



**Via Email and U.S. Mail**

May 21, 2012

Colorado Department of Public Health and Environment  
Water Quality Control Division / WQCD-B2-CAS  
Compliance Assurance Section  
Attention: Michael Harris  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

Subject: April 2012 Surface Water Monitoring Data for Sampling Stations SW-AWD and SW-BPL on Ralston Creek "upstream" of the Schwartzwalder Mine

References: Paragraph 26, WQCD Notice of Violation/Cease and Desist Order, Number: IO-100601-1, June 1, 2010

Dear Mr. Harris:

Per Paragraph 26 of the above referenced Order, please find enclosed data reports from Energy Laboratories as received by Cotter Corporation (N.S.L.) for surface water sampling conducted in April 2012 at monitoring stations SW-AWD and SW-BPL at the Schwartzwalder Mine.

If you have any questions, please contact me at 719-275-7413 (ext. 202).

Sincerely,

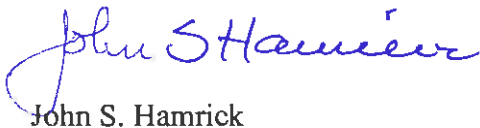
John S. Hamrick  
Vice President, Mill Operations

Enclosures

cc: Daniel J. Arnold, Esq. (Denver Water)  
Tom Kaldenbach (DRMS)

Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



John S. Hamrick  
Vice President, Mill Operations