



# San Bernardino County



## Land Use Services Department, Planning Division

San Bernardino County Government Center,  
385 N. Arrowhead Ave., San Bernardino, CA 92415-0182  
15900 Smoke Tree Street; Hesperia, CA 92345

San Bernardino Office – (909) 387-8311      High Desert Office – (760) 995-8140  
Fax (909) 387-3249      Fax (760) 995-8167

## TRANSFER OF OWNERSHIP MINING RECLAMATION PLAN AND/OR CONDITIONAL USE PERMIT INFORMATION SHEET AND APPLICATION

This application and materials are required to be submitted to the County to document the transfer of ownership of any mining operation. After review of all information submitted is complete, the applicant will be notified that the County requirements related to the transfer of ownership are complete.

**Fee:** Submit a check or money order made out to San Bernardino in the amount of **\$865.00**.

Planning Review Fee (L630)	\$840.00
Records Media Conversion for Job Closure Fee (L697)	25.00
<b>TOTAL</b>	<b>\$865.00</b>

**Application:** Submit two completed copies of the Application Questionnaire.

### Additional Materials to be Submitted:

1. Signed and notarized original of the Notification of Responsibility for all owners of the property.
2. Signed and notarized original of the Replacement Financial Assurance Instrument.
3. **One copy** of the recorded Grant Deed for each lot, parcel, patented or unpatented claim. A notarized copy of any lease, if the property is leased.

# LAND USE SERVICES DEPARTMENT

## APPLICATION QUESTIONNAIRE FOR TRANSFER OF OWNERSHIP — MINING OPERATIONS

Date: \_\_\_\_\_

1. California Mine ID# \_\_\_\_\_

2. Mine Name: \_\_\_\_\_

3. Conditional Use Permit/Reclamation Plan Reference Number: \_\_\_\_\_

4. Previous Owner: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Street/P.O. Box

City

State

Zip

Telephone (8 A.M.-5 P.M.)

5. New Owner: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Street/P.O. Box

City

State

Zip

Telephone (8 A.M.-5 P.M.)

6. Operator: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Street/P.O. Box

City

State

Zip

Telephone (8 A.M.-5 P.M.)

7. Assessor Parcel No(s): \_\_\_\_\_

8. Total acres: \_\_\_\_\_

9. Project or mine legal location section(s): \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ SBBM  or MDBM  (check one)

Note: If more than one person is involved in the ownership of the property, a separate page must be attached to this application which lists the names and addresses of all persons having interest in the ownership of mineral rights.

To be completed by County Staff: Filing Date: \_\_\_\_\_ Project No.: \_\_\_\_\_ JCS Project No.: \_\_\_\_\_

APPLICANT'S CERTIFICATION OF FILING: (Legal owner of the property must sign)

I certify under penalty of perjury that I am the owner of record, or as noted below and the owner of record has knowledge of and consents to the proposed surface mining permit application for this property. I further certify that the information contained herein is true and correct to the best of my knowledge.

- Owner of Possessory Interest or Mineral Rights.
- Legal Owner(s) (all individual owners must sign as their names appear on the deed to the land).
- Corporate Officer(s) empowered to sign for the corporation.
- Owner's Legal Agent having Power of Attorney for this action (a certified Power of Attorney document must accompany the application form)

Dated \_\_\_\_\_, 20

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Company

**FOR OFFICIAL USE ONLY**

**General location of property.**

Location from nearest section corner: \_\_\_\_\_  
\_\_\_\_\_

Describe proposed use of property or reasons for this action: \_\_\_\_\_  
\_\_\_\_\_

Index no. _____	General Plan Ref _____
Land Use District _____	GP Recommendation _____
Land Use Map _____	City's sphere _____
Filing date _____	A.L.U.C. _____

IRREVOCABLE LETTER OF CREDIT

Irrevocable Letter of Credit Number \_\_\_\_\_

Expiration Date: \_\_\_\_\_ As set out below

- Beneficiary(s):
- (1) County of San Bernardino  
Land Use Services Department  
385 North Arrowhead Avenue, Third Floor  
San Bernardino, CA 92415-0182  
Attn: Director of Land Use Services
  
  - (2) California Department of Conservation  
Office of Mine Reporting and Reclamation & Compliance  
801 K Street, MS 09-06  
Sacramento, CA 95814-3529

This will serve as notice and agreement that \_\_\_\_\_, a  
*Name of Bank*  
Financial Institution subject to regulation by the State of \_\_\_\_\_,  
*Regulating State*

and duly authorized to do business in the State of California, has on deposit the necessary amount of \$ \_\_\_\_\_ (United States Dollars) pledging and guaranteeing these funds to the \_\_\_\_\_ and/or the Department of Conservation to meet the obligations of

*Lead Agency*

\_\_\_\_\_ to establish and perform a reclamation plan and mitigation

*Applicant*

measures pursuant to Mining/Reclamation Plan No. \_\_\_\_\_ approved by \_\_\_\_\_  
*Lead Agency*

on \_\_\_\_\_

*Approval Date*

The \$ \_\_\_\_\_ will be distributed to the Beneficiary(ies) upon the authorization and direction of a duly authorized representative of the \_\_\_\_\_ or the

*Lead Agency*

Department of Conservation, which accompanied by the documents hereafter described and subject to the following conditions.

- (1) The \_\_\_\_\_ may draw hereunder by means of its draft(s),  
*Lead Agency*  
accompanied by this original Letter of Credit and the following signed and dated statement, appropriately completed:

The amount of our accompanying draft \$ \_\_\_\_\_ represents a sum due to the \_\_\_\_\_ pursuant to Public Resources Code  
*Lead Agency*  
Section 2773.1(b). The \_\_\_\_\_ has determined, following a  
*Lead Agency*

public hearing, that \_\_\_\_\_ is financially incapable of performing reclamation in accordance with its approved reclamation plan, or has abandoned its surface mining operation without commencing reclamation, and \_\_\_\_\_ has been provided with notice and opportunity to cure (which cure period has expired), all in accordance with the provisions of Public Resources Code Section 2773.1(b). The individual signing below certifies that the foregoing statements are true and correct and that the signatory is authorized to sign and deliver this statement on behalf of *Lead Agency*, and that a copy of this statement has been forwarded by certified mail or courier service to the Department of Conservation.

\_\_\_\_\_  
*Lead Agency*

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

- (2) The Department of Conservation may draw hereunder by means of its draft(s), accompanied by the following signed and dated statement, appropriately completed (the original Letter of Credit need not accompany the draft(s)):

The amount of our accompanying draft \$ \_\_\_\_\_ is due to the Department of Conservation pursuant to Public Resources Code Section 2773.1(b). The Department of Conservation, or the \_\_\_\_\_ has determined, following a public hearing, that \_\_\_\_\_ is financially incapable of performing reclamation in accordance with its approved reclamation plan, or has abandoned its surface mining operation without commencing reclamation, and notice and opportunity to cure have been given (with the cure period having expired), all in accordance with Public Resources Code Section 2773.1(b) and (d). The individual signing below certifies that the foregoing statements are true and correct and that the signatory is authorized to sign and deliver this statement on behalf of the Department of Conservation and that a copy of this statement has been forwarded by certified mail or courier service to the \_\_\_\_\_

\_\_\_\_\_  
*Lead Agency*

California State Department of Conservation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

This Letter of Credit shall be in full force and effect until receipt of a written statement by a duly authorized representative of the \_\_\_\_\_ or the Department of Conservation that all of the obligations secured hereby have been performed or until disbursement of all funds pledged and guaranteed hereunder pursuant to the preceding paragraphs or until the Expiration Date hereunder.

*Lead Agency*

The Letter of Credit shall expire \_\_\_\_\_ at the counters of \_\_\_\_\_ or

*Expiration Date*

*Financial Institution and Address*

any extended date as hereinafter provided. It is a condition of this Letter of Credit that it shall be automatically extended for additional periods, each of one year, unless at least one hundred twenty (120) days prior to the then relevant expiration date \_\_\_\_\_ has advised

*Financial Institution*

the \_\_\_\_\_ and the Department of Conservation-by registered or certified mail that \_\_\_\_\_ elects not to extend. In that event, the \_\_\_\_\_

*Lead Agency*

*Financial Institution*

\_\_\_\_\_ and/or the Department of Conservation may draw hereunder on \_\_\_\_\_ or prior to the then relevant expiration date, up to the full amount available hereunder, against the sight draft(s) on \_\_\_\_\_ bearing the number of this Letter of Credit.

*Lead Agency*

*Financial Institution*

The amount of this Letter of Credit may be reduced in accordance to conditions set forth in the above-referenced Mining/Reclamation Plan No. \_\_\_\_\_, provided that any such reduction shall be made only with the written approval of a duly authorized representative of San Bernardino County and/or the Department of Conservation.

*Lead Agency*

This Agreement shall be governed by and construed in accordance with the laws of the State of California. This credit shall be subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision), International Chamber of Commerce Publication No. 400 notwithstanding Article I9 of said publication. If this Letter of Credit expires during an interruption of business as described in Article I9, \_\_\_\_\_ is hereby specifically authorized and agree to effect payment if the letter is drawn within thirty (30) days after the resumption of business.

*Financial Institution*

This shall constitute and irrevocable commitment of funds which shall not be subject to recall by \_\_\_\_\_ before the Expiration Date hereunder.

*Financial Institution*

*Financial Institution*

[SEAL]

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



CA Mine ID # \_\_\_\_\_

(Page 1 of 5)  
Corporation

DEPARTMENT OF CONSERVATION  
OFFICE OF MINE RECLAMATION

and the

COUNTY OF SAN BERNARDINO

**SURETY BOND (CORPORATION)**

(Public Resources Code §2773.1)

Bond No. \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS, THAT THE UNDERSIGNED

\_\_\_\_\_  
(Name of Corporation - Permittee and Principal, whose address for service is:)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip)

a corporation organized and existing under the laws of the State of \_\_\_\_\_ as

Principal, and \_\_\_\_\_,

\_\_\_\_\_  
(Name of Surety Company, whose address for service is:)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip)

organized and existing under the laws of the State of \_\_\_\_\_ and licensed to do business in the State of California, as Surety, are held and firmly bound unto the County of San Bernardino and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_ in the penal sum of \_\_\_\_\_

\_\_\_\_\_  
(Third Party Public Agency)

\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_) for the payment of which sum we hereby jointly and severally bind ourselves, our successors, and assigns. In the event of forfeiture by the Principal, the Obligees agree that, in the aggregate, they shall not demand in excess of the penal sum of this bond.

THE CONDITION OF THE ABOVE OBLIGATION is such that:

Whereas, the above-named Principal has submitted \_\_\_\_\_,  
(Permit or Reclamation Plan Application)

No. \_\_\_\_\_, including a mining and reclamation plan, to reclaim a surface mining operation, as defined pursuant to the Surface Mining and Reclamation Act, Public Resources Code, Division 2, Chapter 9, §2710 et seq. (the Act), and its attendant regulations (California Code of Regulations, Title 14, §3500 et seq.); and

Whereas, a demand has been made upon Principal for security under Public Resources Code §2773.1, to insure compliance with the Act; and this bond is executed and tendered in accordance therewith;

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 2 of 5)  
Corporation

Whereas, the Principal has chosen to file this performance bond as a guarantee that the reclamation of the land disturbed during this surface mining operation will be completed as required by the Act and regulations, and as specified in the Permit and Reclamation Plan as approved by the County of San Bernardino;

Whereas, the Surety and their successors and assigns agree to guarantee the obligation and to indemnify the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_ from the failure of the Principal to complete the

(Third Party Public Agency)

reclamation of the land disturbed during the surface mining operation in conformity with the Act and regulations and as specified in the Permit and Reclamation Plan as approved by the County of San Bernardino, subject to the penal sum of this bond;

Whereas, the surety, as part of the obligation secured by this bond, and in addition to the penal sum specified in this bond, agrees there shall be included costs and reasonable expenses and fees, including reasonable attorney fees, incurred by the City/County, and in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_

(Third Party Public Agency)

in successfully enforcing such obligation against the surety, all to be taxed as costs and included in any judgment rendered;

Whereas, obligations guaranteed by this performance bond shall be in effect for the following described lands which are subject to the approved mining and reclamation plan or increment upon which initial or succeeding operations by the principal will be conducted:

(Insert legal description)

Now, if the Principal faithfully completes all reclamation requirements set forth in the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, then this obligation shall be void; otherwise, it shall remain in full force and effect:

- (a) beginning on the date of the approval and issuance of Permit No. \_\_\_\_\_ (or Reclamation Plan No. \_\_\_\_\_ or prior to commencement of surface disturbance, and extending until all reclamation and restoration work pursuant to the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, has been completed to the satisfaction of the County of San Bernardino, and, in the alternative, the Department of Conservation, Office of Mine Reclamation; and, in the alternative, the \_\_\_\_\_ and,

(Third Party Public Agency)

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

- (b) until the bond is released or replaced, or until the permit has been sold, reassigned or otherwise transferred in accordance with the Act and its attendant regulations.

The failure of the Principal to fulfill mined land reclamation obligations specified by the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, shall result in a forfeiture of this performance bond according to the procedures described in the Act.

The amount of the Surety's liability may be adjusted by the County of San Bernardino and, in the alternative, the Department of Conservation, Office of Mine Reclamation and, in the alternative, the \_\_\_\_\_  
(Third Party)

\_\_\_\_\_ pursuant to the Act for lands covered by this bond which  
Public Agency) have been disturbed by the Principal, or for which reclamation has been completed and approved by the County of San Bernardino and in the alternative, the Department of Conservation, Office of Mine Reclamation. If the penal sum of this bond requires adjustment, it shall be by use of an Increase/Decrease Rider.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the \_\_\_\_\_, No. \_\_\_\_\_  
(Permit or Reclamation Plan Application) or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the \_\_\_\_\_, No. \_\_\_\_\_ or to the work or to the  
(Permit or Reclamation Plan Application) specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to surety's obligations hereunder and are hereby waived by surety.

The Surety will give prompt notice to the Principal, the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_ of  
(Third Party Public Agency) any notice received or action filed alleging the insolvency or bankruptcy of the Surety, or alleging any violations or regulatory requirements which could result in suspension or revocation of the Surety's license to do business.

In the event the Surety becomes unable to fulfill its obligations under the bond for any reason, notice shall be given immediately to the Principal, the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_  
(Third Party Public Agency)

Upon the incapacity of the Surety by reason of bankruptcy, insolvency, or suspension or revocation of its license, the Principal shall be deemed to be without bond coverage in violation of the Act, and subject to enforcement actions described in the Act.

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 4 of 5)  
Corporation

IN WITNESS THEREOF, the Principal and Surety have hereunto set their signatures and seals as of the dates set forth below.

Date \_\_\_\_\_  
\_\_\_\_\_  
(Corporation - Permittee [Principal])

(Corporate Seal)

By: \_\_\_\_\_  
(Signature of Corporate Officer)

\_\_\_\_\_  
Typed or Printed Name

Title: \_\_\_\_\_

I declare, under penalty of perjury, under the laws of the State of California, that I have executed the foregoing bond under an unrevoked Power of Attorney.

\_\_\_\_\_  
(Surety Company)

(Seal)

By: \_\_\_\_\_  
(Signature of Attorney-in-Fact for Surety)

\_\_\_\_\_  
Typed or Printed Name

Title: \_\_\_\_\_

Executed in \_\_\_\_\_ on \_\_\_\_\_ under  
(City and State) (Date)  
the laws of the State of California.

(Note: Where one signs by virtue of a Power of Attorney for a Surety Company, such fully executed Power of Attorney must be filed with this bond.)

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

**ACKNOWLEDGMENT OF CORPORATION - PERMITTEE**

State of \_\_\_\_\_  
SS.

County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, before me, \_\_\_\_\_  
(name and quality of officer), personally appeared \_\_\_\_\_ personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or  
the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
L.S.

Notary's Signature

My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGMENT OF SURETY**

State of \_\_\_\_\_  
SS.

County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, before me, \_\_\_\_\_  
name and quality of officer), personally appeared \_\_\_\_\_ personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
L.S.

Notary's Signature

My Commission Expires: \_\_\_\_\_

NOTE: Please identify the agent acting on behalf of the surety, if applicable.

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_



DEPARTMENT OF CONSERVATION  
OFFICE OF MINE RECLAMATION

and the

COUNTY OF SAN BERNARDINO

**SURETY BOND (PARTNERSHIP)**

(Public Resources Code §2773.1)

Bond No. \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS, THAT THE UNDERSIGNED

\_\_\_\_\_  
(Partnership - Permittee and Principal, whose address for service is:)

\_\_\_\_\_  
(Street Address) (City) (State) (Zip)

a partnership, as Principal, and

\_\_\_\_\_  
(Name of Surety Company, whose address for service is:)

\_\_\_\_\_  
(Street Address) (City) (State) (Zip)

organized and existing under the laws of the State of \_\_\_\_\_ and licensed to do business in the State of California, as Surety, are held and firmly bound unto the County of San Bernardino and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_ in the penal sum of \_\_\_\_\_

\_\_\_\_\_  
(Third Party Public Agency)

\_\_\_\_\_ DOLLARS (\$ ) for the payment of which sum we hereby jointly and severally bind ourselves, our successors, and assigns. In the event of forfeiture by the Principal, the Obligees agree that, in the aggregate, they shall not demand in excess of the penal sum of this bond.

THE CONDITION OF THE ABOVE OBLIGATION is such that:

Whereas, the above-named Principal has submitted \_\_\_\_\_,  
(Permit or Reclamation Plan Application)

No. \_\_\_\_\_, including a mining and reclamation plan, to reclaim a surface mining operation, as defined pursuant to the Surface Mining and Reclamation Act, Public Resources Code, Division 2, Chapter 9, §2710 et seq. (the Act), and its attendant regulations (California Code of Regulations, Title 14, §3500 et seq.); and

Whereas, a demand has been made upon Principal for security under Public Resources Code §2773.1, to insure compliance with the Act; and this bond is executed and tendered in accordance therewith;

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 2 of 6)  
Partnership

Whereas, the Principal has chosen to file this performance bond as a guarantee that the reclamation of the land disturbed during this surface mining operation will be completed as required by the Act and regulations, and as specified in the Permit and Reclamation Plan as approved by the County of San Bernardino;

Whereas, the Surety and their successors and assigns agree to guarantee the obligation and to indemnify the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_ from the failure of the Principal to complete the

(Third Party Public Agency)

reclamation of the land disturbed during the surface mining operation in conformity with the Act and regulations and as specified in the Permit and Reclamation Plan as approved by the County of San Bernardino, subject to the penal sum of this bond;

Whereas, the surety, as part of the obligation secured by this bond, and in addition to the penal sum specified in this bond, agrees there shall be included costs and reasonable expenses and fees, including reasonable attorney fees, incurred by the City/County, and in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_

(Third Party Public Agency)

in successfully enforcing such obligation against the surety, all to be taxed as costs and included in any judgment rendered;

Whereas, obligations guaranteed by this performance bond shall be in effect for the following described lands which are subject to the approved mining and reclamation plan or increment upon which initial or succeeding operations by the principal will be conducted:

(Insert legal description)

Now, if the Principal faithfully completes all reclamation requirements set forth in the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, then this obligation shall be void; otherwise, it shall remain in full force and effect:

- (a) beginning on the date of the approval and issuance of Permit No. \_\_\_\_\_ (or Reclamation Plan No. \_\_\_\_\_ or prior to commencement of surface disturbance, and extending until all reclamation and restoration work pursuant to the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, has been completed to the satisfaction to the County of San Bernardino, and in the alternative, the Department of Conservation, Office of Mine Reclamation; and, in the alternative, the \_\_\_\_\_ and,

(Third Party Public Agency)

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 3 of 6)  
Partnership

- (b) until the bond is released or replaced, or until the permit has been sold, reassigned or otherwise transferred in accordance with the Act and its attendant regulations.

The failure of the Principal to fulfill mined land reclamation obligations specified by the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, shall result in a forfeiture of this performance bond according to the procedures described in the Act.

The amount of the Surety's liability may be adjusted by the County of San Bernardino, and, in the alternative, the Department of Conservation, Office of Mine Reclamation and, in the alternative, the \_\_\_\_\_ pursuant to the Act for lands covered by this

(Third Party Public Agency)  
bond which have been disturbed by the Principal, or for which reclamation has been completed and approved by the County of San Bernardino and, in the alternative, the Department of Conservation, Office of Mine Reclamation. If the penal sum of this bond requires adjustment, it shall be by use of an Increase/Decrease Rider.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the \_\_\_\_\_, No. \_\_\_\_\_  
(Permit or Reclamation Plan Application)

or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the \_\_\_\_\_, No. \_\_\_\_\_  
(Permit or Reclamation Plan Application)

or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to surety's obligations hereunder and are hereby waived by surety.

The Surety will give prompt notice to the Principal, the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_ of any notice  
(Third Party Public Agency)  
received or action filed alleging the insolvency or bankruptcy of the Surety, or alleging any violations or regulatory requirements which could result in suspension or revocation of the Surety's license to do business.

In the event the Surety becomes unable to fulfill its obligations under the bond for any reason, notice shall be given immediately to the Principal, the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_  
(Third Party Public Agency)

Upon the incapacity of the Surety by reason of bankruptcy, insolvency, or suspension or revocation of its license, the Principal shall be deemed to be without bond coverage in violation of the Act, and subject to enforcement actions described in the Act.

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 4 of 6)  
Partnership

IN WITNESS THEREOF, the Principal and Surety have hereunto set their signatures and seals as of the dates set forth below.

Date \_\_\_\_\_  
\_\_\_\_\_  
(Partnership - Permittee [Principal])

By: \_\_\_\_\_  
(Signature of Partner)

(Seal)

\_\_\_\_\_  
Typed or Printed Name

By: \_\_\_\_\_  
(Signature of Partner)

I declare under penalty of perjury, under the laws of the State of California, that I have executed the foregoing bond under an unrevoked Power of Attorney.

\_\_\_\_\_  
(Surety Company)

By: \_\_\_\_\_  
(Signature of Attorney-in-Fact for Surety)

(Seal)

\_\_\_\_\_  
Typed or Printed Name

Title: \_\_\_\_\_

Executed in \_\_\_\_\_ on \_\_\_\_\_ under  
(City and State) (Date)  
the laws of the State of California.

(Note: Where one signs by virtue of a Power of Attorney for a Surety Company, such fully executed Power of Attorney must be filed with this bond.)

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 5 of 6)  
Partnership

**ACKNOWLEDGMENT OF PARTNERSHIP - PERMITTEE**

State of \_\_\_\_\_ SS.

County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_  
(name and quality of officer), personally appeared \_\_\_\_\_ personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGMENT OF PARTNERSHIP - PERMITTEE**

State of \_\_\_\_\_ SS.

County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_  
(name and quality of officer), personally appeared \_\_\_\_\_ personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 6 of 6)  
Partnership

### ACKNOWLEDGMENT OF SURETY

State of \_\_\_\_\_ SS.

County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, before me, \_\_\_\_\_ name and quality of officer), personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

NOTE: Please identify the agent acting on behalf of the surety, if applicable.

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_

CA Mine ID # \_\_\_\_\_

(Page 1 of 5)  
Sole Proprietorship

DEPARTMENT OF CONSERVATION  
OFFICE OF MINE RECLAMATION

and the

COUNTY OF SAN BERNARDINO

**SURETY BOND (SOLE PROPRIETORSHIP)**

(Public Resources Code §2773.1)

Bond No. \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS, THAT THE UNDERSIGNED

\_\_\_\_\_ d/b/a

(Name of Individual)

\_\_\_\_\_ (Name of Company - Permittee and Principal, whose address for service is:)

\_\_\_\_\_ (Street Address)

\_\_\_\_\_ (City)

\_\_\_\_\_ (State)

\_\_\_\_\_ (Zip)

a sole proprietorship, as Principal, and \_\_\_\_\_,

(Name of Surety Company, whose address for service is:)

\_\_\_\_\_ (Street Address)

\_\_\_\_\_ (City)

\_\_\_\_\_ (State)

\_\_\_\_\_ (Zip)

organized and existing under the laws of the State of \_\_\_\_\_ and licensed to do business in the State of California, as Surety, are held and firmly bound unto the County of San Bernardino and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_ in the penal sum of \_\_\_\_\_

(Third Party Public Agency)

\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_) for

the payment of which sum we hereby jointly and severally bind ourselves, our successors, and assigns. In the event of forfeiture by the Principal, the Obligees agree that, in the aggregate, they shall not demand in excess of the penal sum of this bond.

THE CONDITION OF THE ABOVE OBLIGATION is such that:

Whereas, the above-named Principal has submitted \_\_\_\_\_,

(Permit or Reclamation Plan Application)

No. \_\_\_\_\_, including a mining and reclamation plan, to reclaim a surface mining operation, as defined pursuant to the Surface Mining and Reclamation Act, Public Resources Code, Division 2, Chapter 9, §2710 et seq. (the Act), and its attendant regulations (California Code of Regulations, Title 14, §3500 et seq.); and

Whereas, a demand has been made upon Principal for security under Public Resources Code §2773.1, to insure compliance with the Act; and this bond is executed and tendered in accordance therewith;

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 2 of 5)  
*Sole Proprietorship*

Whereas, the Principal has chosen to file this performance bond as a guarantee that the reclamation of the land disturbed during this surface mining operation will be completed as required by the Act and regulations, and as specified in the Permit and Reclamation Plan as approved by the County of San Bernardino;

Whereas, the Surety and their successors and assigns agree to guarantee the obligation and to indemnify the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_ from the failure of the Principal to complete

(Third Party Public Agency)

the reclamation of the land disturbed during the surface mining operation in conformity with the Act and regulations and as specified in the Permit and Reclamation Plan as approved by the County of San Bernardino subject to the penal sum of this bond;

Whereas, the surety, as part of the obligation secured by this bond, and in addition to the penal sum specified in this bond, agrees there shall be included costs and reasonable expenses and fees, including reasonable attorney fees, incurred by the City/County, and in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_

(Third Party Public Agency)

in successfully enforcing such obligation against the surety, all to be taxed as costs and included in any judgment rendered;

Whereas, obligations guaranteed by this performance bond shall be in effect for the following described lands which are subject to the approved mining and reclamation plan or increment upon which initial or succeeding operations by the principal will be conducted:

(Insert legal description)

Now, if the Principal faithfully completes all reclamation requirements set forth in the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, then this obligation shall be void; otherwise, it shall remain in full force and effect:

- (a) beginning on the date of the approval and issuance of Permit No. \_\_\_\_\_  
(or Reclamation Plan No. \_\_\_\_\_ or prior to commencement of surface disturbance,  
and extending until all reclamation and restoration work pursuant to the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, has been completed to the satisfaction of the County of San Bernardino, and, in the alternative, the Department of Conservation, Office of Mine Reclamation; and, in the alternative, the \_\_\_\_\_ and,

(Third Party Public Agency)

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 3 of 5)  
Sole Proprietorship

- (b) until the bond is released or replaced, or until the permit has been sold, reassigned or otherwise transferred in accordance with the Act and its attendant regulations.

The failure of the Principal to fulfill mined land reclamation obligations specified by the Act, the regulations, and all conditions of the permit related to reclamation, including the mining and reclamation plan, shall result in a forfeiture of this performance bond according to the procedures described in the Act.

The amount of the Surety's liability may be adjusted by the County of San Bernardino, and in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_ pursuant to  
(Third Party Public Agency)

the Act for lands covered by this bond which have been disturbed by the Principal, or for which reclamation has been completed and approved by the County of San Bernardino, and in the alternative, the Department of Conservation, Office of Mine Reclamation. If the penal sum of this bond requires adjustment, it shall be by use of an Increase/Decrease Rider.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the \_\_\_\_\_, No. \_\_\_\_\_  
(Permit or Reclamation Plan Application)

or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the \_\_\_\_\_, No. \_\_\_\_\_  
(Permit or Reclamation Plan Application)

or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to surety's obligations hereunder and are hereby waived by surety.

The Surety will give prompt notice to the Principal, the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_ of any notice  
(Third Party Public Agency)  
received or action filed alleging the insolvency or bankruptcy of the Surety, or alleging any violations or regulatory requirements which could result in suspension or revocation of the Surety's license to do business.

In the event the Surety becomes unable to fulfill its obligations under the bond for any reason, notice shall be given immediately to the Principal, the County of San Bernardino, the Department of Conservation, Office of Mine Reclamation and the \_\_\_\_\_  
(Third Party Public Agency)

Upon the incapacity of the Surety by reason of bankruptcy, insolvency, or suspension or revocation of its license, the Principal shall be deemed to be without bond coverage in violation of the Act, and subject to enforcement actions described in the Act.

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 4 of 5)  
*Sole Proprietorship*

IN WITNESS THEREOF, the Principal and Surety have hereunto set their signatures and seals as of the dates set forth below.

Date \_\_\_\_\_  
\_\_\_\_\_  
(Company - Permittee [Principal])

(Seal)

By: \_\_\_\_\_  
(Signature of Individual - Sole Proprietor)

\_\_\_\_\_  
Typed or Printed Name

I declare under penalty of perjury, under the laws of the State of California, that I have executed the foregoing bond under an unrevoked Power of Attorney.

\_\_\_\_\_  
(Surety Company)

(Seal)

By: \_\_\_\_\_  
(Signature of Attorney-in-Fact for Surety)

\_\_\_\_\_  
Typed or Printed Name

Title: \_\_\_\_\_

Executed in \_\_\_\_\_ on \_\_\_\_\_ under  
(City and State) (Date)  
the laws of the State of California.

(Note: Where one signs by virtue of a Power of Attorney for a Surety Company, such fully executed Power of Attorney must be filed with this bond.)

CA Mine ID # \_\_\_\_\_  
Bond No. \_\_\_\_\_

(Page 5 of 5)  
Sole Proprietorship

**ACKNOWLEDGMENT OF COMPANY - PERMITTEE**

State of \_\_\_\_\_  
SS.  
County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, before me, \_\_\_\_\_  
(name and quality of officer), personally appeared \_\_\_\_\_ personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf  
of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
L.S.  
Notary's Signature  
My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGMENT OF SURETY**

State of \_\_\_\_\_  
SS.  
County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, before me, \_\_\_\_\_  
name and quality of officer), personally appeared \_\_\_\_\_ personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf  
of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
L.S.  
Notary's Signature  
My Commission Expires: \_\_\_\_\_

NOTE: Please identify the agent acting on behalf of the surety, if applicable.

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_



**DEPARTMENT OF CONSERVATION  
OFFICE OF MINE RECLAMATION**

and the

**COUNTY OF SAN BERNARDINO**

**RECLAMATION PERFORMANCE BOND**

INCREASE/DECREASE RIDER

To be attached to and form a part of Surety Company Bond No. \_\_\_\_\_  
written by \_\_\_\_\_  
as SURETY, on behalf of \_\_\_\_\_  
as PRINCIPAL, in the penal sum of \_\_\_\_\_  
\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_), \_\_\_\_\_ in favor of the County of  
San Bernardino and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the  
alternative, the \_\_\_\_\_ and executed on \_\_\_\_\_  
(Third Party Public Agency)

Whereas, the County of San Bernardino issued approval of a surface mining and reclamation project,  
Permit No. \_\_\_\_\_ dated on \_\_\_\_\_ and renewals and  
revisions numbered and dated \_\_\_\_\_ pursuant to the application of the Principal,

**OR**

Whereas, either the County of San Bernardino or, in the alternative, the State Mining and Geology Board  
approved reclamation plan No. \_\_\_\_\_ dated on \_\_\_\_\_,  
and renewals and revisions numbered and dated \_\_\_\_\_ pursuant to  
the application of the Principal;

**AND**

Whereas, said bond and rider shall cover any and all land affected or to be affected by the mining  
operation under the above mentioned permit and reclamation plan or the reclamation plan, and revisions and  
renewals since the date of the issuance of the permit and reclamation plan or the reclamation plan,

Now, therefore, the amount of this bond is increased/decreased by \_\_\_\_\_ Dollars  
(\$ \_\_\_\_\_), \_\_\_\_\_ to a total penal sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_),

to cover the additional/reduced cost of reclaiming all affected lands for the payment of which sum we hereby  
jointly and severally bind ourselves, our successors and assigns. It is further understood and agreed that all  
other terms and conditions of this bond shall remain unchanged.

CA Mine ID # \_\_\_\_\_  
Permit No. \_\_\_\_\_  
Bond No. \_\_\_\_\_

IN WITNESS THEREOF, the Principal and Surety have hereunto set their signatures and seals as of the dates set forth below.

**PRINCIPAL**

Date \_\_\_\_\_  
\_\_\_\_\_  
(Company - Permittee [Principal])

By: \_\_\_\_\_  
(Corporate Officer/Partners/Sole Proprietor)

(Seal)

\_\_\_\_\_  
Typed or Printed Name

Title: \_\_\_\_\_

**SURETY**

I declare, under penalty of perjury, under the laws of the State of California, that I have executed the foregoing rider under an unrevoked Power of Attorney.

By: \_\_\_\_\_  
(Signature of Attorney-in-Fact for Surety)

(Seal)

\_\_\_\_\_  
Typed or Printed Name

Title: \_\_\_\_\_

Executed in \_\_\_\_\_ on \_\_\_\_\_ under  
(City and State) (Date)  
the laws of the State of California.

(Note: Where one signs by virtue of a Power of Attorney for a Surety Company, such fully executed Power of Attorney must be filed with this bond.)

CA Mine ID # \_\_\_\_\_  
Permit No. \_\_\_\_\_  
Bond No. \_\_\_\_\_

**ACKNOWLEDGMENT OF PERMITTEE**

State of \_\_\_\_\_ SS.  
County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_ (name and quality of officer), personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGMENT OF SURETY**

State of \_\_\_\_\_ SS.  
County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_ name and quality of officer), personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

NOTE: Please identify the agent acting on behalf of the surety, if applicable.

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_



**DEPARTMENT OF CONSERVATION  
OFFICE OF MINE RECLAMATION**

and the

**COUNTY OF SAN BERNARDINO**

**RECLAMATION PERFORMANCE BOND  
GENERAL PURPOSE RIDER**

To be attached to and form a part of Surety Company Bond No. \_\_\_\_\_  
written by \_\_\_\_\_  
as SURETY, on behalf of \_\_\_\_\_  
as PRINCIPAL, in the penal sum of \_\_\_\_\_  
\_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_), \_\_\_\_\_ in favor of the County of  
San Bernardino and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the  
alternative, the \_\_\_\_\_ and executed on \_\_\_\_\_  
(Third Party Public Agency)

Whereas, the County of San Bernardino issued approval of a surface mining and reclamation project,  
Permit No. \_\_\_\_\_ dated on \_\_\_\_\_ and renewals and  
revisions numbered and dated \_\_\_\_\_ pursuant to the application of the Principal,

**OR**

Whereas, either the County of San Bernardino or, in the alternative, the State Mining and Geology Board  
approved reclamation plan No. \_\_\_\_\_ dated on \_\_\_\_\_,  
and renewals and revisions numbered and dated \_\_\_\_\_ pursuant to  
the application of the Principal;

**and**

Whereas, said bond and rider shall cover any and all land affected or to be affected by the mining  
operation under the above mentioned permit and reclamation plan or the reclamation plan, and revisions and  
renewals since the date of the issuance of the permit and reclamation plan or the reclamation plan,

Now, therefore, the purpose of this rider is: \_\_\_\_\_

It is further understood and agreed that all other terms and conditions of this bond shall remain  
unchanged.

CA Mine ID # \_\_\_\_\_  
Permit No. \_\_\_\_\_  
Bond No. \_\_\_\_\_

IN WITNESS THEREOF, the Principal and Surety have hereunto set their signatures and seals as of the dates set forth below.

**PRINCIPAL**

Date \_\_\_\_\_  
\_\_\_\_\_  
(Company - Permittee [Principal])

By: \_\_\_\_\_  
(Corporate Officer/Partners/Sole Proprietor)

(Seal)

\_\_\_\_\_  
Typed or Printed Name

Title: \_\_\_\_\_

**SURETY**

I declare, under penalty of perjury, under the laws of the State of California, that I have executed the foregoing rider under an unrevoked Power of Attorney.

By: \_\_\_\_\_  
(Signature of Attorney-in-Fact for Surety)

(Seal)

\_\_\_\_\_  
Typed or Printed Name

Title: \_\_\_\_\_

Executed in \_\_\_\_\_ on \_\_\_\_\_ under  
(City and State) (Date)  
the laws of the State of California.

(Note: Where one signs by virtue of a Power of Attorney for a Surety Company, such fully executed Power of Attorney must be filed with this bond.)

CA Mine ID # \_\_\_\_\_  
Permit No. \_\_\_\_\_  
Bond No. \_\_\_\_\_

**ACKNOWLEDGMENT OF PERMITTEE**

State of \_\_\_\_\_ SS.  
County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_ (name and quality of officer), personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGMENT OF SURETY**

State of \_\_\_\_\_ SS.  
County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_ name and quality of officer), personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

NOTE: Please identify the agent acting on behalf of the surety, if applicable.

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
\_\_\_\_\_



**DEPARTMENT OF CONSERVATION  
OFFICE OF MINE RECLAMATION**

**and the**

**COUNTY OF SAN BERNARDINO  
CERTIFICATE OF DEPOSIT**

(Public Resources Code §2773.1)

WHEREAS, on the \_\_\_\_\_ day of \_\_\_\_\_  
(Month/Year)

\_\_\_\_\_  
(Name of Company or Permittee whose address for service is:)

\_\_\_\_\_  
(Street Address) (City) (State) (Zip)

deposited certain certificate(s) of deposit described as follows:

CD No.	Issuance Date	Dollar Amount	Maturity Date
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

to secure performance of certain reclamation under Mining/ Reclamation Plan No. \_\_\_\_\_

WHEREAS, the Principal is required under PRC §2773.1 of the Surface Mining and Reclamation Act to post and Maintain adequate financial assurance for mined land reclamation; and

WHEREAS, the Principal may elect to provide an acceptable certificate or provide an executed assignment of the existing certificate made payable to the County of San Bernardino, and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_  
(Third Party Public Agency)

NOW THEREFORE, to satisfy the requirements of PRC §2773.1(a), the undersigned, \_\_\_\_\_ as Obligor, hereby assigns its interest in the  
(Name of Company or Permittee)  
certificate(s) of deposit, as described above, made payable to the County of San Bernardino, and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_  
(Third Party Public Agency)

THE CONDITION OF THE ABOVE ASSIGNMENT is such that the certificate(s) shall:

- (a) be assigned to the County of San Bernardino and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the \_\_\_\_\_  
(Third Party Public Agency)  
both in writing and upon the books of the institution issuing such certificates; and
- (b) individually not exceed \$100,000.00, or the maximum insurable amount as determined by F.D.I.C. and F.S.L.I.C; and
- (c) be conditioned upon the Issuing Institution waiving all rights of set-offs or liens which it has or may have against the certificate(s); and
- (d) be deposited in a sufficient amount such that liquidation of the certificate(s) prior to maturity would provide the required bond amount; and
- (e) that the assignment shall remain in full force and effect until released in writing by the County of San Bernardino, and, in the alternative, the Department of Conservation, Office of Mine Reclamation; and, in the alternative, the \_\_\_\_\_  
(Third Party Public Agency)

This assignment shall be valid throughout any maturity redemption period as designated by this Issuing Institution, and shall also automatically renew itself when the certificate(s) of deposit is renewed.

CA Mine ID # \_\_\_\_\_

(Page 3 of 4)

IN WITNESS WHEREOF, the Obligor has hereunto set his/her signature and seal this \_\_\_\_\_ day of

\_\_\_\_\_  
(Month/Year)

Date \_\_\_\_\_

\_\_\_\_\_  
(Name of Company or Permittee [Principal])

By: \_\_\_\_\_  
(Signature of Authorized Officer)

(Seal)

\_\_\_\_\_  
(Typed or Printed Name)

Title: \_\_\_\_\_

IN WITNESS WHEREOF, the Issuing Institution has hereunto set its signature and seal this \_\_\_\_\_ day of

\_\_\_\_\_  
(Month/Year)

Date \_\_\_\_\_

\_\_\_\_\_  
(Name of Issuing Institution)

By: \_\_\_\_\_  
(Signature of Authorized Officer)

(Seal)

\_\_\_\_\_  
(Typed or Printed Name)

Title: \_\_\_\_\_

**ACKNOWLEDGMENT OF OBLIGOR (PERMITTEE)**

State of \_\_\_\_\_ SS.

County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_ (name and quality of officer), personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGEMENT OF ISSUING INSTITUTION**

State of \_\_\_\_\_ SS.

County of \_\_\_\_\_

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ in the year \_\_\_\_\_, \_\_\_\_\_ before me, \_\_\_\_\_ (name and quality of officer), personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's Signature L.S.  
My Commission Expires: \_\_\_\_\_

**NOTIFICATION OF RESPONSIBILITY**  
**Required by all Property Owners**  
**Optional Form No. 1 of 2**

I, \_\_\_\_\_ the undersigned, representing (the)  
(myself/company/corporation) legal holder of the possessory interest, mineral and/or surface rights to  
the property commonly known as the \_\_\_\_\_ located in  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section(s) \_\_\_\_\_ (SBBM  or MDBM  [check one])  
Meridian, do hereby acknowledge to abide by the Reclamation Plan and the Conditions of Approval approved by San  
Bernardino County.

(s) \_\_\_\_\_

Date \_\_\_\_\_

Individual Acknowledgement

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ ) SS.

For Notary Seal or Stamp

On \_\_\_\_\_ before me, undersigned, a Notary  
Public in and for said County and State, personally appeared

\_\_\_\_\_ known to me to be the person(s) or proven to me  
on the basis of satisfactory evidence whose names(s) subscribed to the within instrument and  
acknowledged that \_\_\_\_\_ executed the same.

Notary's Signature

Corporation Acknowledgement

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ ) SS.

For Notary Seal or Stamp

On \_\_\_\_\_ before me, undersigned, a Notary  
Public in and for said County and State, personally appeared

\_\_\_\_\_ known to me or proven on the basis  
of satisfactory evidence to be the person who executed the within instrument on behalf of the corporation therein named and  
acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a Resolution of its Board  
of Directors.

Notary's Signature

**NOTIFICATION OF RESPONSIBILITY**  
**Required by all Property Owners**  
**Optional Form No. 2 of 2**

I, \_\_\_\_\_ the undersigned, representing (the)  
(myself/company/corporation) legal holder of the possessory interest, mineral and/or surface rights to  
the property commonly known as the \_\_\_\_\_ located in  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section(s) \_\_\_\_\_ (SBBM  or MDBM  [check one])  
Meridian, do hereby acknowledge to abide by the Reclamation Plan and the Conditions of Approval approved by San  
Bernardino County.

(s) \_\_\_\_\_

Date \_\_\_\_\_

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Individual Acknowledgement

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Corporation Acknowledgement