

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 1

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

February 9, 2012

AGENDA ITEM NO. 2

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

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

Public comment.

Background:

Two (4) uncollectible Lander County Ambulance billings are presented to the Commission for possible approval to write-off.

Lander County Finance Director Rogene Hill will present the uncollectible ambulance billings to the Commission. The billings, for Ambulance Run #2008872, (\$92.00) date of service June 14, 2011, Run #2008786, (\$92.00) date of service January 28, 2011, Run #2011880, (\$92.00) date of service July 3, 2011 and Run #2007869, (\$92.00) date of service May 28, 2011, have been deemed uncollectible and are proposed for write-off. Run #2008872 and Run #2007869 were paid, in part, by Medicare leaving residual balances. Run #2008786 and Run #2011880 are uncollectible due to the patient not able to be located. The amounts proposed for write-off meet the limits set forth in Lander County policy. **The total amount proposed for write-off is \$368.00.**

Individual patient names or other key identifiers cannot be discussed to prevent possible violations of HIPPA provisions.

Recommended Action:

It is recommended that the Commission approve the write-off of the ambulance billings for Ambulance Run #2008872, Run #2008786, Run #2011880 and Run #2007869 as uncollectible in the total amount of \$368.00.

Rogene Hill
Lander County Finance Director



Memorandum

To: Lander County Commissioners

Date: February 9, 2012

Re: **Ambulance Write-Off's**

There are 4 ambulance bills that need to be written off:

1. **Run #2011872** – DOS 06/14/2011 – \$92.00 – Medicare paid all but the remaining balance. The individual has cancer as well as the spouse. They are in a financial burden with all the treatments for both and hospital bill, etc. This is certainly a hardship case. This claim meets the required limit for write offs.
2. **Run #208786** – DOS 01/28/2011 - \$92.00 (Cannot locate. No current address).
3. **Run #2011880** – DOS 07/03/2011 - \$92.00 (Cannot locate, mail returned).
4. **Run #2077869** – DOS 05/28/2011 - \$92.00 (Medicare paid their portion and Medicaid stated that this claim is not eligible on date of service. Unable to get approval from the Indigent. Request write off because claim is over 8 months and they are unable to pay).

Total amount to be written off is \$368.00.

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 3

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding presentation by Debbie Erdody, Connect Nevada, on the process to address broadband initiatives for Lander County and other matters properly relating thereto.

Public comment.

Background:

Debbie Erdody of Connect Nevada will make a presentation to the Commission to inform as to the process to begin to address Lander County's broadband initiatives.

Recommended Action:

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



Donna Bohall <dbohall@landercountynv.org>

Fwd: Lander County Online Government: Request for time on the agenda at the County Commissioner's meeting for Connect Nevada

1 message

Sadie Sullivan <landercountyclerk@gmail.com>

Mon, Jan 30, 2012 at 9:31 AM

To: Gene Etcheverry <getcheverry@landercountynv.org>, Donna Bohall <dbohall@landercountynv.org>

----- Forwarded message -----

From: **Debbie Erdody** <derdody@connectnv.org>

Date: Wed, Jan 25, 2012 at 11:42 AM

Subject: Lander County Online Government: Request for time on the agenda at the County Commissioner's meeting for Connect Nevada

To: landercountyclerk@gmail.com

This is an enquiry e-mail via <http://landercountynv.org/> from:
Debbie Erdody <derdody@connectnv.org>

Good Morning Ms. Sullivan;

Please allow me to introduce myself, my name is Debbie Erdody and I am the Community Technology Advisor, with Connect Nevada. I would like to find out how I can be put on the agenda, possibly for a February County Commissioner's meeting to provide a presentation on Connect Nevada about how we can begin the process of working together to address the broadband initiatives for Lander County.

Connect Nevada is non-profit organization that works with local communities to begin the process and initiate the technology conversation in regards to broadband. The state-wide broadband initiative, established by our Governor, will help to bridge the digital divide and to address barriers related to access, adoption and use.

The foundation and infrastructure of how broadband impacts economic development, education, jobs and healthcare, just to name a few industries, is significant. Connect Nevada recognizes this impact and as such has developed a plan to engage communities at the local level to not only ensure buy-in, but begin to identify broadband as a necessary piece of infrastructure.

Please let me know if you require additional information to schedule a time for this presentation.

Thank you for your time and I look forward to hearing from you.

Debbie Erdody
Connect Nevada
Community Technology Advisor
[775-376-3199](tel:775-376-3199)

Sadie Sullivan
Lander County Clerk
315 S. Humboldt Street

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Connect Nevada is a nonprofit working to close the digital divide in the Silver State.

Connect Nevada is working to provide free public access to:

- **Community Support** – Local champions to foster public/private partnerships and intelligent expansion planning
- **Tech Support** – Expert technical support for communities planning broadband expansion
- **Free Tools** – Test your speed, tell your story, get a technology assessment, or request service
- **Interactive Map** – Address-searchable of current broadband services
- **Ongoing Research** – Statewide broadband adoption research for public utilization
- **News & Policy** – Current information on trends and legislation impacting broadband policy

High-speed Internet connection is a modern lifeline to quality jobs, information, and vital services ranging from interactive telemedicine to higher education.

The Governor's Office and the Nevada Broadband Task Force are leading the initiative to increase broadband Internet access and information about availability throughout Nevada and ensure sustainability. Connect Nevada is a nonprofit organization that was commissioned by the state to work with all Nevada broadband providers to create detailed maps of broadband coverage in order to accurately pinpoint remaining gaps in broadband availability as well as to coordinate efforts with other technology programs in the state. Connect Nevada is now supporting the development of a statewide plan for the deployment and adoption of broadband. The goal is to spread high-speed Internet across the state and make sure all Nevada residents have access to its life-changing benefits.




For more information, please visit:
www.connectnv.org

Contacts:

Lindsey Niedzielski
Connect Nevada
lniedzielski@connectnv.org

Jeremy Thacker
Public Relations
jthacker@connectednation.org


Jay Houston
Project Manager
jhouston@connectednation.org




Connect Nevada

Debbie Erdody
Community Technology Advisor
Connect Nevada
derdody@connectnv.org


Presented to:
Lander County
February 9, 2012






Accomplishments to Date


- Jul 2009: Connected Nation named by Governor Jim Gibbons as Nevada's designated eligible entity to receive State Broadband Data and Development (SBDD) grant funds
- Dec 2009: \$1.4 million SBDD grant award is announced
- Dec 2009: Connect Nevada program and the Web portal are officially launched; Provider outreach, data collection, and analysis begins
- May 2010: Release of Nevada's first comprehensive statewide map of broadband coverage across the State of Nevada
- Jul 2010: Launch Connect Nevada survey research
- Aug 2010: Secured additional SBDD funding for mapping, community engagement, research, and establishment of a Connect Nevada program office
- Oct 2010: Release broadband planning report, Nevada Broadband: Preliminary Overview of Broadband Infrastructure & Adoption in Nevada
- Apr 2011: NTIA approves Connect Nevada project plan



768Kbps vs. 3Mbps Download Speed



768 Kbps



3 Mbps

Access
Lander County

- Households Served by 768kbps: 82.56%
- Households served at 3mbps: 70.01%
- 81.8% are served by fixed wireless platforms (768kbps)
- 95.4% are served by mobile platforms (768kbps)

<http://www.connectnv.org/research/>

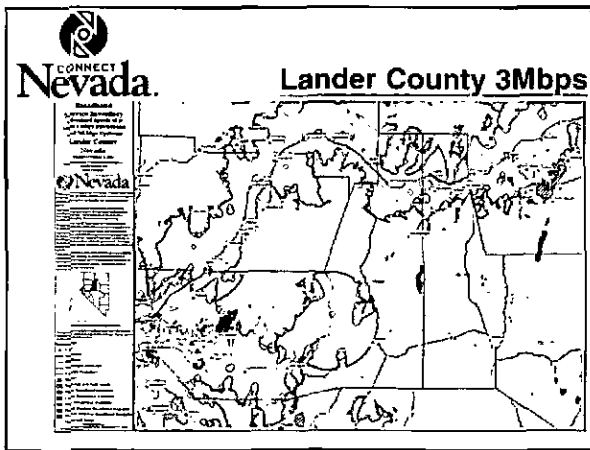
Research:

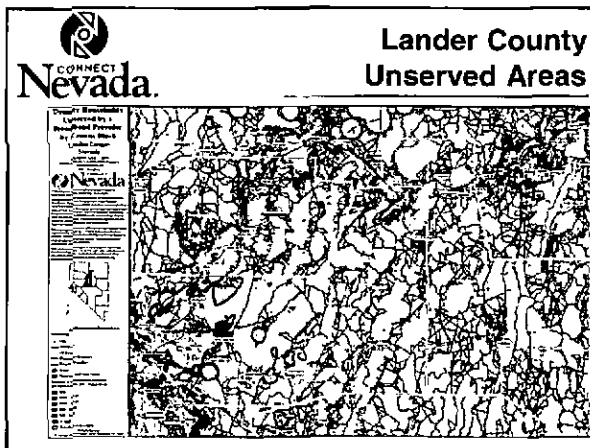
Nevada State-wide Businesses

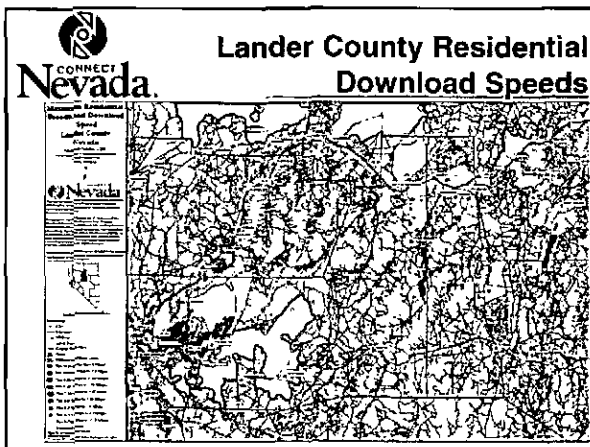
- Businesses that subscribe to broadband: 75%
- Businesses that do not use the Internet: 18%
- Businesses that use computers: 92%
- Barriers to broadband adoption for Nevada businesses:
 - We don't need broadband/the Internet, or don't know why we don't subscribe: 80%

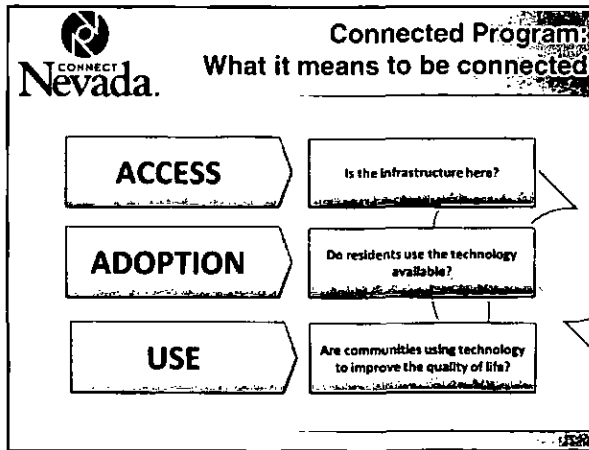
<http://www.connectnv.org/research/>

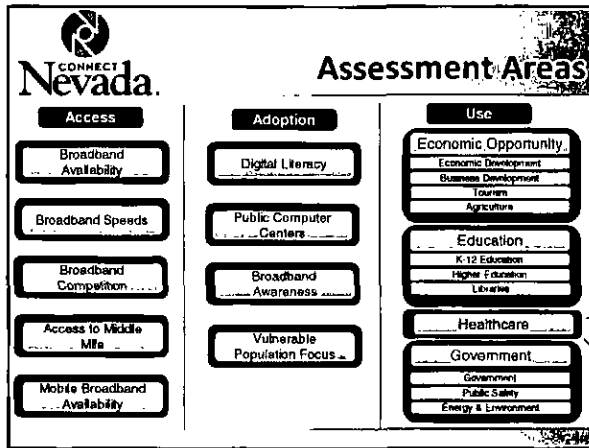
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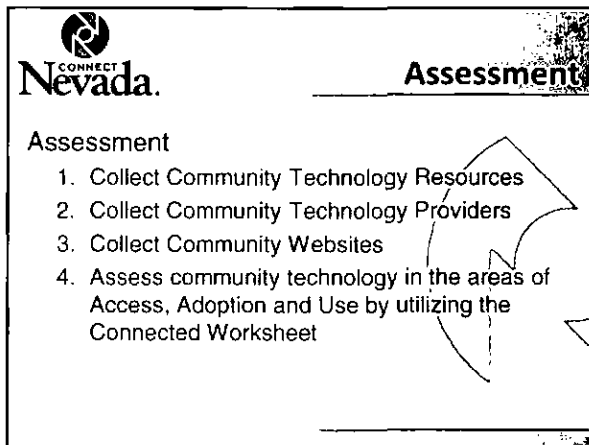


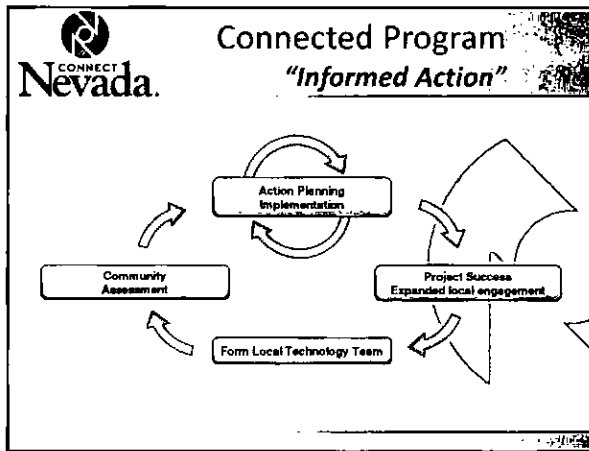












- CONNECT Nevada.**
- ### Community Team Members
- Local Government Officials
 - Chamber of Commerce
 - Local Economic Development
 - School District
 - Emergency Management Officials
 - Extension Service
 - Local Tourism
 - Local Hospital
 - Colleges & Universities
 - Media Outlets
 - Service Providers
 - Business Leaders
 - Local Libraries
 - Non-profit Organizations
 - Senior Citizens Center Leader
 - Local Farm Bureau
 - Health Department
 - Public Safety
 - Parks Department
 - Regional Planning Groups
 - Tribal Representation

- CONNECT Nevada.**
- Next Steps
 - Questions?
-

LANDER COUNTY COMMISSION MEETING

February 9, 2012

AGENDA ITEM NO. 4

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:

It is recommended that the Commission continue the relationship to provide external audit and governmental accounting services to Lander County with the firm of Drake Rose and Associates for the fiscal year ended June 30, 2012 and authorize the Chairman to sign the engagement letter.

DOC # 0263359

02/10/2012

03:40 PM

Official Record

Recording requested By

LANDER COUNTY CLERK

Lander County - NV

Idonna Trevino - Recorder

Fee: Page 1 of 9

RPTT: Recorded By: BB

Book- 630 Page- 0920



0263359

RECORDING REQUEST BY:

Lander County Clerk

315 South Humboldt Street

Battle Mountain, Nevada 89820

**AGREEMENT BETWEEN LANDER COUNTY & DRAKE ROSE ASSOCIATES
FOR AUDIT & FINANCIAL SERVICES**

TITLE OF DOCUMENT

*This page added to provide additional information required by NRS 111.312 Section 1-2.
This cover page must be typed or printed.*

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**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 your 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
Shelly L. Drake, CPA
Engagement Partner

RESPONSE:

This letter correctly sets forth the understanding of Lander County.

By: Dan Bullock

Title: Chairman of Commissioners

Date: February 9, 2012

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 5

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. 4, 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 #4 IS TO ACCEPT THE PROPOSAL FROM DRAKE ROSE AND ASSOCIATES...

It is recommended that the Commission terminate the external auditor relationship with Kafoury Armstrong and Company, currently under an agreement, for the remaining fiscal 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



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

Serving our clients since 1941.

January 10, 2012

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

Dear Gene:

As you are aware, Shelly Drake and Andree Rose terminated their association with Kafoury, Armstrong & Co. effective December 27, 2011. While we are sorry they came to this decision, we understand that sometimes our paths lead in different directions. But one thing remains constant – our commitment to our clients.

We are proud of our long term relationship with Lander County and would very much like to continue that partnership by our performance of the June 30, 2012 audit for the County. Kafoury, Armstrong & Co. has been and continues to be the leader in providing auditing and consulting services to the local government sector. Our knowledge of the Nevada Revised Statutes and the Nevada Administrative Code, our in-depth knowledge of the governmental accounting standards, and our commitment to local governments throughout the State ensure Lander County will receive a quality of service far exceeding that provided by other accounting and consulting firms.

Knowledgeable professionals from our Reno, Elko and/or Fallon offices will assume responsibility for your account. We want you to be an integral part of designing your future audit team and we look forward to meeting with you next Tuesday to discuss this further. We commit to keeping the County's audit fees for the June 30, 2012 audit the same as they were for the June 30, 2011 audit. However, with the difficult implementation of GASB 54 behind us, the audit fee may actually be less than last year. We service many of our governmental clients from Kafoury offices outside of the local area and would be happy to provide references as to the effectiveness of that audit model. We have been in business for more than 70 years and are well positioned to take care of your needs. As always, we are committed to providing timely, competent service.

As mentioned above, we look forward to meeting with you and Rogene next Tuesday at 1:00 p.m. Please contact Teri Gage at (775) 738-5134 or Felicia O'Carroll at (775) 689-9100 if you have any questions prior to the meeting.

Very Truly Yours,

Teri Gage

Felicia R. O'Carroll

ELKO

FALLON

LAS VEGAS

RENO

6140 PLUMAS STREET, RENO, NEVADA 89519-6060

775.689.9100 FAX: 775.689.9299 www.kafoury.com

LANDER COUNTY COMMISSION MEETING

February 9, 2012

AGENDA ITEM NO. 6

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 #4 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,

Dean Bullock
Signature (both if joint request)

DEAN BULLOCK
Print Individual Name(s)

Lander County
Print Company Name (if applicable)

February 9, 2012
Date

6

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 7

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding a request by Rita Rogers, representing the Eleanor Lemaire School "Watch Dog" program, to auction off or give a 2012 seasonal family pool pass to the "Watch Dog" program and other matters properly relating thereto.

Public comment.

Background:

The request of Rita Rogers, representing the Eleanor Lemaire School "Watch Dog" program, to auction off or give a 2012 seasonal family pool pass to the "Watch Dog" program is presented for consideration by the Commission.

It has been long-standing policy of the Commission to **not** contribute Lander County resources to any group or organization.

Ms. Rita Rogers will be in attendance to present information to the Commission on this item.

Recommended Action:

It is recommended that the Commission uphold the long-standing practice of not contributing Lander County resources to any group or organization and not allow a 2012 seasonal family pool pass to be auctioned off or donated to the Eleanor Lemaire School "Watch Dog" program.

AGENDA REQUEST FORM



COMMISSIONER MEETING DATE: _____

NAME: Rita Rogers REPRESENTING: Watch Dog Eleanor Semare

ADDRESS: 1699-200 -

PHONE (H): 635-0650 (W): _____ (FAX): _____

WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS: 635 0650

WHO WILL BE ATTENDING THE MEETING: Myself -

JOB TITLE: _____

SPECIFIC REQUEST TO BE PLACED ON THE AGENDA: _____

To get an approval for a family seasonal pass for 2012 to be given or auctioned off for the watch dog program

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

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

HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING? YES _____ NO ☒
WHEN? _____

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:

AIRPORT _____	DIST. ATTY. _____	SENIOR CTR. _____
AMBULANCE _____	EXE. DIR. _____	SHERIFF _____
ARGENTA J.P. _____	FIRE _____	SOCIAL SVC. _____
ASSESSOR _____	GOLF _____	TREASURER _____
AUSTIN J.P. _____	PARKS & REC. _____	W & S _____
CLERK _____	PUBLIC WORKS _____	OTHER _____
COMM. DEVT. _____	RECORDER _____	

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 MY KNOWLEDGE.....

Rita Rogers

DATE: 1-26-2012

BOARD MEETS THE 2ND AND 4TH THURSDAY OF EACH MONTH
COMMISSION FAX (775) 635-5332

7

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 8

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding proposal of Ordinance No. 2012-01, an ordinance amending Section 15.24.030(D) of the Lander County Code to allow a mobile home or manufactured home to be permanently installed in Lander County if it has been constructed or manufactured not more than fifteen (15) years prior to the date of application for a building or moving permit; and other related matters.

Public comment.

Background:

The introduction of Ordinance No. 2012-01, an ordinance amending Section 15.24.030(D) of the Lander County Code to allow a mobile home or manufactured home to be permanently installed in Lander County if it has been constructed or manufactured not more than fifteen (15) years prior to the date of application for a building or moving permit is brought before the Commission for consideration.

Provisions of Lander County Code (LCC) 15.24.030(D) are such that any mobile or manufactured home to be permanently placed anywhere in Lander County must be built or manufactured not more than five years from the date of such permanent placement. This provision was put into LCC through the passage by the Commission of Lander County Ordinance No. 2007-09 in February 2007. This restriction does not apply to mobile or manufactured homes already in existence within the County.

The Lander County Planning Commission met in regular session on January 11, 2012 and unanimously approved a recommendation for approval of the amendment of Lander County Code 15.24.030(D), to change the allowable age of mobile and manufactured homes from five (5) to fifteen (15) years old, by the Lander County Board of Commissioners.

Recommended Action:

It is recommended that the Commission uphold the recommendation of the Lander County Planning Commission and introduce Ordinance No. 2012-01, an ordinance amending Section 15.24.030(D) of the Lander County Code to allow a mobile home or manufactured home to be permanently installed in Lander County if it has been constructed or manufactured not more than fifteen (15) years prior to the date of application for a building or moving permit.

Summary: An ordinance amending Section 15.24.030(D) of the Lander County Code to allow a mobile home or manufactured home to be permanently installed in Lander County if it has been constructed or manufactured not more than fifteen (15) years prior to the date of application for a building or moving permit; and other related matters.

AN ORDINANCE AMENDING SECTION 15.24.030(D) OF THE LANDER COUNTY CODE TO CHANGE THE ALLOWABLE AGE OF MOBILE AND MANUFACTURED HOMES FROM FIVE YEARS TO FIFTEEN YEARS OLD WHEN THEY ARE PERMANENTLY INSTALLED IN LANDER COUNTY. A MOBILE OR MANUFACTURED HOME MUST BE CONSTRUCTED OR MANUFACTURED NOT MORE THAN FIFTEEN (15) YEARS PRIOR TO THE DATE OF THE APPLICATION OF A BUILDING OR MOVING PERMIT; AND OTHER RELATED MATTERS

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

SECTION 1: Amendment. The Lander County Code Section 15.24.030(D) is amended in the following manner:

15.24.030 Permitted uses of travel trailers and mobile homes.

D. Any mobile home or manufactured home which is to be permanently installed in Lander County must have been constructed or manufactured not more than ~~five~~ fifteen (15) years prior to the date of application for a building permit or for a moving permit. This subsection shall not apply to valid non-conforming uses, nor to mobile homes which have already been validly permitted.

SECTION 2: Reenactments. All other provisions of Lander County Code Section 15.24.030 are reenacted without change.

Proposed on the _____ day of _____ 2012.

Proposed by Lander County Commissioner: _____

Passed and adopted this _____ day of _____ 2012.

/////

/////

8

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 _____ 2012.

EXPLANATION:— Matter in blue ***bolded italics*** is new; matter in red between brackets [~~omitted material~~] is material to be omitted.

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 9

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding Recreation and Public Purposes (R&PP) Lease Renewal (N-19750-01) between Lander County and the Bureau of Land Management (BLM) for the Kingston Solid Waste Disposal site, including an \$80.00 rental fee, and other matters properly relating thereto.

Public comment.

Background:

The Recreation and Public Purposes (R&PP) Lease Renewal (N-19750-01) between Lander County and the Bureau of Land Management (BLM) for the Kingston Solid Waste Disposal site, including an \$80.00 rental fee, is brought before the Commission for consideration.

The Bureau of Land Management (BLM) is offering renewal of Recreation and Public Purpose Lease N-19750-01 for the Kingston Solid Waste Disposal Transfer Bin Site at an annual rental fee of \$80.00. This R&PP Lease will convert to either a long-term lease or a land patent once the transfer bin site environmental plan is completed.

Recommended Action:

It is recommended that the Commission accept and approve Recreation and Public Purpose (R&PP) Lease N-19750-01 for the Kingston Solid Waste Disposal Transfer Bin Site and authorize payment of the annual rental fee of \$80.00.



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:

2912 (NVB01000)

N-019750-01

JAN 17 2012

CERTIFIED MAIL # 7010-0290-0001-6178-3511 – RETURN RECEIPT REQUESTED

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

Lease Renewal Offered

The lease for the Kingston Solid Waste Disposal Transfer Bin located at Kingston, Nevada, will expire on May 9, 2012. The Bureau of Land Management (BLM) has been extending the Recreation and Public Purposes (R&PP) Lease on a one-year basis since 2006, pending Lander County's pursuit of an R&PP patent of the land for a permanent transfer bin site. The R&PP conveyance process has been initiated, however until Lander county completes its portion of the required paperwork, and returns it to this office, we are unable to move forward. Please inform the BLM when Lander County expects to actively begin the patent process. A copy of this letter will also be sent to the Nevada Division of Environmental Protection (NDEP).

Please review the lease renewal offer. If you concur with the terms, conditions and stipulations of the renewal offered, please have both of the originals signed by an authorized officer of Lander County, and return them to the BLM at the address in the above letterhead. The renewal is your authority to use the lands described in the document and will be effective from the date the lease is signed by an authorized officer of the BLM. A billing statement for the \$80.00 rental fee is enclosed.

RECEIVED

JAN 23 2012

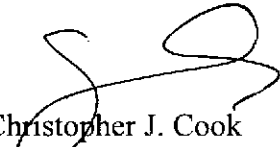
COUNTY COMMISSION

#9

Upon receipt of the rent and signed renewal offered, absent any other unresolved issues and subject to valid existing rights, a lease renewal for one year will be issued to Lander County.

Please direct any questions to Jon Kramer, LLE, at 775-635-4053.

Sincerely,



Christopher J. Cook
Field Manager
Battle Mountain District Office

Enclosures;

cc: David Simpson
Waste Management
Nevada Division of Environmental Protection
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Courtesy Statement

Bill Number: 2012014711

Date: 01/10/2012

Make Remittance Payable To *DOI/BLM* and Mail To:

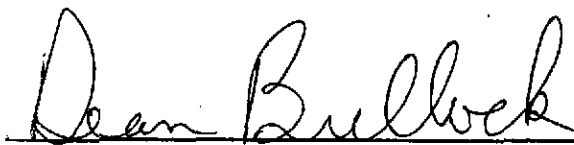
MOUNT LEWIS FIELD OFFICE
50 BASTIAN ROAD
BATTLE MOUNTAIN, NV 89820
(775)635-4000

Please include bill
number on all
remittances.

Payor: LANDER CNTY ATTN EXECUTIVE DIRECTOR
315 S HUMBOLDT ST
BATTLE MOUNTAIN, NV 89820-1982 US

DATE	DESCRIPTION	AMOUNT
	YEARLY RENEWAL OF THE KINGSTON TRANSFER BIN N-019750-01 REF NO: NVN 01975001	\$80.00
	BLM CONTACT: JON KRAMER, (775)635-4053	
AMOUNT DUE THIS BILL:		\$80.00
<ul style="list-style-type: none">• Payment is due within 30 days of date of receipt (certified receipt documentation).• Payment can be made by cash, check, money order or credit card. We accept Visa, Mastercard, Discover, and American Express. If paying by phone, please call the office number listed above.• If the above name and address is incorrect, please contact the BLM office listed above.		

This Bill was generated by the automated BLM Collections and Billings System and is a paper representation of a portion of the official electronic record contained therein.


Chairman Dean Bullock

DOC # 0263445

03/06/2012

09:14 AM

Official Record

Recording requested By

LANDER COUNTY CLERK

Lander County - NV

Idonna Trevino - Recorder

Fee:

Page 1 of 6

RPTT:

Recorded By: IT

Book- 631 Page- 0352



0263445

RECORDING REQUEST BY:

Lander County Clerk

315 South Humboldt Street

Battle Mountain, Nevada 89820

RECREATION OR PUBLIC PURPOSES LEASE BETWEEN LANDER COUNTY AND BLM

TITLE OF DOCUMENT

This page added to provide additional information required by NRS 111.312 Section 1-2.

This cover page must be typed or printed.



0263445

Book: 631
Page: 353

03/06/2012

Page: 2 of 6

Form 2912-1
(May 2001)UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENTSerial Number
N-19750-01
Renewal

RECREATION OR PUBLIC PURPOSES LEASE

Act of June 14, 1926, as amended (43 U.S.C. 869 et. seq.)

This lease entered into on this 9th day of February 2012, by the United States of America, the lessor, through the authorized officer of the Bureau of Land Management, and **Lander County, 315 South Humboldt, Battle Mountain, NV 89820**, hereinafter called the lessee, pursuant and subject to the terms and provisions of the Recreation and Public Purposes Act and to all reasonable regulations of the Secretary of the Interior now or hereafter in force when not inconsistent with any express and specific provisions herein, which are made a part hereof,

WITNESSETH:

Sec. 1. The lessor, in consideration of the rents to be paid and the conditions to be observed as hereinafter set forth, does hereby grant and lease to the lessee the right and privilege of using for the purposes hereinafter set forth in the following-described lands:

Mount Diablo Meridian, Nevada
Township 16 North, Range 44 East, Section 32, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

containing 40 acres, together with the right to construct and maintain thereon all buildings or other improvements necessary for such use for a period of **one** year, **beginning on the date of this signed agreement**. The rental fee is to be \$ **80.00** per annum. If at the expiration date of the lease the authorized officer shall determine that the lease may be renewed, the lessee herein will be accorded the privilege of renewal upon such terms as may be fixed by the lessor. The lessee may use the premises for **Solid Waste Transfer Bin Disposal Site, located at Kingston, Nevada.**

Sec. 2. There are reserved to the United States all mineral deposits in said lands, together with the right to mine and remove the same under applicable laws and regulations to be established by the Secretary of the Interior.

Sec. 3. The lessor reserves the right of entry, or use, by

- (a) any authorized person, upon the leased area and into the buildings constructed thereon for the purpose of inspection;
- (b) Federal agents and game wardens upon the leased area on official business;
- (c) the United States, its permittees and licensees, to mine and remove the mineral deposits referred to in Sec. 2, above.

Sec. 4. In consideration of the foregoing, the lessee hereby agrees:

- (a) To improve and manage the leased area in accordance with the plan of development and management designated as **Kingston Solid Waste Disposal Site** and approved by an authorized officer on August 31, 1979 or any modification thereof hereinafter approved by an authorized officer, and to maintain all improvements, during the term of this lease, in a reasonably good state of repair.
- (b) To pay the lessor the annual rental above set forth in advance during the continuance of this lease.

(c) Not to allow the use of the lands for unlawful purposes or for any purpose not specified in this lease unless consented to under its terms; not to prohibit or restrict, directly or indirectly, or permit its agents, employees, contractors (including, without limitation, lessees, sublessees, and permittees), to prohibit or restrict the use of any part of the leased premises or any of the facilities thereon by any person because of such person's race, creed, color, sex, or national origin.

(d) Not to assign this lease or to change the use of the land, without first receiving the consent of the authorized officer of the Bureau of Land Management.

(e) That this lease may be terminated after due notice to the lessee upon a finding by the authorized officer that the lessee had failed to comply with the terms of the lease; or has failed to use the leased lands for the purposes specified in this lease for a period of one consecutive year; or that all or part of the lands is being devoted to some other use not consented to by the authorized officer; or that the lessee has not complied with his development and management plans referred to in subsection 4(a).

(f) That upon the termination of this lease by expiration, surrender, or cancellation thereof, the lessee, shall surrender possession of the premises to the United States in good condition and shall comply with such provisions and conditions respecting the removal of the improvements of and equipment on the property as may be made by an authorized officer.

(g) To take such reasonable steps as may be needed to protect the surface of the leased area and the natural resources and improvements thereon.

(h) Not to cut timber on the leased area without prior permission of, or in violation of the provisions and conditions made by an authorized officer.

(i) That nothing contained in this lease shall restrict the acquisition, granting, or use of permits or rights-of-way under existing laws by an authorized Federal officer.

Sec. 5. Equal Opportunity Clause. Lessee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and the rules, regulations, and relevant orders of the Secretary of Labor. Neither lessee nor lessee's subcontractors shall maintain segregated facilities.

FOR EXECUTION BY LESSEE

IN WITNESS WHEREOF:

Dean Bullock DEAN BULLOCK

(Signature of Lessee's Authorized Officer) (Printed Name)

Sadie Sullivan
(Signature of Witness)

February 9, 2012
(Date)

Sec. 6. Equal Access Clause. Lessee shall comply with all provisions of the American Disabilities Act of July 26, 1990, the Architectural Barriers Act of 1968, and Section 504 of the Rehabilitation Act of 1973, as amended. These Acts require that programs and public facilities constructed or renovated be accessible to and usable by persons with disabilities.

Sec. 7. The lessee may surrender this lease or any part thereof by filing a written relinquishment in the appropriate BLM office. The relinquishment shall be subject to the payment of all accrued rentals and to the continued obligation of the lessee to place the lands in condition for relinquishment in accordance with the applicable lease terms in subsections 4(f) and 4(g) and the appropriate regulations.

Sec. 8. The lessee further agrees to comply with and be bound by those additional terms and conditions identified as

Stipulations, which is attached hereto
and which is made a part hereof.

Sec. 9. No Member of, or Delegate to, the Congress, or Resident Commissioner, after his election or appointment, and either before or after he has qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, except as otherwise provided in 43 CFR, Part 7, shall be admitted to any share or part of this lease, or derive any benefit that may arise therefrom, and the provisions of Title 18 U.S.C. Sections 431-433, relating to contracts, enter into and form a part of this lease, so far as the same may be applicable.

THE UNITED STATES OF AMERICA

By [Signature]
(Authorized Officer)

Mount Lewis
Battle Mountain Field Manager
(Title)

2/11/12
(Date)

This form does not constitute an information collection as defined by 44 U.S.C. 3502 and therefore does not require OMB approval.

☐ U.S. Government Printing Office: 1992-673-017/47061



STIPULATIONS

1. The lessee covenants and agrees that it will comply with provisions of Title VI of the Civil Rights Act of 1964, and that it will not, for the period during which the property conveyed by this instrument is used for sanitary landfill purposes, or for another purpose involving the provisions of similar services or benefits, engage in any discriminatory actions prohibited by 43 CFR 17.3, to the end that no person in the United States shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the program for which the lessee received Federal financial assistance by this lease. This assurance shall obligate the lessee for the period of this lease.
2. The lessee further agrees that it will not transfer the property conveyed by this instrument for the purpose designated in paragraph 1 hereof or for another purposes involving the provision of similar services or benefits, unless and until the transferee gives similar written assurance to the authorized officer, Bureau of Land management, that it will comply with provisions of paragraph 1 hereof.
3. The lessee agrees that the right is reserved to the Department of the Interior to declare the terms of this lease terminated in whole or in part and to revert in the United States title to the property conveyed herein, in the event of a breach of the nondiscrimination provisions contained in paragraph 1 hereof during the term of this lease.
4. The lessee agrees that as long as property conveyed hereby is used for the purpose designated in paragraph 1 hereof, or for another purpose involving the same or similar services or benefits, the obligation to comply with the provisions of Title VI of the Civil Rights Act of 1964 shall constitute a covenant running with the land for the term of this lease.
5. The lessee agrees that in the event of a violation or failure to comply with the requirements imposed by paragraph 1, the United States may seek judicial enforcement of such requirements.
6. The lessee agrees, that it will post and maintain on the property conveyed by this document, signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility leased.
7. The lessee shall submit a copy of the management plan mandated by Nevada Revised Statutes 444.440 to 444.630 for the storage, collection, transportation, and disposal of solid waste, within six months of renewal of this lease.
8. No open burning will take place at the landfill. Within 30 days of renewal of this lease, the lessee shall provide a contingency plan to the Field Office describing procedures for fire containment at the site in the event of a burn. This plan shall identify responsible persons, their telephone numbers and duties.
9. The lessee shall control the position of the litter fence to catch airborne debris. The landfill area will be adequately covered, and the wind-blown trash will be picked up on a weekly basis.



N-19750

10. A separate disposal trench will be made available and signed for waste tires. After a portion of the trench is filled with waste tires, the trench may be used as a municipal waste repository. Waste tires will not be allowed in the top four feet of the final lift.

11. Any cultural or paleontological resource (historic or prehistoric site or object) or Native American human remains, funerary item, sacred object, or objects of cultural patrimony discovered by the lessee, or any person working on their behalf, during the course of activities on federal land shall be immediately reported to the authorized officer by telephone, with written confirmation. The lessee shall suspend all operations in the immediate area of such discovery and protect it until an evaluation of the discovery can be made by the authorized officer.

For cultural resources other than Native American human remains, funerary item, sacred object, or objects of cultural patrimony, this evaluation will determine the significance of the discovery and what mitigation measures are necessary to allow activities to proceed. The lessee is responsible for the cost of evaluation and mitigation. Any decision on treatment and/or mitigation will be made by the authorized officer after consulting with the lessee. Operations may resume only upon written authorization to proceed from the authorized officer.

For Native American human remains, funerary items, sacred objects, or objects of cultural patrimony the lessee must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified to proceed by the authorized officer. The lessee is responsible for the cost of consultation, evaluation, and mitigation. Any decision on treatment and/or mitigation will be made by the authorized officer after consulting with the lessee.

12. The lessee shall take steps reasonably necessary to preclude any disposal on lands covered by this lease of any waste material deemed hazardous or toxic under any provisions of Federal, state, or local law.

13. During the period of this lease, the United States, acting through the Bureau of Land Management, shall have the right to inspect the land covered by the lease at any time, without advance notice. During such inspections, officials of the Bureau of Land Management may be accompanied by other appropriate Federal, state, or local officials.

14. The lessee shall comply with all applicable Federal, state, and local environmental and public health laws and regulations. The United States, acting through the Bureau of Land Management, shall have the right, exercisable within its absolute discretion, to take any actions that it may deem necessary or that may be required by a Federal, state, or local regulatory authority to maintain the landfill's compliance with such laws, and the lessee shall, upon demand, reimburse the United States for any expenses it incurs for this purpose irrespective of whether the United States challenges any regulatory action giving rise to the expenses.

15. Prior to the termination of this lease, the lessee shall, if required by the authorized officer, cause a survey of the lands covered by the lease to be made by qualified persons, for the purpose of ensuring that there are no hazardous or toxic wastes, as defined under any provision of Federal, state, or local law, present on this land. The lessee shall, if required, provide a complete copy of the survey report to the Bureau of Land Management, along with a statement certifying



N-19750

that no such hazardous or toxic wastes are present on the land covered by the lease and that the conditions on the land are otherwise in compliance with all applicable provisions of Federal, state, and local laws.

16. If at any time during or after this period of this lease agreement any condition on the land covered by this lease is found to be in violation of any Federal, state, or local law, and such condition is legally attributable to activities occurring during the term of this lease or during the term of any prior lease agreement under the Recreation and Public Purposes Act between the lessee and the United States, the lessee shall promptly take all remedial actions necessary to terminate any such violation, irrespective of whether the lessee had actual knowledge of the activities or conditions causing the violation(s).

17. Insofar as Lander County is now or becomes legally authorized to do so, it shall hold the United States, its officers and employees harmless from and indemnify them against any damage, injury, or liability resulting from the construction, operation, or maintenance of the Kingston Landfill, Lease N-19750, being authorized by this lease, including but not limited to any liability which the United States may have as owner of the land which is the subject of this lease. Should a determination be made by any legally authorized authority that any waste or other substance has been discharged into the sanitary landfill in violation of any applicable Federal, state, or local laws, Lander County shall take all steps necessary to: (1) abate such waste or other discharges, (2) remove and properly dispose of such waste or other substance off the lease property, and (3) take all other remedial actions as may be required by any competent authority, including the authorized officer. Such remedial action shall be taken without any expense to the United States and to the satisfaction of the authorized officer.

18. To deter range fires, the lessee will clear and keep clear a perimeter 50 feet in width around the trenches and litter fence.

19. Use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the lessee shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 10

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding Agreement between Lander County and Keith Westengard to perform an evaluation of the effectiveness and compliance of Lander County's emergency medical services (EMS), public safety procedures and radiological response capabilities and provide a plan for the optimization of these services and other matters properly relating thereto.

Public comment.

Background:

The Agreement between Lander County and Keith Westengard to perform an evaluation of the effectiveness and compliance of Lander County's emergency medical services (EMS), public safety procedures and radiological response capabilities and provide a plan for the optimization of these services is presented for Commission consideration.

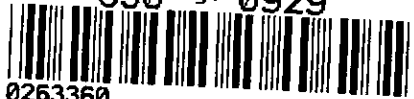
This Agreement is to provide the County with an evaluation of EMS, public safety procedures, effectiveness and compliance of emergency services and assessment of radiological response capabilities. A final report will show strengths, weaknesses and current levels of training and present a "needs" assessment with projected costs. A 1-, 3- and 5-year plan for Lander County Emergency Services will be developed to include a maintenance program and implementation guidelines.

This project is an undertaking provided within the Fiscal Year 2011-2012 Yucca Mountain Oversight and Impact Assessment Activities Plan, Activity 4 – Impact Assessment Activities – Emergency Management Review, approved by the Commission during the regular meeting held October 13, 2011. The total cost of services provided per the Agreement is under the \$40,000.00 budgeted amount, at a total of **\$34,078.40**.

Mr. Keith Westengard, service provider under the proposed Agreement, will be in attendance to provide further details to the Commission on this item.

Recommended Action:

It is recommended that the Commission approve the Agreement between Lander County and Keith Westengard to perform an evaluation of the effectiveness and compliance of Lander County's emergency medical services (EMS), public safety procedures and radiological response capabilities and provide a plan for the optimization of these services at a total cost of \$34,078.40 to be paid from budgeted resources of the Lander County Yucca Mountain Oversight Program.

DOC # 0263360
02/10/2012 03:42 PM
Official Record
Recording requested By
LANDER COUNTY CLERK
Lander County - NV
Idonna Trevino - Recorder
Fee: Page 1 of 8
RPTT: Recorded By: BB
Book- 630 Page- 0929

0263360

RECORDING REQUEST BY:

Lander County Clerk

315 South Humboldt Street

Battle Mountain, Nevada 89820

AGREEMENT BETWEEN LANDER COUNTY & KIETH WESTENGARD
FOR A PUBLIC SAFETY EVALUATION

TITLE OF DOCUMENT

*This page added to provide additional information required by NRS 111.312 Section 1-2.
This cover page must be typed or printed.*



PUBLIC SAFETY EVALUATION AGREEMENT

This PUBLIC SAFETY EVALUATION AGREEMENT, 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 Keith Westengard, hereinafter referred to as ("WESTENGARD").

RECITALS

WHEREAS, WESTENGARD desires to provide professional services, professional consultation and advice, for a professional fee (as set forth in Exhibit A, Scope of Work, attached) in connection with in connection with the evaluation of Lander County emergency services and response to potential high level waste and spent nuclear fuel shipments; and

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: WESTENGARD shall, subject to all terms, conditions, and limitations specified hereinafter, perform the professional services as described in Exhibit A, Scope of Work, attached.
2. Obligations of Lander County: Lander County shall provide the following to WESTENGARD:
 - A. All criteria and full information as to Lander County's requirements and designate a person with authority to act on Lander County's behalf on all matters concerning the Agreement.
 - B. Furnish to WESTENGARD relevant studies and reports; and WESTENGARD shall be entitled to rely upon all such information and services in performing services hereunder.
3. Term: This Agreement shall remain in effect from the date it is approved by both parties to the 1st day of August 2012. This term shall be subject to earlier termination as hereafter provided.
4. 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.



5. Payment: Lander County shall reimburse WESTENGARD a sum not to exceed thirty-four thousand seventy eight dollars and forty cents (\$34,078.40), for satisfactory work with regard to the Scope of Work outlined in Exhibit A. All direct expenses shall generally be incurred at cost. WESTENGARD shall submit monthly statements of services rendered and reimbursable expenses, and Lander County shall provide prompt payment to WESTENGARD, not to exceed sixty (60) days of receipt of statements submitted.
6. Liability and Hold Harmless: To the extent authorized by law, WESTENGARD agrees to indemnify and hold harmless Lander County from any loss, damage, liability, cost or expense to the person or property of another, which is caused by the intentional or negligent acts of WESTENGARD, its officers, employees or agents. Moreover, WESTENGARD agrees to indemnify and hold harmless Lander County from any claim or potential claim from WESTENGARD, its officers, employees, agents or guests resulting from any loss, damage, liability, cost or expense caused by any reason.
7. 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.
8. Termination: This Agreement may be Terminated prior to the expiration of the term as follows:
 - A. Lander County or WESTENGARD may terminate this Agreement with or without cause upon thirty (30) days written notice served upon the other party as provided in this Agreement.
 - B. Lander County and WESTENGARD may agree in writing to terminate this Agreement at any time.
 - C. Upon termination, WESTENGARD shall be compensated for time and materials at the agreed upon rates, plus costs, for work performed prior to the termination, including reasonable expenses incurred.
9. 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 the date posted, and addressed to the other party at the address set forth below:

**WESTENGARD:**

Keith Westengard
613 Aesop Drive
Elko, Nevada 89815

Lander County:

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

10. 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.
11. Assignment: The rights granted and responsibilities incurred under this Agreement may not be assigned without the written consent of Lander County.
12. 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.
13. 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.
14. 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.
15. Governmental Immunity: Nothing contained herein waives or is intended to waive any protections that may be applicable to Lander County 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 or such related parties that are provided by law.
16. 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.
17. 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.

18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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: Dean Bullock
~~STEVEN STIENMETZ, Chair~~
Dean Bullock, Chair

Date: 2/9/12

Attest: Sadie Sullivan
SADIE SULLIVAN, County Clerk and Ex-Officio
Clerk of the Board of Commissioners of Lander
County, Nevada

WESTENGARD

By: Keith Westengard
KEITH WESTENGARD

Date: 02/09/2012



EXHIBIT A
SCOPE OF WORK
Lander County

Scope of work to include evaluation of EMS, Public Safety procedures, determining effectiveness, compliance and radiological response capabilities. This plan will include equipment and training recommendations in the event of a radiological incident involving material being transported via rail or highway from a nuclear waste repository.

1. Equipment
 - a) Evaluate current equipment (items, age, condition, etc.)
 - b) Current tracking of equipment and supplies used
 - c) Evaluate existing radiological protective gear, response and detection equipment
 - d) Evaluate level of response in rural area (radiological)
2. Communication
 - a) Between departments
 - b) Dispatch procedures
 - c) On scene procedures
 - d) Interview members of Fire and EMS and;
 - e) Determine current communication between departments with the local hospital
 - f) Evaluate use of ICS with each department and use on/during incidents
3. Training
 - a) Training Records
 - (1) Air ambulance
 - (2) Currency
 - (3) Licenses
 - (4) Documentation
 - (5) Filing system in place and backup system for EMS/fire reporting
 - b) Current department training levels, determining if they meet local, state, federal requirements
 - c) Evaluation of training plans for HAZ MAT, Radiological response, fire and EMS incidents
4. Documentation
 - a) Billing (current process in place and problems noted)
 - b) Some type of reimbursement to fire/ems volunteers
 - c) Reporting
5. Uniforms
 - a) Professional appearance
6. Regulations/Guides
 - a) SOP's



- b) SOG's
 - c) OSHA regulations/requirements
 - d) HIPA, Right to know
 - e) Follow up with low level waste facilities (DOE/NVO)
- 7. Grants
 - 8. Budget projections/needs

The final report will show strengths, weaknesses and current levels of training along with a "needs" assessment with projected costs. It will also show a 1, 3, 5 year plan for Lander County Emergency Services, with a maintenance program, and implementation of plan. A draft and final report will be prepared along with periodic presentations to the Board of Commissioners.

BUDGET

EXPENSE	DESCRIPTION		AMOUNT		UNIT	TOTAL
Labor	Based on \$65.00/hr	Hour	\$ 65.00	x	384	hours(s)
						\$ 24,960.00
Per Diem	Based on \$42.00/day x 20 days	Cost per day	\$ 42.00	x	20	day(s)
						\$ 840.00
Mileage (To/From Btl Mtn)	Based on \$0.51/miles x 180 mi	Cost per mile	\$ 0.51	x	8640	miles
	per day for 48 days					\$ 4,406.40
Mileage (In County)	Based on \$0.51/miles x 50 mi	Cost per mile	\$ 0.51	x	2400	miles
	per day for 48 days					\$ 1,224.00
Hotel	Based on 2 days/wk for 24 days	Cost per night	\$ 77.00	x	24	night(s)
						\$ 1,848.00
Office Supplies	Based on \$6.25/day for 48 days	Amount	\$ 6.25	x	48	day(s)
						\$ 300.00
Other Project Expenses						\$ 500.00
Total:						\$ 34,078.40

AGREEMENT

The evaluation of emergency services (EMS, Public Safety,) Agreement, 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 Keith Westengard

RECITALS

WHEREAS, Keith Westengard desires to provide professional services, professional consultation and advice, for a professional fee (as set forth in Exhibit A, Scope of Work, attached) in connection with the evaluation of Lander County emergency services and response to potential high level waste and spent nuclear fuel shipments.

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: Keith Westengard shall, subject to all terms, conditions, and limitations specified hereinafter, perform the professional services as described in Exhibit A, Scope of Work, attached.
2. Obligations of Lander County: Lander County shall provide the following to Keith Westengard
 - A. All criteria and full information as to Lander County's requirements and designate a person with authority to act on Lander County's behalf on all matters concerning the Agreement.
 - B. Furnish to Keith Westengard relevant studies and reports; and Keith Westengard shall be entitled to rely upon all such information and services in performing services hereunder.
 - C. Arrange for access to and make all provisions for Keith Westengard to enter upon public and private property as required for Keith Westengard to perform services hereunder.
3. Term: This Agreement shall remain in effect from the date it is approved by both parties to the 1st day of August 2012. This term shall be subject to earlier termination as hereafter provided or extension.
4. 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.
5. Payment: Lander County shall reimburse a sum not to exceed thirty four thousand, seventy eight dollars and forty cents (\$34,078.40) for satisfactory work with regard to the Scope of Work outlined in Exhibit A, including expenses as outlined in Exhibit B. All direct expenses shall generally be incurred at cost. Keith Westengard shall submit monthly statements of services rendered and reimbursable expenses, and Lander County shall provide prompt payment to Keith Westengard, not to exceed sixty (60) days of receipt of monthly/bi-monthly statement.
6. Liability and Hold Harmless: To the extent authorized by law, Keith Westengard agrees to indemnify and hold harmless Lander County from any loss, damage, liability, cost or expense to the person or property of another, which is caused by the intentional or negligent acts of

10

Keith Westengard, its officers, employees or agents. Moreover, Keith Westengard agrees to indemnify and hold harmless Lander County from any claim or potential claim from Keith Westengard, its officers, employees, agents or guests resulting from any loss, damage, liability, cost or expense caused by any reason.

7. 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.
8. Termination: This Agreement may be Terminated prior to the expiration of the term as follows:
 - A. Lander County or Keith Westengard may terminate this Agreement with or without cause upon thirty (30) days written notice served upon the other party as provided in this Agreement.
 - B. Lander County and Keith Westengard may agree in writing to terminate this Agreement at any time.
 - C. Upon termination, Keith Westengard shall be compensated for time and materials at the agreed upon rates, plus costs, for work performed prior to the termination, including reasonable expenses incurred.
9. 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 the date posted, and addressed to the other party at the address set forth below:

Keith Westengard: Lander County:

Keith Westengard Lander County Commissioners

Attn: Keith Westengard 315 South Humboldt Street

613 Aesop Dr. Battle Mountain, Nevada 89820

Spring Creek, NV 89815

10. 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.
11. Assignment: The rights granted and responsibilities incurred under this Agreement may not be assigned without the written consent of Lander County.
12. 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.

13. 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.
14. 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.
15. Governmental Immunity: Nothing contained herein waives or is intended to waive any protections that may be applicable to Lander County 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 or such related parties that are provided by law.
16. 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.
17. 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.
18. 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 ventures or members of any joint enterprise.
19. 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.
20. 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.

21. 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.
22. 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.
23. 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.
24. 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:

LANDER COUNTY

LANDER COUNTY BOARD OF COMMISSIONERS

By: _____ Date: _____

STEVEN STIENMETZ, Chair

Attest:

SADIE SULLIVAN, County Clerk and Ex-Officio

Clerk of the Board of Commissioners of Lander

County, Nevada

////

Keith Westengard

By: _____ Date: _____

(Signature)

Printed Name: _____

Title/Capacity: _____

PROPOSED SCOPE OF WORK

Lander County

Exhibit A

Scope of work to include evaluation of EMS, Public Safety procedures, determining effectiveness, compliance and radiological response capabilities. This plan will include equipment and training recommendations in the event of a radiological incident involving material being transported via rail or highway from a nuclear waste repository.

1. Equipment
 - a. Evaluate current equipment (items, age, condition, etc.)
 - b. Current tracking of equipment and supplies used
 - c. Evaluate existing radiological protective gear, response and detection equipment
 - d. Evaluate level of response in rural area (radiological)
2. Communication
 - a. Between departments
 - b. Dispatch procedures
 - c. On scene procedures
 - d. Interview members of Fire and EMS and;
 - e. Determine current communication between departments with the local hospital
 - f. Evaluate use of ICS with each department and use on/during incidents
3. Training
 - a. Training Records
 1. Air ambulance
 2. Currency
 3. Licenses
 4. Documentation
 5. Filing system in place and backup system for EMS/fire reporting
 - b. Current department training levels, determining if they meet local, state, federal requirements
 - c. Evaluation of training plans for HAZ MAT, Radiological response, fire and EMS incidents
4. Documentation
 - a. Billing (current process in place and problems noted)
 - b. Some type of reimbursement to fire/ems volunteers
 - c. Reporting
5. Uniforms
 - a. Professional appearance
6. Regulations/Guides
 - a. SOP's
 - b. SOG's
 - c. OSHA regulations/requirements
 - d. HIPA, Right to know

- e. Follow up with low level waste facilities (DOE/NVO)
- 7. Grants
- 8. Budget projections/needs

PROPOSED SCOPE OF WORK

Lander County

Exhibit A (Page 2)

The final report will show strengths, weaknesses and current levels of training along with a "needs" assessment with projected costs. It will also show a 1, 3, 5 year plan for Lander County Emergency Services, with a maintenance program, and implementation of plan. A draft and final report will be prepared along with periodic presentations to the Board of Commissioners.

Business Trip Budget

	A	B	C	D	E	F	G	H	I
1	Proposed Budget								
2	Keith Westengard - Evaluation of Lander County EMS, Fire, LEPC								
3	Exhibit B								
4									
6									
7	EXPENSE	DESCRIPTION		AMOUNT		UNIT		TOTAL	
8									
9	Labor	Based on \$65.00/hr	Hour	\$ 65.00	x	384	hours (s)	\$ 24,960.00	
10	Per Diem	Based on \$42.00/day x 20 days	Cost per day	\$ 42.00	x	20	day(s)	\$ 840.00	
11	Mileage (To/From Btl Mtn)	Based on \$0.51/miles x 180 mi	Cost per mile	\$ 0.51	x	8640	miles	\$ 4,406.40	
12		per day for 48 days							
13	Mileage (In County)	Based on \$0.51/miles x 50 mi	Cost per mile	\$ 0.51	x	2400	miles	\$ 1,224.00	
14		per day for 48 days							
15	Hotel	Based on 2 days/wk for 24 days	Cost per night	\$ 77.00	x	24	night (s)	\$ 1,848.00	
16	Office Supplies	Based on \$6.25/day for 48 days	Amount	\$ 6.25	x	48	day(s)	\$ 300.00	
17	Other Project Expenses							\$ 500.00	
18							Total	\$ 34,078.40	
19									

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 11

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding Agreement between Lander County and Robin Gray to provide black fly and mosquito abatement services in areas located in Lander County and other matters properly relating thereto.

Public comment.

Background:

The Agreement between Lander County and Mr. Robin Gray, Seven Valleys, LLC, to provide black fly and mosquito abatement services in areas located in Lander County, is presented for Commission consideration.

The Commission accepted the proposal submitted by Mr. Robin Gray, Seven Valleys, LLC, to provide black fly and mosquito abatement services in areas located in Lander County during the regular Commission meeting held November 17, 2011. The term of the approved proposal is October 1, 2011 through September 30, 2013. The Agreement reflects the terms of the proposal, as submitted, and incorporates language to facilitate abatement procedures in the event of emergency infestations and prior to special events.

Recommended Action:

It is recommended that the Commission approve the Agreement between Lander County and Mr. Robin Gray, Seven Valleys, LLC, to provide black fly and mosquito abatement services in areas located in Lander County, reflecting the terms of the proposal, as submitted, and incorporating language to facilitate abatement procedures in the event of emergency infestations and prior to special events.

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 12

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding update on Gold Creek infrastructure project and other matters properly relating thereto.

Public comment.

Background:

An update regarding the Gold Creek Infrastructure Replacement Project will be presented for Board review and discussion.

Recommended Action:

No specific recommendation for action to be taken by the Commission on this item is proposed.

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 13

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding issuance of liquor license to Scott D. Bullock for Bullock Management Services located at 205 Fairway Drive, Battle Mountain, NV, and other matters properly relating thereto.

Public comment.

Background:

**Recess the meeting of the Lander County Board of Commissioners.
Convene the meeting of the Lander County Liquor Board.**

The Liquor License Application of Scott D. Bullock for Bullock Management Services located at 205 Fairway Drive, Battle Mountain, Nevada, is brought before the Lander County Liquor Board for consideration.

The Lander County Sheriff's Department has recommended APPROVAL FOR ISSUANCE OF LICENSE by the Lander County Liquor Board for this Liquor License Applicant. A Lander County Sheriff's Department representative will be in attendance to provide further details to the Liquor Board on this item.

Recommended Action:

It is recommended that the Lander County Liquor Board approve the issuance of a Liquor License to Scott D. Bullock for Bullock Management Services located at 205 Fairway Drive, Battle Mountain, Nevada.

**Adjourn the meeting of the Lander County Liquor Board.
Reconvene the meeting of the Lander County Board of Commissioners.**



AGENDA REQUEST FORM

COMMISSIONER MEETING DATE: 2/09/12NAME: Ron Unger REPRESENTING: Lander County Sheriff's OfficeADDRESS: 2 State Route 305, Battle Mountain, Nevada 89820PHONE (H): 775-635-1100 (W): 775-635-1100 (FAX): 775-635-2577WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS: 775-635-1100WHO WILL BE ATTENDING THE MEETING: Ron UngerJOB TITLE: Sheriff

SPECIFIC REQUEST TO BE PLACED ON THE AGENDA: _____

License Approval

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

ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST: ☐ YES ☒ NO
AMOUNT: _____HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING? ☐ YES ☒ NO
WHEN? _____WILL YOU BE PRESENTING WRITTEN INFORMATION AT THE MEETING? ☒ YES ☐ NOHAVE YOU DISCUSSED THIS ISSUE WITH THE AFFECTED DEPT HEAD?: ☒ YES ☐ NO

FOR REVIEW BY:

AIRPORT _____	DIST. ATTY. _____	SENIOR CTR. _____
AMBULANCE _____	EXE. DIR. _____	SHERIFF _____
ARGENTA J.P. _____	FIRE _____	SOCIAL SVC. _____
ASSESSOR _____	GOLF _____	TREASURER _____
AUSTIN J.P. _____	PUBLIC WORKS _____	W & S _____
CLERK _____	RECORDER _____	OTHER _____
COMM. DEVT. _____		

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 MY KNOWLEDGE.....

Signature Field

Ron UngerDATE: 1/31/12BOARD MEETS THE 2ND AND 4TH THURSDAY OF EACH MONTH
COMMISSION FAX (775) 635-5332#
13

Lander County Sheriff's Office

Liquor / Gaming License Application

THIS LICENSE IS NOT TRANSFERABLE

PLEASE PRINT OR TYPE

Date of Application: 1/23/12

Name: Bullock Scott Dean Social Security #: [REDACTED]
Last First Middle
 Nickname/Maiden/Other: _____ Height: 6' 1" Weight: 290
 Street Address: 340 Elquist Dr. Battle Mtn NV 89820 Hair: Brown Eyes: blue
Number & Street City State Zip
 Mailing Address: SAME Gender: M Race: White
Street/RFD/Box City State Zip
 Home Telephone #: 775-741-0542 Date of Birth: 09/06/1984
 Operator License/ID Card #: 3001015843 State: NV Place of Birth: Downey, Idaho
 Marks/Scars/Tattoos: _____

List All Places of Employment (Last three (3) years)

NAME	LOCATION	POSITION	FROM TO	REASON FOR LEAVING
Reno-Tahoe Construction	Battle Mtn	Laborer	Sep 2010 - Dec 10	School
Newmont	Carlin	Denaturing Tech	Jun 09 - Sep 2010	Another Job
Barrick	Cortez	Underground Miner	Apr 09 - Jun 09	Another Job

ADDITIONAL EMPLOYMENT HISTORY - USE ADDITIONAL SHEETS

Have you ever been arrested? No

List all arrests. For the purpose of this application, arrests and convictions must be included.

DATE	CHARGE	ARRESTING AGENCY	CITY / STATE	DISPOSITION

ADDITIONAL HISTORY - USE ADDITIONAL SHEETS

Are you a United State Citizen? ☒ Yes ☐ No If no, What Country are you a citizen of? _____

Alien Registration# _____

Passport #: _____

Name of Business: Bullock Management Service's
 Street Address: 205 Fairway Dr. Battle Mountain NV 89820
Number & Street City State Zip
 Mailing Address: PO Box 246 Battle Mtn NV 89820
Number & Street City State Zip
 EIN: 45-3149206 Nevada Re-Sale Certificate #: _____

List names & Addresses of persons holding interest in this business.

NAME	ADDRESS	TYPE OF INTEREST
<u>Scott D Bullock</u>	<u>340 Elquist Dr Bm, NV 89820</u>	<u>owner</u>

NAME ADDRESS TYPE OF INTEREST

ADDITION- USE ADDITIONAL SHEETS

Has applicant EVER been denied a license in Lander County? No

Has ANY person named in this application been convicted of a Felony Crime involving Moral Turpitude? _____

If YES, Explain: _____

Notice: If the applicant is a Corporation, on an attached document, please provide information for all Corporate Officers, directors, Stockholders, Managerial Employees, and any other persons having interest in the business to be licensed.

- ☐ YES I a foreign Corporation, is the Corporation authorized by the Nevada Secretary of State to conduct business in the State of Nevada?
- ☐ NO

TYPE OF LICENSE:

- ☐ Gaming
- ☐ Check if Renewal
- ☐ Slot Machines
- How Many?
- ☐ "21" Tables
- How Many?

- ☐ Liquor
- ☐ Check if Renewal
- ☐ Temporary (Non-Profit) Date(s): _____
- ☐ Temporary Dates(s): _____
- ☐ On Site Sale
- ☐ Off Site Sale
- ☒ On & Off Site Sale

Definitions:

- On Site Sale: Alcohol sold and consumed on the premises
- Off Site Sale: Alcohol sold and NOT consumed on the premises.
- On & Off Site Sale: Alcohol sold that MAY be consumed on the premises.

Fee Structure:

- Gaming: Slot Machines - \$31.00 per slot machine - per Quarter
- "21" Tables - \$151.00 per table - per Quarter
- Liquor: Temporary (Non-Profit) - NO CHARGE
- Temporary - \$10.00
- On Site Sale - \$40.00 - per Quarter
- Off Site - \$30.00 - per Quarter
- On & Off Site Sales - \$50.00 - per Quarter

PLEASE NOTE THAT NEW APPLICANTS REQUIRE FINGERPRINT CARDS AND A PHOTOGRAPH.

The undersigned applicant certifies that the foregoing information is true and correct to the best of his/her knowledge and belief. The undersigned states that certification is made with the full knowledge that any failure to disclose, misstatement, omission, or other attempt to mislead may be considered sufficient cause for denial or revocation of this license.

[Signature]
Applicant Signature

[Signature]
Issuing Employee & ID#

OFFICE USE ONLY

Date scheduled for Commission: 2/9/12

Approved: ☐

Denied: ☐

REVISED 20070323

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 14

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding Right-of-Way (ROW) Grant/Temporary Use Permit No. NVN-090659 between the Bureau of Land Management (BLM) and Lander County, authorizing construction of a road located east of Battle Mountain to provide suitable access for equipment and haul trucks to the Baker Hughes Drilling Fluids project known as Slaven Canyon, and other matters properly relating thereto.

Public comment.

Background:

The Right-of-Way (ROW) Grant/Temporary Use Permit No. NVN-090659 between the Bureau of Land Management (BLM) and Lander County, authorizing construction of a road located east of Battle Mountain to provide suitable access for equipment and haul trucks to the Baker Hughes Drilling Fluids project known as Slaven Canyon, is presented for Commission consideration.

The application for this Right-of-Way (ROW) Grant was filed by Baker Hughes Drilling Fluids on behalf of Lander County, as per Commission approval during the regular meeting held August 11, 2011. The application was amended through Notification of Change, dated December 16, 2011, issued by the Bureau of Land Management (BLM) Mount Lewis Field Office to minimize disturbance of BLM-administered lands. This Notification of Change was presented to the Commission during the regular meeting held January 12, 2012 as an informational item.

Recommended Action:

It is recommended that the Commission accept and approve the Right-of-Way (ROW) Grant/Temporary Use Permit No. NVN-090659 between the Bureau of Land Management (BLM) and Lander County, authorizing construction of a road located east of Battle Mountain to provide suitable access for equipment and haul trucks to the Baker Hughes Drilling Fluids project known as Slaven Canyon and authorize the Chairman to sign the Right-of-Way (ROW) Grant/Temporary Use Permit and the Stipulations Declaration.



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



JAN 25 2012

In Reply Refer To:
2800 (LLNVB01000)
N-090659

CERTIFIED MAIL # 7010 0290 0001 6178 4280 - RETURN RECEIPT REQUESTED

Lander County
Attention: Gene Etcheverry
315 S. Humboldt Street
Battle Mountain, Nevada 89820

Right-of-Way Grant Offered **Exempt from Monitoring Fee**

Dear Mr. Etcheverry:

Enclosed are two Right-of-Way (ROW) Grant offers authorizing the construction of a road located east of Battle Mountain, to provide suitable access for equipment and haul trucks to the Baker Hughes Drilling Fluids project known as Slaven Canyon. The road is to be constructed within the existing disturbance of a road previously built without a ROW across Public Land. No new disturbance is to be created. Please review the documents, have both copies signed by the proper authority in the spaces indicated, and return both copies to the letterhead address above. When the signed grants are received from you, the Bureau of Land Management (BLM) will be able to issue the ROW grant, providing there are no other unresolved issues.

Under the regulations found at 43 CFR 2804.16, you are exempt from paying a monitoring fee to the BLM for the costs we incur in monitoring the operation of your authorized use.

This ROW grant, and the authority to use the lands described in the document, becomes effective on the date it is signed by an authorized officer of BLM. We will return a copy of the renewal grant to you after the authorized officer has signed it.

RECEIVED

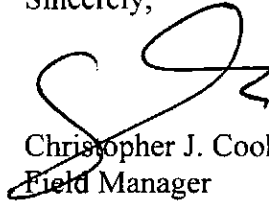
JAN 27 2012

COUNTY COMMISSION

14

You are allowed 30 days from receipt of this offer in which to submit both signed copies of the grant. If this requirement is not met, the application may be denied. If you have any questions, please contact Nancy Lockridge, Realty Specialist, at (775) 635-4029.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Cook", with a large, stylized flourish extending from the end of the signature.

Christopher J. Cook
Field Manager
Mount Lewis Field Office

Enclosures

LANDER COUNTY COMMISSION MEETING
February 9, 2012

AGENDA ITEM NO. 15

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

Public comment.

Background:

Recommended Action:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office
Mount Lewis Field Office

Serial Number
NVN-090659

1. A (right-of-way) (permit) is hereby granted pursuant to:

- a. ☒ Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. ☐ Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. ☐ Other (describe) _____

2. Nature of Interest:

- a. By this instrument, the holder Lander County receives a right to construct, operate, maintain, and terminate a road improvement on public lands (or Federal land for MLA Rights-of-Way) described as follows:

Mount Diablo Meridian, Nevada

T. 30 N., R. 46 E.,
Sec. 12 NW1/4NE1/4, SW1/4NE1/4, SE1/4SW1/4

T. 31 N., R. 46 E.,
Sec. 10 NW1/4SE1/4, SW1/4SE1/4

T. 31 N., R. 46 E.,
Sec. 15 NW1/4NE1/4, SW1/4NE1/4, NE1/4SW1/4, SE1/4SW1/4, SW1/4SW1/4

T. 31 N., R. 46 E.,
Sec. 21 NE1/4SE1/4, SE1/4NW1/4, SE1/4SE1/4, SW1/4SE1/4

T. 31 N., R. 46 E.,
Sec. 22 NE1/4NW1/4, NW1/4NW1/4, SW1/4NW1/4, NW1/4SW1/4

T. 31 N., R. 46 E.,
Sec. 34 SW1/4NW1/4, SE1/4NW1/4, NW1/4SE1/4, NE1/4SE1/4

- b. The right-of-way or permit area granted herein is 60 feet wide, 29,568 feet long and contains 40.73 acres, more or less. If a site type facility, the facility contains _____ acres.
- c. This instrument shall terminate on December 31, 2041, 30 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument ☒ may ☐ may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

Lander County is exempt from rental on this right-of-way.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 120 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A & B, dated 1/19/2012 & 12/16/2011, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

Dean Bullock
(Signature of Holder)

(Signature of Authorized Officer)

Chairman of Commissioners
(Title)

(Title)

February 9, 2012
(Date)

(Effective Date of Grant)

EXHIBIT A

RIGHT-OF-WAY STIPULATIONS

1. The holder shall construct, operate, and maintain the facilities, improvements, and structures within this Right-of-Way grant in strict conformity with the information contained in the submitted Application. Any relocation, additional construction, or use that is not in accord with the terms and conditions of the grant shall not be initiated without prior written approval of the authorized officer. A copy of the complete Right-of-Way grant, including all stipulations, attachments, and approved plans of development, shall be made available to the authorized officer on the site during construction. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.
2. The authorized officer may suspend or terminate in whole, or in part, any notice to proceed which has been issued when, in his judgment, unforeseen conditions arise which result in the approved terms and conditions being inadequate to protect the public health and safety or to protect the environment.
3. The Archaeological Resources Protection Act (ARPA) codified at 43 CFR 7, as well as the Native American Graves Protection and Repatriation Act (NAGPRA) codified at 43 CFR 10, both provide protection for historic properties, cultural resources, and Native American funerary items and/or physical remains located on federal land. In addition, ARPA provides for the assessment of criminal and/or civil penalties for damaging cultural resources. Any unplanned discovery of cultural resources, human remains, items of cultural patrimony, sacred objects, or funerary items, requires that all activity in the vicinity of the find ceases, and notification be made to the Field Manager at the Mt. Lewis Field Office, 50 Bastian Way, Battle Mountain, NV, 89820 (775 - 635 - 4000), by telephone, and written confirmation, immediately upon such discovery. The location of the find should not be publically disclosed and any human remains must be secured and preserved in place until a Notice to Proceed is issued by the authorized officer.

For cultural resources other than Native American human remains, funerary items, sacred objects, or objects of cultural patrimony, an evaluation will determine the significance of the discovery and what mitigation measures are necessary to allow activities to proceed. The holder is responsible for the cost of evaluation and mitigation. Any decision on treatment and/or mitigation will be made by the authorized officer after consulting with the permit holder. Operations may resume only upon written authorization to proceed from the authorized officer.

4. The holder shall protect all survey monuments found within the Right-of-Way grant area. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to

restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.

5. Holder shall remove only the minimum amount of vegetation necessary within the Right-of-Way grant area. Temporary surface disturbances created during construction activities will be reclaimed. Where possible and if needed, topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation.
6. All design, material, construction, operation, maintenance, and termination practices shall be in accordance with safe and proven engineering practices.
7. Holder shall limit excavation to the areas of construction. No borrow areas for fill material will be permitted on the site. All off-site borrow areas on public lands must be approved in writing by the authorized officer in advance of excavation. All waste material resulting from construction or use of the site by holder shall be removed from the site upon completion of the project. All waste disposal sites on public land must be approved in writing by the authorized officer in advance of use.
8. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of four (4) inches deep, the soil shall be deemed too wet to adequately support construction equipment.
9. No signs or advertising devices shall be placed on the premises or on adjacent public lands, except those posted by or at the direction of the authorized officer.
10. The holder shall furnish and install culverts on stream(s) on public land, to protect the stream(s) from environmental damage. Culverts will be of the gauge, materials, diameter(s), and length(s) suitable for the crossing. Culverts shall be free of corrosion, dents, or other deleterious conditions. Culverts shall be placed on channel bottoms on firm, uniform beds which have been shaped to accept them and aligned to minimize erosion. Backfill shall be thoroughly compacted. No equipment shall be routed over a culvert until backfill depth is adequate to protect the culverts.
11. Fugitive dust from project related activities shall be controlled by the application of water.
12. Holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer. (A regular maintenance program shall include, but is not limited to, blading, ditching, culvert installation and surfacing).
13. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment. Waste should be removed on a weekly basis.
14. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this

right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

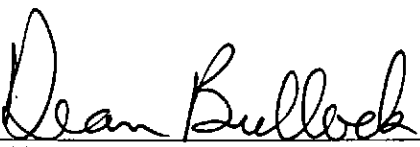
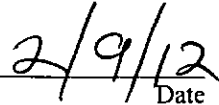
15. Prior to termination of the Right-of-Way grant, the holder shall contact the authorized officer 120 days in advance to arrange a pretermination conference. This conference will be held to review the termination provisions of the permit.
16. During the period of May 1 through October 1 of each year, Holder should consider using spark arresters on vehicles and equipment in the project area, due to the potential for fire ignition from project related activities. This includes emission of hot carbon particles from diesel powered equipment, improperly equipped or poorly operating exhaust systems on gas powered vehicles and direct contact of wild land fuels with catalytic converters.

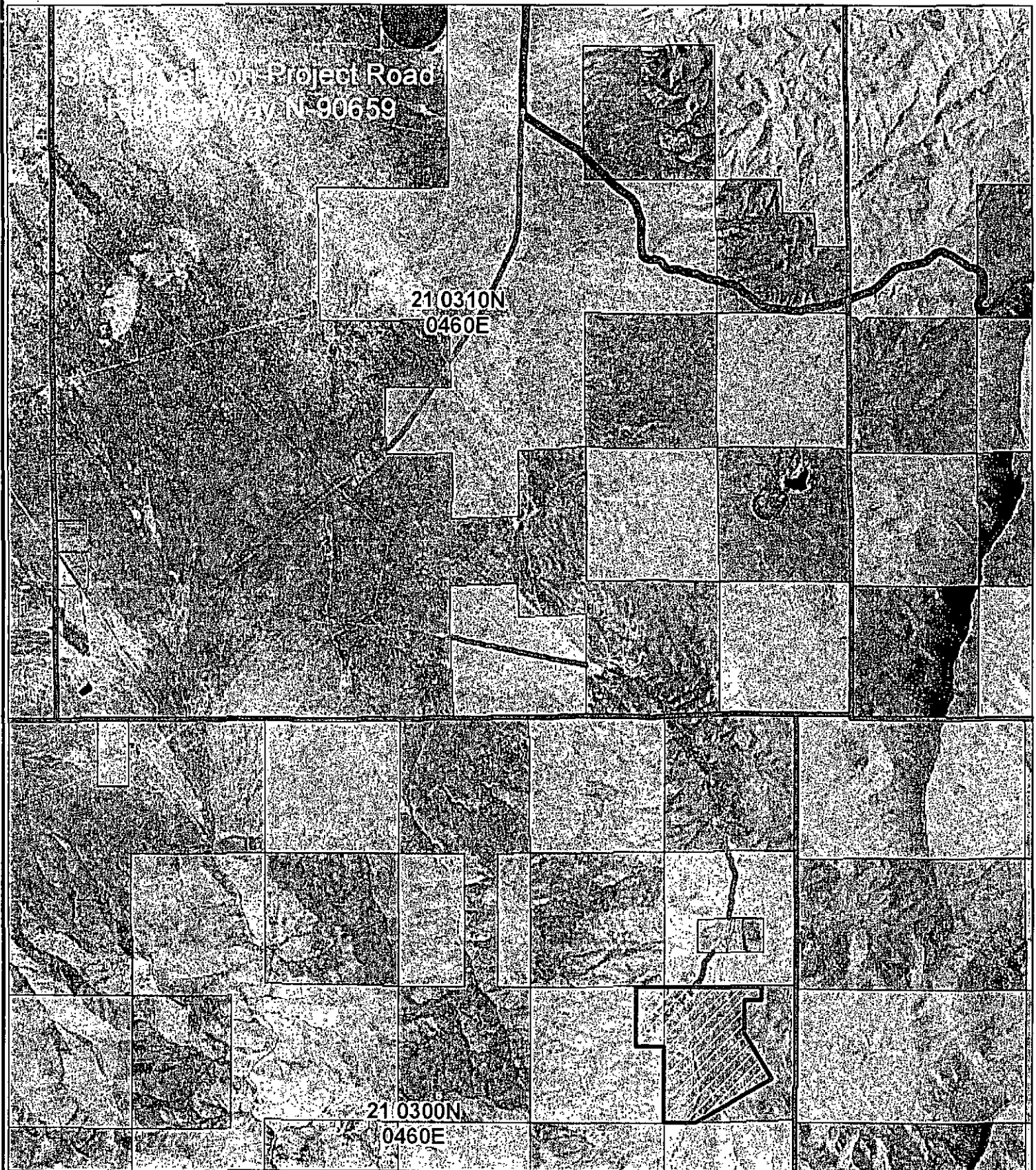
Individuals, groups, businesses or corporations found responsible for the ignition of a wild fire may be held liable for the costs associated with the suppression of that fire.

17. When requested by the authorized officer, the holder, or any person working on their behalf, shall make his equipment already at the site with operators, temporarily available for fighting fires in the vicinity of the project. Payment for such services will be made at rates determined by the authorized officer.
18. Holder will adhere to their weed management program. During construction activities in the area of the Right-of-Way grant, vehicles will avoid areas of weed infestation to the extent possible. To ensure that weed seeds or plant parts are not inadvertently spread, vehicles and construction equipment must be cleaned of all mud, dirt, and plant parts before construction activities begin. Yearly monitoring for invasive species would be part of the holder's routine site inspections. In the event any noxious weeds or other non-native invasive species are observed on the site, the holder would implement a program to eradicate them in accordance with directions from the BLM's Authorized Officer.
19. If construction activities need to occur during the bird nesting season (For Raptors, March 1 through August 31, for all others April 1 through July 31), a pre-construction site survey by a qualified biologist will be required. The survey must be done no more than seven (7) days before start of construction activities. If it is determined that nesting birds are present, a buffer zone (100 feet is recommended for migratory birds) will be established and maintained until the young birds have fledged.
20. In case of change of address, the holder shall immediately notify the Mount Lewis Field Office authorized officer.
21. Holder shall be responsible for making any necessary arrangements or agreements for access with private land owners for those portions of this project which are located on private lands and for which the Bureau of Land Management has no jurisdiction.
22. Holder shall construct the road to meet Lander County's minimum construction standards of all-weather roads. Holder shall also conduct preventative and corrective maintenance to Lander

County's standards.

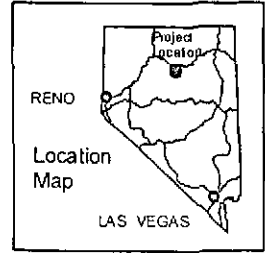
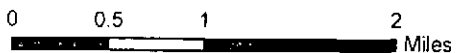
23. It is the Holder's, or their designated construction contractor's responsibility to identify and obtain any other federal, state, or local permits needed for the construction of the facilities within this right-of-way.
24. The holder of N-90659 agrees to indemnify the United States against any liability arising from the release or threatened release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601, *et seq.* or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 *et seq.*) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way Holder's activity on the right-of-way.) This agreement applies without regard to whether the release is caused by the Holder, its agent, or unrelated third parties.

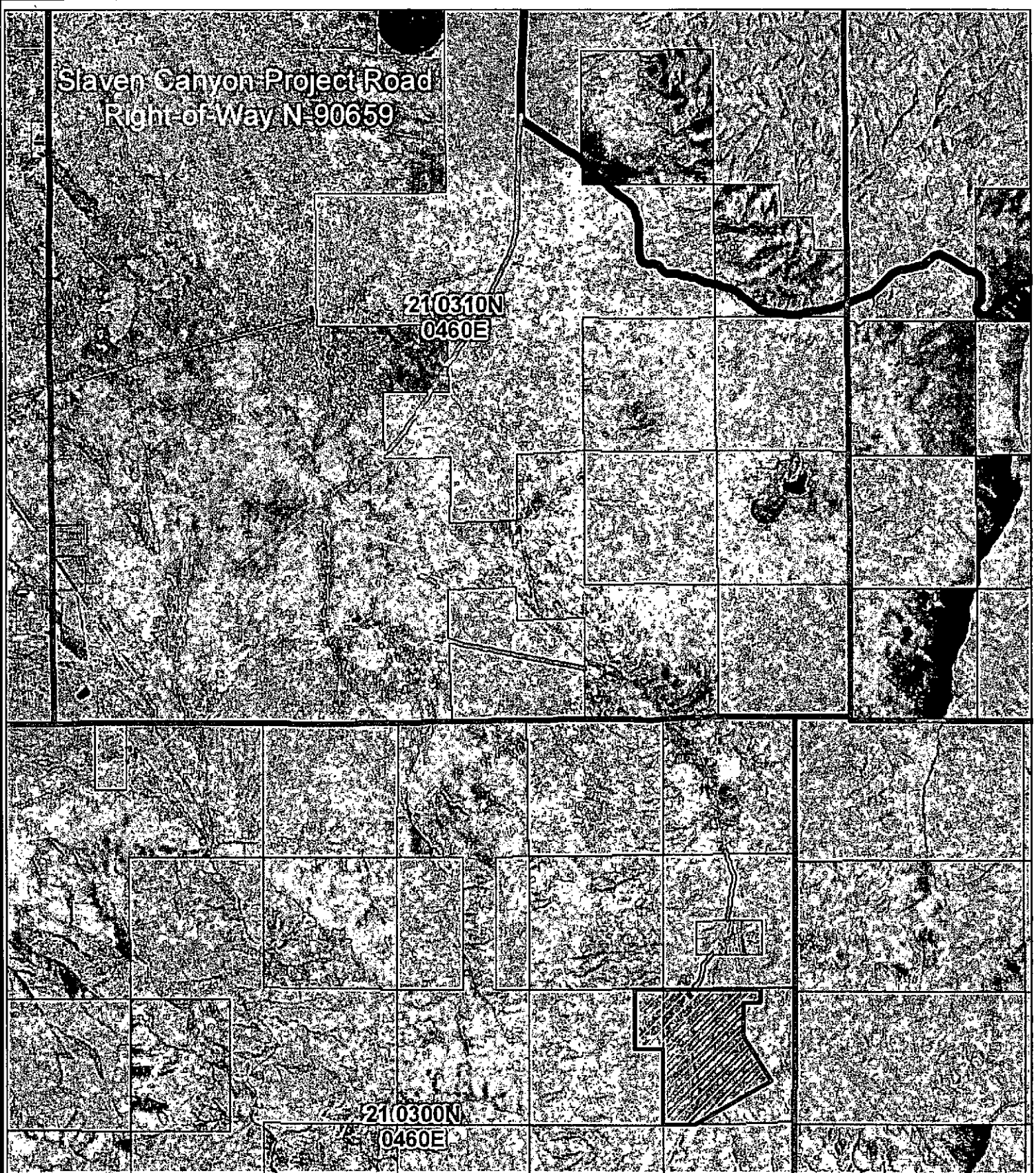
 
Holder Signature Date



- Legend**
- Shaven Project Area
 - Hwy_Rd_POW_2011
 - Beacon Light Rd/Mule Cyn
 - Skyline Drive
 - Land Status**
 - Bureau of Land Management
 - Private

Bureau of Land Management
 Mount Lewis Field Office
 50 Bastian Road
 Battle Mountain, Nevada
 89820
 (775) 635-4000





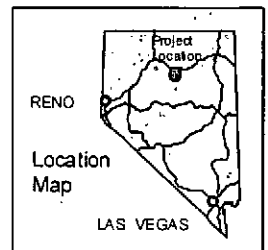
Legend

- Slaven Project Area
- Haul Rd ROW 2011
- Season Light Rd Mile Cyn
- Skyline Drive
- Land Status**
- Agency**
- Bureau of Land Management
- Private

Bureau of Land Management
 Mount Lewis Field Office
 30 Bastian Road
 Battle Mountain, Nevada
 89820
 (775) 635-4000



0 0.5 1 2 Miles



December 16, 2011

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data or information used in this map or any other map.

AGENDA

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

FEBRUARY 9, 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:
JANUARY 26, 2012 - 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.*

FINANCE

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

Public comment.

- *(2) Discussion for possible action regarding write-off of uncollectible Lander County Ambulance billings and other matters properly relating thereto.

Public comment.

EXECUTIVE DIRECTOR

- *(3) Discussion for possible action regarding presentation by Debbie Erdody, Connect Nevada, on the process to address broadband initiatives for Lander County and other matters properly relating thereto.

Public comment.

- *(4) 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.

- *(5) 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.

- *(6) 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.

- *(7) Discussion for possible action regarding a request by Rita Rogers, representing the Eleanor Lemaire School "Watch Dog" program, to auction off or give a 2012 seasonal family pool pass to the "Watch Dog" program and other matters properly relating thereto.

Public comment.

COMMISSIONERS

- *(8) Discussion for possible action regarding proposal of Ordinance No. 2012-01, an ordinance amending Section 15.24.030(D) of the Lander County Code to allow a mobile home or manufactured home to be permanently installed in Lander County if it has been constructed or manufactured not more than fifteen (15) years prior to the date of application for a building or moving permit; and other related matters.

Public comment.

- *(9) Discussion for possible action regarding Recreation and Public Purposes (R&PP) Lease Renewal (N-19750-01) between Lander County and the Bureau of Land Management (BLM) for the Kingston Solid Waste Disposal site, including an \$80.00 rental fee, and other matters properly relating thereto.

Public comment.

- *(10) Discussion for possible action regarding the possibility of seeking requests for qualifications to provide alternative public defender services and other matters properly relating thereto.

Public comment.

- *(11) Discussion for possible action regarding Agreement between Lander County and Keith Westengard to perform an evaluation of the effectiveness and compliance of Lander County's emergency medical services (EMS), public safety procedures and radiological response capabilities and provide a plan for the optimization of these services and other matters properly relating thereto.

Public comment.

- *(12) Discussion for possible action regarding Agreement between Lander County and Robin Gray to provide black fly and mosquito abatement services in areas located in Lander County and other matters properly relating thereto.

Public comment.

- *(13) Discussion for possible action regarding update on Gold Creek infrastructure project and other matters properly relating thereto.

Public comment.

RECESS THE MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS AND CONVENE THE MEETING OF THE LANDER COUNTY LIQUOR BOARD

SHERIFF

- *(14) Discussion for possible action regarding issuance of liquor license to Scott D. Bullock for Bullock Management Services located at 205 Fairway Drive, Battle Mountain, NV, and other matters properly relating thereto.

Public comment.

ADJOURN THE MEETING OF THE LANDER COUNTY LIQUOR BOARD AND RECONVENE THE MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS

ROAD AND BRIDGE NORTH

- *(15) Discussion for possible action regarding Right-of-Way (ROW) Grant/Temporary Use Permit No. NVN-090659 between the Bureau of Land Management (BLM) and Lander County, authorizing construction of a road located east of Battle Mountain to provide suitable access for equipment and haul trucks to the Baker Hughes Drilling Fluids project known as Slaven Canyon, and other matters properly relating thereto.

Public comment.

COMMISSIONERS

*(16) Correspondence/reports/potential upcoming agenda items.

Public comment.

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.*

ADJOURN

*Denotes discussion/action item with information provided at the meeting. Action may be taken according to the "Nevada Open Meeting Law Manual" via a telephone conference call in which a quorum of the Board members is simultaneously linked to one another telephonically.

NOTE: TIMES ARE APPROXIMATE

This is the tentative schedule for the meeting. The Board reserves the right to take items out of order to accomplish business in the most efficient manner. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the County Clerk in writing at the Courthouse, 315 S. Humboldt Street, Battle Mountain, Nevada 89820, or call (775) 635-5738 at least one day in advance of the meeting.

AFFIDAVIT OF POSTING

State of Nevada)
) ss.
County of Lander)

Cathy Myers, Deputy Clerk, of said Lander County, Nevada, being duly sworn, says, that on the 3rd day of February 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

Subscribed and sworn to before me this 3rd day of February 2012.

WITNESS

Payment of Bills

February 9, 2012

ROGENE HILL
Lander County Finance Director



ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION

DATE

Chairman	
Commissioner	
Commissioner	
Commissioner	
Commissioner	
Commissioner	

LANDER COUNTY COMMISSION MEETING

February 09, 2012

APPROVE / DISAPPROVE

SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 120,742.08
From Check #39529 thru #39626

Report No. 1308
Run Date : 02/06/12
CHECK
NUMBER

LANDER COUNTY
CHECK REGISTER 2/09/12

Page 2

	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39538	CASHMAN EQUIPMENT	1/19/12/REPRSKITANDCELL B 1/17/12/REPRSPRESCHOOL		2/09/12 2/09/12	68887 68887	130.00 130.00	260.00
39539	MARIO CEJA	1/11/12/V BELT/R&B 1/19/12/HOSE/CLAMP/R&B		2/09/12 2/09/12	68890 68890	151.68 164.92	316.60
39540	WESTERN SURETY COMPANY	2/1/12/TR47839		2/09/12	69000	20.00	20.00
39541	ST OF NEVADA COMMISSION	1/27/12/BOND&INNOTARY		2/09/12	68939	128.00	128.00
39542	STEVEN COOK	1/23/12/ SUPPRPROG A STEPH 1/23/12/ SUPPRPROG MJOHNSO		2/09/12 2/09/12	68889 68889	20.00 20.00	40.00
39543	ANA CORTEZ	2/13-16/12TRNGSMITH, RANG		2/09/12	68897	900.00	900.00
39544	CRIMSON IMAGING SUPPLIES	1/20/12/NAMS TRANSPORT		2/09/12	68891	225.00	225.00
39545	DELBERT L. CORNELLA	1/24/12/INK CARTS/SO		2/09/12	68974	807.00	807.00
39546	DESERT DESIGN, INC.	1/30/12/TRNGCENTER/BLDG 1/30/12/NO2NDSTFURNIT/BLD 2/1/12/FRESCHOOLDRN/BLDG		2/09/12 2/09/12 2/09/12	68987 68987 68987	402.46 195.00 260.00	857.46
39547	DESERT-MOUNTAIN SURVEYING	1/11/12/FLOORINGSEING		2/09/12	68892	3,290.54	3,290.54
39548	NV DEPT. OF PUBLIC SAFETY	1/17/12/MINEMAPSUPDATE		2/09/12	68893	140.00	140.00
39549	JOSEPH W. DORY	1/1/2012/PSI PROD/SO		2/09/12	68913	340.08	340.08
39550	ECOLAB	1/6/12/JUDICALMTNG WINN		2/09/12	68894	163.17	163.17
39551	EMERGENCY MEDICAL PROD.	1/11/12/RENTAL FEE/SO		2/09/12	68896	90.39	90.39
39552	GENE P ETCHEVERREY	1/23/12/MEDICALSUPP/BMAMB		2/09/12	68983	219.18	219.18
39553	EVENSON LAW OFFICE	1/30/12/AUSTIN OVSIGHT		2/09/12	68975	99.90	99.90
39554	FARMER BROS COFFEE	1/30/12/COURTAPPT ATTORNE		2/09/12	68951	8,073.25	8,073.25

VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39555 R SUPPLY #3210	2/1/12/SUPPLIES/SO		2/09/12	69001	39.55	39.55
39556 THEODORE C. HERRERA	1/18/12/COUPLERS/SEWER PUBLIC DEFENDER		2/09/12	68944	248.35	248.35
39557 HIGH DESERT MICROIMAGING	1/13/12/MICROFILM/CLERK 1/23/12/MICROFILM/RECORDE		2/09/12	68898	3,541.50	3,541.50
39558 JUANITA HOLMERDA	1/25-26/12TRNGCARSON/DA 1/25-26/12TRNGCARSON/DA 1/25-26/12TRNGCARSON/DA		2/09/12	68942	165.35	165.35
39559 HUGHES NETWORK SYSTEMS,	1/20/12/INTERNET/A R&B		2/09/12	68985	83.73	83.73
39560 INLAND SUPPLY CO INC	1/17/12/LATXGLVS/TOWELS/L 1/12/12/STRIDECLNR/SO 1/17/12/CLINING SUPPLY/SO 1/20/12/LINERS/LANDFIL 1/27/12TOWELS/LANDFIL 1/27/12TRASHLINERS/SO 1/27/12/RESTOCKJAILSUPP		2/09/12	68899	842.01	842.01
39561 INTERNATIONAL ASSOC OF	1/5/12/MEMBERDUES2012/UNG		2/09/12	68900	120.00	120.00
39562 INTERSTATE SAFETY& SUPPLY	12/22/11/CSCVALLIS/A R&B		2/09/12	68901	139.99	139.99
39563 INTERWEST SUPPLY CO, INC	1/26/12/MISCSTEELMAT/ARB		2/09/12	68984	1,680.18	1,680.18
39564 J-U-B ENGINEERS, INC.	1/12/12/BMAPRONPROD/AIRPR		2/09/12	68902	338.99	338.99
39565 JOE DORY'S STATION	7/3/11/FUEL FIRE TRK AUST 7/4/11/FUEL FIRE TRK AUST		2/09/12	68895	49.07	49.07
39566 KOLESAR & LEATHAM, CHTD	12/31/11/YUCCA MTN/		2/09/12	68903	70.00	70.00
39567 L N CURTIS & SONS	1/25/12/EMBLEMSSTICKERS 1/17/12/BDYARMOR/A RANGEL 1/12/12/BPVEST/SO 1/17/12/BDYARMOR/S SMITH 1/17/12/BDYARMOR/R CEJA		2/09/12	68945	182.55	182.55
39568 LANDER GUN CLUB			2/09/12	68945	750.00	750.00

3,222.90

VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39569 JAY C WINROD	10/26/11/LOCK/KEY/A VPD 1/5/12/ROD/CUTWHEEL/A R&B 1/9/12/ELECTPLG/ A R&B 1/17/12/REPAIRS/AR&B 1/17/12/HEET/A R&B 1/18/12/AIR FRESH/A R&B 1/19/12/SPIKES/A R&B 1/19/12/LP REG/HOSE/AR&B 1/23/12/PROP REG/ A R&B 1/23/12/AIRHOSE/COUPL 1/23/12//CHAIN/HOOK/A R&B 1/31/12/GRND DISC/A R&B		2/09/12 2/09/12 2/09/12 2/09/12 2/09/12 2/09/12 2/09/12 2/09/12 2/09/12 2/09/12 2/09/12	68907 68986 68986 68986 68986 68986 68986 68986 68986 68986 68986	19.39 36.26 36.28 6.77 5.96 7.96 3.71 35.28 17.49 20.47 24.74 33.15	50.00
39570 LOUIS LANI	TRAVEL TO WINN HRBWA MTNG TRAVEL1/27/12/HRBWA /WINN		2/09/12 2/09/12	68980 68980	44.00 157.62	247.46
39571 LEGISLATIVE CNSL BUREAU	1/23/12/NRSREPRINTS/SO		2/09/12	68947	1,185.00	201.62
39572 JOE LINDSEY	2/27-3/2 TRNG VEGAS/BLDG		2/09/12	68981	287.00	1,185.00
39573 GINA LITTLE	1/29-30/12CONF AZ/TOUR 1/29-30/12CONF AZ/TOUR 1/29-30/12CONF AZ/TOUR		2/09/12 2/09/12 2/09/12	68995 68995 68995	84.74 88.00 244.20	287.00
39574 LOVE CLEANING	1/30/12 COURT HOUSE 1/30/12 2ND ST ANNEX 1/30/12 SENIOR CENTER 1/30/12 ROAD & BRIDGE		2/09/12 2/09/12 2/09/12 2/09/12	68904 68904 68904 68904	1,650.00 600.00 500.00 250.00	416.94
39575 DAVID R. MASON	1/28-30/12 PHONEIX,AZ 1/28-30/12 PHONEIX,AZ 1/28-30/12 PHONEIX,AZ 1/28-30/12 PHONEIX,AZ		2/09/12 2/09/12 2/09/12 2/09/12	68976 68976 68976 68976	23.00 66.09 53.00 251.41	3,000.00
39576 MAXWELL ASPHALT, INC.	1/19/12/RETAINAGE/A AIRPO		2/09/12	68908	7,967.76	393.50
39577 MIDWAY MARKET	12/2/11/FOOD/		2/09/12	68909	10.27	7,967.76
39578 THERESA MULLIS	1/25/12/RENO/TRANSPORT		2/09/12	68910	225.00	10.27
39579 NATIONAL ASSOCIATION	1/30/12/MEMBERSHIPDUES/SO		2/09/12	68946	165.00	225.00
					165.00	165.00

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39580	NATIONWIDE DRAFTING &	12/23/11/CALCIBON/TREAS		2/09/12	68911	104.84	104.84
39581	DON NEGRO	3/24-25/12/TRNGCARSON/ 3/24-25/12/TRNGCARSON/ 12/12/11/TABLESHOMEDEPO/R		2/09/12 2/09/12 2/09/12	68912 68912 68912	84.75 67.00 288.37	440.12
39582	NEXT DAY GOURMET	1/25/12/DEEPPRYER&PARTS		2/09/12	68952	1,244.45	1,244.45
39583	NATIONAL MEDICAL SERV. INC	12/31/11/TOXICOLOGY		2/09/12	68953	105.00	105.00
39584	NV DISTRICT ATTORNEY ASSO	1/6/12/DA DUES/DA/DEPUTY		2/09/12	68914	125.00	125.00
39585	NV SHERIFFS & CHIEFS	12/26/11/MEMB DUES/2012 12/26/11/MEMB DUES/2012		2/09/12 2/09/12	68915 68915	195.00 195.00	390.00
39586	NV STATE HEALTH DIVISION	1/5/12/P H NURSE SERVICE		2/09/12	68972	3,801.00	3,801.00
39587	NV STATE GRAZING BOARD	1/27/12/N6 GRAZING INCOME		2/09/12	68888	256.66	256.66
39588	NWOP CONSULTING, INC	YUCCA PROJ/PROF SERVC		2/09/12	68998	2,733.75	2,733.75
39589	OLD DOMINION BRUSH	1/9/12/HOSE/ R&B 1/11/12/HOSECLMPS/R&B 1/12/12/HEXNUTS/BRM/R&B		2/09/12 2/09/12 2/09/12	68916 68916 68916	562.13 22.80 475.00	1,059.93
39590	ADRIANA OROZCO	1/20/12/NAMS RENO/TRANSP 1/25/12/NAMS RENO/TRANSP		2/09/12 2/09/12	68917 68917	225.00 225.00	450.00
39591	JOHN PETERS, M.D.	1/30/12/INMATE SERVICE/SO		2/09/12	68918	750.00	750.00
39592	PETHEALTH SERVICES, INC.	1/11/12/MICRO CHIPS/SO		2/09/12	68919	595.00	595.00
39593	PITNEY BOWES GLOBAL	1/13/12/RENTAL/CLERK		2/09/12	68922	111.50	111.50
39594	POSTER COMPLIANCE CENTER	/30/12/COMPLIANCE/RENEWAL		2/09/12	68920	69.00	69.00
39595	POWERPLAN	1/9/12/SEALKIT/PRTS/A R&B 1/6/12/PISTON/A R&B		2/09/12 2/09/12	68923 68923	513.84 35.69	549.53
39596	QUILL CORP						

VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39597	QUINSTAR CORP.		12/28/11/ANNUALSUPPORT/W	2/09/12	68931	3,347.17
39598	R B F EXCAVATING		1/27/12/PRESCHOOLSEWER	2/09/12	68989	395.00
39599	ALEX RANGEL		2/12-16/12/TRNG/VEGAS	2/09/12	68977	690.00
39600	REMINGTON ARMS CO., INC.		1/30/12/LOCKSPRINGS/SO	2/09/12	68925	253.00
39601	RESEARCH AND CONSULTING		1/30/12/PROF SERVICYMPROJ	2/09/12	68926	1.86
39602	GUY ROCK		2/27/-3/2/12/VEGAS TRNG	2/09/12	68927	9,177.38
39603	ROYAL HARDWARE		1/30/12/INSPECTIONS/BLDG	2/09/12	68927	287.00
39604	SATCOM GLOBAL, INC.		1/17/12/SIGNS/TACKS/TREA	2/09/12	68990	185.92
39605	SECRETARY OF STATE		1/18/12/SUPPOR AUSTIN	2/09/12	68990	6.27
			1/9/12/IRIDIUM500PLAN/SO	2/09/12	68928	19.43
			1/30/12/NOTARYAPP/HOLMERD	2/09/12	68948	577.88
						35.00

45.98
397.87
22.92
14.90
87.40
35.99
332.41
335.76
171.90
449.99
23.90
113.39
56.67
119.99
77.82
81.89
39.59
17.49
320.65
29.67
22.04
36.88
19.42
76.45
186.51

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39606	BERRY ENTERPRISES	1/18/12/MNTLEWISRADIOSERV		2/09/12	68929	1,248.00	1,248.00
39607	DESMOND SKEATH	PARKS CONTRACT PMT		2/09/12	68997	1,491.50	1,491.50
39608	DESMOND SKEATH	1/23/12/LAB.MAT.A SEN/CTR		2/09/12	68930	4,880.00	4,880.00
39609	DESSIE SKEATH	1/30/12/REFUND/TREAS		2/09/12	68949	30.52	30.52
39610	STEVEN SMITH	UNDERCVR GANG TRNG/SSMITH		2/09/12	68932	462.20	462.20
39611	ST OF NEVADA	2/1/12/TITLETRANSFERFEE REGISTRATION/99VACTOR		2/09/12	68992	28.25 6.00	34.25
39612	ST OF NEVADA	1/12/12SILVERMANSERVICES		2/09/12	68933	4.36	4.36
39613	ST OF NEVADA	FEB-12 L.C. RETIREES FEB -12 AVFD RETIREES		2/09/12	69007	5,733.02 182.56	5,915.58
39614	ST OF NEVADA	1/12/12/CORTEZHILLS 1/12/12/ ADRIAN,GUIZAR 1/23/12/ R NORMAN 1/25/12/NM PHOENIX		2/09/12	68994	50.00 50.00 50.00 50.00	200.00
39615	ST OF NEVADA	1/25/12/ORTEND12/31/11 1/25/12/ORTEND12/31/11 1/25/12/ORTEND12/31/11 1/25/12/ORTEND12/31/11		2/09/12	69002	4,752.00 383.70 375.63 1,450.74	6,962.07
39616	STEWART TITLE	1/31/12/REFUND/R.NORMAN		2/09/12	68991	50.00	50.00
39617	SADIE SULLIVAN	12/8-9/11/ELECT/TRNG/CLER 12/8-9/11/ELECTIONTRNG/CL		2/09/12	68934	56.00 64.42	120.42
39618	TALX UC EXPRESS	1/17/12/ORTLYFEETHRUMARCH 1/17/12/ORTLYFEETHRUMARCH		2/09/12	68935	116.59 285.43	402.02
39619	TIRE FACTORY	1/5/12/TIRES/A R&B 1/23/12/TPMS SENSOR/BLDG 1/12/12/TIRES/AR&B 1/12/12/TIRES/A RB 1/12/12/96FORDREPAIRS/VFD 1/16/12/MAINT UNIT10/SO		2/09/12	68936	1,940.00 45.00 4,345.82 2,426.64 321.36 61.95	

NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
39620	PETERBILT TRUCK PARTS &	1/17/12/MAINTUNIT9/SO 1/18/12/LUBE/OIL/SEWER 1/23/12/SERVICECOMSUB/ 1/26/12/SERVICEUNIT28/SO 1/30/12/REPAIRS/ AR&B 1/31/12/SERVICEUNIT10/SO		2/09/12 2/09/12 2/09/12 2/09/12 2/09/12 2/09/12	68936 68936 68936 68936 68936 68936	264.17 39.95 39.95 39.95 20.04 436.02	9,980.85
39621	U S POSTAL SERVICE	1/12/12/UBOLT/R&B 1/18/12/BATTERY/R&B		2/09/12 2/09/12	68921 68921	49.58 234.50	284.08
39622	UNIVERSITY ENTERPRISES,	POSTAGE REBILL		2/09/12	68937	200.00	200.00
39623	USA BLUE BOOK	1/30/12/WASTEWATER/NASH		2/09/12	68950	50.00	50.00
39624	WASHOE COUNTY CORONER	1/10/12/MISC PARTS/SEWER 1/16/12/GASKETS/SEWER		2/09/12 2/09/12	68938 68938	473.05 26.90	499.95
39625	FRANK WHITMAN	1/31/12/113015A/BISPO,C 1/31/12/113079A/DICK,L		2/09/12 2/09/12	68979 68979	1,855.00 1,855.00	3,710.00
39626	WINNEMUCCA PUB. CO., INC.	1/12/12/BLMKTNG WINN/ 1/12/12/BLMKTNG WINN/ 1/18/12/NDOW MTNG/CARSON		2/09/12 2/09/12 2/09/12	68940 68940 68940	21.00 156.20 200.20	377.40
		1/18/12/MAINTAINERIADV 1/18/12/ADVISORYBRD AD 1/25/12/PARK/PLAYGRNDADV 1/25/12/PUBHRRNGNOTICE 1/24/12BLDG/PLAN/TECH ADV		2/09/12 2/09/12 2/09/12 2/09/12 2/09/12	68941 68941 68941 68941 68941	131.71 182.65 169.03 173.30 190.30	846.99
	CHECKS TOTAL						130,140.00

CHASE CARD SERVICE

COUNTY OF LANDER
LC DISTRICT ATTY #7187

DATE	INVOICE	AMOUNT	REMARKS
01/30/12	AMAZON	309.42	1/27/12/OFFICESUPPLY/DA

CHECK NO 39508 \$309.42 **

COUNTY OF LANDER

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

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039508

94-7074
3212

PAY TO THE ORDER OF

CHASE CARD SERVICE

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/31/12	39508	\$309.42
VOID	**VOID**	**VOID**

VOID**309DOLLARS AND42CENTS***

CHASE CARD SERVICE
P.O. BOX 94014

LC DISTRICT ATTY #7187

PALATINE

IL 60094-4014

NON-NEGOTIABLE

LANDER COUNTY VOUCHER

Pay To: **Chase Cardmember Services**

Address **P. O. Box 94014**

Palatine, IL 60094-4014

(Account Ending #7187)

Vendor # **208809**

PO # **n/a**

Fund # **53920**

Dept Name **District Attorney**

Dept # **001-021**

Invoice #	Invoice Description	PO #	Amount
	Amazon.com - Office Supplies		\$309.42
TOTAL			\$309.42

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.

COUNTY COMMISSION APPROVAL

Chairman

Authorized Signature

Date

RECEIVED

JAN 30 2012

For Comptroller Use Only

****PLEASE RETURN CHECK TO DA'S OFFICE****



Jane Bianchi <jbianchi@landercountynv.org>

Chase/Amazon Statement

1 message

Angie Elquist <angie.lcda@gmail.com>

Wed, Feb 1, 2012 at 9:56 AM

To: Jane Bianchi <jbianchi@landercountynv.org>

Here it is!

--

Angie M. Elquist, District Attorney

Lander County District Attorney's Office

P.O. Box 187

Battle Mountain, Nevada 89820

E-mail: angie.lcda@gmail.com

Phone: [\(775\) 635-5195](tel:(775)635-5195)

Fax: [\(775\) 635-8209](tel:(775)635-8209)

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Chase Proof 1-31-12.pdf

59K



amazon.com

CREDIT CARD (...7187)

Account Info		Payment Info	
Outstanding balance	\$234.16	Balance last statement (01/01/2012)	\$543.76
Pending charges	\$0.00	Minimum payment due	\$0.00
Available credit	\$9,456.00	Payment due date	01/26/2012
Amazon.com Rewards Credit Card			

Posted Activity

Since Last Statement

<input type="checkbox"/>	Trans Date	Post Date	Type	Description	Amount
<input type="checkbox"/>	01/30/2012	01/31/2012	Sale	Amazon.com	\$159.99
<input type="checkbox"/>	01/30/2012	01/31/2012	Sale	AMAZON MKTPLACE PMTS	\$149.43
<input type="checkbox"/>	01/16/2012	01/17/2012	Sale	AMAZON MKTPLACE PMTS	\$35.11
<input type="checkbox"/>	01/16/2012	01/17/2012	Sale	AMAZON MKTPLACE PMTS	\$124.10
<input type="checkbox"/>	01/14/2012	01/15/2012	Sale	AMAZON MKTPLACE PMTS	\$19.16
<input type="checkbox"/>	01/13/2012	01/13/2012	Sale	Amazon.com	\$29.98
<input type="checkbox"/>	01/12/2012	01/13/2012	Sale	AMAZON MKTPLACE PMTS	\$15.47
<input type="checkbox"/>	01/12/2012	01/12/2012	Sale	AMAZON MKTPLACE PMTS	\$10.34
<input type="checkbox"/>	01/10/2012	01/10/2012	Payment	Payment Thank You - Image	-\$380.03
<input type="checkbox"/>	01/10/2012	01/10/2012	Payment	Payment Thank You - Image	-\$163.73

\$309.42
 #
 234.16
 Pd #
 39337
 1-17-12

Subject: Your Order with Amazon.com

From: auto-confirm@amazon.com (auto-confirm@amazon.com)

To: ame0213@yahoo.com;

Date: Friday, January 27, 2012 2:38 PM

[VIEW CART](#)[WISH LIST](#)[YOUR ACCOUNT](#)[HELP](#)

Thanks for your order, Angela Elquist!

Want to manage your order online?

If you need to check the status of your order or make changes, please visit our home page at Amazon.com and click on Your Account at the top of any page.

Purchasing Information:

E-mail Address: ame0213@yahoo.com

Billing Address:

Angela M Elquist
P.O. Box 898
Battle Mountain, Nevada 89820
United States

Shipping Address:

Angie M. Elquist
LANDER COUNTY DISTRICT ATTORNEY'S
OFFICE
315 S HUMBOLDT ST
BATTLE MOUNTAIN, NEVADA 89820-1982
United States

Order Grand Total: \$309.42

Get the **Amazon.com Rewards Visa Card** and earn **3% rewards** on your Amazon.com orders.

Order Summary:

Shipping Details : (order will arrive in 1 shipment)

Order #:	002-1064478-9905043
Shipping Method:	FREE Super Saver Shipping
Shipping Preference:	Group my items into as few shipments as possible
Items:	\$309.42
Shipping & Handling:	\$46.21
Super Saver Discount:	-\$46.21

Total Before Tax:	\$309.42
-------------------	----------

Estimated Tax To Be Collected:	\$0.00
--------------------------------	--------

Order Total:	\$309.42
---------------------	-----------------

Delivery estimate: Feb. 2, 2012 - Feb. 4, 2012

1 "Boss Black LeatherPlus Executive Chair"

Kitchen; \$159.99

In Stock

Sold by: Amazon.com LLC

1 "Gloria Jeans K-Cups, Butter Toffee, 24-Count Box (Pack of 2)"

Misc.; \$41.99

In Stock

Sold by: Deals On Call LLC

2 "Green Mountain Coffee Caramel Vanilla Cream, K-Cup Portion Pack for Keurig K-Cup Brewers, 24-Count"

Grocery; \$16.49

In Stock

Sold by: Amazon.com LLC

1 "Keurig Holiday Coffee Collection for Keurig Brewers, 48-Count Box, K-Cups"

\$35.47

In Stock

Sold by: CPI GROUP, Inc.

1 "Timothy's World Coffee CINNAMON PASTRY & Green Mountain Donut House CHOCOLATE GLAZED DONUT Variety Pack 48 K-Cups for Keurig Brewers"

Misc.; \$38.99

In Stock

Sold by: Terrific Deal Incorporated



Gift Cards for every Valentine

[▶ Learn more](#)

Need to print an invoice?

Visit www.amazon.com/your-account and click to view your orders. Click "View order" next to the appropriate order. You'll find a button to print an invoice on the next page

Where can I get help with reviewing or changing my orders?

To learn more about managing your orders on Amazon.com, please visit our Help pages at www.amazon.com/help/orders/.

Please note: This e-mail message was sent from a notification-only address that cannot accept incoming e-mail. Please do not reply to this message.

If you ever need to return an order, visit our Online Returns Center:
www.amazon.com/returns

Thanks again for shopping with us.

Amazon.com
Earth's Biggest Selection

☒ Prefer not to receive HTML mail? [Click here](#)

LANDER COUNTY VOUCHER

Pay To: Bank Card Services

Address

VENDOR #

FUND

DEPT

EXPENSE

Invoice#	Invoice Description	Dept #	Expense Acct #	Amount
statement	see attached			
TOTAL				\$1,618.22

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.

Authorized Signature

Date _____

COUNTY COMMISSION APPROVAL

Chairman

LANDER COUNTY VOUCHER

Pay To: Bank Card Services
Address: P.O. Box 53155
Phoenix, AZ

Account # 4024490000012515

Vender #: 624
PO #: N/A
Fund# 001
Dept Name: Lander Co. Sheriff's Office

7067/99
~~7067/80~~

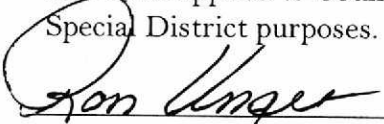
DEPT#	012	EXPENSE ACCT#	53920
Invoice #	Invoice Description		Amount
	See Attached		

DEPT#		EXPENSE ACCT#	
Invoice #	Invoice Description		Amount

DEPT#		EXPENSE ACCT#	
Invoice #	Invoice Description		Amount

TOTAL \$1,618.22

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.


Authorized Signature
2-7-2012
Date

COUNTY COMMISSION APPROVAL

Chairman

RECEIVED
FEB 01 2012
For Comptroller Use Only

Bank Card Services

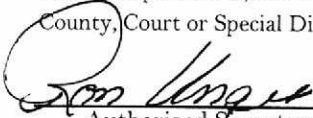
P.O. Box 15731

Wilmington, DE 19886

Voucher

Admin.	Description	Vender	Date	Total
012-53170	Coroner			
012-53360	Gas/Oil			
012-53560	Maint			
012-53560	Maint			
012-53840	Radio			
012-53880	Vehicle Maint			
012-53920	Service/Supply	Walmart	12-Jan	\$127.65
012-53920	Service/Supply	Walmart	30-Dec	\$391.62
012-53920	Service/Supply	Amazon.Com	9-Jan	\$100.56
012-53920	Service/Supply	DR Global Direct	10-Jan	\$388.13
012-53920	Service/Supply	Bank of America	2-Jan	\$25.00
012-53920	Service/Supply	Bank of America	24-Jan	\$10.73
012-53931	911			
012-53940	Travel	The Orleans	12-Feb	\$44.80
012-53940	Travel			
012-53940	Travel			
Detentions	Description	Vender	Date	
013-53700	Meals			
013-53720	Medical			
013-53920	Service/Supply	Amazon.Com	9-Jan	277.09
013-53560	Building Maint	Home Depot	12-Jan	107.95
013-53560	Building Maint	Walmart	12-Jan	\$115.10
013-53560	Building Maint	Home Depot	30-Dec	\$29.59
A/C	Description			
014-53920	Service/Supply			
014-53940	Travel			
014-53880	Repair/Maint			
009-53560	Building Maint			
LEPC	Description	Vender	Date	
050-59355	Equipment			
050-59354	Admin.			
County's Portion				\$1,618.22
Credits	Description	Check#	Date Mailed	
Overpayment	Previous Statement			
Inmate Welfare	Netflix.com			\$17.13
Inmate Welfare				
Statement Balance				\$1,635.35

I certify that the foregoing claim is correct and just; and 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


 Authorized Signature
 2-1-2012

COUNTY COMMISSION APPROVAL

LANDER COUNTY SHERIFF'S OFFICE
INMATE WELFARE FUND

P.O. BOX 1625
BATTLE MOUNTAIN, NEVADA 89820
775-635-1100

WELLS FARGO BANK NEVADA, N.A.
3800 HOWARD HUGHES PARKWAY
LAS VEGAS, NEVADA 89109

90-7074/3212

2331

PAY TO THE ORDER OF *Bank Card services*

\$ 17.13

Seventeen dollars + 13/100

DOLLARS

VOID AFTER 60 DAYS

MEMO *Inmate television*

Branches

AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑈002331⑈ ⑆321270742⑆ 0670872142⑈

LANDER COUNTY SHERIFF'S OFFICE / INMATE WELFARE FUND

2331

LANDER COUNTY SHERIFF'S OFFICE / INMATE WELFARE FUND

2331



RECEIVED

JAN 31 2012

LANDER COUNTY S.O.

Business Card

LANDER CNTY SHERIFF DEP
4024 4900 0001 2515
December 25, 2011 - January 24, 2012

Company Statement

Account Information:
www.bankofamerica.comMail Billing Inquiries to:
BANK OF AMERICA
PO BOX 982238
EL PASO, TX 79998-2238Mail Payments to:
BUSINESS CARD
PO BOX 15796
WILMINGTON, DE 19886-5796Customer Service:
1.800.673.1044, 24 HoursTTY Hearing Impaired:
1.888.500.6267, 24 HoursOutside the U.S.:
1.509.353.6656, 24 HoursFor Lost or Stolen Card:
1.800.673.1044, 24 HoursBusiness Offers:
www.bankofamerica.com/mybusinesscenter

Payment Information

New Balance Total \$1,635.35
Minimum Payment Due **\$26.98**
Payment Due Date 02/20/12**Minimum Payment Warning:** If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance.

Account Summary

Previous Balance \$344.27
Payments and Other Credits -\$344.27
Balance Transfer Activity \$0.00
Cash Advance Activity \$0.00
Purchases and Other Charges \$1,599.62
Fees Charged \$25.00
Finance Charge \$10.73

New Balance Total \$1,635.35

Credit Limit \$15,000
Credit Available \$13,364.65
Statement Closing Date 01/24/12
Days in Billing Cycle 31

RECEIVED

JAN 31 2012

LANDER COUNTY S.O.

Cardholder Activity Summary

Account Number	Credit Limit	Total Activity	Payments and Other Credits	Balance Transfer Activity	Cash Advance Activity	Purchases and Other Charges	Fees Charged
QUICK, ROBERT W							
4339 9320 2466 2411	15,000	1,554.82	0.00	0.00	0.00	1,554.82	0.00
UNGER, RON							
4003 9000 0008 6082	15,000	69.80	0.00	0.00	0.00	44.80	25.00

Transactions

Posting Date	Transaction Date	Description	Reference Number	Amount
LANDER CNTY SHERIFF DEP				
Account Number: 2515				
01/23	01/20	PAYMENT RECEIVED -- THANK YOU	02074405350000501901189	- 327.14
01/23	01/21	PAYMENT RECEIVED -- THANK YOU	02174405350000500922623	- 17.13
01/24	01/24	PURCHASE *FINANCE CHARGE*		10.73
QUICK, ROBERT W				
Account Number: 2411				
01/02	12/30	WM SUPERCENTER ELKO NV	24226381365360429668428	391.62✓
01/02	12/30	THE HOME DEPOT #3320 ELKO NV	24610431365010179082182	29.59✓
01/03	01/02	NFI*WWW.NETFLIX.COM/CC NETFLIX.COM CA	24692162002000344885891	17.13
01/10	01/09	Amazon.com AMZN.COM/BILLWA	24692162009000363319015	100.56✓
01/11	01/10	AMAZON MKTPLACE PMTS AMZN.COM/BILLWA	24692162010000483808084	277.09
01/11	01/09	DRI*FINEPRINT SOFTWARE regnow.com/csMN	24430992011091186025973	388.13✓
01/13	01/12	WM SUPERCENTER ELKO NV	24226382012360702583422	127.65✓
01/13	01/12	WM SUPERCENTER ELKO NV	24226382012360702583430	115.10✓
01/16	01/12	THE HOME DEPOT #3320 ELKO NV	24610432013010177767481	107.95✓
UNGER, RON				
Account Number: 6082				
01/13	01/10	ORLEANS HOTEL & CASINO LAS VEGAS NV	24492802012118000187088	44.80✓
		Arr: 01/10/12		
01/02	01/01	ANNUAL CARD FEE		25.00

Finance Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

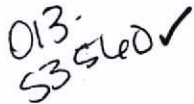
	Annual Percentage Rate	Balance Subject to Interest Rate	Finance Charges by Transaction Type
PURCHASES	10.24% V	\$1,233.53	\$10.73
CASH	24.24% V	\$0.00	\$0.00

V = Variable Rate (rate may vary), Promotional Balance = APR for limited time on specified transactions.

Important Messages

Environmental sustainability continues to be an issue of critical importance to Bank of America and those we serve. As part of that commitment, did you know that we:

- Announced in 2010 an ambitious new goal to reduce our absolute greenhouse gas (GHG) emissions by 15 percent over the 2010 baseline by 2015. This goal spans all of the company's global operations in more than 40 countries.



3320 03 67201 12/30/2011 4802

CUSTOMER COPY



More saving.
More doing.SM

2955 MOUNTAIN CITY HWY
STORE MGR: MIKE MUHLESTEIN 775-738-0455

3320 00001 66090 01/12/12 11:12 AM
CASHIER SUZANNE - SMC6H9

081099027833 4X8 ULTRALIT <A>	16.94
208.47	
659692361663 BULLNOSE <A>	21.78
603.63	
751361490312 8FT CRNRBD <A>	7.92
401.98	
876504000743 2X4-96 STUD <A>	7.92
401.98	
081099000058 JNT COMPOUND <A>	5.15
077680238078 12/2MC25' <A>	18.18
081099000126 JOINT TAPE <A>	1.35
051411904401 3/8" CONN. <A>	2.80
400.70	
050169007532 SQ COVER <A>	0.88
050169001899 SQUARE BOX <A>	1.02
051411262709 SCREW CONN. <A>	1.98
050169005316 STEEL BOX <A>	2.17
051411205706 CLAMP CONN <A>	2.45
051131502154 2PDWSNDSCRFN <A>	3.47
076174933000 PANEL CARRY <A>	6.97
077089119121 GOOP LOOP <A>	6.97

SUBTOTAL	107.95
SALES TAX	0.00

TAX EXEMPT

TOTAL	\$107.95
XXXXXXXXXX2411 VISA	107.95
AUTH CODE 05640G/8017723	TA



3320 01 66090 01/12/2012 8578

02-53920

Walmart

Save money. Live better.

(775) 778-6778
Manager MYRON JOHNSON
2944 MOUNTAIN CITY HWY
ELKO NV 89801

ST# 2402 DP# 00006459 TE# 15 TR# 09722	
MF TWLS 15 P 075116620615	9.87 0
PUFFS PLUS 003700039363	4.97 0
PUFFS PLUS 003700039363	4.97 0
PUFFS PLUS 003700039363	4.97 0
PUFFS PLUS 003700039363	4.97 0
PUFFS PLUS 003700039363	4.97 0
PUFFS PLUS 003700039363	4.97 0
M730R-GRAY 068113154232	14.00 0
M730R-BLACK 068113154224	14.00 0
PUFFS PLUS 003700039363	4.97 0
WALL MOUNT 079379538057	59.96 0
SUBTOTAL	127.65
TOTAL	127.65
VISA TEND	127.65

ACCOUNT # ***** 2411 S
APPROVAL # 00936G
REF # 201200760987
TRANS ID - 082012642292787
VALIDATION - 7VNW
PAYMENT SERVICE - E
TERMINAL # 17003157

01/12/12 09:50:38

CHANGE DUE 0.00

ITEMS SOLD 10

TC# 2002 0202 7462 0054 9507 3



Low prices. Every day. On everything.
Backed by our Ad Match Guarantee.
01/12/12 09:50:38

CUSTOMER COPY

02-53920

Walmart

Save money. Live better.

(775) 778-6778
Manager MYRON JOHNSON
2944 MOUNTAIN CITY HWY
ELKO NV 89801

ST# 2402 DP# 00004429 TE# 77 TR# 00972	
WATER DISPEN 085119900128	99.00 0
WALL MOUNT 079379538057	59.96 0
POWERSERVICE 002785403025	7.33 0
POWERSERVICE 002785403025	7.33 0
PRODUCT SERIAL # B1500239705045	
26 LCDHDTV 008648307739	198.00 0
2YR SVC PLAN 060538843027	20.00 0
SUBTOTAL	391.62
TOTAL	391.62
VISA TEND	391.62

ACCOUNT # ***** 2411 S
APPROVAL # 03351G
REF # 00
TRANS ID - 0081365018690108
VALIDATION - BH8X
PAYMENT SERVICE - E
TERMINAL # 33003411

12/30/11 16:31:14

CHANGE DUE 0.00

ITEMS SOLD 6

TC# 4629 9831 9473 6867 1368 2



Low prices. Every day. On everything.
Backed by our Ad Match Guarantee.
12/30/11 16:31:14

CUSTOMER COPY



Phone: (702) 365-7111 Fax: (702) 365-7505

<https://mail.google.com/mail/u/0/#inbox>

Deposits will be forfeited if the cancellation is not received by the Orleans.

72 hours prior to arrival date. Special event room and package cancellations must be made 30 days prior to the beginning of the event. For example, New Year's Eve, Nascar Race, Professional Bull Riders, etc.

No-shows will forfeit the deposit collected.

Extra Charges :

Extra adult: \$15 USD per night per person (max 4 people in the room)

Children 14 yrs and younger stay free

Rollaway charge: \$15 USD per night each

Cribs: No Charge

Check-in/Check-out :

Must be 21 years or older to check-in.

Check In time is 2:00 pm

Check Out time is 12:00 pm

Guests must check-out by 12:00 noon to avoid paying for the following night.

Irene Carter

Room Reservations Representative

Coast Casinos/Boyd Gaming

4500 W. Tropicana Ave.

Las Vegas, NV 89103

888-582-6278 (Toll Free)

IreneCarter@boydgaming.com

www.boydgaming.com

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Attachments:**untitled-[1.1]**

Size: 3.1 k

Type: text/plain

image001.png

Size: 29 k

Type: image/png

Info: image001.png



03/13/2012

Final Details for Order #105-1267125-4819447

Print this page for your records.

Order Placed: January 9, 2012**Amazon.com order number:** 105-1267125-4819447**Order Total: \$277.09****Shipped on January 10, 2012****Items Ordered**1 of: *Transaction Terminal Sig Cap Sig Lite 1 x 5 Serial Bluetooth*

Condition: New

Sold by: The Price Pros ([seller profile](#))**Price**

\$270.99

Shipping Address:

Robert W. Quick

2 State Route 305

LANDER COUNTY SHERIFF'S OFFICE

BATTLE MOUNTAIN, NV 89820-4300

United States

Item(s) Subtotal: \$270.99

Shipping & Handling: \$6.10

Total Before Tax: \$277.09

Sales Tax: \$0.00

Shipping Speed:

Standard

Total for This Shipment: \$277.09

Payment Information**Payment Method:**

Visa | Last digits: 2411

Item(s) Subtotal: \$270.99

Shipping & Handling: \$6.10

Total Before Tax: \$277.09

Estimated Tax To Be Collected: \$0.00

Billing Address:

Robert Quick

PO Box 1625

Battle Mountain, Nevada 89820

United States

Grand Total: \$277.09To view the status of your order, return to [Order Summary](#).**Please note:** This is not a VAT invoice.[Conditions of Use](#) | [Privacy Notice](#) © 1996-2012, Amazon.com, Inc. or its affiliates



01253920

Final Details for Order #105-4296265-1758614

Print this page for your records.

Order Placed: January 9, 2012**Amazon.com order number:** 105-4296265-1758614**Order Total: \$100.56****Shipped on January 9, 2012****Items Ordered**6 of: *Belkin Mini Bluetooth Laptop Adapter*

Condition: New

Sold by: Amazon.com LLC

Price

\$16.76

Shipping Address:Robert W. Quick
2 State Route 305
LANDER COUNTY SHERIFF'S OFFICE
BATTLE MOUNTAIN, NV 89820-4300
United States

Item(s) Subtotal: \$100.56

Shipping & Handling: \$8.19

Super Saver Discount: -\$8.19

Total Before Tax: \$100.56

Sales Tax: \$0.00

Shipping Speed:

FREE Super Saver Shipping

Total for This Shipment: \$100.56

Payment Information**Payment Method:**

Visa | Last digits: 2411

Item(s) Subtotal: \$100.56

Shipping & Handling: \$8.19

Super Saver Discount: -\$8.19

Total Before Tax: \$100.56

Estimated Tax To Be Collected: \$0.00

Billing Address:Robert Quick
PO Box 1625
Battle Mountain, Nevada 89820
United States**Grand Total: \$100.56**To view the status of your order, return to [Order Summary](#).**Please note:** This is not a VAT invoice.[Conditions of Use](#) | [Privacy Notice](#) © 1996-2012, Amazon.com, Inc. or its affiliates

**Final Details for Order #105-1267125-4819447**

Print this page for your records.

Order Placed: January 9, 2012**Amazon.com order number:** 105-1267125-4819447**Order Total: \$277.09****Shipped on January 10, 2012****Items Ordered**1 of: *Transaction Terminal Sig Cap Sig Lite 1 x 5 Serial Bluetooth*

Condition: New

Sold by: The Price Pros ([seller profile](#))**Price**

\$270.99

Shipping Address:

Robert W. Quick

2 State Route 305

LANDER COUNTY SHERIFF'S OFFICE

BATTLE MOUNTAIN, NV 89820-4300

United States

Item(s) Subtotal: \$270.99

Shipping & Handling: \$6.10

Total Before Tax: \$277.09

Sales Tax: \$0.00

Shipping Speed:

Standard

Total for This Shipment: \$277.09

Payment Information**Payment Method:**

Visa | Last digits: 2411

Item(s) Subtotal: \$270.99

Shipping & Handling: \$6.10

Total Before Tax: \$277.09

Estimated Tax To Be Collected: \$0.00

Billing Address:

Robert Quick

PO Box 1625

Battle Mountain, Nevada 89820

United States

Grand Total: \$277.09To view the status of your order, return to [Order Summary](#).**Please note:** This is not a VAT invoice.[Conditions of Use](#) | [Privacy Notice](#) © 1996-2012, Amazon.com, Inc. or its affiliates

001-012-53560

SOFTWARE



DR globalDirect Inc.
10380 Bren Road West
Minnetonka, MN 55343
United States of America
Fax: 1-952-646-5604
Email: orders@regnow.com

Receipt

Date

1/10/2012

Order ID

39JR7CE-AFXLT

Billing Address

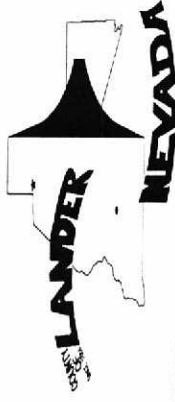
Lander County Sheriff's Office
Robert Quick
PO Box 1625
Battle Mountain NV 89820
United States

Recipient Information

Lander County Sheriff's Office
Robert Quick
PO Box 1625
Battle Mountain NV 89820
United States

Product Name	Quantity	Price	Item Total	Tax Rate	Tax Net
FinePrint 6 (3366-44)	5	\$45.00 USD	\$225.00 USD	0.00%	\$0.00 USD
Maintenance Agreement (3366-40)	1	\$16.88 USD	\$16.88 USD	0.00%	\$0.00 USD
Maintenance Agreement (3366-40)	1	\$33.75 USD	\$33.75 USD	0.00%	\$0.00 USD
pdfFactory 4 (3366-50)	5	\$45.00 USD	\$112.50 USD	0.00%	\$0.00 USD
				Subtotal:	\$388.12 USD
				Shipping:	\$0.00 USD
				Processing Fees:	\$0.00 USD
				Taxes:	\$0.00 USD
				Total:	\$388.13 USD

ROGENE HILL
Lander County Finance Director



ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION

	DATE
<u>Don Bullock</u> Chairman	<u>2/9/12</u>
<u>Steve Stewart</u> Commissioner	<u>2/9/12</u>
<u>Bill De</u> Commissioner	<u>2-9-12</u>
<u>David R. Morgan</u> Commissioner	<u>2-9-12</u>
<u>Ray H. Anderson</u> Commissioner	<u>2-9-12</u>

LANDER COUNTY COMMISSION MEETING

February 09, 2012

APPROVE / DISAPPROVE

SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 120,742.08

From Check #39529 thru #39626

315 South Humboldt Street < > Battle Mountain NV 89820

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

CHASE CARD SERVICE

COUNTY OF LANDER
LC DISTRICT ATTY #7187

DATE	INVOICE	AMOUNT	REMARKS
01/30/12	AMAZON	309.42	1/27/12/OFFICESUPPLY/DA

CHECK NO 39508 \$309.42 **

COUNTY OF LANDER

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

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039508

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

PAY TO THE ORDER OF

CHASE CARD SERVICE

DATE	CHECK NO.	AMOUNT
01/31/12 **VOID**	39508 **VOID**	\$309.42 **VOID**

VOID**309DOLLARS AND42CENTS***

CHASE CARD SERVICE
P.O. BOX 94014


LC DISTRICT ATTY #7187

PALATINE

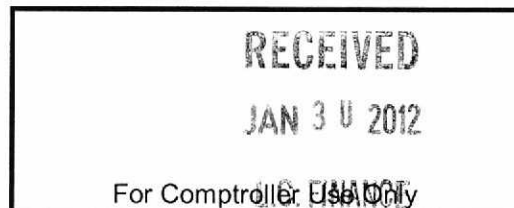
IL 60094-4014

NON-NEGOTIABLE

District purposes.


Authorized Signature

1/27/12
Date



PLEASE RETURN CHECK TO DA'S OFFICE

COUNTY OF LANDER

COW COUNTY TITLE CO.

DATE	INVOICE	AMOUNT	REMARKS
01/26/12	00319104/003152/04	100.00	1/12/12/REPORTFEES/TREAS

CHECK NO 39474 \$100.00 **

COUNTY OF LANDER

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

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039474

94-7074
3212

VOID IF NOT CASHED
WITHIN 90 DAYS

PAY TO THE ORDER OF

COW COUNTY TITLE CO.

DATE	CHECK NO.	AMOUNT
01/26/12	39474	\$100.00
***VOID**	***VOID**	***VOID**

VOID**100DOLLARS AND00CENTS***

COW COUNTY TITLE CO.
761 S. RAINDANCE DR.

PAHRUMP

NV 89048

NON-NEGOTIABLE

TOTAL	\$100.00
-------	----------

I hereby certify that the above and foregoing claim against Lander County, State of Nevada, is just and reasonable, and that said claim is now due, owing and unpaid.

By: Grace P. [Signature]
claimant/Lander County Treasurer

I certify that the foregoing is (or attached claims are) correct and just; that same were necessarily contracted for county purposes; that same is now provided for by law and in pursuance to court order.

Signed: _____
Title/ District Judge/Clerk of the Court

Rejected: _____

Laid Over: _____

Date approved: _____

Board of County Commissioners: _____

Dean Bullock
[Signature]
[Signature]
David R. Mason
Ray H. Mullins

TINA MARIE BISIAUX

COUNTY OF LANDER

DATE	INVOICE	AMOUNT	REMARKS
01/30/12	1/18/2012	190.00	1/11-18/12 TESTING/DRGCRT

CHECK NO 39507 \$190.00 **

COUNTY OF LANDER

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

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039507

94-7074
3212

PAY TO THE ORDER OF

TINA MARIE BISIAUX

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
01/31/12 **VOID**	39507 **VOID**	\$190.00 **VOID**

VOID**190DOLLARS AND00CENTS***

TINA MARIE BISIAUX
P.O. BOX 652

BATTLE MOUNTAIN MV 89820

NON-NEGOTIABLE

Signed

TITLE: DRUG COURT JUDGE / COURT MASTER

[Signature]
3

[Signatures]
Dean Bullock
David R. Mason
Ray H. Mullins

LANDER COUNTY DRUG COURT

RECEIVED

JAN 23 2012

L.C. FINANCE

COUNTY OF LANDER

BANK OF AMERICA

DATE	INVOICE	AMOUNT	REMARKS
01/30/12	AMAZON	100.56	1/9/12/BLUETOOTHADPTR
01/30/12	AMAZON.COM	277.09	1/9/12/TRANS SIG BLUETOOT
01/30/12	BANKCARD	35.73	1/24/12BANKCARDFEES
01/30/12	DR GLOBAL DIR	388.13	1/10/12/SERV/SUPP
01/30/12	HOMEDEPOT	137.54	12/30/11/OUTLETS/
01/30/12	ORLEANS	44.80	2/17/12DOT/TRNGS SMITH
01/30/12	WALMART	634.37	1/12/12/MASKTAPE/SHEETING

CHECK NO 39524 \$1,618.22 **

COUNTY OF LANDER

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

WELLS FARGO BANK
BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 039524

94-7074
3212

PAY TO THE ORDER OF

BANK OF AMERICA

VOID IF NOT CASHED
WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
02/06/12 **VOID**	39524 **VOID**	\$1,618.22 **VOID**

VOID**1,618DOLLARS AND22CENTS***

BANK OF AMERICA
P.O. BOX 15731

WILMINGTON

DE 19886-5731

NON-NEGOTIABLE

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

Authorized Signature

Date

[Handwritten Signature]
[Handwritten Signature]
[Handwritten Signature]

Commissioners' Report

February 9, 2012

CORRESPONDENCE

February 9, 2012

1. Philip Williams, Chairman, Lander County Public Land Use Advisory Planning Commission, to Keith Whaley, Project Coordinator, Humboldt-Toiyabe National Forest, letter supporting Draft Environmental Impact Statement (DEIS) for geothermal leasing on the Humboldt-Tonopah National Forest.
2. Richard Gantt, Nevada Division of Environmental Protection, to Christopher Hopf, Baker Hughes Drilling Fluids, letter regarding Baker Hughes Drilling Fluids, Slaven Canyon Mine Project-Reclamation Permit and Bond Determination (BMRR Reclamation Permit No. 0322).
3. Nevada Division of Environmental Protection, Bureau of Air Quality Planning, Notice of Public Comment Period beginning January 30, 2012 and possible public hearing on March 1, 2012.
4. Kenneth E. Mayer, Nevada Department of Wildlife, to David R. Mason, Lander County Commission, letter regarding sage grouse management issues.
5. Mitsuyo Maser, Nevada Department of Taxation, to ABC Fire Extinguisher Co., Inc., letter regarding Application Filing Number: 10-10006G; Project Name: Ormat McGinness Hills Project.
6. Mitsuyo Maser, Nevada Department of Taxation, to Soil Tech, Inc., letter regarding Application Filing Number: 10-10006G; Project Name: Ormat McGinness Hills Project.
7. US Nuclear Waste Technical Review Board, February 1, 2012 Press Release, *DOE to Present Work on Generic Geologic Repository Criteria and Models at NWTRB March Meeting*.
8. Jeffrey Erwin, Nevada Division of Environmental Protection, to Jason Benson, NV Energy, letter regarding Request for Release/Spill Information, Battle Mountain Substation, Battle Mountain, NV.
9. Nevada Division of Environmental Protection, Notice of Decision, Water Pollution Control Permit Number NEV0093109, Barrick Cortez, Inc., Pipeline Project.

Correspondence #1
1/27/2012

LANDER COUNTY PUBLIC LAND USE ADVISORY
PLANNING COMMISSION
JANUARY 11, 2012

Keith Whaley, Project Coordinator
Humboldt-Toiyabe National Forest
Bridgeport Ranger District
HC 62 Box 1000
Bridgeport, Ca. 93517
Re: Geothermal DEIS

Attention: Mr. Whaley:

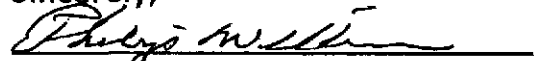
The Lander County Public Land Use Advisory Planning Commission, at their January 9th, 2012 meeting, reviewed the Draft Environmental Impact Statement for Geothermal Leasing on the Humboldt-Tonopah National Forest, which includes Ely, Austin, Tonopah and Bridgeport Ranger District. They would like to take this opportunity to comment on the DEIS for Geothermal leasing on US Forest Service lands. We would like to lend our support, which includes the Austin and Tonopah districts, as this would have direct effect on the communities of Battle Mountain, Austin, in Lander County and surrounding areas.

Geothermal Power plants in Central Nevada is being recognized as having the potential for a vital industry in Nye and Lander County. Allowing these areas to be leased will make a huge contribution to our economy. The revenue generated by the geothermal leases will have a major impact on the rural counties. The leases would not appear to have any adverse effect on recreation uses, such as Bike trails, future ATV trails and other uses.

The LCPLUAP Commission would welcome any information on Geothermal or other issues pertaining to Public Lands. Our meetings are held on the first Monday of each month, at the Austin Courthouse, in Austin, Nv. at 5:00 p.m.

Thank you for this opportunity to comment on this plan.

Sincerely,



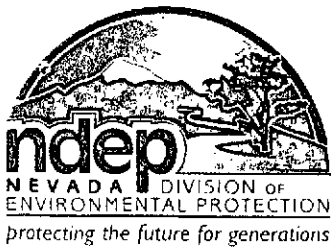
Philip Williams, Chairman, LCPLUAP Commission

CC: Austin Ranger District/ Lander County Commissioners
pw/jkb

RECEIVED

JAN 27 2012

COUNTY COMMISSION



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drazdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

Correspondence #2
1/30/2012

January 25, 2012

Mr. Christopher Hopf
Manager, Nevada Operations
Baker Hughes Drilling Fluids
P.O. Box 277
Battle Mountain, NV 89820

Certified Mail 7010 3090 0002 0046 8877
Return Receipt Requested

Re: Baker Hughes Drilling Fluids, Slaven Canyon Mine Project-Reclamation Permit and Bond Determination. (BMRR Reclamation Permit No. 0322).

Dear Mr. Hopf:

The Bureau of Mining Regulation and Reclamation (BMRR) Reclamation Branch has reviewed the application for a reclamation permit for the Slaven Canyon Mine Project in Lander County, Nevada. The application entitled *Plan of Operations and Reclamation Permit, Slaven Canyon Mine*, dated November 2011, is complete and sufficiently describes proposed operations and reclamation techniques.

A Notice of Intent to issue Reclamation Permit #0322 was published in the Battle Mountain Bugle on December 21, 2011 to begin a required 30-day public comment period. No comments were received during the public comment period.

The reclamation plan included a comprehensive reclamation cost estimate (RCE) for all reclamation activities proposed in the Plan. BMRR has reviewed and accepts the RCE calculations and has determined that the total bond amount of \$4,898,743 should be sufficient to complete required reclamation on this project.

Please send the reclamation bond to the Nevada Division of Environmental Protection (NDEP) on or before February 20, 2012, and prior to creating any surface disturbance associated with the proposed project. The reclamation bond adjustment should be submitted to the NDEP at the following address:

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

Please note permit Schedule of Compliance item 9.1 requires collecting site-specific revegetation release criteria in accordance with the Attachment B guideline on or before July 12, 2012. Thank you and your consultants for your coordination during the review process for this permit application. If you have any questions regarding this correspondence please contact me at (775) 687-9410.

Sincerely,

Richard Gantt

BMRR Reclamation Permit Writer

RECEIVED

JAN 30 2012

COUNTY COMMISSION

Attachments: Reclamation Permit #0322

Ec: Kenny Pirkle, NDOW Mining Biologist, 815 E. 4th Street, Winnemucca, NV 89445 kpirkle@ndow.org

Mr. Christopher Hopf
January 25, 2012
Page 2 of 2

Nevada Division of Minerals.

w/o attachments:

Rob Kuczynski, BMRR Regulation Permit Writer.

Patrick Goldstrand, BMRR Regulation Compliance Inspector.

Lander County Commissioners

**NOTICE OF PUBLIC COMMENT PERIOD BEGINNING JANUARY 30, 2012
AND A PUBLIC HEARING ON MARCH 1, 2012, IF REQUESTED**

RECEIVED

conducted by the
Nevada Division of Environmental Protection
Bureau of Air Quality Planning

JAN 30 2012

COUNTY COMMISSION

Pursuant to the public hearing requirements in Title 40 of the Code of Federal Regulations Part 51 section 102, the Nevada Division of Environmental Protection (NDEP) is issuing the following notice.

In 2003, the NDEP adopted and submitted a revision to the Nevada State Implementation Plan (SIP) requesting that Nevada's side of the Lake Tahoe Basin (Basin) be redesignated as attainment for the federal 8-hour CO standard. As part of the redesignation request, the NDEP submitted a limited maintenance plan demonstrating that the Basin would not exceed the federal 8-hour CO standard for at least ten years. The U.S. Environmental Protection Agency approved Nevada's Plan and redesignated the Nevada side of the Basin attainment effective February 13, 2004. Section 175A of the Clean Air Act requires the initial maintenance plan to cover at least a ten-year period after redesignation, with a second plan revision due within eight years of redesignation to demonstrate that the area will maintain the standard for another ten years (i.e., a full 20 years from the date of redesignation to attainment, or 2024 in this case).

The NDEP has drafted a revision to the Nevada SIP updating the CO limited maintenance plan to meet the requirements of the Clean Air Act. This draft covers the second ten-year period following redesignation, 2014-2024. The NDEP's draft and related materials are available on the NDEP website at <http://ndep.nv.gov/admin/public.htm>, click on "Air Quality Planning." Access to the draft plan update may also be obtained by contacting Adele Malone at NDEP, 901 S. Stewart Street, Suite 4001, Carson City, NV 89701; (775) 687-9356; or e-mail to amalone@ndep.nv.gov.

Persons wishing to comment on the proposed CO plan update or to request a public hearing should submit their comments or request in writing either in person or by mail or fax to Adele Malone at the above address or by FAX at (775) 687-6396. ***A request for a hearing must be received by February 24, 2012. Written comments will be received by the NDEP until March 1, 2012 and will be retained and considered.***

Upon receipt of a valid written request, the NDEP will hold a public hearing in Carson City on:

**March 1, 2012
10:00 a.m. to 12:00 p.m.
NDEP Conference Center (Rm. 5001), 5th Floor
901 South Stewart Street
Carson City, Nevada**

An agenda will be posted on the NDEP web site at least 3 working days before the hearing. Oral comments will be received at the Hearing. If no request for a public hearing is received by February 24, 2011, the hearing will be cancelled. Persons may check on the status of the hearing on the NDEP web site at <http://ndep.nv.gov/admin/public.htm>, click on "Air Quality Planning," or you may call the NDEP Bureau of Air Quality Planning at (775) 687-9349.

This notice has been published in the Reno Gazette Journal, the Tahoe Daily Tribune and the North Lake Tahoe Bonanza newspapers. It has been posted at the NDEP offices in Carson City and Las Vegas, at the State Library in Carson City, at the South Lake Tahoe Branch of the El Dorado County, CA, library, and County libraries throughout Nevada. Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Adele Malone or Cathy Douglas (775-687-9349) no later than 3 working days before the hearing.

1/24/12

Correspondence #4
1/30/2012



BRIAN SANDOVAL
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

1100 Valley Road
Reno, Nevada 89512
(775) 688-1500 • Fax (775) 688-1595

KENNETH E. MAYER
Director

RICHARD L. HASKINS, II
Deputy Director

PATRICK O. CATES
Deputy Director

January 25, 2012

David R. Mason
315 S. Humboldt St.
Battle Mountain, NV. 89820

Dear Mr. Mason:

I am sorry you missed the video conference on the 18th for the Stakeholder Meeting that was held in Carson City specifically to answer questions such as those you posed in your letter of January 19, 2012. We had hoped to reach as many stakeholders as possible to clarify misconceptions and provide the facts regarding the history of sage-grouse management as it relates to the recent listing decisions made by the U.S. Fish and Wildlife Service (USFWS). This meeting also served to update interested parties with recent progress that has been made with both sage-grouse management and conservation planning efforts aimed at keeping the birds off the endangered species list through coordination and cooperation with all stakeholders.

Specifically in answer to the first question posed in your letter of January 19th, yes, Nevada currently holds sage-grouse hunting seasons in management units where sage-grouse populations meet the accepted demographic criteria to allow removal of birds through sport hunting without negatively impacting the overall performance or stability of the population. Hunting season length and bag limits are designed to result in the removal of no more than 10% of the population. Scientific studies have shown that a harvest of less than 10% of the population tends to be compensatory mortality rather than additive and therefore results in no negative impact to annual population dynamics. This is the same principle used to manage all North American game species through sport harvest. If hunting was determined to be detrimental to sage-grouse populations, it would no longer be employed as a management tool. For many of our hunt units, hunter take is much less than 10% and statewide averages of harvest vary between only 3% and 6% of the estimated fall population!

Since 1997, based on criteria outlined by the Western Association of Fish and Wildlife Agencies, the Nevada Department of Wildlife and the Wildlife Commission closed five entire counties in Nevada and most of another county to sage-grouse hunting. In addition 22 management units have been closed where populations did not meet those criteria as follows:

- The entire Nevada portion of the Bi-State (CA/NV) sage-grouse population including Douglas, Esmeralda, Lyon and Mineral Counties
- All of Pershing County

RECEIVED

JAN 30 2012

COUNTY COMMISSION

Mr. David R. Mason
Lander County Commission
September 16, 2011
Page 2

- All of Lincoln County
- All of Churchill County except Unit 184 (two day season)
- Units 079, 091 and 106 in Elko County
- Units 032, 035, 042, 044, 046 and 151 of Humboldt County
- Units 151 and 183 in Lander County
- Units 132, 133, 181, 251 and 252 in Nye County
- Units 021 and 022 in Washoe County
- Units 114, 115 and 132 in White Pine County

Also important to this discussion of harvest is how it is viewed by the USFWS relative to the Endangered Species Act. In their March 2010 listing decision, the USFWS concluded that the key threats to the continued survival of sage-grouse are 1) habitat loss, fragmentation, and modification and 2) inadequacy of existing regulatory mechanisms, particularly in relation to energy and other development (to protect habitat). The USFWS also evaluated the "utilization" (e.g. hunting) of sage-grouse and concluded that "the Greater sage-grouse is not threatened by overutilization for commercial, recreational, scientific, or educational purposes now or in the foreseeable future" (USFWS 2010 p. 77). This is because regulated hunting of sage-grouse is conducted as described in the previous paragraph. During the previous 2005 finding process, an expert panel assembled by the USFWS concluded that hunting ranked 17th out of 19 identified threats to the species with only climate change and contaminants ranking lower. The top ranked threats were invasive species (e.g. cheatgrass, medusahead), infrastructure (e.g. roads, transmission lines), wildfire and agriculture.

In reference to your second question, sage grouse can be raised in captivity; however, it is very expensive and labor intensive since they have a specialized diet and are considered a "landscape scale" species. In other words, they need a lot of area to carry out their life history needs. Releasing pen-reared adult sage-grouse would likely not be successful. Attempts to integrate pen-reared chicks into "wild" broods in Colorado met with little success. Unfortunately this option is not akin to planting a cornfield and raising pheasants or creating a pond to promote waterfowl production. Sage-grouse have a varied diet, but rely on mostly sagebrush leaves as forage throughout much of the year. Perennial forbs are also a very important part of the diet in the spring, especially for females. During late spring and early summer, insects play an important role in brood success. Replicating this type of diet in an artificial, captive environment has not resulted in any appreciable success so far.

Your third question concerns Nevada Department of Wildlife (NDOW) plans to protect sage-grouse. There are two significant planning efforts designed to prevent a full listing of the Greater sage-grouse in process in the State of Nevada, one specifically for the Bi-State population and the other for Greater sage-grouse populations throughout the rest

of central and northern Nevada. The last U.S. Fish and Wildlife Service (USFWS) listing evaluation under the regulations of the Endangered Species Act (March 2010) assigned the Greater sage-grouse a Candidate status with a listing priority of 8 and the Bi-State population a listing priority of 3. The listings were determined warranted but precluded due to other species under consideration having a higher priority. This was a wake-up call for the agencies involved and a time to take action to prevent a full listing. As a result, the State and federal resource management agencies where sage-grouse habitat is present, have been working feverously to put into place scientifically defensible data and management directions to provide sufficient protection for sage-grouse and its habitat in order to prevent a full listing of the species.

There have been great efforts already put into place by both agencies and private landowners to provide for habitat restoration and protection for the Bi-State Population. It has been identified that although these efforts are beneficial, there has been a lack of coordination among them. In 2004 the Bi-State local working group produced a Conservation Plan which identified conservation strategies to be employed to restore degraded habitat and provide protection to the remaining population. Since completion of the plan, many projects have been implemented. Additional conservation measures, documentation of previously implemented projects and a strategy for adaptive management and monitoring are being developed in an "Action Plan" for the Bi-State population.

A joint interagency technical group has been meeting to discuss the issues and is moving towards a more organized management approach. Various agencies including the Natural Resource Conservation Service (NRCS), USFS, BLM, USGS and NDOW all have specific responsibilities within the Bi-State population and are coordinating the effort. Additionally, the Nevada Partners for Conservation and Development have initiated joint agency-funded habitat restoration projects and a significant organizational effort is in progress.

A Bi-state Interagency Executive Oversight Committee (Bi-state EOC) has been established to provide strategic direction and ensuring funding and other resources are committed for three interagency working groups (technical, strategy and policy) to develop and implement an action plan to respond to the population threats identified by the USFWS in their 2010 listing evaluation. The first action by the Technical Working Group will be to meet and work with the local working group to develop the Action Plan by early 2012. The next listing evaluation of the Bi-State population is scheduled to occur by October 2013. By that time, demonstrable successes and management direction will be in place to hopefully offset the need for a full listing.

Similar to the Bi-state population, a great deal of work has already been completed on projects designed to restore sage-grouse habitat in Nevada. The Governor's Sage Grouse Conservation Team (representing State and federal agencies and a wide range of public and private interests and public land users) has been meeting regularly and last year produced the publication, "Nevada Energy and Infrastructure Development Standards to Conserve Greater Sage-grouse Populations and Their Habitats."

Results from the USFWS 2010 listing evaluation have pointed to the need to provide greater policy direction and regulatory controls to ensure protection of sage-grouse habitat. Towards that end, the Bureau of Land Management (BLM) prepared a nationwide Instructional Memorandum (IM) to provide interim guidance on lands that they manage until such time that policy direction and conservation measure can be inserted into their Resource Management Plans (RMP's).

The BLM has already established a National Technical Team that is developing a set of conservation measures, while at the same time, state wildlife management agencies are constructing habitat classification mapping to prioritize habitat to aid in the implementation of conservation measures. A much greater organizational effort by the BLM is under way to fulfill the National Environmental Policy Act (NEPA) requirements to incorporate these measures into Resource Management Plans (RMP's) in those areas where sage-grouse habitat is present. National, Regional and Sub-Regional interagency teams have been formed. Nevada and California comprise one sub-regional team who will manage the production of an Environmental Impact Statement (EIS) to address adding the conservation measures to the RMP's in the two states. A total of four EIS's are planned for the western-most states.

Outreach has started and is ongoing. To date, the BLM has discussed their plans with: the Nevada Cattlemen's Association, The Grazing Advisory Board, and the Nevada Mining Association. They have also had discussions with specific Nevada agencies including the Energy Office and Department of Conservation of Natural Resources. A presentation was also made to the Governor's Sage-Grouse Conservation Team that represents many interests in the state. Public Scoping for the EIS was planned to begin in November/December 2011 with potential meetings planned for Elko, Reno, Winnemucca and Susanville. Land Use Plans and a Record of Decision are planned for completion in September 2014.

The United States Forest Service (USFS) controls approximately 8% of the Greater sage-grouse habitat across the West and more than 45% of the Bi-state area. Currently, the USFS is formulating plans to evaluate and modify their Forest Plans to address threats to sage-grouse. More information will be forthcoming as these plans are unveiled.

In March 2010, NRCS announced a \$21 million sage-grouse Initiative (SGI) to restore and conserve declining populations and associated habitat using two popular USDA conservation programs — the Environmental Quality Incentives Program (EQIP) and Wildlife Habitat Incentive Program (WHIP). The SGI will give participating landowners the opportunity to help conserve sage-grouse and contribute to efforts that may make listing under the Endangered Species Act (ESA) unnecessary. Through the NRCS' SGI, significant financial and technical assistance is available to private landowners to implement voluntary, proactive conservation actions, both on their own land and leased Federal and State lands. The Initiative is focused strategically on core areas with significant populations of Gunnison and greater-sage grouse and habitat in 11 western States – Wyoming, Montana, Idaho, Colorado, Utah, Nevada, California, Washington, Oregon, South Dakota, and North Dakota. To promote conservation of both the Greater and the Gunnison sage-grouse, NRCS Chief Dave White and Acting Director of USFWS Rowan Gould, signed a Partnership Agreement on March 12, 2010, to aid in conserving these species while at the same time, help sustain working ranches and farms in the West. The Partnership Agreement initiated development of a Conference Report for sage-grouse that was completed on July 30, 2010. To date, NRCS has committed approximately \$120 million to this effort.

NRCS and FWS used the “conferencing” provisions under Section 7 of the ESA to assess potential benefits and adverse effects of specific NRCS conservation practices to be implemented and maintained by landowners under SGI. The conference report analyzes expected cumulative effects of the implementation on the species through careful review of specific NRCS conservation practices and how they will be implemented to remove or reduce the known threats to these sagebrush dependent species. Should either sage-grouse species be listed in the future, the report can be used as the basis for preparing a Biological Opinion under Section 7 of the ESA that would include “incidental take.”

During development of the conference report, USFWS worked closely with NRCS to determine the effects of 40 individual conservation practices, including those that would be beneficial and those that could potentially adversely affect the birds and their habitat. Conservation measures were developed to avoid, ameliorate, or minimize the identified adverse effects that could result from implementation of the practices prescribed in landowners' conservation plans. Each State NRCS office is collaborating with State Wildlife Agencies to develop blanket requirements to limit physical disturbance of sage-grouse.

In 2004, under former Governor Guinn, a series of local working groups developed plans to provide a comprehensive strategy for conservation measures to provide protection and minimize habitat loss in Nevada. Lead by the NDOW, the

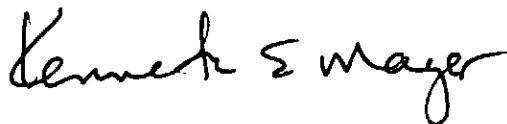
Mr. David R. Mason
Lander County Commission
September 16, 2011
Page 6

Nevada Governor's group has remained active and meets regularly to address issues in relation to conservation actions. Although some actions recommended by those plans have taken place, sufficient funding has not (until recently) come available to provide a broad series of projects or institute land management practices that were sufficient to reverse the bird's decline.

Over the last decade, several projects have been implemented to restore, enhance and maintain Sage-Grouse habitat. These projects have been implemented by NDOW, federal agencies and private landowners. As an example, since fiscal year 2001, NDOW has implemented approximately 30 projects relating to fire restoration, habitat enhancement, research, and maintenance of existing habitats (List of projects included with this letter). These projects have totaled approximately \$2.3 million and have collectively treated about 71,000 acres. Additional projects have been implemented by federal agencies and private landowners as well.

As you can see the NDOW has been busy working to protect sage-grouse and sage-grouse habitat directly through Department programs and cooperatively with our federal and private partners in the hopes of keeping sage-grouse off the Endangered Species List and to maintain this important resource for future generations. The Lander County Commission could make significant contributions in addressing one of the two "major" concerns expressed by the USFWS in their evaluation for listing, i.e. "inadequacy of existing regulatory mechanisms, particularly in relation to energy and other development (to protect habitat)." Recently as part of the continued evaluation of the status of sage-grouse, the USFWS conducted a poll of rural counties in the West to see what regulatory mechanisms might be in place for the protection of sage-grouse. Only a small percentage of counties responded and only a few had any such regulations in place. We would welcome Lander County Commission's interest and participation in the conservation of Greater sage-grouse in northern and central Nevada and are looking forward to working with you. If you have further questions, we would be happy to discuss sage-grouse conservation and management with you!

Sincerely,

A handwritten signature in black ink that reads "Kenneth E. Mayer". The signature is written in a cursive, flowing style.

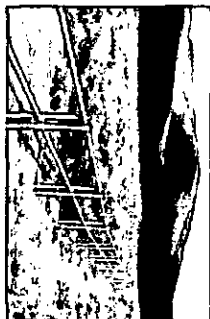
Kenneth E. Mayer
Director

ltg:kem:ss

NEVADA SAGE-GROUSE CONSERVATION PROJECTS (NDOW FUNDING PROVIDED)

Table 1. Sage-grouse habitat restoration, enhancement, protection and research projects conducted from 2001 through 2010

Number	Project Name	Project Type	Location	Easting	Northing	Ownership	Contractor	Acres	Cost	Funding Source	FY
1	McDonald Fire Rehabilitation	Fire Rehabilitation	Merritt Mtn. - Elko	606488	4642942	USFS	NDOW	1,000	\$15,292.00	NDOW	2001
2	South Creek Fire Rehabilitation	Fire Rehabilitation	Wendover Hills - Elko	685879	4569911	Private	NDOW	2,500	\$45,919.05	NDOW	2001
3	Camp Creek Fire Rehabilitation	Fire Rehabilitation	Jardidge Range - Elko	647659	4618309	USFS/BLM	NDOW	3,000	\$33,698.00	NDOW	2001
4	Cattle Camp Wash Spring Enhancement	Brood/Rearing Habitat Enhancement	Schiff Creek - White Pine	694353	4299999	Private/BLM	Private	10	\$20,000.00	Private/NDOW, Private	2004
5	Williams Island Burn Rehabilitation Project	Fire Rehabilitation	Jardidge Range - Elko/Cwyhee	636560	4644088	Private/BLM	BLM	400	\$2,950.00	BLM Idaho/NDOW	2004
6	Falcon Gopher Transmission Line Study	Research	Eureka County	571147	4395679	BLM	UNR		\$340,000.00	W-64	2004
7	Beav Paw Habitat Restoration Project	Brood/Rearing Habitat Enhancement	Jardidge Range - Elko	620821	4645894	USFS	USFS	40	\$12,755.20	RMFE, NDOW, USFS	2006
8	Emeralda Fire Rehabilitation	Fire Rehabilitation	Tuscarora Range - Elko	538424	4601913	Private/BLM	NDOW	3,800	\$44,737.20	NDOW/Barrick	2006
9	Snow Canyon Fire Rehabilitation	Fire Rehabilitation	Independence Range - Elko	576373	4588725	Private/USFS	NDOW	5,190	\$99,442.55	Q-1, Private	2006
10	Raven Predation Research	Research	Northern Elko County	674814	4588468	BLM	ISU		\$9,998.00	General Funds	2006
11	Ellison Creek Sage-grouse Habitat Enhancement	Brood/Rearing Habitat Enhancement	White Pine Range - White Pine	638838	4320275	USFS	GBL/NCC	43	\$38,554.50	General Funds	2007
12	Lincoln Co Pinyon & Juniper Removal	Brood/Rearing Habitat Enhancement	Hardin Valley - Lincoln	745805	4255940	BLM	NDF	420	\$40,000.00	Upland Game Stamp	2007
13	Lone Willow Road Herbicide Treatment	Habitat Protection	Montana Mtns. - Humboldt	408442	4624079	BLM	BLM	615	\$10,147.50	General Funds	2007
14	North Washoe Grazing Exlosures	Brood/Rearing Habitat Enhancement	Northern Washoe County	286748	4591556	BLM	BLM	631	\$19,300.00	Upland Game Stamp	2007
15	Amazon Fire Rehabilitation	Fire Rehabilitation	Tuscarora Range - Elko	554704	4601898	Private/BLM	NDOW	1,070	\$95,143.00	Q-1, Private	2007
16	Little Owyhee Road Herbicide Treatment	Habitat Protection	Owyhee Desert - Humboldt	479948	4624097	BLM	BLM	1,569	\$13,499.00	General Funds	2007
17	Suzie Fire Rehabilitation	Fire Rehabilitation	Independence Range - Elko	579341	4515889	Private	NDOW	3,400	\$81,528.45	Q-1/Private	2007
18	Winters Fire Rehabilitation	Fire Rehabilitation	Tuscarora Range - Elko	527896	4568005	Private	NDOW	6,334	\$245,822.20	Q-1/Private	2007
19	Taylor Creek Restoration Project	Brood/Rearing Habitat Enhancement	Jardidge Range - Elko	583070	4521528	BLM	USFS/BLM	200	\$13,000.00	Heritage/BLM/USFS	2008
20	Suzie Creek Weed Treatment	Brood/Rearing Habitat Enhancement	Western Elko County	563785	4414335	BLM	BLM	1,500	\$45,000.00	Q-1 and W-64 Grant	2008
21	Roberts Creek Mts. Pinyon & Juniper Removal	Brood/Rearing Habitat Enhancement	Roberts Creek Mts. - Eureka	304787	4268734	USFS	UNCE	2,000	\$46,851.84	W-64, Q-1 Match	2008
22	Sweetwater Pinyon and Juniper Removal	Brood/Rearing Habitat Enhancement	Sweetwater Summit - Lyon	772866	4622306	Private	NDOW	3,200	\$50,000.00	General Funds	2008
23	West Fork Fire Rehabilitation	Fire Rehabilitation	Delano Range - Elko	619040	4648464	BLM/USFS	NDOW	3,847	\$166,223.56	Q-1/Private	2008
24	Murphy Fire Rehabilitation	Fire Rehabilitation	Copper Mountains - Elko	718668	4388394	BLM	NDOW	23,829	\$56,149.80	Q-1, Private	2008
25	North Spring Valley Restoration Project	Brood/Rearing Habitat Enhancement	Antelope Range - White Pine	561321	4472711	BLM	UNCE	3,000	\$45,000.00	Heritage	2009
26	Robert Creek Mts. Pinyon & Juniper Removal ^{1,4}	Brood/Rearing Habitat Enhancement	Roberts Creek Mts. - Eureka	440574	4352903	BLM	UNCE	400	\$33,864.00	W-64, Q-1 Match	2009
27	Harpess Meadow Grazing/Wild Horse Exlosure ²	Brood/Rearing Habitat Enhancement	Desierto Range - Lander	261560	4434406	BLM	Volunteer		\$18,000.00	Upland Game Stamp	2009
28	Virginia Mts Sage-grouse Habitat Utilization	Research	Virginia Mts. - Washoe County	325181	4246569	USFS	USFS	700	\$77,600.00	Wildlife Heritage	2009
29	China Camp Sage-grouse Habitat Enhancement	Brood/Rearing Habitat Enhancement	Aurora - Mineral County	463203	4625281	USFS	USFS		\$55,180.00	W-64, Q-1 Match	2010
30	USFS - Sticks Creek/Holloway Meadow Rest.	Brood/Rearing Habitat Enhancement	Santa Rosa Range-Humboldt Co.				USFS	50	\$38,000.00	Habitat Cons. Fee	2011
Totals:									71,348	\$2,081,516.56	





STATE OF NEVADA
DEPARTMENT OF TAXATION

Web Site: <http://tax.state.nv.us>

1550 College Parkway, Suite 115
Carson City, Nevada 89706-7937
Phone: (775) 684-2000 Fax: (775) 684-2020

RENO OFFICE
4600 Kietzke Lane
Building L, Suite 235
Reno, Nevada 89502
Phone: (775) 687-9999
Fax: (775) 688-1303

BRIAN SANDOVAL
Governor
ROBERT R. BARENGO
Chair, Nevada Tax Commission
WILLIAM CHISEL
Executive Director

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Grant Sawyer Office Building, Suite 1300
555 E. Washington Avenue
Las Vegas, Nevada 89101
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HENDERSON OFFICE
2550 Paseo Verde Parkway, Suite 180
Henderson, Nevada 89074
Phone: (702) 486-2300
Fax: (702) 486-3377

January 25, 2012

Taxpayer ID: 1001053567-901

Expiration Date: May 16, 2014

ABC Fire Extinguisher Co., Inc.
1025 Telegraph Street
Reno, NV 89502

Dear Taxpayer:

RE: Application Filing Number: 10-10006G
Project Name: Ormat McGinness Hills Project

Your request for the sales/use tax abatement on the purchase of tangible personal property relating to the Ormat McGinness Hills project was approved on May 16, 2011, by the Renewable Energy Commission.

The enclosed exemption letter exempts purchases of tangible personal property from sales/use tax specifically associated with the Ormat McGinness Hills project. In accordance with this agreement, the abatement shall be deemed to have commenced on May 16, 2011. This exemption will expire on May 16, 2014. The period of the exemption letter will not exceed three years from the effective date of this exemption.

To simplify administration of this exemption for retailers, the Department of Taxation is providing retailers with total exemption from collecting Nevada sales tax on qualifying purchases made within the scope of this program. Therefore, ABC Fire Extinguisher Co., Inc. is required to self report and pay the non-exempt 2.60 percent portion of tax, in the form of use tax, directly to the Department.

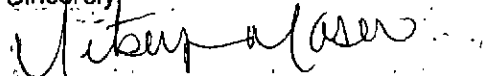
Any purchases of tangible personal property for the Ormat McGinness Hills project must remain with the Ormat McGinness Hills project. Items purchased for this project cannot be used on any other project.

The enclosed Sales/Use Tax Abatement reporting form must be completed and filed with your regular Nevada Sales/Use Tax return. The abatement form must be filed each month, whether or not any purchases of tangible personal property were made during the reporting period.

If upon further or future review by Nevada State Office of Energy or Nevada Energy Commissioner, it is determined the above named organization does not meet or no longer meets the criteria outlined in NRS 701A, this letter of exemption will be revoked.

If you have any further questions, please contact Melanie Brooks at (775) 684-2124.

Sincerely,


Mitsuyo Maser, Tax Program Supervisor I
Compliance Division

cc: Renewable Energy Commission
Nevada State Office of Energy
Lander County

RECEIVED

JAN 30 2012

COUNTY COMMISSION



**STATE OF NEVADA
DEPARTMENT OF TAXATION**

Web Site: <http://tax.state.nv.us>

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Carson City, Nevada 89706-7937
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HENDERSON OFFICE
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Henderson, Nevada 89074
Phone: (702) 486-2300
Fax: (702) 486-3377

January 25, 2012

Taxpayer Identification Number: 1001053567-901
Application Filing Number: 10-10006G

ABC Fire Extinguisher Co., Inc.
1025 Telegraph Street
Reno, NV 89502

EXPIRATION DATE: May 16, 2014

**SPECIAL EXEMPTION LETTER FOR ACCOUNTS CERTIFIED
FOR SALES/USE TAX ABATEMENT FOR RENEWABLE ENERGY**

Project Name: Ormat McGinness Hills Project

Pursuant to NRS 701A provides exemptions when specific criteria are met for those accounts which have qualified and have been certified for sales/use tax abatement for renewable energy projects. Direct purchases of tangible personal property made by ABC Fire Extinguisher Co., Inc. for Ormat McGinness Hills Project are exempt from sales/use tax. Fraudulent use of this exemption letter is a violation of Nevada law.

Vendors selling tangible personal property to ABC Fire Extinguisher Co., Inc. for Ormat McGinness Hills Project are authorized to sell to them tax exempt. Therefore, the holder of this certificate will be responsible for remitting the appropriate sales/use tax to the Department of Taxation. The vendor shall account for the exempt sale on its sales/use tax return under exemptions. For audit purposes, a vendor must have a copy of this letter in order to document the transaction was tax exempt.


This letter only applies to Nevada sales/use tax and does not provide exemption from any other tax.

This exemption applies only to the above named organization relating to the above project and is not extended to individuals, or contractors or lessors to or for such organizations.

Any vendor having questions concerning the use of this sales/use tax exemption letter may contact the Department.

If upon further or future review by Nevada State Office of Energy or Nevada Energy Commissioner, it is determined the above named organization does not meet or no longer meets the criteria outlined in NRS 701A, this letter of exemption will be revoked.

Sincerely,


Raymond H. Lummus
Tax Manager

cc: Nevada Energy Commissioner
Nevada State Office of Energy
Lander County

NEVADA DEPARTMENT OF TAXATION

TID No: 1001053567-901 - 001

**COMB'D SALES & USE TAX RETURN
RENEWABLE ENERGY ABATEMENT**

MAIL ORIGINAL TO:
STATE OF NEVADA - SALES/USE
1550 COLLEGE PKY #115
CARSON CITY NV 89706

ABC Fire Extinguisher Co., Inc.
1025 Telegraph Street
Reno, NV 89502
AFN 10-10006G Ormat McGinness Hills Project

For Department Use Only

For MONTH Ending :
Due on or before:
Date paid:

If the name or address as shown is incorrect, if the ownership or business location has changed, or if you are out of business, notify a Nevada Department of Taxation District Office immediately.

IF POSTMARKED AFTER DUE DATE, PENALTY AND INTEREST WILL APPLY

A RETURN MUST BE FILED EVEN IF NO TAX LIABILITY EXISTS

SALES TAX						USE TAX		
ENTER AMOUNTS IN COUNTY OF SALES/USE (OR COUNTY OF DELIVERY)	TOTAL SALES	EXEMPT SALES	TAXABLE SALES	TAX RATE	CALCULATED TAX	AMOUNT SUBJECT TO USE TAX	TAX RATE	CALCULATED TAX
TAX CALCULATION FORMULA	COLUMN A	- COLUMN B	= COLUMN C	x COLUMN D	= COLUMN E	COLUMN F	x COLUMN G	= COLUMN H
DO NOT REMIT SALES TAX ON THIS RETURN								
01 CHURCHILL				7.600%			2.600%	
02 CLARK				8.100%			2.600%	
03 DOUGLAS				7.100%			2.600%	
04 ELKO				6.650%			2.600%	
05 ESMERALDA				6.650%			2.600%	
06 EUREKA				6.650%			2.600%	
07 HUMBOLDT				6.650%			2.600%	
08 LANDER				7.100%			2.600%	
09 LINCOLN				7.100%			2.600%	
10 LYON				7.100%			2.600%	
11 MINERAL				6.650%			2.600%	
12 NYE				7.100%			2.600%	
13 CARSON CITY				7.475%			2.600%	
14 PERSHING				7.100%			2.600%	
15 STOREY				7.600%			2.600%	
16 WASHOE				7.25%			2.600%	
17 WHITE PINE				7.475%			2.600%	
TOTALS								

18. TOTAL CALCULATED SALES (18a) AND USE (18b) TAX SUM OF COLUMN E → 18a.

19. ENTER COLLECTION ALLOWANCE FOR TIMELY FILING (LINE 18a x 0.50%) 19.

20. NET SALES TAX (LINE 18a - LINE 19) 20.

SUM OF COLUMN H → 18b.

COLLECTION ALLOWANCE IS FOR SALES TAX ONLY THERE IS NO COLLECTION ALLOWANCE FOR USE TAX

I HEREBY CERTIFY THAT THIS RETURN INCLUDING ANY ACCOMPANYING SCHEDULE AND STATEMENTS HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE RETURN.

RETURN MUST BE SIGNED

SIGNATURE OF TAXPAYER OR AUTHORIZED AGENT

21. NET SALES AND USE TAX (LINE 20 + LINE 18b)

22. PENALTY (LINE 21 x 10%)

23. INTEREST (LINE 21 x .75% x # OF MONTHS PAST DUE)

24. PLUS LIABILITIES ESTABLISHED BY THE DEPARTMENT

25. LESS CREDIT(S) APPROVED BY THE DEPARTMENT

26. TOTAL AMOUNT DUE AND PAYABLE

27. TOTAL AMOUNT REMITTED WITH RETURN

21.

22.

23.

24.

25.

26.

27.

TITLE PHONE NUMBER (WITH AREA CODE)

FEDERAL TAX ID NUMBER (EIN OR SSN)

DATE

**MAKE CHECKS PAYABLE TO:
NEVADA DEPARTMENT OF TAXATION**



SALES/USE TAX RETURN
TXR-01.01
REVISED 7-28-06

Correspondence # 6
1/30/2012



STATE OF NEVADA
DEPARTMENT OF TAXATION
Web Site: <http://tax.state.nv.us>

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Carson City, Nevada 89706-7937
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Henderson, Nevada 89074
Phone: (702) 486-2300
Fax: (702) 486-3377

January 25, 2012

Taxpayer ID: 1001761391-902

Expiration Date: May 16, 2014

Soil Tech, Inc.
7955 Sugar Pine Court #250
Reno, NV 89523

Dear Taxpayer:

RE: Application Filing Number: 10-10006G
Project Name: Ormat McGinness Hills Project

Your request for the sales/use tax abatement on the purchase of tangible personal property relating to the Ormat McGinness Hills project was approved on May 16, 2011, by the Renewable Energy Commission.

The enclosed exemption letter exempts purchases of tangible personal property from sales/use tax specifically associated with the Ormat McGinness Hills project. In accordance with this agreement, the abatement shall be deemed to have commenced on May 16, 2011. This exemption will expire on May 16, 2014. The period of the exemption letter will not exceed three years from the effective date of this exemption.

To simplify administration of this exemption for retailers, the Department of Taxation is providing retailers with total exemption from collecting Nevada sales tax on qualifying purchases made within the scope of this program. Therefore, Soil Tech, Inc. is required to self report and pay the non-exempt 2.60 percent portion of tax, in the form of use tax, directly to the Department.

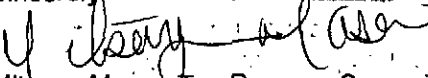
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If upon further or future review by Nevada State Office of Energy or Nevada Energy Commissioner, it is determined the above named organization does not meet or no longer meets the criteria outlined in NRS 701A, this letter of exemption will be revoked.

If you have any further questions, please contact Melanie Brooks at (775) 684-2124.

Sincerely,


Mitsuyo Maser, Tax Program Supervisor I
Compliance Division

cc: Renewable Energy Commission
Nevada State Office of Energy
Lander County

RECEIVED

JAN 30 2012

COUNTY COMMISSION



STATE OF NEVADA
DEPARTMENT OF TAXATION
Web Site: <http://tax.state.nv.us>

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Phone: (702) 486-2300
Fax: (702) 486-3377

January 25, 2012

Taxpayer Identification Number: 1001761391-902
Application Filing Number: 10-10006G

Soil Tech, Inc.
7955 Sugar Pine Court #250
Reno, NV 89523

EXPIRATION DATE: May 16, 2014

**SPECIAL EXEMPTION LETTER FOR ACCOUNTS CERTIFIED
FOR SALES/USE TAX ABATEMENT FOR RENEWABLE ENERGY**

Project Name: Ormat McGinness Hills Project

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Sincerely,

Raymond H. Lummus
Tax Manager

cc: Nevada Energy Commissioner
Nevada State Office of Energy
Lander County

NEVADA DEPARTMENT OF TAXATION

TID No: 1001761391 - 902

**CONSUMER USE TAX RETURN
RENEWABLE ENERGY ABATEMENT**

For Department Use Only

MAIL ORIGINAL TO:
STATE OF NEVADA - DEPT OF TAXATION
1550 COLLEGE PARKWAY, SUITE 115
CARSON CITY NV 89706-7937

Soil Tech, Inc.
7955 Sugar Pine Court #250
Reno, NV 89523
AFN 10-10006G Ormat McGinness Hills Project

For MONTH ending:
Due on or before:
Date paid:

If the name or address as shown is incorrect, if the ownership or business location has changed, or if you are out of business, notify a Nevada Department of Taxation District Office immediately.

IF POSTMARKED AFTER DUE DATE, PENALTY AND INTEREST WILL APPLY

A RETURN MUST BE FILED EVEN IF NO TAX LIABILITY EXISTS

ENTER AMOUNTS IN COUNTY OF USE	AMOUNT SUBJECT TO USE TAX	TAX RATE	CALCULATED TAX
TAX CALCULATION FORMULA	RENEWABLE ENERGY ABATEMENT	x COLUMN B	= COLUMN C
01 CHURCHILL		2.600%	
02 CLARK		2.600%	
03 DOUGLAS		2.600%	
04 ELKO		2.600%	
05 ESMERALDA		2.600%	
06 EUREKA		2.600%	
07 HUMBOLDT		2.600%	
08 LANDER		2.600%	
09 LINCOLN		2.600%	
10 LYON		2.600%	
11 MINERAL		2.600%	
12 NYE		2.600%	
13 CARSON CITY		2.600%	
14 PERSHING		2.600%	
15 STOREY		2.600%	
16 WASHOE		2.600%	
17 WHITE PINE		2.600%	
TOTAL			

I HEREBY CERTIFY THAT THIS RETURN INCLUDING ANY ACCOMPANYING SCHEDULE AND STATEMENTS HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE RETURN.

RETURN MUST BE SIGNED

SIGNATURE OF TAXPAYER OR AUTHORIZED AGENT

TITLE PHONE NUMBER (WITH AREA CODE)

FEDERAL TAX ID NUMBER (EIN OR SSN)

DATE

18. NET USE TAX (SUM OF COLUMN C)

19. PENALTY (LINE 18 x 10%)

20. INTEREST (LINE 18 x .75% x # OF MONTHS PAST DUE)

21. PLUS LIABILITIES ESTABLISHED BY THE DEPARTMENT

22. LESS CREDIT(S) APPROVED BY THE DEPARTMENT

23. TOTAL AMOUNT DUE AND PAYABLE

24. TOTAL AMOUNT REMITTED WITH RETURN

18.	
19.	
20.	
21.	
22.	
23.	
24.	

**MAKE CHECKS PAYABLE TO:
NEVADA DEPARTMENT OF TAXATION**



**UNITED STATES
NUCLEAR WASTE TECHNICAL REVIEW BOARD**
2300 Clarendon Boulevard, Suite 1300
Arlington, VA 22201-3367

**February 1, 2012
For Immediate Release**

**Karyn D. Severson
External Affairs**

**DOE to Present Work on Generic Geologic Repository
Criteria and Models at NWTRB March Meeting**

The U.S. Nuclear Waste Technical Review Board will hold a public meeting in Albuquerque, New Mexico, on Wednesday, March 7, 2012. The meeting will focus on Department of Energy (DOE) work related to developing technical site-selection criteria for a deep geologic repository. The U.S. Geological Service also will provide its perspective on the subject. Following up on presentations at the Board's January meeting in Arlington, Virginia, DOE will discuss its planned approach for site screening, selection, and characterization of generic repository geologies. The discussions will include the status of DOE's development of performance assessment (PA) models for three rock types. A representative of the Blue Ribbon Commission on America's Nuclear Future (BRC) will kick off the meeting with an overview of the BRC final report and recommendations.

The meeting will begin at 8:00 a.m. and will adjourn at approximately 5:40 p.m. It will be held at the Sheraton Albuquerque Airport Hotel, 2910 Yale Blvd., S.E., Albuquerque, New Mexico 87106; (Tel) 505-843-7000; (Fax) 505-843-6307. A block of rooms has been reserved at the hotel for meeting attendees. ***To ensure receiving the federal government rate of \$81.00 per night, room reservations must be made in the "NWTRB" room block by Friday, February 17, 2012.*** The number to call for reservations is 1-800-227-1117. The electronic reservation link is <http://www.starwoodmeeting.com/StarGroupsWeb/res?id=1201240950&key=A0B7A>.

A detailed agenda will be available on the Board's Web site at www.nwtrb.gov approximately one week before the meeting. The agenda also may be obtained by telephone request at that time.

The meeting will be open to the public, and an opportunity for public comment will be provided at the end of the day. Those wanting to speak are encouraged to sign the "Public

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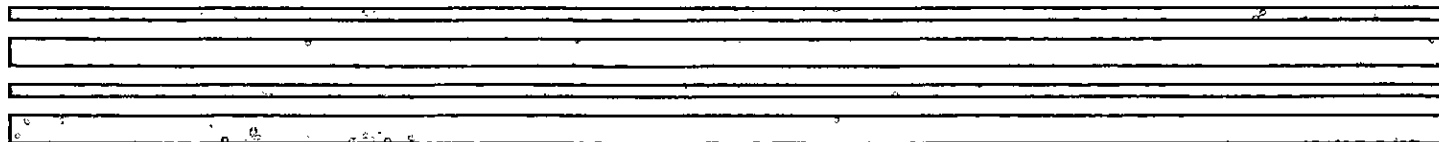
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Comment Register" at the check-in table. A time limit may need to be set for individual remarks, but written comments of any length may be submitted for the record.

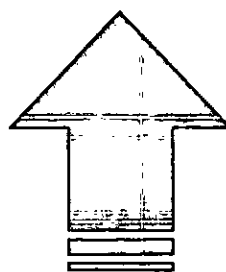
A transcript of the meeting will be available on the Board's Web site, by e-mail, on computer disk, or in paper form on a library-loan basis from Davonya Barnes of the Board's staff after March 30, 2012.

The Board was established as an independent federal agency to provide ongoing objective expert advice to Congress and the Secretary of Energy on technical issues related to nuclear waste management and to review the technical validity of DOE activities related to implementing the Nuclear Waste Policy Act. Board members are experts in their fields and are appointed to the Board by the President from a list of candidates submitted by the National Academy of Sciences. The Board is required to report to Congress and the Secretary no fewer than two times each year. Board reports, correspondence, congressional testimony, and meeting transcripts and materials are posted on the Board's Web site.

For information on the meeting agenda, contact Karyn Severson. For information on lodging or logistics, contact Linda Coultry. They can be reached at 2300 Clarendon Boulevard, Suite 1300; Arlington, VA 22201-3367; (tel) 703-235-4473; (fax) 703-235-4495.



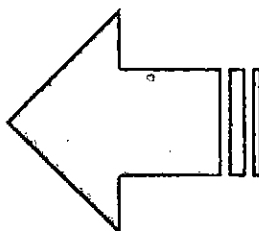
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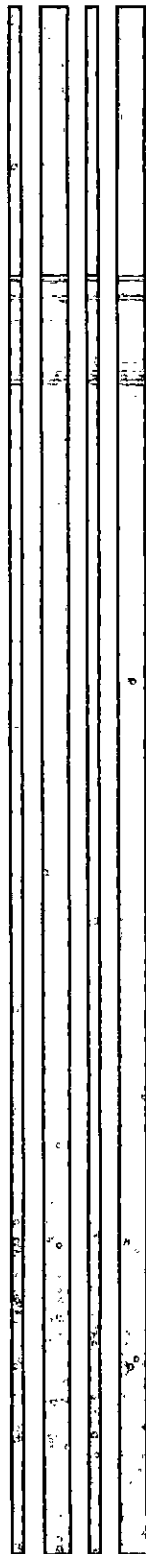
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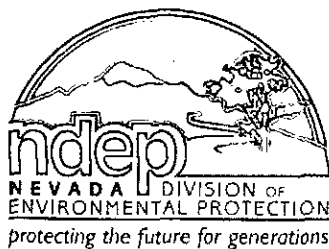
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STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Correspondence # 8
2/1/2012

Brian Sandaval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

January 27, 2012

Jason Benson
NVEnergy
6100 Neil Road, Mail Stop SB408
Reno, NV 89511

Subject: Request for Release/Spill Information

**Facility: Battle Mountain Substation
Battle Mountain, Nevada**

Spill Report No. 120126-02

Dear Mr. Benson:

The Nevada Division of Environmental Protection (NDEP) received notification on January 26, 2012 of a Release/Spill (Release) of contaminants at the above described property. Historic leakage from several generators onsite resulted in the release of petroleum hydrocarbons to the soil. Because this Release appears to have resulted in contamination and exceeds limits or quantities established by Nevada Administrative Code (NAC) 445A.347 or 445A.3473, you are required to provide an evaluation of the release per NAC 445A.2269 and NAC 445A.227.

Accordingly, you are required to provide one of the following reports within 45 days from the date of this letter, and no later than March 27, 2012:

- (A) For Releases that have only impacted soil (not groundwater or surface water), have been excavated such that all residual soil concentrations of contaminants are less than state action levels listed in NAC 445A.2272, and meet other criteria listed in Attachment A, provide a report that contains all the information listed in Attachment A; or
- (B) For all other Releases that do not meet the criteria listed in Attachment A, a report that contains all the information listed in Attachment B.

Should you have trouble meeting this deadline, please contact the undersigned to discuss the need for additional time, as the NDEP is interested in resolving incidents such as this as efficiently and amicably as possible.

This information will be used to ensure that sound decisions are collectively made regarding the Release. Please understand that the release of contaminants can be harmful to human health and the environment and that you may be required per NAC to perform cleanup activities related to the Release.

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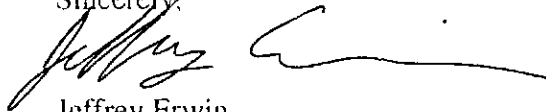
You should make every effort to determine the source and location of the Release. Additionally, every effort should be made to: isolate, contain and remove the source of the Release; and repair or replace equipment and revise operating, maintenance and inspection procedures necessary to prevent recurrence of this Release.

Community health and safety concerns require that you undertake rapid recovery and remediation efforts. You should make every effort to assess the site and conduct cleanup as quickly as possible. Assessment and cleanup may be conducted concurrently. Quick response minimizes contaminant migration and helps reduce cleanup costs. Please recognize that Petroleum Fund Coverage and related work scope and reimbursement concurrences are managed through separate correspondence if these are applicable to this Release.

NAC 459.9719 requires that consulting services involving response, assessment, or cleanup of a hazardous substance release that are conducted for a fee must be performed under the direction and responsible control of a Nevada Certified Environmental Manager. Information on the NDEP Certification Program can be obtained by contacting Certification Program staff at 775-687-9368 or at the Certification Program website at <http://ndep.nv.gov/bca/certhome.htm>.

If you have any questions or need further assistance, please contact me at (775) 687-9379 or jerwin@ndep.nv.gov.

Sincerely,



Jeffrey Erwin
Bureau of Corrective Actions
Nevada Division of Environmental Protection

Attachments (2)

Attachment A – Information Requirements for Soil Releases Excavated to Below Soil Action Levels

Attachment B – Information Requirements for all other Releases

cc: Jeff Collins, Remediation Supervisor, Bureau of Corrective Actions

cc: Chuck Chapin, Chairman, Lander County Board of Commissioners, 315 South Humboldt Street, Battle Mountain, NV 89820
Jacob Edgar, Public Works Foreman, 315 South Humboldt Street, Battle Mountain, NV 89820

ATTACHMENT A

Information Requirements for Soil Releases Excavated to Below Soil Action Levels

Release circumstances and initial abatement actions must meet the following criteria for the information requirements in this Attachment to be applicable:

- Location and type of container from which the Release occurred must be known
- Neither groundwater nor surface water have been impacted by the Release
- All soil with concentrations of hazardous substances or petroleum substances that exceed soil action levels listed in NAC 445A.2272 has been removed
- Confirmation sampling has been performed that verifies the removal of all soil with concentrations of hazardous substances or petroleum substances that exceed soil action levels in NAC 445A.2272
- Removal of soil with concentrations of hazardous substances or petroleum substances that exceed soil action levels in NAC 445A.2272 has not been prevented by permanent structures or impediments, including, but not limited to sidewalks, utilities, building or road foundations, trees

If the Release meets the criteria listed above, you are required to provide the information listed below.

For all Releases that do not meet the criteria listed above, you are required to provide the information listed in Attachment B.

1. Description of the Release of Hazardous or Regulated Substances
 - (a) Type of material released, including any available documentation (e.g. Material Safety Data Sheets or test results)
 - (b) Estimated quantity of material released and the estimation technique utilized
 - (c) Date and time of Release or of the release discovery
 - (d) Cause of Release
 - (e) A description of measures taken to correct and prevent recurrence of this incident
 - (f) Potential for a hazard related to fire, vapor or explosion
 - (g) A description of any damage known to the operator to have been caused by the Release
 - (h) Description of soil action levels from NAC 445A.2272 applicable to the hazardous substances and/or petroleum substances released and how these soil action levels were established.
2. Description of Site Conditions
 - (a) Release Location Information:
 - i. Latitude/Longitude in decimal degrees (North American Datum 83)
 - ii. Estimated accuracy in feet
 - iii. Location determination method used
 - (b) Names and correspondence address information for all property owners

ATTACHMENT A

- and facility owners and operators at the site of the Release
- (c) Scaled drawing(s) depicting:
 - i. Property, current land use and structures
 - ii. Locations and description of underground utilities within 10 feet of Release boundaries
 - iii. Release surface area boundaries
- 3. Sample Results
 - (a) All available testing results (such as laboratory or field soil and/or groundwater sample analysis) including chain of custody sheets, description of sample collection and preservation methods, analytical test methods used, laboratory result sheets with analytical detection limits, and "confirmation" sample results
 - (b) Scaled drawing depicting Release surface area boundaries, excavation boundaries, and location and depth of each soil/water sample.
- 4. Description of investigation or cleanup activities completed, underway, and/or proposed
 - (a) Names and contact information for contractors and consultants employed and scope of duties and responsibilities
 - (b) A description of completed abatement, containment, and/or remediation activities conducted to date and disposition of any liquid wastes or contaminated soil (include bills of lading, disposal certificates or manifest documentation), including location of soil removal activities and quantity of soil removed and source of material used for backfill
 - (c) Extent of Contamination (i.e. lateral and vertical dimensions and volume of impacted soil).
 - (d) Description of sample collection and preservation procedures, analytical test methods, and sample location and depth for all samples collected to date and proposed
 - (e) Description of proposed additional characterization and/or remediation activities
 - (f) Scaled drawing depicting (can be included on Drawing(s) associated with 2.(c) above):
 - i. Surface area boundaries of Release incident
 - ii. Locations of initial abatement activities
 - iii. Surface area boundaries and depths of soil removal.

ATTACHMENT B

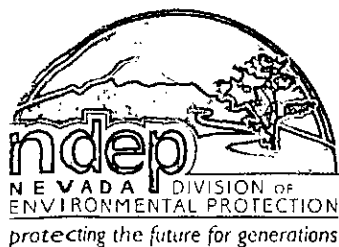
Information Requirements for all other Releases

For all Releases that do not meet the criteria listed in Attachment A, you are required to provide the following information.

1. Description of the Release of Hazardous or Regulated Substances
 - (a) Type of material released, including any available documentation (e.g. Material Safety Data Sheets or test results)
 - (b) Estimated quantity of material released and the estimation technique utilized
 - (c) Date and time of Release or of the release discovery
 - (d) Cause of Release
 - (e) A description of measures taken to correct and prevent recurrence of this incident
 - (f) Potential for a hazard related to fire, vapor or explosion
 - (g) A description of any damage known to the operator to have been caused by the Release
2. Description of Site Conditions and Surrounding Areas
 - (a) Township, Range and Section
 - (b) Spill Location information:
 - i. Latitude/Longitude in decimal degrees (NAD 83)
 - ii. Estimated accuracy in feet
 - iii. Location determination method used
 - (c) Depth to groundwater and how estimated
 - (d) Soil classification (e.g. ASTM D 2487-00 Standard Practice for Classification of Soil for Engineering Purposes) of impacted, underlying, and surrounding soils
 - (e) Annual precipitation
 - (f) Description and identification and location of any threatened, endangered, or sensitive plant or animal species in the area which may have been or has the potential to be impacted by the Release, if warranted. The Nevada Natural Heritage Program can be contacted at 775-684-2900 to determine locations of recorded threatened, endangered, or sensitive species
 - (g) Names and correspondence address information for all property owners and facility owners and operators at the site of the Release
 - (h) Names and correspondence address information for all adjacent property owners and location of their property in relation to Release location
 - (i) Scaled drawing(s) depicting:
 - i. Property, adjacent properties, and current land uses
 - ii. Locations and description of underground utilities
 - iii. Drainage features and structures
 - iv. Roadways and right-of-ways
 - v. Release surface area boundaries
 - vi. Locations of structures or other impediments to subsurface

ATTACHMENT B

- investigation or cleanup
 - vii. Municipal, domestic, and irrigation supply wells within 1 mile of Release location.
3. Sample Results
- (a) All available testing results (such as laboratory or field soil and/or groundwater sample analysis) including chain of custody sheets, description of sample collection and preservation methods, analytical test methods used, laboratory result sheets with analytical detection limits, and "confirmation" sample results
 - (b) Scaled drawing depicting Release surface area boundaries, excavation boundaries, and location and depth of each soil/water sample.
4. For non-residential properties, if the specific Release source (location and/or container) and timing of the Release cannot be identified, then you must evaluate past chemical use on the property by submitting a Phase 1 Environmental Site Assessment conducted by a Certified Environmental Manager, or by other method(s) approved by the Division, conducted in accordance with accepted industry standards.
5. Description of investigation or cleanup activities completed, underway, and/or proposed
- (a) Names and contact information for contractors and consultants employed and scope of duties and responsibilities
 - (b) A description of completed abatement, containment, and/or remediation activities conducted to date and disposition of any liquid wastes or contaminated soil (include bills of lading, disposal certificates or manifest documentation) including location of soil removal activities and quantity of soil removed and source of material used for backfill
 - (c) Extent of Contamination (i.e. lateral and vertical dimensions and volume of impacted soil). If the full extent is not yet defined, then provide details and a schedule for future characterization activities.
 - (d) Description of sample collection and preservation procedures, analytical test methods, and sample location and depth for all samples collected to date and proposed
 - (e) Description of proposed additional characterization and/or remediation activities
 - (f) Scaled drawing depicting (can be included on Drawing(s) associated with 2.(i) above):
 - iv. Surface area boundaries of Release incident
 - v. Locations of abatement and remediation activities
 - vi. Future/proposed sampling locations.



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Correspondence #9
2/2/2012

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

31 January 2012

NOTICE OF DECISION

WATER POLLUTION CONTROL PERMIT NUMBER NEV0093109

Barrick Cortez, Inc. Pipeline Project

The Nevada Division of Environmental Protection has decided to issue a renewal and modification of Water Pollution Control Permit NEV0093109 to Barrick Cortez, Inc. This permit authorizes the construction, operation, and closure of approved mining 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 15 February 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, 10 February 2012 (NOD date +10), 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.

One comment letter was received during the public comment period. The letter, dated 09 January 2012 and received 11 January 2012, was sent by Marie Barry, Environmental Director, Washoe Tribe of Nevada and California (Washoe Tribe). The Division response to the Washoe Tribe comment is attached to this Notice of Decision.

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COUNTY COMMISSION



Washoe Tribe Comment: "The Washoe Environmental Protection Department is concerned with the potential negative effects the proposed project will have on tribal traditional territory, hunting and gathering areas, and cultural resources. The Tribe does not support projects that will destroy or damage these traditional lands and resources."

Division Response: *The Washoe Tribe comment is noted.*

STATE OF NEVADA
Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Mining Regulation and Reclamation

Water Pollution Control Permit

Permittee: **Barriek 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 **15 February 2012**, and shall remain in effect until **23 January 2017**, unless modified, suspended, or revoked.

Signed this 30th day of **January 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 carbon-in-column (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 carbon-in-leach (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

fluid conveyance channel, and associated pumps, valves, pipelines, and secondary containment.

D. Monitoring Requirements

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
1. <u>Leak Detection Sumps and Ports</u> <i>Area 28 Facility:</i> 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 <i>Area 30 SAHL Facility:</i> 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 <i>Other Facility Components:</i> Pipeline Underground Ore Stockpile Pad Stormwater Pond (POS-LD) 1,485 gal	Average daily accumulation in gallons per day (gpd)	Weekly ¹

<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</u> <u>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 ¹⁴
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

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): Bicarbonate Total	Cadmium	Magnesium	Selenium
	Calcium	Manganese	Silver
	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: 26 January 2012

Revision 00: Renewal 2012 and TSP Cell 4 Expansion major modification effective 15 February 2012.

FACT SHEET
(pursuant to NAC 445A.401)

Permittee Name: **Barriek 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 NEV00951111. 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 electrowinning 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 some 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; however, three (3) existing plate and frame heat exchangers were not replaced with three (3) new shell and tube heat exchangers as proposed in the approved design.

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 $\frac{3}{4}$ -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 $\frac{3}{4}$ -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.

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/yd^2) 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^{-7} 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 LCRS 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 LCRS 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 LHCSL 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 LDCC1N 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
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