

**BEFORE THE MINED LAND RECLAMATION BOARD
STATE OF COLORADO**

**LIST OF WITNESSES AND EXHIBITS FOR COTTER CORPORATION (N.S.L) C-JD-8
MINE, HARD ROCK/METAL 112d-1 PERMIT NO. M-1984-014, DIVISION OF
RECLAMATION, MINING & SAFETY RECOMMENDATION FOR APPROVAL OF
AMENDMENT (AM-1), INCORPORATING THE ENVIRONMENTAL PROTECTION
PLAN INTO THE PERMIT**

Cotter Corporation (N.S.L.) ("Cotter"), the applicant, hereby submits the following list of potential witnesses and exhibits:

Potential Witnesses

1. Glen Williams
Cotter Corporation (N.S.L.)
West Slope Operations
P.O. Box 700
28151 DD Road
Nucla, CO 81424
Glen.Williams@cotterusa.com
Phone: 970-864-7347

Subject Matter of Testimony: Mr. Williams will testify about those portions of the Hard Rock/Metal 112d-1 Permit Amendment (AM-1) ("Amendment") that pertain to the objections and Division of Reclamation, Mining and Safety ("DRMS") responses in the July 19, 2012 DRMS Recommendation for Approval over Objections ("DRMS Recommendation Letter"), including but not limited to the active operation and mining activities that have occurred at the JD-8 Mine, and the schedule to begin construction of Environmental Protection Facilities, as set forth in the Environmental Protection Plan ("EPP") and Cotter's responses to the October 3, 2011 DRMS Preliminary Adequacy Review and the May 21, 2012 DRMS Second Adequacy Review.

2. Susan A. Wyman, P.E., P.G.
Whetstone Associates, Inc.
104 W. Ruby Ave.
Gunnison, CO 81230
swyman@whetstone-associates.com
Phone: 970-641-7471

Area of Expertise: Susan Wyman is a hydrologist and civil engineer who specializes in surface water and groundwater control, flow and contaminant transport modeling, water supply evaluation, and the collection and analysis of geologic and hydrologic field data for water supply evaluation, permitting and

remediation. She has extensive experience in both the technical and managerial aspects of preparing and implementing engineering design reports, Environmental Impact Statements, Environmental Assessments, Water Rights applications, Ground Water Discharge Permit applications, NPDES Permit applications, Discharge Monitoring Reports, Site Characterization reports, and Remedial Action plans.

Subject Matter of Testimony: Ms. Wyman will testify about those portions of the Amendment that pertain to the objections and DRMS responses in the DRMS Recommendation Letter, including but not limited to hydrological and geological information about the JD-8 Mine, as set forth in the EPP and Cotter's responses to the October 3, 2011 DRMS Preliminary Adequacy Review and the May 21, 2012 DRMS Second Adequacy Review.

Exhibits

1. June 2, 2011 letter from Glen Williams, Cotter, to Russell Means, DRMS, and attached Amendment Application, including the EPP. The EPP includes four attachments: Attachment 1 contains maps; Attachment 2 contains Material Safety Data Sheets; Attachment 3 contains Laboratory Analytical Results; and Attachment 4 is the Stormwater Management Plan, which includes Attachment A, the Drainage Plan, and Attachment B, the JD-8 Mine Stormwater General Inspection Checklist.
2. Cotter JD-8 Mine Permit Amendment Application Permit No. M-1984-014, Response to Adequacy Review #1, dated April 2012.
3. Class III Cultural Resource Inventory, Cotter Corporation JD-8 Mine Expansion, Montrose County, Colorado, prepared by ERO Resources Corporation, dated October 2011.
4. Cotter JD-8 Mine Permit Amendment Application Permit No. M-1984-014 Response to Adequacy Review #2, dated June 2012.
5. Technical Memorandum from Susan Wyman (Whetstone Associates) to Russ Means and Tim Cazier (DRMS) and Glen Williams (Cotter), Response to DRMS Adequacy Review #2, Additional Stormwater Control Structure for JD-8 Mine, dated July 18, 2012.
6. Biological Resources Report, JD-8 Mine Expansion, Montrose County, Colorado, prepared by ERO Resources Corporation, dated July 2012.

These documents were submitted to the DRMS Grand Junction Field Office, 101 S. 3rd St., Suite 301, Grand Junction, Colorado, and therefore DRMS and the other parties can review and obtain a copy, or inspect, the exhibits at this address.

Respectfully submitted this 25th day of July, 2012.

BRYAN CAVE HRO

By: Charlotte L. Neitzel

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CERTIFICATE OF SERVICE

I, Charlotte Neitzel, certify that I hand-delivered or mailed a true and complete copy of the foregoing document (**LIST OF WITNESSES AND EXHIBITS FOR COTTER CORPORATION (N.S.L) C-JD-8 MINE, HARD ROCK/METAL 112d-1 PERMIT NO. M-1984-014, DIVISION OF RECLAMATION, MINING & SAFETY RECOMMENDATION FOR APPROVAL OF AMENDMENT (AM-1), INCORPORATING THE ENVIRONMENTAL PROTECTION PLAN INTO THE PERMIT**) to the following by, if by mailing, depositing them with the US Postal Service, postage paid, and via electronic mail on the signature date shown below:

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Charlotte L. Neitzel (signature) July 25, 2012 (date)