



Greg Lewicki And Associates, PLLC

3375 W. Powers Circle
Littleton, CO 80123

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October 13, 2020

Eric Scott
Colorado Division of Reclamation, Mining, and Safety
1313 Sherman St, Rm 215
Denver, CO 80203

**Peak Ranch Resource
112 Regular Construction Materials Reclamation Permit Application
Structure Agreement Status and Tracking**

Mr. Scott

Attached to this letter is a table showing the status of structure agreements that the Peak Ranch Resource applicant, Kilgore Companies LLC dba Peak Materials has pursued with neighboring and adjacent structure owners. This is being provided to the Division for its records.

Please contact me if you have any further questions or concerns at (720) 842-5321 ex. 1.

Sincerely,

Ben Langenfeld, P.E.
Greg Lewicki and Associates

Peak Ranch Resource - Structure Owners Notice and Structure Agreement Report, as of October 8, 2020										
Permanent Structures within 200 Feet of the Affected Area				Mailing Address	Slope Stability Analysis and Request for Structure Agreement mailed	USPS Priority Mail Tracking #	Delivery Date/comments	Structure Agreement likely, to be Shared with DRMS when Complete	Structure Agreement Executed and shared with DRMS	No Structure Agreement Anticipated (no response or request for Agreement)
Structure ID #	Owner	Structure	General Location							
1	Charles B Fox	Garage	Northwest of affected area	5388 S Lewiston St Aurora, CO 80015	2020-08-03	9405511899563024712294	8/5 at 2:55 pm Delivered, In/At Mailbox			x
2	Colorado Department of Transportation	Culvert	East of the affected area, under CO-9 (Colorado Hwy 9) approx. 150 north of Elk Run Rd	2829 W. Howard Pl Denver, CO 80204	2020-08-03	9405511899563024715066	8/5 at 12:04 pm Delivered, In/At Mailbox			x
3	Summit County	Elk Run Road	East side of the affected area; intersects with CO-9	PO Box 626 Frisco, CO 80443-0626	2020-08-03	9405511899563024712034	8/4 at 8:47 am Delivered, PO Box			x
4	Colorado Department of Transportation	Colorado Highway 9	East of the affected area	2829 W. Howard Pl Denver, CO 80204	2020-08-03	9405511899563024715066	8/5 at 12:04 pm Delivered, In/At Mailbox			x
5	Kilgore Companies, LLC	Fence	Within the affected area and along western and eastern edges		not applicable	n/a	n/a	n/a	n/a	n/a
6	Mountain Parks Electric	Rural 3-Phase power distribution line w/power pole, 30' Easement	Just inside the eastern edge of the affected area, running parallel to CO-9	PO Box 170 Granby, CO 80446-0170	2020-08-03	9405511899563024712188	8/5 at 1:10 pm Delivered, PO Box		Agreement Attached	
7	Elizabeth A Sanjuan & Kenneth C. Brown	Driveway	South of the affected area	145 NW 15th St Delray Beach, FL 33444	2020-08-03	9405511899563024712645	Forwarded to proper address 8/5; receipt of letter acknowledged by owner via email on 8/15/2020; Letter received 8/21 stating structure agreement was sent to attorney.	x		
8	Elizabeth A Sanjuan & Kenneth C. Brown	Fence	South of the affected area	145 NW 15th St Delray Beach, FL 33444	2020-08-03	9405511899563024712645	Forwarded to proper address 8/5; receipt of letter acknowledged by owner via email on 8/15/2020; Letter received 8/21 stating structure agreement was sent to attorney.	x		
9	United States Forest Service	Fence	West of the affected area	PO Box 620 Silverthorne, CO 80498-0620	2020-08-03	9405511899563024710832	8/5 at 10:01 am Delivered, PO Box			x
10	Charles B Fox	Fence	Northwest of the affected area	5388 S Lewiston St Aurora, CO 80015	2020-08-03	9405511899563024712294	8/5 at 2:55 pm Delivered, In/At Mailbox			x
11	United States Postal Service	Post boxes	Southeast of intersection of CO-9 and Elk Run Rd	518 Brian Ave Silverthorne, CO 80497	2020-08-03	9405511899563024710610	8/5 delivered to an agent for final delivery			x
12	Dale Montagne Revocable Living Trust	Artwork	Northeast of intersection of CO-9 and Elk Run Rd	377 Elk Run Road Silverthorne, CO 80498	2020-08-03	9405511899563024712706	8/5 at 3:41 pm Delivered, In/At Mailbox			x
13	Colorado Department of Transportation	Fence	Across CO-9, east of the site	2829 W. Howard Pl Denver, CO 80204	2020-08-03	9405511899563024715066	8/5 at 12:04 pm Delivered, In/At Mailbox			x
14	Summit County	Culvert	Beneath Elk Run Rd	PO Box 626 Frisco, CO 80443-0626	2020-08-03	9405511899563024712034	8/4 at 8:47 am Delivered, PO Box			x
15	Kilgore Companies, LLC	House and various farm buildings	Within affected area		not applicable	n/a	n/a	n/a	n/a	n/a
16	Kilgore Companies, LLC	Groundwater monitoring wells	Various locations within the affected area		not applicable	n/a	n/a	n/a	n/a	n/a
17	Kilgore Companies, LLC	Private powerline and poles	Interior of the affected area on the east side		not applicable	n/a	n/a	n/a	n/a	n/a
18	Town of Breckenridge	60' drainage ditch easement	Bisecting the site, east to west	PO Box 168 Breckenridge, CO 80424	2020-08-03	9405511899563024712553	8/4 at 10:47 am Delivered, PO Box	x		

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Structure ID #	Owner	Structure	General Location							
19	Kilgore Companies, LLC	Driveway	Interior of affected area		not applicable	n/a	n/a	n/a	n/a	n/a
20	Town of Breckenridge	50' access easement		PO Box 168 Breckenridge, CO 80424	2020-08-03	9405511899563024712553	8/4 at 10:47 am Delivered, PO Box	x		
21	Mountain Parks Electric	Power poles	Northeast of intersection of CO-9 and Elk Run Rd	PO Box 170 Granby, CO 80446-0170	2020-08-03	9405511899563024712188	8/5 at 1:10 pm Delivered, PO Box		Agreement Attached	
22	Century Link	Underground telephone lines and telephone pedestals	East of affected area, pedestals are near Elk Run Rd	Right of Ways 700 W. Mineral Ave Littleton, CO 80120	2020-08-03	9405511899563024715493	8/5 at 11:54 am Delivered, In/At Mailbox			x
23	Kilgore Companies, LLC	Stable	Interior of affected area		not applicable	n/a	n/a	n/a	n/a	n/a
24	Kilgore Companies, LLC	Gate	Interior of affected area		not applicable	n/a	n/a	n/a	n/a	n/a
25	Colorado Department of Transportation	Stop Sign	Northeast of intersection of CO-9 and Elk Run Rd	2829 W. Howard Pl Denver, CO 80204	2020-08-03	9405511899563024715066	8/5 at 12:04 pm Delivered, In/At Mailbox			x
26	Kilgore Companies, LLC	Onsite Waterline and Well	Interior of affected area from well to house and troughs		not applicable	n/a	n/a	n/a	n/a	n/a
27	Kilgore Companies, LLC	Septic System	Within affected area, near existing buildings		not applicable	n/a	n/a	n/a	n/a	n/a

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 may 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 damages to the structure; or
- b) Where 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. Powerlines
- 2. Powerpoles
- 3. _____
- 4. _____
- 5. _____

CERTIFICATION

The Applicant, Kilgore Companies, LLC dba Peak Materials, represented by Russell A. Larsen, as Colorado Companies COO, does hereby certify that Mountain Parks Electric (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 Peak Ranch Resource.

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: Kilgore Companies, LLC dba Peak Materials

Representative Name: Russell A. Larsen

Date: 10-6-2020

Title: Colorado Companies COO

STATE OF Colorado)

) ss.

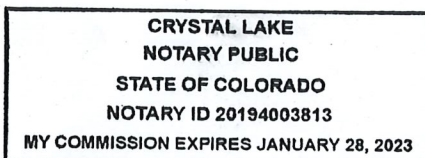
COUNTY OF Mesa)

The foregoing was acknowledged before me this 6th day of October, 2020 by

Russell Larsen as Colorado Companies COO of Kilgore Companies, LLC dba Peak Materials

Crystal Lake
Notary Public

My Commission Expires: 1-28-23



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY: [Signature]

Structure Owner: Mountain Parks Electric Name: Mark Johnston

Date: 8/6/2020 Title: General Manager

STATE OF Colorado)
COUNTY OF Grand) ss.

The foregoing was acknowledged before me this 6 day of August, 2020, by

Mark Johnston as General Manager of Mountain Parks Electric

[Signature] My Commission Expires: September 9, 2021
Notary Public

