



September 19th, 2023

Mr. Kevin Barnes
Permit Lead, Mining Act Reclamation Program
State of New Mexico
Mining and Minerals Division
1220 South Saint Francis Drive
Santa Fe, New Mexico, 87505

Submitted via email: Kevin.Barnes@emnrd.nm.gov

Re: NOTICE OF EXCLUSION FROM MINIMAL IMPACT STATUS, SUMMA SILVER MOGOLLON, CATRON COUNTY, NEW MEXICO, PERMIT TRACKING NO. CA027EM

Dear Mr. Barnes:

We are in receipt of your letter dated September 19th, 2023. We accept the conclusions of MMD with respect to proposed pad DP-10 (the Pad).

Given that the Pad is the only concern leading to excluding Modification 23-1 of Permit CA027EM (the Modification) from minimal impact status, we are formally withdrawing the Pad from the Modification. The proposed road construction to access the Pad is also withdrawn. Please consider the Modification without the Pad or access road included.

For ease of reference, updated calculated ground disturbances are below.

Current Permit Renewal CA027EM-R2 = 1.35 Acres
Modification 23-1 to Permit Number CA027EM-R2 = 0.91 Acres
Total Project Disturbance = 2.26 Acres

We look forward to your response. If you have any questions or require additional information, please contact me at (604) 788-3677 or email at galen@summasilver.com

Sincerely,

A handwritten signature in blue ink, appearing to read "Galen McNamara", is written over a light blue horizontal line.

Galen McNamara
CEO & Director

cc: D.J. Ennis