



Southeast Colorado Power Association  
3601 South Main  
Lamar, CO 81052

February 22, 2021

*Re: Agreement for Compensation for Damage to Structures within 200 feet of mining activities*

To Whom It May Concern:

Prowers Aggregate Operators, LLC has applied for an amendment to their current State of Colorado Division of Reclamation, Mining, and Safety (DRMS) Reclamation Permit M2008-078 to allow sand and gravel mining on property within 200 feet of structures located on your property. The Colorado Mined Land Reclamation Act provides protection for your property, and specific protection for your structures located within 200 feet of the mining activities.

DRMS Permit approval requires a notarized agreement between the applicant and owners of structures within 200 feet of the mining activities, providing compensation for any damage to the structure; or preparation of an engineering evaluation acceptable to the DRMS, demonstrating that such structure(s) shall not be damaged by the mining activities if an agreement cannot be reached.

Southeast Colorado Power Association (SECPA) has agreed to relocate their powerline that crosses the Phase 3 mining area to the east edge of the highway realignment parcel, and has provided the cost required to relocate the power line to Prowers Aggregate Operators. Prowers Aggregate Operators has agreed to pay the costs associated with relocating the power line.

With this letter, Prowers Aggregate Operators, LLC (PAO) requests Southeast Colorado Power Association's (SECPA's) authorization to conduct mining and reclamation activities within 200 feet of SECPA's structure(s). In return for this operation, Prowers Aggregate Operators agrees to add SECPA as an Additional Insured for liability coverage as evidence by current certificate of insurance attached. Your notarized signature below grants permission for PAO to conduct said activities within 200 feet of SECPA's structure(s) and acts as confirmation of PAOs' commitment to provide full compensation to SECPA for its damages as set out herein.

Sincerely,

  
Karl Nyquist, Manager  
Prowers Aggregate Operators, LLC

2/22/21  
Date

State of Colorado  
County of Jefferson

The foregoing instrument was acknowledged before me this February 22, 2021 (date)  
by Karl Nyquist (name of person acknowledging).

  
(Notary's official signature)



5-15-24  
(Commission expiration)

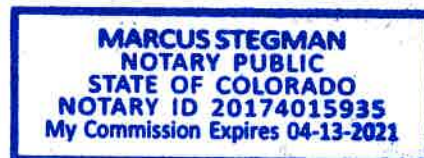
  
Southeast Colorado Power Association

2-24-2021  
Date

State of Colorado  
County of Baca

The foregoing instrument was acknowledged before me this February 24<sup>th</sup>, 2021 (date)  
by Marcus Stegman (name of person acknowledging).

  
(Notary's official signature)



04-13-2021  
(Commission expiration)