Honourable Justice M.H. Hollins pronounced on February 23, 2024 (the “**Arrow-SAVO**”) approving the sale of shares in Atlas pursuant to the Arrow-West SPA; and
 - (d) a Vesting Order of the Honourable Justice C.M. Jones pronounced on September 20, 2024 approving a sale pursuant to an asset purchase agreement dated September 10, 2024 between Mantle and Fleming Cats Inc. (“**Fleming Cats**”).
24. The transaction contemplated by the Arrow-West SPA closed on February 13, 2024, the transaction contemplated by the CSP APA closed on September 9, 2024, and the transaction contemplated by the PHI APA closed on May 7, 2025.

Reclamation Obligations and Reclamation Work

25. As previously reported upon, Mantle commenced Reclamation Work in respect of the Unsellable Lands immediately after August 28, 2023, following the approval on that date of the Interim Financing pursuant to the Interim Financing Order by this Honourable Court. Mantle engaged Upland Environmental Ltd. (“**Upland**”), which is an environmental consulting firm, to recommend the Reclamation Work required in respect of the Unsellable Lands, work with Mantle’s management to supervise the Reclamation Work carried out by Mantle’s contractors, and to report to and work with the AEPA in order to ensure that the Reclamation Work is carried out in accordance with the AEPA’s requirements.
26. The majority of the Reclamation Work on the Unsellable Lands was completed in the Fall of 2023. Further, the Assessment Period has been completed in respect of the following Crown Lands:
 - (a) Crown Lands subject to SML 930040, which was subject to the EPO identified as EPO-EPEA-35659-08; and
 - (b) Crown Lands subject to SML 980116, which was subject to the EPO identified as EPO-EPEA-35659-09.
27. The Assessment Period has been running with respect to the remaining Unsellable Lands, and Mantle’s contractors, under the supervision of its management and Upland, have throughout 2025 been carrying out Reclamation Work consisting of assessing soil stability after the spring thaw, assessing whether the seeding of vegetation was successful, additional seeding to address deficiencies, surveying and spraying for weeds and addressing any erosion issues.
28. The following is the status of each of the parcels of Unsellable Lands as of the date of this Affidavit:
 - (a) **Buksa Pit (registration no. 15048-03-00, subject to EPO-EPEA-35659-05) (the “Buksa Lands”)**

Mantle completed the Reclamation Work in September of 2023, at which time the two year Assessment Period began to run.

The landowner planted crops on the Buksa Lands was located during the 2024 and 2025 growing seasons.

Mantle submitted an application for a Reclamation Certificate on February 3, 2025.

The AEPA delivered a Supplement Information Request (an “**Information Request**”) on September 3, 2025, which Upland responded to on September 15, 2025. Copies of the Information Request and response are attached as **Exhibits “A” and “B”**.

Mantle and Upland representatives completed a site visit on October 15, 2025 with an AEPA officer. The AEPA officer informed those representatives that the officer would recommend the issuance of a Reclamation Certificate.

(b) Kucy Pit (registration no. 306490-00-00, subject to EPO-EPEA-35659-03) (the “Kucy Lands”)

The Reclamation Work was largely completed as of October 9, 2023, at which time the two year Assessment Period began to run.

Mantle submitted an application for a Reclamation Certificate on February 7, 2025.

The AEPA delivered an Information Request dated September 5, 2025, which Upland responded to on September 29, 2025. Copies of the Information Request and response are attached as **Exhibits “C” and “D”**.

In a site visit on September 15, 2025 by representatives of Upland and Mantle, erosion issues were identified and the AEPA agreed to defer its assessment of the site until August 2026 in order to give Mantle an opportunity to address the erosion and divert water from the site. Attached as **Exhibit “E”** is a copy of the AEPAs agreement to adjourn Mantle’s request for a Reclamation Certificate.

Mantle intends to carry out the Reclamation Work required to divert water in the Fall of 2025 and then address the erosion and seed the lands in the Spring of 2026. Mantle will re-file the application for a Reclamation Certificate in the late fall of 2026.

(c) Macdonald Pit (registration no 293051-00-00, subject to EPO-EPEA-35659-01) (the “Macdonald Lands”)

The Reclamation Work was completed as of October 31, 2023, at which time the two year Assessment Period began to run.

Mantle submitted an application for a Reclamation Certificate on February 11, 2025.

The Macdonald Lands have been reclaimed as pastureland with cattle presently grazing on the land. The AEPA delivered an Information Request on September 3, 2025, which Upland responded to on September 15, 2025. Copies of the Information Request and response are attached as **Exhibits “F” and “G”**.

An AEPA officer completed a site visit on October 15, 2025 and informed Mantle and Upland’s representatives that the officer would recommend that a Reclamation Certificate be issued.

(d) Megley Pit (registration no. 149949-00-00, subject to EPO-EPEA-35659-02) (the “Megley Lands”)

Mantle substantially completed the Reclamation Work as of September 12, 2023, at which time the two year Assessment Period began to run.

Mantle submitted an application for a Reclamation Certificate on December 6, 2024.

The AEPA delivered an Information Request on September 3, 2025, which indicated that there were facilities or features remaining in place and slopes that were steeper than contemplated in the reclamation plan, and requested that the survey should include off-site boundaries. Attached as **Exhibit “H”** is a copy of the Information Request. Upland is currently completing an updated field assessment based upon a site visit on October 3, 2025, and will provide a response to the Information Request in November of 2025.

The application for a Reclamation Certificate has been adjourned to 2026.

(e) **SML 060060 (EPO-EPEA-35659-07 and EO-WA-35659-01) (the “SML 060060 Lands”)**

Mantle substantially completed the Reclamation Work as of November 10, 2024, at which time the two year Assessment Period began to run.

However, in November of 2024, Mantle and Upland discovered that as a result of the seed vendor mislabelling the seed planted in October of 2023, clover rather than native plants had grown.

Following consultation with the AEPA, Mantle’s contractors successfully sprayed to remove the clover and re-seeded and significant amounts of grass now cover the parcel. No significant erosion was identified.

Upland will be submitting an application for a Reclamation Certificate in November of 2025.

Once the application is filed, the AEPA will be placed in a queue for a year before it is assigned for review. It is anticipated that the final site assessment will occur either in the Summer of 2026 or 2027, and the reclamation assessment will occur in the Fall of 2026 or 2027. The timing of the reclamation assessment will depend on how quickly the application is assigned for review.

(f) **SML 120027 (subject to EPO-EPEA-35650-10) (the “120027 Lands”)**

Mantle completed the Reclamation Work as of October 13, 2021, at which time the two year Assessment Period began to run.

The AEPA conducted a site visit with Mantle and Upland on September 15, 2025. The AEPA’s officer informed Upland on October 8, 2025 that the officer was recommending that a Reclamation Certificate be issued, but it has not yet been received.

(g) **SML 930040 (the “930040 Lands”)**

No operations were carried out or disturbances made on the lands subject to this lease. The AEPA confirmed this in a site visit with representatives of Mantle and Upland carried out on September 15, 2025. On October 8, 2025, an officer of the AEPA informed Upland that they were recommending that a Reclamation Certificate be issued.

Mantle is awaiting receipt of the Reclamation Certificate.

(h) **Tucker Lake (Approval No. 00139117-00-00) (the “Tucker Lake Lands”)**

This registration has expired and the lands were never entered or disturbed. Therefore, no reclamation is required. Mantle confirmed with aerial photographs that there was never a disturbance, there is no reclamation liability on the land and, no requirement for a reclamation certificate. Attached as **Exhibit “I”** is a copy of the aerial photographs.

29. The AEPA holds the following security deposits for the Mantle Lands:

- (a) Tucker Lake Lands - \$7,028;
- (b) O’Kane pit land (registration no. 00263318-00-01) - \$50,515.60;
- (c) Shankowski pit lands (sold to CSP under the CSP APA) - \$241,235; and
- (d) Havener pit lands (sold to CSP under the CSP APA) - \$228,431.

In addition, subject to confirmation from the AFP, Mantle understands that the AFP holders \$41,400 for the SML 060060, \$19,540 for SML 080085, \$2,960 for SML 120027, \$1,000 for SML 930040, \$14,016.24 for a parcel of land that was outside of the *CCAA* Proceedings, and \$17,232 for DML120032, which was sold to Fleming Cats.

The following amounts are owed to the AEPA in respect of unpaid security deposits:

- (i) Buksa Lands - \$50,442;
- (ii) Kucy Lands - \$31,872;
- (iii) MacDonald Lands - \$15,695; and
- (iv) Megley Lands - \$74,684.

30. As indicated above, Mantle continues to carry out Reclamation Work for the Kucy Lands and SML 060060 Lands, consisting of some physical work, monitoring, assessments and reporting to the AEPA. It may also have to carry out Reclamation Work on the Megley Lands, depending on the outcome of Upland’s assessment. It is anticipated the budget for the Reclamation Work for these lands during the period up to December 4, 2026 is \$22,575.

Stay Extension

31. The Stay Period currently expires on November 14, 2025. Mantle is seeking to extend the Stay Period to December 4, 2026.

32. Since the Stay Extension Order, Mantle has continued to act diligently and in good faith in these *CCAA* Proceedings by way of the activities noted in paragraphs 25 to 30 of this Affidavit.
33. Should this Honourable Court grant an Order extending the Stay Period to December 4, 2026, Mantle anticipates carrying out the following activities:
- (a) carrying out, directing and monitoring the remaining Reclamation Work throughout the remainder of 2025 and 2026;
 - (b) applying to the AEPA for Reclamation Certificates in respect of the remaining Unsellable Lands;
 - (c) applying for a return of the Security Deposits; and
 - (d) carrying out the other activities contemplated hereby.
34. Extending the Stay Period to December 4, 2026 will reduce the number of times Mantle is required to return to Court for orders extending the Stay Period, which will reduce the ongoing professional costs of the estate to the benefit of all stakeholders and provide the time required to complete the majority of the Reclamation Work, seek Reclamation Certificates and arrange for a return of the Security Deposits. There is a continued need for a stay in order for the full scope of the Reclamation Work to be completed.
35. Based on the cash flow projections prepared by Mantle and the Monitor, Mantle may need additional cash if during the extended Stay Period the Security Deposits held by the AEPA and AFP with respect to Mantle Lands that have been sold or in respect of which Reclamation Certificates have been issued are not refunded to Mantle. Therefore, Mantle is seeking this Honourable Court's leave to utilize the proceeds of sale of the Atlas Shares pursuant to the Arrow-West SPA to provide the necessary funding, if Mantle and the Monitor determine that such use is necessary in order to fund Mantle's Reclamation Work. I understand that until the Reclamation Work has been completed, distributions to creditors of Mantle cannot occur and Mantle will not be able to apply to the AEPA and AFP for a return of the Security Deposits. Provided that Mantle is given leave to utilize such sale

proceeds, if necessary, it will have sufficient funds to carry out the activities described above.

36. Having regard to the circumstances, I believe that the granting of an extension of the Stay Period to December 4, 2026 is necessary and in the best interests of Mantle and its stakeholders.
37. Mantle has acted, and continues to act, in good faith and with due diligence in respect of all matters during both the NOI Proceedings and the *CCAA* Proceedings, and no creditor will be prejudiced by the proposed extension of the Stay Period.

38. The Monitor supports the proposed extension of the Stay Period to December 4, 2026.

Sworn before me at the City of Denver, in
the State of Colorado, on this 7 day of
November, 2025

Robin Grace White

A Notary Public in
and for the State of Colorado

} Byron Levkulich
Byron Levkulich

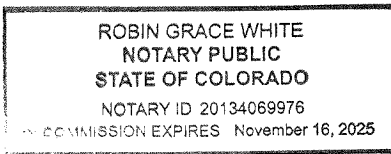
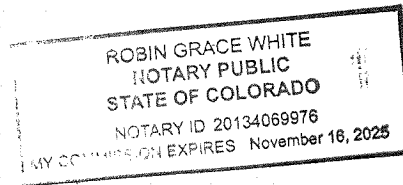


Exhibit "A" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White

A Commissioner for Oaths in
and for the State of Colorado



September 3, 2025

File No.: EPO-EPEA-35659-05
Reclamation Certificate Application No.: 001-00507617

Cory Pichota
Mantle Material Group Ltd.
61329 Range Road 455
Bonnyville, Alberta T9N 2H4

Delivered via E-Mail: Cory.pichota@mantlegroup.ca

Dear Mr. Pichota:

**Re : Supplemental Information Request for Reclamation Certificate Application 001-00507617
(Buska Pit)**

Reclamation Certificate Application (RCA) 001-00507617 for sand and gravel pit Registration No. 15048-03-00 (Buska Pit) issued under the *Environmental Protection and Enhancement Act (EPEA)*, for pit activities located NE 24-056-07-W4M in the County of St. Paul No. 19 was received and reviewed by Environment and Protected Areas inspector (the Inspector). The applicant, Mantle Material Group Ltd. (Mantle) was required to reclaim the Buska Pit in accordance with Environmental Protection Order (EPO-EPEA-35659-05) Reclamation and Remedial Plan (the Plan) dated June 11, 2021.

Based on the review of the RCA and the Plan, the Inspector identified areas in the RCA that requires further clarification or noted as missing information needed to fulfill the RCA requirements identified in Section 12(1) of the *Conservation and Reclamation Regulation* under the *Environmental Protection and Enhancement Act (EPEA)*.

To allow the Inspector to continue with the review, the following information is required:

1. In the RCA, the Interim Application Form contains the consultant's name written with two different last names. Provide clarification on the correct last name. Also, the Inspector noted that the consultant's employer is Upland Environmental Ltd. and Mantle Material Group Ltd. Is the consultant employed by both companies?
2. In the RCA, the Interim Application Form states at the bottom of Section I and on the last page to provide a survey plan with the area to be certified outlined in yellow. If a certificate were to be issued, the survey plan would be attached to the certificate identifying the area certified.
3. In the RCA, the Interim Application Form states at the bottom of Section I that a copy of current land titles for each quarter section of private land (to be certified) must be provided. Land titles were not included in the RCA. Provide a copy of the land titles.
4. In the RCA, the Interim Application Form Section II, Question 12, Facilities or features to remain in place, it states: Attach a release from all registered landowners for all facilities or features to remain. Provide a signed release form for the access road being left in place.

5. In the RCA it states that the site contains small depressional areas that temporarily retains water. Does the landowner have any concerns with the depressional areas remaining on site?

At this time, Mantle must provide the requested information **by September 16, 2025**, to the undersigned below. If you have any questions, please contact me by email at Colette.Strap@gov.ab.ca or phone at 587-986-4365.

Regards,



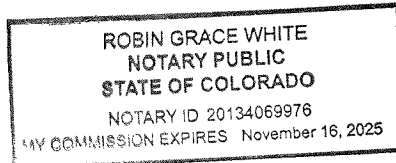
Colette Strap, RTAg.
Environmental Protection Officer
Capital, Alberta Environment and Protective Areas

cc: Upland Environmental Ltd.; Consultant - Norm.upland@gmail.com

Exhibit "B" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White

A Commissioner for Oaths in
and for the State of Colorado



September 15, 2025

Colette Strap
Environmental Protection Officer
Regulatory Assurance Division
Alberta Environment and Protective Areas
North Region, Capital District

Delivered Via Email Only: Colette.Strap@gov.ab.ca

Dear Ms. Strap,

**RE: SUPPLEMENTAL INFORMATION REQUEST FOR RECLAMATION CERTIFICATE APPLICATION
#001-00507617 (BUKSA PIT)**

Thank you for providing the supplemental information request (SIR) to further clarify Reclamation Certificate Application #001-00507617. On behalf of Mantle Materials Group Ltd. (Mantle Materials), the following addresses concerns and/or provides additional explanations and information regarding the Reclamation Certificate application dated June 2025, related to sand and gravel pit Registration No. 15048-03-00 (Buksa Pit). Responses to each of the comments received on September 3, 2025, are presented in a question-and-answer format.

- 1. In the RCA, the Interim Application Form contains the consultant's name written with two different last names. Provide clarification on the correct last name. Also, the Inspector noted that the consultant's employer is Upland Environmental Ltd. and Mantle Material Group Ltd. Is the consultants employed by both companies?***

My given names are Amanda Avery, and my legal name is Amanda Avery Bibb. I am contracted by Upland Environmental Ltd., which is authorized to represent Mantle Materials Group Ltd. with respect to Reclamation Certificate Application #001-00507617. Upland Environmental Ltd. conducted the reclamation site assessment and prepared the related application. I signed the documentation on behalf of Mantle Materials Group Ltd. in my capacity to represent them.

- 2. In the RCA, the Interim Application Form states at the bottom of Section I and on the last page to provide a survey plan with the area to be certified outlined in yellow. If a certificate were to be issued, the survey plan would be attached to the certificate identifying the area certified.***

Survey plan is attached using the outline in yellow.

- 3. In the RCA, the Interim Application Form states at the bottom of Section I that a copy of current land titles for each quarter section of private land (to be certified) must be provided. Land titles were not included in the RCA. Provide a copy of the land titles.***

A copy of the current land title was included in the final reclamation report submitted with the reclamation certificate application. For reference, the current land title is also attached to this correspondence.

4. In the RCA, the Interim Application Form Section II, Question 12, Facilities or features to remain in place, it states: Attach a release from all registered landowners for all facilities or features to remain. Provide a signed release form for the access road being left in place.

A release form regarding continued access, which remains in use by the landowner, has been provided to them. However, no signed copy has been received, as the landowner continues to decline signing any documents.

5. In the RCA, it states that the site contains small depressional areas that temporarily retains water. Does the landowner have any concerns with the depressional area remaining on site?

The current landowner has verbally confirmed that they have no concerns regarding the reclamation of Registered Pit No. 15048-03-00. Since the final site recontouring was completed in 2020, the landowner has been actively cultivating annual cereal crops.

Please accept this aforementioned information along with the enclosed attachments of the survey and current land title provided on behalf of Mantle Materials Group Inc.

Sincerely,

Amanda Avery, RPF
Upland Environmental Ltd.
amanda@truenorthenvironmental.ca
780.812.6754

Enclosure: Site Sketch, Land title

Cc: Cory Pichota, Mantle Materials Group Ltd.
Norm Menard, Upland Environmental Ltd.

Mantle Materials Group

Reclamation Survey Plan

NE Sec-24 Twp-056 Rge-07 Mer-4

Legend



Pit Boundary



Area to be Reclamation Certified



Non-Disturbed



Quarters

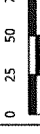
Area to be Reclamation Certified = 11.80 ha
Non-Disturbed Area = 5.82 ha
Total = 17.62 ha

Spatial Reference

NAD83 / UTM zone 12N

Projection: Transverse Mercator/NAD83 / UTM zone 12N

0 25 50 75 m



Map Scale:

1:3,000

Project Name: Buksa Pit

Project No:

Version Time: 13:33

Completed By: Normand Menard

Date: September 12, 2025

Revision:

Date:

Prepared By:





LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL
0014 312 011	4;7;56;24;NW
0017 352 246	4;7;56;24;NE

TITLE NUMBER
242 048 205

LEGAL DESCRIPTION

FIRST

ALL THAT PORTION OF THE NORTH WEST QUARTER OF SECTION TWENTY FOUR
(24)

TOWNSHIP FIFTY SIX (56)

RANGE SEVEN (7)

WEST OF THE FOURTH MERIDIAN,

NOT COVERED BY THE WATERS OF NORTH SASKATCHEWAN RIVER, AS SHOWN ON A PLAN OF
SURVEY OF THE SAID TOWNSHIP SIGNED AT OTTAWA ON THE 20TH DAY OF OCTOBER, A.D.
1922, CONTAINING 58.5 HECTARES (144.60 ACRES) MORE OR LESS.

EXCEPTING THEREOUT: .829 HECTARES (2.05 ACRES) MORE OR LESS,
AS SHOWN ON ROAD PLAN 2208 E.T.

EXCEPTING THEREOUT ALL MINES AND MINERALS

SECOND

ALL THAT PORTION OF THE NORTH EAST QUARTER OF SECTION TWENTY FOUR
(24),

TOWNSHIP FIFTY SIX (56)

RANGE SEVEN (7)

WEST OF THE FOURTH MERIDIAN

NOT COVERED BY ANY OF THE WATERS OF SASKATCHEWAN RIVER, AS SHOWN ON A
PLAN OF SURVEY OF THE SAID TOWNSHIP SIGNED AT OTTAWA ON THE 6TH DAY OF
JUNE A.D. 1906, CONTAINING 63.7 HECTARES, (157.60 ACRES)
MORE OR LESS.

EXCEPTING THEREOUT:

	HECTARES	(ACRES) MORE OR LESS.
A) PLAN 2208ET - ROAD	1.19	2.94
B) PLAN 9120726 - ROAD	12.344	30.50

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: COUNTY OF ST. PAUL NO. 19

REFERENCE NUMBER: 912 059 126 +2

(CONTINUED)

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
242 048 205	16/02/2024	TRANSFER OF LAND	\$750,000	\$750,000

OWNERS

AARBO RANCHING LTD.
OF BOX 690
ELK POINT
ALBERTA T0A 1A0

ENCUMBRANCES, LIENS & INTERESTS

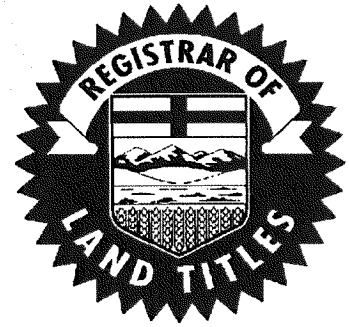
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
6667HE	25/01/1949	CAVEAT CAVEATOR - CANADIAN UTILITIES LIMITED. AFFECTED LAND: 4;7;56;24;NE
832 064 361	18/03/1983	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA AS REPRESENTED BY THE MINISTER OF TRANSPORTATION 50TH STREET ATRIA, 4949 - 94B AVENUE, EDMONTON ALBERTA T6B2T5 AFFECTED LAND: 4;7;56;24;NW 4;7;56;24;NE
912 059 125	12/03/1991	DISCHARGE OF CAVEAT 832064361 AFFECTED LAND: 4;7;56;24;NE
132 414 533	19/12/2013	CAVEAT RE : ROYALTY AGREEMENT CAVEATOR - JMB CRUSHING SYSTEMS ULC. C/O EUGENE BUCK PO BOX 6977 BONNYVILLE ALBERTA T9N2H4 AGENT - ALLAN W FRASER AFFECTED LAND: 4;7;56;24;NE

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 29 DAY OF
OCTOBER, 2024 AT 03:15 P.M.

ORDER NUMBER: 52019780

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

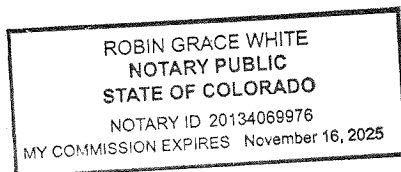
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Exhibit "C" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White

A Commissioner for Oaths in
and for the State of Colorado



September 5, 2025

File No.: EPO-EPEA-35659-03
Reclamation Certificate Application No.: 001-00507619

Cory Pichota
Mantle Material Group Ltd.
61329 Range Road 455
Bonnyville, Alberta T9N 2H4

Delivered via E-Mail: Cory.pichota@mantlegroup.ca

Dear Mr. Pichota:

**Re : Supplemental Information Request for Reclamation Certificate Application 001-00507619
(Kucy Pit)**

Reclamation Certificate Application (RCA) 001-00507619 for sand and gravel pit Registration No. 306490-00-01 (Kucy Pit) issued under the *Environmental Protection and Enhancement Act (EPEA)*, for pit activities located NW 17, NE 18, and SE 19-063-09-W4M in the Municipal District of Bonnyville No. 87, Alberta, was received and reviewed by an Environment and Protected Areas Inspector (the Inspector). Mantle Materials Group Ltd. (the Applicant) was required to reclaim the Kucy Pit in accordance with Environmental Protection Order (EPO-EPEA-35659-03) Reclamation and Remedial Plan (the Plan) dated June 11, 2021.

Based on the review of the RCA and the Plan, the Inspector identified areas in the RCA that require correction, further clarification, or were noted as missing information needed to fulfill the RCA requirements identified in Section 12(1) of the *Conservation and Reclamation Regulation* under the *Environmental Protection and Enhancement Act (EPEA)*.

To allow the Inspector to continue with the review, the information in the following items is required:

1. In the RCA, the Interim Application Form contains the consultant's name written with two different last names. Provide clarification on the correct last name. Also, the Inspector noted that the consultant's employer is Upland Environmental Ltd. and Mantle Material Group Ltd. Is the consultant employed by both companies?
2. In the RCA, the Reclamation Site Assessment Report, Figure 2, Field Assessment Map, the pit boundary is outlined in red but does not include off-site disturbances located in NW 17, NE 18, and SE 19-063-09-W4M. Off-site disturbances were incorporated in the Plan, requiring reclamation and remedial work to be completed by the Applicant. A Detailed Site Assessment (DSA) for all off-site disturbances is required.
3. In the RCA, Interim Application Form, Section I, the following information is incorrect:
 - Approval number (Registration).
 - Complete Surface Legal Land Description.
 - Landowner names: Missing one landowner name for NW 17-63-9-W4 on the Interim Application Form and no contact phone numbers were provided for the landowners of NW 17-

63-9-W4 in the accompanying Reclamation Site Assessment Report.

Re-submit Interim Application Form with the correct information.

4. In the RCA, Interim Application Form, Section II, the following information is incorrect:
- Question 3, Site Recontour Date(s).
 - Question 4, Site Seeding Date(s).

Re-submit Interim Application Form with the correct information.

5. In the Plan, section 12.5 Revegetation, it indicates that an appropriate pasture mix and fertilizer for establishing pastureland along with the application rate will be discussed and finalized with the landowners. In the RCA, Interim Application Form, Section II, Question 4, it indicates landowner approved pasture seed mix that was utilized. No information was provided in the RCA that corroborates landowner engagement or acceptance. Provide explanation.
6. In the RCA, Interim Application Form, Section II, Question 12, Facilities or features to remain in place, it states: yes; however, details have not been provided in the RCA regarding the fencing being left on site. Features left on site must be authorized by the landowners by attaching a release signed by all landowners for all facilities or features that remain. Fencing is not listed on the two signed landowner acceptance letters provided. Provide updated release or justify.
7. In the RCA, written acceptance from the landowners of NW 17-63-9-W4 was not included as an attachment for features to remain in place. Please explain.
8. In the RCA, Interim Application Form, Section III, Question 14, Final seed mix utilized, it states: none; This is contradictory to the answer provided in Section II, Question 4, and also the requirements of the Plan under 12.5 Revegetation. Provide explanation.
9. In the Plan, 12.3 Recontouring, it indicates all internal slopes, will be recontoured to 6:1 or gentler. Slopes along the boundary will be recontoured to a slope no greater than 3:1. In the RCA, Figure 3, Slope Categories, it indicates there are slopes steeper than 3:1. No justification was provided for slopes constructed at a ratio steeper than 3:1. Provide justification.
10. In the Plan, 12.4 Topsoil Placement, it indicated that based on the area requiring topsoil and the volume of topsoil/subsoil available, the calculated topsoil thickness is 0.07m. Personnel involved in topsoil placement activities were to be made aware of the topsoil volume limits and the extra care needed when handling and placing the salvaged topsoil. Topsoil placement activities were to be supervised and monitored by a competent individual with experience in earthworks operations. In the RCA, the Reclamation Site Assessment Report, 2.2 Soil Placement, it identified some areas having excessive depth while others were insufficient. Specifically, a small section south of the pit entrance lacked any available topsoil and showed no vegetation growth.. Provide justification regarding topsoil placement.
11. In the RCA, Interim Application Form, Section IV, Other Information Required, it states that any grids with less than 80% vegetation cover must be explained. In the Reclamation Site Assessment

Report, 2.3 Vegetation Assessment, it identified the percent cover is low in comparison to offsite assessment and cannot effectively handle the pressures of pasturing cattle. The Vegetation Inventory indicates all inventoried plots were under 80% cover, with the highest percent cover being 60%, and the majority being 15% or less. Please explain.

12. In the RCA, the Interim Application Form states at the bottom of Section I, and on the last page, to provide a survey plan with the area to be certified outlined in yellow. Note, the survey plan must include the off-site disturbance boundaries identified in item 2 above. If a certificate is issued, the survey plan would be attached to the certificate identifying the area to be certified. Provide the required survey plan.

At this time, the Applicant must provide the requested information **by September 16, 2025**, to the undersigned below. If you have any questions, please contact me by email at tyler.murphy@gov.ab.ca or phone at 780-743-7326.

Regards,



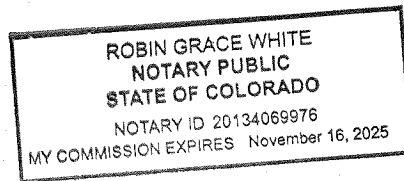
Tyler Murphy
Compliance Assurance Lead
Environmental Protection Officer
Regulatory Assurance Division
North Region, Boreal District – East

cc: Upland Environmental Ltd.; Consultant - Norm.upland@gmail.com

Exhibit "D" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White

A Commissioner for Oaths in
and for the State of Colorado



September 29, 2025

Tyler Murphy
Compliance Assurance Lead
Environmental Protection Officer
Regulatory Assurance Division
Alberta Environment and Protective Areas
North Region, Boreal District - East

Delivered Via Email Only: Tyler.murphy@gov.ab.ca

Dear Mr. Murphy,

RE: SUPPLEMENTAL INFORMATION REQUEST FOR RECLAMATION CERTIFICATE APPLICATION #001-00507619 (KUCY PIT)

Thank you for providing the supplemental information request (SIR) to further clarify Reclamation Certificate Application #001-00507619. On behalf of Mantle Materials Group Ltd. (Mantle Materials), the following addresses concerns and/or provides additional explanations and information regarding the Reclamation Certificate application submitted February 11, 2025, related to sand and gravel pit Registration No. 306490-00-01 (Kucy Pit).

- 1. In the RCA, the Interim Application Form contains the consultant's name written with two different last names. Provide clarification on the correct last name. Also, the Inspector noted that the consultant's employer is Upland Environmental Ltd. and Mantle Material Group Ltd. Is the consultants employed by both companies?***

My given names are Amanda Avery, and my legal name is Amanda Avery Bibo. I am contracted by Upland Environmental Ltd., which has been authorized to represent Mantle Materials Group Ltd. with respect to Reclamation Certificate Application #001-00507619. Upland Environmental Ltd. conducted the reclamation site assessment and prepared the application. I signed the documentation on behalf of Mantle Materials Group Ltd. in my capacity to represent them.

- 2. In the RCA, the Reclamation Site Assessment Report, Figure 2, Field Assessment Map, the pit boundary is outlined in red but does not include off-site disturbances located in NW 17, NE 18, and SE 19-063-09 W4M. Off-site disturbances were incorporated in the Plan, requiring reclamation and remedial work to be completed by the Applicant. A Detailed Site Assessment (DSA) for all off-site disturbances is required.***

A visual vegetation assessment was conducted across the entire disturbance area. The final report includes vegetation health and percent cover data representative of all disturbance areas within and outside of the registered pit boundary. We believe the question requests an additional soil assessment within the NW-17 'off-site' area. A separate soil assessment was not performed within this 'off-site' disturbance area of NW 17, as surface soils were not reinstated. Not reinstating soils within these eastern areas reflects the agreement that was reached between Mantle Materials and Alberta Transportation, and the ongoing aggregate operations directly adjacent in SW 20 and NW 17.

A large portion of the registered pit area within NW 18 held no earthworks disturbances and continues to be actively grazed. As such, it was determined that conducting an assessment

within this area would not be representative of reclamation activities related to aggregate disturbance.

3. In the RCA, Interim Application Form, Section I, the following information is incorrect:

- **Approval Number (Registration)**
- **Complete Surface Legal Land Description**
- **Landowner names: Missing one landowner name for NW 17-063-09 W4M on the Interim Application Form and no contact phone numbers were provided for the landowners of NW 17-063-09 W4M in the accompanying Reclamation Site Assessment Report.**

The Reclamation Certificate Application has been revised to correct errors related to the Registration Approval Number, legal land description, and the absence of the landowner's name for NW 17-063-09 W4M. Currently, there is no additional contact information available for the landowners of NW 17-063-09 W4M beyond what is listed on the land title.

4. In the RCA, Interim Application Form, Section II, the following information is incorrect:

- **Question 3, Site Recontour Dates(s).**
- **Question 4, Site Seeding Dates (s).**

Re-submit Interim Application Form with the correct information.

The information supplied are the correct dates; site re-contouring was finalized in 2022, with reclamation area seeded in Spring the following year of 2023. The area was addressed with herbicide application in Spring of 2024 and reseeded with landowner pasture seed mix. Application form has been updated with revised information.

5. In the Plan, section 12.5 Revegetation, it indicates that an appropriate pasture mix and fertilizer for establishing pastureland along with the application rate will be discussed and finalized with the landowners. In the RCA, Interim Application Form, Section II, Question 4, it indicates landowner approved pasture seed mix that was utilized. No information was provided in the RCA that corroborates landowner engagement or acceptance. Provide explanation.

Numerous verbal discussions were held with the landowners in Spring 2024 ahead of seeding. During these conversations, landowners consistently expressed their intention to actively graze the area following reclamation, requesting no additions of fescue in the seed mix. These discussions directly informed the selection of the pasture seed mix, which was finalized as follows:

Final Pasture Seed Mix:

- Meadow Brome grass – 40%
- Grazed Alfalfa – 25%
- Orchard Grass – 20%
- Cicer Milk Vetch – 10%
- Richmond Timothy – 5%

This mix was selected to support forage production and quick soil stabilization of the reclaimed pastureland in alignment with the landowners' intended use. Although written confirmation was not obtained at the time, the seed mix accurately reflects the results of these verbal discussions between Mantle Materials and the landowners who will be actively grazing following the reclamation.

6. In the RCA, the Interim Application Form Section II, Question 12, Facilities or features to remain in place, it states: yes; however, details have not been provided in the RCA regarding the fencing being left on site. Features left on site must be authorized by the landowners by attaching a release signed by all landowners for all facilities or features that remain. Fencing is not listed on the two signed landowner acceptance letters provided. Provide updated release or justify.

Mantle Materials installed fencing to support reclamation efforts, specifically to assist in the establishment of revegetation, given that the landowners continued active grazing in the area. It is acknowledged that the fencing was not included in the signed landowner release forms submitted with the Reclamation Certificate Application, its omission was an unintentional oversight. Mantle Materials is actively working with the registered landowners regarding the fencing and is in the process of obtaining updated written consent for it to remain onsite. Unfortunately, we were unable to secure the signed documents within the deadline for the SIR response. Updated signed consent documentation will be provided following the SIR response as soon as it has been completed.

7. In the RCA, written acceptance from the landowners of NW 17-063-09 W4M was not included as an attachment for features to remain in place. Please explain.

Mantle Materials does not have any current contact information for the registered landowners of NW 17-063-09 W5M, aside from the mailing address listed on the land title. A Final Reclamation Report was provided to the registered landowners at the address on title. Mail tracking information was included in the Final Reclamation Report submitted with the Reclamation Certificate application, confirming delivery to the listed landowners.

8. In the RCA, Interim Application Form, Section III, Question 14, Final seed mix utilized, it states: none; This is contradictory to the answer provided in Section II, Question 4, and also the requirements of the Plan under 12.5 Revegetation. Provide explanation.

This was an error of the application that has been corrected. The reclaimed registered pit was seeded to an approved pastureland seed mix noted in our response in question 5.

9. In the Plan, 12.3 Recontouring, it indicates all internal slopes, will be recontoured to 6:1 or gentler. Slopes along the boundary will be recontoured to a slope no greater than 3:1. No justification was provided for slopes constructed at a ratio steeper than 3:1. Provide justification.

Upon review of aerial imagery, the steeper slope areas you highlight in Figure 3: Slope Categories of the Final Reclamation Plan are located within undisturbed portions of the registered pit boundary. While some of these areas may have been cleared of vegetation at one time, no earthwork or recontouring activities were conducted in these particular areas. Therefore, these slopes are not considered part of the reconstructed and contoured reclamation areas and do not reflect deviations from the reclamation plan.

The disturbed portions of the registered pit area have been recontoured in alignment with the reclamation objectives outlined in the EPO Plan, with internal slopes meeting or exceeding the 6:1 target and boundary slopes not exceeding 3:1. The presence of steeper slopes in the undisturbed areas does not compromise the overall reclamation intent or outcomes.

10. In the Plan, 12.4 Topsoil Placement, it indicated that based on the areas requiring topsoil and the volume of topsoil. Subsoil available, the calculated topsoil thickness is 0.07m. Personnel involved in the topsoil placement activities were to be made aware of the topsoil volumes limits and the extra care needed when handling and placing the salvaged topsoil. Topsoil placement activities were to be supervised and monitored by a competent individual with experience in earth works operations. In the RCA, the Reclamation Site Assessment Report, 2.2 Placement, it identified some areas having excessive depth with others were insufficient. Specifically, a small section south of the pit entrance lacked any available topsoil and showed no vegetation growth. Provide justification regarding topsoil placement.

Although placement activities were supervised by personnel with experience in earthworks operations, the constraints of limited salvaged material and the site's complexity of long slopes resulted in some inconsistencies in topsoil distribution.

Areas where topsoil was placed in greater thickness correspond to locations of surface soil stockpiles. Personnel were challenged with spreading soils over a large area to a very shallow depth of 0.07m. Area identified in the RCA to have no topsoil, reflects the agreement that was reached between Mantle Materials and Alberta Transportation, and the ongoing aggregate operations directly adjacent in SW 20 and NW 17.

11. In the RCA, Interim Application Form, Section IV, Other Information Required, it states that any grids with less than 80% vegetation cover must be explained. In the Reclamation Site Assessment Report, 2.3 Vegetation Assessment, it identified the percent cover is low in comparison to offsite assessment and cannot effectively handle the pressures of pasturing cattle. The Vegetation Inventory indicates all inventoried plots were under 80% cover, with the highest percent cover being 60%, and the majority being 15% or less. Please explain.

Historical operations at the gravel pit resulted in minimal salvage of topsoil and subsoil. Consequently, to meet the target of 80% of the pre-disturbance depths, admixing resulted. Mantle Materials acknowledges that the mixing of surface soils and the relatively shallow depth of soil replacements may be contributing to slower vegetation establishment and reduced cover percentages. Nonetheless, the characteristics of replaced surface soils remain within the acceptable variability of pre-disturbance textures of sandy loam and loamy sand, and off-site control variables of silty loam and sandy loam.

The landowners are aware of the current state of vegetation establishment.

A recent field visit has shown greater vegetation health and establishment from September 2024 reclamation site assessment. Below pictures show positive vegetation establishment with an increase of vegetation cover.



Picture 1: Reclamation Assessment September 10, 2024 –
Looking North from south pit portion.



Picture 2: Site visit September 15, 2025 - Looking North from
south pit portion.

12. In the RCA, the Interim Application Form states at the bottom of Section I and on the last page to provide a survey plan with the area to be certified outlined in yellow. Note, the survey plan must include the off-site disturbance boundaries identified in item 2 above. If a certificate is issued, the survey plan would be attached to the certificate identifying the area to be certified. Provide the required survey plan.

Survey plan is attached outlining the certified area in yellow.

Please accept this aforementioned information along with the enclosed on behalf of Mantle Materials Group Inc. A site visit conducted on September 15, 2025, as part of ongoing monitoring, identified erosion issues that require attention. We kindly request the adjournment of the reclamation certificate assessment until August 2026 to allow Mantle Materials adequate time to remediate the erosion and complete re-seeding efforts this fall.

Sincerely,

Amanda Avery, RPF
Upland Environmental Ltd.
amanda@truenorthenvironmental.ca
780.812.6754

Enclosed: Survey plan and updated Reclamation Certificate Application

Cc: Cory Pichota, Mantle Materials Group Ltd.
Norm Menard, Upland Environmental Ltd.

INTERIM SAND AND GRAVEL PIT/BORROW EXCAVATION RECLAMATION CERTIFICATE APPLICATION FORM

☒ **Sand and Gravel Pit**

☐ **Borrow Excavation**

I. GENERAL INFORMATION

Applicant (Operator): Mantle Materials Group Ltd.

Address: 61329 Range Road

Bonnyville, Alberta

T9N 2H4

Phone Number: 780-826-1774

e-mail: _____

Landowner Name(s): Travis, John & Leo Kwiatkowski (NE 18-63-9 W4M)

Ron & Rita Kucy and Vonda Hove (SE 19-56-9-W4M)

Robert & Lorraine Niedzielski, Dale Bouchard (NW 17-63-9W4M)

Address: Addresses provided in accompanying land titles and reclamation

Assessment report.

Phone Number: _____

Provide 1 (one) copy of the Certificate of Title for each quarter section (private land only); if located in Special Areas, provide a search from the Special Areas Board indicating the lessee's name and address. Provide 5 (five) copies of survey plan(s), with the area to be certified outlined in yellow. The survey plan(s) must cover every quarter section being applied for. Details on the plan (or in the Detailed Site Assessment Report) must be sufficient to show the relationship of the site to the immediately surrounding area, in particular the following (where applicable): surface drainage and direction; slope direction; distance from waterbodies, streams, and sensitive areas; land use; bush; roads; trails; buildings; and fence lines. Survey plans must be readable, especially site dimensions, distances and bearings.

II. SITE HISTORY

Attach any available supporting information to this form. Older sites may not have all the required information. The more information provided the less time would be needed at the inquiry to identify potential problems. If you do not have supporting information for a particular category, please indicate **Not Available** (N/A):

1. **Dates of Operation**

Start: 1990's **Finish:** June 2021

2. **Pre-Construction Assessment Done?** ☒ Yes ☐ No

3. **Site Recontour Date(s)** Finalized in Summer 2022

4. **Site Seeding Date(s)** June 2023 and re-seeded Spring 2024

5. **Access Developed?** ☒ Yes ☐ No

If Yes: ☒ Low Profile ☐ High Profile ☐ Pit Run ☐ Crush

6. **Spills?** ☐ Yes ☒ No

If Yes, explain and describe remedial action taken

Supply additional documentation if necessary.

7. **Herbicides/Sterilants:** Provide details of chemicals used, dates, rates of applications, and mitigative measures _____

☒ **Private Land** **County/MD/ID/SA** MD of Bonnyville

☐ **Public Land:** **Disposition No.** _____

Activity Name: Kucy Pit

Was there ever an EPEA approval for the activity? ☒ Yes ☐ No

If Yes, approval number: 306490-00-01

Water Act File Number (if applicable): N/A

Complete Surface Legal Land Description(s): (list all ¼ sections)

NE 18-063-09 W4M, SE 19-063-09 W4M, NW 17-063-09 W4M

Occupant: ☐ Yes ☒ No

Name: _____

Address: _____

Phone Number: _____

8. **Fertilizers:** Identify types and rates.

Dates last used: None

9. **Soil Amendments:** Identify types, amounts, rates, and dates(s) of application and method of incorporation. None

Approved by landowners ☐ Yes ☐ No

10. **Identify brush disposal method/location.**

Pit covered cultivated land. Any brush removal completed in 1990's does not remain onsite.

11. **Debris or waste buried on-site?** ☐ Yes ☒ No

If yes, at what depth: _____ metres, and what type

Attach written acceptance from all registered landowners.

12. **Facilities or features (e.g., water well, access road, fences, ponds, stockpiles, others) to remain in place?** ☒ Yes ☐ No
Attach releases from all registered landowners for all facilities or features to remain.

13. **Facilities or features are stable and non-hazardous?** ☒ Yes ☐ No

III. SITE DATA

Data must be obtained for landscape, surface soil and vegetation components and in the case of Class I pits compared to the approval, or in the case of Class II pits compared to pre-disturbance (or representative adjacent) conditions. Please attach your detailed site assessment report to this form. You may divide the pit/excavation into sections (clearly labeled on a diagram) and answer questions 1 to 16 for each section.

Person(s) who Conducted the Assessment: Amanda Avery BiboCompany: Upland Environmental Ltd.Date(s) Assessment Conducted: September 10, 2024Phone Number: 780-812-6754

1. Final reclamation land use: ☒ Consistent with Approval or Adjacent Lands ☐ Different
2. Reclaimed slope class: ☒ Consistent with Approval or Adjacent Lands ☐ Different
3. Topsoil texture: SL ☒ Consistent with Approval or Adjacent Lands ☐ Different
4. Average topsoil depth: 12 cm ☒ Consistent with Approval or Adjacent Lands ☐ Different
5. Subsoil texture: N/A ☒ Consistent with Approval or Adjacent Lands ☐ Different
6. Replaced subsoil depth: N/A m ☒ Consistent with Approval or Adjacent Lands ☐ Different
7. Replaced overburden depth (if applicable): N/A m ☐ Consistent with Approval or Adjacent Lands ☐ Different
8. Was the pit floor ripped before subsoil/topsoil replacement ☒ Yes ☐ No ☐ Not Applicable

If No explain: _____

9. Minimum depth to bedrock (if applicable): N/A m ☐ Consistent with Approval or Adjacent Lands ☐ Different
10. Minimum depth to water table (if applicable): N/A m ☐ Consistent with Approval or Adjacent Lands ☐ Different
11. Rock content within replaced root zone: ☒ Consistent with Approval or Adjacent Lands ☐ Different
12. Were waterbodies created? ☐ Yes ☒ No

If Yes, has the appropriate *Water Act* Approval been obtained? ☐ Yes ☐ No

13. Erosion control measures in place: None. No erosion of visible evidence of slumping or subsidence found during final reclamation assessment.

14. Final seed mix utilized: pastureland seed mix

Approved by landowner/land manager ☒ Yes ☐ No

If No, explain: _____

15. Additional details: Low profile access to area will remain for landowner's use.

16.

For Questions 1 to 7, 9 to 11, and 15 if you checked off "Different" attach a detailed explanation of the differences and the reasons why the site should be certified.

IV. OTHER INFORMATION REQUIRED

1. Supply a map showing soil sample points in the pit indicating topsoil depths and texture. The sample grid should be on a 40m x 40m spacing (unless otherwise agreed to by the Inspector). Also include a vegetation assessment for each grid indicating percent cover, plant vigor and composition. Any grids with less than 80% vegetation cover must be explained.
2. Private land: Have you performed a final inspection in the presence of the landowner/occupant: ☐ Yes ☒ No
Public land: Have you performed a final inspection in the presence of the occupant: ☐ Yes ☐ No
Date of final inspection: September 10, 2024
Landowner/Occupant concerns: No concerns presented
3. For public land, have all disposition conditions been met: ☐ Yes ☐ No If No, state reason _____
4. Have you provided a copy of the application to the landowner/occupant: ☒ Yes ☐ No
5. Indicate the company representative who should be notified of the reclamation inquiry and who will also receive any Conservation and Reclamation Notices or Environmental Protection Orders:
Name: Amanda Avery Bibo Phone Number: 780-812-6754 Fax Number: _____
Address, if different from operator on page 1: Box 750 Plamondon, Alberta T0A 2T0

NOTE: THE OPERATOR (P.1) WILL BE SENT THE RECLAMATION CERTIFICATE.

V. DECLARATION

The Declaration must be signed by the operator or his consultant/agent (the Inspector has the right to request written proof that the person signing the application is an agent of the operator).

I, Amanda Avery Bibo of Mantle Materials Group Ltd. certify that, to the best of my knowledge, all the above
(print name) (operator)

information is accurate and that there are no other soil chemical or physical conditions that resulted from the operator's use of this land that may adversely affect soil or vegetation or groundwater on or near the site described above.

_____	Agent	<u>October 24, 2024</u>
NAME (SIGNATURE)	POSITION	DATE

Please assemble the application in this order:

Original – Clip together with a binder clip

- Cheque for \$300.00 (if applicable) payable to the Provincial Treasurer
- Cover letter
- Application
- Signed releases if applicable
- Detailed Site Assessment Report
- Pictures if applicable
- Copy of current title/or Special Areas Search (private land)
- Survey plan (one copy) outlined in yellow

Copy – clip together with a binder clip

- same order
- Survey plans (4 copies) outlined in yellow

Clip original application and duplicate copy together with a larger clip thus ensuring that they do not get separated.

Do not staple information together or put into a bound cover of any kind.

Return this application and the supporting documentation, including the Detailed Site Assessment Report, in duplicate to:

For all lands in the Green Area administered under the Public Lands Act

Alberta Sustainable Resource Development, Land
Administration Division, 3rd Floor, 9915 - 108 Street,
EDMONTON, Alberta T5K 2G8;
E-mail reclaim@env.gov.ab.ca

For all lands in the White Area administered under the Public Lands Act

Alberta Sustainable Resource Development, Public Lands
Division, Room 200, 7000 - 113 Street, EDMONTON, Alberta
T6H 5T6.

For all other lands

Alberta Environment, Regulatory Approvals Centre, Main
Floor, 9820 - 106 Street, EDMONTON, Alberta T5K 2J6

Mantle Materials Group

Reclamation Survey Plan

NW17, NE18, SE19 Twp63 Rge9 W4

Legend



Pit Boundary (Approved)



Disturbed Area to be Reclamation Certified



Undisturbed Area



Quarters

Approved Pit Area = 14.1 ha
Area to be Reclamation Certified = 13.9 ha
Area Undisturbed = 2.5 ha

Spatial Reference

NAD83 / UTM zone 12N

Projection: Transverse Mercator / UTM zone 12N



0 25 50 75 m



Map Scale:
1:2,500

Project Name: Kucy Pit

Project No:

Version Time: 11:21

Completed By: Normand Menard

Date: September 26, 2025

Revision:

Date:

Prepared By:



SW SEC-20
TWP-063
RGE-09
MER-4

NW SEC-17
TWP-063
RGE-09
MER-4

SE SEC-19
TWP-063
RGE-09
MER-4

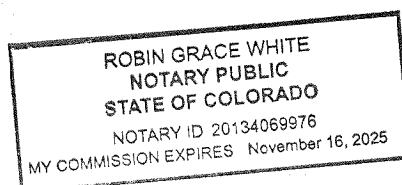
NE SEC-18
TWP-063
RGE-09
MER-4



Exhibit "E" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White

A Commissioner for Oaths in
and for the State of Colorado



October 21, 2025

File No.: EPO-EPEA-35659-03
Reclamation Certificate Application No.: 001-00507619

Cory Pichota
Mantle Material Group Ltd.
61329 Range Road 455
Bonnyville, Alberta T9N 2H4

Delivered via E-Mail: Cory.pichota@mantlegroup.ca

Dear Mr. Pichota:

Re : Reclamation Certificate Application Adjourned for RCA 001-00507619 (Kucy Pit)

In response to the submission of Reclamation Certificate Application (RCA) 001-00507619 for sand and gravel pit Registration No. 306490-00-01 (Kucy Pit) issued under the *Environmental Protection and Enhancement Act (EPEA)*, for pit activities located at NW 17, NE 18, and SE 19-063-09-W4M in the Municipal District of Bonnyville No. 87, Alberta, a Supplemental Information Request (SIR) was sent to the operator on September 5, 2025. Additional information was obtained from the operator regarding the noted deficiencies in response to the SIR on September 30, 2025.

The additional information was reviewed by an Environment and Protected Areas (EPA) Inspector (the Inspector). It was noted by the Inspector that a site visit conducted on September 15, 2025 by the operator, as part of ongoing monitoring, identified erosion issues that require attention.

To allow adequate time for the operator to remediate the erosion and complete re-seeding efforts, EPA will adjourn RCA 001-00507619 at the request of the operator, before conducting the required site inquiry. The adjournment period is not to extend beyond August 31, 2026. The operator will notify EPA once the deficiencies have been addressed, and a site inquiry will be scheduled at that time.

If you have any questions regarding the contents of this letter, please contact me by email at tyler.murphy@gov.ab.ca or phone at 780-743-7326.

Regards,

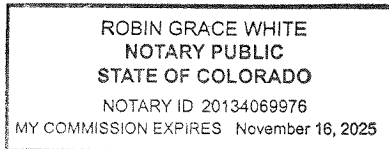


Tyler Murphy
Compliance Assurance Lead
Environmental Protection Officer
Regulatory Assurance Division
North Region, Boreal District – East

cc: Upland Environmental Ltd.; Consultant - Norm.upland@gmail.com

Exhibit "F" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White
A Commissioner for Oaths in
and for the State of Colorado



September 3, 2025

File No.: EPO-EPEA-35659-01
Reclamation Certificate Application No.: 001-00507622

Cory Pichota
Mantle Material Group Ltd.
61329 Range Road 455
Bonnyville, Alberta T9N 2H4

Delivered via E-Mail: Cory.pichota@mantlegroup.ca

Dear Mr. Pichota:

**Re : Supplemental Information Request for Reclamation Certificate Application 001-00507622
(MacDonald Pit)**

Reclamation Certificate Application (RCA) 001-00507622 for sand and gravel pit Registration No. 293051-00-00 (MacDonald Pit) issued under the *Environmental Protection and Enhancement Act* (EPEA), for pit activities located SE 34-056-07 W4M in the County of St. Paul No. 19 was received and reviewed by Environment and Protected Areas inspector (the Inspector). The applicant, Mantle Material Group Ltd. (Mantle) was required to reclaim the MacDonald Pit in accordance with Environmental Protection Order's (EPO-EPEA-35659-01) Reclamation and Remedial Plan (the Plan) dated June 11, 2021.

Based on the review of the RCA and the Plan, the Inspector identified areas in the RCA that requires further clarification or noted as missing information needed to fulfill the RCA requirements identified in Section 12(1) of the *Conservation and Reclamation Regulation* under the *Environmental Protection and Enhancement Act* (EPEA).

To allow the Inspector to continue with the review, the following information is required:

1. In the RCA, the Interim Application Form contains the consultant's name written with two different last names. Provide clarification on the correct last name. Also, the Inspector noted that the consultant's employer is Upland Environmental Ltd. and Mantle Material Group Ltd. Is the consultant employed by both companies?
2. In the RCA, the Interim Application Form states at the bottom of Section I and on the last page to provide a survey plan with the area to be certified outlined in yellow. If a certificate were to be issued, the survey plan would be attached to the certificate identifying the area certified.
3. In the RCA, the Interim Application Form states at the bottom of Section I that a copy of current land titles for each quarter section of private land (to be certified) must be provided. Land titles were not included in the RCA. Provide a copy of the land titles.
4. In the RCA, the Interim Application Form Section II, Question 12, Facilities or features to remain in place, it states: Attach a release from all registered landowners for all facilities or features to remain. Provide a signed release form for the access approach being left in place.

At this time, Mantle must provide the requested information by **September 16, 2025**, to the undersigned below. If you have any questions, please contact me by email at Colette.Strap@gov.ab.ca or phone at 587-986-4365.

Regards,



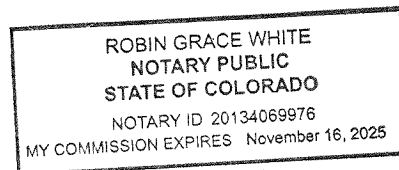
Colette Strap, RTAg.
Environmental Protection Officer
Capital, Alberta Environment and Protective Areas
111Twin Atria Building
4999-98 Avenue
Edmonton, AB T6B 2X3

cc: Upland Environmental Ltd.; Consultant - Norm.upland@gmail.com

Exhibit "G" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White

A Commissioner for Oaths in
and for the State of Colorado



September 15, 2025

Colette Strap
Environmental Protection Officer
Regulatory Assurance Division
Alberta Environment and Protective Areas
North Region, Capital District

Delivered Via Email Only: Colette.Strap@gov.ab.ca

Dear Ms. Strap,

RE: SUPPLEMENTAL INFORMATION REQUEST FOR RECLAMATION CERTIFICATE APPLICATION #001-00507622 (MACDONALD PIT)

Thank you for providing the supplemental information request (SIR) to further clarify Reclamation Certificate Application #001-00507622. On behalf of Mantle Materials Group Ltd. (Mantle Materials), the following addresses concerns and/or provides additional explanations and information regarding the Reclamation Certificate application submitted February 11, 2025, related to sand and gravel pit Registration No. 293051-00-00 (MacDonald Pit). Responses to each of the comments received on September 3, 2025, are presented in a question-and-answer format.

- 1. In the RCA, the Interim Application Form contains the consultant's name written with two different last names. Provide clarification on the correct last name. Also, the Inspector noted that the consultant's employer is Upland Environmental Ltd. and Mantle Material Group Ltd. Is the consultants employed by both companies?***

My given names are Amanda Avery, and my legal name is Amanda Avery Bibo. I am contracted by Upland Environmental Ltd., which has been authorized to represent Mantle Materials Group Ltd. with respect to Reclamation Certificate Application #001-00507622. Upland Environmental Ltd. conducted the reclamation site assessment and prepared the application. I signed the documentation on behalf of Mantle Materials Group Ltd. in my capacity to represent them.

- 2. In the RCA, the Interim Application Form states at the bottom of Section I and on the last page to provide a survey plan with the area to be certified outlined in yellow. If a certificate were to be issued, the survey plan would be attached to the certificate identifying the area certified.***

Survey plan is enclosed with the certified area is outlined in yellow.

- 3. In the RCA, the Interim Application Form states at the bottom of Section I that a copy of current land titles for each quarter section of private land (to be certified) must be provided. Land titles were not included in the RCA. Provide a copy of the land titles.***

A copy of the current land title was included in the final reclamation report dated October 2024, which accompanied the reclamation certificate application. For reference, the current land title is also attached to this correspondence.

4. In the RCA, the Interim Application Form Section II, Question 12, Facilities or features to remain in place, it states: Attach a release from all registered landowners for all facilities or features to remain. Provide a signed release form for the access road being left in place.

The registered landowner listed on the title is deceased at time of final reclamation. A release form has been sent to the mailing address associated with the title, but there has been no response to date.

Please accept this aforementioned information along with the enclosed attachments of the survey outlining certified land and current land title provided on behalf of Mantle Materials Group Inc.

Sincerely,

Amanda Avery, RPF
Upland Environmental Ltd.
amanda@truenorthenvironmental.ca
780.812.6754

Enclosure: Site Sketch, Land title

Cc: Cory Pichota, Mantle Materials Group Ltd.
Norm Menard, Upland Environmental Ltd.

Mantle Materials Group

Reclamation Survey Plan

SE Section 34 Twp 56 Rge 07 W4

Legend



Area to be Reclamation Certified



Quarters

Area to be Reclamation Certified = 11.8 ha

Spatial Reference

NAD83 / UTM zone 12N

Projection: Transverse Mercator/NAD83 / UTM zone 12N



Map Scale:
1:1,500

Project Name: MacDonald Pit

Project No:

Version Time: 13:17

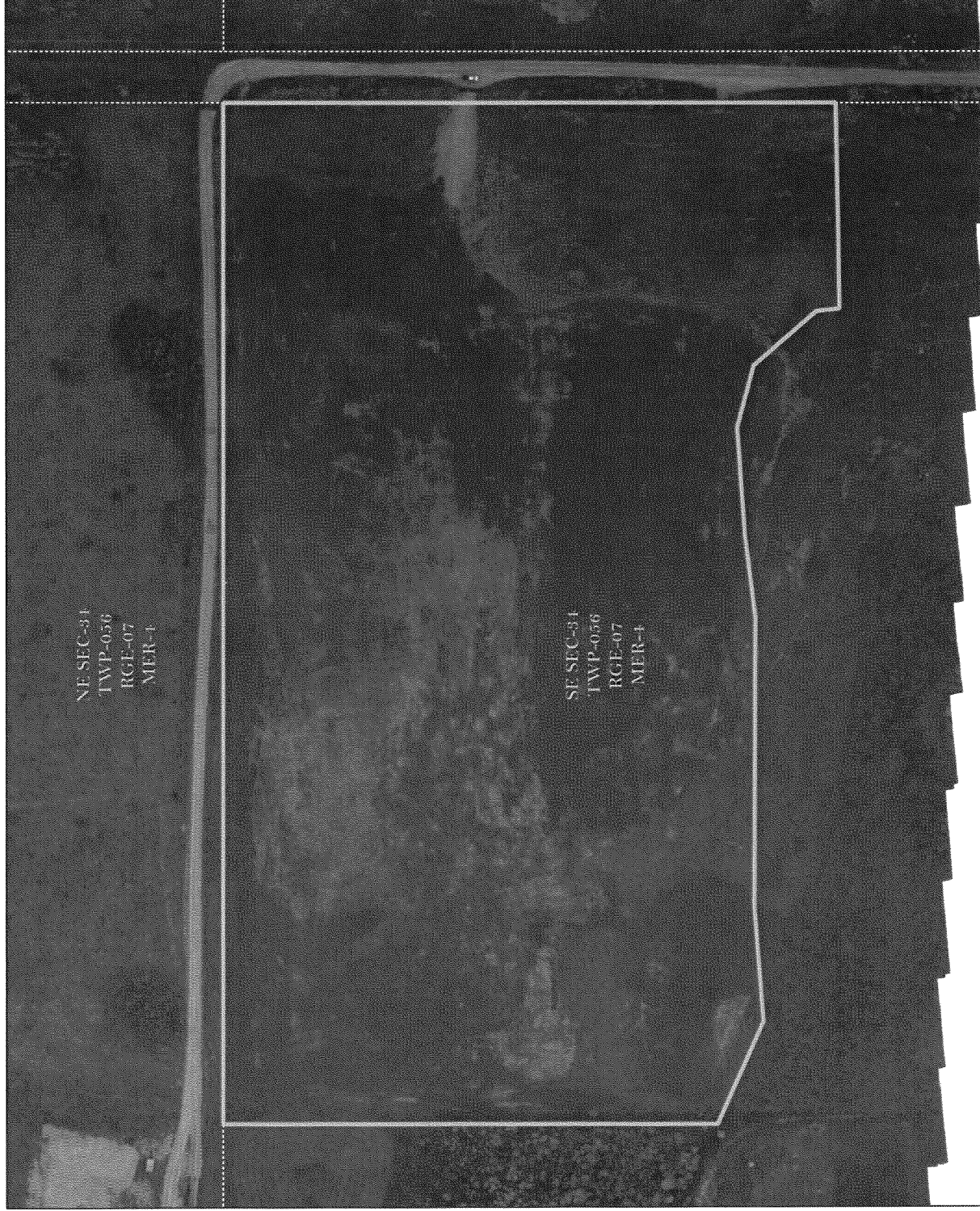
Completed By: Normand Menard

Date: September 12, 2025

Revision:

Date:

Prepared By:





LAND TITLE CERTIFICATE

S

LINC

SHORT LEGAL

TITLE NUMBER

0023 712 219

4;7;56;34;SE

042 362 670

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 7 TOWNSHIP 56

SECTION 34

THE EAST HALF OF THE SOUTH EAST QUARTER

CONTAINING 32.4 HECTARES (80 ACRES) MORE OR LESS

EXCEPTING THEREOUT

(A) 0.403 HECTARES (0.996 ACRE) MORE OR LESS

AS SHOWN ON ROAD PLAN 7925Y

(B) 0.206 HECTARES (0.51 ACRE) MORE OR LESS

FOR ROAD AS SHOWN ON PLAN 6088NY

(C) 0.200 HECTARES (0.49 ACRES) MORE OR LESS

AS SHOWN ON ROAD PLAN 9023516

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: COUNTY OF ST. PAUL NO. 19

REFERENCE NUMBER: 022 404 221

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
042 362 670	26/08/2004	TRANSFER OF LAND	\$180,000	SEE INSTRUMENT

OWNERS

ALLAN KEVIN MACDONALD

OF BOX 998

ELK POINT

ALBERTA T0A 1A0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
912 290 027	23/10/1991	UTILITY RIGHT OF WAY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

042 362 670

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

GRANTEE - CENTRA GAS ALBERTA INC.

042 484 540 03/11/2004 MORTGAGE
MORTGAGEE - ALBERTA TREASURY BRANCHES.
4925-50 STREET, BOX 38
ELK POINT
ALBERTA T0A1A0
ORIGINAL PRINCIPAL AMOUNT: \$147,000

072 580 528 26/09/2007 AMENDING AGREEMENT
AMOUNT: \$276,000
AFFECTS INSTRUMENT: 042484540

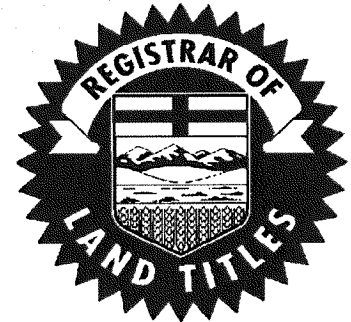
072 618 271 17/10/2007 AMENDING AGREEMENT
AMOUNT: \$276,000
AFFECTS INSTRUMENT: 042484540

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 30 DAY OF
OCTOBER, 2024 AT 12:38 P.M.

ORDER NUMBER: 52028492

CUSTOMER FILE NUMBER:



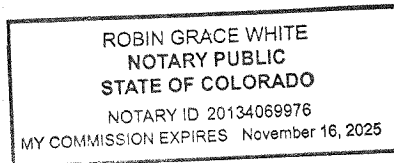
END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Exhibit "H" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White
A Commissioner for Oaths in
and for the State of Colorado



September 3, 2025

File No.: EPO-EPEA-35659-02
Reclamation Certificate Application No.: 001-00506883

Cory Pichota
Mantle Material Group Ltd.
61329 Range Road 455
Bonnyville, Alberta T9N 2H4

Delivered via E-Mail: Cory.pichota@mantlegroup.ca

Dear Mr. Pichota:

**Re : Supplemental Information Request for Reclamation Certificate Application 001-00506883
(Megley Pit)**

Reclamation Certificate Application (RCA) 001-00506883 for sand and gravel pit Registration No. 149949-00-01 (Megley Pit) issued under the *Environmental Protection and Enhancement Act (EPEA)*, for pit activities located SE 35-058-16 W4M and NW, SW and SE 36-058-16 W4M in the Smoky Lake County, Alberta, was received and reviewed by Environment and Protected Areas inspector (the Inspector). The applicant, Mantle Material Group Ltd. was required to reclaim the Megley Pit in accordance with Environmental Protection Order's (EPO-EPEA-35659-02) Reclamation and Remedial Plan (the Plan) dated June 11, 2021.

Based on the review of the RCA and the Plan, the Inspector identified areas in the RCA that requires further clarification or noted as missing information needed to fulfill the RCA requirements identified in Section 12(1) of the *Conservation and Reclamation Regulation* under the *Environmental Protection and Enhancement Act (EPEA)*.

To allow the Inspector to continue with the review, the following information is required:


1. In the RCA, the Interim Application Form contains the consultant's name written with two different last names. Provide clarification on the correct last name. Also, the Inspector noted that the consultant's employer is Upland Environmental Ltd. and Mantle Material Group Ltd. Is the consultant employed by both companies?
2. In the RCA, the Interim Application Form states at the bottom of Section I that a copy of current land titles for each quarter section of private land (to be certified) must be provided. Land titles were not included in the RCA. Provide a copy of the land titles.
3. In the RCA, Figure 2 Reclamation Field Assessment Map, the pit boundary is outlined in red but does not include off-site disturbances located in the NW and northern portion of SW 36-58-16 W4M and in the SE 36-58-16 W4M. Off-site disturbances were incorporated in the Plan, requiring reclamation and remedial work to be completed by the operator. A Detailed Site Assessment (DSA) for all off-site disturbances is required.
4. In the RCA, a DSA was not provided for the SE 35-58-16 W4M as the Plan indicated that it was assessed in 2017. However, for the purpose of an RCA a current DSA is required to confirm the status of the site. Provide a DSA for SE 35-58-16 W4M.

5. In the RCA, the Interim Application Form Section II, Question 12, Facilities or features to remain in place, states yes; however, details or justification have not been provided in the RCA as to what feature is being left in place. Features left on site must be authorized by the landowners by attaching a release signed by all landowners for all facilities or features to remain.
6. In the RCA, Figure 3 Slope Categories indicate slopes steeper than 6:1 and 3:1. No justification was provided as the Plan states that internal slopes will be constructed at a 20:1 to 10:1. Provide justification.
7. In the RCA, the Interim Application Form states at the bottom of Section I and on the last page to provide a survey plan with the area to be certified outlined in yellow. Note, the plan must include off-site boundaries identified above. If a certificate were to be issued, the survey plan would be attached to the certificate identifying the area certified.

Moving forward, since a DSA is required for the areas that were not assessed (off-site disturbances and west portion of pit SE 35-58-16 W4M), RCA 001-00506883 will be adjourned till 2026, allowing the applicant time to acquire and submit the missing RCA components noted above. Failure to submit the required information to the undersigned by August 1, 2026, will result in the refusal of RCA 001-00506883 which would require the applicant to re-apply for an RCA for the Megley Pit.

If you have any questions, please contact me by email at Colette.Strap@gov.ab.ca or phone at 587-986-4365.

Regards,



Colette Strap, RTAg.
Environmental Protection Officer
Capital, Alberta Environment and Protective Areas
111Twin Atria Building
4999-98 Avenue
Edmonton, AB T6B 2X3

cc: Upland Environmental Ltd.; Consultant - Norm.upland@gmail.com

Exhibit "I" to the Affidavit of
BYRON LEVKULICH
Sworn/Affirmed before me this 3rd day
of November, 2025

Robin Grace White

A Commissioner for Oaths in
and for the State of Colorado

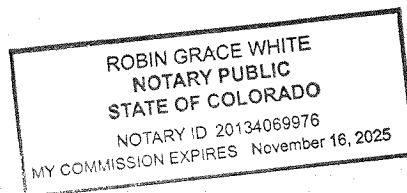


Figure 1

Mantle Materials Group Tucker Lake Pit

Pit Chronological Overview 2008-2025

SE 1/4 Section 25, NE 1/4 Section 24
Twp 64 Rge 05 W4

Legend

- Pit Boundary
- Quarters

NOTES:
This registration expired October 2010 and this pit was never entered, therefore there is no reclamation to take place. Imagery taken over time shown left.

Imagery: Purchased through SkyWatch.

Spatial Reference

NAD83 / UTM zone 12N
Projection: Transverse Mercator/NAD83 / UTM zone 12N

0 50 100 150 200 m

Map Scale:
1:5,000

Project Name: Tucker Lake Pit

Project No: 001-00139117

Version Time: 08:14

Completed By: Normand Menard

Date: June 23, 2025

Revision:

Date:

Prepared By:

