

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Erin Taylor
Acting Cabinet Secretary

Ben Shelton
Deputy Cabinet Secretary

**Drew Roybal-Chavez, Acting
Deputy Director**
Mining and Minerals Division



Electronic Transmission

August 18, 2026

Claire Sebald, Senior Mineral Rights and Permitting Lead
Curiosity Exploration, LLC
2021 Shattuck Avenue, Suite 210
Berkeley, CA 94704

RE: Agency Comments, Steins Exploration Project, Permit No. HI026EM

Dear Ms. Sebald,

Pursuant to 19.10.5.505 (B)(3) NMAC, the New Mexico Mining and Minerals Division (MMD) has distributed Permit Application HI026EM to the required state agencies. This application was submitted on June 18, 2026, by Curiosity Exploration, LLC, for the Steins Exploration Project.

A Site Inspection was held on August 4, 2026, and was attended by MMD, the New Mexico Environment Dept. (NMED), the Bureau of Land Management (BLM), and the New Mexico Dept. of Wildlife (NMDW).

MMD has the following comments regarding this application:

1. The total acreage to be disturbed due to drill pads did not include mud pits. Please include the area of the mud pits in the application or indicate if the mud pits will be inside the drill pads.
2. The total acreage for disturbance will include the total area of the road that will be improved, not just the area widened. The total disturbance including the total area of the road is 5.97 acres, which exceeds the allowed area for minimal impact exploration. The applicant will need to either re-submit the application as a regular exploration or provide a letter from the private landowner requesting road improvements on private sections not be reclaimed.
3. MMD recommends that an appropriately sized culvert be used in the construction of the spur road to ST25P-6 where it crosses an ephemeral wash. This will decrease erosion of the spur road into the wash and improve the condition of the spur road during rain events.

4. Please clarify which boreholes are proposed in Phase 1 of exploration, and which are proposed for Phase 2.
5. MMD will require at least 2 boreholes or the equivalent depth of 7,000 feet be bonded at one time.
6. All boreholes will require permitting through the NM Office of the State Engineer before drilling. A Form WD-11 plugging record will be required to be submitted to MMD before financial assurance may be transferred to a new borehole.
7. Please provide the BLM-provided seed mix.
8. MMD and the state Forestry department recommend installing temporary protective fencing around any State Endangered plants located within 30 meters of construction or drilling activities where equipment vehicles, or other operations could inadvertently damage cacti.
9. Access to the southernmost borehole requires crossing State Land Office land. A right-of-way authorization will be necessary for access.
10. NM Department of Wildlife recommends all ground disturbance be conducted outside of the migratory bird breeding season of April 15-September 1 and recommends that mature cactus and agave plants be left undisturbed during road and drill pad construction to the maximum extent feasible.
11. The State Historic Preservation Division requests the operator have the archaeological consultant, WestLand Resources, upload the cultural resources report and any associated photos, etc. to the New Mexico Cultural Resource Information System (NMCRIIS) database. In addition, WestLand should complete the eligibility (significance) field of NMCRIIS for each resource documented.
12. Prior to issuance of the permit MMD will require the applicant to submit a draft of an approved financial assurance (FA) instrument. See table below for FA calculations based on MMD's updated guidance document for estimating reclamation costs (attached).

Steins Project (Minimal Impact) HI026EM Financial Assurance				
Description	Unit	Quantity	Unit Rate (\$/unit)	Total Cost (\$)
Surface Reclamation 1st Acre	acre	1	12,300	12,300
Surface Reclamation 2 nd -5 th Acre	acre	4	6,800	27,200
Plug and Abandon Exploration Drill Holes	ft	7,000	25	175,000
			Total FA	\$214,500

Additionally, please see attached comments from the following agencies:

- New Mexico State Land Office
 - Address comment regarding ROW and access issues through State lands
- New Mexico Dept. of Wildlife
 - Address specific questions about drilling mud pit fencing.
- New Mexico Historic Preservation Division
 - Address specific questions about cultural resources
- New Mexico Forestry Division
 - Address endangered species protections

RE: Agency Comments, Steins Exploration Project, Permit No. HI026EM

August 18, 2026

Page 3

If you have any questions, please contact me at (505) 651-7721 or by email at maille.gray@emnrd.nm.gov

Sincerely,



Maile Gray, Permit Lead
Mining Act Reclamation Program (MARF)

cc: DJ Ennis, Program Manager, MARF
Clint Chisler, Reclamation Supervisor, MARF
Mine File (HI026EM)

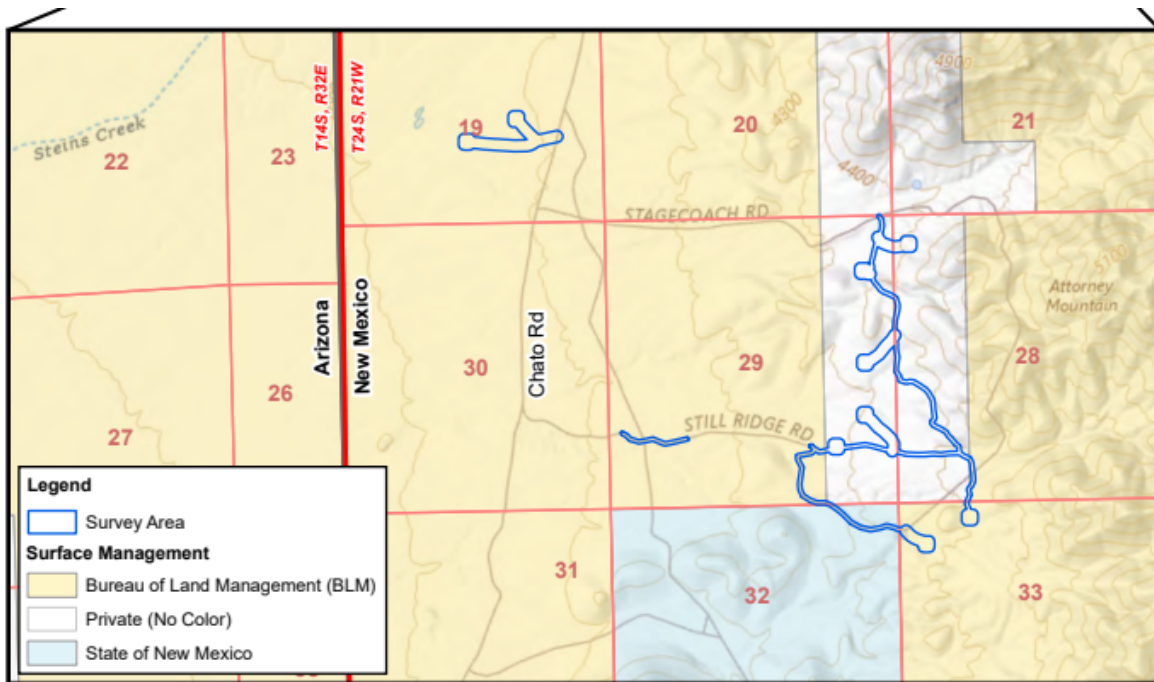
Attch: HI026EM Combined Agency Comments
MMD Guidance for Estimating Reclamation Costs, July 2025

From: [Victor, Bryan M.](#)
To: [Gray, Maille, EMNRD](#); [Rheubottom, Amber, ENV](#); [Rowe, Erika, EMNRD](#); [Seamster, Virginia, DGF](#); [Ensey, Michelle, DCA](#); [Syed, Kamran, OSE](#); CDurr@blm.gov
Cc: [Chisler, Clinton, EMNRD](#); [Ennis, David, EMNRD](#); [Kellermueller, Ronald, DGF](#); [Madden, Sean, ENV](#); [Elliott, April L.](#); [Ikeda, Steven](#); [Sloman, Samantha](#); [Czoski, Paige A.](#); [Nemeth, Joshua S.](#)
Subject: [EXTERNAL] RE: Request for Review and Comment on Permit No. HI026EM, Steins Mineral Exploration Project
Date: Wednesday, July 15, 2026 3:09:30 PM
Attachments: [image006.png](#)
[image010.png](#)
[image001.png](#)
[image005.png](#)
[image002.png](#)

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Maille,

Thank you for sending me this notice of application. I have reviewed the application and noted that it lists in part, T24S R21W Section 32. Section 32 is State Trust Lands and there is no access agreement to cross State Trust Lands for this project. I did look up the Agricultural Lessee(GT-1825-2) and it is the same as the Private Land Owner(James Hooper), but that land owner did not grant access through Section 32 nor couth they. Routes used through Section 32 need to be removed from the application. Please send me the updated application once changes have been made.



T24S, R21W, Portions of Sections 19, 20, 28, 29, 32, and 33,
Hidalgo County, New Mexico
Projection: NAD 1983 UTM Zone 12N
Surface Management: BLM ArcGIS service accessed 05/12/2026
Image Source: ArcGIS Online, World Street Map
and USGS TNM Topo Base Map

CURIOSITY EXPLORATION LLC
Steins Exploratory Drilling Project
Minimal Impact Exploration Operation
Permit Application

VICINITY MAP
Figure 1

WestLand

Engineering &
Environmental
Services



0 1,500 3,000 Feet
0 450 900 Meters

Please let me know if you have any questions.

Thanks,
-Bryan

Bryan Victor
Minerals Specialist
Oil, Gas and Minerals Division
505.827.5743
New Mexico State Land Office
310 Old Santa Fe Trail
P.O. Box 1148
Santa Fe, NM 87504-1148
bvictor@nmslo.gov
nmstatelands.org

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****My email has changed from bvictor@slo.state.nm.us to bvictor@nmslo.gov, please update your records to reflect the change. Thank you****

From: Gray, Maille, EMNRD <Maille.Gray@emnrd.nm.gov>
Sent: Monday, July 13, 2026 3:28 PM
To: Rheubottom, Amber, ENV <Amber.Rheubottom@env.nm.gov>; Rowe, Erika, EMNRD <Erika.Rowe@emnrd.nm.gov>; Seamster, Virginia, DGF <Virginia.Seamster@dgf.nm.gov>; Ensey, Michelle, DCA <michelle.ensity@dca.nm.gov>; Syed, Kamran, OSE <Kamran.Syed@ose.nm.gov>; Victor, Bryan M. <bvictor@nmslo.gov>; CDurr@blm.gov
Cc: Chisler, Clinton, EMNRD <Clinton.Chisler@emnrd.nm.gov>; Ennis, David, EMNRD <david.ennis@emnrd.nm.gov>; Kellermueller, Ronald, DGF <Ronald.Kellermueller@dgf.nm.gov>; Madden, Sean, ENV <sean.madden@env.nm.gov>
Subject: [EXTERNAL] Request for Review and Comment on Permit No. HI026EM, Steins Mineral Exploration Project

All,

Please find the attached request for review and comment on Permit HI026EM for the proposed Steins Mineral Exploration Project in Hidalgo County, NM. It is a proposed minimal impact exploration project looking for copper. Comments are requested by August 14, 2026. There will be a field inspection on August 4th at 8am near Steins, NM. Please let me know if your agency will send someone to attend.

Thanks,

Maille Gray
Reclamation Specialist
Mining and Minerals Division
NM Energy, Minerals, and Natural Resources Dept.
1220 S. St. Francis Dr.
Santa Fe, NM 87505
(505) 651-7721
maille.gray@emnrd.nm.gov





New Mexico Historic Preservation Division

407 Galisteo Street, Suite 236

Santa Fe, NM 87501

Telephone: (505) 827.6320

Email: nm.shpo@dca.nm.gov

August 15, 2026

Maille Gray
Permit Lead
Mining Act Reclamation Program
Mining and Minerals Division
1220 South St. Francis Drive
Santa Fe, NM 87505
Sent via Email

RE: Request for Review and Comment on Permit No. HI026EM, Steins Mineral Exploration Project in Hidalgo County (HPD Log#128537)

Dear Maille Gray:

I am responding to the request for review and comment on the Steins Mineral Exploration permit application, received at the Historic Preservation Division (HPD) on July 13, 2026. My review of the application shows that a cultural resources survey (NMCRIS 160933) was conducted in the area to be impacted by proposed exploration activities and new roads. The following comments will need to be addressed:

1. Please remove the cultural resources report from the permit application and MMD's website immediately. The entire cultural resources survey report should not have been included in the permit application. Archaeological site location is confidential pursuant to 18-6-11.2 of the Cultural Properties Act. A redacted version of the report can be included, but not the complete report with site locational information.
2. Please have the archaeological consultant, WestLand Resources, upload the report and any associated photos, etc. to the New Mexico Cultural Resource Information System (NMCRIS) database. In addition, WestLand should complete the eligibility (significance) field of NMCRIS for each resource documented. Upon completion of these requests, I will complete my review of the report and the cultural resources.

3. The report recommends avoidance and restricting vehicle traffic or maintenance to the existing road grade at archaeological sites LA 208573, LA 208574, LA 208575 and LA 208576. Additional information is needed on how the operator plans to avoid these sites. Will fencing be installed or will there be an archaeological monitor? LA 208574 may be impacted by proposed road improvements and LA 208576 may be affected by road maintenance. If LA 208574 and LA 208576 cannot be completely avoided by road maintenance or improvements, additional archaeological investigations may be necessary.
4. Because this project involves lands managed by BLM, the project is subject to consultation under Section 106 of the National Historic Preservation Act and avoidance, or mitigation measures must be developed in coordination with the BLM.

I look forward to receiving additional information on avoidance measures and confirmation that WestLand has uploaded the report to NMCRIS and completed all required data entry.

Sincerely,



Michelle M. Ensey
Executive Director, Historic Preservation Division
State Historic Preservation Officer

GOVERNOR
Michelle Lujan Grisham



DIRECTOR AND SECRETARY
TO THE COMMISSION
Michael B. Sloane

STATE OF NEW MEXICO DEPARTMENT OF WILDLIFE

One Wildlife Way, Santa Fe, NM 87507

Tel: (505) 476-8000 | Fax: (505) 476-8180

For information call: (888) 248-6866

<https://wildlife.dgf.nm.gov>

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Albuquerque

10 August 2026
Maille Gray, Permit Lead
Mining Act Reclamation Program
Mining and Minerals Division (MMD)
1220 South St. Francis Drive
Santa Fe, NM 87505

***RE: Minimal Impact Exploration Permit Application, Steins Mineral Exploration Project,
Hidalgo County, New Mexico, Permit No. HI026EM; NMDOW No. NMERT-6240.***

Dear Ms. Gray,

The New Mexico Department of Wildlife (Department) has reviewed the proposed exploration project referenced above. Curiosity Exploration, LLC (Curiosity) is proposing to drill nine exploration bore holes, to a maximum depth of approximately 3,500 feet, from nine drill pad sites. Curiosity is also proposing to construct approximately 4,800 feet of temporary access roads and widen approximately 6,400 feet of existing roads from 11 feet to 15 feet. The project area is in Township 24S, Range 21W, Sections 19, 28, 29, 32, and 33. The proposed exploration project is expected to disturb a total area of approximately 4.35 acres. Staff from the Department, MMD, New Mexico Environment Department, and Curiosity conducted a site inspection on 4 August 2026.

The permit application states that Curiosity will use mud/fluid drilling techniques. Mud pits create an entrapment hazard for both terrestrial and volant wildlife species and should be fenced and covered by solid metal, plywood, or netting to exclude birds and bats. If netting is used, the Department recommends extruded plastic, knit, or woven netting. Monofilament netting should never be used due to its tendency to ensnare wildlife, usually resulting in injury or death. Netting material must be held taught over a rigid and adequately supportive frame to prevent sagging into the mud pits. Mesh size for both fencing and netting should not be larger than three eighths of an inch to exclude smaller animals. The Department also strongly recommends that Curiosity considers using a closed-loop drilling system. Closed-loop systems eliminate the need to build fences, install netting, or use other materials to exclude wildlife from mud pits; reduce the amount of surface disturbance associated with the drill pad site; and consume significantly less water.

During drilling operations, it is also important to prevent wildlife from entering and becoming trapped in stockpiled drill pipes. Capping piping is the most effective way to prevent wildlife entry. At a minimum, the Department recommends that each section of pipe should be visually inspected prior to use to verify that wild animals are not inside.

To minimize the likelihood of adverse impacts to migratory birds, nests, eggs, or nestlings, the Department recommends that ground disturbance and vegetation removal activities be conducted outside of the primary migratory bird breeding season of April 15-September 1. Breeding season may begin earlier for raptors or when working in low-elevation habitats such as deserts. If ground-disturbing and clearing activities must be conducted during the breeding season, the area should be surveyed for active nest sites (with birds or eggs present in the nesting territory) and avoid disturbing active nests until young have fledged. For active nests, establish adequate buffer zones to minimize disturbance to nesting birds. Buffer distances should be at least 100 feet from songbird and raven nests; 0.25 miles from most raptor nests; and 0.5 miles for ferruginous hawk (*Buteo regalis*), golden eagle (*Aquila chrysaetos canadensis*), peregrine falcon (*Falco peregrinus*), and prairie falcon (*Falco mexicanus*) nests. Active nest sites in trees or shrubs that must be removed should be mitigated by qualified, permitted biologists or wildlife rehabilitators. Department biologists are available to consult on nest site mitigation and can facilitate contact with qualified personnel. Removal of active nests of state-protected species may require a scientific collection permit; contact the Department's Wildlife Permits Manager at dgf.permits@dgf.nm.gov for more information. The Wild Take Unit at the USFWS, which issues take and relocation permits for migratory birds, can be reached at MBPermits_take@fws.gov.

In addition to Curiosity doing clearance surveys for state endangered plants, the Department also recommends that, to the maximum extent feasible, mature cactus and agave plants be left undisturbed during road and drill pad construction. Primary species that should be left undisturbed include barrel cactus (*Ferocactus sp.*), Palmer's agave (*Agave palmeri*), and Parry's agave (*Agave parryi*). The agave plants are of particular importance for nectar-feeding bat species.

The permit application states that Curiosity will use a BLM-specified seed mix for site reclamation. The Department recommends that only certified weed-free seeds be used to avoid inadvertently introducing non-native species to the reclamation site and that sterile non-native seed sources not be used. Any alternative plant species, used to substitute for primary plant species that are unavailable at the time of reclamation, should also be native. When possible, the Department recommends using seeds that are sourced from the same region and habitat type as the reclamation site and suggests including seeds from a region that represents potential future climatic conditions at the site.

Thank you for the opportunity to review and comment on the proposed exploration project. If you have any questions, please contact Ron Kellermueller, Mining and Energy Habitat Specialist, at (505) 270-6612 or ronald.kellermueller@dgf.nm.gov.

Sincerely,

Virginia Seamster, Ph.D.
Assistant Chief for Technical Guidance
Wildlife Management Division, Ecological and Environmental Planning Section

cc: USFWS NMES Field Office

Gray, Maille, EMNRD

From: Sholdt, Ron, OSE
Sent: Friday, August 7, 2026 3:45 PM
To: Gray, Maille, EMNRD
Cc: Syed, Kamran, OSE
Subject: RE: Request for Review and Comment on Permit No. HI026EM, Steins Mineral Exploration Project

Hi Maille,

I was asked to review and comment on MMD Permit No. HI026EM, Steins Mineral Exploration Project, on behalf of the OSE Hydrology Bureau. Comments follow.

- If groundwater is encountered during the drilling process, the applicant must submit plugging plans of operation (Form WD-08) and have them approved by the OSE before plugging takes place. These plans should include accompanying drilling/lithologic logs.
- Given the geologic complexity of the exploration area and the distance between boreholes, it is suggested that a unique plugging plan be submitted for each.

Thanks,

Ron Sholdt, P.G.

Hydrology Bureau
New Mexico Office of the State Engineer
Santa Fe, NM
Phone: 505-531-7937
Email: ron.sholdt@ose.nm.gov

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Erin Taylor
Acting Cabinet Secretary

Benjamin Shelton
Deputy Cabinet Secretary

Laura McCarthy, State Forester
Forestry Division



July 27, 2026

Maille Gray
Mining and Minerals Division
Energy, Minerals and Natural Resources Department (EMNRD)
1220 S. St. Francis Drive
Santa Fe, NM 87505

RE: Request for Review and Comment on Permit No. HI026EM, Steins Mineral Exploration Project in Hidalgo County, NM

Thank you for the opportunity to comment on the above-referenced project. Based on the information provided in the application, the proposed exploration activities have the potential to adversely affect the State Endangered *Peniocereus greggii* var. *greggii* (night-blooming cereus).

Known occurrences of *P. greggii* var. *greggii* occur immediately adjacent to the project area, and suitable habitat is present within the site. The cryptic species is typically associated with sandy to silty gravelly soils in Chihuahuan Desert scrub or desert grassland, often growing within, beneath or adjacent to creosote (*Larrea divaricata*), honey mesquite (*Prosopis glandulosa*), and other shrubs, making it difficult to detect during surveys so additional plants may be present that were not documented.

The biological survey completed in spring 2026 indicates that pre-design surveys were conducted and the project was designed to avoid known individuals with a 10-meter buffer. If additional individuals are identified during project implementation and cannot be avoided, an Incidental Take Permit from the New Mexico Forestry Division may be required before disturbance occurs. Information on permitting and State Endangered plant species is available at: <https://www.emnrd.nm.gov/sfd/rare-plants/request-a-collection-permit>.

We also recommend installing temporary protective fencing around any State Endangered plants located within 30 meters of construction or drilling activities where equipment, vehicles, or other operations could inadvertently damage cacti.

Please let me know if I can be of further help.

Sincerely,

Erika Rowe

Endangered Plant Program Coordinator
EMNRD-Forestry Division
1220 S. St. Francis Dr.
Santa Fe, NM 87505
erika.rowe@emnrd.nm.gov
(505)699-6371 (Phone)
<http://www.emnrd.state.nm.us/SFD/>