

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Michelle Lujan Grisham**  
Governor

**Sarah Cottrell Propst**  
Cabinet Secretary

**Todd Leahy, JD, Ph.D.**  
Deputy Cabinet Secretary

**Jerry Schoeppner, Director**  
Mining and Minerals Division



December 2, 2020

Chairman Timothy Nuvangyaoma  
Hopi Tribe  
P.O. Box 123  
Kykotsmovi, AZ 86039

**Re: Notice of Intent to Issue Modification 20-1 to Excavate 999 yd<sup>3</sup> of Material from Existing Tailings Piles Within the Current Permit Boundary, Peru Mill Tailings Exploration, Luna County, New Mexico, Permit No. LU038EM**

Dear Chairman Nuvangyaoma,

The Mining and Minerals Division (“MMD”) of the New Mexico Energy, Minerals, and Natural Resources Department has received an application from Gila Mining, LLC (“Permittee”) to excavate no more than 999 yd<sup>3</sup> of material from the existing tailings piles within the current permit boundary for the Peru Mill Tailings Exploration project in accordance with 19.10.3.302.J NMAC of the New Mexico Mining Act (NMSA 1978, §69-36-1 et seq.). The Peru Mill Tailings Exploration project is located in Section 18 of Township 23 South, Range 9 West in Luna County.

Please see the attached map of the mine location. The application for Modification 20-1 received by MMD can be viewed in its entirety by visiting the MMD website at <http://www.emnrd.state.nm.us/MMD/MARP/LU038EM.html>.

An archaeological survey of the proposed site is not required since the project occurs on private property. We are notifying you that the applicant has satisfied all 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 December 22, 2020. Please contact me at (505) 467-9671, or Jenn Johnson of my staff at (505) 470-5354 or [jennifere.johnson@state.nm.us](mailto:jennifere.johnson@state.nm.us) with any questions or if you wish to meet to discuss the application.

Sincerely,

Jerry Schoeppner, Director  
Mining and Minerals Division

Enclosures (Project Vicinity Map)

cc: Project File (LU038EM, Modification 20-1)

State of New Mexico  
Energy, Minerals and Natural Resources Department

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Mining and Minerals Division



December 2, 2020

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

**Re: Notice of Intent to Issue Modification 20-1 to Excavate 999 yd<sup>3</sup> of Material from Existing Tailings Piles Within the Current Permit Boundary, Peru Mill Tailings Exploration, Luna County, New Mexico, Permit No. LU038EM**

Dear Director Kuwanwisiwma,

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Mining and Minerals Division



December 2, 2020

President Arthur "Butch" Blazer  
Mescalero Apache Tribe  
P.O. Box 227  
Mescalero, NM 88340

**Re: Notice of Intent to Issue Modification 20-1 to Excavate 999 yd<sup>3</sup> of Material from Existing Tailings Piles Within the Current Permit Boundary, Peru Mill Tailings Exploration, Luna County, New Mexico, Permit No. LU038EM**

Dear President Blazer,

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Mining and Minerals Division



December 2, 2020

Ms. Holly Houghton  
Mescalero Apache Tribe, THPO  
P.O. Box 227  
Mescalero, NM 88340

**Re: Notice of Intent to Issue Modification 20-1 to Excavate 999 yd<sup>3</sup> of Material from Existing Tailings Piles Within the Current Permit Boundary, Peru Mill Tailings Exploration, Luna County, New Mexico, Permit No. LU038EM**

Dear Ms. Houghton,

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Mining and Minerals Division



December 2, 2020

Chairwoman Gwendena Lee-Gatewood  
White Mountain Apache Tribe  
P.O. Box 700  
Whiteriver, AZ 85941

**Re: Notice of Intent to Issue Modification 20-1 to Excavate 999 yd<sup>3</sup> of Material from Existing Tailings Piles Within the Current Permit Boundary, Peru Mill Tailings Exploration, Luna County, New Mexico, Permit No. LU038EM**

Dear Chairwoman Lee-Gatewood,

The Mining and Minerals Division (“MMD”) of the New Mexico Energy, Minerals, and Natural Resources Department has received an application from Gila Mining, LLC (“Permittee”) to excavate no more than 999 yd<sup>3</sup> of material from the existing tailings piles within the current permit boundary for the Peru Mill Tailings Exploration project in accordance with 19.10.3.302.J NMAC of the New Mexico Mining Act (NMSA 1978, §69-36-1 et seq.). The Peru Mill Tailings Exploration project is located in Section 18 of Township 23 South, Range 9 West in Luna County.

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**Todd Leahy, JD, Ph.D.**  
Deputy Cabinet Secretary

**Jerry Schoeppner, Director**  
Mining and Minerals Division



December 2, 2020

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

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Dear Mr. Altaha,

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Deputy Cabinet Secretary

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Mining and Minerals Division



December 2, 2020

Governor E. Michael Silvas  
Ysleta del Sur Pueblo  
P119 S. Old Pueblo Road  
Ysleta del Sur Pueblo, TX 79917

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Dear Governor Silvas,

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Mining and Minerals Division



December 2, 2020

Chairwoman Lori Gooday-Ware  
Fort Sill Apache Tribe  
Route 2, Box 121  
Apache, OK 73006

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Dear Chairwoman Gooday-Ware,

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