



# SMALL MINER EXCLUSION & EXPLORATION LICENSES

## PLEASE NOTE:

1. The following Hard Rock Mining fees are effective as of July 1, 2025, as enacted under House Bill 69.
2. Small Miner Exclusion Statements and Exploration Licenses each require annual renewal.
3. The Annual Fee (including fees for revisions and minor amendments submitted within the previous 12 months) will be invoiced to the operator prior to the annual renewal.

## SMALL MINER EXCLUSION STATEMENT (SMES)

New SMES and Administrative Fee  
Submitted Annually with Written Agreement - 82-4-305, MCA. **\$100**

Late Fee – If Written Agreement and Administrative Fee are Not Submitted by March 1st of each year - 82-4-305, MCA. **\$100**

### NEW EXPLORATION LICENSE

To be paid at the time of Application –  
82-4-332, Montana Code Annotated (MCA)

#### FEE

Activities on the surface of land only	<b>\$1000</b>
Activities beneath the surface of the land	<b>\$2000</b>
Licenses including <i>both</i> surface and beneath the surface disturbance	<b>\$2000</b>

### EXPLORATION LICENSE MODIFICATIONS

To be paid with the Annual Renewal – 82-4-342, MCA

#### FEE

Each Minor Amendment or Revision	<b>\$100</b>
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### EXPLORATION LICENSE AMENDMENT

To be paid at the time of Amendment – 82-4-342, MCA

#### FEE

Activities only on the surface of the land	<b>\$250</b>
Activities beneath the surface of the land	<b>\$500</b>
Amendments including <i>both</i> surface and beneath the surface disturbance	<b>\$500</b>

### EXPLORATION LICENSE ANNUAL RENEWAL FEE

To be paid Annually – 82-4-331 and 82-4-342(2)(c), MCA

Activities only on the surface of the land only	<b>\$100*</b>
Activities beneath the surface of the land	<b>\$400*</b>
Renewals including <i>both</i> surface and beneath the surface disturbance	<b>\$400*</b>

\*Annual Renewal Fee plus (+) each Minor Amendment or Revision Fee from past 12-months.



406-444-3920



[DEQSMESandExploration@mt.gov](mailto:DEQSMESandExploration@mt.gov)



[deq.mt.gov/mining/Programs/hardrock](http://deq.mt.gov/mining/Programs/hardrock)

Dear Small Miner,

Montana Department of Environmental Quality (DEQ) is notifying you of **two updates** regarding administration of the Small Miner Exclusion Statement (SMES) Program:

**A. Updates to Fees associated with SMES Applications and Renewals:**

House Bill 69 was passed during the 2025 Legislative Session and signed into law by Governor Gianforte on May 12, 2025. Fees established by House Bill 69 became effective on July 1, 2025, and DEQ is notifying all SMES holders of the new fee schedule.

See the attached Fee Schedule, or find a digital copy at the following location:  
<https://deq.mt.gov/files/Land/Hardrock/Forms/SMES/SMESExploLicenseFees.pdf>

**B. Updates to Annual Renewal:**

DEQ is providing notice that this will be the final year Annual Renewal Reminders will be sent to SMES holders via physical mail.

If you receive this notice via physical mail, the upcoming renewal process will require you to provide an email address.

At this time, DEQ will continue to accept and process paper SMES Applications and Renewals.

**2026 SMES Renewal**

All Small Miners who currently have a bond held by DEQ must maintain a current SMES by renewing annually. Additionally, Small Miners must renew if they:

- Are actively conducting mining operations;
- Operate a placer or dredge operation; or
- Operate and maintain a tailings impoundment

To renew a SMES, the Small Miner must submit to DEQ an administrative fee in accordance with 82-4-305(1) and 82-4-305(12), Montana Code Annotated (MCA).

If the Small Miner fails to submit the administrative fee before March 1, 2026, the Small Miner must pay a late fee in addition to the administrative fee, in accordance with 82-4-305(1) and 82-4-305(12), MCA.

# 2026

## SMALL MINER EXCLUSION STATEMENT (SMES) ANNUAL REPORT AND RENEWAL FORM

1. SMES #: \_\_\_\_\_ - \_\_\_\_\_  
(one renewal form is required for each SMES).

### 2. SMES Fee (Effective July 1, 2025):

Administrative Fee	Late Fee in Addition to Administrative Fee if submitted after March 1, 2026
\$100	\$100
Cash/Check <input type="checkbox"/> Online <input type="checkbox"/>	Cash/Check <input type="checkbox"/> Online <input type="checkbox"/>

**Payment Online:** If you are paying online, payment instructions are included with this mailer. **You must include a copy of your receipt with this SMES Renewal package.**

**Payment via Check:** Make check payable to: **DEQ Financial Services Office**

**Return via Mail:** DEQ Mining Bureau  
Field Services and Technology Section  
2401 Colonial Dr, Helena, MT 59601

**Return via Email:** [DEQSMESandExploration@mt.gov](mailto:DEQSMESandExploration@mt.gov)

### 3. SMES Holder Contact Information:

Company Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, MT Zip: \_\_\_\_\_

4. Site Coordinates (*decimal degrees only*): Latitude: \_\_\_\_\_.\_\_\_\_\_. Longitude: - \_\_\_\_\_.\_\_\_\_\_.  
*Example: 46.58752 -112.01320*

Project or Site Name: \_\_\_\_\_ County: \_\_\_\_\_

### 5. Landowner Information (check all that apply):

☐ Private\* ☐ US Forest Service ☐ Bureau of Land Management ☐ DNRC

*\*If landowner is Private, please complete the following:*

Private Landowner Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Landowner E-mail: \_\_\_\_\_

**CONTINUE TO THE NEXT PAGE**

**6. Mining Method: (check all that apply):**

☐ Placer/Dredge

☐ Trenching

☐ Drilling

☐ Underground

☐ Open-pit

☐ Other (describe): \_\_\_\_\_

**7. SMES Site Activity Report:** Please describe any mining and/or reclamation activity that occurred during the past calendar year. What is your estimate of present total acreage of disturbance? (*This calculation includes excavations, waste piles, stockpiles, ponds, roads, laydown area, etc.*)

**8. Estimated Surface Disturbance (Acres):** \_\_\_\_\_

**9. Please be advised that:**

The operator hereby authorizes the Employees and Inspectors of DEQ, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to, any and all lands covered by this permit exclusion and to inspect or monitor any activities associated with the operation and permit exclusion.

\_\_\_\_\_  
SMES Holder Signature

\_\_\_\_\_  
Date

**\*\* I understand that my authority to mine will commence upon DEQ's receipt of this form and administration fee and will expire on December 31, 2026, and may be renewed upon expiration. \*\***

**CONTINUE TO THE NEXT PAGE**

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

For small-miner exemptions obtained after September 30, 1985.

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.

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SMES Holder Signature

Date

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Address

Title

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City/State/Zip

Phone Number