

STATE OF COLORADO

DIVISION OF RECLAMATION, MINING AND SAFETY

Department of Natural Resources

1313 Sherman St., Room 215

Denver, Colorado 80203

Phone: (303) 866-3567

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John W. Hickenlooper
Governor

Mike King
Executive Director

Loretta E. Piñeda
Director

May 1, 2013

Mr. Randy McClure
Rio Grande Silver, Inc.
PO Box 610
Creede, CO 81130

Re: South Upper Rat Creek NOI, File P-2011-023, Request for Warranty Release, Revision SL-1, Inspection Postponed, and Extension of Division's Decision Date

Dear Mr. McClure,

On April 4, 2013 the Division of Reclamation, Mining and Safety found the request for warranty release for the NOI named above to be complete, and set a decision date for May 6, 2013. In order for the Division to assess the condition of the site and success of the final reclamation performed, the Division is required to inspect the site prior to the decision date. However, given the elevation of the project site and the continued snowy ground conditions at this season of the year, the site is inaccessible. The Division must therefore postpone the required inspection and extend the decision date by 60 days.

The Division's new decision date for the warranty release is set for July 5, 2013. I will contact you prior to the decision date to schedule the release inspection.

If you have questions, I may be reached at the Division's Durango Field Office: 691 CR 233, Room A-2, Durango, CO 81301; telephone 970-247-5193.

Sincerely,

A handwritten signature in black ink that reads "Bob Oswald".

Bob Oswald
Environmental Protection Specialist

(c:\13-05 docs\SupperRatCk NOI ext60/rco)