



## COLORADO DIVISION OF RECLAMATION, MINING AND SAFETY

1313 Sherman Street, Room 215, Denver, Colorado 80203, (303) 866-3567

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### REQUEST FOR TRANSFER OF NOTICE OF INTENT TO CONDUCT COAL EXPLORATION AND SUCCESSION OF EXPLORATION OPERATORS

#### I.

##### RECITALS

A. On \_\_\_\_\_, \_\_\_\_\_, the Mined Land Reclamation Board of the Colorado Department of Natural Resources (the "State") granted to \_\_\_\_\_, address \_\_\_\_\_ ("Operator") file number \_\_\_\_\_ (the "Notice of Intent") pursuant to which Operator has been conducting an exploration and reclamation operation in the County of \_\_\_\_\_, State of Colorado.

B. Operator wishes to assign the Notice of Intent to \_\_\_\_\_, address \_\_\_\_\_, as Successor Operator ("Successor") and Successor wishes to become Successor Operator under the Notice of Intent.

C. Successor understands that the reclamation permit (the "Plan") required by the Notice of Intent and by applicable State laws and regulations has not been completed and is willing to assume full responsibility for the completion of the Plan.

#### II.

##### AGREEMENTS

Operator and Successor hereby agree, for their own benefit and for the benefit of the State, such agreements to be effective ipso facto upon the approval by the State of the transfer of the Notice of Intent from Operator to Successor, as follows:

1. Successor has inspected the exploration and reclamation operations to its entire satisfaction and is fully aware of the condition thereof. Successor understands and accepts all of the conditions of the approval of the Notice of Intent.

2. Successor will complete the reclamation plan, and hereby assumes liability for completing such plan as to all areas heretofore disturbed, as well as to all areas hereafter disturbed. Successor will perform all of the obligations of the Operator under the Notice of Intent which have not heretofore been performed by Operator.

3. Successor hereby tenders to the State its attached reclamation bond\*, which is to be substituted for the bond and surety heretofore filed by the Operator effective upon the release of the latter bond and surety.

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 Surface Coal Mining Reclamation Act with respect to any other operation conducted by it in the State of Colorado.

Operator and Successor hereby request the State to consent to the assignment of the Notice of Intent, to recognize Successor as Successor Operator under the Notice of Intent, and to accept the tendered substitute bond and surety in place of bond and surety presently on file with the State.

\* Attach executed reclamation bond.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Name of Operator

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

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

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

\_\_\_\_\_  
Title  
Operator

\_\_\_\_\_  
Title  
Successor Operator

NOTARY FOR OPERATOR

STATE OF \_\_\_\_\_ )  
\_\_\_\_\_)  
COUNTY OF \_\_\_\_\_)

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

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

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

NOTARY FOR SUCCESSOR

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

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

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

My Commission expires:

\_\_\_\_\_

CONSENT OF STATE

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

(b) \_\_\_\_\_ is hereby recognized as Successor Operator under such Notice of Intent.

(c) The bond substitution above proposed is hereby accepted and approved.

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

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

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