

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



BRUCE KING
GOVERNOR

December 16, 1994

ANITA LOCKWOOD
CABINET SECRETARY

Mr. John L. White, Project Manager
St. Cloud Mining Company
P.O. Box 1670
TorC, NM 87901

RE: Prior Reclamation determination for the Minnehaha-Great Republic and Occidental Mines.

Dear Mr. White:

Thank you for your letter dated November 14, 1994 in which you clarified the mine sites for which you are requesting prior reclamation determinations. Based on your letter, the Mining and Minerals Division (MMD) will pursue Cobre Mining Company for reclamation and permitting responsibility for the Midnight Mine and have changed our records accordingly.

Also, we have made the proper corrections in our records to show that the Fluorine, Grand New Mexico and Elephant mines do not fall under the New Mexico Mining Act and that you have withdrawn your prior reclamation requests for these sites. The Minnehaha-Great Republic and Occidental mines will be considered as one mine site and one prior reclamation request. Based on your letter and recent meetings with MMD, we have concluded that you will be seeking a permit for the U.S. Treasury mine as a minimal impact mine and that the St. Cloud Mill will be included in the permit application for the Zeolite operation.

Thank you for your clarification of this issue. If there are any other corrections that require our attention, please let us know.

Sincerely,

A handwritten signature in dark ink, appearing to read "H. Shepherd".

Holland Shepherd
Bureau Chief
Mining Act Reclamation Bureau

VILLAGRA BUILDING - 408 Galisteo
Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830

Park and Recreation Division
P.O. Box 1147 87504-1147
827-7465

2040 South Pacheco
Office of the Secretary
827-5950
Administrative Services
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Energy Conservation & Management
827-5900
Mining and Minerals
827-5970

LAND OFFICE BUILDING - 310 Old Santa Fe Trail
Oil Conservation Division
P.O. Box 2088 87504-2088
827-5800

St. Cloud Mining Company

P.O. Box 1670
TorC, NM 87901

505: 743-5215 (of) 505:743-3333 (fax)

November 14, 1994

Mr. Holland Shepherd
Mining and Minerals Division
Energy, Minerals and Natural Resources Department
2040 South Pacheco
Santa Fe, NM 87505

Re: N M Mining Act Prior Reclamation

Dear Mr. Shepherd,

I am in receipt of your letter dated November 3, 1994. Keep in mind when considering these prior reclamation matters that we filed our request with the Division for prior reclamation to meet the deadline specified in the Act. We had a limited amount of time to consider the newly published regulations, and were unaware of Division interpretations of the Act and regulations which effect prior reclamation. I should also point out that any work done that would qualify as prior reclamation would have to have been done before the regulations were written and before standards for reclamation were available to guide such work. Please consider my comments below.

Of the seven sites listed in your letter for which you have requested fees, only three, the Midnight, Minnehaha-Great Republic and Occidental have actually been inspected by your agency. Of those three, two of the mines, the Occidental and the Minnehaha-Great Republic are contiguous and were operated under the same I.D. number. If these properties are to be considered separate, then the Occidental would not be considered an existing mine under the Act because it was operated for only a few months, and thus does not require prior reclamation. Either way, I see that for this mine area we would only owe MMD for a prior reclamation determination for one mine.

For the Midnight mine, I should make it clear that we had requested prior reclamation for a property which we reclaimed as best we could under the lease term that required us to maintain access to the mine, but in which we now have no ownership nor lease interest. Indeed, the reclamation work performed at the Midnight exceeded what was required of us by our contract with the owners, and at the time there were no requirement or standards for reclamation in New Mexico. During your inspection of the Midnight, you indicated that the work we had done was not sufficient to meet prior

reclamation requirements primarily because the portal was not buried. At this point I have no authority to work on the property, encumber it in any way, or make any agreements that involve it. Furthermore, I have been in contact with the owner, Cobre Mining Company, and it is their intention to proceed with a permit application for the mine, and I believe it is their preference that I do not pursue prior reclamation on their property.

Three of the other sites, the Fluorine, Grand New Mexico and Elephant mines involved little surface disturbance, were primarily exploration sites, and were not operated for two years since 1970. As such, these mines do not qualify as existing mines as per the Act, and thus do not require a prior reclamation determination. The sites have been reclaimed and safeguarded. Furthermore, the Fluorine and Grand New Mexico areas are located in National Forest where we have dropped all claims.


The final site, the U.S. Treasury mine, was also not inspected. This mine will be permitted as a minimal impact mine under the Act, and prior reclamation is not necessary.

One other site, the St. Cloud mill was also mentioned in my original letter of request for prior reclamation, but is not mentioned in your letter. At this time we have decided not to permit the mill site. The mill is off-site from any mining operations, and the largest contributor to the mill was Pinos Altos, which is located 150 miles by road from the mill. As an off-site operation the mill does not qualify as a mine, thus we will not be seeking a permit for the mill, and withdraw our request for prior reclamation for the site.

I consider it fair that we be charged for a prior reclamation determination for the Minnehaha-Great Republic mine. I do question, on the other hand, how we can be charged for determinations for properties that were not inspected and in most cases are not even considered mines by the state, or in the case of the Midnight mine be charged for prior reclamation when the owner of the property does not necessarily want us to pursue such action. Enclosed is a check for \$250 and the additional information you requested for a prior reclamation determination for the Minnehaha-Great Republic mine. The other properties would appear not to qualify even for consideration for prior reclamation, and thus we withdraw our request for those other sites (Midnight, Occidental, Fluorine, Grand New Mexico, Elephant, St. Cloud mill, and U.S. Treasury).

I very much appreciate your attention to this matter. If you have any questions, please do not hesitate to call me.

Sincerely,



John L. White

ST. CLOUD MINING COMPANY

11081

VCH #	INV #	DATE	INV AMOUNT	AMOUNT PAID	DISCOUNT	NET AMOUNT
8169	RECLAMATN	11/14/94	250.00	250.00		250.00

\$250.00

ST. CLOUD MINING COMPANY

100 RIALTO PLACE, SUITE 500
MELBOURNE, FL 32901

SUN BANK, N.A.
DOWNTOWN OFFICE
ORLANDO, FL 32801
60-838-631-215

11081

The Sum Of:
Two Hundred Fifty Dollars And 0 Cents

DATE 11/18/94 AMOUNT *****250.00

PAY
TO THE
ORDER
OF

MINING & MINERALS DIVISION
ENERGY, MINERALS AND NATURAL
RESOURCES DEPARTMENT

_____

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



BRUCE KING
GOVERNOR

November 3, 1994



ANITA LOCKWOOD
CABINET SECRETARY

Mr. John L. White
St. Cloud Mining Company
Post Office Box 1670
T or C, NM 87901

**Re: St. Cloud Mining Company's Prior Reclamation Status,
Minnehaha et. al., Sierra County**

Dear Mr. White:

Thank you for your letter dated August 25, 1994, requesting approval for the prior reclamation of the Minnehaha-Great Republic, Occidental, Flourine, Grand New Mexico, Elephant, Midnight and U.S. Treasury Mines.

Section 5.10 of the New Mexico Mining Commission Rule 94-1, requires that we conduct an inspection of your mine to determine if the prior reclamation "satisfy the requirements of the Act and the substantive requirements for reclamation pursuant to ..." the rules. In this case the Director of the Mining and Minerals Division will make a determination on the adequacy of your reclamation by September 30, 1995.

Your letter did not include a check for \$250.00. The Mining and Minerals Division has interpreted the rules to require \$250.00 for each mine site. Therefore, MMD is requesting an amount of \$1750.00. Also, the following information is required before the application for prior reclamation status can be considered complete:

1. a map of 1:24000 or larger scale (1:12000) showing the limits of the reclaimed area and the location, and a description, of any waste units, impoundments, stockpiles, leach piles, open pits or adits that are within this area;
2. a discussion of post-mining land use for the site reclaimed;
3. a detailed description of the reclamation work performed, including types of reclamation conducted, amount of acres revegetated, the seed

VILLAGRA BUILDING - 408 Gallateo

Forestry and Resources Conservation Division
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Oil Conservation Division
P.O. Box 2088 87504-2088
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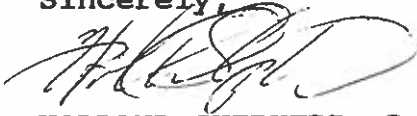
Mr. John L. White
November 3, 1994
Page -2-

mix used, the current condition of the revegetation etc., and how the reclamation project has been designed to achieve a self-sustaining ecosystem; and,

4. if part of the reclamation, a discussion of how the current reclamation of waste units, impoundments, stockpiles, tailings piles open pits or adits, have been designed to ensure compliance with all applicable federal and state standards for air, surface and ground water protection and to eliminate any future hazards to health and public safety.

Please call Alan Jager or myself at (505)827-5970 if you have any questions concerning the new regulations, the permit process or any other related issues.

Sincerely,



HOLLAND SHEPHERD, Bureau Chief
Mining Act Reclamation Bureau
Mining and Minerals Division

HS/AJ/fg

State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



BRUCE KING
GOVERNOR

November 3, 1994



ANITA LOCKWOOD
CABINET SECRETARY

Mr. John L. White
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Sincerely,



HOLLAND SHEPHERD, Bureau Chief
Mining Act Reclamation Bureau
Mining and Minerals Division

HS/AJ/fg

St. Cloud Mining Company

P.O. Box 1670
TorC, NM 87901

505: 743-5215 (of) 505:743-3333 (fax)

894-6063 (home)
August 25, 1994

Mr. Holland Shepherd
Mining and Minerals Division
Energy, Minerals and Natural Resources Department
2040 South Pacheco
Santa Fe, NM 87505

Re: N M Mining Act, Request For Prior Reclamation Inspection

Dear Mr. Shepherd,

St. Cloud Mining Company requests an inspection of the prior reclamation areas listed below:

Minnehaha-Great Republic mine area
Occidental Mine area
Flourine Mine area
Grand New Mexico Mine site
Elephant Mine area
Midnight Mine
portions of the U.S. Treasury Mine
St. Cloud Mill Tailings Impoundment



Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to be "JL White".

John L. White

John Meet 7:30 Fri. Morn.

Jr Tor C Ho ~~Sp. 95 144~~ 894-6665
37.00 Tax
(2472 JAG) 12 Super B (800) 800-8000
13 Insert View 33,197 Tax 894-3318
14 Aero Lubric 894-2151