

## **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. Owl Mountain Ranch access road to Fairbanks Pit.  
\_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

*(Please list additional structures on a separate page)*

**CERTIFICATION**

The Applicant, Corner Properties, LLC (print applicant/company name),  
by Tristan Koch (print representative's name), as Manager (print  
representative's title), does hereby certify that <sup>Owl Mountain Ranch, LLC an individual protected series</sup>  
<sup>of Foxmoore Properties, LLC an Oklahoma series LLC</sup> (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 Fairbanks Pit (operation name),  
File Number M-2008- 058.

*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:

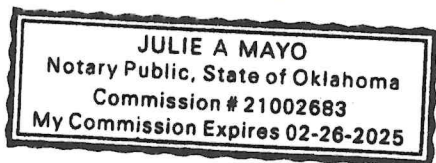
Applicant [Signature] Representative Name Tristan Koch

Date 6/8/23 Title Manager

STATE OF Oklahoma )  
 ) ss.  
COUNTY OF Tulsa )

The foregoing was acknowledged before me this 8 day of June, 2023, by  
Tristan Koch as Manager of Corner Properties LLC

[Signature] My Commission Expires: 02/26/2025  
Notary Public



**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY:

Structure Owner James R Moore Name James R Moore

Date 6/8/23 Title President, Mountain Enterprises Inc.,

STATE OF Oklahoma ) ss. Manager

COUNTY OF Tulsa )

The foregoing was acknowledged before me this 8 day of June, 2023, by  
James R. Moore as President, Mountain Enterprises, Inc. of Dw/ Mountain Ranch, LLC.  
manager an individual protected series  
of Foxmoore Properties LLC  
an Oklahoma series LLC

Julie A Mayo  
Notary Public

My Commission Expires: 02/26/2025





