



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Eastern States

20 M Street, SE Suite 950

Washington, DC 20003

<http://www.blm.gov/eastern-states>

In Reply Refer To:
3505(934)sdm

DECISION

Mr. Kelly Osborne	:	Prospecting Permit
Chief Executive Officer	:	MNES054387, MNES054050, MNES054194
Twin Metals Minnesota, LLC	:	MNES054195, MNES054196, MNES053731
400 Miner's Drive East	:	MNES055301, MNES055302, MNES055305
P.O. Box 329	:	MNES053868, MNES054037, MNES055203
Ely, MN 55731	:	MNES055206;

Prospecting Permit Extensions Approved

The BLM Eastern States Office (BLM-ES) received your extension request dated April 25, 2014, for two sets of prospecting permits. One set expired on October 31, 2014 (MNES054387, MNES054050, MNES054194, MNES054195, and MNES054196). The other set expired on November 30, 2015 (MNES053731, MNES055301, MNES055302, and MNES055305).

In a letter dated September 20, 2012, the U.S. Forest Service (Superior National Forest) consented to BLM issuing these prospecting permits based on the Federal Hardrock Minerals Prospecting Permit Final Environmental Impact Statement and Record of Decisions, which addressed the initial two-year term and four-year extension.

In a letter dated May 9, 2014, the BLM Northeastern States District Office (BLM-NSDO) recommended extensions of all nine permits. Per 43 CFR 3505.62(b), Twin Metals demonstrated failure to prospect due to circumstances beyond their control. The BLM-NSDO recommends stipulations that require the permit holder to complete sufficient prospecting activities within 12 months of the effective date of the permit extension, as outlined in 43 CFR 3505.62(a). Prospecting activity must penetrate mineral estate. Qualifying activities include, but are not limited to, drilling (including for hydro-geologic wells), seismic surveys, induced polarization (IP) geophysical surveys, dense ground magnetic surveys, and cross-hole tomographic surveys.

The Superior National Forest raised no objection to the extension of MNES053731, MNES055301, MNES055302, MNES055305, MNES054387, MNES054050, MNES054194, MNES054195, and MNES054196, in a letter dated December 22, 2014. The Superior National Forest raised no objection to the extension of MNES053868, MNES054037, MNES055203, and MNES055206, in a letter dated March 13, 2015.

In accordance with approved operating plans that conform to applicable management requirements and constraints listed in the Superior National Forest decision stipulations, the prospecting permits are hereby extended to be effective May 1, 2020. The permits, which now contain approved exploration plans, are extended for a period of four years and will expire on April 30, 2024.

If you have any questions regarding your Prospecting Permits extension request or the fees connected with them, please contact Stanley McMillian, Land Law Examiner – Solid Minerals, at 202-912-7778.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the letterhead address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below.

Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in the decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay: Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted.
- (4) Whether the public interest favors granted the stay.



Gary Torres
Acting State Director
BLM Eastern States Office

cc: BLM NSDO, USFS-R9