

Date: July 22, 2022
File Number: M-04979
Applicants: Freeport Minerals Corporation
County(s): Grant County
Tracking ID: 24723

NOTICE is hereby given that on July 1, 2022, Freeport Minerals Corporation, P.O. Box 571, Tyrone, New Mexico 88065, filed with the **STATE ENGINEER** application for Temporary Permit M-04979 for an Additional Point of Diversion of Groundwater in the Mimbres Underground Water Basin.

Grant is the County affected by the diversion and in which the water has been or will be put to beneficial use. This notice is ordered to be published in the Silver City Daily Press.

The temporary application is requesting to commence the use of additional point of diversion SP-05197-POD1, a new mine pit, to be located in Pt. SW1/4 of Section 25, Pt. SE1/4 of Section 26, Pt. NE1/4 Section 35, and Pt. NW1/4 Section 36, all of Township 19 South, Range 15 West, N.M.P.M. with a mine center at a latitude of 32° 37' 02.8" North and a longitude of 108° 21' 18.0" West. The mine pit when completed is anticipated to be approximately 550 feet below ground level and will capture groundwater inflow and surface runoff. The amount of water to divert and consumptively use from the additional point of diversion shall not exceed 116 acre-feet per annum for domestic, municipal, leaching, mining, metallurgical and other industrial purposes located in Townships 18 & 19 South, Ranges 14 & 15 West, N.M.P.M. The combined diversion from M-04979 and SP-05197-POD1 shall not exceed 635 acre-feet per annum. M-04979 is located in the NW1/4SE1/4 of Section 34, Township 19 South, Range 14 West, N.M.P.M. and has been adjudicated under Sub-file 913, Cause No. 6326.

The additional point of diversion described in this application is located adjacent to the existing mine and is approximately 12 miles southwest of Silver City, New Mexico in Grant County.

This application is for a temporary permit and the water right will revert to the prior point of diversion on May 31, 2033 or upon 30 day written notice to the Office of the State Engineer.

To view the application and supporting documentation contact the State Engineer District Office to arrange a date and time for an appointment. The District 3 Office is located at 321 W. Spruce St., Deming, NM 88030, phone number 575-546-2851.

Any person, firm or corporation or other entity asserting standing to file objections or protests shall do so in writing (objection must be legible, signed, and include the writer's complete name, phone number, email address, and mailing address). If the protest does not include the complete name, phone number, email address, and mailing address, it may be deemed invalid and not accepted for filing unless Protester provides with the protest an affidavit stating that it does not have one of the above-listed elements/requirements (phone number, mailing address, email address, etc.). The objection to the approval of the application must be based on: (1) Impairment; if impairment, you must specifically identify your water rights; and/or (2) Public Welfare/Conservation of Water; if public welfare or conservation of water within the state of New Mexico, you shall be required to provide evidence showing how you will be substantially and specifically affected. The written protest must be filed, in triplicate, with the State Engineer, 321 W. Spruce St., Deming, NM 88030, on or before September 30, 2022. Facsimiles (faxes) will be accepted as a valid protest if the hard copy is hand-delivered or mailed and postmarked within 24-hours of the facsimile. Mailing postmark will be used to validate the 24-hour period. Protests can be faxed to the Office of the State Engineer, 575-546-2290. If no valid protest or objection is filed, the State Engineer will evaluate the application in accordance with the provisions of Chapter 72 NMSA 1978.