

STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Xcel Structure Agreement-Confidential/Cross Caribou Mine

John Henderson <jrhcolaw@comcast.net>

Thu, Jun 18, 2020 at 9:40 AM

To: "amy.eschberger@state.co.us" <amy.eschberger@state.co.us>, Daniel Takami <danieltakami@gmail.com>, "Richard D. Mittasch" <rmittasch@nedmining.com>

All:

Attached please find the complete copy of the Xcel structure agreement with both signatures and notaries in place.

Please call me if you have any questions.

With regards,

John Henderson

John Richard Henderson
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**Signature Copy.pdf**

366K

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. Power Supply Lines Serving The Permit Area;
2. Power Supply Lines Crossing The Permit Area;
3. Power Supply Lines Within 200 Feet Of The
4. Permit Area
5. [All As Depicted On The Attached Map]
(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, GRAND ISLAND RESOURCES, LLC (print applicant/company name),
by DANIEL TAKAMI (print representative's name), as MANAGER (print
representative's title), does hereby certify that XCEL ENERGY INC. (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 M-1977-410 / SO-02, CROSS (operation name),
File Number M-1977-410. CARIBOU MINE

D. J. Th. Manager
*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 GRAND ISLAND RESOURCES, LLC Representative Name DANIEL TAKAMI
Date 6/18/2020 Title MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing was acknowledged before me this 18 day of JUNE, 2020, by
DANIEL TAKAMI as MANAGER of GRAND ISLAND RESOURCES, LLC

[Signature] My Commission Expires: 4/6/2022
Notary Public

JAMEY DOYLE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184015324
MY COMMISSION EXPIRES April 06, 2022

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Public Service Co of CO Name

Richard J. Grady
Richard J. Grady

Date 5/22/20

Title

Manager, Siting and Land Rights,
Right of Way & Permits Department
Public Service Company of Colorado

STATE OF (Colorado)

) ss.

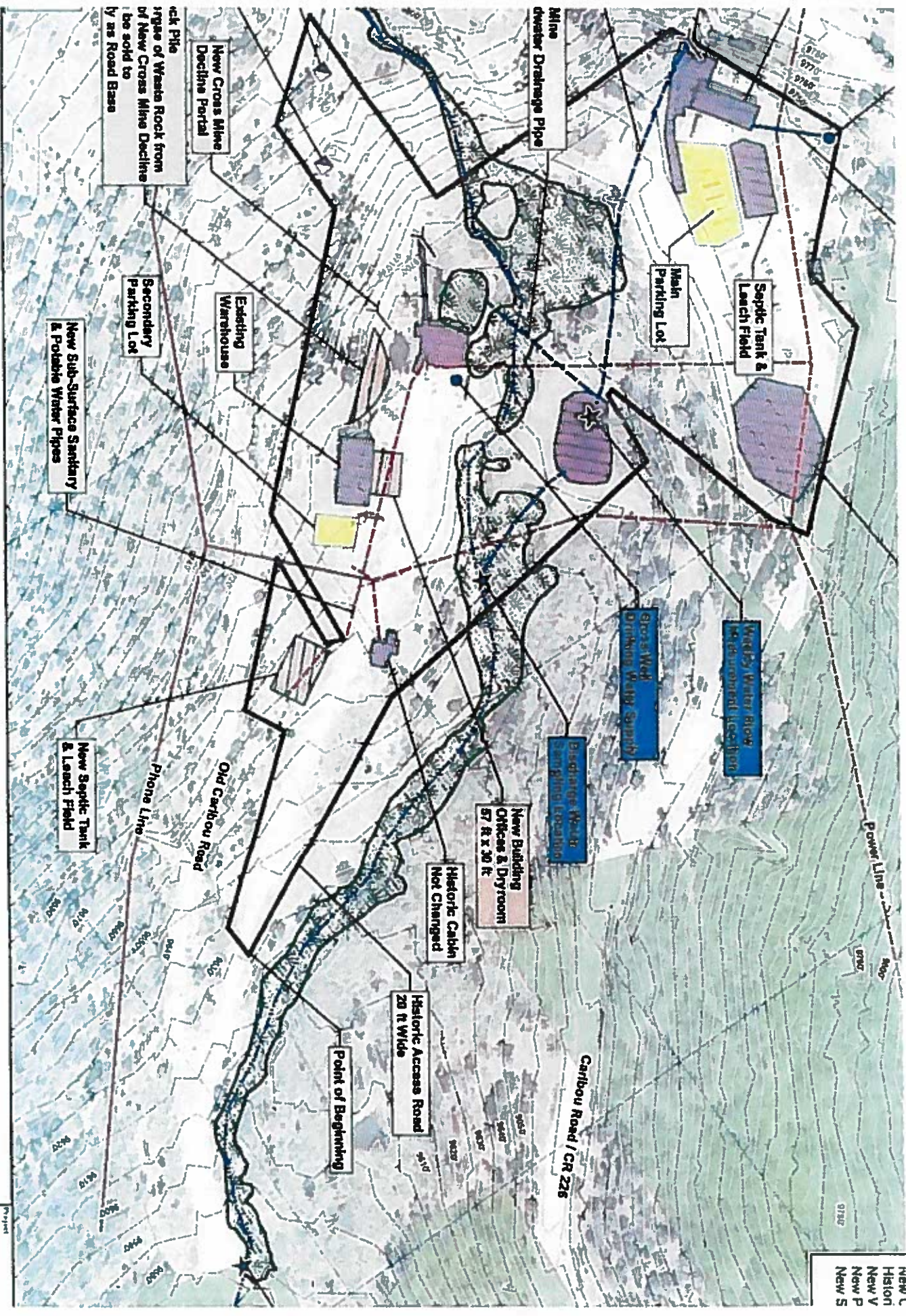
COUNTY OF Jefferson

The foregoing was acknowledged before me this 22nd day of May, 2020, by
Richard J. Grady as Manager of Siting and Land Rights
Right of Way & Permits Department

Robyn Martinez
Notary Public

My Commission Expires: 4/30/23

ROBYN MARTINEZ
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054038247
MY COMMISSION EXPIRES APRIL 30, 2023



- Drinking Water Supply Line
- Power Line
- Phone Line
- Escapeway
- Portal
- Historic Features
- New Features
- Parking Area
- Mailroad

