

State of New Mexico
Energy, Minerals and Natural Resources Department

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 26, 2025

President Buu Nygren
Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

Dear President Nygren,

The Mining and Minerals Division (MMD) of the New Mexico Energy, Minerals, and Natural Resources Department has received an application from Miocene, LLC, (“Permittee”) to partially release financial assurance for reclaimed portions the Brie I Mine in accordance with 19.10.3.304 NMAC of the New Mexico Mining Act (NMSA 1978, §69-36-1 et seq.). The modification application (“Modification 25-1”) requests the partial 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. “Minimal Impact New Mining” means disturbance will not exceed a total of up to 40 acres at any given time for humate mines, which therefore limits impact to the environment. Please see the attached maps of the areas proposed for partial financial assurance release. The application received by MMD can be viewed in its entirety by visiting the MMD website at www.emnrd.nm.gov/mmd/mining-act-reclamation-program/pending-and-approved-mine-applications/minimal-impact-new/mk039mn-brie-mine/

As part of the application process, MMD is requesting comments from the New Mexico Department of Cultural Affairs, Historic Preservation Division (“HPD”) on this modification request from the Permittee. If there are known cultural resources in the vicinity of this project that your tribe is aware of, please provide any comments and concerns to MMD by September 10, 2025. Please contact me at (505) 470-5354 or kevin.barnes@emnrd.nm.gov with any questions or if you wish to meet to discuss the application.

Sincerely,

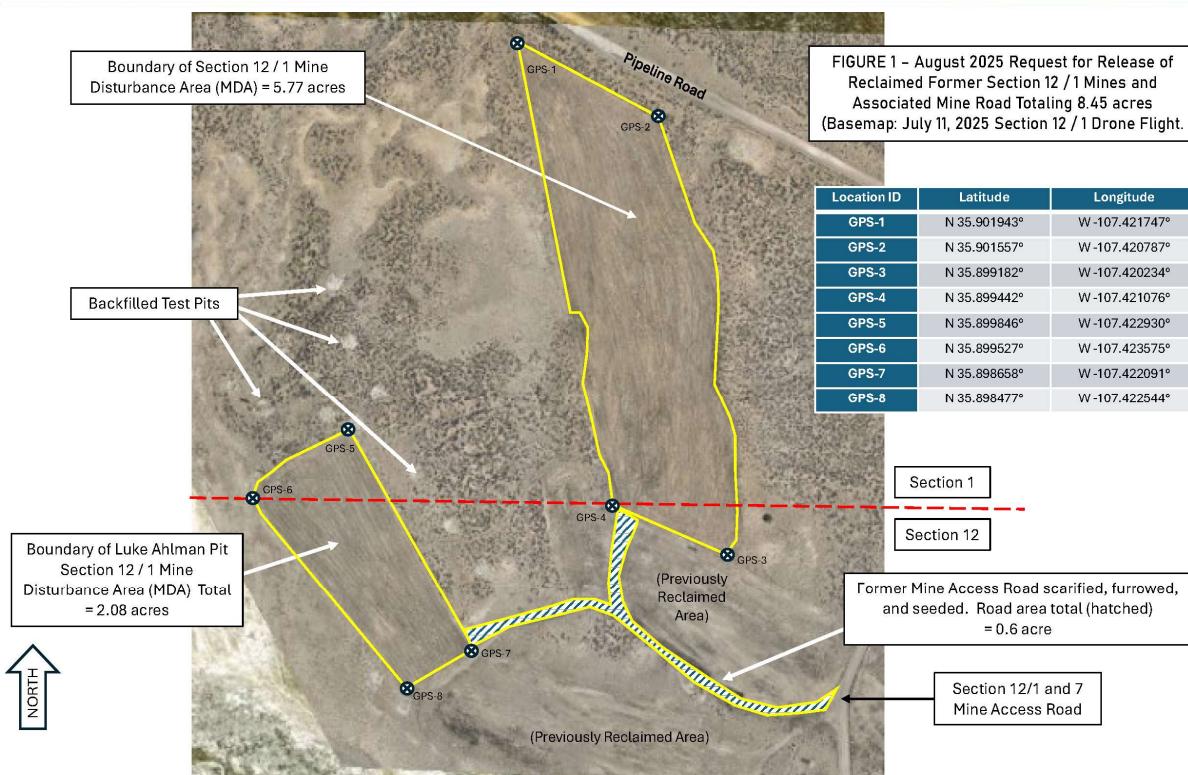
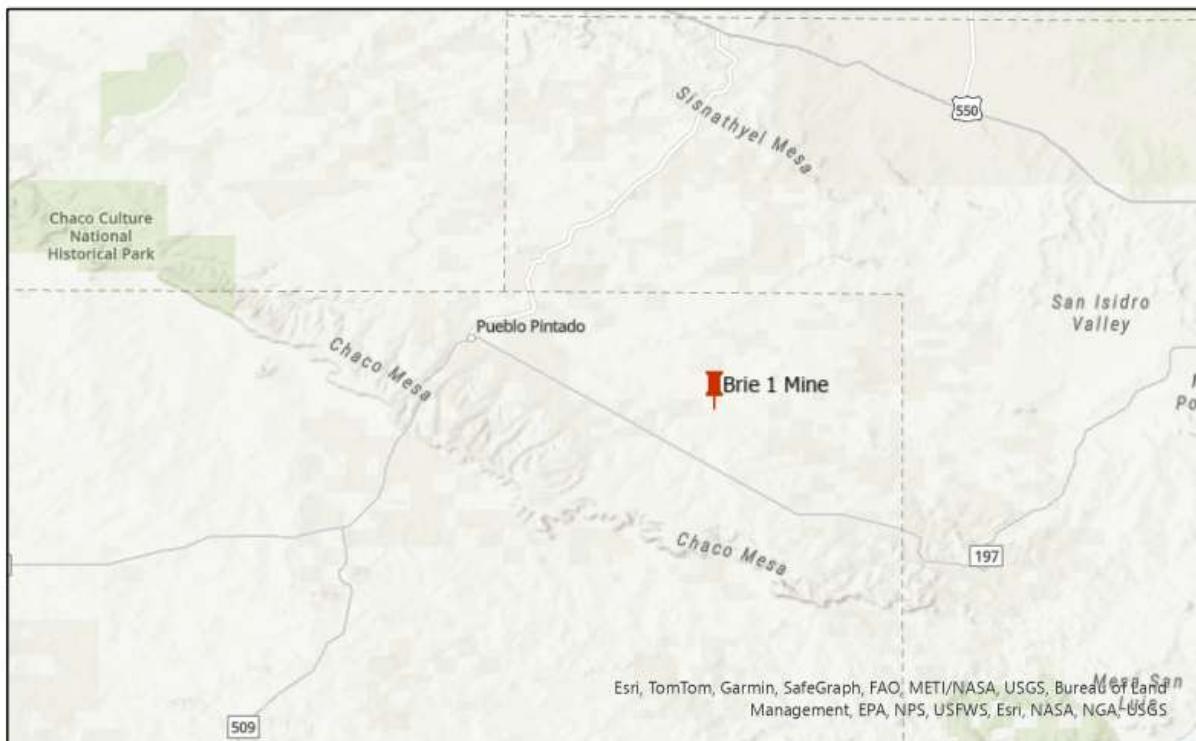
Kevin Barnes, Permit Lead
Mining Act Reclamation Program (“MARP”)

Enclosures: Project Vicinity Maps

cc: Mine File (MK039MN)

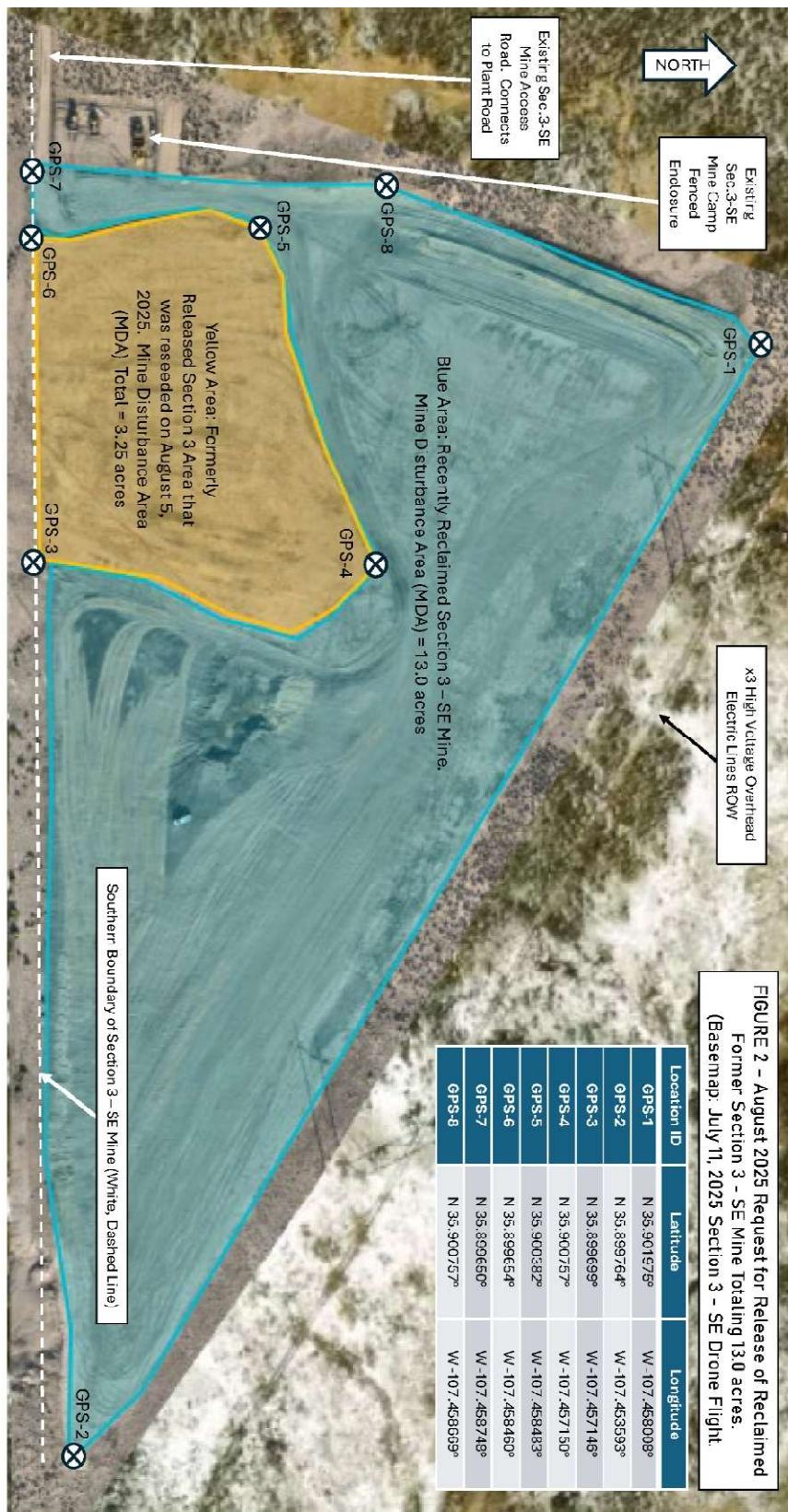
Request for Comments on Modification 25-1 Application, Brie 1 Mine, Minimal Impact Mining Permit – Modification 25-1, McKinley County, Permit Tracking No. MK039MN

Page 2 of 3



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Modification 25-1, McKinley County, Permit Tracking No. MK039MN

Page 3 of 3



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Erin McCullough, Director
Mining and Minerals Division



August 26, 2025

THPO Richard M. Begay
Navajo Nation Historic Preservation Division
P.O. Box 4950
Window Rock, AZ 86515

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

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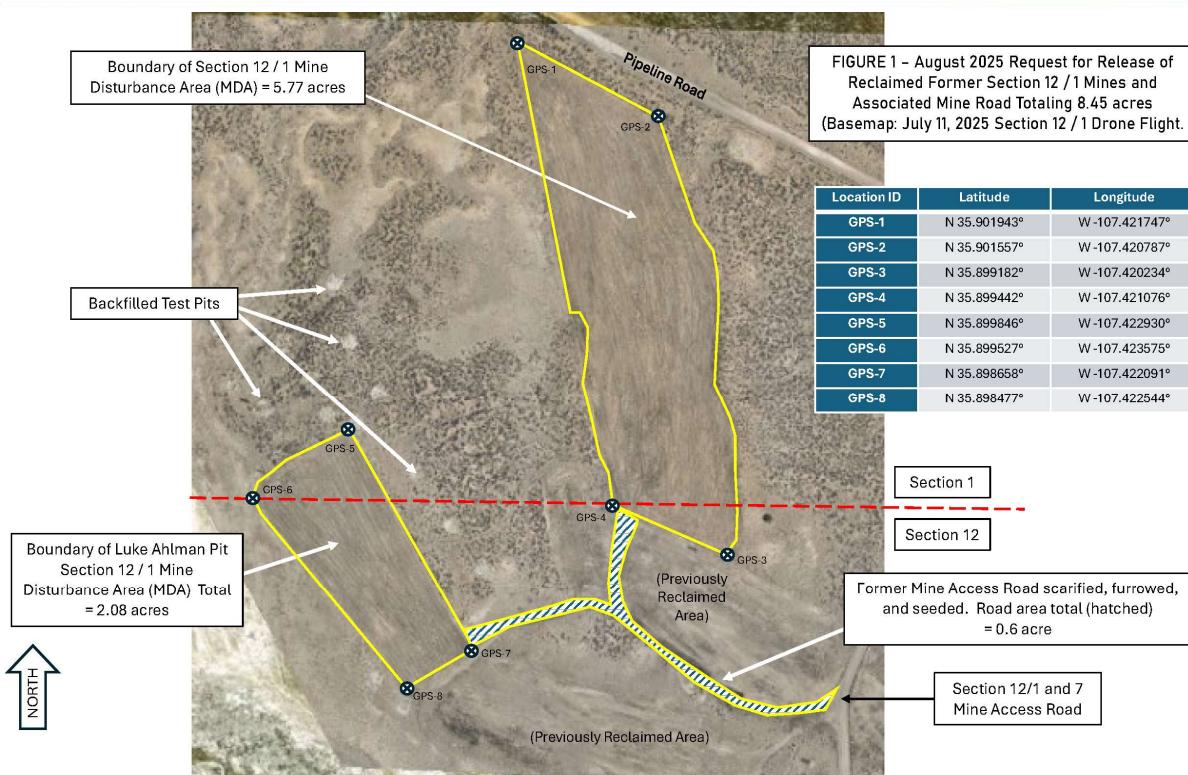
Kevin Barnes, Permit Lead
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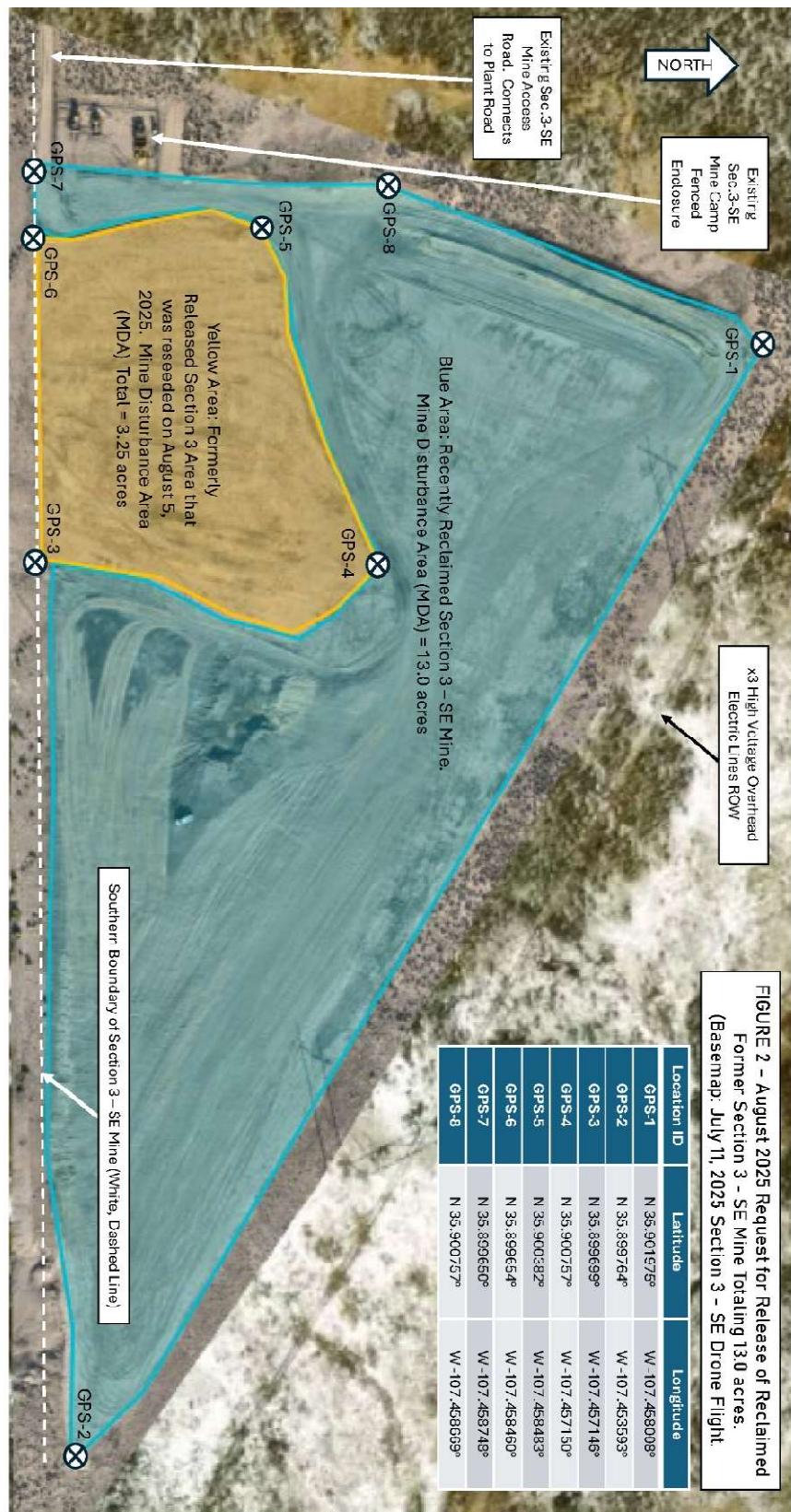
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Deputy Cabinet Secretary

Erin McCullough, Director
Mining and Minerals Division



August 26, 2025

Governor Charles Riley
Pueblo of Acoma
P.O. Box 309
Acoma, NM 87034

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

Dear Governor Riley,

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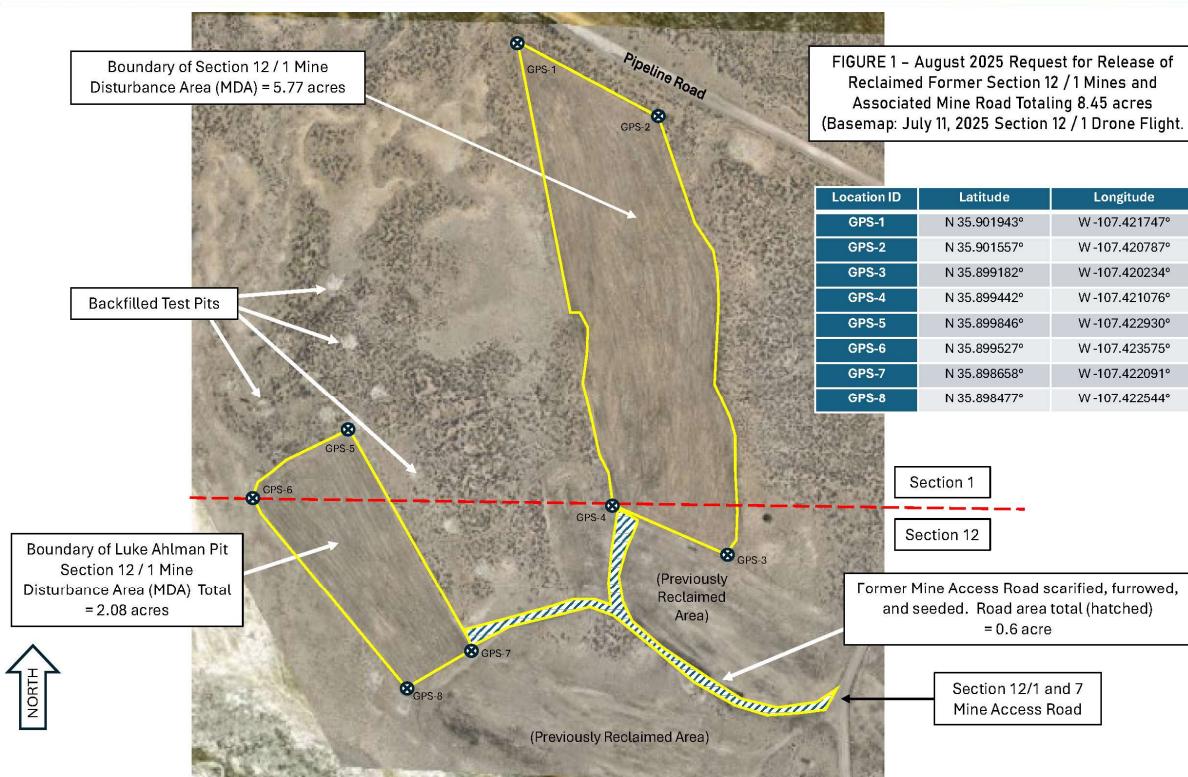
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Mining Act Reclamation Program (“MARP”)

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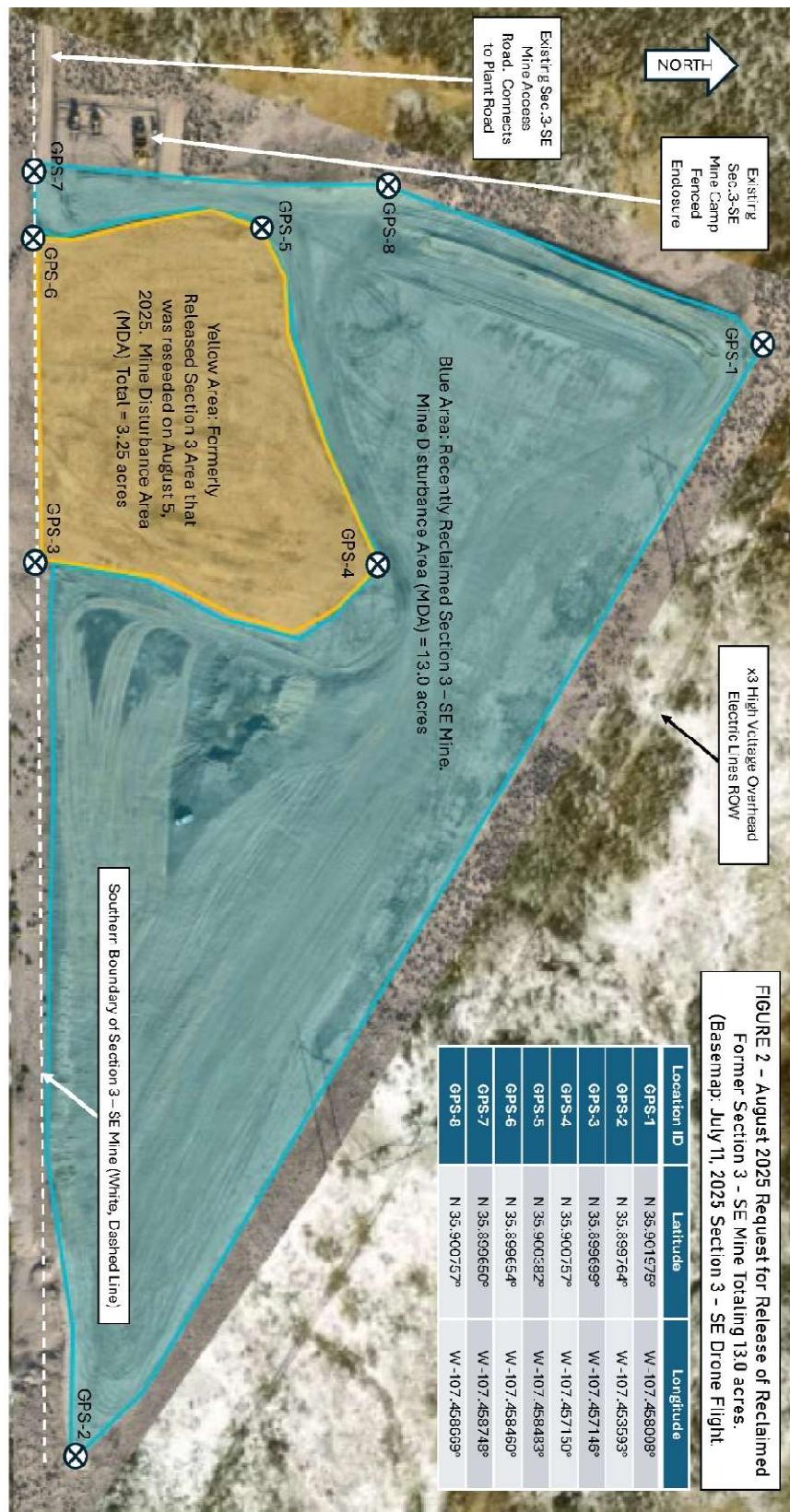
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Erin McCullough, Director
Mining and Minerals Division



August 26, 2025

THPO Steven Concho
Pueblo of Acoma
P.O. Box 309
Acoma, NM 87034

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

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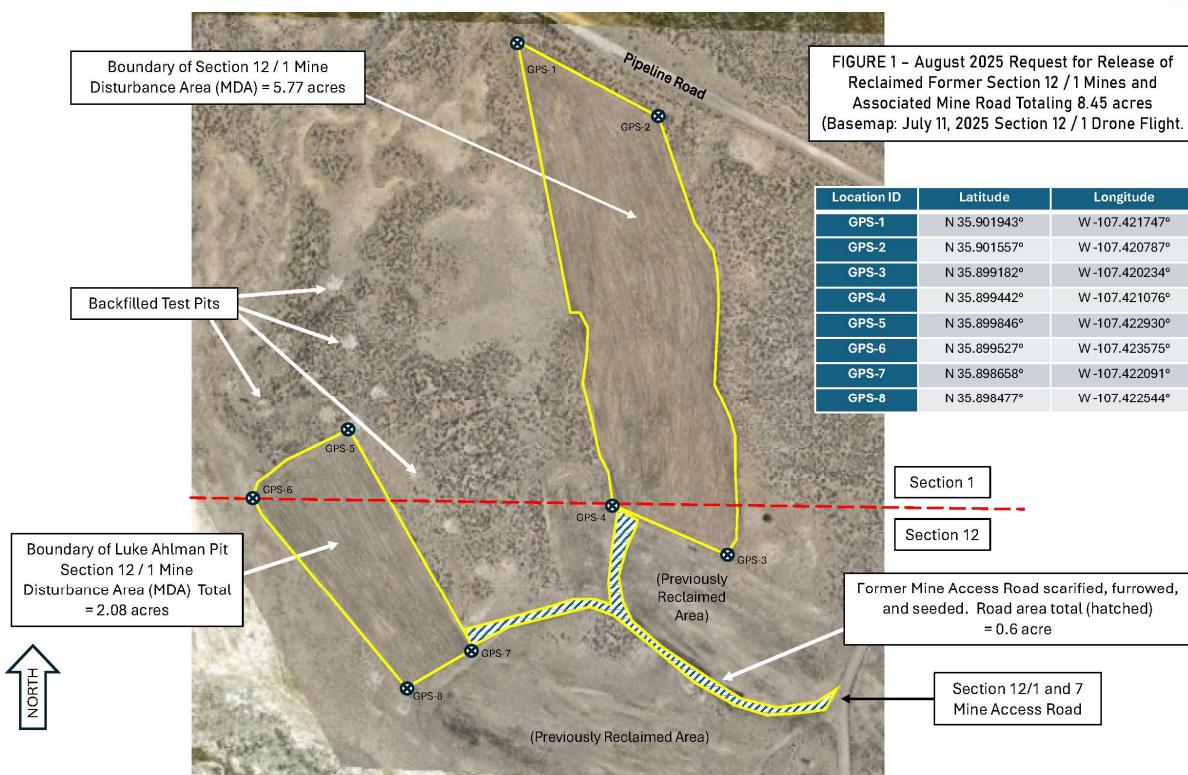
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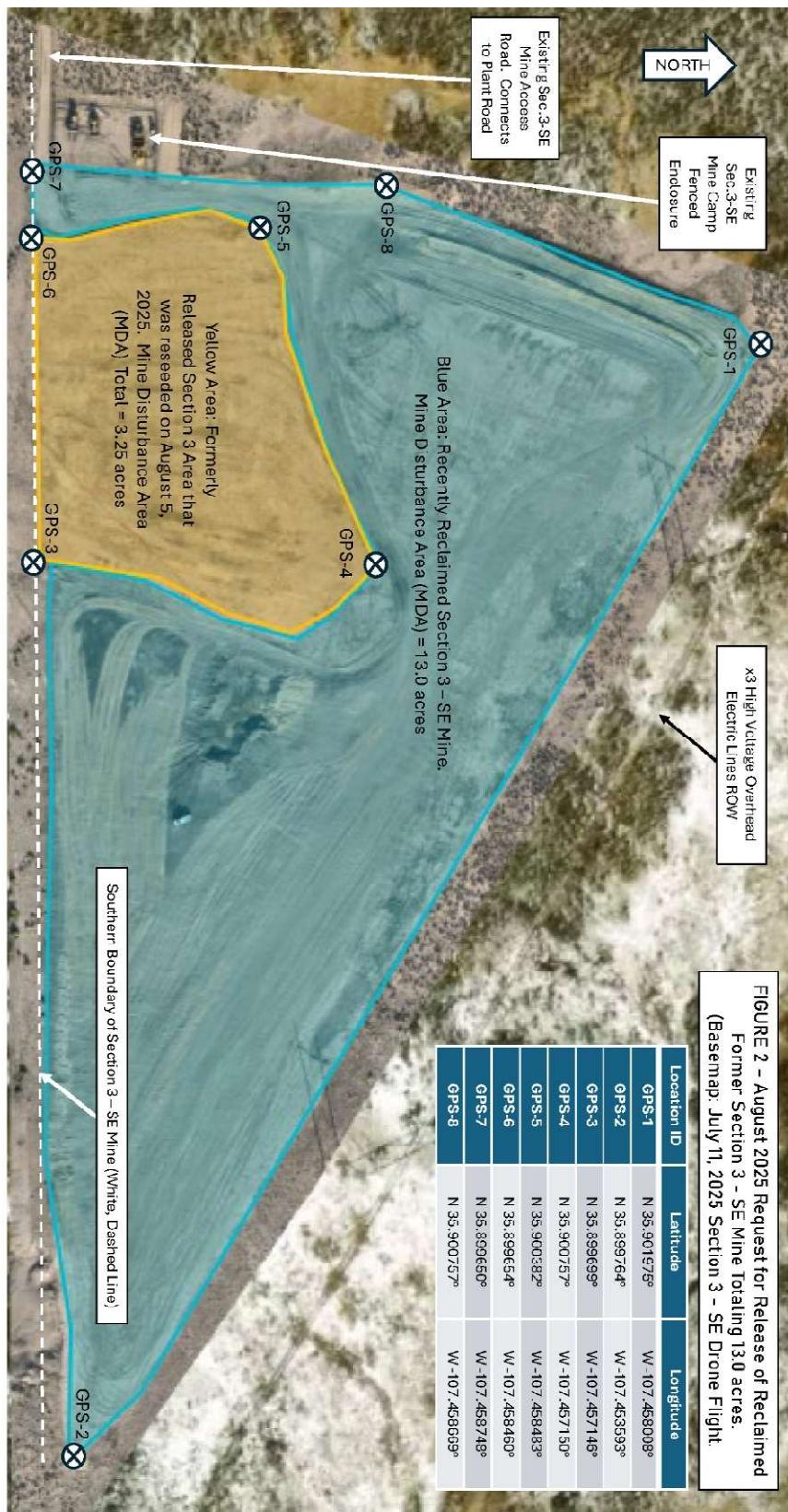
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Erin McCullough, Director
Mining and Minerals Division



August 26, 2025

Governor Eugene Jiron
Pueblo of Isleta
P.O. Box 1270
Isleta Pueblo, NM 87022

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

Dear Governor Jiron,

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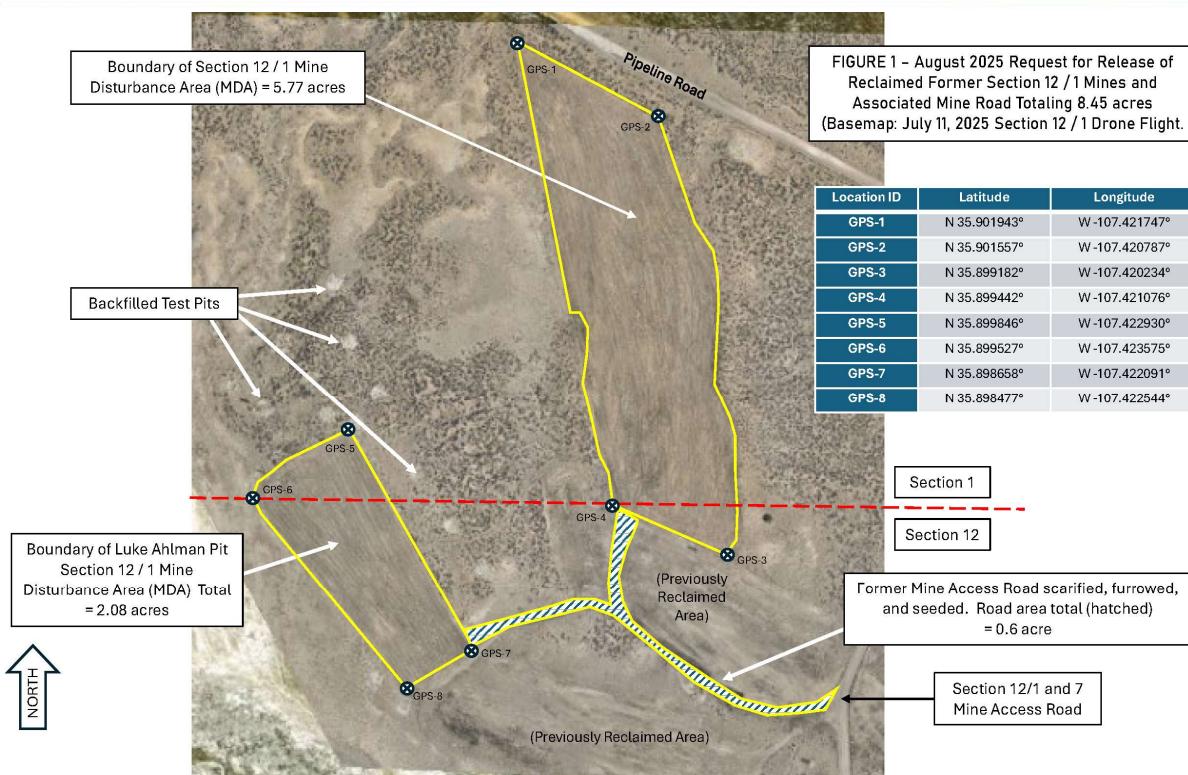
Kevin Barnes, Permit Lead
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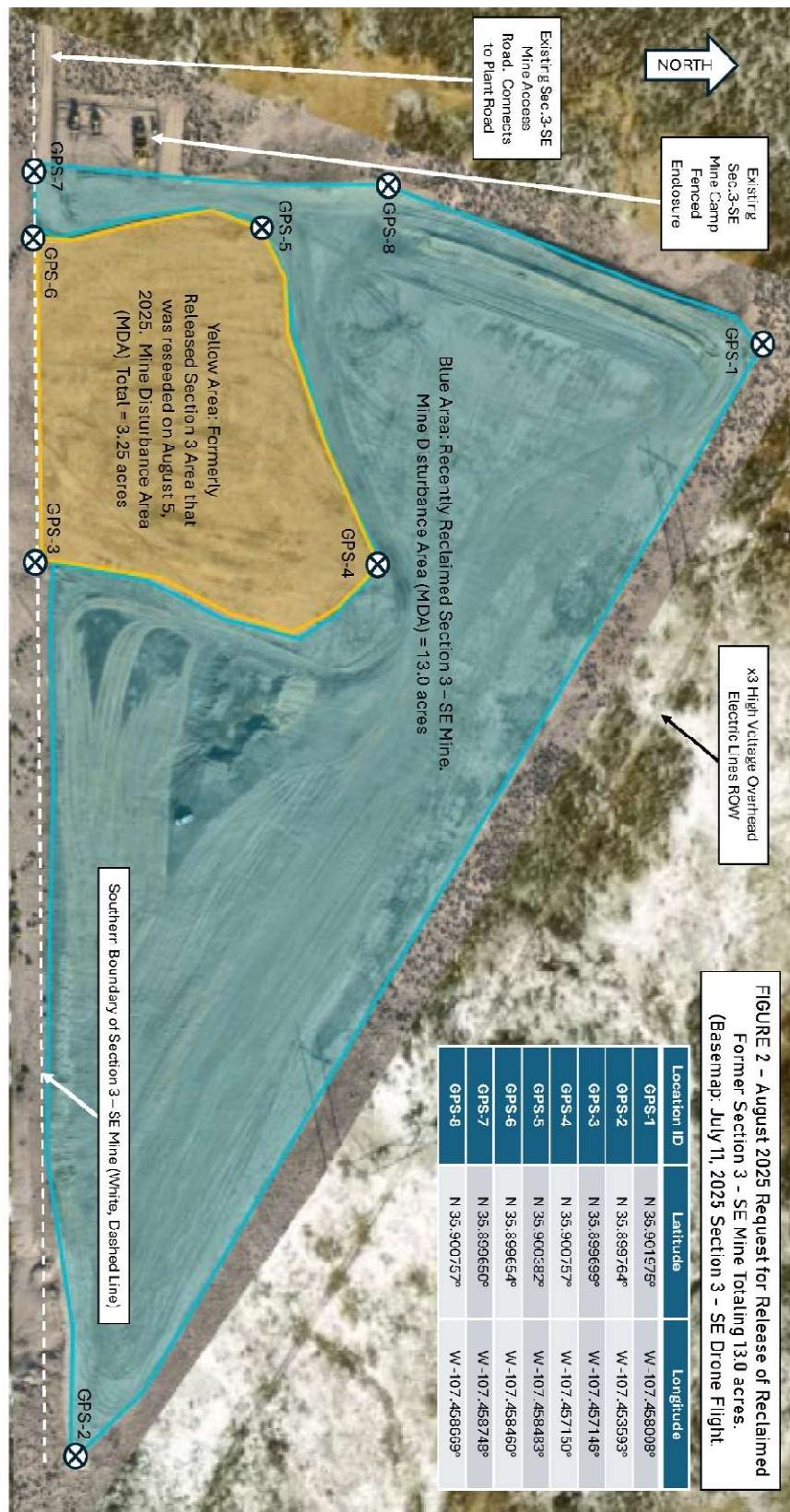
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Erin Taylor
Deputy Cabinet Secretary

Erin McCullough, Director
Mining and Minerals Division



August 26, 2025

THPO Henry Walt
Pueblo of Isleta
P.O. Box 1270
Isleta Pueblo, NM 87022

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

Dear THPO Walt,

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Sincerely,

A handwritten signature in blue ink, appearing to read "K. Barnes".

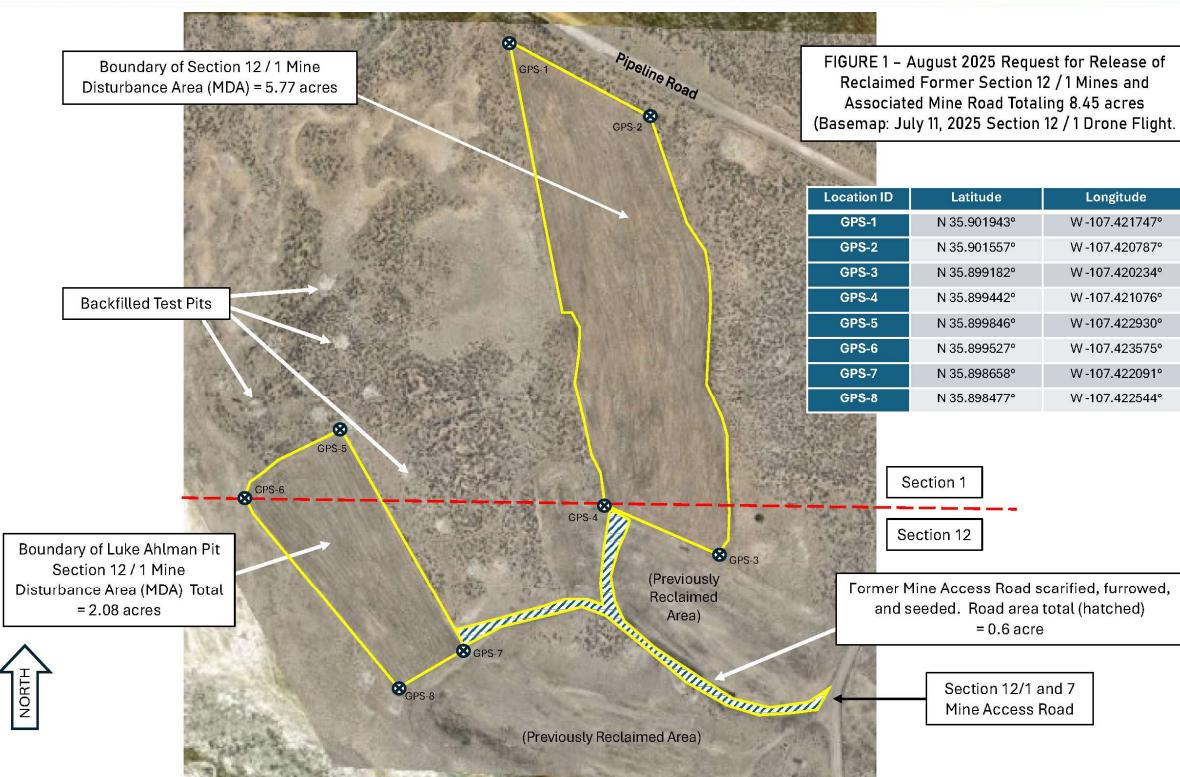
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Mining Act Reclamation Program ("MARP")

Enclosures: Project Vicinity Maps

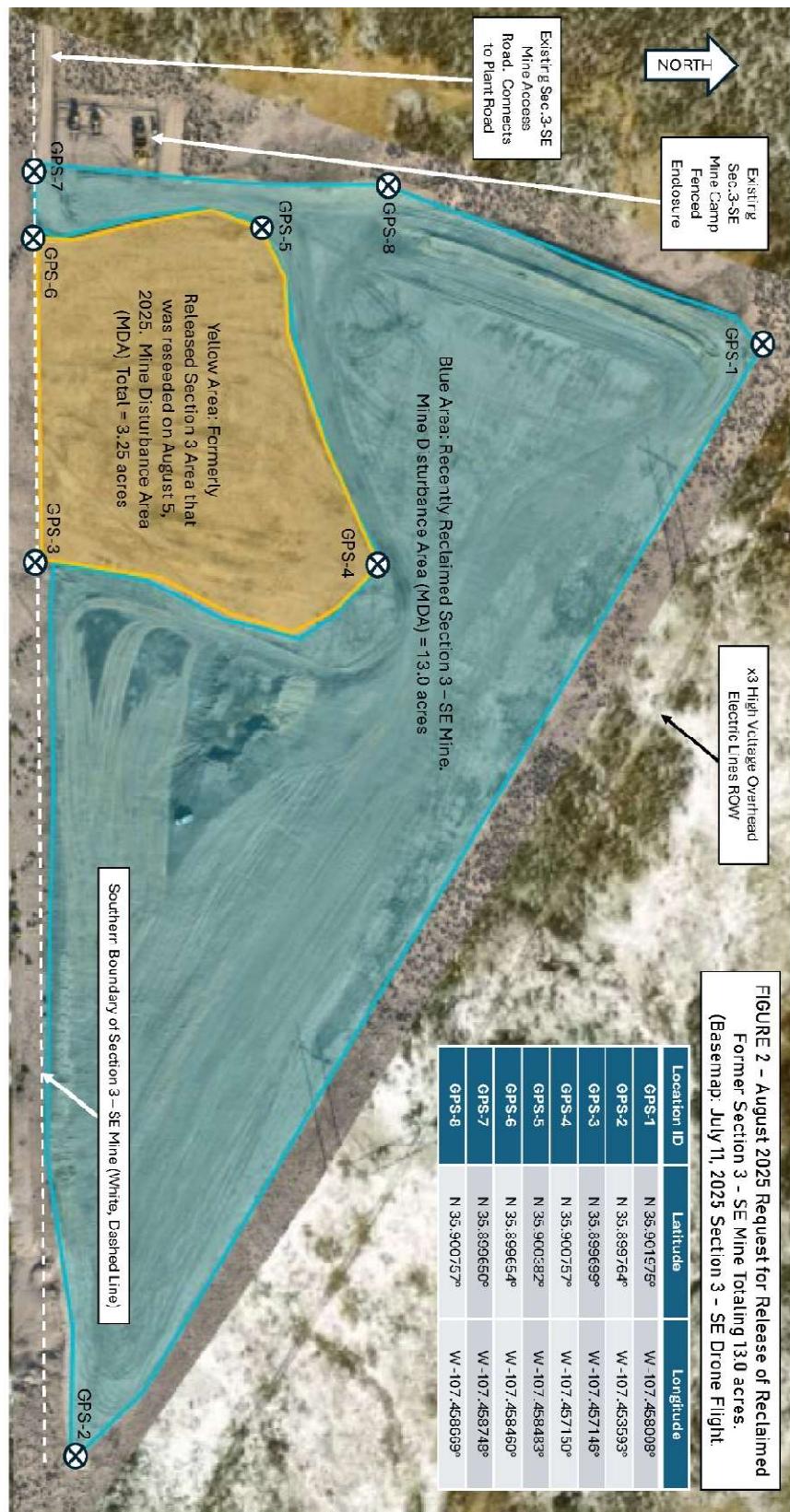
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Erin McCullough, Director
Mining and Minerals Division



August 26, 2025

Governor Harry Antonio Jr.
Pueblo of Laguna
P.O. Box 194
Laguna Pueblo, NM 87026

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

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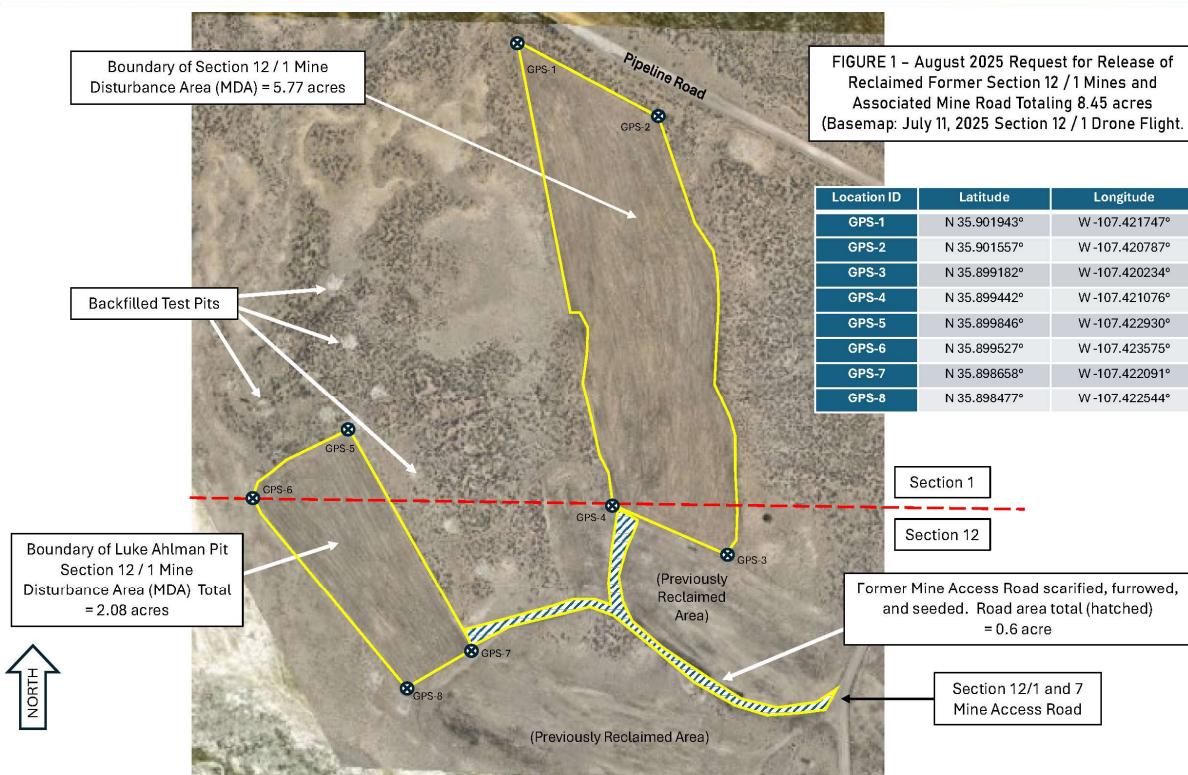
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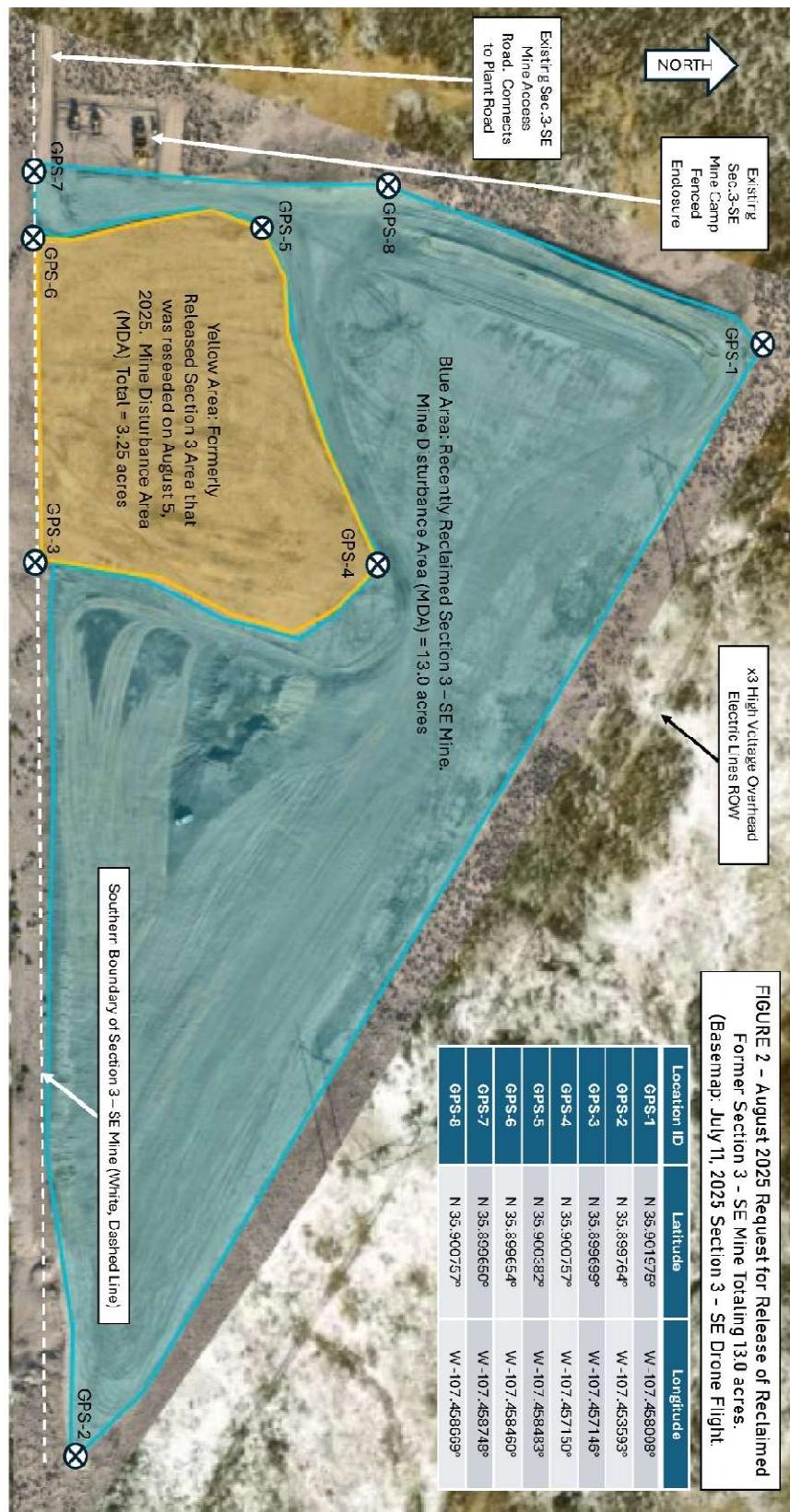
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Erin McCullough, Director
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August 26, 2025

THPO Richard Smith Sr.
Pueblo of Laguna
P.O. Box 194
Laguna Pueblo, NM 87026

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

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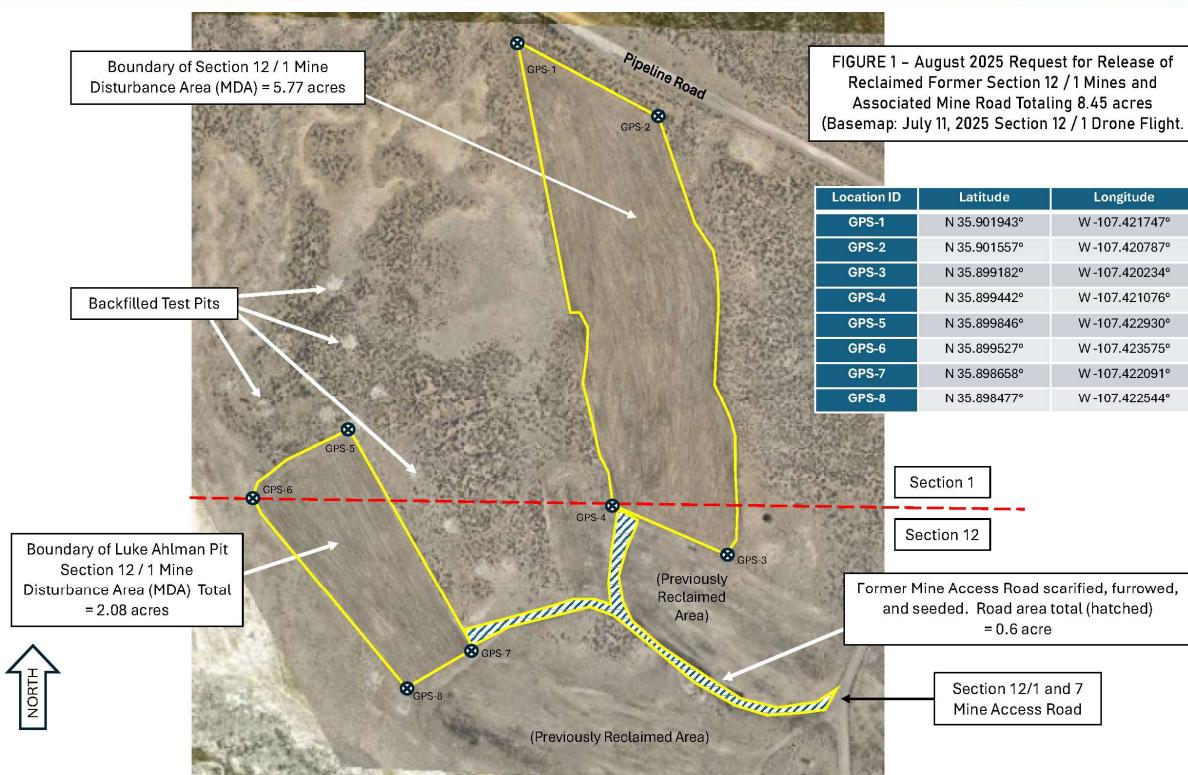
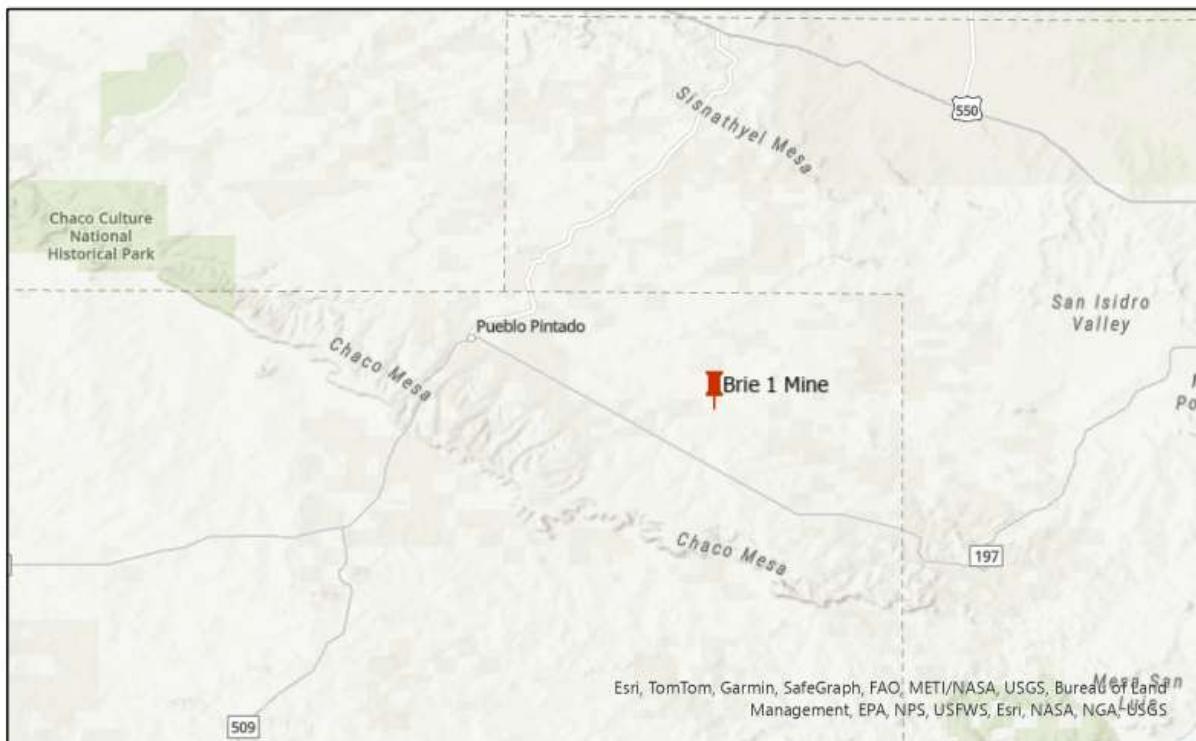
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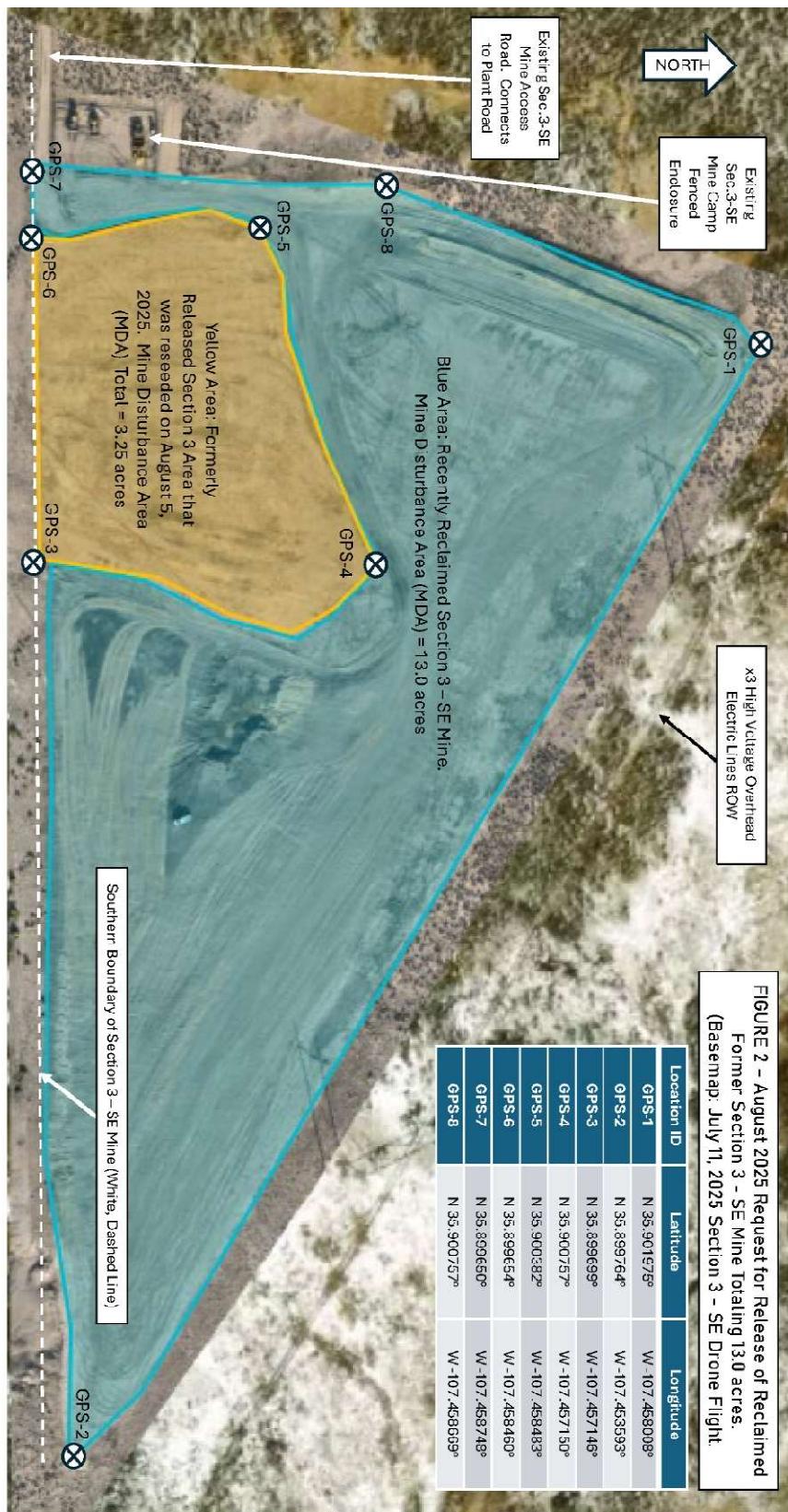
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Page 2 of 3



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August 26, 2025

Governor Earl Samuel
Pueblo of Tesuque
20 TP 828
Santa Fe, NM 87506

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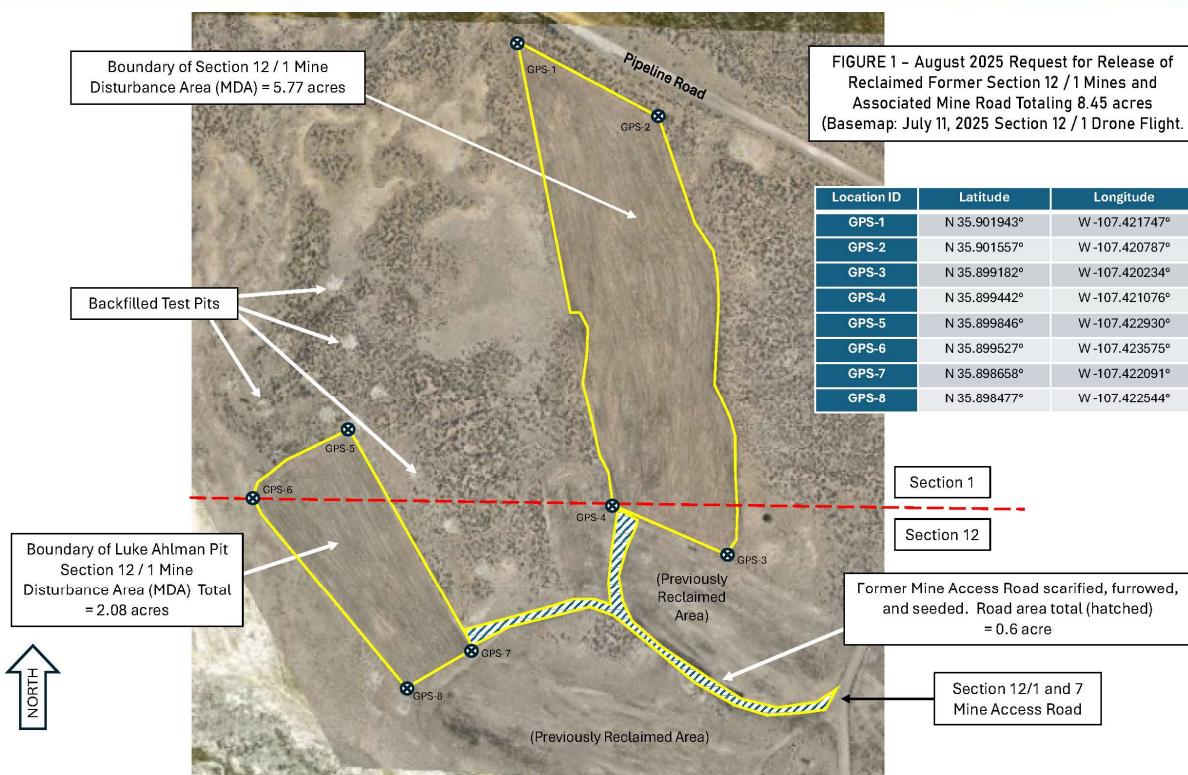
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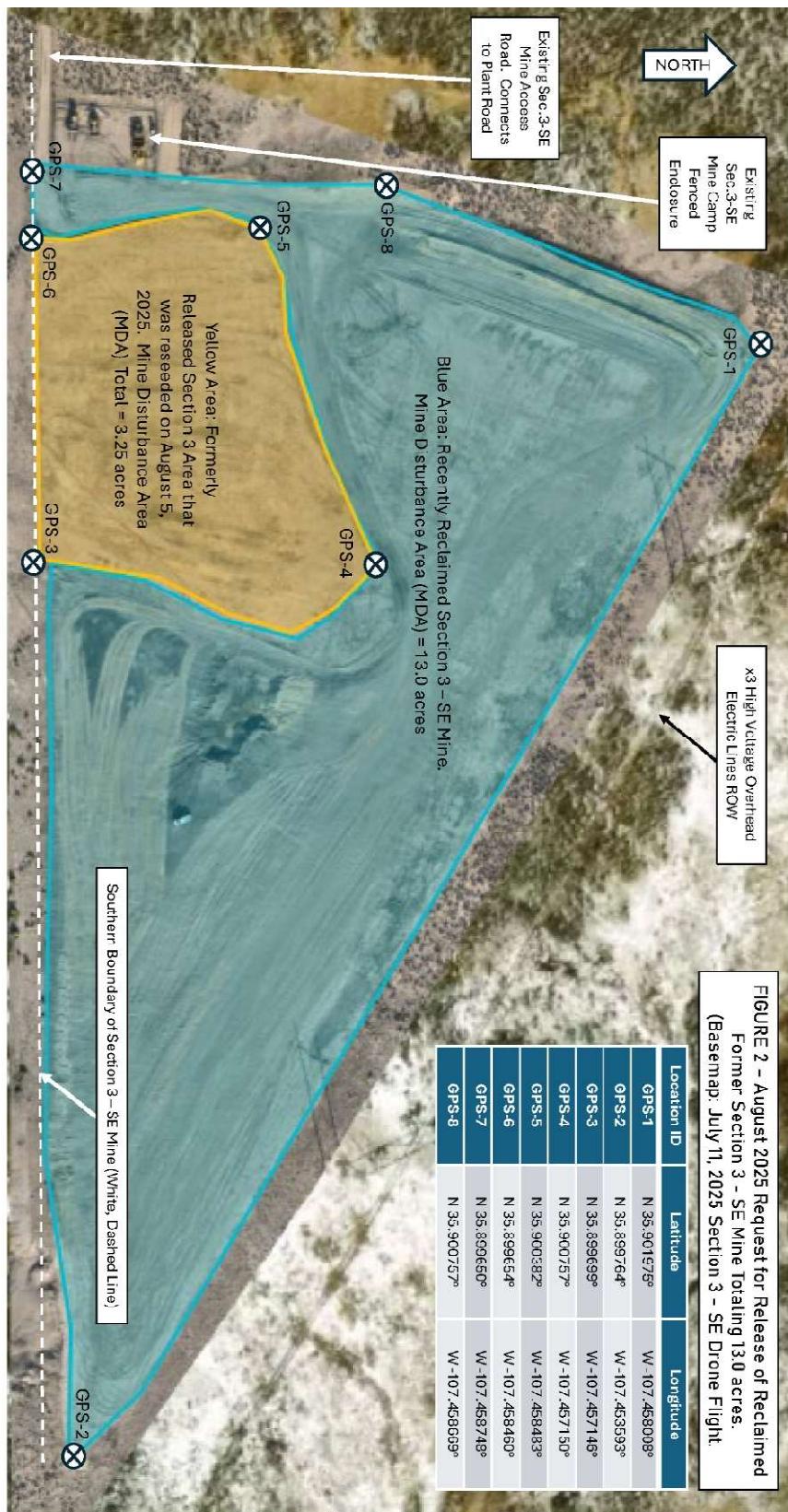
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Page 2 of 3



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State of New Mexico
Energy, Minerals and Natural Resources Department

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 26, 2025

THPO Larry Samuel
Pueblo of Tesuque
20 TP 828
Santa Fe, NM 87506

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

Dear THPO Samuel,

The Mining and Minerals Division (MMD) of the New Mexico Energy, Minerals, and Natural Resources Department has received an application from Miocene, LLC, (“Permittee”) to partially release financial assurance for reclaimed portions the Brie I Mine in accordance with 19.10.3.304 NMAC of the New Mexico Mining Act (NMSA 1978, §69-36-1 et seq.). The modification application (“Modification 25-1”) requests the partial 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. “Minimal Impact New Mining” means disturbance will not exceed a total of up to 40 acres at any given time for humate mines, which therefore limits impact to the environment. Please see the attached maps of the areas proposed for partial financial assurance release. The application received by MMD can be viewed in its entirety by visiting the MMD website at www.emnrd.nm.gov/mmd/mining-act-reclamation-program/pending-and-approved-mine-applications/minimal-impact-new/mk039mn-brie-mine/

As part of the application process, MMD is requesting comments from the New Mexico Department of Cultural Affairs, Historic Preservation Division (“HPD”) on this modification request from the Permittee. If there are known cultural resources in the vicinity of this project that your tribe is aware of, please provide any comments and concerns to MMD by September 10, 2025. Please contact me at (505) 470-5354 or kevin.barnes@emnrd.nm.gov with any questions or if you wish to meet to discuss the application.

Sincerely,

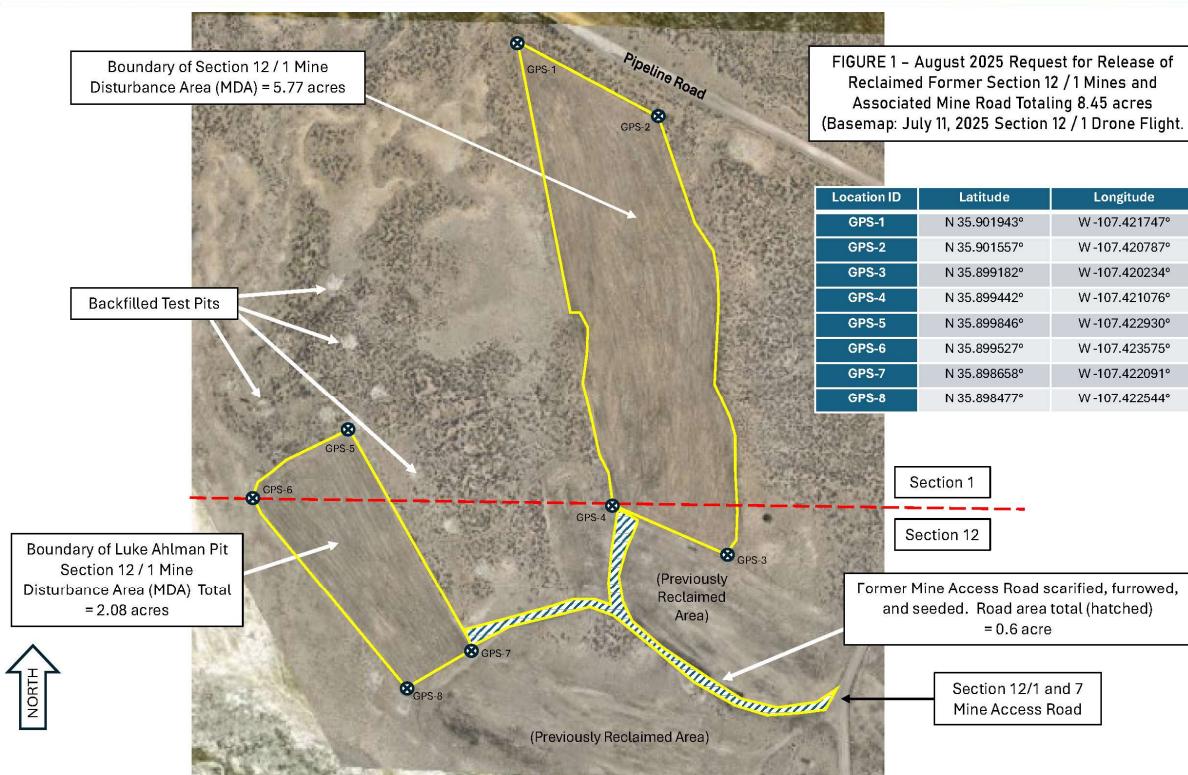
Kevin Barnes, Permit Lead
Mining Act Reclamation Program (“MARP”)

Enclosures: Project Vicinity Maps

cc: Mine File (MK039MN)

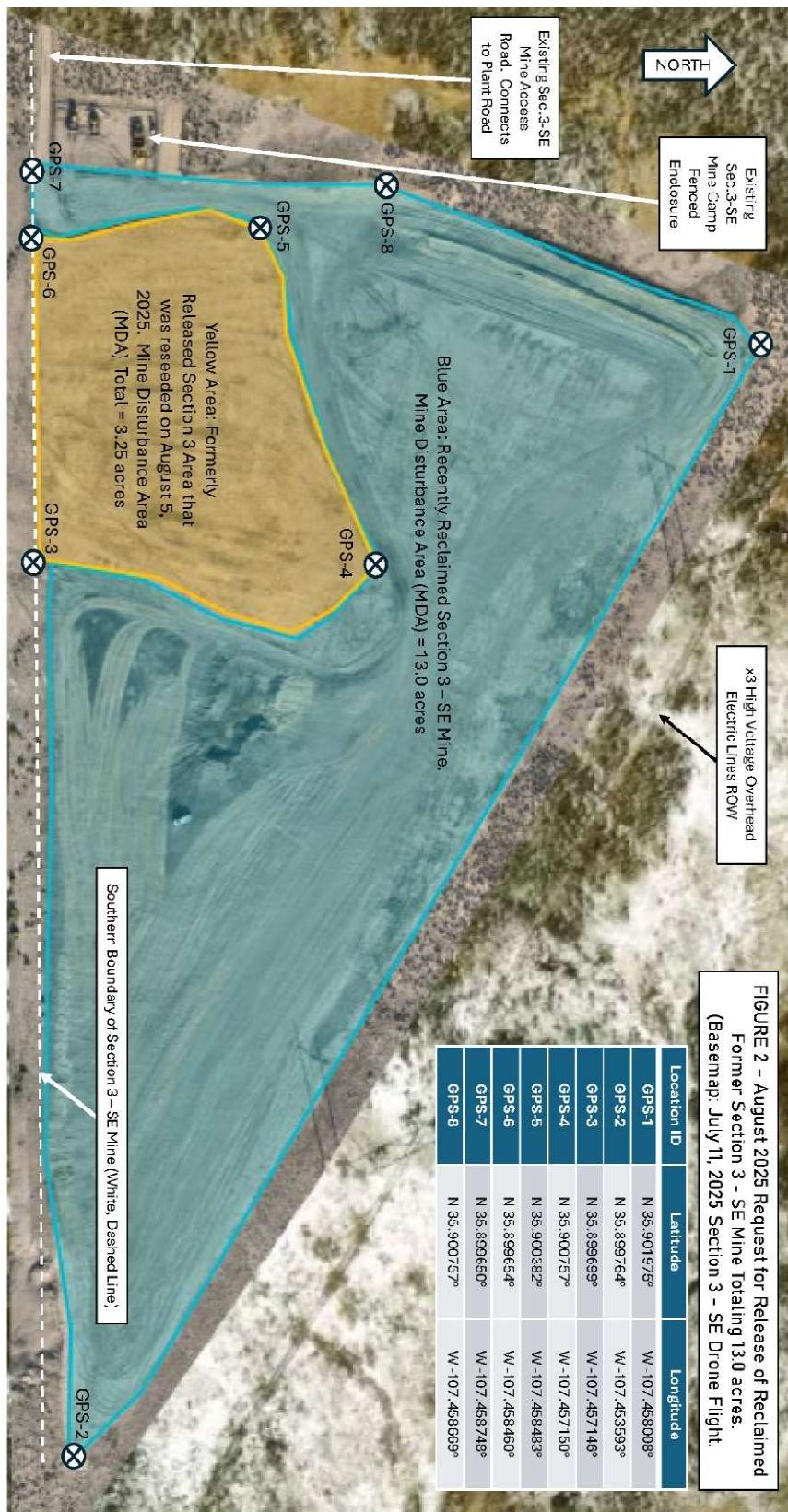
Request for Comments on Modification 25-1 Application, Brie 1 Mine, Minimal Impact Mining Permit – Modification 25-1, McKinley County, Permit Tracking No. MK039MN

Page 2 of 3



Request for Comments on Modification 25-1 Application, Brie 1 Mine, Minimal Impact Mining Permit –
Modification 25-1, McKinley County, Permit Tracking No. MK039MN

Page 3 of 3



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Erin McCullough, Director
Mining and Minerals Division



August 26, 2025

THPO Kurt Dongske
Pueblo of Zuni
P.O. Box 1149
Zuni, NM 87327

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

Dear THPO Dongske,

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Sincerely,

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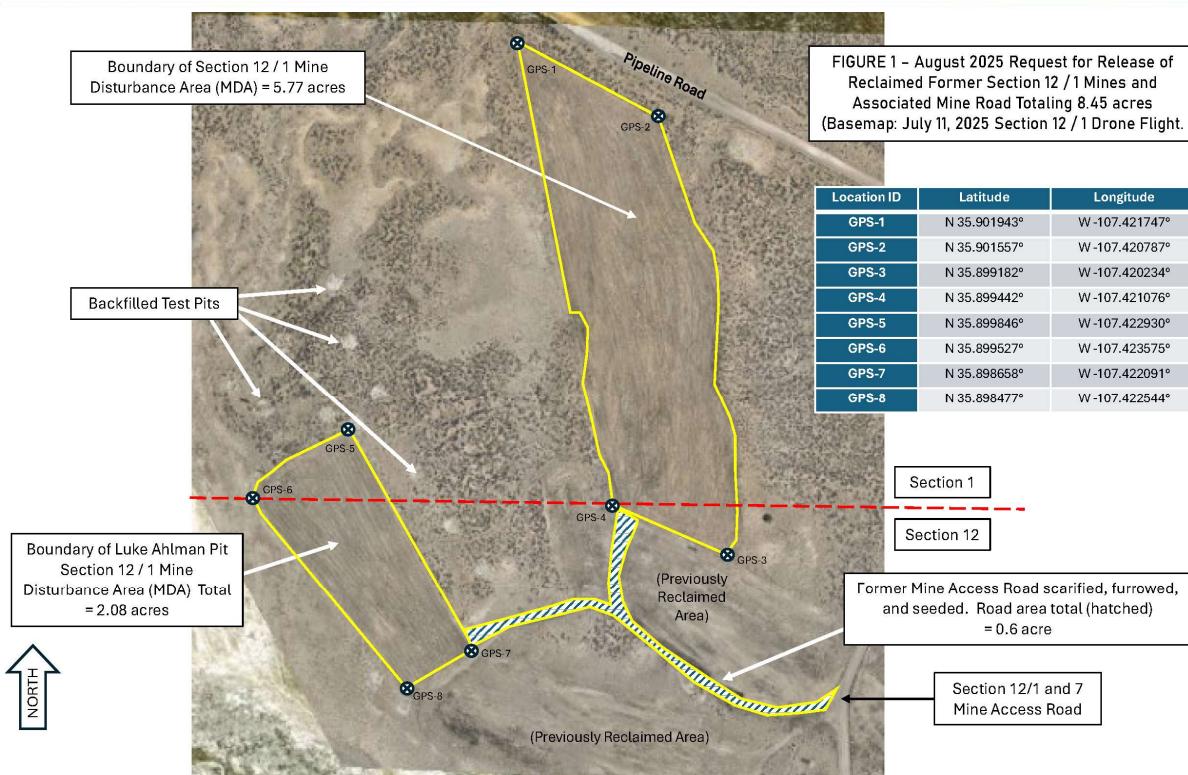
Kevin Barnes, Permit Lead
Mining Act Reclamation Program (“MARP”)

Enclosures: Project Vicinity Maps

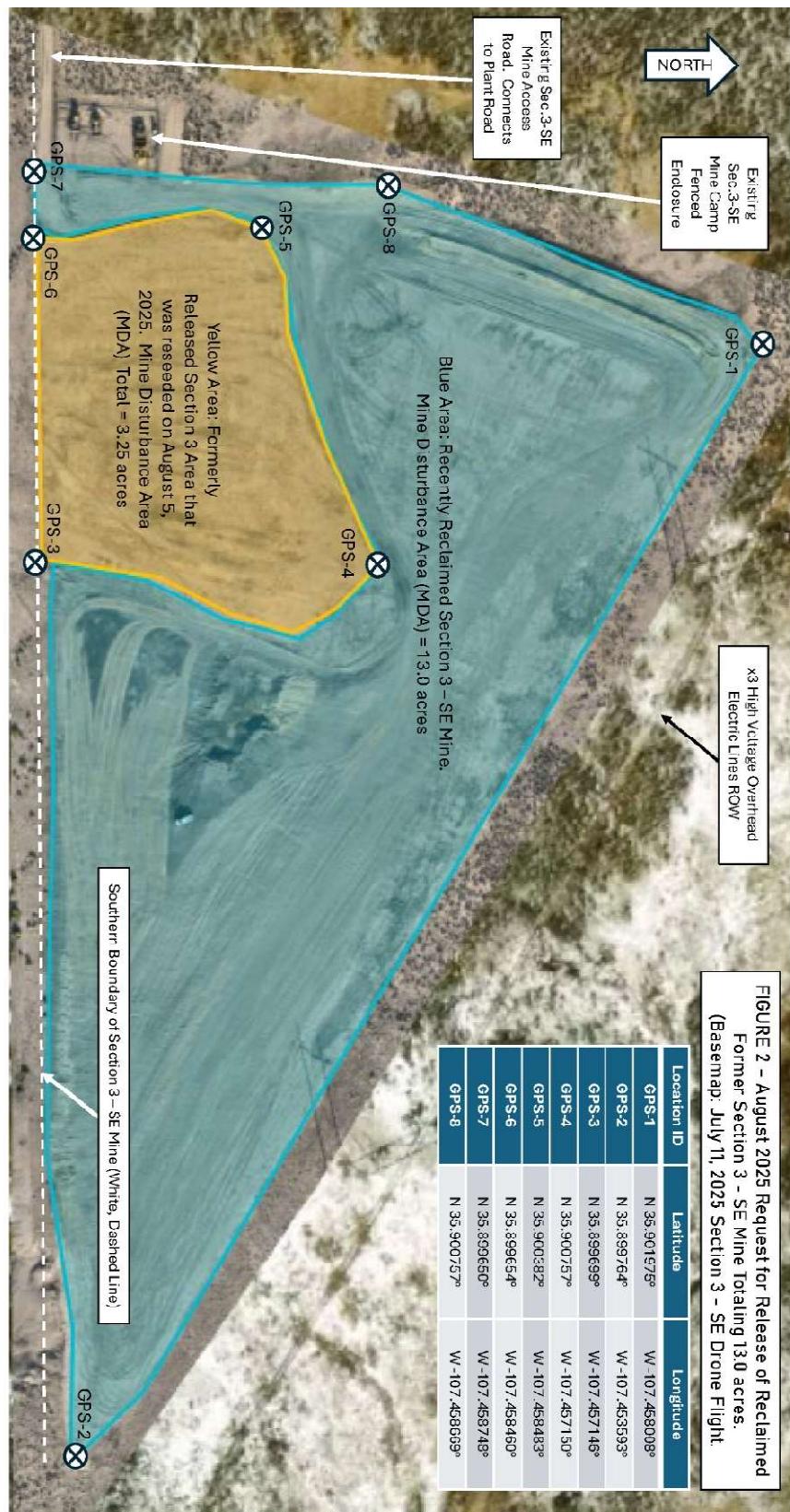
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Page 2 of 3



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Erin McCullough, Director
Mining and Minerals Division



August 26, 2025

Governor Arden Kucate
Pueblo of Zuni
P.O. Box 339
Zuni, NM 87327

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

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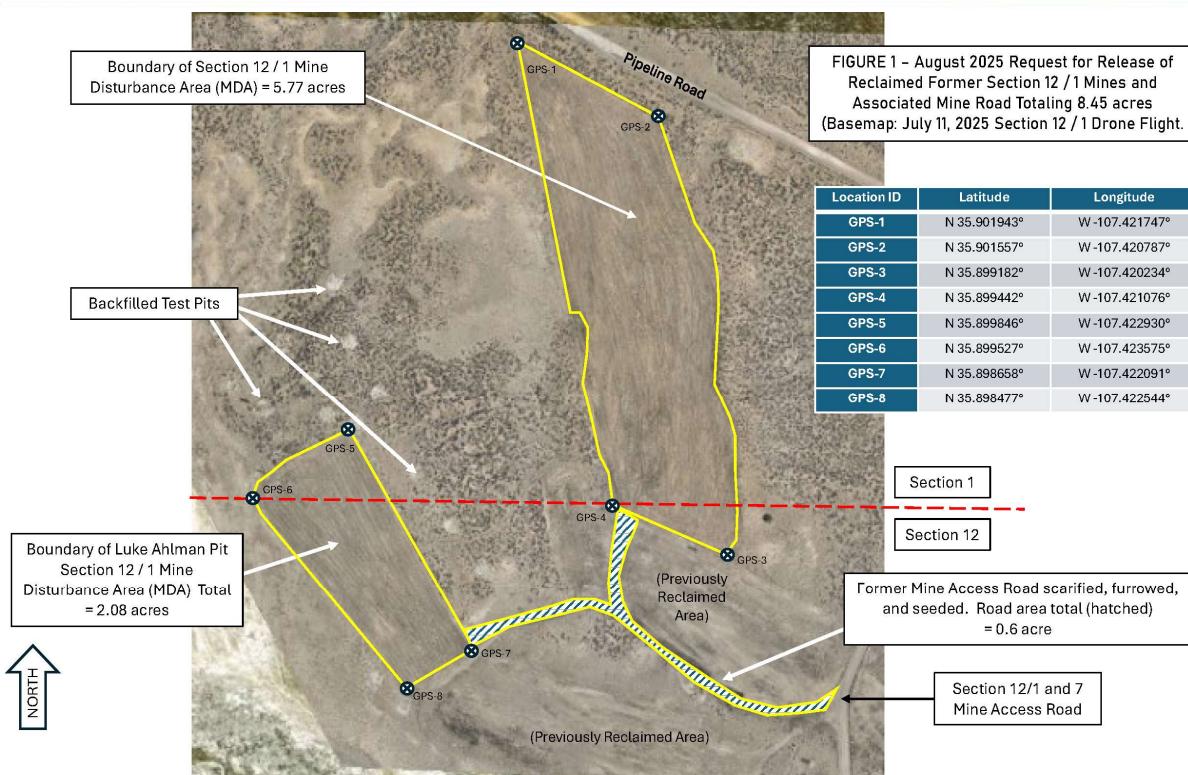
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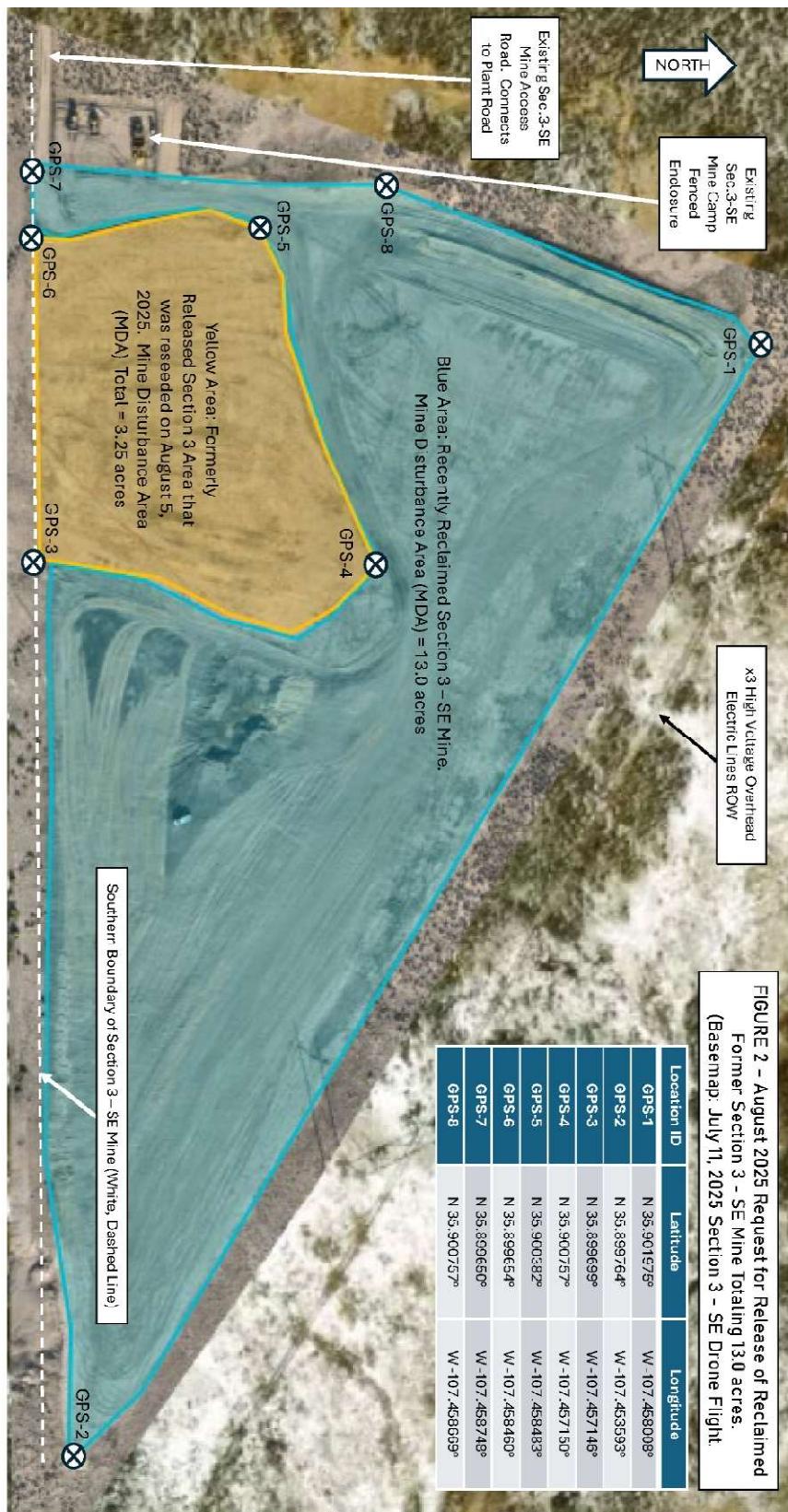
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Mining and Minerals Division



August 26, 2025

Chairman Timothy L. Nuvangyaoma
The Hopi Tribe
P.O. Box 123
Kykotsmovi, AZ 86039

Re: Request for Comments on Modification 25-1 Application, Release of 8.45 Acres in Section 12 / 1 and Release of 13.0 Acres in Section 3, T19N, R6W, Brie I Mine, McKinley County, New Mexico, Permit No. MK039MN

Dear Chairman Nuvangyaoma,

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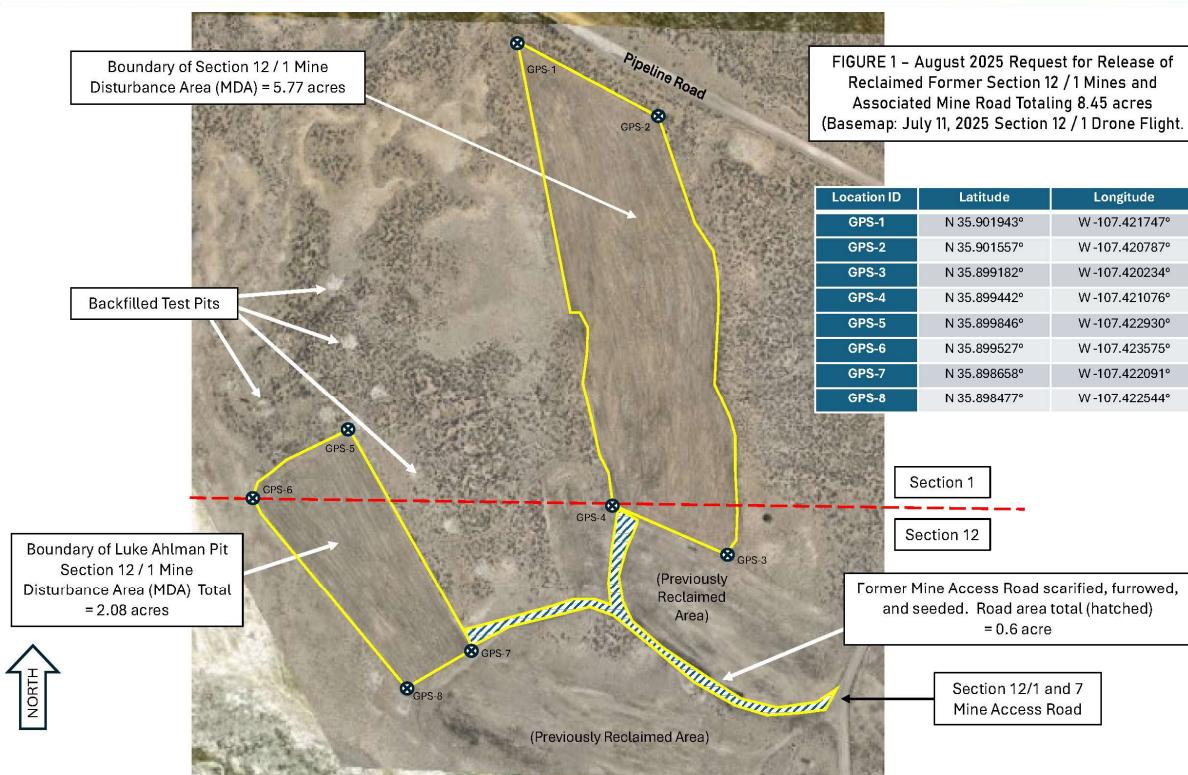
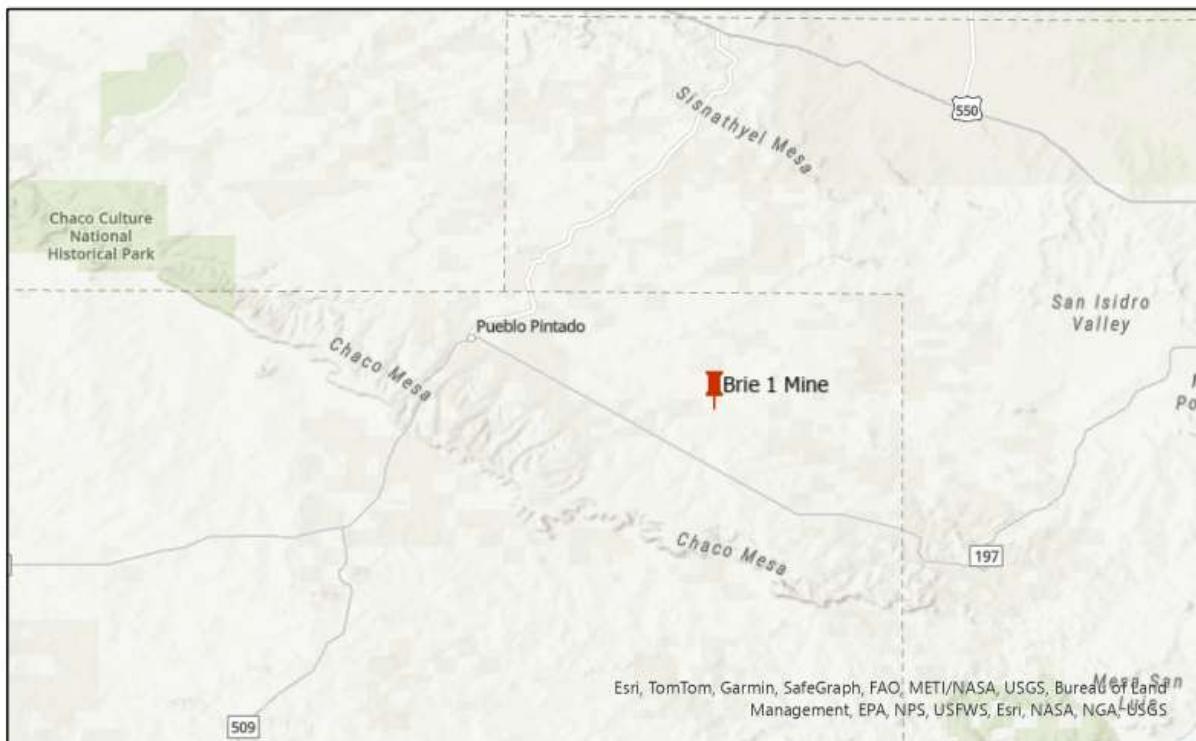
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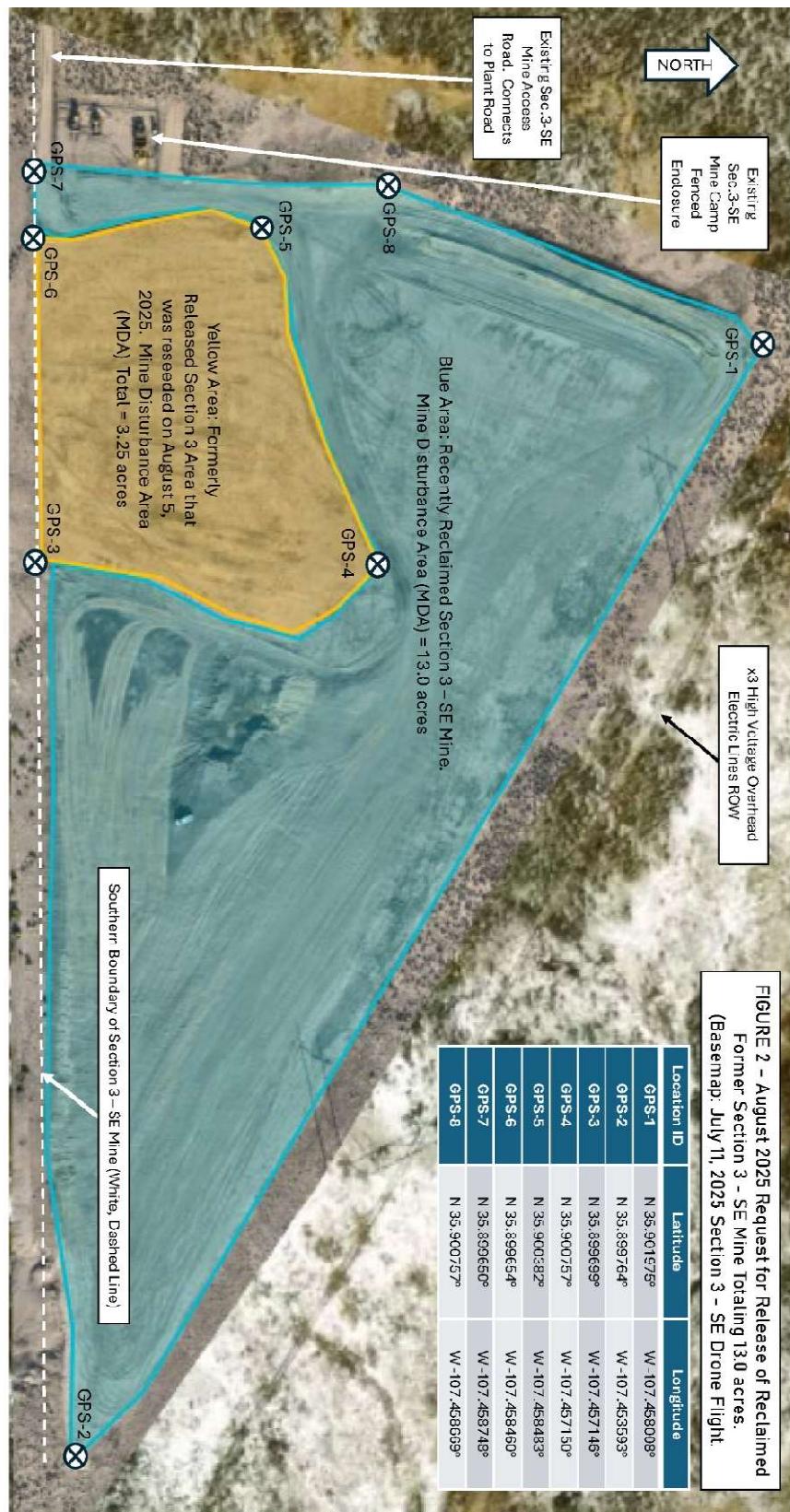
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August 26, 2025

Director Stewart Koyiyumptewa
The Hopi Tribe Cultural Preservation Office
P.O. Box 123
Kykotsmovi, AZ 86039

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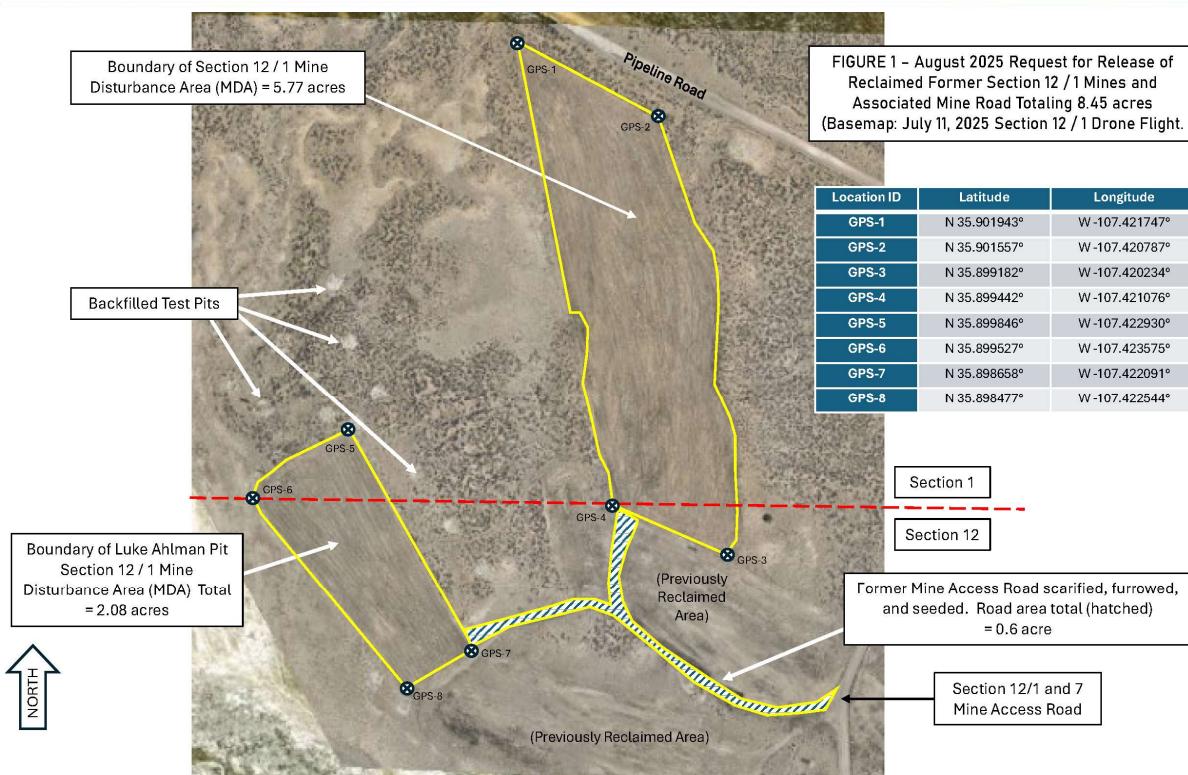
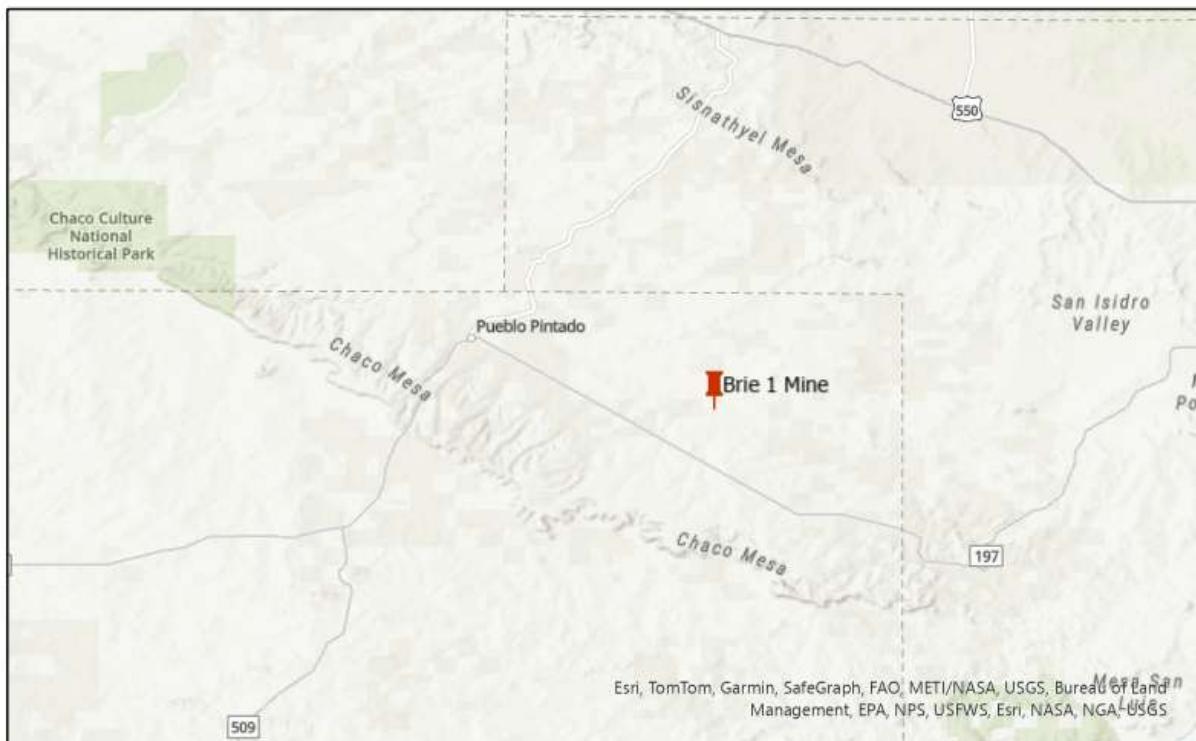
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Page 3 of 3

