

North Dakota State Industrial Commission
SUBSURFACE MINERALS
NOTICE OF TRANSFER OF MINING FACILITY

FOR STATE USE ONLY
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 Mining Facility			Telephone Number
Address	City	State	Zip Code
I, the above named representative, acknowledge the transfer of the mining 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 Mining 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		FOR STATE USE ONLY	

Date Approved
By
Title

NOTICE OF TRANSFER OF MINING FACILITY - FORM 8A-sm

1. Please refer to Section 43-02-02.3-05 of the North Dakota Administrative Code regarding transfer of a mining facility.
2. The operator of a mining facility shall be the principal on the bond covering the treating plant facility.
3. The operator, mining 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 mining facility and the principal desires to be released from the bond covering the mining facility, the principal shall notify the Director, in writing, on a Notice of Transfer of Mining Facility - Form 8A-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 mining facility shall be responsible for the site reclamation of said mining 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 mining 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 mining 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.