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August 23, 2019

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RE: Status Update on Requests for Public Hearing - Tererro Exploration Project, Permit No. SF040ER

Greetings:

In response to inquiries, the Mining and Minerals Division of the Energy, Minerals, and Natural Resources Department ("MMD") would like to update you on the status of the public hearing for the above-referenced application.

Although the precise date, time, and location of the public hearing has yet to be determined, it is appropriate that one public hearing event will be held in the Village of Pecos, hopefully, sometime in October.

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Applicants for exploration permits under 19.10.4 NMAC must provide an opportunity for a public hearing. Rule 19.10.9.904(C) NMAC provides that, "The nearest community to the mining or exploration operation with adequate and accessible public facilities will be the site for any public hearing." In this case, the nearest community to the proposed exploration operation is the Village of Pecos. Furthermore, the Village of Pecos, as the principal community in the Pecos watershed downstream from the proposed exploration project, would be most affected by the traffic generated in the event that the exploration project goes forward.

Turning to the opportunity for additional public hearings, Rule 19.10.9.904(E) NMAC provides specific circumstances that justify a second public hearing, none of which have been satisfied for the Tererro Exploration Permit application at this time. In addition, a substantial majority of comments received by MMD on the application are from persons residing in the Village of Pecos or in the Pecos valley. Accordingly, the Village of Pecos is the appropriate location for a single public hearing will be that will hopefully be scheduled for someday in October 2019.

Thank you for your interest in this matter.

Sincerely,



Fernando Martinez, Director
Mining and Minerals Division

cc: Patrick Siglin, Exploration Manager, Comexico LLC
Holland Shepherd, Program Manager, Mining Act Reclamation Program ("MARF")
Dana David, Assistant General Counsel, EMNRD
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MARF File (SF040ER)