July 28, 2025

From: Chris York, VP Exploration, Summa Silver, cyork@summasilver.com

To: Kevin Barnes, Permit Lead, Mining Act Reclamation Program, kevin.barnes@emnrd.nm.gov.

RE: Agency Review Comments and Notice of Possible Exclusion from Minimal Impact Status, Summa Silver Mogollon, Permit No. CA027EM, Modification 23-2, Catron County, New Mexico

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Dear Mr. Barnes,

Summa Silver has reviewed the comment letters submitted as part of our Part 3 Minimal Impact Exploration Permit Modification 23-2 and Renewal. We have identified the following comments and have the subsequent responses:

New Mexico Mining and Minerals Division (MMD) Comments and Summa Silver Responses

MMD Comment #1

1. FS 4056O Bypass Road

a) The proposed FS 4056O bypass road will travel from existing Drill Pad 11 to an existing roadbed to allow access to the upper drill pad area and require the construction of 581 feet of new road. This portion will be constructed in a wooded area with steep slopes and will likely require cut and fill construction that may extend outside of the 10-foot width listed in the PAP. Please provide more detailed plans for the construction of this portion of the road, including cut and fill calculations, an updated estimate of disturbance area, and any erosion prevention structures that are planned to be constructed.

b) MMD concurs with NMDGF recommendations that any road construction activities be conducted outside migratory bird and Mexican Spotted Owl breeding season (March 1 – August 31).

Summa Silver Response to MMD Comment #1

a.) The FS 056O bypass road proposal, as a whole, consists of two road segments: improvement of 891.58 feet of existing road surface (Segment 1) and construction of 484.52 feet of new road surface (Segment 2). We have completed a full design model of Segment 2, which incorporates a one-meter LiDAR-derived digital elevation model of the existing terrain to calculate the disturbance acreage associated with excavation-and-embankment (cut-and-fill) road construction. The model estimates approximately 168 cubic meters of cut and 162 cubic meters of fill for this segment, resulting in a net fill of six (6) cubic yards. No outside borrow should be required; the excess can be spread as a thin top-dress on the finished running surface or stockpiled for later reclamation. Model-derived calculations and plans are submitted

separately from this response memo, and an updated estimate of final disturbance area is provided as part of our response to MMD Comment #3.

In summary, a 1V:1.5H cut slope was selected based on observed soil stability conditions along the alignment, which supports minimizing excavation into the hillside while remaining within the stability thresholds recommended by Keller and Sherar (2003). The same slope ratio was applied to fill slopes to improve structural integrity, reduce the potential for raveling or sloughing, and accommodate anticipated operational loads. This configuration also promotes more effective surface stabilization and accelerates revegetation following the completion of field activities.

Given the limited scale of construction, segment two will be built using low-impact techniques consistent with Keller & Sherar (2003) and the BLM/USFS Gold Book (2007). To manage runoff and minimize erosion, rolling dips or water bars will be placed where appropriate based on slope and alignment. Cut-salvaged rock will be applied to any steep fill faces to improve slope durability, and salvaged topsoil will be redistributed along fill-banks to promote vegetation recovery. We trust that this information demonstrates that the bypass road remains within the bounds of a Part 3 minimal-impact modification, while restoring safe and efficient access to our upper drill pads.

Keller, Gordon, and James Sherar. *Low-Volume Roads Engineering: Best Management Practices Field Guide*. U.S. Agency for International Development and U.S. Department of Agriculture, Forest Service, July 2003. https://www.fs.usda.gov/t-d/programs/forest_mgmt/projects/lowvolroads/

United States, Department of the Interior, Bureau of Land Management, and United States Department of Agriculture, Forest Service (DOI). *Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development* (the "Gold Book"). 4th ed., rev. 2007, Bureau of Land Management, 2007. https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/operations-and-production/the-gold-book

b.) We acknowledge the continued requirement to adhere to migratory bird and Mexican Spotted Owl breeding season restrictions. This concern is further addressed in our responses to the New Mexico Department of Game and Fish and the U.S. Forest Service's comments.

MMD Comment #2

2. Staging Area B

MMD concurs with the attached comments from NMDCA/HPD that state:
"LA 181471 – the proposed staging area (Staging Area B) must be confined to the existing road disturbance area. All travel within the site boundary will be within the existing roadbed-there are to be no improvements to the road"

In a prior site inspection, MMD noted that during exploration activities at Drill Pad 4, related equipment and vehicles have been staged within LA 181471 outside the existing road disturbance area and caused disturbance outside the scope of the Permit. MMD will require the reclamation of disturbed areas within LA 181471, and prohibit any further staging outside the existing roadbed in this area unless further consultation with NMDCA/HPD is performed. Additionally, MMD will require construction of fencing to prevent disturbance outside of the roadbed within LA 181471.

Summa Silver Response to MMD Comment #2

We acknowledge MMD's findings regarding prior disturbance within LA 181471 outside the existing roadbed. In response, we will remove Staging Area B from the project scope in full accordance with comments received from NMDCA/HPD and MMD's concurrence. We understand the obligation to reclaim any unauthorized disturbance within LA 181471 and will incorporate this into our final reclamation efforts. Moving forward, all vehicle travel and equipment staging within this area will be confined strictly to the existing 10-foot-wide roadbed, and no activities will extend beyond the authorized road prism. To ensure compliance during construction, we will also install temporary fencing (i.e., orange snow fence or similar) along the edges of the existing roadbed within LA 181471 to prevent inadvertent encroachment. We remain fully committed to working within the scope of the approved permit and to maintaining compliance with MMD and NMDCA/HPD requirements.

MMD Comment #3

3. Staging Area C & Drill Pad 9, Notice of Possible Exclusion from Minimal Impact Status:

Due to the activities proposed under the Modification that would be located within the bounds of the Fannie Hill Mill and Company Town Historic District ("SR 1413"), MMD has reviewed the minimal impact status of the Permit under the obligations of NMAC 19.10.3.302.H. The definition of "minimal impact mining operation" as stated in NMAC 19.10.1.7.M(2) and 19.10.1.7.M(2)(c) reads in part:

"(2) …In making this determination, the Director shall, except as set forth in Subsection M, Paragraph 2, Subparagraph j of 19.10.1.7NMAC exclude from minimal impact status operations with any of these characteristics:
…(c) Located in an area with cultural resources listed on either the National Register of Historic Places or the State Register of Cultural Properties."

Based on this definition, MMD has determined that inclusion of exploration activities within SR 1413 excludes the Permit from minimal impact status as SR 1413 is listed on both the National Register of Historic Places and the State Register of Cultural Properties. Please note, the definition as written in NMAC 19.10.1.7.M(2)(c) does not include an exception for projects that are determined to have "no significant impact" by a cultural resource survey or a state agency review. Instead, the definition simply states that a project located in an area with listed cultural resources is no longer eligible for minimal impact status.

If Summa wishes to include exploration activities within SR 1413, namely Drill Pad 9 and proposed Staging Area C, MMD will require the submittal of a Part 4 Exploration Application. If Summa elects to drop the exploration activities within SR 1413 from the Permit, this should be clarified in the response to comments and MMD will maintain the minimal impact status of the Permit.

Summa Silver Response MMD Comment #3

We recognize MMD's determination regarding the ineligibility of minimal impact exploration activities within the boundaries of Historic District SR 1413 under the definition of a "minimal impact mining operation". In response, we will remove Drill Pad 9 (DP9) and formally withdraw Staging Area C from

the current Part 3 Permit Modification proposal. We recognize that the proposed activities within the historic district preclude the project from maintaining minimal impact status. We intend to revisit the DP9 and Staging Area C work plans under a future Part 4 Exploration Permit Application, which will include appropriate consultation and coordination with MMD and other relevant agencies.

The following table summarizes proposed updates to the CA027EM3 disturbance footprint in response to recent agency comments and revised work plans. The currently authorized disturbance area of 2.26 acres, as established in MMD's September 6, 2024, permit renewal approval, is reduced by 0.15 acres through the removal of Drill Pad 9 (DP9), Staging Area C, and Staging Area B. The proposed modification includes 0.50 acres of additional disturbance from improvements and new construction along the FS 4056O bypass road, resulting in a total projected disturbance of 2.61 acres under Modification 23-2.

Summary of Authorized, Removed, and Proposed Disturbance Areas – CA027EM-R3 Modification 23-2			
Currently Authorized CA027EM-R3 Permit Disturbance Area			**2.26 Acres**
Work Area Removals			
Work Area			**Acres**
Drill Pad 9 (DP9) Removal			-0.06
Staging Area C Removal			-0.04
Staging Area B Removal			-0.05
Total Work Area Acreage Removal			***-0.15***
FS 4056O Bypass Road Disturbance Calculations			
Segment 1- Road Improvement Disturbance	Length (ft)	Width (ft)	Acres (LxWx0.0000229)
	891.58	10	**0.20**
Segment 2 - New Road Disturbance	Length (ft)	Width (ft)	Acres (Derived from Kubla Cube Model)
	484.52	10	**0.30**
Total Bypass Road Acreage			***0.50 Acres***
Proposed CA027EM Modification 23-2 Final Disturbance Area Total			**2.61 Acres**

New Mexico Environment Department (NMED) Air Quality Bureau (AQB) Comments and Summa Silver Responses

NMED Comment #1

20.2.15 NMAC, Pumice, Mica and Perlite Processing. Including 20.2.15.110 NMAC, Other Particulate Control: "The owner or operator of pumice, mica or perlite process equipment shall not permit, cause, suffer or allow any material to be handled, transported, stored or disposed of or a building or road to be used, constructed, altered or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne."

Summa Silver Response to NMED Comment #1

No mining or processing is currently planned. Work will be conducted with exploration drilling rigs to prospect for gold and silver mineralization in volcanic rocks. All road and pad construction will be watered as appropriate to minimize particulates from becoming airborne through active use and construction.

NMED Comment #2

Paragraph (1) of Subsection A of 20.2.72.200 NMAC, Application for Construction, Modification, NSPS, and NESHAP - Permits and Revisions, states that air quality permits must be obtained by:

"Any person constructing a stationary source which has a potential emission rate greater than 10 pounds per hour or 25 tons per year of any regulated air contaminant for which there is a National or New Mexico Ambient Air Quality Standard. If the specified threshold in this subsection is exceeded for any one regulated air contaminant, all regulated air contaminants with National or New Mexico Ambient Air Quality Standards emitted are subject to permit review."

Further, Paragraph (3) of this subsection states that air quality permits must be obtained by:

"Any person constructing or modifying any source or installing any equipment which is subject to 20.2.77 NMAC, New Source Performance Standards, 20.2.78 NMAC, Emission Standards for Hazardous Air Pollutants, or any other New Mexico Air Quality Control Regulation which contains emission limitations for any regulated air contaminant."

Also, Paragraph (1) of Subsection A of 20.2.73.200 NMAC, Notice of Intent, states that:

"Any owner or operator intending to construct a new stationary source which has a potential emission rate greater than 10 tons per year of any regulated air contaminant or 1 ton per year of lead shall file a notice of intent with the department."

Summa Silver Response to NMED Comment #2

No stationary equipment or buildings will be constructed, and no stationary equipment on site will be used, as all equipment is mobile.

NMED Comment #3

Air emissions from this project should be evaluated to determine if an air quality permit is required pursuant to 20.2.72.200.A NMAC (e.g. 10 lb/hour or 25 TPY). Fugitive dust is a common problem at mining sites and this project will temporarily impact air quality as a result of these emissions. However, with the appropriate dust control measures in place, the increased levels should be minimal. Disturbed surface areas, within and adjacent to the project area, should be reclaimed to avoid long-term problems with erosion and fugitive dust. EPA's Compilation of Air Pollutant Emission Factors, AP-42, "Miscellaneous Sources" lists a variety of control strategies that can be included in a comprehensive facility dust control plan. A few possible control strategies are listed below:

Paved roads: covering of loads in trucks to eliminate truck spillage, paving of access areas to sites, vacuum sweeping, water flushing, and broom sweeping and flushing.

Material handling: wind speed reduction and wet suppression, including watering and application of surfactants (wet suppression should not confound track out problems).

Bulldozing: wet suppression of materials to "optimum moisture" for compaction.

Scraping: wet suppression of scraper travel routes.

Storage piles: enclosure or covering of piles, application of surfactants.

Miscellaneous fugitive dust sources: watering, application of surfactants or reduction of surface wind speed with windbreaks or source enclosures.

Summa Silver Response to NMED Comment #3

There will be no mining or establishment of permanent buildings/equipment. Activities will focus solely on exploration drilling and the development of roads/pads. Both roads and pads will be designed with a compact footprint, ensuring reduced earth disturbance. Once the work concludes, these areas will undergo reclamation. The above-listed fugitive dust control strategies will be implemented when and where practicable.

NMED Surface Water Quality Bureau (SWQB) Comments and Summa Silver Responses

SWQB Comment #1

Mine activities may affect Surface Waters of the State as defined in 20.6.4.7 NMAC, which includes ephemeral arroyos within the mining operations and are subject to 20.6.4.98 NMAC. General Criteria at 20.6.4.13 NMAC, established to sustain and protect existing or attainable uses of surface waters of the State, apply to all surface waters of the state at all times. Surface waters of the state shall be free of any water contaminant in such quantity and of such duration as may with reasonable probability injure human health, animal or plant life or property, or unreasonably interfere with the public welfare or the use of property (20.6.4.13 NMAC). Operations must ensure protection of surface waters of the State. Mine exploration activities that have the potential to contribute pollutants to waters of the state must be implemented with appropriate and reasonable Best Management Practices (BMPs) in order to prevent impacts to water quality. Any discharge of a water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property, must be reported to the Environment Department within twenty-four hours (20.6.2.1203 NMAC).

Summa Silver Response to SWQB Comment #1

Our planned operations and current permit stipulations incorporate the necessary precautions to protect the Surface Waters of the State, as defined in 20.6.4.7 NMAC, which includes adherence to our Stormwater Pollution Prevention Plan (SWPPP) under our active National Pollutant Discharge Elimination System (NPDES) Multisector General Permit (MSGP). We are confident that our existing permit stipulations and successive mitigation measures satisfy the protection criteria outlined in 20.6.4.13 NMAC. Our team is well-trained and knowledgeable in these regulations, ensuring that all our activities are conducted in accordance with the prescribed guidelines.

SWQB Comment #2

The Applicant is required to report all spills immediately to the NMED as required by the New Mexico Water Quality Control Commission regulations (20.6.2.1203 NMAC).

Summa Silver Response to SWQB Comment #2

All spills will be reported immediately to the NMED.

SWQB Comment #3

Appropriate and reasonable BMPs include, but are not limited to, the following:

A. Summa Silver, the operator, currently has National Pollutant Discharge Elimination System (NPDES) Multisector General Permit (MSGP) coverage under master permit number NMR050000. The Mogollon Minimal Impact Exploration Operation has NPDES MSGP permit coverage NMR05J07f with an effective date of November 11, 2023. The operator should update the required Stormwater Pollution Prevention Plan (SWPPP) for the project area to include the newly constructed road and five (5) staging areas, indicating any applicable changes in sector, stormwater monitoring, stormwater controls or BMPs as required by the NPDES permit.

B. Spill clean-up materials such as absorbent pads must be available on-site at all times during road construction, site preparations, and drilling activities to address potential spills.

C. Fuel, oil, hydraulic fluid, lubricants, and other petrochemicals must have a secondary containment system to prevent spills. Store these materials outside of the flood-prone zone.

D. Pressure wash and/or steam clean all mobile equipment used in the project area before the start of the project and inspect daily for leaks. A written log of inspections and maintenance should be completed.

E. The site selection, design, and construction of staging areas and roads should comply with the guidelines described in the Bureau of Land Management "Gold Book" 1. Suspend construction, maintenance activities, or off-road travel during periods when the soil is too wet to adequately support heavy equipment without causing surface disturbance. The operator should commit to repair any surface disturbance they caused.

F. Implement Best Management Practices to prevent direct impacts to watercourses, including springs, wetlands, and arroyos. For temporary surface disturbances during exploration and reclamation activities, the operator should implement erosion control measures that are designed, constructed and maintained using professionally recognized standards (e.g., Natural Resource Conservation Service standards or the Bureau of Land Management "Gold Book").

G. Provide a minimum 100-foot setback from existing drainages to roads and staging areas.

Summa Silver Response to SWQB Comment #3

The Stormwater Pollution Prevention Plan (SWPPP) for the project area has been updated to reflect the proposed bypass road and five designated staging areas. The revised SWPPP addresses sector applicability, stormwater monitoring requirements, and stormwater controls and BMPs consistent with MSGP conditions. With respect to items B through G, these BMPs are addressed in the current SWPPP as part of routine compliance with MSGP requirements:

I. Spill response materials (e.g., absorbent pads) are stored on-site during construction and drilling operations (Item B).
II. Secondary containment measures are in place for all fuel, lubricants, and hazardous materials, which are stored outside of flood-prone areas (Item C).

III. Daily equipment inspections and maintenance logs are maintained, and equipment is cleaned before site mobilization to reduce fluid leaks and contamination risks (Item D).

IV. Staging area and road construction follows guidance provided in the Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development (the "Gold Book") and incorporates feasible mitigation measures during saturated soil conditions, including track walking or use of construction mats to reduce surface disturbance, limiting equipment access to low-ground-pressure vehicles, and implementing surface water control practices to manage runoff and prevent further saturation. We are committed to repairing any surface disturbance in accordance with permit reclamation obligations (Item E).

V. Erosion and sediment control practices are implemented using recognized standards, including those from the NRCS and BLM, to avoid impacts to nearby water resources and to stabilize temporary disturbances during and after exploration activities (Item F).

VI. A 100-foot minimum setback is maintained from all defined drainages in the siting of roads and staging areas (Item G).

NMED Mining Environmental Compliance Section (MECS) Comments and Summa Silver Responses

MECS did not issue any comments.

New Mexico Department of Game and Fish (NMDGF) Comments and Summa Silver Responses

NMDGF Comment #1

The Department recommends that during new road and staging area construction, large, mature trees are left undisturbed to the maximum extent feasible. Tree species to protect include alligator juniper (Juniperus deppeana), Gambel oak (Quercus gambelii), piñon pine (Pinus edulis), and ponderosa pine (Pinus ponderosa).

Summa Silver Response to NMDGF Comment #1

We acknowledge the Department's recommendation regarding the preservation of mature trees during new road and staging area construction. To the maximum extent feasible, large individuals of alligator juniper (*Juniperus deppeana*), Gambel oak (*Quercus gambelii*), piñon pine (*Pinus edulis*), and ponderosa pine (*Pinus ponderosa*) will be avoided during site layout and clearing activities. Field crews will be instructed to adjust road and staging area alignments in the field, where practicable and within the permitted limits of proposed operations, to minimize impacts on these species.

NMDGF Comment #2

Staff from the Department, MMD, New Mexico Environment Department, U.S. Forest Service, and Summa Silver conducted a site inspection on 13 March 2025. During the site inspection, Summa Silver confirmed that all road and staging area development would be conducted outside of the migratory bird and Mexican spotted owl (Strix occidentalis lucida) breeding season (1 March-31 August).

Summa Silver Response to NMDGF Comment #2

Summa Silver remains committed to maintaining the integrity of local ecology. Presently, we do not intend to operate during the seasonal closure. If future considerations warrant activities during this period, we will engage with the USFWS and submit a permit modification, including an MSO Mitigation

Management Plan based on the best available science and agency-recommended best management practices. We anticipate and respect that the current seasonal restrictions and related buffer distances (i.e., 0.5 miles) from nest sites will be a stipulation of future permit modifications and renewals, as it has been in the past.

New Mexico Energy, Minerals, and Natural Resources Department Forestry Division (Forestry) Comments and Summa Silver Responses

Forestry Comment #1

Thank you for the opportunity to comment on the proposed project modification. Based on the modification application, I do not anticipate any impacts to New Mexico State or Federally listed plants as a result of this project. If any state-listed endangered plants are found within the project site, an incidental take permit will be required if plants are likely to be destroyed or harmed. Alternatively, mitigation measures should be developed to minimize disturbance.

Summa Silver Response to Forestry Comment #1

We appreciate the Forestry Division's review and confirmation that no impacts to New Mexico State or Federally listed plant species are anticipated as a result of the proposed modification. We acknowledge the requirement to obtain an incidental take permit should any state-listed endangered plant species be identified within the project area and at risk of harm. In such a case, we will coordinate promptly with NMEMNRD to either pursue the necessary permitting or implement appropriate mitigation measures to avoid or minimize disturbance in accordance with state guidelines.

U.S. Forest Service (USFS) Gila National Forest Glenwood Ranger District

USFS Comment #1

I acknowledge the activities to stage a water tender along with running a water pump to transport water from a pullout along the south side of National Forest System (NFS) road 4056 M, as well as, running an above-ground hose lay to transport water from the pullout across 200ft of NFS land on the Glenwood Ranger District of the Gila National Forest to private patented land. The current request complies with Forest Service policies and regulation under 36 CFR 228 Subpart A, for a Notice of Intent, and as described will not likely cause a significant disturbance of surface resources. However, we request that you follow the Mexican Spotted Owl (MSO) guidelines for time restrictions as recent surveys have documented Mexican Spotted Owls near the project site. The guidelines do not allow for any disturbance from March 1 thru August 31 during the MSO breeding season. We also ask that fuel cans not be staged on site to prevent the public from damaging and possibly draining cans on site. Any additional activity on Forest Service Lands outside the scope of your request are not acknowledged and may require a Plan of Operation.

Summa Silver Response to USFS Comment #1

We appreciate the Forest Service's review and concurrence that the proposed use of a water tender and above-ground hose lay across NFS lands complies with 36 CFR 228 Subpart A and does not constitute a significant disturbance of surface resources. We further acknowledge the requirement to adhere to Mexican Spotted Owl (MSO) seasonal timing restrictions and will ensure that no water transfer or associated activities occur between March 1 and August 31 in compliance with established MSO

guidelines. Additionally, we will ensure that fuel cans are not staged on site to avoid public interference or potential environmental hazards. Any future activity on Forest Service lands outside the scope of this Notice of Intent will be submitted for review and authorization under the appropriate permitting process, including a Plan of Operation if required.

New Mexico Department of Cultural Affairs - Historic Preservation Division (NMDCA/HPD) Comments and Summa Silver Responses

NMDCA/HPD Comment #1

Six historic properties are identified as being within the proposed Area of Potential Effect (APE), one site, LA 162584, was not relocated within the APE. Two sites and one historic structure were previously determined Not Eligible to the NRHP—LA 198307 and LA 198308 (HPD Log 114938,3/18/2021 and 4/13/2021, respectively) and HCPI 38345 (Not Eligible; HPD Log 119915, 6/21/2023). Two historic properties, LA 181471, the Last Chance Mine, and SR 1413, the Fannie Hill Mill and Company Town Historic District are eligible to be listed and/or are listed in the State Register of Cultural Properties (SR) and/or the National Register of Historic Places (SR 1413). The SHPO has determined the proposed project will have no adverse effect on historic properties provided the following conditions are met:

A. LA 181471—the proposed staging area (Staging Area B) must be confined to the existing road disturbance area. All travel within the site boundary will be within the existing roadbed—there are to be no improvements to the road.
B. SR 1413—the proposed staging area (Staging Area C) must be confined to the existing road prism. There can be no future construction or ground-disturbing activity within the boundary of SR 1413, nor within the visual APE without further consultation with the SHPO. All road travel must be restricted to the existing roadbed.
C. The SHPO recommends putting up orange fencing at LA 181471 and SR 1413 to prevent accidental disturbance outside of approved areas.
D. Additional work in the area of LA 181471 and SR 1413 will need to be approved by the SHPO to ensure there are no adverse effects to the visual APE.

Summa Silver Response to NMDCA/HPD Comment #1

We appreciate NMDCA/HPD's review. As previously addressed in this memo, items A through C will be satisfied by removing Staging Areas B and C from the proposed modification, removing Drill Pad 9 (DP9) to avoid impacts within SR 1413, limiting all activity within LA 181471 to the existing roadbed, and committing to install temporary fencing at LA 181471 to prevent inadvertent disturbance outside the approved area.

Regarding item D, we understand that any additional work proposed within or adjacent to LA 181471 or SR 1413, particularly activities that may affect the visual Area of Potential Effect (APE), will require prior consultation with the SHPO to ensure continued compliance with Section 106 and to avoid adverse effects to these historic properties. We will coordinate with MMD and SHPO in advance of any future modifications that may intersect these areas.

NMDCA/HPD Comment #2

Based on the information provided, the project area includes lands managed by the Forest Service. Per 19.10.3.303.H NMAC, "If the permit area includes state or federally-owned lands, no permit will be issued unless the appropriate land management agency has approved or acknowledged the proposed operation, if such approval or acknowledgment is required by the agency's rules". The SHPO recommends contacting the Forest Service for comment.

Summa Silver Response to NMDCA/HPD Comment #2

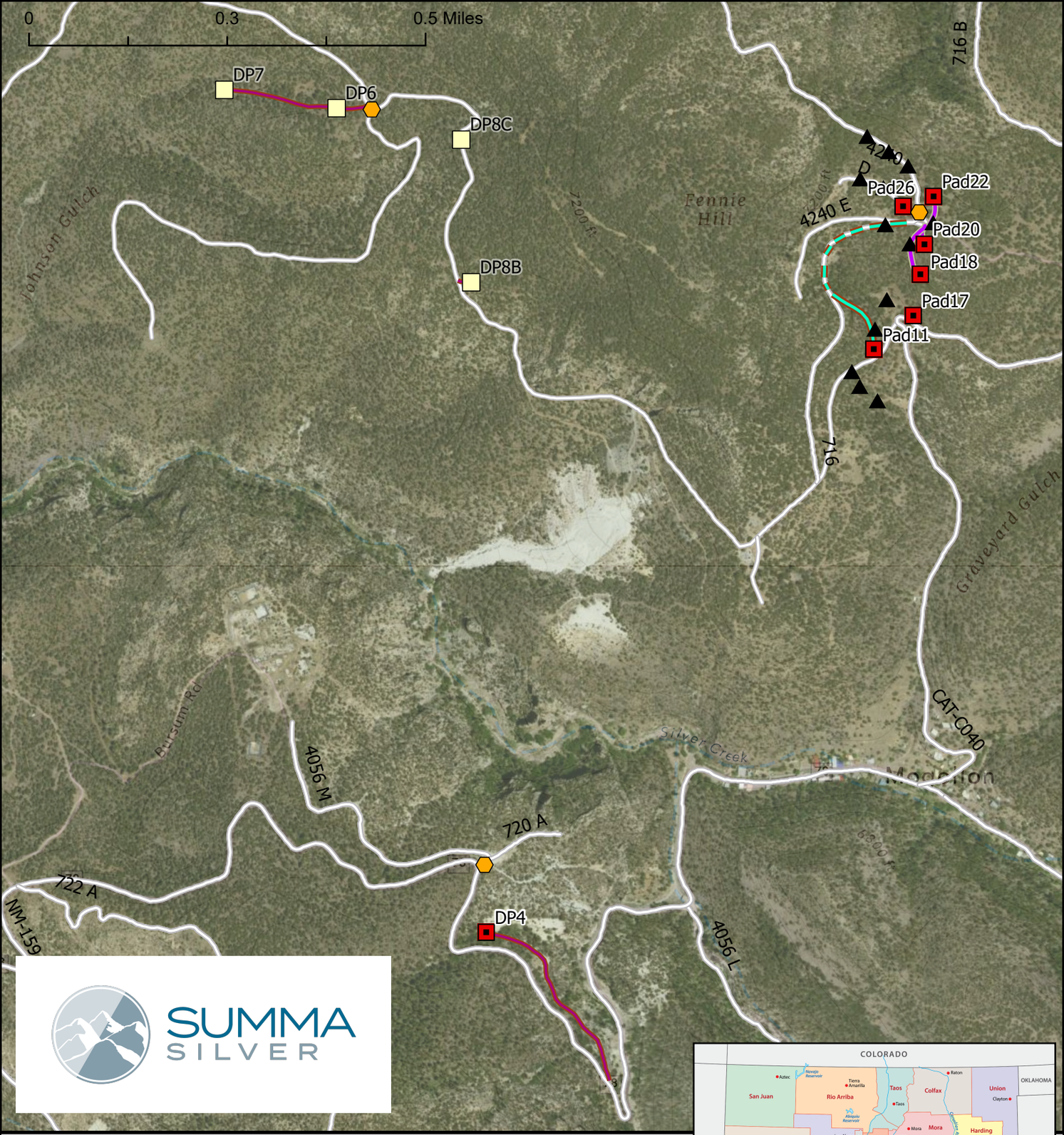
As required under 19.10.3.303.H NMAC, we have coordinated with the Gila National Forest, and the Forest Service has formally acknowledged that the proposed operations comply with Forest Service Notice of Intent policies and regulations under 36 CFR 228 Subpart A.

NMDCA/HPD Comment #3

Please have WestLand Resources upload the LA forms to NMCRIS. The survey shapefiles in NMCRIS do not match the NIAF, please correct the shapefiles to reflect what is in the NIAF.

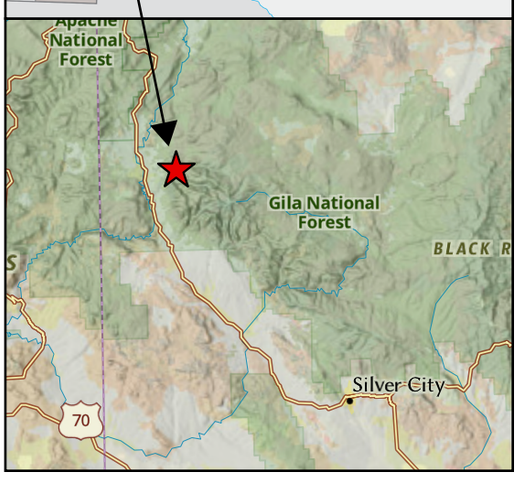
Summa Silver Response to NMDCA/HPD Comment #3

We have contacted WestLand and requested that they upload the appropriate LA forms to NMCRIS.



SUMMA SILVER

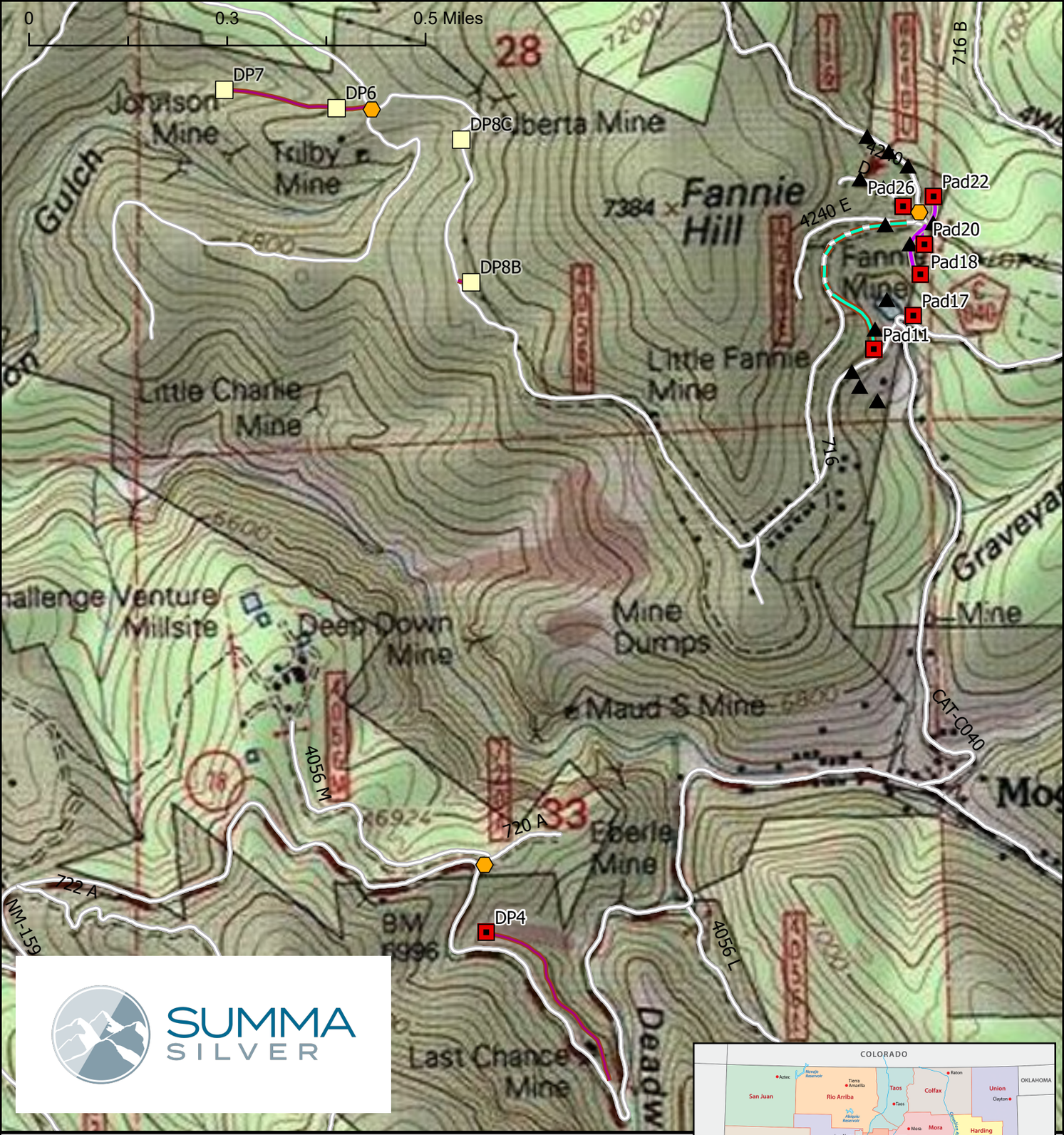
Mogollon Project
Ares of Operations
Project Area Overview Map



- Modification 23-2 Staging Areas
- Modification 23-1 Permitted Work Sites
- 2021-2025 Active Work Sites
- 2021-2025 Permited Work Sites
- Modification 23-2 Proposed Bypass Road
- Modification 23-1 Permitted Improvement Access
- 2021-2022 Built Improvement Access
- Existing Access Roads

N

PERMIT AREA: Defined in Section 3 of Permit No. CA027EM and/or its approved modifications. This map illustrates general representative aspects of the permit area as described in Permit No. CA027EM and/or its approved modifications.



SUMMA SILVER

Mogollon Project
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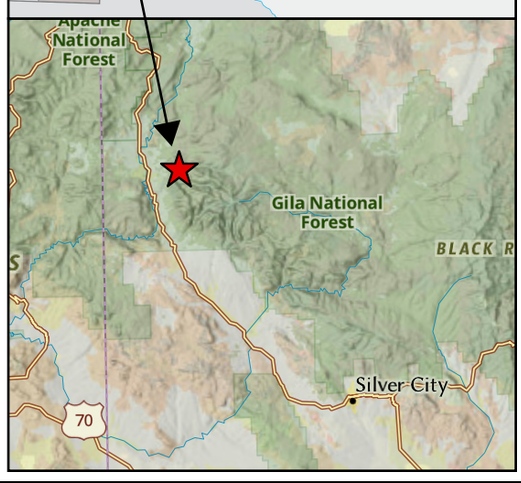

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Kubla Cubed Road Prism Modeling and Volume Estimate Report

Produced by Kubla Cubed 2024 (7.3)
Creation Date: 26 Jul 2025 (11:53:09)

Kubla Cubed Input Data Overview

This Input Data Overview serves as a data-check sheet, listing the geometry that underpins the earthwork model. It shows that the existing 1-meter/pixel LiDAR feature surface spans 21,344 m² within a 587 m perimeter, is built from 21,896 elevation points, and ranges in height from 2,115.62 m to 2,165.94 m, with an average ground slope of ≈ 31 % (≈17°) and a downslope aspect of ≈349° (north-north-west). For the new bypass segment, it lists a 147.67 m (484.48 feet) long centre-line set to a 3.05 m (ten-foot) running width, operating in cut-and-fill mode with side slopes of 1 V : 1.5 H on the cut side and 1 V : 1.5 H on the fill side, and ground elevations between 2,125.22 m and 2,150.95 m resulting in a ≈17% (≈10°) path gradient.

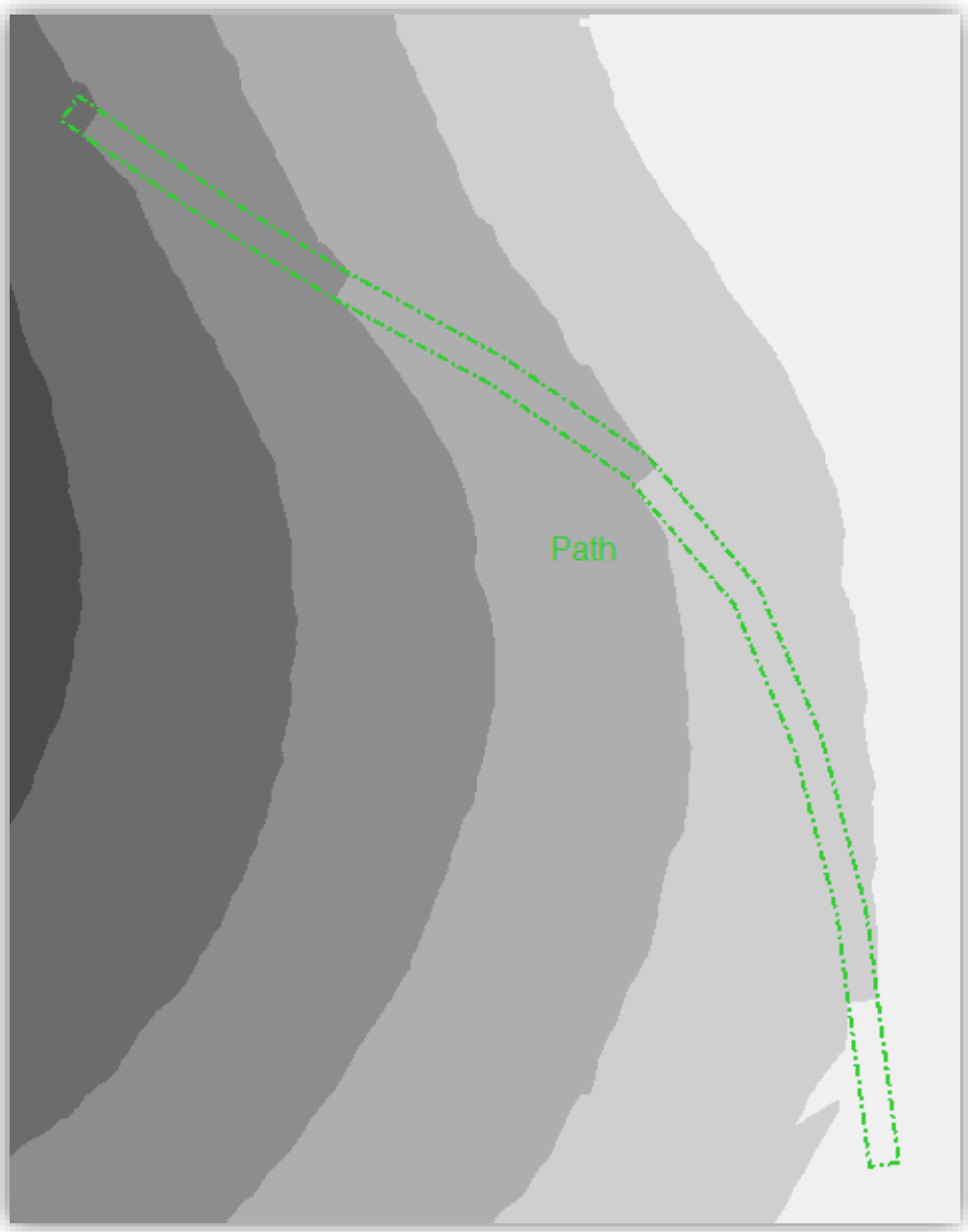
Notes on Areas: The boundary areas and boundary perimeters in this report relate to the element boundary lines that have been input by the user. They will often differ considerably from the areas in the earthwork estimation report, which are calculated from the earthwork area of disturbance.

Existing Surface

Elevation Elements

Features	
Type	Existing Feature Surface
Level Range	2,115.62m to 2,165.94m
Feature Count	21,896 Points, and 1 Outline
Boundary 2D Area	21,344.24m²
Boundary 2D Perimeter	586.52m

Proposed Bypass Road Segment



Elevation Elements

Path	
Type	Proposed Path Element
Level Range	2,125.22m to 2,150.95m
Width	3.05m (10 feet)
Mode	Cut and Fill
Side Slopes	1:1.5(Fill), 1:1.5(Cut)
Centre Line 2D Length	147.67m (484.48 feet)

Kubla Cubed Output Calculations

This report contains the estimation output calculated by the program. Calculations confirm that the site's LiDAR surface spans elevations from 2,115 m to 2,166 m and averages 2,138 m, capturing roughly 50 m of vertical relief across the full model. Within the 0.25-acre road corridor disturbance footprint, ground elevations range from 2,124.6 m to 2,151.8 m and average 2,136.3 m. Applying the design slopes (cut 1 V : 1.5 H, fill 1 V : 1.5 H) produces shallow earthworks: cuts average 0.31 m and peak at 1.00 m, fills average 0.30 m and peak at 0.97 m, covering 0.133 acre and 0.132 acre respectively, or **0.303 acres in total plan disturbance area**. These depths translate to 168 m³ of excavation and 162 m³ of embankment, leaving a modest surplus of about 6 m³ that can be shaped within the disclosed footprint. Together, these figures demonstrate that the design remains within the permitted corridor, quantify the material movements, and show that no off-site borrow is required; the slight excess can be spread as a thin top-dress on the finished running surface or stockpiled for later reclamation.

Notes on Areas: 2D and 3D areas in this report relate to the proposed footprint (sometimes referred to as the area of disturbance). For the area and perimeter of the element boundaries, please refer to the input data report. The 2D areas reported are the same as if measured from a paper plan. The 3D areas take into account the surface area of the topography and therefore will always be the same or larger than the 2D areas.

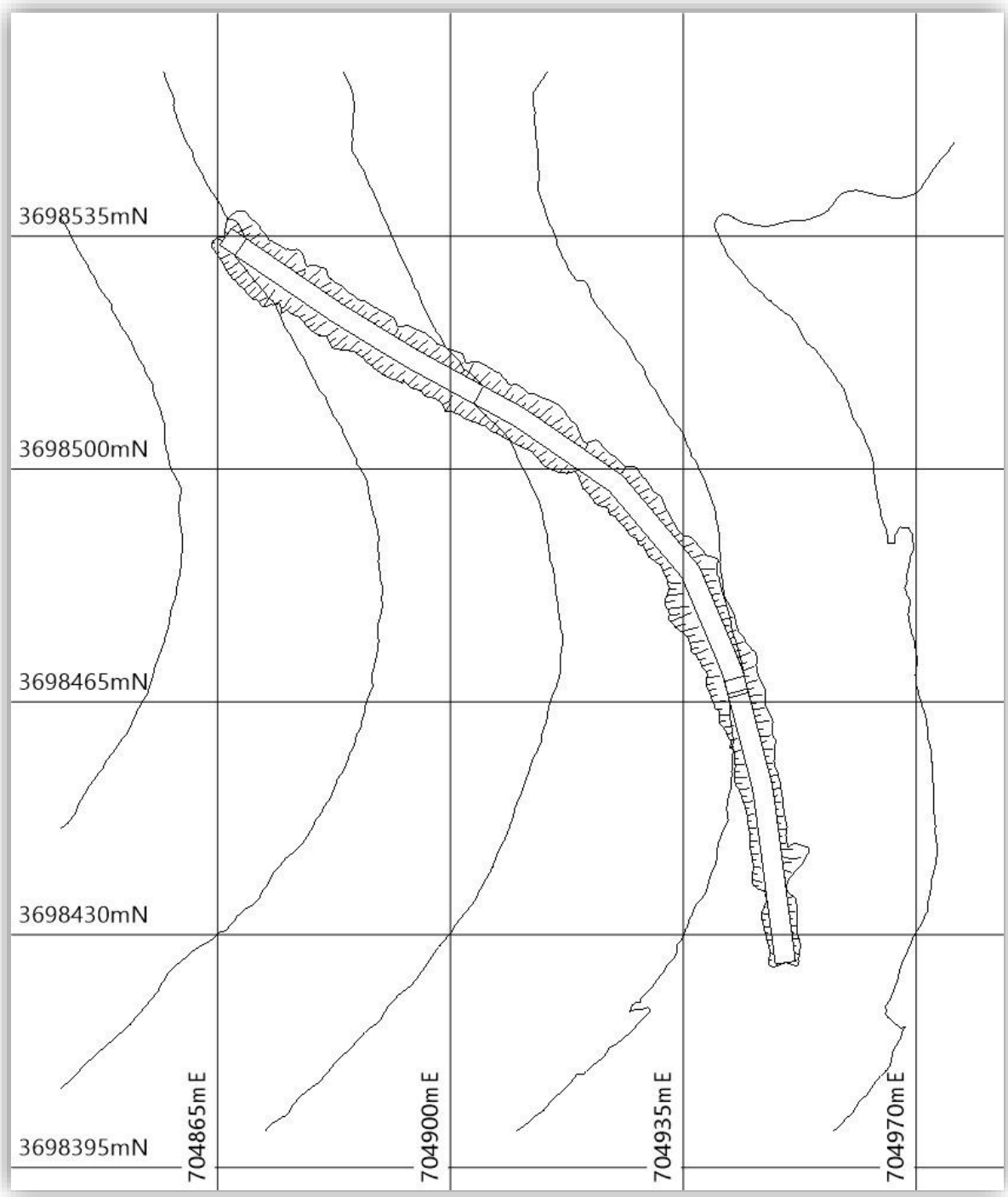
Existing Surface

Ground Level Elevations

Min. Level*	2,115.62m
Max. Level*	2,165.94m
Average Level*	2,138.08m

* For entire site area

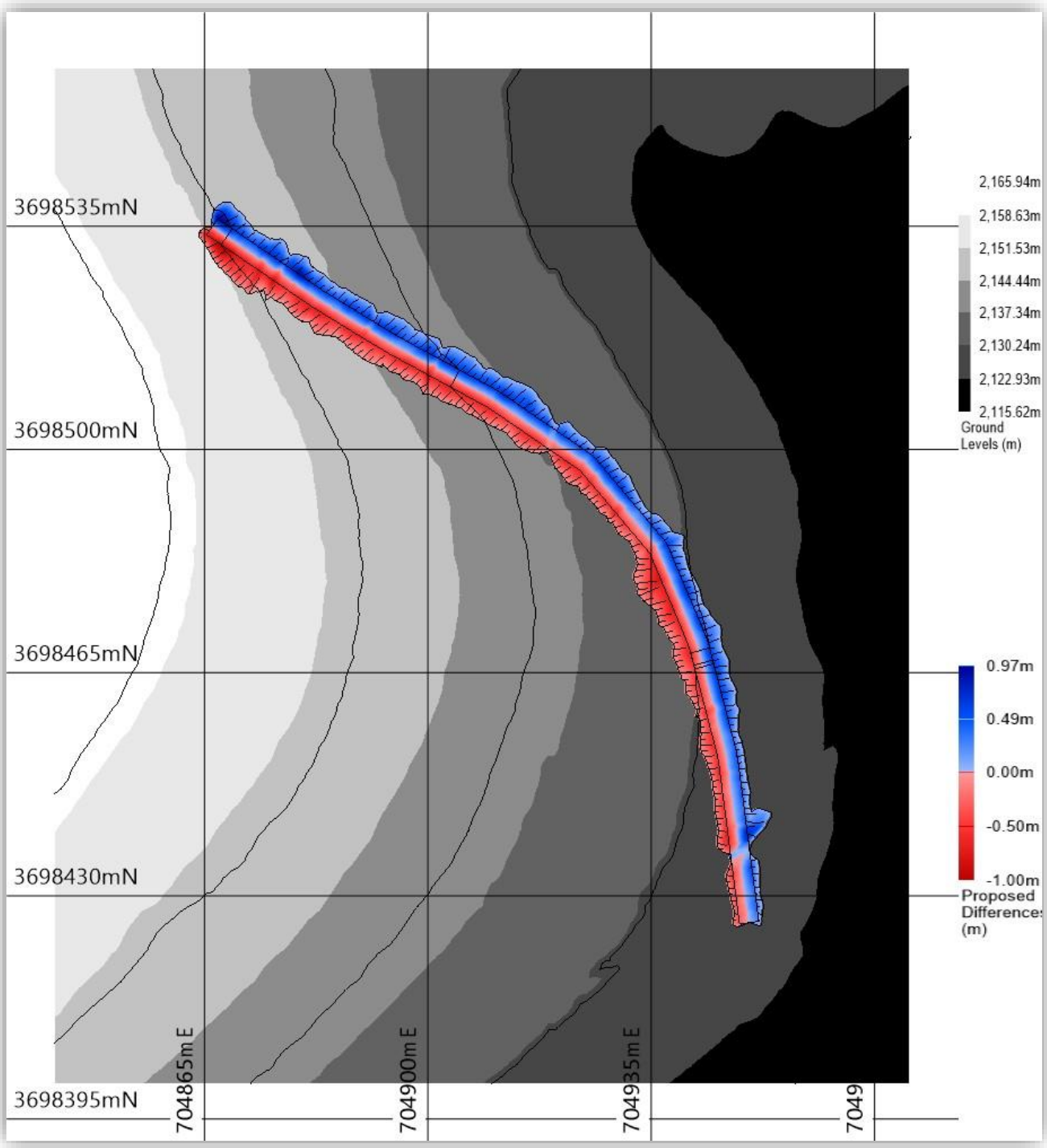
Disturbed Surface
Ground Level Elevations



Min. Level*	2,124.57m
Max. Level*	2,151.77m
Average Level*	2,136.30m

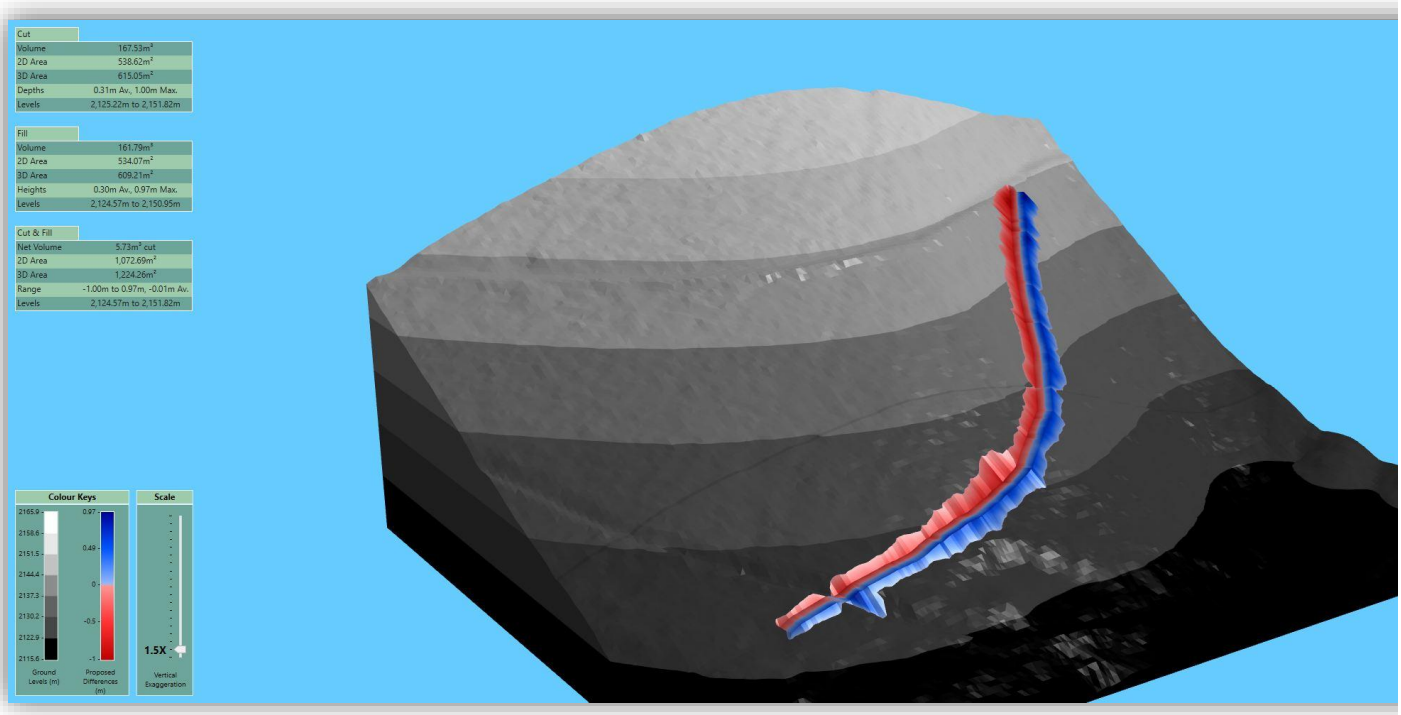
* For disturbance area only

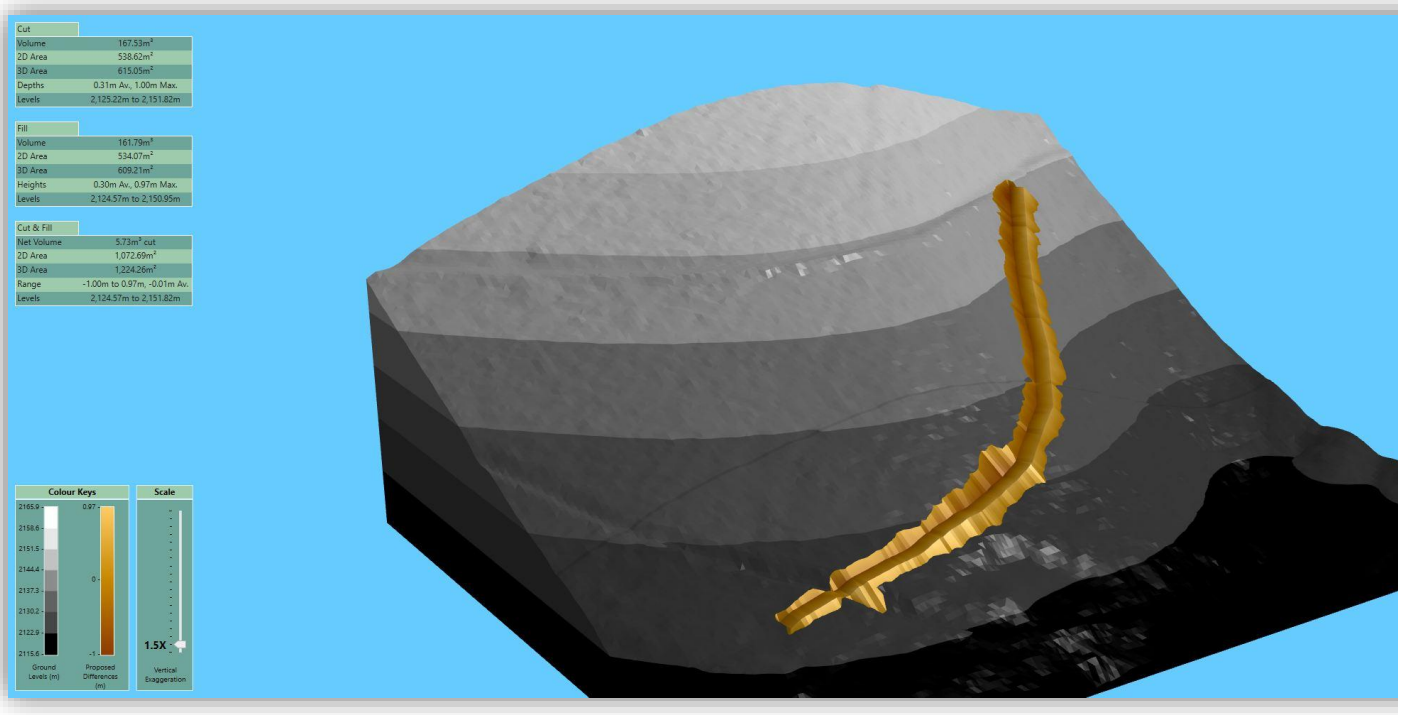
Proposed Bypass Road Segment



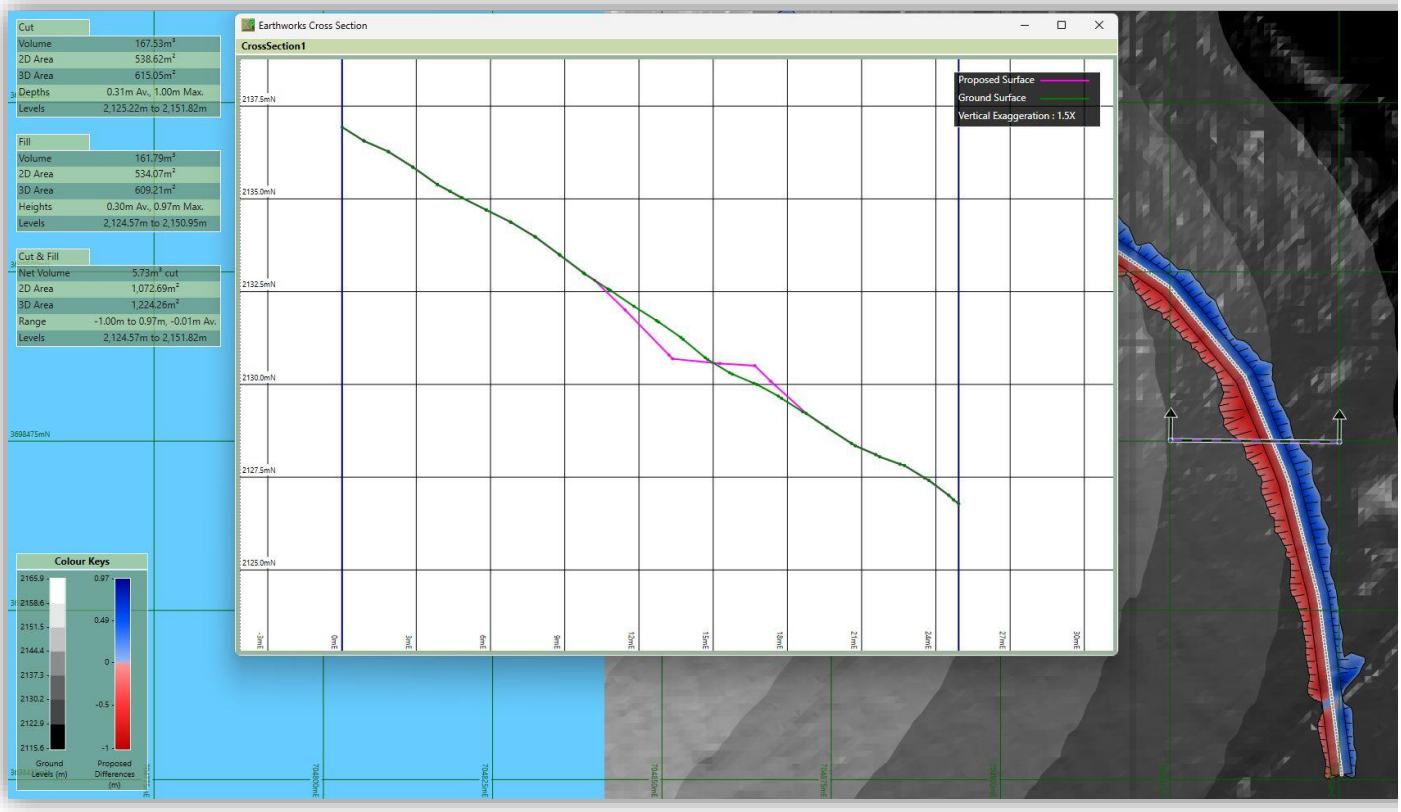
Cut-Fill Calculations

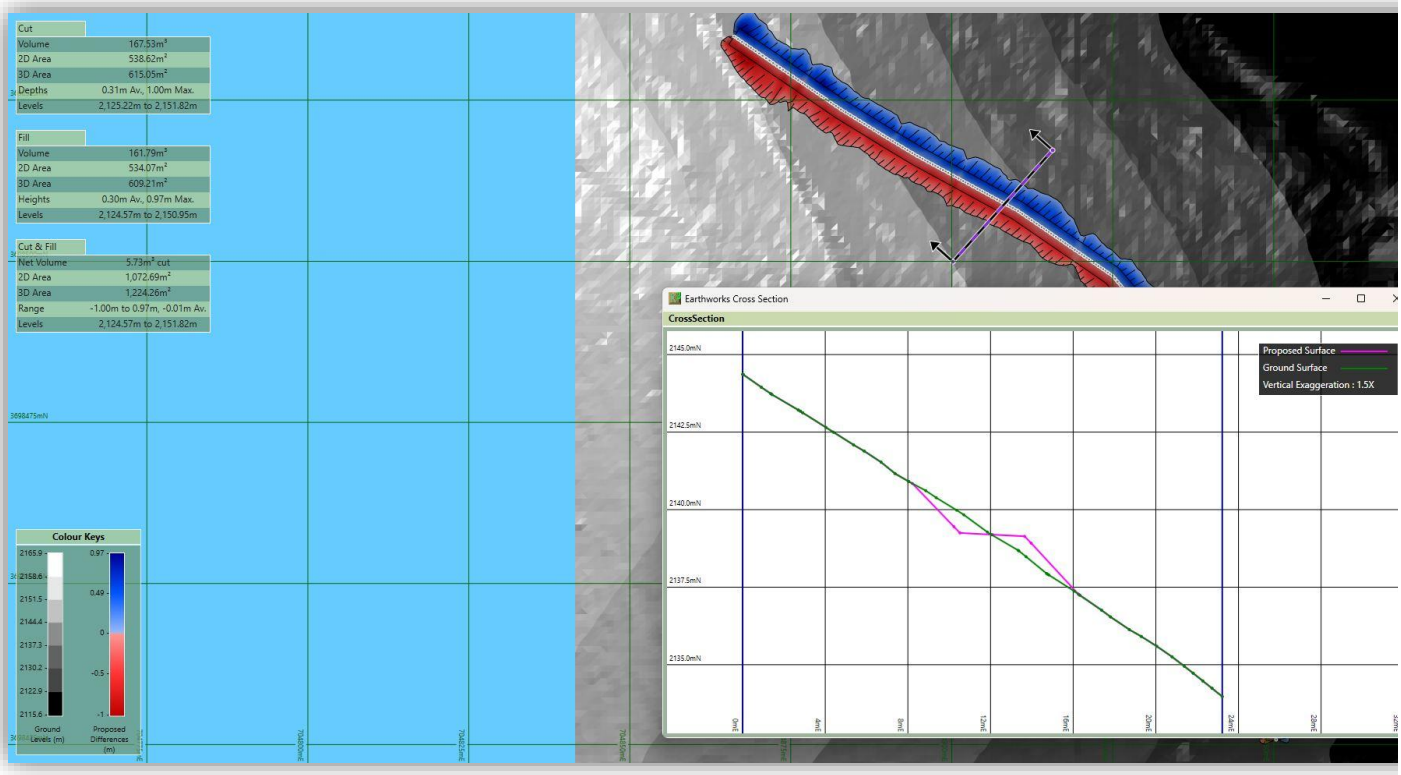
	CUT	FILL	CUT & FILL
Range	0.31m Av, 1.00m max	0.30m Av, 0.97m max	1.00m cut to 0.97m fill
Levels	2,125.22m to 2,151.82m	2,124.57m to 2,150.95m	2,124.57m to 2,151.82m
2D Area	538.62m² (0.133 acres)	534.07m² (0.132 acres)	1,072.69m² (0.265 acres)
3D Area	**615.05m² (0.152 acres)**	**609.21m² (0.150 acres)**	**1,224.26m² (0.303 acres)**
Volume	167.53m³	161.79m³	-5.73m³ net cut





Three-dimensional renditions of the proposed cut-and-fill road segment volumes (top) and final road segment topography (bottom).

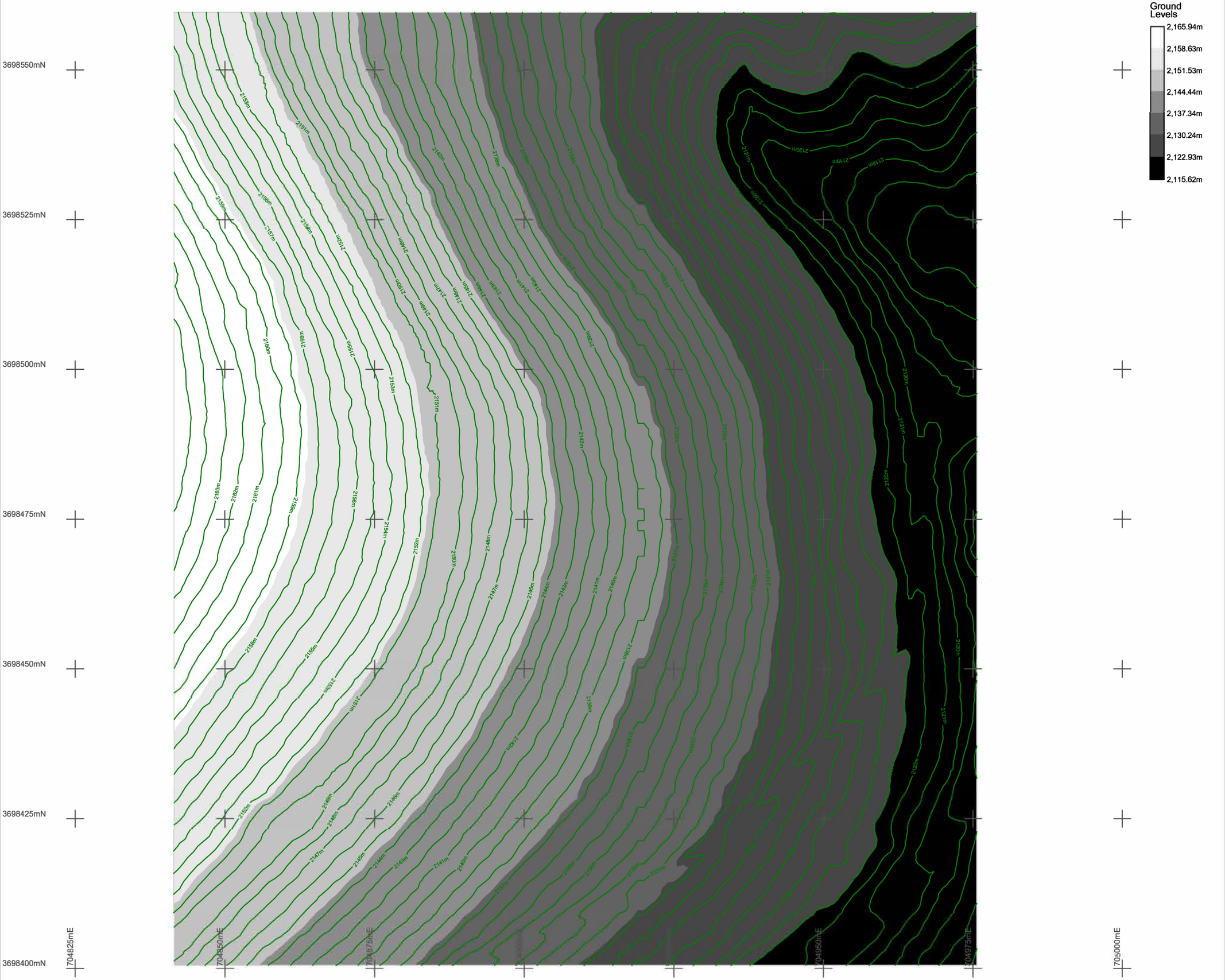




Cross-section renditions of the proposed cut-and-fill road segment volumes

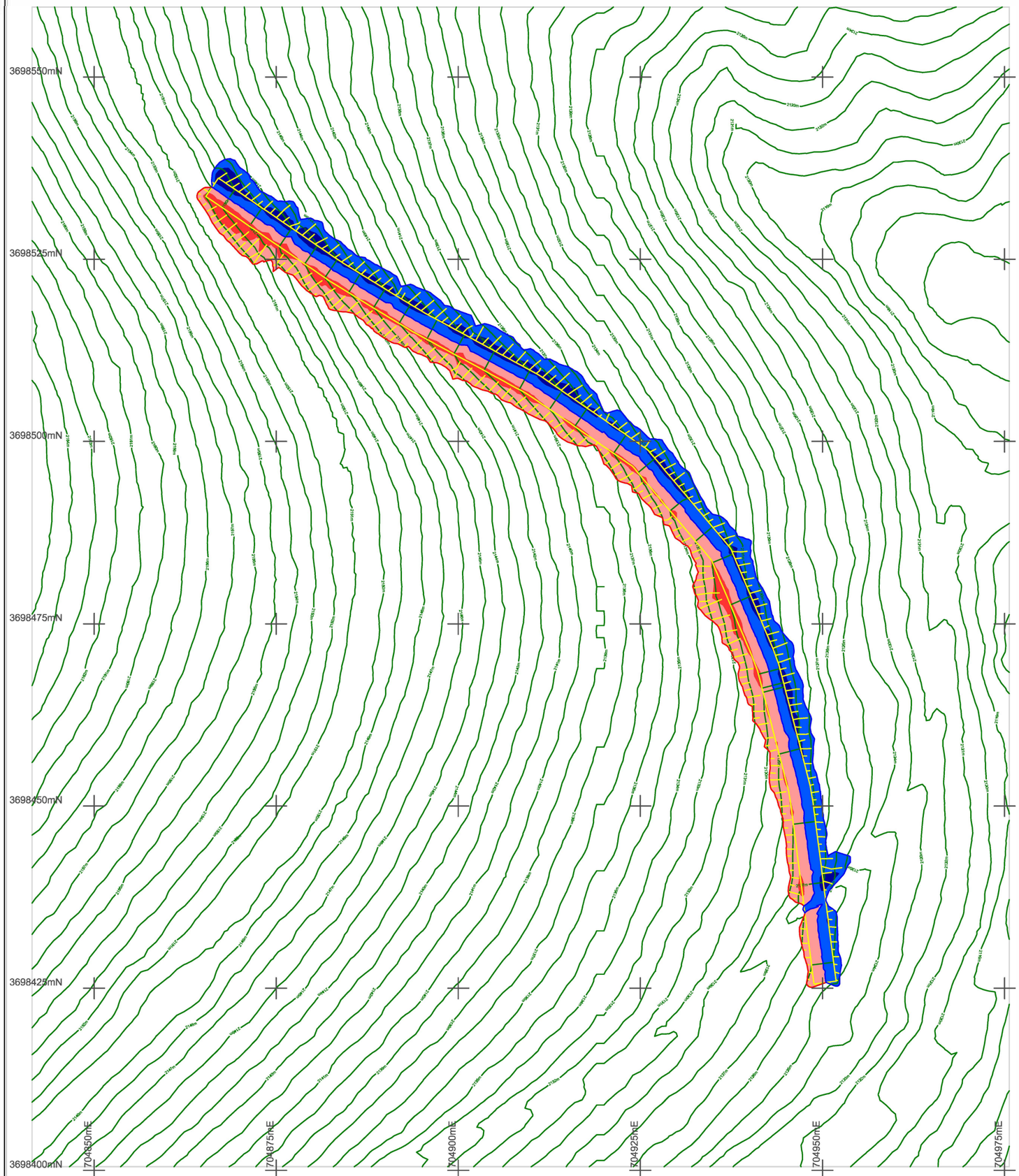
Proposed Bypass Road Segment Drawing Plans

Produced by Kubla Cubed 2024 (7.3)
Creation Date: 26 Jul 2025 (11:53:09)



Notes

Project	MOG_Bypass_Road_Dist
Sheet	Existing
Date	27 July 2025
Scale	1:600
Sheet	1 of 3



Ground Levels

- 2,165.94m
- 2,158.63m
- 2,151.53m
- 2,144.44m
- 2,137.34m
- 2,130.24m
- 2,122.93m
- 2,115.62m

Proposed Differences

- 0.97m
- 0.49m
- 0.00m
- -0.50m
- -1.00m

ALL EARTHWORKS

	Cut	Fill	Cut & Fill
Range	0.31m Av, 1.00m max	0.30m Av, 0.97m max	1.00m cut to 0.97m fill
Levels	2,125.22m to 2,151.82m	2,124.57m to 2,150.95m	2,124.57m to 2,151.82m
2D Area	538.62m²	534.07m²	1,072.69m²
3D Area	615.05m²	609.21m²	1,224.26m²
Volume	167.53m³	161.79m³	5.73m³ net cut

Notes

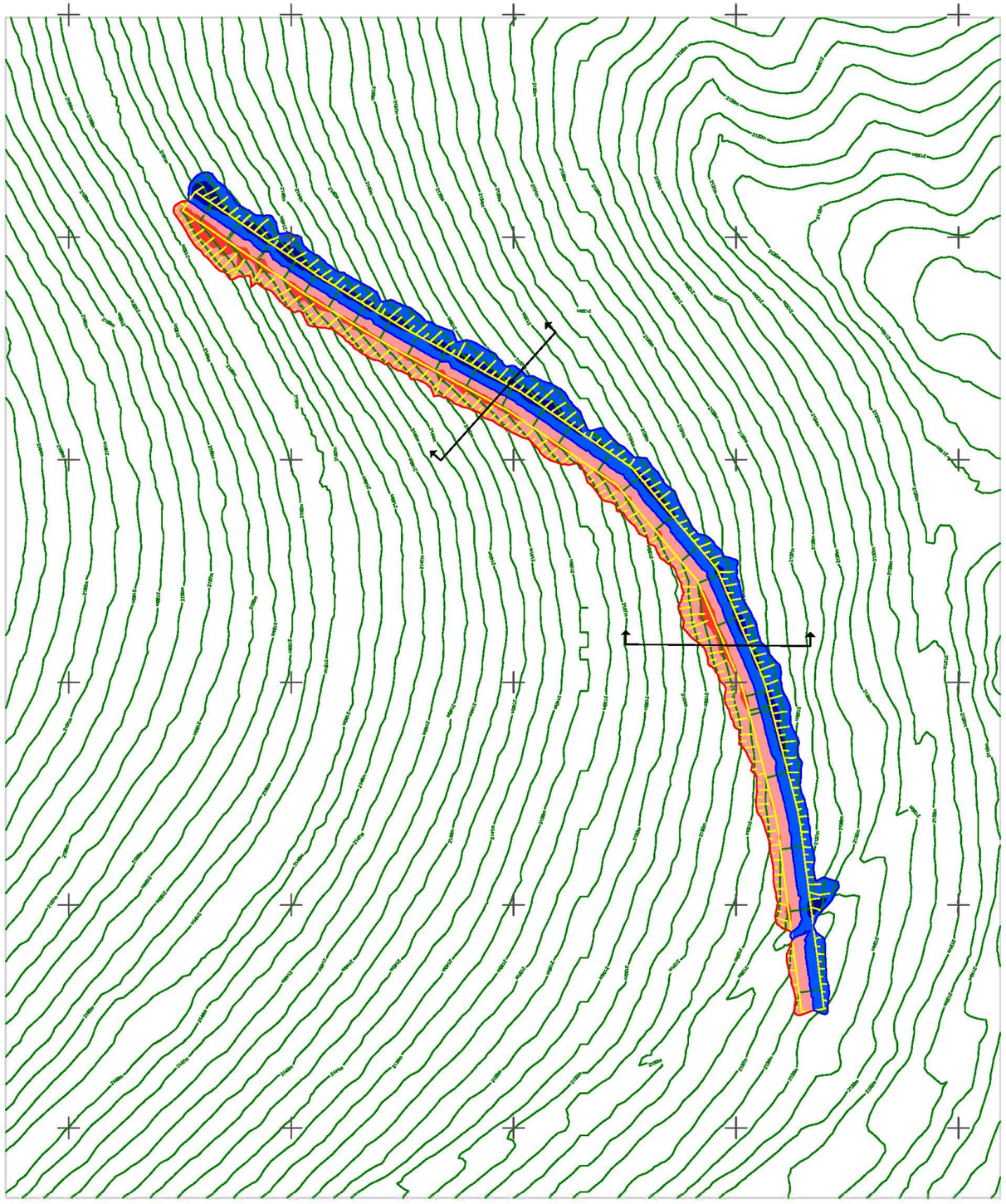
Project
MOG_Bypass_Road_Dist

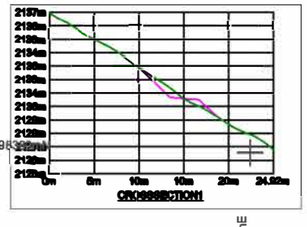
Sheet
Proposed 1 - Road

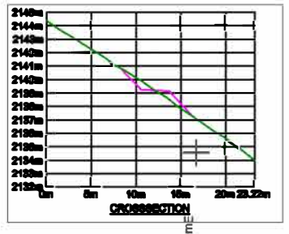
Date
27 July 2025

Scale
1:600

Sheet
3 of 3







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3698380mN

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704880mE
704910mE
704940mE
704970mE
705000mE

Notes

Project
MOG_Bypass_Road_Dist

Sheet
Proposed 1 - Road
Cross Sections

Date
27 July 2025

Scale
1:700
Vertically Exaggerated X1.5

Sheet
2 of 3