

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Susana Martinez**  
Governor

**Ken McQueen**  
Cabinet Secretary

**Matthias Sayer**  
Deputy Cabinet Secretary

**Fernando Martinez, Director**  
Mining and Minerals Division



December 27, 2017

Ms. Katie Emmer  
New Mexico Copper Corporation  
4253 Montgomery Blvd NE, Suite 130  
Albuquerque, NM 87109

**RE: Technical Comment on NMCC Response to MMD's Additional Technical Comments dated November 30, 2017, MORP, Rev. 1, July 2017, Copper Flat Mine, Sierra County, Permit Tracking No. SI027RN**

The Mining and Minerals Division ("MMD") has reviewed the November 30, 2017 submittal from New Mexico Copper Corporation ("NMCC") that responds to MMD's letter dated November 20, 2017 regarding technical comments on the *Updated Mining Operation and Reclamation Plan, Revision 1 July 2017* and *NMCC's Response to MMD's April 21st, 2017 Technical Comments*.

MMD has this additional technical comment:

1. NMCC's November 30, 2017 response clarifies that the general plant area and perimeter slopes of the plant area consist of non-mine waste that will be covered with 6 inches of growth media at closure. However, MMD notes that the Baseline Data Report (dated June 2012) shows the presence of waste rock from the pit (see Figure 8-37 and Figure 9-1 in the Baseline Data Report) to be present near the proposed Laydown Yard and Concentrator within the plant area. If present, these areas of the plant site will require 3 feet of growth media cover at closure. MMD requests NMCC commitment, in writing, to covering these areas with 3 feet of growth media.

If you have any questions or wish to discuss any of these comments, please contact me at (505) 476-3434 or by email at [david.ennis@state.nm.us](mailto:david.ennis@state.nm.us).

Sincerely,

David J. ("DJ") Ennis, P.G.  
Reclamation Specialist/Permit Lead

cc: Holland Shepherd, Mining Act Program Manager  
Brad Reid, NMED Permit Lead