



VIA EMAIL AND U.S. MAIL

September 21, 2012

Mr. Tom Kaldenbach
Mr. Tony Waldron
Division of Reclamation, Mining and Safety
1313 Sherman Street, Room 215
Denver, CO 80203

Re: Schwartzwalder Mine, Permit No. M-1977-300
Adequacy Review of AM-04 – Request for Extension of Decision

Dear Mr. Kaldenbach and Mr. Waldron:

On May 1, 2012, Cotter Corporation (N.S.L.) ("Cotter") submitted Permit Amendment AM-04. On May 2, 2012, the Division of Reclamation, Mining and Safety ("DRMS") found the submittal of Permit Amendment AM-04 complete. On August 29, 2012, DRMS issued a preliminary adequacy review ("PAR").

Cotter has been diligently working to provide the details of pumping the mine pool to 150 feet below the Steve Adit, and has responded to questions in the PAR relating to this pumping and to other questions. Cotter is hopeful that the portion of AM-04 relating to this pumping can be approved soon. With respect to the remainder of the PAR, Cotter needs additional time to develop the technical details to complete the answers. Accordingly, Cotter respectfully requests an extension of the due date for a decision on AM-04 until 365 days from May 1, 2012, or until May 1, 2013.

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

Sincerely,

John S. Hamrick
Vice President, Mill Operations

cc: Michael Harris, Water Quality Control Division