

**BRIE I MINE
PERMIT MODIFICATION 24-1 TO PERMIT NO. MK039MN
MINIMAL IMPACT NEW MINING OPERATION**

**MINING AND MINERALS DIVISION
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT**

This Modification 24-1 ("Modification 24-1") to Permit No. MK039MN ("Permit") is issued by the Director of the Mining and Minerals Division ("MMD") of the New Mexico Energy, Minerals and Natural Resources Department to:

Miocene, LLC
Whose correct address is: 100 Fillmore Street, Suite 500
Denver, CO 80206

("Permittee") for the Brie I Mine, McKinley County, New Mexico.

Modification 24-1:

- I. Expands the Permit Area to include the Northeast Quarter of Section 3, Township 19 North, Range 6 West, within the Permit area.

In order to accomplish the approval contemplated by this Modification 24-1, the following subparagraphs are added to Permit No. MK039MN:

Section 1 (24-1). STATUTES AND REGULATIONS

- A. Modification 24-1 is issued pursuant to the New Mexico Mining Act, NMSA 1978, §69-36-1, et seq. (1993, as amended through 2022) ("Act") and New Mexico Mining Act Rules, Title 19, Chapter 10 of the New Mexico Administrative Code ("NMAC" or "Rules" or "Regulations").
- B. Modification 24-1 is subject to the Act, the Rules, and any other regulations which are now or hereafter in force under the Act; and all such regulations are made a part of this Permit by this reference.

Section 2 (24-1). PERMIT APPLICATION PACKAGE

- A. The permit application package for Modification 24-1 ("24-1 PMP") consists of a written request from the Permittee, dated September 3, 2024, for the expansion of the Permit Area into the Northeast Quarter of Section 3, Township 19N, Range 6W, and includes a map of the proposed Permit Area expansion included as Figure 1 of this Modification 24-1.

Section 3 (24-1). PERMIT AREA & DESIGN LIMITS

- A. The Permittee is authorized to conduct mining, exploration, and reclamation operations

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only on those lands that are specifically designated and authorized within the permitted area ("Permit Area") and within the design limit. For this Permit and Modification 24-1, the entire Permit Area is defined as a total of approximately 3,573 acres consisting of:

Township 19 North, Range 6 West:

1. South half of the north half of Section 1 (160 acres);
2. South half of Section 1 (320 acres);
3. All of Section 11 (640 acres);
4. NE quarter of Section 12 (160 acres);
5. North half of the NW quarter of Section 12 (80 acres);
6. NW quarter of Section 3 (160 acres);
7. South half of Section 3 (320 acres);
8. NE quarter of Section 3 (160 acres);

Township 20 North, Range 6 West:

1. SW quarter of Section 34 (160 acres);
2. All of Section 29 (640 acres);
3. All of Section 33 (640 acres);

Township 19 North, Range 5 West:

1. S 1/2 of the NE quarter and the N 2/3 of the S 1/2 of the NW quarter of Section 7 (~133 acres: "Section 7 Permit Area"). Managed by BLM Farmington Field Office.

- B. The Permittee has provided a statement of the basis on which the applicant has the right to enter these properties to conduct mining and reclamation, in accordance with §19.10.3.304.D(1) of the Rules.

Section 4 (24-1). FINDINGS OF FACT

The Permit Application Package

- A. The Permittee has paid the permit modification fee of \$250.00 as required by §19.10.2.201 of the Rules.
- B. The application for permit modification has been reviewed in accordance with §19.10.6.608 of the Rules. The application for permit modification is complete, accurate, and complies with the requirements for permit modifications under §19.10.6.608 of the Rules.

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- C. Pursuant to §19.10.6.608.D and §19.10.9 of the Rules, the proposed change does not require public notice nor the opportunity for public hearing.
- D. Pursuant to §19.10.6.608.D(1) of the Rules, the proposed changes would not have a significant environmental impact.
- E. Pursuant to §19.10.6.608.D(2) of the Rules, 24-1 PMP was accompanied by sufficient information for the Director to determine whether any of the factors listed in §19.10.6.608 NMAC are present.

MMD's Request for Comments to the Agencies and Tribes

- F. The Director has provided notice of this application to other government agencies and tribes in accordance with §19.10.6.608.D(3) NMAC.

Financial Assurance

- G. The total amount of financial assurance ("FA") held for this Permit is \$257,111.28, which has been determined by MMD to be sufficient to meet the requirements of the Act, Rules, and the Permit. The expansion of the Permit Area as considered in this Modification 24-1 does not require additional FA to be provided.

Section 11 (24-1). **CONCLUSIONS OF LAW**

- A. The request for permit modification is complete and accurate and complies with the requirements of the Act and §19.10.3.304 NMAC.

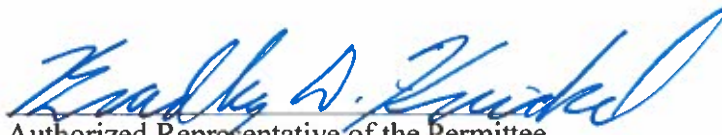
All other provisions, modifications, and revisions for mining and reclamation contained in the Brie I Mine Permit, Permit No. MK039MN, remain unchanged.

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CERTIFICATION

I certify that I have read, understand and will comply with the requirements of the Permit, this Permit Modification, the Act and the Rules, including without limitation that I will allow the Director to enter the Permit Area as required by the Permit and/or the Rules and/or as otherwise required by law.


Authorized Representative of the Permittee

Manager
Title

Miocene LLC, By Miocene Holdings LLC It's Sole member
Company

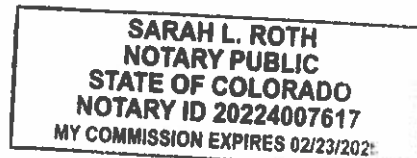
Subscribed and sworn to before me this 18th day of MARCH, 2025



Notary Public

My Commission Expires

02/23/, 2026



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ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that the Director approves Permit Modification 24-1 to the Brie I Mine, Permit No. MK039MN, located in McKinley County, New Mexico. The approval expands the Permit Area into the Northeast quarter of Section 3, Township 19 North, Range 6 West.

By Order of the Director, Mining and Minerals Division of the New Mexico Energy, Minerals and Natural Resources Department, of the State of New Mexico.

By:



Albert Chang, Director
Mining and Minerals Division
Energy, Minerals and Natural Resources Department

Date:

3/24/2025

