

EXHIBIT Y

Robert G. Kuhs

From: Fife, Michael <MFife@bhfs.com>
Sent: Friday, November 14, 2014 10:35 AM
To: Robert G. Kuhs; Ted Chester; Dubois, James (ENRD) (James.Dubois@usdoj.gov)
Cc: Richard Zimmer (RZimmer@clifford-brownlaw.com); Bob Joyce; Sloan, William M. (WSloan@mofo.com); Mike McLachlan (mike@mclachlanlaw.com); Scott Kuney (skuney@youngwooldridge.com)
Subject: unrelated but FYI
Attachments: 11 20 14 Groundwater Rights Agenda.pdf

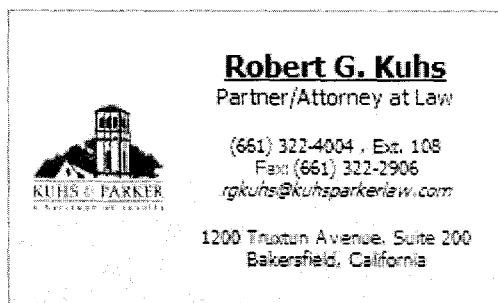
See attached

From: Robert G. Kuhs [mailto:rgkuhs@kuhsparkerlaw.com]
Sent: Friday, November 14, 2014 10:29 AM
To: Ted Chester; Dubois, James (ENRD) (James.Dubois@usdoj.gov)
Cc: Richard Zimmer (RZimmer@clifford-brownlaw.com); Bob Joyce; Sloan, William M. (WSloan@mofo.com); Fife, Michael; Mike McLachlan (mike@mclachlanlaw.com); Scott Kuney (skuney@youngwooldridge.com)
Subject: RE: Granite Construction Company Allocation

Ted:

Granite has not challenged any of the Lane Family Rights. Granite's Little Rock facility is operated on land owned both by Granite and Lane, but leased by Granite. Granite installed the wells and has continuously used the water. We previously agreed to allocated the 234 af associated with the Little Rock plant 100 to Granite and 134 af to Lane during the time that all parties to this adjudication agreed upon their respective allocations. For reasons unknown, you seek to renege on that agreement and wish to rewrite history.

Regardless, my email is directed solely to the issue of the water allocated by all of the parties to Granite's Big Rock Facility, namely 126 af. What possible legal basis does Lane have to the water allocated to Granite for its Big Rock Facility?. The answer is none.



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From: Ted Chester [mailto:tchester@smilandlaw.com]
Sent: Friday, November 14, 2014 10:19 AM

To: Robert G. Kuhs; Dubois, James (ENRD) (James.Dubois@usdoj.gov)
Cc: Richard Zimmer (RZimmer@clifford-brownlaw.com); Bob Joyce; Sloan, William M. (WSloan@mofo.com); Fife, Michael (MFife@bhfs.com); Mike McLachlan (mike@mclachlanlaw.com)
Subject: RE: Granite Construction Company Allocation

Robert,

The Lane Family seeks a determination and quantification of the water rights that are appurtenant to their Little Rock Property which is leased to Granite. So far in this litigation, Granite has prevented the Lane Family from establishing those water rights. We have tried but failed to reach agreement. One method to resolve this between the Lane Family and Granite is for the court to address the issue by way of quiet title and/or declaratory relief. There may be other methods, and I would welcome any ideas in this regard. Because Granite continues to challenge the Lane Family's water rights, Lane has not agreed and cannot agree to any water rights allocable to Granite, especially in light of the merits of each party's claim.

Ted

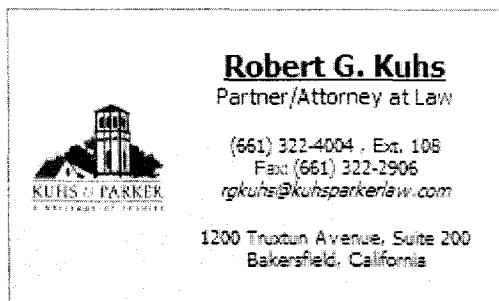
From: Robert G. Kuhs [<mailto:rgkuhs@kuhsparkerlaw.com>]
Sent: Friday, November 14, 2014 8:58 AM
To: Ted Chester; Dubois, James (ENRD) (James.Dubois@usdoj.gov)
Cc: Richard Zimmer (RZimmer@clifford-brownlaw.com); Bob Joyce; Sloan, William M. (WSloan@mofo.com); Fife, Michael (MFife@bhfs.com); Mike McLachlan (mike@mclachlanlaw.com)
Subject: RE: Granite Construction Company Allocation

Ted:

- Are you and your clients NOW making a claim to the 126 af of water allocated to Granite for its Big Rock Facility?
- The same water that you acknowledged last week was properly allocated to Granite!!
- The same water that the rest of the parties have agreed to allocate to Granite!!

Please let me know ASAP if that is the case, and which of your clients are now making a claim to that water and on what basis.

Robert Kuhs



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From: Ted Chester [<mailto:tchester@smilandlaw.com>]
Sent: Thursday, November 13, 2014 6:14 PM
To: Robert G. Kuhs; Dubois, James (ENRD) (James.Dubois@usdoj.gov)
Subject: RE: Granite Construction Company Allocation

I don't think there should be changes until resolution between Lane and Granite.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

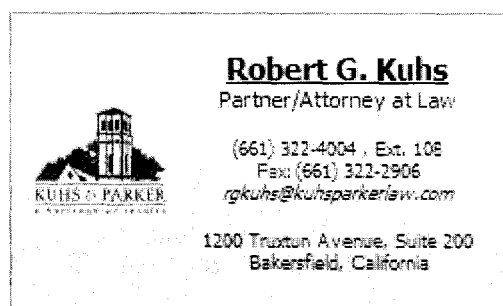
From: "Robert G. Kuhs" <rgkuhs@kuhsparkerlaw.com>
Date: 11/13/2014 5:48 PM (GMT-08:00)
To: "Dubois, James (ENRD) (James.Dubois@usdoj.gov)" <James.Dubois@usdoj.gov>
Cc: Ted Chester <tchester@smilandlaw.com>
Subject: Granite Construction Company Allocation

Jim: The parties agree that Granite is entitled to 126 af allocation for its Big Rock Facility. Therefore, we propose that Exhibit 4 be modified as follows:

Claimant Name	Pre-Rampdown Production	Overlying Production Right	Percentage Share
Granite Construction Company (Big Rock Facility)	126	126	(Calculate)
Granite Construction Company (Little Rock Sand & Gravel Inc.)	400	234	(Calculate)

We will keep you advised if we resolve the recent issue for the Little Rock facility.

Robert Kuhs



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