IN THE MATTER OF PROPOSED AMENDMENTS 
TO 20.6.2 NMAC, THE COPPER MINE RULE 

No. WQCC 12-01 (R)

New Mexico Environment Department, 
Petitioner.

NEW MEXICO ENVIRONMENT DEPARTMENT'S 
NOTICE OF INTENT TO PRESENT TECHNICAL 
REBUTTAL TESTIMONY

The New Mexico Environment Department ("NMED" or "Department") pursuant to the 
Procedural Order issued on November 21, 2012 hereby submits this Notice of Intent to Present 
Technical Rebuttal Testimony in support of the above-referenced petition at the public hearing 
set to begin April 9, 2013.

1. The person for whom the witnesses will testify.

The Department.

2. The name and qualifications of each technical rebuttal witness.

Thomas Skibitski. Mr. Skibitski's qualifications and resume were provided with 
the Department's Notice of Intent to Provide Technical Testimony for its direct case, filed 
on February 22, 2013.

Adrian Brown. Mr. Brown qualifications and resume were provided with the 
Department's Notice of Intent to Provide Technical Testimony for its direct case, filed on 

3. Whether the Department supports or opposes the proposed Copper Mine Rule.

The Department supports the proposed Copper Mine Rule.
4. A list and description of rebuttal exhibits.

<table>
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<tr>
<th>EXHIBIT NUMBER</th>
<th>TITLE OF REBUTTAL EXHIBIT</th>
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<tr>
<td>NMED Exhibit 20</td>
<td>NMED Mission and Objectives</td>
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<td>NMED Exhibit 21</td>
<td>NMED Correspondence to Ms. Smith (3-1-13)</td>
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<tr>
<td>NMED Exhibit 22</td>
<td>NMED’s Response to Petition for Variance for the Savannah Pit Leach Stockpile, No. WQCC 11-03(V)</td>
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<tr>
<td>NMED Exhibit 23</td>
<td>Statement of Reasons and Order Granting Variance</td>
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<td>NMED Exhibit 24</td>
<td>NMED’s Response to Petition for Variance for the Lee Hill Leach Stockpile, No. 12-05(V)</td>
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<td>NMED Exhibit 25</td>
<td>Findings of Fact, Conclusions of Law, and Order Granting Variance, No. WQCC 07-02(V)</td>
</tr>
<tr>
<td>NMED Exhibit 26</td>
<td>“Reliable Mine Water Technology,” by Adrian Brown, P.E., Mine Water and the Environment, Volume 29, Number 2</td>
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</tbody>
</table>

5. Reservation of Rights.

The Department reserves the right to call additional surrebuttal witnesses at hearing in response to the rebuttal of other parties.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by email on the following on this 14th day of March, 2013:

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