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## Logo, company name  Description automatically generated

**Air, Energy, & Mining Division**

**CASH BOND GUIDE**

INSTRUCTIONS:

* Fill out this form in its entirety (except for the DEQ Sections).
* DO NOT fill out any of the **Official Use Only** areas on the form.
* All Opencut bond forms are designed to be completed in Microsoft Word. It is recommended that the operator complete the OPERATOR sections and then email the form, in Word format, to the surety company for completion of the SURETY sections.
* Ensure that all blanks in the OPERATOR sections are consistent with the information provided in the *Opencut Mining Plan of Operation and Application*.
* When submitting bonds, DO NOT include the guide/instruction page.

MAILING BONDS:

* All signed, original bonds must be mailed to the Helena office ONLY. The mailing address is **DEQ Opencut Mining Section, PO Box 200901, Helena, MT 59620.**
* For those wishing to deliver the bonds in-person, the physical address is 1520 E. 6th Avenue, Helena, MT 59601.

OPERATOR SECTION:

* Ensure that the OPERATOR NAME is consistent with the information provided in the *Opencut Mining Plan of Operation and Application.*
* Note that the bond amount must be written out and in a numerical format.

OPERATOR ACKNOWLEDGEMENT:

* On the “By” line, note that this line is for the OPERATOR NAME, not the name of the notary.
* The date in this section MUST MATCH the date of the above OPERATOR SECTION.
* For notary seals, use an ink stamp or an embossed stamp in this area.

DEPARTMENT OF ENVIRONMENTAL QUALITY SECTION:

* DO NOT fill out any fields on this page.

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DEQ# \_\_\_\_\_\_\_\_\_\_ - OC

 Permit # \_\_\_\_\_\_\_\_\_\_\_\_

 **Official Use Only**

**Air, Energy, & Mining Division**

**CASH BOND FOR OPENCUT MINING PERMIT**

**INSTRUCTIONS**

The **signed original** **of this form** must be mailed to the Helena office:

**Physical address**: 1520 E. 6th Ave, Helena, MT 59601

**Mailing address**: DEQ Opencut Mining Section, PO Box 200901, Helena MT 59620

**OPERATOR SECTION**

For value received, **Operator Name** (Operator) does hereby assign, transfer, and set over to the State of Montana, Department of Environmental Quality (the State), all rights and interests in:

* Check Number: **check number**
* In the amount of **$****0.00** USD, **amount written out**
* Drawn on **Bank Name**  (Bank) as surety to meet the requirements of Title 82, Chapter 4, Part 4, the Opencut Mining Act; Section 82-4-432(2)(a), Montana Code Annotated (MCA); Section 82-4-433, MCA; and Administrative Rules of Montana (ARM) 17.24.203,
* For the site known as **Site Name**,
* Covering **# of acres** bonded acres.

The cash shall be held by the State until such time as the Operator faithfully completes reclamation as required under the permit and the approved reclamation plan. When there has been full compliance with all the requirements the full amount will be returned to the Operator.

Should the Operator fail to meet the requirements, the State reserves the right to use the money provided herein to reclaim all affected land covered by the Permit. Excess monies left following reclamation shall be returned to the Operator.

Signed and dated this \_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Operator Signature Title

**OPERATOR ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County of ­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This instrument was signed or acknowledged before me on ­­\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_,

 by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Operator Name**

 Notary Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Notary Seal) Notary Public for the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Residing at\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 My Commission expires\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**DEPARTMENT OF ENVIRONMENTAL QUALITY SECTION**

**DEQ'S ACCEPTANCE**

The State of Montana, Department of Environmental Quality, hereby accepts the foregoing assignment.

Accepted by: State of Montana, Department of Environmental Quality

**­­­­­**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mining Bureau Signature Title Date

**AUTHORIZATION FOR RELEASE OF CASH BOND**

The above Cash Bond is hereby released. The authorized signature below shall witness the termination of the State's interest in the bond.

Authorized by: State of Montana Department of Environmental Quality

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mining Bureau Signature Title Date

**For Official Use Only**

Check Number: **check number**