

BURNCO Colorado, LLC
10100 Dallas Street
Henderson, CO 80640
(720) 682-1124

August 15, 2023

RE: Ewing Gravel Pit – Mr. Ross Bachefor Structure Agreement

BURNCO Colorado, LLC (“**BURNCO**” or the “**Applicant**”) intends to operate a mining operation under a new permit on property they control in Weld County, Colorado in Section 30 of Township 2 North and Range 66 West of the 6th (Colorado) Principal Meridian.

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 (the “**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 (the “**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. Residence, driveway, fences, sheds _____
2. _____
3. _____
4. _____

5. _____

If there are any questions, BURNCO can be contacted at (720) 682-1124 or you can contact the project engineer, Ben Langenfeld, P.E., at (720) 842-5321, ex. 1.

If you agree, please sign and notarize a copy of this letter at the page with the heading "NOTARY FOR STRUCTURE OWNER" and send it back to the address above. If you are not authorized to sign this, please present it to the proper person who is authorized.

Devon Glosser
BURNCO Colorado, LLC

CERTIFICATION

The Applicant, BURNCO Colorado, LLC, represented by Devon Glosser, as Land & Resource Supervisor, does hereby certify that the Ross Bachofer (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 Colorado Mined Land Reclamation Board Reclamation Permit Application for the Ewing Gravel Pit.

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.

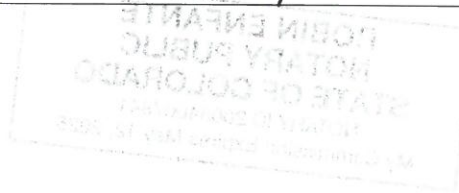
NOTARY FOR PERMIT APPLICANT

ACKNOWLEDGED BY:

Applicant BURNCO Colorado LLC Representative Name Devon Glosser

Date 10/17/2023 Title Land & Resource Supervisor

STATE OF Colorado)
) ss.
COUNTY OF Adams)



The foregoing was acknowledged before me this 17 day of October, 2023, by

Devon Glosser as Land & Resource Supervisor of BURNCO Colorado LLC.

Kristina Leigh Kingsley My Commission Expires: 10-11-2027
Notary Public

KRISTINA LEIGH KINGSLEY
Notary Public
State of Colorado
Notary ID # 20234038719
My Commission Expires 10-11-2027

NOTARY FOR STRUCTURE

ACKNOWLEDGED BY:

Structure Owner Ross Bachofer Name Ross Bachofer

Date October 16, 2023 Title Owner

STATE OF Colorado)

COUNTY OF Weld) ss.

The foregoing was acknowledged before me this 16 day of October, 2023 by

Ross J. Bachofer as President/Owner Structure

Robin Enfante
Notary Public

My Commission Expires May 12, 2025

