



### Damage and Liability Agreement

#### Highbury Resources and San Miguel Power Association, Inc.

JD-9 Mine- Portal/Vent Hole Locations (3)

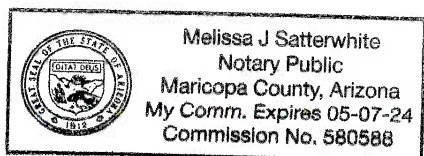
This agreement between Highbury Resources and San Miguel Power Association, Inc. (SMPA), provides that Highbury Resources agrees to provide compensation for any damage to SMPA assets caused by the mining operations at noted locations within SMPA service territory. This agreement and terms within shall run with the mine operation and shall be binding upon and inure to the benefit of the parties hereto, their heirs, successors and assigns. This agreement is to comply with Rule 6.4.19 of the Colorado Mined Land Reclamation Board Regulations referencing any adverse consequence of any significant, valuable, or permanent man-made structure located within 200 feet of the affected land. (see attached Exhibit)

Highbury Resources

By

Joshua Bleak – Director

The forgoing instrument was acknowledged before me this 27<sup>th</sup> day of October, 2020, by Joshua Bleak as Director of Highbury Resources



Notary Public

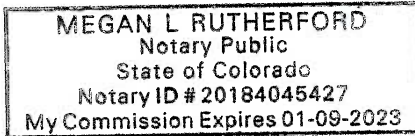
My Commission expires:

May 07, 2024

San Miguel Power Association, Inc.

By Jeremy Fox

The forgoing instrument was acknowledged before me this 14<sup>th</sup> day of November, 2020,  
by Jeremy Fox as Engineering Manager of San Miguel Power Association, Inc.



Megan L. Rutherford  
Notary Public

My Commission expires: 11/9/2023