

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JUL 27 2011

Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE OBJECTION)
TO THE MINE PERMIT OF)
LOST CREEK ISR LLC.,)
TFN 4 6/268)

DOCKET NO. 11-4803

DEQ'S PERMIT APPLICATION EXHIBIT DESIGNATION

The Department of Environmental Quality, Land Quality Division ("DEQ"), through the Office of the Attorney General, pursuant to the Council's July 7, 2011, Order and the July 25, 2011, Joint Stipulation to Further Modify Prehearing Deadlines and Supplement Witness Designation hereby submits its Permit Application Exhibit Designation.

EXHIBITS

As discussed during the Pre-hearing Conference on July 6, 2011, DEQ cannot make copies of the complete permit application and correspondence file. Therefore, DEQ has designated select portions of the permit application that it intends to use as exhibits at the Council's August 3 – 4 hearing. It is DEQ's understanding that those portions of the permit application which do not address objections raised by the Wyoming Outdoor Council in its July 8, 2011, Amended Written Objection are not at issue for the Council's August 3 – 4 hearing.

DEQ designates the following sections of the permit application as exhibits:

Mine Permit Volume 1 of 5: Adjudication Files
Project Development
Table ADJ – 1

Mine Permit Volume 2 of 5: Appendix D – Main Permit Area
D5 Geology

Mine Permit Volume 3 of 5: Appendix D – Main Permit Area
D6 Hydrology
Figure D6-15
Figure D6-16
Attachment D6-2a
Attachment D6-2b

Mine Permit Volume 4 of 5: Appendix D – Main Permit Area
D9 Wildlife

Mine Permit Volume 5 of 5: Operations Plan and Reclamation Plan
OP - Operations Plan
Figure OP-1
Figure OP-2a
Figure OP-3a
Attachment OP-6, Figures and Addendum
Attachment OP-8
Attachment OP-9


Wildlife Monitoring Report

Correspondence

December 20, 2010 LQD Comments to Lost Creek
January 18, 2011 LQD Comments to Lost Creek
June 8, 2011 Letter from S. Tuber at EPA to K. Frederick with DEQ/WQD

The Division also reserves the right to use exhibits identified by other parties as well as exhibits for rebuttal and impeachment purposes.

DATED this 27th day of July, 2011.



Luke J. Esch # 6-4155
Assistant Attorney General
123 Capitol Building
Cheyenne, Wyoming 82001
307-777-3442

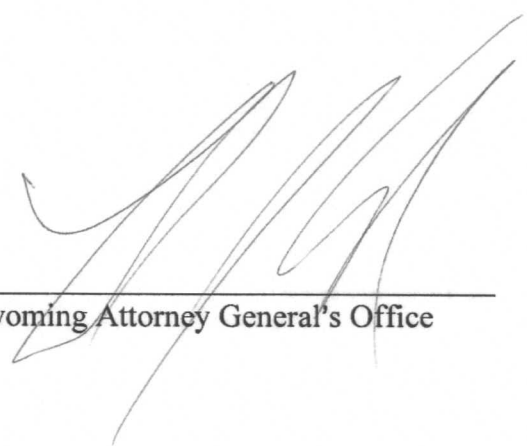
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the DEQ's Permit Application Exhibit Designation were served by United States mail and electronic mail, this 27th day of July, 2011, to the following:

Kim Waring
Environmental Quality Council
122 W 25th, Room 1714
Herschler Building
Cheyenne, WY 82002
kwaring@wyo.gov

MaryBeth K. Jones
Michelle C. Kales
Bret A. Fox
Brownstein Hyatt Farber Schreck, LLP
410 17th St. Suite 2200
Denver, CO 80202
bfox@bhfs.com
mkales@bhfs.com

Steve Jones
Wyoming Outdoor Council
262 Lincoln St.
Lander, WY 82520
Steve@wyomingoutdoorcouncil.org



Wyoming Attorney General's Office