

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple Suite 1210, Salt Lake City, Utah 84116
Box 145801, Salt Lake City, Utah 84114-5801 (Postal Service)
Telephone: (801) 538-5340; Fax: (801) 359-3940; Email
ogmminerals@utah.gov

NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The information requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and associated administrative rules of the Utah Minerals Regulatory Program (R647). The rules and Act are available online at [View Minerals Regulatory Program Rules R647](#) and [View Utah Mined Land Reclamation Act](#).

Cultural Resources Survey (CRS): To fulfill its obligations under Utah Code Annotated 9-8-404, the Division requires cultural resources (archaeological) information. The amount and type of information required will depend on the mine location, the history of previous disturbance, and other factors. A list of consultants can be obtained through this website: Publiclands.utah.gov

Rule R647-3-101.5: **A permit fee** of \$150 must accompany this application (Utah Code Ann. §40-8-7(1)(i)) and is due annually. This can be paid via check or online at the following link [Division of Oil Gas and Mining Marketplace](#)

"Small Mining Operations" are operations which have a disturbed area of 20 or fewer surface acres at any time in unincorporated areas, or 10 acres or fewer in incorporated areas.

(If needed, you may attach additional pages to this form)

I. GENERAL INFORMATION (Rule R647-3-104)

- a. Name of Mine: _____
- b. Entity Information:
- Name of Entity Applying for a Permit: _____
- Entity is a: ☐ Corporation, ☐ LLC, ☐ Sole Proprietorship (dba),
☐ Individual, ☐ Partnership (☐ General or ☐ Limited),
☐ Other (specify type) _____
- Contact (Authorized Officer): _____
- Mailing Address: _____
- City, State, Zip: _____
- Phone: _____ Fax: _____
- Email Address: _____

Business Entity (not individuals) must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC) If not currently registered, contact DOC to renew or apply using the following link: [Division of Corporations](#).

Please review your DOC status and provide a copy of the Entity Information with the Principal Information included.

- c. Are you currently registered to do business in the State of Utah?
☐ Yes ☐ No
- Entity # _____

Authorized Company Representatives. The following information will be kept on file with the Utah Division of Oil, Gas, and Mining and will serve to attest to the accuracy of information submitted to the Division.

Utah Resident Agent: authorized and designated to receive notices of violation, cessation orders, and all other notices to be given to the permittee or Operator by the Division.

Signatory Authority: individuals who have signatory authority on behalf of the Operator for official documents

Authorized Contact Person: persons authorized by the Operator to communicate with the Division, including but not limited to consultants or legal representatives

d. Please check the correct Company Representative and provide the following information:

☐ Utah Resident Agent ☐ Signatory Authority ☐ Authorized Contact ☐ Main contact (for ☐ company, ☐ mine, ☐ billing)

Name: _____

Title: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

☐ Utah Resident Agent ☐ Signatory Authority ☐ Authorized Contact ☐ Main contact (for ☐ company, ☐ mine, ☐ billing)

Name: _____

Title: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

☐ Utah Resident Agent ☐ Signatory Authority ☐ Authorized
Contact ☐ Main contact (for ☐ company, ☐ mine, ☐ billing)

Name: _____

Title: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

☐ Utah Resident Agent ☐ Signatory Authority ☐ Authorized
Contact ☐ Main contact (for ☐ company, ☐ mine, ☐ billing)

Name: _____

Title: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

☐ Utah Resident Agent ☐ Signatory Authority ☐ Authorized
Contact ☐ Main contact (for ☐ company, ☐ mine, ☐ billing)

Name: _____

Title: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Ownership of Land Surface: If the owner is a government entity, please provide the name and address of the field office, ranger station, or similar office. If the owner is a private entity, please provide the name and address.

Federal: ☐ BLM ☐ US Forest Service

State: ☐ Trust Lands Administration (TLA) ☐ Sovereign Lands

☐ Other (please specify): _____

☐ Private Fee ☐ Other (please describe): _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Ownership of Minerals:

If the owner is a government entity, please provide the name and address of the field office, ranger station, or similar office. If the owner is a private entity, please provide the name and address.

Federal: ☐ BLM ☐ US Forest Service

State: ☐ Trust Lands Administration (TLA) ☐ Sovereign Lands

☐ Other (please specify): _____

☐ Private Fee ☐ Other (please describe): _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

BLM Project Number (UTU): _____

Claim Number(s) (BLM): _____

☐ Leasable ☐ Saleable ☐ Locatable

Lease Numbers (TLA, BLM, Sovereign Lands): _____

Other agency project numbers: _____

Name of Lessee(s): _____

Have the above surface and mineral owners been notified in writing?

☐ Yes ☐ No

If no, why not? _____

Does the Entity have legal right to enter and conduct mining operations on the land covered by this notice? ☐ Yes ☐ No

What is the pre-mining land use, i.e. cropland, grazing, wildlife habitat?

What is the postmining land use?

Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration **prior** to commencing any activities. Please contact the Trust Lands Administration (TLA) at (801) 538-5508 for notification requirements.

II. PROJECT LOCATION & MAP (Rule R647-3-105)

a. **Project Location & Map** (legal description):

County(ies): _____

_____ 1/4, of _____ 1/4, Section: _____ Township: _____ Range: _____

_____ 1/4, of _____ 1/4, Section: _____ Township: _____ Range: _____

_____ 1/4, of _____ 1/4, Section: _____ Township: _____ Range: _____

Latitude: _____ Longitude: _____

b. **Is the project within an incorporated area?** ☐ Yes ☐ No

If yes, what is the town or city?

Location and Operations maps must be plotted at a scale to accurately identify locational landmarks and operations details. All maps must include a north arrow, scale, appropriate labels, and title box including the mine name, township, range and section.

The **general location map** must be the scale of a USGS 7.5-minute series map or equivalent (1"=2000') and identify new or existing access roads.

The **operations map** (1"=200' or other scale as determined necessary by the Division) must be labeled and identify:

- i. The area to be disturbed;
- ii. The location of any existing or proposed operations including access roads, drill holes, trenches, pits, shafts, cuts, or other planned activities; and
- iii. Any adjacent previous disturbance for which the operator is not responsible.

A list of consultants is available at [**View Utah Consultants Resource Listing**](#)

III. OPERATION PLAN (Rule R647-3-106)

- a. **Type of mining:** ☐ Surface ☐ Underground ☐ Both
- b. **Mineral(s) to be mined** (e.g. gold, limestone, critical infrastructure materials)_____
- c. **Amount of material** to be extracted, moved, or proposed to be moved: _____
- d. Will any **water, liquid chemicals, reagents, or other solution** be used, produced or discharged as part of the mining or milling process?
☐ Yes ☐ No

If yes, please describe (add extra pages if needed):

- e. Provide a brief **description of the proposed mining operation**, and onsite processing facilities equipment, such as crushing and screening (add extra pages if necessary).

i. Maximum Depth of excavation: _____

ii. Toe to crest highwall height and angle: _____

f. ☐ **New Road(s)**: Length _____ (ft) Width _____ (ft)

g. ☐ **Improved Road(s)**: Length _____ (ft) Width _____ (ft)

- h. Describe improvements that need to be made to existing roads to access the site, including a description of new disturbances, drainage control, etc.

- i. Total project surface acreage to be disturbed: _____ (acres).

PLEASE SPECIFY EXACT ACREAGE (this will be used to determine surety bond amount- see #V.)

Federally disturbed area: _____ (acres)

State disturbed area: _____ (acres)

Fee disturbed area: _____ (acres)

Total project acreage to be disturbed before regrading:

(acres)

- j. Proposed **startup date** (month, year): _____

- k. Proposed **completion date**, if known (month, year): _____

IV. VARIANCE REQUEST (Rule R647-3-110)

**Any variance must be approved in writing in advance by the
Division**

Any planned deviations from Rules R647-3-107 Operation Practices, R647-3-108 Hole Plugging Requirements, or R647-3-109 Reclamation Practices, must be identified listing applicable rule numbers. Give justification for the variance(s) and alternate methods to be utilized to meet the intent of the rule. The outcome of the variance requested must be consistent with the purposes of the Mined Land Reclamation Act.

Are variances being requested? ☐ Yes ☐ No

Applicable Rule: _____

Justification: _____

Alternate methods or measures to be utilized:

Attach additional page(s) if more variances are requested.

V. SURETY (Utah Code Ann. §40-8-7(1)[c])

A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations. No surface disturbance is authorized until the surety is posted and approved in writing.

The surety may be provided in the form of a certificate of deposit, a letter of credit, a surety bond, or cash. Please contact the Division for further information about submitting the surety. All mining operations are required to furnish and maintain reclamation surety to guarantee that the land affected is reclaimed (Utah Code Ann. §40-8-7(1)[c]).

The reclamation surety amount is based on the nature, extent and duration of operations.

The Division develops standard per-acre costs each year which are approved annually by the Board of Oil, Gas and Mining. The costs are available here: [View Reclamation Surety Costs](#) .

Reclamation cost estimates for small mines are reviewed every three (3) or five (5) years and adjusted as necessary for inflation/deflation based upon an acceptable costs Index.

VI. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107,108, & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover or within practical limits. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at the following link: [View The Practical Guide to Reclamation Utah](#)

The proposed disturbed area (including access/haul roads) should be marked ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible.

- a. Stockpile topsoil and suitable overburden prior to mining.
- b. Maintain the mining operation in a safe, clean, and environmentally stable condition.
- c. Close or guard shafts and tunnels to prevent accidental or unauthorized entry during operations and permanently seal all shafts and tunnels when operations are complete.
- d. Plug drill holes with a five-foot cement surface plug, within 30 days. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.
- e. Construct berms, fences, or barriers, when needed, above highwalls and excavation.

- f. Remove, isolate, or neutralize all deleterious materials to eliminate or control adverse environmental effects.
- g. Take appropriate measures to avoid or minimize environmental damage to drainages and perform reclamation such that the channels will be left in a stable condition to avoid or minimize future damage to the hydrologic system.
- h. Dispose of all trash, scrap metal, wood, machinery, and building.
- i. Minimize erosion and control sediment.
- j. Reclaim all roads that are not part of a post mining land use transportation system.
- k. Maintain highwalls at 45 degrees or less.
- l. Reshape the land to near its original contour and redistribute suitable overburden and topsoil.
- m. Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.
- n. Reseed disturbed areas with adaptable species. (The Division recommends a mixture of grass, forb, and browse species, and will recommend a seed mixture if requested.)
- o. Plant the seed as soon as possible after seedbed preparation with a rangeland, or farm drill, or broadcast the seed.
- p. Prepare the seedbed in the fall and seed in the fall for vegetation success.

VII. SIGNATURE REQUIREMENT

To verify the company's signatory authority, please provide one of the following documents, clearly showing all individuals authorized to sign for the company:

- Copy from the Division of Corporations (DOC).
- Corporate Resolution.
- Delegation of Authority (signed by an individual listed as having signing authority in the DOC or Corporate Resolution).

CERTIFICATION

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining
- c. **This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; **or** (4.) a member or manager if applicant is a limited liability company.

Signature: _____ Date: _____

Name (typed or printed): _____

Title/Position (if applicable): _____