

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Melanie A. Kenderdine
Cabinet Secretary

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Acting Deputy Cabinet Secretary

Albert Chang, Director
Mining and Minerals Division



August 7, 2024

Raymond Irwin, Geologic Consultant
New Mexico Copper Corporation
P.O. Box 4209
Truth or Consequences, NM 87901

RE: Technical Comments on Copper Flat Exploration 2024 Application, Permit No. SI061EM

Dear Mr. Irwin,

The New Mexico Mining and Minerals Division (MMD) received an application from THEMAC for the Minimal Impact Exploration Application Copper Flat Exploration Project, Permit No. SI061EM on April 23, 2024.

On May 6th, MMD deemed the submitted application was administratively complete which was followed by a site inspection with THEMAC on May 23, 2024. MMD has conducted a technical review of the Application and, in accordance with 19.10.3.302.1 NMAC, provided the Application to, and requested comments from, the New Mexico Environment Department (NMED), New Mexico Office of the State Engineer (NMOSE), New Mexico Department of Game and Fish (NMDG&F), New Mexico Historic Preservation Division (NMDCA) and New Mexico Forestry Division (NMSFD) as well as the Bureau of Land Management (BLM).

Agency Responses: *Attached for review and comment as Attachment A*

New Mexico Department of Cultural Affairs Submitted July 16, 2024

New Mexico Department of Game and Fish Submitted June 24, 2024

New Mexico Environment Department Submitted July 5, 2024

New Mexico Office of the State Engineer No response.

EMNRD - Forestry Division Submitted July 25, 2024

Bureau of Land Management No Response.

General Comments:

MMD finds that the proposed area has significant historical mining disturbance. Many of the proposed holes and roads are easily accessible from current roads and will minimize potential disturbance footprint. See MMD's comments below.

1. Section 2.8. Right of Way. A portion of this project is on BLM lands, THEMAC is required to follow the approved BLM requirements. BLM has previously issued a Mine Plan Operations (MPO) and THEMAC needs to contact SLM to ensure compliance with the MPO and obtain necessary authorizations under BLM jurisdiction. THEMAC has already provided the NIO document as part of the application.

Operator response: and/or see attachment:

The MMD has contacted Mr. Cory Durr concerning the right of way issue and this will be discussed in a joint teleconference call on Friday September 6, 2024.

By Raymond Irwin, CPG and Consultant 8/31/2024

MMD Response: BLM confirmed they removed a duplicative right of way that doesn't impact THEMACs access for this project.

2. General Application. MMD requests future documents be typed electronically to aid in processing and review. No response from THEMAC needed.
3. General Application. It was noted documents such as surveys were performed but not submitted with the application. For example, Sections 2.C. Cultural Resources and 2.D. Wildlife and Vegetation surveys indicated there were surveys done, however; were not attached for reference. No response from THEMAC needed.
4. General Application. Attachment for the GPS coordinates was referenced as "See attachment". MMD requests future attachments be submitted with a serial naming convention for document reference. For example, "Attachment A...B...C..." etc. No response from THEMAC needed.
5. Section 7.0. Please provide the expected BLM seed mix.

Operator response: and/or see attachment:

THEMAC will use the appropriate seed mixture in reclamation that has been approved by both the SLM and MMD. This mixture is currently be discussed by both agencies and will be finalized soon.

By Raymond Irwin, CPG and Consultant 8/31/2024

MMD Response: BLM and MMD agreed to provide a seed mix. MMD found a previous seed mix already generated in the Part 6 mine plan for Copper Flat. This will be used.

6. Please refer to Attachment A for the complete technical comments from Agencies on this minimal impact exploration application.

Agency Response Attachment:

THEMAC Resources acknowledges the comments from the various agencies and will take the comments under advisement. All exploration related operations will be undertaken in a

August 31, 2024

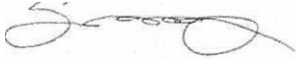
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professional manner that will protect the environment as much as is practical.

By Raymond Irwin, CPG and Consultant 8/31/2024

Please review and respond to the attached Agency technical comments within 60 days of receipt of this letter. If you have any questions regarding these comments, please contact me at (SOS) 216- 8945 or at samantha.rynas@emnrd.nm.gov.

Sincerely,



Samantha Rynas, Permit Lead
Mining Act Reclamation Program ("MARF")
Mining and Minerals Division

Attachment A: Combined Agency Comment letters

CC: David (DJ) Ennis, Program Manager, MARP, MMD
Clint Chisler, Reclamation Specialist Supervisor, MARP, MMD
Mine File SI016EM