



4. On or about June 25, 2012, by way of the Agreement, I caused the animal carcasses to be removed from the groundwater on the Heifer Ranch and hauled to a landfill for disposal.

5. On or about July 20, 2012, by way of the Agreement I caused the submittal of a report to the Central Valley Regional Water Quality Control Board ("Regional Board") documenting the removal of the animal carcasses from the Heifer Ranch, including a receipt from a landfill documenting disposal of the waste.

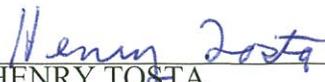
6. On or about April 12, 2013, by way of the Agreement, I caused the submittal of a Groundwater Remediation Plan to the Regional Board.

7. On or about December 6, 2013, by way of the Agreement, I caused the completion of the removal and disposal of the contested stockpile of manure, containing mammalian tissue, which was taken to Foothill Sanitary Landfill near Linden, California. The removal consisted of approximately 1,500 tons of manure.

8. On or about June 18, 2013, in the Matter of Henry J. Tosta, et al., Administrative Civil Liability Complaint No. R5-2012-0561, I submitted an Ability to Pay Claim with the Regional Board demonstrating that I had a very limited to no ability to pay. Since that date, my ability to pay has not improved, but instead has worsened.

9. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 6 day of January, 2014, at Tracy, California.

  
HENRY TOSTA