



ADMINISTRATIVE RULES OF MONTANA



17.24.103 EXPLORATION LICENSE--APPLICATION AND CONDITIONS

- (1) To secure an exploration license an applicant shall:
 - (a) pay a filing fee of \$100 to the department;
 - (b) submit an application for an exploration license to the department upon forms prepared and furnished by it;
 - (c) submit an exploration plan of operations and a map or sketch in sufficient detail to locate the area to be explored as well as the actual proposed disturbances, and to allow the department to adequately determine whether significant environmental problems would be encountered. The plan of operations must state the type of exploration techniques that would be employed in disturbing the land and include a reclamation plan in sufficient detail to allow the department to determine whether the specific reclamation and performance requirements of ARM 17.24.104 through 17.24.108 would be satisfied;
 - (d) agree to reclaim any surface area disturbed by the applicant during exploration operations, all as may be reasonably required by the department, unless the applicant shall have applied for and been issued an operating permit for the lands so disturbed;
 - (e) submit a reclamation performance bond with the department in a form and amount determined adequate by the department in accordance with 82-4-338, MCA; and
 - (f) not be in default of any other reclamation obligation mandated by the Act or rules implementing the Act.
- (2) On approval by the department, the applicant will be issued an exploration license renewable annually by filing an annual report on a form provided by the department and payment of the renewal fee of \$25.
- (3) An exploration licensee is subject to and must agree to the provisions of ARM 17.24.104 through 17.24.107 for reclamation of surface areas disturbed by exploration operations. Because of the inherent difficulties of promulgating regulations of state-wide applicability, the department will allow variance from the following provisions of this rule, if a written request submitted prior to commencement of the subject disturbance is accompanied by the landowner's or land administrator's written consent to the variance and is sufficient to convince the department that the public interest and the intent of the Act are best served by allowing such variance.
- (4) In the absence of emergency or suddenly threatened or existing catastrophe, the licensee may not depart from an approved plan without previously obtaining from the department verbal or written approval of the proposed change.

Authorizing statute(s): 82-4-321, MCA

Implementing statute(s): 82-4-332, MCA

History: Eff. 12/31/72; AMD, 1994 MAR p. 2952, Eff. 11/11/94; TRANS, from DSL, 1996 MAR p. 2852; AMD, 1999 MAR p. 640, Eff. 4/9/99; AMD, 2002 MAR p. 3590, Eff. 12/27/02; AMD, 2022 MAR p. 1830, Eff. 9/24/22.