

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



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**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

May 31, 2017

Mr. Ed Dvorak, Vice President  
CR Minerals Company, LLC  
P.O. Box 708  
Ohkay Owingeh, New Mexico 87566

**RE: Transmittal of Documents: Modification 17-1 to Permit No. RA004RE; Rocky Mountain Mine**

Dear Mr. Dvorak:

The New Mexico Mining and Minerals Division (“MMD”) has approved Modification 17-1 to Permit No. RA004RE: updating the financial assurance for the Rocky Mountain Mine Permit No. RA004RE in the form of two Irrevocable Standby Letters of Credit issued by the JP Morgan Chase Bank, N.A.. A copy of the modification document is enclosed with this letter. MMD will retain the original of this document on file.

If you have any questions in this matter, please feel free to contact me at 505-476-3432 or [David.Ohori@state.nm.us](mailto:David.Ohori@state.nm.us).

Sincerely,

David R. Ohori, Permit Lead  
Mining Act Reclamation Program (“MARP”)  
Mining and Minerals Division

Enclosure

cc: Holland Shepherd, Program Manager, MARP  
Mine File (RA004RE)



- 2) ILOC No. CTCS-916240, dated May 9, 2017, in the amount of \$365,279.00, issued by the JP Morgan Chase Bank, N.A. with MMD as the beneficiary.
- 3) ILOC No. CTCS-916533, dated May 10, 2017, in the amount of \$140,087.00, issued by the JP Morgan Chase Bank, N.A. with MMD and the BLM as beneficiaries.

**Section 4 (17-1).**

**FINDINGS OF FACT**

- A. The Permittee has paid the permit modification fee of \$1,000.00 as required by §19.10.2.201 NMAC.
- B. Pursuant to §19.10.5.505.B NMAC, the proposed change does not require public notice nor the opportunity for public hearing.
- C. Pursuant to §19.10.5.505.B(1) NMAC, the proposed changes would not have a significant environmental impact.
- D. Pursuant to §19.10.5.505.B(2) NMAC, the application was accompanied by sufficient information for the Director to determine whether any of the factors listed in §19.10.5.505.B(1) NMAC are present.
- E. Pursuant to §19.10.5.505.B(3) NMAC, the Director consulted with the U.S. Bureau of Land Management (“BLM”). One of the two ILOC’s is jointly held by MMD and BLM for reclamation of mine related disturbances on land administered by the BLM.
- F. Pursuant to §19.10.5.505.C NMAC, 17-1 PMP was in a format acceptable to the Director. The application for permit modification has been reviewed in accordance with §19.10.5.505 NMAC. The application for permit modification is complete, accurate, and complies with the requirements for permit modifications under §19.10.5.505 NMAC.

**Section 9 (17-1).**

**GENERAL OBLIGATIONS AND CONDITIONS**

**A. FINANCIAL ASSURANCE**

1. The Permittee has provided financial assurance in the amount of \$365,279.00, in the form of ILOC No. CTCS-916240, issued by the JP Morgan Chase Bank, N.A. with MMD as the beneficiary; and in the amount of \$140,087.00, in the form of ILOC No. CTCS-916533, issued by the JP Morgan Chase Bank, N.A. with MMD and the BLM as beneficiaries. The total amount of FA from the two ILOC’s is \$505,366.00.

**Section 10 (17-1).**

**CONCLUSIONS OF LAW**

- A. The Director has jurisdiction over the Permittee and the subject matter of this proceeding.

Permit Modification 17-1 To Permit RA004RE  
Rocky Mountain Mine  
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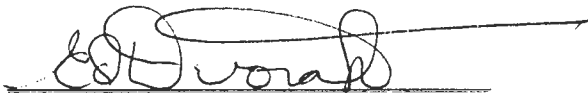
- B. 17-1 PMP is complete, accurate, and complies with the requirements of the Act and §19.10.5.505 of the Rules and with conditions described in this Permit Modification 17-1 document.

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

**CERTIFICATION**

I certify that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals responsible for obtaining the information; I believe the submitted information is true, accurate, and complete.

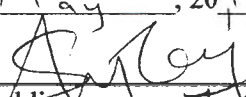
I certify that I have read, understand and will comply with the requirements of this Permit Modification. I also agree to comply with the performance and reclamation standards and requirements of the Permit, and Modifications and Revisions, the Rules, and the Act, and allow the Director to enter the permit area without delay for the purpose of conducting inspections.

  
Authorized Representative of the Permittee

VP - Operations  
Title

CR Minerals CO, LLC  
Company

Subscribed and sworn to before me this 19<sup>th</sup> day of May, 2017

  
Notary Public 05/19/17

My Commission Expires

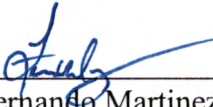
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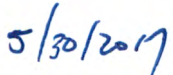
**SHREERAJ ADHIKARI**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20154008770  
MY COMMISSION EXPIRES 03/03/2019

**ORDER**

NOW THEREFORE, IT IS HEREBY ORDERED that Permit Modification 17-1 to Permit No. RA004RE, updating the FA amount and replacing two ILOC's with two new ILOC's, is approved. The Permit may not be transferred without approval by the Director. The Permit is subject to all conditions set out in the Director's Findings of Fact, General Obligations and Conditions, and Order.

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

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

Date:   
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