



Davis Graham & Stubbs LLP

June 24, 2008

FOI/PA REQUEST

Case no.	2008-0268
Date Rec'd	7-1-08
Specialist	Matthew
Related Case	

Via U.S. Mail

Freedom of Information Act Officer
U.S. Nuclear Regulatory Commission
Mail Stop T-5-F11
Washington, D.C. 20555-0001

Re: Freedom of Information Act Request

To Whom it My Concern:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, please provide me with copies of any and all records¹ evidencing or otherwise relating to:

1. The United States'² ownership, right, title and/or interest of any kind ("ownership") of any, all or a portion of the properties identified in Attachment A (the "Properties"), including without limitation any ownership of the surface, subsurface, mineral estate, land, water, ore, protore, natural resources, uranium in any form, waste rock, mine waste and/or mill waste on, in, beneath, around, to or from the Properties. For example, and without limitation, please provide:

a. any and all deeds, leases, licenses, contracts for purchase or sale, surface and/or subsurface agreements, easements, claims, licenses, trust agreements, rights-of-way, abstracts, titles, title opinions, title insurance, bid/auction records, requests for bids, and/or evidence of purchase, sale, acquisition, lease or transfer;

b. records of payments of any kind or amount (rents, royalties, etc.) submitted to or received from or paid to the United States (including without limitation payments to or by the United States on behalf of the Navajo Nation, allottees or individual Navajo Nation members) from uranium exploration, mining, milling or production;

¹ "Records" means any and all records and information within the scope of the Freedom of Information Act, 5 U.S.C. § 552, and implementing regulations.

² "United States" means the United States, the Nuclear Regulatory Commission (NRC), the Atomic Energy Commission (AEC), the Bureau of Indian Affairs (BIA), the United States Geological Survey (USGS), the Bureau of Land Management (BLM), the Department of Energy (DOE), and/or any and all other departments, agencies, bureaus, services, offices, officials, employees, contractors, representatives or instrumentalities of the United States.

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c. records of sale or purchase of any form of uranium to or by the United States at or from the Properties, including without limitation purchases made pursuant to government schedules.

2. The United States', including without limitation the NRC's, AEC's and/or DOE's direct or indirect activities, operations, agreement or acquiescence, knowledge or understanding of, participation or involvement of any kind in or connection to uranium mining, milling, processing, exploration, development, uranium production, mine or mill waste disposal, reclamation and/or remediation activities of, in, on, about, beneath, around, to, from or otherwise pertaining to the Properties identified in Attachment A. For example, and without limitation, please provide records of or pertaining to:

a. AEC, NRC and/or DOE involvement in or connection to the Properties, including but not limited to production reports, quotas, and/or disposal requirements;

b. procurement contracts or any other contracts or agreements pertaining to the purchase, sale, transfer or acquisition of uranium in any form from the Properties;

c. United States' direction, control or encouragement of, participation or involvement in, or incentives or bonuses for any phase of uranium exploration, mining, milling and production, or waste disposal;

d. start up, conduct, suspension or termination of exploration, mining, milling, waste disposal, remediation or reclamation operations;

e. location, manner, timing, start up, conduct, suspension or termination of or any arrangements for exploration, mining, milling, or waste disposal;

f. knowledge or understanding of the United States (including without limitation the AEC, NRC and/or DOE) of environmental impacts from uranium mining, exploration, milling and/or processing, and/or storage or disposal of waste materials from such activities, that could occur on the Properties.

3. Policy statements, notices, directives, orders, and guidance documents issued by the AEC, NRC and/or DOE affecting or relating to the exploration, mining, milling, processing and/or production of uranium, and/or storage or disposal of waste materials from such activities, on or in the vicinity of the Navajo Nation in Arizona and New Mexico from 1944-1979.

4. Any agreements, memoranda of understandings, cooperative agreements, letters, statements, declarations or other similar records related to the Properties in Attachment A

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between or among all or any of the NRC, the BIA, the Navajo Nation (including without limitation its officials, departments, agencies, and Chapters), USEPA, the AEC, the USGS, DOE, BLM and/or other governmental entities reflecting their respective roles, responsibilities, rights, duties, and obligations under state, federal, and tribal environmental laws and regulations.

We agree to pay the reasonable search and reproduction costs for the foregoing documents. However, please contact me at 303.892.7409 with an estimate for such costs before duplicating the requested documents or if you have any questions about this request.

Thank you for your time and attention to this matter.

Sincerely,



Robert W. Lawrence
for
DAVIS GRAHAM & STUBBS LLP

RWL/rsg
Attachment

**ATTACHMENT A
PROPERTIES**

MINE NAME	ALIASES	COUNTY/STATE	LEGAL DESCRIPTION
Northeast Church Rock Mine	NECR	McKinley County, New Mexico	§§ 34 and 35 T17N/R16W; § 3 T16N/R16W
Old Church Rock Mine	Section 17, Churchrock No. 1 Mine	McKinley County, New Mexico	§ 17 T16N/R16W
Black Jack #1		McKinley County, New Mexico	§ 12 T15N/R13W
Black Jack #2		McKinley County, New Mexico	§ 18 T15N/R13W
Mac #1		McKinley County, New Mexico	§ 12 T15N/R14W
Mac #2		McKinley County, New Mexico	§ 18 T15N/R13W
Church Rock Mill		McKinley County, New Mexico	§ 2 T16N/R16W
United Nuclear-Homestake Mill	Homestake-Sapin Mill, Homestake-New Mexico Mill, Partnership Mill, Homestake Mill	Cibola County (formerly Valencia County), New Mexico [Grants – Ambrosia Lake area]	§ 26 T12N/R10W
United Nuclear Mill	Phillips Petroleum Mill	McKinley County, New Mexico [Grants – Ambrosia Lake area]	§ 28 T14N/R9W
St. Anthony Mine	M-6, Hanosh	Cibola County (formerly Valencia County), New Mexico	§ 30 T11N/R4W § 19 T11N/R4W § 24 T11N/R5W
San Mateo Mine	Poison Canyon	Cibola County (formerly Valencia County), New Mexico	§ 30 T13N/R8W
Teton Push-Pull In- Situ Leach	Mancos	McKinley County, New Mexico	§ 13 T16N/R17W
Section 10	14N-10W	McKinley County, New Mexico	§ 10 T14N/R10W
Ann Lee/Section 27	Ambrosia Lake, Section 27, 14N-9W	McKinley County, New Mexico	§ 27 T14N/R9W
Ann Lee/Section 28	Ambrosia Lake, Section 28, Spider Rock	McKinley County, New Mexico	§ 28 T14N/R9W
Sandstone	Ambrosia Lake, John Billy (a portion of Sandstone)	McKinley County, New Mexico	§ 34 T14N/R9W

MINE NAME	ALIASES	COUNTY/STATE	LEGAL DESCRIPTION
Cliffside	Ambrosia Lake, Section 36	McKinley County, New Mexico	§ 35 T14N/R9W
Dysart #1	Ambrosia Lake, Section 11	McKinley County, New Mexico	§ 11 T14N/R10W
Dysart #2	Ambrosia Lake	McKinley County, New Mexico	§ 11 T14N/R10W
Faith	Section 29	McKinley County, New Mexico	§ 29 T13N/R9W
Hogan Mine	Section 14, Poison Canyon	McKinley County, New Mexico	§ 14 T13N/R9W
Isabella	Section 7	McKinley County, New Mexico	§ 7 T13N/R9W
Marquez Mine	Poison Canyon	McKinley County, New Mexico	§ 23 T13N/R9W
Section 12	14N-10W	McKinley County, New Mexico	§ 12 T14N/R10W
Section 13	14N-10W	McKinley County, New Mexico	§ 13 T14N/R10W
Section 15	14N-10W	McKinley County, New Mexico	§ 15 T14N/R10W
Section 16	13N-9W, mined through Dog Flea Mines	McKinley County, New Mexico	§ 16 T13N/R9W
Section 23	14N-10W	McKinley County, New Mexico	§ 23 T14N/R10W
Section 25	13N-10W	McKinley County, New Mexico	§ 25 T13N/R10W
Section 25	14N-10W	McKinley County, New Mexico	§ 25 T14N/R10W
Section 32	14N-9W	McKinley County, New Mexico	§ 32 T14N/R9W
Section 33 (including Branson Heap Leach)	14N-9W	McKinley County, New Mexico	§ 33 T14N/R9W

MINE NAME	ALIASES	COUNTY/STATE	LEGAL DESCRIPTION
Billy the Kid	Section 19 Maddox and Teague Prewitt Greer Warren and McCormack Red Top No 1 3-7 Prewitt	McKinley County, New Mexico	14N 11W 19.220
Kermac Mine No. 22	Section 22	McKinley County, New Mexico	N35E 25.973' W107E 52.855'
A&B No. 3	S2 Sec. 21	Coconino County, Arizona	S2 Sec. 21 T29N R9E
Mariano Lake	Gulf Section 12	McKinley County, New Mexico	15N 14W 12.134
Charles Keith	Olijeto Mesa West Keith Mine-A Olijeto	San Juan County, Utah	
CD and S	Section 35	McKinley County, New Mexico	16N 17W 35.411
Rock Door No. 1	Rock Door Mine		
Black Jack No. 1		McKinley County, New Mexico	
Haystack (references the haystack Mountain Development Corp.)	DOE lease NM-1-B MLB-NM-B-1 Section 13 NM-B-1 lease Railroad section Arthur Bibo Section 13 Pit	McKinley County, New Mexico	13N 1W 13.312
Glover		Baca County, Colorado	Sec. 2/22/1984 TR 13 T34S R43W
Monument No. 2	Chee Nez No. 1 VCA Mining Unit No. 66 W2 Sec. 27 N Central Monument Valley – Comb. Ridge (Under and open pit) Sec. 27 & 34	Apache County, Arizona	W2 Sec. 27 N Central Sec. 32 T41N R23E 36 56' 05" N 109 53' 05" W Sec. 27 & 34 T41N R23W
Mac No. 1		McKinley County, New Mexico	12 T15N R14W

MINE NAME	ALIASES	COUNTY/STATE	LEGAL DESCRIPTION
Section 18 and Section 18 SEQ	Brown Vanderer Williams Williams and Thompson	McKinley County, New Mexico	14N 9W 18.400
Haystack No. 1	Haystack Haystack-Section 19 Open Pit Complex Section 19	McKinley County, New Mexico	13N 10W 19.110
Moonlight Mine		Navajo County, Arizona	Approx. NW ¼ Sec. 16, T41K, R19E
Mesa I, Mine No. 10-15	Mesa I Mine 10-15 Mesa I Mine #10-15	Apache County, Arizona	SE4 Sec 16, SW4 Sec 15, NW4 Sec. 22 T36 R29E at SE end of ridge – Lukachukai Mountains