



November 2, 2021

Colorado Division of Reclamation, Mining,
and Safety Board
Attention: Brock Bowles - Environmental Protection
Specialist 1313 Sherman St, Room 215
Denver, CO 80203

Via Email followed by original Fed Ex
brock.bowles@state.co.us

Re: Timnath Connell Pit Permit No. M-1999-
050 Technical Revision 6

Dear Mr. Bowles:

On October 26, 2021 the Town of Timnath approved annexation of a portion of land owned by CWH Properties LLC and part of an active mining operation permitted by Connell Resources Inc. The annexation includes an extension of Weitzel Road connecting through CWH Properties LLC to Larimer County Road 5. This road right-of-way will be under jurisdiction and deeded to the Town of Timnath as part of the annexation and associated agreements. We agree that the DRMS can release that ROW land from reclamation responsibilities and liabilities associated with the Colorado Mining Permit M-199-050. All other permitted property will remain the responsibility of Connell Resources Inc. pursuant to the above referenced permit.

Also attached is an executed structure agreement from Connell Resources Inc and Timnath regarding the road and all improvements within the ROW in the future until when the mining permit is completed and released by the DRMS in the future. We understand the DRMS requires operators to obtain these agreements from those entities having facilities within 200' of a mining operation and we approve and consent to those permitted operations occurring on property adjoining Timnath's ROW.

Respectfully submitted,

Donald N. Taranto, P.E.
Public Works Director – Town of Timnath

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. Weitzel Road and road right-of-way
2. _____
3. _____
4. _____
5. _____

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, Connell Resources, Inc. (print applicant/company name),
by John M. Warren (print representative's name), as Vice President of Operations (print
representative's title), does hereby certify that Town of Timnath (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 Timnath Connell Pit (operation name),
File Number M-1999-050.

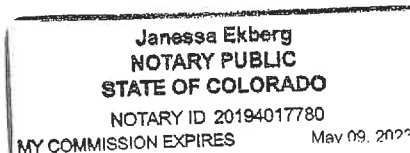
*This form has been approved by the Colorado Mined Land Reclamation Board pursuant to its
authority under the Colorado Land Reclamation Act for the Extraction of Construction Materials and
the Colorado Mined Land Reclamation Act for Hard Rock, Metal, and Designated Mining Operations.
Any alteration or modification to this form shall result in voiding this form.*

NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant Connell Resources, Inc. Representative Signature [Signature]
Date 12/6/21 Title Vice President of Operations

STATE OF Colorado)
) ss.
COUNTY OF Lanier)



The foregoing was acknowledged before me this 6th day of October, 2021, by
John Warren as Vice President of Connell Resources, Inc.

[Signature] My Commission Expires: 06/09/2023
Notary Public

NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner Town of Timnath

Signature



Date November 2, 2021

Title Public Works Director

STATE OF Colorado)

) ss.

COUNTY OF Garimer)

The foregoing was acknowledged before me this 2nd day of November, 2021, by Donald W. Taranto as Public Works Director of Town of Timnath.


Notary Public

My Commission Expires: 6/18/24

