

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. BHE Pole ID 13011332
2. BHE Guy ID 17794963
3. BHE Node/Transformer 2691 (40 kVA, Phases CA)
4. BHE Overhead Primary Conductor 13,200V/7,620V (Phases CA)
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Arkansas Valley Ranch LLC (print applicant/company name),
by Tony Warnock (print representative's name), as President & CEO (print
representative's title), does hereby certify that Black Hills Electric Colorado LLC ("BHE") (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 Arkansas Valley Ranch LLC (operation name),
File Number M- 2006-054 (Ordway Pit)

*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 Milling Operations. Any
alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant Arkansas Valley Ranch LLC Representative Name Tony Warnock

Date 6/14/19 Title President & CEO

STATE OF Colorado)

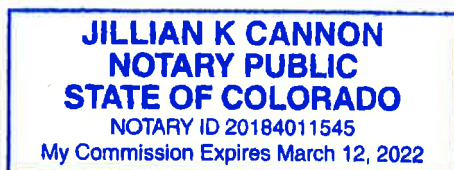
Applicant Signature [Signature]

COUNTY OF Otero)

The foregoing was acknowledged before me this 14 day of June, 2019, by
Tony Warnock as President & CEO of Arkansas Valley Ranch LLC

[Signature]
Notary Public

3/12/22
My Commission Expires:



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Black Hills Electric Colorado LLC Name Mark James

Date 6-19-2019 Title Utility Construction Project Planner

STATE OF Colorado)

) SS.

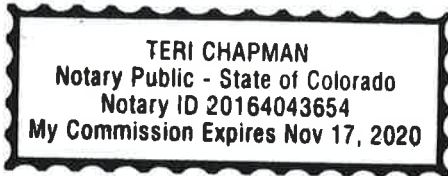
COUNTY OF Pueblo)

Structure Owner Signature Mark James

The foregoing was acknowledged before me this 19th day of June, 2019, by
Mark James as Utility Construction Project Planner of Black Hills Electric Colorado LLC

Teri Chapman
Notary Public

Nov. 17, 2020
My Commission Expires



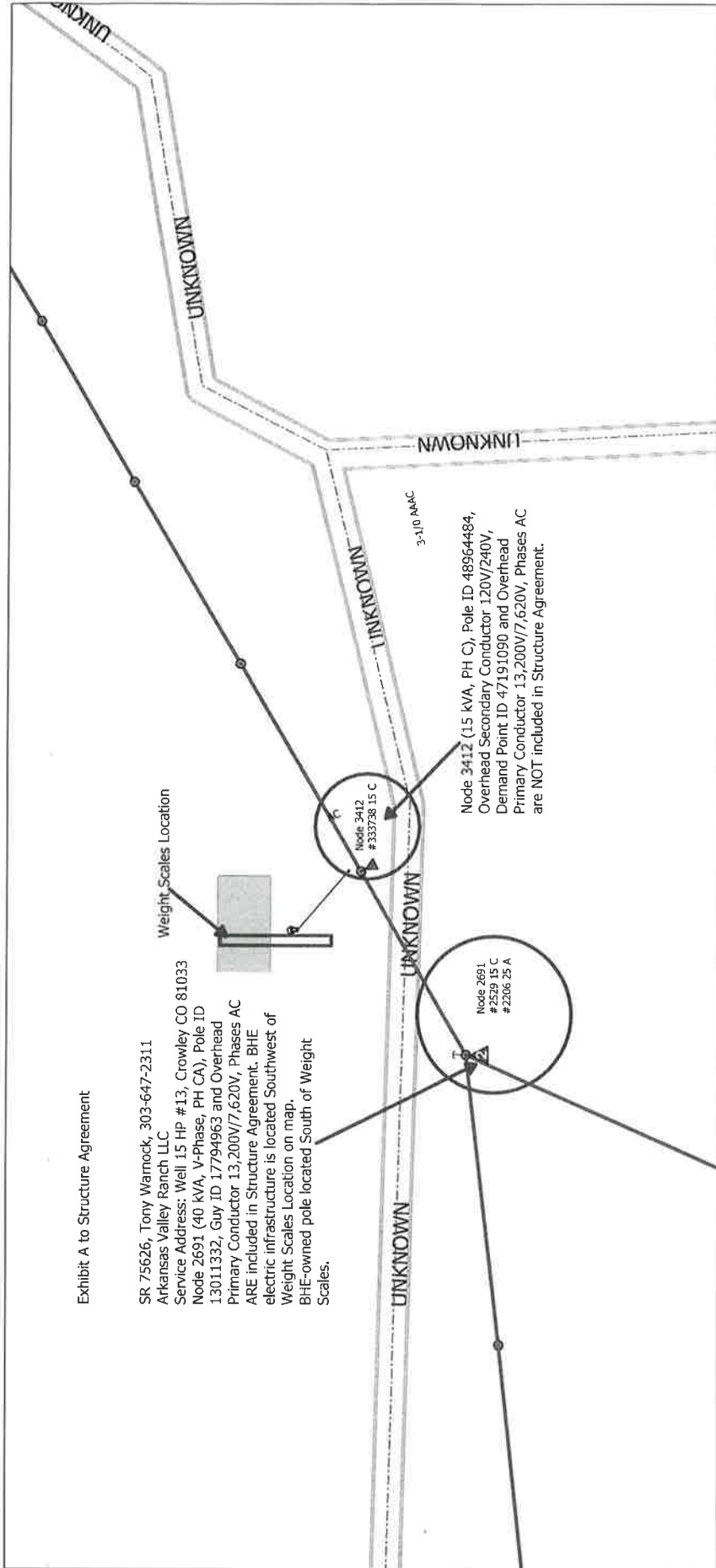


Exhibit A to Structure Agreement

SR 75626, Tony Wamock, 303-647-2311
Arkansas Valley Ranch LLC
Service Address: Well 15 HP #13, Crowley CO 81033
Node 2691 (40 KVA, V-Phase, PH CA), Pole ID
13011332, Guy ID 17794963 and Overhead
Primary Conductor 13,200V/7,620V, Phases AC
ARE included in Structure Agreement. BHE
electric infrastructure is located Southwest of
Weight Scales Location on map.
BHE-owned pole located South of Weight
Scales.

Node 3412 (15 KVA, PH C), Pole ID 48964484,
Overhead Secondary Conductor 120V/240V,
Demand Point ID 47191090 and Overhead
Primary Conductor 13,200V/7,620V, Phases AC
are NOT included in Structure Agreement.

Node 2691
#2529 15 C
#2206 25 A

Time: 6/3/2019 12:46:34 PM

Session: K:\Utility Construction Planning Department\UCPP - Estimator 2 Document Transfer Folder\Mark James Folder\SR XXXXX RG4 RF Well 20 HP Crowley Arkan:

Black Hills Corporation Mobile GIS

Black Hills Corporation hereby disclaims any warranty, express or implied with regard to the accuracy or usefulness of Mobile GIS and its associated maps and records. Distribution of County Parcel Data outside of Black Hills Corporation is a violation of Black Hills Corporation's data sharing agreement.
[Extract dates] BHC: 06/01/2019