FORM: MMDME
REV.DATE:4/27/97
[MMDME.FRM]

FOR MMD USE ONLY:
PROJECT NAME Chemical Lime
PERMIT # GR030ME
DATE RECEIVED: 6/14/99
DATE APPROVED: / /
LEAD INSPECTOR: Mike Tompson

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
Director
Mining and Minerals Division
2040 South Pacheco St.
Santa Fe, New Mexico 87505
Telephone: (505) 827-5970

SUBPART 3
MINIMAL IMPACT EXISTING MINING OPERATIONS PERMIT APPLICATION

The following information is required under the New Mexico Mining Act (Sections 69-36-1 through 69-36-20, NMSA 1978) and associated rules. The Mining and Minerals Division of the Energy, Minerals and Natural Resources Department is the administrative agency through which this application is to be processed. See §303, Minimal Impact Existing Mining Operations, of the New Mexico Mining Act Rules for all regulations associated with Minimal Impact Mining operations.

Permit Application Requirements: (§303.A, B, C & D)

- A minimal impact existing mining operation that continues mining operations will not be considered a minimal impact existing mining operation if it exceeds **10 acres of disturbed land,** except that permanent roads and areas within the permit area that are reclaimed will not be counted.
- A minimal impact existing mining operations that has discontinued or does not continue active mining operations may consist of unlimited acres of disturbed land except sites with the following characteristics:
  1) sites that exceed state or federal standards for soil or water contamination;
  2) sites likely to create acid mine drainage; or
  3) sites where the applicant proposes to seek a waiver from the usual reclamation requirements for a pit or waste unit.
- Applications for existing minimal impact mining operation shall be submitted by **December 31, 1994.**
- The application shall include a closeout plan or a compliance schedule for completion of a close out plan, which shall be submitted no later than **December 31, 1995.**
- Six copies of the completed application need to be submitted.

⇒ Confidential information needs to be **clearly** indicated and submitted separately.

Permit Application Requirements (con't): (SUBPART 1)

⇒ Check the "**YES**" or "**NO**" box for each of the following characteristics as related to the proposed minimal impact mining operation:

YES	NO	
☐	☑	Located in or having a direct surface impact on wetlands, springs, perennial or intermittent streams, lakes, rivers, reservoirs or riparian areas.
☐	☑	Located in designated critical habitat areas as determined in accordance with the federal Endangered Species Act of 1973 or in areas determined by the Department of Game and Fish as likely to result in an adverse impact on an endangered species designated in accordance with the Wildlife Conservation Act, Sections 17-2-37 through 17-2-46 NMSA 1978 or by the State Forestry Division for the Endangered Plants Act, section 75-6-1 NMSA 1978.
☐	☑	Located in an area designated as Federal Wilderness Area, Wilderness Study Area, Area of Critical Environmental Concern, or an area within the National Wild and Scenic River System.
☐	☑	Located in a known cemetery or other burial ground.
☐	☑	Located in an area with cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties.
☐	☑	Having or expected to have a direct impact on ground water that has a total dissolved solids concentration of less than 10,000 mg/l, except exploratory drilling intersecting ground water may be performed as a minimal impact operation.
☐	☑	Expected to use or using cyanide, mercury amalgam, heap leaching or dump leaching in its operations.
☐	☑	Expected to result in point or non-point source surface or subsurface releases of acid or other toxic substances from the permit area.
☐	☑	Requiring a variance from any part of these Rules as part of the permit application.

IMPORTANT NOTE!!:

- If you have checked "**YES**" to any of the above boxes, the mining operation does not qualify as a minimal impact mining operation. Do not continue to fill out the remainder of this form.
- If you do meet the above requirements and have checked "**NO**" to all of the above boxes, continue filling out this application.
- Obtaining a Mining Act permit does not necessarily satisfy the obligations to obtain permits required by other government agencies.

⇒ PLEASE FILL IN ALL APPLICABLE INFORMATION AS COMPLETELY AS POSSIBLE.

⇒ PLEASE PRINT OR TYPE ALL INFORMATION.

1. OPERATOR INFORMATION (§303.E.1)

LIST PROJECT NAME: Mathis Quarry

NAME OF APPLICANT: Chemical Lime Company of Arizona

ADDRESS: 3700 Hulen St.

Fort Worth, Texas 76107

PHONE #: (817) 732-8164

NAME OF OWNER (if different from applicant's name and address):

ADDRESS:

PHONE #:

NAME OF ON-SITE CONTACT OR OPERATOR'S REPRESENTATIVE:
Bill Laudenklos

ADDRESS: 5333 Hwy. 152

Hanover, NM 88401

PHONE #: (505) 537-5583

2. RIGHT TO ENTER INFORMATION (§303.E.1)

A. Describe or provide evidence for the basis of the applicant's right to enter the property to conduct the mining and reclamation.

Chemical Lime Company purchased this property from Mathis Lime Company on February 5, 1995. Mining Claim # s: 78958, 78962, 78964, 78956, 78957, 78963, and Millsite 86551.

B. List the names and addresses of surface and mineral ownership within the proposed permit area.

1. Surface owners

Name	Address	Phone #
USDA Forestry Service	Box 170, Reserve, NM 87830	(505) 533-6605

2. Mineral owners

Name	Address	Phone #
Chemical Lime Company of Arizona	3700 Hulen St. Fort Worth, TX 76107	(817) 732-8164

C. List the author(s), title(s), date(s) and report number(s) of any cultural resource survey report(s) submitted to the agency(ices) or landowner(s) listed above:

Michalik, Laura
"An Archaeological Clearance Survey of a Proposed Mining Claim and an AccessRoad Near Humbolt Mountain." Cultural Resources Report #174. October 28, 1992.

Janes, Joseph B. "Cultural Resources Survey of Claims..." December 1984.
"An Archaeological Survey of the..." August 1978.

3. MAPS (§303.E.2)

A. Provide a legal description of the site [Township(s), Range(s) and Section(s): T17S, R12W, Sections 18 and 19, 17, 20

B. Provide a topographic map(s) of at least 1 inch = 2,000 feet (or appropriate for the size of disturbance) showing the areas of land to be disturbed by the proposed mining and reclamation. Identify general area shown on the map(s) by Township, Range and Section(s). If the area to be mined contains the following features, show them on the map(s):

1. Boundary of the proposed permit area with the existing and proposed area of disturbance.
2. Previously disturbed areas.
3. Perennial, intermittent and ephemeral streams; springs; wetlands; riparian areas; lakes and reservoirs.
4. Proposed and existing roads and other access routes.
5. Residences.
6. Support facilities.
7. Cemeteries, burial grounds; cultural resources listed or eligible for listing on either the National Register of Historic Places or the State Register of Cultural Properties.
8. Pipelines.
9. Oil, gas, monitoring and water wells in the permit area and within ½ mile of the permit area.

10. Identify the location of shafts, adits, trenches, ponds, pits, quarries, stockpiles, wastes dumps etc.

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4. MINING DESCRIPTION (§303.E.3)

A. Type of mineral(s) to be mined: Limestone - No future Mining

B. Check (✓) the method of proposed mining:
_X_ Surface **or** ___ Underground

C. Describe the sizes and volumes of the facilities to be used:

Plant Site/Staging Area:

→ How Many__1__ Acreage 9.99

→ **Pits or Quarries:** How Many_3_ Acreage_9_ Volume(cu.yds.)_200,000
Stockpiles: How Many_____Acreage_____ Volume (cu.yds.)__

Waste Dumps: How Many____Acreage_____ Volume (cu.yds.)__

List for New road(s) the following:

Length (ft.) _____ Width (ft.) _____

Length (ft.) _____ Width (ft.) _____

List for Extension or widening of existing road(s) the following:

Length (ft.) _____Width (ft.) _____

Length (ft.) _____Width (ft.) _____

NOTE: The width is the total width of disturbed land surface, not just the width of the roadway.

Other Disturbances: Type __Road Closures_____

→ How Many__6___Acreage__2___ Volume (cu.yds.) 5,000

TOTAL ACREAGE TO BE DISTURBED 18.99 **acres.**

D. Describe the type of processing that will be conducted on site:

Any limestone excavation for reclamation purposes will be processed for aggregate sales.

E. Describe all equipment to be used for the mining operations.

D9 CAT Dozer, 966 CAT FEL, G55 Michigan FEL, 10 wheeled - 15 ton dump truck, Pioneer jaw crusher and hammer mill, Blast Hole Drill

5. CHEMICAL USE (§303.E.3)

A. List all chemicals proposed to be used by the mining operation.

Name	Use
ANFO	Explosive
Petroleum Products	Fuel for Equipment

6. GROUND WATER INFORMATION (§303.E. 4)

A. Provide an estimate of depth to ground water and the total dissolved solids concentration.

Depth to ground water (ft.) 1,500 'T.D.S. concentration 105 ppm

B. Describe the source of ground water information: Mathis GR025ME previous permit

C. Describe any dewatering activities to be conducted during mining operations:

None

7. CLOSEOUT PLAN/RECLAMATION PLAN (§303.E. 6)

Reclamation of the disturbed area shall be reclaimed to a condition that allows for re-establishment of a self-sustaining ecosystem appropriate for the life zone of the surrounding areas following closure unless conflicting with the approved post-mining land use.

A. List adjacent land use other than mining: Old Fort Bayard Military Reservation

B. List the proposed post mining land use: USDA Recreation (hunting/camping)

C. Describe how reclamation activities will avoid adverse impact to cultural resources.

Settling ponds will limit surface run off. Plant life will introduce natural habitat.

D. Describe any backfilling and grading operations to be performed after mining.

Slopes will be graded in order to contain soil and seed for vegetation.

E. Describe what mitigation steps will be taken to reconstruct or protect the hydrologic balance of the site after mining:

Settling ponds will be constructed to restrict the amount of solids discharged into the BeartoothCreek.

F. Describe how topsoil or topdressing will be salvaged, stockpiled and

distributed for the re-establishment of vegetation.

Topsoil will be distributed in order to re-establish vegetation.

G. Describe what kind of seed bed preparation will take place prior to seeding. What soil amendments will be added? Scarification of the seed bed needs to take place. Will this involve discing or ripping?

The soil will be raked before seeding.

H. Describe in detail the plant species to be used in the re-establishment of vegetation.

Plant Name	Rate of application (lb/ac.)
Dryland Blend	30 lbs. per acre
Blue Grama Sideoats Grama	
Little Bluestem Indian Ricegrass	
Sheep Fescue Streambank Wheatgrass	
Alkali Sacation Galleta Grass	

See attachment for seed % distribution

I. Will the seeds be broadcast or drilled into the seed bed? broadcast

J. Describe the type of mulch material and rate per acre to be applied after seeding: None

K. What structures are on site and how will they be removed or reclaimed? (Buildings, portals, adits, shafts, bore holes, ponds, etc.)

The shop, kiln and crusher will be removed. The powder magazine will remain intact unless directed otherwise. The magazine is located within the side of a hill.

L. What will be the time frame for reclamation, (e.g. time of year, during mining, after mining, etc)?

One year from 1/1/99. The kiln and shop will be removed Topsoil and seeds will then be introduced.

Proposed reclamation dates: Begin: 6/01/99 End: 12/31/99.

M. What roads are part of the mine site and how will they be reclaimed? Please provide an estimate of square feet of road and explain if reclamation will involve ripping, scarification, backfilling and recontouring, retopsoiling, etc.:

See "Road Description and Status." The roads to be closed will be recontoured, topsoiled, and seeded. The surface area involved with closing 4207K, 4207J, 4207I, 4207H, 4084K, and 4207G is approximately 2 acres.

N. Describe the type of post-reclamation monitoring that will be conducted for the mining site:

Satus on vegetation and solids run off will be monitored as advised.

8. OTHER REQUIRED PERMITS (§303.E.7)

A. Provide a list of other permits required for the operation and the anticipated schedule for receipt of these.

Permit Name & Issuing Agency	Date or anticipated date of receipt
Plan of Operations for Mining Activities USDA - Forestry Service	4/30/99
Special Use Permit USDA - Forestry Service	12/28/98

9. FINANCIAL ASSURANCE AND PERMIT FEES (§303.F & G)

A. Provide a proposed amount of financial assurance appropriate for each operation based on the cost of reclaiming the site by a third party. Include supporting calculations. Operations with less than 2 acres total distrubance are not required to provide financial assurance.

B. Attach the permit fees as determined pursuant to Rule 2 and a proposal for the required financial assurance.

10. CERTIFICATION REQUIREMENT (§303.K.4)

Each application shall be signed **and notarized** by an applicant for the operation with the following certification made:

I certify that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I agree to comply with the requirements of the permit, these Rules and the Act, and I hereby allow the Director to enter the permit area for the purpose of conducting inspections.

Signature of Applicant _____

Name (typed or print) Richard Budinger

Title/Position Mining Engineer

Date 3/8/99

Signature of Notary _____

MARGARET FLOWERS
MY COMMISSION EXPIRES
August 6, 2002

└— Notary Seal —┘

"Road Description and Status"

United States Department of Agriculture
Forest Service
Silver City Ranger District
505-388-8201
3005 E. Camino del Bosque
Silver City, NM 88061
FAX 505-388-8204
TDD 505-388-8489

File Code: 2810

Date: November 3, 1998

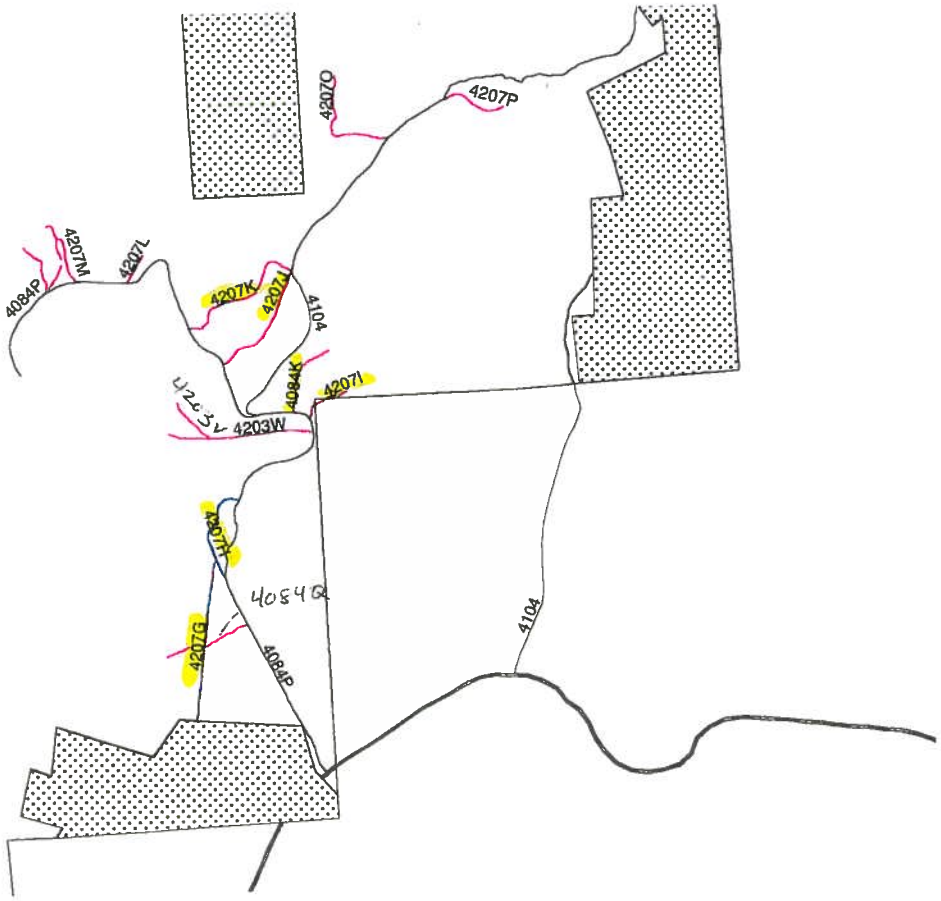
Richard Budinger
Chemical Lime
P. O. Box 985004
Ft. Worth, TX 76185-5004

Dear Mr. Budinger:

The question came up as to which roads would need to be reclaimed as part of final reclamation for Mathis and Mathis Mining, Chemical Lime, and Southwest Exploration. Listed below are the roads in the vicinity and their proposed reclamation. Roads that are left open would have any necessary drainage structures installed as part of reclamation.

Road Number	Comments
4084P	leave open, provides access to SP1
4207N	to be closed by Mathis, provides access to SP2
4207M	to be closed by Mathis, provides access to SP2
4207L	to be closed by Mathis, provides access to SP3
4207K	to be closed by Chemical Lime, provides access to LP4
4207J	to be closed by Chemical Lime, provides access to LP4
4104	leave open, provides access to KB Mine
4084K	to be closed by Chemical Lime, provides access to LP3
4207I	to be closed by Chemical Lime
4203W	to be closed by Chemical Lime, provides access to LP1
4203V	to be closed by Chemical Lime, provides access to LP2; silt dam to be left in place
4207H	closure dependent on whether office is moved (Chemical Lime); provides access to office
4207G	closure dependent on whether office is moved (Chemical Lime); provides access to gas pipeline for office
4084Q	to be closed by Chemical Lime
4207O	to be closed by Southwest Exploration
4207P	to be closed by Southwest Exploration

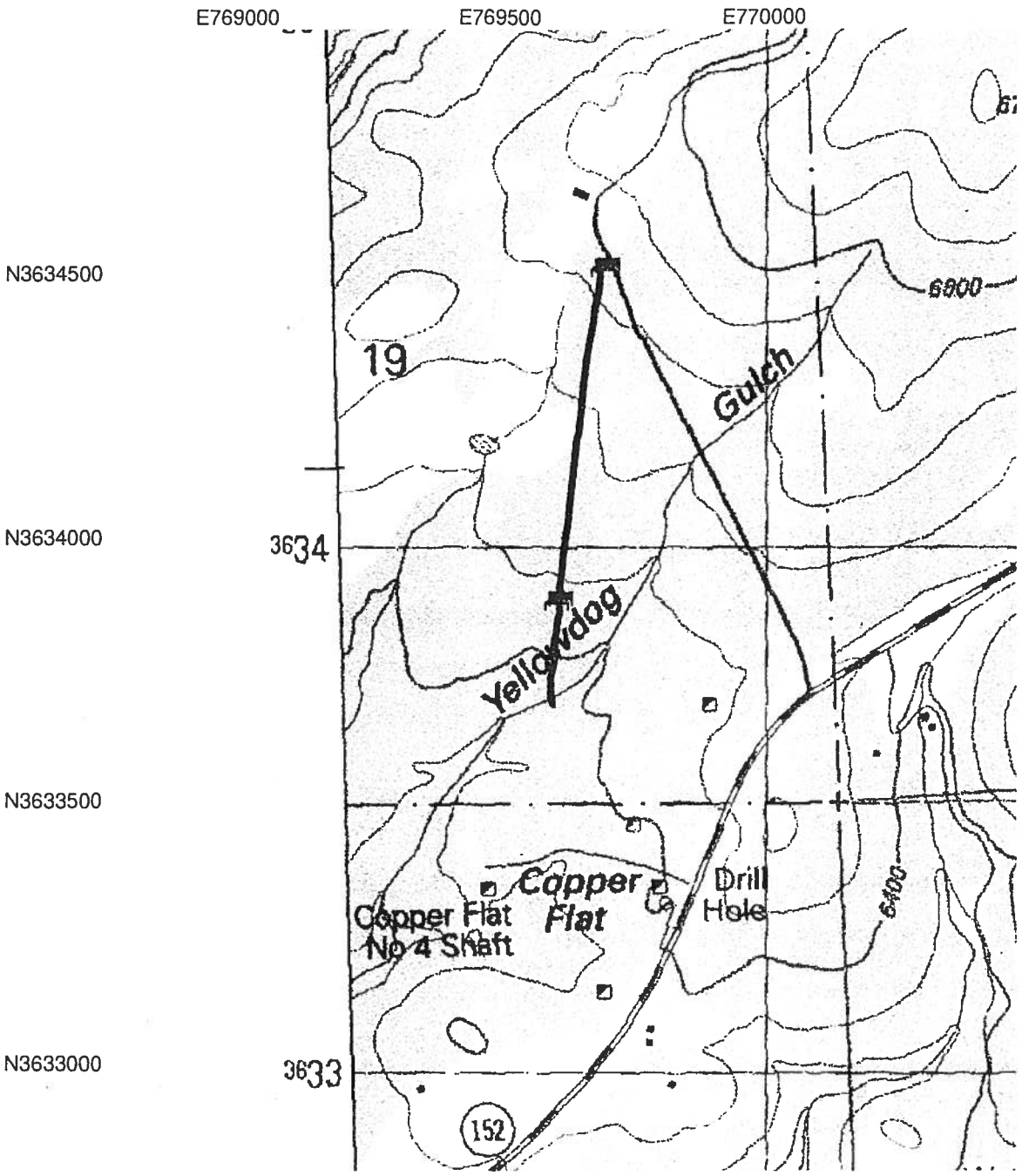
"Road Description and Status"



Roads to be left open
Roads to be closed
Road closure dependent on building removal

S 17, 18, 19 T17S R12W

Mathis Quarry "Gas Pipeline location"



Gasline Survey 8/7/98

Universal Transverse Mercator
12 North
NAD 1927 (Western US)

N

Scale 1:12500
0 400.0
Meters

h080720a.cor
8/7/1998
Pathfinder Office
Trimble

W.L. Maintenance Site Map
T 17S, R12W

Not a permit boundary map!

[redacted] Seed Blend

G1020	DRYLAND BLEND		
LOT:	SB9801		
	VARIETY	PURITY	LIVE:
BLUE GRAMA:	NATIVE	21.81%	89.00%
SIDEOATS GRAMA:	EL RENO	18.00%	87.00%
LITTLE BLUESTEM:	CIMARRON	12.17%	89.00%
INDIAN RICEGRASS:	VNS	10.00%	95.00%
SHEEP FESCUE:	VNS	9.47%	94.00%
STREAMBANK WHEATGRASS:	SODAR	3.88%	94.00%
ALKALI SACATON:	VNS	2.71%	63.00%
GALLETA GRASS:	VNS	2.18%	86.00%
OTHER CROP:	0.03%		
WEED SEED:	0.25%	PURE LIVE SEED:	71.42%
INERT:	19.50%		
NOXIOUS WEEDS:	NONE		
TEST DATE:	10/0/97		
ORIGIN:	KS,TX,NM,CO,WA,WY		

Mathis Quarry "Aerial Photo"

N

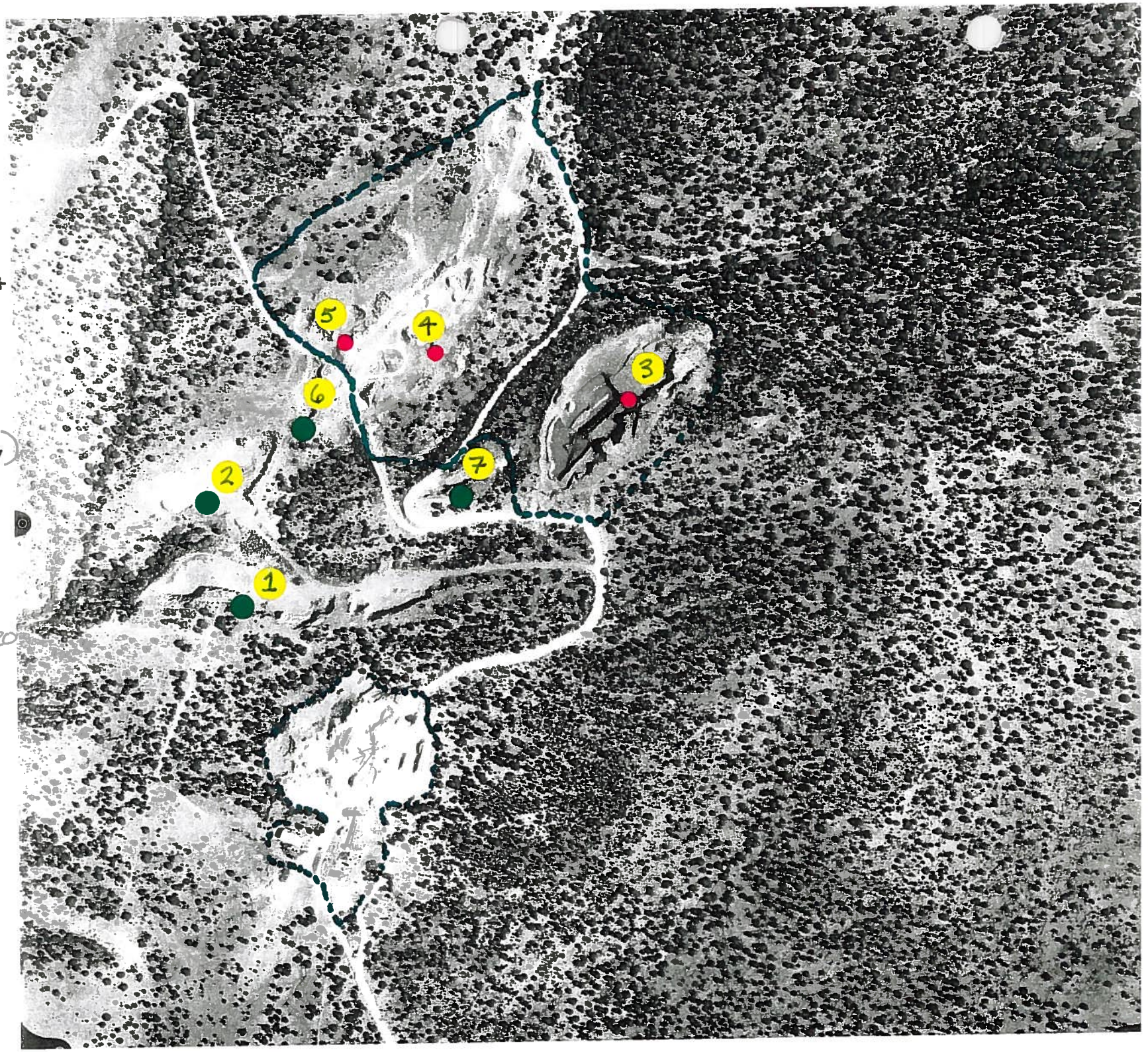
18 17
19 20 approx. location of section corners

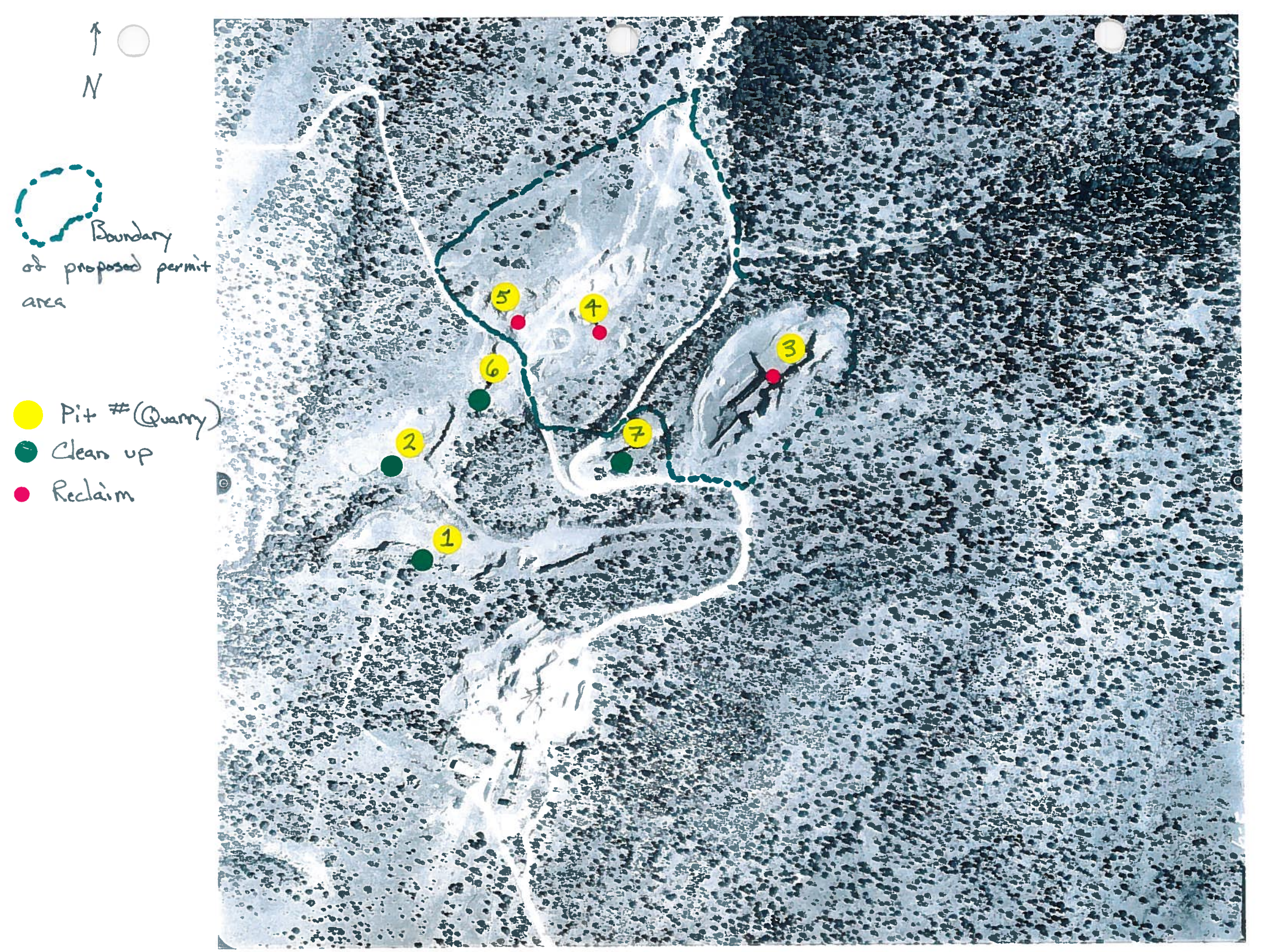
T 17S, R 12W, Sections 17, 18, 19 + 20

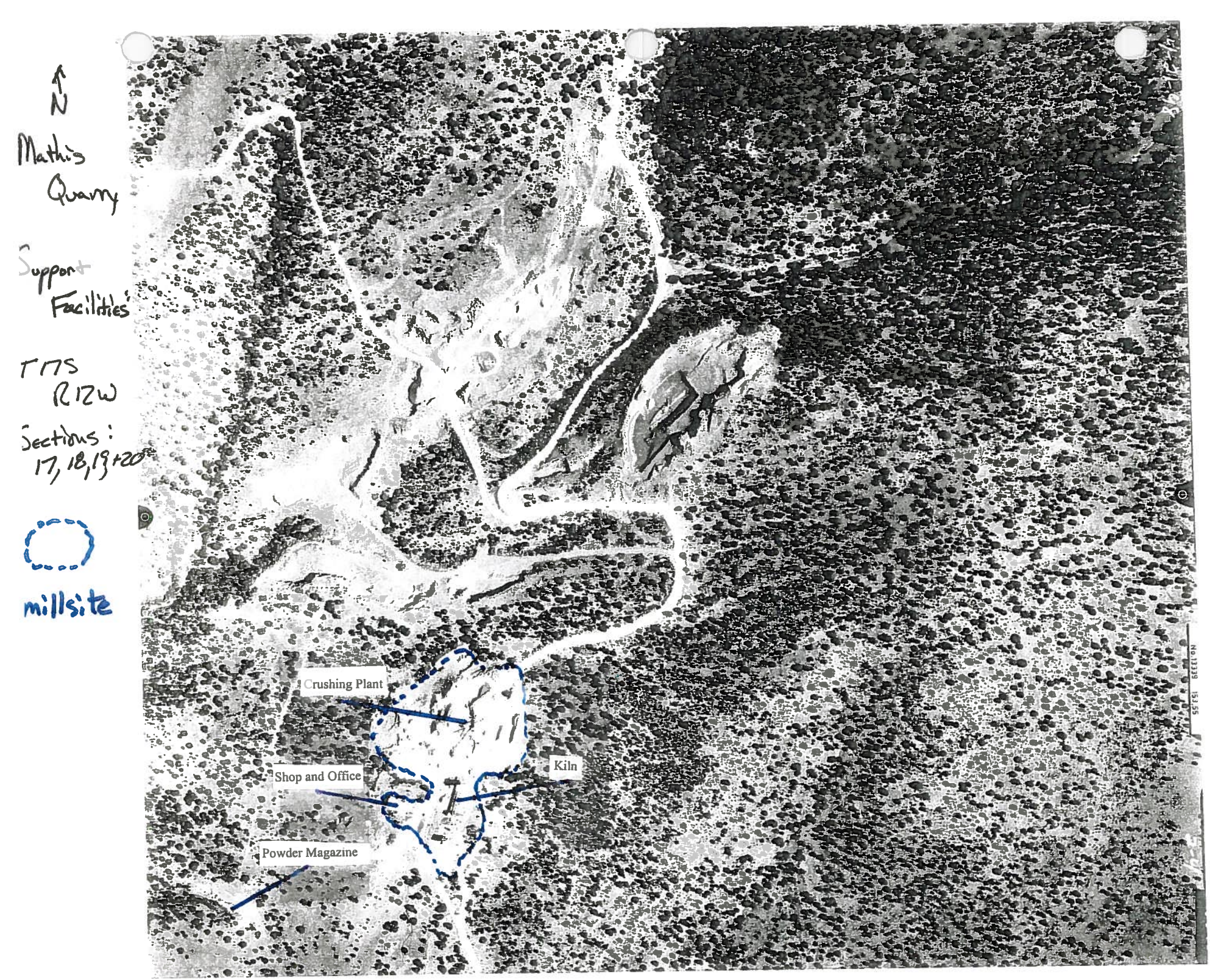
↑ N

Mathis Quarry

"Aerial Photo"


N
Boundary of proposed permit area
Pit # (Quarry)
Clean up
Reclaim
T 7 S, R 12 W
Sections 17, 18, 19, + 20
1
2
3
4
5
6
7


N
Boundary of proposed permit area
Pit # (Quarry)
Clean up
Reclaim
1
2
3
4
5
6
7


N
Mathis Quarry
Support Facilities
T17S R12W
Sections: 17, 18, 19 + 20
millsite
Crushing Plant
Shop and Office
Powder Magazine
Kiln