

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. Southeast Colorado powerline
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

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

CERTIFICATION

The Applicant, City of Lamar (print applicant/company name),  
by Patrick Mason (print representative's name), as Public Works Director (print  
representative's title), does hereby certify that Southeast Colorado Power (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 Lamar Park Gravel Pit (operation name),  
File Number M-1981-078.

*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:

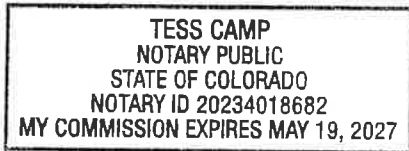
Applicant City of Lamar Representative Name Patrick Mason

Date 1-13-2025 Title Public Works Director

STATE OF Colorado )  
) ss.  
COUNTY OF Prowers )

The foregoing was acknowledged before me this 13<sup>th</sup> day of January, 2025, by  
Patrick Mason as Public Works Director of City of Lamar.

Tess Camp My Commission Expires: May 19, 2027  
Notary Public



**NOTARY FOR STRUCTURE OWNER**

ACKNOWLEDGED BY:

Structure Owner Southwest Colorado Power Ass. Name Mark Hall

Date 1-13-2025 Title Chief Operations Officer

STATE OF Colorado )  
 ) ss.  
COUNTY OF Prowers )

The foregoing was acknowledged before me this 13<sup>th</sup> day of January, 2025, by  
Mark Hall as Chief Operations Officer of Southwest Colorado Power Association

Troy Eberhardt My Commission Expires: 12-20-2028  
Notary Public

