

RECEIVED

FEB 05 2016

DIVISION OF RECLAMATION
MINING AND SAFETY

An example Structure Agreement which meets the requirements of the Statutes is shown below.

Structure Agreement

This letter has been provided to you as the owner of a structure on or within two hundred (200) feet of a proposed mine site. The State of Colorado, Division of Reclamation, Mining and Safety ("Division") requires that where a mining operation will adversely affect the stability of any significant, valuable and permanent man-made structure located within two hundred (200) feet of the affected land, the Applicant shall either:

- a) Provide a notarized agreement between the Applicant and the Person(s) having an interest in the structure, that the Applicant is to provide compensation for any damage to the structure; or
- b) Where such an agreement cannot be reached, the Applicant shall provide an appropriate engineering evaluation that demonstrates that such structure shall not be damaged by activities occurring at the mining operation; or
- c) Where such structure is a utility, the Applicant may supply a notarized letter, on utility letterhead, from the owner(s) of the utility that the mining and reclamation activities, as proposed, will have "no negative effect" on their utility. (*Construction Materials Rule 6.3.12 and Rule 6.4.19 & Hard Rock/Metal Mining Rule 6.3.12 and Rule 6.4.20*)

The Colorado Mined Land Reclamation Board ("Board") has determined that this form, if properly executed, represents an agreement that complies with Construction Materials Rule 6.3.12(a), Rule 6.4.19(a), and C.R.S. § 34-32.5-115(4)(e) and with Hard Rock/Metal Mining Rule 6.3.12(a), Rule 6.4.20(a), and C.R.S. § 34-32-115(4)(d). This form is for the sole purpose of ensuring compliance with the Rules and Regulations and shall not make the Board or Division a necessary party to any private civil lawsuit to enforce the terms of the agreement or create any enforcement obligations in the Board or the Division.

The following structures are located on or within 200 feet of the proposed affected area:

1. OVER HEAD 3 phase Power Line - 7.600 KV
2. OVER HEAD TRANSFORMER -
3. OVERHEAD TRANSMISSION LINE - 69 + 115 KV
4. OVERHEAD SECONDARY 120V Duplex
5. OVERHEAD TRANSMISSION LINE - 69KV

(Please list additional structures on a separate page)

JOHNSON

ST.

CERTIFICATION

The Applicant, Langston Concrete Inc (print applicant/company name),
by Mike Langston (print representative's name), as President (print
representative's title), does hereby certify that Black Hills Energy (structure owner) shall
be compensated for any damage from the proposed mining operation to the above listed structure(s)
located on or within 200 feet of the proposed affected area described within Exhibit A, of the Reclamation
Permit Application for Langston Concrete Inc (operation name),
File Number M-1992-051.

*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant [Signature] Representative Name Mike Langston
Date 2-5-16 Title President, Langston Concrete Inc.
STATE OF CO)
COUNTY OF Summit) ss.

The foregoing was acknowledged before me this 5 day of February, 2016, by
Mike Langston as representative of Langston Concrete
Misty Bethel My Commission Expires: April 4 2016
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Black Hills Energy Name Glen Livingston

Date 1-29-16 Title Operations Supervisor

STATE OF Colorado

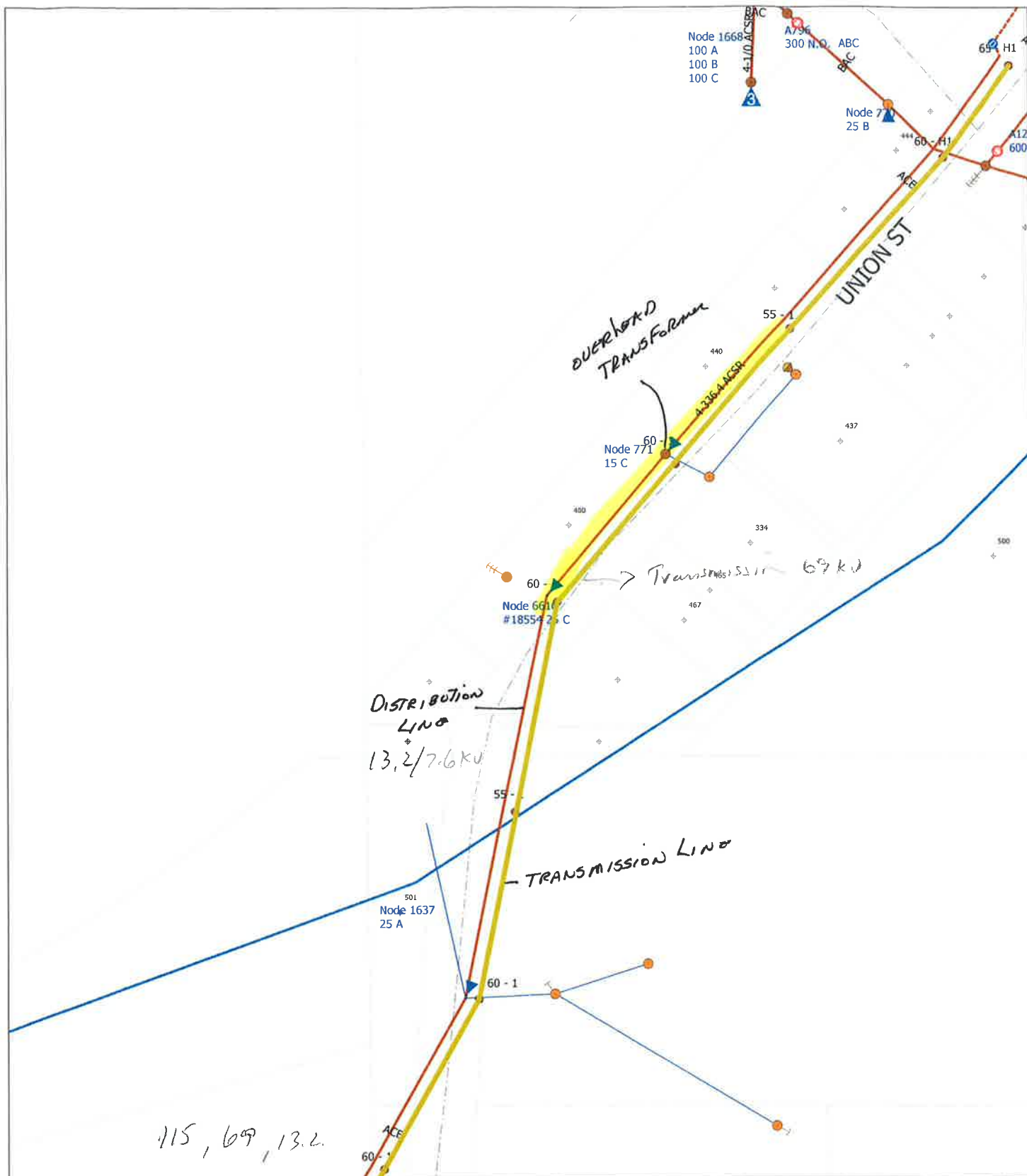
COUNTY OF Fremont ss.

The foregoing was acknowledged before me this 4th day of February, 2016, by
Glen Livingston as Representative of Black Hills.

Jenifer E. Zink
Notary Public

My Commission Expires: January 7, 2019

JENIFER E. ZINK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154000560
MY COMMISSION EXPIRES JANUARY 7, 2019



Time: 1/27/2016 4:04:27 PM

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Black Hills Corporation Mobile GIS

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[Extract dates] BHC: 01/23/2016