



December 13, 2023

Randy McClure  
Rio Grande Silver, Inc.  
625 USFS Road 504.1A  
PO Box 610  
Creede, CO 81130

***RE: West Equity Project, File No. #P-2010-015, Modification 2 Application Notice of Deficiency***

Dear Mr. McClure:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the above referenced Notice of Intent to Prospect Modification 2 (MD-2) request in order to ensure that it adequately satisfies the requirements of the Colorado Mined Land Reclamation Act (Act) and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for Hard Rock, Metal, and Designated Mining Operations (Rules). During review of the material submitted, the Division determined that the following issue(s) of concern shall be adequately addressed before a decision can be rendered.

1. Under section III Project Description of the submitted application form, the response to question 3 indicates that there will be 16 holes drilled. However, in the narrative response to question 5 and the figures in question 6 of that same section state that there will be 20. Please confirm the number of drill holes.
2. Per Rule 5.3.1 (f) will crews always be with the drill rig or will gates be installed to prevent unauthorized entry to the drill pads?
3. Per Rule 3.1.5(3) will the same sediment and erosion control devices (silt fences and wattles) used during operation be left in place during reclamation?
4. Per Rule 3.1.5(5) please describe how will drill cuttings be disposed of.
5. Per Rule 3.1.6(5) please describe how drill sumps will be lined to minimize impacts to waters and soils.
6. Per Rule 3.1.8(1) are there any wildlife species which require special consideration in the vicinity of the NOI (e.g., elk calving, peregrine falcon nesting)?
7. Per Rule 3.1.9(1) will the segregated topsoil be replaced in a short enough time to avoid deterioration, or will the topsoil need to be preserved in order to be used for reclamation?
8. Per Rule 3.1.9(2) and 3.1.9(8) what will be done with woody vegetation that is removed from the roads and drill pads?



Please submit your response(s) to the above listed issue(s) by Thursday, December 21, 2023 in order to allow the Division sufficient time for review prior to the Decision Date of January 5<sup>th</sup>, 2024.

The Division will continue to review your application and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please contact me at the Division's Grand Junction Field Office.

Sincerely,

A handwritten signature in blue ink that reads "Todd Jesse".

**Todd Jesse**

Environmental Protection Specialist  
Department of Natural Resources  
Division of Reclamation, Mining and Safety  
101 South 3<sup>rd</sup>, Suite 301  
Grand Junction, CO 81501  
Phone: (970) 243-6299

Cc: Travis Marshall, DRMS  
Patrick Moran, USFS