COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE RECLAMATION AND ENFORCEMENT
FRANKFORT, KENTUCKY 40601

PERFORMANCE BOND

APPLICATION (PERMIT) NUMBER _________________________
INCREMENT NUMBER (IF ANY) _________________________
BOND SUBSTITUTION FOR EXISTING BOND # _________________________

AMENDMENT, REVISION, OR RENEWAL NUMBER (IF ANY) _________________________

☐ 1. CASH BOND _________________________
☐ 2. SURETY BOND NUMBER _________________________
☐ 3. CERTIFICATE OF DEPOSIT NUMBER _________________________
☐ 4. LETTER OF CREDIT NUMBER _________________________

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned
as Principal and _________________________ as Surety is/are held and firmly bound unto the
Energy and Environment Cabinet in the penal sum of _________________________ Dollars ($ _________________________).

☐ 1. Which sum is herewith deposited with the Cabinet’s Department for Natural Resources
☐ 2. For the payment of which sum is to be well and truly made
☐ 3. Which sum is herewith deposited with the Cabinet’s Department for Natural Resources
   by and through its Escrow Agent _________________________
☐ 4. Which sum is available by virtue of an irrevocable letter of credit in favor of the Cabinet’s Department
   for Natural Resources

as a guarantee that the provisions of the permit issued pursuant to Application Number
all applicable laws, regulations, and the terms of this bond will be observed and hereby bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bond is
effective upon receipt by the Department for Natural Resources and cannot be cancelled except as provided under
KRS 350.068, 405 KAR 10:030 and 405 KAR 10:035.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, THAT:

Whereas, the above bound Principal, pursuant to the provisions of KRS Chapter 350 did file with the Department
for Natural Resources an application for a permit to engage in surface coal mining and reclamation operations in
the Commonwealth of Kentucky; that in said application the Principal estimates that _________________________ acres of
land situated in _________________________ County, Kentucky will be affected by surface coal mining and reclamation
operations authorized by the permit issued pursuant to the aforesaid application requiring this bond.

SME-42 Rev. 06/2013
If this is a bond substitution it is understood and agreed that all obligations under this bond shall extend to disturbances both prior and subsequent to the date of substitution.

Now if the said ____________________________, as Principal, shall faithfully perform all the requirements of the above-designated application, the permit issued pursuant thereto, and the applicable laws, regulations, and the terms of this bond then this obligation shall be released; otherwise, it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet. In the event of bond forfeiture, pursuant to KRS 350.130(1) and 405 KAR 10:050 the Cabinet shall forfeit all of the remaining bond amount for the permit or increment(s) to which the bond applies, regardless of the acreage disturbed or reclaimed.

In the event that the insurer or surety becomes incapacitated by reason of bankruptcy insolvency or suspension or revocation of its charter, license or certificate of authority, the provisions of 405 KAR 10:030, Section 2 shall apply.

PRINCIPAL: ____________________________  BY: ____________________________
(PERMITTEE)

DATE: ____________________________  OFFICIAL POSITION: ____________________________

SIGNATURE: ____________________________

Subscribed and sworn to before me by ____________________________  this the ______ day of ____________________________ , ______.

NOTARY PUBLIC: ____________________________  MY COMMISSION EXPIRES: ____________________________

COMPLETE FOR SURETY BOND:

SURETY: ____________________________

ADDRESS: ____________________________

LOCAL AGENCY ISSUING BOND: ____________________________

ADDRESS: ____________________________

BY: ____________________________  OFFICIAL POSITION: ____________________________

SIGNATURE: ____________________________  DATE: ____________________________

NOTE: The person who signs for a surety company must file with the bond a copy of the Power of Attorney showing authority to sign.

SME-42 Rev. 06/2013