**SURETY BOND** DEQ# -OC

 **FOR OPENCUT MINING PERMIT**  Permit # \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

##  Official Use Only

**INSTRUCTIONS**

1. This form is designed to be completed in Microsoft Word. It is recommended that the operator complete the OPERATOR SECTION and then email the form, in Word format, to the surety company for completion of the SURETY SECTION.

Ensure all blanks in the OPERATOR SECTION are consistent with the information provided in the *Opencut Mining Plan of Operation and Application*.

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

Physical address is: 1218 E 6th Avenue, Helena MT 59601

Mailing address is: PO Box 200901, Helena MT 59620

**OPERATOR SECTION**

Whereas **Operator Name** (Operator) has applied for an Opencut Mining Permit from the State of Montana Department of Environmental Quality (the State) to conduct mining operations

1. For the site known as **Site Name**,
2. Covering **# of acres** bonded acres,
3. In the amount of $**0.00** for the payment of which sum, well and truly to be made,

 **SURETY SECTION**

1. We, **Surety Company Name** (Surety), NAIC Number **NAIC#**,
2. A corporation organized and existing under the laws of The State of **State Incorporated In**  and duly authorized to transact business in the State of Montana are held and firmly bound to the State.
3. For bond number **Bond #** bind ourselves, and each of our legal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

NOW, THEREFORE, the conditions of this obligation are such that if the above bonded Principal shall, in conducting such mining operations faithfully perform the requirements of the permit, Title 82, Chapter 4, Part 4, MCA, and the Rules and Regulations adopted pursuant thereto, then this obligation shall be exonerated and discharged and become null and void; otherwise this obligation shall remain in full force and effect. The requirements assured by this bond include those requirements imposed on Principal as a result of those activities that occurred prior to issuance of this bond and before the date the bond is canceled or released or substitute bond is approved. If this bond is forfeited, the State shall be entitled to the entire amount of this bond without regard to actual damages.

PROVIDED, however, the Surety shall not be liable under this bond for an amount greater in the aggregate than the sum designated in the first paragraph hereof, and shall not be liable with respect to any obligation related to mining operations performed after the expiration of thirty (30) days from the date of the mailing by the Surety of a cancellation notice directed to the Principal and the Department of Environmental Quality, Helena, Montana. The bond shall remain in full force and effect as respects any obligations related to mining operations performed prior to the effective date of such cancellation unless the principal files a substitute bond, approved by the Department of Environmental Quality, or unless the Department of Environmental Quality shall otherwise release the Surety.

Dated this **Day** day of **Month**, **Year**.

OPERATOR Signature Title

**OPERATOR ACKNOWLEDGEMENT**

STATE OF MONTANA

County of

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

by **.**

 Notary Signature

 Notary Public for the State of

 (Notary Seal) Residing at

 My Commission expires

Dated this **Day** day of **Month**, **Year**

SURETY Signature Title

Full Mailing Address**:**

Telephone Number:

 and / or

 AGENT Signature Title

 Agency Name:

 (Surety Seal) Full Mailing Address:

 Telephone Number:

**SURETY / AGENT ACKNOWLEDGEMENT**

STATE OF MONTANA

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

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

by **.**

 Notary Signature

 Notary Public for the State of

 (Notary Seal) Residing at

 My Commission expires

**DEPARTMENT OF ENVIRONMENTAL QUALITY SECTION**

Approved by: State of Montana Department of Environmental Quality

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Coal & Opencut Mining Bureau Signature Title Date