



**Michelle Lujan Grisham**  
Governor

**Howie C. Morales**  
Lieutenant Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

Ground Water Quality Bureau

1190 Saint Francis Drive / PO Box 5469  
Santa Fe, NM 87502-5469  
Phone (505) 827-2900 Fax (505) 827-2965

[www.env.nm.gov](http://www.env.nm.gov)



**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

**MEMORANDUM**

Date: April 20, 2020

To: Holland Shepherd, Program Manager, Mining Act Reclamation Program

Through: Anne Maurer, Mining Environmental Compliance Section

From: George Llewellyn, Mining Environmental Compliance Section  
John Moeny, Surface Water Quality Bureau  
Rhett Zyla, Air Quality Bureau

Subject: **NMED Comments, Modification 20-1 Application, Emma-B Exploration Project, Freeport-McMoRan Tyrone Operations, New Mexico Mining Act Permit No. GR083EM**

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The New Mexico Environment Department (NMED) received correspondence from the Mining and Minerals Division (MMD) on March 31, 2020 requesting NMED review and provide comments on the above-referenced MMD permitting action. NMED is providing comments within the 20-day comment period prescribed in the regulation. NMED has the following comments.

**Background**

Freeport-McMoRan Tyrone Operations (FMI-Tyrone) is requesting a modification to the minimal impact exploration permit for the Emma-B Exploration Project, Permit No. GR083EM. FMI-Tyrone is proposing to drill six new holes estimated to be up to 1,300 feet below ground surface (bgs). The drill hole proposed locations are within the MMD-approved permit area for the Emma-B Exploration Project, located approximately ½ mile south of the Tyrone Mine.

**Air Quality Bureau**

The Air Quality Bureau comments are attached under separate letterhead.

**Surface Water Quality Bureau**

The Surface Water Quality Bureau comments are attached under separate letterhead.

**Mining Environmental Compliance Section (MECS)**

NMED reviewed the application for modification of the minimal impact exploration permit to drill an additional six holes up to 1,300 feet deep within the permit area. As discussed during a November 13, 2019 site visit to the Emma-B Exploration Project area, characterization of the material encountered and depth-to-water within the proposed new mine area will be required in order for NMED to make a determination regarding appropriate engineering controls and permit requirements for the proposed project. FMI-Tyrone should implement an approved Sampling and Analysis Plan (SAP) to collect an appropriate number of samples for analysis of the proposed project area, that will, at a minimum, follow the material characterization requirements set forth in Subsection A of 20.6.7.21 NMAC. In addition, FMI-Tyrone should note the presence or absence of groundwater at all borehole locations in order to evaluate the potential need for dewatering during operations and the potential for formation of a pit lake at closure.

To ensure that that FMI-Tyrone will meet applicable requirements of the Copper Mine Rule (Part 20.6.7 NMAC) including Subsection A of 20.6.7.21 NMAC, NMED requests that FMI-Tyrone arrange a meeting with NMED to propose a SAP for approval prior to initiation of the exploration drilling project.

**NMED Summary Comment**

NMED finds that the exploration project is likely to have a minimal impact to the environment if operated and reclaimed with the approved permits, pollution controls, and the comments above.

If you have any questions, please contact Kurt Vollbrecht at (505) 827-1095.

cc: Shelly Lemon, Bureau Chief, SWQB  
Liz Bisbey-Kuehn, Bureau Chief, AQB  
Jerry Schoeppner, Director, EMNRD-MMD  
David Ogori, Lead Staff, EMNRD-MMD  
Kurt Vollbrecht, Program Manager, MECS  
Brad Reid, MECS  
Keith Ehlert, MECS



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Governor

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Lt. Governor

## NEW MEXICO ENVIRONMENT DEPARTMENT

Harold Runnels Building  
1190 Saint Francis Drive, PO Box 5469  
Santa Fe, NM 87502-5469  
Telephone (505) 827-2855

[www.env.nm.gov](http://www.env.nm.gov)



**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

### MEMORANDUM

Date: April 10, 2020

To: Anne Maurer, Mining Act Team Leader (Acting)  
Mining Environmental Compliance Section  
Ground Water Quality Bureau (GWQB)

From: John Moeny  
Watershed Protection Section  
Surface Water Quality Bureau (SWQB)

Subject: **Request for Comments, Modification 20-1 Application, Emma-B Exploration Project, Freeport McMoRan Tyrone Operations, New Mexico Mining Act Permit No. GR083EM**

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On March 31, 2020, NMED received a request for comments regarding a modification to an existing minimal impact exploration permit submitted by Freeport McMoRan-Tyrone Mining (Applicant). The project is in Grant County on lands owned by Freeport-Tyrone, just south of the existing Tyrone facility.

#### *Summary of Proposed Action*

The Applicant seeks to modify the Emma-B minimum impact exploration project currently permitted by the Mining and Minerals Division as GR083EM. This modification requests an addition six exploratory drill holes to a maximum depth of 1,300 feet.

#### *Relevant State and Federal Water Quality Regulations*

The SWQB submitted comments in 2019 for the original Emma-B exploration permit. The current request to drill an additional six exploratory holes is in keeping with the scope and impact of the original project and consequently SWQB's comments apply equally to the modification. The SWQB has no additional comments at this time.

If you have any questions, please phone me at (575) 956-1545.



**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

525 Camino de los Marquez, Suite 1  
Santa Fe, New Mexico, 87505

Phone (505) 476-4300 Fax (505) 476-4375

[www.env.nm.gov](http://www.env.nm.gov)



**Michelle Lujan Grisham**  
Governor

**Howie C. Morales**  
Lt. Governor

**James C. Kenney**  
Cabinet Secretary

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Deputy Secretary

**MEMORANDUM**

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DATE: April 6, 2020

TO: Kurt Vollbrecht, Program Manager, Mining Environmental Compliance Section

FROM: Rhett Zyla, Environmental Scientist & Specialist - Air Quality Bureau

RE: Request for Comments, Modification 20-1 Application, Emma-B Exploration Project, Freeport-McMoRan Tyrone Operations, New Mexico Mining Act Permit No. GR083EM

The New Mexico Air Quality Bureau (AQB) has completed its review of the above-mentioned mining project. Pursuant to the New Mexico Mining Act Rules, the AQB provides the following comments.

**Air Quality Permitting History**

The AQB has not issued any air quality permits for this operation.

**Details**

The Applicant received approval for a minimal impact exploration permit on August 8, 2019, for seventeen (17) exploratory drill holes. Applicant now seeks modification of the same permit, GR083EM, to include four (4) angled drill holes and two (2) vertical drill holes, for a total of 23 drill holes, 6-inch diameter, up to a depth of 1,300 feet, in Grant County, New Mexico, Section 35. The proposed drilling sites are located approximately ½ mile south of the Tyrone Mine. Total excavated material will be less than 1000 cubic yards. A total of 4.39 acres will be disturbed through road improvements (0.24), new road construction (2.70), and drill pad sites (1.45).

**Air Quality Requirements**

The New Mexico Mining Act of 1993 states that “Nothing in the New Mexico Mining Act shall supersede current or future requirements and standards of any other applicable federal or state law.” Thus, the applicant is expected to comply with all requirements of federal and state

laws pertaining to air quality. Current requirements which may be applicable in this mining project include, but are not limited to the following:

Paragraph (1) of Subsection A of 20.2.72.200 NMAC, *Application for Construction, Modification, NSPS, and NESHAP - Permits and Revisions*, states that air quality permits must be obtained by:

“Any person constructing a stationary source which has a potential emission rate greater than 10 pounds per hour or 25 tons per year of any regulated air contaminant for which there is a National or New Mexico Ambient Air Quality Standard. If the specified threshold in this subsection is exceeded for any one regulated air contaminant, all regulated air contaminants with National or New Mexico Ambient Air Quality Standards emitted are subject to permit review.”

Further, Paragraph (3) of this subsection states that air quality permits must be obtained by:

“Any person constructing or modifying any source or installing any equipment which is subject to 20.2.77 NMAC, *New Source Performance Standards*, 20.2.78 NMAC, *Emission Standards for Hazardous Air Pollutants*, or any other New Mexico Air Quality Control Regulation which contains emission limitations for any regulated air contaminant.”

Also, Paragraph (1) of Subsection A of 20.2.73.200 NMAC, *Notice of Intent*, states that:

“Any owner or operator intending to construct a new stationary source which has a potential emission rate greater than 10 tons per year of any regulated air contaminant or 1 ton per year of lead shall file a notice of intent with the department.”

In addition, pursuant to Subsection A of 19.10.3.302 NMAC, *Minimal Impact Exploration Operations*:

“A minimal impact exploration operation will not exceed 1000 cubic yards of excavation per permit. Disturbances for constructed roads, drill pads and mud pits shall be no more than 5 acres total and will not be counted in the excavated materials. The type of road construction, the number and type of drill pads, and other disturbances when considered with site specific conditions will be major factors in determining eligibility for minimal impact status which is in the discretion of the director.”

The above is not intended to be an exhaustive list of all requirements that could apply. The applicant should be aware that this evaluation does not supersede the requirements of any current federal or state air quality requirement.

### **Fugitive Dust**

Air emissions from this project should be evaluated to determine if an air quality permit is required pursuant to 20.2.72.200.A NMAC (e.g. 10 lb/hour or 25 TPY). Fugitive dust is a common problem at mining sites and this project will temporarily impact air quality as a result of these emissions. However, with the appropriate dust control measures in place, the increased levels should be minimal. Disturbed surface areas, within and adjacent to the project area, should be reclaimed to avoid long-term problems with erosion and fugitive dust. EPA's *Compilation of Air Pollutant Emission Factors, AP-42, "Miscellaneous Sources"* lists a variety of control strategies that can be included in a comprehensive facility dust control plan. A few possible control strategies are listed below:

Unpaved haul roads and traffic areas: paving of permanent and semi-permanent roads, application of surfactant, watering, and traffic controls, such as speed limits and traffic volume restrictions.

Paved roads: covering of loads in trucks to eliminate truck spillage, paving of access areas to sites, vacuum sweeping, water flushing, and broom sweeping and flushing.

Material handling: wind speed reduction and wet suppression, including watering and application of surfactants (wet suppression should not confound track out problems).

Bulldozing: wet suppression of materials to "optimum moisture" for compaction.

Scraping: wet suppression of scraper travel routes.

Storage piles: enclosure or covering of piles, application of surfactants.

Miscellaneous fugitive dust sources: watering, application of surfactants or reduction of surface wind speed with windbreaks or source enclosures.

### **Recommendation**

The AQB has no objection to the current request for a permit modification.

The applicant is expected to comply with all requirements of federal and state laws pertaining to air quality. This written evaluation does not supersede the applicability of any forthcoming state or federal regulations.

If you have any questions, please contact me at (505) 476-4304.

## **Ennis, David, EMNRD**

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**From:** Rappuhn, Doug H., OSE  
**Sent:** Tuesday, April 28, 2020 9:59 AM  
**To:** Ohori, David, EMNRD  
**Cc:** Rappuhn, Doug H., OSE  
**Subject:** Emma-B Minimal Impact Exploration Application GR083EM; 2020 Modification request  
**Attachments:** MMD GR083EM\_Part 3\_NMOSE review\_Emma-B Project\_Freeport McMoRan.pdf

Hello David -

I hope you and all the folks at the MMD are well.

I am responding to your recent request for NMOSE comments on the subject MMD application. I reviewed the application packet found online at the MMD website and found that the additional six exploratory borings requested by Freeport-McMoRan will be located adjacent to or amongst the 17 reviewed in June 2019.

I am attaching the June 11, 2019 NMOSE review, since our comments remain the same for the newly-requested six borings, other than the 2019 first paragraph comment made under the topic "Surface water" that indicated three of the original boring locations appear to plot close to the headland axis of an unnamed channel tributary to Oak Grove Creek. It appears this point does not regard any of the six borings requested by the current application.

Other than the surface water "non-comment" mentioned above, the comments made in our June 11, 2019 memorandum should extend to the new six borings as well.

Thanks for the opportunity to comment on this matter.

**Douglas H. Rappuhn, P.G.**

Hydrology Bureau / New Mexico Office of the State Engineer  
5550 San Antonio Drive NE  
Albuquerque, NM 87109-4127  
Phone: 505-383-4000; Fax: 505-383-4030  
e-mail: [doug.rappuhn@state.nm.us](mailto:doug.rappuhn@state.nm.us)



DIRECTOR AND SECRETARY  
TO THE COMMISSION  
Michael B. Sloane

STATE OF NEW MEXICO  
DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507  
Post Office Box 25112, Santa Fe, NM 87504  
Tel: (505) 476-8000 | Fax: (505) 476-8123  
For information call: (888) 248-6866

[www.wildlife.state.nm.us](http://www.wildlife.state.nm.us)

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Placitas

20 April 2020

David Otori, Permit Lead  
Permit Lead, Mining Act Reclamation Program  
Mining and Minerals Division (MMD)  
1220 South St. Francis Drive  
Santa Fe, NM 87505

***RE: Modification 20-1 to Emma-B Exploration Project, Freeport-McMoRan Tyrone Operations, Permit No. GR083EM.***

Dear Mr. Otori:

The New Mexico Department of Game and Fish (Department) has reviewed the exploration project modification referenced above. Freeport-McMoRan (FMI) is proposing to drill an additional six exploratory holes, to maximum depth of approximately 1,300 feet. The drilling sites will be located in Grant County, Township 19S, Range 15W, Sections 3 and 25. The project will disturb an area of approximately 4.39 acres. To minimize potential impacts to wildlife the Department provides the following recommendations.

The permit application states that in order to prevent wildlife entrapment, plastic tarps will be placed over the project's drilling mud pits. The Department believes that placing plastic tarps over the mud pits may not adequately prevent wildlife from entrapment if they are not securely anchored and tightly held in place. In order to eliminate the potential for wildlife to become entrapped in mud pits, the Department recommends the use of closed loop drilling systems. Closed loop systems eliminate the need to build fences or install netting to exclude wildlife, reduce the amount of surface disturbance associated with the well pad site, and consume significantly less water. If a closed loop system is not used, drilling mud pits should be fenced and netted to exclude flying and terrestrial animals. Extruded plastic, knit, or woven netting material is preferred. Monofilament netting should not be used due to its tendency to ensnare wildlife and cause injury or death. The Department recommends a mesh size of  $\frac{3}{8}$  inch to exclude smaller animals. Netting material must be held taught over a rigid and adequately supportive frame to prevent sagging into the drilling fluids.

The permit application states that "...a breeding bird survey will be conducted just prior to construction, if construction occurs during the period of 1 May thru 31 August". To minimize the likelihood of adverse impacts to migratory bird nests, eggs or nestlings, the Department recommends that ground disturbance and vegetation removal activities be conducted outside of the primary breeding season for migratory songbirds and raptors (1 March – 1 September). If ground disturbing and clearing activities during the breeding season cannot be avoided, the area should be surveyed for active nest sites (with birds or eggs present in the nesting territory),



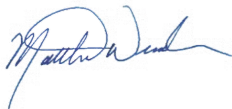
and when occupied, nest disturbance should be avoided until young have fledged. For active nests, adequate buffer zones should be established to minimize disturbance to nesting birds. Buffer distances should be  $\geq 100$  feet from songbird and raven nests, and 0.25 mile from raptor nests. Active nest sites in trees or shrubs that must be removed should be mitigated by qualified biologists or wildlife rehabilitators. Department biologists are available for consultation regarding nest site mitigation, and can facilitate contact with qualified personnel.

The Department concurs with the proposed seed mix, and the use of triticale as a quick-growing annual cover crop to improve short-term reclamation success. If the mix includes triticale, it should be a sterile variety which is non-reseeding and will not persist in subsequent years. The Department also recommends that the seed mix and mulch be certified weed-free, and that seed test results are requested from the vendor to avoid inadvertently introducing non-native species to the reclamation site. Any alternate seeds used to substitute for primary plant species that are unavailable at the time of reclamation should also be native. When possible, the Department recommends using seeds that are sourced from the same region and habitat type as the reclamation site.

The Department recommends that during road and drill pad construction, large mature trees are left undisturbed to the maximum extent feasible. These species include alligator juniper (*Juniperus deppeana*), piñon pine (*Pinus edulis*), and Gambel oak (*Quercus gambelii*).

Thank you for the opportunity to review and comment on the proposed exploration project. If you have any questions, please contact Ron Kellermueller, Mining and Energy Habitat Specialist, at (505) 476-8159 or [ronald.kellermueller@state.nm.us](mailto:ronald.kellermueller@state.nm.us)

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Wunder".

Matt Wunder, Ph.D.  
Chief, Ecological and Environmental Planning Division

cc: USFWS NMES Field Office

## Ennis, David, EMNRD

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**From:** Roth, Daniela, EMNRD  
**Sent:** Tuesday, April 14, 2020 3:39 PM  
**To:** Ohori, David, EMNRD  
**Subject:** RE: Request for Comments Emma B Exploration Project Modification 20-1

Dear David Ohori:

Thank you for giving me the opportunity to review and comment on the Minimal Impact Exploration Application, Modification 20-1, Emma-B Exploration Project, Freeport-McMoRan Tyrone Mining, LLC, in Grant County, NM (Permit No. GR083EM). The project area is located within one of the Important Plant Areas of New Mexico (Burro Mts (<http://www.emnrd.state.nm.us/SFD/>)). The state listed endangered Wilcox's nipple cactus (*Mammillaria wrightii* var. *wilcoxii*) and several other rare plants are known to occur in this area. Therefore I highly recommend surveys for these rare and endangered species during the flowering season, when they are easiest to detect. If plants are a found, they should be avoided, or impacts should be minimized through a variety of mitigation measures available. Please let me know if I can be of further help.

Sincerely,

Daniela Roth

Botany Program Coordinator  
EMNRD – Forestry Division  
1220 S. Saint Francis Drive  
Santa Fe, NM 87505  
505-476-3347  
<http://www.emnrd.state.nm.us/SFD/>



Michelle Lujan  
Grisham  
Governor

STATE OF NEW MEXICO  
**DEPARTMENT OF CULTURAL AFFAIRS**  
**HISTORIC PRESERVATION DIVISION**

BATAAN MEMORIAL BUILDING  
407 GALISTEO STREET, SUITE 236  
SANTA FE, NEW MEXICO 87501  
PHONE (505) 827-6320 FAX (505) 827-6338

April 7, 2020

David Otori  
Permit Lead, Mining Act Reclamation Program  
Mining and Minerals Division  
1220 South Saint Francis Drive  
Santa Fe, NM 87505

Re: HPD Log# 112791, Request for Comments on Modification 20-1 to Emma-B Exploration Project, Permit No. GR083EM, Freeport-McMoran Tyrone Operations

Dear Mr. Otori:

I am writing in response to your request for comment on the above referenced modification to the Emma-B exploration project received at this office April 2, 2020.

Pursuant to 19.10.5.505 NMAC, Permit Modifications and Revisions, the Director shall determine whether a permit modification would have an adverse impact on cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties or be located in a known cemetery or other burial ground.

According to our files, there are no cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties in the permit area. There are also no known cemeteries or other burial grounds. Based on this information, this permit will have no adverse impacts to cultural resources listed on the National or State Registers.

Although there are no cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties, the permit area has never been archeologically surveyed; therefore this office recommends a cultural resources survey be conducted on any undisturbed portions of mine property where proposed new ground disturbance will occur for this permit.

This survey should be performed by a qualified professional to determine if any historic or archaeological properties are present and if so, to provide documentation of those resources to our office. This information can then be used to evaluate the National Register of Historic Places eligibility of any resources identified during the survey and determine project effects on those resources. A list of state permitted archaeologists and archaeological firms are available from this office upon request or can be downloaded from our web site at:

<http://www.nmhistoricpreservation.org/documents/consultants.html>

If you have any questions concerning these comments, please do not hesitate to contact me by phone at (505)-452-6115 or e-mail me at [richard.reycraft@state.nm.us](mailto:richard.reycraft@state.nm.us)

Sincerely,

*Richard Reycraft*

Richard. Reycraft  
Staff Archaeologist

**MEMORANDUM**  
**OFFICE OF THE STATE ENGINEER**  
*Hydrology Bureau*

**DATE:** June 11, 2019

**TO:** David Ohoi, Permit Lead, NMEMNRD – Mining and Minerals Division

**THROUGH:** Ghassan Musharrafieh, Ph.D., P.E., Chief, Hydrology Bureau GRM

**FROM:** Douglas Rappuhn, P.G., Hydrology Bureau DRH

**SUBJECT:** NMOSE Hydrology Bureau review of MMD GR083EM Part 3 Minimal Impact Exploration Operation Permit Application for Emma-B Exploration Project, Freeport-McMoRan Tyrone Mining, Grant County

The NMOSE Hydrology Bureau has reviewed the MMD GR083EM Part 3 Minimal Impact Exploration Operation Permit Application for the Freeport-McMoRan Tyrone Mining Emma-B Exploration Project. The project will consist of the drilling and evaluation of up to 17, approximately 1,300 ft-deep borings, exploring for copper resources. Upon completion of exploratory drilling and any testing, the Applicant (“FMTM”) proposes to fully cement the borehole to within two-feet of ground surface, then back-cover with topsoil. Cement slurry will provide a low-permeability plug capable of permanently attenuating any hydrologic cross-connection that may have temporarily occurred during drilling.

The drilling may encounter groundwater; if so the NMOSE shares jurisdiction of well drilling and plugging. NMOSE WRD District 3 Manager has confirmed receipt of necessary *Permit to Drill a Well with No Water Right* for the proposed borings and will address plugging as part of their review process. NMOSE File Nos. have not yet been assigned.

The exploratory drilling for copper resources will occur at a location in Sections 25, 26, 35, 36 – Township 19S – Range 15W, approximately 11 miles southwest of Silver City. I did not attend a joint regulatory site inspection for the proposed project.

**Surface water**

The proposed boreholes will be drilled southeast of the southeast corner of the Tyrone Pit Mine, in the general Oak Grove area. USGS 1:24000 topographic map of the project area indicates 100 – 200 feet of topographic relief over the project area, resulting in a multi-channel drainage system running east off the project area as tributaries of either Oak Grove Creek or Cherry Creek. Although the Applicant notes in the MMD application Section 6, Sections E and F that the drilling will not occur within, or within 100 feet of any intermittent or ephemeral stream, it is noted that boreholes 14 – 16 appear to plot close to the headland axis of an unnamed channel tributary to Oak Grove Creek, albeit not a jurisdictional matter for the NMOSE.

Two unnamed springs are mapped in Section 3, along Cherry Creek. Springs at this elevation may be contact springs, which may be quickly depressurized by openly-flowing boreholes, or dewatering of boreholes during air-drilling. It is unlikely that the flow system associated with a contact spring would be permanently damaged from the proposed exploratory drilling, although the drillholes intersect the flow system, it may be some period of time and amount of recharge before the springs recover, after drillhole discharge ceases and borehole plugging is complete. Alternately, although perhaps less likely at the Continental Divide in hard-rock terrain, the springs may vent from an artesian system.

### **Groundwater**

In general, water wells may tap locally-perched groundwater, an unconfined local aquifer, or a regional unconfined or confined groundwater system. All represent forms of groundwater subject to the application of NMOSE regulations and required Water Rights Division filings, whether drilling for water or having encountered it by drilling.

Although wells already drilled in the immediate vicinity of the proposed exploratory holes appear to also be (dry) FMTM exploratory holes, there exist water wells drilled to a variety of depths, including in excess of 1,000' within a half-mile south of the proposed boreholes (Apache Mound Road / Burro Lane area), most all drilled entirely through and into variations of granite.

It is possible that even shallow project exploratory drilling may encounter groundwater, particularly with springs mapped in the locality. Since the proposed borehole will be drilled to desired depth, then completely plugged in quick succession, there exists little possibility of a hydrologic effect of any consequence to the exercise of existing water rights, provided the plugging is competently and promptly conducted. Improperly plugged, the proposed borehole might allow 24/7 loss of shallow groundwater to a deeper stratum and affect local shallow aquifer viability. Per NMAC 19.27.4, the drilling and plugging must be conducted by the firm of a New Mexico-licensed water well driller.

### **Exploratory Drilling and Decommissioning – NMOSE Considerations**

Prior to initiation of drilling, NMOSE District 3 Water Rights Division must be contacted (321 West Spruce Street, Deming, NM 88031; 575-546-2851), and the Applicant must file for and receive approval of NMOSE *Application for Permit to Drill a Well with No Water Right*:

([http://www.ose.state.nm.us/WR/Forms/Current/WR-07%20Application%20for%20Permit%20to%20Drill%20a%20Well%20with%20No%20Consumptive%20Use\\_2016-11-17\\_final.pdf](http://www.ose.state.nm.us/WR/Forms/Current/WR-07%20Application%20for%20Permit%20to%20Drill%20a%20Well%20with%20No%20Consumptive%20Use_2016-11-17_final.pdf)).

The permit will require submittal of NMOSE *Well Record and Log* for the borehole within 30 days of completion of well construction: ([http://www.ose.state.nm.us/WR/Forms/Current/WR-20%20Well%20Record%20and%20Log\\_2017-06-30Final.pdf](http://www.ose.state.nm.us/WR/Forms/Current/WR-20%20Well%20Record%20and%20Log_2017-06-30Final.pdf))

Plugging of the exploratory well with neat cement slurry is proposed upon completion of exploratory drilling. Submittal of a NMOSE *Well Plugging Plan of Operations* may be required if the permit to drill is not automatically conditioned with plugging requirements:

[http://www.ose.state.nm.us/WR/Archive/Forms/WD-08%20Well%20Plugging%20Plan%20of%20Operations\\_2017-06-30\\_final.pdf](http://www.ose.state.nm.us/WR/Archive/Forms/WD-08%20Well%20Plugging%20Plan%20of%20Operations_2017-06-30_final.pdf)

Submittal of NMOSE *Plugging Record* for the decommissioned borehole is required within 30 days of completion of well plugging: ([http://www.ose.state.nm.us/STST/Forms/WD-11%20Plugging%20Record\\_2009-09-08\\_final.pdf](http://www.ose.state.nm.us/STST/Forms/WD-11%20Plugging%20Record_2009-09-08_final.pdf))

NMAC 19.27.4.29.A. requires that a currently-licensed New Mexico Well Driller or New Mexico-registered Drill Rig Supervisor be present at the drilling site during well drilling activities (including well decommissioning).

A listing of general NMOSE exploratory drilling project comments otherwise potentially pertinent to the project is also included with this NMOSE review.