

**BEFORE THE
RECLAMATION COMMISSION**

TINA PATTERSON,	:	
	:	Case No. RC-13-010
Appellant,	:	
	:	
-vs-	:	
	:	
DIVISION OF MINERAL RESOURCES	:	Review of Chief's Order 7354;
MANAGEMENT,	:	Permit D-1173 (Anthony Mining)
	:	
Appellee,	:	
	:	
and	:	<u>ORDER OF THE</u>
	:	<u>COMMISSION GRANTING</u>
	:	<u>THE DIVISION'S MOTION</u>
ANTHONY MINING, INC.,	:	<u>TO SUPPLEMENT THE</u>
	:	<u>RECORD</u>
Intervenor.	:	

Appearances: Tina Patterson, Appellant *pro se*; Kristina Tomn, Brian Ball, Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management; Michael C. Bednar, Counsel for Intervenor Anthony Mining, Inc.

On July 11, 2013, Appellant Tina Patterson filed a notice of appeal with the Reclamation Commission. Ms. Patterson's appeal was taken from Chief's Order 7354. This Order addresses the degradation of the quality of the Patterson domestic water supply following mining operations conducted by Anthony Mining Company ["Anthony Mining" or "Anthony"] under permit D-1173. On September 19, 2013, Anthony Mining was **granted** intervenor status in this appeal.

A hearing on the merits of this matter was conducted by the Commission on October 3, 2013. At hearing, the Commission accepted into evidence several exhibits, including Division's Exhibit 4. Division's Exhibit 4 is the report of the Division's investigating hydrologist, Mr. Kyle Baldwin. The Baldwin Report purported to include the results of four water samples collected from the well at Mrs. Patterson's residence. During testimony, Division witness Kyle Baldwin discussed the results of these four water samples.

Through a clerical error, the copy of Division's Exhibit 4 that was introduced at hearing and admitted into evidence, only contained the results of one water sample collected by Mr. Baldwin from the Patterson Well.

On December 11, 2013, the Division moved to Supplement the Record created at hearing to include copies of the results of all four water samples collected by Mr. Baldwin, as referenced in the Baldwin Report and discussed in Mr. Baldwin's testimony. An Affidavit of Mr. Baldwin, and copies of the four sample results, were attached to the Division's Motion to Supplement. No objection to the Division's Motion was heard.

The Commission **FINDS** the Division's Motion well-taken, and hereby **GRANTS** said motion. The Record in the Tina Patterson appeal shall be **SUPPLEMENTED** with the addition of the three sample results not provided at hearing. The complete Baldwin Report, including the results of all four samples collected by Mr. Baldwin from the Patterson Well, shall be **substituted** for the incomplete report introduced at hearing.

1/9/14
DATE

12/15/13
SEAN A. McCARTER
Chairman, Reclamation Commission

DISTRIBUTION:

Tina Patterson, via Regular Mail
Kristina Tonn, Brian Ball, via Regular Inter-Office Mail
Michael C. Bednar, via Regular Mail