

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

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

Albert Chang, Director
Mining and Minerals Division



July 28, 2023

Ms. Katie Zemlick
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102

RE: Request for Comments on Modification 23-1 Application for Brie 1, Partial Release of Financial Assurance on 7.01 Acres of Reclamation, McKinley County, New Mexico, Permit No. MK039MN:

Dear Ms. Zemlick,

On July 3, 2023, the Mining and Minerals Division (“MMD”) received a permit application from Miocene, LLC, to modify permit number MK039MN. The application requests partial release of financial assurance associated with approximately 7.01 acres of reclamation performed at the Brie 1 mine located in T20N, R6W, Sections 29 and 33. This application is being processed as modification number 23-1 to permit MK039MN.

Pursuant to 19.10.3.302.G NMAC, MMD is requesting comments from your agency regarding this application. The application from the operator can be downloaded from MMD’s website at <https://www.emnrd.nm.gov/mmd/mining-act-reclamation-program/pending-and-approved-mine-applications/minimal-impact-new/mk039mn-brie-mine/>

In accordance with 19.10.3.302.G NMAC, your agency has 20 days from the date of receipt of this letter in which to provide comments. The Director will consider these comments in making the determination of eligibility for minimal impact status. If you have any questions, please contact me at (505) 470-5354 or by e-mail at kevin.barnes@emnrd.nm.gov.

Sincerely,

Kevin Barnes
Permit Lead
Mining Act Reclamation Program (MARP)

cc: Mine File (MK039MN)

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July 28, 2023

Dr. Matthew Wunder
NM Department of Game and Fish
P.O. Box 25112
Santa Fe, NM 87504

RE: Request for Comments on Modification 23-1 Application for Brie 1, Partial Release of Financial Assurance on 7.01 Acres of Reclamation, McKinley County, New Mexico, Permit No. MK039MN:

Dear Dr. Wunder,

On July 3, 2023, the Mining and Minerals Division (“MMD”) received a permit application from Miocene, LLC, to modify permit number MK039MN. The application requests partial release of financial assurance associated with approximately 7.01 acres of reclamation performed at the Brie 1 mine located in T20N, R6W, Sections 29 and 33. This application is being processed as modification number 23-1 to permit MK039MN.

Pursuant to 19.10.3.302.G NMAC, MMD is requesting comments from your agency regarding this application. The application from the operator can be downloaded from MMD’s website at <https://www.emnrd.nm.gov/mmd/mining-act-reclamation-program/pending-and-approved-mine-applications/minimal-impact-new/mk039mn-brie-mine/>

In accordance with 19.10.3.302.G NMAC, your agency has 20 days from the date of receipt of this letter in which to provide comments. The Director will consider these comments in making the determination of eligibility for minimal impact status. If you have any questions, please contact me at (505) 470-5354 or by e-mail at kevin.barnes@emnrd.nm.gov.

Sincerely,

Kevin Barnes
Permit Lead
Mining Act Reclamation Program (MARP)

cc: Mine File (MK039MN)

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July 28, 2023

Mr. Rick Reycraft
Department of Cultural Affairs, Historic Preservation Division
407 Galisteo St., Suite 236
Santa Fe, NM 87501

RE: Request for Comments on Modification 23-1 Application for Brie 1, Partial Release of Financial Assurance on 7.01 Acres of Reclamation, McKinley County, New Mexico, Permit No. MK039MN:

Dear Mr. Reycraft,

On July 3, 2023, the Mining and Minerals Division (“MMD”) received a permit application from Miocene, LLC, to modify permit number MK039MN. The application requests partial release of financial assurance associated with approximately 7.01 acres of reclamation performed at the Brie 1 mine located in T20N, R6W, Sections 29 and 33. This application is being processed as modification number 23-1 to permit MK039MN.

Pursuant to 19.10.3.302.G NMAC, MMD is requesting comments from your agency regarding this application. The application from the operator can be downloaded from MMD’s website at <https://www.emnrd.nm.gov/mmd/mining-act-reclamation-program/pending-and-approved-mine-applications/minimal-impact-new/mk039mn-brie-mine/>

In accordance with 19.10.3.302.G NMAC, your agency has 20 days from the date of receipt of this letter in which to provide comments. The Director will consider these comments in making the determination of eligibility for minimal impact status. If you have any questions, please contact me at (505) 470-5354 or by e-mail at kevin.barnes@emnrd.nm.gov.

Sincerely,

Kevin Barnes
Permit Lead
Mining Act Reclamation Program (MARP)

cc: Mine File (MK039MN)

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Mining and Minerals Division



July 28, 2023

Ms. Erika Rowe
EMNRD-Forestry Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

RE: Request for Comments on Modification 23-1 Application for Brie 1, Partial Release of Financial Assurance on 7.01 Acres of Reclamation, McKinley County, New Mexico, Permit No. MK039MN:

Dear Ms. Rowe,

On July 3, 2023, the Mining and Minerals Division (“MMD”) received a permit application from Miocene, LLC, to modify permit number MK039MN. The application requests partial release of financial assurance associated with approximately 7.01 acres of reclamation performed at the Brie 1 mine located in T20N, R6W, Sections 29 and 33. This application is being processed as modification number 23-1 to permit MK039MN.

Pursuant to 19.10.3.302.G NMAC, MMD is requesting comments from your agency regarding this application. The application from the operator can be downloaded from MMD’s website at <https://www.emnrd.nm.gov/mmd/mining-act-reclamation-program/pending-and-approved-mine-applications/minimal-impact-new/mk039mn-brie-mine/>

In accordance with 19.10.3.302.G NMAC, your agency has 20 days from the date of receipt of this letter in which to provide comments. The Director will consider these comments in making the determination of eligibility for minimal impact status. If you have any questions, please contact me at (505) 470-5354 or by e-mail at kevin.barnes@emnrd.nm.gov.

Sincerely,

Kevin Barnes
Permit Lead
Mining Act Reclamation Program (MARP)

cc: Mine File (MK039MN)

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Albert Chang, Director
Mining and Minerals Division



July 28, 2023

Ms. Anne Maurer
NMED Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, NM 87502-5469

RE: Request for Comments on Modification 23-1 Application for Brie 1, Partial Release of Financial Assurance on 7.01 Acres of Reclamation, McKinley County, New Mexico, Permit No. MK039MN:

Dear Ms. Maurer,

On July 3, 2023, the Mining and Minerals Division (“MMD”) received a permit application from Miocene, LLC, to modify permit number MK039MN. The application requests partial release of financial assurance associated with approximately 7.01 acres of reclamation performed at the Brie 1 mine located in T20N, R6W, Sections 29 and 33. This application is being processed as modification number 23-1 to permit MK039MN.

Pursuant to 19.10.3.302.G NMAC, MMD is requesting comments from your agency regarding this application. The application from the operator can be downloaded from MMD’s website at <https://www.emnrd.nm.gov/mmd/mining-act-reclamation-program/pending-and-approved-mine-applications/minimal-impact-new/mk039mn-brie-mine/>

In accordance with 19.10.3.302.G NMAC, your agency has 20 days from the date of receipt of this letter in which to provide comments. The Director will consider these comments in making the determination of eligibility for minimal impact status. If you have any questions, please contact me at (505) 470-5354 or by e-mail at kevin.barnes@emnrd.nm.gov.

Sincerely,

Kevin Barnes
Permit Lead
Mining Act Reclamation Program (MARP)

cc: Mine File (MK039MN)