CONSENT FOR RIGHT OF ENTRY

PUBLIC SERVICE COMMISSION
ABANDONED MINE LANDS DIVISION
SFN 19719 (Rev. 1-2013)

Project Number
Name
State North Dakota

Under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1231, et seq., the Public Service Commission (PSC), Abandoned Mine Lands (AML) Division proposes to undertake reclamation work necessitated by abandoned coal mining activity to protect the public health, safety and general welfare from the adverse effects of past coal mining.

To achieve this objective, it will be necessary for officers, agents, employees and contractors of the PSC to enter upon property owned by

Name of Owner	Acquired by Virtue of a Deed Dated
County	Records
Described as	

NOW, THEREFORE, in consideration of the benefits which will inure to the Owner and to the general public, the Owner does hereby grant to the PSC, its employees, agents, contractors and subcontractors a right of entry into, over and upon the above described property, 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 and the construction of temporary roadways on the property. Said right of entry is granted for the time required to complete the reclamation activities subject to the Owners continued ownership and use of the property.

The Owner understands and acknowledges that the success of the project cannot be warranted and the proposed work may not accomplish the intended result. The Owner also acknowledges that the PSC has no responsibility or liability for any mine related damage to the Owner's property which occurred prior to or which might occur during or after the abatement work.

It is understood the work performed in the project area shall be done by contractors for the PSC, and the PSC is without authority to assume the risk of injury to persons or damage to persons or property resulting from the action of the contractors, but the PSC shall require contractors performing the work on the property to obtain and keep in force liability insurance.

It is understood that the PSC is unable to make repairs to structures for any mine related damages. It is further understood and agreed that there will be no lien placed against the above-described property for the reclamation work if the owner did not consent to, participate in, or exercise control over the mining operation which necessitated the reclamation work.

Execution of this Consent for Right-of-Entry does not obligate the PSC to perform any part of the contemplated or proposed reclamation work.

By executing this consent for right of entry neither the Owner nor the PSC waive any rights conferred by operation of Title IV of the SMCRA. This agreement is binding on the parties hereto and their heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, the Owner(s) or authorized representative caused this Consent for Right of Entry to be executed this _____ day

of _____, 20 _____.

Witness	Owner		
Witness	Owner		
Address			
City	State	ZIP Code	Telephone Number