

RAS 14938

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DOCKETED  
USNRC

January 10, 2008

January 10, 2008 [11:07am]

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Office of the Secretary  
Attn: Docketing and Service  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: In the Matter of Crowe Butte Resources, Inc.  
Docket number 40-8943

Office of the Secretary:

This a supplemental submission of affidavits of support on the issue of standing regarding Owe Aku in the above captioned matter. I have enclosed the following for filing:

1. Faxed affidavit of David Alan House, with original to follow;
2. Original affidavit of Sandy Sauser;
3. Original affidavit of Lester "Bo" J. Davis.

If you have any questions or concerns, please do not hesitate to contact our office.

Thank you.

Sincerely,



Bruce Ellison

Attorney for Owe Aku

BE/ra

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**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**ATOMIC SAFETY AND LICENSING BOARD PANEL**

**Before Administrative Judges**

**Ann Marshall Young, Chair  
Dr. Richard F. Cole  
Dr. Fred W. Oliver**

In the Matter of	)	Docket No. 40-8943
	)	
CROW BUTTE RESOURCES, INC. (In Situ Leach Facility, Crawford, Nebraska)	)	ASLBP No. 07-859-03-MLA-BD01
	)	
STATE OF NEBRASKA	)	
	) SS:	
COUNTY OF DAWES _____	)	

**DAVID ALAN HOUSE, being duly sworn, deposes and says:**

I live at 12601 Highway 2-71, outside Crawford, Nebraska. My home is located approximately 8 miles south south-west of the Crow Butte Resources mining operation and proposed expansion.

I obviously breath the air in and around my home. I obtain the water I consume in and around my home from a well. I understand that my well obtains water from the Brule aquifer.

I am therefore concerned that the proposed mine expansion project may effect the quantity and quality of the water in my well. I am also concerned about surface water

contamination due to the proposed mine expansion, especially since CBR has a history of leaks of radioactive and other heavy-metal solutions from its existing operation.

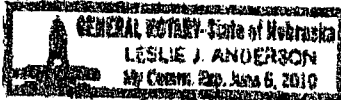
I consider myself to be a member of Owe Aku and hereby authorize Owe Aku and its attorney to represent my interest in any administrative intervention regarding CBR's proposed expansion of its existing in situ uranium mining operation.

*David Alan House*  
DAVID ALAN HOUSE

Sworn and subscribed this 10 day of January, 2008.

*Leslie Anderson*  
Notary Public

My Commission Expires: 6-6-10  
(SEAL)



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NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

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Dr. Richard F. Cole  
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In the Matter of  
CROW BUTTE RESOURCES, INC.  
(In Situ Leach Facility, Crawford, NE)

Docket No. 40-8943  
ASLBP No. 07-859-03-MLA-BD01

AFFIDAVIT

I, SANDY SAUSER, HEREBY STATE AS FOLLOWS:

1. I MAKE THIS AFFIDAVIT IN SUPORT OF OWE AKU (BRING BACK THE WAY), WHICH WAS FORMED IN 1998 TO PRESERVE AND REVIATLIZE THE LAKOTA WAY OF LIFE.
2. I HAVE AUTHORIZED OWE AKU TO REPRESENT MY INTERESTS IN THIS PROCEEDING.

3. I HAVE LIVED HERE  
Slim Butte 4 mi N of NE/SD state line  
FOR 45 years YEARS.

4. I USE THE WATER FROM OUR WELL AT THIS ADDRESS FOR <sup>SS</sup>DRINKING, BATHING, AND COOKING AND IRRIGATION. <sub>SS</sub> and livestock.
5. I LIVE IN THE WIND PATH THAT COMES FROM THE PROPOSED NORTH TREND EXPANSION AREA.

THIS AFFIDAVIT IS SUBMITTED IN ACCORDANCE WITH 10 CF SECTION 2.304(d) AND 28 USC SECTION 1746. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Sandy Sauser  
SIGNATURE

SANDY SAUSER  
PRINT NAME

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD PANEL

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Docket No. 40-8943  
ASLBP No. 07-859-03-MLA-BD01

AFFIDAVIT

LESTER "BO" J. DAVIS, HEREBY STATE AS FOLLOWS:

1. I MAKE THIS AFFIDAVIT IN SUPPORT OF OWE AKU (BRING BACK THE WAY), WHICH WAS FORMED IN 1998 TO PRESERVE AND REVITALIZE THE LAKOTA WAY OF LIFE.

2. I HAVE AUTHORIZED OWE AKU TO REPRESENT MY INTERESTS IN THIS PROCEEDING.

3. I HAVE LIVED HERE  
LIFE LONG LESS THAN 100 YDS FROM WHITE RIVER  
FOR 43 YEARS.

4. I USE THE WATER FROM OUR WELL AT THIS ADDRESS FOR DRINKING, BATHING, AND COOKING AND IRRIGATION.

33 YEARS UNTIL WATER LINE WAS INSTALLED  
5. I LIVE IN THE WIND PATH THAT COMES FROM THE PROPOSED NORTH TREND EXPANSION AREA.

THIS AFFIDAVIT IS SUBMITTED IN ACCORDANCE WITH 10 CF SECTION 2.304(d) AND 28 USC SECTION 1746. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Lester "Bo" J. Davis  
SIGNATURE

LESTER BO J DAVIS  
PRINT NAME

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges

Ann Marshall Young, Chair  
Dr. Richard F. Cole  
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In the Matter of	) Docket No. 40-8943
CROW BUTTE RESOURCES, INC.	) ASLBP No. 07-859-03-MLA-BD01
(In Situ Leach Facility, Crawford, Nebraska	)
	)

Affidavit of Mailing and Service by E-mail

I, Roxanne Andre, hereby certify that on this 10<sup>th</sup> Day of January, 2008 , a copy of the foregoing Affidavits was served by e-mail to:

<u>AMY@nrc.gov</u>	<u>mdmsjn@alltel.net</u>
<u>RFC1@nrc.gov</u>	<u>OCAAMail@nrc.gov</u>
<u>FWOLIVER@verizon.net</u>	<u>AXJ4@nrc.gov</u>
<u>JRT3@nrc.gov</u>	<u>MDMSJN@alltel.net</u>
<u>SRC2@nrc.gov</u>	<u>LAKOTA1@gwtc.net</u>
<u>KSV@nrc.gov</u>	<u>JAKEFRO@aol.com</u>
<u>AHP@nrc.gov</u>	<u>TCOOK@indianyouth.org</u>
<u>SECY@nrc.gov</u>	<u>MJS5@nrc.gov</u>
<u>hearingdocket@nrc.gov</u>	<u>buffalobruce@panhandle.net</u>
<u>dfrankle@igc.org</u>	

and a copy was mailed by U.S. mail postage pre-paid to the following:

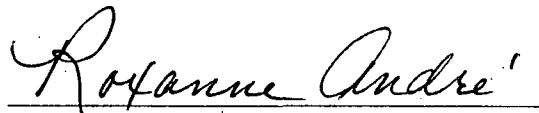
Judge Ann Marshall Young  
Atomic Safety & Licensing Board Panel  
US Nuclear Regulatory Commission  
Washington, D.C. 20555-001

Johanna Thibault  
Board Law Clerk  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555-0001

Dr. Richard F. Cole  
Atomic Safety & Licensing Board Panel  
US Nuclear Regulatory Commission  
Washington, D.C. 20555-001

Office of the Secretary  
Attn: Docketing and Service  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Office of Commission Appellate  
Adjudication  
Mail Stop: O-16 G4  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

A handwritten signature in cursive script that reads "Roxanne Andre". The signature is written in black ink and is positioned above a horizontal line.

Roxanne Andre  
Paralegal to Bruce Ellison  
Law Office of Bruce Ellison  
PO Box 2508  
Rapid City, SD 57709

