

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

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REQUEST FOR TRANSFER OF COAL PERMIT AND SUCCESSION OF OPERATORS

Bill Ritter, Jr.
Governor

Harris D. Sherman
Executive Director

Ronald W. Cattany
Division Director
Natural Resource Trustee

I.

RECITALS

A. On _____, _____, the Mined Land Reclamation Board of the Colorado Department of Natural Resources (the "State") granted to _____, address _____ ("Permittee") permit number _____ (the "Permit") pursuant to which Permittee has been conducting a mining and reclamation operation known as _____ in the County of _____, State of Colorado.

B. Permittee wishes to assign the permit to _____, address _____, as Successor Operator ("Successor") and Successor wishes to become Successor Permittee under the permit.

C. Successor understands that the reclamation plan (the "Plan") required by the permit 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

Permittee 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 Permit from Permittee to Successor, as follows:

1. Successor has inspected the mining 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 Permit.
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 Permittee under the Permit which have not heretofore been performed by Permittee.

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 Permittee 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.

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

* Attach executed reclamation bond.

EXECUTED this _____ day of _____, _____.

Name of Permittee

Name of Successor

By _____
Signature of Officer

By _____
Signature of Officer

Title of Permittee

Title Successor Operator

NOTARY FOR PERMITTEE

STATE OF _____)
) ss.
COUNTY OF _____)

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

NOTARY PUBLIC

My Commission expires _____
