

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Melanie A. Kenderdine
Cabinet Secretary

Ben Shelton
Acting Deputy Secretary

Albert Chang, Director
Mining and Minerals Division



January 29, 2025

Sam Gauvreau
Vice President
Gila Mining, LLC
645 Hamilton Street, Ste 800
Allentown, PA 18101

RE: Notice of Minimal Impact New Mine Permit Issuance, Deming Alpha Mine, No. LU042MN, Gila Mining, LLC

Dear Mr. Gauvreau:

The New Mexico Mining and Minerals Division (“MMD”) has finished review of the permit application and all subsequent submittals for the Deming Alpha Mine, Minimal Impact New Mine Permit No. LU042MN, and has determined that the application is complete and approvable. Please find enclosed Permit No. LU042MN as approved by the MMD Director on January 28, 2025. With this permit, Gila Mining, LLC, is authorized to proceed with mining operations as outlined in the document. The current term of the permit is until January 28, 2035. The term of the permit, renewal of the permit, and any review of the permit by MMD is governed by 19.10.6.607 NMAC.

Please note that in accordance with 19.10.6.610 NMAC, Gila Mining is required to submit an annual mine report as follows:

“19.10.6.610 ANNUAL REPORT: Every permittee, including those holding minimal impact mining permits, shall, on or before April 30 of each year after a permit has been issued, submit, on a form provided by the Director, a report for the preceding calendar year. The report must:

- A. provide the status of the operation;*
- B. provide production figures for the operation;*
- C. identify, on a separate map, the location of the disturbed areas and if reclaimed, the year in which the work was done;*
- D. identify the number of acres disturbed, the number of acres reclaimed during the reporting year and the number of acres which have not yet been reclaimed;*
- E. indicate the current market value of any collateral posted as financial assurance in accordance with Part 19.10.12 NMAC; and*
- F. indicate the compliance status for all existing state and federal environmental permits held by permittee for this operation.”*

The annual report form can be found on the MMD website here: <https://www.emnrd.nm.gov/mmd/mining-act-reclamation-program/>. Per 19.10.2.202.D, this permit is also subject to an annual fee of \$250.00. Please submit this fee at the same time as the annual report.

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Gila Mining is also required to register with the New Mexico Mine Registration and Reporting Program ("MRRS") per 19.7 NMAC. Registration rules and forms can be found on the MMD website here: <https://www.emnrd.nm.gov/mmd/mine-registration-and-reporting-program/>. Please contact Stephanie Rodriguez at (505) 660-4777 or stephanie.rodriquez@emnrd.nm.gov with any questions regarding mine registration.

MMD will generally inspect the permit area once per year. Please let MMD know when operations are underway as we will be interested to see the mine in this initial phase.

If you have any questions, please contact me at (505) 470-5354 or kevin.barnes@emnrd.nm.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin T. Barnes", with a long horizontal flourish extending to the right.

Kevin T. Barnes
Permit Lead
Mining Act Reclamation Program (MARP)

enc: Permit No. LU042MN, Minimal Impact New Mine

cc: Albert Chang, MMD Director
David "DJ" Ennis, Mining Act Reclamation Program Manager
Mark Reese, President, Gila Mining LLC
Mine File (LU042MN)