

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd E. Leahy, JD, PhD
Deputy Cabinet Secretary

Jerry Schoeppner PG, Director
Mining and Minerals Division



March 23, 2021

Caleb King, Land Manager
Bronco Creek Exploration
1815 E. Winsett St.
Tucson, AZ 85719

RE: Agency Review Comments and Request for Additional Information, Permit Tracking No. GR086EM, Bronco Creek Exploration, Malone Exploration Project in Grant County, NM

Mr. King:

The New Mexico Mining and Minerals Division (“MMD”) has reviewed the Permit Application Package (“PAP”), for a minimal impact exploration permit, submitted by Bronco Creek Exploration (“Bronco Creek”), under Subpart 3 of the New Mexico Mining Act Rules (“Rules”). MMD has also received agency comments on the February 05, 2021 and March 01, 2021 (as amended) submittals from Bronco Creek. A site inspection was completed with all interested parties on March 09, 2021.

Enclosed with this letter are the reviewing agency comment letters submitted by the following agencies: the New Mexico Environment Department (“NMED”), the NM Office of the State Engineer (“OSE”), the New Mexico Department of Game and Fish (“NMDG&F”), the New Mexico Department of Cultural Affairs - Historic Preservation Division (“NMDCA/HPD”), New Mexico State Forestry (“NMSF”), and the United States Forest Service (“USFS”). Because this exploration project is proposed to take place on USFS lands, Bronco Creek will be required to follow USFS requirements in conjunction with MMD’s Minimal Impact Exploration Permit (“Permit”).

In addition to State and Federal agencies the White Mountain Apache Tribe and the Navajo Nation, and the general public has commented on the Permit No. GR086EM PAP. Please take the public and tribal comments into consideration during this process. Attached to this letter are comments from the general public and State and Tribal agencies.

RE: Agency Review Comments and Request for Additional Information,
 Malone Minimal Impact Exploration Project,
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Public Comments:

Comments from the general public and the Gila Resource Information Project (“GRIP”) were also received regarding this application. Please review and take into consideration these attached comments.

General Comments:

MMD has reviewed the PAP and deemed it administratively complete, pursuant to §19.10.3.302 G. NMAC, in a letter to Bronco Creek dated February 17, 2021. **However, MMD has reviewed the PAP and has found it to be *technically incomplete* pending receipt of acceptable supplemental information identified in this letter. Please respond no later than 30 days after receipt of this letter, to the information requested.**

MMD Comments:

1. Please provide a grading plan/reclamation design approved by the USFS for reclamation of the drill pad area of Site 1.
2. Please provide an updated map showing the new overland routes planned for Sites 8 and 9 as discussed at the March 9, 2021 Site Visit.
3. Provide the approved USFS seed mix for reclamation.
4. Contact MMD for discussion of relocation of proposed Site 11. This drill hole must be a minimum of 100 ft. from the ephemeral drainage.
5. Contact MMD with the preferred Financial Assurance (“FA”) Instrument to start the process of getting the joint FA with MMD and USFS in place. The current FA estimate is as follows:

Cost Estimate: Malone Mining District Exploration Project/Bronco Creek Exploration

Subsurface Plugging and Abandonment Financial Assurance

\$ Cost/Ft.	Ft.	Number of Holes	Total	
14	5000	3	210000	3 hole floating option

Surface Reclamation Financial Assurance

Category	\$Cost/Acre	Number of Acres	Total
First acre or less	8900	1	8,900
Additional acres	4900	4	19,600

Total FA (\$)	238,500
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**NMED Mining Environmental Compliance Section, Ground Water Quality Bureau
Comments (“MECS”)**

Please review the comment letter received by NMED MECS Ground Water Quality and respond to the 2 comments found in the letter.

NMED Surface Water Quality Bureau Comments:

Please review the comment letter received by NMED Surface Water Quality Bureau and comply with Surface Water Quality Bureau requirements.

NMED Air Quality Bureau Comments:

Please review the comment letter received by NMED Air Quality Bureau and comply with NMED Air Quality Bureau requirements.

NMDCA/HPD Comments:

Please review the comment letter received by NMDCA/HPD.

NMOSE Comments:

Please review the comment letter received by NMOSE and comply with all regulations stipulated in the letter.

NMDG&F Comments:

Please review the comment letter received by NMDG&F and respond to the following concerns/requirements.

1. Ground and vegetative disturbance as related to migratory bird nests.
2. Ensure that mud pit fencing follows NMDG&F recommendations.

NMSF Comments:

Please review the comment letter received from NMSF.

USFS Comments:

Please review the email and scoping document received from the USFS.

Should you have any questions, comments, or require additional information concerning this letter or any enclosures, please contact me at (505) 467-9589, or via email at: clinton.chisler@state.nm.us.

Caleb King, Land Manager – Bronco Creek Exploration

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Sincerely,

A handwritten signature in blue ink, appearing to read "Clint Chisler".

Clint Chisler – Permit Lead, GR086EM
Mining Act Reclamation Program (“MARF”)
New Mexico Mining and Minerals Division

Enclosures:

March 19, 2021 Letter to MMD from NMDGF
March 19, 2021 Letter to MMD from NMED
February 24, 2021 Letter to MMD from NMDCA/HPD
March 16, 2021 Letter to MMD from NM OSE
February 23, 2021 email to MMD from NMSF
February 17, 2021 email to MMD from the USFS
February 24, 2021 Letter to MMD from the White Mountain Apache Tribe
March 8, 2021 email to MMD from the Navajo Nation
Public Comments

Cc w/o enclosures:

Holland Shepherd, Program Manager, MARP/MMD
Mine File (GR086EM)