

NOTE:

DO NOT MODIFY THIS FORM. Use typewriter or print neatly with blue ink. Submit six (6) completed copies, one of which must be an original Form 5 as supplied by the Department of Environmental Quality.

STATE OF WYOMING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY AND WATER QUALITY DIVISIONS**

**APPLICATION FOR
IN SITU RESEARCH AND DEVELOPMENT TESTING LICENSE**

1. (a) Name, mailing address and telephone number of applicant: _____

(b) County where testing will occur: _____

(c) If the applicant is a partnership, association or corporation, the names and addresses of all managers, partners and executives directly responsible for operations in this state:

Name: _____ Address: _____
Title: _____ Phone No. _____

Name: _____ Address: _____
Title: _____ Phone No. _____

Name: _____ Address: _____
Title: _____ Phone No. _____

Name: _____ Address: _____
Title: _____ Phone No. _____

2. Name, mailing address, and telephone number of the agent or person to whom any notice under the provisions of Wyoming Environmental Quality Act or Rules and Regulations adopted thereunder may be sent: _____

3. Attach the following information as part of the specific appendices:

(a) APPENDIX "A"

Names and addresses of surface and mineral owners of record within the proposed license area.

(b) APPENDIX "B"

(i) Names and last known addresses of the owners of record of the surface rights of the lands immediately adjacent to the proposed license area.

(ii) Names and last known addresses of any other persons within one-half (1/2) mile having a valid legal estate of record.

NOTE: Appendices "A" and "B" shall each be accompanied by maps showing the ownership locations required by the respective appendices. Mapping of (b)(ii) is not required.

(c) APPENDIX "C"

(i) All lands to be included in the proposed license area shall be tabulated by legal subdivision, section, township, range, county, and municipal corporation, if any, and the number of acres for each subdivision listed.

(ii) Lands which are to be part of the proposed license area, for which no right to mine is claimed shall be identified in item (c)(i) above as such and tabulated separately listing the number of acres for each legal subdivision.

(iii) Lands which are located within other permit or license areas shall be identified and a copy of the agreement with the other permittee(s) or licensee(s) shall be attached as part of this application.

(iv) An original USGS topographic map, clearly outlining and identifying the lands to be within the proposed license area, shall be provided. Photo copies or other similar copies are not acceptable unless prior approval is obtained from the Land Quality Division.

(d) APPENDIX "D"

- (i) The present and proposed post-reclamation land uses, vegetation and topsoil characteristics of the lands.
- (ii) Location and name of surface waters and adjudicated water rights inside and within one-half (1/2) mile of the license area.
- (iii) Locations and present owners of all wells inside and within one-half (1/2) mile of the license area to include information concerning plugging of well completion and producing interval(s) to the extent such information is available in the public record or by a reasonable inspection of the property.
- (iv) Groundwater quality data and potentiometric surface elevations for aquifers that may be affected by the proposed operation.

4. (a) Mineral(s) to be extracted: _____
(b) Testing method to be used: _____

5. Estimated dates of commencement and termination of the proposed research and development testing:
Start of Testing: _____ Termination of Restoration: _____

6. The total number of acres in the proposed license area and an estimate of the total number of acres to be affected by the research and development testing.
Total License Acres: _____ Estimate of Affected Acres: _____

7. The nearest town or city: _____

8. A filing fee of \$25.00 is enclosed.

9. A testing plan is required including a description of the nature and scope of the testing activity, the groundwater hydrology, the general geology, maps showing the surface facilities, access roads, communication lines, the sequence of the operation, and descriptions of the expected impacts on natural resources, mitigating measures, and operational procedures. The testing plan must show that the test will:

- (a) Evaluate mineability or workability of a mineral deposit using in-situ mining techniques.
- (b) Affect the land surface, surface waters and groundwater of the State to the minimum extent necessary.
- (c) Provide pre-mining, operational and post-mining data, information and experience that will be used for developing reclamation techniques for in situ mining.

10. A reclamation plan is required including descriptions of the methods to be used in groundwater restoration, surface restoration, the type of revegetation and practices to be used to achieve revegetation, and an estimate of the cost of restoration.

11. Proof of notice and mailing to all persons within one-half (1/2) mile of the license area having a valid legal estate of record including but not limited to surface ownership, mineral ownership, grazing leases, pipeline rights of way, road rights of way, utility rights of way, water right appropriations, etc.

12. A reclamation bond is required by W.S. §35-11-433(a) prior to approval.

13. The name, if any by which such lands listed in Appendix "C" are known: _____

14. Under the provisions of W.S. §35-11-1101, certain trade secret portions of the application and supporting information may be maintained by the department as confidential. Except for data determined to be confidential, all reports prepared in accordance with the terms of this license shall be available for public inspection at the office of the applicant. Water quality data from monitoring wells shall not be considered confidential.

15. Monitoring and Analytical Procedures:
- (a) Procedures for the analysis of pollutants shall conform to provisions of the Wyoming Water Quality Rules and Regulations, Chapter VIII.
 - (b) For each sample or measurement taken pursuant to the requirements of this license, the licensee shall record the following information:
 - (i) The exact place, date, and time of sampling;
 - (ii) The dates the analyses were performed;
 - (iii) The person(s) who performed the analyses;
 - (iv) The analytical techniques or methods used; and

(v) The results of all required analyses.

(c) If the licensee monitors any pollutant at the location(s) designated herein more frequently than required by this license, using approved analytical methods as specified above, the results of such monitoring shall be recorded as specified above.

16. Pollutants removed in the course of treatment or control of wastewaters shall be disposed of in such a manner to prevent any pollutant from entering waters of the State.

17. At the request of the Director of the Wyoming Department of Environmental Quality, the licensee must be able to show proof of the accuracy of any flow measuring device used in obtaining data submitted in any report.

18. Nothing in this license shall be construed to relieve the licensee from civil or criminal penalties for noncompliance. Nothing in this license shall be construed to preclude the institution of any legal action or relieve the licensee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation.

19. The provisions of this license are severable, and if any provision of the license, or the application of any provision of this license to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this license, shall not be affected thereby.

20. A surface discharge is unauthorized without a permit issued by the Water Quality Division. A permit to construct, issued by the Water Quality Division, is required before construction of a wastewater treatment facility commences.

FINAL SWORN STATEMENT

State of _____)
)ss
County of _____)

I _____ being duly sworn on my oath that I am the applicant (or President or Vice President if the applicant is a corporation) for the foregoing license; that I have read the said application and fully know the contents thereof; that all statements contained in the license application are true and correct to my best knowledge and belief, by execution of this statement I certify that _____, applicant or entities controlled by or under common control with the applicant has the right and power by legal estate owned to mine from the land for which this license is desired; that applicant or entities controlled by or under common control with the applicant will conduct the testing and reclamation activities in conformance with the approved plans; that applicant or entities controlled by or under common control with the applicant has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes; and if a **surface coal mining application**, that the applicant or entities controlled by or under common control with the applicant has paid the reclamation fees for this and all coal mining operations under jurisdiction of P.L. 95-87 as required by Title IV of that law; and that the applicant or entities controlled by or under common control with the applicant has not had any Federal or State coal mining permits suspended or revoked in the five years preceding the date of this application and by completion and submission of this application, hereby give consent to allow the Director, the Administrator and/or his authorized representatives, at reasonable time and without advance notice and upon presentation of appropriate credentials, to enter upon and have access to any and all lands covered in this license thereto and to inspect and copy any records or documents, obtain or monitor any samples or sampling, for any activities associated with the operation and license.

Dated this _____ day of _____, 20__.

Signature: _____

Name: _____

(Printed or typed)

Title: _____

(Corporate Seal)

The foregoing instrument was acknowledged before me by _____ this _____ day of _____, 20__.

Witness my hand and official seal.

(Notary Public or Secretary if a Corporation)

(Notary Seal)

(Name printed or typed)

My Commission Expires: _____

