

APPLICATION FOR PERMIT TO ENGAGE IN NON-COAL MINING

The Mining Lands Reclamation Act, 45 O.S., 2011 721-728

(Section 1)

ODM Permit Number _____
(Office Use Only)

Date _____

Number of years for which Permit plan is requested: _____

Name of Company, Corporation, Partnership, Individual Telephone Number

Street, R.F.D., Box No. City State Zip Code

hereby make application for a permit to mine _____ by the following method:
Type of Mineral(s)

UNDERGROUND _____ SURFACE _____

Specify Method: Auger Mining ___ Dredging ___ Hydraulic Mining ___
Pumping ___ Quarrying ___ Stripping ___
Other _____

Mine Name or Number _____ Nearest Town _____

Section _____ Township _____ Range _____ County _____

Section _____ Township _____ Range _____ County _____

Type of perimeter markers to be used: _____

**OPERATIONAL SECTION
GENERAL CHARACTERISTICS OF THE MINE**

NOTE: All of the following questions must be thoroughly answered regarding your mining operation for the intended life of the mine.

1. Answer all of the following that apply:

If this is an application for a **NEW** permit, indicate the total acreage at the site to be covered by the permit: _____

Will this application replace a limited use permit? Yes No . If yes, indicate the Limited Use Permit No.: _____

If this is an application for **RENEWAL** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit:

Mining Permit No.: _____ Total permitted acreage: _____

If this is an application for a **REVISION** to a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No.: _____ Total permitted acreage: _____

Does the revision involve acreage within the previously approved permitted boundary?
Yes No . If yes, indicate the acreage to be covered by this revision: _____

Does the request involve acreage to be added to the previously approved permitted boundary?
Yes No . If yes, indicate the additional acreage to be covered by this is request:

Total new acreage to be added: _____. **This request will be considered an amendment to the permit (Title 45 § 724 J.). The application must be submitted as required by and in accordance with OAC:10-19-4.(d).**

If no was indicated please explain the revision requested: _____.

If this is an application for **TRANSFER** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No.: _____ Total permitted acreage: _____

Name of Company: _____

If this is an application for **PURCHASE** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.

Mining Permit No.: _____ Total permitted acreage: _____

Name of Company: _____

Will additional acreage be affected? _____ Yes _____ No

If yes, indicate how much additional acreage will be added: _____

All the acreage within the "Operational Section must include the proposed mine excavation(s), processing plants, haul roads, stockpiles, and any refuse/waste areas or tailing ponds.

TOTAL PERMITTED AND BONDED ACRES AND MAPPING REQUIREMENTS

Will you file a bond covering all your mining acreage under your plan or will you file for an incremental mining plan?

Total Permit Area _____ Incremental Bonding _____

Please show your acreage below. If you have indicated incremental mining plan, then your acreage will be progressive to each incremental area. Prior to the issuance of this permit, a bonding map must be included detailing the sequence proposed for incremental bonding.

460:10-9-6. Mine maps should be accurate drawings, aerial photographs or enlarged topographic maps of the entire mine area and of a scale sufficient to clearly illustrate the following:

(1) Outline of the area to be permitted detailing the affected areas, incremental mining areas, planned future reserves if requested by the applicant, buffer zones, easements, and rights-of-ways, for the number of years the permit is requested.

460:10-21-4. (b) An operator shall not disturb surface acreage or extend any underground shafts, tunnels, or operations prior to receipt of approval from the Department of a performance bond covering the surface acreage to be affected.

(1) Liability on the performance bond shall cover all non-coal surface mining and reclamation operations to be conducted within the permit area. Except for limited use permits, after the amount of the bond has been determined for the permit area in accordance with Subchapter 23 of this Chapter, the permittee or applicant may either file:

- (A) The entire performance bond required during the term of the permit;*
- (B) A cumulative bond schedule and the sequence of release of acreage as it progresses through varying reclamation phases and for the addition of acreage as it is affected. The amount of bond required to obtain a permit shall include the full reclamation cost of the initial area being affected; or*
- (C) An incremental bond schedule and the new performance bond required for the first increment in the schedule.*

(2) When the operator elects to "increment" the amount of the performance bond during the term of the permit, he shall identify the initial and successive incremental areas for bonding on the permit application map submitted for approval as provided in Subchapter 17 of this Chapter and shall specify the proportion of the total bond amount required for the term of the permit which will be filed prior to commencing operations on each incremental area. The schedule amount of each performance bond increment shall be filed with the Department at least 45 days prior to the commencement of non-coal surface mining and reclamation operations in the next incremental area.

A separate schedule detailing each increment must be attached to the application. An Incremental bonding map must be submitted if the total permitted acreage is not covered by bond.

TOTAL ACREAGE TO BE COVERED BY PERMIT: _____

REQUIRED BOND COVERAGE: Minimum bond shall be \$2,000.00.

Type: Surety _____ Cash _____ Cashier’s Check _____ Certificate of Deposit _____

Letter of Credit _____ Other _____

Bond Number Identification: _____

Amount of Bond Coverage \$ _____

Bond coverage submitted must be a total of the first increment or the entire permitted acreage requested.

STATE OF OKLAHOMA
DEPARTMENT OF MINES
2915 N. CLASSEN, SUITE 213
OKLAHOMA CITY, OKLA. 73106

LEGAL ESTATE

Name of Legal Estate Owner: _____

Address: _____

Telephone Number: _____

Section(s) _____ Township _____ Range _____ County _____

Is the permit application area owned _____ or leased _____ by the Applicant?

I, (Legal Estate Owner) _____ certify that I am the owner of the legal estate of the property being represented in this Application for a Non-Coal Mining Permit, and that the (Company, Corporation, Individual (s)) _____ have the right to mine this property.

Signature of Legal Estate Owner _____

Subscribed and sworn to before me this _____ day of _____ 20 _____

My Commission expires _____ Notary Public _____

* IF THE OWNER OF THE LEGAL ESTATE OF THE PROPERTY CHANGES, A NEW LEGAL ESTATE FORM MUST BE SIGNED BY THE NEW OWNER OF THE LEGAL ESTATE. IF THERE ARE MULTIPLE OWNERS OF THE PROPERTY ON THIS APPLICATION, A SEPARATE LEGAL ESTATE FORM MUST BE EXECUTED FOR EACH OWNER.

NOTE: THE DEPARTMENT OF MINES DOES NOT HAVE THE AUTHORITY TO ADJUDICATE PROPERTY TITLE DISPUTES.

PUBLIC NOTIFICATION

A copy of your application will need to be available at the County Courthouse or other approved location for public inspection. This location must be disclosed in the public notice. Please give the name and address of the County Courthouse below.

County Courthouse address: _____

Submit under separate cover a copy of the Public Notice and the Publishers Affidavit or other Proof of Publication as required by Title 45 §724 H. 1. a. & b. (1) thru (6). **THIS NOTICE MUST NOT BE PUBLISHED UNTIL THE APPLICATION HAS BEEN RULED COMPLETE BY THE DEPARTMENT AND MADE AVAILABLE FOR PUBLIC INSPECTION.**