

**FOR MMD USE ONLY:**

PROJECT NAME: \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

LEAD INSPECTOR: \_\_\_\_\_

FORM REVISION DATE: 07/09/09

**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT**

Director

Mining and Minerals Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

Telephone: (505) 476-3400

Fax: (505) 476-3402

Webpage: [www.emnrd.state.nm.us/MMD/index.htm](http://www.emnrd.state.nm.us/MMD/index.htm)

**SUBPART 4  
EXPLORATION  
PERMIT APPLICATION**

The following information is required under the New Mexico Mining Act (Sections 69-36-1 through 69-36-20, NMSA 1978) and associated rules. The Mining and Minerals Division of the Energy, Minerals and Natural Resources Department is the administrative agency through which this application is to be processed. See Subpart 4 Exploration of the New Mexico Mining Act Rules for all regulations associated with Exploration Operations.

The applicant is requested to use this application. If additional space is needed, all information requested in this form must be submitted in this same format.

**Permit Application Requirements: (§401 & §402)**

- Six copies of the application must be submitted.
- Confidential information shall be **clearly** identified and submitted separately.
- Exploration commencing after 12/31/1994 shall submit an application not less than 120 days prior to the anticipated date of operations.
- Renewal applications shall be filed at least 30 days preceding expiration of the current permit.

## **IMPORTANT NOTES!!**

- ! Obtaining a Mining Act permit does not necessarily satisfy the obligation to obtain other federal, state and local permits.**
- ! All proposed disturbance should be flagged or staked in the field prior to the Mining and Mineral Division's (MMD) initial inspection. Failure to properly mark any proposed drill holes or trenches will delay processing of the permit application.**
- ! All proposed disturbance, including any new proposed access road centerlines, all four (4) corners of any proposed drill pads, and proposed drill hole location(s) within the drill pad area must be staked in the field.**
- ! Any staking of proposed disturbances (access road centerline, drill pad corners, drill hole) should be completed using durable materials such as steel re-bar stakes or T-posts. MMD recommends using rebar stakes of suitable height, and flagging on the rebar at all four (4) corners. Drill holes should be marked by a single T-post driven at the location of proposed drilling.**
- ! The application will be deemed incomplete, without a proper map included. Provide a 1:24,000 USGS quadrangle map with the application. The map should identify locations of drill holes, pads and any new disturbance anticipated**
- ! If possible, please include with this application for submittal, any other operational plans that may have been submitted, as required, to other land management agencies. Plans of Operations (POO) submitted to the USFS and Notices of Intent (NOI) submitted to the BLM are very helpful in processing this application.**

PLEASE FILL IN ALL APPLICABLE INFORMATION AS COMPLETELY AS POSSIBLE.  
PLEASE PRINT OR TYPE ALL INFORMATION.

**1. OPERATOR INFORMATION (§402.D.1)**

<b>PROJECT NAME:</b>	_____
<b>NAME OF APPLICANT (or entity obligated under the Mining Act):</b>	_____ _____
<b>ADDRESS:</b>	_____ _____ _____
<b>PHONE:</b>	_____
<b>FAX:</b>	_____
<b>NAME OF OWNER (if different from Applicant's name and address):</b>	_____ _____
<b>ADDRESS:</b>	_____ _____ _____
<b>PHONE:</b>	_____
<b>FAX:</b>	_____
<b>NAME OF ON-SITE CONTACT OR OPERATOR'S REPRESENTATIVE:</b>	_____ _____
<b>ADDRESS:</b>	_____ _____ _____
<b>PHONE:</b>	_____
<b>FAX:</b>	_____
<b>EMAIL:</b>	_____



**3. RIGHT TO ENTER INFORMATION (§402.D.3 & 4)**

A. Provide copies of mineral leases and/or mineral claim documents upon which the applicant bases the right to enter the property to conduct the exploration and reclamation.

Attachment \_\_\_\_\_

B. Include GPS coordinates for each claim, or show on a map in relation to the project area, any mineral leases and/or mineral claim boundaries upon which the applicant intends to conduct the exploration and reclamation.

Attachment \_\_\_\_\_

C. List the names and addresses of surface and mineral ownership within the proposed permit area.

**Surface Owner(s):**

Name	Address	Phone #
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Mineral Owner(s):**

Name	Address	Phone #
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**4. MAPS AND LOCATION (§402.D.4 & 5)**

- A. Provide a legal description of the proposed permit area and each exploration site (i.e. Township(s), Range(s) and Section(s) NM PLSS), as well as GPS coordinates corresponding to each proposed drill hole.

**Proposed Permit Area Legal Description:**

---

---

**Proposed Drill Hole/Exploration Site GPS Coordinate(s):**

- 1. List the drill hole/exploration name and the GPS Coordinate for each site.
- 2. Include datum/coordinate system of GPS coordinates (i.e. decimal degrees, UTM Zone 13, UTM Zone 12, NAD 27, NAD 1983, WGS 1984, etc.).

Attachment \_\_\_\_\_

- B. Provide a topographic map(s) of at least 1 inch = 2,000 feet or appropriate scale for the size of disturbance (i.e. a 1:24,000 USGS Quadrangle map). The map name and at least two edges of the map (i.e. bottom and side edge) clearly showing all areas of land to be disturbed by the proposed exploration and reclamation. If the area to be explored contains the following features, show them on the map(s):

- 1. **Boundary of the proposed permit area** on a topographic map, and the proposed area of disturbance. This boundary should be labeled.
- 2. Perennial, intermittent and ephemeral streams, springs, wetlands, riparian areas, lakes and reservoirs.
- 3. Residences or other occupied dwelling.
- 4. Proposed and existing roads, and other access routes.
- 5. Pipelines and support facilities.
- 6. Cemeteries, burial grounds and cultural resources.
- 7. Previously disturbed areas.
- 8. Oil, gas, water wells and monitoring wells within the permit area.
- 9. Areas and types of proposed disturbances. Include the anticipated dimensions of each proposed disturbance.
- 10. Identify the location of drill holes, shafts, pits, adits, trenches, ponds, stockpiles, wastes dumps, etc.

Attachment \_\_\_\_\_

- C. Provide detailed written driving directions to access the site.

---

---

---

---

---

---

**5. EXPLORATION DESCRIPTION (§402.D.6 & 7)**

A. List the proposed exploration dates:

Start Date: \_\_\_\_\_

End Date: \_\_\_\_\_

B. List the mineral or minerals to be explored for:

\_\_\_\_\_

C. Check the box beside the proposed method(s) of exploration:

- Cuts                       Pits                       Trenches                       Shafts  
 Tunnels/Adits/Declines  
 Air drilling                       Fluid drilling                       Drilling & Blasting  
 Other method (describe): \_\_\_\_\_

D. Information on stockpiles, ponds, drilling mud and water recirculation pits, impoundments and any other structures should be provided:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. List the following proposed disturbance for each:

**Drill pads:**

How Many? \_\_\_\_\_ Width (ft.): \_\_\_\_\_ Length (ft.) \_\_\_\_\_

**Drill holes:**

How Many? \_\_\_\_\_ Depth (ft.): \_\_\_\_\_ Diameter (in.): \_\_\_\_\_

**Other Types of Excavations or Surface Disturbances:**

Please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Acres: \_\_\_\_\_

F. Describe the equipment to be used for the exploration operations

---

---

---

---

---

---

---

---

---

---

G. Describe the area and size of each type of disturbance for cuts, pits, stockpiles, trenches, shafts, tunnels or other disturbances:

---

---

---

---

---

---

---

---

---

---

H. Roads

Roads shall be located to minimize disturbance to land and wildlife and enhance stability. Roads shall be constructed and maintained to control erosion. Roads constructed in or across intermittent or perennial streams require site specific designs. Roads to remain permanent must be approved by the surface owner and must be stabilized to control erosion.

**List for New Road(s) the following:**

Road description: _____	Length (ft.) _____	Width (ft.) _____
Road description: _____	Length (ft.) _____	Width (ft.) _____
Road description: _____	Length (ft.) _____	Width (ft.) _____
Road description: _____	Length (ft.) _____	Width (ft.) _____
Road description: _____	Length (ft.) _____	Width (ft.) _____

**List for Extension or Widening of Existing Road(s) the following:**

Road description: _____	Length (ft.) _____	Width (ft.) _____
Road description: _____	Length (ft.) _____	Width (ft.) _____
Road description: _____	Length (ft.) _____	Width (ft.) _____
Road description: _____	Length (ft.) _____	Width (ft.) _____
Road description: _____	Length (ft.) _____	Width (ft.) _____



Where applicable, describe road or drainage culvert location, size(s), and design:

---

---

---

---

---

---

---

---

---

---

- I. Describe (location and size) any other disturbances (equipment staging, storage and/or lay down areas, vehicle parking, temporary housing and/or trailers) to be created or situated on the site during exploration operations.

---

---

---

---

---

---

---

---

---

---

**TOTAL ACREAGE TO BE DISTURBED:** \_\_\_\_\_ **acres**

**6. CHEMICAL USE (§402.D.8)**

A. List all chemicals, and include Material Safety Data Sheets (MSDS), for any chemicals proposed to be used by the exploration operation, including but not limited to any drilling mud, polymers, down-hole bit lubricants, lost circulation materials (LCM), or any other drilling additives, fuel and lubricants. Material Safety Data Sheets (MSDS) describing must be included. If any water is to be hauled onsite, please provide source information and intended use.

Name	Use
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

B. Describe in detail a plan for the containment, use and disposal of all chemicals listed above:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**7. GROUND WATER INFORMATION (§402.D.9)**

A. Provide an estimate of depth to ground water and the total dissolved solids (TDS) concentration.

Depth to ground water (ft.): \_\_\_\_\_  
TDS concentration (mg/L): \_\_\_\_\_

B. What is the source of this information?

---

---

---

---

---

---

---

---

C. Will dewatering activities be conducted:

Yes             No

If yes, please describe:

---

---

---

---

---

---

---

---

**8. RECLAMATION AND OPERATION PLAN (§402.D.10)**

Reclamation of the disturbed area shall be initiated as soon as possible following the completion or abandonment of the exploration operation, unless the disturbed area is included within a complete permit application for a new mining operation.

Topsoil or topdressing material removal and stockpiling shall precede any excavation within the drill site area. All lands, including access roads or terrain damaged in gaining access to or clearing the site, or lands whose natural state has been substantially disturbed as a result of the exploration by drilling, shall be restored as nearly as possible to their original condition. Where vegetation has been removed or destroyed within the permit area, vegetative cover shall be reestablished by seeding, planting, transplanting, or by other adequate methods. All open mud pits shall be constructed in a manner to prevent wildlife entrapment, and shall be constructed to prevent any overflows. When drilling is completed, the mud pits shall be allowed to dry and then backfilled with native cover.

- A. Provide a description of the native vegetation of the area to be disturbed. Include tree, shrub and grass communities of the area.

---

---

---

---

---

---

---

---

---

---

---

- B. Describe in general how the operation will operated to salvage topsoil and best prevent erosion. Include the removal and storage of excavated material and the construction of roads. Describe how these facilities will be protected from erosion if applicable.

---

---

---

---

---

---

---

---

---

---

---

C. Describe in detail the plant species to be used in the re-establishment of vegetation.

Plant name	Seeding Rate (lbs./acre)
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

D. Provide the methods to be used during revegetation operations and provide a schedule of when the operations are to begin and end.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. Proposed Reclamation dates:

Start Date: \_\_\_\_\_  
End Date: \_\_\_\_\_

F. If riparian areas and wetlands exist, provide the detailed reclamation plan for the mitigation of the area. Describe the methods to minimize disturbance during exploration.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





## 9. CULTURAL RESOURCES (§403.B)

Cemeteries and burial grounds and the disturbance of cultural resources listed on, or eligible for, the National Register of Historic Places or the State Register of Cultural Properties shall be avoided until clearance has been granted by the Director after consultation with the State Historic Preservation Officer.

Provide information on Cultural Resource Survey(s) performed on the site. Include a copy of the Archeological or Cultural Resource Survey **separately** in the application package. **Please DO NOT display any archaeological site locations upon other project maps submitted under Section 4 of this Application.** Any Archaeological or Cultural Resource Survey and Report information shall be submitted with this Application, but separately as a stand alone component of this Application.

Attachment \_\_\_\_\_









**13. BLASTING INFORMATION (§403.L)**

When blasting is employed during the exploration operations, indicate the following:

Distance to nearest structure or dwelling: \_\_\_\_\_ feet

Typical number of pounds used per blast: \_\_\_\_\_ lbs/blast

Type of blasting agent: \_\_\_\_\_

**14. FINANCIAL ASSURANCE, PUBLIC NOTICE AND PERMIT FEES (§402.D.10.c, §402.D.12, & §402.D.13)**

A. The acceptable forms of financial assurance are surety bonds, letters of credit, or cash accounts described in 19.10.12.1208 NMAC. Provide an estimate of the proposed financial assurance required by Subpart 12.

Attachment \_\_\_\_\_

B. Attach a copy of the proposed form of public notices required under Subpart 9.

Attachment \_\_\_\_\_

C. Attach the permit fees as determined pursuant to Subpart 2. The application fee for an exploration permit is \$1,000.00.

Check the method of payment.

Cash

Check

Check Number: \_\_\_\_\_

Financial institution: \_\_\_\_\_

**15. CERTIFICATION REQUIREMENT (§402.C)**

Each application shall be signed by the permittee or an authorized agent of the permittee for the operation with the following certification made

**(Certification does not require notarization):**

**I certify that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals responsible for obtaining the information; I believe the submitted information is true, accurate, and complete. I agree to comply with the reclamation requirements set forth in this permit application and related correspondence, the New Mexico Mining Act and the Rules. Further, I certify that I am not in violation of any other obligation under the New Mexico Mining Act or the Rules adopted pursuant to that Act and I allow the Director to enter the permit area, without delay, for the purposes of conducting inspections during exploration and reclamation.**

**Signature of Permittee or Authorized Agent**

\_\_\_\_\_

**Name (typed or print)** \_\_\_\_\_

**Title/Position:** \_\_\_\_\_

**Date** \_\_\_\_\_