

An example Structure Agreement which meets the requirements of the Statutes is shown below.

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## **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. CLA Trust - Property/Fence Line
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

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

**CERTIFICATION**

The Applicant, Ogilvy River Farm, LLC (print applicant/company name),  
by Todd Bean (print representative's name), as Managing Member (print  
representative's title), does hereby certify that CLA Trust (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 Ogilvy River Farm Pit (operation name),  
File Number M-2024-006.

*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 Ogilvy River Farm LLC Representative Name [Signature]

Date 6-13-24 Title manager

STATE OF Colorado

COUNTY OF Weld ) ss.

The foregoing was acknowledged before me this 13<sup>th</sup> day of June, 2024 by  
Todd Bean as manager of Ogilvy River Farm, LLC

[Signature: Laura Marrs] My Commission Expires: 10-19-2027  
Notary Public

LAURA MARRS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20074039534  
MY COMMISSION EXPIRES OCT. 19, 2027

**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY:

Structure Owner CLA Trust Name Agnes Lorene Achziger  
Date 7-17-2024 Title Trustee

STATE OF COLORADO )  
 ) ss.  
COUNTY OF WELD )

The foregoing was acknowledged before me this 17 day of JULY, 2024, by  
AGNES LORENE ACHZIGER TRUSTEE of CLA TRUST

[Signature] My Commission Expires: MAR 20, 2028  
Notary Public

