

Structure Agreement with Park County

This Agreement is made concurrently with Addendum A with Park County, which is attached hereto and is made a part of this Agreement. This Agreement runs throughout the term of the project M-2023-015.

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:

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;

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. Park County Road 696
2. Park County Road 12
- 3.
- 4.
- 5.

(Please list additional structures on a separate page)

CERTIFICATION

The Applicant, MineWater LLC (applicant/company name), by Joseph G Harrington (representative's name), as Manager (representative's title), does hereby certify that Park County (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 London Mine (operation name), File Number M-2023-015.

**NOTARY FOR PERMIT
APPLICANT**

ACKNOWLEDGED BY:



Applicant Minewater LLC Representative Name JOSEPH G. HARRINGTON

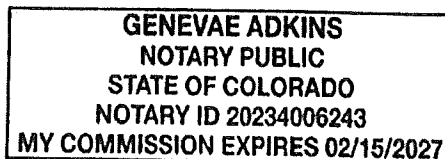
Date 11/8/2023 Title MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)


The foregoing was acknowledged before me this 8 day of November, 2023

By Joseph Harrington as Manager of Minewater, LLC

Genevael Adkins My Commission Expires: 02/15/2027
Notary Public



NOTARY FOR STRUCTURE OWNER

ACKNOWLEDGED BY: 

Structure Owner Park County Name Amy Mitchell


Date November 21, 2023 Title Bocc chairperson

STATE OF Colorado)
) ss.

COUNTY OF Park)

The foregoing was acknowledged before me this 21 day of November 2023, by

Amy Mitchell as chair person of Bocc.

 My Commission Expires: 05/08/2024
Notary Public

LISA A LEMICK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154007743
MY COMMISSION EXPIRES MAY 08, 2024

Addendum A

Re: London Mine Access and Maintenance Agreement with Park County

MineWater LLC requests Park County agreement in two areas:

- 1) agreement that MineWater is liable to maintain the portion of CR 696 to the extent that CR 696 is on MineWater property, (Exhibit L, Structure Indemnification Agreement) and
- 2) agreement that MineWater can operate off-road mining equipment (heavy haul trucks) on the portion of CR 696 that is crossing MineWater property.

Trucking:

- Haul Trucks operations through Park City will be between the hours of 7am to 7pm;
- Haul Trucks will obey the Park City speed limit of 15 miles per hour (mph);
- Haul Trucks will not use any air braking (jake-brakes) within a mile of Park City;
- MineWater will provide a local manager who will personally respond to citizen concerns within 24 hours during weekdays (with a sign posted next to the roadway section providing contact info); and,
- MineWater will publicize and host a community public event at the Board of County Commissioners meeting room in Fairplay at least annually to make senior management available to the community for any questions or concerns.

To augment these efforts, MineWater is proposing to establish an agreement with Park County that includes the details listed below.

MineWater Responsibilities:

1. MineWater to maintain County Rd 12 from Park City to County Road 696. This includes delivery of road-base or crushed asphalt, pothole fill, routine grading, product cost-share for magnesium-chloride application (for entire length of CR12), as-needed daily dust suppression (summer months), and snow removal (winter months). If Park County receives any notices of reported road damage along this section of road, MineWater will respond to the County within three business days with a plan for road improvements and mobilize equipment within 3 weeks of the identified issue. MineWater's performance will be measured and compared with a video windshield survey from the start of this phase of work and will attain and abide by Park County ROW Standard and Specifications.
2. MineWater to maintain County Rd 696 from County Road 12 to the 3-way split at the crest of the hill onto American Flats above the mine. This road maintenance includes delivery of road-base (or equivalent), pothole fill, routine grading, and snow removal (winter months) until access is no longer practical due to low temperatures, ice/snow accumulation, or access to this area of the mine is no longer necessary during the winter months.
3. MineWater agrees to provide the County with an option to participate at competitive market rates in the purchase of 10% of any additional water if/when developed from the Hock Hocking Mine (for up to 50 acre-feet per year targeted to be supplied to the County). This non-tributary



Fwd: London Mine Structure Agreement (signed both parties)

Joseph Harrington <jgh@minewater.com>

Wed, Nov 22, 2023 at 3:39 PM

To: Russell Elliott <Elliott.Russell@state.co.us>, Michael Cunningham - DNR <michaela.cunningham@state.co.us>, Eric Lancaster <ejl@minewater.com>, Jake Wilkinson <jwilkinson@crgmining.com>, Bob Oswald <bob.oswald5@gmail.com>, Ben Langenfeld <benl@lewicki.biz>

See Park county agreement

Joe Harrington
President -- MineWater LLC
www.MineWater.com
720-883-6700

Begin forwarded message:

From: Nick Bredsnajder <NBredsnajder@parkco.us>
Date: November 22, 2023 at 11:24:15 AM HST
To: Joseph Harrington <jgh@minewater.com>
Cc: Larry Giroux <lgiroux@hes-usa.com>, Mike Smith <JSmith@parkco.us>
Subject: London Mine Structure Agreement (signed both parties)

Joe,

Please see attached signed structure agreement for the London Mine. Have a good Thanksgiving!

Thank you,

Nick Bredsnajder

Park County

1246 CR 16 Fairplay, CO

CELL:719-656-0316

2 attachments



image001.jpg
4K



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187K