

MMD COPY

FORM: MMDME  
REV. DATE: 4/28/95  
[MMDME.FRM]



FOR MMD USE ONLY:  
PROJECT NAME Midnight  
PERMIT # SI007ME  
DATE RECEIVED: 7/31/96  
DATE APPROVED: 1/1  
LEAD INSPECTOR: Young

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

**RULE 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 Rule 3.3, Minimal Impact Existing Mining Operations, of the New Mexico Mining Act Rules for all regulations associated with Minimal Impact Mining operations.

**Permit Application Requirements: (Rule 3.3 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): (Rule 1)**

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

**YES**

**NO**

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Located in or having a direct surface impact on wetlands, springs, perennial or intermittent streams, lakes, rivers, reservoirs or riparian areas.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Located in a known cemetery or other burial ground.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Located in an area with cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Expected to use or using cyanide, mercury amalgam, heap leaching or dump leaching in its operations.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Expected to result in point or non-point source surface or subsurface releases of acid or other toxic substances from the permit area.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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 (Rule 3.3 E. 1.)

<b>LIST PROJECT NAME:</b> Midnight Mine
<b>NAME OF APPLICANT:</b> Hanover Land and Cattle Company
<b>ADDRESS:</b> P.O. Box 424 - 303 Fierro Road Hanover, NM 88041
<b>PHONE #:</b> (505)537-3391
<b>NAME OF OWNER (if different from applicant's name and address):</b> SAME
<b>ADDRESS:</b>
<b>PHONE #:</b>
<b>NAME OF ON-SITE CONTACT OR OPERATOR'S REPRESENTATIVE:</b> Mr. Tommy Williams
<b>ADDRESS:</b> P.O. Box 424 - 303 Fierro Road Hanover, NM 88041
<b>PHONE #:</b> (505)537-3391

2. RIGHT TO ENTER INFORMATION (Rule 3.3 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.

Hanover Land and Cattle Company (HLC) owns four patented claims within the permit area, and controls the mineral rights on seven unpatented claims on land administered by the U.S. Forest Service through the right of location under the Mining Law of 1872.

**B. List the names and addresses of land owners within the proposed permit area.**

**1. Land owners**

<u>Name</u>	<u>Address</u>	<u>Phone #</u>
<u>U.S. Forest Service, Gila National Forest Silver City Ranger District</u>	<u>3005 E. Camino Del Bosque Silver City, NM 88061</u>	<u>(505)388-8201</u>
<u>Hanover Land &amp; Cattle Company</u>	<u>P.O. Box 424 - 303 Fierro Road Hanover, NM 88041</u>	<u>(505)537-3391</u>

**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:**

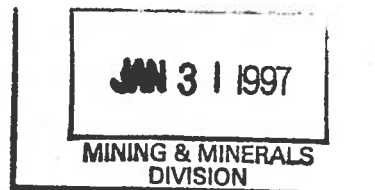
None Known

**3. MAPS (Rule 3.3 E. 2.)**

**A. Provide a legal description of the site [Township(s), Range(s) and Section(s)]:** T12S, R9W, Sec. 1 (no USGS survey)

**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 1/2 mile of the permit area.**
- 10. Identify the location of shafts, adits, trenches, ponds, pits, quarries, stockpiles, wastes dumps etc.**



4. MINING DESCRIPTION (Rule 3.3 E. 3.)

A. Type of mineral(s) to be mined: Ag, Au, Cu, Silica flux

B. Check (✓) the method of proposed mining:  
X Surface or X Underground

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

Plant Site/Staging Area:

How Many NONE Acreage NONE

Pits or Quarries: How Many NONE Acreage NONE Volume (cu.yds.) N/A

Stockpiles: How Many NONE Acreage NONE Volume (cu.yds.) N/A

Waste Dumps: How Many NONE Acreage NONE Volume (cu.yds.) N/A

List for New road(s) the following:

Length (ft.) N/A Width (ft.) N/A

Length (ft.) N/A Width (ft.) N/A

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

Length (ft.) N/A Width (ft.) N/A

Length (ft.) N/A Width (ft.) N/A

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

Other Disturbances: Type Existing roads less than 1 acre, existing waste rock dumps less than 2 acres.

How Many N/A Acreage as above Volume (cu.yds.) 5,000

TOTAL ACREAGE TO BE DISTURBED NONE acres.

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

none  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

none  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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5. CHEMICAL USE (Rule 3.3 E. 3.)

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

<u>Name</u>	<u>Use</u>
none	
_____	_____
_____	_____
_____	_____
_____	_____



6. GROUND WATER INFORMATION (Rule 3.3 E. 4.)

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

Depth to ground water (ft.) 220 T.D.S. concentration 300-500mg/L

- B. Describe the source of ground water information: PREVIOUS OPERATORS

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

NONE

7. CLOSEOUT PLAN/RECLAMATION PLAN (Rule 3.3 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: Livestock, wildlife, recreation

- B. List the proposed post mining land use: Livestock, wildlife, recreation

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

No cultural resources have been identified and no adverse effects will occur.

- D. Describe any backfilling and grading operations to be performed after mining. Shafts and adits will be backfilled or otherwise protected.

Regrading to approximate original contours will be performed.

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

Berms, silt fences and/or other controls will be established to prevent transport of sediments from reclaimed portions of the site. Controls will be maintained until the establishment of vegetation equal to that which existed prior to disturbance resulting from mining activities.

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**F. Describe how topsoil or topdressing will be salvaged, stockpiled and distributed for the re-establishment of vegetation.**

Prior to disturbance associated with the reinitiation of mining activities, available growth media from areas to be disturbed will be removed and stockpiled. A berm or other sediment control structure will be established around the growth media stockpile. Salvaged growth media will be used as top dressing in final reclamation efforts.

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**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?**

Seed beds will be disced or ripped prior to seeding associated with final reclamation. Soil amendments will be added if determined to be necessary.

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H. Describe in detail the plant species to be used in the re-establishment of vegetation. To be determined in consultation with the USFS prior to final reclamation.

<u>Plant Name</u>	<u>Rate of application (lb/ac.)</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

J. Describe the type of mulch material and rate per acre to be applied after seeding: To be determined in consultation with the USFS.

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

The remains of buildings pre-dating HLC's operations at the site will be removed or buried on-site. Existing portals, adits and shafts will be backfilled with waste material removed as a result of past mining activities.

Bore holes will be sealed with a bentonite seal.

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

Final reclamation will commence at such time as future mineral exploration and/or mining activities are completed.

Proposed reclamation dates: Begin:  / /  End:  / / .

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.:

Roads shown on Figure 1 (with the exception of Forest Access Road #895) are those which will be reclaimed during final reclamation. Their area is approximately 6,000 square feet. Roads will be ripped and revegetated with a seed mixture to be determined in consultation with the USFS. Sedimentation and erosion control structures will be installed as necessary, and will be maintained until vegetation success equivalent to that which existed on-site prior to disturbance is achieved.

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

The mine site will be inspected quarterly subsequent to final reclamation. Items to be inspected will include the integrity of sediment and erosion control structures and revegetation success.

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**8. OTHER REQUIRED PERMITS (Rule 3.3 E. 7.)**

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

<u>Permit Name &amp; Issuing Agency</u>	<u>Date or anticipated date of receipt</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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The necessary permits will be obtained from the appropriate State and Federal agencies prior to the reinitiation of mining activities at the site. A list of permits which will be required will be submitted prior to the reinitiation of mining activity.

9. FINANCIAL ASSURANCE AND PERMIT FEES (Rule 3.3 F. & G.)

- A. Financial assurance shall be provided in the amount of \$5,000 per permit plus \$2,500 per acre of disturbed land, unless the applicant makes a showing satisfactory to the Director that a lesser amount is appropriate, or the Director determines that a larger amount is required to perform the closeout plan.
- B. Attach the permit fees as determined pursuant to Rule 2 and a proposal for the required financial assurance.

10. CERTIFICATION REQUIREMENT (Rule 3.3 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

Tommy G. Williams

Name (typed or print)

Tommy G. Williams

Title/Position

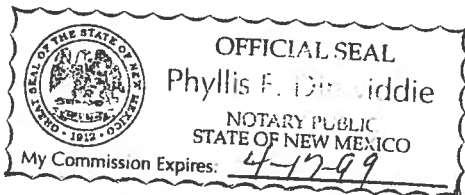
V.P. & Gen. Mgr.

Date

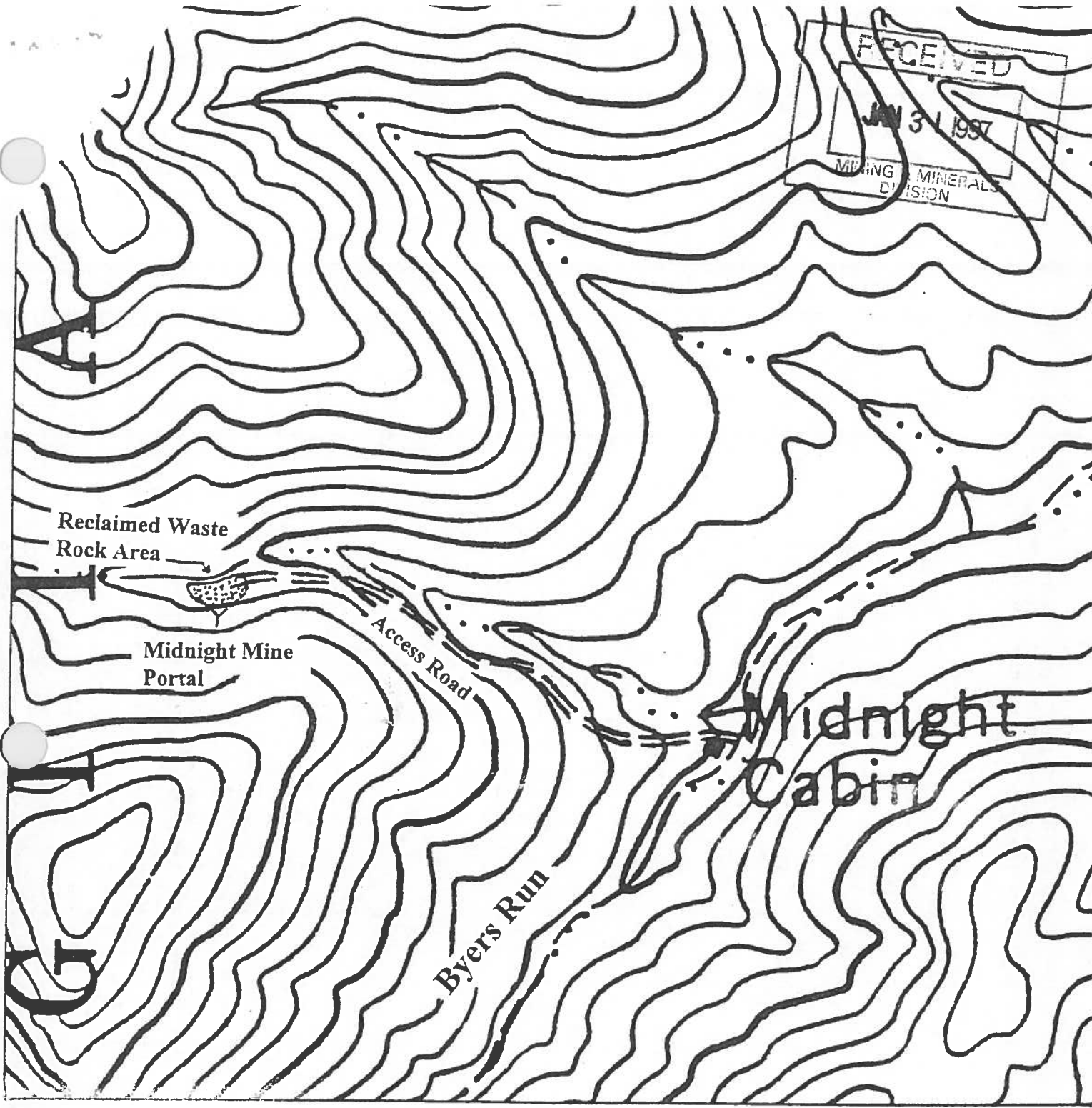
July 31, 1996

Signature of Notary

Phyllis F. Drivuddie



— Notary Seal —



*Hanover Land & Cattle Co.*

Figure 1a

**Midnight Mine - Existing Disturbance**

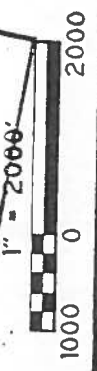
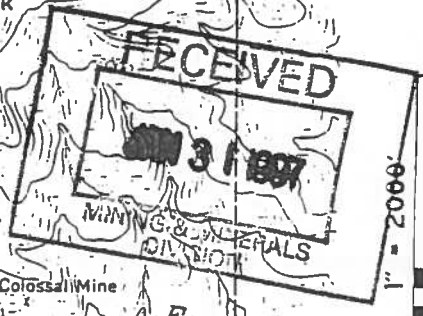
Date:	1-17-97	Revision		
Scale:	1" = 400'	Date		
Drawn By:	C. Rempes	By		

## Legend

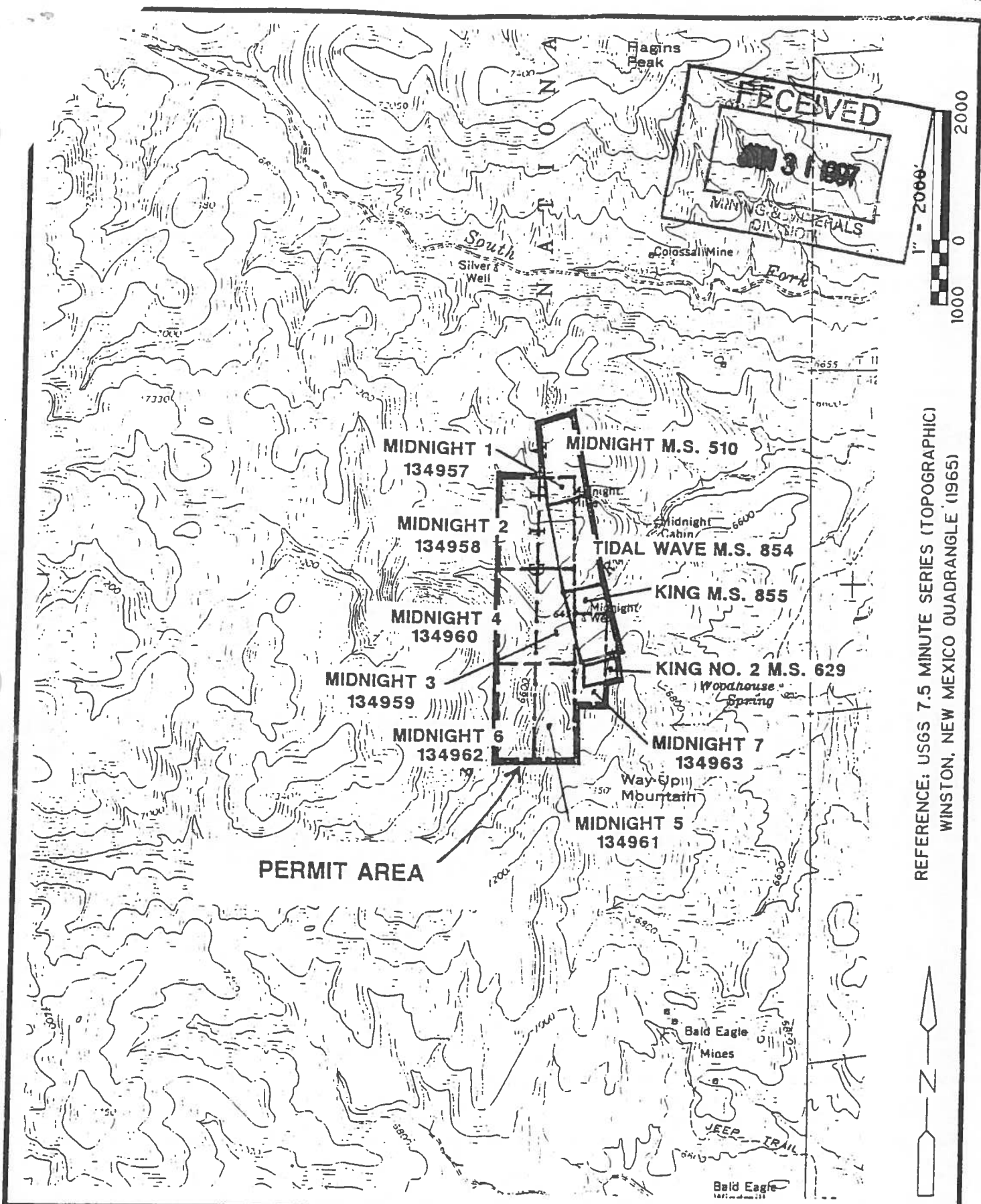
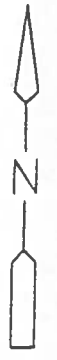
Waste Rock Area  
(reclaimed)



Contour Interval = 40'



REFERENCE: USGS 7.5 MINUTE SERIES (TOPOGRAPHIC)  
WINSTON, NEW MEXICO QUADRANGLE (1965)



CORBE MINING COMPANY - MIDNIGHT MINE PROPERTY

**GDM**  
environmental engineers, scientists,  
planners, & management consultants

PATENTED AND UNPATENTED  
MINING CLAIMS

Figure No. 1