

Prowers County
301 South Main
Lamar, CO 81052

June 2, 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. County Road HH.5 is the structure that is 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.

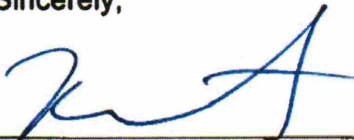
GP Aggregates, LLC (the land owner and Prowers County Special Use Permit holder) and Prowers County have an existing agreement for the use and maintenance of county roads as part of their mining activities at the West Farm Pit. The agreement specifies that the mining operation will maintain the roads and repair any damage to the roads caused by the mining operation. The executed existing agreement is attached for reference. This amendment to the agreement includes Figure 1 depicting the County Road HH.5 and part of the intersection of CR 11 and HH.5 for the required road maintenance. Areas that are not included are the following:

1. The vacated portion of County Road 9 between County Road HH.5 and County Road HH.7;
2. The vacated portion of County Road HH.7 from County Road 9 to County Road 11;
3. The vacated portion of County Road 11 between County Road HH.7 and County Road JJ;

4. The vacated portion of County Road JJ between County Road 11 and County Road 12;
5. And the vacated portion of County Road 12 between County Road JJ and U.S. Highway 50.

PAO requests that you sign/notarize this letter confirming that the previous agreement is still in affect and is valid for the amended mine layout. Figure 1 shows the amended mine layout and the location of the county roads to be maintained.

Sincerely,



Karl Nyquist, Manager
Prowers Aggregate Operators, LLC

6/3/21
Date

State of Colorado
County of Jefferson

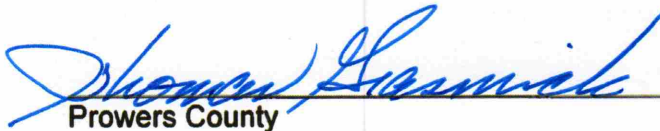
The foregoing instrument was acknowledged before me this June 3, 2021 (date)
by Karl Nyquist (name of person acknowledging).



(Notary's official signature)



5/15/24
(Commission expiration)

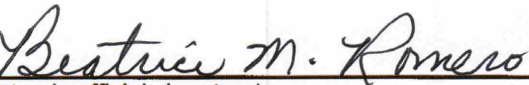


Prowers County

6/4/2021
Date

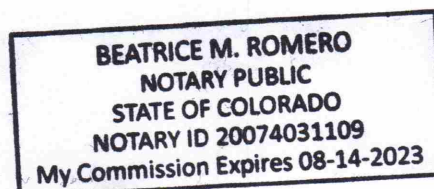
State of Colorado
County of Prowers

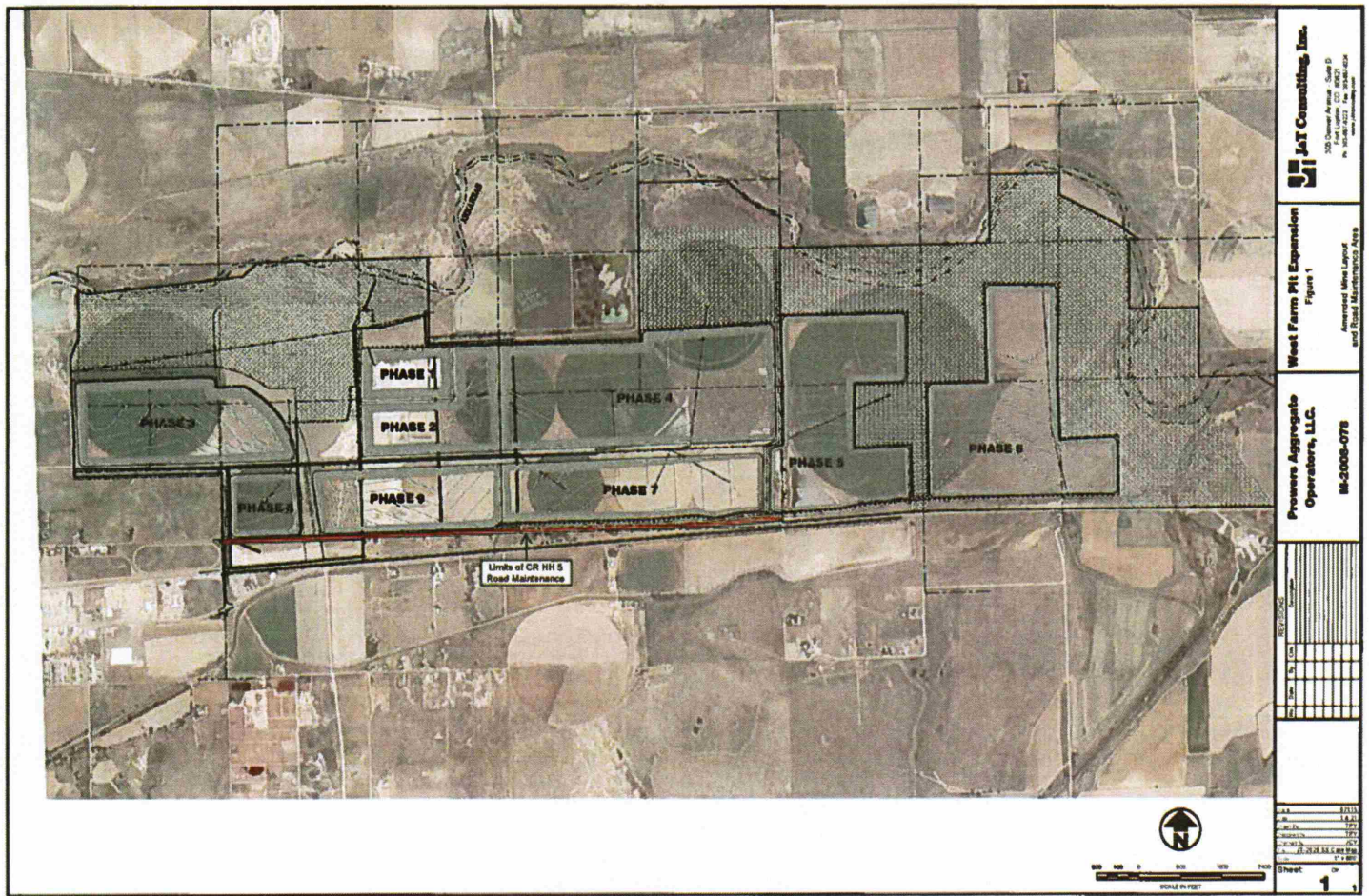
The foregoing instrument was acknowledged before me this 4th, June 2021 (date)
by Beatrice M. Romero (name of person acknowledging).



(Notary's official signature)

08-14-2023
(Commission expiration)





JAT Consulting, Inc.
 100 Central Avenue, Suite D
 West Farm, NC 28787
 Tel: 828.285.1234
 Fax: 828.285.1235
 Email: info@jatconsulting.com

West Farm Pit Expansion
 Figure 1
 Assumed Mine Layout
 and Road Maintenance Area

**Powers Aggregate
 Operators, LLC.**
 M-2008-078

REV	DATE	BY	CHK	DESCRIPTION
1	10/20/2011	JAT		Initial Design
2	10/20/2011	JAT		Revised Design
3	10/20/2011	JAT		Final Design

Sheet **1** of 1