

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. Unimproved two-track road designated as Road 124

2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Kiewit Infrastructure Company (print applicant/company name),
by Brian Heikes (print representative's name), as Senior PM (print
representative's title), does hereby certify that Lazy D Grazing Association (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 Kiewit Carr Sand & Gravel Pit (operation name),
File Number M-2020-029.

*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 Brian Heikes

Date January 6, 2020 Title Senior PM

STATE OF Colorado)
) ss.

COUNTY OF Arapahoe)

The foregoing was acknowledged before me this 6th day of January, 2020, by
Brian Heike as SR. Project Manager of Kiewit Infrastructure Co.

V. R. Wiley My Commission Expires: March 23, 2023
Notary Public

VICTOR BRIAN WINCHELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19974020903
MY COMMISSION EXPIRES MARCH 23, 2023

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Lazy D Grazing Association Name Clint DePorter

Date 9/2/20 Title Sec/Treas

STATE OF Colorado)
COUNTY OF Larimer) ss.

The foregoing was acknowledged before me this 2nd day of September, 20 , by
Clinton DePorter as Owner of Lazy D. Grazing Association

J. Schofield
Notary Public

My Commission Expires: May 11, 2022

