

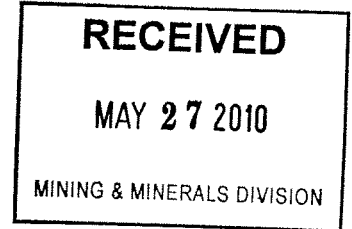


CHAPMAN, WOOD AND GRISWOLD, INC.
MINING ENGINEERS AND GEOLOGISTS
4015 CARLISLE BOULEVARD, N.E., SUITE E
ALBUQUERQUE, NEW MEXICO 87107

TELEPHONE: (505) 883-0220

May 27, 2010

Mr. Bill Brancard, Director
Mining and Minerals Division
Wendell Chino Building
1220 South St. Francis Drive
Santa Fe, New Mexico 87505



**Re: Application for Release of Financial Assurance, Deming Jigging
Plant Permit LU 001RE (19.10.12.1210)**

Dear Mr. Brancard:

Enclosed is an Application for Partial Release of Financial Assurance covering reclamation at the former manganese processing site of American Minerals Inc. The site is located at Deming, New Mexico. Also enclosed is proof that the Notice of this Application has been provided in accordance with 19.10.9.902 and 19.10.9.903 NMAC.

Yours sincerely

CHAPMAN, WOOD AND GRISWOLD, INC.

Douglas F. Irving

Douglas F. Irving, P.E.

Representative/Agent for American Minerals Inc.

Enclosures:

1. Application for Financial Release
2. Public Notice in English and Spanish
3. Return Receipt Request mailings
4. Photographs of posted Notices
5. Log of actions taken for release of FA
6. Public comment and inquiries received
7. Publication Notice in Deming Headlight

APPLICATION FOR RELEASE OF FINANCIAL ASSURANCE DEMING JIGGING PLANT PERMITS LU001RE AND DP-1234

Introduction

American Minerals Inc (AMI) operated a manganese-processing facility on a 20-acre parcel of land leased from the City of Deming. Sixteen acres of the property had been used since the 1950's as a manganese ore-buying and processing site and contained a processing plant and numerous large piles of manganese-bearing tailings. The facility was permanently closed in 2003. The site was permitted by the Mining and Minerals Division (MMD) of the New Mexico Energy, Minerals and Natural Resources Department (EMNRD) as an **Existing Mining Operation**, Permit No. LU001RE. As a guarantee for site reclamation, AMI had posted a \$100,000 bond which is held jointly between MMD and the New Mexico Environment Department (NMED). The bond, No. 8192-48-51, was issued on March 3, 2004 by the Federal Insurance Company.

Site reclamation has been completed under the terms of the Permit and the approved Closeout Plan. In accordance with 19.10.12.1210 A (1) NMAC of the Mining Act Rules administered by MMD, American Minerals Inc. hereby requests a **Release of Financial Assurance** for 92.5% of the value of the bond, an amount equal to \$92,500. The remaining \$7,500 is the estimated cost to continue the long-term monitoring of the site through the mandated 12-year period ending in 2017.

As required under 19.10.12.1210 A(2), a description of the reclamation completed and an estimate of the cost for long-term monitoring follow.

Site Reclamation

The 16-acre site was completely reclaimed in mid-2005 with the exception of the process building and the water well which had been left in place at the request of the City of Deming, the property owner. The large piles of manganese jig tails and slimes were buried in large trenches on the site and the excavated gravel and sand was used to cover the site with a one-foot thickness of material. The site was graded and contoured and 2000 cu yd of topsoil spread and disced into the surface. An approved seed mix, fertilizer and mulch were applied.

RECEIVED

MAY 27 2010

MINING & MINERALS DIVISION

By the late summer-early fall of 2008, most of the 16-acre site was covered with a good growth of grasses, some in excess of 3 feet in height. In 2008-2009 some remedial work was done on the site, including:

1. The construction of an earthen berm along the adjoining smelter slag pile adjacent to the south side of the property.
2. Raising the monitor well by 12 inches and backfilling a 1000-sq-ft area around the well with approximately 12 inches of clean soil and reseeding the area.
3. Adding 6 inches of gravel to a 2000-sq-ft area in the south central part of the site where the cover was thin, and reseeding the area.
4. Backfilling with cobble gravel 10 small erosional channels which had developed in the site cover during heavy rainstorms.
5. Removing trash which had been dumped on the site since the completion of reclamation in 2005.

At the request of the NMED, the monitor well has been sampled semi-annually. Two auger holes were also drilled into a low area in the northwest part of the site to sample the native material lying directly beneath the buried manganese tailing.

In October 2009, the City of Deming removed the building and concrete slab which had housed the jigging plant. The material was hauled to the nearby City Landfill.

Comments

The site is stable and a good growth of grasses has been established over most of the area. Due to very low precipitation in 2009, the vegetative cover remained dormant.

The water table has fluctuated between a depth of approximately 72 and 75 feet since 2002. Water samples show little change in quality and easily meet the New Mexico drinking-water standards (20.6.2.3103 A and B, NMAC) for the items analyzed.

Ongoing site monitoring will continue through the end of the 12-year, post-reclamation monitoring period by AMI, MMD, and NMED. Annual inspections and annual reporting are required by MMD (19.10.5.510 and 11.1101A(3) NMAC). Semi-annual ground-water monitoring and inspections are currently required by NMED per Permit No. DP-1234 and more frequently should conditions dictate.

Cost estimate for long-term monitoring

The cost estimate for long-term monitoring includes annual inspections and annual reporting as required by MMD and Permit No. LU001RE plus the site monitoring and ground-water sampling as required by NMED and Permit No. DP-1234. The cost estimate assumes that the sampling frequency of the monitor well can be reduced to once per year beginning in May 2010. The post-reclamation 12-year monitoring period (19.10,12.1204 NMAC) ends in 2017.

1. Groundwater monitoring – annual sampling 7 samples: sample cost @ \$300 each analytical cost @ \$300 each Estimated cost: 7 @ \$600 each	\$4,200
2. Site inspections and reporting – semi-annual 7 inspections done concurrently with groundwater sampling and 7 additional inspections Estimated cost: 7 @ \$150 each	1,050
3. Contingency for remedial work in the event of excessive erosion from heavy rainstorms	<u>2,250</u>
Total remaining estimated long-term monitoring cost	\$7,500

This **Application for Release of Financial Assurance** is submitted for and on behalf of:

American Minerals Inc.
c/o C-E Minerals/Mulcoa
P.O. Box 37
Andersonville, Georgia 31711

Submitted by:

CHAPMAN, WOOD AND GRISWOLD, INC.
4015 Carlisle Blvd NE, Suite C
Albuquerque, New Mexico 87107

Douglas F. Irving, P.E.

Representative/Agent for American Minerals Inc.

**LOG OF ACTIONS TAKEN FOR RELEASE OF FINANCIAL ASSURANCE
AMERICAN MINERALS INC. – DEMING MANGANESE PROCESSING SITE
LUNA COUNTY, NEW MEXICO.
MMD PERMIT NO. LU 001RE**

1. February 25, 2010 - Submit draft of Public Notice to MMD(J. Hollen).
2. March 3, 2010 - Approval of Public Notice by MMD.
3. March 5, 2010 - Revised Application for Release of Financial Assurance sent to MMD.
4. March 8, 2010 - Application posted on MMD website.
5. March 9, 2010 - Received Spanish translation of Notice from MMD (Prepared by Diana Sainz)
6. March 11, 2010 - Notice posted at the AMI site; at the Luna County Clerk's office; at the City of Deming office; and at the Deming Chamber of Commerce office.
7. April 5, 2010 - Mailed 88 Return Receipt Requested Notices and an explanatory letter to:
 - a. Property owners within ½-mile of the site
 - b. Five State Agencies
 - c. Interested persons on a list maintained by the Director.
8. April 5, 2010 - Mailed by regular first class mail a Notice and explanatory letter to a property owner in Alberta, Canada
9. April 6, 2010 - Mailed 4 Return Receipt Requested Notices and an explanatory letter to Indian Tribes requiring notification.
10. April 16, 2010 - Notice published in English and Spanish in the Deming Headlight newspaper.
11. April 29, 2010 - Posted Notices at the County Clerk's office, City of Deming office, and the Deming Chamber of Commerce Office were removed. (The Notice on the AMI site remains).
12. May 27, 2010 - Filed formal Application for Release of Financial Assurance with the Director of MMD (Mr. Bill Brancard) per 19.10.12.1210A of the New Mexico Mining Act Rules along with the accompanying documentation in accordance with 19.10.9.902 and 903 NMAC.

**PUBLIC COMMENTS RE NOTICE FOR RELEASE OF
FINANCIAL ASSURANCE, AMERICAN MINERALS INC.
DEMING MANGANESE PROCESSING SITE, LUNA COUNTY,
NEW MEXICO.**

Three telephone calls were received at the Office of Chapman, Wood and Griswold, Inc. in Albuquerque, Representative/Agent for American Minerals Inc. The 3 individuals all inquired as to the purpose of the Notice and what, if anything, they were required to do. They were advised that the Notice was a regulatory requirement because they owned property within one-half mile of the site and the Notice was for informational purposes. They were advised that they were not required to do anything, but should they have any objection to the Release of Financial Assurance they could make their case to the Director of the Mining and Minerals Division.

Individually, other comments and questions included the follows:

1. April 8, 2010 – Edward ? of Florida Investments in Deming. He wanted to know how he could get his share of the \$100,000 bond. He was advised that he had no monetary interest in the bond. The bond is in place to cover the cost of site reclamation which was completed in 2005. Monitoring of the site is required for 12 years following the completion of reclamation.
2. April 12, 2010 – Mrs. Benaiah Israel of Albuquerque. She wanted to know if there might be oil on her property and what would it cost to drill. She was advised that it is highly unlikely that there is any oil to be found in the area and that the cost to drill for oil could cost upwards of a million dollars, depending on depth.
3. April 13, 2010 – Louis Jenkins, Director of Public Works, City of Deming. The site is owned by the City of Deming and has been leased for +50 years. Mr. Jenkins inquired about potential groundwater contamination. He was advised that there is no known contamination of the ground water and that the groundwater meets New Mexico drinking water standards. He was also advised that the site, both surface and groundwater, would be monitored until 2017 and should contamination of groundwater be observed, then American Minerals would be required to take remedial action. In 2017, should it be determined that the site is suitably revegetated and that there is no noticeable contamination of groundwater, then American Minerals will have no further obligations and all monitoring will cease.

No further comments have been received as of May 27, 2010.

PUBLIC NOTICE

Notice is hereby given that American Minerals Inc. (AMI), c/o C-E Minerals/Mulcoa, P.O. Box 37, Andersonville, Georgia 31711 has submitted an Application for partial release of financial assurance covering the reclamation liability under its Existing Mining Operation Permit No. LU001RE issued February 6, 1996 by the Mining and Minerals Division (MMD) of the New Mexico Energy, Minerals and Natural Resources Department (EMNRD); and also as covered under Discharge Permit No. DP-1234 reissued by the New Mexico Environment Department (NMED) on September 19, 2008. The 20-acre site is owned by the City of Deming and is situated at 900 Country Club Road, Deming, New Mexico 88031. The site lies within the SW¼ NW¼ Section 25, Township 23 South, Range 9 West, NMPM, approximately 1.5 miles northeast of the City center. The property has been leased to AMI and its predecessors since the 1950's and was used as a manganese ore-buying and processing site. Operations ceased in 2003 and the 16-acres occupied by the processing plant and stockpiles of manganese bearing rejects (tails) were fully reclaimed in 2005 in accordance with the permit. The manganese-bearing tailing was buried on site and all equipment and buildings have been removed. The site now contains a well-established growth of native grasses and forbs. The post-reclamation, 12-year-monitoring period of the surface and the groundwater as mandated by law will continue until 2017. AMI has requested a release of 92.5 percent or \$92,500 of the \$100,000 reclamation bond held jointly by MMD and NMED. The estimated cost of monitoring the site until 2017 is \$7500. A copy of the Application is available for public inspection during business hours at the office of MMD at the following address:

Mr. Bill Brancard, Director
Mining and Minerals Division
Wendell Chino Building
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

The Application may also be viewed at MMD's web site <http://www.emnrd.state.nm.us/MMD/index.htm>. Written comments may be sent to the above address and may also be emailed to holland.sheperd@state.nm.us. Any interested person may request that the Director conduct a Public Hearing on the Application. Such request must be made within 30 days of the date of publication of this Notice in the newspaper.

AVISO PUBLICO

Se da aviso que la Compania American Minerals Inc. (AMI) c/o C-E Minerals/Mulcoa, P.O. Box 37, Andersonville Georgia 31711, ha sometido una aplicacion para el descargo parcialmente de la garantia fianciera cubriendo reclamacion bajo su responsabilidad de operaciones mineras existents por Permit No. LU001RE, de Febrero 6, 1996, dado por el Division de Mineras y Minerals, de el departamento de Nuevo Mexico de Energia, Minerales Y Recursos Naturales; y tambien bajo de el Discharge Permit No. DP-1234, reeditado Septiembre 19, 2008, por el departamento Nuevo Mexico de ambientes. El sitio es 20 acres y es la propiedad de ciudad de Deming, y la direccion es: 900 Country Club Road, Deming, New Mexico 88031. El sitio queda entre el SW/4 NW/4 Section 25, Township 23 South, Range 9 West, NMPM, aproximadamente 1.5 millas noreste de centro de la ciudad de Deming. La propiedad está arrendada a AMI y sus predecesores desde la década de 1950 y fue utilizado como el mineral de manganeso de compras y de procesamiento en el sitio. Las operaciones cesaron en 2003 y las 16 acres ocupadas por la planta de transformación y las reservas de manganeso teniendo rechaza (colas) fueron completamente recuperadas en el año 2005. El manganeso-teniendo colas rechazadas fue enterrado en el sitio y todo el equipo y los edificios han sido removidos. El sitio contiene ahora un crecimiento bien establecida de pastos nativos y herbáceas. Despues de la regeneración, un período de 12 años de seguimiento de la superficie y el agua subterránea, según lo dispuesto por la ley, continuará hasta 2017. AMI ha solicitado la liberación de 92,5 por ciento, \$92,500 de la fianza de regeneración de \$100,00 celebrado conjuntamente por MMD y NMED. El costo estimado de la vigilancia del sitio hasta el año 2017 es de \$7,500. Una copia de la aplicación está disponible para inspección pública durante las horas de trabajo en la oficina de MMD en la siguiente dirección:

Mr. Bill Brancard, Director
Mining and Minerals Division
Wendell Chino Building
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

La solicitud también puede ser visto en el sitio web MMD en: <http://www.emnrd.state.nm.us/MMD/index.htm>. Los comentarios escritos pueden ser enviados a la dirección antes mencionada y también puede ser enviado por correo electrónico a holland.sheperd@state.nm.us. Cualquier persona interesada podrá solicitar que el director realizará una audiencia pública en la aplicación. Dicha solicitud deberá hacerse dentro de 30 días de la fecha de publicación del presente anuncio en el periódico.

LEGAL NOTI

PUBLIC NOTICE

Notice is hereby given that American Minerals Inc. (AMI), c/o C-E Minerals/Mulcoa, P.O. Box 37, Andersonville, Georgia 31711 has submitted an Application for partial release of financial assurance covering the reclamation liability under its Existing Mining Operation Permit No. LU001RE issued February 6, 1996 by the Mining and Minerals Division of the New Mexico Energy, Minerals and Natural Resources Department (EMNRD); and also as covered under Discharge permit No. DP-1234 reissued by the New Mexico Environment Department (NMED) on September 19, 2008. The 20-acre site is owned by the City of Deming and is situated at 900 Country Club Road, Deming, New Mexico 88031. The site lies within the SW/4 NW/4 Section 25, Township 23 South, Range 9 West, NMPM, approximately 1.5 miles northeast of the City center. The property has been leased to AMI and its predecessors since the 1950's and was used as a manganese ore-buying and processing site. Operations ceased in 2003 and the 16-acres occupied by the processing plant and stockpiles of manganese bearing rejects (tails) were fully reclaimed in 2005 in accordance with the permit. The manganese-bearing tailing was buried on site and all equipment and buildings have been removed. The site now contains a well-established growth of native grasses and forbs. The post-reclamation, 12-year monitoring period of the surface and the groundwater as mandated by law will continue until 2017. AMI has requested a release of \$2.5 percent or \$92,500 of the \$100,000 reclamation bond held jointly by MMD and NMED. The estimated cost of monitoring the site until 2017 is \$7500. A copy of the Application is available for public inspection during business hours at the office of MMD at the following address:

Mr. Bill Brancard, Director Mining and Minerals Division Wendell Chino Building 1220 South St. Francis Drive Santa Fe, New Mexico 87505

The Application may also be viewed at MMD's web site <http://www.emnrd.state.nm.us/MMD/index.htm>. Written comments may be sent to the address above or e-mailed to holland.sheperd@state.nm.us. Any interested person may request that the Director conduct a Public Hearing on the Application. Such request must be made within 10 days of the date of publication of this notice in the newspaper.

Se da aviso que la Compania American Minerals Inc. (AMI) c/o C-E Minerals/Mulcoa, P.O. Box 37, Andersonville Georgia 31711, ha sometido para el descargo parcialmente de la garantia financiera cubriendo reclamacion bajo su responsabilidad de operaciones mineras existentes por Permit No. LU001RE, de Febrero 6, 1996, dado por el Division de Minas y Minerias, de el departamento de Nuevo Mexico de Recursos Naturales; y tambien bajo de el Discharge Permit No. DP-1234, reeditado Septiembre 19, 2008, por el departamento Nuevo Mexico de ambientes. El sitio es 20 acres y es la propiedad de ciudad de Deming, y la direccion es: 900 Country Club Road, Deming, New Mexico 88031. El sitio queda entre el SW/4 NW/4 Section 25, Township 23 South, Range 9 West, NMPM, aproximadamente 1.5 millas noreste de centro de la ciudad de Deming. La propiedad esta arrendada a AMI y sus predecesores desde la decada de 1950 y fue utilizado como el mineral de manganeso de compras y de procesamiento en el sitio. Las operaciones cesaron en 2003 y las 16 acres ocupadas por la planta de transformacion y las reservas de manganeso teniendo rechazo (colas) completo recuperados en el año 2005. El manganeso-teniendo colas rechazadas fue enterrado en el sitio y todo el equipo y los edificios han sido removidos. El sitio contiene ahora un crecimiento bien establecido de pastos nativos y herbáceas. Despues de la regeneración, un periodo de 12 años de seguimiento de la superficie y el agua subterránea, según lo dispuesto por la ley, continuará hasta 2017. AMI ha solicitado la liberación de 92.5 por ciento, \$92,500 de la fianza de regeneración de \$100,000 celebrado conjuntamente por MMD y NMED. El costo estimado de la vigilancia del sitio hasta el año 2017 es de \$7,500. Una copia de la aplicación está disponible para inspección pública durante las horas de trabajo en la oficina de MMD en la siguiente dirección:

Mr. Bill Brancard, Director Mining and Minerals Division Wendell Chino Building 1220 South St. Francis Drive Santa Fe, New Mexico 87505

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CERTIFICATE OF PUBLICATION

**STATE OF NEW MEXICO
COUNTY OF LUNA**

I, Wayne Barnard do solemnly swear that I am the General Manager of the Deming Headlight and the Silver City Sun News, and that the article, a copy of which is hereto attached, has been published in the Deming Headlight, a newspaper published daily in the county of Luna, State of New Mexico, for 1 time.

Publication being on the 16th day of April 2010.

Deponent further states that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of 1937 N.M. Laws, Ch. 167, Secs 1 - 5 (See, N.M.S.A. 1978, sec 14-11-1 et seq.)

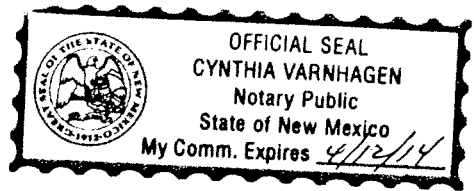
DEMING HEADLIGHT

Wayne Barnard
Wayne Barnard, General Manager

State of New Mexico

Sworn to and subscribed before me the 16th day of April 2010.

Cynthia Varnhagen
Notary Public
Commission Expires: 4/12/14



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