

Abandoned Mine Land Program
Mining and Minerals Division
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Surface and/or Mineral
Ownership
and No Mining

CONSENT TO ENTRY FOR RECLAMATION

_____, PROJECT
_____, COUNTY(IES)
_____, CITY

Under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C 1231, et seq., and under the Abandoned Mine Reclamation Act, 69-25B-1 et seq., NMSA 1978, the Abandoned Mine Land (AML) Program of the Mining and Minerals Division of the Energy, Minerals and Natural Resources Department proposes to undertake reclamation work necessitated by abandoned mining activities to protect the public health, safety and general welfare from the adverse effects of past mining.

To achieve this objective, it will be necessary for the AML Program, its officers, agents, employees and contractors to enter upon the property described below:

A(n) _____, interest in such property is held by _____ (name of Interest Holder). Such interest was acquired on _____ (date), by _____ (deed, patent, etc.) as recorded in Book _____ / _____, page(s) _____, in _____ County _____ records.

NOW, THEREFORE, in consideration of the benefits which will accrue to the Interest Holder and to the general public, the Interest Holder does hereby grant to the AML Program, its employees, agents, contractors and subcontractors a right of entry into, over and upon the property described above, including all necessary and convenient rights of ingress, egress and regress, with all materials and equipment to conduct the proposed reclamation activities and to do any and all things necessary and convenient to effectively carry on said activities in a good and workmanlike manner, including but not limited to the temporary storage of equipment and materials, the right to remove or dispose of materials necessary to reclamation, and the construction of temporary roadways on the property. Said right of entry is granted to complete the reclamation activities and to conduct inspections of, and perform maintenance and repairs to, the reclamation activities completed on the property.

It is understood and agreed that there will be no lien placed against the above-described property for the reclamation work. The Interest Holder represents to the AML Program that he/she did not consent to, participate in, or exercise control over the mining operation which necessitated the reclamation work.

The Interest Holder understands and acknowledges that the success of the project cannot be a warranted and the proposed work may not accomplish the intended result. The Interest Holder also acknowledges that the AML Program has no responsibility or liability for any mine related damage to the property which occurred prior to or which might occur during or after the reclamation work.

It is understood the work performed in the project area shall be done by contractors for the AML Program and the AML is without authority to assume the risk of injury to persons or damage to persons or property resulting from the action of the contractors, however the AML Program shall require contractors performing the work on the property to obtain and keep in force liability insurance in the minimum amount of \$500,000 per person and \$1,000,000 per occurrence.

It is further understood that the AML Program is unable to make repairs to structures for any mine related damages.

Execution of this Consent to Entry does not obligate the AML Program to perform any part of the contemplated or proposed reclamation work.

By executing this Consent to Entry neither the Interest Holder nor the AML Program waive any rights conferred by operation of Title IV of SMCRA or of the Abandoned Mine Reclamation Act.

Interest Holder further agrees that any sale, assignment, mortgage or other encumbrance or conveyance of this property shall be made subject to this Consent to Entry. Additionally, Interest Holder agrees to provide written notice to the AML Program ten (10) days in advance of any such event.

Witness my hand or seal this _____ day of _____ 20 ____.

Signature of Interest Holder

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
COUNTY OF _____)

The foregoing Consent to Entry was acknowledged before me this ____ day of _____, 20 ____.

By _____

My commission expires:
(Seal)

Notary Public

FOR RECORDING USE
ONLY

ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO)
COUNTY OF _____)

The foregoing Consent to Entry was acknowledged before me this
____ day of _____, 20 ____.

by _____ the _____
(Name of Interest Holder) (title)

of _____ a _____ corporation.
(Name of Corporation) (State)

My commission expires _____

Notary Public