

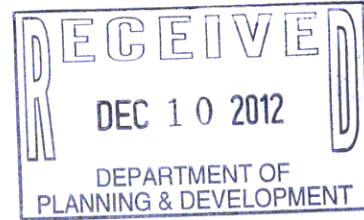


Colorado Springs Utilities

It's how we're all connected

December 6, 2012

Ms. Joan Armstrong
Director of Planning and Development
Pueblo County
229 w. 12th Street
Pueblo, CO 81003



**Re: Pueblo County Resolution No. 2009-22
1041 Permit No. 2008-002**

Dear Ms. Armstrong:

Pueblo County has requested funds from Colorado Springs Utilities for technical assistance in evaluating the revegetation and reclamation efforts of Springs Utilities pursuant to the terms and conditions of the Permit referenced above. Representatives of both parties have discussed the potential availability of such funds pursuant to condition No. 29 of the Permit without invoking the Dispute Resolution procedure of this Condition. Springs Utilities is agreeable to providing these funds pursuant to this Condition upon the agreement of Pueblo County to the following provisions which shall govern the disbursement of such funds:

The Applicant and Pueblo County agree that, at this juncture, there is no need or desire of either party to invoke the Dispute Resolution provision of Condition No. 29 of the Permit referenced above. Pueblo County has determined that it has a need to obtain technical assistance in order to assess compliance of the Applicant's revegetation and reclamation efforts undertaken pursuant to Permit terms and conditions. Pueblo County and the Applicant agree that an independent technical consultant(s) can be retained by Pueblo County for such purposes utilizing funds available to the County, from the Applicant under Condition No. 29. The amount of funds paid by Pueblo County to such technical consultant(s) shall be paid by Springs Utilities to Pueblo County at Pueblo County's request, and any amount so paid shall be deducted from the \$150,000.00 total sum set forth in Condition No. 29 such that the amount of funds available from the Applicant for use by Pueblo County for any future technical assistance cannot exceed the \$150,000.00 less than amount paid to Pueblo County for its revegetation and/or reclamation consultant(s) pursuant to this provision.

If this provision is agreeable to Pueblo County, please indicate by the signatures set forth below.

Regards,

John A. Fredell
SDS Program Director

121 South Tejon Street, Third Floor
P.O. Box 1103, Mail Code 930
Colorado Springs, CO 80947-0930

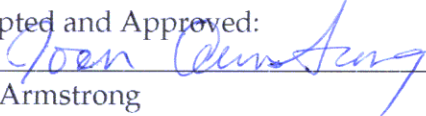
Phone 719.668.4800
Fax 719.668.8734
<http://www.csu.org>

Re: Pueblo County Resolution No. 2009-22

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Accepted and Approved:

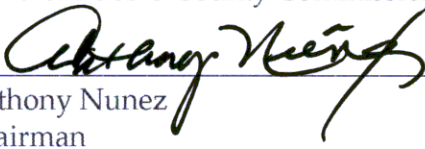


Joan Armstrong

Director – Pueblo County Department of Planning and Development

Review and Approved

Board of Pueblo County Commissioners:



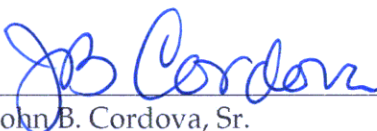
Anthony Nunez

Chairman



J. E. Chostner

Chairman Pro Tem



John B. Cordova, Sr.

Commissioner

cc: Gary Raso