



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. All infrastructure belonging to the City of Cañon City referenced in the long-term License Agreement between the City of Cañon City and Holcim-WCR, Inc. (formerly known as Tezak Heavy Equipment, Co., Inc.); including but not limited to roads, pipelines, water mains, ditches, fences, water treatment residuals drying beds, trails, etc.

CERTIFICATION

The Applicant, Holcim-WCR, Inc., by Kevin Peart, as Senior Vice President, does hereby certify that the City of Cañon City 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 T.H.E. Aggregate Source Tunnel Drive, File Number M-1977-193.

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.



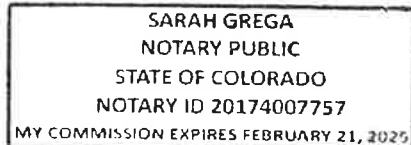
NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant [Signature] Representative Name Kevin Peart
Date 8/25/23 Title Senior Vice President
STATE OF Colorado
) ss.
COUNTY OF Jefferson

The foregoing was acknowledged before me this 25 day of August, 2023 by
Kevin Peart as Senior Vice President of Holcim.

[Signature] My Commission Expires: 2/21/25
Notary Public



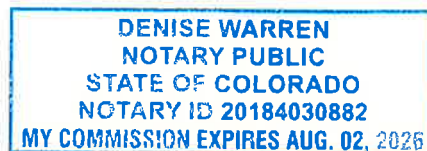
NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY:

Structure Owner [Signature] Name Ryan Stevens
Date 9/5/23 Title City Administrator
STATE OF Colorado
) ss.
COUNTY OF Fremont

The foregoing was acknowledged before me this 5 day of September, 2023 by
Ryan Stevens as City Administrator of City of Canon City.

[Signature] My Commission Expires: August 2, 2026
Notary Public



STATE OF
COLORADO

Cazier - DNR, Tim <tim.cazier@state.co.us>

Re: M-1977-193 / T.H.E. Aggregate Source SO Application Extension Approval

1 message

Kurt THURMANN <kurt.thurmann@holcim.com>

Fri, Sep 8, 2023 at 10:24 AM

To: "Cazier - DNR, Tim" <tim.cazier@state.co.us>

Cc: "Garufi, Katherine" <Katherine.Garufi@hdrinc.com>, Neil WHITMER <neil.whitmer@holcim.com>, "Stevenson-Benn - DNR, Sara" <sara.stevenson-benn@state.co.us>

Hi Tim,

Attached is the signed structure agreement with the City of Canon City. I believe this fulfills the documents requested for the SO-2 Incompleteness for T.H.E. Aggregate Source.

Please let me know if anything else is needed at this point.

Thanks,

Kurt Thurmann | Environmental and Land Manager
Mountain Region | Holcim - WCR, Inc.
Mobile: (720) 329-8851
1687 Cole Blvd., Suite 300
Golden, CO 80401

**BUILDING PROGRESS FOR
PEOPLE AND THE PLANET.**

On Fri, Sep 1, 2023 at 2:42 PM Cazier - DNR, Tim <tim.cazier@state.co.us> wrote:

Neil,

Attached for your records is a copy of the Division's approval letter to extend the deadline for the completion due date.

Tim Cazier, P.E. (he/him/his)
Environmental Protection Specialist III - Engineering
Mobile: 303-328-5229



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 x8169 | F 303.832.8106 | C 303.328.5229

Mailing Address: Division of Reclamation, Mining & Safety, Room 215, (optional: c/o: Tim Cazier), 1001 E 62nd Ave., Denver, CO 80216

Physical Address: 1313 Sherman St., Room 215, Denver, CO 80203

tim.cazier@state.co.us | <https://drms.colorado.gov>

On Fri, Sep 1, 2023 at 10:55 AM Kurt THURMANN <kurt.thurmann@holcim.com> wrote:

Hi Tim,

Please see the attached letter and documents in response to the SO-2 Incompleteness for T.H.E. Aggregate Source, Permit No. M-1977-193.

Holcim is requesting a short extension to obtain a signed copy of the Canon City Structure agreement. I need another week or so to get the signed copy back.

Please let me know if you have any questions.

Thanks,

Kurt Thurmann | Environmental and Land Manager
Mountain Region | Holcim - WCR, Inc.
Mobile: (720) 329-8851
1687 Cole Blvd., Suite 300
Golden, CO 80401



**BUILDING PROGRESS FOR
PEOPLE AND THE PLANET.**

On Fri, Jul 7, 2023 at 1:46 PM Cazier - DNR, Tim <tim.cazier@state.co.us> wrote:

Neil,

Attached for your records is a copy of the subject incompleteness letter. I have copied Kurt Thurmann as he requested to be notified of any DRMS comments.

Please contact me if you have any questions or concerns.

Tim Cazier, P.E. (he/him/his)
Environmental Protection Specialist III - Engineering
Mobile: 303-328-5229



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

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2023 Holcim_Canon City Structure Agreement _Signed.pdf

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