



2025



SMALL MINER EXCLUSION STATEMENT (SMES)

1. SMES # (DEQ Use Only): _____

Return to: DEQ Hard Rock Bureau
P.O. Box 200901
Helena, MT 59620

Return Electronically: DEQSMESandExploration@mt.gov

2. SMES Holder Contact Information:

Company Name: _____ Phone Number: _____

Contact Name: _____ E-mail: _____

Address: _____ City/State/Zip: _____

3. SMES Location Information: Latitude: _____ Longitude: _____

Site or Claim Name: _____ County: _____

Landowner Name: _____ Landowner Phone Number: _____

Landowner Email: _____

4. Type of Mining Operation (check all that apply):

- Placer/Dredge
 Trenching
 Drilling
 Underground
 Open-pit
 Other (describe): _____

5. Mining Plans: General description of mining operation including mineral/commodity to be mined:

6. MAPS: Please include 2 maps. (Section 82-4-305, Montana Code Annotated [MCA]) These maps must be of a higher quality than a sketch or drawing. Maps created on GoogleEarth or on a USGS 1:24,000 map are acceptable.

- 1.) Overview map showing project location in reference to nearest town/city.
- 2.) Detailed map of project site labeling all project disturbances (new or improved roads, quarries, processing areas, loadout areas, new temporary and permanent buildings, fuel storage area, water crossings, etc.)

7. Please be advised that:

The filing of a SMES does not convey a right to occupy land not owned by the small miner. A small miner is responsible for obtaining a lease or other authorization from the landowner to occupy the land on which the small miner plans to conduct mining activity. The Department of Environmental Quality (DEQ) does not confirm whether the small miner has obtained such authorization and does not resolve any disputes regarding access between a small miner and the landowner. The operator shall allow DEQ, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to, any and all lands covered by this SMES and to inspect, obtain or monitor any activities associated with the operation and SMES.

Signature of SMES Holder

Date

** For SMES that are not Placer/Dredge, the authority to mine will commence upon DEQ's receipt of this form. All SMES will expire at the end of the current calendar year. SMES may be renewed annually during each calendar year. **

The Montana Metal Mine Reclamation Act, Section 82-4-305(1) Montana Code Annotated (MCA), requires holders of Small Miner Exclusion Statements (SMES) to annually agree in writing:

AGREEMENT

The undersigned person, firm, or corporation, states and agrees that they (it), in consideration for their (its) exemption from the permit and license requirements of Part 3, Chapter 4, Title 82, Montana Code Annotated (MCA):

1. that the small miner will not pollute or contaminate any stream;
2. that the small miner will provide protection for human and animal life through the installation of bulkheads installed over safety collars and the installation of doors on tunnel portals;
3. that the small miner will provide a map locating their mining operations. Such map shall be to a size and scale as determined by the department;
4. if the small miner's operations are placer or dredge mining, that the small miner shall salvage and protect all soil materials for use in reclamation of that site and shall reclaim all land disturbed by the operations to comparable utility and stability as that of adjacent areas; and

Further, the undersigned hereby certifies as follows:

1. **If the small miner is a natural person, that:**
 - (i) No business association or partnership of which he is a member or partner has a small-miner exemption; and
 - (ii) No corporation of which he is an officer, director, or owner of record of 25% or more of any class of voting stock has a small-miner exemption; or
2. **If the small miner is a partnership or business association, that:**
 - (i) None of the associates or partners holds a small-miner exemption; and
 - (ii) None of the associates or partners is an officer, director, or owner of 25% or more of any class of voting stock of a corporation that has a small-miner exemption; or
3. **If the small miner is a corporation, that no officer, director or owner of record of 25% or more of any class of voting stock of the corporation:**
 - (i) Holds a small-miner exemption;
 - (ii) Is a member or partner in a business association or partnership that holds a small-miner exemption;
 - (iii) Is an officer, director or owner of record of 25% or more of any class of voting stock of another corporation that holds a small-miner exemption.

Name	Signature
Address	Title
City/State/Zip	Phone
E-mail address	

Placer/Dredge Addendum

A small miner who operates a placer or dredge mine shall post a \$10,000 bond unless the department approves a lower amount based on the below information. Use additional pages as necessary.

Mining Plans: *Please refer to Administrative Rules of Montana (ARM) 17.24.182 when developing the mine plan.*

A.) Description of the mining operation including future expansion. Identify maximum size of total operation:

B.) Description of all equipment, support facilities, and plant capacity (*cubic yards/hr*):

C.) Estimate of pit/trench excavation size (*length x width x depth*), pond size (*length x width x depth*), overburden depth (*length x width x depth*):

D.) Estimate size (*length x width*) of all roads to be used (use codes: *N:new roads, E:existing roads, and OT:overland travel*):

E.) Describe project water to be used, including any surface diversions, and identify distance between nearest project feature to nearest surface water (*streams, ponds, etc.*):

F.) Describe erosion control plan.

G.) Please disclose the status of 310 permit and Montana Pollutant Discharge Elimination System (MPDES) permit compliance.

H.) Describe final reclamation plan including time between end of operation and end of final reclamation; how top soil will be salvaged, stored and reestablished; and identify seed mixture to be used including application rate: