



Chino Mines Company  
Box 10  
Bayard, NM 88023

December 19, 2013

**Certified Mail #70131710000059404996**  
**Return Receipt Requested**

Mr. Fernando Martinez, Director  
Mining and Minerals Division,  
1220 South St. Francis Drive,  
Santa Fe, NM 87505

Dear Mr. Martinez:

**RE: Chino Mine 2013 Financial Assurance Release**  
**Request for Modification of Permit No. GR009RE, Revision 01-1**

Freeport-McMoRan Chino Mines Company (Chino) requests a partial release of financial assurance pursuant to 19.10.12.1210 NMAC and a modification of Mining Act Permit Revision 01-1 to Permit No. GR009RE (GR009RE) to reduce the amount of financial assurance (FA) required for the implementation of the Closeout Plan. Chino specifically requests that the FA be reduced for reclamation work completed on Ponds 1, 2, and 4 (4 East and 4 West), see Maps 1, 2, & 3.

An overview of the current Chino Financial Assurance and the instruments by which it has been implemented is provided in GR009RE. In accordance with the terms and conditions of GR009RE the financial assurance is held in the form of a cash trust in the amount of \$64,042,304 (with interest, the current balance has increased to about \$110,276,290) and a third party guarantee issued by Freeport-McMoRan Copper and Gold, Inc. in the amount of \$111,230,029 for the total required amount of \$175,272,333. The current amount held in financial assurance is \$221,506,319, which exceeds the required amount by \$ 46,233,986.

The FA amount of \$4,682,716 will be deducted from the third party guarantee and it is proposed that \$106,547,313 will remain in the third party guarantee, and no change is proposed to be made to the cash trust. Chino is not requesting a reduction to the guarantee to reflect earnings on the trust fund at this time, but reserves the right to request such a reduction in the future. Chino is requesting that the total reclamation FA be reduced by a total of \$4,836,653 (2003 dollars) or \$4,682,716 (net present value, NPV) to account for the completion of earthwork that took place between 2010 to 2013 on Tailing Ponds 1, 2, and 4. The FA reduction request in 2003 dollars is shown by tailing pond in the summary table below. The remaining FA is for seeding and vegetation.

Facility/Project	Total \$ Amount in FA	Proposed \$ Amount of Reduction in FA	Remaining FA
Pond 1	\$ 1,217,564	\$ 1,107,166	\$ 110,398
Pond 2	\$ 1,155,979	\$ 1,051,830	\$ 104,149
Pond 4	\$ 2,929,002	\$ 2,677,656	\$ 251,345

This application includes all the information required by 19.10.12.1210 of the NMMA for a FA release. All of the requirements of GR009RE, Discharge Plan 1340 (DP-1340), and the approved Construction Design Quality Assurance Plan (CDQAP) have been achieved and inspected throughout construction. Chino understands before the FA will be released the MMD will conduct a site inspection and evaluation of the reclamation and closeout measures. If the public chooses they may also attend the site inspection and request a public hearing.

Attachments A through F contain the following information:

Attachment A: (Approved Financial Assurance Cash Flow and NPV Calculation): This is the most recent approved FA estimate (2012) and was used as the starting basis for the NPV calculations. The 2012 estimate sheet reflects the removal of FA as approved in Modification 12-2 to GR009RE.

Attachment B: (Financial Assurance 2003 Dollar Reduction Cost Estimate): This is the approved FA cost estimate broken out by each tailing pond. The highlighted cells correspond to the proposed FA release amount.

Attachment C: (Proposed 2013 Financial Assurance Cash Flow and NPV Calculation): This attachment provides the current and NPV amounts that Chino is requesting for release compared to the 2012 FA (Attachment A). Also included is the 2013 cash flow and NPV table. The updated cash flow table would replace the 2012 table if approved by MMD.

Attachments D: (Financial Assurance Release Cost Estimate (in 2003 dollars) for Each Tailing Pond, Aerial Photos and Maps): This attachment includes the detailed cost calculation for each tailing pond that corresponds to the summary in Attachment B. Maps, photos and other information are provided as summary documentation of the reclamation work completed.

Attachment E: (Public Notice Documentation): As specified in 19.10.9.903 of the NMMA Chino provides as proof of public notice the following information:

- The certified mail public notice to landowners of record within ½ mile of the property boundary, state and federal agencies, local municipalities and interested parties.
- Examples of certified receipts and all other public notice documentation that is available in Chino files as proof of public notice.
- Affidavits and newspaper clipping that document publication in the Silver City Daily Press on December 18, 2013 in English and Spanish.
- The list of public areas where the notice was posted including photographs.

Attachment F: (Electronic Copy of Application Materials provided on CD)

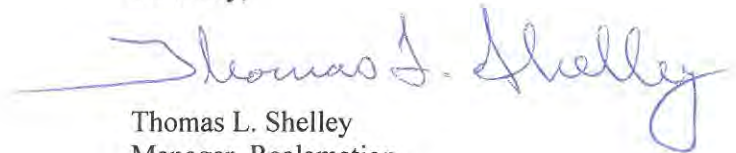
Proposed Permit GR009RE Modifications

Chino requests that Permit GR009RE Revision 01-1 be modified as follows and in all areas where specific financial assurance numbers are called out.

In Section 8 – the new required amount of FA should be changed from \$175,272,333 to \$170,589,617. The estimate of total remaining Closure/Closeout work at Chino required for financial assurance is \$359,803,282 (2003 dollars) and \$170,589,617 (NPV) (Attachment C).

The \$1,000 permit modification fee is included with this application for processing. Chino appreciates your consideration of this matter and scheduling the required inspection. Please contact Lynn Lande at 575-912-5235 if you require any additional information.

Sincerely,



Thomas L. Shelley  
Manager, Reclamation

TLS: dha  
Enclosures  
20131218-001

c. w/ Attachments      Chris Eustice, MMD  
**Certified Mail #70131710000059405009**  
**Return Receipt Requested**

c. w/o Attachments      Kurt Vollbrecht, NMED  
**Certified Mail #70131710000049404057**  
**Return Receipt Requested**



**FREEMPORT-McMoRAN**  
**COPPER & GOLD**  
 Freeport-McMoRan Copper & Gold  
 333 North Central Ave  
 Phoenix AZ 85004

For inquiries, contact us via e-mail:  
 AP@FMI.com<mailto:AP@FMI.com> Self-service  
 website: http://partners.fmi.com



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NM ENRGY MNRLS & NAT RES DPT  
 MINING ACT RECLAMATION BUREAU  
 1220 SOUTH ST FRANCIS DR  
 SANTA FE NM 87505

INVOICE NUMBER	INVOICE DATE	PURCHASE ORDER	COMPANY	GROSS AMOUNT	DISCOUNT	NET AMOUNT
112213 PERMIT #GR009RE MODIFICATION	11/22/13		FREEMPORT-McMoRAN CORPORAT	1,000.00	0.00	1,000.00
Check Number	Date	Vendor Number	Name	Total Amount		
0000806575	12/02/13	0000101184	NM ENRGY MNRLS & NAT RES DPT	\$1,000.00		

CH249 v.0.02 01-12-2012

ORIGINAL DOCUMENT IS PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER - DO NOT CASH IF THE WORD VOID IS VISIBLE

**FREEMPORT-McMoRAN**  
**COPPER & GOLD**  
 Freeport-McMoRan Copper & Gold  
 333 North Central Ave  
 Phoenix AZ 85004

CHECK NO.  
0000806575

64-1278/611 GA

DATE OF CHECK

12/02/13

PAY: ONE THOUSAND AND 00/100 DOLLARS

CHECK AMOUNT

\$1,000.00

Security Features  
Details on back.

TO THE ORDER OF NM ENRGY MNRLS & NAT RES DPT  
 MINING ACT RECLAMATION BUREAU  
 1220 SOUTH ST FRANCIS DR  
 SANTA FE NM 87505

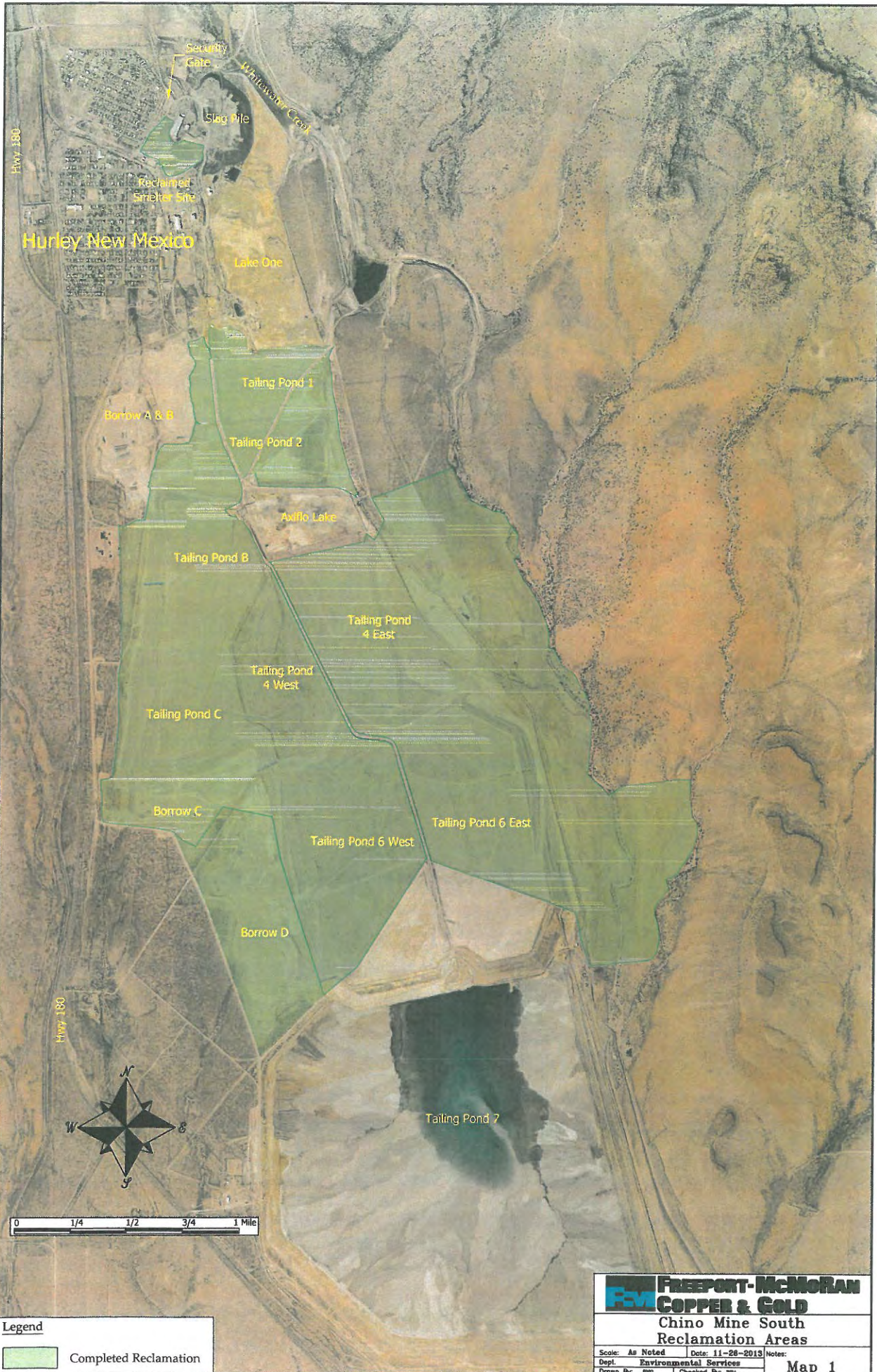
Authorized Signature

Bank of America, N.A.

DOCUMENT CONTAINS A TRUE WATERMARK. DO NOT CASH IF THE WATERMARK IS NOT VISIBLE. SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES.

⑈0000806575⑈ ⑆061112788⑆ 329998445⑈





**Legend**

Completed Reclamation

**FREEPORT-McMORAN**  
**COPPER & GOLD**  
**Chino Mine South**  
**Reclamation Areas**

Scale: As Noted	Date: 11-26-2013	Notes:
Dept. Environmental Services		
Drawn By: am	Checked By: am	

**Map 1**

**Attachment A**

**Approved Financial Assurance Cash Flow  
And NPV Calculation**



**Attachment A Chino Mines Company  
CCP Cash Flow and NPV Table - Financial Assurance Release which reflects permit modification 12-2 (2012 FA Release)**

**After FA Reduction:**

Summary:	Total	NPV
Earthwork	\$ 124,060,736	\$ 101,433,672
WTP	\$ 236,445,469	\$ 69,704,931
Studies	\$ 471,300	\$ 471,300
Cover Material Handling	\$ 3,662,430	\$ 3,662,430
Total	\$ 364,639,935	\$ 175,272,333

**Before FA Reduction:**

Summary:	Total	NPV
Earthwork	\$ 131,465,066	\$ 108,602,344
WTP	\$ 236,445,469	\$ 69,704,931
Studies	\$ 3,208,800	\$ 3,208,800
Cover Material Handling	\$ 3,662,430	\$ 3,662,430
Total	\$ 374,781,765	\$ 185,178,505

**Change:**

Summary:	Total	NPV
Earthwork	\$ (7,404,330)	\$ (7,168,672)
WTP	\$ -	\$ -
Studies	\$ (2,737,500)	\$ (2,737,500)
Cover Material Handling	\$ -	\$ -
Total	\$ (10,141,830)	\$ (9,906,172)

Year	Inflation rates (%) -->>	Discount Rates	Earthwork										WTP			Earthwork + WTP		
			Dist. Areas	Pits	Reservoirs	Stockpiles	Tailing	Maintenance	Total	NPV	Capital	O&M	Total	NPV	Total	NPV		
1	5%						\$6,610,139			\$6,610,139	\$6,610,139	\$6,610,139	\$12,604,974	\$4,323,500	\$16,928,474	\$16,928,474	\$16,928,474	\$16,928,474
2	5%					\$4,257,765	\$171,000	\$4,428,765	\$4,370,637	\$4,433,300	\$4,433,300	\$4,356,034	\$8,862,065	\$8,726,671				
3	5%			\$520,682		\$4,463,411	\$171,000	\$5,155,092	\$5,020,908	\$2,951,400	\$2,849,419	\$8,106,492	\$7,870,327					
4	5%			\$520,682		\$4,196,936	\$171,000	\$4,888,618	\$4,698,883	\$2,245,400	\$2,245,400	\$2,130,032	\$7,134,018	\$6,828,915				
5	5%	\$492,145		\$520,682		\$4,185,410	\$171,000	\$5,369,236	\$5,093,492	\$2,245,400	\$2,245,400	\$2,092,909	\$7,614,636	\$7,186,401				
6	5%	\$879,709		\$520,682		\$7,896,682	\$2,731,407	\$12,199,480	\$11,426,201	\$2,245,400	\$2,245,400	\$2,056,432	\$14,444,880	\$13,482,454				
7	5%	\$879,709				\$7,896,682	\$131,713	\$9,079,104	\$8,391,731	\$2,233,500	\$2,233,500	\$2,009,883	\$11,312,604	\$10,401,613				
8	5%	\$879,709				\$11,683,990	\$131,713	\$12,866,413	\$11,739,333	\$2,230,900	\$2,230,900	\$1,972,555	\$15,097,313	\$13,711,887				
9	5%	\$879,709	\$738,161			\$11,021,693	\$131,713	\$12,942,276	\$11,654,954	\$2,228,300	\$2,228,300	\$1,935,917	\$15,170,576	\$13,590,871				
10	5%	\$879,709				\$11,522,825	\$131,713	\$12,705,247	\$11,292,542	\$2,226,200	\$2,226,200	\$1,900,384	\$14,931,447	\$13,192,926				
11	5%	\$879,709				\$10,850,824	\$131,713	\$12,033,246	\$11,055,760	\$2,226,200	\$2,226,200	\$1,867,263	\$14,259,446	\$12,423,023				
12	5%	\$381,412				\$7,570,314	\$131,713	\$8,254,440	\$7,144,433	\$2,222,500	\$2,222,500	\$1,831,670	\$10,476,940	\$8,976,103				
13	5%	\$43,249				\$97,617	\$131,713	\$443,580	\$264,994	\$2,217,700	\$2,217,700	\$1,280,734	\$2,661,280	\$1,545,728				
14	5%	\$43,249				\$97,617	\$131,713	\$443,580	\$253,867	\$2,209,200	\$2,209,200	\$1,218,757	\$2,652,780	\$1,472,634				
15	5%	\$43,249				\$97,617	\$131,713	\$443,580	\$243,207	\$2,204,600	\$2,204,600	\$1,161,837	\$2,648,180	\$1,405,044				
16	5%	\$43,249				\$97,617	\$131,713	\$443,580	\$232,997	\$2,193,700	\$2,193,700	\$1,104,390	\$2,637,280	\$1,337,386				
17	5%	\$43,249				\$97,617	\$131,713	\$443,580	\$223,216	\$2,193,000	\$2,193,000	\$1,054,662	\$2,636,580	\$1,277,878				
18	5%	\$43,249				\$97,617	\$131,713	\$443,580	\$213,847	\$2,191,300	\$2,191,300	\$1,006,714	\$2,634,880	\$1,220,561				
19	5%	\$43,249				\$97,617	\$0	\$311,867	\$142,139	\$2,187,900	\$2,187,900	\$960,200	\$2,499,767	\$1,102,339				
20	5%	\$43,249				\$97,617	\$0	\$311,867	\$136,074	\$2,184,600	\$2,184,600	\$915,874	\$2,496,467	\$1,051,948				
21	5%	\$43,249				\$97,617	\$0	\$311,867	\$130,269	\$2,181,200	\$2,181,200	\$873,552	\$2,493,067	\$1,003,821				
22	5%	\$43,249				\$97,617	\$0	\$311,867	\$124,712	\$2,145,500	\$2,145,500	\$820,827	\$2,457,367	\$945,539				
23	5%	\$43,249				\$97,617	\$0	\$311,867	\$119,392	\$2,145,500	\$2,145,500	\$784,118	\$2,457,367	\$903,510				
24	5%	\$43,249				\$97,617	\$0	\$311,867	\$114,301	\$2,145,500	\$2,145,500	\$749,050	\$2,457,367	\$863,351				
25	5%					\$0	\$171,000	\$171,000	\$57,031	\$2,145,500	\$2,145,500	\$715,551	\$2,316,500	\$772,582				
26	5%					\$0	\$171,000	\$171,000	\$54,480	\$2,145,500	\$2,145,500	\$683,550	\$2,316,500	\$738,030				
27	5%					\$0	\$171,000	\$171,000	\$52,044	\$2,145,500	\$2,145,500	\$652,980	\$2,316,500	\$705,024				
28	5%					\$0	\$171,000	\$171,000	\$49,716	\$2,145,500	\$2,145,500	\$623,778	\$2,316,500	\$673,494				
29	5%					\$0	\$171,000	\$171,000	\$47,493	\$2,145,500	\$2,145,500	\$595,881	\$2,316,500	\$643,374				
30	5%					\$0	\$171,000	\$171,000	\$45,369	\$2,145,500	\$2,145,500	\$569,232	\$2,316,500	\$614,600				
31	5%					\$0	\$171,000	\$171,000	\$43,340	\$2,145,500	\$2,145,500	\$543,774	\$2,316,500	\$587,114				
32	5%					\$0	\$171,000	\$171,000	\$41,401	\$2,145,500	\$2,145,500	\$519,456	\$2,316,500	\$560,857				
33	5%					\$0	\$171,000	\$171,000	\$39,550	\$2,145,500	\$2,145,500	\$496,224	\$2,316,500	\$535,774				
34	5%					\$0	\$171,000	\$171,000	\$37,781	\$2,145,500	\$2,145,500	\$474,032	\$2,316,500	\$511,813				
35	5%					\$0	\$171,000	\$171,000	\$36,092	\$2,145,500	\$2,145,500	\$452,832	\$2,316,500	\$488,924				
36	5%					\$0	\$171,000	\$171,000	\$34,477	\$2,145,500	\$2,145,500	\$432,581	\$2,316,500	\$467,058				
37	5%					\$0	\$171,000	\$171,000	\$32,936	\$2,145,500	\$2,145,500	\$413,235	\$2,316,500	\$446,170				
38	5%					\$0	\$171,000	\$171,000	\$31,463	\$2,145,500	\$2,145,500	\$394,754	\$2,316,500	\$426,217				
39	5%					\$0	\$171,000	\$171,000	\$30,055	\$2,145,500	\$2,145,500	\$377,100	\$2,316,500	\$407,155				
40	5%					\$0	\$171,000	\$171,000	\$28,711	\$2,145,500	\$2,145,500	\$360,235	\$2,316,500	\$388,946				
41	5%					\$0	\$171,000	\$171,000	\$27,427	\$2,145,500	\$2,145,500	\$344,641	\$2,316,500	\$372,068				
42	5%					\$0	\$171,000	\$171,000	\$26,201	\$2,145,500	\$2,145,500	\$328,734	\$2,316,500	\$354,935				
43	5%					\$0	\$171,000	\$171,000	\$25,029	\$2,145,500	\$2,145,500	\$314,033	\$2,316,500	\$339,062				
44	5%					\$0	\$171,000	\$171,000	\$23,910	\$2,145,500	\$2,145,500	\$299,988	\$2,316,500	\$323,898				
45	5%					\$0	\$171,000	\$171,000	\$22,840	\$2,145,500	\$2,145,500	\$286,572	\$2,316,500	\$309,413				
46	5%					\$0	\$171,000	\$171,000	\$21,819	\$2,145,500	\$2,145,500	\$273,756	\$2,316,500	\$295,575				
47	5%					\$0	\$171,000	\$171,000	\$20,843	\$2,145,500	\$2,145,500	\$261,513	\$2,316,500	\$282,356				
48	5%					\$0	\$171,000	\$171,000	\$19,911	\$2,145,500	\$2,145,500	\$249,818	\$2,316,500	\$269,729				
49	5%					\$0	\$171,000	\$171,000	\$19,020	\$2,145,500	\$2,145,500	\$238,645	\$2,316,500	\$257,666				
50	5%					\$0	\$171,000	\$171,000	\$18,170	\$2,145,500	\$2,145,500	\$227,973	\$2,316,500	\$246,142				
51	5%					\$0	\$171,000	\$171,000	\$17,357	\$2,145,500	\$2,145,500	\$217,700	\$2,316,500	\$234,618				
52	5%					\$0	\$171,000	\$171,000	\$16,581	\$2,145,500	\$2,145,500	\$208,038	\$2,316,500	\$224,619				
53	5%					\$0	\$171,000	\$171,000	\$15,839	\$2,145,500	\$2,145,500	\$198,734	\$2,316,500	\$214,573				
54	5%					\$0	\$171,000	\$171,000	\$15,131	\$2,145,500	\$2,145,500	\$189,846	\$2,316,500	\$204,977				
55	5%					\$0	\$171,000	\$171,000	\$14,454	\$2,145,500	\$2,145,500	\$181,356	\$2,316,500	\$195,810				
56	5%					\$0	\$171,000	\$171,000	\$13,808	\$2,145,500	\$2,145,500	\$173,245	\$2,316,500	\$187,053				
57	5%					\$0	\$171,000	\$171,000	\$13,190	\$2,145,500	\$2,145,500	\$165,497	\$2,316,500	\$178,687				
58	5%					\$0	\$171,000	\$171,000	\$12,600	\$2,145,500	\$2,145,500	\$158,096	\$2,316,500	\$170,696				
59	5%					\$0	\$171,000	\$171,000	\$12,037	\$2,145,500	\$2,145,500	\$151,025	\$2,316,500	\$163,062				
60	5%					\$0	\$171,000	\$171,000	\$11,499	\$2,145,500	\$2,145,500	\$144,271	\$2,316,500	\$155,770				
61	5%					\$0	\$171,000	\$171,000	\$10,984	\$2,145,500	\$2,145,500	\$137,819	\$2,316,500	\$148,803				
62	5%					\$0	\$171,000	\$171,000	\$10,493	\$2,145,500	\$2,145,500	\$131,655	\$2,316,500	\$142,149				
63	5%					\$0	\$171,000	\$171,000	\$10,024	\$2,145,500	\$2,145,500	\$125,767	\$2,316,500	\$135,791				
64	5%					\$0	\$171,000	\$171,000	\$9,576	\$2,145,500	\$2,145,500	\$120,143	\$2,316,500	\$129,718				
65	5%					\$0	\$171,000	\$171,000	\$9,147	\$2,145,500	\$2,145,500	\$114,770	\$2,316,500	\$123,917				
66	5%					\$0	\$171,000	\$171,000	\$8,738	\$2,145,500	\$2,145,500	\$109,637	\$2,316,500	\$118,375				
67	5%					\$0	\$171,000	\$171,000	\$8,3									



Attachment A Chino Mines Company  
 CCP Cash Flow and NPV Table - Financial Assurance Release which reflects permit modification 12-2 (2012 FA Release)

After FA Reduction:		Before FA Reduction:					Change:								
68	8%					\$0	\$171,000	\$171,000	\$7,974		\$2,145,500	\$2,145,500	\$100,050	\$2,316,500	\$108,024
69	8%					\$0	\$171,000	\$171,000	\$7,618		\$2,145,500	\$2,145,500	\$95,575	\$2,316,500	\$103,193
70	8%					\$0	\$171,000	\$171,000	\$7,277		\$2,145,500	\$2,145,500	\$91,301	\$2,316,500	\$98,578
71	8%					\$0	\$171,000	\$171,000	\$6,951		\$2,145,500	\$2,145,500	\$87,218	\$2,316,500	\$94,169
72	8%					\$0	\$171,000	\$171,000	\$6,641		\$2,145,500	\$2,145,500	\$83,317	\$2,316,500	\$89,958
73	8%					\$0	\$171,000	\$171,000	\$6,344		\$2,145,500	\$2,145,500	\$79,591	\$2,316,500	\$85,935
74	8%					\$0	\$171,000	\$171,000	\$6,060		\$2,145,500	\$2,145,500	\$76,032	\$2,316,500	\$82,092
75	8%					\$0	\$171,000	\$171,000	\$5,789		\$2,145,500	\$2,145,500	\$72,631	\$2,316,500	\$78,420
76	8%					\$0	\$171,000	\$171,000	\$5,530		\$2,145,500	\$2,145,500	\$69,383	\$2,316,500	\$74,913
77	8%					\$0	\$171,000	\$171,000	\$5,283		\$2,145,500	\$2,145,500	\$66,280	\$2,316,500	\$71,563
78	8%					\$0	\$171,000	\$171,000	\$5,046		\$2,145,500	\$2,145,500	\$63,316	\$2,316,500	\$68,362
79	8%					\$0	\$171,000	\$171,000	\$4,821		\$2,145,500	\$2,145,500	\$60,484	\$2,316,500	\$65,305
80	8%					\$0	\$171,000	\$171,000	\$4,605		\$2,145,500	\$2,145,500	\$57,779	\$2,316,500	\$62,384
81	8%					\$0	\$171,000	\$171,000	\$4,399	\$605,676	\$2,145,500	\$2,751,176	\$77,610	\$2,922,176	\$82,009
82	8%					\$0	\$171,000	\$171,000	\$4,202		\$2,145,500	\$2,145,500	\$52,727	\$2,316,500	\$56,929
83	8%					\$0	\$171,000	\$171,000	\$4,014		\$2,145,500	\$2,145,500	\$50,369	\$2,316,500	\$54,383
84	8%					\$0	\$171,000	\$171,000	\$3,835		\$2,145,500	\$2,145,500	\$48,116	\$2,316,500	\$51,951
85	8%					\$0	\$171,000	\$171,000	\$3,663		\$2,145,500	\$2,145,500	\$45,964	\$2,316,500	\$49,628
86	8%					\$0	\$171,000	\$171,000	\$3,500		\$2,145,500	\$2,145,500	\$43,909	\$2,316,500	\$47,408
87	8%					\$0	\$171,000	\$171,000	\$3,343		\$2,145,500	\$2,145,500	\$41,945	\$2,316,500	\$45,288
88	8%					\$0	\$171,000	\$171,000	\$3,194		\$2,145,500	\$2,145,500	\$40,069	\$2,316,500	\$43,263
89	8%					\$0	\$171,000	\$171,000	\$3,051		\$2,145,500	\$2,145,500	\$38,277	\$2,316,500	\$41,328
90	8%					\$0	\$171,000	\$171,000	\$2,914		\$2,145,500	\$2,145,500	\$36,565	\$2,316,500	\$39,480
91	8%					\$0	\$171,000	\$171,000	\$2,784		\$2,145,500	\$2,145,500	\$34,930	\$2,316,500	\$37,714
92	8%					\$0	\$171,000	\$171,000	\$2,659		\$2,145,500	\$2,145,500	\$33,368	\$2,316,500	\$36,027
93	8%					\$0	\$171,000	\$171,000	\$2,541		\$2,145,500	\$2,145,500	\$31,876	\$2,316,500	\$34,416
94	8%					\$0	\$171,000	\$171,000	\$2,427		\$2,145,500	\$2,145,500	\$30,450	\$2,316,500	\$32,877
95	8%					\$0	\$171,000	\$171,000	\$2,318		\$2,145,500	\$2,145,500	\$29,088	\$2,316,500	\$31,407
96	8%					\$0	\$171,000	\$171,000	\$2,215		\$2,145,500	\$2,145,500	\$27,787	\$2,316,500	\$30,002
97	8%					\$0	\$171,000	\$171,000	\$2,116		\$2,145,500	\$2,145,500	\$26,545	\$2,316,500	\$28,660
98	8%					\$0	\$171,000	\$171,000	\$2,021		\$2,145,500	\$2,145,500	\$25,358	\$2,316,500	\$27,379
99	8%					\$0	\$171,000	\$171,000	\$1,931		\$2,145,500	\$2,145,500	\$24,223	\$2,316,500	\$26,154
100	8%					\$0	\$171,000	\$171,000	\$1,844		\$2,145,500	\$2,145,500	\$23,140	\$2,316,500	\$24,984
		\$6,670,804	\$738,161	\$2,082,727	\$69,614,417	\$28,025,626	\$16,929,000	\$124,060,736	\$101,433,672	\$15,375,769	\$221,069,700	\$236,445,469	\$69,704,931	\$353,896,066	\$164,528,465



**Attachment B**

**Financial Assurance 2003 Dollar  
Reduction Cost Estimate**

**Attachment B Financial Assurance Current Dollar Cash Estimate for Tailing Areas**

Average Layer Thickness (in)	Volume Tops (cy) 24	Volume Slopes (cy) 24	Volume for Cover on Totes (cy) Added Thickness	Haul Distance R	Unit Cost	Cost For Tops	Cost For Slopes	Cost for Cover on Totes	Cost Runon	Spillways	Seed & Mulch Top	Seed & Mulch Slope	Construct Relief	Protect Ravines	V Ditches	Surface Drainageways	Total Direct Cost	Total Tails Cost	Total Without NMGR
Lake One	0	0	0	4000	\$1.36	\$0	\$0	\$0	\$14,272	\$88,452	\$109,676	\$0	\$0	\$0	\$0	\$0	\$3,263,770	\$4,809,851	\$4,545,636
Tailing Pond 1	432,373	80,667	748	4000	\$1.36	\$589,784	\$110,034	\$1,020	\$8,693	\$53,875	\$66,802	\$12,463	\$22,603	\$8,936	\$0	\$0	\$874,212	\$1,288,335	\$1,217,564
Tailing Pond 2	387,200	96,800	828	4000	\$1.36	\$528,165	\$132,041	\$1,130	\$7,784	\$48,246	\$59,823	\$14,956	\$27,124	\$10,723	\$0	\$0	\$829,993	\$1,223,170	\$1,155,979
Axiflo Lake	283,947	9,680	231	4000	\$1.36	\$387,321	\$13,204	\$315	\$5,709	\$35,381	\$43,870	\$1,496	\$2,712	\$1,072	\$0	\$0	\$491,080	\$723,710	\$683,955
Tailing Pond B	574,347	193,600	2,761	4000	\$1.36	\$783,445	\$264,082	\$3,766	\$11,547	\$71,265	\$88,737	\$29,912	\$54,248	\$21,447	\$55,899	\$0	\$1,384,649	\$2,040,571	\$165,249
Tailing Pond C	316,213	193,600	3,399	4000	\$1.36	\$431,135	\$264,082	\$4,636	\$6,357	\$19,401	\$48,855	\$29,912	\$54,248	\$21,447	\$46,583	\$123,317	\$1,070,173	\$1,577,125	\$109,703
Tailing Pond 4	1,026,080	141,973	1,804	4000	\$1.36	\$1,399,637	\$193,660	\$2,461	\$20,629	\$127,853	\$158,531	\$21,935	\$39,782	\$15,728	\$27,950	\$94,859	\$2,103,025	\$3,099,250	\$2,929,002
Tailing Pond 6 West	1,093,840	277,493	4,622	4000	\$1.36	\$1,492,066	\$378,518	\$6,305	\$21,991	\$136,296	\$169,000	\$42,873	\$77,756	\$30,741	\$0	\$0	\$2,355,545	\$3,471,392	\$1,160,915
Tailing Pond 6 East	1,148,693	232,320	4,336	4000	\$1.36	\$1,566,889	\$316,899	\$5,914	\$23,094	\$143,131	\$177,475	\$35,894	\$65,098	\$25,736	\$0	\$80,630	\$2,440,761	\$3,396,975	\$1,258,857
Tailing Pond 7	3,865,547	1,177,733	15,313	4000	\$1.36	\$5,272,847	\$1,606,502	\$20,888	\$77,215	\$481,660	\$597,233	\$181,962	\$330,009	\$130,469	\$637,250	\$154,146	\$9,490,680	\$13,986,515	\$13,218,206
Total	9,128,240	2,403,867	34,041			\$12,451,489	\$3,279,024	\$46,434	\$197,791	\$1,225,860	\$1,520,003	\$371,401	\$673,581	\$266,300	\$767,681	\$452,952	\$24,303,888	\$35,816,894	\$26,445,066
Acres	2,829	745																	
Borrow Areas (SF)	24,646,248	6,490,440																	
Acres	566	149																	
	715																		

Facilities	Breakdown Cover	Outslope	Seed	Channels	Total Without NMGR	Proposed FA Reduction 2013
Lake One	\$4,249,817	\$0	\$152,751	\$143,069	\$4,545,636	\$0
Tailing Pond 1	\$976,098	\$31,481	\$110,398	\$99,588	\$1,217,564	\$1,107,166
Tailing Pond 2	\$921,080	\$37,777	\$104,149	\$92,973	\$1,155,979	\$1,051,830
Axiflo Lake	\$558,273	\$3,778	\$63,183	\$58,721	\$683,955	\$0
Tailing Pond B	\$1,464,195	\$75,554	\$165,249	\$223,480	\$1,652,490	\$0
Tailing Pond C	\$975,003	\$75,554	\$109,703	\$330,230	\$1,097,000	\$0
Tailing Pond 4	\$2,222,503	\$55,407	\$251,345	\$399,747	\$2,929,002	\$2,677,656
Tailing Pond 6 West	\$2,614,049	\$108,295	\$295,088	\$263,270	\$1,160,915	\$0
Tailing Pond 6 East	\$2,631,896	\$90,665	\$297,171	\$379,654	\$1,258,857	\$0
Tailing Pond 7	\$9,610,348	\$459,623	\$1,085,228	\$2,063,007	\$13,218,206	\$0
Total	\$23,250,652	\$938,134	\$2,634,265	\$4,053,736	\$26,445,066	\$4,836,653



**Attachment C**

**Proposed Modifications to Financial Assurance  
Cash Flow and NPV Calculation**







Attachment C Chino Mines Company  
 CCP Cash Flow and NPV Table - Proposed Financial Assurance Release for Ponds 1, 2, and 4 2013 Reduction

Year	After FA Reduction:	Before FA Reduction:				Change:									
87	\$0				\$0	\$171,000	\$171,000	\$3,343		\$2,145,500	\$2,145,500	\$41,945	\$2,316,500	\$45,288	
88	\$0				\$0	\$171,000	\$171,000	\$3,194		\$2,145,500	\$2,145,500	\$40,069	\$2,316,500	\$43,263	
89	\$0				\$0	\$171,000	\$171,000	\$3,051		\$2,145,500	\$2,145,500	\$38,277	\$2,316,500	\$41,328	
90	\$0				\$0	\$171,000	\$171,000	\$2,914		\$2,145,500	\$2,145,500	\$36,565	\$2,316,500	\$39,480	
91	\$0				\$0	\$171,000	\$171,000	\$2,784		\$2,145,500	\$2,145,500	\$34,930	\$2,316,500	\$37,714	
92	\$0				\$0	\$171,000	\$171,000	\$2,659		\$2,145,500	\$2,145,500	\$33,368	\$2,316,500	\$36,027	
93	\$0				\$0	\$171,000	\$171,000	\$2,541		\$2,145,500	\$2,145,500	\$31,876	\$2,316,500	\$34,416	
94	\$0				\$0	\$171,000	\$171,000	\$2,427		\$2,145,500	\$2,145,500	\$30,450	\$2,316,500	\$32,877	
95	\$0				\$0	\$171,000	\$171,000	\$2,318		\$2,145,500	\$2,145,500	\$29,088	\$2,316,500	\$31,407	
96	\$0				\$0	\$171,000	\$171,000	\$2,215		\$2,145,500	\$2,145,500	\$27,787	\$2,316,500	\$30,002	
97	\$0				\$0	\$171,000	\$171,000	\$2,116		\$2,145,500	\$2,145,500	\$26,545	\$2,316,500	\$28,660	
98	\$0				\$0	\$171,000	\$171,000	\$2,021		\$2,145,500	\$2,145,500	\$25,358	\$2,316,500	\$27,379	
99	\$0				\$0	\$171,000	\$171,000	\$1,931		\$2,145,500	\$2,145,500	\$24,223	\$2,316,500	\$26,154	
100	\$0				\$0	\$171,000	\$171,000	\$1,844		\$2,145,500	\$2,145,500	\$23,140	\$2,316,500	\$24,984	
	\$6,670,804	\$738,161	\$2,082,727	\$69,614,417	\$23,188,973	\$16,929,000	\$119,224,083	\$96,750,957	\$15,375,769	\$221,069,700	\$236,445,469	\$69,704,931	\$355,669,552	\$166,455,888	

Date: 05-Dec-2013

**GR009RE 12-2 FA Summary (2012 FA)**

Component	Current Cost	NPV
Earthwork	\$ 124,060,736	\$ 101,433,672
Water Treatment Plant (WTP)	\$ 236,445,469	\$ 69,704,931
Studies	\$ 471,300	\$ 471,300
Cover Material Handling	\$ 3,662,430	\$ 3,662,430
Total	\$ 364,639,935	\$ 175,272,333

**2013 Proposed Release for GR009RE FA**

Component	Current Cost	NPV
Earthwork	\$ 119,224,083	\$ 96,750,956
Water Treatment Plant (WTP)	\$ 236,445,469	\$ 69,704,931
Studies	\$ 471,300	\$ 471,300
Cover Material Handling	\$ 3,662,430	\$ 3,662,430
Total	\$ 359,803,282	\$ 170,589,617

**Proposed FA Reduction Total:** \$ 4,836,653 \$ 4,682,716

Note:

The total proposed FA reduction for tailing reclamation of \$4,836,653 was distributed evenly over a six year period in the 2013 cash flow to come up with the NPV calculation of \$4,682,716



**Attachment D**  
**Financial Assurance Release Cost Estimate (in 2003 dollars):**  
**for Each Tailing Pond, Aerial Photos and Maps**

## Attachment D Financial Assurance Release Cost Calculation

Scope of Work Completed: Ponds 1, 2, and 4

### Chino Tailing Ponds

<b>Pond 1</b>	Current FA	Proposed FA Reduction	Remaining FA
<b>Cover</b> (top and slopes)	\$976,098	\$976,098	\$0
<b>Outslope</b> (construct relief)	\$31,481	\$31,481	\$0
<b>Revegetation 100% (seeding)</b>	\$110,398	\$0	\$110,398
<b>Channels</b>	\$99,588	\$99,588	\$0
<b>Total =</b>	<b>\$1,217,564</b>	<b>\$1,107,166</b>	<b>\$110,398</b>

<b>Pond 2</b>	Current FA	Proposed FA Reduction	Remaining FA
<b>Cover</b> (top and slopes)	\$921,080	\$921,080	\$0
<b>Outslope</b> (construct relief)	\$37,777	\$37,777	\$0
<b>Revegetation 100% (seeding)</b>	\$104,149	\$0	\$104,149
<b>Channels</b>	\$92,973	\$92,973	\$0
<b>Total =</b>	<b>\$1,155,979</b>	<b>\$1,051,830</b>	<b>\$104,149</b>

<b>Pond 4</b>	Current FA	Proposed FA Reduction	Remaining FA
<b>Cover</b> (top and slopes)	\$2,222,503	\$2,222,503	\$0
<b>Outslope</b> (construct relief)	\$55,407	\$55,407	\$0
<b>Revegetation 100% (seeding)</b>	\$251,345	\$0	\$251,345
<b>Channels</b>	\$399,747	\$399,747	\$0
<b>Total =</b>	<b>\$2,929,002</b>	<b>\$2,677,656</b>	<b>\$251,345</b>

**Total 2013 Proposed Financial Assurance Release:**

**\$4,836,653**

Note:

The total proposed FA reduction for tailing reclamation of \$4,836,653 was distributed evenly over a six year period in the 2003 cash flow to come up with the NPV calculation of \$4,682,716



Oblique Aerial Photos of Ponds 1, 2, and 4 Reclamation Project



September 24, 2013 - View West to East – Ponds 1, 2, and 4 in the background



July 27, 2012 - View Northwest to Southeast – Reclaimed areas





June 6, 2013 - View West to East – of Ponds 1 and 2



December 21, 2013 – View Northwest to Southeast – Ponds 1, 2, and 4



## **Project 1 & 2 Completion Facts**

**Project Name:** Chino Tailing Reclamation – Tailing Ponds 1 & 2

**Construction/Activity Start Date:** January, 2012

**Construction/Activity Completion Date:** May, 2013

**Ponds 1 & 2 Original FA Acres Completed:** 309 acres

**Total Acres Reclaimed:** 309 acres

**Volume of Regrading:** 600,000 cubic yards

**Volume of Cover Material:** 1,450,000 cubic yards

**Linear Feet of Stormwater Conveyance Completed:** 24,500 Linear Feet





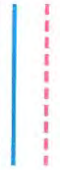


### **Description of Work Completed:**

Reclamation work completed for this project included the regrading, covering, and revegetation of Tailing Ponds 1 & 2. The construction met the following specifications and design:

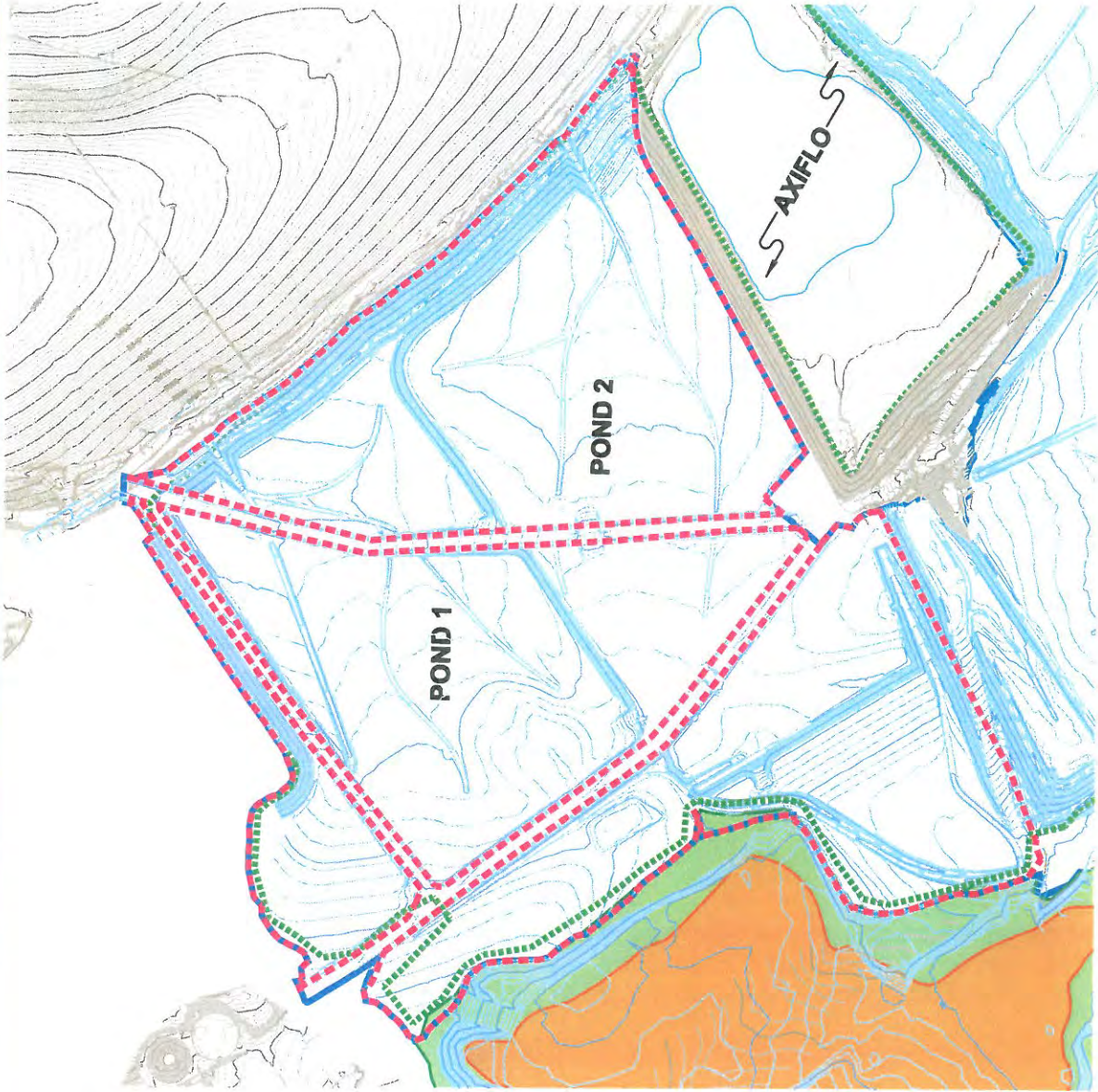
- Tailing Pond Outslope – 3H:1V or less
- Interbench Slope Length – 150 ft. long or less
- Top Surfaces – Minimum of 0.5 %
- Surface Channels - Minimum of 0.5 %
- Outslope Channels – 2 to 5 %
- Cover thickness – Minimum of 3 ft.
- Cover Material – Gila Conglomerate or Alluvium
- Rip Rap Material – Gila Alluvium or Limestone
- Seed Mix –Native seed mix composed of cool and warm grasses, perennial shrubs and forbs

Reclamation inspections were conducted at least monthly by the State of New Mexico during construction and Chino met all permit and Construction Design Quality Assurance Plan (CDQAP – final design) requirements.

**LEGEND**

-  EXISTING GROUND (PRE-RECLAMATION) TOPOGRAPHY
-  AS-BUILT (POST-RECLAMATION) TOPOGRAPHY
-  BORROW AREAS
-  ADDITIONAL RECLAMATION SITES ACCOUNTED FOR ON 2012 BAC RELEASE
-  LIMIT OF RECLAMATION
-  POND 1&2 BOUNDARY
-  TAILING FACILITY LIMIT

AREA DESIGNATION	AREA (ACRES)
POND 1 TOP SURFACE	134
POND 1 OUTSLOPES	25
POND 2 TOP SURFACE	120
POND 2 OUTSLOPES	30
TOTAL DISTURBED	309



DATE: 12/13/13	PROJECT: POND 1&2 RECLAMATION	FILE NO.: POND 1&2 B
SCALE: AS SHOWN	SCALE: AS SHOWN	REV. A
PROJECT: CHINO MINES COMPANY TAILING RECLAMATION PROJECT HURLEY, NEW MEXICO	TITLE: POND 1&2 RECLAMATION	
<p>IF THE BAR DOES NOT MEASURE 1" = 600' THE BAR HAS BEEN REDUCED OR ENLARGED</p>		



## Project 4 Completion Facts

**Project Name:** Chino Tailing Reclamation – Tailing Pond 4

**Construction/Activity Start Date:** May, 2010

**Construction/Activity Completion Date:** February, 2013

**Pond 4 Original FA Acres Completed:** 362 acres

**Total Acres Reclaimed:** 420 acres

**Volume of Regrading:** 825,000 cubic yards

**Volume of Cover Material:** 2,030,000 cubic yards

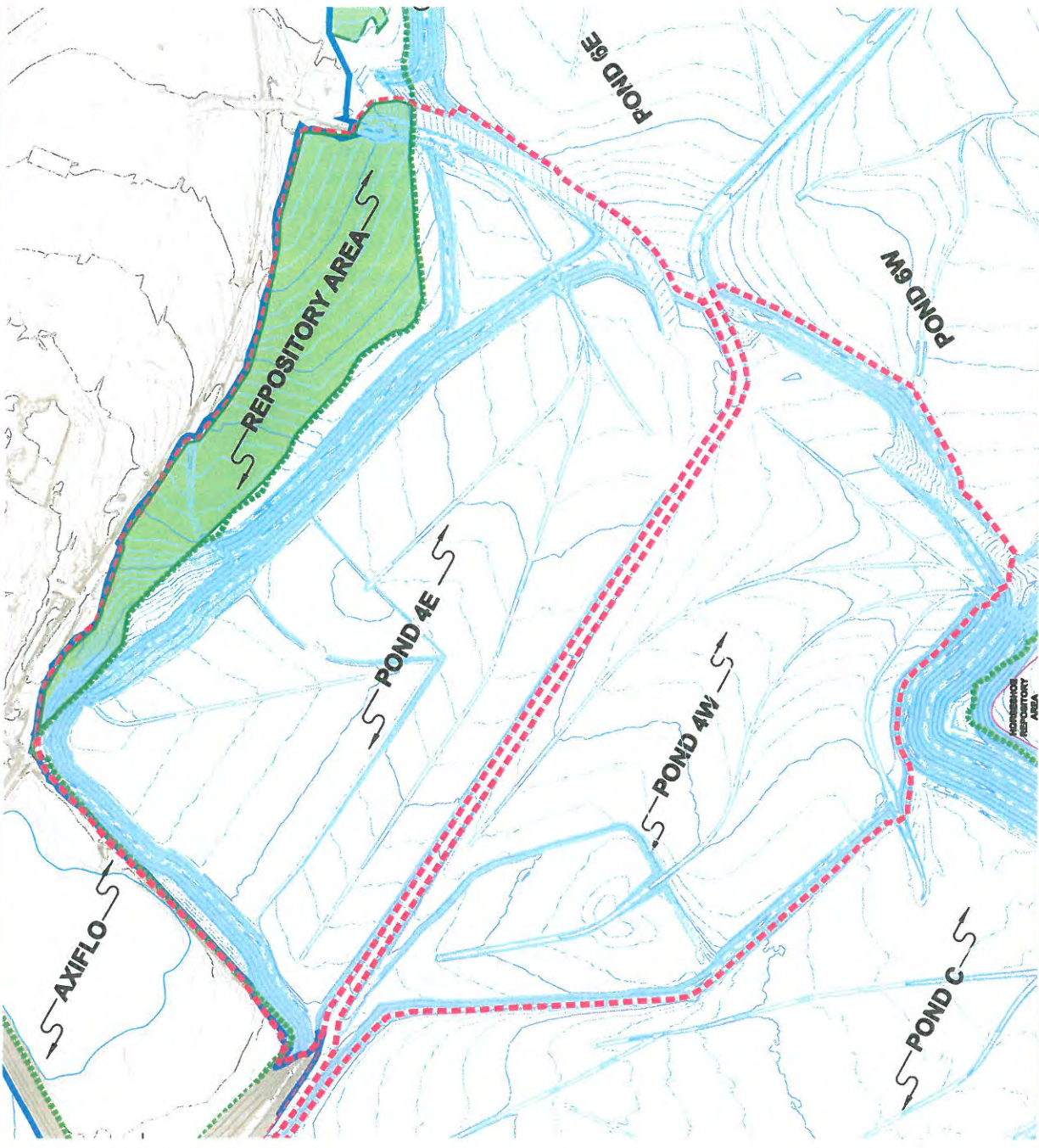
**Linear Feet of Stormwater Conveyance Completed:** 35,000 Linear Feet

### **Description of Work Completed:**

Reclamation work completed for this project included the regrading, covering, and revegetation of Tailing Pond 4. The construction met the following specifications and design:

- Tailing Pond Outslope – 3H:1V or less
- Interbench Slope Length – 150 ft. long or less
- Top Surfaces – Minimum of 0.5 %
- Surface Channels - Minimum of 0.5 %
- Outslope Channels – 2 to 5 %
- Cover thickness – Minimum of 3 ft.
- Cover Material – Gila Conglomerate or Alluvium
- Rip Rap Material – Gila Alluvium or Limestone
- Seed Mix –Native seed mix composed of cool and warm grasses, perennial shrubs and forbs

Reclamation inspections were conducted at least monthly by the State of New Mexico during construction and Chino met all permit and Construction Design Quality Assurance Plan (CDQAP – final design) requirements.



**LEGEND**

- EXISTING GROUND (PRE-RECLAMATION) TOPOGRAPHY
- AS-BUILT (POST-RECLAMATION) TOPOGRAPHY
- ADDITIONAL RECLAMATION SITES
- LIMIT OF RECLAMATION
- POND 4 BOUNDARY
- TAILING FACILITY LIMIT

AREA DESIGNATION	AREA (ACRES)
TOP SURFACE	318
OUTSLOPES	44
POND 4 ADDITIONAL RECLAMATION SITES	53
TOTAL DISTURBED	415



DATE	12/21/13	PROJECT	CHINO MINES COMPANY TAILING RECLAMATION PROJECT HURLEY, NEW MEXICO	FILE NO.	043-2127	POND 4 B
DRAWN BY	MSB	PROJECT	CHINO MINES COMPANY TAILING RECLAMATION PROJECT HURLEY, NEW MEXICO	SCALE AS SHOWN	REV.	A
CHECKED BY	MSB	PROJECT	CHINO MINES COMPANY TAILING RECLAMATION PROJECT HURLEY, NEW MEXICO	SCALE AS SHOWN	REV.	A
APPROVED BY	MSB	PROJECT	CHINO MINES COMPANY TAILING RECLAMATION PROJECT HURLEY, NEW MEXICO	SCALE AS SHOWN	REV.	A

**TITLE**  
POND 4 RECLAMATION

**MAP 3**

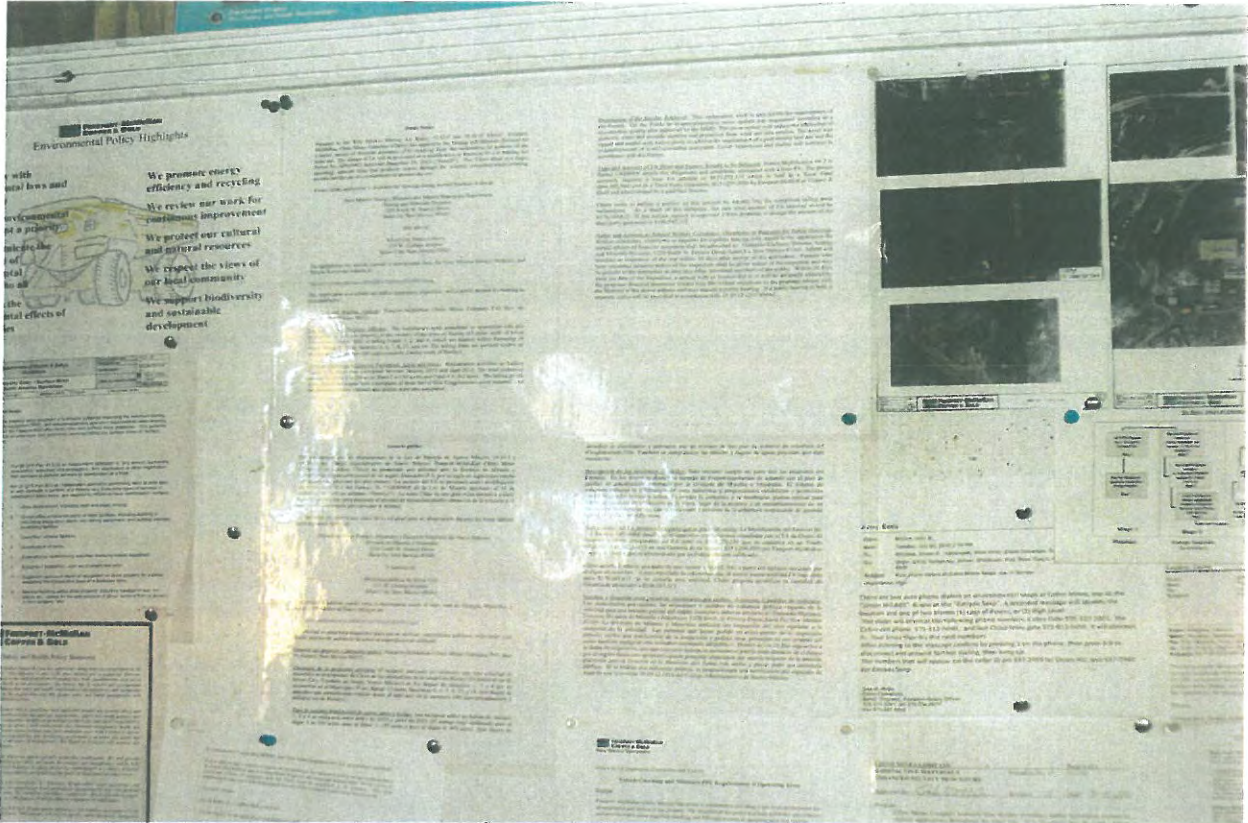
IF THIS DRAWING DOES NOT MEASURE 1" = 600' IT HAS BEEN REDUCED OR ENLARGED

DATE: 12/21/13

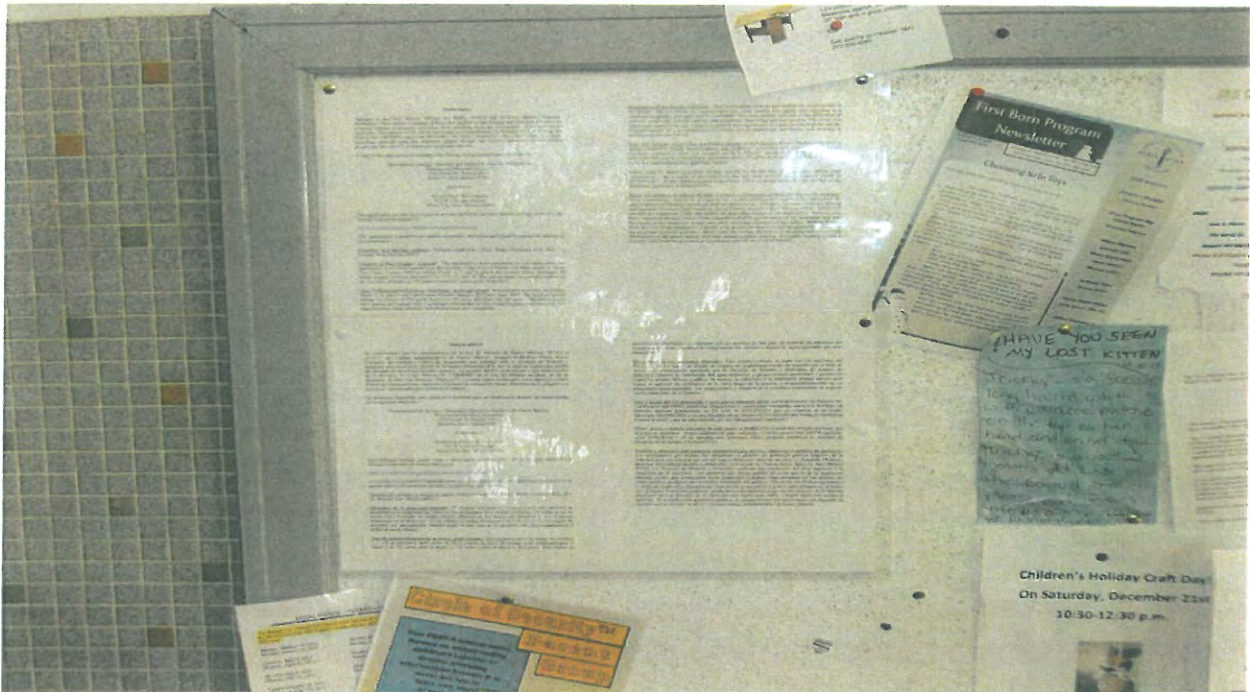


**Attachment E**  
**Public Notice Documentation**

# Chino 2013 Financial Assurance Public Notice Verification



December 17, 2013 Chino Mine Main Gate (Security Building)



December 17, 2013 Bayard, NM Post Office





December 17, 2013 Hurley, NM Post office



December 17, 2013 Hurley, NM North Gate (Security Building)



**Public Notice**

Pursuant to the New Mexico Mining Act Rules, 19.10.5 and 19.10.12 NMAC, Freeport- McMoRan Chino Mines Company (Chino) has applied to the Mining and Minerals Division for a partial release of financial assurance (FA) resulting from the reclamation of portions of the mine site. The release of FA will be processed as a modification to Revision 01-1 to Mining Act Permit No. GR009RE approved December 18, 2003 ("Permit"). The Chino Mine is a large, operating, open-pit mine that produces copper through the solution extraction/electrowinning process and the use of a concentrator to process the ore.

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/PermitGR009RE.html>

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

Permittee and Mailing Address: Freeport-McMoRan Chino Mines Company P.O. Box 10, Bayard, New Mexico 88023.

Location of Real Property Affected: The reclamation work completed in connection with this application is on Chino property in the vicinity of the town of Hurley (15 miles south of Silver City, Grant County, NM) at tailing Ponds 1, 2, and 4, which are located within Township 19 South, Range 12 West, Sections 5, 6, 7, 8, 17, and 18. The tailing dams are partially visible on the east side of Highway 180 (approximately 2 miles south of Hurley).

Type of Reclamation/Closeout Performed, Acres and Dates: Reclamation activities on Tailing Ponds 1, 2, and 4 were performed between January 2010 and June 2013. The total reclaimed acreage for Pond 1 is 159 acres, Pond 2 is 150 acres, and Pond 4 is 362 acres. The tailing ponds were graded and capped with a minimum of three feet of Gila Conglomerate cover material. The required storm water channels and ditches were also completed.

Description of the Results Achieved: This reclamation work in part fulfills the requirements of the Permit. On the Ponds an evapotranspiration cover system was engineered according to a construction quality plan approved by the MMD. The cover system will reduce the infiltration of meteoric water and provide stability and protection from wind and rain erosion. The cover was ripped and seeded with native plants to achieve the requirement of a post mining land use and the re-establishment of a self-sustaining ecosystem. Cover inspections and studies will continue in accordance with the Permit.

Type and Amount of FA Filed and Portion Sought to be Released: Permit Modification 06-2 to Permit GR009RE details the obligations and conditions associated with Chino FA. The permit currently requires a total FA amount of \$175,272,333 which is held in a Trust Fund (\$64,042,304) and in a Third Party Guarantee (\$111,230,029) by Freeport-McMoRan Copper & Gold and administered by a qualified Trustee.

Chino seeks to reduce a portion of this amount by \$4,682,716; for completed tailing pond reclamation. As a result of this reduction, the new total amount of FA required would be \$170,589,617. If this release request is approved, Chino proposes to change the amount of the third party guarantee to \$106,547,313.

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 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.



**Anuncio público**

En conformidad con las disposiciones de la Ley de Minería de Nuevo México, 19.10.5 y 19.10.12 del Código Administrativo de Nuevo México, Freeport-McMoRan Chino Mines Company (en adelante, Chino) ha presentado una solicitud ante la División de Minería y minerales para la emisión parcial de un seguro financiero (FA, por su sigla en inglés) que resulta del reclamo de porciones del sitio minero. La emisión del FA se procesará como modificación de la Revisión 01-1 del Permiso N.º GR009RE de la Ley de Minería aprobado el 18 de diciembre de 2003 (en adelante, "Permiso"). La mina Chino es una gran mina operativa a cielo abierto que produce cobre mediante el proceso de extracción/electro obtención de la solución y el uso de un concentrador para procesar el mineral.

Se encuentra disponible una copia de la solicitud para su observación durante las horas hábiles en la siguiente dirección:

Departamento de Energía, Minerales y Recursos Naturales de Nuevo México  
División de Minería y Minerales  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Y también en:

Biblioteca pública de Silver City  
515 W. College Avenue  
Silver City, New Mexico 88061

Esta solicitud también puede verse o descargarse desde el sitio web de Energía, Minerales y Recursos Naturales de Nuevo México en:

<http://www.emnrd.state.nm.us/MMD/MARP/PermitGR009RE.html>

La solicitud se encuentra disponible para que se realicen comentarios públicos, objeciones y un pedido público de audiencia tal como se especifica más adelante.

**Tenedor del permiso y dirección postal:** Freeport-McMoRan Chino Mines Company P.O. Box 10, Bayard, New Mexico 88023.

**Ubicación de la propiedad afectada:** El reclamo realizado en conexión con esta solicitud se encuentra en la propiedad de Chino en los alrededores de la ciudad de Hurley (15 millas al sur de Silver City, Condado de Grant, Nuevo México) en los diques de desechos 1, 2 y 4 que se encuentran en el Municipio 19 sur, Rango 12 oeste, Secciones 5, 6, 7, 8, 17, y 18. Los diques de desechos son parcialmente visibles desde el lado este de la carretera 180 (aproximadamente 2 millas al sur de Hurley).

**Tipo de reclamo/Realización de cierre, acres y fechas:** Los reclamos sobre las balsas de residuos 1, 2 y 4 se realizaron entre enero de 2010 y junio de 2013. El acreaje total reclamado para el dique 1 es 159 acres, para el dique 2, 150 acres y para el dique 4, 362 acres. Los diques de desechos se clasificaron y cubrieron con un mínimo de tres pies de material de cobertura del Conglomerado Gila. También se completaron los canales y diques de aguas pluviales que eran necesarios.

**Descripción de los resultados obtenidos:** Este reclamo cumple en parte con los requisitos del Permiso. En los diques se diseñó un sistema de evapotranspiración de acuerdo con el plan de calidad de construcción aprobado por la División de Minería y Minerales. El sistema de cobertura reducirá la infiltración del agua meteórica y proporcionará estabilidad y protección contra la erosión hídrica y eólica. Se extrajo la cobertura y se sembraron plantas nativas para lograr el requisito de utilización de la tierra luego de la minería y el reestablecimiento de un ecosistema autosustentable. Las inspecciones y estudios de la cobertura continuarán de acuerdo con lo estipulado en el Permiso.

**Tipo y monto del FA presentado y parte que se pretende emitir:** La Modificación del Permiso 06- 2 al Permiso GR009RE detalla las obligaciones y condiciones vinculadas con el FA de Chino. El Permiso requiere actualmente un FA total de \$175,272,333 que se conserva en un Fondo fiduciario (\$64,042,304) y en una Garantía de un tercero (\$111,230,029) por Freeport-McMoRan Copper & Gold y que es administrado por un Fideicomisario calificado.

Chino apunta a reducir una parte de este monto a \$4,682,716; a partir del reclamo realizado por el dique de desechos. Como resultado de esta reducción, el nuevo monto total del FA requerido sería \$170,589,617. Si se aprueba esta solicitud, Chino propone modificar la cantidad de Garantía de un tercero a \$106,547,313.

**Nombre y dirección para presentar comentarios por escrito, objeciones o pedidos de audiencia:** Los comentarios por escrito, las objeciones o pedidos de audiencia pública respecto de la solicitud para una emisión parcial del seguro financiero deberán enviarse a: Fernando Martínez, Director, División de Minería y Minerales, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505. La División de Minería y Minerales realizará una inspección del sitio siguiente a la recepción de la solicitud. Las personas que hayan pedido un aviso previo de la inspección deberán recibir una notificación de la inspección y podrán estar presentes en ese proceso así como también cualquier otro miembro interesado del público. Dentro de los 30 días siguientes a la fecha de inspección, una persona cuyo interés se encuentre o podría estar afectado en el futuro por el seguro financiero propuesto puede presentar objeciones por escrito respecto de la emisión planteada ante el Director en la dirección que figura más arriba y puede pedir una audiencia pública. Si se realiza una audiencia pública, se proporcionará una notificación por separado de acuerdo con la sección 19.10.12.1210 del Código Administrativo de Nuevo México.



## Legal

### Public Notice

Pursuant to the New Mexico Mining Act Rules, 19.10.5 and 19.10.12 NMAC, Freeport-McMoRan Chino Mines Company (Chino) has applied to the Mining and Minerals Division for a partial release of financial assurance (FA) resulting from the reclamation of portions of the mine site. The release of FA will be processed as a modification to Revision 01-1 to Mining Act Permit No. GR009RE approved December 18, 2003 ("Permit"). The Chino Mine is a large, operating, open-pit mine that produces copper through the solution extraction/electrowinning process and the use of a concentrator to process the ore. 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

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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/PermitGR009RE.html>

html

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

**Permittee and Mailing Address:** Freeport-McMoRan Chino Mines Company, P.O. Box 10, Bayard, New Mexico 88023.

**Location of Real Property Affected:** The reclamation work completed in connection with this application is on Chino property in the vicinity of the town of Hurley (15 miles south of Silver City, Grant County, NM) at tailing Ponds 1, 2, and 4, which are located within Township 19 South, Range 12 West, Sections 5, 6, 7, 8, 17, and 18. The tailing dams are partially visible on the east side of Highway 180 (approx-

mately 2 miles south of Hurley). **Type of Reclamation/Closeout Performed, Acres and Dates:** Reclamation activities on Tailing Ponds 1, 2, and 4 were performed between January 2010 and June 2013. The total reclaimed acreage for Pond 1 is 159 acres, Pond 2 is 150 acres, and Pond 4 is 362 acres. The tailing ponds were graded and capped with a minimum of three feet of Gila Conglomerate cover material. The required storm water channels and ditches were also completed.

**Description of the Results Achieved:** This reclamation work in part fulfills the requirements of the Permit. On the Ponds an evapotranspiration cover system was engineered according to a construction quality plan approved by the MMD. The cover system will reduce the infiltration of meteoric water and provide stability and protection from wind and rain erosion. The cover was ripped and seeded with native plants to achieve the requirement of a post mining land use and the re-establishment of a self-sustaining ecosystem. Cover inspections and studies will continue in accordance with the Permit.

**Type and Amount of FA Filed and Portion Sought to be Released:** Permit Modification 06-2 to Permit GR009RE details the obligations and conditions associated with Chino FA. The permit currently requires a total FA amount of \$175,272,333 which is held in a Trust Fund (\$64,042,304) and in a Third Party Guarantee (\$111,230,029) by Freeport-McMoRan Copper & Gold and administered by a qualified Trustee.

Chino seeks to reduce a portion of this amount by \$4,682,716; for completed tailing pond reclamation. As a result of this reduction, the new total amount of FA required would be \$170,589,617. If this release request is approved, Chino proposes to change the amount of the third party guarantee to \$106,547,313.

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## Legal

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En conformidad con las disposiciones de la Ley de Minería de Nuevo México, 19.10.5 y 19.10.12 del Código Administrativo de Nuevo México, Freeport-McMoRan Chino Mines Company (en adelante, Chino) ha presentado una solicitud ante la División de Minería y minerales para la emisión parcial de un seguro financiero (FA, por su sigla en inglés) que resulta del reclamo de porciones del sitio minero. La emisión del FA se procesará como modificación de la Revisión 01-1 del Permiso N.º GR009RE de la Ley de Minería aprobado el 18 de diciembre de 2003 (en adelante, "Permiso"). La mina Chino es una gran mina operativa a cielo abierto que produce cobre mediante el proceso de extracción/electro obtención de la solución y el uso de un concentrador para procesar el mineral.

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**Descripción de los resultados obtenidos:** Este reclamo cumple en parte con los requisitos del Permiso. En los diques se diseñó un sistema de evapotranspiración de acuerdo con el plan de calidad de construcción aprobado por la División de Minería y Minerales. El sistema de cobertura reducirá la infiltración del agua meteórica y proporcionará estabilidad y protección contra la erosión hídrica y eólica. Se extrajo la cobertura y se sembraron plantas nativas para lograr el requisito de utilización de la tierra luego de la minería y el reestablecimiento de un ecosistema autosustentable. Las inspecciones y estudios de la cobertura continuarán de acuerdo con lo estipulado en el Permiso.

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ciones y condiciones vinculadas con el FA de Chino. El Permiso requiere actualmente un FA total de \$175,272,333 que se conserva en un Fondo fiduciario (\$64,042,304) y en una Garantía de un tercero (\$111,230,029) por Freeport-McMoRan Copper & Gold y que es administrado por un Fideicomisario calificado.

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D18

D18





Chino Mines Company  
Box 10  
Bayard, NM 88023

December 17, 2013

Dear Neighbor:

**Re: Chino Mines Company, Permit No. GR009RE Revision 01-1, Notice of Permit Modification Application For Partial Financial Assurance Release**

Freeport-McMoRan Chino Mines Company (Chino) has applied to the New Mexico Energy, Minerals and Natural Resources Department, Mining and Minerals Division for a modification of the referenced permit. The modification requests a partial release of financial assurance required for reclamation. The proposed release is for work that Chino 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) 476-3438 or Lynn Lande at (575) 912-5235.

Sincerely,

A handwritten signature in black ink that reads "Thomas L. Shelley". The signature is written in a cursive style with a large, sweeping initial 'T'.

Thomas L. Shelley,  
Manager, Reclamation

TLS: dha  
Attachments  
20131212-001

## Public Notice

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Description of the Results Achieved: This reclamation work in part fulfills the requirements of the Permit. On the Ponds an evapotranspiration cover system was engineered according to a construction quality plan approved by the MMD. The cover system will reduce the infiltration of meteoric water and provide stability and protection from wind and rain erosion. The cover was ripped and seeded with native plants to achieve the requirement of a post mining land use and the re-establishment of a self-sustaining ecosystem. Cover inspections and studies will continue in accordance with the Permit.

Type and Amount of FA Filed and Portion Sought to be Released: Permit Modification 06-2 to Permit GR009RE details the obligations and conditions associated with Chino FA. The permit currently requires a total FA amount of \$175,272,333 which is held in a Trust Fund (\$64,042,304) and in a Third Party Guarantee (\$111,230,029) by Freeport-McMoRan Copper & Gold and administered by a qualified Trustee.

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de desechos se clasificaron y cubrieron con un mínimo de tres pies de material de cobertura del Conglomerado Gila. También se completaron los canales y diques de aguas pluviales que eran necesarios.

Descripción de los resultados obtenidos: Este reclamo cumple en parte con los requisitos del Permiso. En los diques se diseñó un sistema de evapotranspiración de acuerdo con el plan de calidad de construcción aprobado por la División de Minería y Minerales. El sistema de cobertura reducirá la infiltración del agua meteórica y proporcionará estabilidad y protección contra la erosión hídrica y eólica. Se extrajo la cobertura y se sembraron plantas nativas para lograr el requisito de utilización de la tierra luego de la minería y el reestablecimiento de un ecosistema autosustentable. Las inspecciones y estudios de la cobertura continuarán de acuerdo con lo estipulado en el Permiso.

Tipo y monto del FA presentado y parte que se pretende emitir: La Modificación del Permiso 06-2 al Permiso GR009RE detalla las obligaciones y condiciones vinculadas con el FA de Chino. El Permiso requiere actualmente un FA total de \$175 272 333 que se conserva en un Fondo fiduciario (\$64 042 304) y en una Garantía de un tercero (\$111 230 029) por Freeport-McMoRan Copper & Gold y que es administrado por un Fideicomisario calificado.

Chino apunta a reducir una parte de este monto a \$4 682 716; a partir del reclamo realizado por el dique de desechos. Como resultado de esta reducción, el nuevo monto total del FA requerido sería \$170 589 617. Si se aprueba esta solicitud, Chino propone modificar la cantidad de Garantía de un tercero a \$106 547 313.

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Mr. Arthur Allison, Cabinet Secretary  
Indian Affairs Department  
1220 S. St. Francis Drive  
Santa Fe, NM 87505-0115

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

Ms. Megan Anderson, Attorney at Law  
Western Environmental Law Center  
208 Paseo Del Pueblo Sur Unit 602  
Taos, NM 87571-5931

Mr. John Cornell, Campaign Coordinator  
New Mexico Wildlife Federation  
121 Cardenas Dr NE  
Albuquerque, NM 87108

Mr. Tony Delfin, State Forester  
State Forestry Division, EMNRD  
P.O. Box 1948  
Santa Fe, NM 87504-1948

Mr. Tim Eastep, Environmental Manager  
Chino Mines Company  
P.O. Box 10  
Bayard, NM 88023

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

Mr. Terence Foreback, State Mine  
Inspector  
Bureau of Mine Safety  
801 Leroy Place  
Socorro, NM 87801

Ms. Elizabeth German, Attorney at Law  
Brown and German  
12836 Lomas Blvd. NE, Ste. G  
Albuquerque, NM 87112

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

Mr. Alan Kuhn, Geotechnical Engineer  
Alan Kuhn Associates, LLC  
13212 Manitoba Dr., NE  
Albuquerque, NM 87111

Mr. Michael Linden, Regional Geologist  
U.S.D.A. Forest Service  
333 Broadway Blvd., SE  
Albuquerque, NM 87102

Mr. Joel Lusk, Biologist  
U.S. Department of Interior U.S. Fish and  
Wildlife  
2105 Osuna NE  
Albuquerque, NM 87113

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**Attachment F**

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