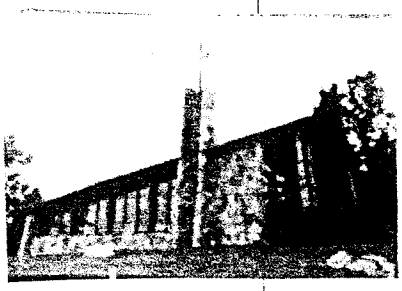
SENATE JUDICIARY
EXHIBIT NO. 26
DATE 2/19/09
BILL NO. SB 464

Prepared by

John Fitzpatrick
218 8th Street
Helena, MT 59601
(406) 442-5032

Failed Reclamation - Georgetown Railroad
CECRA Site - June 2008
(Area previously seeded Fall 2007)

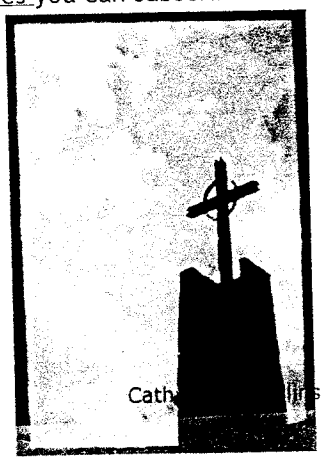
St. Timothy's Memorial Chapel



The view through our stained glass window. You can see the Pintlar Mountains in the background.

St. Timothy's Memorial Chapel is an ecumenical ministry above Georgetown Lake, Montana.

Each summer, we host a concert series you can subscribe to. Our season this summer includes musicians from near and far, and promises to be highly entertaining. Find out more.



St. Timothy's is a wonderful place to get married, and to explore a more spiritual life.

For more information, please use the links on the left.

View from St. Timothy's Chapel

Southern Cross Company, LLC
218 - 8th Avenue
Helena, MT 59601

August 7, 2008

Mr. Trey Harbert
Atlantic Richfield Company
317 Anaconda Road
Butte, Montana 59701

Dear Trey:

Thanks for the opportunity to visit with you about ARCO's plans to assist St. Timothy's with the development of a new parking lot for the church. However, ARCO's thoughts about using mine waste from either the Eaves or Main Southern Cross waste rock dump for fill material ~~may be~~ problematic.

The Eaves dumps have the highest arsenic levels on the property, routinely 3 to 5,000 ppm. Southern Cross has one sample close to 10,000 ppm. The material from the Main Southern Cross dump has less arsenic, generally in the 800 to 1,000 ppm range. As you well know, the arsenic in the dump materials is mobilized by precipitation, not extensively for sure, but some does leach out of the rock. In our judgment it would be best to continue with the original plan and put the mine waste in the repository. That will eliminate any likelihood that either ARCO or St. Timothy's will face any future environmental liability.

Instead of using mine waste for fill, Southern Cross Company will donate to the Chapel the requisite volume of clean fill from our gravel pit to assist ARCO with the following two projects.

1. Construction of the new St. Timothy's parking lot.

2. Filling in the railroad cut behind the Chapel downslope of the old privy.

ARCO would be responsible for transportation and grading of the material at the two project sites.

If this proposal is of interest, please advise me of the quantities of material ARCO will need for each project.

Very truly yours,

John S. Fitzpatrick
Secretary/Treasurer