

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

Ken McQueen
Cabinet Secretary

Matthias Sayer
Deputy Cabinet Secretary

Fernando Martinez, Director
Mining and Minerals Division



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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 16, 2018

Mr. Todd Whitacre
Lands and Reclamation Manager
Imerys Filtration Minerals, Inc.
150E. Main, Suite 320
Fernley, NV 89408

RE: Updated Closeout Plan Technically Approvable, No Agua Mine, Imerys Filtration Minerals, Inc., Modification 17-1 to Permit No. TA005RE

Dear Mr. Whitacre,

The New Mexico Mining and Minerals Division (“MMD”) is currently processing an application submitted by Imerys Filtration Minerals, Inc. (“Imerys”) for Modification 17-1 to Permit No. TA005RE for an updated closeout plan for the No Agua Mine.

MMD is hereby notifying you that it has determined that the proposed updated closeout plan for the No Agua Mine is technically approvable pursuant to 19.10.5.506.G NMAC. The MMD determination of a technically approvable closeout plan triggers Imerys’ responsibility to submit a proposal for financial assurance in accordance with 19.10.5.506.H NMAC. The current financial assurance for Permit No. TA005RE consists of one surety bond, bond #82042607, as amended, in the amount of \$1,152,687 with MMD as beneficiary.

The approvable cost estimate amount for the updated closeout plan is \$1,863,272. Please provide a financial assurance instrument in the amount of \$1,863,272 to MMD with MMD as beneficiary, within 30 days of receipt of this letter.

Please contact me at (505) 476-3432 or by e-mail at david.ohori@state.nm.us, if you have any questions.

Sincerely,

David R. Ohori, Permit Lead
Mining Act Reclamation Program (“MARP”)

cc: Holland Shepherd, MARP Program Manager
Mine File (TA005RE)