STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106

COLORADO DIVISION OF RECLAMATION MINING & SAFETY

REQUEST FOR TRANSFER OF MINERAL PERMIT AND SUCCESSION OF OPERATORS APPLICATION PACKET

The Mined Land Reclamation Board ("Board") has approved this Transfer of a Mineral Permit and Succession of Operators Application Packet pursuant to the Mined Land Reclamation Act (C.R.S. § 34-32-101 et. seq.) ("Hard Rock Act") and associated Rules (2 C.C.R. 407-1) ("Hard Rock Rules") and the Land Reclamation Act for the Extraction of Construction Materials (C.R.S. § 34-32.5-101 et. seq.) ("Construction Materials Act") and associated Rules (2 C.C.R. 407-4) ("Construction Materials Rules"). This Application Packet cannot be altered without the consent of the Board.

Applicability

This Transfer of a Mineral Permit and Succession of Operators Application Packet applies to mining operations where the current permitted mine operator ("Permittee") wishes to transfer the Reclamation Permit ("Permit"), along with all associated reclamation responsibilities and liabilities, to a Successor Operator ("Successor"). This process is referred to as a Succession of Operators ("SO").

Filing Requirements for SO Application

An SO Application is not complete until the Division of Reclamation, Mining and Safety ("Division") has received each of the six items listed below. The Board has authorized the Division to review SO Applications and to issue approvals and denials based on its review. The Division will not review incomplete Applications.

1) **Application Form**: An Application Form is included in this Application Packet. Please note that the Application Form must be fully completed, and must bear the original notarized signature of an authorized representative of BOTH the Permittee and the Prospective Successor.

2) **Application Fee**: If an Application concerns a Hard Rock or Designated Mining Operation, then a filing fee of $115.00 must be submitted to the Division. *See* C.R.S. § 34-32-127(2)(a)(I)(L). If an Application concerns a Construction Materials operation, then a filing fee of $144.00 must be submitted to the Division. *See* C.R.S. § 34-32.5-125(1)(a)(X). Make all checks payable to the "Colorado Division of Reclamation, Mining and Safety."

3) **Performance Warranty Form**: The party wishing to become Successor ("Prospective Successor") must agree to assume all liability for the reclamation of affected land, and must provide a Performance Warranty covering the same. *See* C.R.S. §§ 34-32-119 and 34-32.5-119. A Performance Warranty Form is included in this Application Packet. The Performance Warranty Form must bear the original notarized signature of an authorized representative of the Prospective Successor.

4) **Financial Warranty**: The Prospective Successor must provide Financial Warranties sufficient to cover the cost of completing reclamation in compliance with the Permit, the applicable Act and Rules. *See* C.R.S. §§ 34-32-119 and 34-32.5-119. In order to ensure the adequacy of the Financial Warranties, the Division must recalculate the required Financial Warranty whenever it receives an SO Application. Depending upon the state of the operation and the outstanding reclamation work, the Successor may be required to post a higher (sometimes significantly) or lower Financial Warranty than the Permittee currently has in place.

The Division must act on all SO Applications within 30 days. *See* Hard Rock and Construction Materials Rule 1.12.1(2)(a). Since the Division cannot typically review the amount of the required Financial Warranty within this 30-day period, applicants have the following two options:

Applicants may waive their right to receive a decision within 30 days. If the applicants waive their right to a decision within 30 days, the Division will recalculate the required Financial Warranty ***before*** issuing its decision on the Application. As a result, the Prospective Successor will know, prior to becoming Successor, whether the current Financial Warranty is adequate to cover the reclamation liability, or if the Financial Warranty must be increased. In this case, the Prospective Successor must submit the full Financial Warranty as part of the Application.

Applicants may decide not to waive their right to a decision within 30 days. If the applicants choose not to waive their right to a 30-day review, the Division will review the Financial Warranty ***after*** issuing its decision on the Application. In this case, the Prospective Successor must submit a conditional replacement Financial Warranty in the amount of the Permittee's current Financial Warranty as part of the Application.

If the Application is approved, the Division will conduct an inspection within 60 days to assess the amount of the reclamation liability. If the inspection reveals that the reclamation liability exceeds the amount of the conditional replacement Financial Warranty, the Successor must submit the difference within sixty days. Failure to meet this deadline may result in an enforcement action. If the inspection reveals that the reclamation liability is less than the conditional replacement Financial Warranty, the Successor may request a Financial Warranty reduction for release of the difference.

It is the applicants' right to receive a decision on their complete Application within 30 days. The applicants are free to choose whichever option they decide is best. Permittee and Prospective Successor must designate their decision on the attached Application Form.

5) **Demonstration of Legal Right to Enter**: All Permittees must provide a description of the basis for legal right of entry to the site and to conduct mining and reclamation. *See* Hard Rock and Construction Materials Rules 6.3.7 and 6.4.14. To comply with this requirement, the Prospective Successor must demonstrate that he/she/it has obtained a legal right of entry from any and all surface and mineral rights owners in the affected lands, independent of the current Permittee. *See* Hard Rock and Construction Materials Rules 6.3.7, 6.4.14, and 1.6.2(1)(e)(i). This may be a copy of an access lease, deed, abstract of title, current tax receipt, or a signed and notarized statement by the property owners stating that the Prospective Successor has a legal right to enter. *See* Hard Rock and Construction Materials Rule 6.3.7.

6) **Structure Agreements**: In many cases, operators must provide the Division copies of agreements to compensate the owners of any significant, valuable, and permanent man-made structures and utilities within 200 feet of the affected land ("Structure Agreements"). *See* Hard Rock Rules 6.3.12 and 6.4.20; Construction Materials Rules 6.3.12 and 6.4.19. If the Permittee was required to provide Structure Agreements, the Prospective Successor must obtain *new* Structure Agreements from each owner and provide copies of the same to the Division with the Application.

Application Review Process

The Division will grant an Application if it finds that all required information has been submitted, that the Prospective Successor is capable of assuming all responsibility for original permit by virtue of acceptable performance and Financial Warranties, and that the Prospective Successor has no outstanding violations. *See* C.R.S. §§ 34-32-119 and 34-32.5-119. If the Division does not act within 30 days from the date that a complete Application has been filed, the Application will be considered automatically approved. *See* Hard Rock and Construction Materials Rule 1.12.1(2). If an Application is denied, the Division will notify the Permittee and Prospective Successor no later than 10 days from the date it renders its decision. Both the Permittee and Prospective Successor may appeal a denial of an Application to the Board by submitting a written request for an administrative appeal hearing to the Board within 30 days of final decision date. *See* Hard Rock and Construction Materials Rule 1.4.11.

SO02

JPL/jle

Application Checklist

yes ☑ **Application Form**: Complete the form located on page 5.

yes ☑ **Application Fee**: Include check payable to Colorado Division of Reclamation, Mining and Safety.

yes ☑ **Performance Warranty**: Complete the form located on page 11.

No ☑ **Financial Warranty**: Submit the appropriate Financial Warranties or conditional replacement Financial Warranties using the forms posted on the Division's website (available online at http://mining.state.co.us/Mineral%20Forms.htm).

No ☑ **Demonstration of Legal Right to Enter**: Identify the owners of all surface and mineral rights, obtain the documentation described above, and submit to the Division.

No ☑ **Structure Agreements**: Obtain new Structure Agreements if Permittee had been required to do so.

M-1977-317
Complied!
6 Minor Infractions

SO02
2 Violations!
JPL/jle

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY
Department of Natural Resources

1313 Sherman St., Room 215
Denver, Colorado 80203
Phone: (303) 866-3567
FAX: (303) 832-8106

COLORADO DIVISION OF RECLAMATION MINING & SAFETY

APPLICATION FORM FOR TRANSFER OF MINERAL PERMIT AND SUCCESSION OF OPERATORS

ADMINISTRATIVE INFORMATION

Permit Information

Permit Number: M-1977-317

Operation Name: CEDARWOOD CLAY MINE

Permittee Information

Contact Person: MATTHEW WELTE

Company Name: SUMMIT BRICK AND TILE COMPANY

Street Address: 601 EAST 13TH STREET, POB 533

City: PUEBLO

State: COLORADO Zip: 81002-0533

Phone: (719) 542-8278

Email (optional):

Prospective Successor Information

Contact Person: TRENTON STAFFORD

Company Name: SEIFERT ENTERPRISES, LLC

Street Address: 198 RANGE VIEW LOOP

City: WESTCLIFFE

State: COLORADO Zip: 81252

Phone: (719) 783-2757

Email (optional): trent@sbcompanies.com or ap.admin@sbcompanies.com

Other Reclamation Permits held by Prospective Successor (if applicable):

M-1991-083 ULA PIT

M-2011-015 SILVER CLIFF PIT

M-2002-122 BOYER PIT

M-1985-040 SEIFERT PIT

M-1999-003 TALLAHASSEE PIT

M-1993-027 SCHOOLFIELD PIT

DESIGNATION OF REVIEW TIMELINE

As explained above, the Permittee and Prospective Successor may waive their right to receive a decision on an Application within 30 days in order to allow the Division to calculate the required Financial Warranty before issuing its decision. Permittee and Prospective Successor must initial one of the following two options to designate their choice. If Permittee and Prospective Successor cannot agree, the Division will render its decision within 30 days.

MZW
Permittee

Prospective Successor

I have reviewed the information provided in this Application Packet, as well as the applicable Act and Rules. Having been fully informed, I wish to WAIVE MY RIGHT TO A DECISION ON MY APPLICATION WITHIN 30 DAYS.

Permittee

Prospective Successor

I have reviewed the information provided in this Application Packet, as well as the applicable Act and Rules. Having been fully informed, I wish to MAINTAIN MY RIGHT TO A DECISION ON MY APPLICATION WITHIN 30 DAYS.

The Prospective Successor must provide an adequate Financial Warranty or *conditional* replacement Financial Warranty, consistent with the designation above. Hard Rock and Construction Materials Rule 4.3 describes the various acceptable types of Financial Warranties. Each Financial Warranty must be submitted on the Board's approved forms (available online at http://mining.state.co.us/Mineral%20Forms.htm).

DUE DILIGENCE CERTIFICATION

The Board wishes to ensure that Prospective Successors are fully informed of their duties and obligations should they become Successor to the Permit. Accordingly, the Prospective Successor must carefully review the items below and must initial indicating its agreement and understanding.

_____ If the Application is approved, the Prospective Successor will assume all liability for the reclamation of the affected land, and for compliance with the Hard Rock Act and Rules or the Construction Materials Act and Rules, as applicable (available online at http://mining.state.co.us/Rules%20and%20Regs.htm). Successor will be liable for any pre-existing conditions or violations, whether known or unknown at the time of the SO. It is the Prospective Successor's sole responsibility to investigate the operation prior to filing an Application.

_____ If the Application is approved, the Successor will be solely responsible for maintaining the mining and reclamation operations in compliance with the Reclamation Permit. The Permit includes the original approved Application, along with any and all subsequent revisions, amendments, and conversions thereto. It is not uncommon for a Permit to include dozens of documents that span many years. It is the Successor's sole responsibility to obtain a full and complete copy of the Permit and to understand the extent of his/her/its obligations thereunder. Permit documents may be purchased from the Division of Reclamation, Mining and Safety (the "Division") upon request or viewed on the Division's website at http://drmsweblink.state.co.us/drmsweblink/search.aspx?dbid=0

_____ If the Application is approved, the Successor must submit Annual Fees and Annual Reports to the Division on the anniversary date of the Reclamation Permit. For hard rock and designated mining operations, consult C.R.S. § 34-32-127(2) for the amount of the Annual Fee. For construction materials operations, consult the C.R.S. § 34-32.5-125 for the amount of the Annual Fee. Required annual reporting information is described in Hard Rock and Construction Materials Rule 1.15 and in the Annual Report Form provided by the Division. Failure to submit Annual Fees or Annual Reports may result in enforcement action.

APPLICANTS' AGREEMENT TO REQUEST TRANSFER OF MINERAL PERMIT AND SUCCESSION OF OPERATORS

WHEREAS, on December 15, 1978 Permit Number M-1977-317 ("Permit") was granted to Summit Brick and Tile Company, Inc. ("Permittee"), pursuant to which Permit, Permittee has engaged in a mining operation located in Pueblo County, Colorado.

WHEREAS, The Permit includes and incorporates any and all subsequent Amendments, Technical Revisions and/or Conversions.

WHEREAS, Permittee wishes to assign the entire Permit, along with all associated rights and responsibilities to Seifert Enterprises LLC ("Prospective Successor"), and Prospective Successor wishes to become Successor Permittee under the Permit.

WHEREAS, Prospective Successor has inspected the mining and reclamation operations and is fully aware of the conditions thereof.

WHEREAS, Prospective Successor understands that the Reclamation Plan (the "Plan") is an integral part of the Permit and is required by law. Prospective Successor has had an opportunity to thoroughly review the Plan, understands that the Plan has not been completed and that, if Prospective Successor becomes Successor, he/she/it will assume full responsibility for the completion of the Plan.

NOW THEREFORE, Permittee and Prospective Successor hereby agree, for their own benefit and for the benefit of the State, as follows:

Prospective Successor agrees to accept all of the conditions of the Permit, including the condition that the operation remains in compliance with all applicable laws and regulations, and to perform all of the obligations of the Permittee under the Permit.

Prospective Successor agrees to complete the Plan, and to assume all liability for the same, as to all areas presently disturbed, as well as to all areas hereafter disturbed.

Prospective Successor agrees to submit to the Division of Reclamation, Mining and Safety ("Division"), Performance and Financial Warranties, as required by applicable law and regulations, which will be substituted for the Performance and Financial Warranties previously filed by the Permittee, if and when the Division approves a Transfer of Mineral Permit and Succession of Operators ("SO") and releases the latter Warranties.

Prospective Successor represents to the State that, to the best of its knowledge, information and belief, it is not in violation of any of the provisions of the Mined Land Reclamation Act (C.R.S. § 34-32-101 *et. seq.*) ("Hard Rock Act") and associated Rules (2 C.C.R. 407-1) ("Hard Rock Rules") or the Land Reclamation Act for the Extraction of

Construction Materials (C.R.S. § 34-32.5-101 *et. seq.*) ("Construction Materials Act") and associated Rules (2 C.C.R. 407-4) ("Construction Materials Rules"), with respect to any other operation conducted by the Prospective Successor in the State of Colorado.

Permittee and Prospective Successor hereby request that the Mined Land Reclamation Board ("Board") approves their SO Application, recognizes the Prospective Successor as Successor Operator under the Permit, accepts the Prospective Successor's Performance and Financial Warranties, and releases the current Permittee's Performance and Financial Warranties.

SIGNED, SEALED AND DATED this 25 day of February, 2020.

PERMITTEE

SUMMIT BRICK AND TILE COMPANY

Name of Permittee

By Matthew R Welte

Signature of Officer

CEO

Title of Officer

PROSPECTIVE SUCCESSOR

SEIFERT ENTERPRISES, LLC

Name of Prospective Successor

By

Signature of Officer

CEO

Title of Officer

NOTARY FOR PERMITTEE

STATE OF Colorado)
) ss.:
COUNTY OF Pueblo)

The foregoing instrument was acknowledged before me this 28th day of February, 2020, by Matthew R. Welte as CEO of Summit Brick & Tile Co.

Notary Public Kristin A. Bower

My Commission Expires June, 9, 2023

KRISTIN A BOWER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20114036291
MY COMMISSION EXPIRES JUNE 9, 2023

NOTARY FOR PROSPECTIVE SUCCESSOR

STATE OF Colorado)
) ss.:
COUNTY OF Custer)

The foregoing instrument was acknowledged before me this 28 day of January, 2020, by Creaton Stafford as CEO of Seifert Enterprises, LLC

Notary Public Shawn Louise Wise

My Commission Expires 9-23-2023

SHAWN LOUISE WISE
Notary Public
State of Colorado
Notary ID # 20154018217
My Commission Expires 09-23-2023

STATE APPROVAL
[for completion by Division]

(a) The Board hereby approves the transfer of permit number M-1977-917 from Summit Brick & Tile Co. to Seifert Enterprises, LLC.

(b) The Board hereby recognizes Seifert Enterprises, LLC as Successor Operator under such Permit.

(c) The Board hereby accepts the Performance and Financial Warranties submitted by Successor and hereby releases Summit Brick & Tile Co., as former Permittee from all obligations under its Performance and Financial Warranties. The Board further releases all affected financial warrantors from obligations under Financial Warranties associated with the former Permittee.

STATE OF COLORADO
DEPARTMENT OF NATURAL RESOURCES
MINED LAND RECLAMATION BOARD
DIVISION OF RECLAMATION, MINING AND SAFETY

By: _____ Date Executed: 3.30.20
Division Director

[redacted]

SEIFERT ENTERPRISES, LLC.
719-783-2757
198 Range View Loop
Westcliffe, CO 81252

Century Bank
PO BOX 1507
Sante Fe, NM 87504
[redacted]

Permit# M1977317
Receipt# 30741

12/27/2019

PAY TO THE ORDER OF Colorado Div. of Reclamation $ **144.00

One Hundred Forty-Four and 00/100********** DOLLARS

Colorado Div. of Reclamation
1313 Sherman St.,
Attn: ~~Barbara Goria~~ Gabriel BenVenuti
Room 215
Denver, CO 80203

MEMO

MP

SEIFERT ENTERPRI

[redacted]

Colorado Div. of Reclamation 12/27/2019

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
12/27/2019	Bill	M-1977-317	144.00	144.00		144.00
					Check Amount	144.00

Checking - Century Ba 144.00

Division of Reclamation, Mining, and Safety

Fee Receipt for M1977317

Summit Brick & Tile Co.
Joseph Welte
P.O. Box 533

Pueblo CO 810020533

Receipt #: 30741
Date: 12/30/2019
Permit: M1977317

Payment Method	Revenue Code	Fee Description/Notes	Amount
Check #011483	4300-MSO0	Minerals Succession of Operators User: sdt Payer: Seifert Enterprises, LLC SO02	$144.00
		Receipt Total:	**$144.00**

JPL
AWA

Division of Reclamation, Mining, and Safety

Fee Receipt for M1977317

Summit Brick & Tile Co.
Joseph Welte
P.O. Box 533

Pueblo CO 810020533

Receipt #: 31144
Date: 03/23/2020
Permit: M1977317

Payment Method	Revenue Code	Fee Description/Notes	Amount
Check #001219	4300-MSO0	Minerals Succession of Operators User: sdt Payer: Seifert Enterprises,LLC SO02	$144.00
		Receipt Total:	**$144.00**

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. Four strand barbed wire fence along east and south boundary of permit area.
2. NO ADDED STRUCTURES
3. CM STARKEY, JR PRES GS LAND +
4. CATTLE CO.
5. NM

(*Please list additional structures on a separate page*)

NOTARY FOR STRUCTURE OWNER

ACKNOWLEGED BY:

Structure Owner [signature] Name C. M. STARKEY, JR

Date 18 FEB 2020 Title PRESIDENT

STATE OF Texas)
) ss.
COUNTY OF Lubbock)

The foregoing was acknowledged before me this 18 day of February, 2020, by C.M. Starkey as President of LOS Land and Cattle. CO.

[signature] My Commission Expires: 03-18-2023
Notary Public

CORTNEY LOPEZ
Notary Public, State of Texas
Notary ID# 13193544-1
My Commission Expires 03-18-2023

COLORADO
Division of Reclamation, Mining and Safety
Department of Natural Resources

Documentation of Legal Authority to Execute Financial Warranty Documents

The Colorado Mined Land Reclamation Board ("Board") has adopted the attached Affidavit of Authority to Execute Financial Warranty Documents pursuant to the Mined Land Reclamation Act (C.R.S. § 34-32-101 et. seq.) and the Land Reclamation Act for the Extraction of Construction Materials (C.R.S. § 34-32.5-101 et. seq.). The Board and the Division of Reclamation Mining and Safety ("Division") have determined that, in order to carry out the financial warranty requirements set forth in C.R.S. §§ 34-32-117 and 34-32.5-117 with reasonable diligence, it is prudent to verify the legal authority of the individual signing all necessary documents.

Accordingly, you must provide confirmation of the legal authority of the individual signing all Financial Warranty Documents to the Division. You may do so either by submitting a resolution of the decision-making body of your company that authorizes an individual to sign the Financial Warranty Documents on the company's behalf, or by completing and notarizing the attached affidavit. The Division reserves the right to require the attached affidavit in all circumstances. Please note that if you are a sole proprietor who is executing documents on your own behalf, documentation of legal authority is unnecessary.

1313 Sherman Street, Room 215, Denver, CO 80203 P 303.866.3567 F 303.832.8106 http://mining.state.co.us
Jared S. Polis, Governor | Dan Gibbs, Executive Director | Virginia Brannon, Director

Affidavit of Authority to Execute Financial Warranty Documents

Before me this day, the undersigned MATTHEW R WELTE [name of authorized person], in his/her capacity as CEO [title of authorized person] ("Affiant"), personally appeared and, being first duly sworn upon oath said:

1. This affidavit is being executed and submitted on behalf of SUMMIT BRICK & TILE CO [name of business organization], a(n) CORPORATION [legal form of business organization, *e.g.*, corporation, partnership, limited liability company, etc.], in good standing in the State of Colorado (the "Company").

2. It is in the interest of the Company to execute certain financial warranty documents associated with file number M-1977-317 (DRMS file number), which are required by the Colorado Mined Land Reclamation Board and Division of Reclamation Mining and Safety pursuant to Colorado law ("Financial Warranty Documents").

3. Affiant is duly authorized to sign such Financial Warranty Documents on behalf of the Company and to bind the Company to the same.

4. Affiant is not prohibited or limited by the Company's governing documents or by any applicable law from executing the Financial Warranty Documents.

5. Affiant will inform the Division of Reclamation Mining and Safety within thirty (30) days in the event that his/her authorization to execute Financial Warranty Documents on the Company's behalf is terminated.

Further, Affiant sayeth not.

MATTHEW R WELTE
Affiant's Name

Matthew R Welte
Signature

KRISTIN A BOWER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20114036291
MY COMMISSION EXPIRES JUNE 9, 2023

STATE OF COLORADO)
) ss.:
COUNTY OF PUEBLO)

The foregoing instrument was acknowledged before me this 28th day of January, 2020, by Matthew R Welte as CEO of Summit Brick & Tile Co.

Notary Public Kristin A. Bower

My Commission Expires June 9, 2023

MinAffidavitAuthority.docx Rev. 08/16

KRISTIN A BOWER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174032291
MY COMMISSION EXPIRES JUNE 9, 2023

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. ROADWAY ALONG SOUTH BOUNDARY OF PERMITTED MINE LAND.
2. Waterline along south boundary of permitted mine land (No longer in use)
3. _____
4. _____
5. _____

(*Please list additional structures on a separate page*)

NOTARY FOR STRUCTURE OWNER

ACKNOWLEGED BY:

Structure Owner The Meadows at Legacy Ranch Name Rick Roberson

Date 2/8/2020 Title Vice President

STATE OF COLORADO)
) ss.
COUNTY OF PUEBLO)

The foregoing was acknowledged before me this 8 day of FEB, 2020, by Rick Roberson as Vice President of The Meadows at Legacy Ranch HOA

Melissa D. Pye
Notary Public

My Commission Expires: 12-24-2020

MELISSA D PYE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20044044156
MY COMMISSION EXPIRES DEC. 24, 2020

NOTARY FOR STRUCTURE OWNER

ACKNOWLEGED BY:

Structure Owner The Meadows at Legacy Ranch Name Rick Robertson

Date 2/8/2020 Title Vice President

STATE OF COLORADO)
) ss.
COUNTY OF PUEBLO)

The foregoing was acknowledged before me this 8 day of FEB, 2020, by Rick Robertson as Vice President of The Meadows at Legacy Ranch HOA

Melissa D Pye My Commission Expires: 12-24-2020
Notary Public

MELISSA D PYE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20044044156
MY COMMISSION EXPIRES DEC. 24, 2020

Need a list of structures that this applies to?

Seifert Enterprises, LLC
198 Range View Loop
Westcliffe, CO 81252
719-783-2757

Stockmens Bank
25 N Cascade Ave, Suite 100
Colorado Springs, CO 80903
76-647/1041

[redacted]

3/13/2020

PAY TO THE ORDER OF Div of Reclamation, Mining and Safety $ **144 00

One Hundred Forty-Four and 00/100********** DOLLARS

Division of Reclamation
Mining & Safety
1313 Sherman St , Room 215
Denver, CO 80203

Permit# M1977317
Receipt# 31144

MEMO

SHAWN WISE
7197835338
BEACH READYMIX
198 RANGEVIEW LOOP
WESTCLIFFE CO 81252

0.0 LBS LTR

1 OF 1

SHIP TO:
GABRIEL BENVENUTI
COLORADO DIVISION OF RECLAMATION
ROOM 215
1313 SHERMAN STREET
DENVER CO 80203

CO 802 9-50

UPS 2ND DAY AIR

2

TRACKING #: 1Z 12V A52 02 9030 5660

BILLING: P/P

XOL 19 10 10 NV45 20 0A 10/2019

Serving you for more than 100 years

UPS Worldwide Expedited

After recording, please return to:

1903845 WD 04/05/2012 10:24:51 AM
Page: 1 of 2 R 16.00 D 0.00 T 16.00
Gilbert Ortiz Clerk/Recorder, Pueblo County, Co

Reserved for recording information

WARRANTY DEED

THIS DEED, made this 7th day of March, 2012, between **Rocky Mountain Ranch & Land, LLC**, a Colorado limited liability company, (**"Grantor"**), and **Seifert Enterprises, LLC**, a Colorado limited liability company (**"Grantee"**), whose legal address is P.O. Box 210, Westcliffe, CO 81252.

WITNESSETH, that Grantor, for and in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto Grantee, all the real property, together with improvements, if any, situate, lying and being in the County of Pueblo, and State of Colorado, described as follows:

SEE ATTACHED EXHIBT A LEGAL DESCRIPTION

also known by street and number as VACANT LAND.

TOGETHER WITH all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with hereditaments and appurtenances. Grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of Grantee, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, **EXCEPT FOR TAXES FOR THE CURRENT YEAR AND SUBSEQUENT YEARS, EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.** The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

TOGETHER WITH, but as to which Grantor makes no warranties whatsoever, whether express or implied, all right, title and interest which Grantor may have in water and water rights allocated to this Property and any and all mineral rights Grantor may have and which are appurtenant to this Property.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto Grantee, their heirs and assigns forever.

EXHIBIT A

LOT NUMBER 20, IN THE MEADOWS AT LEGACY RANCH, LOCATED IN SECTIONS 27, 33, AND 34, TOWNSHIP 24 SOUTH , RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED JANUARY 12, 2009 UNDER RECEPTION NO. 1792638, COUNTY OF PUEBLO, STATE OF COLORADO.

CERTIFICATION

The Applicant, SEIFERT ENTERPRISES LLC (print applicant/company name). by TRENTON STAFFORD (print representative's name), as CEO (print representative's title), does hereby certify that THE MEADOWS AT LEGACY RANCH (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 CEDARWOOD CLAY MINE (operation name), File Number M-1977-317.

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

ACKNOWLEGED BY:

Applicant SEIFERT ENTERPRISES LLC Representative Name TRENTON STAFFORD

Date 1-20-20 Title CEO

STATE OF Colorado)
) ss.
COUNTY OF Custer)

The foregoing was acknowledged before me this 20 day of January, 20__, by Trenton Stafford as CEO of Seifert Enterprises LLC

Shawn Louise Wise My Commission Expires: 9-23-2023
Notary Public

SHAWN LOUISE WISE
Notary Public
State of Colorado
Notary ID # 20154018217
My Commission Expires 09-23-2023

SHAWN LOUISE WISE
Notary Public
State of Colorado
Notary ID # 20154018217
My Commission Expires 08 23 2023

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