

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

Ken McQueen
Cabinet Secretary

Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

Governor Kurt Riley
Pueblo of Acoma
P.O. Box 309
Acoma, NM 87034

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Governor Riley,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order to extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

"Minimal impact new mining" for humate mines means disturbance will not exceed a total of 40 acres at any given time, which therefore limits impact to the environment. Please see the attached map of the proposed permit area. The application for the Fruitland Mine received by MMD can be viewed in its entirety by visiting the MMD website at <http://www.emnrd.state.nm.us/MMD/MARP/MK052MN.html>.

The land status of T20N, R7W, Sections 13, 14, 23 and 24 is reported by the applicant to be private land, therefore MMD cannot require the applicant to complete a cultural resources survey under the New Mexico mining Act. The Department of Cultural Affairs Historic Preservation Division has also been consulted by MMD and their recommendation to conduct a cultural resources survey has been conveyed to the applicant.

We are notifying you that the applicant has satisfied all of our regulatory requirements and we are prepared to issue a permit. We would like to give you a final opportunity to provide us with comments. Please provide comments to MMD by April 4, 2017. Please contact me at (505) 476-3435, or David (DJ) Ennis of my staff at (505) 476-3434 with any questions or if you wish to meet to discuss the application.

Sincerely,

Fernando Martinez, Director
Mining and Minerals Division

cc: Mine File (MK052MN)

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
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Cabinet Secretary

Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

Chairman Herman G. Honanie
Hopi Tribe
P.O. Box 123
Kykotsmovi, AZ 86039

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Chairman Honanie,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

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Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

Director Leigh Kuwanwisiwma
Hopi Cultural Preservation Office
P.O. Box 123
Kykotsmovi, AZ 86039

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Director Kuwanwisiwma,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order to extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

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Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

Governor E. Paul Torres
Pueblo of Isleta
P.O. Box 1270
Isleta Pueblo, NM 87022

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Governor Torres,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

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Mining and Minerals Division

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State of New Mexico
Energy, Minerals and Natural Resources Department

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Cabinet Secretary

Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

Dr. Henry Walt
Pueblo of Isleta, THPO
P.O. Box 1270
Isleta Pueblo, NM 87022

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Dr. Walt,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

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Mining and Minerals Division

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Deputy Cabinet Secretary

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Mining and Minerals Division



March 20, 2017

Governor Virgil A. Siow
Pueblo of Laguna
P.O. Box 194
Laguna Pueblo, NM 87026

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Governor Siow,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

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Fernando Martinez, Director
Mining and Minerals Division

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Energy, Minerals and Natural Resources Department

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Cabinet Secretary

Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

Mr. Gaylord Siow
Pubelo of Laguna, THPO
P.O. Box 194
Laguna Pueblo, NM 87026

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Mr. Siow,

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Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

President Russell Begaye
Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear President Begaye,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order to extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

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Cabinet Secretary

Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

Dr. Ora Marek-Martinez
Navajo Nation, THPO
P.O. Box 4950
Window Rock, AZ 86515

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Dr. Marek-Martinez,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order to extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

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Deputy Cabinet Secretary

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Mining and Minerals Division



March 20, 2017

Governor Fredrick Vigil
Pueblo of Tesuque
Route 42, Box 360-T
Santa Fe, NM 87506

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Governor Vigil,

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March 20, 2017

Mr. Charles Dorame
Pueblo of Tesuque, THPO
Route 42, Box 360-T
Santa Fe, NM 87506

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Mr. Dorame,

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Mining and Minerals Division



March 20, 2017

Chairman Ronnie Lupe
White Mountain Apache Tribe
P.O. Box 700
Whiteriver, AZ 85941

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Chairman Lupe,

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Mining and Minerals Division



March 20, 2017

Mr. Mark Altaha
White Mountain Apache Tribe, THPO
P.O. Box 700
Whiteriver, AZ 85941

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Mr. Altaha,

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Mining and Minerals Division



March 20, 2017

Governor Val Panteah, Sr.
Pueblo of Zuni
P.O. Box 339
Zuni, NM 87327

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Governor Panteah, Sr.,

On January 10, 2017 the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals, and Natural Resources Department notified your tribe about an application from Miocene, LLC for a minimal impact new mining operation located in portions of T20N, R7W, Sections 13, 14, 23, and 24 in McKinley County, New Mexico. The proposed Fruitland Mine proposes up to approximately 1.99 acres of disturbance in order extract humate, a weathered coal product commonly used as an agricultural soil amendment. Minimal impact mining is proposed under 19.10.3.304 NMAC of the New Mexico Mining Act.

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The land status of T20N, R7W, Sections 13, 14, 23 and 24 is reported by the applicant to be private land, therefore MMD cannot require the applicant to complete a cultural resources survey under the New Mexico mining Act. The Department of Cultural Affairs Historic Preservation Division has also been consulted by MMD and their recommendation to conduct a cultural resources survey has been conveyed to the applicant.

We are notifying you that the applicant has satisfied all of our regulatory requirements and we are prepared to issue a permit. We would like to give you a final opportunity to provide us with comments. Please provide comments to MMD by April 4, 2017. Please contact me at (505) 476-3435, or David (DJ) Ennis of my staff at (505) 476-3434 with any questions or if you wish to meet to discuss the application.

Sincerely,

Fernando Martinez, Director
Mining and Minerals Division

cc: Mine File (MK052MN)

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

Ken McQueen
Cabinet Secretary

Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



March 20, 2017

Mr. Kurt Dongoske
Pueblo of Zuni, THPO
P.O. Box 1149
Zuni, NM 87327

Re: Notice of Intent to Issue Minimal Impact New Mining Operation Permit, Fruitland Mine, McKinley County, New Mexico, Permit Tracking No. MK052MN

Dear Mr. Dongoske,

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Sincerely,

Fernando Martinez, Director
Mining and Minerals Division

cc: Mine File (MK052MN)

Fruitland Mine Permit Boundary



0 2,800 5,600 11,200 Feet

1:22,500