

**Tracy and Ed Grimes**

**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 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 and 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 the 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 part 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.**

**Structure(s) Name and/or Description:**

1. Barb wire fence adjacent to the Elbert County Road 189.

**CERTIFICATION**

The Applicant, Tracy and Ed Grimes by Tracy Grimes, does hereby certify that Geneva Rogers shall be compensated for any damage from the proposed mining operation to the above listed structures(s) located on or within 200 feet of the proposed affected area described within Exhibit A, of the reclamation Permit Application for the Dill Pit, File Number M2009-007.

*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 Ed Grimes Representative Name \_\_\_\_\_

Date 7/27/17 Title \_\_\_\_\_

STATE OF Colorado )

COUNTY OF Lincoln )

The foregoing was acknowledged before me this 27 day of July, 2017, by

Ed Grimes as owners of Dill Pit

Tracy Grimes

Lucille Reimer  
Notary Public

My Commission Expires: \_\_\_\_\_

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| LUCILLE REIMER<br>NOTAR' PUBLIC<br>STATE OF COLORADO<br>NOTARY ID 19964014313<br>MY COMMISSION EXPIRES FEBRUARY 19, 2025 |
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### NOTARY STRUCTURE OWNER

ACKNOWLEDGED BY:

Applicant Geneva Rogers Representative Name \_\_\_\_\_

Date 7-27-17 Title \_\_\_\_\_

STATE OF Colorado )

COUNTY OF Lincoln )

The foregoing was acknowledged before me this 27 day of July, 2017, by

Ed Grimes as owner of adjacent property

Tracy Grimes

Geneva Rogers

Lucille Reimer  
Notary Public

My Commission Expires: \_\_\_\_\_

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| LUCILLE REIMER<br>NOTAR' PUBLIC<br>STATE OF COLORADO<br>NOTARY ID 19964014313<br>MY COMMISSION EXPIRES FEBRUARY 19, 2025 |
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