



**RANCHERS EXPLORATION AND DEVELOPMENT CORPORATION**

Box 8217 / 1776 Montano Road, N.W. / Albuquerque, New Mexico 87107 / Telephone (505) 344-3642

September 6, 1977

Certified #753563

Mr. Alphonso A. Topp, Jr.  
Environmental Scientist III  
NMEIA, Radiation Protection Section  
P. O. Box 2348 - Crown Building  
Santa Fe, New Mexico 87503

Ref: NM-RED-MB-00

Dear Mr. Topp:

I should like to take this opportunity to up-date you on our activities at the Johnny M Mine back-filling project in conjunction with the above license issued by your agency on June 21, 1977.

Initially we were unable to commence actual filling operations until about August 15, 1977 as a result of equipment modification requirements, lack of supply of fill material and personnel training requirements. As yet, filling is not being carried out on a routine basis. We estimate that since August 15, 1977 we have placed a maximum of 1500 tons of fill in stope 005 and approximately 50% of the stope remains to be filled.

We have now obtained the necessary equipment to take the required air and water samples other than in the monitor wells and have provisional plans, depending on flow rates, for the sampling of the wells. Our drilling contractor has been unable, because of prior scheduling, to drill the required monitor wells but is presently scheduled to complete them late this week or early next.

We have made arrangements with the local Kerr-McGee lab and with Core Labs of Albuquerque to do the required analysis. We are confident that the regular schedule of sampling, with analyses, will be available for the month of September, 1977.

In view of the fact that our program has unavoidably been slower in getting underway than we anticipated, we will not have available much in the way of hard information to present by September 27, 1977 (requirement 15 of License NM-RED-MB-00). We respectfully request that this date now be changed until November 29, 1977, by which time it appears we should have more concrete data.

As a final matter, our actions with respect to the above license and any discharge of water from the Johnny M Mine are necessarily subject and without prejudice to our position in the pending appeal from the regulations adopted by the New Mexico Water Quality Control Commission (Bokum, et al v. Water Quality Control Commission, N. M. Court of Appeals, No. 2869). Similarly, we are not waiving any position we may take concerning the jurisdiction of your agency to require a discharge permit for Johnny M Mine waters.

Should you have questions regarding this letter, please contact me. I trust that in view of the unforeseen delays, you will grant us the requested extension.

Sincerely,

Paul A. Matthews  
Vice President, Operations

PAM:bbh

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