

**PERMIT MODIFICATION 11-2 TO PERMIT NO. RA004RE
ROCKY MOUNTAIN MINE
EXISTING MINING OPERATION**

**MINING AND MINERALS DIVISION
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT**

Permit Modification 11-2 to Permit No. RA004RE is issued by the Director of the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals and Natural Resources Department to:

whose correct address is: CR Minerals Company, LLC
P.O. Box 708
Ohkay Owingeh, NM 87566

("Permittee") for Rocky Mountain Mine, located in Rio Arriba County, New Mexico.

This permit modification releases a partial amount of the financial assurance required for the reclamation of the Rocky Mountain Mine pursuant to the approved closeout plan. The amount of the financial assurance released is \$42,810. This amount represents the cost of earthwork consisting of re-grading 18.5 acres of overburden stockpiles located in the southwestern portion of the permit area at the Rocky Mountain Mine, and re-vegetation of 17.5 acres of the re-graded areas.

The following sections of Permit No. RA004RE are added or modified to read as follows:

Section 2a. **PERMIT APPLICATION PACKAGE**

- A. The Permit Modification Package ("PMP") is comprised of the following documents:
- 1) *Rocky Mountain Mine Financial Assurance Reduction Request for Modification of Permit No. RA004RE*, dated December 30, 2011.
 - 2) *Amendment to Irrevocable Standby Letter of Credit, No. NTS650105*, dated March 9, 2012.

Section 4. **FINDINGS OF FACT**

The following subparagraphs are added to this section of Permit No. RA00RE:

- A. The Permittee has filed an application for release of financial assurance, pursuant to 19.10.12.1210.A NMAC.
- B. The Permittee submitted the permit modification fee of \$1,000.00 on December 29, 2011 as required by 19.10.2.201.H NMAC.

- C. The Permittee has requested a reduction of the amount of financial assurance for the state of New Mexico or its contractor to reclaim or complete the closeout plan, pursuant to 19.10.12.1206.C NMAC.
- D. The Permittee has described the reclamation and closeout measures completed, and the modification application contains an estimate of the cost of reclamation that has not been completed, pursuant to 19.10.12.1210.A.2 NMAC.
- E. The Director has provided notice of the application to other government agencies, pursuant to 19.10.12.1210.A.4 NMAC.
- F. The Permittee has provided proof that the public notice of application has been provided in accordance with 19.10.9.902 and 19.10.9.903 NMAC.
- G. The Director conducted an inspection of the site on February 16, 2012, in accordance with 19.10.12.1210 NMAC.
- H. Pursuant to 19.5.505.B.1 NMAC, the Director has determined that the proposed modification will not have a significant environmental impact.
- I. The Director has consulted with the applicable state and federal agencies as required by 19.5.505.B.3 NMAC.
- J. The Permittee has adequate financial assurance in place for the remainder of the reclamation work to be completed, pursuant to 19.10.5.506.J.2 NMAC. The amount of the financial assurance being released is \$42,810.00, for the cost of earthwork consisting of re-grading 18.5 acres of overburden stockpiles located in the southwestern portion of the permit area at the Rocky Mountain Mine, and re-vegetation of 17.5 acres of the re-graded areas. The total amount of financial assurance for the closeout plan was \$355,342.00 prior to approval of this permit modification. The total amount of financial assurance for the closeout plan at the Rocky Mountain Mine after approval of this permit modification is \$312,532.00. The financial assurance instrument is an Irrevocable Standby Letter of Credit, No. NTS650105, as amended, dated March 9, 2012, and is in a form acceptable to the Director.

Section 9.

GENERAL OBLIGATIONS AND CONDITIONS

The conditions outlined in this section are required for the Permittee to meet the requirements of the New Mexico Mining Act ("Act") Rules ("Rules").

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The following subparagraphs are added to this section of Permit No. RA00RE:

This Permit is subject to the following conditions:

A. FINANCIAL ASSURANCE

- 1) The Permittee has provided financial assurance in the amount of \$312, 532.00, in the form of an Irrevocable Standby Letter of Credit, No. NTS650105, as amended, dated March 9, 2012.

All other provisions, modifications, and revisions for mining and reclamation contained in the Rocky Mountain Mine Permit No. RA004RE, remain unchanged.

CERTIFICATION

I certify that I have read, understand and will comply with the requirements of this Permit Modification.

Joe L. Guigo
Authorized Representative of the Permittee

Operations Manager
Title

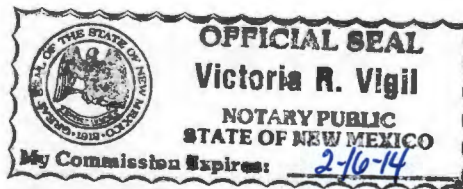
CR Minerals Co. LLC
Company

Subscribed and sworn to before me this 20th day of March, 2013

Victoria R. Vigil
Notary Public

My Commission Expires

Feb. 16, 2014



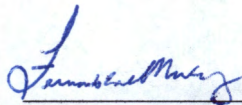
ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that Permit Modification 11-2 of Permit RA004RE, releasing a partial amount of the financial assurance the Rocky Mountain Mine in Rio Arriba County, New Mexico, is approved. The Permit may not be transferred without approval by the Director. The Permit is subject to all conditions set out in the Director's Findings of Fact, General Obligations and Conditions, Conclusions of Law, and Order.

By Order of the Director, Mining and Minerals Division, Energy, Minerals and Natural Resources Department, of the State of New Mexico.

Mining and Minerals Division

By:



Fernando Martinez, Director
Mining and Minerals Division
Energy, Minerals and Natural Resources Department

DATED: _____

3/21/2012