



M-2017-049 / Transit Mix Concrete Co. Motion to Amend Witness List

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Wed, Apr 11, 2018 at 1:45 PM

To: "drms.temp@state.co.us" <drms.temp@state.co.us>

Cc: "Anderson, Scot W." <scot.anderson@hoganlovells.com>, "Titus, Elizabeth H. \Liz\" <liz.titus@hoganlovells.com>

Attached please find Transit Mix Concrete Co.'s Motion to Amend Witness List for filing, pursuant to the Mined Land Reclamation Board Order dated March 19, 2018.

Thank you.

Aaron O'Connell

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BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF TRANSIT MIX CONCRETE COMPANY
FOR A 112 CONSTRUCTION MATERIALS RECLAMATION PERMIT,
File No. M-2017-049

MOTION TO AMEND WITNESS LIST

Transit Mix Concrete Co. ("Transit Mix"), by and through the undersigned counsel, hereby requests that the Colorado Mined Land Reclamation Board allow Transit Mix leave to amend its Witness List to include Phillip Courtney, Solid Minerals Leasing Manager for the Colorado State Board of Land Commissioners (the "State Land Board").

Mr. Courtney will provide helpful background to the Mined Land Reclamation Board and other parties related to matters included in his letter to the Division of Reclamation Mining and Safety dated December 11, 2017, including the role of the State Land Board, the State's leasing of minerals, and the potential royalties generated by the proposed Hitch Rack Ranch Quarry.

No parties will be prejudiced by the addition of Mr. Courtney to the Amended Witness List of Transit Mix. This motion is timely filed and within the period during which parties may serve initial lists of witnesses for the pending hearing. The parties will thus have ample time to prepare for his testimony at the hearing on this matter.

Respectfully submitted,


/s/ Elizabeth H. Titus

John W. Cook (#9670)

Scot W. Anderson (#17395)

Elizabeth H. Titus (#38070)

*Attorneys for Applicant Transit Mix Concrete
Co.*

TRANSIT MIX CONCRETE CO. AMENDED WITNESS LIST

PERMIT NUMBER: M-2017-049

CAPTION: Transit Mix Concrete Co. Hitch Rack Ranch Quarry Application, Received October 5, 2017

HEARING DATE: April 25-26, 2018

SUBMITTED BY: Transit Mix Concrete Co., 444 E. Costilla St., Colorado Springs, CO, 80903, (719) 475-0700

REPRESENTED BY: Hogan Lovells US LLP, 1601 Wewatta St. #900, Denver, CO, 80202, (303) 899-7300

WITNESS	TITLE	COMPANY/FIRM	ADDRESS	PHONE	NATURE OF EXPERTISE	SUBJECT AREA WITNESS WILL ADDRESS
Jerald Schnabel	President	Transit Mix Concrete Co.	444 E. Costilla St., Colorado Springs, CO, 80903	(719) 475-0700	Mining	Hitch Rack Ranch Quarry project and company overview
Brandon Hesser	Aggregates Engineer / Production Manager	Transit Mix Concrete Co.	444 E. Costilla St., Colorado Springs, CO, 80903	(719) 475-0700	Operations	Operations at the Hitch Rack Ranch Quarry
Paul Kos	Senior Geological Engineer	Norwest Corporation	950 South Cherry Street, Suite 800, Denver, CO 80246	(303) 782-0164	Mine design, reclamation development	Permit application and any issues arising out of permit application or Norwest reports
Sean Ennis	Vice President, Mining	Norwest Corporation	Suite 1830, 1066 W. Hastings St. Vancouver, BC Canada V6E 3X2	(604) 602-8992	Geotechnical analysis	Stockpile and quarry wall stability calculations, analysis, and results
Mike Day	Senior Hydrogeologist	Hydro-Logic Solutions, Inc.	6100 Montview Blvd., Denver, CO 80207	(303) 570-9527	Hydrology and geology	Protection of hydrologic balance and groundwater and any issues arising out of reports provided by Hydro-Logic
Larry Mirabelli	Senior Manager – Explosives and Blasting Technologies	Buckley Powder Co.	42 Inverness Drive East, Englewood CO, 80112	(303) 790-7007	Explosives and blasting	Blasting operations and any issues arising out of the report provided by Larry Mirabelli
Charles Johnson	Principal, Senior Project Manager	Ensign, LLC	3533 Sunflower Way Fort Collins, CO 80521	(970) 631-6792	Wildlife biology	Wildlife and habitat near the Hitch Rack Ranch Quarry, including habitat fragmentation and any issues arising out of reports provided by Charles Johnson or Stantec

Scot Anderson	Partner	Hogan Lovells	1601 Wewatta St. #900, Denver, CO, 80202	(303) 899-7300	Legal issues related to mining operations in Colorado	Legal right to enter, mining operations and reclamation
Cindi Almendinger	Property Owner	N/A	2485 Hitch Rack Ranch Rd., Colorado Springs, CO 80926	(719) 576-3890	Understanding of Hitch Rack Ranch property	Development of the Hitch Rack Ranch Quarry
John Cook	Partner	Hogan Lovells	2 N Cascade Ave # 1300, Colorado Springs, CO 80903	(719) 448-5900	Legal issues related to mining operations in Colorado	Hitch Rack Ranch Quarry project and regional impacts
Elizabeth Titus	Counsel	Hogan Lovells	1601 Wewatta St. #900, Denver, CO, 80202	(303) 899-7300	Legal issues related to mining operations in Colorado	Legal standards related to permitting of Hitch Rack Ranch Quarry
Phillip Courtney	Representative of Colorado State Land Board	Colorado State Land Board	1127 Sherman St. Suite 300, Denver, CO 80203	(303) 866-3454	Development of resources by State Land Board	Land use and regional importance of Hitch Rack Ranch Quarry