



## **NOTICE OF REQUIREMENT CHANGE TO MINING APPLICATIONS**

On May 19, 2026, the Court of Civil Appeals upheld a previous ruling by Pontotoc County District Court that ODM's Notice by Publication is not sufficient. The Court cited the Supreme Court holding in *Purcell v. Parker*.

### **What does this mean and how does it affect mining permit applications?**

Permit applicants must continue to **publish their intent to mine notice in the newspaper** in accordance with the law (O.S. Title 45 and OAC 460:10-17-5) **AND notify affected neighboring landowners by mail** pursuant to the case *Purcell v. Parker*.

Section 1 of the permit application has been updated to include a page for you to list the *Affected Neighboring Landowners* with their mailing addresses. There is also an *Affidavit of Notice* attesting that the notice was run in the newspaper and personal notice was provided to all affected neighboring landowners.

### **Who are the affected neighboring landowners?**

All parties whose legally protected interests may be directly and adversely affected by your application for a mining permit.

### **When does this change go into effect?**

This change became effective on May 19, 2026