

Myers, Kevin, EMNRD

From: Frank Bain <frankbain7@aol.com>
Sent: Thursday, July 20, 2023 4:41 PM
To: Myers, Kevin, EMNRD
Subject: Re: [EXTERNAL] Re: Lordsburg Playa Project
Attachments: RE-6531 Permit (1).pdf

Hi Kevin -

In regard to your questions below, I thought that the letters from the NM Game and Fish and Cultural Resources was sufficient. The BLM approved these letters / surveys before signing the Plan of Operations. I do have approval letters from other agencies, I will see if I have one concerning biology. All these approvals were sent originally to Clint Chisler, so they should be available to you. I attached the NMSLO Right to Access Permit. BLM is in charge of the Kinder Morgan ROW and Anthony Hom in the BLM's Las Cruces Office said that the approved Plan of Operations incorporated the ROW approvals, except for the NMSLO permit.

Cheers -

Frank

On Thursday, July 20, 2023 at 02:57:38 PM MST, Myers, Kevin, EMNRD <kevin.myers@emnrd.nm.gov> wrote:

Good afternoon Frank,

Thanks for the submittals of the application, map and comment letter responses.

Before reviewing your submittal, please clarify if you intend to supplement this application with a cultural and biological survey and the permission for ROW to access the drill sites?

You mention in your email these surveys, and you attached the agency comments letters from NMGF and NMDCA.

Kevin Myers

From: Frank Bain <frankbain7@aol.com>
Sent: Monday, July 10, 2023 2:05 PM
To: Myers, Kevin, EMNRD <kevin.myers@emnrd.nm.gov>
Subject: [EXTERNAL] Re: Lordsburg Playa Project

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Hi Kevin -

I'm looking forward to working with you. It's been a long and sometimes frustrating endeavor, but it looks like everything is going to come together so I'll be able to do some exploring drilling on the Lordsburg Playa in the not too distant future.

Attached please find an updated Minimal Impact Exploration Operation Permit Application, a new project area map with updated claim locations, primary access roads and cross-country routes to drill sites 3, 4, 5 and 6, comments from the Game and Fish Dept. and the Historic Preservation Office.

On Monday, July 10, 2023 at 11:01:05 AM MST, Myers, Kevin, EMNRD <kevin.myers@emnrd.nm.gov> wrote:

Good afternoon Frank,

DJ let me know that you wanted to modify and renew your exploration permit with MMD.

I will be the permit lead.

Based on your email below, you plan to submit some changes and respond to MMD's letter requesting more information.

Once you submit the information, MMD can begin processing the renewal and modification.

When you are ready, please send me the updated application with the changes plus supporting information.

Let me know if you have any questions.

Kevin C. Myers

Hydrologist

Mining Act Reclamation Program (MARP)-Mining and Minerals Division (MMD)

Energy, Minerals and Natural Resources Department (EMNRD)

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505-490-0726 office and cell phone

kevin.myers@emnrd.nm.gov (please note new email as of 9/19/2022)

EMNRD website

<https://www.emnrd.nm.gov/>

From: Frank Bain <frankbain7@aol.com>
Sent: Friday, July 7, 2023 10:55 AM
To: Ennis, David, EMNRD <david.ennis@emnrd.nm.gov>
Subject: [EXTERNAL] Re: Lordsburg Playa project

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Hi DJ -

I took a look at the permit too and found that a few things have changed since it was originally approved. I would like to change the proposed number of drill holes to 6 so that the Minimal Exploration Permit matches the Plan of Operations approved by the BLM. This would change the total disturbance to about 3 acres. In addition, I also can now include Cultural Resource and Wildlife Surveys in the application. Initially, I will be the operator, but in the not too distant future I hope to be entering into a lease purchase agreement with a Vancouver, BC based exploration company who will probably take the project over at some point in time.

There are few other changes too like the total number of claims, the drilling contractor and the project map. I would propose sending MMD an updated application.

Another thing I would like to have included in the approval is being able to transfer the bond from one drill site to another upon completion of a hole. Because of the shallow nature of the drill holes, drilling

should proceed rather quickly and in order to minimize drill rig standby time and as soon as the drill hole is plugged, I can move the drill to the next site. The actual drill pad probably cannot be reclaimed for several days after the hole is completed as the sump will need time to evaporate.

I have completed the revised application, just waiting for my draftsman to complete the revised map. I should be able to send you the revised application and map by Monday.

As for the documents requested by Clint, I have the approval from the NMSLO in hand for the Right to Access State Land. I can also provide a list of my recorded claims on file with the BLM. Please be advised that I am in the process of relocating many of my claims, but currently taking a break because of the extreme heat on the Playa. As soon as I have completed the restaking, I will start the recording process with Hidalgo County and the BLM soon. As for the access agreement from Kinder Morgan, KM has told me that they need a letter from the BLM stating that it is OK for me to use KM's ROW for accessing my drill sites before they will sign my application to use their ROW. I requested a letter from Anthony Hom in the BLM's Las Cruces District Office 6 months ago and sent him a reminder yesterday, I don't anticipate any problems getting the letter from Anthony.

Regards,

Frank

On Friday, July 7, 2023 at 08:09:43 AM MST, Ennis, David, EMNRD <david.ennis@emnrd.nm.gov> wrote:

Hi Frank,

I've researched your Lordsburg Playa project a bit. It looks like you applied to renew permit HI018EM in July 2022 and provided the \$500 application fee. MMD responded with the attached letter. If you provide the required documents outlined in the attached letter I can renew permit HI018EM.

Please let me know if you have any questions.

