

**North Dakota State Industrial Commission**

**SUBSURFACE MINERALS**

**NOTICE OF TRANSFER OF TREATING PLANT FACILITY**

<b>FOR STATE USE ONLY</b>
NDIC Bond Number

PLEASE READ INSTRUCTIONS BEFORE FILLING OUT FORM. PLEASE SUBMIT THE ORIGINAL AND SIX COPIES. THIS NOTICE ALONG WITH A FEE OF \$25.00 SHALL BE FILED AT LEAST THIRTY DAYS BEFORE THE CLOSING DATE OF TRANSFER.

**TRANSFERRING OPERATOR**

Name of Operator Representative			
Operator Transferring Treating Plant Facility			Telephone Number
Address	City	State	Zip Code
I, the above named representative, acknowledge the transfer of the treating plant facility named below for the purpose of ownership and/or operation to the company named below.			
Signature	Title (Must be an officer or power of attorney must be attached)		Date

Facility File No.	Requested Official Facility Name	Location (Qtr-Qtr, S-T-R)	Assignment Date

**RECEIVING OPERATOR**

Name of Operator Representative			
Operator Receiving Treating Plant Facility			Telephone Number
Address	City	State	Zip Code
I, the above named representative, have read the foregoing statement and accept such transfer, also the responsibility of ownership and/or operation of said facility, under the said company bond, said bond being tendered to or on file with the Industrial Commission of North Dakota.			
Signature	Title (Must be an officer or power of attorney must be attached)		Date

**SURETY COMPANY**

Surety		Telephone Number	Amount of Bond
			\$
Address	City	State	Zip Code
			Bond Number
The above named SURETY agrees that such bond shall extend to compliance with Chapter 38-12 of North Dakota Century Code and amendments and the rules and regulations of the Industrial Commission of North Dakota prescribed to govern the production of subsurface minerals on government and private lands within the State of North Dakota, in relation to the above stated transfer; it being further agreed and understood that the bond sum or amount is not to be considered increased because of such extension.			
Signature	Title (Must be an officer or power of attorney must be attached)		Date

Printed Name
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<b>FOR STATE USE ONLY</b>	
Date Approved	
By	
Title	

## NOTICE OF TRANSFER OF TREATING PLANT FACILITY - FORM 8B-sm

1. Please refer to Section 43-02-02.4-03 of the North Dakota Administrative Code regarding transfer of a treating plant facility.
2. The operator of a treating plant facility shall be the principal on the bond covering the treating plant facility.
3. The operator, treating plant facility file number, and location shall coincide with the official records on file with the Commission.
4. Transfer of property does not release the bond. In case of transfer of property or other interest in the treating plant facility and the principal desires to be released from the bond covering the treating plant facility, the principal shall notify the Director, in writing, on a Notice of Transfer of Treating Plant Facility - Form 8B-sm at least thirty (30) days before the closing date of the transfer. The Director may, for good cause, waive the requirement of at least thirty (30) days' notice prior to transfer. A fee of \$25.00 shall accompany the notice.
5. The date of assignment or transfer shall be reported.
6. When the Commission has approved the transfer and accepted it under the transferee's bond, the transferor shall be released from the responsibility of reclaiming the treating plant facility.
7. The transferee (new operator) of any treating plant facility shall be responsible for the site reclamation of said treating plant facility. For that purpose the transferee shall submit a new bond or, in the case of a surety bond, produce the written consent from the surety of the original or prior bond that the latter's responsibility shall continue.
8. The surety company shall be a responsible surety company authorized to transact business in North Dakota.
9. The bond number in the surety block is a number assigned by the surety company.
10. The Commission may refuse to transfer a treating plant facility if the transferring operator, receiving operator, or surety company has failed in the past to comply with statutes and rules relating to the operation of a treating plant facility, or if a civil or administrative action brought by the Commission is pending against either the operator or the surety company.
11. The original and six copies of this notice shall be filed with the Industrial Commission of North Dakota, Geological Survey Division, 600 East Boulevard, Dept. 405, Bismarck, ND 58505-0840.