

State of New Mexico  
Energy, Minerals and Natural Resources Department

---

**Michele Lujan Grisham**  
Governor

**Sarah Cottrell Propst**  
Cabinet Secretary

**Todd E. Leahy, JD, PhD**  
Deputy Cabinet Secretary

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



July 29, 2021

Robert Cline  
6331 Kiest Forest Dr.  
Frisco, TX 75035

RE: Minimal Impact Exploration Permit Application Comment Letter:  
Permit Tracking No. ED010EM, Cline's Mine Exploration, in Eddy County, NM

Dear Mr. Cline,

Pursuant to §19.10.3.302 G. NMAC, the New Mexico Mining and Minerals Division ("MMD") has delivered the Minimal Impact Exploration Permit Application ("application") submitted on May 24, 2021 to the following consulting State and Federal Agencies for review and comment: New Mexico Dept. of Cultural Affairs ("NMDCA"), New Mexico Dept. of Game and Fish ("NMDG&F"), New Mexico Environment Dept. ("NMED"), New Mexico Office of the State Engineer ("NMOSE"), New Mexico State Forestry Dept. ("NMSFD"), and the United States Forest Service. Additionally the application was provided to the following tribes for review and comment: Comanche Indian Tribe, Isleta del Sur Pueblo, Kiowa Tribe, Mescalero Apache Tribe, and Tesuque Pueblo. The application was submitted by you, Robert Cline, for your Cline's Mine Exploration Project and proposes to disturb a total of up to 0.1 acres of United States Forest Service ("USFS") property (6 drill holes on 6 drill pads) within the boundaries of claim numbers identified in the application for exploration located approx. 7.8 miles South of Queen, NM off of Forest Rd 201 in Eddy County New Mexico. Because you have agreed not to exceed 5 acres of total disturbance at all times, MMD is processing this application as a minimal impact exploration permit pursuant to §19.10.3.302 (A) NMAC.

MMD is hereby providing you with the following agency and tribal comments for the Minimal Impact Exploration Permit Application for Cline's Mine Exploration Project, Permit Tracking No. ED010EM. Please respond to the comments below and review the attached comment letter from each agency. If you have any questions, please contact me at 505-467-9589 or via e-mail at: [clinton.chisler@state.nm.us](mailto:clinton.chisler@state.nm.us).

### **MMD Comments**

1. Operator must follow plugging requirements found in §19.10.3.302 J NMAC if groundwater is not encountered. If groundwater is encountered the operator must follow

NMOSE well plugging and abandonment procedures referenced in the NMOSE Comment Letter attached to this document.

2. Provide a contingency plan for borehole drilling operations and plugging/abandonment if a cave structure is accidentally encountered during drilling operations.
3. The cave structure must be mapped prior to beginning drilling operations to ensure that a cave structure is not accidentally encountered during this project.
4. Provide a seed mix approved by the USFS for reclamation of the drill pad area in this project.
5. Please review the MMD Part 3 Guidelines, specifically the section on “minimal impact exploration operations”.
6. Provide MMD with the preferred method of Financial Assurance (“FA”) for this project and coordinate with MMD and the USFS regarding getting this FA into place. Below is the amount of FA required for this project.

### Cost Estimate: Cline's Mine Exploration Project

#### Subsurface Plugging and Abandonment Financial Assurance

\$ Cost/Ft.	Ft.	Number of Holes	Total
15	120	6	10800

#### Surface Reclamation Financial Assurance

Category	\$Cost/Acre	Number of Acres	Total
First acre or less	8900	1	8,900
Additional acres	0	0	0

**Total FA (\$)** 19,700

### NMED Comments

Please review attached comments from NMED’s Air Quality Bureau, Surface Water Quality Bureau, and Mining Environmental Compliance Section (“MECS”) and reply to the recommendations found in the Surface Quality Bureau letter.

### NMOSE Comments

Please review attached comments from NMOSE and become familiar with well plugging/borehole abandonment requirements if groundwater is found during drilling operations.

### NMSF Comments

Please review attached comments from NMSF. Because the location of this operation is located within the *Guadalupe Ridge Important Plant Area*, MMD highly recommends a plant survey be done for rare and endangered plant species prior to beginning operations.

### NMDCA Comments

Please review attached comments from NMDCA. Because this project is on USFS lands, all Federal Cultural Resource requirements will have to be met in coordination with the USFS prior to beginning this operation.

### **NMDG&F Comments**

Please review attached comments from NMDG&F and respond to comments regarding the following topics.

- Mexican Spotted Owl Habitat Surveys
- Cave survey to determine the presence of bats

### **Ysleta del Sur Pueblo**

Please review attached comments from the Ysleta del Sur Pueblo

Sincerely,



Clint Chisler, Permit Lead - Permit Tracking No. ED010EM  
Mining Act Reclamation Program (MARF)/MMD

CC: Holland Shepherd, Program Manager, MARF/MMD  
Jenna Padilla, USFS Geologist

Mine File: ED010EM

### **Attachments:**

- NMED Comment Letter, dated July 16, 2021
- NMOSE Comment Letter, dated June 29, 2021
- NMSF Comment Letter, dated June 21, 2021
- NMDCA Comment Letter, dated June 23, 2021
- NMDG&F Comment Letter, dated July 14, 2021
- Ysleta del Sur Pueblo Comment Letter, dated June 23, 2021
- MMD Part 3 Guidelines

