

2026

SMALL MINER EXCLUSION STATEMENT (SMES)

Return via mail: DEQ Mining Bureau
Field Services and Technology Section
2401 Colonial Drive
Helena, MT 59601

Return electronically: DEQSMESandExploration@mt.gov

1. SMES # (For DEQ Use): _____ - _____

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

Administrative Fee
\$100
Cash/Check <input type="checkbox"/> Online <input type="checkbox"/>

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

<https://deq.mt.gov/files/Land/Hardrock/Forms/SMES/SMSElectronicFeePayment.pdf>

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

3. SMES Holder Contact Information:

Company Name: _____ Phone Number: _____

Contact Name: _____ Email: _____

Address: _____

City: _____ State: _____ Zip: _____

4. SMES Location Information:

Site Coordinates (decimal degrees only) Latitude: _____._____ Longitude: - _____._____
Example: 46.56789 -112.01234

Project or Site Name: _____ County: _____

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5. Landowner Information (check all that apply):

Private*

US Forest Service

Bureau of Land Management

DNRC

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

Private Landowner Name: _____

Phone Number: _____

Landowner E-mail: _____

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

Placer/Dredge**

Trenching

Drilling

Underground

Open-pit

Other (describe): _____

****NOTE:** A small miner whose operations are placer or dredge mining are required to submit a [SMALL MINER: PLACER/DREDGE ADDENDUM](#) and comply with performance bond requirements at 82-4-305(3).

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

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8. 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 using aerial imagery providers such as Google Earth, Bing Maps, or on a USGS 1:24,000 map are acceptable.

- (a) Overview map showing project location in reference to nearest town/city.
- (b) Detailed map of project site labeling all project disturbances. [Please refer to the SMES Map Guidelines.](#)

9. 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 Small Miner

Date

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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** submit a \$100 administrative fee and 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):

- (a) that the small miner will not pollute or contaminate any stream;
- (b) 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;
- (c) that the small miner will provide a map locating the miner's mining operations. The map must be of a size and scale determined by the department.
- (d) 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.

In accordance with 82-4-305(2), MCA, for small-miner exemptions obtained after September 30, 1985, a small miner may not obtain or continue an exemption under subsection 82-4-305(1) unless the small miner annually certifies in writing:

- (a) if the small miner is an individual, that:
 - (i) no business association or partnership of which the small miner is a member or partner has a small-miner exemption; and
 - (ii) no corporation of which the small miner is an officer, director, or owner of record of 25% or more of any class of voting stock has a small-miner exemption; or
- (b) 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
- (c) 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; or
 - (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 (Print)

Signature of Small Miner

Address

Title

City/State/Zip

Phone Number

Email