

# STATE OF COLORADO

## DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

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### TRANSFER OF MINERAL APPLICATION AND SUCCESSION OF PERMIT APPLICANT

#### I. RECITALS

A. On \_\_\_\_\_, \_\_\_\_\_, the Division of Reclamation, Mining and Safety within the Colorado Department of Natural Resources (the "State") deemed an application complete for a mining operation under C.R.S. 34-32-101 et seq. or 34-32.5-101 et seq. from \_\_\_\_\_ (the "Applicant"), \_\_\_\_\_ (address), and assigned Permit Application Number \_\_\_\_\_

B. The Applicant wishes to assign the pending Application to \_\_\_\_\_ (the "Successor"), \_\_\_\_\_ (address), as Successor Applicant and the Successor wishes to become Successor Permittee after all requirements of 34-32-101 et seq. or 34-32.5-101 et seq. are met and the permit may be issued.

C. Successor understands that the permit application process is not complete and is willing to assume full responsibility for the completion of the permitting process prior to the successor conducting mining operations at the site.

#### II. AGREEMENTS

Applicant and Successor hereby agree, for their own benefit and for the benefit of the State, such agreements to be effective immediately upon the approval by the State of the transfer of the Application from Applicant to Successor, as follows:

1. Successor has inspected the proposed site of the mining and reclamation operations and is fully aware of the condition thereof. Successor has examined the Application for the permit and is fully aware of its contents and status in the permitting process. Successor thus understands and accepts the Application as it currently exists.

2. Successor understands the permit for this Application cannot be issued until all applicable requirements of 34-32-101 et seq. or 34-32.5-101 et seq. are met.

3. Successor understands that all commitments and obligations of the Applicant to the Mined Land Reclamation Board related to this permit application become those of the Successor.

4. Successor represents to the State that, to the best of its knowledge, information and belief, it is not in violation of any of the provisions of the Colorado Mined Land Reclamation Act with respect to any other operation conducted by it in the State of Colorado.

*This form has been approved by the Mined Land Reclamation Board pursuant to sections 34-32-119, C.R.S., of the Mined Land Reclamation Act and 34-32.5-119, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials. Any alteration or modification of this form shall result in voiding any permit issued on the altered or modified form and subject the operator to cease and desist orders and civil penalties for operating without a permit pursuant to sections 34-32-123, C.R.S., of the Mined Land Reclamation Act and 34-32.5-123, C.R.S., of the Colorado Land Reclamation Act for the Extraction of Construction Materials.*

Applicant and Successor hereby request the State to consent to the assignment of the Permit Application to recognize the Successor as the Applicant under the permitting process.

\_\_\_\_\_  
Name of Permit Applicant

\_\_\_\_\_  
Name of Successor Applicant

By \_\_\_\_\_  
Signature of Officer

By \_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Title of Officer

\_\_\_\_\_  
Title of Officer

**NOTARY FOR PERMIT APPLICANT**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
by \_\_\_\_\_ as \_\_\_\_\_ of  
\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

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

**NOTARY FOR SUCCESSOR APPLICANT**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
by \_\_\_\_\_ as \_\_\_\_\_ of  
\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

**CONSENT OF STATE**

(a) Consent is hereby granted to the transfer of the Permit Application above referred to from \_\_\_\_\_ to \_\_\_\_\_.

(b) \_\_\_\_\_ is hereby recognized as Successor Applicant under such Application.

STATE OF COLORADO  
DEPARTMENT OF NATURAL RESOURCES  
MINED LAND RECLAMATION BOARD  
DIVISION OF RECLAMATION, MINING AND SAFETY

By \_\_\_\_\_  
Division Director

Date Executed: \_\_\_\_\_, \_\_\_\_\_