

Ref. Elanson, Dkt No. CWA-10-2016-0109


April 1, 2019

Motion to file out of time for additional Witnesses

Brief of Witness Summaries.

1. Ron Miller
2. Kevin Landon
3. Dave Hembree
4. Dave Elanson Sr.

Your honor, I'm sorry for this motion but you are aware of my situation so I ask that you accept these witnesses for the May 14 thru 17 case in Rigby, Idaho for the case at hand!

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Summary of Dave Edmunds.

I reside at 3821 Rainey Cr. Rd., Swan Valley Idaho 83449. I'm soon to be 66 and have mined almost $\frac{1}{2}$ my life in many western states and still hold claims in Alaska. During my life I worked as a teacher and also was a successful sawmillowner of (2) separate facilities. I was employed at one time by the USFS, and through the course of my career, built many USFS roads within the Allegheny Nat. Forest. I have had many dealings with government officials in varying capacities over the years and am well aware of many inconsistencies between local, county, state and federal

agencies. I have been called as an expert witness on 3 separate occasions concerning timber related issues and have been to Article 3 Federal Court also.

I believe it is imperative that I, as well as, my witnesses speak to the Court about suction dredging and the beneficial aspects to aquatic/fish and stream ecology!

I look forward to my few days before you to explain not only the legal argument, the facts, but what I see, through no direct fault of various gov. agencies, a mess of legal contradictions!

Summary of Kevin London

Kevin is a fellow dredger and Federal Claim owner on the South Fork Clearwater River! Kevin owns the mining claim directly above me and his dredge appears in Hughes report!

He will testify on the operation of a suction dredge. He will point out terms of overburden, slurry, mine waste and tailings!

Kevin resides in South Eastern Idaho, near Idaho Falls!

Summary of Dave Hembree

Dave is a fellow dredger and owns many claims now and in the past on the South Fork Clearwater River!

Dave is involved with many mining organizations, A MRA (American Mining Rights) RMMR (Rocky Mt. Mining Rights) NWPRA (North West Prospector Organization) and is current chair of the "10 Mile Mining District"!

He has worked in concert with the US FS and Idaho Dept of Water Resources. He will testify as to current and past studies relating to TMDL limitations and the (15) dredge limits on the SFCR as well as the past/present dredging regulations! He will testify as to his interactions with state and Federal agencies!

Affidavit of Truth

16 March 2019

My Name is Ronald C Miller and I am President of Rocky Mountain Mining Rights and past Chairman Of Tenmile Mining District.

Mr. Erlanson has asked me to write, in my own words about several events that happened on the South Fork of The Clearwater River in Central Idaho.

1. Clint Hughes, a Geologist of the Nez Perce/Clearwater National Forest based in Grangeville Idaho, had on or about 22 July 2015, date on Letter of

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Noncompliance, was in the act of hand delivering The above Letters, in civilian clothes in I believe in an unmarked Forest Service vehicle. Mr Erlanson came and got me at Tark Meyers Mining Camp/Claim at approximately Mile Post 19. When I arrived Mr. Hughus was handing out generic letters with hand written names and a contested argument was in progress with Idaho County Sheriffs Deputy and Detective on site. The Notices were signed by Jeffery N. Shinn, Forest Ranger, and I do Believe, Terry Nevis was the Ranger over that

Section of River. The letter I have referenced here was given to Unknown Highbanker, Suction Dredger had been crossed off and Tark had mentioned Mr. Hughes had put the Letter on the windshield of his pickup by the time we got back, he rode with me to the AMRA camp where this took place. I asked Mr Hughes where my Letter was and he stated that Shannon Poe and myself were not to receive one, as we had talked to him. I had not talked to him on this matter and I cannot speak for Mr. Poe! I believe the above conflict was video recorded by AMRA

and posted on their website and Youtube.

2. On or about the 26th of July, I had a chance to speak with Eric Davis from Idaho Department of Water Resource out of Coeur d'Alene Idaho Department of Water Resources and he stated, after checking all the Dredgers on the South Fork, for permits, stated to go back to dredging after Mr. Hugues stated we were to stop dredging as we were not in compliance with Forest Service Regulation 36 CFR 228 but he didn't state which subchapter.

3. Terry Nevis, Forest Service Ranger over the Red River District, has stated on two occasions, first during a Forest Service Miners meeting and second at my dredging camp in Leggett Creek Campground, with RMMR members present, that the dredgers do not cause a Significant Surface Disturbance. I believe Shannon Poe, President of AMRA has a recording of Ranger Nevis's statement at the Forest Service meeting

This statement is to my best memory of the dates and events as they took Place and the people

involved with document as proof
and can be provided as needed.

Ronald C. Miller

President

Rocky Mountain Mining Rights and
fellow dredger

Date
April 1, 19

Before E.P.A. Administrator

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In the Matter of
Dane E. Janson Sr.

Docket #: CWA-10-2016-0109

Certificate of Service

I hereby certify, that the fore-
going Witness List and Witness
Summary with proposed Testimony
dated April 1, 2019 and entitled

"Motion to _____" was

sent to the following Parties: (2 copies)

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