

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

In the Matter of	)	
CROW BUTTE RESOURCES, INC.	)	Docket No. 40-8943
MARSLAND EXPANSION	)	License SUA-1543
(In Situ Leach Facility, Crawford, NE)	)	

PETITIONER DECLARATION

I, Bruce McIntosh, hereby make the following declaration:

1. I make this affidavit as Vice-Chair of Western Nebraska Resources Council (“WNRC”) in connection with a Petition to Intervene in the Application of Crow Butte Resources, Inc., concerning *in situ leach* uranium mine in Dawes County, NE, specifically, the MARSLAND EXPANSION (the “Mine”). WNRC’s physical address is 205 No. Mears St., Chadron, NE 69337. The mailing address is POB 612, Chadron, NE 69337.

2. I have authorized attorneys Bruce Ellison, David Frankel and other attorneys working with the Western Nebraska Resources Council and Aligning for Responsible Mining to represent WNRC in this matter and to file contentions on its behalf. I am fully familiar with the facts stated herein, and where opinions are expressed, I am competent to state such opinions based on my training, knowledge, experience and expertise. If sworn as a witness, I am competent to testify to the contents hereof.

3. Some members of WNRC use water which comes from the Brule, Arikaree Aquifers and use such water for personal, household, domestic purposes, drinking, and bathing, gardening and irrigation, specifically including the uses described in the Declaration of Antonia Afraid of Bear Cook and of the undersigned, filed in this matter, who is associated with WNRC.

4. Some members of WNRC are Oglala and, as such, have rights and interests concerning the proper identification and protection of traditional cultural resources such as graves, hearths, camp sites, artifacts, and related cultural materials, as further described in the Declaration of Antonia Afraid of Bear Cook, filed in this matter, who is a member of WNRC.

5. WNRC has existed since its inception in 1983 for the sole purpose of participating in public hearings by regulatory agencies concerning permitting and licensing of the operations at Crow Butte Resources, Crawford, NE, and enforcement of such permits and licenses. As such, WNRC’s organizational purpose is limited to the operations of Crow Butte Resources and its purpose specifically includes intervention in proceedings such as this proceeding. Accordingly,

WNRC seeks organizational standing in this proceeding.

This Declaration is submitted in accordance with 10 C.F.R. Section 2.304(d) and 28 U.S.C.

Section 1746. I declare under penalty of perjury that the foregoing is true and correct.

January 29, 2013



---

Bruce McIntosh  
Vice-Chair,  
Western Nebraska Resources Council