

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Michelle Lujan Grisham**  
Governor

**Melanie A. Kenderdine**  
Cabinet Secretary

**Benjamin Shelton**  
Deputy Cabinet Secretary

**Erin Taylor**  
Deputy Cabinet Secretary

**Erin McCullough, Director**  
Mining and Minerals Division



August 22, 2025

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

**RE: Request for Comments on Modification 25-1 Application for Brie 1, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, McKinley County, New Mexico, Permit No. MK039MN:**

Dear Dr. Zemlick,

On August 18, 2025, the Mining and Minerals Division ("MMD") received a permit application from Miocene, LLC, to modify Permit No. MK039MN for the Brie 1 Mine in McKinley County. The application requests the release of financial assurance associated with 8.45 acres of disturbance in Section 12 & 1, Township 19N, Range 6W, and 13.0 acres of Section 3, Township 19N, Range 6W. This application is being processed as modification number 25-1 to Permit No. MK039MN.

Pursuant to 19.10.3.304.H 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 19.10.3.304.H 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](mailto:kevin.barnes@emnrd.nm.gov).

Sincerely,

Kevin Barnes  
Permit Lead  
Mining Act Reclamation Program (MARF)

cc: Mine File (MK039MN)

State of New Mexico  
Energy, Minerals and Natural Resources Department

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Mining and Minerals Division



August 22, 2025

Dr. Virginia Seamster  
NM Department of Game and Fish  
1 Wildlife Way  
Santa Fe, NM 87507

**RE: Request for Comments on Modification 25-1 Application for Brie 1, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, McKinley County, New Mexico, Permit No. MK039MN:**

Dear Dr. Seamster,

On August 18, 2025, the Mining and Minerals Division ("MMD") received a permit application from Miocene, LLC, to modify Permit No. MK039MN for the Brie 1 Mine in McKinley County. The application requests the release of financial assurance associated with 8.45 acres of disturbance in Section 12 & 1, Township 19N, Range 6W, and 13.0 acres of Section 3, Township 19N, Range 6W. This application is being processed as modification number 25-1 to Permit No. MK039MN.

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Mining and Minerals Division



August 22, 2025

Ms. Cortney Wands  
Department of Cultural Affairs, Historic Preservation Division  
407 Galisteo St., Suite 236  
Santa Fe, NM 87501

**RE: Request for Comments on Modification 25-1 Application for Brie 1, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, McKinley County, New Mexico, Permit No. MK039MN:**

Dear Ms. Wands,

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Sincerely,

Kevin Barnes  
Permit Lead  
Mining Act Reclamation Program (MARF)

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Energy, Minerals and Natural Resources Department

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Mining and Minerals Division



August 22, 2025

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

**RE: Request for Comments on Modification 25-1 Application for Brie 1, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, McKinley County, New Mexico, Permit No. MK039MN:**

Dear Ms. Rowe,

On August 18, 2025, the Mining and Minerals Division ("MMD") received a permit application from Miocene, LLC, to modify Permit No. MK039MN for the Brie 1 Mine in McKinley County. The application requests the release of financial assurance associated with 8.45 acres of disturbance in Section 12 & 1, Township 19N, Range 6W, and 13.0 acres of Section 3, Township 19N, Range 6W. This application is being processed as modification number 25-1 to Permit No. MK039MN.

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Sincerely,

Kevin Barnes  
Permit Lead  
Mining Act Reclamation Program (MARP)

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Mining and Minerals Division



August 22, 2025

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

**RE: Request for Comments on Modification 25-1 Application for Brie 1, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, McKinley County, New Mexico, Permit No. MK039MN:**

Dear Ms. Rheubottom,

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Sincerely,

Kevin Barnes  
Permit Lead  
Mining Act Reclamation Program (MARF)

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