

**PART 3**  
**MINIMAL IMPACT EXPLORATION OPERATION**  
**PERMIT APPLICATION**

Send 6 copies of the completed application to:

**STATE OF NEW MEXICO**  
**ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT**  
Director  
Mining and Minerals Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505  
Telephone: (505) 476-3400

**CHECK OFF LIST TO DETERMINE YOUR PROJECT'S STATUS AS A MINIMAL IMPACT EXPLORATION OPERATION:**

- Yes     No    My project **will exceed 1000 cubic yards of excavation**, per permit (drill pads, mud pits, and roads will not be counted in excavated materials).
- Yes     No    Surface disturbances for constructed roads, drill pads and mud pits **will exceed 5 acres** total for my project.
- Yes     No    My project is located in or is expected to have a direct surface impact on wetlands, springs, perennial or intermittent streams, lakes, rivers reservoirs or riparian areas.
- Yes     No    My project is located in designated critical habitat areas as determined in accordance with the federal Endangered Species Act of 1973 or in areas determined by the Department of Game and Fish likely to result in an adverse impact on an endangered species designated in accordance with the Wildlife Conservation Act, Sections 17-2-37 through 17-2-46 NMSA 1978 or by the State Forestry Division for the Endangered Plants Act, section 75-6-1 NMSA 1978.
- Yes     No    My project is located in an area designated as Federal Wilderness Area, Wilderness Study Area, Area of Critical Environmental Concern, or an area within the National Wild and Scenic River System.
- Yes     No    My project is located in a known cemetery or other burial ground.

- Yes     No    My project is located in an area with cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties.
- Yes     No    My project will or is expected to have a direct impact on ground water that has a total dissolved solids concentration of less than 10,000 mg/L, except exploratory drilling intersecting ground water may be performed as a minimal impact operation.
- Yes     No    My project is expected to use or using cyanide, mercury amalgam, heap leaching or dump leaching in its operations.
- Yes     No    My project is expected to result in point or non-point source surface or subsurface releases of acid or other toxic substances from the permit area.
- Yes     No    My project requires a variance from any part of the Mining Act Rules as part of the permit application.

If you answer yes to any of the above questions, your project does not qualify as a minimal impact exploration operation.

X Yes    Is any of the information submitted in this application considered by the applicant to be confidential in nature? If yes, please provide this information separately and marked as "confidential."

- Exploration applications must be provided no less than 45 days prior to the anticipated date of operations desired by the applicant.
- Renewal applications shall be filed at least 30 days preceding expiration of the current permit. Permits are valid for one year.
- Approved permit is valid for one year from the date of approval.

## SECTION 1 – OPERATOR INFORMATION (§304.D.1)

Project Name: Lordsburg Playa Lithium in Brine Exploration Drilling

Nearest Town To Project: Lordsburg, NM

Applicant Name and Contact Information (entity obligated under the Mining Act):

Name: Frank Bain\_\_\_\_\_

Address: 2425 Chof Trail , Flagstaff, AZ 86005

Office Phone: \_\_\_\_\_ Cell Phone: 307-231-1404\_\_\_\_\_

Fax Number: \_\_\_\_\_ Email: frankbain7@aol.com\_\_\_\_\_

Name of On-Site Contact, Representative, or Consultant:

Name: Robert Consoni\_\_\_\_\_

Address: 29638 N 46<sup>th</sup> Street, Cave Creek, Arizona 85331\_\_\_\_\_

Office Phone: \_\_\_\_\_ Cell Phone: 602-478-2733\_\_\_\_\_

Fax Number: \_\_\_\_\_ Email: reconsoni2252@gmail.com\_\_\_\_\_

## SECTION 2 – RIGHT TO ENTER INFORMATION (§302.D.1)

A. Describe or attach copies of documents that give the applicant the right to enter the property to conduct the exploration and reclamation, include: lease agreements, access agreements, right of way agreements, surface owner agreements, and claim numbers, if applicable.

1. LBP 1 to LBP 238 are Federal Lode Mining Claims all located on BLM managed land that includes both surface and mineral estate.
2. New Mexico State Land Office Right of Access Permit Number: 6531 Lordsburg Playa
3. Kinder Morgan ROW Agreement

4. BLM Statement authorizing use of KM ROW

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Attachment \_\_\_\_\_

B. List the names and addresses of surface and mineral ownership within the proposed permit area. If the mineral is federal mineral, indicate as federal mineral, but provide the name of the claim holder or lease holder.

**Surface Estate Owner(s):**

Name	Address	Phone #
X Bureau of Land Management	Frank Bain - Claim Owner _____	307-231-1404 _____
<input type="checkbox"/> U.S. Forest Service	_____	_____
<input type="checkbox"/> State of NM	_____	_____
<input type="checkbox"/> Private/Corporate	_____	_____
Name: _____	_____	

**Lease Holder(s) of Surface Estate (if applicable):**

Name	Address	Phone #
_____	_____	_____

**Mineral Estate Owner(s):**

Name	Address	Phone #
X Bureau of Land Management	Frank Bain, Claim Owner _____	307-231-1404

US Forest Service \_\_\_\_\_

\_\_\_\_\_

State of NM \_\_\_\_\_

\_\_\_\_\_

Claim/Lease Holder \_\_\_\_\_

Name: Frank Bain \_\_\_\_\_

Claim Numbers: LBP 1 to LBP 238 - Pending \_\_\_\_\_

C. Has a Cultural Resource Survey been performed on the site?

D. X Yes. If yes, please provide the author, title, date and report number, and include a copy of the survey with this application, if possible: Bob Estes PhD, Archaeologist, Department of Cultural Affairs, Historic Preservation Division, November 2, 2017

Attachment 1

E. Has a wildlife survey or vegetation survey been performed for the permit area?

F. X Yes. If yes, please provide the author, title, date and report number, and include a copy of the survey with this application, if possible: Chuck Hayes, Assistant Chief, Ecological and Environmental Planning Division, State of New Mexico Department of Game and Fish, November 20, 2017

### SECTION 3 – MAPS AND PROJECT LOCATION (§302.D.2)

A. Project Location:

Township 23 S \_\_\_\_\_ Range 20W \_\_\_\_\_ Sections: 7, 8, 9, 10, 15,  
17, 18, 19, 20, 21, 22

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_

List the drill hole/exploration name and the GPS coordinates for each site.



X Yes – Drill pad dimensions and constructed drill pad locations

Attachments Map 1

C. Provide detailed driving directions to access the site: Begin at the West Motel Drive Interchange in Lordsburg, NM, proceed west for 17 miles to the Steins Exit, mile marker 2. Turn north onto the County Road, cross the railroad tracks and proceed for 6 miles to the Kinder Morgan Pipeline ROW Road, then turn east. Follow the two track road to the BLM gate and entrance to the project area. Please refer to the attached map.

## SECTION 4 – EXPLORATION DESCRIPTION (§302.D.3 & 4)

A. Anticipated exploration: Start Date: Fall 2023 or Winter 2024\_End Date: Spring 2024\_\_\_\_\_

B. List the mineral(s)/element(s) to be explored for: Lithium

C. Proposed method(s) of exploration:

**Air drilling (air rotary, coring, etc.): Hole will be started with air and probably completed with foam or mud**

6 # of holes 500 Depth (ft.) 6 Diameter (in.)

6 # of drill pads 75 Length (ft.) 40 Width (ft.)

Will drill pads be graded/bladed or overland:  Graded/bladed  Overland

Will drill pads need some mechanical leveling (grading/blading):  Yes  No

Approx. Weight of Drill Rig (lbs.) \_\_\_\_\_ Number of Axles: 3

Total length of drill stem that can be carried on the rig: \_\_\_\_\_

Is a support pipe truck anticipated? X Yes  No \_\_\_\_\_ Weight (lbs.)

Weight of support compressor (lbs.): \_\_\_\_\_ Trailer mounted? Yes \_\_\_\_\_

Anticipated Drilling Contractor: \_\_\_\_\_ License No. \_\_\_\_\_

**Mud/fluid drilling:**

\_\_\_\_\_ 6 # of holes \_\_\_\_\_ 500 Depth (ft.) \_\_\_\_\_ 6 inch Diameter (in.)

\_\_\_\_\_ 6 # of drill pads \_\_\_\_\_ 75 Length (ft.) \_\_\_\_\_ 40 Width (ft.)

Will drill pads be graded/bladed or overland? \_\_\_\_\_ Overland

Will drill pads need some mechanical leveling (grading/blading)? \_\_\_\_\_ No

Will a closed loop system be used or will mud/fluid pits be used? \_\_\_\_\_ Mud pits

\_\_\_\_\_ If mud/fluid pits are proposed:

\_\_\_\_\_ 6 # of pits \_\_\_\_\_ 10 Length (ft.) \_\_\_\_\_ 6 Width (ft.) \_\_\_\_\_ 8 Depth (ft.)

Anticipated excavating equipment: \_\_\_\_\_ Backhoe

\_\_\_\_\_ How will excavating equipment be transported to the site (i.e., driven, low-boy, etc.):

\_\_\_\_\_ Flatbed trailer to where county road intersects Kinder Morgan Pipeline ROW, then driven to the drill site

\_\_\_\_\_ Will mud pits be lined? No

\_\_\_\_\_ If yes, proposed material to line the mud pits: \_\_\_\_\_

Approx. Weight of Drill Rig (lbs.) \_\_\_\_\_ Number of Axles: \_\_\_\_\_ 3

Anticipated Drilling Contractor: \_\_\_\_\_ License No. \_\_\_\_\_

**Test pits / exploratory trenches:**

\_\_\_\_\_ 0 # of pits \_\_\_\_\_ Length (ft.) \_\_\_\_\_ Width (ft.) \_\_\_\_\_ Depth (ft.)

Anticipated excavating equipment: \_\_\_\_\_



How will excavating equipment be transported to the site (i.e., driven, low-boy, etc.): \_\_\_\_\_

**Other methods of exploration** (i.e., cuts, shafts, tunnels, adits, declines, blasting, etc.). Indicate method and details: \_\_\_\_\_ None

**TOTAL ACREAGE TO BE DISTURBED DUE TO DRILL PADS = .41 acres**  
(to convert to acres, multiply total square footage of drill pads by 0.0000229)

D. Disposal of drill cuttings

If this exploration project is for uranium or other radioactive elements/minerals, applicant agrees to perform a gamma radiation survey at each drill site prior to, and after, exploration activities. Applicant/Owner/Operator agrees to restore gamma radiation levels at each drill site to pre-exploration levels.  Yes  No  N/A

Will excess drill cuttings be buried at each drill site location or within a single disposal pit?  
 At each drill pad location  Within a single disposal pit

If a single disposal pit is proposed, please provide the following:

Description or GPS coordinates of the proposed cuttings disposal pit location:  
\_\_\_\_\_

Dimensions of the single proposed cuttings disposal pit (length, width, and depth):

10 Length (ft.) 6 Width (ft.) 8 Depth (ft.)

**TOTAL ACREAGE TO BE DISTURBED DUE TO DISPOSAL PIT = .065 acres**  
(to convert to acres, multiply total square footage of disposal pit by 0.0000229)

E. Other Supporting Equipment (check all that apply):

<input checked="" type="checkbox"/>	4x4 Trucks/Vehicles	Quantity:	<u>3</u>
<input checked="" type="checkbox"/>	Water Truck	Weight (lbs.):	<u>1</u>
<input checked="" type="checkbox"/>	Geophysical Truck	Weight (lbs.):	<u>1</u>
<input checked="" type="checkbox"/>	Pipe Truck (rig support)	Weight (lbs.):	<u>1</u>
<input type="checkbox"/>	Bulldozer	Type:	_____
<input checked="" type="checkbox"/>	Backhoe	Type:	<u>1</u>
<input type="checkbox"/>	Trackhoe	Type:	_____

<input checked="" type="checkbox"/> Scrapper/Grader <input type="checkbox"/> Trailers <input checked="" type="checkbox"/> Portable Toilet <input type="checkbox"/> Other	Type: 1 Quantity/Type: Quantity: 1 List:	

F. Roads and Overland Travel:

List of new roads to be constructed for this exploration project:

Description of <i>NEW</i> Roads	Length (ft.)	Width (ft.)	Total Acres (length x width x 0.0000229)
<b>TOTAL ACRES DISTURBED BY NEW ROAD CONSTRUCTION :</b>			

Describe how new roads will be constructed: Roads will be 2 track overland; no construction is anticipated.

List for extension or widening of existing roads:

Description of Modification to <i>EXISTING</i> Roads	Length (ft.)	Width (ft.)	Total Acres (length x width x 0.0000229)
			0
<b>TOTAL ACRES DISTURBED BY ROAD IMPROVEMENTS :</b>			<b>0</b>

Describe how existing roads will be extended or widened: N/A

List for routes of overland travel:

Description of <i>OVERLAND TRAVEL</i> Routes	Length (ft.)	Width (ft.)	Total Acres (length x width x 0.0000229)
Cross country travel to the drill sites 3 to 6 from the nearest point off of the existing 2 track road.	10,000	12	2.75
<b>TOTAL ACRES DISTURBED BY OVERLAND TRAVEL :</b>			<b>2.75</b>

G. Support Facilities

Describe (location and size) any support facility disturbances (equipment staging, equipment and material storage and/or lay down areas, vehicle parking, temporary housing and/or trailers) to be created or situated on the site during exploration operations.

None

H. **TOTAL ACREAGE TO BE DISTURBED BY PROJECT = 3.225 acres**  
 (include all disturbed acreage from drill pads, cuttings disposal pit, new roads, improved roads and overland travel routes)

**SECTION 5 – CHEMICAL USE (§302.D.4)**

A. Check any and all chemicals that will be used for this project.

- |   |                |       |
|---|----------------|-------|
| <input checked="" type="checkbox"/> Drilling Mud (i.e., EZ Mud) | Type/Quantity: | _____ |
| <input checked="" type="checkbox"/> Diesel Fuel                 | Quantity:      | _____ |
| <input type="checkbox"/> Down-hole Lubricants                   | Type/Quantity: | _____ |
| <input checked="" type="checkbox"/> Lost Circulation Materials  | Type/Quantity: | _____ |
| <input checked="" type="checkbox"/> Oils/Grease                 | Quantity:      | _____ |
| <input checked="" type="checkbox"/> Gasoline                    | Quantity:      | _____ |
| <input checked="" type="checkbox"/> Hydraulic Fluid             | Quantity:      | _____ |
| <input type="checkbox"/> Ethylene Glycol                        | Quantity:      | _____ |
| <input checked="" type="checkbox"/> Cement                      | Type/Quantity: | _____ |
| <input checked="" type="checkbox"/> Water                       | Source:        | _____ |
| <input checked="" type="checkbox"/> Bentonite                   | Quantity:      | _____ |
| <input type="checkbox"/> Fertilizer                             | Type/Quantity: | _____ |
| <input type="checkbox"/> Other                                  | Type/Quantity: | _____ |
|   |                | _____ |
|   |                | _____ |

B. Describe, in detail, a plan for the containment, use and disposal of all chemicals listed above:

Chemicals will only be present in small amounts and will be stored in a safe area in leak proof containers. Chemicals will be used as per the manufacturers' instructions. No used oil or other fluids will be disposed of onsite.

\_\_\_\_\_  
\_\_\_\_\_

C. Describe where equipment fueling/refueling will occur:

Refueling will occur onsite for the drill rig, water truck, and backhoe.

\_\_\_\_\_

D. Describe how hazardous material spills/leaks will be handled:

Spill mats will be present on site. In the event of a spill contaminated soil will be removed and taken to an appropriate landfill or disposal facility.

\_\_\_\_\_

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E. Identify spill cleanup materials that will be kept on-site (check all that apply):

Bentonite clay or cat litter

Adsorbent pads, rolls, mats, socks, pillows, dikes, etc.

Drum or barrel for containing contaminated soil/adsorbent materials

Other/list: \_\_\_\_\_

Other/list: \_\_\_\_\_

F. Applicant/owner/representative agrees to immediately notify the State of New Mexico immediately of any spills of hazardous materials (see page 1 of this application for phone numbers to notify):  Yes  No

<p><b>SECTION 6 – GROUNDWATER/SURFACE WATER INFORMATION</b> <b>(§302.D.5)</b></p>
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A. Provide an estimate of depth to ground water and the total dissolved solids (TDS) concentration.

Depth to groundwater (ft.): 150' ? \_\_\_\_\_ TDS concentration (mg/L): High > 10,000

Describe the source of this information: Well head sign that says "150 FEET DEEP TOO SALTY FOR HUMAN OR LIVESTOCK USE" and a State Engineers Office Report

\_\_\_\_\_  
\_\_\_\_\_

B. Will dewatering activities be conducted:  Yes  No

If yes, please describe: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

C. Is groundwater anticipated to be encountered during exploration:  Yes  No

If **YES**: Non potable

Have you completed Form WR-07 (Application for permit to drill a well with no consumptive

use of water) and mailed it to the District Office of the State Engineer? X Yes

Have you completed Form WD-08 (Well plugging plan of operations) and mailed it to the District Office of the State Engineer? X Yes

Attachment 2 and 3 (copies of the completed WR-07 and WD-08 forms)

D. Exploration Borehole Abandonment

**Dry Boreholes**

- Dry hole abandonment (option 1): 100% bentonite pellets/chips (i.e. HOLEPLUG® manufactured by Baroid Industrial Products), dropped from surface then hydrated in place according to the manufacturer's recommendations, emplaced from total depth to within 12 feet of the original ground surface, followed by 10 feet of neat cement, followed by 2 feet of topsoil/topdressing.
- Dry hole abandonment (option 2): Neat cement slurry, mixed according to the manufacturer's recommendations, emplaced with a tremie pipe from total depth to within 2 feet of the original ground surface, followed by 2 feet of topsoil/topdressing.
- Dry hole abandonment (option 3): Cement + 6% bentonite slurry, mixed according to the manufacturer's recommendations, emplaced with a tremie pipe from total depth to within 2 feet of the original ground surface, followed by 2 feet of topsoil/topdressing.
- Dry hole abandonment (option 4): High-density bentonite clay ( $\geq 20\%$  active solids; i.e. QUIK-GROUT® manufactured by Baroid Industrial Products), mixed according to the manufacturer's recommendations, emplaced with a tremie pipe from total depth to within 12 feet of the original ground surface, followed by 10 feet of neat cement, followed by 2 feet of topsoil/topdressing.
- Dry hole abandonment (option 5): Other materials / describe and justify use:  

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**Wet Boreholes**

- X Wet hole abandonment (option 1): Neat cement slurry, mixed according to the manufacturer's recommendations, emplaced with a tremie pipe from total depth to within 2 feet of the original ground surface, followed by 2 feet of topsoil/topdressing.

Wet hole abandonment (option 2): High-density bentonite clay ( $\geq 20\%$  active solids; i.e. QUIK-GROUT® manufactured by Baroid Industrial Products), mixed according to the manufacturer's recommendations, emplaced with a tremie pipe from total depth to within 12 feet of the original ground surface, followed by 10 feet of neat cement, followed by 2

feet of topsoil/topdressing.

- Wet hole abandonment (option 3): Other sealing material approved by the Office of the State Engineer. Describe and include well plugging plan approval by the State Engineer:

Applicant agrees to contain any water produced from the exploration borehole at the drill site and acknowledges that discharge of this water to a watercourse may be a violation of the Federal Clean Water Act:      X Yes       No

D. Is any drilling proposed to occur within the channel of any perennial, intermittent, or ephemeral streams?      X No

E. Is any drilling anticipated to occur within 100 feet of any perennial, intermittent, or ephemeral streams?      X No

## SECTION 7 – RECLAMATION & OPERATION PLAN (§302.D.6 AND 302.I.K)

### A. Salvage/Preservation of Topsoil

Before any grading/blading or similar activities occur in relation to this project, operator agrees to salvage and preserve all topsoil and topdressing for use in future reclamation of this project  Yes  No

Describe how topsoil will be salvaged prior to initiation of exploration activities (check all that apply):

N/A – no construction work will occur, therefore no soil salvage is needed.

Excavated from drill pads and stored at each drill pad

Excavated from road improvements/construction and stored adjacent to road

Excavated from mud/fluid pits and storage at each pit

Other, describe: No top soil is present, only dry lake playa sediments that does not support vegetation.

### B. Erosion Control

Describe the best management practices that will be implemented to control erosion:

Silt fencing                      Location: \_\_\_\_\_

Straw wattles                      Location: \_\_\_\_\_

Straw bales                      Location: \_\_\_\_\_

Ditches/swales                      Location: \_\_\_\_\_

Berms/dikes/dams                      Location: \_\_\_\_\_

Sediment basins                      Location: \_\_\_\_\_

Other or N/A                      Type/Location: No erosion is possible at drill locations because of flat topography



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C. Wildlife Protection / Noxious Weed Prevention

Will the perimeter of drill pits be fenced to prevent wildlife entrapment?  Yes  No

Proposed pit perimeter fence material: Plastic fencing

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Describe how the pit perimeter fencing will be installed and secured (i.e., T-posts, wooden stakes, etc.):

T- posts

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Will at least one side of the interior of the drill pits be sloped at 3:1 as a ramp for wildlife escape?  Yes  No

If No, will another type of constructed escape ramp be installed? Describe:

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Applicant/Owner/Operator commits to pressure-washing or steam-clean all equipment prior to entering the permit area:  Yes  No

D. Reclamation Details

Describe in general how re-contouring or re-establishment of the surface topography will be restored:

Drill sumps and sites will be flattened and recontoured if necessary.

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Describe how the reclamation of portals, adits, drilling fluid/mud and/or waste pits, shafts, ponds, roads and other disturbances will be performed:

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Is seeding of the reclaimed areas proposed:  Yes  No

If no, provide a justification as to why no revegetation is needed:

Activities will take place on an essentially barren or sparsely vegetated salty playa lakebed surfaces, alluvial gravels and sand dunes.

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Plant mix to be used in the re-establishment of vegetation:

- US Forest Service specified mix applied through broadcast at their recommended rate
- BLM specified mix applied through broadcast at their recommended rate
- Other:

Plant Name	Seeding Rate (lbs./acre)
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
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Broadcast applied or drill-seeded:  Broadcast  Drill-seeded

Scarification Methods (check all that apply):

- Primary tillage to greater than 6-inches depth of all constructed drill pads and roads
- Secondary tillage of all constructed drill pads and roads, and/or overland travel routes
- Chain drag or tire drag over seeds in areas used for overland travel
- Light raking of soil over seeds in areas used for overland travel

X None

Other/describe: \_\_\_\_\_

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Mulch Use:

Certified weed-free straw mulch will be placed over areas that have been tilled/disc'd or ripped at a rate of 2 tons per acre, and will be crimped in place

X No mulch is proposed

E. Reclamation Timeline

Applicant/Owner/Operator commits to reclamation of the disturbed area as soon as possible following the completion or abandonment of the exploration operation, unless the disturbed area is included within a complete permit application for a new mining permit:

X Yes       No

Anticipated Start of Reclamation:

X 0-30 days after completion of drilling

31-60 days after completion of drilling

Other/specify: \_\_\_\_\_

**SECTION 8 – PERMIT FEES AND FINANCIAL ASSURANCE**  
**(§302.I.2 AND 5)**

A. Financial assurance must be posted with Mining and Minerals Division prior to approval of this application. The acceptable forms of financial assurance are surety bonds, letters of credit, and certificates of deposit. Provide an estimate of, and an instrument for, the proposed financial assurance required by Subpart 3.

- Surety Bond
- Letter of Credit
- X Cash Account / Certificate of Deposit

Estimated amount of financial assurance: \_\_\_\_\_

Or

Applicant will provide the amount of financial assurance calculated by MMD.

B. Attach the permit fees as determined pursuant to Subpart 2. The application fee for a minimal impact exploration permit is \$500.00.

- X Money Order/Cashier's Check
- Check

Check Number : - \_\_\_\_\_

Financial Institution: Bank of America

## **SECTION 9 – CERTIFICATION REQUIREMENT (§302.I.3 & 4)**

I certify that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals responsible for obtaining the information; I believe the submitted information is true, accurate, and complete. I agree to comply with the reclamation requirements set forth in this permit application and related correspondence, the New Mexico Mining Act and the Rules. Further, I certify that I am not in violation of any other obligation under the New Mexico Mining Act or the Rules adopted pursuant to that Act and I allow the Director to enter the permit area, without delay, for the purposes of conducting inspections during exploration and reclamation.

Signature of Permittee or Authorized Agent: Frank Bain - Electronic signature

Name (type or print): Frank Bain

Title/Position: Registered Professional Geologist – Lordsburg Project Manager

Date: July 6, 2023