

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 1

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to elect Chairman and Vice-Chairman of the Lander County Board of Commissioners and other matters properly relating thereto.

Public comment.

Background:

Annual election of the Chairman and Vice-Chairman of the Lander County Board of Commissioners is brought before the Commission for Calendar Year 2012.

Nominations and election of a Commissioner to serve as Chairman and a Commissioner to serve as Vice-Chairman of the Commission for the current year are made during the first meeting of the year.

Recommended Action:

No recommendations by staff are appropriate for this item.

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 2

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding budget review, contracts and financial update and other matters properly relating thereto.

Public comment.

Background:

Lander County Finance Director Rogene Hill will give a brief overview of the current status of the Fiscal Year 2011-2012 Lander County Budget and the general financial position of the County.

Recommended Action:

No specific recommendation for action by the Commission is recommended on this item.

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 3

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding write-off of uncollectible Lander County Landfill billing and other matters properly relating thereto.

Public comment.

Background:

Two (2) uncollectible Lander County Landfill tickets are presented to the Commission for possible approval to write-off.

Lander County Finance Director Rogene Hill will present the uncollectible Landfill tickets to the Commission. The charge tickets were made by H2O Environmental on June 8 and September 15, 2010, in the amounts of \$850.00 and \$799.00, respectively, for dumping of purged monitoring well contents.

H2O Environmental filed for Chapter 11 Bankruptcy in September 2010 with the Final Decree closing the case being issued in December 2011. Lander County will not be receiving payment for the \$1,649.00 in Landfill charges. Therefore, it is appropriate to write-off the total amount as uncollectible.

Recommended Action:

It is recommended that the Commission approve the write-off of Lander County Landfill billings in the total amount of \$1,649.00.

Rogene Hill
Lander County Finance Director



Memorandum

To: Lander County Commissioners

Date: January 12, 2012

Re: Landfill Write-Off

H2O Environmental, Inc. charged two tickets at the Lander County Landfill for purging a monitoring well in the amount of \$850.00 & \$799.00, totaling: \$1,649.00 on June 8, 2010. On September 15, 2010, Lander County Landfill received an order from the United States Bankruptcy Court/District of Nevada, for H2O Environmental, Inc. filing for Chapter 11.

On December 27, 2011, Lander County Landfill received an "Order Entering Final Decree" closing the case. We will not receive payment.

Total to be written off - \$1,649.00

Note: Landfill employees, Desert Disposal & Hoss Disposal have been notified that H2O Environmental, Inc. no longer has charging privileges, CASH ONLY!

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 4

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding Resolution No. 2012-01, a resolution directing apportionment of net proceeds received in the month of December 2011, and other matters properly relating thereto.

Public comment.

Background:

Resolution No. 2012-01, a resolution directing apportionment of net proceeds received in the month of December 2011, is presented for Commission consideration.

The proposed apportionment of Net Proceeds of Minerals revenue received by Lander County during the month of December 2011 was presented for Commission consideration and approved during the regular meeting held December 15, 2011. Resolution No. 2012-01 is the document making this apportionment of revenue official and directing the Finance Director and Treasurer to distribute the Lander County portion of the revenue per the stated schedule.

Recommended Action:

It is recommended that the Commission approve and adopt Resolution No. 2012-01, a resolution directing apportionment of net proceeds received in the month of December 2011.

RESOLUTION NO. 2012-01

Of the Board of Lander County Commissioners

A RESOLUTION DIRECTING APPORTIONMENT OF NET PROCEEDS RECEIVED IN THE MONTH OF DECEMBER 2011

WHEREAS, on December 15, 2011, the Lander County Treasurer received \$3,468,315.86 in Net Proceeds: and

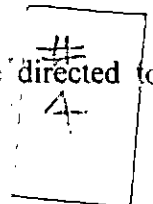
WHEREAS, it is the desire of the Lander County Board of Commissioners to appropriate the Net Proceeds as follows:

MANDATED:	AMOUNTS:	FUNDS:
Commission Fees/General Fund 3%	\$ 104,049.48	001-000-38045
Assessor Tech Fees 2%	\$ 69,366.32	300-000-32223
China Springs	\$ 980.00	001-000-38040
State Medical Indigency	\$ 71,321.96	004-000-38040
State Indigent (NACO)	\$ 16,333.27	004-000-38041
Capital Acquisition	\$ 32,666.55	031-000-38040
Landfill	\$ 103,552.95	011-000-38040
Hospital	\$ 528,495.68	060-000-38040
School District	\$ 775,830.42	070-000-38040
TOTAL	\$1,702,596.63	

DISCRETIONARY:	AMOUNTS:	FUNDS:
CCP	\$ 700,000.00	055-000-38040
Bldg. & Equipment	\$ 61,469.23	029-000-38040
Airport Capital	\$ 250,000.00	380-000-38040
General Fund	\$ 327,500.00	001-000-38040
Road & Bridge	\$ 90,000.00	002-000-38040
Water	\$ 10,750.00	226-000-38040
Sewer	\$ 10,750.00	236-000-38040
AG	\$ 750.00	005-000-38040
Senior Center	\$ 13,000.00	009-000-38040
Landfill	\$ 1,500.00	011-000-38040
Cultural & Recreation	\$ 300,000.00	052-000-38040
TOTAL	\$1,765,719.23	

WHEREAS, the Lander County Board of Commissioners desires to use Discretionary Net Proceeds to fund the Longevity Bonus for three years, update equipment at Elquist Park and the remaining apportionment for Airport Capital, Buildings and Equipment and CCP.

BE IT FURTHER RESOLVED, that the Finance Director and the Treasurer are directed to distribute the payment for Net Proceeds according to the schedule:



PASSED AND ADOPTED this 12TH day of January 2012.

THOSE VOTING AYE:

Commissioner

Bullock

Commissioner

Stienmetz

Commissioner

Garner

Commissioner

Mason

Commissioner

Williams

THOSE VOTING NAY:

Commissioner

THOSE ABSENT:

Commissioner

Dean Bullock

~~STEVEN STIENMETZ~~, Chair Dean Bullock
Lander County Board of Commissioners

ATTEST Sadie Sullivan
SADIE SULLIVAN
Lander County Clerk

**RESOLUTION NO. 2012-01****Of the Board of Lander County Commissioners****A RESOLUTION DIRECTING APPORTIONMENT OF NET PROCEEDS RECEIVED IN THE MONTH OF DECEMBER 2011**

WHEREAS, on December 15, 2011, the Lander County Treasurer received \$3,468,315.86 in Net Proceeds; and

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BE IT FURTHER RESOLVED, that the Finance Director and the Treasurer are directed to distribute the payment for Net Proceeds according to the schedule:



PASSED AND ADOPTED this 12TH day of January 2012.

THOSE VOTING AYE:	Commissioner	<u>Bullock</u>
	Commissioner	<u>Stienmetz</u>
	Commissioner	<u>Garner</u>
	Commissioner	<u>Mason</u>
	Commissioner	<u>Williams</u>
THOSE VOTING NAY:	Commissioner	<u> </u>
THOSE ABSENT:	Commissioner	<u> </u>

Dean Bullock
~~STEVEN STIENMETZ~~, Chair Dean Bullock
Lander County Board of Commissioners

ATTEST Sadie Sullivan
SADIE SULLIVAN
Lander County Clerk

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 5

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding Interlocal Agreement for Emergency Medical Services between Lander County and the Lander County Hospital District Board of Trustees for the emergency medical services reorganization project and other matters properly relating thereto.

Public comment.

Background:

The Interlocal Agreement for Emergency Medical Services between Lander County and the Lander County Hospital District Board of Trustees for the emergency medical services reorganization project is presented for Commission consideration.

The Interlocal Agreement between the Lander County Board of Commissioners and Lander County Hospital District Board of Trustees for the emergency medical services reorganization project was last considered by the Commission during a joint Lander County Board of Commissioners and Lander County Hospital Board of Trustees meeting held December 1, 2011.

Immediately after the close of the joint meeting, the Lander County Hospital Board of Trustees convened a regular meeting of the Board and discussed the Interlocal Agreement from their respective position. The current version of the Interlocal Agreement for Emergency Medical Services is as proposed by the Lander County Hospital District Board of Trustees during the December 1, 2011 meeting.

Key features of the current Agreement are: 1) **Lander County would pay the Lander County Hospital District a sum of twenty-five thousand dollars (\$25,000.00) per month;** 2) Either party to the Agreement could terminate with or without cause upon ninety (90) days written notice; 3) Either party to the Agreement could terminate under a material breach of the terms and conditions of the Agreement upon thirty (30) days written notice unless such breach is cured satisfactorily within that thirty (30) day period; 4) Lander County retains responsibility for the regular and routine maintenance of major equipment and vehicles for the emergency medical services; and, 5) **A monthly payment from Lander County to the Lander County Hospital District will continue after the service is fully transferred to the Hospital District on July 1, 2013.**

Recommended Action:

It is recommended that the Commission **not** approve the current Interlocal Agreement for Emergency Medical Services between Lander County and the Lander County Hospital District Board of Trustees for the emergency medical services reorganization project due to the annual cost of the Agreement exceeding \$300,000.00, which, (including maintenance expenditures), would exceed current annual budgeted expenditures for both ambulance services by approximately \$150,000.00, or 50%.

INTERLOCAL AGREEMENT FOR EMERGENCY MEDICAL SERVICES

This INTERLOCAL AGREEMENT FOR EMERGENCY MEDICAL SERVICES, hereinafter referred to as "Agreement" is made by and between Lander County, a political subdivision of the State of Nevada, hereinafter referred to as ("Lander County"), and the Lander County Hospital District, hereinafter referred to as ("LCHD").

RECITALS

WHEREAS, LCHD owns and operates a medical facility known as the Battle Mountain General Hospital, hereinafter referred to as ("BMGH"), located at 535 South Humboldt Street, Battle Mountain, Nevada 89820, which provides inpatient, outpatient, long term care, and emergency services; and

WHEREAS, Lander County and LCHD propose to define an ongoing collaborative relationship to provide Emergency Medical Services, hereinafter referred to as ("EMS") in Lander County; and

WHEREAS, Nevada Revised Statutes ("NRS") 277.180 authorizes one or more governments to enter into a contractual agreement to provide governmental services;

NOW, THEREFORE, in consideration of the mutual covenants, conditions and other good and valuable consideration contained herein, the parties hereby agree as follows:

TERMS AND CONDITIONS

1. Purpose: Lander County and LCHD shall, subject to all terms, conditions, and limitations specified hereinafter, perform the professional services as described in Exhibit A, Scope of Work, attached.
2. Term: This Agreement shall remain in effect from the date it is approved by both parties to the 30th day of June 2013. This term shall be subject to earlier termination as hereafter provided, or this Agreement shall automatically renew each year, for a one year term unless terminated as hereafter provided or replaced by another agreement.
3. Effective Date: This Agreement shall not become effective until and unless approved by appropriate official action of the governing body/official of each of the parties.
4. Payment: Lander County shall pay LCHD a sum of twenty-five thousand dollars (\$25,000.00) per month, and LCHD and Lander County shall abide by the terms, conditions and limitations as set forth in this Agreement and in Exhibit A, attached.

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5. Liability and Hold Harmless: Each party shall defend any third party claim against the other party arising from the death of or physical injury to any person or damage to the indemnified party's property to the extent proximately caused by the negligence of the indemnifying party or its agents or employees, and indemnify and hold harmless the other party and its respective officers, directors and employees from and against damages, liabilities and reasonable costs and expenses, including reasonable legal fees incurred in connection therewith.
6. Amendment or Modification: Both parties acknowledge and agree that they have not relied upon any statements, representations, agreements, or warranties, in entering into this Agreement, except as are stated herein, and no amendment or modification of this Agreement shall be valid or binding unless expressed in writing and executed by both the parties.
7. Termination: This Agreement may be Terminated prior to the expiration of the term as follows:
 - A. Lander County or LCHD may terminate this Agreement with or without cause upon ninety (90) days written notice served upon the other party as provided in this Agreement.
 - B. Lander County or LCHD may terminate this Agreement in the event of a material breach of the terms and conditions of the Agreement. The non-breaching party shall have the right to terminate this Agreement after providing thirty (30) days written notice to the breaching party, unless such breach is cured to the satisfaction of the non-breaching party within the said thirty (30) days.
 - C. Lander County and LCHD may agree in writing to terminate this Agreement at any time.
 - D. If this Agreement is terminated by either party, equipment purchased by Lander County shall be returned to Lander County.
8. Notices: All notices or other communications required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered personally in hand or mailed certified mail, return receipt requested, postage prepaid on

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the date posted, and addressed to the other party at the address set forth below:

LCHD:

LCHD
Attn: Phil Hanna
535 South Humboldt Street
Battle Mountain, NV 89820

Lander County:

Lander County Commissioners
315 South Humboldt Street
Battle Mountain, NV 89820

9. Waiver: Any waiver by either party of any breach of any kind or character whatsoever by the other, whether such be direct or implied, shall not be construed as a continuing waiver of, or consent to, any subsequent breach of this Agreement.
10. Assignment: ~~The rights granted and responsibilities incurred under this Agreement may~~ not be assigned without the written consent of Lander County and LCHD.
11. Third Party Beneficiaries: The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement shall be strictly reserved to the parties of the Agreement. There are no third party beneficiaries to this Agreement, and nothing contained in or implied by this Agreement shall give or allow any such claim or right of action by any other or third person.
12. Governing Law: This Agreement shall be construed and governed by the laws of the State of Nevada. Any action arising from this Agreement must be filed in the Sixth Judicial District Court in and for the County of Lander.
13. Attorney's Fees: Should either party be required to pursue legal action to enforce the terms and conditions of this agreement, the prevailing party shall be entitled reasonable attorney fees and court costs.
14. Governmental Immunity: Nothing contained herein waives or is intended to waive any protections that may be applicable to Lander County and/or LCHD or any of its elected or appointed officials, employees, or agents under any applicable statutes, rules or regulations providing governmental immunity, or any other rights, protections, immunities, defenses or limitations on liability to Lander County and or LCHD or such related parties that are provided by law.
15. Captions: The headings used in this Agreement are inserted for reference purposes only and shall not be deemed to define, limit, extend, describe, or affect in any way the meaning, scope or interpretation of any of the terms or provisions of this Agreement or the intent hereof.

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16. Integration: This Agreement, including Exhibit A, Scope of Work, shall constitute the entire agreement between the parties; all prior agreements between the parties, whether written or oral, are merged into this Agreement and shall be of no force or effect.
17. Relationship: This Agreement shall not be deemed to create a partnership between the parties in their respective endeavors or otherwise, nor cause them to be considered joint venturers or members of any joint enterprise.
18. Force Majeure: Neither party shall be responsible for any failure or delay in its performance under this Agreement due to causes beyond its reasonable control, including but not limited to, labor disputes, strikes; lockouts, shortages of or inability to obtain labor, energy, raw materials or supplies, war, riot, acts of God or governmental action.
19. Severability: If any covenant, phrase, clause, paragraph, section, condition or provision contained within this Agreement is invalidated by a court of competent jurisdiction, then the invalidity shall in no way affect any other covenant, phrase, clause, paragraph, section, condition, or provision contained in this Agreement.
20. Construction: This Agreement shall be construed without to the identity of the party who drafted various provisions of the Agreement. Moreover, each and every provision of this Agreement shall be construed as though all parties to this Agreement participated equally in the drafting of this Agreement. As a result of the foregoing, any rule or construction that a document is to be construed against the drafting party shall not apply.
21. Confidentiality: Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Agreement.
22. Proper Authority: The parties hereto represent and warrant that the person executing this Agreement on behalf of each party has full power and authority to enter into this Agreement and that the parties are authorized by law to perform the services set forth in this Agreement.
23. Compliance with Law: The parties hereto represent and warrant that they will comply with all relevant local, state, and federal laws and regulations and further represent and warrant that any failure to comply with such laws is a material breach of contract and that the breaching party will indemnify the other party from any and all claims or damages arising out of such breach.

IN WITNESS THEREOF, the parties hereto have executed this Agreement as of the signatures indicated below:

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LANDER COUNTY

LANDER COUNTY BOARD OF COMMISSIONERS

By: _____
STEVEN STIENMETZ, Chair

Date: _____

Attest:

SADIE SULLIVAN, County Clerk and Ex-Officio
Clerk of the Board of Commissioners of Lander
County, Nevada

LCHD

LANDER COUNTY HOSPITAL DISTRICT BOARD OF TRUSTEES

By: _____
KATHY L. ANCHO, Chair

Date: _____

Exhibit A
Scope of Work
EMERGENCY MEDICAL SERVICES

RESPONSIBILITIES OF LCHD AND LANDER COUNTY

Both parties agree that the service levels for both Battle Mountain Ambulance Service and Austin Ambulance Service, as currently licensed by the State of Nevada, shall not be upgraded or reduced without the written, signed agreement of LCHD and LANDER COUNTY. The parties further acknowledge that the ownership of the vehicles and all major equipment currently used in providing EMS services within Lander County shall remain vested with LANDER COUNTY.

A major consideration in the placement of this Agreement is to establish and evaluate the feasibility of LCHD assuming the function of providing EMS services within Lander County in entirety and in perpetuity. To that end, the feasibility will be established during the budget development process for the Fiscal Year 2013-2014 for LANDER COUNTY and LCHD's Budgets. Unless it is determined at that time that it is NOT feasible and sustainable for LCHD to assume the function of providing EMS services within Lander County in entirety and in perpetuity, THE LANDER COUNTY EMS FUNCTION SHALL BE ASSUMED, IN ENTIRETY, BY LCHD ON JULY 1, 2013, with LANDER COUNTY still providing a monthly payment to LCHD.

RESPONSIBILITIES OF LCHD

LCHD shall assume full responsibility for the following day-to-day operations of the Lander County Emergency Medical Services ("EMS"):

- These operations shall not influence decisions made by EMS Providers, Medical Control or the patient regarding the medical facility to which the patient shall be transported. The patient shall not, however, be transported past the nearest medical facility that can provide appropriate diagnostic and stabilization care unless on-scene EMS Personnel and Medical Control concur that said transport is in the patient's best interest.
- All regular full and part time personnel shall be employees of Battle Mountain General Hospital ("BMGH") and shall be subject to all rules, regulations and policies of BMGH. BMGH shall provide all liability insurance coverage as required by the Nevada Revised Statutes ("NRS") or other organizations that have insurance relationships with BMGH and Lander County; i.e., Liability Cooperative of Nevada and Nevada Public Agency Insurance Pool.
- All volunteers of the EMS Service shall be subject to the rules, regulations and policies approved by BMGH for the volunteer's participation on the EMS Service. BMGH shall provide all liability coverage for the EMS Service volunteers as required by the NRS or other organizations that have insurance relationships with BMGH and Lander County; i.e., Liability Cooperative of Nevada and Nevada Public Agency Insurance Pool.

- BMGH shall ensure that all licensing required for the Lander County EMS System by NRS, Nevada Administrative Code ("NAC") or the Nevada EMS Commission is current. BMGH shall assure that all necessary reports for said licensing are submitted to the appropriate parties as required.
- BMGH shall ensure that all required initial training, certification and continuing medical education courses are reasonably available to EMS personnel. BMGH shall ensure that all personnel scheduled to provide EMS Services shall meet NRS, NAC and Nevada EMS Commission training requirements.
- BMGH shall ensure that all reporting requirements for EMS Services in Lander County not already noted in this AGREEMENT are met as required. BMGH personnel shall collect and tabulate information required to fulfill said reporting requirements.
- BMGH shall ensure that all business office support required by the EMS Service is provided. This shall include, but not be limited to, charging, coding, billing and collection services.
- BMGH shall ensure that the EMS Service is incorporated into the BMGH Risk Management/ Quality Assurance System (also known as an Enterprise Risk Management System) and that all required reporting requirements are met.
- General administration of the Lander County EMS Service shall be under the direction of the BMGH Chief Executive Officer.
- BMGH shall ensure that the vehicles used for EMS Services to fulfill this AGREEMENT are regularly inspected to meet licensure requirements and fitness for use as established by the Nevada State EMS Commission.
- LCHD shall make every reasonable effort to obtain grant funding for all vehicle and equipment replacement and additions.
- A projected Lander County EMS Service budget for each fiscal year shall be developed, reviewed and approved in a collaborative process between LCHD and the LANDER COUNTY.
- A final accounting shall be made at the end of the fiscal year and the appropriate cost reports have been settled and financial records audited. Quarterly payments, interim settlements, cost report adjustments, grant funds, designated contributions and other revenue specific to EMS shall be used to offset Lander County EMS Service expenses. If there is an operating surplus from EMS operations, the surplus shall be divided equally between the LCHD and LANDER COUNTY.
- LCHD shall report to LANDER COUNTY on a quarterly basis about the operations and financial performance of Lander County EMS Services in a format to be determined by the LCHD and LANDER COUNTY.
- BMGH shall use the approved budget as an operating guide for the Lander County EMS Service. Exact expense items will be presented to LANDER COUNTY each quarter. At the end of each calendar quarter an interim cost settlement shall be made between LCHD and LANDER COUNTY. The interim cost settlement shall consider expenses, revenues and projected cost report funds. As a result of the interim cost settlement, an operating

surplus shall be divided equally between the LCHD and LANDER COUNTY, minus what is to be reimbursed to LANDER COUNTY in excess of the amounts its paid monthly.

RESPONSIBILITIES OF LANDER COUNTY

LANDER COUNTY shall assume full responsibility of the following:

- LANDER COUNTY shall ensure that the vehicles used for EMS Services are licensed, registered, insured, maintained and repaired.
- LANDER COUNTY shall maintain ownership of the vehicles and all major (capital) equipment used in the provision of EMS Services.
- The value of the vehicle inventory and major (capital) equipment used in Lander County EMS Services shall be carried on the books of LANDER COUNTY, subject to straight-line depreciation over the established accounting useful life of the vehicles and/or equipment.
- The value of the vehicles and major equipment currently used in providing EMS services within Lander County shall be determined by taking the AICPA established useful asset life depreciated on a straight-line basis over the period of "in-service" use of each particular asset.
- LANDER COUNTY shall remain responsible for the purchase of new vehicles, and the regular and routine maintenance of the vehicles and all major equipment currently used in providing EMS services within Lander County.
- In the event of damage to or demise of LANDER COUNTY vehicles or any major equipment currently used in providing EMS services within Lander County, the LANDER COUNTY insurer will be notified and financial arrangements for the repair or replacement of the vehicle or piece of equipment will be made at the discretion of the LANDER COUNTY.

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 6

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding letters of resignation from: 1) Kimberlie Davis from the Lander County Planning Commission; and 2) Christina Wohle from the Lander Economic Development Authority, and other matters properly relating thereto.

Public comment.

Background:

The letters of resignation received from Kimberlie Davis from the Lander County Planning Commission and Christina Wohle from the Lander Economic Development Authority are presented for Commission consideration.

Recommended Action:

It is recommended that the Commission accept the letters of resignation received from Kimberlie Davis from the Lander County Planning Commission and Christina Wohle from the Lander Economic Development Authority.

John Williams, Chair

Lander County Planning Commission

315 South Humboldt Street

Battle Mountain, Nevada 89820

FILED
2011 DEC 15 AM 9:05

SADIE KELLY
DIST. COURT CLERK

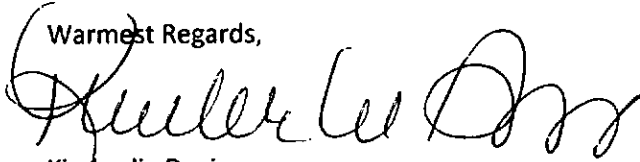
December 14, 2011

Dear Mr. Williams,

As of this date I am filing my resignation with the Lander County Planning Commission effective 12/31/11 at midnight. I have enjoyed serving this County as a Planning and Zoning Commissioner board member.

I thank the Lander County Commissioners for letting me participate on this Commission.

Warmest Regards,



Kimberlie Davis

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FILED

2011 DEC 15 AM 9:05

November 1, 2011

Dear LEDA Board Members,

SAGIE L. LEE
DIST. COURT CLERK

I have enjoyed my time serving on the Lander Economic Development Authority with all of you. Unfortunately due to my current health problems I am not able to drive myself into the meetings. Since I have been unproductive due to my current situation I feel it is best for both the board and me to resign my position.

Keep up the good work!

Best regards,
Christina Wohle

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 7

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding continuation of external auditor relations with Drake Rose and Associates, LLC., Shelly L. Drake Engagement Partner, and other matters properly relating thereto.

Public comment.

Background:

The request of Drake Rose and Associates regarding continuation of external auditor relations with Drake Rose and Associates, LLC., Shelly L. Drake Engagement Partner, is presented for Commission consideration.

Shelley Drake, Andree Rose and other staff members of the Winnemucca office of Kafoury, Armstrong and Company left the firm, effective December 27, 2011, and formed the new partnership – Drake Rose and Associates. Key staff of the new partnership consists of the 'audit team' which has conducted the Lander County audit since 1998.

The Lander County Commission, during the regular meeting of November 30, 2010, voted to accept an extended relationship with Kafoury, Armstrong and Company to provide services as the independent certified public accountants for Lander County for a five-year period ending with the completion of the annual audit for Fiscal Year 2014-2015. This extended engagement was to be the responsibility of the Winnemucca Kafoury, Armstrong and Company office staff. Kafoury, Armstrong and Company has contacted the County (refer to letter dated Tuesday, January 10, 2012) indicating their intent to continue the relationship as Lander County's independent certified public accountants with the responsible staff being provided out of the Reno, Fallon or Elko offices.

Recommended Action:

A specific recommendation for action is not being made for this item due to the potential legal risk of such a decision. (This will be discussed in a closed session with the District Attorney prior to today's meeting.) I want to emphasize the importance of the "extended engagement" with Kafoury, Armstrong and Company AND that the staff responsible to provide services to the County was our established audit team based in the **Winnemucca Office**.



DRAKE ROSE & ASSOCIATES

January 3, 2012

Board of Lander County Commissioners
315 S. Humboldt Street
Battle Mountain, Nevada 89820

We are pleased to confirm our understanding of the services we are to provide Lander County, Nevada for the year ended June 30, 2012. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of Lander County as of and for the year ended June 30, 2012. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MDA), to supplement Lander County's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Lander County's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- Management's Discussion and Analysis.
- Schedule of Funding Progress.

We have also been engaged to report on supplementary information other than RSI that accompanies Lander County's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in

the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

- The combining and individual nonmajor fund statements and schedules, including budgetary comparisons.
- The Schedule of Expenditures of Federal Awards.

We will also include the following additional information that will be subjected to certain limited procedures or procedures applicable to an attestation review:

- Nevada Revised Statutes 354.6241.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The reports on internal control and compliance will each include a statement that the report is intended solely for the information and use of management, the body or individuals charged with governance, others within the entity, specific legislative or regulatory bodies, federal awarding agencies, and if applicable, pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. If our opinions on the financial statements or the Single Audit compliance opinions are other than unqualified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. Management is also responsible for identifying government award programs and understanding and complying with the compliance requirements, and preparation of the schedule of expenditures of federal awards in accordance with the requirements of OMB Circular A-133. As part of the audit, we will assist with preparation of your financial statements, schedule of expenditures of federal awards, and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements, schedule of expenditures of federal awards, and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and schedule of expenditures of federal awards, and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities to help ensure appropriate goals and objectives are met and that there is reasonable assurance government programs are administered in compliance with compliance requirements. You are also responsible for the selection and application of accounting principles; for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business type activities, each major fund, and the aggregate remaining fund information of Lander County and the respective changes in financial position and, where applicable, cash flows in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for ensuring that management and financial information is reliable and properly recorded. Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring the entity complies with applicable laws, regulations, contracts, agreements, and

grants. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review on September 17, 2012. You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

If you decide to include, publish or otherwise reproduce the financial statements and our report thereon at a date subsequent to their original issuance, such as for inclusion in a bond offering, prospectus or similar document, our Firm is presumed not to be associated with such document, and we have no obligation to perform any procedures with respect to such documents. In addition, we request you include the following language in such offering documents:

"Drake Rose & Associates, LLC., our independent auditor, has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. Drake Rose & Associates, LLC also has not performed any procedures relating to this official statement."

If, however, management takes certain actions, such as requesting a written consent from us prior to including our audit report in such an offering document, our Firm then becomes associated with the offering and, in accordance with professional standards, we will be required to perform certain limited procedures with respect to unaudited information contained in the document. Fees for inclusion of our audit report in such a document will be based on our standard hourly rates.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary

to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Lander County's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of Lander County's major programs. The purpose of these procedures will be to express an opinion on Lander County's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

Engagement Administration, Fees, and Other

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be certified within the earlier of thirty days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

The audit documentation for this engagement is the property of Drake Rose & Associates, LLC and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to a cognizant agent or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Drake Rose & Associates, LLC personnel. Furthermore, upon request, we may provide photocopies of selected audit documentation to the aforementioned parties. These parties may intend, or decide,

to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release or for any additional period requested by the cognizant agency, oversight agency for audit, or pass-through entity. If we are aware a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit findings for guidance prior to destroying the audit documentation.

Shelly L. Drake is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fee for these audit services will be billed at our standard hourly rates plus out-of-pocket costs (such as report reproduction, typing, postage, travel, copies, telephone, etc.) except we agree our gross fee, including expenses, will not exceed \$95,800. Our audit fee includes the testing of one major program for Single Audit purposes. Should a change in the level of federal financial assistance occur requiring additional program testing, we will discuss the change in scope with you prior to performing any additional work. The fee includes the issuance of 30 copies of the report. Extra copies may be obtained at an additional cost.


The above fee is based on anticipated cooperation from your personnel and the assumption unexpected circumstances will not be encountered during the audit. We understand your employees will type all confirmations we request and locate any invoices or documents selected by us for testing. Also, supporting schedules will be prepared as outlined in a separate memorandum and all journal entries to your records will have been posted prior to the commencement of our fieldwork. Any additional services that may be necessary to prepare the County's records for the audit are outside the scope of the audit and have not been included. Additionally, the above fee does not include any costs associated with the implementation of new or amended standards or legislation adopted during the engagement. These services will be billed separately. Our fees for these services will be based on the actual time spent at our standard hourly rates, which vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Should an event occur that materially alters the scope of the original audit engagement, we will discuss it with you prior to beginning any additional work.

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes thirty days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. In addition, it is our policy to assess a finance charge of 1.5% per month on all accounts past due for more than 30 days. This represents an annual percentage rate of 18%.

We appreciate the opportunity to be of service to Lander County and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Drake Rose & Associates, LLC

By: 
Shelly L. Drake, CPA
Engagement Partner

RESPONSE:

This letter correctly sets forth the understanding of Lander County.

By: _____

Title: _____

Date: _____

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 8

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding termination of external auditor relations with Kafoury Armstrong and Company currently under agreement approved during the regular Commission meeting of November 30, 2010 for remaining years 2012, 2013, 2014 and 2015 and other matters properly relating thereto.

Public comment.

Background:

Based upon the decision made under Agenda Item No. 7, the action to terminate external auditor relations with Kafoury Armstrong and Company currently under an agreement approved during the regular Commission meeting of November 30, 2010, for remaining years 2012, 2013, 2014 and 2015, is brought before the Commission for consideration.

The Lander County Commission, during the regular meeting of November 30, 2010, voted to accept an extended relationship with Kafoury, Armstrong and Company to provide services as the independent certified public accountants for Lander County for a five-year period ending with the completion of the annual audit for Fiscal Year 2014-2015. **This extended engagement was to be the responsibility of the Winnemucca Kafoury, Armstrong and Company office staff.** Kafoury, Armstrong and Company has contacted the County (refer to letter dated Tuesday, January 10, 2012) indicating their intent to continue the relationship as Lander County's independent certified public accountants with the responsible staff being provided out of the Reno, Fallon or Elko offices.

It will be necessary to terminate this extended engagement to provide services as the independent certified public accountant if the decision of the Commission is to enter into an engagement continuing external auditor relations with Drake Rose and Associates, LLC.

Recommended Action:

IF THE DECISION ON AGENDA ITEM #7 IS TO ACCEPT THE PROPOSAL FROM DRAKE ROSE AND ASSOCIATES...

It is recommended that the Commission terminate the external auditor relations with Kafoury Armstrong and Company currently under an agreement for the remaining years of 2012, 2013, 2014 and 2015.

LANDER COUNTY COMMISSION MEETING

November 30, 2010

AGENDA ITEM NO. 5**THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:**

Discussion and possible action regarding Kafoury, Armstrong & Co.'s request and proposal to extend the relationship for providing services as independent certified public accountants for Lander County for the years ending June 30, 2011 and the four succeeding years and other matters properly relating thereto.

Public comment.

Background:

The proposal of Kafoury, Armstrong & Co. to extend the relationship for providing services as independent certified public accountants for Lander County for the years ending June 30, 2011 and the four succeeding years is brought before the Commission for consideration.

Kafoury, Armstrong & Co. staff provides independent governmental auditing and accounting services to the County which include performance of the annual financial and compliance audit of the County's basic financial statements, performance of the annual OMB Circular A-133 (single) audit and ongoing technical accounting and financial reporting advisement and support.

The scope of the current and proposed engagement with Kafoury, Armstrong & Co. is carried out, primarily, with staff of the Kafoury, Armstrong & Co. Winnemucca office. The firm has offices throughout the state of Nevada and has an established and respected hierarchy of professional review. Kafoury, Armstrong & Co. maintains a superior level of technical expertise in the specialized area of governmental accounting, auditing and financial reporting.

Kafoury, Armstrong & Co. has performed the Lander County annual financial and compliance audit for the past 13 years.

Recommended Action:

It is recommended that the Commission accept the proposal of Kafoury, Armstrong & Co. to extend the relationship for providing services as independent certified public accountants for Lander County for the years ending June 30, 2011 and the four succeeding years and approve the basic fee schedule as shown on page 2 of the submitted proposal.



KAFOURY, ARMSTRONG & CO.
A PROFESSIONAL CORPORATION
CERTIFIED PUBLIC ACCOUNTANTS

Serving our clients since 1941.

November 12, 2010

Gene P. Etcheverry
Executive Director
Lander County
315 South Humboldt Street
Battle Mountain, NV 89820

It is our pleasure to respond to your invitation to submit a proposal to extend our relationship of providing services as independent certified public accountants for Lander County for the year ending June 30, 2011 and the four succeeding years.

As we discussed, the governmental audit and accounting world has changed dramatically over the past several years and continues to do so. While all of this takes place we are committed to keeping pace with the technical qualifications required to provide exceptional auditing services to Lander County as well as other entities throughout the State of Nevada. Continuing with our past relationship, we look forward to proactively working with the County in assuring new requirements, laws and regulations are dealt with in a timely and effective manner. We are dedicated to working with the County in achieving success with your audit and financial reporting requirements.

We will audit the basic financial statements of Lander County for the years ended June 30, 2011, 2012, 2013, 2014, and 2015. Our audits will be conducted in accordance with U.S. generally accepted auditing standards, *Government Auditing Standards*, the provisions of U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments and Non-profit Organizations*, and the provisions of Nevada Revised Statutes.

Consistent with prior years, our proposed fee for performing the financial and compliance audits include the testing of one major program for the compliance audit. Should a change in the level of federal financial assistance activity occur requiring additional program testing, we will discuss this change in scope with you prior to performing any additional work.

ELKO

FALLON

LAS VEGAS

RENO

WINNEMUGCA

YERINGTON

#5

We propose an engagement approach that would utilize County personnel and resources as much as possible. If this results in an amount less than the proposed fee, the County would be billed the reduced amount. However, if circumstances occur resulting in additional amounts, we would meet with management to address the costs involved.

Our fees for services requested, as outlined above, are as follows:

	For the Year Ended June 30				
	2011	2012	2013	2014	2015
Financial and Compliance Audits	<u>\$95,800</u>	<u>\$95,800</u>	<u>\$95,800</u>	<u>\$97,700</u>	<u>\$99,700</u>

Our proposal is based on our understanding of the amount of assistance your staff will provide us. This would include anticipated cooperation and assistance in audit schedule preparation from your personnel and the assumption that unexpected circumstances will not be encountered during the audits. Additionally, our fees also do not include assistance with implementation of new or amended standards or legislation that may be adopted during the term of our engagement.

It is our understanding any additional services to Lander County outside the scope of the audit and as outlined above are not included in this proposal. Should an event occur that materially alters the scope of the original engagement, we will discuss it with you prior to beginning any additional work. Our fees for these services will be based on the actual time spent at our standard hourly rates. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned.


We will schedule our interim and year-end fieldwork in order to assist with having a draft of the audit report prepared and submitted to the County Finance Director no later than November 30th of each year. We are also committed to presenting the audit report at a regularly scheduled Commissioners meeting in December of each year.

We thank you for this opportunity to extend our services to assist the County in the continued development of its financial administration, as well as meet the requirements for financial and compliance audits. We have appreciated our professional association with the Lander County in the past and look forward to continuing our relationship.

Very truly yours,

KAFOURY, ARMSTRONG & CO.

By:


Shelly L. Drake, CPA

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 9

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to formally request transfer of all Lander County's files and records from Kafoury Armstrong and Company to Shelly Drake and Andree Rose of Drake Rose and Associates and other matters properly relating thereto.

Public comment.

Background:

The formal request to transfer all Lander County's files and records from Kafoury Armstrong and Company to Shelly Drake and Andree Rose of Drake Rose and Associates is brought before the Commission for consideration.

It will be necessary to transfer all Lander County's files and records from Kafoury Armstrong and Company to Shelly Drake and Andree Rose of Drake Rose and Associates if the decision of the Commission is to enter into an engagement continuing external auditor relations with Drake Rose and Associates, LLC.

Execution of this formal request would facilitate the transfer of records.

Recommended Action:

IF THE DECISION ON AGENDA ITEM #7 IS TO **ACCEPT** THE PROPOSAL FROM DRAKE ROSE AND ASSOCIATES...

It is recommended that the Commission formally request the transfer of all Lander County's files and records from Kafoury Armstrong and Company to Shelly Drake and Andree Rose of Drake Rose and Associates and authorize the Chairman to sign the request letter.

Mr. Todd Ferguson
Chief Executive Officer
Kafoury, Armstrong & Co.
6140 Plumas Street
Reno, NV 89519

Dear Mr. Ferguson:

I would like to request all of my files and records be immediately transferred to Shelly Drake and Andree Rose at Drake Rose and Associates, 580 Baud Street, Winnemucca, Nevada 89445. Please provide the files in the current native format to be utilized by any applicable software programs. This information can be e-mailed directly to them at:

sdrake@dracpas.com

arose@dracpas.com

Thank you,

Signature (both if joint request)

Print Individual Name(s)

Print Company Name (if applicable)

Date

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LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 10

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding potential resource impacts from wild horse populations in Lander County and possible change in scope to the agreement between Lander County and RCS for the revision and update to the Lander County Policy Plan for Federally Administered Lands and other matters properly relating thereto.

Public comment.

Background:

Discussion of potential resource impacts from wild horse populations in Lander County and action to possibly change the scope of the agreement between Lander County and RCS for the revision and update to the Lander County Policy Plan for Federally Administered Lands are brought before the Commission for consideration.

Commissioner Williams and Rex Massey of RCS will address the Commission on this issue.

Recommended Action:

It is recommended that the Commission acknowledge the potential impacts to resources of Lander County created by wild horse populations and authorize a change in scope to the potential resource impacts from wild horse populations in Lander County and possible change in scope to the agreement between Lander County and RCS for the revision and update to the Lander County Policy Plan for Federally Administered Lands.

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 11

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding the application from the Town of Kingston for permission to acquire property, parcel #s 003-152-04 and 003-191-04, per NRS 361.603 and other matters properly relating thereto.

Public comment.

Background:

The application from the Town of Kingston for permission to acquire property, parcel #s 003-152-04 and 003-191-04, per NRS 361.603, is brought before the Commission for consideration.

Lander County Treasurer Grace Powrie will present information on this item to the Commission.

Recommended Action:

It is recommended that the Commission approve the application from the Town of Kingston application from the Town of Kingston for permission to acquire property, parcel #s 003-152-04 and 003-191-04, per NRS 361.603, and request the Treasurer to send the Notice of Intent to Sell.



AGENDA REQUEST FORM

COMMISSIONER MEETING DATE: January 12, 2012

NAME: Shannon D. Thiss REPRESENTING: Kingston Town Board

ADDRESS: 112 Gold Knob Road, HC 65 Box 130 Austin, NV 89310

PHONE (H): 775-964-2126 (W): 775-964-2120 (FAX): 775-964-2120

WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS: 775-964-2120

WHO WILL BE ATTENDING THE MEETING: Shannon D. Thiss

JOB TITLE: Deputy Clerk

SPECIFIC REQUEST TO BE PLACED ON THE AGENDA: Discussion and possible action to consider the transfer of parcels 003-152-04 and 003-191-04 in Kingston, Nevada to the Town of Kingston.

WHAT ACTION WOULD YOU LIKE THE BOARD TO TAKE TO RESOLVE THIS ISSUE? To transfer these parcels, which have been seized by Lander County for non-payment of taxes to the Town of Kingston. These parcels are located next to or in close proximity of town property and would ease right of way for town facilities.

ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST: X YES NO Maybe
AMOUNT: Approximately \$550.00 in back taxes, which the Town of Kingston is willing to pay.

HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING? YES X NO Maybe
WHEN?

WILL YOU BE PRESENTING WRITTEN INFORMATION AT THE MEETING? YES NO X Maybe

HAVE YOU DISCUSSED THIS ISSUE WITH THE AFFECTED DEPT HEAD: X YES NO Maybe

FOR REVIEW BY:

AIRPORT <u> </u>	DIST. ATTY. <u> </u>	SENIOR CTR. <u> </u>
AMBULANCE <u> </u>	EXE. DIR. <u>X</u>	SHERIFF <u> </u>
ARGENTA I.P. <u> </u>	FIRE <u> </u>	SOCIAL SVC. <u> </u>
ASSESSOR <u> </u>	GOLF <u> </u>	TREASURER <u>X</u>
AUSTIN J.P. <u> </u>	PUBLIC WORKS <u> </u>	W & S <u> </u>
CLERK <u> </u>	RECORDER <u> </u>	OTHER <u> </u>
COMM. DEVT. <u> </u>	BLDG. INPCTR. <u> </u>	

THE EXECUTIVE DIRECTOR RESERVES THE RIGHT TO REJECT OR RECOMMEND
TABLING ALL AGENDA REQUESTS FOR INSUFFICIENT INFORMATION.

ALL INFORMATION STATED IS CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE.

DATE: December 21, 2011

Board meets the 2nd and 4th Thursday of each month
Commission fax (775)635-5332

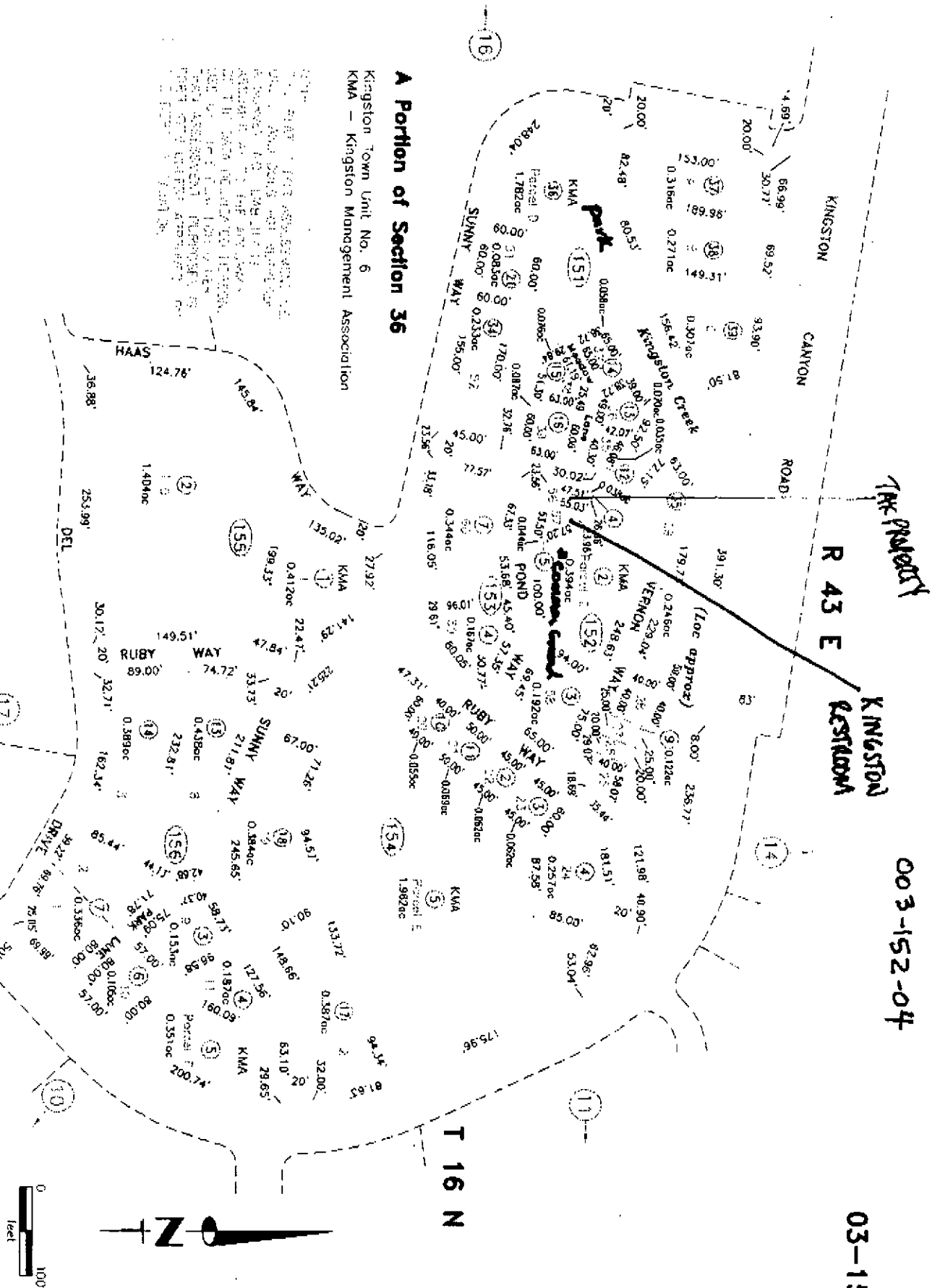
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GEO-GRAPHICS 11/15/01 NJW

A Portion of Section 36

Kingston Town Unit No. 6
KMA - Kingston Management Association



KINGSTON
LANDER COUN

**TOWN OF KINGSTON
KINGSTON TOWN WATER UTILITY
HC 65 BOX 130 KINGSTON
AUSTIN, NEVADA 89310
775 964-2120
kingstonh2o@starband.net**

Members:

June Manhire
Ron Palmer
Rosalie Zamora
Don Haines
Dennis Lundberg

December 12, 2011

Grace Powrie
Lander County Treasurer
315 S. Humboldt Street
Battle Mountain, NV 89820

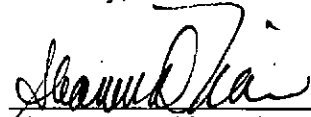
Dear Grace,

It has come to the attention of the Kingston Town Board that Kingston parcels 003-152-04 and 003-191-04 are now in the possession of Lander County. The board would like to request that these properties be given to the Town of Kingston due to their proximity to parcels already owned by the town. If necessary, Kingston is willing to pay any back taxes owed on these properties.

Parcel # 003-152-04 is located next to the new Kingston restrooms, is not a buildable lot by itself and is next to the common park area. Parcel # 003-191-04 is located on the same road as the Kingston Water Utility well house and shop. At this time the only way to get into the shop area is over this vacant lot and three others. It is the hope of Kingston to also acquire the three additional lots on this court so building a new road at a high cost can be avoided.

The Kingston Town Board would like to thank the Lander County Treasurer and Lander County Commissioners for their continued assistance.

Sincerely,



Shannon D. Thiss, Kingston Deputy Clerk

Assessor Data Inquiry - Secured Property Detail

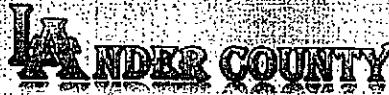
<http://www.landercounty.org:1401/cgi-bin/asw101?Parcel=315204>315 South Humboldt Street
Battle Mountain, Nevada, 89820[Close Window](#)[Back to Search List](#)[Personal Property](#)[Sales Data](#)[Secured Tax Inquiry](#)[Recorder Website](#)

Parcel Detail for Parcel # 003-152-04

Location			Ownership				
Property Location 305 POND WAY			Assessed Owner Name LANDER COUNTY TREASURER				
Town	Address		Mailing Address FORMERLY: MACLEAN, KF & MM TST	Ownership History			
Subdivision LOT 56 BLK R KY UNIT	Assessor Maps		315 S HUMBOLDT STREET	Document History			
#8 Lot Block	Legal Description		BATTLE MOUNTAIN, NV 89820				
Property Name	Ag Land		Legal Owner Name LANDER COUNTY TREASURER				
			Vesting Doc#, Date 260988 06/08/11 Book/Page 623/108				
			Map Document #s				
Description			Appraisal Classifications				
Total Acres .170	Ag Acres .000	W/R Acres .000	Current Land Use Code 160	Code Table			
Improvements			Zoning C1				
Single-fam Detached 0	Non-dwell Units 0	Bdrm/Bath 0/00	Re-appraisal Group 2	Re-appraisal Year 2011			
Single-fam Attached 0	MH Hookups 0	Stories 0	Orig Constr Year	Weighted Year			
Multi-fam Units 0	Wells 0						
Mobile Homes 0	Septic Tanks 0						
Total Dwelling Units 0	Bldg Sq Ft 0						
Improvement List	Garage Sq Ft 0	Attch/Detach					
Improvement Sketches	Basement Sq Ft 0	Finished 0					
Improvement Photos							
Assessed Valuation			Taxable Valuation				
Assessed Values	2012-13	2011-12	2010-11	Taxable Values	2012-13	2011-12	2010-11
Land	331	331	331	Land	946	946	946
Improvements	0	0	0	Improvements	0	0	0
Personal Property	0	0	0	Personal Property	0	0	0
Ag Land	0	0	0	Ag Land	0	0	0
Exemptions	0	0	0	Exemptions	0	0	0
Net Assessed Value	331	331	331	Net Taxable Value	946	946	946
Increased (New) Values				Increased (New) Values			
Land	0	0	0	Land	0	0	0
Improvements	0	0	0	Improvements	0	0	0
Personal Property	0	0	0	Personal Property	0	0	0

Assessor Data Inquiry Secured Property Detail

http://www.landercounty.org:1401/cgi-bin/asw101?Parcel=319104

315 South Humboldt Street
Battle Mountain, Nevada, 89820

Close Window

Back to Search List

Personal Property

Sales Data

Secured Tax Inquiry

Recorder Website

Parcel Detail for Parcel # 003-191-04

Location		Ownership	
Property Location 6 KYLE COURT Town Subdivision LOT 50 BLK G KT UNIT #3 Lot Block Property Name		Assessed Owner Name LANDER COUNTY TREASURER Mailing Address FORMERLY: MACLEAN, KF & MM TST 315 S HUMBOLDT STREET BATTLE MOUNTAIN, NV 89820 Legal Owner Name LANDER COUNTY TREASURER Vesting Doc#, Date 260990 06/08/11 Book/Page 623/116 Map Document #s	
Add'l Addresses Assessor Maps Legal Description Ag Land		Ownership History Document History	
Description		Appraisal Classifications	
Total Acres .300 Ag Acres .000 W/R Acres .000 <u>Improvements</u> Single-fam Detached 0 Non-dwell Units 0 Bdrm/Bath 0/00 Single-fam Attached 0 MH Hookups 0 Stories .0 Multi-fam Units 0 Wells 0 Mobile Homes 0 Septic Tanks 0 Total Dwelling Units 0 Bldg Sq Ft 0 Improvement List Garage Sq Ft 0 Attch/Detch Improvement Sketches Basement Sq Ft 0 Finished 0 Improvement Photos		Current Land Use Code 120 Code Table Zoning R1 Re-appraisal Group 2 Re-appraisal Year 2011 Orig Constr Year Weighted Year	
Assessed Valuation		Taxable Valuation	
Assessed Values 2012-13 2011-12 2010-11 Land 2,894 2,894 2,894 Improvements 0 0 0 Personal Property 0 0 0 Ag Land 0 0 0 Exemptions 0 0 0 Net Assessed Value 2,894 2,894 2,894 Increased (New) Values Land 0 0 0 Improvements 0 0 0 Personal Property 0 0 0		Taxable Values 2012-13 2011-12 2010-11 Land 8,269 8,269 8,269 Improvements 0 0 0 Personal Property 0 0 0 Ag Land 0 0 0 Exemptions 0 0 0 Net Taxable Value 8,269 8,269 8,269 Increased (New) Values Land 0 0 0 Improvements 0 0 0 Personal Property 0 0 0	

Lander County Treasurer

GRACE POWRIE

315 South Humboldt Street
Battle Mountain, Nevada 89820

Phone: (775) 635-5127

Fax: (775) 635-5593

Treasurer
Grace Powrie

Senior Deputy Treasurer
Rebecca Murphy

Deputy Treasurer
Darlene Torrence

Deputy Treasurer
Justi Johnson

December 30, 2011

Lander County Commission
315 South Humboldt Street
Battle Mountain, Nevada 89820

RE: Application for Permission to Acquire Property
Parcel # 003-191-04
Parcel #003-152-04

Dear Commissioners:

Please see the attached NRS 361.603.

Paragraph 1: Explains the process for any local government to acquire property held in trust by the treasurer of the county.
Both properties listed above are under Lander County Treasurer as Trustee for Lander County. I filed the Tax Receiver's Tax Deed in Trust on both properties in June, 2011.

Paragraph 2: Explains the process for the Town of Kingston to make application to the board of county commissioners for permission to acquire the property. If the board of county commissioners approves the application, it shall direct the county treasurer to give notice of intent to sell to the last known owner or heirs or devisees of the last known owner of the property in the manner provide by law.

Paragraph 3: States "The last known owner may, within 90 days after the notice, redeem the property by paying to the treasurer the amount of the delinquent taxes, plus penalties, interest, and costs."

The District Attorney will need to determine whether or not the Town of Kingston will need to pay the delinquent taxes or not pursuant to paragraph 4 and 5 of NRS 361.603.

Paragraph 4: If the owner fails to redeem the property within the time allowed, the county treasurer shall transfer the property to the local government upon receiving from it the amount of the delinquent taxes, except as otherwise provided in subsection 5.

OR

Paragraph 5: If they qualify "under paragraph 5" - the delinquent taxes need not be paid?

The taxes, interest, penalties and costs at this time are estimated through May 2012 as follows:

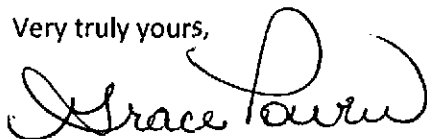
PARCEL NUMBER	ACCUMULATED TOTAL	ANNUAL TAX
1. 003-191-04	\$597.17	\$ 85.34
2. 003-152-04	\$223.71	\$ 8.54

PARCEL NUMBER	TAX	INTEREST/PENALTIES	COSTS	TOTAL
003-191-04	\$305.28	\$109.89	\$182.00	\$597.17
003-152-04	\$ 30.54	\$ 11.17	\$182.00	\$223.71

The two (2) properties are described as follows:

Parcel #	Property Location	Legal Description	Former Owner
003-191-04	6 Kyle Court	Lot 50 Block G KT Unit #3	MACLEAN, KF & MM TST
003-152-04	305 Pond Way	Lot 56 Block R KT Unit #6	MACLEAN, KF & MM TST

Very truly yours,



Grace Powrie
Lander County Treasurer and
Ex-Officio Tax Receiver

Attached: NRS 361.603

cc: Lander County District Attorney, Angie M. Elquist
Lander County Assistant District Attorney, James J. Barnes
Kingston Deputy Clerk, Shannon Thiss

NRS 361.603 Acquisition by local government or Nevada System of Higher Education of property held in trust.

1. Any local government or the Nevada System of Higher Education may, in the manner provided in this section, acquire property held in trust by the treasurer of the county in which the local government or any part of the System is located by virtue of any deed made pursuant to the provisions of this chapter.

2. Whenever any local government or the Nevada System of Higher Education determines that a public purpose may be served by the acquisition of the property, it may make application to the board of county commissioners for permission to acquire the property. If the board of county commissioners approves the application, it shall direct the county treasurer to give notice of intent to sell to the last known owner or heirs or devisees of the last known owner of the property in the manner provided by law.

3. The last known owner may, within 90 days after the notice, redeem the property by paying to the treasurer the amount of the delinquent taxes, plus penalties, interest and costs.

4. If the owner fails to redeem the property within the time allowed, the county treasurer shall transfer the property to the local government or the Board of Regents of the University of Nevada upon receiving from it the amount of the delinquent taxes, except as otherwise provided in subsection 5.

5. If property is so transferred to a local government for street, sewer or drainage uses, for use in a program for the rehabilitation of abandoned residential properties established by the local government pursuant to chapter 279B of NRS, or for use as open-space real property as designated in a city, county or regional comprehensive plan, the delinquent taxes need not be paid.

6. As used in this section, "open-space real property" has the meaning ascribed to it in NRS 361A.040.

(Added to NRS by 1969, 259; A 1973, 278; 1979, 486; 1981, 505; 1989, 191; 1993, 397; 1999, 1321)

NRS 361A.040 "Open-space real property" defined. "Open-space real property" means:

1. Land:

(a) Located within an area classified pursuant to NRS 278.250 and subject to regulations designed to promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment; and

(b) Devoted exclusively to open-space use:

2. The improvements on the land described in subsection 1 that is used primarily to support the open-space use and not primarily to increase the value of surrounding developed property or secure an immediate monetary return.

3. Land that is used as a golf course.

4. Land regarding which the owner has granted and has outstanding a lease of surface water rights appurtenant to the property to a political subdivision of this State for a municipal use, if the land was agricultural real property at the time the lease was granted.

(Added to NRS by 1975, 1756; A 1987, 673; 2005, 2664; 2009, 1229)

NRS 361A.050 "Open-space use" defined. "Open-space use" means the current employment of land, the preservation of which use would conserve and enhance natural or scenic resources, protect streams and water supplies, maintain natural features which enhance control of floods or preserve sites designated as historic by the Office of Historic Preservation of the State Department of Conservation and Natural Resources. The use of real property and the improvements on that real property as a golf course shall be deemed to be an open-space use of the land. The use of land to lease surface water rights appurtenant to the property to a

361A.060

AGRICULTURAL AND OPEN SPACE

political subdivision of this State for a municipal use shall be deemed to be an open-space use of the land, if the land was agricultural real property at the time the lease was granted.

(Added to NRS by 1975, 1756; A 1979, 208; 1987, 432; 1993, 1576; 2001, 940; 2005, 2664; 2009, 1229; 2011, 2975)

**TOWN OF KINGSTON
KINGSTON TOWN WATER UTILITY
HC 65 BOX 130 KINGSTON
AUSTIN, NEVADA 89310
775 964-2120
kingstonh2o@starband.net**

Members:

June Manhire
Ron Palmer
Rosalie Zamora
Don Haines
Dennis Lundberg

TO: LANDER COUNTY COMMISSIONERS

RE: Item # 11 on Lander County Commissioners Meeting agenda for January 12, 2012

Page #1 – Parcel number 003-152-04 is located adjacent to the Kingston restrooms and Kingston common ground as noted on the map. This lot would add to the open space and common ground of Kingston. This lot would qualify for the process under 361.603, paragraph 5 and 6(361A.040), making it “for use as open-space real property.”

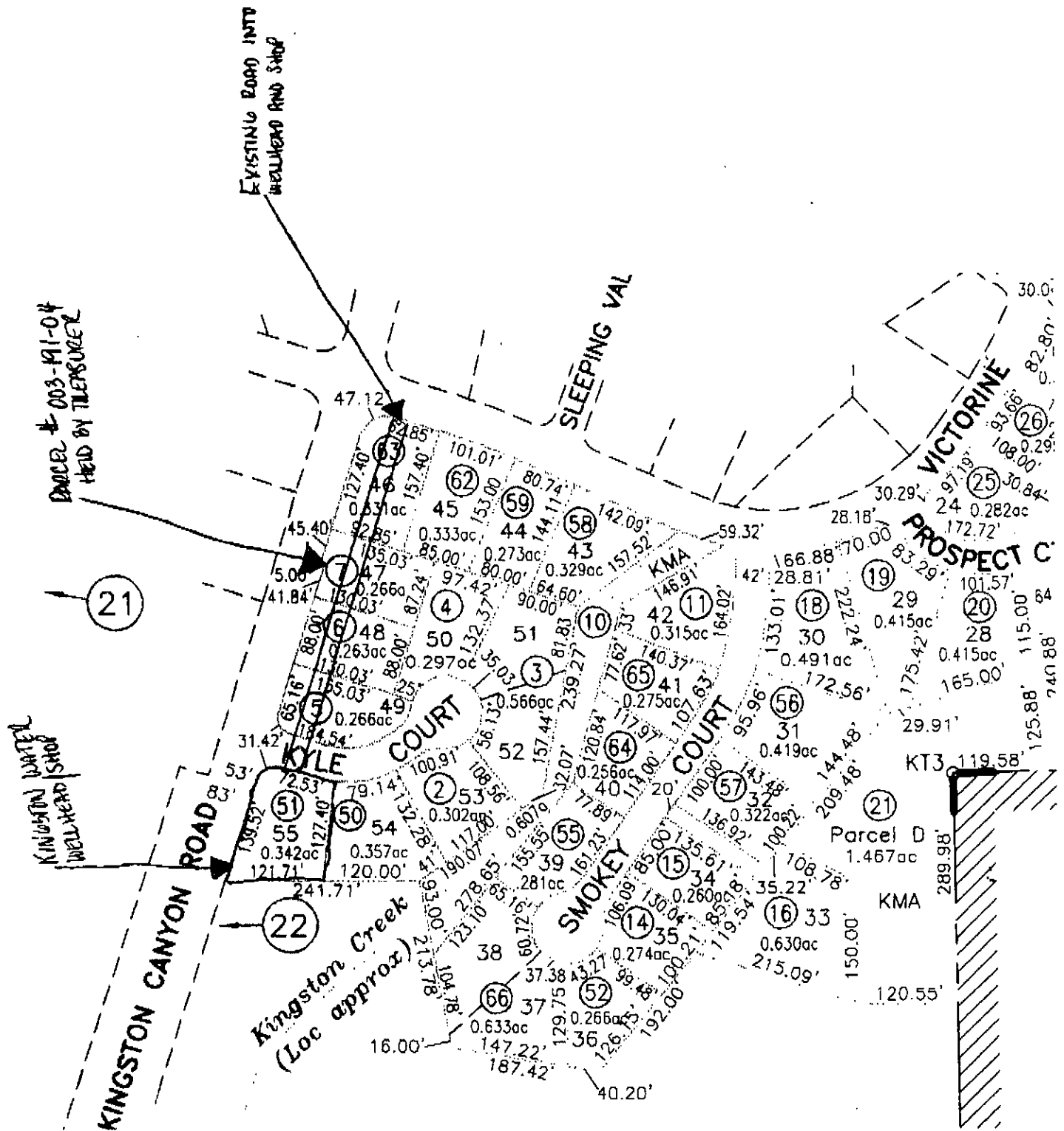
Page #2 Parcel number 003-191-04 is located on an existing road that the Kingston Water Dept uses to enter the well house and shop area. The road has been used by the town since the wellhead and shop have been there, approximately 20 years. The reason this was used is that the area of Kyle Court is too steep to drive into the fenced shop area and to build a road would be cost prohibitive. The town would like to take possession of this lot and then approach the vacant lot owners surrounding this lot about selling or gift deeding the property to the town. Kyle Court will still exist for lot owners to access their property, however most of the lots to the south of the cul-de-sac are unbuildable due to creek damage.

Although, this land cannot be accurately defined as an open-space area as noted in NRS 361.603, at this time, it can be made into an attractive open space and road area once all lots are acquired. The Town of Kingston is prepared to pay the delinquent taxes on this property if it does not qualify for the NRS.

Sincerely,

Shannon D. Thiss, Kingston Deputy Clerk

PAGE # 2



LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 12

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding approval of the 2012 Local Emergency Planning Committee (LEPC) membership roster and other matters properly relating thereto.

Public comment.

Background:

The Local Emergency Planning Committee (LEPC) held a meeting on Tuesday, January 10, 2012 and has requested consideration by the Commission of this item be deferred.

Recommended Action:

It is recommended that this item be deferred.

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 13

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding approval and promulgation of the Lander County All Emergency Operations Plan (EOP) for 2012 and other matters properly relating thereto.

Public comment.

Background:

The Local Emergency Planning Committee (LEPC) held a meeting on Tuesday, January 10, 2012 and has requested consideration by the Commission of this item be deferred.

Recommended Action:

It is recommended that this item be deferred.

LANDER COUNTY COMMISSION MEETING

January 12, 2012

AGENDA ITEM NO. 14

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding the possible proposal of an ordinance adding Chapter 8.44 to the Lander County Code, to establish an advisory committee and to authorize a telephone line surcharge for reporting emergencies, and other related matters.

Public comment.

Background:

The proposal of an ordinance adding Chapter 8.44 to the Lander County Code, to establish an advisory committee and to authorize a telephone line surcharge for reporting emergencies is brought before the Commission for consideration.

Lander County Sheriff Ron Unger and/or Undersheriff Robert Quick will be in attendance to provide details on this item to the Commission.

Recommended Action:

It is recommended that the Commission propose an ordinance, for introduction during the regular Commission meeting of January 26, 2012, adding Chapter 8.44 to the Lander County Code, to establish an advisory committee and to authorize a telephone line surcharge to finance a system for reporting emergencies.

Summary: An ordinance adding Chapter 8.44 to the Lander County Code, to establish an advisory committee and to authorize a telephone line surcharge for reporting emergencies, and other related matters.

AN ORDINANCE ADDING CHAPTER 8.44 TO THE LANDER COUNTY CODE, PURSUANT TO NEVADA REVISED STATUTES 244A.7641 THROUGH 244A.7647, TO ESTABLISH AN ADVISORY COMMITTEE AND TO AUTHORIZE A TELEPHONE LINE SURCHARGE FOR THE ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEMS USED IN REPORTING EMERGENCIES, AND OTHER RELATED MATTERS

**THE BOARD OF COUNTY COMMISSIONERS OF LANDER COUNTY, NEVADA,
DOES ORDAIN:**

SECTION 1. Title Eight (8) of the Lander County Code is amended by adding Chapter 8.44 to read as follows:

Chapter 8.44

**SURCHARGE FOR ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEM
USED FOR REPORTING EMERGENCIES**

Sections:

- 8.44.010 Authority and Purpose.
- 8.44.020 Definitions.
- 8.44.030 Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergencies.
- 8.44.040 Chair, election and duties.
- 8.44.050 Rules, regulations and bylaws.
- 8.44.060 Quorum.
- 8.44.070 Meetings.
- 8.44.080 Imposition of telephone surcharge.
- 8.44.090 Creation of special revenue fund; use of money in fund.
- 8.44.100 Penalty for failure to remit surcharges.

8.44.010 Authority and Purpose

This chapter is enacted pursuant to Nevada Revised Statutes ("NRS") 244A.7641 through 244A.7647 for the following purposes:

1. To establish an advisory committee to develop a five year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Lander County and to oversee any money allocated for that purpose.
2. To impose a surcharge for the enhancement or improvement of the telephone system for reporting emergencies in Lander County on:

- a. Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Lander County; and
- b. The mobile telephone service provided to each customer of that service whose place of primary use is in Lander County.

8.44.020 Definitions

As used in this chapter, the words and terms defined in this section have the meanings ascribed to them under NRS Chapter 244A.

8.44.030 Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergencies

1. The Board of County Commissioners of Lander County ("Board") hereby creates a five member advisory committee called the "9-1-1 Surcharge Advisory Committee" to develop a five year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Lander County, and to oversee any money allocated for that purpose. The master plan must include an estimate of the cost of the enhancement or improvement of the telephone system and all proposed sources of money for funding the enhancement or improvement. The five member advisory committee shall consist of the following:

- a. Members will serve without compensation.
- b. A member appointed to the committee must:
 - (1) Be a resident of Lander County;
 - (2) Possess knowledge concerning telephone systems for reporting emergencies;
 - and
 - (3) Not be an elected public officer.
- c. As Lander County has a population of less than 100,000, at least one member of the committee must be a representative of an incumbent local exchange carrier that provides service to persons in Lander County.

2. Members will be selected at large by the Board at its discretion.

3. The Board must appoint members for a term of two years, except for the initial terms. In order to stagger the terms, the Board must set the initial appointed members' terms to provide for terms of three of the appointed members to end on December 31, 2014, and for the terms of two of the appointed members terms to end on December 31, 2013. A member may be reappointed to subsequent terms of two years. Any vacancy occurring during a member's term will be filled by the Board. A person appointed to fill a vacancy occurring during a term must serve out the unexpired term of the member replaced.

8.44.040 Chair, election and duties

1. The committee must elect from its membership a chair and vice-chair.

2. The first election of the chair and vice-chair shall be in January 2012, and the terms of the chair and vice-chair shall be for one year, unless re-elected by the membership.
3. The chair will preside at meetings and be the signatory of any correspondence necessitated by operation of the committee.
4. The vice-chair will carry out the duties of the chair in his/her absence.
5. A member may be removed by the Board for good cause.

8.44.050 Rules, regulations and bylaws

The committee may adopt rules, regulations and/or bylaws regarding its meetings and procedures.

8.44.060 Quorum

Three members of the committee will constitute a quorum and action may be taken upon an affirmative vote of a majority of a quorum.

8.44.070 Meetings

The committee must hold a public meeting not less than quarterly. Any member of the committee may request a meeting of the committee for special purposes. Such requests shall be made to the chair, or in his/her absence, the vice-chair. The conduct of the meetings of the committee, including but not limited to, providing notice, taking minutes, recording meetings, and retaining records, must comply with the provisions of NRS Chapter 241, Nevada Open Meeting Law.

8.44.080 Imposition of telephone surcharge

1. Imposition of the surcharges set forth in this section will not commence until the Board adopts a five year master plan as set forth in section 8.44.030.
2. When the Board imposes a surcharge for the enhancement of the telephone system for reporting emergencies in Lander County, the surcharge will be placed on:
 - (a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Lander County; and
 - (b) The mobile telephone service provided to each customer of that service whose place of primary use is in Lander County.
3. The surcharge on access lines to the local exchange of a telecommunications provider will be twenty-five cents (\$0.25) per month per line.
4. The surcharge on trunk lines to the local exchange of a telecommunications provider will be two dollars and fifty cents (\$2.50) per month per line.
5. The surcharge for each telephone number assigned to a customer by a supplier of mobile telephone service will be twenty-five cents (\$0.25) per month per telephone number.

6. A telecommunications provider that provides access lines or trunk lines in Lander County and a supplier that provides mobile telephone service to customers in Lander County must collect the surcharge from its customers each month. Except as otherwise provided in NRS 244A.7647, each telecommunications provider and supplier must remit the surcharge it collects to the Lander County Treasurer no later than the 15th day of the month after the month it receives payment of the surcharge from its customers. In accordance with NRS 244A.7647, a telecommunications provider or supplier that collects the surcharge imposed pursuant to this section is entitled to retain an amount of the surcharge collected that is equal to the cost to collect the surcharge.

7. Telecommunications providers and mobile telephone service suppliers affected by this chapter must begin imposing the surcharges described in this section within 60 days after the Board approves a five year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Lander County, commencing with a full monthly billing cycle.

8. The County Administrator may adopt procedures as necessary to effectuate the provisions of this section.

8.44.090 Creation of special revenue fund; use of money in fund

1. The Board hereby creates a special revenue fund for the deposit of any money collected pursuant to section 8.44.080. The money in the fund must be used only to improve the telephone system for reporting emergencies in Lander County.

2. If the balance in the fund created pursuant to subsection 1 of this section, which has not been committed for expenditures, exceeds \$500,000.00 at the end of any fiscal year, the Board must reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.00.

8.44.100 Penalty for failure to remit surcharges

Any telecommunications provider or mobile telephone service supplier that fails to remit surcharges due within 90 days after the date that the telecommunications provider or supplier must otherwise remit the surcharges to the Lander County Treasurer, will be subject to a penalty of 5% of the cumulative amount of surcharges owed by the telecommunications provider or supplier.

SECTION 2. Imposition of the surcharges described in Section 8.44.080 cannot commence until the Board adopts a five year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Lander County. All other provisions of the ordinance are effective upon publication as provided in NRS Chapter 244.

Proposed on the _____ day of _____ 2011.

Proposed by Lander County Commissioner: _____

Passed and adopted this _____ day of _____ 2011.

Votes: Ayes: Commissioners _____

Nays: Commissioners _____

Absent: Commissioners _____

Not Voting: Commissioners _____

LANDER COUNTY BOARD OF COMMISSIONERS

By: _____
STEVEN STIENMETZ, Chair

Attest:

SADIE SULLIVAN, County Clerk and Ex-Officio
Clerk of the Board of Commissioners of Lander
County, Nevada

This ordinance shall be in force and effect on the _____ day of
_____ 2011.

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 15

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding responses to the Request For Proposals (RFP) for management of the Mountain View Golf Course and other matters properly relating thereto.

Public comment.

Background:

The respondents to the Request for Proposals (RFP) for management of the Mountain View Golf Course will make presentations to the Commission for consideration.

This is a re-hearing of this item from the December 15, 2011 regular Commission meeting.

Three (3) responses to the RFP were received with two of the respondents providing proposals to the "operational lease" option as well as the 'management contract' option. The "operational lease" was determined by staff to be of minimal benefit to the County due to established investment in property, plant and equipment and employment issues relative to two (2) positions represented through the Lander County General Employees Bargaining Unit.

The Battle Mountain Golf Club was presented the responses received and recommended Bullock Management Services be offered the Mountain View Golf Course Management Contract.

Mr. Scott Bullock and Kevin Stringer will make presentations to the Commission based upon their responses to the Request for Proposals.

Recommended Action:

It is recommended that the Commission accept the proposal received from Scott Bullock and offer a two year management contract to Bullock Management Services for the Mountain View Golf Course.

Proposal for Golf Course Management Services

Title: RFP #11-01-A

Scott Bullock

Doing business as Bullock Management Services

340 Elquist Drive

Battle Mountain, Nevada 89820

Gene Etcheverry,

Executive Director

County of Lander

315 South Humboldt Street

Battle Mountain, Nevada 89820

Scott Bullock



15

Proposal for Golf Course Management Services

I. PURPOSE:

Bullock Management Services will provide modern and efficient golf course clubhouse services, including the operation of a restaurant, full service food and beverage operation, collection of fees, and promotion of the use of the golf course for recreational and tournament play.

II. BACKGROUND:

Bullock Management Services will provide an adequate full time Management Service to run the Mountain View Golf Course greens, driving range, and the club house (including service food and beverage) on a contractual basis.

III. SCOPE OF SERVICE:

Bullock Management Services will provide all expertise, labor and resources, in accordance with the requirements of RFP #11-01-A. During the initial period of March 1, 2012 through November 30, 2012 subject to all terms, conditions and limitations specified in the "Management Services Agreement", have the exclusive right, license and privilege to operate various services at Mountain View Golf Course, including (1) the sale rental, and repair of all items relating to the game of golf, (2) the provision of starter services including the collection of green fees, (3) the rental of power driven and manually operated carts, and (4) the operation of the Driving Range, Pro Shop, restaurant, food and beverage and lounge areas. Bullock Management Services shall bear all expenses for the operation of the club

house facility and services, and not pay any rent for the use. Utility costs shall be paid by Bullock Management Services for the clubhouse only.

The county shall provide (5) golf carts for use at the Mountain View Golf Course. Bullock Management Services shall rent the carts and collect fees and maintain said carts.

Bullock Management Services shall provide the services, promote recreational and tournament play, and operate a full service food and beverage service at no cost to the county. Bullock Management Services shall collect all green fees, cart storage fees, trail fees and annual pass fees and submit records and fees to the Lander County Treasurer.

Bullock Management Services will maintain proper bookkeeping records that will be open and available for county inspection. Receipts will be given for all fees collected for submission to the county. The receipts will be in duplicate form and sequentially numbered, with the duplicate given to the Lander County Treasurer.

Bullock Management Services collection of receipts and accounting shall be governed by the following procedures:

- A. through use of a cash register and in a manner consistent with GAAP and cash controls, all money collected from all operations of Mountain View Golf Course, including green fees, trail fees, and private golf cart storage fees.

All green fees, trail fees, private cart storage fees, and other Lander County revenues will be collected or received solely on behalf of Lander County and will be

held by Bullock Management Services in fiduciary capacity, and will not make any personal or other use. Greens fees, trail fees, private cart storage fees, and other Lander County revenue shall be collected and deposited twice a week with the Lander County Treasurer. Bullock Management Services will be liable for all daily cash shortages. Daily reports of gross revenues will include a break down revenue collected by source.

Bullock Management Services will be entitled to all cart rental fees, Pro Shop revenues, bar revenues, restaurant revenues, driving range revenues, and food and beverage service revenues.

- B. Bullock Management Services will establish and maintain complete books, accounts, and records showing all Lander County business transacted in connection with the operation of the Golf Course in compliance with GAAP. Bullock Management Services agrees to install and maintain a system of accounts acceptable to Lander County and its auditors. All accounting records and supporting documents will be subject to audit and inspection and made available at any and all reasonable times to Lander County and its authorized officers, agents or employees. Accounting records and supporting documents invariably shall be available on the schedule required by the County's auditors.
- C. The term "green fee" will be defined as all revenue collected from daily regular fees, monthly and annual discounted fees, advance reservation fees and other categories of revenue which may be established.

- D. Bullock Management Services will purchase golf balls, and furnish the necessary labor to pick up golf balls and debris from the golf course, in preparation for grass mowing, at no cost to Lander County.

IV. HOURS OF OPERATION

Bullock Management Services will maintain the following hours: seven days a week, with the golf course open from dawn until dusk.

County

V. INSURANCE

PROPERTY INSURANCE – personal Property Insurance – Bullock Management Services will provide its own personal property insurance on its own property.

VI. LIABILITY INSURANCE

- a. Indemnification Agreement - hold harmless, indemnify, and defend Lander County, its officers, agents, employees, and volunteers from any loss or liability caused by any deliberate or negligent act by Bullock Management Services or its employees or agents.
- b. Industrial Insurance – Bullock Management Services will provide Industrial Insurance as required by law.

VII. LICENSES, PERMITS, FEES AND TAXES:

Bullock Management Services will obtain any and all permits and/or licenses which may be required by law or ordinance for the conduct of its operations as well as pay all fees related to their operations. Bullock Management Services will pay any and all taxes which may be assessed against their property in any operations performed pursuant to this Agreement. Bullock Management Services will pay all applicable income taxes, payroll taxes, or other taxes relating to their operations.

VIII. STATEMENT REQUIREMENTS

A. All statements in this proposal made by Bullock Management Services are true and accurate.

IX. Professional Qualifications:

I have been in and around the business and restaurant environment all of my life. I have grown up in a well-known local business, Mama's Pizza working with my Father Dean Bullock. I have worked and managed the restaurant successfully in my father's absence. I currently run and operate my own successful business Bullock Mechanical where I specialize in HVAC. I have done several jobs for the county through Bullock Mechanical and think I have proven to be knowledgeable and reliable. I am a highly motivated and responsible individual. I would do no subcontracting to run the Mountain View Golf Course. I would run the business on my own with the help of highly qualified employees. I am an excellent choice to run a business because I am well known for my upbeat attitude and friendliness.

Bid Proposal of \$15,000 to help cover start-up costs and utilities.



PROPOSALS RECEIVED
MOUNTAIN VIEW GOLF COURSE
BATTLE MOUNTAIN, NV
MONDAY DECEMBER 5, 2011 @ 4:00 PM

NO	DATE	NAME/BIDDER	PROPOSED AMOUNT
1	12/5/11	Kevin Stringer	
3	12/5/11	Scott Bullock	
4			
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6			
7			
8			
9			
10			
11			
12			
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14			
15			
16			

DATE NOVEMBER 10, 2011

OPENED BY:

November, 29 2011

Lander County Commissioners

Gene Etcheverry, Executive Director

Battle Mountain, Nevada

RE: Management Services for the Mountain View Golf Course

The enclosed proposal is in response to RFP#11-01-A, Management Services for the Mountain View Golf Course. TayBel Management Co. is a sole proprietorship that desires to enter in to a management agreement with the County of Lander to manage Mountain View Golf Course. I am a local resident of Battle Mountain, NV. My wife and I relocated here after living in the Charlotte, NC area for numerous years. She is a provider at the Battle Mountain Clinic. We both love the area and expect to be here for years to come. I live approximately 1 mile from the golf course. I am well versed in the game of golf, having played since the age of 10. I also have a firm understanding of what it takes to create a fun and inviting atmosphere for golfers of all ages. Also, as a player at Mountain View, I am very familiar with the course and all of its nuances. During the last 25 years, I have managed numerous automotive dealerships, being awarded the title "executive manager" from General Motors in 2009. While my experience has not necessarily been in the restaurant/bar business, I believe that my extensive experience in relating to the public has equipped me to take on the challenges of running the Mountain View Golf Course.

Since my relocation from Charlotte, NC in July 2011 I have had the opportunity to familiarize myself with the golf course and meet and get to know several of the members. Upon talking with them, I believe that I have discovered several ways to not only maintain the current status of Mountain View, but also improve in several areas. Consider the following:

- 1.) Expand the restaurant menu to include breakfast and a more extensive lunch/appetizer menu.
- 2.) More aggressive promotion of Mountain View through local media.
- 3.) More events through the week to promote a more family friendly atmosphere i.e. half price cart rental, two for one range balls, etc.
- 4.) Keeping the clubhouse open year round to offer a "sports bar" type atmosphere. Somewhere patrons can enjoy watching their favorite teams without the "casino" atmosphere of some of the local establishments.
- 5.) Adding additional TV's and sports packages to increase viewing options.
- 6.) Communication with other local clubs to promote reciprocal play.

7.) Promotion of club house for use of parties, reunions etc.

Given the scope of responsibilities during golf season, Taybel Management, requests the county be responsible for the cost of utilities during the months of March – November. Taybel Management would then take on responsibility all other months. This is respective and is consistent with previous contracts. Taybel Management agrees to provide all licenses and insurance required by law and to perform all duties outlined by the County.

It is the sincere desire of TayBel Management Co. to not only meet but far exceed the expectations of the residents of Battle Mountain. It is also our desire to increase activity and play which will also increase revenue for the county. I believe with some fresh ideas and a "can do" attitude, we can promote a family friendly environment, one that all residents of Battle Mountain can be proud of.

Proposal and Costs:

We will obtain all licenses and permits upon our bid being accepted.

We will maintain the hours requested by the County, weather permitting and groundskeeper recommendations.

County will be responsible for the maintenance of all County property and equipment, except for the golf carts which we will maintain. The golf carts must all be operational and in good shape prior to us accepting them.

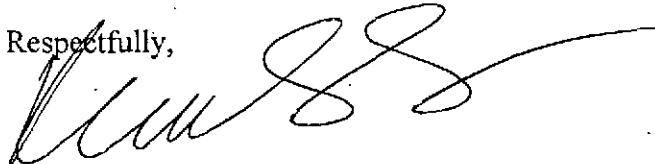
County will insure that the clubhouse is clean and all equipment is operational. We will install a credit card machine for collection of all fees, both for the County and our business. County will reimburse us for the fees charged by the bank for the collection of County fees only.

If awarded this contract we would like to be given the option to renew with the same terms and conditions for an additional two (2) seasons. If we opt not to renew, we will give the county written notice within thirty (30) days after closing for the season. If the County opts not to renew, they will give us written notice within thirty (30) days after closing for the season.

We reserve the ability to come before the County to address additional concerns that might come up during the course of the season.

We ask the County to waive the annual pass/green fees for us personally. We will be responsible for paying our storage & trail fees for our personal cart if utilized.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kevin Stringer', with a long horizontal flourish extending to the right.

Kevin Stringer

775-635-8413

704-345-8199

KW50462@HOTMAIL.COM

**PROPOSALS RECEIVED
MOUNTAIN VIEW GOLF COURSE
BATTLE MOUNTAIN, NV
MONDAY DECEMBER 5, 2011 @ 4:00 PM**

NO	DATE	NAME/BIDDER	PROPOSED AMOUNT
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DATE NOVEMBER 10, 2011

OPENED BY:

Proposal for Golf Course Management Services

Title: RFP #11-01-B

Scott Bullock

Doing business as Bullock Management Services

340 Elquist Drive

Battle Mountain, Nevada 89820

Gene Etcheverry,

Executive Director

County of Lander

315 South Humboldt Street

Battle Mountain, Nevada 89820

Scott Bullock



Proposal for Golf Course Management Services

Proposal for Operational Lease to provide operations, maintenance and management over the Mountain View Golf Course, facilities, infrastructure and all appurtenances. Period of Lease Agreement is from March 1, 2012 to November 30, 2014 with option of renewal every year for an additional three years. Bullock Management Services shall be granted a franchise to operate the golf course, restaurant and bar, pro shop and driving range.

I. PURPOSE:

Bullock Management Services will provide modern and efficient golf course clubhouse services, including the operation of a restaurant, full service food and beverage operation, collection of fees, and promotion of the use of the golf course for recreational and tournament play.

II. BACKGROUND:

Bullock Management Services will provide an adequate full time Management Service to run the Mountain View Golf Course greens, driving range, and the club house (including service food and beverage) on a contractual basis.

III. SCOPE OF SERVICE:

Bullock Management Services will provide all expertise, labor and resources, in accordance with the requirements of RFP #11-01-B. During the initial period of March 1, 2012 through November 30, 2012 subject to all terms, conditions and limitations specified in the "Management Services Agreement", have the exclusive right, license and privilege to operate various services at Mountain View Golf Course, including (1) the sale rental, and

repair of all items relating to the game of golf, (2) the provision of starter services including the collection of green fees, (3) the rental of power driven and manually operated carts, and (4) the operation of the Driving Range, Pro Shop, restaurant, food and beverage and lounge areas. Bullock Management Services shall bear all expenses for the operation of the club house facility and services, and not pay any rent for the use. Utility costs shall be paid by Bullock Management Services for the clubhouse only.

Bullock Management Services will provide sufficient number of rental golf carts. Bullock Management will also utilize Lander County golf course equipment such as but not limited to lawn mowers and utility carts at no charge. Bullock Management Services will provide maintenance and up keep to all Lander County golf course equipment.

Bullock Management Services shall provide the services, promote recreational and tournament play, and operate a full service food and beverage service at no cost to the county. Bullock Management Services shall collect all green fees, cart storage fees, trail fees and annual pass fees and submit records and fees to the Lander County Treasurer.

Bullock Management Services will maintain proper bookkeeping records that will be open and available for county inspection. Receipts will be given for all fees collected for submission to the county. The receipts will be in duplicate form and sequentially numbered, with the duplicate given to the Lander County Treasurer.

Bullock Management Services collection of receipts and accounting shall be governed by the following procedures:

- A. through use of a cash register and in a manner consistent with GAAP and cash controls, all money collected from all operations of Mountain View Golf Course, including green fees, trail fees, and private golf cart storage fees.

All green fees, trail fees, private cart storage fees, and other Lander County revenues will be collected or received solely on behalf of Lander County and will be held by Bullock Management Services in fiduciary capacity, and will not make any personal or other use. Greens fees, trail fees, private cart storage fees, and other Lander County revenue shall be collected and deposited twice a week with the Lander County Treasurer. Bullock Management Services will be liable for all daily cash shortages. Daily reports of gross revenues will include a break down revenue collected by source.

Bullock Management Services will be entitled to all cart rental fees, Pro Shop revenues, bar revenues, restaurant revenues, driving range revenues, and food and beverage service revenues.

- B. Bullock Management Services will establish and maintain complete books, accounts, and records showing all Lander County business transacted in connection with the operation of the Golf Course in compliance with GAAP. Bullock Management Services agrees to install and maintain a system of accounts acceptable to Lander County and its auditors. All accounting records and supporting documents will be subject to audit and inspection and made available at any and all reasonable times to Lander County and its authorized officers, agents or employees. Accounting

records and supporting documents invariably shall be available on the schedule required by the County's auditors.

- C. The term "green fee" will be defined as all revenue collected from daily regular fees, monthly and annual discounted fees, advance reservation fees and other categories of revenue which may be established.

IV. HOURS OF OPERATION

Bullock Management Services will maintain the following hours: seven days a week, with the golf course open from dawn until dusk.

V. INSURANCE

PROPERTY INSURANCE – personal Property Insurance – Bullock Management Services will provide its own personal property insurance on its own property.

VI. LIABILITY INSURANCE

- a. Indemnification Agreement - hold harmless, indemnify, and defend Lander County, its officers, agents, employees, and volunteers from any loss or liability caused by any deliberate or negligent act by Bullock Management Services or its employees or agents.
- b. Industrial Insurance – Bullock Management Services will provide Industrial Insurance as required by law.

VII. LICENSES, PERMITS, FEES AND TAXES:

Bullock Management Services will obtain any and all permits and/or licenses which may be required by law or ordinance for the conduct of its operations as well as pay all fees related to their operations. Bullock Management Services will pay any and all taxes which may be

assessed against their property in any operations performed pursuant to this Agreement. Bullock Management Services will pay all applicable income taxes, payroll taxes, or other taxes relating to their operations.

VIII. LANDER COUNTY COSTS

Lander County will be responsible for all parts pertaining to golf course maintenance and also to all golf course utilities.

IX. STATEMENT REQUIREMENTS

A. All statements in this proposal made by Bullock Management Services are true and accurate.

X. Professional Qualifications:

I have been in and around the business and restaurant environment all of my life. I have grown up in a well-known local business, Mama's Pizza working with my Father Dean Bullock. I have worked and managed the restaurant successfully in my father's absence. I currently run and operate my own successful business Bullock Mechanical where I specialize in HVAC. I have done several jobs for the county through Bullock Mechanical and think I have proven to be knowledgeable and reliable. I am a highly motivated and responsible individual. I would do no subcontracting to run the Mountain View Golf Course. I would run the business on my own with the help of highly qualified employees. I am an excellent choice to run a business because I am well known for my upbeat attitude and friendliness.

OLD EXPENSES

Cost per year for county \$230,000/year

County income \$70,000/year

County Expense \$160,000/year

NEW EXPENSES

Contract Cost \$148,000/year

Parts and Utility Cost \$54,000/year

Total Cost \$202,000/year

Estimated income \$70,000/year

County Expense \$132,000/year

This would save Lander County \$28,000/year

*all figures are estimates



GOLF COURSE FULL PLAN PROPOSAL

LANDER COUNTY COST FOR YEAR ENDING 6/30/2011

Revenues	
Green Fees	\$ 54,692.00
Trail Fees	\$ 4,815.00
Cart Storage Fees	\$ 6,050.00
Total Revenues	\$ 65,557.00

Expenses	
Salaries/Benefits	\$ 143,496.85
Gas & Oil	\$ 5,493.45
Repair & Maintenance	\$ 30,800.01
Service & Supplies	\$ 7,709.76
Telephone/Fax	\$ 377.04
Golf Cart Rental	\$ 7,200.00
Club House Utilities	\$ 4,143.11
Utilities	\$ 22,375.81
Total Expenses	\$ 221,596.03
Loss of	\$ (156,039.03)

County would save approximately \$20,596

LANDER COUNTY COST WITH BULLOCK MANAGEMENT SERVICES

	\$ 54,692.00
	\$ 4,815.00
	\$ 6,050.00
	\$ 65,557.00
	\$ 148,000.00
	\$ 24,000.00
	\$ 29,000.00
	Contract Cost
	Utilities - 5% Increase fr prior yr.
	Repair & Maintenance (reduced by \$2,000 for golf cart repairs)
	\$ 201,000.00
	\$ (135,443.00)

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 16

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding ratification of the SRK Consulting contract for the movement of the Battle Mountain Landfill monitoring wells and other matters properly relating thereto.

Public comment.

Background:

The SRK Consulting contract for the movement of the Battle Mountain Landfill monitoring wells is presented for Commission ratification.

This contract provides for the update of the closure and postclosure scope of work and cost estimates and coordinates the movement of the two (2) monitoring wells at the Battle Mountain Landfill site. This is a requirement under the Battle Mountain Landfill Municipal Solid Waste Disposal Site Operations Plan.

The SRK Consulting Contract was signed by the Executive Director and has been subject to review by the District Attorney's Office. Funds for this contract are budgeted in the General Fund, Executive Director Function, Professional Services Activity.

This item was deferred by the Commission during the regular meeting of December 15, 2011 to allow for review by the District Attorney's Office staff.

Recommended Action:

It is recommended that the Commission ratify the SRK Consulting contract for the movement of the Battle Mountain Landfill monitoring wells in the amount of \$37,583.00.

November 15, 2011

Mr. Donald Negro, Foreman
Lander County Road & Bridge
550 West Second Street
Battle Mountain, Nevada 89820Via e-mail (lcroads@yahoo.com)**Subject: Proposal for Engineering Services
Battle Mountain Landfill, Lander County, Nevada**

Dear Mr. Negro:

SRK Consulting (U.S.), Inc. (SRK) is pleased to present this proposal to Lander County to prepare an update to the closure and postclosure cost estimates, prepare a Site Capacity Report, and permit and coordinate the replacement of two monitoring wells at the Battle Mountain Landfill. The scope of work described below was developed based on our conversations during my site visit on October 18, 2011, and a subsequent conversation with Jon Taylor at the Nevada Division of Environmental Protection, Bureau of Waste Management, Solid Waste Branch (NDEP) on October 19, 2011. The following sections describe the proposed scope of work and project cost estimate.

SCOPE OF WORK

For the purposes of proposal preparation and project management, the scope of work has been divided into three main tasks with subtasks, as follows:

- Task 0000 – Project Management
- Task 0100 – Reporting Requirements
 - Subtask 0101 – Site Visit
 - Subtask 0102 – Closure/Postclosure Cost Update Report
 - Subtask 0103 – Site Capacity Report
- Task 0200 – Monitoring Well Relocation
 - Subtask 0201 – Research and File Review
 - Subtask 0202 – Waiver Application NDWR (for new monitoring wells)
 - Subtask 0203 – Request for Approval – NDEP Solid Waste
 - Subtask 0204 – Driller Coordination/Bid Solicitation
 - Subtask 0205 – Logging and Driller Oversight (incl. Preparation)
 - Subtask 0206 – As-Built Report (NDEP)
 - Subtask 0207 – Outside Services – Drilling Contractor

Task 0100 – Reporting Requirements

Although SRK completed one site visit already in preparation for the project, we anticipate that one additional visit may be required, either as part of the preparation of the disposal capacity report, or to coordinate with a

U.S. Offices:

Anchorage	907.677.3520
Denver	303.985.1333
Elko	775.753.4151
Fort Collins	970.407.8302
Reno	775.828.6800
Tucson	520.544.3688

Mexico Office:

Guadalupe,	
Zacatecas	52.492.927.8982

Canadian Offices:

Saskatoon	306.955.4778
Sudbury	705.682.3270
Toronto	416.601.1445
Vancouver	604.681.4196
Yellowknife	867.873.8870

Group Offices:

Africa	
Asia	
Australia	
Europe	
North America	
South America	

driller. We therefore have included costs for an additional trip to the site under this task. Closure and postclosure costs are required to be updated annually in accordance with Nevada Administrative Code (NAC) 444.6851(3) and 444.68515(3), respectively. The last update was prepared by SRK in 2009. SRK will complete a new update of closure and postclosure costs according to the method recommended by NDEP. The report will be prepared as a letter report from SRK to Lander County for transmittal to NDEP.

Similarly, updated site capacity reports are required by NAC 444.702(7) once every 5 years. SRK will utilize the landfill survey completed in 2009 and subsequent semi-annual reports to prepare a summary of the remaining site disposal capacity. As with the cost update report, SRK will prepare this correspondence in the form of a letter report from SRK to Lander County for transmittal to NDEP.

Task 0200 – Monitoring Well Relocation

Under this task, and based on the recommendation of NDEP, SRK will visit NDEP's offices to review the case file and obtain a copy of the existing permit application to evaluate the most efficient means of revising the well locations. SRK will prepare a Monitoring Well Waiver application and an Affidavit of Abandonment for both new wells for submittal to the Nevada Division of Water Resources. SRK will also prepare a request for approval of well relocation to be submitted to NDEP by Lander County. The format of the request will be determined following the file review described above.

Once the required approvals are in place, SRK will prepare a solicitation for drilling bids and assist the County as necessary with driller selection. SRK's field engineer or geologist will oversee drilling and well construction operations in the field and prepare an as-built report with well construction logs once the field work is complete. For the purposes of proposal preparation, SRK has included an estimate of drilling costs in the cost estimate described below, including a 10 percent administrative mark-up. Lander County can avoid this added fee by contracting directly with the driller.

HEALTH AND SAFETY

SRK maintains an internal Health and Safety Policy which addresses the completion of work by all SRK personnel including travel to and from the project site. Prior to departing for the project site a project-specific health and safety plan will be prepared and reviewed by SRK personnel travelling to the project site. While on-site, SRK personnel will conform to Lander County's health and safety policies governing the project site, to include attending any required site-specific safety training, and participating in safety shares with each individual being responsible for the safe completion of the project work in which he or she is engaged.

PROJECT QUALITY PLAN

All work will be completed in a manner consistent with accepted standards of professional practice. The completed work products will be prepared by SRK's project team, reviewed by SRK's Nevada engineering Practice Leader, and submitted in draft form for Lander County's review and comment prior to being finalized.

PROJECT COST ESTIMATE

SRK proposes to complete the scope of work described above for an estimated cost of \$37,583. Note that the drilling costs are only estimated for proposal preparation. SRK will work closely with Lander County once drilling bids are obtained to evaluate the impact of those costs on overall project costs. Estimated costs for each task described above are detailed in attached Table 1. Professional time and expenses will be invoiced on a time-and-materials basis. Project funds not used during the completion of this project will not be invoiced.

SRK will begin the proposed scope of work within two weeks of receipt of written approval to proceed. Authorization to proceed may be signified by signing in the space provided below and returning one copy to SRK. The scope of work described in this proposal can be completed under the terms of an executed Agreement for Consulting Services established between Lander County and SRK. A copy of the agreement is included herein for your review.

SRK appreciates the opportunity to continue to provide consulting services to Lander County. Please feel free to call me at (775) 828-6800 if you have any questions.

Sincerely,
SRK Consulting (U.S.), Inc.



R. Breese Burnley, P.E.
Principal Engineer

Approved:

Donald Negro, Foreman
Lander County Road & Bridge

PO Number

TABLE 1. Itemized SRK Budget Estimate for Engineering Consulting

Task Number	Task Description	Labor Costs							SRK Direct Expenses				Task Totals
		Practice Leader	Principal Engineer	Senior Consultant	Consultant	Technical Draftsperson	Administrative Assistant	Total Fees	Travel	Misc. (Equip. Printing, etc.)	Communication & Computers	Total Expense	
TASK 0100 - Reporting Requirements													
0000	Project Management		4				2	\$900			\$63	\$63	\$963
0101	Site Visit (completed)		8					\$1,440	\$300		\$101	\$401	\$1,841
0102	Closure/Postclosure Cost Update Report		2		4			\$880		\$50	\$62	\$112	\$992
0103	Site Capacity Report		8	4	4	8		\$3,440		\$50	\$241	\$291	\$3,731
TASK 0100 - SUBTOTAL													\$7,526
TASK 0200 - Monitoring Well Relocation													
0000	Project Management		4				2	\$900			\$63	\$63	\$963
0201	Research and File Review at NDEP		4				2	\$900	\$100	\$100	\$63	\$263	\$1,163
0202	Waiver Application - NDWR :		2	4		2		\$1,180	\$100	\$100	\$83	\$283	\$1,463
0203	Request for Approval - NDEP Solid Waste		4			2		\$940			\$66	\$66	\$1,006
0204	Driller Coordination/Bid Solicitation		4		8			\$1,760			\$123	\$123	\$1,883
0205	Logging and Driller Oversight (incl. Prep)		8		24			\$4,560	\$600	\$100	\$319	\$1,019	\$5,579
0206	As-Built Report (NDEP)		2		4	4	2	\$1,500		\$100			\$1,500
0207	Outside Services - Drilling Contractor (estimated cost only - will require revision after completion of Subtask 0204 - includes 10% administrative markup)									\$15,000		\$15,500	\$16,500
TASK 0200 - SUBTOTAL													\$30,057
TOTAL	TOTAL TIME (HOURS)	0	50	8	44	16	8						
	CATEGORY RATE PER HOUR	\$230	\$180	\$150	\$130	\$110	\$90	\$18,400	\$1,100	\$15,500	\$1,183	\$19,183	\$37,883
	TOTAL COST	\$0	\$9,000	\$1,200	\$5,720	\$1,760	\$720						

This Master Services Agreement (the "**Agreement**") is made effective as of November _____, 2011, between:

LANDER COUNTY, a municipality having an office at 315 South Humboldt Street, Battle Mountain, Nevada 89820 (the "**Client**"); and

SRK CONSULTING (U.S.), INC., a Colorado corporation having an office at Suite 300 - 5250 Neil Road, Reno, Nevada, USA 89502 ("**SRK**")

1. SRK Obligations.

- 1.1 **Services to be provided.** The client agrees to receive and SRK agrees to provide services ("**Services**") as set forth in work orders or letter proposals that reference and incorporate the terms of this agreement (each a "**Work Order**").
- 1.2 **Changed Conditions and Change Notices.** If SRK identifies changed conditions that will impact on the Services, including but not limited to changes in the scope of the Services, additional work required, or additional fees required (a) SRK shall notify the Client of these changed conditions; and (b) the Client and SRK shall promptly use reasonable best efforts to agree to an addendum to the Work Order or a new Work Order that will take the changed conditions into account.
- 1.3 **Performance.** SRK shall perform the Services with the degree of care, skill and diligence normally provided in the performance of services in respect of projects of a similar nature to that contemplated by the Work Order at the time and place that such services are rendered. In rendering its Services SRK may, at its discretion, engage subcontractors to perform services necessary to enable SRK to carry out the Services.

2. Client Obligations.

- 2.1 **Right of Entry and Safety.** The Client shall provide to SRK the right to enter, or otherwise assist SRK to gain entry, to any premises or locations where the Services are required to be performed (the "**Site**"). Responsibility for damage to and safety in, on or about the Site will remain the responsibility of the Site owner, except for the activities of SRK and SRK's employees, officers, directors, affiliates and contractors which shall be the responsibility of both parties. SRK shall carry out the Services in accordance with SRK's health and safety policy and the policies of the Client, as communicated to SRK. SRK will not have control of the operations or activities of others, nor shall it be inferred by any party that SRK is responsible for site safety. SRK personnel are authorized to refuse to accept conditions at the Site which may be reasonably deemed to be unsafe. The cost associated with any delay due to unsafe conditions will be for the account of the Client.
- 2.2 **Travel.** The Client shall provide safe and secure transportation with qualified drivers and pilots, security personnel and safety equipment as reasonably necessary given the Site location, to and from the Site for SRK personnel. SRK personnel shall have the right to refuse

the transportation provided, if the individual involved is of the opinion that the transportation is not safe or secure. Any additional costs associated with providing replacement transportation or making the current transportation safe and secure, including any costs or standby charges resulting from any delay, shall be borne by the Client.

- 2.3 **Information Provided by Client.** The Client shall make available to SRK all relevant information or data pertinent to the Services which is required by SRK, including, but not limited to, all regulatory, legal or other governmental conditions relating to the Services or work on the Site. The Client shall inform SRK of all reports or other materials that relate to SRK's work, and furnish or otherwise assist SRK to gain access to them.

3. Payment.

- 3.1 **Contract Amount.** Subject to the terms and conditions of the Agreement, and in consideration of the performance by SRK of its obligations under the Agreement, the Client shall pay to SRK the hourly, lump sum, contingency or other payments, plus all disbursements, both as stipulated in the Work Order, and on the terms set out in section 3.5. Any compensation to SRK for time spent outside of the scope of a Work Order shall be based upon SRK's prevailing fees and expense reimbursement policy at that time.
- 3.2 **Retainer.** A retainer equal to the amount set out in the Work Order, if any, (the "**Retainer**") shall be paid to SRK upon execution of each new Work Order. The retainer shall be used as security for payment of the fees owing to SRK and will be applied to the final invoice for the Services. Any balance will then be refunded to the Client upon completion of the Services set out in the Work Order.
- 3.3 **Withholding Taxes.** The total fees payable to SRK for the Services are net of any and all withholding taxes levied by any government. In the event that any taxes are levied against or deducted from the remuneration paid to SRK, the Client shall gross up the amount paid to SRK to compensate for such taxes.
- 3.4 **Other Taxes.** The Client agrees that it shall pay to SRK, in addition to the fees or any other amounts payable hereunder and agreed to in the Agreement, the amount of any goods and services tax, harmonized sales tax, value added tax or other taxes that may be payable on the said fees or any other amount required by the Client to be withheld pursuant to applicable laws and any other

amounts payable by the Client under the Agreement, including any taxes which first came into effect or are increased after the date of the Agreement so that SRK receives the full amount stipulated in the Work Order net of all such taxes and withheld amounts, but this obligation shall not extend to taxes assessed against SRK on its income.

- 3.5 Billing and Payment.** If there is no stated payment schedule in the Work Order, then routine invoices will be submitted by SRK from time to time, but no more frequently than every two weeks. Payments are due and payable upon receipt of invoice. Accounts unpaid by the Client 30 calendar days after the invoice date shall bear monthly interest at a rate of 1.5% per month (being 19.56% per annum), or where such rate is in contravention of applicable laws, the maximum rate allowed. Payments shall first be applied to accrued interest and then to the principal unpaid amount. Payments are in no case subject to unilateral discounting or set-off by the Client.

4. Indemnification, Exclusion and Limit of Liability.

- 4.1 Indemnification of Client.** SRK agrees to hold harmless and indemnify the Client from and against any claims, to the extent they arise from the wilful, fraudulent or negligent acts or omissions of SRK or its officers, directors, employees or contractors.
- 4.2 Indemnification of SRK.** The Client agrees to hold harmless and indemnify SRK from and against any claims, to the extent they arise from the wilful, fraudulent or negligent acts or omissions of the Client or its officers, directors, employees or contractors other than SRK.
- 4.3 Exclusion of liability.** The Client agrees to waive and defend, indemnify and hold harmless SRK from any and all claims, costs, suits and damages, whether in contract, tort or by statute against SRK that:
- 4.3.1 arise out of errors, omissions and inaccuracies in documents or other information provided to SRK by the Client or its agents;
- 4.3.2 arise out of the use of the Work Product by the Client for purposes other than in connection with the Services or if the Work Product are amended, altered or revised in any manner whatsoever without SRK's prior written consent,
- 4.3.3 are associated with exploratory activities, the discovery of materials SRK believes to be regulated contaminants or any cross-contamination resulting from subsurface investigations;
- 4.3.4 any damage to subsurface structures and utilities which were not located or identified by the Client to SRK;
- 4.3.5 any loss or damage which may arise directly or indirectly from use of the Work Product in electronic form by the Client or any other person, including as a

result of any trojan, worm or virus; or

- 4.3.6 occur from the implementation of the recommendations in the Work Product if SRK is not retained by the Client to determine whether or not work has been performed in substantial compliance with SRK's conclusions and recommendations or to adjust SRK's design to suit field conditions, including but not limited to, all design claims.

Neither Party will be responsible to the other Party for any consequential, special, indirect, incidental, punitive or exemplary loss, injury or damages suffered by the other Party, including but not limited to loss of use, earnings and business interruption.

Any claim made against a Party or its successors by the other Party or its successors will be made solely against the Party or its successors or assigns and will not be made against any individual director, officer, employee or other representative of the Party.

- 4.4 Limits of liability.** In consideration for the Services provided by SRK to the Client under the Agreement, the Client agrees to waive any and all claims arising from the Services, the Agreement or any Work Order, which the Client has or hereafter may have against SRK, SRK's directors, officers, employees or subcontractors, howsoever arising whether in contract, tort, by statute or otherwise:

4.4.1 that are not brought within a period of two (2) years from the date of the completion, termination or suspension of Services, whichever shall first occur; and

4.4.2 to the extent the aggregate of all claims made in connection with the Services provided hereunder that are paid out by or on SRK's behalf to the Client exceed fifty percent (50%) of the aggregate compensation payable to SRK under the Work Order from which the claim arises (exclusive of disbursements).

This limit shall not apply to claims resulting from the fraud of SRK, its directors, officers, employees or subcontractors.

5. Information, Intellectual Property and Work Product.

- 5.1 Confidentiality.** The Client may not release or otherwise make available to any third party the technical and pricing information contained in the Agreement or otherwise disclosed by SRK to the Client, without the express written consent of SRK. Subject to the exceptions set out below SRK shall not directly or indirectly use, duplicate or disclose at any time, either during or after the end of the Agreement, any of the Client's information or material relating to a party's business that is not generally available, known, or used by others, whether or not the underlying details are in the public domain ("**Confidential Information**"). The restrictions in this section will not apply to information that:

5.1.1 is in the public domain;

5.1.2 is previously known to SRK or in SRK's possession, or is independently acquired by SRK from a third-party;

5.1.3 is required by law to be disclosed; or

5.1.4 SRK must use, duplicate or disclose in order to complete the Services.

SRK may duplicate and keep in its records Confidential Information to the extent that it is necessary to validate the Services and as otherwise required by law.

5.2 **Press.** SRK may use and publish the Client's name and a general description of SRK's services to the Client when describing SRK's experience and qualifications to others. To maintain the high standards associated with SRK's work and to ensure that it is adequately described, the Client will not make any press releases or release publications, other communications or promotional material referring to SRK or the Services without the prior written consent of SRK, except to the extent that it is required by law to do so.

5.3 **Ownership of Work Product.** All documents issued by or through SRK, as instruments of service, which are incorporated into the Services, including but not limited to drawings, plans, models, designs, specifications, bore logs, field data, field notes, laboratory test data, reports, photographs, surveys and other data, and all variations and modifications thereto (the "**Work Product**") shall become the property of Client. SRK is entitled to a copy of the Work Product. Any Work Product furnished to the Client or its agents and not paid for will be returned upon demand and will not be used by the Client. If the Services include the provision of a formal report, SRK may include language in the report that identifies the existence of the Agreement or Work Order and any terms therein.

5.4 **Ownership of Intellectual Property.** All concepts, products or processes, copyright, trademark, patent or other intellectual property ("**IP**") contributed by SRK or Client shall remain the property of the contributing party, and any IP produced by or resulting from the services rendered by SRK in connection with the Services or which are otherwise developed or first reduced to practice by SRK in the performance of its services shall be and remain the property of SRK. SRK shall grant to the Client a non-exclusive, irrevocable, royalty free, fully paid licence to use any IP embodied in the Work Product as required to use, reproduce and distribute the Work Product, to the extent SRK has the right to license the IP.

6. Delays and Disputes

6.1 **Delays.** If, as a result of strike, lockout or other labor dispute; fire; flood; storm; ice floe; lightning; earthquake; volcanic eruption; explosion; war; civil disturbance; blockade; act of God; governmental restraint imposed or

caused by federal, state, county or municipal law or by any rule, regulation, ordinance or order of or delay or failure to act by a federal, state, county, municipal or other government agency or Proper Authority; inability to secure required federal, state, county, municipal or other governmental permits, approvals or easements; any judicial acts or restraints; accidents; uncontrollable delays in delivery or transportation of materials to the site of use; inability to obtain necessary materials in the open market; or any other cause, except the inability to pay money ("**Force Majeure**"), a Party is unable to carry out, in whole or in part, its obligations under a Work Order, such Party shall give the other Party prompt and reasonably detailed notice of the Force Majeure. Except for obligations to make payments of money, the obligations of the Party giving the notice, so far as they are obligations affected by the Force Majeure, shall be suspended during, but no longer than, the existence of the Force Majeure. The affected Party shall use all reasonable diligence to remove the Force Majeure as quickly as possible; except, however, that the affected Party shall not be required to settle any strikes, lockouts or other labor disputes, and the handling of such matters shall be entirely within the judgment and discretion of the affected Party. Except as provided in this section, neither party shall be responsible to the other for costs, time charges, damages or performance delays caused by circumstances beyond the control of that party, provided however, that SRK shall be entitled to recover amounts for disbursements paid or incurred and fees at its prevailing fees and expense reimbursement policy for time lost where such circumstances could not reasonably have been anticipated or prevented.

6.2 **Termination.** Either party may terminate any Work Order under this Agreement if:

6.2.1 a Force Majeure lasts an aggregate of 45 calendar days during the term of the Agreement; or

6.2.2 the other Party fails to correct a default within 7 calendar days of written notice of the default from the non-defaulting Party.

In addition, any Work Order may be terminated by SRK if:

6.2.3 SRK believes that compliance with the Client's instructions would cause SRK to compromise applicable standards, professional ethics, or laws;

6.2.4 the Client fails to pay undisputed amounts within 30 calendar days of the date due, as set forth herein; or

6.2.5 if control of the Client changes or the Agreement is assigned contrary to section 7.7.

Termination shall occur upon the date set out in a written notice of termination provided by the terminating Party. These rights of termination will not limit any other right or remedy of either Party whether in law or equity. If a Party terminates a Work Order as provided for in this

Agreement, that Party will not be liable for any penalties, costs or damages to the other Party. The Client shall within 30 calendar days of termination pay SRK's fees for services rendered and costs incurred, in accordance with SRK's prevailing fees and expense reimbursement policy, including demobilization costs.

- 6.3 Dispute Resolution.** Except for disputes solely involving a question of law, the Client and SRK will attempt to resolve all disputes, claims, and other matters in question (a "Dispute") between the parties hereto arising out of or relating to the Agreement, a Work Order, or the breach thereof by mediation, and will use their best efforts to agree on the choice of a mediator. If a Dispute cannot be resolved by mediation within 90 days after one of the parties notifies the other in writing of an intention to mediate the Dispute, the parties will submit the matter in controversy to a single arbitrator for binding arbitration in accordance with the American Arbitration Association in accordance with its Arbitration Rules in effect as of the commencement of arbitration, subject to the limitations and restrictions stated below. The agreement to arbitrate and the determination arising from such arbitration will be specifically enforceable under the prevailing law of any court having jurisdiction. No arbitration arising out of the Agreement may include any person or entity who is not a party to the Agreement without the written consent of both parties.

7. Other Provisions.

- 7.1** All notices required under the Agreement shall be in writing and effective if delivered in person, sent by email or registered mail or courier addressed to the party for whom it is intended at the address set out above or the email address set out below. A notice will be considered to have been received (a) if delivered by hand, upon receipt by a responsible representative of the receiver; (b) if sent by email, upon the sender receiving confirmation of the message; (c) if mailed or couriered in Canada or the United States, upon the fifth business day following posting; and (d) if mailed or couriered outside of Canada or the United States, upon the tenth business day following posting, except that in the case of a disruption or an impending or threatened disruption in postal

services every notice will be delivered by hand, courier or email. The address or email of either party may be changed by notice.

- 7.2** The Agreement shall be governed by and construed in accordance with the laws in force in Colorado, and the parties submit to the jurisdiction of this State's courts.
- 7.3** The parties will execute and deliver all other appropriate supplemental agreements and other instruments, and take any other action necessary, to give full effect to the Agreement and to make the Agreement legally effective, binding, and enforceable as between them and as against third parties.
- 7.4** The failure of a party to insist upon the strict performance of any term of the Agreement, or to exercise any right or remedy contained in the Agreement, will not be a waiver or a relinquishment by that party for the future of that term, right, or remedy.
- 7.5** If any term of the Agreement is determined to be invalid or unenforceable, in whole or in part, the invalidity or unenforceability will attach only to that term or part term, and the remaining part of the term and all other terms of the Agreement will continue in force and effect.
- 7.6** The Agreement is the entire agreement between the parties and supersedes any prior agreement relating to the Services to be provided under a Work Order incorporating this Agreement, other than those incorporated by reference. There are no representations or warranties, express or implied, statutory or otherwise, and no agreements collateral to the Agreement, other than as expressly set out or referred to in the Agreement. The Agreement may be amended or supplemented only by a written agreement signed by each party.
- 7.7** The Agreement shall enure to the benefit of and be binding upon the parties hereto and their successors and permitted assigns and shall not be assigned in whole or in part by either party without the prior written consent of the other party. Any assignment made without that consent is void and of no effect.
- 7.8** Neither the execution of the Agreement nor the performance by a Party of any of its rights and obligations under the Agreement will create any partnership or joint venture between the Parties.

TO EVIDENCE THEIR AGREEMENT the Client and SRK have executed the Agreement on the dates set out below.

LANDER COUNTY

By: _____
 Authorized Signatory

Print Name: _____

Print Title: _____

Email: _____

Date: _____

SRK CONSULTING (U.S.), INC.

By: _____
 Authorized Signatory

Print Name: _____

Print Title: _____

Email: _____

Date: _____

SRK Consulting (U.S.), Inc. and LANDER COUNTY
Master Services Agreement (November XX, 2011)

WORK ORDER # 3XXXXX.010-1
(Engineering Consulting)

Date: November XX, 2011

Price: \$37,583

Delivery Date: Open

Description of services to be performed: Services to be provided under this work order include (see attached SRK proposal dated November 15, 2011 for additional detail):

1. Subtask 0000 – Project Management
2. Subtask 0100 – Reporting Requirements
3. Subtask 0200 – Monitoring Well Relocation

A detailed breakdown of project tasks and estimated project costs is included with this Work Order in the attached proposal. The estimated cost for services provided above and described in the attached proposal will not be exceeded without prior authorization from Lander County.

GENERAL AGREEMENT FOR CONSULTING SERVICES: All services completed under this Work Order will be completed in accordance with the terms of the Master Services Agreement between SRK and Lander County, executed on November XX, 2011.

Authorized by: _____ Date _____
Donald Negro, Foreman
Lander County Road & Bridge

Agreed to: _____ Date _____
David L. Bentel
Practice Leader
SRK Consulting (U.S.), Inc.

Work order must be signed by both parties before work commences.

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 17

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding December 16, 2011 notification of change for BLM Right-of-Way for Baker Hughes' access to the proposed Slaven Canyon Mine, Battle Mountain, and other matters properly relating thereto.

Public comment.

Background:

The December 16, 2011 notification of change for BLM Right-of-Way for Baker Hughes' access to the proposed Slaven Canyon Mine, Battle Mountain, is presented for Commission review.

The Bureau of Land Management (BLM) has reviewed the Right-of-Way Application and requested an alignment modification to that proposed in the submitted documentation. The modification will utilize a portion of the established Beacon Light Road, thereby reducing the disturbance to BLM-managed lands.

There is no requirement to file an amended application due to the modifications being proposed through review by the BLM. No Lander County lands are affected by the modification.

Recommended Action:

No action by the Commission is necessary on this item. Informational only.



Drilling Fluids

P.O. Box 277
Exit 244 on Interstate 80
Battle Mountain, NV 89820
775.635.5441 ~ 775.635.5455 fax

CERTIFIED LETTER # 7010 0290 0001 6179 4654
READ RECEIPT REQUESTED

December 16, 2011

Lander County Board of Commissioners
315 South Humboldt Street
Battle Mountain, Nevada 89820

Attn: Board of Commissioners

Subject: Notification of Change for BLM Right-of-Way for Baker Hughes' Access to Proposed Slaven Canyon Mine, Battle Mountain, NV

Dear Commissioners:

Earlier in 2011, Baker Hughes Drilling Fluids (BHDF) prepared an application on behalf of Lander County to improve existing roads in order to obtain access to the proposed Slaven Canyon Mine east of Battle Mountain, Nevada. After review of the proposed alignment, the Bureau of Land Management (BLM) has proposed a minor alignment modification to minimize disturbance to BLM land. In lieu of proposed modifications to a previous road section located in MDBM T32N, R46E Sections 22, 27 and 34, BLM has requested that Baker Hughes abandon this section for improvements and use the existing Beacon Light Road, which was constructed as a truck haul route by others. BHDF has no objections to this proposed change and by way of this letter is notifying the County. No other parts of the application are proposed to be amended and no County lands are affected by this proposed change.

If you have any questions or need additional information, please feel free to call me at (775) 635-5441. Again, BHDF would like to thank the County for their assistance in securing this ROW.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christopher Hopf'.

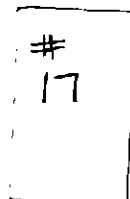
Christopher Hopf
Manager, Nevada Operations
Baker Hughes Drilling Fluids

cc. Ms. Nancy Lockridge, BLM Mount Lewis Field Office

RECEIVED

DEC 21 2011

COUNTY COMMISSION



LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 18

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding Resolution No. 2011-19, a resolution amending the Lander County Safety Committee; defining the authority and duties of the committee; specifying the responsibilities of the County's employees and officials relating to safety; and other matters properly relating thereto.

Public comment.

Background:

Resolution No. 2011-19, a resolution amending the Lander County Safety Committee; defining the authority and duties of the committee; specifying the responsibilities of the County's employees and officials relating to safety, is brought before the Commission for consideration.

This item was brought before the Commission as Agenda Item #28 during the regular meeting held October 13, 2011. The item was again placed on the regular Commission meeting agenda for October 27, 2011 and deferred indefinitely.

Consideration of the revised and updated Safety Committee Resolution has been placed on today's agenda for direction regarding the manner to proceed with this issue.

Recommended Action:

It is recommended that the Commission establish a framework by which to proceed in drafting the Resolution necessary to re-implement the Lander County Safety Committee.



Lander County Commissioners
315 South Humboldt Street
Battle Mountain, NV 89820
Tel: (775) 635-2885
Fax: (775) 635-5332

AGENDA REQUEST FORM

MEETING DATE REQUESTED: October 13, 2011

NAME: Marla Sam REPRESENTING: Lander County Safety Committee

ADDRESS: _____

PHONE (H): _____ (W) _____ FAX: _____

WHO WILL BE ATTENDING THE MEETING: Marla Sam

JOB TITLE: Lander County Safety Committee- Chair

SPECIFIC REQUEST TO BE PLACED ON THE AGENDA : Resolution No. 2011-19, a resolution amending the Lander County Safety Committee; Defining the authority and duties of the committee; specifying the responsibilities of the County's employees and Officials relating to safety and other matters properly relating thereto.

WHAT ACTION WOULD YOU LIKE THE BOARD TO TAKE TO RESOLVE THIS ISSUE?

Approve the resolution

ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST? ____ YES ____ X ____ NO
AMOUNT: _____

HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING? ____ YES ____ X ____ NO

WILL YOU BE PRESENTING WRITTEN INFORMATION AT THE MEETING? ____ YES ____ NO

HAVE YOU DISCUSSED THIS ISSUE WITH THE AFFECTED DEPT. HEAD? ____ YES ____ NO

FOR REVIEW BY:

CLERK	_____	SHERIFF	_____	J. P.	_____
ASSESSOR	_____	SOCIAL SER.	_____	D. A.	_____
BUILDING	_____	PLANNING	_____	TREASURER	_____
AIRPORT	_____	RECORDER	_____	SWIM POOL	_____
R & B	_____	W & S	_____	CIVIC CEN	_____
PARKS	_____	GOLF	_____	FINANCE	_____
FAIR/REC	_____	EXE. DIR	_____	OTHER	_____

**THE COMMISSION RESERVES THE RIGHT TO REJECT OR RECOMMEND
TABLING ALL AGENDA REQUESTS FOR INSUFFICIENT INFORMATION.**

ALL INFORMATION STATED IS CORRECT AND TRUE TO MY KNOWLEDGE ...

Jani Scott
SIGNED

8/15/11
DATE

18

RESOLUTION NO. 2011-19

of the Lander County Board of Commissioners

A RESOLUTION AMENDING THE LANDER COUNTY SAFETY COMMITTEE; DEFINING THE AUTHORITY AND DUTIES OF THAT COMMITTEE; SPECIFYING THE RESPONSIBILITIES OF THE COUNTY'S EMPLOYEES AND OFFICIALS RELATING TO SAFETY; AND OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, NRS 618.383 requires each Nevada employer to establish and effect a safety program; and

WHEREAS, the Lander County Board of Commissioners ("Board") is fully cognizant of the importance of implementing, facilitating and maintaining safety in all of the County's work sites; and

WHEREAS, it is the duty of the County employees and officials to promote, cooperate in and assure work place safety; and

WHEREAS, an ad hoc committee of County employees has been drafting and recommending to the Board components of the required safety program; and

WHEREAS, the Board, due to review of the issue of County work place safety, has determined that a permanent safety committee should be created, in order to successfully complete and effect the County's safety program; and

WHEREAS, the Board also believes that the responsibilities of all County officials and employees, relating to the County's safety program and its safety committee should be set forth with particularity, so that all concerned will have full notice of the County's determination to fully implement and effect its safety program.

NOW, THEREFORE BE IT RESOLVED, that the Lander County Board of Commissioners do ordain:

1. LANDER COUNTY SAFETY COMMITTEE CREATED. The Lander County Safety Committee ("Committee") hereby is created.
2. COMPOSITION AND TERMS.
 - A. *Composition.* The Committee shall be comprised of seven (7) members, as follows:

<u>Representing</u>	<u>Number of Positions</u>
Executive Director of Lander County	1
On behalf of all office workers and Elected Officials	
Lander County Sheriff or his designated appointee	1
Designated appointee of Operating Engineers Local 3	1
Designated appointees of Lander County Law Enforcement Employees Association and Lander County Sheriff's Association (Jointly)	1
Road and Bridge (North) Foreman or his designated employee	1
Road and Bridge (South) Foreman or his designated employee	1
Public Works Foreman or his designated employee	1

- B. ***Appointments.*** The Executive Director may elect to either personally serve on the Committee or designate an individual whom they supervise to serve in their place. Each member representing a labor union shall be appointed by his or her union/association.
- i. It is the policy of the Board that equal opportunity for membership on the Committee shall be afforded to all well-qualified County employees, regardless of age, sex, race, color, religion or national origin.
 - ii. Only full-time, regular County employees shall be eligible for appointment to the Committee.
- C. ***Term.*** Each member of the Committee shall serve a term of two (2) years, commencing on November 1, and thereafter may be reappointed or replaced, at the discretion of the appointing department head(s) or association.
- D. ***Filling Unexpired Terms.*** A Committee member who fails, refuses, resigns from the Committee, from County employment, changes departments, or is otherwise unable to fulfill and serve the term to which he or she has been appointed shall be removed from membership. The department head(s) or associations shall appoint a replacement member not later than thirty (30) days after such removal, to fulfill the unexpired portion of the available term.

3. INTERNAL GOVERNANCE OF COMMITTEE.

- A. ***Election of Officers.*** The members of the Committee shall elect from their membership a chairperson and a co-chairperson. The election shall take place at the first meeting of the Committee held in November on every odd year. The duties of the officers shall be prescribed by the Committee, which may adopt laws for its internal governance.
- B. ***Minutes.*** The secretary for the committee shall take general minutes at each meeting of the Committee, and shall forward copies of those minutes to the Board, the Executive Director, the Chairperson and Co-Chairperson of the Committee and such persons as the committee may prescribe. The official minutes shall be maintained by the Secretary in a binder.
- C. ***Transaction of Business.*** It is expressly understood and agreed that the business of the Committee shall be transacted during regular working hours of County employees. Each member of the Committee shall receive his or her full salary while transacting the business of the Committee.
- D. ***Open Meetings.*** All meetings of the committee shall be held in full compliance with the Nevada Open Meeting Law, as prescribed in NRS Chapter 241.
- E. ***Meetings – Time and Place.*** The Committee shall hold regularly scheduled meetings once a month, on a day of the month to be set by the Committee. Additional meetings may be called by the Chairperson or the Co-Chairperson in the Chairperson's absence, subject to the posting and notice requirements of the Nevada Open Meeting Law. The Committee may meet anywhere within the County, at the discretion of the Chairperson or Co-Chairperson; and the Committee may meet outside of the County with other safety committees, for training or when otherwise required.
- F. ***Meetings – Agenda.*** The agenda for each regular Committee meeting shall include, but not limited to: An overall review of all unfinished business of the prior month's meeting; a review of any accidents or injuries; a review of each member's department and any areas of concern; and a discussion of any safety problems.

4. SCOPE OF AUTHORITY.

- A. ***Generally.*** The Board authorizes the duly appointed members and officers of the Committee to transact the day-to-day business required to maintain and effect the County's safety program, subject to the approval of the Board which, when required by time constraints, may be in the form of

ratification at the first regular Board meeting after the transaction is made by the Committee. The Board further authorizes the Committee to deal with all matters necessarily relating to the maintenance and effectuation of the County's safety program, and further specifically authorizes the members and officers of the Committee to formulate and recommend to the Board for approval all manner of safety policies and regulations. The Board specifically authorizes the Committee to make any and all decisions properly relating to the maintenance and effectuation of the County's safety program, within the parameters of the policies adopted by the Board and subject to the final approval of the Board.

B. ***Specific Scope of Authority.*** To effectuate the purpose of the Committee and the County's safety program, the Committee:

- i. Will be afforded full and free access to all County buildings, facilities, property, equipment and work sites for the purpose of safety inspections and accident investigations;
- ii. May approve standard forms for reports of accident resulting in injury or loss to or by any County employee, equipment or facility;
- iii. May convene to receive any reports or testimony, oral or written, concerning any accident involving any county employee, equipment or facility; and
- iv. May request and require any County official, employee, member of any County board, agency or commission and may request any other knowledgeable person to provide such information as the person may have concerning any accident involving any County employee, equipment or facility; and
- v. May prepare and issue any report or recommendations said Committee may deem advisable concerning the need for loss control improvements for the benefit of the County, or concerning accidents involving County employees, equipment or facilities. A copy of any such report or recommendations shall be presented to the Board.

5. **DUTIES OF COMMITTEE.** The Committee specifically is directed and required to:

- A. Draft and submit to the Board for approval and adoption specific safety program policies, rules, regulations and training and other documents; and upon adoption, take all necessary steps to fully implement them.
- B. Review accident/injury reports related to County employees and/or property, and determine appropriate corrective actions.
- C. Assist the County's safety trainers or department heads in planning and assuring full employee participation in safety and health instruction and/or

training programs; continually evaluate the effectiveness of these programs; and propose and require the implementation of changes to the programs, as needed to fulfill the goal of fully educating the County's employees regarding work place safety.

- D. Conduct or cause to be conducted periodic facility inspections to detect unsafe conditions and practices.
 - E. Evaluate improvements to existing safety and health rules, procedures and regulations and make recommendations for changes to the Board.
 - F. Recommend to the Board suitable hazard eliminations or reduction measures.
 - G. Periodically review and update existing work practices and hazard controls.
 - H. Assess the implication of changes in work tasks, operations, facilities and/or processes.
 - I. Monitor and evaluate the effectiveness of safety recommendations and improvements.
 - J. Compile and distribute safety and health and hazard communications to the County's employees.
 - K. Study and analyze accident and injury data, statistics and trends with monthly reports to be submitted to the Board.
 - L. Receive and review suggestions, comments or complaints from County officials and employees on matters pertaining to safety. Safety boxes are to be available at: Austin Courthouse, Battle Mountain Courthouse, Battle Mountain Annex Building and Lander County Sheriff's Office.
 - M. Conduct special investigations, research, or policy development in the area of safety, loss control and risk management.
 - N. Ensure compliance by the County and Departments Heads with requirements of OSHA and MSHA as applicable.
6. BUDGET. Upon the recommendation of the Committee, the Board will establish a budget for the committee, sufficient to all the Committee to carry out its duties. Expenses of the Committee, including but not limited to printing, publishing, training, travel, investigation and inspection costs all will be included in the

budget established by the Board. All bills must be submitted to the committee for approval.

7. COMPLIANCE WITH THE SAFETY PROGRAM.

- A. **Generally.** All County officials and employees are required to comply with all provisions of the County's safety program and with all policies, rules and regulations adopted by the Board as a part of that safety program.
- B. **Responsibility for Safety.** Each department head is responsible to fully implement the County's safety program within his or her department; and to assure that his or her work site(s) is/are safe and that his or her employees are complying with all provisions of the County's safety program. Specifically, the principal duties of a department head in discharging his or her responsibilities for safety are as follows:
 - i. Ensure that the County's safety policies and procedures are complied with by all personnel under his or her direction.
 - ii. Provide the leadership and positive direction essential in maintaining effective loss prevention policies as a prime consideration in all operations.
 - iii. Devote a portion of staff meetings, as necessary, to review departmental losses (accidents) and to discuss plans to bring about more positive loss reduction.
 - iv. Demonstrate a personal concern in departmental losses by interviewing directly or through a responsible representative each employee (and the employee's supervisor) who has lost work time from an on-the-job injury or has been involved in a vehicular accident in a County vehicle or while on County Business.
 - v. Enforce safe work rules; and utilize progressive discipline, where necessary, to ensure compliance by employees.
 - vi. Ensure that all supervisors are aware that safety is an integral part of their responsibilities.
 - vii. Ensure that all accidents and work injuries are promptly reported to the committee.
 - viii. Evaluate all safety suggestions referred to the department.
 - ix. Provide definite replies to employees making suggestions.
 - x. Work with the Committee and County safety trainers in the evaluation of personal protective equipment and other equipment where safety may be a factor.
 - xi. Establish a program of regular safety meetings with supervisors and ensure that safety information is transmitted to all employees.
 - xii. Ensure that prompt preventive and corrective action is taken to remedy unsafe conditions.

- xiii. Ensure that necessary safety equipment and protective devices for each job are available, are used and are used properly.

C. ***Discipline.*** Any employee not complying with the requirements set forth in the County's safety program, or any of its policies, rules and regulations, shall be subject to appropriate disciplinary action, up to and including discharge.

- i. In the event that the Committee obtains information that an employee has violated any requirements of the County's safety program, or any of its policies, rules or regulations or has refused to comply with any provisions of the safety program, the Committee shall forward a request for discipline to the employee's department head.
- ii. Every department head is responsible to respond to a request for discipline from the Committee by taking appropriate, progressive disciplinary action, to the fullest extent permitted by any applicable labor contract or personnel policies.
- iii. Repeated violations or refusals to comply with the County's safety policies, rules and regulations by any employee shall be deemed an egregious breach of the employee's responsibilities and must be dealt with by appropriately severe discipline, including discharge.
- iv. The department head to whom the committee's request for discipline is submitted shall inform the Committee in writing of the action taken regarding the alleged violation or compliance failure not later than ten (10) days after completion of the disciplinary process.

D. ***Responsibility for Penalties.*** If a department head is informed of an unsafe condition in his or her work site(s) or receives a request for discipline from the Committee, and he or she fails or refuses to correct the safety problem or to take appropriate disciplinary action, and the county thereafter is subject to any kind of fine, damages or other monetary penalties based on the department head's inaction, the Board may at its discretion require the department head to pay for all or part of those penalties out of his or her approved budget.

- 8. **SEVERABILITY.** If any provision of this ordinance or amendments thereto, or the application thereof to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of the resolution or amendments thereto which can be given effect without the invalid provisions or applications and to this end the provisions of this resolution and amendments thereto are declared to be severable.

PASSED, ADOPTED AND APPROVED this day of , 2011.

THOSE VOTING AYE:

[illegible]

THOSE VOTING NAY:

[illegible]

THOSE ABSENT:

Steven Stienmetz, Chair
Lander County Board of Commissioners

ATTEST:

Sadie Sullivan
Lander County Clerk

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 19

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding the possibility of hiring a safety person or consultant to implement Lander County's health and safety program and other matters properly relating thereto.

Public comment.

Background:

The possibility of hiring a safety person or consultant to implement Lander County's health and safety program is brought before the Commission for consideration.

Recommended Action:

No specific recommendation for action is being made on this item.

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 20

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding appointment of a Lander County Commissioner(s) to the various 2011-2012 advisory boards, categories 1, 2, 3, & 4, and other matters properly relating thereto.

Public comment.

Background:

Appointment of a Lander County Commissioner(s) to the various 2011-2012 advisory boards, categories 1, 2, 3, & 4 is brought before the Commission.

Recommended Action:

It is recommended that the Commission appoint members of the Board to serve on the various Lander County Advisory Boards for Calendar Year 2012.

2011 BOARD APPOINTMENT LIST
LANDER COUNTY, NEVADA

*** Denotes Commissioner Designation**

CATEGORY I

LANDER COUNTY BOARD OF EQUALIZATION - 3 MEMBERS ONLY

4 YEAR TERM Expires 12-31 2014

Marla Sam
Jan Morrison
Kimberlie Davis
***David Mason**

LANDER COUNTY DEBT MANAGEMENT COMMISSION

2 YEAR TERM Expires 12/31/2012

David W. Ramsdell
Ann Johnstone
Louis Lani
Kathleen Ancho
***Dean Bullock**

LANDER COUNTY CONVENTION & TOURISM AUTHORITY

2 YEAR TERM Expires 6-30-2012

Philip Williams
Ray Salsbury

Grady Pierce
Richard Ripley
***Brian Garner**
***Alternate Steve Stienmetz**

LANDER COUNTY REGIONAL TRANSPORTATION
COMMISSION

YEARLY APPOINTMENT – Term Expires 12-30-2012

Judie Allen
***Ray Williams Jr.**
***Brian Garner**
***Alternate Dean Bullock**

LANDER COUNTY PLANNING COMMISSION

4YEAR TERM Expires 6-30-2012

John E. Williams
Joy Brandt
Louis Lani
Monte L. Price

4 YEAR TERM Expires 6-30-2011

Kimberlie Davis
***David Mason**
***Alternate Dean Bullock**
****Alternate Rod Davis**

CATEGORY II

LANDER COUNTY ADVISORY BOARD TO MANAGE WILDLIFE

3YEAR STAGGERED TERMS

Term Expires 12-31-2014

Scott Torgerson

Term Expires 12-31-13

Phillip Gray

Term Expires 12-31-2014

Ed Taylor

Term Expires 12-31-12

James Matheus

Gary Sweeney

Term Expires 12-31-2011

***Alternate Louis Lani**

CATEGORY III

YEARLY APPOINTMENT

TERM EXPIRES 6-30-2012

AUSTIN AIRPORT ADVISORY BOARD

Joe Dory

***Ray H. Williams Jr.**

BATTLE MOUNTAIN LIVESTOCK EVENTS CENTER
ADVISORY BOARD

Term Expires 6-30-2012

Rita Rogers

Shirley Shepherd

Jodi Moore

Bobbie w. Hooper

*** Brian Garner**

LANDER COUNTY PUBLIC LANDS USE ADVISORY PLANNING
COMMISSION

2 YEAR TERM Expires 6-30-2012

Frank Whitman

Philip Williams

Mark Bennett

***Ray Williams Jr.**

***Alternate Steve Stienmentz**

LANDER ECONOMIC DEVELOPMENT AUTHORITY

2 YEAR TERMS Expires 6-20-2013

Shar Peterson

Dee Helming

Sarah Hinton

Nancy Pickett

Jon D. sherve

***Gina Little**

***Brian Garner Dean Bullock * Alternate Brian Garner**

Expires 12/31/2012

Christina Whole

George Fennemore

CATEGORY IV

YEARLY APPOINTMENTS

TERMS EXPIRE 1-2012

COMMISSIONER APPOINTMENTS

GREAT BASIN DEVELOP DISTRICT

***Dean Bullock**

LANDER COUNTY ADVISORY RESOURCE CONSERVATION & DEVELOPMENT DISTRICT

Vacant

***David Mason**

***Alternate Brian Garner**

LOCAL EMERGENCY PLANNING COMMISSION

***Brian Garner**

NEVADA WORKS (formerly JOIN)

***Dean Bullock**

***Alternate Steven Stienmetz**

HUMBOLDT RIVER BASIN WATER AUTHORITY

Louis Lani

***Steven Stienmetz**

***Alternate Gene P. Etcheverry**

CENTRAL NEVADA REGIONAL WATER AUTHORITY

***Ray Williams Jr.
Gene Etcheverry**

NEVADA HOME HEALTH SERVICES

Sandra Smith – Social Services Director

NACO BOARD

***Ray Williams Jr.
*Alternate ~~Steven Stienmetz~~
 David Mason**

STATE LAND USE PLANNING ADVISORY COMMITTEE

***Steven Stienmetz
*Alternate David Mason
 Louis Lani**

LANDER COUNTY BUDGET DIRECTOR

Rogene Hill – Finance Director

COUNTY CUSTODIAN OF RECORDS

Idonna Trevino – Recorder

LANDER COUNTY EMERGENCY RESPONSE COORDINATOR

Ron Unger – Sheriff

LANDER COUNTY HEALTH OFFICER

Dr. Mark Myers

LANDER COUNTY HOSPITAL DISTRICT – COMMISSION
APPOINTMENT

***Steven Stienmetz**

CDBG BLOCK GRANT ADVISORY COMMITTEE

Gina Little - Community Development
~~Soveida Robinson – Human Resources Director~~

DOE BOARD REPRESENTATIVE

***Ray Williams Jr.**

***Alternate Dean Bullock**

LANDER COUNTY SAFETY COMMITTEE

***Brian Garner**

LANDER COUNTY COMMISSION MEETING
January 12, 2012

AGENDA ITEM NO. 21

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:
Correspondence/reports/potential upcoming agenda items.

Public comment.

Background:

Recommended Action:

A G E N D A

LANDER COUNTY COMMISSIONERS MEETING TOWN BOARD OF BATTLE MOUNTAIN & AUSTIN BOARD OF COUNTY HIGHWAY COMMISSIONERS

JANUARY 12, 2012

LANDER COUNTY COURTHOUSE
COMMISSIONERS' CHAMBER
315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NEVADA

Also Via Teleconference At

AUSTIN COURTHOUSE
COMMISSION OFFICE
122 MAIN STREET
AUSTIN, NEVADA

KINGSTON COMMUNITY HALL
112 GOLD KNOB ROAD
KINGSTON, NEVADA

- 9:00 A.M. Call to Order
Pledge of Allegiance
*Discussion for possible action regarding approval of Agenda Notice.
*Discussion for possible action regarding approval and acceptance of Minutes of:
DECEMBER 15, 2011 - REGULAR SESSION

Commissioner Reports on meetings, conferences and seminars attended.
Staff Reports on meetings, conferences and seminars attended.
*Discussion for possible action regarding Payment of the Bills.
*Discussion for possible action regarding Payroll Change Requests.

Public Comment - For non-agendized items only. *Persons are invited to submit comments in writing and/or attend and make comments on any agenda item at the Board meeting. All public comment may be limited to three (3) minutes per person, at the discretion of the Board. Reasonable restrictions may be placed on public comments based upon time, place and manner, but public comment based upon viewpoint may not be restricted.*

- *(1) Discussion for possible action to elect Chairman and Vice-Chairman of the Lander County Board of Commissioners and other matters properly relating thereto.

Public comment.

FINANCE

- *(2) Discussion for possible action regarding budget review, contracts and financial update and other matters properly relating thereto.

Public comment.

update to the Lander County Policy Plan for Federally Administered Lands and other matters properly relating thereto.

Public comment.

TREASURER

- *(11) Discussion for possible action regarding the application from the Town of Kingston for permission to acquire property, parcel #s 003-152-04 and 003-191-04, per NRS 361.603 and other matters properly relating thereto.

Public comment.

LOCAL EMERGENCY PLANNING COMMITTEE

- *(12) Discussion for possible action regarding approval of the 2012 Local Emergency Planning Committee (LEPC) membership roster and other matters properly relating thereto.

Public comment.

- *(13) Discussion for possible action regarding approval and promulgation of the Lander County All Emergency Operations Plan (EOP) for 2012 and other matters properly relating thereto.

Public comment.

SHERIFF

- *(14) Discussion for possible action regarding the possible proposal of an ordinance adding Chapter 8.44 to the Lander County Code, to establish an advisory committee and to authorize a telephone line surcharge for reporting emergencies, and other related matters.

Public comment.

12:00 P.M. Recess for Lunch

1:00 P.M. ***PUBLIC WORKS***

- *(15) Discussion for possible action regarding responses to the Request For Proposals (RFP) for management of the Mountain View Golf Course and other matters properly relating thereto.

Public comment.

ROAD AND BRIDGE NORTH

- *(16) Discussion for possible action regarding ratification of the SRK Consulting contract for the movement of the Battle Mountain Landfill monitoring wells and other matters properly relating thereto.

Public comment.

- *(17) Discussion for possible action regarding December 16, 2011 notification of change for BLM Right-of-Way for Baker Hughes' access to the

) ss.
County of Lander)

Cathy Myers, Deputy Clerk, of said Lander County, Nevada, being duly sworn, says, that on the 6th day of January 2012, she posted a notice, of which the attached is a copy, at the following places: 1) Battle Mountain Civic Center, 2) Battle Mountain Post Office, 3) Lander County Courthouse and 4) Swackhamer's Plaza Bulletin Board, in said Lander County, where proceedings are pending.

CATHY MYERS, DEPUTY CLERK

Cathy Myers

Subscribed and sworn to before me this 6th day of January 2012.

WITNESS

Molly Gonzalez

Payment of Bills

January 12, 2012

ROGENE HILL
Lander County Finance Director



ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION

DATE

Chairman	
Commissioner	
Commissioner	
Commissioner	
Commissioner	

LANDER COUNTY COMMISSION MEETING
January 12, 2012

APPROVE / DISAPPROVE
SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 75,618.75
From Check # 39254 thru # 39302

[illegible]

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39262	DAVID J. CORMANY	DEC2011/POSTAGE		1/12/12	68656	7.70	23.53
39263	DELBERT L. CORNELLA	12/29/11/CORTEZPROJ/BLDG 12/29/11/PHONEIXMILL/BLDG 12/30/11 PLNSRETURNED/BLD		1/12/12 1/12/12 1/12/12	68613 68613 68613	4,017.79 30,143.93 14.65	34,176.37
39264	JIMMY DROWN	1/3/12/REPRS SENIORCTR 12/30/11 SEN CTR/LEAKS 1/3/12/REPRS COURTHSE 1/3/12/REPRS TO SINK/LCCT 1/3/12/REPRS JUVENILE 1/3/12/REPRS FIREHALL 1/4/12/REPRS SHOP FANS		1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12	68640 68640 68640 68640 68640 68640 68640	84.75 65.00 65.00 71.42 48.75 115.47 403.58	853.97
39265	GENE P ETCHEVERRY	DEC 14-29 2011/STIPEND		1/12/12	68669	15.00	15.00
39266	ETCHEVERRY'S FOOD TOWN	12/29/11 TRVL/CDBG/AHS/ 12/13/11/SUPPLIES/DA 12/7/11/FOOD/SENCTR 12/7/11/FOOD/SENCTR		1/12/12 1/12/12 1/12/12 1/12/12	68641 68657 68657 68657	99.00 37.94 4.47 2.98	99.00
39267	R SUPPLY #3210	12/23/11/FLGBOLT/PARKS		1/12/12	68635	194.49	45.39
39268	GEM ST. PAPER & SUPPLY CO	12/8/11//KIT SUPP/SEN CTR 12/8/11//KIT SUPP/SEN CTR 12/15/11//KIT SUPP/SEN CTR 12/15/11//KIT SUPP/SEN CTR 12/22/11//KIT SUPP/SEN CTR 12/22/11//KIT SUPP/SEN CTR 12/29/11//KIT SUPP/SEN CTR 12/29/11//KIT SUPP/SEN CTR		1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12	68658 68658 68658 68658 68658 68658 68658 68658	34.17 22.78 76.99 51.32 33.85 22.56 116.69 77.79	194.49
39269	GREYHOUND LINES, INC	12/11/INDIGENT SERVC		1/12/12	68659	28.50	436.15
39270	HIGH DESERT MICROIMAGING	12/22/11/MICROFILM/		1/12/12	68614	143.10	28.50
39271	HUGHES NETWORK SYSTEMS,	12/20/11INTERNET/A R&B		1/12/12	68650	83.73	143.10
39272	INTERNATIONAL CODE	12/21/11/CODE2012/BLDG		1/12/12	68615	625.00	83.73
39273	INTERSTATE SAFETY& SUPPLY	12/22/11/CVRALLS/A R&B 12/21/11/BOMBERJACKET/R&B 12/19/11/GLVS/CVRALLS/ARB		1/12/12 1/12/12 1/12/12	68653 68638 68653	139.99 441.00 321.84	625.00

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39274	INTERWEST SUPPLY CO, INC	12/22/11/CHANNEL/R&B		1/12/12	68637	79.00	902.83
39275	L C SEWER & WATER DIST #2	12/30/11/CDBGFUNDSTOSW#2		1/12/12	68671	7,681.17	79.00
39276	JAY C WINROD	12/14/11/SOAP/BLEACH/SENCR 12/27/11/NUMBERS/A RB 12/28/11/HOE/A RB 12/29/11/BITS/MEASURE/HRD 12/29/11/TAPEMEASURE/ 12/29/11/HARDWARE/A RB 1/4/12/ELEC TESTER		1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12	68654 68654 68654 68654 68654 68654 68654	9.78 9.75 22.49 53.60 18.99 14.94 5.99	7,681.17
39277	LOUIS LANI	HRBAMEETING/TRVL/OCT HRBAMEETING/TRVL/OCT		1/12/12 1/12/12	68616 68616	33.00 155.40	135.54
39278	JOE LINDSEY	1/6/12 PLNS TO CORNANY		1/12/12	68672	11.10	188.40
39279	LOVE CLEANING	12/2011 COURT HOUSE 12/28/11 2ND ST ANNEX 12/28/11 SENIOR CENTER 12/28/11 ROAD & BRIDGE		1/12/12 1/12/12 1/12/12 1/12/12	68617 68617 68617 68617	1,650.00 600.00 500.00 250.00	11.10
39280	MCMASTER-CARR SUPPLY CO	12/20/11/BRASSPTS/WATER 12/21/11/BRASS SCREWS/W		1/12/12 1/12/12	68636 68636	739.13 106.59	3,000.00
39281	MIDWAY MARKET	10/11/11/AM FOOD/SR CTR 10/11/11/AM FOOD/SR CTR 11/11/11/RAW FOOD/SR CTR 11/11/11/RAW FOOD/SR CTR 8/11/11/RAW FOOD/SR CTR 8/11/11/RAW FOOD/SR CTR 9/1/11/RAW FOOD/SR CTR 9/1/11/RAW FOOD/SR CTR		1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12	68660 68660 68660 68660 68660 68660 68660 68660	65.40 43.60 43.92 29.28 57.15 38.10 99.93 66.62	845.72
39282	REBECCA MURPHY	01/09/12/CALENDARS/TREAS		1/12/12	68674	18.96	444.00
39283	NV FOOD DISTRIBUTION PRGM	10/19/11/FOOD/SR CTR 11/3/11 /FOOD/SR CTR 11/17/11/FOOD/SR CTR		1/12/12 1/12/12 1/12/12	68663 68663 68663	163.96 23.00 86.74	18.96
39284	POWERPLAN	12/19/11/PARTS/BEARING/AR 12/20/11/SWITCH/A RB		1/12/12 1/12/12	68652 68652	243.14 116.15	273.70
39285	QUILL CORP						359.29

CHECK
NUMBER

VENDOR

INVOICE DESCRIPTION

P/O #

DATE

TRANS#

AMOUNT

CHECK
TOTAL

39286 GUY ROCK

12/15/11/SUPPLIES/DA	1/12/12	68618	30.99
12/14/11/OFFICESUPP/R&B	1/12/12	68618	290.29
12/16/11/INK/SUPP/A R&B	1/12/12	68618	194.85
12/16/11/PENS/AR&B	1/12/12	68618	9.49
12/20/11/SUPP/SPLIT	1/12/12	68618	1.62
12/20/11/SUPP/SPLIT/AMBUL	1/12/12	68618	4.49
12/20/11/SUPP/SPLIT	1/12/12	68618	1.63
12/20/11/SUPP/SPLIT	1/12/12	68618	1.62
12/20/11/SUPP/SPLIT	1/12/12	68618	1.62
12/21/11/PAPER/BM AMBUL	1/12/12	68618	8.29

544.89

39287 ROYAL HARDWARE

1/6/11 INSPECTIONS/BLDG	1/12/12	68673	285.27
12/11/11/WHITE SHVLBRDS/WS	1/12/12	68628	133.06
12/11/11/TOOLS/CADDY/W&S	1/12/12	68628	100.95
12/11/11/BULBS/GLVS/PARKS	1/12/12	68628	34.23
12/21/11/C9/BLUBS/PARKS	1/12/12	68628	15.43
12/21/11/PIPE PRTS/W&S	1/12/12	68628	23.76
12/5/11/SAMBUD/W&S	1/12/12	68628	10.49
12/5/11/SURGESTRP/W&S	1/12/12	68628	29.65
12/5/11/SHILCOCK/VALVEM&S	1/12/12	68628	14.27
12/5/11/REPLCBLUBSC9/PRKS	1/12/12	68628	38.82
12/5/11 FAUCET/WS	1/12/12	68628	32.28
12/6/11/MLDTIPS/PIPMRNC/W	1/12/12	68628	119.29
12/6/11/LIGHTS/PARKS	1/12/12	68628	87.92
12/6/11/STAPLE GUN/PRKS	1/12/12	68628	18.99
12/7/11/EXT CORD/W&S	1/12/12	68628	43.99
12/7/11/HEATER/ASSASSOR	1/12/12	68628	35.99
12/7/11/SHOVEL/MASHR/R&B	1/12/12	68628	27.75
12/8/11/RV ANTI/FRZ/WS	1/12/12	68628	5.78
12/8/11/STAIN/GLFCRS	1/12/12	68628	77.26
12/8/11/TRAHCANS/PARKS	1/12/12	68628	279.96
12/9/11/BRASSPRTS/BULBS	1/12/12	68628	9.57
12/12/11/POWERBLK/GLFCRS	1/12/12	68628	14.99
12/13/11/AA BATT/W&S	1/12/12	68628	9.99
12/14/11/BRASS VALV/ADPTR	1/12/12	68628	69.10
12/14/11/MOP/GLSCNLR/BVFD	1/12/12	68628	10.78
12/16/11 RAKES/GLFCRS	1/12/12	68628	19.98
12/20/11/STORAGEBX/R&B	1/12/12	68628	13.99
12/21/11/GRND DISCS/W&S	1/12/12	68628	23.90
12/22/11/PIPE/R&B	1/12/12	68628	22.90
12/31/11/ICEMELT/BVFD	1/12/12	68628	49.98

1,375.05

39288 SANDI SMITH

1/1/12 FOOD/SEN CTR	1/12/12	68661	23.14
1/1/12 FOOD/SEN CTR	1/12/12	68661	34.70
8/26-91/11/POSTAGE	1/12/12	68661	1.33
8/26-91/11/POSTAGE	1/12/12	68661	.89
8/26-91/11/POSTAGE	1/12/12	68661	.74
12/5/11/SUPP/SR CTR	1/12/12	68661	8.40
12/5/11/SUPP/SR CTR	1/12/12	68661	5.60

74.80

39289 ST OF NEVADA

JAN/12 L.C. RETIREES

1/12/12 68675

5,733.02

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39290	ST OF NEVADA	JAN/12 AVFD RETIREES 12/2/11/CORTEZ HILLS 12/19/11/CORTEZHILLSOFFIC 12/2/11/MAVERIK		1/12/12	68675	182.56	5,915.58
39291	ST OF NV DEPT OF PUBLIC	12/31/11/FNGR PRNTS/HR		1/12/12	68670	91.50	150.00
39292	STATE FIRE SALES	1/1/12/SECURITY/MTVIEW		1/12/12	68619	75.00	91.50
39293	SUMMIT ENGINEERING CORP.	12/21/11/LEVEE PH #2		1/12/12	68664	225.00	75.00
39294	SUPERIOR COURT OF CALIF.	12/20/11 COPIES/DA		1/12/12	68629	.15	225.00
39295	SYSCO	12/14/11/FOOD SEN CTR 12/14/11/FOOD SEN CTR 12/21/11/FOOD SEN CTR 12/21/11/FOOD SEN CTR 12/28/11/FOOD SEN CTR 12/28/11/FOOD SEN CTR 12/28/11/FOOD SEN CTR 12/28/11/FOOD SEN CTR 12/28/11/FOOD SEN CTR		1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12	68665 68665 68665 68665 68665 68665 68665 68665 68665	230.64 153.76 196.81 131.21 191.42 127.62 225.94 150.62	.15
39296	SYSCO FOOD SERVICES	12/8/11// FOOD/SEN CTR 12/15/11// FOOD/SEN CTR 12/15/11// FOOD/SEN CTR 12/15/11// FOOD/SEN CTR 12/29/11// FOOD/SEN CTR 12/29/11// FOOD/SEN CTR 12/11/11// FOOD/SEN CTR 12/11/11// FOOD/SEN CTR		1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12 1/12/12	68667 68667 68667 68667 68667 68667 68667 68667	47.91 31.31 397.63 133.87 442.32 192.32 48.49 31.31	1,408.02
39297	T. L. ASHFORD & ASSOCIATES	12/28/11/SOFTWAREMAINT/		1/12/12	68620	295.00	1,325.16
39298	TIRE FACTORY	12/29/11/TIRES/R&B		1/12/12	68639	3,420.00	295.00
39299	USDA FOREST	12/20/11R&B MATERIAL/AUST		1/12/12	68651	112.00	3,420.00
39300	VALLEY BEVERAGES INC.	12/15/11/FOOD/SEN CTR		1/12/12	68668	63.60	112.00
39301	WINNEMUCCA PUB. CO., INC.	12/28/11/SPECUSE&HOMEADV		1/12/12	68630	90.16	63.60
39302	YOUTH CORRECTIONAL SERV.	1/1/12/ORTLY FEES/3RDORT		1/12/12	68662	4,823.75	90.16

Report No: PB1308
Run Date : 01/10/12

LANDER COUNTY
CHECK REGISTER 1/12/12

CHECK
NUMBER

VENDOR

INVOICE DESCRIPTION

P/O #

DATE

TRANS#

AMOUNT

CHECK
TOTAL

4,823.75

CHECKS TOTAL

75,618.75



Lander County Finance Department

Memo

12/19/11

To Board of Commissioners,

This memo is to inform you of an error that was found on the submitted expenditures of December 15, 2011. The correction concerns the check numbering on the signature page, which reads *from check #38958 thru #39046* and should have read **check #38958 ~ #39054**.

This issue will be addressed at the January 12, 2012 commission meeting to insure that the record is corrected.

Thank you,

Jane Bianchi 
Accounts Payable

ROGENE HILL
Lander County Finance Director



ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION

DATE

Chairman	_____
Commissioner	_____
Commissioner	_____
Commissioner	_____
Commissioner	_____

LANDER COUNTY COMMISSION MEETING
December 29, 2011

APPROVE / DISAPPROVE
SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 282,669.81
From Check #39106 thru #39199

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39114	B M POSTMASTER	12/21/11 ROLLS STAMPS/TRE		12/29/11	68541	220.00	210.00
39115	BADGER METER, INC	12/12/11/M35 LINERS/WATER		12/29/11	68542	115.48	220.00
39116	TINA MARIE BISTIAUX	DEC DRUG CRT TESTING/		12/29/11	68543	190.00	115.48
39117	BROWNELL'S, INC	11/21/11/PRTS FOR COLTGUN		12/29/11	68556	416.85	190.00
39118	SCOTT D. BULLOCK	12/12/11/FURNMTR/PRESCHL 12/13/11/KITDISHWASHER/SO 12/19/11/NEWMTR/PUMP1/SO		12/29/11 12/29/11 12/29/11	68479 68479 68479	539.00 773.00 65.00	416.85
39119	CHASE CARD SERVICE	12/27/11/TOOLBOX/GUYS/MASK 12/27/11/RESPIRATORS/DA 12/27/11/LOCKS/COFFE/RACK 12/27/11/REPLACEMENTFILTERS		12/29/11 12/29/11 12/29/11 12/29/11	68579 68579 68579 68579	115.45 45.96 149.80 68.82	1,377.00
39120	COMPUTERLAND OF RENO	11/28/11/IBM/LTO/ULTRIUM		12/29/11	68557	656.85	380.03
39121	DAVID J. CORMANY	12/16/11/PLANS REVIEW/BLD 12/16/11 SHIPPING PLNS 12/16/11/PLANS REVIEW/BLD		12/29/11 12/29/11 12/29/11	68526 68526 68526	4,218.92 11.95 286.13	656.85
39122	CRS, INC.	12/21/11/2YRSUBSRP/SO		12/29/11	68534	160.00	4,517.00
39123	DOSA BAH LLC	12/15/11/REPRSWATERSYSTM 12/15/11/REPRSWATERSYSTM		12/29/11 12/29/11	68580 68580	2,397.86 1,711.65	160.00
39124	DELL COMPUTER	12/9/11/IBMSERVER/SO		12/29/11	68558	5,744.05	4,109.51
39125	ECOLAB	12/2/11/SOFTNER/SO 12/11/11/MACH RENTAL/SO		12/29/11 12/29/11	68480 68480	301.32 89.95	5,744.05
39126	ANGIE M. ELQUIST	12/19-20/11 CARSON/DAASSO 12/19-20/11 CARSON/DAASSO 12/19-20/11 CARSON/DAASSO		12/29/11 12/29/11 12/29/11	68544 68544 68544	100.10 32.00 270.84	391.27
39127	GENE P ETCHEVERREY	11/18/11/ALHVCMTNG/AUSTIN 12/7/11 436X.555/ALHVCMTN		12/29/11 12/29/11	68482 68482	97.90 239.80	402.94

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39128	ETCHEVERRYS FOOD TOWN	12/9/11 4THQRT CNRMA MTNG		12/29/11	68482	199.10	536.80
39129	JAMES EVANS	12/15/11/LIOPLOMER/R&B 12/9/11BATTERIES/R&B		12/29/11	68481	8.79 3.89	12.68
39130	FARMER BROS COFFEE	SITTINGJUSTICEFORBUNCH		12/29/11	68520	275.75	275.75
39131	J.A. FELICIANO	12/8/11SUPPLIES/SO 12/8/11/SUPPLIES/SO		12/29/11	68483	237.30 241.19	478.49
39132	R SUPPLY #3210	12/15/11/RENOTRANSPORT		12/29/11	68538	225.00	225.00
39133	FIRST ADVANTAGE OHS	12/15/11CVN PRTS/SEWER 12/15/11/FLGS/BOLTS/SEWER		12/29/11	68559	1,230.00 331.49	1,561.49
39134	FLAG STORE OF NEVADA, INC	11/30/11/ DRUG TST 11/30/11/ DRUG TST		12/29/11	68484	96.06 188.12	284.18
39135	GLOCK, INC.	12/12/11/FLAGS/PARKS		12/29/11	68545	705.05	705.05
39136	GNOMON, INC.	12/6/11/REPL PRTS/WEAPONS 12/7/11/PRTSFORGLOCKS/SO 12/12/11/BENCHMAT.SO		12/29/11	68485	15.00 1,259.00 12.00	1,286.00
39137	GRAINGER	11/30/11/MAPSREPROD/UPDAT		12/29/11	68486	470.00	470.00
39138	DEE HELMING	12/5/11/BALLAST/SO MAINT 12/05/11/CONTRRS/SOMAIN 12/5/11/CONTRRS/SOMAIN 12/8/11/GRINDER/SEWER		12/29/11	68487	417.20 441.79 18.94 239.00	1,116.93
39139	HIGH DESERT MICROIMAGING	11/2/11/LEDA/MTNG 12/7/11/LEDA/MTNG		12/29/11	68525	99.90 99.90	199.80
39140	HUMBOLDT CO TREASURER	12/15/11/CMT RENEMAL/RECO 12/15/11/ANLMAINTRENEMAL		12/29/11	68522	1,095.00 750.00	1,845.00
39141	HUMBOLDT PRINTERS, INC.	2ND QRT 6TH JUDICIAL FUND JUVENILE PROB DEPT. 12/18/11,CORRECTADV/BLDG		12/29/11	68514	40,898.50 113,348.50 245.53	154,247.00

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39142	IACP NET/LOGIN	12/15/11ANNULSUPP/PORT/SO		12/29/11	68562	500.00	500.00
39143	INTERNATIONAL ASSOC. FOR	26635/MEMBERSHIP/QUICK		12/29/11	68488	50.00	50.00
39144	IKON OFFICE SOLUTIONS	12/13/11/CONTRACT/TREAS		12/29/11	68546	216.74	216.74
39145	INLAND SUPPLY CO INC	12/9/11/SUPPLIES/SO 12/14/11/UPPLIES/SO 12/14/11/UPPLIES/SO		12/29/11 12/29/11 12/29/11	68532 68532 68532	63.72 99.65 17.00	180.37
39146	INTERNATIONAL CODE	12/21/11/3-59CODESESSION		12/29/11	68581	625.00	625.00
39147	INTERSTATE SAFETY& SUPPLY	12/9/11/SAFETYJACKET/R&B 12/12/11/POSTS/BASE/W&S 12/12/11/POSTS/BASE/W&S		12/29/11 12/29/11 12/29/11	68527 68527 68527	75.49 630.75 630.75	1,336.99
39148	INTERWEST SUPPLY CO, INC	12/6/11/1X2X20AR400/R&B		12/29/11	68489	255.13	255.13
39149	KOLESAR & LEATHAM, CHTD	11/30/11/YUCCA PROJ APP		12/29/11	68517	40.00	40.00
39150	L C CONSERVATION DISTRICT	FY 11/12/ADM GRANT		12/29/11	68561	4,440.00	4,440.00
39151	JAY C WINROD	11/29/11/LOCK/A R&B 12/5/11/PAINT SUPP/A R&B 12/13/11/9V BATT/A R&B		12/29/11 12/29/11 12/29/11	68528 68528 68528	4.19 20.13 2.69	27.01
39152	LEXIS-NEXIS	11/30/11/RESEARCH/DA		12/29/11	68490	296.00	296.00
39153	METROQUIP. INC.	12/8/11/NOZZLE/SEWER		12/29/11	68492	678.50	678.50
39154	MENTAL HEALTH DEV. SERV.	12/12/11/ TARG CASE MANG		12/29/11	68506	644.37	644.37
39155	MOORE MEDICAL LLC	12/1/11RESTOCKMEDS/INMATE		12/29/11	68563	20.78	20.78
39156	MPH INDUSTRIES, INC.	12/15/11/REPLCMNTREORDER		12/29/11	68564	614.95	614.95
39157	THERESA MULLIS	12/13/11/TRANSPORTRENO/MH		12/29/11	68491	225.00	225.00
39158	BART E. NEGRO	12/15/11 MH TRANSP RENO		12/29/11	68518	114.00	114.00

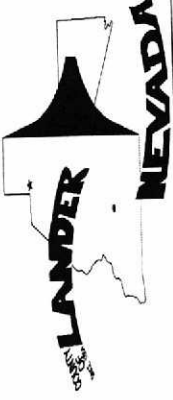
CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39159	NEVADA STATE HEALTH DIV.	12/15/11 MENTALTRANSPORT		12/29/11	68518	225.00	339.00
39160	NEWMAN TRAFFIC SIGNS	12/6/11/VACCINES SPLIT 12/6/11/VACCINES SPLIT 12/6/11/VACCINES SPLIT		12/29/11 12/29/11 12/29/11	68493 68493 68493	160.00 50.00 50.00	260.00
39161	NV STATE HEALTH DIVISION	12/8/11/SIGNS/A R&B		12/29/11	68529	249.51	249.51
39162	NV TAXPAYERS ASSOC	12/2/11/DECTY12PHNSERV		12/29/11	68494	3,801.00	3,801.00
39163	O.P.I.	12/9/11/UNDRNVPROPTAXSYS		12/29/11	68569	206.96	206.96
39164	PAIR NETWORKS, INC.	12/27/11/MX5111NCOPIER/TR 12/27/11/MX5111NASSESS/TR		12/29/11 12/29/11	68565 68565	9,838.00 1,502.40	11,340.40
39165	PHARMICHEM, INC.	12/1/11/USAGEOFDISK/ASSES		12/29/11	68566	277.96	277.96
39166	PITNEY BOWES GLOBAL	11/30/11/PATCHANALYSIS		12/29/11	68539	819.00	819.00
39167	POWERPLAN	12/22/11RENTAL/DA 12/13/11/RENTAL/CLRK		12/29/11 12/29/11	68547 68547	468.00 111.50	579.50
39168	GRACE POWRIE	11/2011CREDITTAKENTWICE 12/6/11/LINK/R&B 12/6/11/HOSEFITTING R&B 12/7/11/TURBO11 PREC/RB		12/29/11 12/29/11 12/29/11 12/29/11	68495 68495 68495 68495	21.56 1,774.79 365.31 488.61	2,650.27
39169	QUILL CORP	12/19/11 TRVL10/13/11/TRE		12/29/11	68523	101.01	101.01
39170	REMINGTON ARMS CO., INC.	12/7/11/OFFICE SUPPLIES/ 12/7/11/OFFICE SUPPLIES/ 12/7/11/OFFICE SUPPLIES/ 12/7/11/OFFICE SUPPLIES/ 12/7/11/OFFICE SUPPLIES/CL 12/7/11/INHCARTS DOE 12/8/11/W 3 FORMS/FTN 12/15/11/OFFICESUPP/COMM 12/15/11/INK/OFFICESUPP/HR 12/15/11/OFFICE/SPLIT/FTN 12/15/11/OFFICE/SPLIT/BLD		12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11	68496 68496 68496 68496 68496 68496 68496 68496 68496 68496	25.43 25.43 190.49 25.41 158.96 104.14 4.04 21.61 154.79 8.12 73.61	792.03

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39171	STEVEN AGUILAR						
		12/8/11/PRTS FOR SHOTGUNS		12/29/11	68497	9.85	
		12/8/11/PRTS FOR SHOTGUNS		12/29/11	68497	9.30	
		11/17/11/USED OIL /LNDPFL.		12/29/11	68548	60.00	717.54
39172	RESEARCH AND CONSULTING						
	OCT PROF SERVC/DOE			12/29/11	68498	6,872.07	60.00
		12/13/11/INSPECTIONS		12/29/11	68500	235.95	
		12/27/11/INSPECTIONS		12/29/11	68500	207.57	6,872.07
39173	GUY ROCK						
				12/29/11	68499	443.52	
39174	ROYAL HARDWARE						
		11/23/11/COUPLR/DGPOUND		12/29/11	68499	3.29	
		11/1/11/HAMMERS/PINHNGE		12/29/11	68499	23.46	
		11/1/11/PIPE PRTS/R&B		12/29/11	68499	6.97	
		11/1/11/HEATER/PARKS		12/29/11	68499	35.39	
		11/2/11/TAPECCLR/DUCTTAP		12/29/11	68499	29.96	
		11/2/11/ACETONE/R&B		12/29/11	68499	7.39	
		11/02/11 BRASSPRTS/SEWR		12/29/11	68499	25.44	
		11/3/11/PIEPPTS/SEWER		12/29/11	68499	110.59	
		11/3/11/PAINT/SEWER		12/29/11	68499	32.95	
		11/4/11/CUSTKEYS/TAGS/POO		12/29/11	68499	25.78	
		11/4/11/KEYS/POOL		12/29/11	68499	4.95	
		11/4/11/SHOVEL/GLOVES/PKS		12/29/11	68499	71.96	
		11/4/11/PIPE PARTS/SEWER		12/29/11	68499	45.43	
		11/4/11/THINNER/SEWER		12/29/11	68499	15.28	
		11/7/11/GLOVES/GOLF CRS		12/29/11	68499	22.48	
		11/8/11 CAULK		12/29/11	68499	6.98	
		11/8/11/WIRE/CONN/SO		12/29/11	68499	54.48	
		11/8/11/CORD SO		12/29/11	68499	17.90	
		11/14/11/GLOVES/SEWER		12/29/11	68499	9.39	
		11/14/11/STENCIL/R&B		12/29/11	68499	5.49	
		11/14/11/HOLESAW/SEWER		12/29/11	68499	18.98	
		11/14/11/GRINDER/WHEELS		12/29/11	68499	131.76	
		11/15/11/PAINTERSHS/GLFCR		12/29/11	68499	30.74	
		11/16/11/COLORX		12/29/11	68499	2.49	
		11/16/11/TAPEADMERLOCKS/S		12/29/11	68499	24.98	
		11/16/11/PUBADMUPPLIESDA		12/29/11	68499	27.80	
		11/16/11/BRASSNIIPLE/SEWE		12/29/11	68499	16.45	
		11/21/11/CURTIN/ROD/SO		12/29/11	68499	27.98	
		11/21/11/RINGS/		12/29/11	68499	2.79	
		11/21/11/SOCKSCRAPER/R&B		12/29/11	68499	15.99	
		11/22/11/LIGHTER/R&B		12/29/11	68499	4.49	
		11/22/11/THERMCUPL/R&B		12/29/11	68499	11.99	
		11/23/11/TORCH/THERMCPLR		12/29/11	68499	44.47	
		11/23/11/HOSE/SO		12/29/11	68499	9.90	
		11/26/11/ROCKPICK/SHHAMR		12/29/11	68499	80.85	
		11/26/11/PIPE/COULERS/SE		12/29/11	68499	51.39	
		11/28/11/WOODSHIMS/SEWER		12/29/11	68499	4.98	
		11/28/11/STAPLEGGPACK/SO		12/29/11	68499	9.75	
		11/30/11/PIPE PRTS/R&B		12/29/11	68499	43.98	
		11/30/11/GLOVES/SEWER		12/29/11	68499	27.98	
		11/30/11/BRUSH/GLFCRS		12/29/11	68499	15.16	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39175	SAFARI LAND, LLC	12/8/11/J JONES/SO		12/29/11	68533	275.00	275.00
39176	SALT LAKE WHOLESALE	12/8/11/AMMUNITION/SO		12/29/11	68535	1,196.00	1,196.00
39177	SARA G. SIMMONS	12/14/11/ TRANSCRIP/A JC		12/29/11	68515	204.15	204.15
39178	SMITH FAMILY FUNERAL HOME	12/1/11/K ROSS/SO		12/29/11	68504	150.00	150.00
39179	ST OF NEVADA	1999 KW DUMP TRK TITLE TR 1999 KW DUMP TRK REGISTRA		12/29/11 12/29/11	68570 68570	28.25 6.00	34.25
39180	ST OF NEVADA	12/6/11/SILVERNETSRVC/SO		12/29/11	68536	4.36	4.36
39181	ST OF NEVADA	17175/REPRINTNRS/CLERK 17175/REPRINTNRS/COMM 12/15/11/NRS DC/PUB DE 12/15/11/NRS BOOKS/PUB DE		12/29/11 12/29/11 12/29/11 12/29/11	68501 68501 68501 68501	395.00 395.00 225.00 395.00	1,410.00
39182	STANTEC CONSULTING	12/19/11/AUSTVISTCENTR		12/29/11	68567	1,291.17	1,291.17
39183	ST OF NEVADA BAR	12/12/11/MEMB A ELQUIST 12/12/11/MEMB J BARNES		12/29/11 12/29/11	68502 68502	450.00 250.00	700.00
39184	JOSEPH STODDART	12/8/11/BPV REIMB/SO		12/29/11	68505	750.00	750.00
39185	SUMMIT ENGINEERING CORP.	12/7/11/LEVEE PROJ PHS #3 12/7/11/LEVEE PROJ PHS #2		12/29/11 12/29/11	68503 68503	28,510.43 6,611.25	35,121.68
39186	TETRA TECH, IN.	12/13/11/WATERRIGHTPERMIT		12/29/11	68521	383.75	383.75
39187	THE B M BUGLE	12/12/11/SUBCRPTRRECORDR		12/29/11	68508	27.00	27.00
39188	THOMSON WEST	12/1/11 NOV LAW LIB/DA		12/29/11	68511	1,168.57	1,168.57
39189	TIRE FACTORY	12/6/11SERVC UNIT#14/SO 12/16/11/TIRES/R&B 12/20/11/TIRES/R&B 12/23/11/TIRES/R&B 12/27/11FLATREPR/R&B 12/8/11/SERV #9/SO 12/14/11/TRACT TIRE REPR		12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11	68507 68507 68507 68507 68507 68507 68507	295.63 4,783.08 989.18 528.60 20.50 39.95 293.36	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39190	IDONNA TREVINO	12/8/11/2164/STAMPS/RECOR		12/29/11	68509	44.00	6,950.30
39191	U S POSTAL SERVICE	12/20/11/REFILL/SO		12/29/11	68555	200.00	44.00
39192	UNITED PARCEL SERVICE	12/3/11/PARCEL/SERVIC/SO		12/29/11	68510	15.78	200.00
39193	USA BLUE BOOK	12/12/11/SHOCKWAVE/SEWER		12/29/11	68550	209.95	15.78
39194	VIPER GLASS LLC	12/16/11/REPRDOORBLDGDEPT		12/29/11	68568	530.82	209.95
39195	WELLS FARGO REMITTANCE CT	11/14/11 SAW /SEWER 11/18/11/MEAL RO/CINDY 11/17/11/SAW/BLADES/SEWER AUSTIN AMBUL INTERNET RMS ROGENE/CINDY/CONFVEG CHEYERON FUEL/CONFVEGAS/F NOV SUB ONSTAR COMM		12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11 12/29/11	68513 68513 68513 68513 68513 68513 68513	409.99 26.62 246.34 119.98 119.35 52.01 18.95	530.82
39196	WESTERN NEVADA SUPPLY CO	12/21/11/BIRD DIAPH/GLPCR		12/29/11	68551	481.95	993.24
39197	RAY H. WILLIAMS JR.	12/6/11/CARWASH/COMM/RAY 12/5/6/2011 POOL/PAC/CONF		12/29/11 12/29/11	68537 68537	5.00 194.38	481.95
39198	WINNEMUCCA PUB. CO., INC.	12/7/11/PUB NOTICECHG/CLK 12/14/11/JUDICIALOFFICES		12/29/11 12/29/11	68512 68512	78.80 107.60	199.38
39199	3T EQUIPMENT COMPANY INC	12/13/11/REGULATOR/SEWER		12/29/11	68549	1,613.95	186.40
CHECKS TOTAL						1,613.95	282,669.81

ROGENE HILL
Lander County Finance Director



ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION

Steven H. Hill
Chairman
Ben Bullock
Commissioner
Debra R. Mason
Commissioner
Ray H. Sullivan
Commissioner

DATE

1/12/12
1-12-12
1/12/12
1/12/12
01/12/12

LANDER COUNTY COMMISSION MEETING

January 12, 2012

APPROVE / DISAPPROVE
SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 75,618.75
From Check #39254 thru #39302

ROGENE HILL
Lander County Finance Director



ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION

DATE

Chairman	<i>Therese Stenmetz</i>	<i>1/12/12</i>
Commissioner	<i>Bob Jones</i>	<i>1-12-12</i>
Commissioner	<i>Allen Paulbeck</i>	<i>1/12/12</i>
Commissioner	<i>Michael R. Mason</i>	<i>1/12/12</i>
Commissioner	<i>Gay H. Mullin</i>	<i>01/12/12</i>

LANDER COUNTY COMMISSION MEETING
December 29, 2011

APPROVE / DISAPPROVE
SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 282,669.81
From Check #39106 thru #39199

ROGENE HILL
Lander County Finance Director



ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION

	DATE
Chairman <u>Steve Stenetz</u>	<u>1/12/12</u>
Commissioner <u>Don Jan</u>	<u>1-12-12</u>
Commissioner <u>Dee Bullock</u>	<u>1/12/12</u>
Commissioner <u>David R. Hester</u>	<u>1/12/12</u>
Commissioner <u>David H. Walker</u>	<u>1/12/12</u>

LANDER COUNTY COMMISSION MEETING

December 15, 2011

APPROVE / DISAPPROVE

SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 228,618.45

From Check #38958 thru #39054

Reviewed on

315 South Humboldt Street < > Battle Mountain NV 89820

Phone: (775) 635-2885 < > Fax: (775) 635-5332

OKH's

COUNTY OF LANDER

DMV & PUBLIC SAFETY

ST OF NEVADA

DATE	INVOICE	AMOUNT	REMARKS
12/28/11	REGISTRATION/1994CHE	6.00	94 CHEVYSERVTRK REG/A R&B
12/28/11	TITLE TRANSFER FEE	28.25	94 CHEVY TITLE FEE/A R&B

CHECK NO 39217 \$34.25 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039217

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

PAY TO THE ORDER OF

ST OF NEVADA

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39217 **VOID**	\$34.25 **VOID**

VOID**34DOLLARS AND25CENTS***

ST OF NEVADA
555 WRIGHT WAY

DMV & PUBLIC SAFETY

CARSON CITY

NV 89711

NON-NEGOTIABLE

TOTAL \$34.25

I certify that the foregoing claim is correct and just; that the articles specified have been received by the proper officials of the County, the Courts and/or Special Districts, or the services stated have been performed; and that they were necessary for, have been or will be applied to County, Court or Special District purposes.

[Signature]
Authorized Signature

12-22-2011

Date

COUNTY COMMISSION APPROVAL

[Signature] Chairman
[Signature]
[Signature]
[Signature]

RECEIVED
DEC 28 2011
For Comptroller Use Only

3 M POSTMASTER

COUNTY OF LANDER
810 SUNSET DR

DATE	INVOICE	AMOUNT	REMARKS
01/03/12	PERMIT12/MAILINGFEE	190.00	1/4/12/PERMIT#12/TREAS

CHECK NO 39222 \$190.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

PAY TO THE ORDER OF

B M POSTMASTER

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039222

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/09/12 ***VOID**	39222 ***VOID**	\$190.00 ***VOID**

VOID**190DOLLARS AND00CENTS***

B M POSTMASTER
810 SUNSET DRIVE

810 SUNSET DR

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

- ☐ Verify that the *Permit Number* column shows the correct number(s) that applies to your account(s).
- ☐ Enter the full twelve-month period during which you will use the service in the *Period Due* Column.
- ☐ Enter the fee amount(s) you are paying in the *Amount Paid* column.
- ☐ Enter the total amount paid.

☒ Make your check payable to *Postmaster* and mail to:

POSTMASTER

POSTMASTER
810 SUNSET DR
BATTLE MOUNTAIN NV 89820-9998

POSTMASTER
810 SUNSET DR
BATTLE MOUNTAIN NV 89820-9998

We appreciate your business. If you have any questions, please call _____

PS Form 3621-A, April 2011 (7530-02-000-8210)

St. Thomas
B. J.
Dean Bullock
David R. Mason
Rog. H. Miller

ST OF NEVADA

COUNTY OF LANDER
DMV & PUBLIC SAFETY

DATE	INVOICE	AMOUNT	REMARKS
01/03/12	TITLE TRANSFER FEE	28.25	12/20/11/TRANS FEE A R&B
01/03/12	2002 FORD REG	6.00	12/20/11REG 02 FORD/A R&B

CHECK NO 39246 \$34.25 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039246

94-7074
3212

PAY TO THE ORDER OF

ST OF NEVADA

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/09/12 ***VOID**	39246 ***VOID**	\$34.25 ***VOID**

VOID**34DOLLARS AND25CENTS***

ST OF NEVADA
555 WRIGHT WAY

DMV & PUBLIC SAFETY

CARSON CITY

NV 89711

NON-NEGOTIABLE

District purposes.

Authorized Signature

12-22-2011

Date

RECEIVED

DEC 28 2011

L.C. FINANCE

COUNTY OF LANDER

BART E. NEGRO

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	495.00	33 AMBULANCE RUNS

CHECK NO 39210 \$495.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

PAY TO THE ORDER OF

BART E. NEGRO

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039210

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39210 **VOID**	\$495.00 **VOID**

VOID**495DOLLARS AND 00CENTS***

BART E. NEGRO
BOX 1237

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

will be applied to County, Court or Special
District purposes.

Authorized Signature

30 - December - 2011
Date

Dean Bullock
David R. Mason
Ray H. Muller

COUNTY OF LANDER

DON NEGRO

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	45.00	3 AMBULANCE RUNS

CHECK NO 39211 \$45.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039211

94-7074
3212

PAY TO THE ORDER OF

DON NEGRO

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39211 **VOID**	\$45.00 **VOID**

VOID**45DOLLARS AND00CENTS***

DON NEGRO
P.O. BOX 664

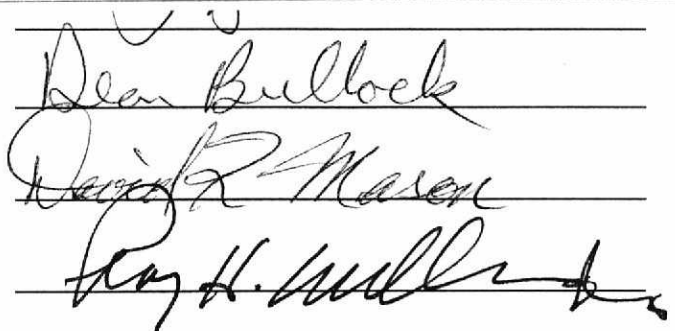


BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

that they were necessary for, have been or
will be applied to County, Court or Special
District purposes.


Authorized Signature

30-December-2011
Date


Dean Bullock

David R. Mason

Roy H. Miller

COUNTY OF LANDER

JAYSON DAVID CUTLER

DATE	INVOICE	AMOUNT	REMARKS
11/03/12	3 RUNS STIPENDS	90.00	DEC14-29/11/BM AMBUL
11/03/12	822	60.00	9/1/11/TRANSP/EGH/STIPEND
11/03/12	881	40.00	7/5/11/TRANSPHGH/STIPEND
11/03/12	907	60.00	8/29/11/TRANSP EGH/TIPEND
11/03/12	932	60.00	11/9/11/TRANSP EGH/
11/03/12	940	60.00	11/20/11/TRANSP EGH

CHECK NO 39225 \$370.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

PAY TO THE ORDER OF

JAYSON DAVID CUTLER

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039225

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/09/12	39225	\$370.00
VOID	**VOID**	**VOID**

VOID**370DOLLARS AND00CENTS***

JAYSON DAVID CUTLER
303 CARSON RD

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

will be applied to County, Court or Special
District purposes.

Authorized Signature

04-January-2012
Date

Dean Bullock
David R. Mason
Ray H. Mullin
all runs
+ Traps Total
\$ 370.00

COUNTY OF LANDER

BART E. NEGRO

DATE	INVOICE	AMOUNT	REMARKS
01/03/12	5 STIPEND RUNS	75.00	DEC 14-29/11/BM AMBUL
01/03/12	907	60.00	8/29/11/TRANSP EGH
01/03/12	932	60.00	11/9/11/TRANSP/EGH

CHECK NO 39238 \$195.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039238

94-7074
3212

PAY TO THE ORDER OF

BART E. NEGRO

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/09/12	39238	\$195.00
VOID	**VOID**	**VOID**

VOID**195DOLLARS AND 00CENTS***

BART E. NEGRO
BOX 1237

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

that they were necessary for, have been or
will be applied to County, Court or Special
District purposes.

Authorized Signature

04-January-2012
Date

Dean Bullock
David R. Mason
Ray H. Mullin

all
Runst
Transp. total
195.00

COUNTY OF LANDER

JORGE MICHAEL GONZALEZ

DATE	INVOICE	AMOUNT	REMARKS
01/03/12	822	60.00	9/1/11/ TRANSP EGH
01/03/12	932	60.00	11/9/11/TRANSP EGH

CHECK NO 39230 \$120.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

PAY TO THE ORDER OF

JORGE MICHAEL GONZALEZ

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039230

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/09/12 **VOID**	39230 **VOID**	\$120.00 **VOID**

VOID**120DOLLARS AND00CENTS***

JORGE MICHAEL GONZALEZ
730 N. 1ST ST. #5

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

will be applied to County, Court or Special
District purposes.

Authorized Signature

Date

Dean Bullock
David R. Mason
Ray H. Sullivan

DANIEL BALDINI

COUNTY OF LANDER

DATE	INVOICE	AMOUNT	REMARKS
01/03/12	4 STIPENS RUNS	60.00	DEC14-29,2011 STIPENDS

CHECK NO 39223 \$60.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

PAY TO THE ORDER OF

DANIEL BALDINI

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039223

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/09/12 **VOID**	39223 **VOID**	\$60.00 **VOID**

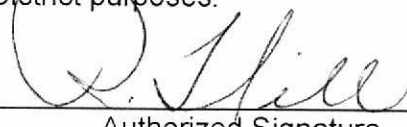
VOID**60DOLLARS AND00CENTS***

DANIEL BALDINI
432 S. BROAD STREET

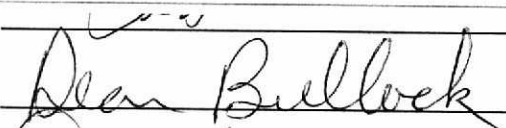

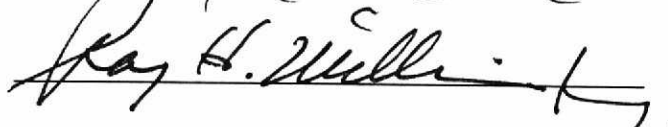
BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

that they were necessary for, have been or
will be applied to County, Court or Special
District purposes.


Authorized Signature

12/5/12
Date

COUNTY OF LANDER

BOBBY THEURET

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	120.00	8 AMBULANCE RUNS

CHECK NO 39219 \$120.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

PAY TO THE ORDER OF

BOBBY THEURET

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039219

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39219 **VOID**	\$120.00 **VOID**

VOID**120DOLLARS AND00CENTS***

BOBBY THEURET
325 ELQUIST DRIVE

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

will be applied to County, Court or Special
District purposes.

Authorized Signature

30-November-2011
Date

Dean Bullock
David R. Mason
Ray H. Sullivan

COUNTY OF LANDER

CODY UNGER

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	15.00	1 AMBULANCE RUN

CHECK NO 39220 \$15.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039220

94-7074
3212

PAY TO THE ORDER OF

CODY UNGER

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39220 **VOID**	\$15.00 **VOID**

VOID**15DOLLARS AND 00CENTS***

CODY UNGER
P.O. BOX 716

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

that they were necessary for, have been or
will be applied to County, Court or Special
District purposes.

[Signature]
Authorized Signature

30-November-2011
Date

[Signature: Don Buelbeck]
[Signature: David R. Mason]
[Signature: Ray H. Wilkins]

COUNTY OF LANDER

JASON JURY

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	270.00	18 AMBULANCE RUNS

CHECK NO 39208 \$270.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039208

94-7074
3212

PAY TO THE ORDER OF

JASON JURY

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 ***VOID**	39208 ***VOID**	\$270.00 ***VOID**

VOID**270DOLLARS AND00CENTS***

JASON JURY
109 LUPIN DRIVE

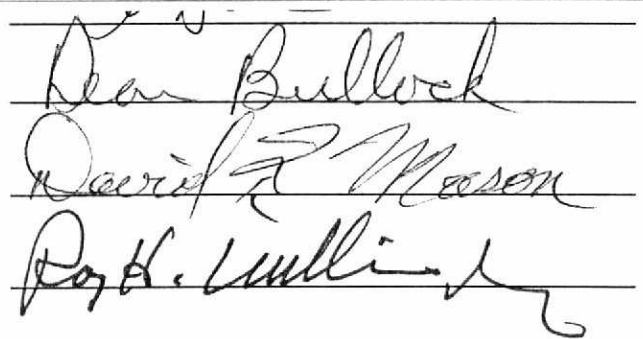
BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

that they were necessary for, have been or
will be applied to County, Court or Special
District purposes.


Authorized Signature

30 December 2011
Date



COUNTY OF LANDER

TROY LIEBHARDT

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	45.00	3 AMBULANCE RUNS

CHECK NO 39209 \$45.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039209

94-7074
3212

PAY TO THE ORDER OF

TROY LIEBHARDT

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39209 **VOID**	\$45.00 **VOID**

VOID**45DOLLARS AND00CENTS***

TROY LIEBHARDT
345 BUENA VISTA DRIVE

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

that they were necessary for, have been or
will be applied to County, Court or Special
District purposes.

Authorized Signature

30-December-2011
Date

Dean Bullock
David E. Mason
Ray H. Mullin

COUNTY OF LANDER

JAYSON DAVID CUTLER

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	915.00	61 AMBULANCE RUNS

CHECK NO 39205 \$915.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

PAY TO THE ORDER OF

JAYSON DAVID CUTLER

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039205

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39205 **VOID**	\$915.00 **VOID**

VOID**915DOLLARS AND 00CENTS***

JAYSON DAVID CUTLER
303 CARSON RD

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

will be applied to County, Court or Special
District purposes.

[Signature]
Authorized Signature

30-December-2011
Date

[Signature]
[Signature]
[Signature]

COUNTY OF LANDER

JORGE MICHAEL GONZALEZ

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	420.00	28 AMBULANCE RUNS

CHECK NO 39207 \$420.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039207

94-7074
3212

PAY TO THE ORDER OF

JORGE MICHAEL GONZALEZ

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39207 **VOID**	\$420.00 **VOID**

VOID**420DOLLARS AND00CENTS***

JORGE MICHAEL GONZALEZ
730 N. 1ST ST. #5

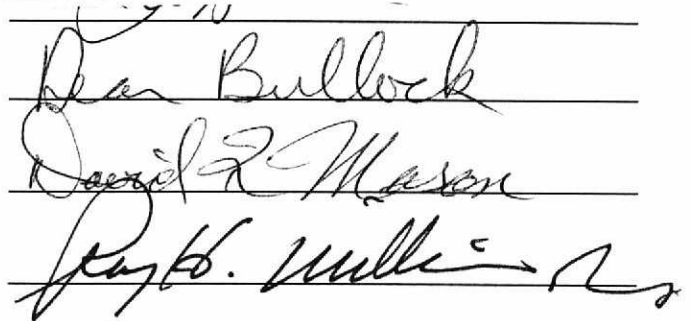
BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

will be applied to County, Court or Special
District purposes.


Authorized Signature

30-December-2011
Date



COUNTY OF LANDER

TIM LEE BARE

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	15.00	1 AMBULANCE RUN

CHECK NO 39202 \$15.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

PAY TO THE ORDER OF

TIM LEE BARE

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039202

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39202 **VOID**	\$15.00 **VOID**

VOID**15DOLLARS AND 00CENTS***

TIM LEE BARE
185 E. 4TH STREET

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

that they were necessary for, have been or
will be applied to County, Court or Special
District purposes.

Authorized Signature

30-December-2011
Date

Dean Bullock
David R. Mason
Ray H. Sullivan

COUNTY OF LANDER

DANIEL BALDINI

DATE	INVOICE	AMOUNT	REMARKS
12/30/11	MAY 7 THRU DEC. 4	105.00	7 AMBULANCE RUNS

CHECK NO 39201 \$105.00 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039201

94-7074
3212

PAY TO THE ORDER OF

DANIEL BALDINI

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/30/11 **VOID**	39201 **VOID**	\$105.00 **VOID**

VOID**105DOLLARS AND00CENTS***

DANIEL BALDINI
432 S. BROAD STREET

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

that they were necessary for, have been or
will be applied to County, Court or Special
District purposes.

Authorized Signature

30 December 2011
Date

Dean Bullock
Jared R. Mason
Fay G. Miller

COUNTY OF LANDER

STEVEN STIENMETZ

DATE	INVOICE	AMOUNT	REMARKS
12/13/11	PERS-05-11	18,523.84	PERS FUND REFUND TO EMPLOYEE

CHECK NO 39074 \$18,523.84 **

COUNTY OF LANDER

315 SOUTH HUMBOLDT STREET
BATTLE MOUNTAIN, NV 89820
(775) 635-2573

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039074

94-7074
3212

PAY TO THE ORDER OF

STEVEN STIENMETZ

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
12/16/11 **VOID**	39074 **VOID**	\$18,523.84 **VOID**

VOID**18,523 DOLLARS AND 84 CENTS***

STEVEN STIENMETZ
1000 SKYLINE BLVD. 132-4

BATTLE MOUNTAIN NV 89820

NON-NEGOTIABLE

COUNTY COMMISSION APPROVAL

I certify that the foregoing claim is correct and just; that the articles specified have been received by the proper officials of the County, the Courts and/or Special Districts, or the services stated have been performed; and that they were necessary for, have been or will be applied to County, Court or Special District purposes.

[Signature]

Authorized Signature

Date

[Signature]
Chairman
[Signature]
[Signature]

RECEIVED
DEC 14 2011
L.C. FINANCE

COMMISSIONERS' REPORT

January 12, 2012

CORRESPONDENCE

January 12, 2012

1. Nevada Department of Wildlife, Notice of Sage Grouse Stakeholder Meeting scheduled January 18, 2012 in Carson City, NV.
2. Jeanne M. Higgins, Supervisor, US Forest Service, to Reader, letter regarding Draft Environmental Impact Statement (DEIS) for geothermal leasing on the Humboldt-Toiyabe National Forest.
3. Jeanne M. Higgins, Supervisor, US Forest Service, to Reader, letters regarding recently completed Draft Environmental Impact Statement (DEIS) for geothermal leasing on the Humboldt-Toiyabe National Forest.
4. Nevada Division of Environmental Protection, Notice of Intent, Slaven Canyon Mine project, Baker Hughes Drilling Fluids, Reclamation Permit #0322.
5. Nevada Division of Environmental Protection, Notice of Proposed Action, Water Pollution Control Permit NEV2011105, Slaven Canyon Mine project, Baker Hughes Drilling Fluids.
6. Nevada Division of Environmental Protection, Notice of Decision, Water Pollution Control Permit #NEV0095111, Barrick Cortez, Inc. Pipeline Infiltration Project.
7. Nevada Division of Environmental Protection, Notice of Proposed Action, application for renewal/modification of Water Pollution Control Permit #NEV0093109 for the Barrick Cortez, Inc. Pipeline Project.
8. US Department of the Interior, Bureau of Land Management, Decision - Application Received/Cost Recovery Determined, Case File #NVN-90659, to improve portions of an existing road, Slaven Canyon, Baker Hughes Mine Project.
9. Nancy M. Saitta, Supreme Court of Nevada, to Commissioner Dave Mason, letter regarding FY 2011 Annual Report of the Nevada Judicial Branch.
10. Christopher J. Cook, US Department of the Interior/Bureau of Land Management, to Interested Public, letter regarding proposed decision on the Eagle Butte Wildlife Habitat Enhancement Project.

11. Philip Williams, President/Greater Austin Chamber of Commerce, to Keith Whaley, Humboldt-Toiyabe National Forest, letter regarding Draft Environmental Impact Statement (DEIS) for geothermal leasing on the Humboldt-Toiyabe National Forest.
12. Nevada Division of Environmental Protection, Notice of Proposed Action, Water Pollution Control Permit NEV 2011106, Slaven Canyon Mine Rapid Infiltration Basins (RIBs), Applicant: Baker Hughes Drilling Fluids.

**MONTHLY & QUARTERLY REPORTS TO
LANDER COUNTY COMMISSIONERS**

DECEMBER, 2011

- 1) LANDER COUNTY CLERK – MONIES COLLECTED FOR THE MONTH OF
DECEMBER, 2011**
- 2) AUSTIN JUSTICE OF THE PEACE – MONIES COLLECTED FOR THE MONTH
OF NOVEMBER, 2011**
- 3) AUSTIN JUSTICE COURT – MONIES COLLECTED FOR THE MONTH OF
DECEMBER, 2011**
- 4) ARGENTA JUSTICE COURT – QUARTERLY FINANCIAL STATEMENT FOR
THE MONTHS OF DECEMBER, 2011**
- 5) AGRENTA JUSTICE COURT FINES & FEES COLLECTED FOR THE MONTHS
OF NOVEMBER & DECEMBER, 2011**
- 6) LANDER COUNTY RECORDER – TOTAL AMOUNT REMITTED TO
TREASURER FOR THE MONTHS OF NOVEMBER & DECEMBER, 2011**
- 7) TECHNOLOGY FEES FOR THE MONTH OF NOVEMBER, 2011**

Lander County Clerk's Office
Monies Collected for the Month of:

DECEMBER, 2011

FILED
2012 JAN 6 AM 10:46

SADIE SULLIVAN
DIST. COURT CLERK

TOTAL STATE FEES:	\$ 234.00
TOTAL COUNTY FEES:	\$ 1,168.00
TOTAL LAW LIBRARY FUND:	\$ 75.00
TOTAL DOMESTIC VIOLENCE:	\$ 100.00
TOTAL LEGAL AID FUND:	\$ 81.00
TOTAL DRUG COURT FEES:	\$ 1,440.00
TOTAL MONIES COLLECTED FOR THE MONTH OF <u>December</u>	\$ 3,098.00

Sadie Sullivan

Approved by State Board of Accounts for LANDER County - 2011

To Auditor of LANDER County, NEVADA
Collecting for Period: 10/31/2011 thru 11/30/2011

2011 DEC -5 PM 12:12

Account	Prior Collections	Collections This Period	Year To Date Collections
6I AA FEE - JUSTICE #085-32003	2,486.50	328.00	3,010.00
6I AA FEE - JUVENILE #286-32006	714.50	153.50	868.00
6I AA FEE - STATE (A #090-32005	11,392.00	2,200.00	13,592.00
6I AA FEE - STATE (G #090-000-32013	1,395.00	250.00	1,645.00
6I BAIL FORFEITURES #001-35030	19,351.00	4,482.00	23,833.00
6I BAIL/BOND PROCESSING FEE	60.00	0.00	60.00
6I BOND FILING FEE VICTIMS OF CRIME	60.00	0.00	60.00
6I CIVIL FEES	40.00	0.00	40.00
6I COUNTY FINES/FORF #001-35030	5,514.50	1,477.00	6,991.50
6I DEPARTMENT OF WILDLIFE - COUNTY	0.00	0.00	0.00
6I DEPARTMENT OF WILDLIFE CIVIL FEES	0.00	0.00	0.00
6I DOMESTIC VIOLENCE FEE	0.00	0.00	0.00
6I FACILITY ASSESSME #285-34201	3,140.00	610.00	3,750.00
6I FELONY/GROSS MISD FORF - SPECIALTY CO	0.00	0.00	0.00
6I FELONY/GROSS MISD FORF - VICTIMS OF C	0.00	0.00	0.00
6I FINE - STATE OF N #090-35030	2,899.00	88.00	2,987.00
6I LC98-3 OTHER #01-32009	10.00	0.00	10.00
6I MISCELLANEOUS FEES	7.50	0.00	7.50
6I NON SUFFICIENT FUNDS	0.00	0.00	0.00
6I NRS 4.065 (SB#62) #090-32015	1.00	0.00	1.00
6I OVERPAYMENTS TO THE COUNTY	31.50	5.00	36.50
6I SPECIALTY COURT F #090-32207	2,142.00	420.00	2,562.00
6I SUBSTANCE ABUSE FEE (CHEMICAL FEE)	0.00	0.00	0.00
Totals:	49,244.50	10,209.00	59,453.50

State of NEVADA LANDER County, SS:

I SWEAR THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF ALL COSTS AND
BELONGING TO THE ABOVE NAMED COUNTY COLLECTED BY ME FOR THE PERIOD SHOWN

Judge OF THE AUSTIN JUSTICE COURT



THIS WARNING BAR MUST HAVE A GRAY BACKGROUND WHICH FADES TEMPORARILY WHEN WARMED BY TOUCH OR FRICTION. ADDITIONAL SECURITY FEATURES ARE LISTED ON THE BACK.

JUSTICE OF THE PEACE
AUSTIN TOWNSHIP - CRIMINAL ACCOUNT
P.O. BOX 100
AUSTIN, NV 89310

000952

DATE 12/01/2011 94-7074/3212

PAY
TO THE
ORDER OF

Lander County Treasurer

\$ 10,209.⁰⁰/₁₀₀

Ten Thousand dollars two hundred nine & 00/100

DOLLARS

WELLS FARGO BANK, N.A.
NEVADA

MEMO fine & fee collected Nov 2011

VOID AFTER 90 DAYS

[Signature]

⑈000952⑈ ⑆321270742⑆ 0404029175⑈

JB - 828938

SUPERIOR PRESS • 888-590-7969

Approved by State Board of Accounts for LANDER County - 2011

To Auditor of LANDER County, NEVADA
Collecting for Period: 11/30/2011 thru 12/29/2011

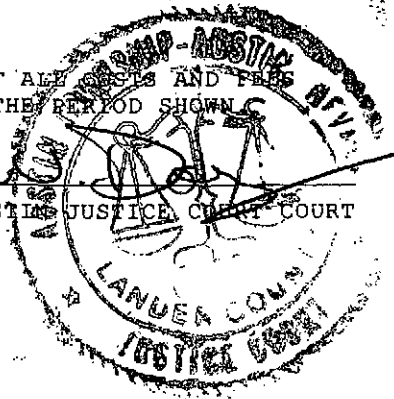
2012 JAN 6 PM 1:53

Account	Prior Collections	Collections This Period	Year To Date Collections
6I AA FEE - JUSTICE #083-32003	3,010.00	392.00	3,402.00
6I AA FEE - JUVENILE #081-32006	868.00	112.00	980.00
6I AA FEE - STATE (A #090-32005	13,592.00	1,866.00	15,458.00
6I AA FEE - STATE (G #090-000-32013	1,645.00	275.00	1,920.00
6I BAIL FORFEITURES #001-35030	23,833.00	2,489.00	26,322.00
6I BAIL/BOND PROCESSING FEE	60.00	0.00	60.00
6I BOND FILING FEE VICTIMS OF CRIME	60.00	0.00	60.00
6I CIVIL FEES	40.00	0.00	40.00
6I COUNTY FINES/FORF #001-35030	6,991.50	188.00	7,179.50
6I DEPARTMENT OF WILDLIFE - COUNTY	0.00	0.00	0.00
6I DEPARTMENT OF WILDLIFE CIVIL FEES	0.00	0.00	0.00
6I DOMESTIC VIOLENCE FEE	0.00	0.00	0.00
6I FACILITY ASSESSME #285-34201	3,750.00	510.00	4,260.00
6I FELONY/GROSS MISD FORF - SPECIALTY CO	0.00	0.00	0.00
6I FELONY/GROSS MISD FORF - VICTIMS OF C	0.00	0.00	0.00
6I FINE - STATE OF N #090-35030	2,987.00	90.00	3,077.00
6I LC98-3 OTHER #01-32009	10.00	0.00	10.00
6I MISCELLANEOUS FEES	7.50	0.00	7.50
6I NON SUFFICIENT FUNDS	0.00	0.00	0.00
6I NRS 4.065 (SB#62) #090-32015	1.00	0.00	1.00
6I OVERPAYMENTS TO THE COUNTY	36.50	8.00	44.50
6I SPECIALTY COURT F #090-32207	2,562.00	350.00	2,912.00
6I SUBSTANCE ABUSE FEE (CHEMICAL FEE)	0.00	0.00	0.00
Totals:	59,453.50	6,280.00	65,733.50

State of NEVADA LANDER County, SS:

I SWEAR THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF ALL COSTS AND FEES BELONGING TO THE ABOVE NAMED COUNTY COLLECTED BY ME FOR THE PERIOD SHOWN.

Judge OF THE AUSTIN JUSTICE COURT COURT



THIS WARNING BAR MUST HAVE A GRAY BACKGROUND WHICH FADES TEMPORARILY WHEN WARMED BY TOUCH OR FRICTION. ADDITIONAL SECURITY FEATURES ARE LISTED ON THE BACK.

JUSTICE OF THE PEACE
AUSTIN TOWNSHIP - CRIMINAL ACCOUNT
P.O. BOX 100
AUSTIN, NV 89310

000957

DATE 12/30/2011 94-7074/3212

PAY
TO THE
ORDER OF

Barde County Treasurer

\$ 6,280.⁰⁰/

Six Thousand Two hundred Eighty Dollars & No/

DOLLARS

WELLS FARGO BANK, N.A.
NEVADA

MEMO fine + fee Collected Dec 2011

VOID AFTER 90 DAYS

Barde

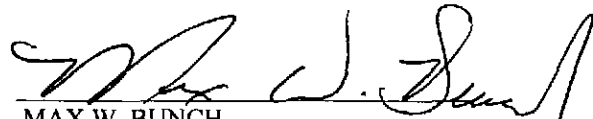
⑈000957⑈ ⑆321270742⑆ 0404029175⑈

FILED
ARGENTA JUSTICE COURT
QUARTERLY FINANCIAL STATEMENT
2012 JAN 3 PM 2:09
SADIE SULLIVAN
DIST. COURT CLERK

I, Max W. Bunch, JUSTICE OF THE PEACE OF ARGENTA TOWNSHIP, LANDER COUNTY, NEVADA, DO HEREBY SWEAR, UNDER OATH, THAT THE FOLLOWING IS A TRUE AND CORRECT ACCOUNTING OF ALL FEES RECEIVED BY ME FOR THE QUARTER ENDING DECEMBER, 2011.

Alexander	(WEDDING)	\$ 45.00
Carpenter	(WEDDING)	\$ 45.00
Shea	(WEDDING)	\$ 45.00
Carrillo	(WEDDING)	\$ 45.00
Pace	(WEDDING)	\$ 45.00

TOTAL \$ 225.00


MAX W. BUNCH
JUSTICE OF THE PEACE

State of Nevada
County of Lander



SUBSCRIBED AND SWORN TO BEFORE ME
THIS 3rd, DAY OF JANUARY, 2012


NOTARY PUBLIC

FINES & FEES MONTH OF NOVEMBER 2011

FILED
Disbursed Total
26,944.72

2012 JAN 6 PM 2:24
SAULT STEPHENSON
DIST. COURT CLERK


Account	Payee Name	Check Number	Check Status Code	Disbursed Amount	Number of Cases
6H AA FEE - STATE (AOC)	LANDER COUNTY TREASURER	N/A	N/A		136
6H AA FEE - JUSTICE	LANDER COUNTY TREASURER	N/A	N/A		131
6H AA FEE - JUVENILE	LANDER COUNTY TREASURER	N/A	N/A		131
6H AA FEE - STATE (GENERAL)	LANDER COUNTY TREASURER	N/A	N/A	755.00	126
6H BAIL/BOND PROCESSING FEE BOND FEES	LANDER COUNTY TREASURER	N/A	N/A	140.00	7
6H CIVIL FEES	LANDER COUNTY TREASURER	N/A	N/A	1,048.00	46
6H COLLECTION FEES	LANDER COUNTY TREASURER	N/A	N/A	167.74	9
6H DEPARTMENT OF WILDLIFE - COUNTY	LANDER COUNTY TREASURER	N/A	N/A	150.00	1
6H FACSIMILE FEES	LANDER COUNTY TREASURER	N/A	N/A	27.00	0
6H COUNTY FINES/FORECLOSURES	LANDER COUNTY TREASURER	N/A	N/A	5,270.50	16
6H FACILITY ASSESSMENT FEE	LANDER COUNTY TREASURER	N/A	N/A	1,638.50	134
6H LC98-3 OTHER	LANDER COUNTY TREASURER	N/A	N/A	450.00	45
6H SUBSTANCE ABUSE FEE (CHEMICAL FEE)	LANDER COUNTY TREASURER	N/A	N/A	133.00	3
6H NRS 4.065 (SB#62)	LANDER COUNTY TREASURER	N/A	N/A	45.00	45
6H SPECIALTY COURT FEE (MISD)	LANDER COUNTY TREASURER	N/A	N/A	1,136.00	134
6H STATE FORECLOSURES	LANDER COUNTY TREASURER	N/A	N/A	8,683.98	121
6H BOND FILING FEE VICTIMS OF CRIME	LANDER COUNTY TREASURER	N/A	N/A	140.00	7

*** End of Report ***

STATE OF NEVADA
COUNTY OF LANDER

MAX W. BUNCH, Justice of the Peace of Argenta Township, Lander County, Nevada,
being first duly sworn deposes and says:
That all causes and matters heretofore submitted to him have been decided.
That since filing my last report the above fines have been collected, which are being
submitted to the Treasurer of Lander County.

Subscribed and sworn to before me this 30TH day of NOVEMBER, 2011.


Justice of the Peace

FINES & FORFEITS MONTH OF DECEMBER 2011

FILED

2011 DEC 30 PM 3:59

Disbursed Total

28,284.95

Account	Payee Name	Check Number	Check Status	Disbursed Amount	Number of Cases
6H AA FEE - STATE (AOC)	LANDER COUNTY TREASURER	N/A	N/A	6,412.00	169
6H AA FEE - JUSTICE	LANDER COUNTY TREASURER	N/A	N/A	1,309.00	168
6H AA FEE - JUVENILE	LANDER COUNTY TREASURER	N/A	N/A	374.00	168
6H AA FEE - STATE (GENERAL)	LANDER COUNTY TREASURER	N/A	N/A	900.00	166
6H BAIL/BOND PROCESSING FEE BOND FEES	LANDER COUNTY TREASURER	N/A	N/A	60.00	3
6H CIVIL FEES	LANDER COUNTY TREASURER	N/A	N/A	585.00	25
6H COLLECTION FEES	LANDER COUNTY TREASURER	N/A	N/A	126.92	8
6H COPY FEES	LANDER COUNTY TREASURER	N/A	N/A	15.00	0
6H FACSIMILE FEES	LANDER COUNTY TREASURER	N/A	N/A	65.00	0
6H FINE - STATE OF NEVADA	LANDER COUNTY TREASURER	N/A	N/A	50.00	1
6H COUNTY FINES/FORFEITURES	LANDER COUNTY TREASURER	N/A	N/A	5,010.00	25
6H FACILITY ASSESSMENT FEE	LANDER COUNTY TREASURER	N/A	N/A	1,880.00	169
6H LC98-3 OTHER	LANDER COUNTY TREASURER	N/A	N/A	250.00	25
6H MARRIAGE FEE - STATE	LANDER COUNTY TREASURER	N/A	N/A	5.00	0
6H SUBSTANCE ABUSE FEE (CHEMICAL FEE)	LANDER COUNTY TREASURER	N/A	N/A	167.00	3
6H NRS 4.065 (SB#62)	LANDER COUNTY TREASURER	N/A	N/A	25.00	25
6H SPECIALTY COURT FEE (MISD)	LANDER COUNTY TREASURER	N/A	N/A	1,324.00	169
6H STATE FORFEITURES	LANDER COUNTY TREASURER	N/A	N/A	9,667.03	151
6H BOND FILING FEE VICTIMS OF CRIME	LANDER COUNTY TREASURER	N/A	N/A	60.00	3

*** End of Report ***

STATE OF NEVADA
COUNTY OF LANDER

MAX W. BUNCH, Justice of the Peace of Argenta Township, Lander County, Nevada,
being first duly sworn deposes and says:
That all causes and matters heretofore submitted to him have been decided.
That since filing my last report the above fines have been collected, which are being
submitted to the Treasurer of Lander County.

Subscribed and sworn to before me this 30TH day of DECEMBER, 2011.

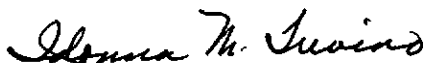
Max W. Bunch
Justice of the Peace

Lander County Recorder
Idonna M. Trevino
315 South Humboldt Street
Battle Mountain, NV 89820

MONTHLY REPORT

The following fees were collected for the period of DEC 1, 2011 through DEC 31, 2011.

<u>ACCOUNT</u>	<u>AMOUNT</u>
RECORDINGS	\$1,562.00
NON STD DOC FEE	\$400.00
OUTSTANDING RCD	\$0.00
OVERPYMT KEPT	\$1.07
OVERPYMT VOUCHER	\$16.00
AB 6 NOD FORECLOSURE MEDIATION FUND	\$0.00
AB 6 NOD BUDGET SHORTFALL	\$0.00
AB 259 NOD INDIGENT	\$0.00
REAL PROPERTY TRANSFER TAX (General)	\$1,652.20
REAL PROPERTY TRANSFER TAX (State .10)	\$300.40
REAL PROPERTY TRANSFER TAX (State 1.30)	\$3,905.20
COPY WORK	\$491.28
SB 14 DOMESTIC VIOLENCE FUND	\$0.00
POSTAGE	\$0.00
TECHNOLOGY FEE	\$312.00
FOSTER CARE (State)	\$104.00
DEPARTMENT OF MINERALS (State)	\$238.00
AB 6 AFFIDAVIT CLAIMS HELD	\$0.00
MAPS	\$420.00
TOTAL AMOUNT REMITTED TO TREASURER:	\$9,402.15



Idonna M Trevino
Recorder
1/4/2012

Lander County Recorder

Idonna M. Trevino
315 South Humboldt Street
Battle Mountain, NV 89820

FILED

2011 DEC -2 AM 8:54

MONTHLY REPORT

SADIL SULLIVAN
DIST COURT CLERK

The following fees were collected for the period of NOV 1, 2011 through NOV 30, 2011.

<u>ACCOUNT</u>	<u>AMOUNT</u>
RECORDINGS	\$4,629.00
NON STD DOC FEE	\$525.00
OUTSTANDING RCD	\$0.00
OVERPYMT KEPT	\$2.00
OVERPYMT VOUCHER	\$13.00
AB 6 NOD FORECLOSURE MEDIATION FUND	\$0.00
AB 6 NOD BUDGET SHORTFALL	\$0.00
AB 259 NOD INDIGENT	\$0.00
REAL PROPERTY TRANSFER TAX (General)	\$3,270.85
REAL PROPERTY TRANSFER TAX (State .10)	\$594.70
REAL PROPERTY TRANSFER TAX (State 1.30)	\$7,731.10
COPY WORK	\$932.35
SB 14 DOMESTIC VIOLENCE FUND	\$10.00
POSTAGE	\$0.00
TECHNOLOGY FEE	\$1,173.00
FOSTER CARE (State)	\$391.00
DEPARTMENT OF MINERALS (State)	\$3,009.00
AB 6 AFFIDAVIT CLAIMS HELD	\$0.00
MAPS	\$4,680.00
TOTAL AMOUNT REMITTED TO TREASURER:	\$26,961.00

Idonna M. Trevino

Idonna M Trevino

Recorder

12/2/2011

FILED

2011 DEC -8 AM 8:21

REPORTING MONTH OF November 2011

FUND #300--TECHNOLOGY FEES

RECORDER

BEGINNING BALANCE-Nov 2011	\$23,716.63
REVENUE	\$1,173.00
Expenditures	(59.95)
Interest	\$1.97
ENDING BALANCE-Nov 2011	\$24,831.65

SADIE SULLIVAN
DIST. COURT CLERK

ASSESSOR


BEGINNING BALANCE-Nov 2011	\$1,886,233.37
REVENUE	\$67.85
EXPENDITURES	(1,000.00)
Refund	-
Interest	\$162.37
ENDING BALANCE-Nov 2011	\$1,885,463.59

CLERK

BEGINNING BALANCE Nov 2011	\$27.42
REVENUE	\$0.00
EXPENDITURES	\$0.00
Interest	\$0.01
ENDING BALANCE-Nov 2011	\$27.43

TOTALS

Nov 2011 Beginning Balance	\$1,909,977.42
Recorder	\$1,115.02
Assessor	-\$769.78
CLERK	\$0.01
Nov 2011 Ending Balance	\$1,910,322.67


Lander County Treasurer/Grace Powrie

Run: 12/02/14 08:03:31

TREASURER'S ACCOUNTING LEDGER

FOR ACCOUNTS: 000 THRU 999 - 11/01/11 THRU 11/30/11

Receipt Description	Act TP	Date	Debit Amount	Credit Amount	Balance	Pft No.
ACCOUNT-300 TECHNOLOGY FEES	TYPE- FUND					
			Beginning Balance		1,909,977.42	
47438 WEEK ENDING 11-04-11	300 CR	11/07/11	147.00		1,910,124.42	300-000-32221-000 RECORDER TECH FEES
47453 WEEK ENDING 11-10-11	300 CR	11/14/11	246.00		1,910,370.42	300-000-32221-000 RECORDER TECH FEES
11171 COMM BILLS 11-17-11	300 DS	11/18/11		1,059.95	1,909,310.47	300-000-00000-000
47508 WEEK ENDING 11-18-11	300 CR	11/21/11	96.00		1,909,406.47	300-000-32221-000 RECORDER TECH FEES
47515 WEEK ENDING 11-23-11	300 CR	11/28/11	9.00		1,909,415.47	300-000-32221-000 RECORDER TECH FEES
47535 2011-12 REAL PROP	300 CR	11/30/11	48.41		1,909,463.88	300-000-32223-000 ASSESSOR TECH FEES
47536 2010-11 PERS PROP	300 CR	11/30/11	.09		1,909,463.97	300-000-32223-000 ASSESSOR TECH FEES
47537 2011-12 PERS PROP	300 CR	11/30/11	19.35		1,909,483.32	300-000-32223-000 ASSESSOR TECH FEES
47548 WEEK ENDING 11-30-11	300 CR	11/30/11	675.00		1,910,158.32	300-000-32221-000 RECORDER TECH FEES
47555 WF INVEST ACCT DEC/11	300 CR	11/30/11	1.97		1,910,160.29	300-000-38007-000 INTEREST-RECORDER
47555 WF INVEST ACCT DEC/11	300 CR	11/30/11	162.37		1,910,322.66	300-000-38009-000 INTEREST-ASSESSOR
47555 WF INVEST ACCT DEC/11	300 CR	11/30/11	.01		1,910,322.67	300-000-38013-000 INTEREST-DIST. COURT
			1,059.95	1,405.20		

ACCOUNT-300 TECHNOLOGY FEES

ENDING BALANCE

1,910,322.67

300 TECHNOLOGY FEES
PERIOD ENDING 11/30/11

	FINAL AMENDED BUDGET	***** CURRENT PERIOD	***** ACTUAL YEAR TO DATE	OVER - UNDER BUDGET	%
REVENUES					
32221 RECORDER TECH FEES	6,500.00	1,173.00	4,026.00	2,474.00	61
32223 ASSESSOR TECH FEES	.00	67.85	20,231.99	20,231.99-	0
32224 DIST COURT TECH FEES	.00	.00	.00	.00	0
38007 INTEREST-RECORDER	170.00	1.97	7.44	162.56	4
38009 INTEREST-ASSESSOR	2,295.00	162.37	666.69	1,628.31	29
38013 INTEREST-DIST. COURT	.00	.01	.04	.04-	0
38046 ASSESR TECH NET PRO	.00	.00	.00	.00	0
38080 MISCELLANEOUS REVENU	.00	.00	.00	.00	0
TOTAL REVENUES	8,965.00	1,405.20	24,932.16	15,967.16-	278
EXPENDITURES					
067 RECORDER					
53920 SERVICE AND SUPPLIES	14,000.00	59.95	59.95	13,940.05	0
53991 MINOR EQUIP/FURNITUR	2,000.00	.00	.00	2,000.00	0
59950 MISCELLANEOUS	500.00	.00	.00	500.00	0
TOTAL RECORDER	16,500.00	59.95	59.95	16,440.05	0
068 ASSESSOR					
53920 SERVICE AND SUPPLIES	100,000.00	1,000.00	12,229.89	87,770.11	12
53991 MINOR EQUIP/FURNITUR	300,000.00	.00	27,137.49	272,862.51	9
54010 NEW FIXED ASSETS	300,000.00	.00	33,579.60	266,420.40	11
TOTAL ASSESSOR	700,000.00	1,000.00	72,946.98	627,053.02	10
069 DISTRICT COURT					
53920 SERVICE AND SUPPLIES	25.00	.00	.00	25.00	0
53991 MINOR EQUIP/FURNITUR	.00	.00	.00	.00	0
TOTAL DISTRICT COURT	25.00	.00	.00	25.00	0
TOTAL EXPENDITURES	716,525.00	1,059.95	73,006.93	643,518.07	10
NET REV & EXPENDITURE	707,560.00-	345.25	48,074.77-	659,485.23-	6
=====					

Sage-Grouse Stakeholder Meeting

Save-the-Date

When: January 18, 2012 – 2:00pm
Where: Carson City, NV and video conference to Elko and Las Vegas
Carson City, Nevada Legislative Building, 401 South Carson Street, CC1214
Las Vegas, Grant Sawyer Building, 555 East Washington Avenue, Room 4412E
Elko, Great Basin College, 1500 College Parkway, High Tech Center, Room 121
Re: Stakeholder Update: Bi-state and Greater Sage-grouse Plans, Actions & Opportunities for Engagement

The Nevada Department of Wildlife will jointly host a stakeholder update and engagement session on issues related to the potential full listing of sage-grouse on January 18th at 2pm. The meeting will be held in Carson City and linked via video conference to Elko and Las Vegas. Detailed agenda to follow.

The meeting will provide an overview of the coordinated efforts to conserve and avoid listing the Bi-state and Greater sage-grouse under the Federal Endangered Species Act. Stakeholders will also be informed of opportunities to engage and provide input to the sage-grouse management plans and conservation efforts.

Representatives from the US Fish and Wildlife Service, Bureau of Land Management, US Forest Service, Natural Resources Conservation Service and Nevada Department of Wildlife will present updates and program overviews; representatives from the Nevada Department of Conservation and Natural Resources, Nevada Department of Agriculture, and Nevada State Office of Energy will also be in attendance to field questions.

Please distribute this save-the-date notice to any interested party – the public and all stakeholders are welcome and encouraged to attend.

For more information, contact NDOW Conservation Education Chief Teresa Moiola (775-688-1555 or tmoiola@ndow.org).



Kenneth E. Mayer, Director
Nevada Department of Wildlife
1100 Valley Rd.
Reno, Nevada 89512
(775) 688-1590
(775) 688-1207-Fax
Email: kemayer@ndow.org

Support Nevada's Wildlife... Buy a Hunting and Fishing License

RECEIVED

DEC 19 2011

COUNTY COMMISSION

Correspondence #2
12/19/2011



United States
Department of
Agriculture

Forest
Service

Humboldt-Toiyabe
National Forest

1200 Franklin Way
Sparks, NV 89431-6432
(775) 331-6444 Fax (775) 355-5399

File Code: 1950

Date:

DEC 16 2011

Dear Reader:

Provided on the enclosed CD is one copy of the Draft Environmental Impact Statement (DEIS) for Geothermal Leasing on the Humboldt-Toiyabe National Forest. We recently completed this DEIS for the project, which is also available on the World Wide Web at:

<http://www.fs.usda.gov/goto/htnf/geothermal>

The document is also available in hard copy upon request from the Forest Offices listed below.

Under the Proposed Action, the Forest Service would consent to lease up to approximately 615,230 acres of National Forest System (NFS) land that are administratively available for geothermal leasing. The lands encompass:

- 1) Most of the Nevada portion of the Bridgeport Ranger District (602,115 acres)
- 2) One area on the Austin Ranger District (3,961 acres)
- 3) One area on the Tonopah District (166 acres)
- 4) One area on the Ely Ranger District (3,538 acres)

I invite your comments on this project. The National Environmental Policy Act (NEPA) provides for a 45-day public comment period for a DEIS. Comments on the DEIS should be specific and address the adequacy of the document and the merits of the alternatives discussed (40 CFR 1503.3). The decision for this project will be subject to the appeal process pursuant to Forest Service regulations at 36 CFR 215. Only those who provide comment on the DEIS during the comment period may participate in the 215 appeal process. My final decision will be documented in a Record of Decision based on the Final Environmental Impact Statement (FEIS). Your input at this time is important in making sure concerns are addressed in this FEIS.

Mailed, facsimile, hand-delivered, oral, and electronic comments on this action will be accepted for 45 calendar days following the publication in the Federal Register of a Notice of Availability for the project DEIS. The publication date in the Federal Register is the exclusive means for calculating the comment period for this DEIS. Those wishing to comment should not rely upon dates or timeframe information provided by any other source.

Mailed comments should be submitted to Keith Whaley, Project Coordinator, HC 62 Box 1000, Bridgeport, CA 93517. Alternatively, comments may be submitted by facsimile at (760) 932-5899.

* CD available in Executive Director's office.

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DEC 19 2011

COUNTY COMMISSION



Caring for the Land and Serving People

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Oral comments can also be provided at the following offices during normal business hours via telephone or in person:

Forest Supervisor's Office
1200 Franklin Way
Sparks, NV
(775) 335- 5399

Austin Ranger District
100 Midas Road
Austin, NV 89310
(775)964-2671

Bridgeport Ranger District
Hwy 395 South
Bridgeport, CA 93517
(760) 932-7070

Ely Ranger District
825 Avenue E
Ely, NV 89301
(775)289-3031

Hand-delivered copies may be also left at the addresses listed during office business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays.

Electronic comments must be submitted in a format such as an email message, plain text (.txt), Portable Document Format (.pdf), rich text format (.rtf), or Word (.doc or .docx) , and be sent to:

comments-intermtn-humboldt-toiyabe@fs.fed.us.

For email, please enter Geothermal DEIS in the subject line. Comments must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic documents.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record for this project and will be available for public inspection and will be released if requested under the Freedom of Information Act.

A public open house for this project will also be held on January 20th at the Forest Supervisor's Office, 1200 Franklin Way, Sparks, NV. The open house will be held from 4:00 p.m. to 7:00 p.m. We invite you to attend and learn more about this project.

If you have any questions or need additional information, please contact Keith Whaley, Project Coordinator, (760) 932-7070 or kwhaley@fs.fed.us. Thank you again for your interest in management of the Humboldt-Toiyabe National Forest.

Sincerely,



JEANNE M. HIGGINS

for Forest Supervisor

Enclosure: 1 CD

cc: Jose Noriega, Steven Williams, Mike Crawley



United States
Department of
Agriculture

Forest
Service

Humboldt-Toiyabe
National Forest

1200 Franklin Way
Sparks, NV 89431-6432
(775) 331-6444 Fax (775) 355-5399

File Code: 1950

DEC 16 2011

Dear Reader:

The Humboldt-Toiyabe National Forest has recently completed a Draft Environmental Impact Statement (DEIS) for Geothermal Leasing on the Humboldt-Toiyabe National Forest. A copy of this DEIS and other related documents are available on the World Wide Web at:

<http://www.fs.usda.gov/goto/htnf/geothermal>. The document is also available on CD-ROM or in hard copy upon request from the Forest Offices listed below.

Under the Proposed Action, the Forest Service would consent to lease up to approximately 615,230 acres of National Forest System (NFS) land that are administratively available for geothermal leasing. The lands encompass:

- 1) Most of the Nevada portion of the Bridgeport Ranger District (602,115 acres)
- 2) One area on the Austin Ranger District (3,961 acres)
- 3) One area on the Tonopah District (166 acres)
- 4) One area on the Ely Ranger District (3,538 acres)

I invite your comments on this project. The National Environmental Policy Act (NEPA) provides for a 45-day public comment period for a DEIS. Comments on the DEIS should be specific and address the adequacy of the document and the merits of the alternatives discussed (40 CFR 1503.3). The decision for this project will be subject to the appeal process pursuant to Forest Service regulations at 36 CFR 215. Only those who provide comment on the DEIS during the comment period may participate in the 215 appeal process. My final decision will be documented in a Record of Decision based on the Final Environmental Impact Statement (FEIS). Your input at this time is important in making sure concerns are addressed in this FEIS.

Mailed, facsimile, hand-delivered, oral, and electronic comments on this action will be accepted for 45 calendar days following the publication in the Federal Register of a Notice of Availability for the project DEIS. The publication date in the Federal Register is the exclusive means for calculating the comment period for this DEIS. Those wishing to comment should not rely upon dates or timeframe information provided by any other source.

Mailed comments should be submitted to Keith Whaley, Project Coordinator, HC 62 Box 1000, Bridgeport, CA 93517. Alternatively, comments may be submitted by facsimile at (760) 932-5899.

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DEC 20 2011

COUNTY COMMISSION



Oral comments can also be provided at the following offices during normal business hours via telephone or in person:

Forest Supervisor's Office
1200 Franklin Way
Sparks, NV
(775) 335- 5399

Austin Ranger District
100 Midas Road
Austin, NV 89310
(775) 964-2671

Bridgeport Ranger District
Hwy 395 South
Bridgeport, CA 93517
(760) 932-7070

Ely Ranger District
825 Avenue E
Ely, NV 89301
(775) 289-3031

Hand-delivered copies may be also left at the addresses listed during office business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays.

Electronic comments must be submitted in a format such as an email message, plain text (.txt), Portable Document Format (.pdf), rich text format (.rtf), or Word (.doc or .docx) , and be sent to:

comments-intermtn-humboldt-toiyabe@fs.fed.us.


For email, please enter Geothermal DEIS in the subject line. Comments must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic documents.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record for this project and will be available for public inspection and will be released if requested under the Freedom of Information Act.

A public open house for this project will also be held on January 20th at the Forest Supervisor's Office, 1200 Franklin Way, Sparks, NV. The open house will be held from 4:00 p.m to 7:00 p.m. We invite you to attend and learn more about this project.

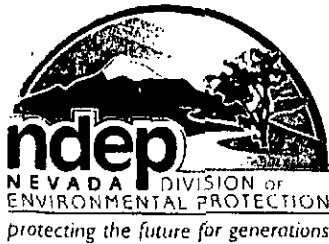
If you have any questions or need additional information, please contact Keith Whaley, Project Coordinator, (760) 932-7070 or kwhaley@fs.fed.us. Thank you again for your interest in management of the Humboldt-Toiyabe National Forest.

Sincerely,



JEANNE M. HIGGINS
Forest Supervisor

cc: Jose Noriega, Steven Williams, Mike Crawley



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Notice of Intent

Correspondence #4
12/28/2011

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

by the

State of Nevada

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DEC 28 2011

COUNTY COMMISSION

The Administrator of the Division of Environmental Protection gives notice that an application for a Reclamation Permit for a mining operation for the Slaven Canyon Mine project has been properly filed with the Division of Environmental Protection in Carson City. The applicant for Permit # 0322 is:

Baker Hughes Drilling Fluids
P.O. Box 277
Battle Mountain, NV 89820

This project, will be located within Lander County, and is in Section 3, Township 30 North, Range 46 East, M.D.B. & M, approximately fifteen miles from the community of Battle Mountain, Nevada. The project is a barite mine that includes two open pits, one waste rock dump, crushing and screening facilities.

The Administrator is constrained to issue the reclamation permit or to deny the application. The Administrator has made the tentative decision to issue the reclamation permit.

Persons wishing to submit written comments or information on the draft of the permit must do so in writing no later than by 5 PM on January 19, 2012. Any person who is directly affected by the application for a permit may request, in writing, a public hearing on the application for a permit. The request must state the reason for the request and the issues to be raised at the hearing. This request must be submitted, in writing, no later than by 5 PM on January 19, 2012, to:

Nevada Division of Environmental Protection
Bureau of Mining Regulation and Reclamation
901 S. Stewart St. Ste 4001
Carson City, NV 89701

All comments, objections or requests received during the public notice period will be considered in the final determination regarding this Reclamation Permit. If the Division determines written comments or requests are reasonable and indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 519A.200. The Division will accept written comments in the form of facsimile, e-mail, or by mail. The comments may also be hand delivered.

The draft Reclamation Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS Chapter 239.010. For more information contact Richard Gantt at (775) 687-9410, or visit the Bureau of Mining Regulation and Reclamation website at <http://ndep.nv.gov/bmrr/bmrr01.htm>



**STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING REGULATION AND RECLAMATION
RECLAMATION PERMIT**

PERMITTEE: Baker Hughes Drilling Fluids
P.O. Box 277
Battle Mountain, NV 89820

PROJECT NAME: Slaven Canyon Mine Project

PROJECT LOCATION: Section 13, Township 30 North, Range 46 East, M.D.B. & M.,
Lander County, Nevada

PERMIT NUMBER: 0322 **BLM CASE NUMBER:** N/A

PROJECT TYPE: Mine Project **AMENDMENTS:** (None)

Pursuant to Nevada Revised Statutes (NRS) 519A.010 to 519A.280, inclusive, and regulations promulgated thereunder by the State Environmental Commission as Nevada Administrative Code (NAC) 519A.010 to 519A.415, inclusive, and implemented by the Division of Environmental Protection (hereinafter the Division), this permit authorizes **Baker Hughes Drilling Fluids** to reclaim the **Slaven Canyon Mine Project** consistent with the conditions of this permit and the reclamation plans dated, November 2011 entitled, Plan of Operations and Reclamation Plan, Slaven Canyon Mine.

This permit issued this ## day of Month, 2011, is valid for the life of the project unless it is modified, suspended or revoked by the Division. The permit will not now or in the future serve as a determination of ownership or the validity of any mining claim to which it might relate.

This permit becomes effective upon receipt, by the Division, of an acceptable surety or verification from the federal land management agency that an acceptable surety has been posted. A surety is required by NAC 519A.350 prior to engaging in the activities authorized by this permit.

Bruce Holmgren, P.E., Chief
Bureau of Mining Regulation and Reclamation

PERMIT LIMITATIONS AND REQUIREMENTS:

1. Permitted Disturbances

A. All disturbances are located on private land.

Type of Disturbance	Acres
Access and Light Duty Roads	15.1
Haul Roads	11.3
North Pit	8.7
Main Pit	27.9
Waste Rock Dump	65.0
Rapid Infiltration Basins	0.8
Storm Water Pond	0.9
Yards (laydown area, stockpiles and buildings)	19.5
Existing miscellaneous disturbance	22.9
Total	162.1

B. Drill holes will be plugged in accordance with the provisions specified in Chapter 534 of the Nevada Administrative Code. No drill holes will remain unplugged at any one time.

2. Departure from Approved Plan for Reclamation

A. Except in the case of an emergency, the operator may not depart from the approved plan for reclamation without a modification approved by the Division.

B. When an operator submits an amended plan of operation to the federal agency, a copy shall also be filed with the Division.

3. Fees

A. On or before April 15 of each year submit the fees as required by NAC 519A.235.

B. On or before April 15 of each year submit the fees as required by NRS 519A.260.

4. Reports

A. On or before April 15 of each year, the operator shall submit a report (NRS 519A.260), in a format specified by the Division, relating to the status and production of the operation and identifying each acre of land affected and land reclaimed by the operation.

PERMIT LIMITATIONS AND REQUIREMENTS:**5. Project Completion, Abandonment or Suspension of Work**

A. The Division shall be notified in writing within 90 days after an operation is complete or abandoned. The notice must state the date on which the activities for reclamation will begin as specified in NAC 519A.320.

B. The Division shall be notified in writing within 90 days after work is suspended at the operation for more than 120 days. The notice must state the nature and reason for the suspension; the anticipated duration of the suspension; and any event which would reasonably be expected to result in either the resumption of activities or the abandonment of the operation. The Operator is not required to notify the Division of a temporary closure caused by weather conditions.

6. Surety

A. The operator shall file and maintain an acceptable surety as specified in NAC 519A.350 to ensure that reclamation will be completed.

B. Within 3 years after the effective date of this permit and at least every 3 years thereafter, the operator shall review the surety amount to determine whether it is still adequate to execute the approved reclamation plan. Inflation must be considered.

C. The operator shall notify the Division and the appropriate Federal Land Management Agency(s) of the results of the surety review, and within 120 days of its completion, verify that the current surety is adequate, increase the surety, or request a decrease in the surety.

D. The operator must provide documentation on reclamation work completed, before any portion of the surety may be released. (See Attachment A).

7. Inspection of Exploration Project and/or Mining Operation

A. The operator shall allow authorized representatives of the Division, and the appropriate federal land management agency(s) to inspect the operation, during normal business hours, to determine compliance with the terms and conditions of this permit and the status of reclamation activities.

8. General Requirements

A. The operator shall maintain a copy of this permit and all modifications at the

PERMIT LIMITATIONS AND REQUIREMENTS:

permitted project or operation at all times.

B. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit, shall not be affected.

C. Any noncompliance with this permit shall be reported orally to the Division within 48 hours of the time the operator has knowledge of the circumstances. A written summary shall be provided within 10 days after the oral report is made.

D. Any changes in the Operator's name or address shall be reported within 10 days to the Division in writing, and must indicate the permit number and appropriate changes.

E. Any changes in Corporation/Partnership/Proprietorship name, officers, or address shall be reported within 10 days to the Division in writing, and must indicate the permit number and appropriate changes.

F. The operator shall meet the revegetation standards as set forth in Attachment B.

G. An operator who initiates reclamation activities prior to meeting chemical stabilization (closure) requirements will be responsible to provide a surety for and to repair any reclaimed areas which may be re-affected by closure activities.

9. Schedule of Compliance

The permittee shall achieve compliance in accordance with the following schedule:

1. On or before July 1, 2012 collect data and establish the site-specific revegetation release criteria for this project in accordance with the Attachment B guideline included with this permit.

ATTACHMENT A

Documentation of Reclamation Activities for Surety Release

An operator may request surety release in accordance with applicable State and Federal regulations. The following documentation must be submitted simultaneously to the Nevada Division of Environmental Protection (NDEP) and the Federal land management agency prior to the agencies conducting a site inspection:

MINING OPERATIONS

1. **Map(s)** clearly identifying the area, noting specific treatments and sampling locations (as applicable).
2. Description of the following activities:
 - A. **Earthwork:**
 - 1) The number of acres regraded and/or ripped.
 - 2) Final slope angles left after regrading.
 - 3) Methodology used to check final slope angles (e.g., clinometer, transit, etc.).
 - 4) The number of acres that received topsoil/growth medium.
 - 5) Depth and source of topsoil/growth medium and application method.
 - 6) Dates of initiation and completion of activities.
 - B. **Revegetation Activities:**
 - 1) The number of acres that were seeded and/or planted.
 - 2) Seed bed preparation methods utilized.
 - 3) Seeding/planting methods used (e.g., broadcast seeding, etc.).
 - 4) Provide information on how seed was covered.
 - 5) Seed mix and seeding rate; document by maintaining seed tags and any testing results (PLS, germination, noxious weeds, etc.).
 - 6) The number of acres that received fertilization, mulch or amendments.
 - 7) Fertilizer (N-P-K, type, application rate, application method).
 - 8) Mulches and soil amendments (type, application rate, and application method).
 - 9) Date of initiation and completion of activities (such as seeding, seed bed prep, irrigation).
 - C. **Final Revegetation Sampling:**
 - 1) Adjacent representative vegetation type or range site description (baseline data).
 - 2) Sampling method (e.g., line intercept).
 - 3) Number of samples taken (disturbed and adjacent representative sites).
 - 4) Statement of methodology demonstrating sample size, adequacy and how the location of sampling sites were determined.
 - 5) Results of sampling (copy of sampling worksheet) for disturbed and representative areas. Indicate all perennial species located.
 - 6) Dates of sampling.
 - D. **Other reclamation activities** such as; structure and debris removal, safety feature installation, erosion control treatment, equipment removal or other permit requirements.
3. Detailed calculation of the surety amount proposed for release if applicable.
4. Prior to release, a field inspection is required to verify that reclamation has been performed in accordance with the approved reclamation plan and permit.

ATTACHMENT A

Documentation of Reclamation Activities for Surety Release

An operator may request surety release in accordance with applicable State and Federal regulations. The following documentation must be submitted simultaneously to Nevada Division of Environmental Protection (NDEP) and the Federal land management agency prior to the agencies conducting a site inspection:

EXPLORATION PROJECTS

1. **Map(s)** clearly identifying the area, noting specific treatments and sampling locations (as applicable).
2. Description of the following activities:
 - A. **Earthwork:**
 - 1) The number of acres regraded.
 - 2) Dates of initiation and completion of activities.
 - B. **Revegetation Activities:**
 - 1) The number of acres that were seeded and/or planted.
 - 2) Seed bed preparation methods utilized.
 - 3) Seeding/planting methods used (e.g., broadcast seeding, etc.).
 - 4) Provide information on how seed was covered.
 - 5) Seed mix and seeding rate; document by maintaining seed tags and any testing results (PLS, germination, noxious weeds, etc.).
 - 6) The number of acres that received fertilization, mulch or amendments.
 - 7) Fertilizer (N-P-K, type, application rate, application method).
 - 8) Mulches and soil amendments (type, application rate, and application method).
 - 9) Date of initiation and completion of activities.
 - C. **Other reclamation activities** such as; drillhole plugging, structure and debris removal, safety feature installation, erosion control treatment, equipment removal or other permit requirements.
3. Detailed calculation of the surety amount proposed for release if applicable.
4. Prior to release, a field inspection is required to verify that reclamation has been performed in accordance with the approved reclamation plan and permit.

ATTACHMENT B

NEVADA GUIDELINES FOR SUCCESSFUL REVEGETATION FOR THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, THE BUREAU OF LAND MANAGEMENT AND THE U.S.D.A. FOREST SERVICE

I. MINING PLANS-OF-OPERATIONS

A. Reclaimed Desired Plant Communities for Mining Operation Disturbances

Reclamation goals for mining disturbances are 1) stabilize the site, and 2) establish a productive community based on the applicable land use plan and designated post-mining land uses. To meet these goals, a Reclaimed Desired Plant Community (RDPC) should be selected for use on the disturbed mine sites. A RDPC is defined as:

A perennial plant community established on a disturbed site which contributes to stability through management and land treatment, and which produces that type and amount of vegetation necessary to meet or exceed both the land use and activity plan objective established for the site.

Several RDPCs may be selected based on site-specific revegetation goals and variable site characteristics for the mining disturbances. When selecting RDPCs, major alterations in reconstructed soils and the subsequent effect of this on the site's capability to establish and sustain the desired vegetation must be considered. A RDPC must have a reasonable chance for success when making the selection.

The plant community for the RDPC should be diverse, and when appropriate for the site should include grasses, forbs, shrubs and/or trees. The RDPC shall be comprised of species native to the area, or introduced species where the need is documented for inclusion to achieve the approved post-mining land use. The RDPC must meet the requirements of applicable State and Federal seed, poisonous and noxious plants, and introduced species laws or regulations. All RDPCs must be approved by the agencies. Plants for RDPCs may be selected using one or more of the following methods:

1. Select existing vegetation types around the mine site to represent the varied RDPCs.
2. Use test plots, demonstration areas, or areas concurrently reclaimed within the mine site or within similar representative areas from adjacent mines to serve as the RDPCs as long as they meet the reclamation goal.
3. For areas where existing vegetative types adjacent to the mine area are severely disturbed or where test plots or demonstration areas are not reasonable alternatives, RDPCs may be selected using appropriate ecological or range site descriptions or other technical sources.

B. Guidelines for Successful Revegetation

The revegetation release criteria for reclaimed mine sites will be to achieve as close to 100 percent of the perennial plant cover of selected comparison areas as possible. The comparison or reference areas will be selected from representative plant communities adjacent to the mine site, test plots or demonstration areas or, as appropriate, representative ecological or range site descriptions. As approved by the agencies, the selected plant communities or reference areas must have a reasonable chance for success on the mine site. Each plan-of-operations shall identify the site-specific release criteria in the reclamation plan or permit. The agencies may also require specific release standards for individual plant species or vegetative types (grasses, forbs, shrubs, trees). Cover would be estimated using a method as described in Sampling Vegetation Attributes, Interagency Technical Reference, 1996, BLM/RS/ST-96/002+1730 or other acceptable technical methods.

The determination of successful revegetation of mining disturbances will require an evaluation of the data by the agencies on a site-specific basis. These data must include all of the information requested in Attachment A of the Reclamation Permit, "Documentation of Reclamation Activities for Surety Release and Annual Fee Responding". When making this evaluation, the following information shall also be considered:

1. Have the desirable species been successfully established, and do they provide sufficient aerial cover to adequately protect the site from soil erosion?
2. Is there evidence that a self-sustaining community has been established? Are vegetative reproduction (e.g. rhizomes) and seedling establishment of the desirable seeded species occurring?
3. Is there evidence of site stability, including the lack of surface soil erosion, gully formation and slumping?
4. Has the revegetation goal in the reclamation plan been met?
5. Has the operator taken reasonable measures to establish the RDPC?

C. Time frames

The success of the vegetative growth on a reclaimed site may be evaluated for release no sooner than during the third growing season after earthwork, planting and irrigation (if used) has been completed. Final bond release may be considered at that time. Interim progress of reclamation will be monitored as appropriate by the agency and operator. Where it has been determined that revegetation success has not been met, the agencies and the operator will meet to decide on the best course of actions necessary to meet the reclamation goal.

II. EXPLORATION PLANS-OF-OPERATIONS

The same guidelines as described above should be used to evaluate the success of the RDPCs for plan-level exploration disturbances. The agencies may also decide, depending on the size and scope of the project, to evaluate revegetation and reclamation success based on general ground reconnaissance and professional judgement. Extenuating circumstances may be considered when evaluating the success of the revegetation effort. If regulatory agencies determine that remediation is required on the site, the operator and agencies will meet to determine the procedures.

III. BLM NOTICES

On notice-level activities on the public lands, the BLM will evaluate revegetation and reclamation success based on general ground reconnaissance and professional judgement. Notice-level disturbance may be considered reclaimed if in the professional judgement of the regulatory agency effective action has been taken to stabilize and revegetate the site to a condition designed to result in the establishment of a productive post-mining land use. Extenuating circumstances may be considered when evaluating the success of the revegetation effort. If the BLM determines that further stabilization or revegetation efforts are needed, the operator and BLM will meet to determine what further steps are necessary.

Notice of Proposed Action

by the

State of Nevada

The Administrator of the Division of Environmental Protection gives notice that an application for a new **Water Pollution Control Permit (Permit) NEV2011105** for the **Slaven Canyon Mine** has been properly filed with the Division of Environmental Protection in Carson City. The applicant for the new Permit is:

**Baker Hughes Drilling Fluids
P.O. Box 277
Battle Mountain, Nevada 89820**

The facility is located in Lander County, within Township 30N, Range 46E, Section 13, MDB&M, approximately 15 miles southeast (by air) from the town of Battle Mountain and 39 miles southwest (by air) from the town of Carlin.

The Slaven Canyon Mine is a barite mining and crushing operation, designed to provide mined barite ore to the applicant's Argenta Mill facility (WPCP NEV0091045). Maximum permitted production rate is up to 200,000 tons of ore per year.

The facility is comprised of surface mines, waste rock facility, crushing plant, barite ore stockpile and loadout areas, a stormwater pond, monitoring wells, administrative and maintenance facilities. No chemicals are used in the process.

Facilities are required to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event.

The Administrator is constrained to issue the water pollution control permit, or to deny the application. The Administrator has made the tentative determination to issue the permit.

Persons wishing to comment upon the proposed Water Pollution Control Permit, to recommend terms and conditions for consideration of incorporation into the permit, or who request a public hearing pursuant to Nevada Administrative Code (NAC) Chapter 445A, must submit their written comments, objections, or requests by hand delivery, United States Postal Service, facsimile, or e-mail no later than 5:00 PM on the 30th day following the date of publication of this notice (Publication date December 21, 2011, submittal end date January 20, 2012) to:

Division of Environmental Protection
Bureau of Mining Regulation and Reclamation
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

RECEIVED

DEC 28 2011

COUNTY COMMISSION

All comments, objections, or requests received during the public notice period will be considered in the final determination regarding this Water Pollution Control Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Water Pollution Control Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Rob Kuczynski, P.E. at (775) 687-9441 or visit the Bureau of Mining's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>

Corrected

STATE OF NEVADA

Department of Conservation and Natural Resources

Division of Environmental Protection

Bureau of Mining Regulation and Reclamation

Water Pollution Control Permit

Permittee: **Baker Hughes Drilling Fluids**
P.O. Box 277
Battle Mountain, Nevada 89820

Permit Number: **NEV2011105 (New 2011)**

Pursuant to Nevada Revised Statutes (NRS) 445A.300 through 445A.730, inclusive, and regulations promulgated thereunder by the State Environmental Commission and implemented by the Division of Environmental Protection (the Division), this permit authorizes the Permittee to construct, operate, and close the **Slaven Canyon Mine**, in accordance with the limitations, requirements and other conditions set forth in this permit. The Permittee is authorized to process up to **200,000 tons** of barite ore per year.

The facility is located in Lander County, within portions of Sections 13 and 14, Township 30 North, Range 46 East, Mount Diablo Baseline and Meridian, and approximately 15 miles southeast (by air) from the town of Battle Mountain and 39 miles southwest (by air) from the town of Carlin.

The Permittee must comply with all terms and conditions of this permit and all applicable statutes and regulations.

This permit is based on the assumption that the information submitted in the application of July 13, 2011, as modified by subsequent approved amendments, is accurate and that the facility has been constructed and is being operated as specified in the application. The Permittee must inform the Division of any deviation from or changes in the information in the application, which may affect the Permittee's ability to comply with applicable regulations or permit conditions.

This permit is effective as of **Month XX+15, 2011**, and shall remain in effect until **Month XX+15, 2016**, unless modified, suspended, or revoked.

Signed this **XXth** day of **Month 2011**.

Bruce Holmgren, P.E.
Chief, Bureau of Mining Regulation and Reclamation

I. Specific Facility Conditions and Limitations

A. In accordance with operating plans and facility design reviewed and approved by the Division, the Permittee shall:

1. Construct, operate, and close the facility in accordance with those design plans;
2. Contain within the fluid management system all process fluids including all meteoric waters which enter the system as a result of the 25-year, 24-hour storm event; and
3. Not release or discharge any process or non-process contaminants from the fluid management system.

B. Schedule of Compliance:

1. Prior to initiating operations, the Permittee shall schedule a time for the Division to conduct a site inspection to ascertain compliance of the constructed facilities with this Permit and the Mining Regulations (Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447).
2. Thirty (30) days prior to the initiation of mining activity, the Permittee shall submit to the Division a written notice of intention to begin operation pursuant to NAC 445A.426.
3. With each subsequent submittal for renewal of this Permit or operational change that could affect the Slaven Canyon Mine Waste Rock Management Plan (WRMP), the Permittee shall submit an updated WRMP. The plan shall include identification, revised estimates and protocols for all waste rock types the Permittee expects to encounter until the end of mine life.
4. Any application for modification of this Permit or operational change that could affect the previously approved plan to backfill the North and Main pits waste rock above the static groundwater elevation and that may result in the formation of a pit lake(s), the Permittee shall submit a pit lake model. The model must be accompanied by an updated version of the projected pit lake water quality and ecological risk assessment studies. These updates shall include, but not be limited to: all new data developed during the period elapsed since the previous submittal; a model of the most likely scenario or alternative; and, as applicable, conclusions and recommendations based on current NAC and best engineering and scientific principles and practices.

C. The fluid management system covered by this permit consists of the following process components:

1. Ore Stockpile Area, Crushing and Screening Plant, and Loadout Area;
2. Stormwater diversion structures;

3. Waste Rock Disposal Facility and run-off collection channels;
4. Single-lined Stormwater collection pond.

D. Monitoring Requirements

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
1. <u>Dust Suppression Water</u> (DSW)	Profile I ⁽¹⁾	Initially then annually
2. <u>Mined Materials</u> Waste Rock (WR)	MWMP-Profile I ⁽¹⁾ and ANP/AGP ⁽²⁾	Quarterly (if mined anytime during the quarter)
3. <u>Site Monitoring Wells</u> ⁽³⁾ MW-1, MW-2, MW-3, MW-4, and MW-5	Profile I ⁽¹⁾ and water elevation in feet (ft) above mean sea level (AMSL)	Quarterly
4. <u>Pit Lakes and Creek</u> <u>Monitoring</u> ⁽⁴⁾ OP-1, OP-2, and OP-3 Slaven Creek (SP-1)	Profile I ⁽¹⁾ and water depth in feet (ft) at deepest portion of pit. Profile I ⁽¹⁾	Quarterly (when water is present) Quarterly (when water is flowing)
5. <u>Stormwater Collection Pond</u> Collected Stormwater (SW)	Number of days used	Quarterly (when used)

The Permittee may request a reduction in the number of elements and frequency of analyses after four (4) quarters of complete monitoring based on justification other than cost. Such reductions may be considered formal modifications to the permit.

Footnotes:

(1) Profile I:

Alkalinity (as CaCO ₃)	Cadmium	Magnesium	Selenium
Bicarbonate	Calcium	Manganese	Silver
Total	Chloride	Mercury	Sodium
Aluminum	Chromium	Nickel	Sulfate
Antimony	Copper	Nitrate+Nitrite (Total as N)	Thallium
Arsenic	Fluoride	Nitrogen (Total as N)	Total Dissolved Solids

Barium	Iron	pH (± 0.1 std units)	Zinc
Beryllium	Lead	Potassium	

- (2) When static testing characterization of Mined Materials shows the potential for acid generation as set forth in the Division's guidance document "Waste Rock and Overburden Evaluation" (dated September 14, 1990), the Permittee shall notify the Division in writing and initiate kinetic testing within ten (10) days.

If the kinetic test results indicate acid generation conditions exist, the Permittee shall submit in writing, within thirty (30) days, the methods proposed for providing containment of these materials and the anticipated impact this acid generation potential may have on final stabilization of all components affected as defined in NAC 445A.359.

(3) Monitoring Wells

Monitoring Well	Location
MW-1	Downgradient of WRDF
MW-2	Downgradient of WRDF, North and Main Pits, and the future RIBs
MW-3	Upgradient of WRDF and the future RIBs
MW-4	Downgradient of WRDF and upgradient of the future RIBs
MW-5	Downgradient of WRDF and future RIBs

(4) Surface Water Monitoring Sites

Monitoring Site	Location
OP-1	Upgradient of the North and Main Pits and future RIBs.
OP-2	Upgradient of the North and Main Pits and future RIBs.
OP-3	OP-3 lies within the proposed footprint of the North Pit and will be consumed by mining.
Slaven Canyon Creek/SP-1	Downgradient of the WRDF, North and Main Pits, and the future RIBs.

- E. Quarterly and annual monitoring reports and spill reporting shall be in accordance with Part II.B.
- F. All sampling and analytical accuracy shall be in accordance with Part II.E.
- G. Permit Limitations
1. Failure to meet a Schedule of Compliance date.

2. The storage of process solution in a single-lined pond for more than twenty (20) consecutive days for any single event.
3. Pit backfilling with non-PAG waste rock must maintain a minimum elevation of 15 feet above the pre-mining water table.

Exceedances of these limitations may be permit violations and shall be reported as specified in Part II.B.4.

- H. The facility shall maintain an automated device or a calibrated rain gauge, which shall be monitored daily, to record daily precipitation. A written record of all daily accumulations of precipitation shall be maintained on site.
- I. The Permittee shall inspect all control devices, systems and facilities weekly. Drainage and containment systems shall also be inspected during, when possible, and after major storm events. These inspections are performed to detect evidence of:
 1. Deterioration, malfunction, or improper operation of control systems;
 2. Sudden changes in the level of the contents of any monitoring device; and
 3. Severe erosion or other signs of deterioration in dikes, diversions, or other containment devices.
- J. Prior to initiating permanent closure activities at the facility or any process component within the facility, the Permittee must have an approved final permanent closure plan.
- K. The Permittee shall remit an annual review and services fee in accordance with NAC 445A.232 starting July 1 after the effective date of this permit and every year thereafter until the permit is terminated or the facility has received final closure certification from the Division.
- L. The Permittee shall not dispose of or treat Petroleum-Contaminated Soil (PCS) on the mine site without first obtaining from the Division approval of a PCS Management Plan.

II. General Facility Conditions and Limitations

A. General Requirements

1. The Permittee shall achieve compliance with the conditions, limitations, and requirements of the permit upon commencement of each relevant activity. The Administrator may, upon the request of the Permittee and after public notice (if required), revise or modify a Schedule of Compliance in an issued permit if he determines good and valid cause (such as an act of God, a labor strike, materials shortage or other event over which Permittee has little or no control) exists for such revision.
2. The Permittee shall at all times maintain in good working order and operate as efficiently as possible, all devices, facilities, or systems installed or used by

the Permittee to achieve compliance with the terms and conditions of this permit.

3. Whenever the Permittee becomes aware that he failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Administrator, the Permittee shall promptly submit such facts or correct information. Any inaccuracies found in this information may be grounds for revocation or modification of this permit and appropriate enforcement action.

B. Reporting Requirements

1. The Permittee shall submit quarterly reports which are due to the Division on or before the 28th day of the month following the quarter and must contain the following:
 - a. Analytical results of the solution collected from monitoring locations identified in Parts I.D.3, I.D.4, and I.D.5 reported on NDEP Form 0190 or equivalent;
 - b. Water depths and elevations for site monitoring well, pit lake waters and creek identified in Parts I.D.3 and I.D.4;
 - c. Analytical results of the MWMP-Profile I and ANP/AGP testing for the materials identified in Part I.D.2, reported on NDEP Form 0190 (as appropriate) or equivalent;
 - d. A record of spills and releases, and the remedial actions taken in accordance with the approved Emergency Response Plan on NDEP Form 0490 or equivalent;
 - e. For any kinetic test initiated, continued, or terminated with Division approval, during the quarter in accordance with Part I.D.2, a brief report of the test status and an evaluation of the results to date, which shall include all analytical data generated from the date testing was initiated through the reporting quarter.

Facilities which have not initiated mining or construction, must submit a quarterly report identifying the status of mining or construction. Subsequent to any noncompliance or any facility expansion which provides increased capacity, the Division may require an accelerated monitoring frequency.

2. The Permittee shall submit an annual report by February 28th of each year, for the preceding calendar year, which contains the following:
 - a. Analytical results of water quality samples collected from the dust suppression water supply identified in Part I.D.1 reported on NDEP Form 0190 or equivalent;
 - b. A synopsis of spills and releases on NDEP Form 0390 or equivalent;

- c. A brief summary of site operations, including the number of tons of ore mined, crushed, and transported off-site for processing during the year, construction and expansion activities and major problems with the fluid management system;
 - d. A table of total monthly precipitation amounts reported for the five-year history previous to the date of submittal;
 - e. An updated version of the facility monitoring and sampling procedures and protocols;
 - f. An updated evaluation of the closure plan using specific characterization data for each process component with respect to achieving stabilization; and
 - g. Graphs of flow rates, pH, total dissolved solids (TDS), sulfate as SO₄, chloride, nitrate + nitrite (Total as N), fluoride, zinc, and arsenic concentration (as applicable), versus time for all fluid sampling points. These graphs shall display a five-year history previous to the date of submittal. Additional constituents may be required by the Division if deemed necessary.
3. Release Reporting Requirements: The following applies to facilities with an approved Emergency Response Plan. If a site does not have an approved Emergency Response Plan, then all releases must be reported as per NAC 445A.347 or NAC 445A.3473, as appropriate.
- a. A release of any quantity of hazardous substance, as defined at NAC 445A.3454, to surface water, or that threatens a vulnerable resource, as defined at NAC 445A.3459, must be reported to the Division as soon as practicable after knowledge of the release, and after the Permittee notifies any emergency response agencies, if required, and initiates any action required to prevent or abate any imminent danger to the environment or the health or safety of persons. An oral report shall be made by telephone to 888-331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within ten (10) days in accordance with Part II.B.4.b.
 - b. A release of a hazardous substance in a quantity equal to or greater than that which is required to be reported to the National Response Center pursuant to 40 C.F.R. Part 302 must be reported as required by NAC 445A.3473 and Part II.B.3.a.
 - c. A release of a non-petroleum hazardous substance not subject to Parts II.B.3.a. or II.B.3.b., released to soil or other surfaces of land, and the quantity is equal to or exceeds 500 gallons or 4,000 pounds, or that is discovered in or on groundwater in any quantity, shall be reported to the Division no later than 5 P.M. of the first working day after knowledge of the release. An oral report shall be made by telephone to 888-331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written

report shall be provided within ten (10) days in accordance with Part II.B.4.b. Smaller releases, greater than 25 gallons or 200 pounds and less than 500 gallons or 4,000 pounds, released to soil or other surfaces of land, or discovered in at least three cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.

- d. Petroleum Products and Ethylene Glycol: If a release is subject to Parts II.B.3.a. or II.B.3.b., report as specified in Part II.B.3.a. Otherwise, if a release of any quantity is discovered on or in groundwater, or if the quantity is equal to or greater than 100 gallons released to soil or other surfaces of land, report as specified in Part II.B.3.c. Smaller releases, greater than 25 gallons but less than 100 gallons, released to soil or other surfaces of land, or if discovered in at least three cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.
4. The Permittee shall report to the Administrator any noncompliance with the permit.
 - a. Each such event shall be reported orally by telephone to (775) 687-9400, not later than 5 P.M. of the next regular work day from the time the Permittee has knowledge of the circumstances. This report shall include the following:
 - i. Name, address, and telephone number of the owner or operator;
 - ii. Name, address, and telephone number of the facility;
 - iii. Date, time, and type of incident, condition, or circumstance;
 - iv. If reportable hazardous substances were released, identify material and report total gallons and quantity of contaminant;
 - v. Human and animal mortality or injury;
 - vi. An assessment of actual or potential hazard to human health and the environment outside the facility; and
 - vii. If applicable, the estimated quantity of material that will be disposed and the disposal location.
 - b. A written summary shall be provided within ten (10) days of the time the Permittee makes the oral report. The written summary shall contain:
 - i. A description of the incident and its cause;
 - ii. The periods of the incident (including exact dates and times);
 - iii. If reportable hazardous substances were released, the steps taken and planned to complete, as soon as reasonably practicable, an assessment of the extent and magnitude of the contamination pursuant to NAC 445A.2269;
 - iv. Whether the cause and its consequences have been corrected, and if not, the anticipated time each is expected to continue; and

- v. The steps taken or planned to reduce, eliminate, and prevent recurrence of the event.
- c. The Permittee shall take all available and reasonable actions, including more frequent and enhanced monitoring to:
 - i. Determine the effect and extent of each incident;
 - ii. Minimize any potential impact to the waters of the State arising from each incident;
 - iii. Minimize the effect of each incident upon domestic animals and all wildlife; and
 - iv. Minimize the endangerment of the public health and safety which arises from each incident.
- d. If required by the Division, the Permittee shall submit, as soon as reasonably practicable, a final written report summarizing any related actions, assessments, or evaluations not included in the report required in Part II.B.4.b., and including any other information necessary to determine and minimize the potential for degradation of waters of the State and the impact to human health and the environment. Submittal of the final report does not relieve the Permittee from any additional actions, assessments, or evaluations that may be required by the Division.

C. Administrative Requirements

- 1. A valid permit must be maintained until permanent closure is complete. Therefore, unless permanent closure has been completed, the Permittee shall apply for permit renewal not later than one-hundred twenty (120) days before the permit expires.
- 2. Except as required by NAC 445A.419 for a permit transfer, the Permittee shall submit current permit contact information described in paragraphs (a) through (c) of subsection 2 of NAC 445A.394 within thirty (30) days after any change in previously submitted information.
- 3. All reports and other information requested by the Administrator shall be signed and certified as required by NAC 445A.231.
- 4. When ordered consistent with Nevada Statutes, the Permittee shall furnish any relevant information in order to determine whether cause exists for modifying, revoking and reissuing, or permanently revoking this permit, or to determine compliance with this permit.
- 5. The Permittee shall maintain a copy of, and all modifications to, the current permit at the permitted facilities at all times.
- 6. The Permittee is required to retain during operation, closure and post-closure monitoring, all records of monitoring activities and analytical results, including all original strip chart recordings for continuous monitoring

instrumentation, and all calibration and maintenance records. This period of retention must be extended during the course of any unresolved litigation.

7. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not thereby be affected.
8. The Permittee is authorized to manage fluids and solid wastes in accordance with the conditions of this permit. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of Federal, State or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under the Water Pollution Control Statutes for releases or discharges from facilities or units not regulated by this permit. NRS 445A.675 provides that any person who violates a permit condition is subject to administrative or judicial action provided in NRS 445A.690 through 445A.705.

D. Division's Authority

The Permittee shall allow authorized representatives of the Division, at reasonable times, and upon the presentation of credentials to:

1. Enter the Permittee's premises where a regulated activity is conducted or where records are kept per the conditions of this permit;
2. Have access to and copy any record that must be kept per the conditions of this permit;
3. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated by this permit; and
4. Sample or monitor for any substance or parameter at any location for the purposes of assuring permit and regulatory compliance.

E. Sampling and Analysis Requirements

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. For each measurement or sample taken pursuant to the conditions of this permit, the Permittee shall record the following information:
 - a. The exact place, date, and time of the inspection, observation, measurement, or sampling; and
 - b. The person(s) who inspected, observed, measured, or sampled.
3. Samples must be taken, preserved, and labeled according to Division approved methods.

4. Standard environmental monitoring chain of custody procedures must be followed.
5. Samples shall be analyzed by a laboratory certified by the State of Nevada. The Permittee must identify the certified laboratory used to perform the analyses, laboratory reference number, sample date and laboratory test date in quarterly reports.
6. The accuracy of analytical results, unless otherwise specified, shall be expressed in mg/L and reliable to at least two (2) significant digits. The analytical methods used must have a lower level of detection equal to or less than one-half the reference value for Profile I constituents. Profile II constituents that have established reference values shall be quantified using an analytical method with a lower level of detection equal to or less than the reference value.

F. Permit Modification Requirements

1. Any material modification must be reported by submission of a new application, or, if such changes will not violate the limitations specified in the permit, by notice to the permit issuing authority of such changes. Any change which materially modifies, as defined in NAC 445A.365, the permitted facility must comply with NAC 445A.392, NAC 445A.4155, NAC 445A.416, and NAC 445A.417.
2. Prior to the commencement of mining activities at any site within the State which is owned or operated by the Permittee but not identified and characterized in the application, the Permittee shall submit to the Division a report which identifies the locations of the proposed mine areas and waste disposal sites, and characterizes the potential of mined materials to release pollutants. Prior to development of these areas the Division shall determine if any of these new sources will be classified as process components and require engineered containment as well as permit modification.
3. The Permittee must notify the Division in writing at least thirty (30) days before the introduction of process solutions into a new process component or into an existing process component which has been materially modified, or of the intent to commence active operation of that process component.
4. The Permittee must obtain a written determination from the Administrator of any planned material modification(s) as to whether it is considered a permit modification.
5. The Permittee must give advance notice to the Administrator of any planned changes or activities which are not material modifications in the permitted facility that may result in noncompliance with permit requirements.

Prepared by:	Rob Kuczynski, P.E.
Date:	Month XX, 2011
Fact Sheet Revision 00:	New Permit and Fact Sheet.

Permit Revision 00:

FACT SHEET
(pursuant to NAC 445A.401)

Permittee: Baker Hughes Drilling Fluids

Facility Name: Slaven Canyon Mine

Permit Number: NEV2011105 (New Permit 2011, Rev. 00)

A. Location and General Description

Location: The Slaven Canyon Mine (SCM) is a proposed satellite barite mining, crushing, and load out facility, located in Lander County, approximately 15 miles southeast (by air) from the town of Battle Mountain and 39 miles southwest (by air) from the town of Carlin, in the historic Bateman Canyon Mining District. The proposed facility will supply crushed barite ore to the Argenta Mill (WPCP NEV0091045), located approximately 17 miles northeast of the SCM. Baker Hughes Drilling Fluids (Baker Hughes) is the Permittee of record for the SCM and Argenta Mine and Mill.

The mine is located within portions of Section 13, Township 30 North, Range 46 East, MDB&M (Mount Diablo Baseline and Meridian). The total planned disturbance for the SCM and RIBs is approximately 161.8 acres of private land owned or leased by Baker Hughes. Of the total planned disturbance, approximately 53.8 acres of private land has been disturbed as a result of previous mining activities. Currently there are nine shallow pits, totaling 4.4 acres in area at the SCM site, three of which have developed pit lakes.

The SCM is required to be designed, constructed, operated, and closed without any release or discharge from the fluid management system except for meteorological events which exceed the design storm event.

Site Access: To access SCM, proceed on Interstate-80 east from Winnemucca or west from Elko to *Exit 233-- East Battle Mountain, SR-304*. Proceed approximately 0.25 mile south on *SR-304* to *Hill Top Road*. Continue on *Hill Top Road* approximately 8.0 miles to *Beacon Light Road*. Turn east on *Beacon Light Road* and proceed approximately one mile to the junction of *Slaven Canyon Road*. Proceed south on *Slaven Canyon Road* approximately 8.5 miles to the mine site.

General Description: Barite ore will be mined from two new pits (Main and North) and hauled to a stockpile pad at the SCM site. The proposed mine plan indicates that groundwater will be penetrated during the initial stages of pit development. The Permittee will manage dewatering water by utilizing two RIBs located at the SCM site. Refer to Water Pollution Control Permit (WPCP) NEV2011106 Fact Sheet for design and operational details.

The barite ore will be crushed and screened at the SCM site and then loaded into dump trucks for transportation over surface roads to the Argenta Mill (WPCP NEV0091045). The Argenta Mill is owned and operated by the Permittee and is located approximately 17 miles from the SCM. The amount of barite ore crushed and screened at SCM is limited to 200,000 tons per year and project life is estimated at 12 years: five years of active mining, two years of reclamation, and five years of monitoring.

At the Argenta Mill, the crushed ore will be processed further without the use of chemicals to produce a saleable concentrate. The concentrate will be packaged into 50-pound sacks or loaded directly into covered hoppers for final shipment to the end user.

Background/History: Most barite mined is used by the petroleum and mining industries as a weighting material in drilling muds. When mixed with water, barite increases the hydrostatic pressure of the drilling mud and allows it to compensate for high-pressure zones experienced during drilling. Barite used as a drilling mud requires a specific gravity (SG) of at least 4.2 and must be relatively free of iron. Because barite is a low-cost, bulk industrial mineral commodity, distance between the source and end user plays a significant role in determining the economic feasibility of a barite deposit.

The demand for drilling fluid-grade/high-SG barite, led to the discovery of the Slaven Canyon barite deposit in the early 1930's by the Modesto Barium Products Company (MBPC). An open pit mine was developed at the site and a crushing facility operated intermittently until about 1950, when the facility ceased operations and was eventually abandoned due to the inability of the operator to effectively manage dewatering water at the mine site. Although smaller operators continued to mine barite in Slaven Canyon, barite mining effectively ceased in the 1980's.

With the exception of gold and silver exploration, the Slaven Canyon remained relatively quiet until 2002, when a Reno-based company, Nevada Drilling Fluids Inc. (NDFI), applied for and received a Reclamation Permit from the Division for the Slaven Canyon Barite Mining Project. At that time (2002), submittal of a Water Pollution Control Permit (WPCP) application for the facility was not required. NDFI initiated open-pit mine development and constructed a waste rock dump (WRD) and barite stockpile pad during 2002, before ceasing operations in 2003. Reclamation of the mine site was partially completed.

An increased demand by the petroleum and mining industries for drilling fluids resulted in a renewed interest in Slaven Canyon. Encouraged by barite exploration results from the historic MBPC and NDFI sites, the Permittee submitted to the Division, WPCP applications for the SCM (WPCP NEV2011105) and the SCM RIBs (WPCP NEV2011106) in July 2011.

Geology/Hydrology: The SCM is located on alluvial deposits within Shoshone Range. The alluvial material is comprised of sand, gravel and clay to a depth of at least 400 feet below ground surface (ft bgs). Depth to groundwater averages 20 to 30 ft bgs and 5,449 feet above mean sea level (amsl). The mine is located within a complex series of Ordovician and Devonian Slaven cherts, argillites and quartzites capped by Tertiary basalt and andesite.

Most of the Slaven Chert is comprised of thin-bedded chert with dark gray to tan carbonaceous shale and argillite. The chert is generally a black or dark gray-black color, although green, gray-green, and reddish colored varieties occur in lesser amounts. It is commonly nodular, variably carbonaceous, and contains bedded barite deposits and pyrite.

Local, thin beds of beds of shale, siltstone, silty-sandstone, and fine-grained quartz sandstone, approximately 3 to 30 feet thick, occur within the chert-argillite section. The drainage of Slaven Canyon is a fairly wide valley filled with alluvium up to 40 feet in thickness. Extensive slope wash colluvium derived from outcrops of quartzite and basalt obscures bedrock geology along the east side of Slaven Canyon within the area of operations.

Four basic rock types have been identified at the mine site and consist of chert, chert-argillite, chert with massive barite (ore), and valley alluvium overburden.

The chert and chert-argillite will be disposed of as waste rock and are discussed further under the sub-section *Waste Rock Management*. The thinly bedded chert and argillite, characteristic of the Slaven Chert formation, cannot be separated by any practical means. The massive barite within the chert will be either crushed on site, stockpiled and transported to the Argenta Mill, or transported directly to the mill for crushing and processing. The valley alluvium will be used as growth media for future reclamation activities.

Meteoric water mobility procedure-Profile I (MWMP-Profile I), acid neutralization potential/acid generation potential (ANP/AGP), and acid-base accounting (ABA) characterization results indicate that approximately 24 percent of the chert and chert-argillite waste rock is potentially acid generating (PAG) with the remaining 76 percent non-PAG. MWMP-Profile I, ANP/AGP, and ABA characterization results indicate that the chert with massive barite and valley alluvium are non-PAG.

The SCM is located near the upper reaches of the Upper Reese River Topographic Basin. Groundwater originates within the basin from precipitation and infiltrates the thin surface soils and fractured bedrock. In general, the groundwater flows parallel to Slaven Canyon Creek and north within the valley alluvium that is present over the valley floor. Groundwater originating from the east and west sides of Slaven Canyon flows through the upper fractured rock zone toward the valley and eventually merges with the Slaven Canyon alluvial groundwater. Approximately 0.3 miles north of the SCM project north boundary, groundwater emerges from a spring and continues as surface flow in Slaven Canyon Creek. The surface flow in the creek disappears near the mouth of Slaven Canyon approximately 2.5 miles north into the Reese River Valley alluvial sediments.

Operating Plan: The SCM operations will consist of open pit mining, barite ore crushing, and waste rock management. Approximately 166,041 bank-cubic yards (bcy) of barite ore and 3,892,547 bcy of waste rock will be mined. Assuming an ore density of 3.11 tons per cubic yard (tons/cu yd) and a waste rock density of 2.00 tons/cu yd, this equates to 516,388 tons of barite ore and 7,785,094 tons of waste rock.

Open Pit Mining

The 36.6 acres of proposed open pit mining includes both the North Pit (8.7 acres) and Main Pit (27.9 acres). Current plans indicate that mining will commence in the North Pit followed by the Main Pit. Final pit floor elevation for both pits will be 75 feet below the static groundwater table, approximately 5,450 feet amsl.

The groundwater will be penetrated during the initial stages of pit development. The Permittee will manage dewatering water by utilizing two RIBs located at the SCM site. Dewatering water will be removed from the pits via 500-gallon per minute (gpm) pumps, pumped to a 10,000 gallon high-density polyethylene (HDPE) holding tank and then pumped to the RIBs. A small volume of dewatering water will be necessary for dust suppression. Refer to Water Pollution Control Permit (WPCP) NEV2011106 Fact Sheet for RIB design and operational details.

Waste rock from the North Pit will be loaded into 40-ton haul trucks for transport to the Waste Rock Disposal Facility (WRDF) and managed pursuant to the Waste Rock Management Plan (WRMP). Run-of-mine (ROM) barite ore will be hauled directly to the Argenta Mill using highway-legal trucks or transported via haul truck to the crushing and screening area at the SCM. Refer to the section "*Waste Rock Management Plan*" for additional details.

Ore Crushing

ROM barite ore designated for crushing at the mine will be transported to the crushing and screening area located east of the mine. The ore will be placed in a bermed stockpile area and fed by a front-end-loader into a portable jaw crusher and power screen. Since the crushing and screening is performed dry, the only water required is for dust suppression. Crushed ore less than 3/4-inch will be conveyed to the crushed ore stockpile, while material greater than 3/4-inch will be crushed by a portable cone crusher and then conveyed to the crushed ore stockpile and eventually loaded into over-the-road dump trucks for transportation to the Argenta Mill.

Waste Rock Management Plan

As stated previously, approximately 3,892,547 bcy (7,785,094 tons) of waste rock will be mined during the life of the project. Twenty-four percent of the waste rock is PAG based on characterization results and this equates to approximately 934,211 bcy (1,868,423 tons). A waste rock management plan (WRMP) has been developed to manage waste rock and other mined materials based on the chemical characteristics and predicted behavior of the material.

The WRMP includes mined material characterization and monitoring procedures that will be implemented and contingency plans employed to manage PAG waste rock should the volume of PAG waste rock increase above projections in the current mine plan. The methodology for controlling acid generation will be to minimize the amount of water contacting PAG waste rock. The PAG waste rock will be encapsulated with a minimum of five feet of non-

PAG material in cells designed and constructed to limit exposure of PAG material to atmospheric oxygen, groundwater, direct precipitation, snow melt, and storm-water run-on.

Only one WRDF is currently planned. The WRDF is a clay-lined facility with an in-place compacted permeability of 1×10^{-5} cm/sec. The facility will be located southeast of the SCM and has a design capacity of approximately 5,760,780 bcy (11,521,560 tons) and occupy a footprint of 65.0 acres. A berm surrounds the WRDF to capture any stormwater runoff and divert it to the single-lined stormwater pond. The pond is 40-mil HDPE over a prepared subgrade and has a capacity of 1.43 million gallons at 3-feet of freeboard. Stormwater runoff collected in the pond is limited to a 20-day residence time.

As stated previously, the open pits will be used for non-PAG waste rock disposal as the pits are completed to prevent pit lake formation. The capacity of the North Pit is estimated at 644,323 bcy (1,288,646 tons) and the Main Pit capacity is estimated at 4,058,588 bcy (8,117,176 tons), resulting in a total capacity available for in-pit waste rock disposal of 4,702,911 bcy (9,405,822 tons). When mining in the Main Pit is completed, non-PAG waste rock temporarily stored at the north end of the WRDF will be used to backfill the Main Pit to an elevation of at least 15 feet above the water table (5,470 feet amsl) to preclude the formation of a pit lake.

Initially, 24 inches of growth media (topsoil) will be removed from the footprint of the waste rock pile (209,464 bcy) and stockpiled in the yard on the north side of the area of operations for future reclamation activities. Mining would commence in the North Pit and be mined in benches of 20 feet thick using conventional drill and blast techniques. The waste rock will be transported to the Waste Rock Pile and end-dumped using 40-ton haul trucks.

The non-PAG waste rock will be placed at the north end of the Waste Rock Pile to be used as pit backfill below elevation 5,470 feet above mean sea level (amsl) or as non-PAG encapsulation material on the external Waste Rock Pile.

Waste Rock and Ore Characterization

A three-phase characterization approach has been implemented by the Permittee for classifying waste rock and mined materials as PAG and non-PAG. The first phase (Phase 1, now complete) involved the collection, characterization, and evaluation of drill core from within the limits of the proposed open pit. The Phase 1 characterization data will be supplemented by analyses in two additional phases (Phases 2 and 3). Phase 2 will involve the collection, characterization, and evaluation of additional samples prior to mining and Phase 3 will involve the collection, characterization, and evaluation of additional samples during active mining.

The extraction fluid from the MWMP-Profile I analyses exceeded the Profile I reference values for manganese, nickel, aluminum, and arsenic in 25 percent of the samples. The ANP/AGP data analyzed to date indicated that approximately 24 percent of the waste rock and ore will need to be managed as PAG and encapsulated with non-PAG waste rock. The

ANP/AGP characterization results indicated that the Slaven Valley alluvium was non-PAG and the extraction fluid from the MWMP-Profile I analyses does not exceed any of the NDEP Profile I reference values and were non-PAG.

Stormwater Diversion

Stormwater diversion structures will be constructed where needed on around the periphery of the North and Main pits to intercept runoff and to direct meteoric run-off around mine resulting from a 100-year, 24-hour storm event. The structures will be constructed in accordance with the Division's Handbook of Best Management Practices (BMPs). Ditches will also be constructed to intercept and divert runoff around the waste rock pile, the yard area, and all roads.

Travel across drainages will be limited to proposed and existing roads. Culverts and other appropriate BMPs will be installed to direct water around the features. Diversion ditches, both permanent and temporary will be constructed when needed, to promote storm water run-off and prevent run-on from disturbed areas. Silt fences, and/or straw bale dams will be installed in areas requiring sediment control, and riprap will be installed in erosion-prone areas of ditches and channels.

As stated previously, the WRDF will be constructed to prevent the development of acid rock drainage. The WRDF will be graded to promote surface water run-off, and diversion ditches will be constructed around the WRDF.

Ancillary Facilities

Ancillary facilities proposed for the SCM include growth media stockpiles, sanitary and solid waste disposal facilities, administrative and maintenance facilities, and petroleum, oil, and lubricant (POL) storage and dispensing facilities.

There is a moderate supply of growth media at the facility that can be used for reclamation, particularly at the location of the proposed WRDF. Growth media from the uppermost 24 inches will be removed from the proposed WRDF footprint area and growth media from the uppermost 60 inches of the proposed footprints of the RIBs will be removed, resulting in 214,468 bcy of available material.

Soil suitable for growth media will also be removed from the proposed open pit mine area, where present. Growth media will be stockpiled in the yard area and will be available for reclamation at the conclusion of mining activities. BMPs will be implemented to prevent loss of the growth media by wind and water erosion.

Sanitary facilities at the mine site will consist of three portable toilets, which will be serviced by a local contractor. No septic system will be constructed. Waste bins will be provided near the administrative office and maintenance shop for solid waste disposal. The bins will

be emptied by a solid waste disposal contractor on a weekly basis. All solid waste collected by the disposal contractor will be disposed at a permitted facility.

The administrative office and maintenance shop will be located in the yard east of the open pits. The office will be a portable trailer, measuring approximately 10-ft x 20-ft and the maintenance shop will be a 40-ft x 60-ft slab-on-grade structure with metal framing, walls and roof, and will be used for on-site repairs of trucks and mine equipment. No wash down facility is proposed for the SCM site. All mobile and portable equipment utilized at the mine site will be stored in the SCM yard area.

Fuel storage will include a 10,000-gallon off-road diesel tank, a 5,000 gallon highway-diesel tank, and a 1,000-gallon gasoline tank located at the shop. All tanks will have double-walled secondary containment. Fuel will be delivered as needed by a licensed contractor and transferred from the delivery truck to the aboveground storage tanks.

Oils and lubricants will be used on-site for equipment maintenance and other tasks. These will be delivered on-site by a certified vendor and stored in appropriate containers within secondary containment or approved containers in the maintenance shop. All used petroleum products would be collected and recycled through a licensed contractor.

Propane will be delivered on an as needed basis to the SCM by a licensed contractor and stored on-site in a single 500-gallon propane tank.

Antifreeze will be used on the mine site in vehicles and generators. The antifreeze will be delivered to the site in 55-gallon drums and stored within containment in the maintenance area. Used antifreeze will be collected and recycled by a permitted contractor.

Petroleum Contaminated Soils

The Permittee will not manage petroleum contaminated soils (PCS) at the SCM site. In the event of a spill, the contaminated soil would be excavated, placed in DOT-approved containers and transported to an off-site facility authorized to receive such material.

C. Site Hydrology and Background Water Quality

Groundwater: In general, groundwater flows parallel to Slaven Canyon Creek and north within the valley alluvium that is present over the valley floor. Groundwater originating from the east and west sides of Slaven Canyon flows through the upper fractured rock zone toward the valley and eventually merges with the groundwater within the Slaven Canyon alluvium. Approximately 0.3 miles north of the northern edge of the SCM project boundary, groundwater emerges from a spring (SP-1) and continues as surface flow in Slaven Canyon Creek. The surface flow in the creek disappears near the mouth of Slaven Canyon approximately 2.5 miles north into the Reese River Valley alluvial sediments.

A total of five groundwater monitoring wells (MW-1 through MW-5) have been installed and

sampled to provide a baseline assessment of the water quality at the SCM. Groundwater monitoring well baseline data is presented in Table 1.

Table 1.--Groundwater Monitoring Well Baseline Data.

Monitoring Well	Groundwater Elevation (feet amsl)	Groundwater Depth (feet bgs)	Location	Comments
MW-1	5,475.3	32.1	Downgradient of WRDF	Aluminum, iron, and manganese exceed Profile I reference values.
MW-2	5,410.18	63.83	Downgradient of WRDF, North and Main Pits, and the future RIBs	Iron and manganese exceed Profile I reference values.
MW-3	5,670.00	68.7	Upgradient of WRDF and the future RIBs	No Profile I exceedences.
MW-4	5,425.00	36.24	Downgradient of WRDF and upgradient of the future RIBs	Aluminum exceeds Profile I reference values.
MW-5	5,400.00	33.98	Downgradient of WRDF and future RIBs	Aluminum, iron, manganese, and arsenic exceed Profile I reference values.

Surface Water: There is one creek (Slaven Canyon Creek) and three historic pit lakes (identified as OP-1 through OP-3) within one mile of the SCM. These are listed in Table 2. Water collected in the historic pits tends to remain throughout most of the year and is of sufficient quantity and quality that it has been used by a local rancher for livestock watering for the past 30 years.

Table 2.—Surface Water Monitoring Well Baseline Data.

Monitoring Site and Elevation (feet)	Volume (gallons)	Depth (feet)	Location	Comments
OP-1 5,432 feet amsl	619,210	8	Upgradient of the North and Main Pits and future RIBs.	Aluminum concentrations and pH are slightly above the Profile I reference values. There are no aluminum or pH livestock watering standards defined in Nevada Administrative Code (NAC) 445A.144.
OP-2 5,483 feet amsl	521,440	8	Upgradient of the North and Main Pits and future RIBs.	Arsenic, manganese and pH are slightly above the Profile I reference values. Arsenic and manganese meet the livestock watering standards pursuant to NAC 445A.144.
OP-3 5,552 feet amsl	1,108,060	8	OP-3 lies within the proposed footprint of the North Pit and will be	Manganese, sulfate and TDS are above the Profile I reference values. Manganese meets the livestock

			consumed by mining.	watering standards pursuant to NAC 445A.144, however there are no sulfate or TDS livestock watering standards defined in the NAC.
Slaven Canyon Creek/SP-1 5,320 feet amsl	N/A	< 2	Downgradient of the WRDF, North and Main Pits, and the future RIBs.	No exceedence of the Profile I reference values. The creek meets the aquatic life, irrigation, and livestock watering standards pursuant to NAC 445A.144.

A dry wash (Slaven Canyon Wash) is located within Slaven Canyon and flows north through the western boundary of Section 13. A spring (SP-1) located approximately 0.3 miles north and outside of the SCM operational area boundary is considered to be the confluence of Slaven Canyon Creek. In January 2011, flow from SP-1 was measured at a rate of approximately 1.5 gallons per minute (gpm). A summary of the baseline analytical results for the spring and creek indicate the water quality is good; with no exceedence of any NDEP Profile I reference value.

D. Procedures for Public Comment

The Notice of the Division's intent to issue the permit, authorizing the facility to construct, operate, and close subject to the conditions contained within the permit, was sent to the **Battle Mountain Bugle**, a newspaper located in Battle Mountain, Nevada, for publication.

The notice was also mailed to interested persons on our mailing list. Anyone wishing to comment on the proposed permit renewal can do so in writing within a period of 30 days following the date of public notice. The comment period can be extended at the discretion of the Administrator. All written comments received during the comment period will be retained and considered in the final determination.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected intrastate agency, or any interested agency, person or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed facility or any other area the Administrator determines to be appropriate. All public hearings must be conducted in accordance with NAC 445A.403 through NAC 445A.406.

E. Proposed Determination

The Division has made the tentative determination to issue the permit.

F. Proposed Effluent Limitations, Schedule of Compliance and Special Conditions

Refer to WPCP NEV2011105, Sections I.B. (Schedule of Compliance Items).

G. Rationale for Permit Requirements

The facility is located in an area where annual evaporation is greater than annual precipitation. It must operate under a standard of performance, which authorizes no discharge except for excess accumulations, which are a result of a storm event beyond that required by design for containment.

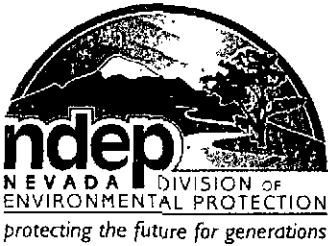
The primary identification of escaped fluids is based on the sampling of monitoring wells and visual component inspections. Monitoring will be in accordance with permit conditions and requirements.

H. Federal Migratory Bird Treaty Act

Under the Federal Migratory Bird Treaty Act, 16 U.S.C. 701-718, it is unlawful to kill migratory birds without license or permit, and no permits are issued to take migratory birds using toxic ponds. The Federal list of migratory birds (50CFR10, April 15, 1985) includes nearly every bird species found in the State of Nevada. The U.S. Fish and Wildlife Service are authorized to enforce the prevention of migratory bird mortalities at ponds and tailings impoundments. Compliance with state permits may not be adequate to ensure protection of migratory birds for compliance with provisions of Federal statutes to protect wildlife.

Open waters attract migratory waterfowl and other avian species. High mortality rates of birds have resulted from contact with toxic ponds at operations utilizing toxic substances. The Service is aware of two approaches that are available to prevent migratory bird mortality: 1) physical isolation of toxic water bodies through barriers (covering with netting), and 2) chemical detoxification. Methods, which attempt to make uncovered ponds unattractive to wildlife, are not always effective. Contact the U.S. Fish and Wildlife Service at 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502-7147, (775) 861-6300, for additional information.

Prepared by:	Rob Kuczynski, P.E.
Date:	Month XX, 2011
Fact Sheet Revision 00:	New Permit and Fact Sheet.
Permit Revision 00:	



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

Correspondence #6
12/28/2011

21 December 2011

NOTICE OF DECISION

WATER POLLUTION CONTROL PERMIT NUMBER NEV0095111

Barrick Cortez, Inc. Pipeline Infiltration Project

The Nevada Division of Environmental Protection has decided to issue a renewal and major modification of Water Pollution Control Permit NEV0095111 to Cortez Gold Mines. This permit authorizes the construction, operation, and closure of approved mine dewatering water management and infiltration facilities in Lander County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447, to assure the Division that the waters of the State will not be degraded by this operation, and that public safety and health will be protected.

The permit will become effective 05 January 2012. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, 02 January 2012, on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. For more information, contact Miles Shaw at (775) 687-9409 or visit the Division's Bureau of Mining Regulation website at www.ndep.nv.gov/bmrr/bmrr01.htm.

No comments were received during the public comment period.

RECEIVED

DEC 28 2011

COUNTY COMMISSION



STATE OF NEVADA

Department of Conservation and Natural Resources

Division of Environmental Protection

Bureau of Mining Regulation and Reclamation

Water Pollution Control Permit

Permittee: **Barrick Cortez, Inc.**
Pipeline Infiltration Project
HC66 Box 1250
Crescent Valley, Nevada 89821-1250

Permit Number: **NEV0095111 (Renewal 2011)**

Pursuant to Nevada Revised Statutes (NRS) 445A.300 through 445A.730, inclusive, and regulations promulgated thereunder by the State Environmental Commission and implemented by the Division of Environmental Protection (the Division), this permit authorizes the Permittee to construct, operate, and close the **Pipeline Infiltration Project**, in accordance with the limitations, requirements and other conditions set forth in this permit. The Permittee is authorized to infiltrate **up to 34,500 gallons per minute** (a maximum of 49,680,000 gallons per day).

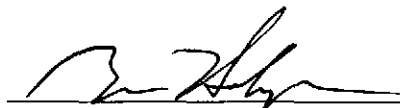
The facility is located in Lander County, Nevada, within Sections 13, 15, 21, 22, 27, and 28, Township 28 North, Range 47 East; Sections 13, 23, 24, and 26 T27N, R46E; unsurveyed Sections 7, 18, and 19, T27N, R47E; and, Sections 17 and 18, T28N, R49E, Mount Diablo Baseline and Meridian, approximately 35 miles southeast of the town of Battle Mountain.

The Permittee must comply with all terms and conditions of this permit and all applicable statutes and regulations.

This permit is based on the assumption that the information submitted in the application of 02 November 1995, as modified by subsequent approved amendments, is accurate and that the facility has been constructed and is being operated as specified in the application. The Permittee must inform the Division of any deviation from or changes in the information in the application which may affect the Permittee's ability to comply with applicable regulations or permit conditions.

This permit is effective as of **05 January 2012**, and shall remain in effect until **20 October 2016**, unless modified, suspended, or revoked.

Signed this 20th day of **December 2011**.



Bruce Holmgren, P.E.

Chief, Bureau of Mining Regulation and Reclamation

I. Specific Facility Conditions and Limitations

A. In accordance with operating plans and facility design reviewed and approved by the Division the Permittee shall:

1. Construct, operate, and close the facility in accordance with those design plans; and
2. Contain within the water management system all dewatering fluids including all meteoric waters which enter the system as a result of the 25-year, 24-hour storm event.

B. Schedule of Compliance:

1. The Permittee is authorized to construct the West Highway I infiltration site (2 additional basins) and the Cottonwood Canyon I site (4 basins). The Permittee must provide the Division with at least thirty (30) days written notice of the intent to construct the approved components or facilities. Any change from the approved design may require additional review and payment of a modification fee.
2. Within thirty (30) days of the completion of construction of a previously approved component or facility authorized by this Permit, the Permittee shall submit to the Division, in accordance with Nevada Administrative Code (NAC) 445A.427, as-built drawings and a QA/QC report in addition to updated operating plans, as described in NAC 445A.398.2 through NAC 445A.398.6, that include monitoring procedures and sampling protocols for the facility as constructed.
3. The Permittee shall implement that certain "*Response Plan, Southern Crescent Valley Water Quality Concentrations*" (the Response Plan), dated 08 September 2011.
4. Within thirty (30) days of the effective date of this Permit, the Permittee shall submit updates to or an updated version of the July 2006 Operating Plan, prepared in accordance with NAC 445A.398.

C. The water management system covered by this permit consists of the following process components:

1. Dewatering wells for the Pipeline Pit and associated satellite pits and pit expansions;
2. Pumps, pipelines, and ditches for the conveyance of dewatering water from the dewatering wells to the infiltration basins and irrigations sites and between dewatering components and facilities;
3. Infiltration sites comprised of Windmill #4 (4 inactive basins), West Highway I (2 basins approved for construction), Highway I (12 basins including six (6) hydraulically linked basins), North Highway (4 basins), South Highway (4 basins), West Highway II (4 basins), Rocky Pass (11

basins), Rocky Pass II (4 basins), Rocky Pass III (4 basins), Windmill #1 (4 basins), Windmill #2 (4 basins), Windmill #5 (3 basins), and Cottonwood Canyon I (4 basins approved for construction on east side of valley), infiltration basin primary monitoring wells and downgradient sentinel monitoring wells, and all associated pumps, sumps, pipelines, ditches, and spillways for the control and conveyance of fluids; and

4. The "Pipeline Infiltration Project" portion of the Cortez Underground Exploration Project Water Handling System, including but not limited to, the single-layer HDPE-lined Infiltration Water Containment Pond, F-Canyon Portal Surge Tank, pipelines, pipeline leak collection and recovery systems, tanks, basins, sumps, pumps, valves, and other piping necessary to interconnect the components.

D. Monitoring Requirements

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
1. Water at point of discharge to infiltration basins ⁽⁵⁾	Profile I ⁽¹⁾ ; pH, spec. cond. (µmhos/cm); Average flow (gpm)	Quarterly; Weekly; Daily
2. Surge Pond IB-113 (Highway site) near intake screen (pond outlet)	Profile I ⁽¹⁾ ; pH, spec. cond. (µmhos/cm)	Quarterly; Weekly
3. Operational water balance	Total gallons by use category	Quarterly
4. <u>Piezometer Wells</u> Windmill 4: W4-01, W4-02 Windmill 5: W5-01, W5-02 Cottonwood I: CO-1, CO-2, CO-3	Water elevation above mean sea level (AMSL) in feet	Weekly
5. <u>Basin Primary Groundwater Monitoring Wells</u> ⁽⁵⁾ Upgradient: IM-1, RP-01, RP-02, USGS-R (Cottonwood Site) IM-62 Downgradient: IM-3-D, IM-5D, IM-10, IM-17D, IM-25D, IM-26D, IM-32D, IM-35D, IM-57D, IM-58D, IM-59D, IM-60D, IM-61D, IZ-11, RP-03 (Cottonwood Site) IM-63 ⁽²⁾ , IM-64 ⁽²⁾	Profile I ⁽¹⁾ ; Water elevation above mean sea level (AMSL) in feet	Quarterly; Monthly

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
6. <u>Sentinel Groundwater Monitoring Wells⁽⁵⁾</u> Upgradient: FMW-08, FMW-10 Downgradient: FMW-06S, FMW-07S, IZ-18, IZ-19, IZ-20, Wintle Well (WW), Dean Ranch Well (DRW), FMW-09, FMW-11, FMW-12	Profile I ⁽¹⁾ ; Water elevation above mean sea level (AMSL) in feet	Quarterly; Monthly
7. <u>Summary of the Southern Crescent Valley Springs monitoring report as provided to the Bureau of Land Management (BLM)</u>	Flow rate (gpm), specific conductivity (µmhos/cm), pH, temperature, dissolved oxygen content	Annually
8. <u>Cortez Underground Exploration Project Infiltration Water⁽³⁾ Monitoring</u> Flow at Surge Tank (IW-FST) Flow at Trunk Line (IW-FTL) Quality at Surge Tank (IW-QST) Quality at Trunk Line (IW-QTL) Infiltration Water Containment Pond	Average flow (gpm); Profile I ⁽¹⁾ ; Date(s) and reason(s) used	Weekly; Quarterly; Quarterly, when used
9. <u>Cortez Underground Exploration Project Infiltration Water⁽³⁾ Pipeline ('I-1') Road Crossing Leak Detection Ports</u> Station 'I-1' 84+41 (I1-84/41)	Number of "flow" gallons evacuated or "no flow"	Weekly ⁽⁴⁾
10. <u>Petroleum-Contaminated Soil (PCS) Hazardous Waste Determinations</u> Each PCS source	Hazardous waste determination ⁽⁶⁾	When required ⁽⁶⁾

The Permittee may request a reduction in the number of elements and frequency of analyses after one year of complete monitoring based on justification other than cost. Such reductions may be considered formal modifications to the permit.

Footnotes:

(1) Profile I:

Alkalinity (as CaCO ₃)	Cadmium	Magnesium	Selenium
Bicarbonate	Calcium	Manganese	Silver
Total	Chloride	Mercury	Sodium
Aluminum	Chromium	Nickel	Sulfate
Antimony	Copper	Nitrate+Nitrite (Total as N)	Thallium
Arsenic	Fluoride	Nitrogen (Total as N)	Total Dissolved Solids
Barium	Iron	pH (± 0.1 std units)	WAD Cyanide
Beryllium	Lead	Potassium	Zinc

- (2) Monitoring wells shall be completed and baseline water quality sampling completed prior to commencement of infiltration activities at the Cottonwood Canyon I infiltration site.
- (3) "Infiltration Water" is dewatering water that meets all Profile I water quality criteria or the water quality criteria applicable to the permitted point of discharge.
- (4) The port must be inspected and evacuated on a more frequent basis than weekly if the fluid level is above the top of the port or the invert of any pipe which discharges into the port, whichever level is lower. Records are required documenting volume, date and time of extraction to show that ports are maintained in this condition.
- (5) The point of compliance for rapid infiltration basin(s) groundwater quality is at the respective downgradient Basin Primary Groundwater or Sentinel Groundwater Monitoring well(s) screened outside the infiltration mound. If a sampling result exceeds a Profile I water quality reference value or an established pre-infiltration value, whichever is greater, the well must be resampled and the sample analyzed within ten (10) days of the analytical laboratory reporting of the exceedance. If the resample also reports an exceedance, mitigating action shall be taken within ten (10) days, the sample result and rationale for the mitigating action reported to the Division, and the frequency of sampling identified in Permit Part I.D shall be increased to monthly for a period of six (6) months. If the cause of the exceedance has not been fully resolved during the increased sampling and mitigating action period, operation of the source component(s), as applicable, must cease immediately, and a Corrective Action Plan must be submitted within thirty (30) days to the Division for review and approval, which may require Permit modification.

(6) A hazardous waste determination is required: a) Initially, for each PCS source prior to management under the PCS Management Plan; b) When a PCS waste stream is suspected to have changed character since the last determination; and c) When a hazardous constituent is detected during screening analyses at a concentration suggestive of hazardous waste. Determinations must be performed pursuant to 40 CFR 262.11 using operator knowledge and/or applicable analytical testing methods described in EPA publication SW-846. Operator knowledge must be adequately described and sufficient to justify the determination.

E. Quarterly and annual monitoring reports and spill reporting shall be in accordance with Part II.B.

F. All sampling and analytical accuracy shall be in accordance with Part II.E.

G. Permit Limitations

1. Analytical values for groundwater quality monitoring shall not exceed the Profile I or established baseline reference values, whichever value is greater, for groundwater. The Division Profile I reference values are:

Aluminum	0.2 mg/L	Manganese	0.10 mg/L
Antimony	0.006 mg/L	Mercury	0.002 mg/L
Arsenic	0.010 mg/L	Nickel	0.1 mg/L
Barium	2.0 mg/L	Nitrate+Nitrite (Total as N)	10 mg/L
Beryllium	0.004 mg/L	Nitrogen (Total as N)	10 mg/L
Cadmium	0.005 mg/L	pH (\pm 0.1 std units (S.U.))	6.5-8.5 S.U.
Chloride	400 mg/L	Selenium	0.05 mg/L
Chromium	0.1 mg/L	Silver	0.1 mg/L
Copper	1.0 mg/L	Sulfate	500 mg/L
Fluoride	4.0 mg/L	Thallium	0.002 mg/L
Iron	0.6 mg/L	Total Dissolved Solids	1000 mg/L
Lead	0.015 mg/L	WAD cyanide	0.2 mg/L
Magnesium	150 mg/L	Zinc	5.0 mg/L

2. Fluid levels in the infiltration basins shall be managed to prevent overflow or surface discharge from the basins or the formation of surface seeps or artificial springs.

3. A minimum 2-foot freeboard must be maintained in all infiltration basins and the Infiltration Water Containment Pond, when used.

4. Infiltration is not authorized to either the Filippini or Frome site and the Permittee must have written authorization from the Division at least thirty

(30) days prior to resumption of infiltration activities at the inactive Windmill #4 site.

5. The daily accumulation of flow exceeding 150 gallons per day averaged over the quarter in the leak detection port identified in Part I.D.9.
6. The daily accumulation of flow exceeding 50 gallons per day averaged over the year in the leak detection port identified in Part I.D.9.
7. PCS that exceeds screening levels shall not be placed at an on-site disposal location.

Exceeding these limitations may be permit violations and shall be reported as specified in Part II.B.4.

- H. The facility has installed a calibrated rain gauge which shall be monitored daily. A written record of all daily accumulations of precipitation shall be maintained on site.
- I. The Permittee shall monitor the pumping rate of all dewatering wells. A record of the time periods during which each pump was active and the average pumping rate in gallons per minute (gpm) shall be maintained on site.
- J. The Permittee shall inspect all control devices, systems and facilities weekly. Drainage and containment systems shall also be inspected during, when possible, and after major storm events. These inspections are performed to detect evidence of:
 1. Deterioration, malfunction, or improper operation of control systems;
 2. Sudden changes in the level of the contents of any monitoring device;
 3. The presence of liquids in leak detection systems; and
 4. Severe erosion or other signs of deterioration in dikes, diversions, or other containment devices.
- K. Prior to initiating permanent closure activities at the facility or any process component within the facility, the Permittee must have an approved final permanent closure plan.
- L. The Permittee shall remit an annual review and services fee in accordance with NAC 445A.232 starting July 1 after the effective date of this permit and every year thereafter until the permit is terminated or the facility has received final closure certification from this Division.
- M. The Permittee shall not dispose of or treat Petroleum-Contaminated Soil (PCS) on the mine site without first obtaining from the Division approval of a PCS Management Plan. The approved PCS Management Plan and the Division's Guidance for Mine-Site PCS Management Plans are hereby incorporated into this permit by reference.

II. General Facility Conditions and Limitations

A. General Requirements

1. The Permittee shall achieve compliance with the conditions, limitations, and requirements of the permit upon commencement of each relevant activity. The Administrator may, upon the request of the Permittee and after public notice (if required), revise or modify a Schedule of Compliance in an issued permit if he determines good and valid cause (such as an act of God, a labor strike, materials shortage or other event over which Permittee has little or no control) exists for such revision.
2. The Permittee shall at all times maintain in good working order and operate as efficiently as possible, all devices, facilities, or systems installed or used by the Permittee to achieve compliance with the terms and conditions of this permit.
3. Whenever the Permittee becomes aware that he failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Administrator, the Permittee shall promptly submit such facts or correct information. Any inaccuracies found in this information may be grounds for revocation or modification of this permit and appropriate enforcement action.

B. Reporting Requirements

1. The Permittee shall submit quarterly reports, which are due to the Division on or before the 28th day of the month following the quarter and must contain the following:
 - a. Analytical results for fluid samples from locations identified in Parts I.D.1, I.D.2, I.D.5, I.D.6, and I.D.8, reported on NDEP Form 0190 or equivalent;
 - b. A record of the groundwater elevation for locations identified in Parts I.D.4, I.D.5, and I.D.6;
 - c. A record of flow as described in Parts I.D.1, I.D.8, and I.D.9, as applicable, for the five-year history previous to the date of submittal;
 - d. An operational water balance calculation as described in Part I.D.3;
 - e. Date(s) and reason(s) for use of the Infiltration Water Containment Pond, identified in Part I.D.8;
 - f. A record of spills and releases, and the remedial actions taken in accordance with the approved Emergency Response Plan on NDEP Form 0390 or equivalent;
 - g. Copies of hazardous waste determinations, identified in Part I.D.10, pertaining to the approved PCS Management Plan; and

- h. An updated list of all PCS sources managed under the approved PCS Management Plan, with any new or changed sources highlighted, reported on NDEP Form PCS-01 or equivalent.

Facilities, which have not initiated mining or construction, must submit a quarterly report identifying the status of mining or construction. Subsequent to any noncompliance or any facility expansion, which provides increased capacity, the Division may require an accelerated monitoring frequency.

- 2. The Permittee shall submit an annual report by February 28th of each year, for the preceding calendar year, which contains the following:
 - a. A synopsis of spills and releases on NDEP Form 0390 or equivalent;
 - b. A brief summary of site operations, construction, expansion, and reclamation activities and major problems with the water management system;
 - c. Graphs of pH, total dissolved solids (TDS), sulfate as SO₄, fluoride, chloride, and nitrate + nitrite (Total as N) concentration (as applicable), versus time for all fluid sampling points. These graphs shall display a five-year history previous to the date of submittal. Additional constituents may be required by the Division if deemed necessary;
 - d. A summary of the Southern Crescent Valley Springs monitoring report as described in Part I.D.7; and
 - e. Submit a summary report prepared in accordance with the "*Response Plan, Southern Crescent Valley Water Quality Concentrations*" (the Response Plan), dated 08 September 2011, until an end to Response Plan activities or a Permit modification is authorized by the Division.
- 3. Release Reporting Requirements: The following applies to facilities with an approved Emergency Response Plan. If a site does not have an approved Emergency Response Plan, then all releases must be reported as per NAC 445A.347 or NAC 445A.3473, as appropriate.
 - a. A release of any quantity of hazardous substance, as defined at NAC 445A.3454, to surface water, or that threatens a vulnerable resource, as defined at NAC 445A.3459, must be reported to the Division as soon as practicable after knowledge of the release, and after the Permittee notifies any emergency response agencies, if required, and initiates any action required to prevent or abate any imminent danger to the environment or the health or safety of persons. An oral report shall be made by telephone to 888-331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within ten (10) days in accordance with Part II.B.4.b.
 - b. A release of a hazardous substance in a quantity equal to or greater than that which is required to be reported to the National Response Center

pursuant to 40 C.F.R. Part 302 must be reported as required by NAC 445A.3473 and Part II.B.3.a.

- c. A release of a non-petroleum hazardous substance not subject to Parts II.B.3.a. or II.B.3.b., released to soil or other surfaces of land, and the quantity is equal to or exceeds 500 gallons or 4,000 pounds, or that is discovered in or on groundwater in any quantity, shall be reported to the Division no later than 5 P.M. of the first working day after knowledge of the release. An oral report shall be made by telephone to 888-331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within ten (10) days in accordance with Part II.B.4.b. Smaller releases, greater than 25 gallons or 200 pounds and less than 500 gallons or 4,000 pounds, released to soil or other surfaces of land, or discovered in at least three cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.
 - d. Petroleum Products and Ethylene Glycol: If a release is subject to Parts II.B.3.a. or II.B.3.b., report as specified in Part II.B.3.a. Otherwise, if a release of any quantity is discovered on or in groundwater, or if the quantity is equal to or greater than 100 gallons released to soil or other surfaces of land, report as specified in Part II.B.3.c. Smaller releases, greater than 25 gallons but less than 100 gallons, released to soil or other surfaces of land, or if discovered in at least three cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.
4. The Permittee shall report to the Administrator any noncompliance with the permit.
- a. Each such event shall be reported orally by telephone to (775) 687-9400, not later than 5 P.M. of the next regular work day from the time the Permittee has knowledge of the circumstances. This report shall include the following:
 - i. Name, address, and telephone number of the owner or operator;
 - ii. Name, address, and telephone number of the facility;
 - iii. Date, time, and type of incident, condition, or circumstance;
 - iv. If reportable hazardous substances were released, identify material and report total gallons and quantity of contaminant;
 - v. *Human and animal mortality or injury;*
 - vi. An assessment of actual or potential hazard to human health and the environment outside the facility; and
 - vii. If applicable, the estimated quantity of material that will be disposed and the disposal location.
 - b. A written summary shall be provided within ten (10) days of the time the Permittee makes the oral report. The written summary shall contain:

- i. A description of the incident and its cause;
 - ii. The periods of the incident (including exact dates and times);
 - iii. If reportable hazardous substances were released, the steps taken and planned to complete, as soon as reasonably practicable, an assessment of the extent and magnitude of the contamination pursuant to NAC 445A.2269;
 - iv. Whether the cause and its consequences have been corrected, and if not, the anticipated time each is expected to continue; and
 - v. The steps taken or planned to reduce, eliminate, and prevent recurrence of the event.
- c. The Permittee shall take all available and reasonable actions, including more frequent and enhanced monitoring to:
- i. Determine the effect and extent of each incident;
 - ii. Minimize any potential impact to the waters of the State arising from each incident;
 - iii. Minimize the effect of each incident upon domestic animals and all wildlife; and
 - iv. Minimize the endangerment of the public health and safety which arises from each incident.
- d. If required by the Division, the Permittee shall submit, as soon as reasonably practicable, a final written report summarizing any related actions, assessments, or evaluations not included in the report required in Part II.B.4.b., and including any other information necessary to determine and minimize the potential for degradation of waters of the State and the impact to human health and the environment. Submittal of the final report does not relieve the Permittee from any additional actions, assessments, or evaluations that may be required by the Division.

C. Administrative Requirements

1. A valid permit must be maintained until permanent closure is complete. Therefore, unless permanent closure has been completed, the Permittee shall apply for permit renewal not later than one hundred twenty (120) days before the permit expires.
2. Except as required by NAC 445A.410 for a permit transfer, the Permittee shall submit current permit contact information described in paragraphs (a) through (c) of subsection 2 of NAC 445A.394 within thirty (30) days after any change in previously submitted information.
3. All reports and other information requested by the Administrator shall be signed and certified as required by NAC 445A.231.

4. When ordered consistent with Nevada Statutes, the Permittee shall furnish any relevant information in order to determine whether cause exists for modifying, revoking and reissuing, or permanently revoking this permit, or to determine compliance with this permit.
5. The Permittee shall maintain a copy of, and all modifications to, the current permit at the permitted facilities at all times.
6. The Permittee is required to retain during operation, closure and post-closure monitoring, all records of monitoring activities and analytical results, including all original strip chart recordings for continuous monitoring instrumentation, and all calibration and maintenance records. This period of retention must be extended during the course of any unresolved litigation.
7. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not thereby be affected.
8. The Permittee is authorized to manage fluids and solid wastes in accordance with the conditions of this permit. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of Federal, State or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under the Water Pollution Control Statutes for releases or discharges from facilities or units not regulated by this permit. NRS 445A.675 provides that any person who violates a permit condition is subject to administrative or judicial action provided in NRS 445A.690 through 445A.705.

D. Division's Authority

The Permittee shall allow authorized representatives of the Division, at reasonable times, and upon the presentation of credentials to:

1. Enter the Permittee's premises where a regulated activity is conducted or where records are kept per the conditions of this permit;
2. Have access to and copy any record that must be kept per the conditions of this permit;
3. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated by this permit; and
4. Sample or monitor for any substance or parameter at any location for the purposes of assuring permit and regulatory compliance.

E. Sampling and Analysis Requirements

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. For each measurement or sample taken pursuant to the conditions of this permit, the Permittee shall record the following information:
 - a. The exact place, date, and time of the inspection, observation, measurement, or sampling; and
 - b. The person(s) who inspected, observed, measured, or sampled.
3. Samples must be taken, preserved, and labeled according to Division approved methods.
4. Standard environmental monitoring chain of custody procedures must be followed.
5. Samples shall be analyzed by a laboratory certified by the State of Nevada. The Permittee must identify the certified laboratory used to perform the analyses, laboratory reference number, sample date and laboratory test date in quarterly reports.
6. The accuracy of analytical results, unless otherwise specified, shall be expressed in mg/L and reliable to at least two (2) significant digits. The analytical methods used must have a lower level of detection equal to or less than one-half the reference value for Profile I constituents.

F. Permit Modification Requirements

1. Any material modification must be reported by submission of a new application, or, if such changes will not violate the limitations specified in the permit, by notice to the permit issuing authority of such changes. Any change which materially modifies, as defined in NAC 445A.365, the permitted facility must comply with NAC 445A.392, NAC 445A.4155, NAC 445A.416, and NAC 445A.417.
2. Prior to the commencement of mining activities at any site within the State, which is owned or operated by the Permittee but not identified and characterized in the application, the Permittee shall submit to the Division a report which identifies the locations of the proposed mine areas and waste disposal sites, and characterizes the potential of mined materials to release pollutants. Prior to development of these areas the Division shall determine if any of these new sources will be classified as process components and require engineered containment as well as permit modification.
3. The Permittee must notify the Division in writing at least thirty (30) days before the introduction of process solutions into a new water management component or into an existing water management component which has been materially modified, or of the intent to commence active operation of that water management component.
4. The Permittee must obtain a written determination from the Administrator of any planned material modification(s) as to whether it is considered a permit modification.

5. The Permittee must give advance notice to the Administrator of any planned changes or activities which are not material modifications in the permitted facility that may result in noncompliance with permit requirements.

Prepared by: Miles G. Shaw

Date: 19 December 2011

Revision 00: Renewal 2011, effective 05 January 2012; major modification for Cottonwood Canyon I construction, addition of PCS Management Plan by reference, and boilerplate updates.

Correct

FACT SHEET
(pursuant to NAC 445A.401)

Permittee Name: **Barrick Cortez, Inc.**

Project Name: **Pipeline Infiltration Project**

Permit Number: **NEV0095111 (Renewal 2011)**

A. Location and Description of Discharge

Location: The project facilities are located in portions of: Sections 13, 15, 21, 22, 27, and 28, Township 28 North, Range 47 East; Sections 13, 23, 24, and 26, Township 27 North, Range 46 East; unsurveyed Sections 7, 18, and 19, Township 27 North, Range 47 East; and Sections 17 and 18, Township 28 North, Range 49 East, Mount Diablo Baseline and Meridian, approximately 35 miles southeast of the town of Battle Mountain, Lander County, Nevada.

General Description: The **Pipeline Infiltration Project** consists of infiltration of mine dewatering water at a maximum rate of 34,500 gallons per minute via rapid infiltration basins (RIBs) located in Crescent Valley. The facility is to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the 24-hour, 25-year design storm event.

B. Synopsis

General: The Permittee mines gold ore from the Pipeline Project (Water Pollution Control Permit NEV0093109) by open pit extraction methods, conducts underground mining of the Cortez Hills deposit from elevations below the ambient groundwater table in the southern portion of Crescent Valley. Therefore, the operations require a dewatering program to extract groundwater from within the excavations and from the periphery of the open pit and the underground workings in advance of mining. The dewatering water is returned to the source hydrographic basin via the Pipeline Infiltration Project (PIP) RIBs.

Since the start-up of infiltration operations in August 1996, as many as 25 production dewatering wells have been utilized. Average annual discharge to the infiltration sites has gradually increased from 4,000 gallons per minute (gpm) to instantaneous rates of up to 29,000 gpm (Fall 2005) as more sites were constructed and the dewatering requirements increased. As originally designed, the permitted annual maximum pumping rate was 30,067 gpm, with a projected average annual flow rate ranging from 3,500 to 28,300 gpm during the life of the project. To accommodate additional anticipated expansion of the Pipeline Mine, the permitted maximum infiltration rate was increased to 34,500 gpm with a minor

modification to the permit, effective 26 April 2004. The increased maximum infiltration rate will also accommodate anticipated average flows of approximately 4,000 gpm from the Cortez Hills Project (NEV2007106) located on the east side of Crescent Valley.

The average maximum discharge rate to the infiltration system is anticipated to remain below 26,000 gpm through the mine life, although the maximum permitted discharge could be reached for brief periods when consumptive water use is reduced. Discharge to each RIB site is monitored with daily totalizer flow meter recordings and, currently, 8 shallow bedrock-dewatering wells and 13 deep bedrock-dewatering wells are monitored with a totalizer to obtain a total average monthly pumping rate.

Pipeline Infiltration Project - NDEP Investigation Report, 21 December 2004 (Report):

The referenced Report was completed in response to a written submittal from Western Mining Action Project on behalf of Great Basin Mine Watch and the Western Shoshone Defense Project dated 13 July 2004, and titled "Complaint and Request for Investigation – Pipeline Infiltration Project" (Complaint). The conclusion of the Report follows in quotations:

"In conclusion, the results of the Pipeline Infiltration Project Investigation did not substantiate the allegation that contaminants in groundwater are moving off site. Monitoring wells at the currently active infiltration sites with constituent levels, namely TDS and nitrate, above the NDEP Profile I water standards, are all located within the mounded infiltration water that temporarily resides above the pre-existing groundwater table. The NDEP has determined that such water does not constitute a source of usable water; and as such, compliance is focused upon potential degradation of the pre-established groundwater table. The investigation did identify that exceedances are present in the pre-established groundwater table at two infiltration sites, Filippini and Frome; however, these two sites are no longer in operation and the affected groundwater is localized by low transmissivity soils with no apparent potential for migration that could adversely impact reasonable use of groundwater in the area. It was evident from the investigative review of the Pipeline Infiltration Project files, that the PIP has evolved over its operating history as both the Permittee and the NDEP have gained experience from the system's performance. However, the investigation did identify that further improvements could be made in the existing permitting and monitoring systems, as resulting recommendations were made for respective actions both of the NDEP and of Cortez Gold Mines [Barrick Cortez, Inc.] as the Permittee. The progressive implementation of the resulting investigation recommendations should provide additional measures to substantiate that neither current, nor future drinking water sources, are being degraded by the PIP

operations.”

The recommendations of the Report have been implemented and are being followed, as applicable, by the Permittee and the BMRR. Full copies of the Complaint, Report, and supporting documentation may be found in the BMRR public files.

Infiltration System Design: Dewatering water is pumped into a series of 36-inch diameter high density polyethylene (HDPE) surface pipelines that distribute flow to the various infiltration sites and the individual basins within each site. The basins are all constructed on the alluvial fan by excavating alluvial sediments. The flow to individual infiltration basins is controlled by manually operated valves and the flow rate is then derived through a water balance calculation based on a combination of data from basin flow meter readings, dewatering well totalizer readings, and other use records. Water infiltration is rotated among the basins to reduce potential groundwater mounding and optimize basin performance. As the infiltration is rotated, basins are cleared of vegetative growth and scarified to improve infiltration when the basin is next brought back on line.

Ten (10) infiltration sites, with a total of fifty-five (55) basins, were active prior to April 2004. The pre-2004 sites included: Highway I (12 basins); Highway North (4 Basins); Highway South (4 basins); Rocky Pass (11 basins); Rocky Pass #2 (4 basins); Frome (17 basins) has been decommissioned (12 basins in 1999, and 5 basins in 2005) and is in the final stages of reclamation; Windmill #1 (4 basins); Windmill #2 (4 basins); Windmill #4 (4 inactive basins), and Windmill #5 (3 basins). Due to poor percolation rates, the entire Filippini Infiltration Site, comprised of 18 basins, was closed and surface reclamation was completed in 1998. The infiltration mound continues to dissipate. Infiltration basin IB-113, located within the Highway infiltration site, acts as a surge pond to stabilize discharge rates for irrigation purposes.

A minor modification to the permit, effective 26 April 2004, authorized the construction of three (3) additional infiltration sites: Rocky Pass III (4 basins), West Highway I (2 basins), and West Highway II (4 basins). The minor modification also included the construction of hydraulic links between six (6) existing Highway I infiltration basins located in the northwest half of that site. This latter construction creates expanded surge storage capacity beyond the single IB-113 surge basin to provide more reliable and longer term flows to the Dean Ranch and other irrigation facilities if dewatering rates are reduced for operational reasons. West Highway II was constructed soon after approval but will be closed prior to construction of the Area 28 TSF Cell 4 Expansion. The Rocky Pass III construction was completed in late 2010 and initiation of infiltration was planned for late 2011. Only the West Highway I site remains approved but not constructed. A Permit schedule of compliance item requires

notification prior to construction of the remaining approved site.

An engineering design change (EDC), based on the findings and recommendations of the *BMRR Pipeline Infiltration Project – NDEP Investigation Report*, dated 21 December 2004, was approved in December 2005. The approval authorized removal of dewatering water conveyance pipelines at the five (5) remaining Frome infiltration basins to prevent any future infiltration at the site, which has a history of very poor percolation rates.

The 2011 renewal of the permit included approval of a major modification to construct the Cottonwood Canyon I RIBs in accordance with designs based on those approved for post-2004 construction and as described below. Phase I construction at the site is proposed for 2012, and consists of four (4) basins that will provide effective infiltration and offset the loss of infiltration capacity once the four (4) RIBs located at the West Highway II site are decommissioned and closed prior to construction of the Area 28 Tailings Storage Facility (TSF) Cell 4 Expansion, a major modification to the Pipeline Project (NEV0093109). Closure of the West Highway II Site will be completed in accordance with the Pipeline Infiltration Project Closure Plan and is anticipated to occur during 2013 or 2014.

Once the new Cottonwood Canyon I basins are constructed and prior to closure of the West Highway II site, active infiltration *could potentially* take place in sixty-four (64) RIBs located at thirteen (13) sites. This level of infiltration activity would require reactivation of the idled Windmill #4 site (4 basins), which must have prior Division approval.

Infiltration basins constructed prior to 2004, measured, on average, 100 to 200 feet wide and 400 to 500 feet long. To enhance operational efficiency, the general plan dimensions of later-constructed infiltration basins were modified to approximately 1,000 feet long by 200 feet wide. The base footprint of each of the later basins is approximately 880 feet long by 80 feet wide. Pre-2004 basin construction averaged 10 feet in depth but operating experience and field and laboratory testing of alluvial aquifer stratigraphy indicated a more favorable infiltration horizon with a much lower soluble salts content could be utilized with basins approximately 20 feet deep.

Material excavated from a basin is stockpiled immediately adjacent to the RIB to facilitate reclamation. For the 2004 and later construction, stockpiled material footprints average 950 feet long by 200 feet wide and the material stacked approximately 30 feet high.

From the dewatering well collection manifold, water is conveyed to the various infiltration sites through HDPE pipelines decreasing in size from 36-inch diameter to 24-inch diameter as the system branches to the individual sites. The pipelines run along the ground surface

and through culverts where they pass beneath roads. The infiltration water pipelines do not share any process component containment. Near the entrance to an infiltration site, unless already reduced in diameter, the main conveyance pipeline is reduced to 24-inch diameter HDPE pipeline fitted with a totalizing flow meter.

Within an infiltration site, the dewatering water may be distributed to each RIB through a dedicated 12-inch diameter HDPE pipeline attached to the 24-inch diameter delivery pipeline with a reducer tee and butterfly valve that can be used to distribute and manage flow amongst one or more RIBs. The distribution pipeline is placed down the sideslope at the narrow end of the basin and extends approximately fifteen (15) feet into the basin. The outlet end of the pipeline is terminated with an elbow and 3-foot high riser pipe encased in a 3-foot thick by 10-foot-square layer of $D_{50} = 9$ -inch riprap.

The RIBs are, in general, constructed in pairs, one 'upgradient' and one 'downgradient', with the adjacent narrow ends ranging from 100 to 400 feet apart and providing space for an access road and the 24-inch diameter HDPE delivery pipeline. The 'upgradient' basin has a 5-foot diameter basin overflow manhole located within the downgradient sideslope of the RIB. The manhole is constructed of pre-fabricated concrete rings to a height of about seven (7) feet above a concrete base set into the floor of the RIB. If water in the RIB reaches the top of the manhole, it will overflow through a trash screen and flow by gravity through a 16-inch diameter HDPE overflow pipeline that discharges into the downgradient basin. The discharge pipeline outlet is constructed to the same design as the distribution outlet structure described above. Each downgradient RIB has an emergency overflow structure constructed into the downgradient crest in the unlikely event the RIB overtops. The structure is constructed as a spillway, a minimum of ten (10) feet wide and two (2) feet deep, with a 12-inch thick layer of riprap over a base layer of 8 ounce per square yard geotextile.

Water Quality Monitoring: Under current operating conditions, approximately 70% of the pumped water is returned to the source Crescent Valley hydrographic basin (State of Nevada Ground Water Basin N^o 54 - Crescent Valley) by infiltration. The balance of the dewatering water goes to consumptive uses such as mill and leach processes, dust suppression and irrigation, or is lost to evaporation. Irrigation currently receives an allocation of approximately 6,000 gpm. In the future, additional dewatering discharge may be diverted to irrigation use.

Dewatering water baseline water quality is generally good with analyses reporting naturally elevated constituent values for fluoride and total dissolved solids. Although elevated, the concentrations do not exceed the respective 4.0 mg/L fluoride and 1000 mg/L total dissolved solids reference values established in the Division Profile I as revised in September 2009.

The infiltration discharge is monitored daily for flow rate, weekly for pH and specific conductivity, and quarterly for chemical constituents. The water quality compliance point for any group of infiltration basins is at the respective downgradient primary basin or sentinel groundwater monitoring well or wells. Except for established elevated baseline constituent values in some of these wells, such as minor exceedances of the Profile I reference values for arsenic, cadmium, iron, manganese, mercury, and thallium, the groundwater quality measured in these wells must not exceed the Profile I reference values.

Until 2004 (see below), depth to water was monitored on a monthly basis at seventy-six (76) monitoring well locations surrounding the infiltration sites and seventy-two (72) of these wells were also monitored for water quality. Of these water quality wells, a primary group of sixty-five (65) wells are located immediately peripheral to the infiltration basins and were sampled quarterly for Profile I chemical constituents. The remaining seven (7) wells served as sentinel groundwater-monitoring wells to monitor actual Crescent Valley groundwater quality, between the upgradient infiltration sites and the downgradient water rights, prior to the infiltrated groundwater reaching the valley aquifer.

Of the original 7-well sentinel well group identified above, wells IZ-18, IZ-19, and IZ-20 were existing wells already identified in the permit. The Wintle, Dean Ranch, FMW-06S, and FMW-07S wells were added to the permit as sentinel wells as an EDC modification in August 2003. This original group of seven (7) sentinel wells is situated in a generally south-to-north trending line, parallel to the axis of the valley floor, between the Shoshone Range on the west and the Cortez Mountains on the east.

As previously discussed, an EDC modification, based on the findings and recommendations of the *BMRR Pipeline Infiltration Project – NDEP Investigation Report*, dated 21 December 2004, authorized a reduction in the total number of wells used for water quality monitoring from seventy-two (72) to thirty-one (31). The number of primary group wells was reduced from sixty-five (65) to nineteen (19) wells in order to monitor more representatively the actual groundwater quality and to eliminate water quality monitoring of wells located within infiltration mounds. The number of sentinel groundwater-monitoring wells was increased from seven (7) to a total of twelve (12) with the installation of five (5) new wells.

Construction of the Cottonwood Canyon I site includes three (3) new piezometer wells and three (3) new primary group monitoring wells, one (1) upgradient and two (2) downgradient. These additional primary group wells will bring the total number of basin primary groundwater monitoring wells monitored in the Permit to twenty-two (22). These wells plus the twelve (12) sentinel wells bring the total number of water quality wells in the Permit to thirty-four (34).

In addition to a modification of the total number, location, and purpose of monitoring wells, enhanced parameters for commissioning and managing new infiltration basins were implemented as a result of the investigation. New requirements include installation of at least one (1) upgradient groundwater monitoring well and at least two (2) downgradient groundwater monitoring wells outside the maximum extent of the modeled infiltration mound for each infiltration site; screening of the groundwater monitoring wells within the upper 20 feet of the ambient (pre-dewatering/pre-infiltration) groundwater level; baseline sampling of the wells prior to commencement of new infiltration basin operation; and placement of piezometer wells within the predicted infiltration mound adjacent to the rapid infiltration basin(s) that will be used only for infiltration mound management and not for water quality analysis.

Careful management of infiltration rates and infiltration mound limits is critical to minimize the potential to mobilize locally occurring constituents in the alluvium and for maintaining alluvial groundwater quality at the compliance monitoring wells. In response to continued sporadic exceedances of nitrate concentrations in water quality samples for Downgradient Sentinel Groundwater Monitoring Well FMW-07S, the Permittee submitted an Action Plan in September 2011, based on an investigation of potential sources and designed to mitigate the potential for future exceedances. The Division accepted the Action Plan and has incorporated as a Permit Schedule of Compliance item by reference.

In 1993, prior to initiation of dewatering activities, 68 seeps and springs were surveyed in the southern portion of Crescent Valley below an elevation of 6,000 feet above mean sea level (amsl). As part of Bureau of Land Management reporting requirements, quarterly monitoring at 24 of these sites is performed to identify and mitigate potential water quantity impacts of the dewatering and infiltration operations. Analyses include flow rate, specific conductivity, pH, temperature, and dissolved oxygen content. An annual summary report is provided to the Division.

Pipeline Fissure Zone: In November 2002, the main dewatering conveyance pipeline experienced a broken weld resulting in a release of approximately two (2) million gallons of dewatering water to the ground surface. The released water encountered subsidence-induced cracks located east of the mine facilities, which were caused by previous dewatering of the underlying formations and resulted in erosional formation of fissure gullies referred to as the Windmill Fissures.

The Windmill Fissure zone was mapped and evaluated with aerial photography, remote sensing techniques, and ground-truthing survey methods by AMEC Earth and Environmental

Consulting (AMEC). At the recommendation of AMEC and with the concurrence of the Division and the Bureau of Land Management, the fissure gullies were backfilled and overdumped with alluvium and non-potentially acid generating waste rock. Based on the completed study, it was determined that little potential exists for substantial offset across the subsidence cracks or fissure gullies. However, if allowed to form and propagate, fissure gullies could potentially disrupt roads and compromise constructed facilities. Therefore, dewatering water conveyance pipelines passing over the zone with the greatest potential for the formation of subsidence cracks were placed within an HDPE-lined channel to minimize the potential of a future release eroding the cracks and creating additional fissure gullies. Based on AMEC recommendations, a surveyed network of subsidence and ground strain monitoring points was established and monitoring results are collected and reported quarterly.

Cortez Underground Exploration Project Water Handling System: In July 2005, construction was initiated of a decline within the F-Canyon Pit, one of the three (3) original pits from which material was historically mined for processing at the Cortez Gold Mine Mill #1 (NEV0000023), to provide access for underground exploration of the Cortez Hills gold deposit as part of the Cortez Underground Exploration Project. An EDC, approved in May 2006, authorized construction of temporary Water Supply and Event pipelines to support decline construction activities as part of NEV0000023 and was subsequently transferred to the new Cortez Hills Expansion Project NEV2007106 in May 2009. The decline intercepted the water table approximately 350 feet below the elevation of the decline portal (approximately 4,950 feet AMSL). Dewatering requirements can increase to as much as 5,000 gpm for peak flows when water-bearing fractures are first intercepted. Dewatering flow from all sources, which include underground sumps, drillholes, and surface dewatering wells located along the trace of the decline, is anticipated to average about 2,500 gpm or less for the life of the project.

To handle the anticipated flow volumes and to plan for potential future deposit development, the Cortez Underground Exploration Project Water Handling System proposal was submitted as a group of three (3) engineering design change modifications, approved October 2006. The modifications, each of which is tied to the project where the dewatering water is discharged or consumed, affected the Cortez Mine Project (NEV0000023) (transferred to NEV2007106 in May 2009), the Pipeline Project (NEV0093109), and the Pipeline Infiltration Project (NEV0095111). All three (3) projects are located within the same hydrogeologic region (State of Nevada Ground Water Basin N^o 54 – Crescent Valley) as the dewatering water source.

For the purposes of dewatering water handling and management, the water removed is

identified as either "Contact Water" or "Infiltration Water" and each is directed to a separate and dedicated portion of the approved system. Contact Water is water collected from either *underground mining sources or dewatering wells that, due to either "contact" with mining products or mined materials, or due to naturally occurring contained constituents, exceeds one or more of the BMRR Profile I water quality criteria.* Contact Water may only be consumptively used in process components unless the quality is modified to meet the criteria required for infiltration. Dewatering water that meets all the BMRR Profile I reference values, or water quality criteria that may be specific to a water pollution control permit, is termed Infiltration Water and may be either discharged to infiltration basins or used for other approved consumptive uses outside containment, such as dust control.

It should be noted that the most common constituent exceedances, especially for water extracted through the dewatering wells, are for iron and manganese, which are usually the product of the oxygen-depleted reducing condition of the groundwater. Studies demonstrate that aeration alone will often bring this water within the Profile I reference values and make the water suitable as Infiltration Water. Therefore, this natural chemical process, combined with physical methods of segregating better quality water in the underground workings to prevent contamination, results in a much smaller proportion of the total volume of dewatering water being classified as Contact Water.

The Pipeline Infiltration Project (NEV0095111) portion of the Cortez Underground Exploration Project Water Handling System is generally comprised of: the steel F-Canyon Portal Surge Tank; the 24-inch diameter HDPE Cross-Valley Infiltration Water ('I-1') Pipeline; the single-layer HDPE-lined Infiltration Water Containment Pond; associated knife and butterfly valves, air-, vacuum-, and combination air-vacuum-release valves, pond uptake and discharge structures, and road-crossing pipeline containment with leak detection ports. The Pipeline Infiltration Project portion of the system allows Infiltration Water to be stored briefly in the F-Canyon Portal Surge Pond, bled through a one-way check valve into the 6-inch diameter portion of the Contact Water Pipeline to provide flow or volume adjustment, discharged to and, if water quality meets Infiltration Water quality standards, recovered from the Cortez Mine Water Storage Reservoir Pond (WSR) South Cell, or to be directly conveyed to the main Pipeline Infiltration Project dewatering water trunk pipeline for discharge to the permitted infiltration basins.

Infiltration Water from sources along the F-Canyon Portal decline is conveyed through three (3) 12-inch diameter HDPE inlet pipelines to the F-canyon Portal Surge Tank. As surface dewatering wells are developed, they are connected into the system using 6-inch to 12-inch diameter HDPE pipelines, depending on well production rates. The F-Canyon Portal Surge Tank is a cylindrical, open-topped, steel tank measuring 32 feet in diameter and 23 feet tall.

The tank has a minimum 2-foot freeboard (21-foot tank elevation) dictated by an overflow pipe tied to the inlet to the 24-inch diameter HDPE cross-valley Infiltration Water ('I-1') Pipeline. Excluding the freeboard, the tank has a capacity of approximately 126,000 gallons. Inlet pipelines from the portal are plumbed to discharge into the tank from the top. An internal tank weir allows for stilling of flow to the inlet to the 'I-1' Pipeline.

Small amounts of Infiltration Water can also be bled into the Contact Water Pipeline near the F-Canyon portal. A section of 6-inch diameter HDPE pipeline, equipped with a gate valve and directional check valve, is designed to convey Infiltration Water from the 24-inch diameter Infiltration Water Pipeline at a location downgradient from the F-Canyon Portal Surge Tank into the 'I-1' Pipeline in the event flow or volume adjustments are required. The gate valve and check valve are designed to prevent back-flow of Contact Water into the 'I-1' Pipeline.

The 'I-1' Pipeline parallels the smaller diameter Contact Water Pipeline ('C-2' Pipeline, permitted under NEV0093109) along a westerly surface route from the WSR. Approximately 2,000 feet west of the WSR, the pipelines intersect the power line easement, cross over to place the 'I-1' Pipeline on the north-northeast side of the 'C-2' Pipeline, and follow the corridor in a northwesterly direction across Crescent Valley to the eastern edge of the Pipeline Project site where the 'I-1' Pipeline connects to the existing Pipeline Infiltration Project, 36-inch diameter HDPE, main dewatering water trunk pipeline. The connection is made through a steel wye equipped with a butterfly valve and a check valve to ensure Infiltration Water in the 'I-1' Pipeline flows only into the main trunk line.

The 'I-1' Pipeline is located on the surface with a parallel down-gradient control berm and will drain, if repair or shut-down is necessary, to the Infiltration Water Containment Pond. The Infiltration Water Containment Pond is located at the lowest point in Crescent Valley along the pipeline corridor between the F-Canyon Portal and the main dewatering water trunk pipeline. The Infiltration Water Containment Pond is located across from the Contact Water Containment Pond (NEV0093109).

The Infiltration Water Containment Pond measures approximately 155 feet on a side, is approximately 10 feet deep, and has a capacity of approximately 867,000 gallons with a 2-foot freeboard. The pond has been sized to contain 110% of the maximum volume that could drain, due either to maintenance or emergency requirements, from the east and the west limits of the 'I-1' Pipeline. The pond is lined with a single layer of 60-mil HDPE placed on a 1-foot-thick layer of native soil compacted to 90% maximum dry density as determined by ASTM D-1557 (modified Proctor). The pond perimeter is graded to maintain a 5% drainage slope for at least twelve (12) feet away from the pond crest and the liner anchor trench. The

pond is equipped with a standard outlet diffuser pipe and an uptake riser pipe and uptake sump, of the same design as that used in the WSR, for pond evacuation.

Pipeline road crossings are constructed beneath the roads with pipe-in-pipe secondary containment and a leak detection and evacuation port. Construction for the 'I-1' Pipeline road crossing secondary containment consists of a 30-inch diameter corrugated steel pipe (CSP) placed at least two (2) feet below the road surface and surrounded with pipe bedding material compacted to at least 95% maximum dry density as determined by ASTM D-1557. A vertical leak detection inspection and evacuation port is constructed of an 8-inch diameter CSP located directly above the low point of the secondary containment CSP.

Between the WSR and the point where the 'I-1' and 'C-2' pipelines diverge at the eastern edge of the Pipeline Project boundary, the pipelines are placed approximately ten (10) feet apart. Pipeline anchor berms are located at 1,000-foot intervals where the gradient is $<4\%$, at 500-foot intervals where the gradient is $>4\%$, and upgradient and downgradient from all pipe fittings, tees, and valves to minimize lateral pipeline movement.

All pipeline bends, angles, tees, and valve connections are constructed of standard steel with 150-pound flange connections to the HDPE pipeline. Air-release, vacuum-release, combination valves, and drain valves are placed at locations along the pipeline to ensure proper flow and drainage as necessary. Pipeline connections are equipped with check-valves, where necessary, to prevent mixing of Contact Water and Infiltration Water, to prevent inundation of the system from other sources, and to ensure the required flow direction, from east to west, is maintained. The HDPE pipeline thicknesses used in construction are based on requirements calculated for specific sections of the pipeline relative to potential hydraulic head pressure and topography considerations.

Weekly flow monitoring is conducted at all pipeline inlets and outlets and BMRR Profile I water quality analyses are reported quarterly for samples collected from the same locations. Road crossing/leak detection ports are inspected weekly.

Petroleum-Contaminated Soil Management: An EDC for a Petroleum-Contaminated Soil (PCS) Management Plan was approved in April 2010. No PCS storage or disposal is approved for the Facility. The Permittee is required to remove all PCS from the Facility for provisional storage and disposal at the approved Pipeline Project waste rock dump (NEV0093109) in accordance with the approved PCS Management Plan and the Division's Guidance for Mine-Site PCS Management Plans.

C. Receiving Water Characteristics

The receiving water is the alluvial groundwater in southern Crescent Valley. Pre-operating depth to groundwater ranged from 135 to 60 feet below ground surface (bgs) for the various infiltration sites. The baseline quality of the alluvial groundwater generally meets the Division Profile I water quality standards, with localized, slightly elevated levels of arsenic, manganese, iron, cadmium and thallium. There are no persistent exceedances of Division Profile I water quality standards, although arsenic commonly occurs naturally at levels at or slightly above the revised standard effective in 2008. The alluvium has also been shown to very effectively attenuate most chemical constituents.

D. Procedures for Public Comment

The Notice of the Division's intent to renew the permit authorizing the facility to locate, construct, operate, and close subject to the conditions contained within the permit, is being sent to the **Battle Mountain Bugle** for publication. The notice is being mailed to interested persons on our mailing list. Anyone wishing to comment on the proposed permit can do so in writing within a period of thirty days following the date of the public notice. The comment period can be extended at the discretion of the Administrator. All written comments received during the comment period will be retained and considered in the final determination.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected intrastate agency, or any interested agency, person or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator determines to be appropriate. All public hearings must be conducted in accordance with NAC 445A.403 through NAC 445A.406.

E. Proposed Determination

The Division has made the tentative determination to issue the renewal permit.

F. Proposed Discharge Limitations, Schedule of Compliance and Special Conditions

See Section I of the permit.

G. Rationale for Permit Requirements

The discharge must not degrade waters of the State. Monitoring wells will be used to detect any changes in receiving groundwater quality. The system is required to withstand flows from the 100-year, 24-hour storm event, and contain the 25-year, 24-hour storm event.

H. Federal Migratory Bird Treaty Act

Under the Federal Migratory Bird Treaty Act, 16 U.S.C. 701-718, it is unlawful to kill migratory birds without license or permit, and no permits are issued to take migratory birds using toxic ponds. The Federal list of migratory birds (50CFR10, April 15, 1985) includes nearly every bird species found in the State of Nevada. The U.S. Fish and Wildlife Service is authorized to enforce the prevention of migratory bird mortalities at ponds and tailings impoundments. Compliance with state permits may not be adequate to ensure protection of migratory birds for compliance with provisions of Federal statutes to protect wildlife. Open waters attract migratory waterfowl and other avian species. High mortality rates of birds have resulted from contact with toxic ponds at operations utilizing toxic substances. The Service is aware of two approaches that are available to prevent migratory bird mortality: 1) physical isolation of toxic water bodies through barriers (covering with netting), and 2) chemical detoxification. These approaches may be facilitated by minimizing the extent of toxic water. Methods which attempt to make uncovered ponds unattractive to wildlife are not always effective. Contact the U.S. Fish and Wildlife Service at 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502, (775) 784-5227, for additional information.

Prepared by: Miles Shaw

Date: 19 December 2011

Revision 00: Renewal 2011, effective 05 January 2012; major modification for Cottonwood Canyon I construction, addition of PCS Management Plan by reference, and boilerplate updates.

Notice of Proposed Action

By the

State of Nevada

The Administrator of the Division of Environmental Protection gives notice that an application for renewal and major modification of a Water Pollution Control Permit for the **Pipeline Project**, a mining and beneficiation facility, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for renewal and modification of Water Pollution Control Permit **NEV0093109** (Permit) is:

**Barrick Cortez, Inc.
HC66 Box 1250
Crescent Valley, Nevada 89821-1250**

The facility is located on public and private land in Lander County, within Sections 28, 29, 30, 31, 32, and 33, Township 28 North, Range 47 East, Sections 3, 4, 5, 6, 7, 8, and 9, Township 27 North, Range 47 East, and Sections 1 and 12, Township 27 North, Range 46 East, MDB&M, approximately 30 air-miles southeast of the town of Battle Mountain, Nevada.

The project consists of a large scale open pit mining and mill and heap leach beneficiation facility, designed to extract gold, with a maximum permitted production rate of 45,000,000 tons of ore per year. The facility is comprised of the mine, mill, heap leach pads, tailings impoundments, solution and stormwater ponds, dewatering and water quality monitoring wells, waste rock disposal facilities, and administrative, mechanical, and warehouse support facilities. The major modification is for a tailings impoundment expansion and construction of associated infrastructure and monitoring components. Facilities are required to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event.

The Administrator is constrained to either issue the renewal and modified Permit or to deny the application. The Administrator has made the tentative decision to issue the renewal and modified Permit.

Persons wishing to comment upon the proposed Permit, to recommend terms and conditions for consideration of incorporation into the Permit, or who request a public hearing pursuant to Nevada Administrative Code (NAC) Chapter 445A, must submit their written comments, objections, or requests by hand delivery or US Postal Service, or by facsimile or e-mail transmittal (with the original to be received within five (5) days of transmittal date), no later than 5:00 PM on the 30th day following the date of publication of this notice (submittal end date 20 January 2012) to:

RECEIVED

DEC 28 2011

COUNTY COMMISSION

Division of Environmental Protection
Bureau of Mining Regulation and Reclamation
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

All comments, objections, or requests received during the public notice period will be considered in the final determination regarding the Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Miles Shaw on (775) 687-9409 or visit the Bureau of Mining's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>

STATE OF NEVADA
Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Mining Regulation and Reclamation

Water Pollution Control Permit

Permittee: **Barrick Cortez, Inc.
Pipeline Project
HC66 Box 1250
Crescent Valley, Nevada 89821-1250**

Permit Number: **NEV0093109 (Renewal 2012)**

Pursuant to Nevada Revised Statutes (NRS) 445A.300 through 445A.730, inclusive, and regulations promulgated thereunder by the State Environmental Commission and implemented by the Division of Environmental Protection (the Division), this permit authorizes the Permittee to construct, operate, and close the **Pipeline Project**, in accordance with the limitations, requirements and other conditions set forth in this permit. The Permittee is authorized to process up to **45,000,000 tons** of ore per year.

The facility is located in Lander County within portions of Sections 28, 29, 30, 31, 32, and 33, Township 28 North, Range 47 East, Sections 3, 4, 5, 6, 7, 8, and 9, Township 27 North, Range 47 East, and Sections 1 and 12, Township 27 North, Range 46 East, Mount Diablo Baseline and Meridian, approximately 30 air-miles southeast of the town of Battle Mountain.

The Permittee must comply with all terms and conditions of this permit and all applicable statutes and regulations.

This permit is based on the assumption that the information submitted in the application of 17 May 1993, as modified by subsequent approved amendments, is accurate and that the facility has been constructed and is being operated as specified in the application. The Permittee must inform the Division of any deviation from or changes in the information in the application, which may affect the Permittee's ability to comply with applicable regulations or permit conditions.

This permit is effective as of **Day Month 2012**, and shall remain in effect until **23 January 2017**, unless modified, suspended, or revoked.

Signed this day of **Month 2012**.

Bruce Holmgren, P.E.
Chief, Bureau of Mining Regulation and Reclamation

I. Specific Facility Conditions and Limitations

A. In accordance with operating plans and facility design reviewed and approved by the Division the Permittee shall:

1. Construct, operate, and close the facility in accordance with those design plans;
2. Contain within the fluid management system all process fluids including all meteoric waters which enter the system as a result of the 25-year, 24-hour storm event; and
3. Not release or discharge any process or non-process contaminants from the fluid management system.

B. Schedule of Compliance:

1. With each subsequent application for renewal or modification of this permit or for any operational or other facility change that could affect the approved pit lake predictive model (the Model) or ecological risk assessment (the ERA), the Permittee shall re-evaluate the Model and the ERA and provide, as necessary, an update or modification of the Model and ERA and predicted outcomes for Division review and approval. Any update or modification shall include, but not be limited to: 1) all new data and information developed during the period elapsed since the date of the prior approved submittal; 2) an update of the most likely scenario, alternative, and outcome; and 3) as applicable, revised conclusions and recommendations based on applicable Nevada Administrative Code (NAC) and best engineering and scientific principles and practices.
2. At least thirty (30) days prior to initiating construction of any phase of the approved Phase I through Phase V Area 28 Tailings Storage Facility Cell 4 Expansion, a major modification, the Permittee shall provide a written notice of intent to construct to the Division identifying the phase or phases to be constructed and the Permittee shall commence construction only upon receipt of written approval and any relevant permit stipulations from the Division. In the event the proposed construction of an approved phase will vary materially from the approved design, a permit modification, as determined by the Division, will be required and the Permittee shall submit the appropriate fee and all necessary engineering design information for Division review and approval prior to initiating construction. For each completed phase of construction, in accordance with NAC 445A.427, the Permittee shall submit a quality assurance/quality control summary report and as-built drawings and the required updated operating plan, as described in NAC 445A.398.2 through NAC 445A.398.6.

C. The fluid management system covered by this permit consists of the following process components:

1. The Area 28 Cell 1-Cell 2 Tailings Storage Facility (TSF), liner system, solution collection systems, decant tower, leak detection systems, pumps, pipelines, valves, secondary containment, and associated appurtenances;
2. Area 28 integrated heap leach cells 2, 2-3, and 3, solution application systems, solution collection systems, solution trenches, leak detection systems, liner systems, pipelines, pumps, valves, secondary containment, and associated appurtenances;
3. Area 28 CIC metals recovery facility, Cell 1 pregnant solution pond (PP), Cell 1 tailings underdrain solution pond (UDP), Area 28 stormwater event pond, liner systems, leak detection systems, pipelines, storage tanks, pumps, secondary containment, and associated appurtenances;
4. The Area 28 Cell 4 TSF Expansion embankment, liner system, underdrain solution collection and conveyance system, reclaim solution recovery and conveyance system, Underdrain Outlet Pipelines, lined solution channels, leak detected Cell 4 Underdrain Collection Tank, leak detected Cell 4 Underdrain Event Pond and leakage collection and recovery system (LCRS) sump, Cell 4 Underdrain Bypass Pipeline, Cell 4-to-Cell 1 Underdrain Reclaim Pipeline, and all other associated leak detection systems, pumps, pipelines, valves, secondary containment, and associated appurtenances
5. Area 30, South Area Heap Leach (SAHL) Facility Phase 2002, Phase 2004, and Phase 2007 construction, the heap leach pad subgrade leak detection system, solution collection systems, solution trenches, SAHL CIC recovery plant, SAHL pregnant solution ponds 1 & 2 (PP1 & PP2), SAHL barren solution pond (SA-BP), SAHL stormwater pond, liner systems, leak detection systems, pipelines, storage tanks, pumps, secondary containment, and associated appurtenances;
6. Mill #2 facility: the Plant Spill Pond (PSP), CIC and CIL equipment, storage tanks, thickeners, refinery, mercury scrubber, secondary containment systems, associated appurtenances, and all sumps, pumps and piping necessary to interconnect the components;
7. All process solution pipelines between the Mill #2 facility and all heap leach and tailings facilities, interconnected pipelines, lined trenches, secondary containment, and leak detection systems;
8. The "Pipeline Project" portion of the Cortez Underground Exploration Project Water Handling System, including but not limited to, the single-layer HDPE-lined Contact Water Containment Pond, pipelines, pipeline LCRS, tanks, basins, sumps, pumps, valves, secondary containment, and other piping necessary to interconnect the components; and
9. The single-layer 60-mil HDPE-lined Pipeline Underground Ore Stockpile Pad and associated protective overliner layer, 60-mil HDPE-lined and leak detected Pipeline Underground Ore Stockpile Pad Stormwater Pond, lined

fluid conveyance channel, and associated pumps, valves, pipelines, and secondary containment.

D. Monitoring Requirements

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
<p>1. <u>Leak Detection Sumps and Ports</u></p> <p><i>Area 28 Facility:</i></p> <p>Underdrain (Barren) Pond (UP) 380 gal Pregnant Pond (PP) 380 gal Underdrain Solution Channel (USC) 12 gal Pregnant Solution Channel (PSC) 15 gal Cell 1 South (C1S) 12 gal Cell 1 Channel North (abandoned C1NSC) and Channel South (abandoned C1SSC) combined (C1SC) 12 gal Cell 2 Pad (C2) 14 gal Cell Solution Channel (C2SC) 15 gal Cell 3 Pad (C3) 15 gal Cell 3 Solution Channel (C3SC) 14 gal Cell 4 Underdrain Event Pond (C4UEP) 2,000 gal Plant Spill Pond (PSP) 175 gal</p> <p><i>Area 30 SAHL Facility:</i></p> <p>SAHL Barren Pond (LDBP) 1,170 gal SAHL Process Pond 1 (LDPP1) 1,170 gal SAHL Process Pond 2 (LDPP2) 1,170 gal SAHL Transfer Channels: Center (LDTRC) 19 gal South (LDTRS) 29 gal North (LDTRN) 30 gal SAHL Collection Channels: 1 South (LDCC1) 29 gal 1 North (LDCC1N) 22 gal 2 North (LDCC2N) 29 gal 2 South (LDCC2S) 30 gal SAHL Leach Pad 2002: Cell 1 (SALD1) 29 gal Cell 2 (SALD2) 35 gal Cell 3 (SALD3) 29 gal Cell 4 (SALD4) 37 gal</p> <p><i>Other Facility Components:</i></p> <p>Pipeline Underground Ore Stockpile Pad Stormwater Pond (POS-LD) 1,485 gal</p>	<p>Average daily accumulation in gallons per day (gpd)</p>	<p>Weekly¹</p>

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
2. <u>Cell 4 TSF Leak Detected Pipelines and Tanks</u> Underdrain Outlet Pipeline 1 (C4UOP1) Underdrain Outlet Pipeline 2 (C4UOP2) Underdrain Bypass Pipeline (C4UBP) Underdrain Collection Tank (C4UCTLD)	Report average flow in gallons per minute (gpm) or 'no flow'	Weekly
3. <u>Piezometer Measurements</u> Cell 1 Pneumatic: P1 ⁹ , P2 ⁹ , P3, P4, P5 ⁹ , P6 ⁹ , P7 ⁹ , P8 ⁹ , P9 ⁹ , P10 ⁹ , P11 ⁹ , P12 ⁹ , P13 ⁹ , P14 ⁹ ; Cell 1 Phase II Crest Standpipe: 1201, 1202, 1203, 1204, 1205, 1206, 1207; Cell 1 Downstream Embankment Electric 1208, 1209, 1210, 1211; Cell 2 Leach Strip Pneumatic: 18 ¹⁰ , 19 ¹⁰ ; Cell 2 Electric: 41, 42, 43, 44, 45, 46, 47, 48, 49; Cell 2 Electric: 23, 24, 25, 26; Cell 2-3 Pneumatic: 27, 28, 29; Cell 2-3 Leach Electric: 37, 38, 39, 40 ¹⁰ ; Cell 4 Supernatant Pool Electric: BP-1A-1, BP-1A-2, BP-1B-1, BP-1B-2, BP-2-1, BP-2-2, BP-3-1, BP-3-2, BP-4-1, BP-4-2; Cell 4 Basin Underdrain Electric: BP-5-1, BP-5-2, BP-6-1, BP-6-2, BP-7-1, BP-7-2, BP-8-1, BP-8-2, BP-9-1, BP-9-2	Hydraulic head in feet	Monthly
4. <u>Process Solution</u> Area 28 Pregnant Pond (PS) Area 28 Underdrain (Barren) Solution (US) Cell 4 Underdrain Collection Tank (C4UCTS) Cell 4 Underdrain Event Pond (C4UEPS) Tailings Slurry liquid fraction (TS) Area 30 SAHL Barren Pond (SA-BP) Area 30 SAHL Process Pond 1 (PP1) Area 30 SAHL Process Pond 2 (PP2)	Profile II ³	Quarterly
5. <u>Leach Pad Ore</u> Area 28 Cell 2 (SL-2) Area 28 Cell 3 (SL-3) Area 30 SAHL Phase 2002 Construction (SSAL-1) Area 30 SAHL Phase 2004 Construction (SSAL-2) Area 30 SAHL Phase 2007 Construction (SSAL-3)	ANP/AGP ^{4,5}	Quarterly for any quarter material is placed

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
6. <u>Mined Materials</u> Alluvial Overburden (AO) Waste Rock (WR-x) Carbon Ore Stockpile (CO) Low-grade Ore Stockpile (LO) Pipeline Underground Ore Stockpile (POS); Cell 1-2 TSF Tailings Solids (C1-2TS) Cell 4 TSF Tailings Solids (C4-TS)	MWMP ⁶ -Profile I ² and ANP/AGP ^{4,5} ; ANP/AGP ^{4,5}	Quarterly; Quarterly
7. <u>Site Monitoring Wells</u> <i>Area 28 Alluvial Wells:</i> Process Ponds Downgradient (SMA-11) Process Ponds Downgradient (SMA-12) Cell 1-2 TSF/Solution Ponds Downgradient (SMA-13) Cell 1-2 TSF/Heap Leach Pad Downgradient (SMA-14R) Cell 1-2 TSF Upgradient (SMA-15R) Cell 4 TSF Cross-gradient (SMA-17) Cell 4 TSF/Tank/Pond Downgradient (IM-59) Cell 4 TSF Cross-gradient (IM-61) <i>Bedrock Wells:</i> Cell 1-2 TSF Upgradient (SMA-16R) Cell 3 Heap Leach Pad Cross-gradient (SMB-20) Mill #2 Downgradient (SMB-21R) Mill #2 Upgradient (SMB-22) General Site (OW-4S) <i>Area 30 SAHL Alluvial Wells:</i> Phase 3 Pad Upgradient (SH-02A/R) Phase 3 Pad Downgradient (SH-03A) Phase 2 Pad Downgradient (SH-04A) Phase 1 Pad Downgradient (SH-05A) Process Facility Downgradient (SH-06A) <i>Area 30 SAHL Bedrock Wells:</i> Process Facility Upgradient (SH-01B) Phase 2 Pad Downgradient (SH-04B) Phase 1 Pad Downgradient (SH-05B)	Profile I ² , water and well collar elevations in feet above mean sea level (amsl)	Quarterly
8. <u>Water Supply</u> Dewatering Wells with identification; Mill #2 Make-Up Water (MMW)	Profile I ² ; Profile I ²	Quarterly (by well); Annually

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
9. <u>Cortez Underground Exploration Project</u> <u>Contact Water⁵ Monitoring</u> Contact Water flow at Area 28 (CW-F28) Contact Water flow at Area 30 (CW-F30); Contact Water quality at discharge (CW-D); Contact Water Containment Pond (CWCP)	Average flow in gpm; Profile I ² ; Date(s) and reason(s) used	Weekly; Quarterly; Quarterly, when used
10. <u>Cortez Underground Exploration Project</u> <u>Contact Water⁸ Pipeline ('C-2') Road Crossing Leak Detection Ports</u> Station 'C-2' 84+41 (C2-84/41) Station 'C-2' 404+00 (C2-404/00) Station 'C-2' 457+50 (C2-457/50) Station 'C-2' 468+00 (C2-468/00) Station 'C-2' 502+00 (C2-502/00)	Report number of gallons evacuated or "no-flow"	Weekly ¹
11. <u>Petroleum-Contaminated Soil (PCS)</u> <u>Screening Analysis</u> Each approved on-site disposal location, by PCS source type	VOCs ¹¹ , SVOCs ¹² , TPH ¹³	Quarterly after provisional placement ¹
12. <u>PCS Hazardous Waste Determinations</u> Each PCS source	Hazardous waste determination ¹⁵	When required ¹⁵
13. <u>PCS Management</u> Each disposal location by PCS source type	PCS volume added, volume removed and destination, total volume present (cubic yards)	Quarterly

The Permittee may request a reduction in the number of elements and frequency of analyses after four (4) quarters of complete monitoring based on justification other than cost. Such reductions may be considered formal modifications to the permit.

Footnotes:

- (1) The sump must be inspected and evacuated on a more frequent basis than weekly if the fluid level is above the top of the sump or the invert of any pipe which discharges into the sump, whichever level is lower, or if the

potential exists to exceed the sump capacity. Records are required documenting volume, date and time of extraction to show that sumps are maintained in this condition.

(2) Profile I:

Alkalinity (as CaCO ₃):	Cadmium	Magnesium	Selenium
Bicarbonate	Calcium	Manganese	Silver
Total	Chloride	Mercury	Sodium
Aluminum	Chromium	Nickel	Sulfate
Antimony	Copper	Nitrate+Nitrite (Total as N)	Thallium
Arsenic	Fluoride	Nitrogen (Total as N)	Total Dissolved Solids
Barium	Iron	pH (± 0.1 std units)	WAD Cyanide
Beryllium	Lead	Potassium	Zinc

(3) Profile II includes Profile I plus the following:

Bismuth	Gallium	Phosphorus (Total)	Tin
Boron	Lithium	Scandium	Titanium
Cobalt	Molybdenum	Strontium	Vanadium

- (4) When static testing⁽⁵⁾ characterization of Mined Materials or Leach Pad Ore shows the potential for acid generation as set forth in the Division's guidance document "Waste Rock and Overburden Evaluation" (dated September 14, 1990), the Permittee shall notify the Division in writing and initiate kinetic testing⁽⁷⁾ within ten (10) days.

If the kinetic test⁽⁷⁾ results indicate acid generation conditions exist, the Permittee shall submit in writing, within thirty (30) days, the methods proposed for providing containment of these materials and the anticipated impact this acid generation potential may have on final stabilization of all components affected as defined in NAC 445A.359.

- (5) Acid Neutralizing Potential/Acid Generating Potential (ANP/AGP, also known as acid-base accounting) shall be performed using a LECO-type analysis, with full sulfur speciation, in accordance with the Nevada Modified Sobek Method.
- (6) The Meteoric Water Mobility Procedure (MWMP) shall be performed in accordance with ASTM method E 2242 (or the most current method).
- (7) Kinetic testing (humidity cell testing) shall be performed in accordance with ASTM D 5744-07 Option 'A' (or the most current approved method); tests

shall be run for a minimum of twenty (20) weeks and for a longer duration if warranted or recommended by the analytical laboratory or required by the Division; samples shall be collected weekly (all weeks) and measurements shall be recorded for redox potential, pH, specific conductance ($\mu\text{mhos/cm}$), acidity and/or alkalinity (as deemed appropriate by the laboratory), sulfate, iron (total, ferric, and ferrous), and dissolved calcium and magnesium; weekly filtered extracts per the method will be digested and analyzed for total recoverable concentrations during week 0, 1, 2, 4, 8, 12, 16, and 20; 4-week extracts thereafter (i.e., week 24, 28, 32, etc.) shall be analyzed by a Nevada certified analytical laboratory for Profile I constituents and pH, specific conductance ($\mu\text{mhos/cm}$), acidity and/or alkalinity shall be recorded as recommended by the analytical laboratory; final results reported shall include a Profile I analysis of the final leachate and an ANP/AGP analysis of the leached material using a LECO-type analysis as specified above.

- (8) Use or storage of Contact Water other than in process or within approved containment, respectively, must have prior written Division authorization.
- (9) Piezometer P14 failed 09/2003; piezometers P5 and P6 failed prior to Q2 2005; piezometer P1 failed 06/2005; piezometer P9 failed 01/2006; piezometer P13 failed 01/2006; piezometer P8 failed 05/2006; piezometer P7 failed 11/2007; piezometer P12 failed Q3 2008; piezometer P2 failed Q4 2008; piezometer P11 failed Q2, 2009; (these Cell 1 failed piezometers were supplemented with '1200' series standpipe piezometers installed during late April 2009); piezometer P10 was abandoned prior to construction of the Area 28 TSF Interim Phase IV Raise. Unless otherwise required by the Division, reporting of 'failed' or abandoned piezometers may cease upon written notice to the Division.
- (10) Cell 2 Leach Strip Pneumatic piezometer 18 failed prior to Q2 2005 and piezometer 19 failed Q3 2005; Cell 2-3 Leach Electric piezometer 40 failed Q2 2009. Reporting of 'failed' piezometers may cease upon written notice to the Division.
- (11) Volatile Organic Compounds (VOCs) analyzed by EPA Method 8260B.
- (12) Semi-Volatile Organic Compounds (SVOCs) analyzed by EPA Method 8270D.
- (13) Total Petroleum Hydrocarbons (TPH) analyzed by EPA Method 8015 Modified. If any gasoline-range petroleum is suspected, or if the source-type is unknown, both TPH-P (purgeable) and TPH-E (extractable) are required. Otherwise, only TPH-E is required.
- (14) Each segregated source type of PCS must be sampled separately pursuant to the approved sample collection protocol. For approved on-site disposal locations, analyses are required only in quarters when PCS has been provisionally placed subject to screening results.

(15) A hazardous waste determination is required: a) Initially, for each PCS source prior to management under the PCS Management Plan; b) When a PCS waste stream is suspected to have changed character since the last determination; and c) When a hazardous constituent is detected during screening analyses at a concentration suggestive of hazardous waste. Determinations must be performed pursuant to 40 CFR 262.11 using operator knowledge and/or applicable analytical testing methods described in EPA publication SW-846. Operator knowledge must be adequately described and sufficient to justify the determination.

E. Quarterly and annual monitoring reports and spill reporting shall be in accordance with Part II.B.

F. All sampling and analytical accuracy shall be in accordance with Part II.E.

G. Permit Limitations

1. The daily accumulation or flow exceeding 150 gallons per day averaged over the quarter in the leak detection sumps, ports, or secondary containment pipelines identified in Parts I.D.1, I.D.2, and I.D.10.
2. The daily accumulation or flow exceeding 50 gallons per day averaged over the year in the leak detection sumps, ports, or secondary containment pipelines identified in Parts I.D.1, I.D.2, and I.D.10.
3. Failure to meet a Schedule of Compliance date.
4. The hydraulic head, as measured by the piezometers located beneath the drainage blanket and the downstream toe of the Area 28 Cell 1 TSF embankment and as measured by the piezometers located beneath the drainage blanket of the basin and supernatant pool areas of the Area 28 Cell 4 TSF Expansion, shall be managed to maintain the integrity and function of the liner, the embankment, and the fluid management systems in accordance with the approved designs, NAC 445A.437, and NAC 445A.438.
5. The Area 28 Cell 1 and Cell 1-2 TSF shall be managed in accordance with all approved design criteria.
6. During normal design operating conditions, a minimum 5-foot Probable Maximum Precipitation event storage volume and a minimum 4-foot wave-action freeboard shall be maintained for the Area 28 Cell 4 TSF supernatant pool and the pool shall be managed to remain within the maximum design areal limits as marked on the embankment crest.
7. The storage of process solution in a single-lined pond for more than twenty (20) consecutive days for any single event.
8. Heap leach pads may be constructed, as measured vertically from the top of the synthetic liner for any point on the pad, to a maximum elevation of 350 feet for Area 28 heap leach pads and to a maximum elevation of 300 feet for any phase of the Area 30 SAHL heap leach pad.

9. The hydraulic head, as measured on the Cell 2-3 Leach Expansion piezometers located in the overliner material, shall be managed to maintain the integrity and function of the heap leach pad and liner fluid management systems in accordance with the approved component design, NAC 445A.434, and NAC 445A.438.
 10. The cumulative solution application rate to the Cell 1, Cell 2-3, and Cell 3 heap leach pad should not exceed 8,300 gallons per minute (gpm). The cumulative solution application rate to the Area 30 SAHL heap leach pad should not exceed 21,000 gpm. In no circumstance shall the application rate per unit area to either facility exceed 0.005 gpm/ft².
 11. Material used for construction of the Area 28 Cell 4 TSF Expansion and all access ramps is limited to characterized net neutralizing waste rock or approved fill material.
 12. Maintain a minimum 2-foot design freeboard in all process ponds and the Contact Water Containment Pond, when used.
 13. PCS that exceeds screening levels shall not be placed at an on-site disposal location.
 14. Material loaded on the Pipeline Underground Ore Stockpile Pad shall be placed with a minimum set-back distance of ten (10) feet from the interior berm toe and may be placed to a height not to exceed forty (40) feet as measured vertically from the top of the overliner layer;
 15. The Pipeline Underground Ore Stockpile Pad overliner layer and access ramp layer shall be maintained at no less than the design thickness of three (3) feet and two (2) feet, respectively.
 16. The maximum operating level for the Pipeline Underground Ore Stockpile Pad Stormwater Pond is 9.5 feet below the pond crest.
 17. The Pipeline Underground Ore Stockpile Pad Stormwater Pond and LCRS sump may be evacuated only to approved containment unless otherwise authorized by the Division.
 18. The throughput rate for Mill #2 shall not exceed 15,000 dry tons per day.
- Exceedances of these limitations may be permit violations and shall be reported as specified in Part II.B.4.
- H. The facility shall maintain an automated device or a calibrated rain gauge, which shall be monitored daily, to record daily precipitation. A written record of all daily accumulations of precipitation shall be maintained on site.
 - I. The Permittee shall inspect all control devices, systems and facilities weekly. Drainage and containment systems shall also be inspected during, when possible, and after major storm events. These inspections are performed to detect evidence of:

1. Deterioration, malfunction, or improper operation of control systems;
 2. Sudden changes in the level of the contents of any monitoring device;
 3. The presence of liquids in leak detection systems; and
 4. Severe erosion or other signs of deterioration in dikes, diversions, or other containment devices.
- J. Prior to initiating permanent closure activities at the facility or any process component within the facility, the Permittee must have an approved final permanent closure plan.
- K. The Permittee shall remit an annual review and services fee in accordance with NAC 445A.232 starting July 1 after the effective date of this permit and every year thereafter until the permit is terminated or the facility has received final closure certification from the Division.
- L. The Permittee shall not dispose of or treat Petroleum Contaminated Soils (PCS) on the mine site without first obtaining from the Division approval of a PCS Management Plan. The approved PCS Management Plan and the Division's Guidance for Mine-Site PCS Management Plans are hereby incorporated into this permit by reference.
- II. General Facility Conditions and Limitations
- A. General Requirements
1. The Permittee shall achieve compliance with the conditions, limitations, and requirements of the permit upon commencement of each relevant activity. The Administrator may, upon the request of the Permittee and after public notice (if required), revise or modify a Schedule of Compliance in an issued permit if he determines good and valid cause (such as an act of God, a labor strike, materials shortage or other event over which Permittee has little or no control) exists for such revision.
 2. The Permittee shall at all times maintain in good working order and operate as efficiently as possible, all devices, facilities, or systems installed or used by the Permittee to achieve compliance with the terms and conditions of this permit.
 3. Whenever the Permittee becomes aware that he failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Administrator, the Permittee shall promptly submit such facts or correct information. Any inaccuracies found in this information may be grounds for revocation or modification of this permit and appropriate enforcement action.

B. Reporting Requirements

1. The Permittee shall submit quarterly reports which are due to the Division on or before the 28th day of the month following the quarter and must contain the following:
 - a. Monitoring results from monitoring of the leak detection sumps, pipelines, and ports identified in Parts I.D.1, I.D.2, and I.D.10, reported on NDEP Form 0590 or equivalent;
 - b. Monitoring results for piezometers identified in Part I.D.3;
 - c. Water and collar elevations for site monitoring wells identified in Part I.D.7;
 - d. Analytical results for the solution collected from monitoring locations identified in Parts I.D.4 and I.D.9, reported on NDEP Form 0090 or Form 0190 (as appropriate) or equivalent;
 - e. Analytical results of the water collected from monitoring locations identified in Parts I.D.7 and I.D.8, reported on NDEP Form 0190 or equivalent;
 - f. Analytical results of the MWMP and/or ANP/AGP testing, as applicable, for the materials identified in Parts I.D.5 and I.D.6 reported on NDEP Form 0090 or NDEP Form 0190 (as appropriate) or equivalent;
 - g. The average weekly flow, in gallons per minute, for the monitoring locations identified in Part I.D.9;
 - h. Date(s) and reason(s) for use of the Contact Water Containment Pond, identified in Part I.D.9, during the quarter;
 - i. A record of spills and releases, and the remedial actions taken in accordance with the approved Emergency Response Plan on NDEP Form 0490 or equivalent;
 - j. Analytical results, copies of hazardous waste determinations, and monitoring results, identified in Parts I.D.11 through I.D.13, pertaining to the approved PCS Management Plan;
 - k. An updated list of all PCS sources managed under the approved PCS Management Plan, with any new or changed sources highlighted, reported on NDEP Form PCS-01 or equivalent; current screening levels for each on-site disposal location; and a detailed explanation of any revisions to screening levels; and.
- l. For any kinetic test initiated, continued, or terminated with Division approval, during the quarter in accordance with Part I.D., a brief report of the test status and an evaluation of the results to date, which shall include all analytical data generated from the date testing was initiated through the reporting quarter.

Facilities which have not initiated mining or construction, must submit a quarterly report identifying the status of mining or construction. Subsequent to any noncompliance or any facility expansion which provides increased capacity, the Division may require an accelerated monitoring frequency.

2. The Permittee shall submit an annual report by February 28th of each year, for the preceding calendar year, which contains the following:
 - a. Analytical results of the water quality sample collected from the Mill #2 make-up water supply identified in Part I.D.8, reported on NDEP Form 0190 or equivalent;
 - b. A synopsis of spills and releases, reported on NDEP Form 0390 or equivalent;
 - c. A brief summary of site operations, including the number of tons of ore milled or placed on heaps during the year, construction and expansion activities and major problems with the fluid management system;
 - d. A table of average monthly precipitation amounts reported for the five-year history previous to the date of submittal;
 - e. A graph of the average weekly flow, in gallons per minute, for the monitoring locations identified in Part I.D.9, for the five-year history previous to the date of submittal;
 - f. An updated version of the facility monitoring and sampling procedures and protocols;
 - g. An updated evaluation of the closure plan using specific characterization data for each process component with respect to achieving stabilization; and
 - h. Graphs of leak detection flow rates, and pH, total dissolved solids (TDS), sulfate as SO₄, chloride, nitrate + nitrite (Total as N), WAD cyanide, fluoride, zinc, and arsenic concentration (as applicable), versus time for all fluid sampling points. These graphs shall display a five-year history previous to the date of submittal. Additional constituents may be required by the Division if deemed necessary.
3. Release Reporting Requirements: The following applies to facilities with an approved Emergency Response Plan. If a site does not have an approved Emergency Response Plan, then all releases must be reported as per NAC 445A.347 or NAC 445A.3473, as appropriate.
 - a. A release of any quantity of hazardous substance, as defined at NAC 445A.3454, to surface water, or that threatens a vulnerable resource, as defined at NAC 445A.3459, must be reported to the Division as soon as practicable after knowledge of the release, and after the Permittee notifies any emergency response agencies, if required, and initiates any action required to prevent or abate any imminent danger to the environment or

the health or safety of persons. An oral report shall be made by telephone to 888-331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within ten (10) days in accordance with Part II.B.4.b.

- b. A release of a hazardous substance in a quantity equal to or greater than that which is required to be reported to the National Response Center pursuant to 40 Code of Federal Regulations (CFR) Part 302 must be reported as required by NAC 445A.3473 and Part II.B.3.a.
 - c. A release of a non-petroleum hazardous substance not subject to Parts II.B.3.a. or II.B.3.b., released to soil or other surfaces of land, and the quantity is equal to or exceeds 500 gallons or 4,000 pounds, or that is discovered in or on groundwater in any quantity, shall be reported to the Division no later than 5 P.M. of the first working day after knowledge of the release. An oral report shall be made by telephone to 888-331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within ten (10) days in accordance with Part II.B.4.b. Smaller releases, greater than 25 gallons or 200 pounds and less than 500 gallons or 4,000 pounds, released to soil or other surfaces of land, or discovered in at least three cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.
 - d. Petroleum Products and Ethylene Glycol: If a release is subject to Parts II.B.3.a. or II.B.3.b., report as specified in Part II.B.3.a. Otherwise, if a release of any quantity is discovered on or in groundwater, or if the quantity is equal to or greater than 100 gallons released to soil or other surfaces of land, report as specified in Part II.B.3.c. Smaller releases, greater than 25 gallons but less than 100 gallons, released to soil or other surfaces of land, or if discovered in at least three cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.
4. The Permittee shall report to the Administrator any noncompliance with the permit.
- a. Each such event shall be reported orally by telephone to (775) 687-9400, not later than 5 P.M. of the next regular work day from the time the Permittee has knowledge of the circumstances. This report shall include the following:
 - i. Name, address, and telephone number of the owner or operator;
 - ii. Name, address, and telephone number of the facility;
 - iii. Date, time, and type of incident, condition, or circumstance;
 - iv. If reportable hazardous substances were released, identify material and report total gallons and quantity of contaminant;
 - v. Human and animal mortality or injury;

- vi. An assessment of actual or potential hazard to human health and the environment outside the facility; and
- vii. If applicable, the estimated quantity of material that will be disposed and the disposal location.
- b. A written summary shall be provided within ten (10) days of the time the Permittee makes the oral report. The written summary shall contain:
 - i. A description of the incident and its cause;
 - ii. The periods of the incident (including exact dates and times);
 - iii. If reportable hazardous substances were released, the steps taken and planned to complete, as soon as reasonably practicable, an assessment of the extent and magnitude of the contamination pursuant to NAC 445A.2269;
 - iv. Whether the cause and its consequences have been corrected, and if not, the anticipated time each is expected to continue; and
 - v. The steps taken or planned to reduce, eliminate, and prevent recurrence of the event.
- c. The Permittee shall take all available and reasonable actions, including more frequent and enhanced monitoring to:
 - i. Determine the effect and extent of each incident;
 - ii. Minimize any potential impact to the waters of the State arising from each incident;
 - iii. Minimize the effect of each incident upon domestic animals and all wildlife; and
 - iv. Minimize the endangerment of the public health and safety which arises from each incident.
- d. If required by the Division, the Permittee shall submit, as soon as reasonably practicable, a final written report summarizing any related actions, assessments, or evaluations not included in the report required in Part II.B.4.b., and including any other information necessary to determine and minimize the potential for degradation of waters of the State and the impact to human health and the environment. Submittal of the final report does not relieve the Permittee from any additional actions, assessments, or evaluations that may be required by the Division.

C. Administrative Requirements

- 1. A valid permit must be maintained until permanent closure is complete. Therefore, unless permanent closure has been completed, the Permittee shall apply for permit renewal not later than one-hundred twenty (120) days before the permit expires.

2. Except as required by NAC 445A.419 for a permit transfer, the Permittee shall submit current permit contact information described in paragraphs (a) through (c) of subsection 2 of NAC 445A.394 within thirty (30) days after any change in previously submitted information.
3. All reports and other information requested by the Administrator shall be signed and certified as required by NAC 445A.231.
4. When ordered consistent with Nevada Statutes, the Permittee shall furnish any relevant information in order to determine whether cause exists for modifying, revoking and reissuing, or permanently revoking this permit; or to determine compliance with this permit.
5. The Permittee shall maintain a copy of, and all modifications to, the current permit at the permitted facilities at all times.
6. The Permittee is required to retain during operation, closure and post-closure monitoring, all records of monitoring activities and analytical results, including all original strip chart recordings for continuous monitoring instrumentation, and all calibration and maintenance records. This period of retention must be extended during the course of any unresolved litigation.
7. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not thereby be affected.
8. The Permittee is authorized to manage fluids and solid wastes in accordance with the conditions of this permit. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of Federal, State or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under the Water Pollution Control Statutes for releases or discharges from facilities or units not regulated by this permit. NRS 445A.675 provides that any person who violates a permit condition is subject to administrative or judicial action provided in NRS 445A.690 through 445A.705.

D. Division's Authority

The Permittee shall allow authorized representatives of the Division, at reasonable times, and upon the presentation of credentials to:

1. Enter the Permittee's premises where a regulated activity is conducted or where records are kept per the conditions of this permit;
2. Have access to and copy any record that must be kept per the conditions of this permit;

3. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated by this permit; and
4. Sample or monitor for any substance or parameter at any location for the purposes of assuring permit and regulatory compliance.

E. Sampling and Analysis Requirements

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. For each measurement or sample taken pursuant to the conditions of this permit, the Permittee shall record the following information:
 - a. The exact place, date, and time of the inspection, observation, measurement, or sampling; and
 - b. The person(s) who inspected, observed, measured, or sampled.
3. Samples must be taken, preserved, and labeled according to Division approved methods.
4. Standard environmental monitoring chain of custody procedures must be followed.
5. Samples shall be analyzed by a laboratory certified by the State of Nevada. The Permittee must identify the certified laboratory used to perform the analyses, laboratory reference number, sample date and laboratory test date in quarterly reports.
6. The accuracy of analytical results, unless otherwise specified, shall be expressed in mg/L and reliable to at least two (2) significant digits. The analytical methods used must have a lower level of detection equal to or less than one-half the reference value for Profile I constituents. Profile II constituents that have established reference values shall be quantified using an analytical method with a lower level of detection equal to or less than the reference value.

F. Permit Modification Requirements

1. Any material modification must be reported by submission of a new application, or, if such changes will not violate the limitations specified in the permit, by notice to the permit issuing authority of such changes. Any change which materially modifies, as defined in NAC 445A.365, the permitted facility must comply with NAC 445A.392, NAC 445A.4155, NAC 445A.416, and NAC 445A.417.
2. Prior to the commencement of mining activities at any site within the State which is owned or operated by the Permittee but not identified and characterized in the application, the Permittee shall submit to the Division a report which identifies the locations of the proposed mine areas and waste disposal sites, and characterizes the potential of mined materials to release

pollutants. Prior to development of these areas the Division shall determine if any of these new sources will be classified as process components and require engineered containment as well as permit modification.

3. The Permittee must notify the Division in writing at least thirty (30) days before the introduction of process solutions into a new process component or into an existing process component which has been materially modified, or of the intent to commence active operation of that process component.
4. The Permittee must obtain a written determination from the Administrator of any planned material modification(s) as to whether it is considered a permit modification.
5. The Permittee must give advance notice to the Administrator of any planned changes or activities which are not material modifications in the permitted facility that may result in noncompliance with permit requirements.

Prepared by: Miles Shaw

Date: 15 December 2011

Revision: NoPA Draft. Renewal 2012; includes TSF Cell 4 Expansion major modification.

Cortez

FACT SHEET
(pursuant to NAC 445A.401)

Permittee Name: **Barrick Cortez, Inc.**

Project Name: **Pipeline Project**

Permit Number: **NEV0093109 (Renewal 2012)**

A. Location and General Description

Location: The **Pipeline Project** is located in north-central Nevada in Lander County, approximately 78 miles southwest of Elko. The project is 7 miles west of the historic Cortez Mine (NEV00023) in southern Crescent Valley. The facilities, excluding the Pipeline Infiltration Project (NEV95111) area, are located approximately 30 air-miles southeast of Battle Mountain, within Sections 28, 29, 30, 31, 32, and 33, Township 28 North, Range 47 East, Sections 3, 4, 5, 6, 7, 8, and 9, Township 27 North, Range 47 East, and Sections 1 and 12, Township 27 North, Range 46 East, Mount Diablo Baseline and Meridian. The site may be accessed by traveling 40 miles west from Elko, or 30 miles east from Battle Mountain, on Interstate Highway 80, then 31 miles south on Nevada State Route 306.

General Description: The Pipeline Project consists of an open pit (the Pipeline/South Pipeline, Crossroads, and Gap pits) gold mine with associated dewatering system, waste rock dumps, heap leach pads, tailings impoundment, carbon-in-leach (CIL) Mill #2 with a carbon-in-column (CIC) facility, the Area 28 CIC facilities to process heap leach solution, pregnant solution pond, barren solution pond, a stormwater event pond, and ancillary support facilities. A major modification to the Permit, the stand-alone Area 30 South Area Heap Leach Facility, approved for construction in three (3) separate phases from early 2002, was complete by November 2008, except for a small portion of the southwest corner of Phase 3 that was left unconstructed. Area 30 includes additional heap leach pads, two (2) pregnant ponds, a barren pond, a stormwater event pond, and a CIC recovery facility. As of July 2010, the Pipeline Project had a projected mining and processing life of at least 11 years.

B. Synopsis

General: The Pipeline Project was developed by the Cortez Joint Venture, which was comprised of Placer Dome Inc., the parent of Placer Dome U.S., Inc., and Kennecott Exploration (Australia), Ltd. The joint venture did business and operated the property as Cortez Gold Mines. In mid-2006, Placer Dome U.S.,

Inc. merged with Barrick Gold Corporation, which formed Barrick Cortez, Inc. to act as Permittee and Operator of the project.

Through 2009, the Pipeline Project had mined approximately 274 million tons of ore and 786 million tons of waste from the Pipeline Orebody since development of the Pipeline Pit began in 1996. At the end of 2009, identified reserves to be extracted from the South Pipeline Orebody - the geologic extension of the Pipeline Orebody - include approximately 79 million tons of ore and 298 million tons of waste. The Pipeline Pit provides access to all identified reserves. Additional ore, dependent upon economics, will be extracted from two expansions of the Pipeline Pit area identified as the Gap and Crossroads pits. Ore production is comprised of both mill grade and heap leach grade material, in addition to minor amounts of refractory ore, which is stockpiled and transported off site for processing.

The orebody extends beneath the pre-mining watertable. Therefore, dewatering of the host rock and alluvium must be performed in advance of mining. The pit is currently dewatered at rates of approximately 22,000 to 27,000 gpm and a peak rate of 34,500 gpm, which is the maximum infiltration basin discharge rate permitted under the Pipeline Infiltration Project, Water Pollution Control Permit NEV0095111. Dewatering is accomplished with a system of eleven (11) deep bedrock (DB) wells with an average depth of 950 feet. These wells discharge to a collection pipeline and manifold system that connects to the Pipeline Infiltration Project infiltration sites where discharged water percolates into unsaturated alluvium.

Mining below the pre-mining groundwater elevation of approximately 4,795 feet above mean sea level (amsl) was approved as a minor modification to the Permit in October 2000. The mine plan, as of the 2011 renewal, anticipates open pit mining to continue to an elevation of approximately 3,400 feet amsl in the Crossroads Pit, approximately 1,700 feet below the elevation of the pit rim (5,100 feet amsl). The Pipeline/South Pipeline portions of the pit are being backfilled with characterized, non-potentially acid generating waste rock.

Extensive modeling, updated in 2007 and reconfirmed in a 2011 renewal review and update, predicts that once mining and dewatering activities cease, the groundwater level will rebound to an elevation of approximately 4,770 feet amsl after 250 years, forming a pit lake in the Gap and Crossroads pits. Potential issues of groundwater quality, pit lake modeling, impacts, and relevant management are also discussed in the South Pipeline Final Environmental Impact Statement (February 2000).

An ecological risk assessment (ERA) was performed in 1998, using standard risk assessment methods (EPA 1992) and Bureau of Land Management guidelines. The study was reviewed in 2011, and comparisons were made using current and previous pit lake predictions. The conclusion is that the hazard quotients are not

materially different and the previous conclusions are not invalidated. Therefore an update was not warranted at the time of development of the 2011 renewal application.

The ERA studies predict that concentrations of fluoride and total dissolved solids (TDS), constituents that already occur naturally at elevated levels in the groundwater, will concentrate at levels slightly above Bureau of Mining Regulation and Reclamation (BMRR) water quality criteria (fluoride @ 4.18 mg/L and TDS @ 1056 mg/L) in the pit lake water at 250 years. These studies and testing also indicate that all major rock types to be mined have a net neutralizing capacity and, therefore, neutral-pH waters are expected. Language in the Permit requires an update to the pit lake predictive model and the eco-risk studies at every Permit renewal or when a modification to the Permit could affect the modeling outcome. Mitigation measures, if needed, could also be funded from a cash bond established with the BLM in accordance with the Record of Decision for the South Pipeline Final Environmental Impact Statement.

A stormwater diversion system has been constructed to convey storm water flows, based on the 100-year, 24-hour event, around the entire Pipeline facility. The diversion consists of an end-dumped waste rock embankment corridor paralleling Nevada State Route 306 and trapezoidal channels along the upgradient perimeter of the various facility components.

Milling: The Pipeline Mill #2 (Mill #2) is of relatively standard design and was commissioned in February 1997, at a rated capacity of 9,280 dry tons per day (DTPD) ore feed. A minor modification was approved in April 1998, to increase the Mill #2 dry feed process rate to 11,500 DTPD. Based on results of a fluid containment audit completed as part of the 2011 renewal application documentation, an additional increase in the processing rate to 15,000 DTPD was authorized.

Mill #2 uses a carbon-in-leach (CIL) circuit for primary gold extraction and two (2) carbon-in-column (CIC) circuits for recovery of gold from clarified overflow solution and heap leach pregnant solution. Mill feed enters a primary crusher rated at 1000 short tons per hour (TPH) and is conveyed to a grinding and classification circuit prior to flow into a surge tank and thickener. Thickened slurry flows to a series of eight (8) CIL tanks, each 56 feet in diameter by 58 feet in height, where gold is adsorbed onto activated carbon particles. Clarified overflow solution from the thickener is combined with pregnant solution from heap leach operations and flows to the CIC circuit, comprised of six (6) individual columns measuring 11.5 feet in diameter by 15 feet high, configured in two (2) trains of three (3) columns each. Gold is again extracted by adsorption onto activated carbon particles. Tailings slurry and reclaim solution are combined with fresh make-up water to generate +/-50% solids consistency, treated as necessary with lime and ferrous sulfate to neutralize pH and reduce sodium cyanide content, then discharged to a tailings impoundment.

An engineering design change (EDC) was approved in December 2010, to eliminate process water supply shortages to components within the Mill #2 building by replacing portions of the existing 18-inch diameter steel pipeline with 24-inch diameter steel pipeline and to add a second, parallel 18-inch diameter steel pipeline where there is insufficient space for installation of a 24-inch diameter pipeline. In the latter case, approximately 100 feet of the new 18-inch pipeline run is external to the building containment stemwall. To avoid major reconstruction to accomplish a minor extension of the Mill #2 floor and stemwall, the approved construction incorporates a steel, cantilevered pipeline containment trough along the entire external pipeline run that will capture any escaping solution and direct it back into the Mill #2 containment area. The pipeline modification does not increase the Mill #2 solution throughput but optimizes delivery of process make-up water to existing components.

An EDC was approved in January 2010 to expand the existing concrete containment for the CIL, countercurrent decant, (CCD), and reagent storage areas. The expanded containment is generally located between the CCD wash thickeners #1 and #2 and the CIL tanks #7 and #8 on the west and the reagent storage building on the east. The expanded containment slab consists of minimum 6-inch thick steel-reinforced concrete (minimum 4,000 pound 28-day compressive strength) constructed over a minimum 6-inch thick layer of ¾-inch thick granular road mix compacted to a minimum 95% Standard Proctor (ASTM D-698) dry density. All concrete construction joints are constructed with appropriate flexible embedded waterstops. The slab is graded and new curbing is designed to direct collected solution along vee-shaped valley gutters and through scupper drains cut into existing stemwalls to an existing solution collection sump located between the two (2) CCD wash thickener containment slabs. Excess solution will be conveyed through a tunnel to the lined Plantsite Spillage Pond (see below). Solution can be pumped back into process from either location.

A solution pipeline, approved in April 1998, was constructed to convey reclaim solution at a rate of 500 gpm, depending upon demand, from the Mill #2 reclaim tank to the Gold Acres Heap Leach Facility (NEV0094102) barren pond for reuse and recycling of solutions and reagents. An EDC, approved in April 2008, allowed the existing solution pipeline to be reconfigured to convey draindown solution by gravity directly from the Gold Acres Heap Leach Pad to Mill # 2 for use as make-up water. The ability to pump to the Gold Acres barren pond was also eliminated. The pipeline, identified as the Gold Acres Heap Leach Pad Draindown Solution Conveyance Pipeline, is 5,600 feet in length, comprised of 1,400 linear feet of 6-inch diameter polyethylene and 4,200 feet of 8-inch polyethylene pipe. Secondary containment is pipe-in-pipe and consists, respectively, of 10-inch diameter polyethylene pipe and 12-inch diameter polyethylene pipe. Leak detection is accomplished with a series of saddle-tee pipes with visual access at low points along the pipeline where exposed on the surface and with valves reporting to the Crusher Sump at low points where the

pipeline is buried. This pipeline was removed when the Gold Acres Facility was dismantled in early 2009, prior to permanent closure of that facility.

An EDC was approved in July 2010, to upgrade the existing CCD pipeline between the Area 28 Barren Pond and the Cyanide Detoxification (Detox) Building located at Mill #2 and to extend the pipeline to the 'Mill Tank' (Thickener Tank #1) as an additional source of make-up water. Upgrades consisted of replacing portions of the existing pipeline, between the Barren Pond pump house located on the east and a point approximately one-quarter along the north side of the Cell 1 Tailings Impoundment, with new HDPE of appropriate size and specification to ensure the pipeline can handle anticipated pumping and pressure requirements. The pipeline was also extended beyond the Detox Building, using a new double-wall steel pipeline across runs outside existing concrete secondary containment, to the top center of the Thickener Tank #1 to provide the additional make-up water source.

The Plantsite Spillage Pond (PSP) provides the required 110% containment for Mill #2, in the event of a catastrophic tank failure. The PSP has a volume of 164,200 ft³ (approximately 1.23 million gallons), well in excess of the required 101,628 ft³ (approximately 760,000 gallons). The PSP was originally constructed with a single layer of 60-mil HDPE liner over a 10-ounce non-woven geotextile protective layer placed on a prepared subgrade. Upon commencement of operation, it was recognized that overflow from the fine carbon storage bunkers would continue to enter the PSP on an intermittent basis. To address containment of process material, the PSP was upgraded to a double-lined, leak-detected system in November 1997. Geonet was placed over the original 60-mil HDPE and new 60-mil HDPE material was placed on the geonet to complete the double lining. The geonet leak collection system reports to a six-inch-diameter HDPE pipe connected to the 175-gallon PSP leak detection sump. The PSP liner upgrade and leak detection system were approved as an EDC in January 2000, following proof of effectiveness.

Loaded carbon from the CIL and CIC circuits is stripped of gold using a hot fluid elution technique incorporating heat from a propane-fired boiler. Gold from the pregnant carbon strip solution is captured by an electrowin process, washed off the cathode, and then dewatered using a filter press. Following removal of mercury, the filter cake is melted into doré and shipped off site.

The elution heating system used in the carbon stripping process was modified as part of an EDC approved in June 2011. The process and the capacity of the system did not change but existing equipment was replaced with more efficient and reliable equipment located in a new building constructed adjacent to the existing Mill #2 refinery building. Two (2) skid-mounted thermal fluid heaters replaced three (3) existing boilers and three (3) shell and tube heat exchangers replaced three (3) existing plate and frame heat exchangers.

The new components are housed in a new building constructed on an approximately 40-foot square concrete slab with approximately 2.5-foot high stemwalls. The building floor is sloped to a floor sump equipped with a dedicated pump. The building containment exceeds the minimum regulatory containment capacity for both the thermal exchange oil and process solution volumes that would enter the system. The system is also equipped with several automatic interlocks that will restrict flow into the system in the event of a release. All new concrete joints are constructed with embedded waterstop material and finished with a flexible sealant.

A mercury scrubber was added to the carbon regeneration kiln circuit as an EDC approved in March 2005. The modification was part of a voluntary mercury reduction program. The scrubber is located on the north side of the Mill #2 building within a dedicated steel-walled enclosure measuring approximately 36.5 feet long, 20 feet wide, and 30 feet high. The scrubber building is constructed with a concrete stem wall and floor for secondary containment, which is hydraulically linked to the Mill #2 secondary containment and solution collection system. Ancillary components include a 300-gallon quench-water storage tank and an 8-foot tall by 8-foot diameter carbon tank, if required.

A separate EDC, approved 17 October 2006, authorized the installation of a commercial cooling tower and three (3) commercial water softeners to produce chilled, softened water for the mercury scrubber. The scrubber is designed for optimal operation with an inlet fresh water temperature of 65° F. The fresh water source, a bedrock aquifer, produces water that has a temperature of 105° F when it enters the scrubber. The high temperature inlet water reduces the scrubber efficiency by about 20%.

The cooling tower, a commercially manufactured unit, is located outside the Mill #2 building on a dedicated concrete containment slab. The cooling tower reduces water temperatures to improve scrubber efficiencies. The commercial water softeners will reduce scale build-up in the scrubber, effectively reducing equipment maintenance downtime and related hygiene issues. All pipelines that convey the cooling water are located within, on, or over secondary containment. Cooled water is conveyed from the cooling tower, located on the southeast corner of the building, through the building wall to the three (3) softeners; one (1) each dedicated for the boilers, the cooling tower, and for back-up.

To collect mercury, off-gasses from the two horizontal carbon regeneration kilns are fed through a manifold to a Micromist Venture Mercury Scrubber. The scrubber uses process water and a proprietary venturi spray to quench the off-gasses and generate particulate mercury that can be recovered by the scrubber filter system. The quench water is used once and returns by gravity to the Mill #2 process water collection system for reuse in the process circuit. Any mercury carried back to process in the spent quench spray solution is re-dissolved by the sodium cyanide in the circuit. The mercury-cyanide complex is attacked in the

process circuit with Cherokee Chemical® (also known as 'CCI'), which is added to produce a chelated molecule that has been shown to be stable in meteoric water mobility testing. The chelated molecule is discharged to the tailings impoundment in the Mill #2 tailings slurry. The scrubber system is bled weekly into a standard 70-pound mercury flask. Disposal of the mercury product is through a licensed, off-site receiver.

An EDC was approved in May 2009, to upgrade the bulk sodium cyanide solution off-load pad at Mill #2. The new steel reinforced (minimum 28-day 4,000 psi) concrete pad measures approximately 105.5 feet long and 22-feet-10-inches wide to ensure that the newer, longer delivery trucks are completely within containment during the off-load process. The pad construction incorporates the use of embedded waterstops and sealants for all concrete joints. The pad base is sloped away from the drive-on bump-curb and stemwalls to direct any spill or precipitation reporting to the pad through a drain opening into the CIL tank containment area where it can be evacuated into process.

A group of four (4) EDCs was approved in late September 2011, for several individual containment upgrades for beneficiation components external to the main Mill #2 process building. The upgrades generally consisted of new containment, enlargement of existing containment, or improvement of existing containment effectiveness as follows.

The first EDC was for a new reinforced concrete containment slab, measuring approximately 31 feet by 30 feet and constructed with an 6-inch high by 8-inch wide rolled- or square-topped containment curb, that will collect material falling from the overhead counterweight pulley on the #3 crushed ore conveyor belt located on the southwest side of the main Mill #2 building. This is an area that has often exhibited spillage. The construction includes embedded flexible waterstops for all concrete joints and a 2-foot square by 2-foot deep subgrade sump as a fluid evacuation point.

The second EDC was for a vertical extension of the existing containment slab stemwall for the surge tank, located on the southeast side of the Mill #2 building. The extended wall design will provide containment of splashes related to a spill event. The stemwall height was increased by five (5) feet on all sides of the octagonal-shaped slab except for the side of the slab that already shares the adjacent south wall of the Mill #2 building. Waterstops were placed along all new concrete joints and at the seam between the existing stemwall and the extension. The extension wall is constructed with reinforcement for seismic and wind loads but not for hydrostatic forces. Therefore, collected solution must be evacuated before it exceeds the original stemwall height.

The third EDC was for construction of two (2) new reinforced concrete containment slabs on the west and east sides of the SCATS stockpile area located adjacent to the north and east sides of the Mill #2 Cone Crusher Building. The

west slab measures about 18 feet by 36 feet in plan. The east slab is irregular in shape and is comprised of three (3) sections, arranged from north to south, that measure approximately 21 by 28 feet, 36 by 32 feet, and 27 by 14 feet. Except where constructed against an existing containment wall, each slab is constructed with 6-inch high by 8-inch wide rolled- or square-topped containment curbs. A valley gutter in the larger slab will convey collected fluid to the Cone Crusher Building containment for evacuation. Concrete slabs on grade are a minimum 12-inch thickness for equipment loads and constructed over a minimum 6-inch thick layer of ¾-inch granular material compacted to 95% standard Proctor (ASTM D698) maximum dry density. Flexible embedded waterstops are part of the construction for all concrete joints.

The fourth EDC was for construction of a new reinforced concrete containment slab to provide continuous containment in the area between the CIC building and the CIL containment area at Mill #2. The construction also included upgrading existing containment for the process water tanks, located at the northeast corner of the new containment area, by raising the existing stemwall to a height of two (2) feet. The new containment slab measures approximately 175 feet long, west to east, and between 62 and 127 feet wide at the west and east ends, respectively. The new slab is constructed with 6-inch high by 8-inch wide rolled- or square-topped containment curbs and, except for the area adjacent the east end of the process water tank containment, the majority is constructed over a minimum 6-inch thick layer of ¾-inch granular material compacted to 95% standard Proctor (ASTM D698) maximum dry density with a minimum 12-inch thick layer of reinforced concrete for equipment loads. Flexible embedded waterstops are part of the construction for all concrete joints.

Tailings Storage: Based on the results of a containment audit prepared for the 2011 Permit renewal, Mill #2, which was originally constructed with milling and processing components designed rated for additional capacity, was approved for an increase in the peak mill processing rate from 11,500 DTPD to 15,000 DTPD. The increased throughput will also increase the tailings slurry output for an upset condition in the mill, using a conservative 45% solids condition, from the original 3,100 gpm to 4,050 gpm. The audit also confirmed that existing tailings storage facility pipelines, pumps, and containment have capacity in excess of the minimum requirements for the new processing rate.

Tailings are transported from the mill through approximately 3,900 feet of 14-inch diameter HDPE pipe to the Area 28 Cell 1-Cell 2 Tailings Storage Facility (TSF). The facility was originally constructed as individual impoundments Cell 1 and Cell 2 but merged into a single facility as part of a vertical expansion proposal approved in September 2003. (Note: Reference is often made to the Cell 1 through 3 TSF. Only cells 1 and 2 are constructed for tailings storage; Cell 3 is the southern heap leach pad that also serves as an embankment portion of the facility.) A major modification, submitted as part of the 2011 renewal package, was approved to authorize construction of the Area 28 Cell 4 TSF Expansion

adjacent to the east embankment but hydraulically independent of the Cell 1 portion of the Cell 1-Cell 2 facility. The Cell 4 TSF Expansion construction is scheduled to begin in early 2012.

Approximately 670 feet of the tailings pipeline between Mill #2 and the Cell 1-Cell 2 TSF is buried. Secondary containment is provided with a 70-foot long concrete tunnel and a 600-foot long double-walled HDPE pipeline. The balance of the tailings pipeline runs above ground, along a graded fill roadway, within an HDPE-lined ditch that is sloped toward the impoundment.

Tailings slurry is deposited by subaerial methods to enhance solids consolidation, maximize separation of supernatant fluids, and reduce hydrostatic head on the liner system. Spigots are 4-inch or 6-inch diameter pipes and placed on 100-foot spacings. The slurry is discharged from a series of spigots until reaching a thickness of 14 to 16 inches, then the discharge is moved to another series of spigots, elsewhere in the impoundment.

To accommodate pumping requirements, as the Cell 1-Cell 2 TSF impoundment elevation increases above the mill elevation, a Booster Pump Station was constructed as an EDC following approval in May 2004. The pump station is comprised of a single rubber-lined slurry pump mounted on a concrete slab located within containment along the existing slurry and reclaim pipeline corridor on the northwest corner of the impoundment crest. The pump ties directly in-line into the existing 14-inch diameter HDPE tailings pipeline.

An EDC was approved in July 2011 for construction of a new Tailings Pump Annex Building that houses two (2) 400 horsepower (hp) second stage pumps, an adjacent concrete containment pad, and two (2) additional tailings conveyance pipelines. The two (2) tailings pumps in the existing Mill #2 Detox Building were also upgraded from 200 hp to 300 hp as part of the approved activities. The two new pump trains, comprised of one (1) each 300 hp and 400 hp pumps, will constitute an operational and a standby unit. This upgrade to the tailings system was needed to supply an instantaneous flow rate equivalent of up to 15,000 tons per day in order to maximize the dam height for the final approved Phase IV lift on the Cell 1-Cell 2 TSF and to support pumping to the Cell 4 TSF Expansion.

The new Tailings Pump Annex Building, located along the north side of the Detox Building, is constructed with a concrete floor and stemwalls and measures approximately 26 feet wide by 36 feet long. The new concrete containment pad is located along the north side of the Detox Building, between the west side of the Annex and the CCD Wash Thickener #1 containment area. The containment pad measures about 98 feet long and tapers from a maximum width of about 23 feet adjacent to the Annex down to about 10 feet wide at the thickener. The new containment area and the Annex and Detox buildings are hydraulically linked. Spills from pipelines located in the new containment area will flow to a floor sump in the Annex that is equipped with a dedicated pump to evacuate spills to

the CCD containment. All new concrete construction incorporates embedded waterstops along joint surfaces.

Tailings slurry is pumped from the Tailings Pump Annex Building through two (2) 14-inch diameter, HDPE-lined, carbon steel pipelines over a distance of approximately 4,200 feet. These new pipelines were placed in existing HDPE-lined ditches and connect into the existing HDPE tailings distribution header loop located along the interior Cell 1-Cell 2 TSF impoundment crest.

Area 28 Cell 1-Cell 2 TSF Construction and Operation: The impoundment utilizes heap leach strips as embankment walls and buttresses. This reduces liner and embankment construction requirements and maximizes surface area utilization. Cell 1, completed in 1997, contained approximately 15.6 million tons of tailings and was near its design capacity at the end of 2003. The closure raise, completed in 1999, provided about 1 year of tailings storage capacity at then current mill rates. Following operational completion of the Cell 2 facility, in February 2001, Cell 1 was used as a backup facility.

Tailings impoundment Cell 1 is a fully lined facility with a containment system comprised of smooth, 60-mil HDPE synthetic liner placed over a minimum of 24-inch-thick layer of clayey soil material, compacted in 6-inch lifts, with a measured maximum permeability of 1×10^{-6} cm/sec. There is no leakage collection and recovery system (LCRS) between the synthetic liner and the soil layer. For stability reasons, textured 60-mil HDPE liner was used beneath embankment areas of the impoundment. The subgrade was also prepared to a maximum compacted permeability of 1×10^{-6} cm/sec beneath the entire facility footprint.

A minimum 18 inches of overliner material was placed on the synthetic liner for protection and to enhance lateral fluid flow. Reclaim solution is collected by a network of 4-inch diameter perforated corrugated polyethylene pipe (CPEP) placed directly on the HDPE liner on 30-foot centers. The embankments are constructed of free-draining, homogeneous rockfill comprised of either sized waste rock or spent leach material. A face drain was constructed with a fine-grained filter zone to promote drainage while preventing migration of tailings fines into the embankment.

The Cell 1 facility incorporates a leak detection system within the supernatant pool area of the impoundment. The system is comprised of 4-inch diameter perforated CPEP placed within french drain trenches in a dendritic pattern beneath the supernatant pool area of the impoundment. Any leakage reports to 4-inch diameter, solid CPEP vertical riser sumps for quantification and evacuation. The original design included monitoring of hydraulic head on the liner by a series of fourteen (14) pneumatic piezometers placed throughout the facility. However, by the year 2009, all but two (2) of the original piezometers had failed. An EDC was approved in November for installation of seven (7) standpipe piezometers as a replacement system.

Operation of the Cell 2 Starter Impoundment, with a capacity of 3.5 million tons, was approved as an EDC in November 2000. The Stage 1 expansion of Cell 2, completed in mid-2001, increased Cell 2 design capacity to approximately 12.1 million tons or about 2.3 years operating life.

Cell 2 construction is very similar to that for Cell 1. The subgrade was scarified to a minimum depth of 8 inches, moisture conditioned, and compacted to a minimum of 90% Modified Proctor Compaction density. A layer of 60-mil HDPE liner was installed directly over a low hydraulic conductivity soil layer constructed of two (2) minimum 6-inch thick compacted lifts of with a field-verified maximum permeability of 1×10^{-6} cm/sec. As with Cell 1, there is no LCRS between the synthetic liner and the soil layer.

Within the supernatant pool area (895,000 feet²), the HDPE liner is covered with a minimum 2-foot thickness of sized pool drainage blanket material. A ten-ounce per square yard, non-woven geotextile layer, placed on the pool drainage blanket material, prevents downward migration of fines from the overlying 20 inches of underdrainage blanket material located within the supernatant pool area. Outside the pool area, the HDPE liner was directly covered with a minimum 20 inches of sized underdrainage blanket material. Prior to placement of the drainage material, an underdrain collection system, consisting of four-inch diameter perforated CPEP placed on 30-foot centers feeding to six-, eight-, ten-, and twelve-inch diameter perforated CPEP, was placed on the surface of the HDPE liner. The underdrain collection system is connected to two (2) 12-inch diameter solid CPEP that convey flow to the Underdrain Pond.

The Cell 2 facility employs a leak detection system within the supernatant pool area of the impoundment comprised of four-inch diameter perforated CPEP placed in six (6) 40-mil PVC-lined trenches laid out in a dendritic pattern beneath the supernatant pool area. These pipelines connect to a centrally located, 4-inch diameter solid CPEP which reports to the 3888 gallon Subgrade Depressed Sump (C2SG) placed at the northeast corner of the facility. The fluid level in the sump was monitored by a vibrating wire piezometer and was evacuated by a submersible pump installed in the inclined HDPE riser pipe located on the north slope of Cell 2. C2SG was abandoned and monitoring ceased, effective Q1 2004, as part of a minor modification approved in September 2003 (see below). Hydrostatic head pressures on the impoundment liner system are monitored by a series of nine (9) electric piezometers installed throughout the footprint of the impoundment.

The vertical expansion of the facility, a minor modification to the Permit, was approved in September 2003. The modification authorized abandonment of tailings impoundment Cell 2 subgrade leak detection sump C2SG and the construction of two additional lifts to the existing Cell 1 and Cell 2 impoundments resulting in a merged, vertically expanded tailings facility. No footprint

expansion was authorized. The expansion took place in two phases. Phase I added approximately 12.1 million tons (MMT) capacity (about 2.9 years of mill production) and Phase II added about 10.1 MMT capacity (about 2.4 years of mill production).

The Cell 2 subgrade leak detection sump C2SG, located in the center of the expanded facility, was abandoned during construction of the Cell 1-Cell 2 TSF vertical expansion by placing a mixture of neat cement with an API specification 10, Class 'A' or Class 'G' cement and water ratio of 5 gallons of water per 94-pound sack of cement and 6 to 8 percent, by weight, bentonite powder. The mixture was placed from the bottom of the riser pipe and pipe sleeve using a tremmie pipe. The grout was allowed to settle into the granular fill located in the subgrade sump. After the grout settled, the empty pipe and sleeve were filled completely and a cap was welded into place. Remaining operational leak detection systems in all cells continue to be monitored.

The Cell 1-Cell 2 TSF vertical expansion created a single large impoundment with capacity to store an additional 22 MMT of tailings material with a conservative dry density of 80 pounds per cubic foot (pcf). Merging the two adjacent cells was accomplished by raising the existing embankments with upstream, downstream, and centerline raise construction methods. Embankment construction methods are identical to those used in the original construction and material was placed in 15- to 20-foot-thick lifts. The minimum allowed crest width is 50 feet. Maximum crest elevations, depending on the location on the facility crest, during Phase I range from 5140 to 5164 feet AMSL. Phase II maximum crest elevations range between 5166 and 5190 feet AMSL.

Most of Cell 1 required an upstream raise. Much of Cell 2 and the southwest portion of Cell 1, adjacent to the heap leach strip, is surrounded by leach material and the raise was accomplished with leach material placed in a downstream raise. The upgradient (northwest) embankment on Cell 2 was previously designed to accommodate a modest centerline raise. Existing diversion structures protect the expanded facility from the 100-year, 24-hour storm event and modeling demonstrates the facility design will not be adversely affected by anticipated seismic events.

An EDC was approved in September 2009, for placement of additional fill material on the downstream face of the Cell 1 embankment. A second, revised EDC was approved in November 2009, to extend the buttress further along the northwest toe of the embankment in addition to the original east side construction. Based on pseudo-static stability analysis, the material will serve as a buttress to provide adequate stability, in the event of earthquake and liquefaction of the tailings mass, for a 15-foot interim Phase III raise proposed for construction by late 2010 when the current tailings facility is projected to be filled.

An as-built report for the extended buttress construction was received in late May 2010, and accepted in June 2010. The extended buttress consists of an approximately 15-foot thick layer of select embankment fill material placed between the middle bench of the existing Cell 1 embankment fill (just above the original starter embankment crest elevation of approximately 5110 to 5130 feet AMSL) and the crest of the Phase II embankment (at an elevation of approximately 5172 to 5183 feet AMSL).

Designs for the Phase III embankment raise were submitted separately as a minor modification application and approved for construction in July 2010. Phase III is a vertical expansion that does not increase the component footprint. Based on the designs, the Phase III raise will add approximately 9.3 million tons capacity (approximately 2.2 years production at maximum mill capacity) to the existing 49 million tons capacity. By August 2009, the stored volume in the Phase III raise was approximately 4.2 million tons of tailings. The existing pond capacities and the existing stormwater diversions, constructed to withstand the 100-year, 24-hour event flow, remain adequate for the Phase III design.

The Phase III embankment raise is an upstream design, constructed with spent heap leach material from the adjacent leach cells and run-of-mine (ROM) waste rock fill placed in 3- to 5-foot thick, random-wheel compacted lifts, to raise the embankment 15 feet. The upstream face of the constructed raise was covered in the same manner as the rest of the embankment with a minimum 4-foot thick filter layer of fine-grained material.

The Phase III embankment design requires a minimum 100-foot crest width and results in a completed elevation ranging from a minimum 5181.9 feet AMSL to a maximum 5193.9 feet AMSL. As part of the design, four (4) standpipe piezometers with electric senders were placed in the downgradient embankment to measure hydraulic head. The electric piezometers are located 10- to 15-feet above the liner surface.

An EDC for construction of the Interim Phase IV Raise construction, another vertical expansion using upstream construction methods within the existing Area 28 TSF footprint and stormwater controls perimeter, was approved in June 2011. The 10-foot raise will provide an additional storage capacity of approximately 2.9 million tons, or approximately eight (8) months of deposition at the 11,500 dry tons per day milling rate. With the Interim Phase IV Raise construction, the facility has available capacity until approximately mid-March 2013, which may be needed if construction of a proposed Cell IV Expansion TSF is delayed.

The new 10-foot high embankment raise was constructed of ROM heap leach material or mine waste placed in 3- to 5-foot lifts to limit segregation of the fill and compacted with haul traffic. A minimum 4-foot-thick layer of filter zone material, comprised of finer material with 35% to 90% passing the No. 4 screen, was placed over the upstream face of the coarse embankment fill. The Interim

Phase IV Raise is designed with a minimum 50-foot crest width and the crest elevation ranges from a minimum of approximately 5,187 feet amsl, at the northwest intersection of Cell 1 and Cell 2, to a maximum of approximately 5,207 feet amsl at the northwest corner of Cell 2.

Extensive piezocone testing was completed to evaluate the stability of the design. Test results indicate there will be no change in the stability of the component and all minimum standards are exceeded.

Operation of the facility, including tailings deposition and solution collection, remains unchanged. However, the construction required relocation of the piezometer readout station, abandonment of Cell 1 basin piezometer P-10, abandonment of leak detection risers C1SG and C1N, and combining the Cell 1 Channel North leak detection sump (C1NSC) flow with flow to the Cell 1 Channel South leak detection sump (C1SSC), which has the new riser identifier C1SC. None of these monitoring devices have reported any anomalies since construction as part of the original Cell 1 TSF. The risers and overflow pipes were abandoned by cutting the pipes back to grade, backfilling the remaining pipes with lean concrete pumped upgradient under low pressure, capping the pipe stub ends, reestablishing the channel berm, and patching the HDPE liner.

A decant is utilized to minimize supernatant pool size, further reducing hydrostatic head on the liner system, and to collect reclaim solution for recycling and reuse in milling and heap leaching processes. The original Cell 1 utilized a vertical culvert decant tower to collect reclaim solution, whereas the subsequent Cell 2 and the merged Cell 1-Cell 2 TSF utilize a series of weir adjustment boards to control flow to a single inclined decant channel. With construction of the Phase III raise, approved as a minor modification in July 2010, the latter decant was abandoned and replaced with a floating intake pipeline connected to a skid-mounted, diesel-powered, self-priming reclaim pump located in the approximate geometric center of the impoundment. The pump will evacuate supernatant solution for use as reclaim water in the mill.

In the original decant design, a submersible pump was used to move decant water from the facility directly to the solution collection ditch for the Area 28 Underdrain/Barren Pond. An EDC, approved in August 2006, authorized construction of a 3-inch diameter HDPE pipeline to convey dilute sodium cyanide solution from the cyanide storage facility, located at the Area 28 Underdrain/Barren Pond, to an additional 20-hp booster pump and into the rerouted decant solution pipeline located at the heap leach pad spray pump station. The new pipeline alignment parallels the existing barren solution pipeline. The entire system is located within existing containment. Rerouting the decant pipeline to allow application of decant solution directly onto the heap leach pad reduces the amount of sediment deposited in the Area 28 Underdrain/Barren Pond, which was a contributor to the December 2005 liner failure at the pond.

The Permit requires the TSF be managed in accordance with all approved design criteria.

Area 28 Cell 4 TSF Expansion Construction and Operation: Designs were submitted and approved with the 2011 renewal application for construction of the Area 28 Cell 4 TSF Expansion laterally from the embankment of the Area 28 Cell 1 TSF, to the east, within Sections 28 and 33, Township 28 North, Range 47 East. Construction requires prior relocation of a portion of Lander County Road 225 and permanent closure of the West Highway II infiltration site (NEV0095111), which are located within the proposed construction footprint. The construction will require realignment of portions of some existing stormwater diversions to remain functional and realignment of the main infiltration water pipeline to ensure it is outside the footprint of all proposed process components and their containment.

The Area 28 Cell 1-Cell 2 TSF storage capacity is expected to be exhausted in early 2013. The Area 28 Cell 4 TSF Expansion is designed with storage capacity for an additional 60 million dry tons of tailings (estimated 90 pcf dry density) anticipated to be generated from year 2013 to the estimated end-of-mine life between years 2021 and 2028. The design includes five (5) phases of construction identified as Phase I through Phase V and uses Pipeline Pit non-mineralized waste rock material for the downstream construction of a zoned earth embankment that will be fully lined with a layer of HDPE and hydraulically independent of the existing adjacent and upgradient Cell 1-Cell 2 facility. The facility will be generally an oval shape in plan and have a footprint measuring approximately 4,000 feet east-west by 3,000 north-south.

The west side of the Area 28 Cell 4 TSF Expansion will abut the Cell 1 embankment slope for a distance of approximately 3,000 feet and the ultimate crest elevation will be approximately 25 feet below the proposed final Cell 1 crest. Cell 1 underdrainage flow to the Area 28 barren solution pond will be maintained by raising the existing Cell 1 lined solution collection channel containment berm approximately fifteen (15) feet and installing a 12-inch diameter slotted HDPE pipeline prior to burial with Cell 4 upgradient embankment random fill material. A minimum 15-foot horizontal thickness of free draining, coarse Transition Zone (Zone T) material (waste rock crushed ≤ 6 -inch nominal diameter, $<10\%$ nominal -200 mesh content, $PI \leq 10$) placed along the fill contact between the existing Cell 1 embankment face and the Cell 4 random fill is designed to direct potential seepage from the Cell 1 embankment into the collection channel.

The downstream face of the Cell 4 upgradient embankment random fill material, located between the Cell 1 embankment and the Cell 4 basin, will be covered with a 15-foot horizontal thickness of fine grained 'Zone A' material (silty, sandy, gravelly, clay borrow material, 0% >4 -inch diameter, $>15\%$ nominal -200 mesh content, $PI \geq 10$, compacted to 92% maximum dry density as determined by

ASTM D-1557). The Zone A material will be covered with a layer of 80-mil smooth HDPE liner placed over a protective layer of 10-ounce per square yard (10-oz/yd²) geotextile to contain all Cell 4 solutions within the Cell 4 basin.

The Cell 4 embankment footprint will be cleared and grubbed then scarified, moisture conditioned to within 3% of optimum moisture content, and re-compacted to 90% of Modified Proctor (ASTM D-1557) maximum dry density to a depth of twelve (12) inches to form a foundation. The Phase V embankment crest will measure approximately 12,200 feet long along the centerline. The design incorporates 2.5(H):1(V) downstream and 2(H):1(V) upstream slopes with 25-foot wide benches on the upstream slopes to facilitate HDPE liner expansions and tailings distribution pipeline relocations over the construction life of the facility. As designed, the minimum embankment crest width for Phase I and Phase V will be 50 feet and for Phase II, III, and IV 128 feet. The highest fill section of the Cell 4 TSF will be located at the southeast corner crest of the embankment and will reach 125 feet for the Phase I crest and 270 feet for the ultimate Phase V crest.

The Cell 4 embankment will consist of three (3) zones: Zone A as a fine grained bedding layer for the upstream face HDPE liner; Zone T as a free draining transition zone to the Random Fill Zone in the anticipated supernatant pool area; and the Random Fill Zone that will comprise the bulk of the embankment construction.

Zone A material will be placed along the entire upstream embankment face in a minimum 15-foot horizontal width layer to separate HDPE liner from coarser random fill materials. The finer grading of the smooth-rolled Zone A material will protect the liner and reduce seepage in the event of a large liner failure. Zone A material must meet the specifications cited above and requires placement in less than 1-foot thick lifts compacted to at least 92% of the Modified Proctor maximum dry density (ASTM D-1557).

Zone T material will be placed in a minimum 15-foot horizontal width layer between the overlying Zone A layer and underlying random fill material in all areas of the embankment anticipated to contain the supernatant pool. The Zone T layer is designed to prevent piping of the finer overlying Zone A material into the embankment random fill. The Zone T material must meet the specifications cited above and be compacted in 12-inch thick loose lifts to at least 90% of the Modified Proctor maximum dry density. A six (6) foot thick layer of Zone T material will also extend beneath the embankment in the supernatant pool area to provide a cushion from large diameter random fill particles and to provide a free draining surface above the compacted embankment foundation.

Downstream of Zone A and/or Zone T material, as applicable, the embankment is composed of random fill material comprised primarily of gravel and mine waste rock grading between ¾-inch and 8-inch diameter with good structural

characteristics. For the Phase I starter embankment and the upstream half of Phase V, random fill will be placed in less than 5-foot thick lifts by <100-ton haulage equipment. The Phase II through Phase IV random fill and downstream Phase V random fill may be placed in up to 25-foot loose lifts with >100-ton haulage equipment.

All upstream slopes of the embankment will be covered with a layer of 80-mil HDPE liner. Outside the anticipated maximum extent of the supernatant pool, a layer of 10 oz/yd² non-woven geotextile will be placed on the upstream embankment face prior to HDPE liner installation. Within the anticipated maximum extent of the supernatant pool, a layer of Geosynthetic Clay Liner (GCL) will be substituted for geotextile to provide an additional low permeability layer to minimize the potential for the escape of solution or tailings material through an HDPE liner defect.

Rub sheets of textured 80-mil HDPE will be placed on the reclaim pump access ramp and beneath tailings distribution spigots to protect the HDPE liner. Benches measuring approximately 25-feet wide will be left between each phase of embankment construction to facilitate safe expansion of the composite liner system and process pipelines.

The Cell 4 basin footprint measures approximately 6.5 million ft² (about 150 acres). The entire basin will be lined with a single layer of smooth 80-mil HDPE. Preparation for liner placement will include clearing, grubbing, and grading of the native surface to form a uniform basin bottom gradient of approximately 2.5% from west to east to provide gravity drainage to a centralized low point at the east embankment upgradient toe. The prepared subgrade for the HDPE liner will be constructed of fine-grained native soils scarified to a minimum 8-inch depth or a minimum 8-inch thickness of suitable imported fine grained borrow material, moisture conditioned to within 3% of the optimum moisture content and re-compacted to a minimum 90% of the Modified Proctor (ASTM D-1557) maximum dry density. The entire basin footprint and liner system will be constructed during Phase I.

The entire basin liner will be covered during Phase I construction with a drainage blanket to promote solution flow and reduce hydraulic head on the liner. The drainage blanket will be placed in a minimum 24-inch-thick layer on the liner and constructed of gravels obtained from the nearby Airport Borrow Pit. In the majority of the basin, the drainage blanket gravel will have a permeability specification of greater than 1×10^{-4} cm/sec, a maximum particle size of 1½-inch diameter, a fines content of 5% to 12%, and a gravel content of 20% to 80%. However, to further reduce hydraulic head on the liner and to reduce the potential for migration of tailing fines into the blanket within the area of the basin beneath the normal limits of the supernatant pool, the blanket will be constructed of 'processed' gravel placed in an 18-inch thick layer on the liner, covered with a layer of 10 oz/yd² non-woven geotextile, which in turn will be covered with an

additional 6-inch thick layer of processed gravel to protect the geotextile from ultraviolet radiation degradation prior to tailings inundation. The processed gravel specification requires fewer fines content to achieve a permeability of greater than 1×10^{-3} cm/sec.

An underdrain solution collection and conveyance pipeline system will be constructed directly on the basin HDPE liner within the gravel drainage blanket. The pipeline system will be comprised of 4-inch diameter perforated CPEP placed on thirty (30) foot centers in a herringbone pattern. The 4-inch diameter CPEPs connect to 12-inch diameter perforated CPEP drainage header pipelines. Outside the supernatant pool limits, the CPEP drainage header pipelines are encased in a layer of select gravel wrapped in 10 oz/yd² geotextile to limit migration of fines material into the pipelines. Within the pool area, the pipelines are located beneath the layer of geotextile incorporated into the drainage blanket design to prevent fines migration. The drainage headers collect and convey solution to a pair of 12-inch diameter slotted HDPE main drainage header pipelines located along the northeast and south upstream embankment toe in the east half of the basin that convey the solution to the underdrain outlet pipelines.

A pair of 12-inch diameter HDPE Underdrain Outlet Pipelines will convey solution, at a maximum rate of 2,000 gpm per pipeline, from the underdrain collection system and beneath the Cell 4 embankment for discharge to the Underdrain Collection Tank. From the upstream face of the embankment, the pipelines will be double-booted to the Cell 4 HDPE liner, double-walled for secondary containment, and encased in reinforced concrete for structural purposes beneath the embankment, to the downstream toe.

Approximately 25 feet beyond the embankment toe, the concrete encasement and the double-wall pipeline containment will terminate and the pipelines will continue as single-wall pipelines within a trapezoidal conveyance channel, three (3) feet deep and twelve (12) feet wide at the base. The channel is constructed with an 80-mil HDPE liner placed on a minimum 6-inch thick prepared subgrade moisture conditioned to within 3% of the optimum moisture content and re-compacted to a minimum 90% of the Modified Proctor (ASTM D-1557) maximum dry density. The HDPE liner will be extrusion-welded to a geomembrane attachment strip embedded in the end of the concrete encasement.

Each Underdrain Outlet Pipeline will be equipped with a gate valve for maintenance purposes and a butterfly valve for operational purposes approximately one-hundred (100) feet from the point of exit from beneath the embankment toe. Just downstream of the valve arrangement, the two (2) pipelines will transition to a single 12-inch diameter HDPE pipeline, which will again transition to a single 12-inch diameter carbon steel pipeline at a location approximately 100 feet upstream of the point of discharge into the Underdrain Collection Tank.

A steel, cylindrical, 15,000 gallon Underdrain Collection Tank, measuring fifteen (15) feet in height and diameter, will act as a surge reservoir for a 1,000 gpm Underdrain Reclaim Pump. The tank will be installed on a 1-foot thick reinforced concrete slab measuring 70 feet by 60 feet and constructed with a 12-inch- to 18-inch-high containment curb. A series of linear grooves cut into the slab will provide leak detection and convey any leakage from beneath the tank. The slab will be sloped at about a 1% grade toward a 3-foot-wide box cut in the higher, downgradient containment curb. Process solution escaping the tank and stormwater reporting to the slab will drain into a trapezoidal drainage channel with a 3-foot wide base and single layer of 80-mil HDPE liner placed on a minimum 6-inch thick prepared subgrade moisture conditioned to within 3% of the optimum moisture content and re-compacted to a minimum 90% of the Modified Proctor (ASTM D-1557) maximum dry density. The drainage channel liner will be extrusion-welded to a geomembrane attachment strip embedded in the upgradient concrete slab and extrusion-welded to the primary liner of the downgradient Underdrain Event Pond (see description below) discharge location.

The Underdrain Collection Tank will be equipped with a 12-inch diameter overflow pipeline that, in the event of an upset condition such as a power loss, a mechanical failure, or underdrain inflow rates in excess of the system pumping capacity, will discharge to the slab drainage channel. An 8-inch diameter HDPE Underdrain Event Pond Pumpback Pipeline will also be located in the slab drainage channel to allow pumping solution from the pond at up to 750 gpm back to the tank for conveyance through the reclaim solution system. Within the Underdrain Collection Tank containment slab area, the steel portion of the Underdrain Outlet Pipeline will be equipped with a wye fitting and gate valve upstream of the tank inlet. The valve will allow diversion of underdrain solution through a 12-inch diameter HDPE bypass pipeline directly to the Underdrain Event Pond in the event of an upset condition that would exceed the tank capacity.

A pair of centrifugal reclaim pumps, rated at 750 gpm, will be used to convey underdrain reclaim solution from the Underdrain Collection Tank to either the Area 28 Cell 1 barren solution pond or, in the event of a mill shutdown or capacity restrictions in the Cell 1 pond, back to the Cell 4 impoundment. To convey solution from the tank to the Cell 1 pond, an 8-inch diameter HDPE Underdrain Reclaim Pipeline will be placed in a trapezoidal channel, two (2) feet deep, twelve (12) feet wide at the base, and lined with a single layer of 80-mil HDPE placed on a 6-inch thick prepared subgrade moisture conditioned to within 3% of the optimum moisture content and re-compacted to a minimum 90% of the Modified Proctor (ASTM D-1557) maximum dry density. The channel is designed to drain by gravity to the tank containment slab.

To convey solution back to the Cell 4 impoundment, the 8-inch diameter HDPE Underdrain Bypass Pipeline will tee off of the Underdrain Reclaim Pipeline just before the point of discharge to the Cell 1 barren solution pond. The bypass

pipeline will be placed in a 12-inch diameter HDPE pipe sleeve that provides secondary containment for the pipeline that will be routed up the unlined face of the Cell 1 TSF embankment slope, across the eastern Cell 1 embankment crest, and back into the Cell 1 impoundment basin.

The Area 28 Cell 4 TSF Expansion design incorporates the Underdrain Event Pond, which will provide additional capacity for underdrain solution in the event of upset conditions due to power loss, mill shutdown, storm event flows, maintenance issues, or other situations that could compromise the normal system operating capacity. The pond will have a square footprint, measure approximately 265 feet from crest to crest, have 2.5(H):1(V) sideslopes, and range in depth from approximately ten (10) feet to thirteen (13) feet due to a proposed bottom gradient of 0.5% toward the evacuation sump. The pond is designed with a capacity in excess of 4 million gallons plus a 2-foot freeboard and will contain the calculated 48-hour underdrain solution flow due to a pump or power outage and the operational storage and direct precipitation volume reporting to the pond and associated lined channels.

The Underdrain Event Pond will be constructed with a 12-inch thick prepared subgrade moisture conditioned to within 3% of the optimum moisture content and re-compacted to a minimum 90% of the Modified Proctor (ASTM D-1557) maximum dry density, an 80-mil HDPE secondary liner, a geonet LCRES layer supplemented with perforated 4-inch diameter CPEP, and an 80-mil HDPE primary liner. The pond slope below the slab drainage channel inlet will be protected with an 80-mil textured HDPE wear sheet and the primary liner in the corners of the pond will be constructed with 80-mil textured HDPE to aid egress for trapped wildlife. The liner system will be anchored with random fill in a 3-foot deep by 2-foot wide key trench along the pond crest.

The Underdrain Event Pond LCRES layer and the perforated 4-inch diameter CPEP placed between the liners along the west and south interior toe of the pond are designed to convey solution to a subgrade leakage collection sump. The collection sump will be constructed between the primary and secondary liners, filled with select, clean gravel enveloped in a layer of 10 oz/yd² geotextile, and have a design capacity of approximately 2,000 gallons assuming a 30% porosity of the gravel void space. The sump will be equipped with a 12-inch diameter evacuation riser that will be slotted within the sump gravel fill and will daylight through a boot in the primary liner at the pond crest.

Tailings slurry will be pumped from Mill #2 through existing distribution pipelines located along the north side of the Area 28 Cell 1-Cell 2 TSF to the northwest corner of the Area 28 TSF Cell 4 Expansion. From this location the pipeline will be split into two (2) new 14-inch diameter HDPE distribution header pipelines that will be routed along the inside embankment crest. One distribution pipeline will continue eastward along the northern crest of Cell 4 to the supernatant solution reclaim pump ramp. The other distribution pipeline will

continue south along a bench at the Cell 1-Cell 4 boundary then eastward along the southern crest of Cell 4 to the supernatant solution reclaim pump ramp. The two (2) pipelines will be connected at the ramp to form a loop that will allow pipeline flushing and tailings distribution in either direction.

Tailings will be deposited by subaerially into the Cell 4 basin with spigots constructed of 6-inch diameter HDPE perforated pipelines with 2-inch diameter discharge holes and placed at approximately 100-foot intervals along the distribution header pipelines. Each spigot will be equipped with a pinch valve to control flow from the distribution header pipeline and the distribution header pipeline will be fitted with knife gate valves at intervals to allow isolation of a 'cell' of eight (8) to ten (10) spigots. The spigots will extend down the embankment sideslope and selected spigots may extend onto the basin floor. The latter design will be used during start-up to distribute tailings into the flatter portions of the basin and control erosion of the underdrain blanket. Each sideslope spigot will be constructed over an 80-mil textured HDPE wearsheet to protect the embankment liner and over a layer of 10-oz/yd² geotextile where it extends into the basin to prevent erosion of the underdrain blanket.

Reclaim water will be recovered from the supernatant pool using a floating intake pipeline connected to a pair (one (1) operational and one (1) stand-by) of skid-mounted, diesel-powered, self-priming reclaim pumps located on the reclaim ramp in the southeast corner of the upstream embankment. The operating pump will pump reclaim water at up to 1,500 gpm through a 14-inch diameter HDPE SDR 11 pipeline routed on containment along the northern embankment crest of Cell 4 and the northern embankment crest of Cell 1 and connected into the existing 10-inch diameter HDPE reclaim water pipeline near the Cell 1 decant and on the storage tank located at Mill #2.

The TSF Cell 4 is designed for a normal operating depth of about eleven (11) feet, which includes a minimum 3-foot depth required for operation of the reclaim pump system. A 5-foot depth below the embankment crest is required to contain the Probable Maximum Precipitation (PMP) event flow volume, which exceeds the minimum Nevada Administrative Code (NAC) design requirements, and an additional 4-foot embankment freeboard is required for wave action containment. Essentially a minimum 9-foot freeboard must be maintained during all periods of normal operation.

Vibrating wire (electric) piezometers will be installed within the Cell 4 basin drainage blanket to monitor hydrostatic head elevation on the liner system. A total of twenty (20) piezometers will be installed in redundant pairs at ten (10) locations within the basin. The individual piezometers will be placed approximately twenty (20) feet apart at each designated location. Each piezometer will be placed in a canvas bag filled with clean coarse sand, closed with a drawstring, and placed on top of the basin HDPE liner. Armored piezometer cables will be routed to two (2) read-out boxes, one (1) box for each

of the paired piezometers. From a minimum distance of fifteen (15) feet from an embankment slope, the piezometer cables will be routed inside a 12-inch diameter HDPE encasement pipe to the read-out box. One (1) box, RB-1, will be located on the crest of the Cell 4 embankment and the other, RB-2, will be located on the bench between the Cell 4 basin and the Cell 1 embankment. Each box will be equipped for remote data access via telemetry.

Stability analysis was performed for the proposed Area 28 TSF Cell 4 Expansion embankment using several conservative scenarios including a groundwater elevation as shallow as ten (10) feet below ground surface, a continuous 5-foot thick layer of softer, silty material extending beneath the embankment, and for a fully developed phreatic surface created assuming the very conservative assumption that no liner exists. Static and pseudostatic factors of safety exceed minimum stability requirements for all cases except for the highly unlikely case in which an upstream slope fails immediately after a raise is complete and assuming the very conservative assumption that no liner exists. In the latter case, the factor of safety is 0.9.

Settlement analysis was performed to assess the magnitude of vertical movement expected within foundation soils due to the increase in static load as the embankment is constructed. Evaluation of information obtained from geotechnical borings indicates the subsurface materials within the footprint of the embankment are predominately very dense granular materials. Based on the foundation information, liner material qualities, and other construction features, maximum settlements on the order of 9.5 to 11.5 inches are estimated, are anticipated to occur during the construction phases, and should not have any adverse effects on the embankment lining or pipeline systems. For monitoring purposes, eight (8) settlement monuments will be installed along the crest of the embankment as phased construction progresses.

Stormwater will be diverted around Cell 4 and associated components by new, existing, or realigned channels, berms, and road ditches. The channels and ditches are designed to contain the 100-year, 24-hour storm event flow. A protective berm, to be constructed adjacent to a new 100-year, 24-hour storm event flow (2133 cubic feet per second (cfs)) diversion channel designed to protect the northeast portion of the Cell 4 embankment, is designed to contain the PMP event flow of 15,031 cfs.

Groundwater monitoring for Cell 4 will be provided by two (2) existing downgradient monitoring wells IM-59D and IM-61D. An additional new downgradient monitoring well, SMA-17, will replace monitoring well SMA-10, located within the proposed Cell 4 footprint, which was properly abandoned in May 2011.

Area 28 Heap Leach Facility: The Pipeline Area 28 Heap Leach Facility is comprised of two (2) structurally integrated heap leach cells (identified as Heap

Leach Cell 2-3 and Heap Leach Cell 3) and a carbon column facility with an adjacent pregnant solution pond, a tailings underdrain/barren solution pond, and a single-lined stormwater pond, all located to the east of the integrated Cell 2-3 and Cell 3 heap leach pad/Cell 1-Cell 2 tailings impoundment.

Low-grade gold-bearing, ROM (>50% plus 1-inch) leach ore material is trucked directly from the open pit mine to the heap leach pads. En-route to the leach pad, lime is added to each truckload of ore from a lime storage silo. Alternatively, lime is spread on the surface of the ore on the pad, ripped with bulldozers, and then capped with a one-foot thickness of ore.

Ore trucks run along the top of the heap and end-dump material in a series of 20- to 30-foot high lifts to build the heap. The permitted heap height for this facility was approved at 150 feet as part of the Cell 2 Tailings Expansion Minor Modification in March 2001. An EDC, approved in October 2003, increased the permitted maximum heap height to 350 feet for this facility. The heap leach cells will cumulatively contain approximately 53.5 million tons when completed.

The surface of the heap is ripped with a dozer prior to application of cyanide-bearing leach solution at a rate per unit area of 0.003 to 0.005 gallons per minute per square foot (gal/min/ft²) during a 60-day cycle. EDC approval was given in November 2000, to increase the solution application rate from the original 3,500 gpm to 6,000 gpm. Another EDC, to further increase the application rate to 8,300 gpm, was approved in April 2001.

The heap leach pads are designed as a structurally integrated unit with several discrete cells. Each cell is designed to be hydraulically independent of the others with its own solution recovery system and cell divider berms. The individual cells have been constructed as phased expansions to satisfy ore production schedules. Tailings deposition considerations are also important since the stacked heap leach ore serves as embankments and buttresses for the tailings impoundments.

Each of the pads has a 60-mil HDPE synthetic liner placed over a 12-inch thick low hydraulic conductivity soil layer (LHCSL). The LHCSL material, excavated from borrow pits located within the permitted facility boundary, was compacted in maximum 6-inch lifts to minimum 95% Modified Proctor dry density. All field tests on LHCSL material met or exceeded the required maximum permeability specification of 1×10^{-6} cm/sec.

Leach solution from each pad cell reports to an underdrain piping system comprised of a network of 4-inch diameter perforated CPEP, placed at 30-foot centers over the surface of the synthetic liner. A minimum thickness of 18 inches of overliner material, consisting of crushed and size-graded leach ore and local borrow material, was placed over the underdrain pipes to protect the pipes and the liner and to provide a permeable horizon for leach solution transfer to the

downgradient process solution collection channels. Piezometers were placed within the heap leach Cell 2-3 expansion to monitor hydrostatic head pressure on the liner due to amounts of minus 200-mesh fines present in the overliner material in excess of the design specification.

The parallel process solution collection channels are lined with 80-mil HDPE in contact with a minimum 24-inch thickness of compacted (maximum 1×10^{-6} cm/sec permeability) LHCSL. Flow capacity of each channel is in excess of 66,000 gpm. This capacity is well in excess of the 7,500-gpm heap application rate return flow and the predicted 25-year, 24-hour storm event flow. Each channel is underlain with a French drain leak detection trench containing a 4-inch diameter perforated CPEP which leads to a non-perforated CPEP that discharges to a vertical riser sump that can be monitored for leakage and evacuated.

Process solution from the heap leach cells reports to solution ponds located at Area 28. The ponds include a double-lined pregnant solution pond (5.3 million gallons capacity), a double-lined underdrain solution pond (5.3 million gallons capacity), and a single-lined stormwater pond (12.8 million gallons capacity).

The double-liner system for the pregnant and reclaim/barren ponds consists of a 60-mil HDPE primary liner placed over a geonet drainage layer which overlies a 40-mil HDPE secondary liner. The secondary liner is protected by a 10-ounce/yard² non-woven geotextile layer placed over the subgrade that was scarified, moisture conditioned, and compacted to a minimum 95% Modified Proctor dry density. Construction specifications required and field-testing confirmed a subgrade permeability no greater than 1×10^{-6} cm/sec was achieved. The pregnant solution pond primary liner was replaced in May 2001, due to process fluid, in amounts in excess of Permit limitations, reporting to the leak detection system. QA-QC was performed on the completed liner replacement and the excess leakage has stopped.

The liner system for the stormwater pond is comprised of a single layer of 60-mil HDPE placed over prepared subgrade. Overflow spillways, single-lined in the same manner as the stormwater pond, interconnect all ponds.

An EDC application, in response to BMRR containment concerns and to address solution releases, was approved in February 2005. The EDC consisted of a retrofit to all process pond crests, spillways, and transfer channels, as necessary, to ensure a minimum process pond crest liner elevation of 4986.5 feet AMSL and a maximum spillway and channel elevation of 4984.5 feet AMSL. The retrofit ensures the process pond minimum design 2-foot freeboard cannot be exceeded unless the stormwater pond is filled to capacity and that excess solution will only report to the stormwater pond and not to the collection channels. A permanent 2-foot freeboard marker was placed on all pond liners and the stormwater pond has an additional marker to indicate when the maximum process solution capacity has been reached and only the design storm event capacity remains.

The Area 28 CIC facility was originally comprised of a single train of five (5) carbon column tanks. As part of an EDC, approved in April 2001, a sixth CIC tank was added and the series of six (6) tanks was divided into two (2) trains of three (3) tanks each. This change allows the facility to handle 6,000 gpm of the 7,500-gpm process solution return from the integrated heap leach facility. The remaining 1,500 gpm is diverted to the Mill #2 CIC circuit.

The Area 28 CIC facility, cyanide storage tank, and truck load-out area are all constructed on bermed, reinforced and sealed concrete pads that are free-draining to the adjacent pregnant or barren solution ponds. Loaded carbon is transported by truck to the Mill #2 facility for gold recovery and regeneration.

An EDC was approved in May 2009, to upgrade the bulk sodium cyanide solution off-load pad for the Area 28 CIC reagent storage area located on the northeast side of the reclaim/barren pond. The new, steel-reinforced (minimum 28-day 4,000 psi) concrete pad measures approximately 82 feet long and 18 feet wide to ensure the newer, longer delivery trucks are completely within containment during the off-load process. The pad base is sloped away from the drive-on/drive-off bump-curb ends and perimeter stemwalls to direct any spill or precipitation reporting to the pad into a 4-foot square by 3-foot deep solution collection sump. The solution collection sump drains by gravity to the adjacent reclaim/barren solution pond through a buried 8-inch diameter HDPE conveyance pipeline located within a 12-inch diameter HDPE secondary containment pipeline. The pad and sump construction incorporate the use of waterstops and sealants in all concrete joints.

South Area Heap Leach Facility (Area 30): The South Area Heap Leach (SAHL) Facility, also identified as 'Area 30', was constructed as a major modification from early 2002. The facility includes additional heap leach pad phases, two (2) process solution ponds to allow operational flexibility to segregate pregnant from intermediate solution, a barren solution pond, a stormwater pond, and a CIC recovery facility. The facilities are separated from the upgradient watershed by a stormwater diversion system designed to withstand the 100-year, 24-hour storm event. Approval was given to construct the pond complex, the CIC facility, and a phased heap leach pad with a planned total combined area of approximately 25 million ft². The phased construction allowed expansion of the facility as needed to accommodate ore production. To ensure that agreed fluid management design criteria continue to be met, the Division reviewed and approved a 'request to construct' prior to construction of each phase. As of the 2007 renewal, the Phase 2002 Construction and the Phase 2004 Construction had been completed. The Phase 2007 Construction was authorized as a minor modification in July 2007 and completed in November 2008. A small remaining portion of the original area of review could be constructed as a final phase of expansion on the far west side of the pad.

The SAHL Pad design will accommodate approximately 100 million tons of low-grade ROM (>50% plus 1-inch) material loaded to a height of 150 feet. Liner design, as permitted, will allow leach material to be stacked to 300 feet, so additional tonnage can be accommodated if necessary. Phases are loaded by end-dumping material in 20- to 30-foot lifts and leach cycles average 60 days. Normal operation incorporates an application volume range of 0.003 to 0.005 gal/min/ft² over a minimum 3.36 million square feet of pad surface and results in a total solution discharge rate from the heap of approximately 16,800 gpm.

Phase 2002 Construction: Phase 2002 Construction, the first phase, was initiated in late February 2002, and loading of ore was initiated in July 2002. The pad is constructed with four (4) internal cells numbered 1 through 4 from north to south. The Phase 2002 Construction encompasses 9.11 million square feet of pad area and can accommodate approximately 55.2 million tons of ROM leach ore at a stacked height of 150 feet. If stacked to the approved ultimate height of 300 feet, the Phase 2002 Construction of the SAHL pad can accommodate approximately 80.7 million tons of leach material.

A French drain-style subgrade leak detection system is installed beneath the heap leach pad containment system from the downgradient toe of the pad up to a pad subgrade elevation of 4,890 feet AMSL. This elevation was determined, through modeling of pre-mining and current water table depths, to represent the portion of the pad where groundwater depth could be shallower than 100 feet below original ground surface during the operation and closure period of the SAHL Pad.

The leach pad subgrade leak detection system design consists of a vee-trench cut parallel along the upgradient edge of each cell divider berm and perpendicular to the majority of fluid flow. There are four (4) trenches, one for each of the four (4) cells incorporated into the Phase 2002 Construction pad. Each trench is cut to a depth of one (1) foot and lined with 40-mil PVC liner overlain by needle-punched geotextile. A 4-inch diameter perforated CPEP leak detection collector pipe is placed in the bottom of each trench and covered with drain rock, to a minimum one-foot depth, before final encapsulation with geotextile and covering with the EHCSL that forms the prepared base of the heap leach pad. Each cell's leak detection collector pipe runs from the 4890 foot elevation of the pad down to the toe of the pad where it connects with a 4-inch diameter solid HDPE pipeline. The solid HDPE pipeline passes beneath the solution collection ditches and their containment, then connects, via a 4-inch by 8-inch tee, to an 8-inch diameter HDPE riser pipe that serves as a sump, an observation port, and an evacuation riser. Each cell has a dedicated sump/port/riser.

Although of phased construction, the Area 30 SAHL Pad is a structurally integrated, fully-lined facility. The pad area was graded to smooth topography and to limit the downgradient toe to a maximum 2.0 percent gradient for stability. Subgrade preparation in cut and fill areas included scarification to a minimum depth of 8 inches, moisture conditioning, and compaction to a minimum 90

percent Modified Proctor maximum dry density. A minimum 12-inch-thick LHCSL was constructed on the subgrade in compacted 6-inch lifts with a minimum 95 percent Modified Proctor maximum dry density. The LHCSL material is either native site soil or imported from the Airport borrow pit and compaction achieved a permeability of less than 1×10^{-6} cm/sec as verified by field testing.

A smooth surface synthetic liner was placed on the prepared LHCSL layer. The liner is 60-mil HDPE in the perimeter of the heap leach pad where ultimate stacking height will not exceed 150 feet. An 80-mil HDPE liner material was used for the balance of the interior pad area where stacking height is approved to 300 feet. The specific geomembrane products used for the project passed compression, shear, and puncture tests. A minimum of 20 inches of protective overliner and underdrain blanket material was placed on the geomembrane to protect it during loading of leach material and to facilitate leachate collection. Overliner and underdrainage material consists of processed waste overburden, crushed waste rock, crushed leach grade ore, and borrow material that meets gradation requirements for low fines content.

The leachate solution collection system consists of the underdrainage blanket material that overlies and conveys fluid flow into a network of 4-inch diameter perforated, CPEP placed along 30-foot centers directly on the synthetic liner surface. Each 4-inch perforated CPEP is tied to either an 8-inch or 12-inch diameter CPEP solution collection pipe placed along the downgradient edge of the cell divider berms.

Collected leachate solution reports to flumes where it can be quantified and directed into either of a pair of solution channels located along the downgradient edge of the pad. The parallel solution collection channels consist of two, trapezoidal-shaped (2-foot deep by 4-foot base width) ditches that discharge into trapezoidal-shaped (2-foot deep by 8-foot base width) transfer channels that lead to the solution ponds. The solution collection channels and transfer channels are netted for wildlife protection.

All solution collection channels for the facility are lined with 60-mil HDPE in contact with compacted LHCSL and are equipped with a French drain LCRS system. The LCRS consists of a gravel-filled vee-trench beneath the centerline of a channel that contains a 4-inch diameter perforated pipe. The perforated pipe transitions to a non-perforated collection pipe that discharges to a vertical riser sump located adjacent to the pregnant solution ponds. Any fluid reporting to the LCRS sumps can be quantified and evacuated to the ponds. The sumps are also equipped with emergency overflow pipes that discharge directly into the adjacent transfer channels if necessary.

A perimeter containment berm, with a 10-foot crest width and a 3-foot to 5-foot embankment height, encircles the entire facility and forms a perimeter corridor

between the toe of the heap leach pad and the berm. The perimeter corridor provides a setback area to contain leach material that may fall as a result of shallow slope failure during a seismic event and provides an area within which solution pipelines, solution collection and conveyance channels, and access vehicles may be safely routed.

Phase 2004 Construction: Approval to construct the Phase 2004 Construction, the second phase of the approved design, was given as part of an EDC in February 2004. The expansion footprint covers approximately 7.61 million ft², adjoining the northeast edge of the Phase 2002 Construction and expanding the SAHL pad in a northeast direction. The pad is divided into four (4) internal cells numbered 5 through 8 from south to north. The same basic construction design used in the Phase 2002 Construction was used in the Phase 2004 Construction along with incorporation of several upgrades implemented as a result of actual operating experience from the Phase 2002 Construction.

Details of the upgrades are included in the January 2004 *Technical Specifications - SAHL 2004* design drawings and cover letter. The upgrades include, but are not limited to: a uniform increase in the perimeter berm height from 3 feet to 5 feet; construction of coarse drain rock-filled French drains above the synthetic liner and within the underdrain collection system to facilitate better solution collection and minimize internal erosion of the liner cover material; the incorporation of larger 6-inch and 8-inch diameter underdrain solution collection pipes in the downgradient sections of the pad to increase fluid capacity and reduce hydraulic head; the addition of a coarse-grained transition zone near the toe of the heap leach pad to reduce liner cover material erosion; an increase in the underdrain layer thickness to a minimum 24 inches; an improved footing design for the concrete wing walls of the solution collection flumes; the addition of leak detection port LDCC-1N to monitor the north leg of solution collection channel 1; and an improved design requiring that all access ramps be constructed at their design locations, which can only be changed with engineer approval, and with culverts extending a minimum 20 feet beyond each ramp edge.

Phase 2007 Construction: The Phase 2007 Construction, completed November 2008, was authorized as a minor modification in July 2007, and expanded the existing SAHL facility upgradient and to the northwest by approximately 8 million ft². The same basic construction design used in the Phase 2004 Construction was used in the Phase 2007 Construction with incorporation of some upgrades and changes implemented as a result of actual operating experience for both the Phase 2002 and Phase 2004 construction.

Details of the upgrades are included in the April 2007 Application for Minor Modification, prepared by AMEC Earth & Environmental, Inc. The design changes in general include, but are not limited to: the elimination of leach pad divider cells, since recirculation of process solution, as originally planned, has not been used in the past and is not planned for the future; abandonment of the

existing diversion channel, which was reconstructed along the north perimeter of the pad and enlargement of the existing upgradient (west side) stormwater diversion channel to accommodate additional potential flow to be diverted away from the expanded Pipeline Pit footprint; the use of GCL, placed on a sub-base compacted to a minimum 95% Modified Procter (ASTM 1557) maximum dry density and overlain with a layer of 80-mil smooth HDPE liner, within the majority of the expansion footprint, in lieu of a prepared LHCSL due to a paucity of suitable in-situ material and the economics of extracting and relocating suitable LHCSL material from the Airport Borrow; the construction of 300-foot wide 'Buttress Zone' on the north and south limits of the pad footprint comprised of a 1-foot-thick layer of LHCSL material, placed in 8-inch-thick lifts, compacted to a minimum 95% of the ASTM 1557 maximum dry density, and overlain with a layer of 80-mil textured HDPE liner tied to the smooth 80-mil HDPE interior footprint and pad perimeter berm liners.

The solution collection system for the Phase 2007 Construction is tied to the existing solution collection systems located in the downgradient earlier constructed phases. The maximum design and permitted heap leach pad height remains unchanged at 300 feet and the solution application rate has not been increased.

Process and Storm Event Ponds: The pond system consists of two double-lined, equal-sized pregnant solution ponds, a double-lined barren solution pond, and a single-lined emergency stormwater storage pond. At the facility design solution flow rate of 16,800 gpm, the individual pregnant solution pond size is sufficient to allow one pond to be shut down for repairs or maintenance without interrupting processing rates. By utilizing ditch dams located in the solution transfer channels, pregnant and intermediate solution can be segregated between the two ponds, providing additional operational flexibility.

The pond system design capacities can accommodate flows created by the 100-year, 24-hour storm event plus normal 12-hour operating inventories and the accumulation of fluids due to a 24-hour power loss while maintaining two feet of freeboard. The pregnant solution ponds are sized to contain the maximum operating inventory of 6.05 million gallons at a depth of 7.6 feet and have maximum individual capacities of 17.54 million gallons each. The barren pond is sized to contain the 12-hour operating inventory at a depth of 17.7 feet plus the storm event precipitation for a total volume of 6.15 million gallons. The stormwater event storage pond, with a capacity of 9.57 million gallons, is designed to contain all runoff from the 100-year, 24-hour storm event that reports to the pond surface, any exposed liner and solution channel surfaces, and both the active and the most recently active leach pad surfaces. All ponds are hydraulically linked by a series of overflow spillways lined with a single layer of 60-mil HDPE.

The double-lined containment system for the two pregnant ponds and the barren pond is comprised of 60-mil HDPE primary and secondary liners. The secondary liner was placed over a prepared subgrade scarified and compacted to a minimum 90% Modified Proctor maximum dry density and covered with 6 inches, minimum compacted thickness, of protective liner bedding material. The liner bedding material is primarily silty soils meeting gradation specifications, cleaned of plus 3/4-inch material, and compacted to a minimum 95% Modified Proctor maximum dry density. A geonet drainage layer is sandwiched between the primary and secondary liners as an LCRS. Any leakage reports to a subgrade, gravel-filled sump. An HDPE riser pipe extends from the LCRS sump to the crest of the respective pond to allow leak detection monitoring and solution removal with a dedicated pump.

An engineering design change was approved in September 2008, authorizing a novel replacement of the primary liner in Pregnant Pond 2, the southern-most process pond. The approved design includes the installation of a new 80-mil HDPE primary liner over the original 60-mil HDPE primary liner to address increased leak detection port flows. The design intent was to reduce the amount of labor and time involved to reline the facility by leaving the majority of the original damaged primary liner in place. To address the potential for excessive hydraulic head to develop between the new and old liners and to maintain a functional LCRS, drainage cutouts, measuring 50 feet on a side, were cut out of the original 60-mil primary liner in the center, north corner, south corner, and west corner of the pond floor. A 25-foot wide, crescent-shaped cutout was made 25 feet away from the floor sump area located in the east corner. The underlying geonet drainage layer of the LCRS beneath each cutout area was inspected and any damage was repaired to maintain a functional LCRS. The new 80-mil primary liner was carried up the sides of the pond, across the original liner key trench and re-keyed into a new trench. QA/QC documentation was performed on all material, welding, and construction details.

The stormwater event storage pond and the overflow spillways are single-lined with a layer of 60-mil HDPE material placed over a minimum 6-inch compacted thickness of liner bedding material compacted to at least 95% Modified Proctor maximum dry density.

SAHL (Area 30) Processing: The South Area Heap Leach CIC processing facilities are located to the northeast and adjacent to the barren and pregnant solution ponds. The majority of the process equipment is contained within an engineered steel process building that measures approximately 100 feet wide by 160 feet long by 55 feet high, and has an 8-inch high concrete containment stem wall around the perimeter of the reinforced concrete slab floor. All concrete containment joints are sealed with waterstops. A central floor channel leads to a 24-foot by 6-foot by 5-foot deep sump, screened to prevent carbon loss and equipped with an automatic sump pump that discharges to the barren solution pond. The building floor elevation is 12 inches above the barren solution pond

crest and is hydraulically linked to the pond via a 60-mil HDPE single-lined spillway. The spillway is approximately 100 feet long, 8 feet wide at the base, has 12-inch high berms, and is capable of handling the maximum design heap leach and facility flow rate of 16,800 gpm with a 4-inch depth of flow in the spillway.

Each pregnant solution pond is equipped with three (3) vertical-turbine, variable-drive, electric pumps mounted on a concrete and steel platform measuring approximately 26.5 feet wide by 30 feet long by 23 feet tall. The three pumps are configured as two operating pumps capable of supporting the full processing facility operating flow of 16,800 gpm and one spare pump that can be brought on line if another pump is off line for any reason. Solution is pumped via steel pipeline from either of the pregnant solution ponds to the process building where it enters one of four parallel trains of carbon adsorption columns. Each train can operate independently of the others and is comprised of five (5) up-flow, fluidized, carbon adsorption columns measuring 14 feet in diameter by 15 feet high, followed by a 6-foot by 12-foot inclined vibratory safety screen that recovers overflow carbon. Each 5-column train has a flow rate capacity of 4,200 gpm.

The gold-loaded carbon is transported by tanker truck to the Mill #2 facility where the gold is stripped and the carbon regenerated for further use. Carbon column barren solution discharges through the safety screens into a single, above-ground, 42-inch diameter, steel pipeline, placed within the HDPE-lined spillway previously described, and reports to the barren pond to be pumped back onto the heap leach pads.

The barren pond solution pumping system consists of five (5) vertical turbine, variable-drive, electric pumps mounted on a concrete and steel platform measuring approximately 49 feet long by 38 feet wide by 23 feet tall. The pumps are fully interchangeable with two (2) dedicated to low head (<150 feet high) areas of the heap leach pads, two (2) for high head (>150 feet high) areas of the heap leach pads, and the fifth available as a spare. Each pump pair is capable of delivering 10,000 gpm to the designated portion of a heap leach pad. Separate 24-inch diameter steel pipelines, with individual control valves, service the low- and high-head areas of the heap leach pads. All pipelines are located on HDPE-lined containment that drains by gravity back to the barren solution pond.

A cyanide addition platform, measuring 75 feet by 56 feet, containing two (2) 12-foot diameter by 18-foot tall (approximately 15,000 gallons each), concentrated (30%) sodium cyanide storage tanks, equipped with metering and injection pumps and flowmeters, are located adjacent to the barren solution pond. The platform is a 6-inch-thick reinforced concrete slab, with containment curbs sealed with waterstops, that drains to the barren solution pond. Sodium cyanide is delivered by vendors as pre-mixed liquid solution. Mercury suppressant and anti-scalant

tanks measuring approximately 7.5 feet in diameter by 14 feet tall are located on similar concrete containment adjacent to Pregnant Pond #1.

An EDC was approved in September 2011, for modification of the cyanide off-load containment pad. The new pad is constructed over the existing pad to gain elevation because the existing pad would not drain into the hydraulically-linked cyanide tank containment area. The new pad measures approximately 46 feet long; the same as the original pad; and 14.5 feet wide to extend the width of the original footprint by approximately 2.5 feet. The pad is constructed of reinforced concrete with a minimum thickness of ten (10) inches. The extension portion of the pad is constructed on grade over a minimum 6-inch thick layer of ¾-inch granular material compacted to a minimum 95% Standard Proctor (ASTM D698) maximum dry density. The new pad is curbed on all sides and concrete joints have either embedded waterstops at new pours or retrofit waterstops where new concrete adjoins the old.

Two operators are normally on the South Area site during the dayshift but nightshift operations are monitored electronically from the Mill #2 control room. A pre-fabricated building measuring 36-feet long by 12-feet wide by 10-feet high and located adjacent to the process building, serves as a small office and laboratory facility. Dewatering water that has been transmitted through an automatic hypochlorite injector is used in toilet facilities and sinks. Toilet facilities drain to an engineered septic system. Laboratory effluent is discharged to the barren solution pond.

Cortez Underground Exploration Project Water Handling System: In July 2005, construction was initiated of a decline within the F-Canyon Pit, one of the three (3) original pits from which material was historically mined for processing at the Cortez Gold Mine Mill #1 (NEV0000023). The decline provides access for exploration, development and mining of the underground portion of the Cortez Hills gold deposit.

An EDC, approved in May 2006, authorized construction of temporary Water Supply and Event pipelines to support decline construction activities (see discussion in fact sheet for NEV0000023). Once the decline reached the water table, which is located approximately 350 feet below the elevation of the decline portal (approximately 4,950 feet AMSL), dewatering requirements can increase to as much as 5,000 gpm for peak flows when water-bearing fractures are first intercepted. Dewatering flow from all sources, which include underground sumps, drillholes, and surface dewatering wells located along the trace of the decline, is anticipated to average about 2,500 gpm or less for the life of the project.

To handle the anticipated flow volumes and to plan for potential future deposit development, the Cortez Underground Exploration Project Water Handling System proposal was submitted as a group of three (3) EDC modifications,

approved October 2006. The modifications, each of which is tied to the project where the dewatering water is discharged or consumed, affected the Cortez Mine Project (NEV0000023), the Pipeline Project (NEV0093109), and the Pipeline Infiltration Project (NEV0095111). All three (3) projects are located within the same hydrogeologic region (State of Nevada Ground Water Basin N^o. 54 – Crescent Valley) as the dewatering water source.

For the purposes of dewatering water handling and management, the water removed is identified as either "Contact Water" or "Infiltration Water" and each water type is directed to a separate and dedicated portion of the approved system. Contact Water is water collected from either underground mining sources or dewatering wells that, due to either "contact" with mining products or mined materials or due to naturally occurring contained constituents, exceeds one or more of the Nevada Division of Environmental Protection (Division) Profile I reference values. Contact Water may only be consumptively used in process components unless the quality is modified to meet the water quality criteria required for infiltration. Dewatering water that meets all the Division Profile I reference values, or approved water quality specific to a water pollution control permit, is termed Infiltration Water and may be either discharged to infiltration basins or used for other approved consumptive uses outside containment, such as dust control.

It should be noted that the most common constituent exceedances, especially for water extracted through dewatering wells, are for iron and manganese, which are usually the product of the oxygen-depleted reducing condition of the groundwater. Studies demonstrate that aeration alone will usually bring this water into compliance with the Division Profile I reference values and make the water suitable as Infiltration Water. Therefore, this natural chemical process, combined with physical methods of segregating better quality water in the underground workings to prevent contamination, results in a much smaller proportion of the total volume of dewatering water being classified as Contact Water.

The Pipeline Project (NEV0093109) portion of the Cortez Underground Exploration Project Water Handling System is generally comprised of: the 18-inch diameter HDPE Cross-Valley Contact Water ('C-2') Pipeline; the single-layer HDPE-lined Contact Water Containment Pond; the 'C-4' Branch of the 'C-2' Pipeline; associated knife and butterfly valves, air-, vacuum-, and combination air-vacuum-release valves, pond uptake and discharge structures, and road-crossing pipeline containment with leak detection ports. The Pipeline Project portion of the system allows Contact Water to be stored and recovered from the Cortez Mine Water Storage Reservoir Pond (WSR) South Cell for use in the Pipeline Project process at the Area 28 heap leach pad, the Area 30 heap leach pad (South Area Leach Project) or the Pipeline Mill #2. The WSR provides at least a seven (7) day dewatering water holding capacity in the event production exceeds consumptive or infiltration requirements.

Contact Water stored in the WSR South Cell may be conveyed into the 'C-2' Pipeline by pumping through a 24-inch diameter slotted uptake riser located on the side of the WSR South Cell. The WSR South Cell uptake riser is supported with concrete above the freeboard level of the pond and at the uptake sump location. The pond primary liner is protected with HDPE wear sheets placed over bedding material located beneath the uptake riser pipe and the pipe supports.

The 'C-2' Pipeline parallels the larger diameter Infiltration Water Pipeline ('I-1' Pipeline, permitted under NEV0095111) along a westerly surface route from the WSR. Approximately 2,000 feet west of the WSR, the pipelines intersect the power line easement, cross over to place the 'C-2' Pipeline on the south-southwest side of the 'I-1' Pipeline, and follow the corridor in a northwesterly direction across Crescent Valley to the eastern edge of the Pipeline Project site where the 'I-1' Pipeline connects to the existing Pipeline Infiltration Project (NEV0095111) main dewatering water trunk pipeline. At this point the 'C-2' Pipeline route turns westerly, beneath the Cortez - Grass Valley County Road via an existing 48-inch diameter culvert, and continues on the surface along the exterior side of the perimeter fence on the east side of the Area 28 process plant, through "Powell Valley" between the Area 28 heap leach pad and the waste rock facility, to the southeast corner of the Area 28 Cell 2-3 heap leach pad. At this point a valved tee-fitting connects the 'C-4' Branch to the 'C-2' Pipeline.

At the tee-fitting, the 'C-2' Pipeline is routed in a southerly direction and ends with an outlet diffuser at the Area 30 (South Area Heap Leach Project) barren solution pond to provide heap leach make-up water. The 'C-4' Pipeline is routed from the tee-fitting back to the north, onto the upper benches of the Area 28 Cell 2-3 heap leach pad and ends with an outlet diffuser at the Area 28 and Pipeline Mill #2 makeup water pump station. From this latter location, Contact Water may be directed for use in either the Area 28 heap leach facility or the Pipeline Mill #2.

The 'C-2' Pipeline is placed in a 1-foot deep containment vee-ditch with a down-gradient control berm. The vee-ditch and the 'C-2' Pipeline drain to the Contact Water Containment Pond, located at the lowest point along the Crescent Valley pipeline corridor between the F-Canyon Portal and the Pipeline Mill #2. The Contact Water Containment Pond is sited across from the Infiltration Water Containment Pond (NEV0095111). The Contact Water Containment Pond measures approximately 140 feet on a side, is approximately 10 feet deep, and has a capacity of approximately 680,000 gallons below a 2-foot freeboard. The pond has been sized to contain 110% of the maximum volume that could drain, due to either maintenance or emergency requirements, from the east and the west limits of the 'C-2' Pipeline. The pond is lined with a single layer of 60-mil HDPE placed on a 1-foot-thick layer of native soil compacted to a minimum 90% Modified Proctor (ASTM D-1557) maximum dry density. The pond perimeter is graded to maintain a 5% drainage slope for at least twelve (12) feet away from the pond crest and the liner anchor trench. The pond is equipped for pond evacuation

with a standard outlet diffuser pipe and an uptake riser pipe and uptake sump of the same design as that used in the WSR.

Light vehicle road and haul road pipeline crossings, other than the Lander County road crossing, are constructed beneath the roads with pipe-in-pipe secondary containment and a leak detection and evacuation port. Construction for the 'C-2' Pipeline road crossing secondary containment consists of a 24-inch diameter corrugated steel pipe (CSP) placed at least two (2) feet below the road surface and surrounded with pipe bedding material compacted to a minimum 95% Modified Proctor (ASTM D-1557) maximum dry density. A vertical leak detection inspection and evacuation port is constructed of an 8-inch diameter CSP located directly above the low point of the secondary containment CSP.

Between the WSR and the point where the 'C-2' and 'I-1' pipelines diverge at the eastern edge of the Pipeline Project site, the pipelines are placed approximately ten (10) feet apart. Pipeline anchor berms are located at 1,000-foot intervals where the gradient is <4%, at 500-foot intervals where the gradient is >4%, and upgradient and downgradient from all pipe fittings, tees, and valves to minimize lateral pipeline movement.

All pipeline bends, angles, tees, and valve connections to the HDPE pipeline are constructed of standard steel with 150-pound flange connections. Air-release, vacuum-release, combination valves, and drain valves are placed at appropriate locations along the pipeline to ensure proper flow and drainage as necessary. Pipeline connections are equipped with check-valves, where necessary, to prevent mixing of Contact Water and Infiltration Water, to prevent inundation of the system from other sources, and to ensure the required flow direction, from east to west, is maintained. The HDPE pipeline thicknesses used in construction are based on requirements calculated for specific sections of the pipeline relative to potential hydraulic head pressure and topography considerations.

Weekly flow monitoring is conducted at all pipeline outlets and Division Profile I water quality analyses are reported quarterly for samples collected from the same locations. Road crossing leak detection ports are inspected weekly.

Pipeline Underground Ore Stockpile Pad and Stormwater Pond: An EDC was approved in December 2010 for construction of the Pipeline Underground Ore Stockpile Pad that will be used for storage of underground ore prior to shipment off-site for processing. The stockpile pad is located on the top of the existing waste rock storage facility adjacent to the existing surface mine stockpile at the east edge of the facility. Due to the potential for the underground ore to be refractory in character, the facility design incorporates a single-lined stockpile pad and a double-lined and leak detected stormwater collection pond.

The stockpile pad measures approximately 630 feet long by 280 feet wide within the interior berm crest. The distance from the top of the berm to the base of the

pad measures approximately five (5) feet vertically. The berm crest is approximately five (5) feet wide and was constructed with 2H:1V exterior and 3H:1V interior sideslopes. The base of the pad was formed of either subgrade material scarified to a depth of eight (8) inches and compacted to a minimum 90% Modified Proctor maximum dry density (ASTM D 1557) or, as necessary, fill material was placed in maximum 12-inch thick loose lifts compacted to a minimum 90% Modified Proctor maximum dry density (ASTM D 1557). The prepared base was graded with a minimum 2% slope toward the centerline and north end of the pad to direct fluid to the point of discharge into the stormwater pond.

The stockpile pad construction incorporates a 60-mil smooth HDPE liner placed over the entire pad base and interior berm face on a 12-inch thick liner bedding layer. The synthetic liner was tied into a key trench located at the berm crest and is protected from damage during ore placement with a minimum 3-foot thick overliner layer comprised of minus 2-inch diameter crushed rock. The design allows for ore to be loaded in multiple lifts to a maximum height of forty (40) feet above the top of the overliner layer with a minimum 10-foot set-back from the interior berm toe. Ore is loaded and removed from the stockpile using off-road articulating dump trucks and over-the-road ten-wheel dump trucks and trailers. A 20-foot wide, minimum 2-foot thick ramp constructed with overliner material at the northwest corner of the pad provides vehicle access.

Stormwater reporting to the pad is conveyed through a 5-foot deep trapezoidal channel with a 10-foot wide base into the stormwater pond. A geonet-wrapped sediment barrier constructed at the channel inlet will minimize sediment transport into the pond. The channel and the pond are double-lined and leak detected. The secondary 60-mil HDPE smooth liner was placed over a subgrade and 12-inch thick bedding layer prepared to the same specifications used for the pad. The primary liner is a 60-mil HDPE textured liner placed over an HDPE geonet that serves as an LCRS between the liners to convey any escaping solution to a subgrade leakage collection sump located in the center of the pond footprint. The LCRS sump is filled with clean pea gravel encased in 10 oz/yd² geotextile and can be evacuated through a 12-inch diameter HDPE inclined riser pipe perforated at the base and equipped with a dedicated submersible pump. The LCRS sump has a constructed capacity of approximately 1,485 gallons.

The stormwater pond was constructed as an inverted square pyramid with 3H:1V interior sideslopes and an interior dimension of 86 feet between the interior crest edges. The pond crest is twenty (20) feet wide and the pond depth varies from 12 to 12.5 feet to allow a shallow gradient toward the LCRS sump. The pond design volume is approximately 263,000 gallons, which will contain the volume from a 100-year, 24-hour storm event reporting to the unloaded pad and the pond with a minimum 1-foot freeboard remaining. The maximum pond operational level for this contingency is 9.5 feet below the pond crest. The pond can be evacuated to approved containment or for an approved use with a portable pump.

No upgradient storm event run-on is intended to report to the ore stockpile pad or the stormwater pond. A minimum 1.5-foot deep v-ditch (1.5H:1V) was excavated around the upgradient perimeter of the components to divert upgradient surface flow.

Petroleum-Contaminated Soil Management: An EDC for a Petroleum-Contaminated Soil (PCS) Management Plan (PCS Plan) was approved in April 2010. The approved PCS Plan also allows for management of PCS transported from the Cortez Hills Expansion Project (NEV2007106), in accordance with the approved PCS Plan and the Division's Guidance for Mine-Site PCS Management Plans. After determination that it is not hazardous waste, the PCS may be provisionally placed with mine haul trucks at the approved location on the Facility waste rock dump. The PCS must be segregated, labeled, and sampled by source type. The PCS must remain retrievable while screening analyses are conducted. Once analyses confirm the PCS does not exceed approved screening levels established by risk assessment, the PCS will be buried on the dump with additional waste rock. PCS that exceeds screening levels must be removed and properly disposed off site.

C. Receiving Water Characteristics

The site hydrology in the vicinity of the deposit consists of a sodium/calcium bicarbonate dominated aquifer. The overall groundwater quality at the site is generally good and meets all Profile I water quality reference values, with the exception of marginally elevated background levels of fluoride and TDS. The pre-mining average groundwater depth beneath the entire facility was approximately 120 feet below ground surface. Currently, the depth to groundwater is much greater than the original groundwater table depth due to the influence of on-going mine dewatering activities. Groundwater quality in the vicinity of the main Pipeline facility (pit, tailings impoundments, heap leach cells, etc.) is monitored with eight (8) dedicated alluvial wells and five (5) dedicated bedrock wells. The SAHL (Area 30) Facility groundwater quality is monitored with five (5) dedicated alluvial wells and three (3) dedicated bedrock wells.

D. Procedures for Public Comment

The Notice of the Division's intent to issue a permit authorizing the facility to construct, operate and close, subject to the conditions within the permit, is being sent to the **Battle Mountain Bugle** for publication. The Notice is being mailed to interested persons on our mailing list. Anyone wishing to comment on the proposed permit can do so in writing within a period of 30 days following the date of public notice. The comment period can be extended at the discretion of the Administrator. All written comments received during the comment period will be retained and considered in the final determination.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected intrastate agency, or any interested agency, person or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator determines to be appropriate. All public hearings must be conducted in accordance with NAC 445A.403 through NAC 445A.406.

E. Proposed Determination

The Division has made the tentative determination to issue the Permit.

F. Proposed Effluent Limitations, Schedule of Compliance, Special Conditions

See Section I of the Permit.

G. Rationale for Permit Requirements

The facility is located in an area where annual evaporation is greater than annual precipitation. Therefore, it must operate under a standard of performance which authorizes no discharge(s) except for those accumulations resulting from a storm event beyond that required by design for containment.

The primary method for identification of escaping process solution will be placed on required routine monitoring of leak detection systems as well as routinely sampling downgradient monitoring wells. Specific monitoring requirements can be found in the Water Pollution Control Permit.

H. Federal Migratory Bird Treaty Act

Under the Federal Migratory Bird Treaty Act, 16 U.S.C. 701-718, it is unlawful to kill migratory birds without license or permit, and no permits are issued to take migratory birds using toxic ponds. The Federal list of migratory birds (50 CFR 10, April 15, 1985) includes nearly every bird species found in the State of Nevada. The U.S. Fish and Wildlife Service is authorized to enforce the prevention of migratory bird mortalities at ponds and tailings impoundments. Compliance with State permits may not be adequate to ensure protection of migratory birds for compliance with provisions of Federal statutes to protect wildlife.

Open waters attract migratory waterfowl and other avian species. High mortality rates of birds have resulted from contact with toxic ponds at operations utilizing toxic substances. The Service is aware of two approaches that are available to

prevent migratory bird mortality: 1) physical isolation of toxic water bodies through barriers (covering with netting), and 2) chemical detoxification. These approaches may be facilitated by minimizing the extent of the toxic water. Methods which attempt to make uncovered ponds unattractive to wildlife are not always effective. Contact the U.S. Fish and Wildlife Service at 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502-7147, (775) 861-6300, for additional information.

Prepared by: Miles Shaw
Date: 15 December 2012

Revision: NoPA Draft, Renewal 2011; includes TSF Cell 4 Expansion major modification.

NoPA Draft



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Battle Mountain District Office

50 Bastian Road

Battle Mountain, NV 89820

<http://www.nv.blm.gov>

DEC 22 2011

In Reply Refer To:
2800 (NVB01000)
N-90659

CERTIFIED MAIL # 7010 0290 0001 6178 3627 - RETURN RECEIPT REQUESTED

DECISION

Lander County	:	Application Received
Attn: Gene Etcheverry	:	N-90659
315 South Humboldt Street	:	Cost Recovery Determined
Battle Mountain, NV 89820	:	

Application Received
Cost Recovery Determined

On July 26, 2011, we received an application on your behalf, submitted by Mr. Scott Lesikar, Project Manager for TRC Environmental Corporation, contracted to Baker Hughes Mining. The application is to improve portions of an existing road, where it leaves the Beacon Light Road and continues on to Slaven Canyon, Baker Hughes Mine Project. The project has been assigned case file number NVN-90659. Please refer to this number in future correspondence.

The application package that has been submitted is deemed complete as of the date of this letter. It is our intention to process an application, such as this one, within 60 days of this letter. If we are unable to process the application within 60 days you will be notified in writing and given an approximate date when we expect to have the right-of-way completed.

According to CFR 43 2804.16, "You are exempt from paying processing and monitoring fees if: (a) You are a state or local government, or an agency of such a government, and BLM issues the grant for governmental purposes benefitting the general public." Therefore, no cost recovery fees will be assessed to Lander County.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

RECEIVED

DEC 28 2011

COUNTY COMMISSION

If you wish to file a petition pursuant to regulations at 43 CFR 2801.10 or 43 CFR 2881.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

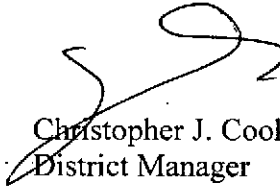
Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Should you have any questions please contact Nancy Lockridge, Realty Specialist at 775-635-4029.

Sincerely,



Christopher J. Cook
District Manager
Battle Mountain District Office

Enclosures

CC:
TRC
Scott Lesikar
7761 Shaffer Parkway
Suite 100
Littleton, CO 80127

Bakers Hughes Mining
Christopher Hopf
PO Box 227
Battle Mountain, NV 89820

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL.....	A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the <i>Notice of Appeal</i> in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a <i>Notice of Appeal</i> in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).
2. WHERE TO FILE	Department of the Interior Bureau of Land Management
NOTICE OF APPEAL.....	Mount Lewis Field Office 50 Bastian Road Battle Mountain, NV 89820
WITH COPY TO SOLICITOR...	Department of the Interior Regional Solicitor, Pacific Southwest Region 2800 Cottage Way, Room E-2753 Sacramento, CA 95825-1890
3. STATEMENT OF REASONS	Within 30 days after filing the <i>Notice of Appeal</i> , file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the <i>Notice of Appeal</i> , no additional statement is necessary (43 CFR 4.412 and 4.413).
WITH COPY TO SOLICITOR.....	Department of the Interior Regional Solicitor, Pacific Southwest Region 2800 Cottage Way, Room E-2753 Sacramento, CA 95825-1890
4. ADVERSE PARTIES.....	Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the <i>Notice of Appeal</i> , (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).
5. PROOF OF SERVICE.....	Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).
6. REQUEST FOR STAY.....	<p>Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a <i>Notice of Appeal</i> (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your <i>Notice of Appeal</i> (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the <i>Notice of Appeal</i> and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.</p> <p>Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.</p>

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)

Correspondence #9
12/28/2011

SUPREME COURT OF NEVADA
NANCY M. SAITTA, CHIEF JUSTICE
201 SOUTH CARSON STREET
CARSON CITY, NEVADA 89701-4702
(775) 684-1530



December 14, 2011

Mr. Dave Mason
Commissioner
Lander County
315 South Humboldt Street
Battle Mountain, NV 89820

Dear Mr. Mason:

Enclosed is a copy of the fiscal year 2011 Annual Report of the Nevada Judicial Branch. I thought you might find it of interest.

This is the 12th year that the Judicial Branch has produced an annual report. Highlights of the report include overviews of Judicial Branch programs, as well as information about case dispositions in all of Nevada's courts.

While fiscal year 2011 proved challenging, the courts of this state demonstrated the commitment of the Judicial Branch to the rule of law and to maintaining exceptional service to the people of Nevada.

I hope you find this report informative and a valuable resource. Additionally, more detailed information and data about the courts, including electronic versions of the report, can be found at the Supreme Court website at www.nevadajudiciary.us.

For additional copies of this report, please contact Robin Sweet, State Court Administrator, at (775) 684-1717.

Sincerely,

Nancy M. Saitta
Chief Justice

/hj
Enclosure

RECEIVED

* FY 2011 annual report in Executive Directors
Office. *

DEC 28 2011

COUNTY COMMISSION



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Mount Lewis Field Office

50 Bastian Road

Battle Mountain, Nevada 89820

Phone: 775-635-4000

Fax: 775-635-4034

http://www.blm.gov/nv/st/en/fo/battle_mountain_field.html



In Reply Refer To:

DEC 29 2011

4160 (NVB0100)

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

EAGLE BUTTE WILDLIFE HABITAT ENHANCEMENT PROJECT

:
:
:

PROPOSED DECISION

Dear Interested Public:

The BLM Mount Lewis-Field Office (MLFO) proposes to thin (reduce the density of) or substantially remove pinyon pine and juniper trees from up to 5,000 acres within four target areas of the Simpson Park and Toiyabe Mountain Ranges (see enclosed map). The four target areas surround Grass Valley, in central Nevada, about 30 miles northeast of the town of Austin. The four target areas fall within the Grass Valley, Simpson Park and Dry Creek grazing allotments. The primary purpose of this project is to enhance habitat for wildlife, particularly for greater sage-grouse, whose numbers have declined in Nevada. Livestock and wild horses would also benefit from the project.

BACKGROUND

Pinyon and juniper woodlands are expanding throughout the Great Basin region at the expense of shrubs, grasses, and forbs. Increases in both density and distribution of pinyon and juniper trees are especially evident in the proposed project area, resulting in a decreased quantity and quality of wildlife habitat. Removal of pinyon-juniper from selected portions of the project would reverse or retard the degradation of remaining high-value wildlife habitats.

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JAN - 5 2012

COUNTY COMMISSION

Crews, on foot using chainsaws, would accomplish the thinning of pinyon and juniper trees in the project area. Felled trees would, in most cases, remain in place without further treatment (such as lop and scatter) in order to minimize costs. However, harvest of downed trees by the public would be encouraged in order to reduce fuel loading. Operations could begin as early as spring 2012 and would continue on a seasonal basis for multiple years as priorities and funding allow. Riparian areas (springs, seeps and especially wet meadows) would receive treatment priority. The project would proceed with NEPA compliance under Environmental Assessment # DOI-BLM-NV-B010-2011-0021-EA.

On December 9th, 2010 a consultation, coordination and cooperation (CCC) letter was mailed to the interested publics for a 15-day comment period. Comments provided by the Eureka County Department of Natural Resources and by a Eureka County rancher expressed support for the proposed project but also concern about the potential of the proposed project to affect livestock grazing management (require closure to livestock) in the short term, post-treatment. These concerns were carefully considered and effects of the proposed project on livestock grazing management were addressed in the EA (see page 25), which was mailed to the interested publics on October 4th, 2011.

Following the mailing of the EA, concern was expressed by a representative of the Duckwater Tribe about the possible impacts of the proposed project on a burned area rehabilitated some years ago by the Western Shoshone Economic Development Corporation. A second person of Western Shoshone descent, without tribal affiliation, but having a familial heritage in Grass Valley, expressed concern about the potential of the proposed project to impact traditional Western Shoshone pine nut harvest areas. The BLM MLFO is sensitive to these concerns. Coordination with the tribes and other interested parties will be ongoing to ensure that project implementation avoids or minimizes adverse impacts to these important resources during the life of the project.

No other comments were received relative to either the CCC letter or the EA. All comments and concerns brought forward were carefully considered but did not result in alteration or modification of the EA or its proposed action.

PROPOSED DECISION

It is my proposed decision to authorize thinning or substantial removal of pinyon pine and juniper trees from selected habitats, up to 5,000 acres, within the boundaries of Eagle Butte Wildlife Habitat Enhancement Project, as prescribed in the EA, in accordance with 43 CFR 4120.3-1 (f).

RATIONALE

There is general agreement that pinyon pine and juniper trees have increased both in range and density within the Great Basin region. Research suggests that the area covered by pinyon-juniper woodlands in the Great Basin has increased dramatically since the late 1800's (see DOI-BLM-NV-B010-2011-0021-EA, Eagle Butte Wildlife Habitat Enhancement Project). As these trees begin to dominate sites, shrub-grass-forb understories are diminished and eventually lost

through competitive exclusion. In the proposed project area, the expansion and increasing densities of pinyon-juniper are having a detrimental effect on both the amount and the quality of wildlife habitat. Pinyon and juniper trees have increased at the expense of shrubs, grasses and forbs in the project area.

The BLM's Shoshone-Eureka Resource Management Plan (1986) articulates the following wildlife habitat management objectives:

1. To maintain and improve wildlife habitat and to reduce habitat conflicts while providing for other appropriate resource uses.
2. To provide habitat sufficient to allow big game populations to achieve reasonable numbers in the long-term.
3. To improve and maintain habitat for state listed sensitive species and federally listed threatened or endangered species

In order to meet these objectives, the BLM's MLFO must implement reasonable measures to stem the degradation and eventual loss of high-value wildlife habitat in the Eagle Butte project area that is occurring due to the encroachment of pinyon-juniper woodland. While other methods of pinyon-juniper reduction were considered, including prescribed fire, mechanical thinning, and herbicidal treatments, for reasons discussed on pages 6 through 9 of the EA, chain sawing was deemed most appropriate to the purposes of this project.

AUTHORITY

The authority for this Proposed Decision is contained in the following Title 43 of the Code of Federal Regulations:

Specific Authority-

43 CFR 4120.3-1 (f) - Proposed range improvement projects shall be reviewed in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4371). The decision document following the environmental analysis shall be considered the proposed decision under subpart 4160 of this part.

43 CFR 4160.1 (a) – Proposed decisions – Proposed decisions shall be served on any affected applicant, permittee or lessee, and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of proposed decisions shall also be sent to the interested public.

PROTEST AND APPEAL PROVISIONS

Protest:

In accordance with 43 CFR 4160.2, any applicant, permittee, lessee or other interested public may protest the proposed decision under 4160.1 of this title, in person or in writing to the authorized officer (Christopher J. Cook, Field Manager, Mount Lewis Field Office, 50 Bastian Road, Battle, NV 89820) within 15 days after receipt of such decision. The protest, if filed, must clearly and concisely state the reason(s) why the protestant thinks the proposed decision is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice.

In accordance with 43 CFR 4160.3 (b), should a timely protest be filed with the authorized officer, the authorized officer will reconsider the proposed decision and shall serve the final decision on the protestant and the interested public.

Appeal:

In accordance with 43 CFR 4.470, 4160.3 (d), and 4160.4, any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purpose of a hearing before an administrative law judge. The appeal must be filed within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision. In accordance with 43 CFR 4.470, the appeal shall state clearly and concisely the reason(s) why the appellant thinks the final decision of the authorized officer is wrong.

Pursuant to 43 CFR 4.461 and 4160.3 (d), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the appeal within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision.

The appeal and any petition for stay must be filed at the office of the authorized officer (Christopher J. Cook, Field Manager, Mount Lewis Field Office, 50 Bastian Road, Battle Mountain, NV 89820), within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and listed at the end of the decision, and on the Office of the Solicitor, Regional Solicitor, Pacific Southwest Region, U.S. Department of the Interior, 2800 Cottage Way, Room E-1712, Sacramento, California 95825-1890. Pursuant to 43 CFR 4.471 (c), a petition for stay, if filed, must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and,
- (4) Whether the public interest favors granting the stay.

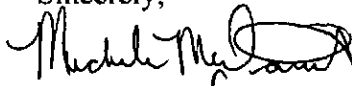
43 CFR 4.471 (d) provides the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings Division in Salt

Lake City, Utah, a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor, and any other person named in the decision (43 CFR 4.472 (b)).

At the conclusion of any document that a party must serve, the party or its' representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c) (2)).

Sincerely,

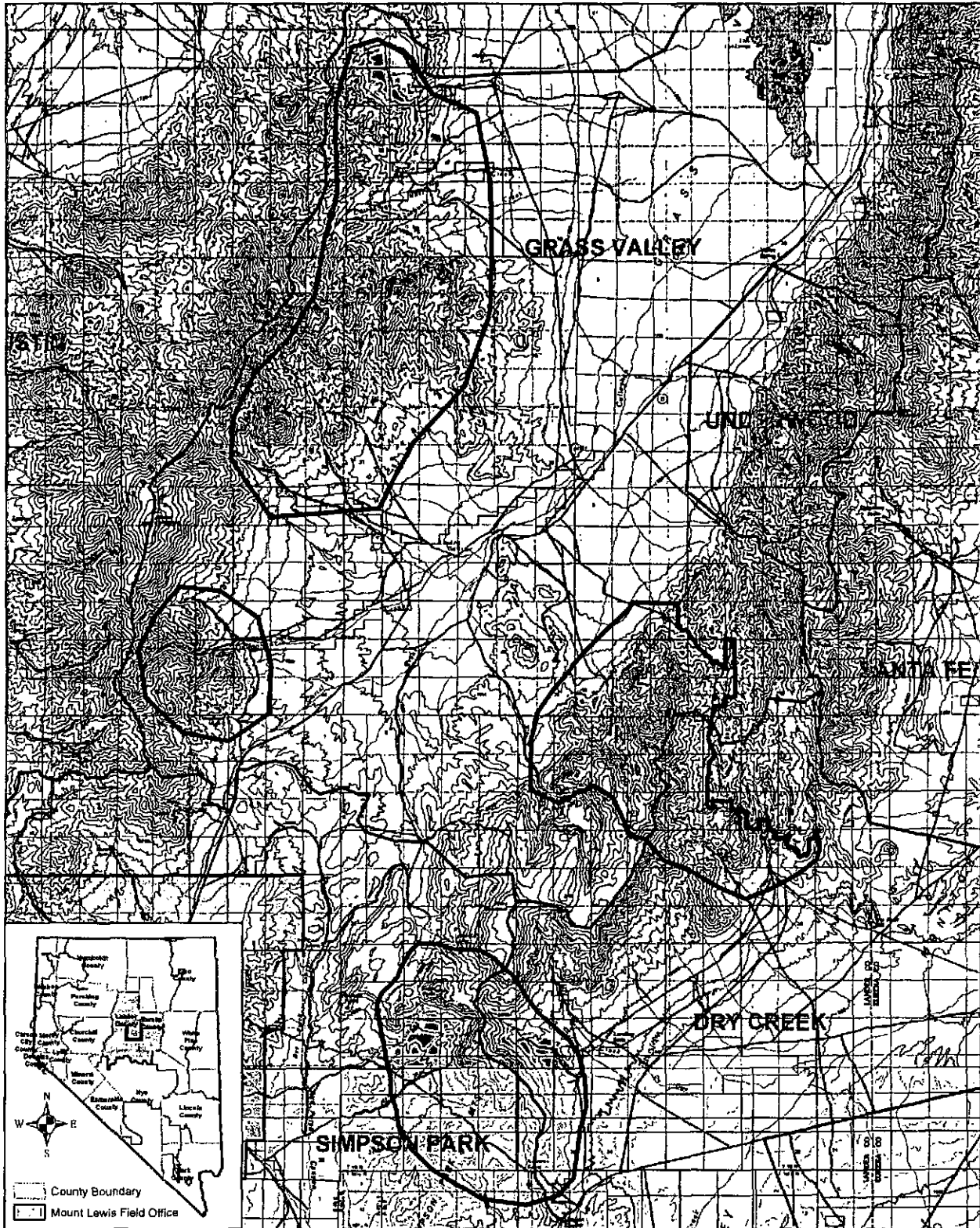


Acting for

Christopher J. Cook
Field Manager
Mount Lewis Field Office

Enclosure:

Eagle Butte Wildlife Habitat Enhancement Project



Legend

5/23/2011 BMDO Staff

- | | | | | | |
|--|--------------------|--|---------------------------|--|----------------|
| | Project Boundary | | Trail | | Forest Service |
| | Allotment Boundary | | Unclassified | | Private |
| | Local | | Bureau of Land Management | | |

0 0.5 1 2 3 4 5 6 7 8 9 10 Miles

No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

United States Department of the Interior
Bureau of Land Management
Battle Mountain District Office
50 Bastian Road
Battle Mountain, NV 89820



**FINDING OF NO SIGNIFICANT IMPACT
FOR
Eagle Butte Wildlife Habitat Enhancement Project
DOI-BLM-NV-B010-2011-0021-EA**

I have reviewed Environmental Assessment (EA) # DOI-BLM-NV-B010-2011-0021-EA dated October 4, 2011. After consideration of the environmental effects of the Bureau of Land Management's (BLM's) preferred alternative (Proposed Action) described in the EA and supporting documentation, I have determined that the Proposed Action with the project design specifications identified in the EA is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as described in 40 CFR 1508.27. Therefore, preparation of an Environmental Impact Statement is not required.

I have determined the Proposed Action is in conformance with the approved Shoshone-Eureka Resource Management Plan and is consistent with the plans and policies of neighboring local, county, state, tribal and federal agencies and governments. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ's) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context:

The Bureau of Land Management (BLM) Mount Lewis Field Office (MLFO) proposes to thin (reduce the density of) or substantially remove pinyon pine and juniper trees from up to 5,000 acres within four target areas of the Simpson Park and Toiyabe Mountain Ranges. The four target areas surround Grass Valley, in central Nevada, about 30 miles northeast of the town of Austin. The four target areas fall within the Grass Valley, Simpson Park and Dry Creek grazing allotments. Trees would be thinned by crews on foot using chainsaws, over a period of several years as time and resources allow.

This project is needed to enhance habitat for wildlife, particularly habitat for sage grouse, because pinyon and juniper trees have increased both in distribution and in density at the expense of shrubs, grasses and forbs in the project area.

Intensity:

1) *Impacts that may be both beneficial and adverse.*

The EA considered both beneficial and adverse impacts of the Proposed Action. The Proposed Action would help to maintain and facilitate a diverse natural plant community in good ecological condition, exhibiting strong soil/slope stabilizing characteristics. Reducing pinyon and juniper dominance is expected to sustain and stimulate herbaceous plant vigor and/or recovery, improve water infiltration capacity, and reduce soil erosion potential. Conifer competition with shrubs grasses and forbs would be reduced, reserving

and propagating these species, which are especially important for wildlife. Potential adverse impacts of the Proposed Action include possible compaction of soils and disturbance to non-target vegetation, possible temporary disturbance to wildlife and recreational users, possible introduction of non-native species and noxious weeds. These impacts, which are discussed in Chapter III of the EA would be minimized by the design features of the Proposed Action and by standard migratory bird and special status species avoidance measures.

Impacts of the No Action alternative include continued pinyon-juniper encroachment into high-value wildlife habitat, exclusion by dominance, of other plant species (grasses, shrubs and forbs) from the community and further degradation of wildlife habitat and range resources.

None of the environmental impacts disclosed above and discussed in detail in Chapter III of the EA are considered significant.

2) The degree to which the proposed action affects public health or safety.

Implementation of the Proposed Action would not result in potentially substantial or adverse impacts to public health and safety.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The Proposed Project area includes ecologically important geographic areas, described in Chapter III of the EA, hence the need for the project. While the Proposed Project area also contains culturally significant resources (also described in Chapter III of the EA), the Proposed Project would not be expected to impact those resources with implementation of the design features and environmental protection measures of the project as described in the EA.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The Proposed Action is not expected to be controversial. The BLM has been coordinating with livestock permittees, Nevada Department of Wildlife, tribal governments and other interested publics. On December 9, 2010 a consultation, coordination and cooperation (CCC) letter was mailed to the interested publics for a 15-day comment period. Comments provided by the Eureka County Department of Natural Resources and by a Eureka County rancher expressed support for the proposed project but also concern about the potential of the proposed project to affect livestock grazing management (require closure to livestock) in the short term, post-treatment. These concerns were carefully considered and effects of the proposed project on livestock grazing management were addressed in the EA (see page 25), which was mailed to the interested publics on October 4, 2011.

Following the mailing of the EA, concern was expressed by a representative of the Duckwater Tribe about the possible impacts of the proposed project on a burned area rehabilitated some years ago by the Western Shoshone Economic Development Corporation. A second person of Western Shoshone descent, without tribal affiliation, but having a familial heritage in Grass Valley, expressed concern about the potential of the proposed project to impact traditional Western Shoshone pine nut harvest areas. The BLM MLFO is sensitive to these concerns. Coordination with the tribes and other interested parties will be ongoing to ensure that project implementation avoids or minimizes adverse impacts to these important resources during the life of the project.

No other comments were received relative to either the CCC letter or the EA. All comments and concerns brought forward were carefully considered but did not result in alteration or modification of the EA or its proposed action.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no known effects of the Proposed Action identified in the EA that are considered uncertain or involve unique or unknown risks.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Project would not establish a precedent for future actions with significant effects or represent a decision about future consideration. Any projects proposed in the future would be analyzed on its own merits in a site-specific environmental analysis.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Reasonably foreseeable future actions, and the cumulative impacts of those actions, were analyzed in Chapter IV of the EA, with the conclusion that those actions, combined with the Proposed Action, did not result in cumulatively significant impacts. In addition, for any actions that might be proposed in the future, further environmental analysis, including assessment of cumulative impacts, would be required prior to surface disturbing activities.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.

The Proposed Action is not expected to adversely affect any districts, sites, highways, structures or objects listed in or eligible for listing in the NRHP. No loss or destruction of significant scientific, cultural, or historical resources would occur with implementation of the design features and environmental protection measures of the Proposed Action.

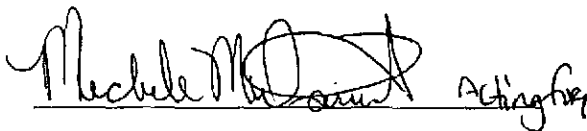
9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA), as amended, of 1973.*

No federally listed threatened, endangered, proposed or recently delisted plant or animal species inhabits the Proposed Project Area. In March, 2010 however, the U.S. Fish and Wildlife Service determined that the greater sage-grouse warrants range-wide listing under the Endangered Species Act, but that listing is precluded by higher listing priorities (i.e. other species in greater need of protection). As a result, the sage grouse has now become a candidate species and will receive annual status review to determine if its priority for listing has changed. The sage grouse is the primary intended beneficiary of the Proposed Project. As discussed in Chapter III of the EA, many special status species would benefit from the Proposed Action. No special status plant or animal would be negatively impacted by the Proposed Project.

10) *Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.*

The Proposed Action would not violate or threaten to violate any federal, state, or local law or requirement imposed for the protection of the environment.

AUTHORIZED OFFICER'S SIGNATURE

 *Christopher J. Cook*

Christopher J. Cook
Field Manager
Mount Lewis Field Office

Dec 29, 2011
Date

Jack Alexander
Synergy Resource Solutions, Inc.
5393 Hamm Road
Belgrade, MT 59714

Seth Anderson
HC 60 Box 62206
Round Mountain, NV 89045

Cathy Barcomb
Animal Rescue Network International
59 Damote Ranch Pky Ste. 209
Reno, NV 89521

Jim Baumann
Eureka County Dept. of Natural Resources
P.O. Box 308
Eureka, NV 89316

Mark Bennett
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Battle Mountain, NV 89820

Chad Bliss
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Lander Co PLUAC
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Austin, NV 89310

Kenneth Buckingham
Box 10
Paradise Valley, NV 89426

Steven Carter
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Lund, NV 89317

Ken Conley
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Eureka, NV 89316

Tom and Volina Connolly
McClusky Creek, HC 66-60
Beowawe, NV 89821

Skip Canfield
Nevada State Clearing House
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Carson City, NV 89701

Leo Damele
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Eureka, NV 89316

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Carson City, NV 89702

Craig Downer
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Minden, NV 89423

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Eureka, NV 89316

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Town of Tonopah
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Tonopah, NV 89049

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Bakersfielld, CA 93314

Gene Etcheverry
Lander County Executive Director
315 South Humbolt Street
Battle Mountain, NV 89820

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The Greater Austin Chamber of Commerce

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775-964-2200

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austinnvchamber@yahoo.com

January 4, 2012

Keith Whaley, Project Manager
Humboldt-Toiyabe National Forest
Bridgeport Ranger District
HC 62 Box 1000
Bridgeport, CA 93517

Re: Geothermal DEIS

Dear Mr. Whaley,

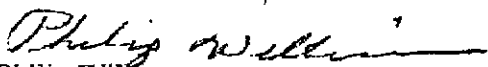
The Austin Chamber of Commerce appreciates the opportunity to comment on the DEIS for geothermal leasing on the Humboldt-Toiyabe National Forest. At their regular meeting of January 3, 2012 the Board of Directors reviewed your material and the board cast a unanimous vote to support the leasing of any and all Forest Service lands for geothermal projects. We support the entire concept, but feel that we should only comment on the Austin and Tonopah Districts Ranger districts, as they have a direct effect on our community

Geothermal power plants in central Nevada have been recognized as having potential for a vital industry in Nye and southern Lander County. By allowing these areas to be leased it has the potential to make a huge contribution to our economy. The revenue generated by the geothermal leases will have a major impact on both counties, generating more income. The leases also appears to have no adverse effects on areas already in use for recreation, i.e. designated mountain bike trails and future 4wd drive trails.

Our Chamber meets the first Monday of the month in the Chamber office in the Austin Court House at 10:00 am. The Board welcomes you or any of your staff to discuss this or any other issues at hand.

Thank you for the opportunity to comment on this plan.

Sincerely


Philip Williams
President Austin Chamber of Commerce

Cc: Austin Ranger District
Lander County Commissioners
File

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JAN - 5 2012

COUNTY COMMISSION

Notice of Proposed Action

by the

State of Nevada

The Administrator of the Division of Environmental Protection gives notice that an application for a new **Water Pollution Control Permit (Permit) NEV2011106** for the **Slaven Canyon Mine Rapid Infiltration Basins (RIBs)** has been properly filed with the Division of Environmental Protection in Carson City. The applicant for the new Permit is:

**Baker Hughes Drilling Fluids
P.O. Box 277
Battle Mountain, Nevada 89820**

The RIBs are located in Lander County, within Township 30N, Range 46E, Sections 13 and 14, MDB&M, approximately 15 miles southeast (by air) from the town of Battle Mountain and 39 miles southwest (by air) from the town of Carlin.

The Slaven Canyon Mine is a satellite barite mining and crushing operation, designed to provide mined barite ore to the applicant's Argenta Mill facility (WPCP NEV0091045). Mine development will intercept the groundwater table, facilitating the need to manage and reintroduce dewatering water from the Slaven Canyon Mine into the local groundwater basin at a rate of up to 50,000 gallons per day.

The facility is located within the Slaven Canyon Mine site and is comprised of two infiltration basins, sedimentation tank, and associated pumps and pipelines. Facilities are required to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event.

The Administrator is constrained to issue the water pollution control permit, or to deny the application. The Administrator has made the tentative determination to issue the permit.

Persons wishing to comment upon the proposed Water Pollution Control Permit, to recommend terms and conditions for consideration of incorporation into the permit, or who request a public hearing pursuant to Nevada Administrative Code (NAC) Chapter 445A, must submit their written comments, objections, or requests by hand delivery, United States Postal Service, facsimile, or e-mail no later than 5:00 PM on the 30th day following the date of publication of this notice (Publication date January 4, 2012, submittal end date February 3, 2012) to:

Division of Environmental Protection
Bureau of Mining Regulation and Reclamation
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

All comments, objections, or requests received during the public notice period will be considered

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COUNTY COMMISSION

in the final determination regarding this Water Pollution Control Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Water Pollution Control Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Rob Kuczynski, P.E. at (775) 687-9441 or visit the Bureau of Mining's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>

The facility is located in an area where annual evaporation is greater than annual precipitation. It must operate under a standard of performance, which authorizes no discharge except for excess accumulations at the point of compliance (downgradient monitoring wells), which are a result of a storm event beyond that required by design for containment.

The primary identification of escaped process fluids is based on the periodic inspection of monitoring wells and visual inspections. Monitoring will be in accordance with permit conditions and requirements.

H. Federal Migratory Bird Treaty Act

Under the Federal Migratory Bird Treaty Act, 16 U.S.C. 701-718, it is unlawful to kill migratory birds without license or permit, and no permits are issued to take migratory birds using toxic ponds. The Federal list of migratory birds (50CFR10, April 15, 1985) includes nearly every bird species found in the State of Nevada. The U.S. Fish and Wildlife Service are authorized to enforce the prevention of migratory bird mortalities at ponds and tailings impoundments. Compliance with state permits may not be adequate to ensure protection of migratory birds for compliance with provisions of Federal statutes to protect wildlife.

Open waters attract migratory waterfowl and other avian species. High mortality rates of birds have resulted from contact with toxic ponds at operations utilizing toxic substances. The Service is aware of two approaches that are available to prevent migratory bird mortality: 1) physical isolation of toxic water bodies through barriers (covering with netting), and 2) chemical detoxification. Methods, which attempt to make uncovered ponds unattractive to wildlife, are not always effective. Contact the U.S. Fish and Wildlife Service at 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502-7147, (775) 861-6300, for additional information.

<i>Prepared by:</i>	<i>Rob Kuczynski, P.E.</i>
<i>Date:</i>	<i>Month XX, 2011</i>
<i>Fact Sheet Revision 00:</i>	<i>New Permit and Fact Sheet.</i>
<i>Permit Revision 00:</i>	

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
2. <u>Pit Dewatering Sumps</u> North Pit Sump (NPS) and Main Pit Sump (MPS)	Cumulative volume pumped from each sump in gallons ⁽⁵⁾	Monthly
3. <u>Dewatering Water Tank</u> Water Tank (WT)	Profile I ⁽¹⁾	Quarterly
4. <u>RIBs</u> RIB-Northeast (RIB-NE) and RIB-Southwest (RIB-SW)	Cumulative flow to each RIB in gallons per day (gpd) ⁽⁵⁾ Maximum depth of water in feet (ft)	Monthly Weekly
5. <u>RIB Piezometers</u> PZ-1 through PZ-6	Hydraulic head in feet and mound water elevation in ft amsl	Weekly
6. <u>Surface Water Monitoring</u> ⁽³⁾ OP-1, OP-2, and OP-3 SP-1	Profile I ⁽¹⁾ and water depth in feet (ft) below surface at deepest portion of pit Profile I ⁽¹⁾ and flow rate in gpd	Quarterly (when water is present) Quarterly (when water is flowing)

The Permittee may request a reduction in the number of elements and frequency of analyses after four (4) quarters of complete monitoring based on justification other than cost. Such reductions may be considered formal modifications to the permit.

Footnotes:

(1) Profile I:

Alkalinity (as CaCO ₃)	Cadmium	Magnesium	Selenium
Bicarbonate	Calcium	Manganese	Silver
Total	Chloride	Mercury	Sodium
Aluminum	Chromium	Nickel	Sulfate
Antimony	Copper	Nitrate+Nitrite (Total as N)	Thallium
Arsenic	Fluoride	Nitrogen (Total as N)	Total Dissolved Solids
Barium	Iron	pH (± 0.1 std units)	Zinc

Beryllium	Lead	Potassium	
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(2) Monitoring Wells

Monitoring Well	Location
MW-1	Downgradient of the RIBs
MW-2	Downgradient of the RIBs
MW-3	Upgradient of the RIBs
MW-4	Upgradient of the RIBs
MW-5	Downgradient of WRDF and RIBs

(3) Surface Water Monitoring Sites

Monitoring Site	Location
OP-1	Upgradient of the RIBs.
OP-2	Upgradient of the RIBs.
OP-3	Lies within the proposed footprint of the North Pit and will be consumed by mining.
Slaven Canyon Creek Spring/SP-1	Spring located downgradient of the RIBs.

(4) Piezometer Locations

Piezometer	Location
PZ-1	North side of RIB-NE
PZ-2	East side of RIB-NE
PZ-3	South side of RIB-NE
PZ-4	North side of RIB-SW
PZ-5	West side of RIB-SW
PZ-6	South side of RIB-SW

(5) In-line installation and operation of "flow totalizers" are required for determination of cumulative flow.

E. Quarterly and annual monitoring reports and spill reporting shall be in accordance with Part II.B.

F. All sampling and analytical accuracy shall be in accordance with Part II.E.

G. Permit Limitations

H.

1. Analytical values for groundwater quality monitoring shall not exceed the Profile I or established baseline reference values, whichever value is greater, for groundwater. The Division Profile I reference values are:

Aluminum	0.2 mg/L	Manganese	0.10 mg/L
Antimony	0.006 mg/L	Mercury	0.002 mg/L
Arsenic	0.010 mg/L	Nickel	0.1 mg/L

Barium	2.0 mg/L	Nitrate+Nitrite (Total as N)	10 mg/L
Beryllium	0.004 mg/L	Nitrogen (Total as N)	10 mg/L
Cadmium	0.005 mg/L	pH (\pm 0.1 std units (S.U.))	6.5-8.5 S.U.
Chloride	400 mg/L	Selenium	0.05 mg/L
Chromium	0.1 mg/L	Silver	0.1 mg/L
Copper	1.0 mg/L	Sulfate	500 mg/L
Fluoride	4.0 mg/L	Thallium	0.002 mg/L
Iron	0.6 mg/L	Total Dissolved Solids	1000 mg/L
Lead	0.015 mg/L	WAD cyanide	0.2 mg/L
Magnesium	150 mg/L	Zinc	5.0 mg/L

2. Failure to meet a Schedule of Compliance date.

Exceedences of these limitations may be permit violations and shall be reported as specified in Part II.B.4.

- I. The facility shall maintain an automated device or a calibrated rain gauge, which shall be monitored daily, to record daily precipitation. A written record of all daily accumulations of precipitation shall be maintained on site.
- J. The Permittee shall inspect all control devices, systems and facilities weekly. Drainage and containment systems shall also be inspected during, when possible, and after major storm events. These inspections are performed to detect evidence of:
 1. Deterioration, malfunction, or improper operation of control systems;
 2. Sudden changes in the level of the contents of any monitoring device; and
 3. Severe erosion or other signs of deterioration in berms, dikes, diversions, or other containment devices.
- K. Prior to initiating permanent closure activities at the facility or any process component within the facility, the Permittee must have an approved final permanent closure plan.
- L. The Permittee shall remit an annual review and services fee in accordance with NAC 445A.232 starting July 1 after the effective date of this permit and every year thereafter until the permit is terminated or the facility has received final closure certification from the Division.
- M. The Permittee shall not dispose of or treat Petroleum-Contaminated Soil (PCS) on the mine site without first obtaining from the Division approval of a PCS Management Plan.

II. General Facility Conditions and Limitations

A. General Requirements

1. The Permittee shall achieve compliance with the conditions, limitations, and requirements of the permit upon commencement of each relevant activity. The Administrator may, upon the request of the Permittee and after public notice (if required), revise or modify a Schedule of Compliance in an issued permit if he determines good and valid cause (such as an act of God, a labor strike, materials shortage or other event over which Permittee has little or no control) exists for such revision.
2. The Permittee shall at all times maintain in good working order and operate as efficiently as possible, all devices, facilities, or systems installed or used by the Permittee to achieve compliance with the terms and conditions of this permit.
3. Whenever the Permittee becomes aware that he failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Administrator, the Permittee shall promptly submit such facts or correct information. Any inaccuracies found in this information may be grounds for revocation or modification of this permit and appropriate enforcement action.

B. Reporting Requirements

1. The Permittee shall submit quarterly reports which are due to the Division on or before the 28th day of the month following the quarter and must contain the following:
 - a. Analytical results of the solution collected from monitoring locations identified in Parts I.D.1, I.D.3, and I.D.6 reported on NDEP Form 0190 or equivalent;
 - b. Water depths and elevations for site monitoring wells identified in Part I.D.1, the RIBs identified in Part I.D.4, and surface waters identified in Part I.D.6;
 - c. Monitoring results from the piezometers identified in Part I.D.5 reported on NDEP Form 0590 or equivalent;
 - d. A record of spills and releases, and the remedial actions taken in accordance with the approved Emergency Response Plan on NDEP Form 0490 or equivalent; and
 - e. Flow volumes and flow rates for monitoring sites identified in Parts I.D.2 and I.D.4.

Facilities which have not initiated mining or construction, must submit a quarterly report identifying the status of mining or construction. Subsequent to any noncompliance or any facility expansion which provides increased capacity, the Division may require an accelerated monitoring frequency.

2. The Permittee shall submit an annual report by February 28th of each year, for the preceding calendar year, which contains the following:

- a. A synopsis of spills and releases on NDEP Form 0390 or equivalent;
 - b. A brief summary of site operations, including the cumulative volume of water discharged into each RIB during the year, construction and expansion activities and major problems with the fluid management system;
 - c. An updated version of the facility monitoring and sampling procedures and protocols;
 - d. An updated evaluation of the closure plan using specific characterization data for each process component with respect to achieving stabilization; and
 - e. Graphs of monthly average number of gallons of dewatering water pumped from the Main and North Pits each, gallons of dewatering water discharged to each RIB, pH, total dissolved solids (TDS), sulfate as SO₄, chloride, nitrate + nitrite (Total as N), fluoride, zinc, and arsenic concentration (as applicable), versus time for all fluid sampling points. These graphs shall display a five-year history previous to the date of submittal. Additional constituents may be required by the Division if deemed necessary.
3. Release Reporting Requirements: The following applies to facilities with an approved Emergency Response Plan. If a site does not have an approved Emergency Response Plan, then all releases must be reported as per NAC 445A.347 or NAC 445A.3473, as appropriate.
- a. A release of any quantity of hazardous substance, as defined at NAC 445A.3454, to surface water, or that threatens a vulnerable resource, as defined at NAC 445A.3459, must be reported to the Division as soon as practicable after knowledge of the release, and after the Permittee notifies any emergency response agencies, if required, and initiates any action required to prevent or abate any imminent danger to the environment or the health or safety of persons. An oral report shall be made by telephone to 888-331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within ten (10) days in accordance with Part II.B.4.b.
 - b. A release of a hazardous substance in a quantity equal to or greater than that which is required to be reported to the National Response Center pursuant to 40 C.F.R. Part 302 must be reported as required by NAC 445A.3473 and Part II.B.3.a.
 - c. A release of a non-petroleum hazardous substance not subject to Parts II.B.3.a. or II.B.3.b., released to soil or other surfaces of land, and the quantity is equal to or exceeds 500 gallons or 4,000 pounds, or that is discovered in or on groundwater in any quantity, shall be reported to the Division no later than 5 P.M. of the first working day after knowledge of the release. An oral report shall be made by telephone to 888-331-6337

for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within ten (10) days in accordance with Part II.B.4.b. Smaller releases, greater than 25 gallons or 200 pounds and less than 500 gallons or 4,000 pounds, released to soil or other surfaces of land, or discovered in at least three cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.

- d. Petroleum Products and Ethylene Glycol: If a release is subject to Parts II.B.3.a. or II.B.3.b., report as specified in Part II.B.3.a. Otherwise, if a release of any quantity is discovered on or in groundwater, or if the quantity is equal to or greater than 100 gallons released to soil or other surfaces of land, report as specified in Part II.B.3.c. Smaller releases, greater than 25 gallons but less than 100 gallons, released to soil or other surfaces of land, or if discovered in at least three cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.
4. The Permittee shall report to the Administrator any noncompliance with the permit.
 - a. Each such event shall be reported orally by telephone to (775) 687-9400, not later than 5 P.M. of the next regular work day from the time the Permittee has knowledge of the circumstances. This report shall include the following:
 - i. Name, address, and telephone number of the owner or operator;
 - ii. Name, address, and telephone number of the facility;
 - iii. Date, time, and type of incident, condition, or circumstance;
 - iv. If reportable hazardous substances were released, identify material and report total gallons and quantity of contaminant;
 - v. Human and animal mortality or injury;
 - vi. An assessment of actual or potential hazard to human health and the environment outside the facility; and
 - vii. If applicable, the estimated quantity of material that will be disposed and the disposal location.
 - b. A written summary shall be provided within ten (10) days of the time the Permittee makes the oral report. The written summary shall contain:
 - i. A description of the incident and its cause;
 - ii. The periods of the incident (including exact dates and times);
 - iii. If reportable hazardous substances were released, the steps taken and planned to complete, as soon as reasonably practicable, an assessment of the extent and magnitude of the contamination pursuant to NAC 445A.2269;

- iv. Whether the cause and its consequences have been corrected, and if not, the anticipated time each is expected to continue; and
 - v. The steps taken or planned to reduce, eliminate, and prevent recurrence of the event.
- c. The Permittee shall take all available and reasonable actions, including more frequent and enhanced monitoring to:
- i. Determine the effect and extent of each incident;
 - ii. Minimize any potential impact to the waters of the State arising from each incident;
 - iii. Minimize the effect of each incident upon domestic animals and all wildlife; and
 - iv. Minimize the endangerment of the public health and safety which arises from each incident.
- d. If required by the Division, the Permittee shall submit, as soon as reasonably practicable, a final written report summarizing any related actions, assessments, or evaluations not included in the report required in Part II.B.4.b., and including any other information necessary to determine and minimize the potential for degradation of waters of the State and the impact to human health and the environment. Submittal of the final report does not relieve the Permittee from any additional actions, assessments, or evaluations that may be required by the Division.

C. Administrative Requirements

- 1. A valid permit must be maintained until permanent closure is complete. Therefore, unless permanent closure has been completed, the Permittee shall apply for permit renewal not later than one-hundred twenty (120) days before the permit expires.
- 2. Except as required by NAC 445A.419 for a permit transfer, the Permittee shall submit current permit contact information described in paragraphs (a) through (c) of subsection 2 of NAC 445A.394 within thirty (30) days after any change in previously submitted information.
- 3. All reports and other information requested by the Administrator shall be signed and certified as required by NAC 445A.231.
- 4. When ordered consistent with Nevada Statutes, the Permittee shall furnish any relevant information in order to determine whether cause exists for modifying, revoking and reissuing, or permanently revoking this permit, or to determine compliance with this permit.

5. The Permittee shall maintain a copy of, and all modifications to, the current permit at the permitted facilities at all times.
6. The Permittee is required to retain during operation, closure and post-closure monitoring, all records of monitoring activities and analytical results, including all original strip chart recordings for continuous monitoring instrumentation, and all calibration and maintenance records. This period of retention must be extended during the course of any unresolved litigation.
7. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not thereby be affected.
8. The Permittee is authorized to manage fluids and solid wastes in accordance with the conditions of this permit. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of Federal, State or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under the Water Pollution Control Statutes for releases or discharges from facilities or units not regulated by this permit. NRS 445A.675 provides that any person who violates a permit condition is subject to administrative or judicial action provided in NRS 445A.690 through 445A.705.

D. Division's Authority

The Permittee shall allow authorized representatives of the Division, at reasonable times, and upon the presentation of credentials to:

1. Enter the Permittee's premises where a regulated activity is conducted or where records are kept per the conditions of this permit;
2. Have access to and copy any record that must be kept per the conditions of this permit;
3. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated by this permit; and
4. Sample or monitor for any substance or parameter at any location for the purposes of assuring permit and regulatory compliance.

E. Sampling and Analysis Requirements

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. For each measurement or sample taken pursuant to the conditions of this permit, the Permittee shall record the following information:

- a. The exact place, date, and time of the inspection, observation, measurement, or sampling; and
 - b. The person(s) who inspected, observed, measured, or sampled.
3. Samples must be taken, preserved, and labeled according to Division approved methods.
 4. Standard environmental monitoring chain of custody procedures must be followed.
 5. Samples shall be analyzed by a laboratory certified by the State of Nevada. The Permittee must identify the certified laboratory used to perform the analyses, laboratory reference number, sample date and laboratory test date in quarterly reports.
 6. The accuracy of analytical results, unless otherwise specified, shall be expressed in mg/L and reliable to at least two (2) significant digits. The analytical methods used must have a lower level of detection equal to or less than one-half the reference value for Profile I constituents.

F. Permit Modification Requirements

1. Any material modification must be reported by submission of a new application, or, if such changes will not violate the limitations specified in the permit, by notice to the permit issuing authority of such changes. Any change which materially modifies, as defined in NAC 445A.365, the permitted facility must comply with NAC 445A.392, NAC 445A.4155, NAC 445A.416, and NAC 445A.417.
2. Prior to the commencement of mining activities at any site within the State which is owned or operated by the Permittee but not identified and characterized in the application, the Permittee shall submit to the Division a report which identifies the locations of the proposed mine areas and waste disposal sites, and characterizes the potential of mined materials to release pollutants. Prior to development of these areas the Division shall determine if any of these new sources will be classified as process components and require engineered containment as well as permit modification.
3. The Permittee must notify the Division in writing at least thirty (30) days before the introduction of process solutions into a new process component or into an existing process component which has been materially modified, or of the intent to commence active operation of that process component.
4. The Permittee must obtain a written determination from the Administrator of any planned material modification(s) as to whether it is considered a permit modification.
5. The Permittee must give advance notice to the Administrator of any planned changes or activities which are not material modifications in the permitted facility that may result in noncompliance with permit requirements.

<i>Prepared by:</i>	<i>Rob Kuczynski, P.E.</i>
<i>Date:</i>	<i>Month XX, 2011</i>
<i>Fact Sheet Revision 00:</i>	<i>New Permit and Fact Sheet.</i>
<i>Permit Revision 00:</i>	

FACT SHEET
(pursuant to NAC 445A.401)

Permittee: Baker Hughes Drilling Fluids

Facility Name: Slaven Canyon Mine Rapid Infiltration Basins

Permit Number: NEV2011106 (New 2012)

A. Location and General Description

Location: The proposed Slaven Canyon Mine (SCM) Rapid Infiltration Basins (RIBs) will be located in Lander County, approximately 15 miles southeast (by air) from the town of Battle Mountain and 39 miles southwest (by air) from the town of Carlin, in the historic Bateman Canyon Mining District.

The proposed RIBs and associated components will be located within portions of Sections 13 and 14, Township 30N, Range 46E, MDB&M (Mount Diablo Baseline and Meridian). The total planned disturbance for the SCM and RIBs is approximately 194.8 acres, of which 32.7 acres is public land administered through the BLM (Battle Mountain District--Mount Lewis Field Office) and 162.1 acres of private land owned or leased by Baker Hughes Drilling Fluids, the current Permittee of record. Currently there are nine shallow pits, totaling 4.4 acres in area at the SCM site, three of which currently contain water.

The purpose of the SCM RIBs is to manage the dewatering water not consumed by the mining and crushing operations at the SCM site (refer to WPCP NEV2011105). The Permittee of record for the SCM RIBs is authorized to infiltrate up to 50,000 gallons per day (gpd) of dewatering water back into the local groundwater basin.

The SCM RIBs are designed to be constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event.

Site Access: To access SCM, proceed on Interstate-80 east from Winnemucca or west from Elko to *Exit 233-- East Battle Mountain, SR-304*. Proceed approximately 0.25 mile south on *SR-304* to *Hill Top Road*. Continue east on *Hill Top Road (Frontage Road)* approximately 6.5 miles to *Beacon Light Road*. Turn southeast on *Beacon Light Road* and proceed approximately one mile to the junction of *Slaven Canyon Road*. Proceed south on *Slaven Canyon Road* approximately 8.5 miles to the mine site.

General Description: Barite ore will be mined from two new pits (Main and North) and hauled to a stockpile pad at the SCM site where it is crushed and loaded into trucks for transfer to the Argenta Mill (WPCP NEV0091045) for additional processing and bagging. The proposed mine plan indicates that the ground water table will be penetrated during the

initial stages of North Pit development. The Permittee is proposing to manage the water by utilizing two RIBs located downgradient of the pits at the SCM site. The RIB conveyance system will include submersible pumps, generators, piping, two valve boxes (one for each pit), a 10,000-gallon HDPE storage tank, and a water station for filling dust suppression trucks. The conveyance system is intended to operate year round.

Geology: The SCM RIB is located on fluvial deposits within the Shoshone Range. The fluvial material is comprised of sand, gravel and clay to a depth of at least 400 feet below ground surface (ft bgs). Depth to groundwater averages 20 to 30 ft bgs at 5,449 feet above mean sea level (amsl). The mine is located within a complex series of Ordovician and Devonian Slaven cherts, argillites and quartzites capped by basalt and andesite.

Infiltration Rate: The soil infiltration rate was determined in January 2011 using a constant head double-ring Infiltrometer test and generally following procedures outlined in ASTM D3385 - 09 "Standard Test Method for Infiltration Rate of Soils in Field Using Double-Ring Infiltrometer". The test was conducted three times, and the infiltration rate was determined to be 0.79 inches per hour. This value was then used in design of the RIBs and in the predictive modeling and mounding analysis. The results of testing indicate that the existing soil conditions would provide adequate infiltration capabilities for the RIBs, and therefore no sub-base preparation would be needed.

Soil Attenuation: An evaluation of the water quality test data generated from the soil attenuation tests indicate no excessive concentrations of metals in either the groundwater samples or in the water analyzed from the open pits. The proposed operation of the RIBs will allow for the discharging of water from either pit almost immediately as it accumulates, precluding the formation of acidic water and the dissolution of metals from the rock material in the pits. Therefore, mobilization of metals in the soils beneath the RIBs is not anticipated to be a problem at the mine site.

RIB Predictive Modeling and Mounding Analysis: A MODFLOW groundwater flow predictive model was run to evaluate the effects of RIB infiltration on groundwater elevations and gradients in the alluvium beneath the RIB area. The pit inflow predictive model run for the SCM facility (refer to WPCP NEV2011105 Fact Sheet), was used in the RIB modeling evaluation to determine whether the groundwater depression associated with the open pit could generate a cone of depression that extends beneath the RIB area with the potential for drawing the RIB discharge into the pit. Pit inflow data generated by the predictive model showed no flow reversal downgradient of the pit.

Sensitivity analyses were also performed using both higher and lower bedrock hydraulic conductivities. A bedrock hydraulic conductivity 5 times lower than the pumping test result indicates that the cone of depression could extend near the RIB area, but would not capture the RIB infiltration water which is within the alluvial aquifer, not bedrock.

The model scenario for the RIB infiltration evaluation includes pit water evacuation every morning for six days of the week. The discharge rate from the pit to the RIB is assumed to

be 500 gallons per minute (gpm) based on the design pump to be installed in the pit bottom. The daily RIB discharge time period is based upon the volume of groundwater that would accumulate in the pit in a 24-hour day minus an assumed 10,000 gallons/day for dust suppression usage on workdays and the 500 gpm discharge rate.

Predictive modeling results indicate that a groundwater mound will develop beneath the RIB, but surface seeps will not occur.

Rib Design and Operation: The SCM RIB design is based on the following field and laboratory testing parameters and predictive modeling results discussed previously:

- RIB infiltration rate 0.79 inches per hour
- Open pit inflow rate 26.6 gpm
- Groundwater elevation beneath the proposed RIBs 5,449 feet amsl
- Depth to groundwater beneath the proposed RIBs between 20 and 30 feet below ground surface (feet bgs)
- Depth to bedrock beneath the RIBs 60 feet
- Characterization results indicate no potential to mobilize constituents, especially nitrate
- Assuming a basin depth of 6 feet and 3H:1V inside slopes, the basins will require an infiltration surface area (bottom footprint) of approximately 6,224 square feet and a volumetric capacity of 431,226 gallons. Berms will be constructed around the RIBs to manage stormwater runoff. The dewatering water will enter each RIB by a 6-inch diameter pipe from the water tank. The pipe will be buried, and rip rap would be installed at the pipe outlet to dissipate the energy of the inflow.
- The RIBs are designed to operate independently of each other. Construction of the RIBs will begin concurrently with the mining of the North Pit and would be completed before mining operations reach groundwater. Growth media generated during construction will be used for berm and embankment construction and excess topsoil will be stockpiled for reclamation.

When mining reaches the groundwater table at an elevation of approximately 5,449 feet above mean sea level (feet amsl), dewatering operations will begin. The open pits are anticipated to be dewatered every morning, six days a week using 500-gallon per minute (gpm) pumps. The time required for dewatering and the locations of the pumps will vary and depend on the depth of mining and the pit mined. A sump will be excavated in the pit floor for pump placement and the floor of the bench will be slightly sloped to direct any water to the sump. There is no oil/water separator device proposed for installation, however an absorption cloth will be placed in the intake pool where water enters each pump.

After mining of each bench is complete, the pumps and associated piping would be removed, a new sump would be excavated, and the pumps and piping would be reinstalled. The North Pit would be mined first, followed by the Main Pit, and this process would be repeated throughout operations as each bench below the static water level is progressively mined.

Six-inch diameter HDPE pipe will connect the dewatering pumps to the valve boxes. The pipe will be placed in a 2-foot wide by 2-foot deep trench and covered with a one-foot layer of sand followed by a one-foot layer of topsoil. A minimum downward grade of 1 percent from the mine towards the RIBs will also be established. The valve boxes will be constructed by excavating 3-foot by 3-foot by 3-foot deep pits into the existing ground and installing pre-cast concrete boxes. The valve boxes will house a piping connection to connect the pit piping to the infiltration area piping.

Dewatering water from the valve boxes is then pumped to a 10,000-gallon HDPE storage tank located in the yard area which serves as a combination sedimentation collection and holding tank for filling water trucks used for dust control and if needed, for firefighting. The inflow, outflow, and overflow pipes will be 6-inch diameter PVC. The storage tank outflow and overflow is designed to lead to the water station, and the overflow will be piped to the RIBs. Sediment collected in the RIBs will be removed periodically, characterized and disposed of accordingly.

Stormwater Diversion: Stormwater diversion structures will be constructed where needed around the periphery of the RIBs to intercept runoff and to direct meteoric run-off around the facility resulting from a 100-year, 24-hour storm event. The structures will be constructed in accordance with the Division's Handbook of Best Management Practices (BMPs). Ditches will also be constructed to intercept and divert runoff around the waste rock pile, the yard area, and all roads.

Petroleum Contaminated Soils: The Permittee will not manage petroleum contaminated soils (PCS) at the SCM RIB site. In the event of a spill, the contaminated soil would be excavated, placed in DOT-approved containers and transported to an off-site facility authorized to receive such material.

C. Site Hydrology and Background Water Quality

Groundwater: In general, the groundwater flows parallel to Slaven Canyon Creek and north within the valley alluvium that is present over the valley floor. Groundwater originating from the east and west sides of Slaven Canyon flows through the upper fractured rock zone toward the valley and eventually merges with the groundwater within the Slaven Canyon alluvium. Approximately 0.3 miles north of the northern edge of the SCM project boundary, groundwater emerges from a spring (SP-1) and continues as surface water in Slaven Canyon Creek. The surface water in the creek disappears near the mouth of Slaven Canyon approximately 2.5 miles north into the Reese River Valley alluvial sediments.

A total of five groundwater monitoring wells (MW-1 through MW-5) have been installed and water quality sampled to provide a baseline assessment of the water quality at the SCM. Groundwater monitoring well baseline data is presented in Table 1.

Table 1.--Groundwater Monitoring Well Baseline Data.

Monitoring Well	Groundwater Elevation (feet amsl)	Groundwater Depth (feet bgs)	Location	Comments
MW-1	5,475.3	32.1	Downgradient of the RIBs	Aluminum, iron, and manganese exceed Profile I reference values.
MW-2	5,410.18	63.83	Downgradient of the RIBs	Iron and manganese exceed Profile I reference values.
MW-3	5,670.00	68.7	Upgradient of the RIBs	No Profile I exceedences.
MW-4	5,425.00	36.24	Upgradient of the RIBs	Aluminum exceeds Profile I reference values.
MW-5	5,400.00	33.98	Downgradient of the RIBs	Aluminum, iron, manganese, and arsenic exceed Profile I reference values.

Table 2.—Surface Water Monitoring Site Baseline Data.

Surface Water Monitoring Site and Elevation (feet)	Volume (gallons)	Depth (feet)	Location	Comments
OP-1 5,432 feet amsl	619,210	8	Upgradient of the RIBs	Aluminum concentrations and pH are slightly above the Profile I reference values. There are no aluminum or pH livestock watering standards defined in NAC 445A.144.
OP-2 5,483 feet amsl	521,440	8	Upgradient of the RIBs	Arsenic, manganese and pH are slightly above the Profile I reference values. Arsenic and manganese meet the livestock watering standards pursuant to NAC 445A.144.
OP-3 5,552 feet amsl	1,108,060	8	OP-3 lies within the proposed footprint of the North Pit and will be consumed by mining.	Manganese, sulfate and TDS are above the Profile I reference values. Manganese meets the livestock watering standards pursuant to NAC 445A.144, however there are no sulfate or TDS livestock watering standards defined in the NAC.
Slaven Canyon Creek/SP-1 5,320 feet amsl	N/A	< 2	Downgradient of the RIBs	No exceedence of the Profile I reference values. The creek meets the aquatic life, irrigation, and livestock watering standards pursuant to NAC 445A.144.

Surface Water: There is one creek (Slaven Canyon Creek) and three historic pit lakes (identified as OP-1 through OP-3) within one mile of the SCM. An unnamed dry wash is located within Slaven Canyon and flows north through the western boundary of Section 13.

A spring (SP-1) located approximately 0.3 miles north and outside of the SCM operational area boundary is considered to be the confluence of Slaven Canyon Creek. In January 2011, flow from SP-1 was measured at a rate of approximately 1.5 gallons per minute (gpm). A summary of the baseline surface water quality analytical results for the spring and creek indicate the water quality to be good, with no exceedence of any NDEP Profile I reference value. The creek meets the aquatic life, irrigation, and livestock watering standards pursuant to Nevada Administrative Code (NAC) 445A.144.

Water collected in the historic pits tends to remain throughout most of the year and is of sufficient quantity and quality that it has been used by a local rancher for livestock watering for the past 30 years. Surface water baseline data is presented in Table 2.

D. Procedures for Public Comment

The Notice of the Division's intent to renew the permit, authorizing the facility to construct, operate, and close subject to the conditions contained within the permit, was sent to the **Battle Mountain Bugle**, a newspaper located in Battle Mountain, Nevada, for publication.

The notice was also mailed to interested persons on our mailing list. Anyone wishing to comment on the proposed permit renewal can do so in writing within a period of 30 days following the date of public notice. The comment period can be extended at the discretion of the Administrator. All written comments received during the comment period will be retained and considered in the final determination.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected intrastate agency, or any interested agency, person or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed facility or any other area the Administrator determines to be appropriate. All public hearings must be conducted in accordance with NAC 445A.403 through NAC 445A.406.

E. Proposed Determination

The Division has made the tentative determination to renew the permit.

F. Proposed Effluent Limitations, Schedule of Compliance and Special Conditions

Refer to WPCP NEV2011105, Sections I.B. (Schedule of Compliance Items).

G. Rationale for Permit Requirements

The facility is located in an area where annual evaporation is greater than annual precipitation. It must operate under a standard of performance, which authorizes no discharge except for excess accumulations at the point of compliance (downgradient monitoring wells), which are a result of a storm event beyond that required by design for containment.

The primary identification of escaped process fluids is based on the periodic inspection of monitoring wells and visual inspections. Monitoring will be in accordance with permit conditions and requirements.

H. Federal Migratory Bird Treaty Act

Under the Federal Migratory Bird Treaty Act, 16 U.S.C. 701-718, it is unlawful to kill migratory birds without license or permit, and no permits are issued to take migratory birds using toxic ponds. The Federal list of migratory birds (50CFR10, April 15, 1985) includes nearly every bird species found in the State of Nevada. The U.S. Fish and Wildlife Service are authorized to enforce the prevention of migratory bird mortalities at ponds and tailings impoundments. Compliance with state permits may not be adequate to ensure protection of migratory birds for compliance with provisions of Federal statutes to protect wildlife.

Open waters attract migratory waterfowl and other avian species. High mortality rates of birds have resulted from contact with toxic ponds at operations utilizing toxic substances. The Service is aware of two approaches that are available to prevent migratory bird mortality: 1) physical isolation of toxic water bodies through barriers (covering with netting), and 2) chemical detoxification. Methods, which attempt to make uncovered ponds unattractive to wildlife, are not always effective. Contact the U.S. Fish and Wildlife Service at 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502-7147, (775) 861-6300, for additional information.

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<i>Permit Revision 00:</i>	