

Tyrone Operations
P.O. Drawer 571
Tyrone, NM 88065

March 20, 2013

Via Certified Mail
Return Receipt Requested

To Whom It Concerns:

Re: Tyrone Mine Company, Permit No. GR008RE Revision 08-1, Notice of Permit Modification Application For Partial Financial Assurance Release

Freeport-McMoRan Tyrone Mine Company (Tyrone) has applied to the New Mexico Energy, Minerals and Natural Resources Department, Mining and Minerals Division for a modification of the referenced permit under rules 19.10.9.902 and 19.10.9.903 of the NMAC. The modification requests a full release of financial assurance required for reclamation. The proposed release is for that portion of reclamation work that Tyrone has completed. As a nearby property owner or interested party, you are being provided the attached copy of the public notice concerning this modification request.

If you have any questions, please feel free to contact the New Mexico Energy, Minerals and Natural Resources Department in Santa Fe at (505) 476-3432 or Thomas Shelley at (575) 912-5773.

Sincerely,



Thomas L. Shelley,
Manager, Reclamation

TLS:da
Attachment
20130320-100

Public Notice

Pursuant to the New Mexico Mining Act Rules, 19.10.5 and 19.10.12 NMAC, Freeport-McMoRan Tyrone, Inc. (Tyrone) has applied to the Mining and Minerals Division for partial release of financial assurance (FA) resulting from the successful revegetation at the Jersey Lily, Snowflake, and Virtue mine sites. The three mines were small underground operations that mined non-sulfide bearing rock and the surface disturbance was limited to access roads, small benches, and dumps of benign waste rock. All production ceased at the Jersey Lily, Snowflake, and Virtue mines in 1987. The release of FA will be processed as a modification to Revision 08-1 to Mining Act Permit No. GR008RE approved December 1999 ("Permit").

A copy of the application is available for viewing during normal business hours at:

New Mexico Energy, Minerals and Natural Resources Department
Mining and Minerals Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

And also at:

Silver City Public Library
515 W. College Avenue
Silver City, New Mexico 88061

The application can also be viewed or downloaded from the New Mexico Energy, Minerals, and Natural Resources website at:

<http://www.emnrd.state.nm.us/MMD/MARP/PermitGR008RE.html>

This application is available for public comments, objections and a public request for hearing as provided below.

Permittee and Mailing Address: Freeport-McMoRan Tyrone, Inc., P.O. Drawer 571, Tyrone, New Mexico 88065

Location of Real Property Affected: The successful revegetation completed in connection with this application is on Tyrone property in the vicinity of the Tyrone Mine (10 miles south of Silver City, Grant County, NM) at the Jersey Lily, Snowflake, and Virtue Mines (JLSV) which are located within Township 18 South, Range 15 West, Sections 26 and 27 and Township 19 South, Range 15 West and Sections 2 and 3. The mines are located and partially visible on the east side of Mangas Valley Road (~3.5 miles north-northeast of Tyrone Mine).

Type of Reclamation/Closeout Performed, Acres and Dates: The JLSV Mines consist of 22 acres of reclaimed land which were successfully revegetated in 2001. An access road leading to Virtue Mine was also reclaimed and vegetated. Since 2001 two successful quantitative vegetation assessments were conducted in August 2011 and September 2012. Both assessments showed that the successful vegetation criteria have been met for the JLSV Mines.

Description of the Results Achieved: The vegetation assessments for the JLSV Mines showed that the Total Canopy Cover in 2011 was 52.6% and in 2012 was 41.4% which exceeds the 15% Total Canopy Cover required by the permit to be considered successful vegetation. The areas were dominated by native perennials and no noxious weeds were found at the site. The vegetation in the areas was also found to be viable and self-sustaining based on new native plant species found at the sites (plants not found in original seed mix).

Type and Amount of FA Filed and Portion Sought to be Released: Permit Modification 08-1 to Permit GR008RE details the obligations and conditions associated with Tyrone FA. This permit currently requires a total FA of \$46,600. The current FA instrument is an Irrevocable Letter of Credit issued by Scotia bank.

Tyrone seeks full FA Release in the amount of \$46,600 for the successful vegetation of JLSV. If this release request is approved, Tyrone seeks to terminate the Irrevocable Letter of Credit.

Name and Address to Submit Written Comments, Objections or Requests for Public Hearings: Written comments, objections or requests for a public hearing with regard to the application for partial release of financial assurance shall be submitted to: Fernando Martinez, Director, Mining and Minerals Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. MMD will conduct an inspection of the site within 30 days (weather permitting) after receipt of the application. Persons who have requested advance notice of the inspection shall be given notice of the inspection and may be present at the inspection as may any other interested members of the public. Within 30 days from the date of the inspection, a person with an interest that is or will be adversely affected by the proposed financial assurance release may file written objections to the proposed release with the Director at the above address and may request a public hearing. If a public hearing is held, a separate notice will be provided in accordance with 19.10.12.1210 NMAC.

Notificación pública

Conforme a las Reglas del acta de minería de Nuevo México, 19.10.5 y 19.10.12 NMAC, Freeport-McMoRan Tyrone, Inc. (Tyrone) ha solicitado a la División de minería y minerales la liberación parcial de garantía financiera (FA por sus siglas en inglés) como resultado de la revegetación exitosa en los sitios mineros Jersey Lily, Snowflake y Virtue. Las tres minas eran pequeñas operaciones subterráneas que explotaban minas de roca sin contenido de sulfuro y la alteración en la superficie estaba limitada a caminos de acceso, bancos pequeños y vertederos con residuos benignos de roca. Toda producción en las minas de Jersey Lily, Snowflake y Virtud cesó en 1987. La liberación de la FA será procesada como una modificación a la Revisión 08-1 al Permiso de Acta de Minería No. GR008RE aprobado en diciembre de 1999 (“Permiso”).

Una copia de la solicitud está disponible para su consulta durante el horario normal comercial en:

Departamento de energía, minerales y recursos naturales de Nuevo México
División de minería y minerales
1220 South St. Francis Drive
Santa Fe, Nuevo México 87505

Y también en:

Biblioteca pública de Silver City
515 W. College Avenue
Silver City, Nuevo México 88061

La solicitud también puede consultarse o descargarse desde el sitio web de Energía, minerales y recursos naturales de Nuevo México en:

<http://www.emnrd.state.nm.us/MMD/MARP/PermitGR008RE.html>

La solicitud está disponible para comentarios públicos, objeciones y solicitud de audiencia pública según se indica más abajo.

Titular del permiso y domicilio postal: Freeport-McMoRan Tyrone, Inc., P.O. Drawer 571, Tyrone, Nuevo México 88065

Ubicación del inmueble afectado: La revegetación exitosa completada en conexión con esta solicitud se halla en la propiedad de Tyrone en las cercanías de la mina Tyrone (10 millas al sur de Silver City Grant County, NM) en las minas de Jersey Lily, Snowflake, y Virtud (JLSV) que están ubicadas dentro de Township 18 sur, Rango 15 oeste, Secciones 26 y 27 y Township 19 sur, Rango 15 oeste y Secciones 2 y 3. Las minas están ubicadas y son parcialmente visibles en el lado este de Mangas Valley Road (3,5 millas al norte-noreste de la mina Tyrone).

Tipo de recuperación/liquidación realizada, acres y fechas: Las minas JSLV consisten de 22 acres de tierra recuperada que fueron exitosamente revegetados en 2001. También se recuperó y revegetó un camino de acceso a la mina Virtue. Desde 2001 se llevaron a cabo dos evaluaciones cuantitativas exitosas de vegetación en agosto de 2011 y septiembre de 2012. Ambas

evaluaciones mostraron que se cumplieron exitosamente los criterios de vegetación para las minas JLVS.

Descripción de los resultados logrados: Las evaluaciones de vegetación para las minas JLSV mostraron que la cobertura total de copa en 2011 era del 52.6% y en 2012 era del 41,4% lo que excede el 15% de cobertura total de copa requerido por el permiso para ser considerado como vegetación exitosa. Las áreas estaban dominadas por perennes nativas y se encontraron malezas no nocivas en el sitio. También se encontró que la vegetación en las áreas era viable y autosuficiente según nuevas especies de plantas nativas encontradas en los sitios (plantas no encontradas en mezclas de semillas originales).

Tipo y cantidad de la FA presentada y porción que se busca liberar: La modificación del permiso 08-1 a permiso GR008RE detalla las obligaciones y condiciones asociadas con la FA de Tyrone. Este permiso requiere actualmente una FA total de u\$s 46.600 El instrumento actual de la FA es una Carta de crédito irrevocable emitida por el banco Scotia.

Tyrone busca la liberación total de la FA por la cantidad de u\$s 46.600 por la vegetación exitosa de JLSV. Si esta solicitud de liberación es aprobada, Tyrone busca rescindir la Carta de crédito irrevocable.

Nombre y domicilio para enviar comentarios escritos, objeciones o solicitud de audiencias públicas: Los comentarios escritos, objeciones o solicitudes para audiencias públicas con respecto a la solicitud para la liberación parcial de la garantía financiera deberán ser enviados a: Fernando Martinez, Director, División de minería y minerales, 1220 South St. Francis Drive, Santa Fe, Nuevo México 87505. La DMM llevará a cabo una inspección del sitio dentro de los 30 días (siempre que el clima lo permita) después de la recepción de la solicitud. Las personas que hayan solicitado notificación por anticipado de la inspección serán notificadas de la inspección y podrán estar presentes en la inspección como así también cualquier otro miembro interesado del público. Dentro de los 30 días a partir de la fecha de la inspección, una persona interesada que es o será afectada adversamente por la liberación propuesta de la garantía financiera podrá presentar objeciones escritas a la liberación propuesta con el Director en la dirección especificada más arriba y podrá solicitar una audiencia pública. Si se llevase a cabo una audiencia pública, se proporcionará una notificación por separado en conformidad con NMAC 19.10.12.1210.

Frank J. Westley Revocable Trust
PO Box 2176
Silver City, NM 88062

James McCauley
PO Box 1497
Silver City, NM 88062

Elvis Utz Estate et al
c/o David Tulluch
1036 Matador SE
Albuquerque, NM 87123

Barry Zolotar
17 Adobe Lane
Silver City, NM 88061

Guillermo Contrares
Kathy Contrares
P.O. Box 183
Tyrone, NM 88065

Tom & Ruthan Turner
Jason & Julie Turner
11588 Hwy 180 East
Silver City, NM 88061

LT Ranch LLC
P.O. Box 1497
Silver City, NM 88062

Annie A. Brown Estate Trust
c/o James McCauley
PO Box 1497
Silver City, NM 88062

David R. Woodward
P.O. Box 231
Tyrone, NM 88065

Frank J. Westley Revocable Trust
PO Box 2176
Silver City, NM 88062

Dana S. Carlson
P.O. Box 1914
Silver City, NM 88062

Frank J. Westley Revocable Trust
PO Box 2176
Silver City, NM 88062

Holman Family Trust et al
Rebecca Hamilton, Trustee
1180 Keats Street
Manhattan Beach, CA 90266

David C. & Mary Dee Estes
215 E. 7th Street
Safford, AZ 85546

Diana L. Bender &
George Bender
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Silver City, NM 88062

Gordon Headlee Jr
P.O. Box 5091
Silver City, NM 88062

Maxine Goad
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Santa Fe, NM 87504

Arthur Allison
Cabinet Secretary-Indian
Affairs Department
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Santa Fe, NM 87505-0115

Tony Delfin
State Forester-State Forestry Division,
EMNRD
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Santa Fe, NM 87504-1948

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Regional Geologist -U.S.D.A.
Forest Service
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Bureau of Land Management
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Campaign Coordinator New Mexico
Wildlife Federation
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Albuquerque, NM 87108

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Director, Responsible Mining Program-Gila
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San Lorenzo, NM 88041

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Environmental Manager Tyrone Mine
Company
P.O. Drawer 571
Tyrone, NM 88065

Michelle Ensey
Archeologist - Department of Cultural
Affairs/Historic Preservation Division
407 Galisteo Street, Suite 236
Santa Fe, NM 87501

Mike Johnson
Hydrology Bureau Chief - Office of the
State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102

Terence Foreback
State Mine Inspector -
Bureau of Mine Safety
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Socorro, NM 87801

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Associate Director - New Mexico Wilderness
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Albuquerque, NM 87125

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Commissioner – New Mexico State
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Santa Fe, NM 87504

Michael Mariano
Minerals Manager – New Mexico State Land
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Santa Fe, NM 87504

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LLC
13212 Manitoba Dr., NE
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Joel Lusk
Biologist - U.S. Department of Interior U.S. Fish
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Albuquerque, NM 87113

Walter L. Meech
President - C&E Concrete
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Milan, NM 87021

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Executive Director - NM Environmental Law
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Santa Fe, NM 87505-0115

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Executive Director – Amigos Bravos
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Taos, NM 87571

Juli Slivka
District Contact – The Wilderness
1660 Wynkoop Street, Suite 850
Denver, CO 80202

Allyson Siwik
Executive Director - Gila Resources Information
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Silver City, NM 88061

Derek Heyfey
Manager, Environmental Affairs - Chevron
Mining Company
P.O. Box 469
Questa, NM 87556

Matthew Wunder
Chief, Conservation Svcs. Div. - New Mexico
Department of Game and Fish
P.O. Box 25112
Santa Fe, NM 87504

Art Gebeau
President - Bluewater Valley Downstream
Alliance
P.O. Box 2038
Milan, NM 87021

Andrew C. Martinez
Assistant Planner - Rio Arriba County (for RA
Co. matters only)
1122 Industrial Park Rd.
Española, NM 87532

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 Cabinet Secretary-Indian Affairs
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 State Forester-State Forestry Division,
 EMNRD
 P.O. Box 1948
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Sent To: Ms. Elizabeth German
 Attorney at Law-Brown & German
 12836 Lomas Blvd. NE, Ste. G
 Albuquerque, New Mexico 87112

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Sent To: Mr. Michael Linden
 Regional Geologist- U.S.D.A.
 Forest Service
 333 Broadway Blvd., SE
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Sent To Mr. Kurt Vollbrecht
Acting Program Manager
New Mexico Environment Department
P.O. Box 5469
Santa Fe, New Mexico 87502

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Sent To Mr. Paul Robinson
Research Director-Southwest
Research & Information Center
P.O. Box 4524
Albuquerque, New Mexico 87196

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Sent To Ms. Sally Smith
Director, Responsible Mining
Program-Gila Resources
Information Project
HC 71-Box 1371
San Lorenzo, New Mexico 88041

7010 2780 0003 4491 0446

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C&E Concrete
P.O. Box 2547
Milan, New Mexico 87021

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LRPG-Neutron Energy, Inc.
1601 Randolph Ct. SE, Suite 210S
Albuquerque, New Mexico 87106

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Sent To Mr. Bill Auby
Geologist, Solids Team
Bureau of Land Management
P.O. Box 27115
Santa Fe, New Mexico 87505-0115

7010 2780 0003 4491 0378

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Total Post: Ms. Megan Anderson *20130320-100*
 Attorney at Law
 Western Environmental Law Center
 208 Paseo Del Pueblo Sur Unit 602
 Taos, New Mexico 87571-5931

Postmark Here: *TYRONE NM 88065 MAR 2 2013*

PS Form 3800, August 2006 See Reverse for Instructions

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Total Post: Mr. John Cornell *20130320-100*
 Campaign Coordinator
 New Mexico Wildlife Federation
 121 Cardenas Dr. NE
 Albuquerque, New Mexico 87108

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PS Form 3800, August 2006 See Reverse for Instructions

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Total: Ms. Michelle Ensey, Archeologist *20130320-100*
 Department of Cultural Affairs/Historic
 407 Galisteo Street, Suite 236
 Santa Fe, New Mexico 87501

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PS Form 3800, August 2006 See Reverse for Instructions

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Total: Ms. Maxine Goad *20130320-100*
 P.O. Box 2502
 Santa Fe, New Mexico 87504

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Total: Mr. Mike Johnson *20130320-100*
 Hydrology Bureau Chief
 Office of the State Engineer
 P.O. Box 25102
 Santa Fe, New Mexico 87504-5102

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Total Post: Mr. Alan Kuhn *20130320-100*
 Geotechnical Engineer
 Alan Kuhn Associates, LLC
 13212 Manitoba Dr., NE
 Albuquerque, New Mexico 87111

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Mr. Joel Lusk, Biologist
 U.S. Department of Interior U.S. Fish & Wildlife
 2105 Osuna NE
 Albuquerque, New Mexico 87113

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Mr. Doug Meiklejohn, Executive Director
 NM Environmental Law Center
 1405 Luisa St., Suite 5
 Santa Fe, New Mexico 87505-0115

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Mr. Nathan Newcomer, Associate Director
 New Mexico Wilderness Alliance
 P.O. Box 25464
 Albuquerque, New Mexico 87125

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Mr. Ray Powell, Commissioner
 New Mexico State Land Office
 P.O. Box 1148
 Santa Fe, New Mexico 87504

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Mr. Brian Shields, Executive Director
 Amigos Bravos
 P.O. Box 238
 Taos, New Mexico 87571

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Mr. Michael Mariano, Minerals Manager
 New Mexico State Land Office
 P.O. Box 1148
 Santa Fe, New Mexico 87504

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Sent To: Ms. Juli Slivka, District Contact
 The Wilderness Society
 1660 Wynkoop Street, Suite 850
 Denver, CO 80202

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Sent To: Ms. Allyson Siwik, Executive Director
 Gila Resources Information Project
 305A N. Cooper
 Silver City, New Mexico 88061

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Sent To: Mr. Derek Heyfey
 Manager, Environmental Affairs
 Chevron Mining company
 P.O. Box 469
 Questa, New Mexico 87556

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7008 1140 0001 5961 4993

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Sent To: Dr. Matthew Wunder
 Chief, Conservation Services Division
 New Mexico Department of Game & Fish
 P.O. Box 25112
 Santa Fe, New Mexico 87504

PS Form 3800, August 2006 See Reverse for Instructions

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Total P. Mr. Art Gebeau, President
Bluewater Valley Downstream Alliance
P.O. Box 2038
Milan, New Mexico 87021

Sent To
Street, A, or PO Box
City, State

PS Form 3800, August 2006

See Reverse for Instructions

7008 1140 0001 5961 1343

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Total F Ms. Sherry Burt-Kested
Environmental Manager
Freeport-McMoRan, Chino Mine
P.O. Box 10
Bayard, New Mexico 88023

Sent To
Street, A, or PO Box
City, State

PS Form 3800, August 2006

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TYRONE NM 88065
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USFS

Total Mr. Martin Soltero
Environmental Manager
Freeport-McMoRan Tyrone Mine
P.O. Box 571
Tyrone, New Mexico 88065

Sent To
Street, A, or PO Box
City, State

PS Form 3800, August 2006

See Reverse for Instructions

Public Notice

Pursuant to the New Mexico Mining Act Rules, 19.10.5 and 19.10.12 NMAC, Freeport-McMoRan Tyrone, Inc. (Tyrone) has applied to the Mining and Minerals Division for partial release of financial assurance (FA) resulting from the successful revegetation at the Jersey Lily, Snowflake and Virtue mine sites. The three mines were small underground operations that mined non-sulfide bearing rock and the surface disturbance was limited to access roads, small benches, and dumps of benign waste rock. All production ceased at the Jersey Lily, Snowflake and Virtue mines in 1997. The release of FA will be processed as a modification to Revision 08-1 to Mining Act Permit No. G0008RE approved December 1999 ("Permit").

A copy of the application is available for viewing during normal business hours at:

New Mexico Energy, Minerals and Natural Resources Department
Mining and Minerals Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

And also at:

Silver City Public Library
515 W. College Avenue
Silver City, New Mexico 88061

The application can also be viewed or downloaded from the New Mexico Energy, Minerals, and Natural Resources website at:

<http://www.enmr.state.nm.us/44403ARF/PermitG0008RE.html>

This application is available for public comments, objections and a public request for hearing as provided below:

Comments and Motion Address: Freeport-McMoRan Tyrone, Inc., P.O. Drawer 571, Tyrone, New Mexico 88065

Location of Real Property Addressed: The successful revegetation completed in association with this application is on Tyrone property in the vicinity of the Tyrone Mine (10 miles south of Silver City, Grant County, NM) at the Jersey Lily, Snowflake, and Virtue Mines (JLSV) which are located within Township 19 South, Range 13 West, Sections 26 and 27 and Township 19 South, Range 13 West and Sections 2 and 3. The mines are located and partially visible on the east side of Mangos Valley Road (1.5 miles north-west of Tyrone Mine).

Type of Reclamation/Reform, Past/Recent, Area and Date: The JLSV Mines consist of 22 acres of reclaimed land which were successfully revegetated in 2001. An access road leading to Virtue Mine was also reclaimed and revegetated. Since 2001 two successful quantitative vegetation assessments were conducted in August 2011 and September 2012. Both assessments showed that the successful vegetation criteria have been met for the JLSV Mines.

Description of the Results Achieved: The vegetation assessments for the JLSV Mines showed that the Total Canopy Cover in 2011 was 52.4% and in 2012 was 41.4% which exceeds the 15% Total Canopy Cover required by the permit to be considered successful vegetation. The areas were dominated by native perennials and no noxious weeds were found at the site. The vegetation in the areas was also found to be viable and self-sustaining based on new native plant species found at the sites (plants not found in original seed mix).

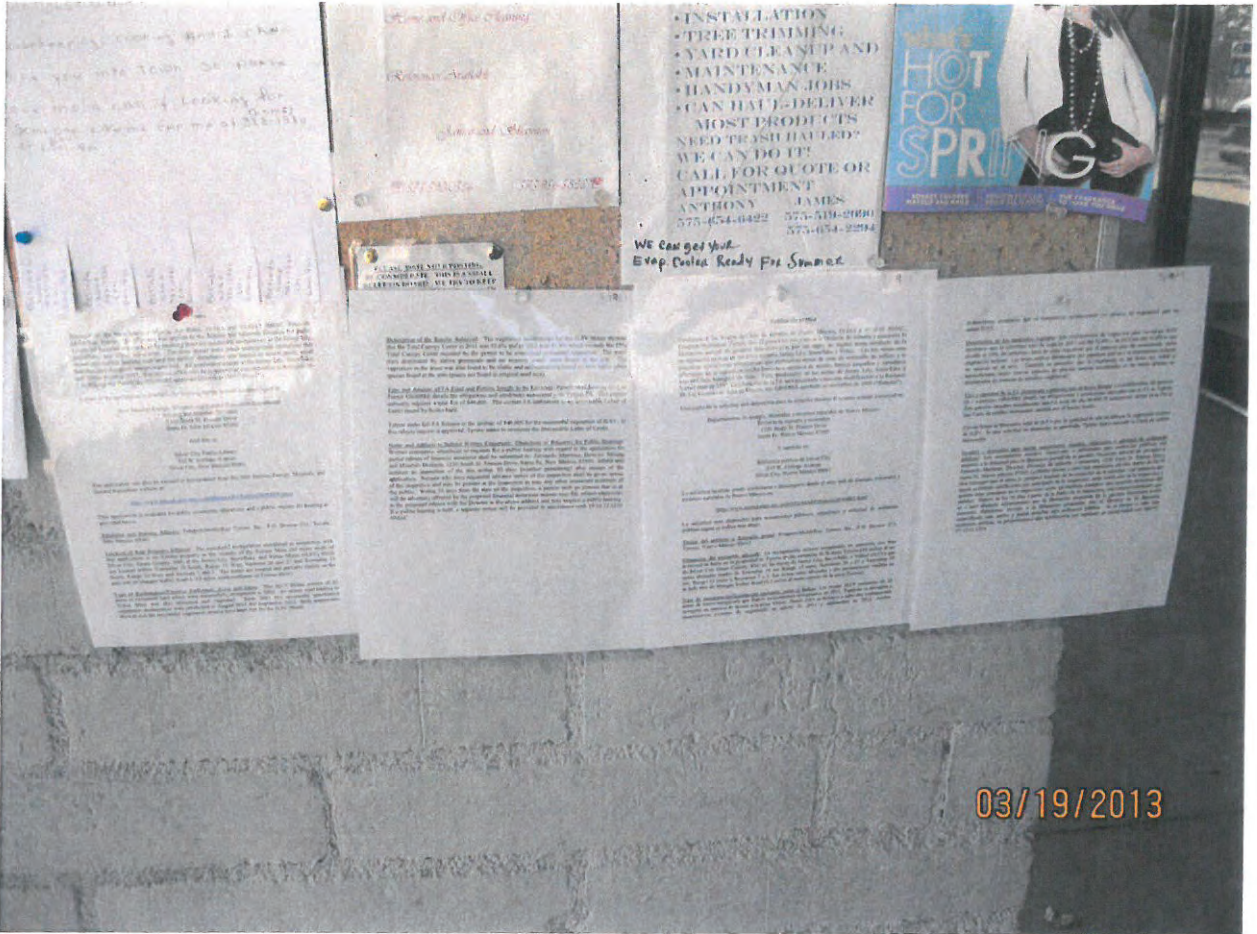
Type and Amount of FA Filed and Portion Sought to be Released: Permit Modification 08-1 to Permit G0008RE details the obligations and conditions associated with Tyrone FA. This permit currently requires a total FA of \$46,600. The current FA instrument is an Irrevocable Letter of Credit issued by Scotia bank.

Tyrone seeks full FA Release in the amount of \$46,600 for the successful revegetation of JLSV. If this release request is approved, Tyrone seeks to terminate the Irrevocable Letter of Credit.

Name and Address to Submit Written Comments, Objections, or Requests for Public Hearing: Written comments, objections or requests for a public hearing with regard to the application for partial release of financial assurance shall be submitted to: Fernando Martinez, Director, Mining and Minerals Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. MMD will conduct an inspection of the site within 30 days (weather permitting) after receipt of the application. Persons who have requested advance notice of the inspection shall be given notice of the inspection and may be present at the inspection as may any other interested members of the public. Within 30 days from the date of the inspection, a person with an interest that is or will be adversely affected by the proposed financial assurance release may file written objections to the proposed release with the Director at the above address and may request a public hearing. If a public hearing is held, a separate notice will be provided in accordance with 19.10.12.1210 NMAC.

03/19/2013

Public Notice Posted in English at Tyrone Security Gate



03/19/2013

Public Notice Posted in English and Spanish at the Tyrone Post Office/Tyrone Community Center

Public Notice

Pursuant to the New Mexico Mining Act Rules, 19.80.5 and 19.10.12 NMAC, Frequent-McMahan Tyrone, Inc. (Tyrone) has applied to the Mining and Minerals Division for partial release of financial assurance (FA) resulting from the successful revegetation at the Jersey Lily, Snowflake, and Virtue mine sites. The three mines were small underground operations that mined non-sulfide bearing rock and the surface disturbance was limited to access roads, small benches, and dumps of benign waste rock. All production ceased at the Jersey Lily, Snowflake, and Virtue mines in 1987. The release of FA will be processed as a modification to Revision 08-1 to Mining Act Permit No. G0008E approved December 1999 ("Permit").

A copy of the application is available for viewing during normal business hours at:

New Mexico Energy, Minerals and Natural Resources Department
Mining and Minerals Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

And also at:

Silver City Public Library
315 N. College Avenue
Silver City, New Mexico 88061

The application can also be viewed or downloaded from the New Mexico Energy, Minerals, and Natural Resources website at:

<http://www.enmr.com.nm.gov/MMD/FA/EP/PermitG0008E.html>

This application is available for public comments, objections and a public request for hearing as provided below:

Person and Address Address: Frequent-McMahan Tyrone, Inc., P.O. Drawer 571, Tyrone, New Mexico 88065

Location of Real Property Address: The successful revegetation completed in connection with this application is on Tyrone property on the vicinity of the Tyrone Mine (18 miles north of Silver City, Grant County, NM) at the Jersey Lily, Snowflake, and Virtue Mines (JLSV) which are located within Township 18 South, Range 13 West, Sections 26 and 27 and Township 18 South, Range 13 West and Sections 2 and 3. The mines are located and partially visible on the east side of Manzanita Valley Road (1-3.5 miles north-northeast of Tyrone Mine).

Type of Reclamation/Restoration Performed, Area, and Date: The JLSV Mine consists of 22 acres of disturbed land which were successfully revegetated in 2001. An excise road leading to Virtue Mine was also successfully revegetated. Since 2001 two successful quantitative revegetation assessments were conducted in August 2011 and September 2012. Both assessments showed that the successful revegetation criteria had been met for the JLSV Mines.

Description of the Results Achieved: The vegetation assessments for the JLSV Mines showed that the Total Canopy Cover in 2011 was 52.0% and in 2012 was 41.4% which exceeds the 15% Total Canopy Cover required by the permit to be considered successful vegetation. The sites were dominated by native perennials and no noxious weeds were found in the area. The vegetation in the areas was also found to be viable and self-sustaining based on new native plant species found at the sites (plants not found in original seed mix).

Type and Amount of FA Fined and Portion Available to be Released: Permit Modification 08-1 to Permit G0008E details the obligations and conditions associated with Tyrone FA. The permit currently requires a total FA of \$46,600. The current FA instrument is an Irrevocable Letter of Credit issued by Scotia Bank.

Tyrone seeks full FA Release in the amount of \$46,600 for the successful revegetation of JLSV. If this release request is approved, Tyrone seeks to terminate the Irrevocable Letter of Credit.

Name and Address to Submit Written Comments, Objections or Requests for Public Hearing: Written comments, objections or requests for a public hearing with regard to the application for partial release of financial assurance shall be submitted to: Tyrone's Attorney, Director, Mining and Minerals Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. MMD will conduct an inspection of the site within 30 days (weather permitting) after receipt of the application. Persons who have requested advance notice of the inspection shall be given notice of the inspection and may be present at the inspection as they may either interested members of the public. Within 30 days from the date of the inspection, a person with an interest that is or will be adversely affected by the proposed financial assurance release may file written objections to the proposed release with the Director at the above address and may request a public hearing. If a public hearing is held, a separate notice will be provided in accordance with 19.10.15, 19.10.16 NMAC.

03/19/2013

Public Notice Posted in English at the Silver City Library

Public Notice

Pursuant to the New Mexico Mining Act Rules, 19.10.5 and 19.10.12 NMAC, Freeport-McMoRan Tyrone, Inc. (Tyrone) has applied to the Mining and Minerals Division for partial release of financial assurance (FA) resulting from the successful revegetation at the Jersey Lily, Snowflake, and Virtue mine sites. The three mines were small underground operations that mined non-sulfide bearing rock and the surface disturbance was limited to access roads, small benches, and dumps of benign waste rock. All production ceased at the Jersey Lily, Snowflake, and Virtue mines in 1987. The release of FA will be processed as a modification to Revision 08-1 to Mining Act Permit No. GR008RE approved December 1999 ("Permit").

A copy of the application is available for viewing during normal business hours at:

New Mexico Energy, Minerals and Natural Resources Department
Mining and Minerals Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

And also at:

Silver City Public Library
515 W. College Avenue
Silver City, New Mexico 88061

The application can also be viewed or downloaded from the New Mexico Energy, Minerals, and Natural Resources website at: <http://www.emnrd.state.nm.us/MMD/MARP/PermitGR008RE.html>

This application is available for public comments, objections and a public request for hearing as provided below.

Permittee and Mailing Address: Freeport-McMoRan Tyrone, Inc., P.O. Drawer 571, Tyrone, New Mexico 88065

Location of Real Property Affected: The successful revegetation completed in connection with this application is on Tyrone property in the vicinity of the Tyrone Mine (10 miles south of Silver City, Grant County, NM) at the Jersey Lily, Snowflake, and Virtue Mines (JLSV) which are located within Township 18 South, Range 15 West, Sections 26 and 27 and Township 19 South, Range 15 West and Sections 2 and 3. The mines are located and partially visible on the east side of Mangas Valley Road (~3.5 miles north-northeast of Tyrone Mine).

Type of Reclamation/Closeout Performed, Acres and Dates: The JSLV Mines consist of 22 acres of reclaimed land which were successfully revegetated in 2001. An access road leading to Virtue Mine was also reclaimed and vegetated. Since 2001 two successful quantitative vegetation assessments were conducted in August 2011 and September 2012. Both assessments showed that the successful vegetation criteria have been met for the JLSV Mines.

Description of the Results Achieved: The vegetation assessments for the JLSV Mines showed that the Total Canopy Cover in 2011 was 52.6% and in 2012 was 41.4% which exceeds the 15% Total Canopy Cover required by the permit to be considered successful vegetation. The areas were dominated by native perennials and no noxious weeds were found at the site. The vegetation in the areas was also found to be viable and self-sustaining based on new native plant species found at the sites (plants not found in original seed mix).

Type and Amount of FA Filed and Portion Sought to be Released: Permit Modification 08-1 to Permit GR008RE details the obligations and conditions associated with Tyrone FA. This permit currently requires a total FA of \$46,600. The current FA instrument is an Irrevocable Letter of Credit issued by Scotia bank.

Tyrone seeks full FA Release in the amount of \$46,600 for the successful vegetation of JLSV. If this release request is approved, Tyrone seeks to terminate the Irrevocable Letter of Credit.

Name and Address to Submit Written Comments, Objections or Requests for Public Hearings: Written comments, objections or requests for a public hearing with regard to the application for partial release of financial assurance shall be submitted to: Fernando Martinez, Director, Mining and Minerals Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. MMD will conduct an inspection of the site within 30 days (weather permitting) after receipt of the application. Persons who have requested advance notice of the inspection shall be given notice of the inspection and may be present at the inspection as may any other interested members of the public. Within 30 days from the date of the inspection, a person with an interest that is or will be adversely affected by the proposed financial assurance release may file written objections to the proposed release with the Director at the above address and may request a public hearing. If a public hearing is held, a separate notice will be provided in accordance with 19.10.12.1210 NMAC.

Notificación pública

Conforme a las Reglas del acta de minería de Nuevo México, 19.10.5 y 19.10.12 NMAC, Freeport-McMoRan Tyrone, Inc. (Tyrone) ha solicitado a la División de minería y minerales la liberación parcial de garantía financiera (FA por sus siglas en inglés) como resultado de la revegetación exitosa en los sitios mineros Jersey Lily, Snowflake y Virtue. Las tres minas eran pequeñas operaciones subterráneas que explotaban minas de roca sin contenido de sulfuro y la alteración en la superficie estaba limitada a caminos de acceso, bancos pequeños y vertederos con residuos benignos de roca. Toda producción en las minas de Jersey Lily, Snowflake y Virtue cesó en 1987. La liberación de la FA será procesada como una modificación a la Revisión 08-1 al Permiso de Acta de Minería No. GR008RE aprobado en diciembre de 1999 ("Permiso").

Una copia de la solicitud está disponible para su consulta durante el horario normal comercial en:

Departamento de energía, minerales y recursos naturales de Nuevo México
División de minería y minerales
1220 South St. Francis Drive
Santa Fe, Nuevo México 87505

Y también en:

Biblioteca pública de Silver City
515 W. College Avenue
Silver City, Nuevo México 88061

La solicitud también puede consultarse o descargarse desde el sitio web de Energía, minerales y recursos naturales de Nuevo México en:

<http://www.emnrd.state.nm.us/MMD/MARP/PermitGR008RE.html>

La solicitud está disponible para comentarios públicos, objeciones y solicitud de audiencia pública según se indica más abajo.

Titular del permiso y domicilio postal: Freeport-McMoRan Tyrone, Inc., P.O. Drawer 571, Tyrone, Nuevo México 88065

Ubicación del inmueble afectado: La revegetación exitosa completada en conexión con esta solicitud se halla en la propiedad de Tyrone en las cercanías de la mina Tyrone (10 millas al sur de Silver City Grant County, NM) en las minas de Jersey Lily, Snowflake, y Virtue (JLSV) que están ubicadas dentro de Township 18 sur, Rango 15 oeste, Secciones 26 y 27 y Township 19 sur, Rango 15 oeste y Secciones 2 y 3. Las minas están ubicadas y son parcialmente visibles en el lado este de Mangas Valley Road (3,5 millas al norte-noreste de la mina Tyrone).

Tipo de recuperación/liquidación realizada, acres y fechas: Las minas JLSV consisten de 22 acres de tierra recuperada que fueron exitosamente revegetados en 2001. También se recuperó y revegetó un camino de acceso a la mina Virtue. Desde 2001 se llevaron a cabo dos evaluaciones cuantitativas exitosas de vegetación en agosto de 2011 y septiembre de 2012. Ambas evaluaciones mostraron que se cumplieron exitosamente los criterios de vegetación para las minas JLSV.

Descripción de los resultados logrados: Las evaluaciones de vegetación para las minas JLSV mostraron que la cobertura total de copa en 2011 era del 52.6% y en 2012 era del 41.4% lo que excede el 15% de cobertura total de copa requerido por el permiso para ser considerado como vegetación exitosa. Las áreas estaban dominadas por perennes nativas y se encontraron malezas no nocivas en el sitio. También se encontró que la vegetación en las áreas era viable y autosuficiente según nuevas especies de plantas nativas encontradas en los sitios (plantas no encontradas en mezclas de semillas originales).

Tipo y cantidad de la FA presentada y porción que se busca liberar: La modificación del permiso 08-1 a permiso GR008RE detalla las obligaciones y condiciones asociadas con la FA de Tyrone. Este permiso requiere actualmente una FA total de u\$s 46.600 El instrumento actual de la FA es una Carta de crédito irrevocable emitida por el banco Scotia.

Tyrone busca la liberación total de la FA por la cantidad de u\$s 46.600 por la vegetación exitosa de JLSV. Si esta solicitud de liberación es aprobada, Tyrone busca rescindir la Carta de crédito irrevocable.

Nombre y domicilio para enviar comentarios escritos, objeciones o solicitud de audiencias públicas: Los comentarios escritos, objeciones o solicitudes para audiencias públicas con respecto a la solicitud para la liberación parcial de la garantía financiera deberán ser enviados a: Fernando Martinez, Director, División de minería y minerales, 1220 South St. Francis Drive, Santa Fe, Nuevo México 87505. La DMM llevará a cabo una inspección del sitio dentro de los 30 días (siempre que el clima lo permita) después de la recepción de la solicitud. Las personas que hayan solicitado notificación por anticipado de la inspección serán notificadas de la inspección y podrán estar presentes en la inspección como así también cualquier otro miembro interesado del público. Dentro de los 30 días a partir de la fecha de la inspección, una persona interesada que es o será afectada adversamente por la liberación propuesta de la garantía financiera podrá presentar objeciones escritas a la liberación propuesta con el Director en la dirección especificada más arriba y podrá solicitar una audiencia pública. Si se llevase a cabo una audiencia pública, se proporcionará una notificación por separado en conformidad con NMAC 19.10.12.1210.

Silver City Daily Press

PO Box 740
3130B Hwy. 180
Silver City, NM 88062

Invoice

Date	Invoice #
3/20/2013	828

Bill To
Freeport McMoran %Jeanie Gutierrez PO Box 571 Tyrone, NM 88065

P.O. No.	Terms	Project
	2% 10 Net 30	

Quantity	Description	Rate	Amount
40	Notificacion publica Sales Tax	8.40 7.375%	336.00T 24.78

Total			\$360.78
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Silver City Daily Press

PO Box 740
3130B Hwy. 180
Silver City, NM 88062

Invoice

Date	Invoice #
3/20/2013	827

Bill To
Freeport McMoran %Jeanie Gutierrez PO Box 571 Tyronc, NM 88065

P.O. No.	Terms	Project
	2% 10 Nct 30	

Quantity	Description	Rate	Amount
40	Public Notice Sales Tax	8.40 7.375%	336.00T 24.78
		Total	\$360.78

Silver City Daily Press
 and Independent
 3130A Hwy. 180 E.
 Post Office Box 740
 Silver City, New Mexico 88062
 (575) 388-1576

INVOICE FOR PUBLICATION OF LEGAL NOTICE

Date	Description	PO#	Inches	Lines	Total
				@ .63	=
				@ .49	=
				@ .49	=
				@ .49	=
				@ .49	=
				@ .49	=
				@ .49	=

Total Inches Subtotal \$0.00

Tax \$0.00

Please include top portion with payment to ensure proper credit.

Grand Total \$0.00

Affidavit of Publication

STATE OF NEW MEXICO]
 County of Grant] S S

Christina Ely, being first duly sworn, on her oath says: That she is the publisher of the Silver City Daily Press and Independent, a newspaper printed and published in the Town of Silver City, in the County of Grant and the State of New Mexico, and that said newspaper is now, and was at all times herein mentioned, a newspaper of general circulation.

That the advertisement, copy of which is hereto attached, was published in said hereinbefore mentioned newspaper once each and every week for 1 consecutive week (s), the first publication thereof having been made on 3/20/13 and the last publication thereof having been made on . That said newspaper was regularly printed, published and issued with said notice herein upon the following dates, to wit:

3/20/13

Christina Ely

Subscribed and sworn to before me on this 21st day of March 2013

Melanie K Rogers

Notary Public



Silver City Daily Press
 and Independent
 3130A Hwy. 180 E.
 Post Office Box 740
 Silver City, New Mexico 88062
 (575) 388-1576

INVOICE FOR PUBLICATION OF LEGAL NOTICE

Date	Description	PO#	Inches	Lines1	Total
				@ .63	=
				@ .49	=
				@ .49	=
				@ .49	=
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				@ .49	=
				@ .49	=

Total Inches Subtotal \$0.00

Tax \$0.00

Please include top portion with payment to ensure proper credit.

Grand Total \$0.00

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Christina Ely

Subscribed and sworn to before me on this 21st day of March 2013

Melanie K Rogers

Notary Public



Notice

10.12 NMAC, Freeport-McMoR
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 ning Act Permit No. GR008RE a

al business hours at:

Natural Resources Department
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 ancis Drive
 exico 87505