LANDER COUNTY COMMISSION MEETING April 12, 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 an update to the Commission on the Fiscal Year 2011-2012 Budget, the Fiscal Year 2012-2013 Budget submission, contracts, general financial operations of the County and other fiscal issues.

The Fiscal Year 2012-2013 Lander County Tentative Budget is due for submission to the Nevada State Department of Taxation on April 15, 2012.

Recommended Action:

No specific action is necessary on this agenda item.

Rogene Hill Lander County Finance Director

Memorandum



To: Lander County Commissioners

Date: April 12, 2012

Re: COUNTY CONTRACTS FYI

This is to inform you that the following contracts are past due for renewal:

STATUS:

1. Bank of America/ATM Rental Agreement Contract was approved by the Commission on November 17, 2011 (Agenda Item #6). No response back from Bank of America. Bank of America continues to pay \$350 per month.

		Expiration Date:
1.	B.M. Raceway	06/30/2012
2.	B.M. General Hospital/Clinic Rental	06/30/2012
3.	Mueller Land and Cattle/Water Rights	06/30/2012
4.	Washoe County Sheriff	06/30/2012
5.	New Frontier Treatment Center	07/15/2012
6.	Valley TV	07/13/2012

D.O.E. Contracts:

1.	Armstrong Teasdale LLP	06/30/2012
2.	Kolesar & Leatham	06/30/2012

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LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 2

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding development, scoping and implementation of a solar power initiative for Lander County facilities and other matters properly relating thereto.

Public comment.

Background:

The proposal to develop, scope and implement a solar power initiative to provide an alternate energy source, and thereby reduce the cost of electricity, for Lander County facilities is brought before the Commission for consideration.

Mr. Ryan Pinjuv of PineCrest Construction and Development Company will be in attendance to provide further details to the Commission on this item.

Recommended Action:

It is recommended that the Commission direct staff to work on the issue of alternative energy sources to provide electric power for Lander County facilities and develop a feasibility report on such a program.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 3

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding commencing a Capital Construction/Construction Manager at Risk (CMAR) project and publishing a Request for Qualifications (RFQ) for the Courthouse/Administration Building project and other

matters properly relating thereto.

Public comment.

Background:

Information will be presented for Commission consideration to undertake a capital construction project to construct a new Courthouse/Administration Building for Lander County and solicit qualifications from firms with experience and expertise to provide Construction Manager at Risk services for the Project.

Recommended Action:

It is recommended that the Commission commit to undertake a capital construction project to construct a new Courthouse/Administration Building for Lander County and direct staff to develop the Request for Qualifications from firms with experience and expertise in providing Construction Manager at Risk services for review by the District Attorney's Office and approval by the Commission prior to publication.

ALTERNATIVE DELIVERY METHODS FOR CONSTRUCTION

PRESENTATION ORDER

- ***DEFINING OUR OPTIONS**
- **♦WHY DIFFERENT APPROACHES**
- **♦**CMAR IMPLEMENTATION

ALTERNATIVES

- **◆TRADITIONAL METHOD**
 - Design
 - Bid
 - BUILD
- ***ALTERNATIVE METHODS**
 - Design Build
 - AGENCY Construction Manager
 - CMAR Construction Manager at Risk

DESIGN-BUILD

- **♦**OWNER
- **♦DESIGN** BUILDER
- **SUBCONTRACTORS**

DESIGN - BUILD

- Competition
- ♦ Selection Based On...
 - Partially Completed Designs
 - Price
- Owner Must Produce a Basis of Design
- ♦ Better Basis of Design = Better D-B Choice
- ♦ Owner left feeling "stuck" with D-B results

CONSTRUCTION MANAGER AT RISK

Public Agencies Observed...

- **♦ NEGOTIATED**
- Guaranteed Price Contracts
- Pre-construction Services
- General Contractor holds Subcontracts

CONSTRUCTION MANAGER AT RISK

- **◆**OWNER
- **⊕**CMAR
 - Consultants
 - Subcontractors

American General Contractors Survey Results

- **\$2008**
 - 11 States allowed CMAR over all 5 Project Types (CMAR Not Allowed in 7 States)
- **♦**2011
 - 44 States allowed CMAR over all 5 Project Types (CMAR Not Allowed in 1 State)

WHY do something DIFFERENT???

- φ
 - Teamwork on this Project is IMPORTANT
 - We MUST KNOW the Contractor is QUALIFIED
 - We are going to build this Project within the BUDGET
 - We are going to get the most out of our Taxpayer's \$\$\$
 - ♦ We must be ACCOUNTABLE for where the \$\$\$ are spent
 - → GET 'R' DONE!!! Reasonably QUICK Timeline
 - We must know the Subcontractors have the Scope Covered
 - Must be an Easy-To-Maintain Project
 - MINIMIZE Warranty/Punchlist Call-Backs

CMAR Added Value Services

(Called "Preconstruction" in Private

Sector)

- Conceptual Estimating
- Estimate Updates with Design Milestones
- ◆ SCHEDULING!!!
- Logistical Planning
- Constructability Reviews
- Value Engineering/Continuous Value Analysis
- Budget Preparation/Ongoing Budget Review/Sub Bidding
- ALL OPEN BOOK

<u>CMAR</u> RFP TIMING

CMAR Often Hired at Same Time as ARCHITECT/ENGINEER

C

M

A

R

◆A/E

TIMING of the CMAR

RFP

IS CRITICAL

<u>Estimated Effectiveness vs. Phase of</u> <u>Construction</u>

- +90% On Board @ Schematic Design
- +70% On Board @ Design Development
- +50% On Board @ Construction Documents
- +30% On Board @ Construction

SELECTION of a CM/CMAR

BASED ON

NOT BASED ON

- Experience
- Reputation

Fee Only

- Approach
- Safety Record
- Litigation History
- Personnel
- Interview
- ◆ Fee

Total Project Cost

& LOW BID

TIMING of SELECTION

DESIGN/BUILD

Design Team Placed at beginning of PLANNING Stage Contractor Selected After DESIGN Stage Value Engineering takes place (Hopefully!) before BUILD

◆ CMAR PROCESS

Design Team & CMAR selected during PLANNING Stage Design Includes CMAR (and may include) CONTRACTOR

Continuous Value Analysis THROUGHOUT PROJECT

IMPLEMENTATION of CMAR

- **A-Qualifications Based Selection Process**
 - Owner creates and publishes RFP publicly Fee IS NOT requested at this time RFP includes details on how responses are scored
 - Interested parties respond with Proposals
 - Owner Selection Committee evaluates/scores Proposals

Short List of 2 to 5 applicants is chosen

- Short List Candidates Invited for Interview May request fee, Limited to 20% of Overall Scoring
- Short List Candidates are Interviewed
- ◆ Interviews are Scored Candidates Ranked Per 2011 NRS; ONLY INTERVIEW INFORMATION IS SCORED NEW REGULATIONS ARE TO BE ADOPTED BY THE SPWB

IMPLEMENTATION of CMAR

Example_of_Short List Criteria & Scoring for CMAR Proposal
CMAR Firm and Key Personnel Qualifications 20 Pts

CMAR Project Experience 20 Pts
Past Performance 20 Pts
Project Implementation Plan 20 Pts
Litination and Dispute Mistage 15 Pte

Litigation and Dispute History 15 Pts

<u>Certificate of Eligibility (NRS Requirement)</u> 5 Pts

QUALIFICATIONS POINT SUBTOTAL 100 Points

Breach of Contract

PASS/FAIL

Prior Disqualification

PASS/FAIL

Nevada Licensed Contractor

PASS/FAIL

Insurance and Bonding Capacity

PASS/FAIL

IMPLEMENTATION of CMAR

Example of INTERVIEW	Criteria	and	Scoring
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Proposed Fee Arrangement (NOT REQUIRED)	10 Pts
Certificate of Eligibility (NRS Requirement)	5 Pts
CMAR Firm and Key Personnel Qualifications	7 Pts
Past Performance (Recent SIMILAR Projects)	7 Pts
Project Implementation Plan	15 Pts
CMAR/Design/Design-Bid-Build Change History	4 Pts
CMAR Safety Program	2 Pts
CMAR Interview	50 Pts
INTERVIEW POINT SUBTOTAL	100 Pts

* If FEE is <u>NOT</u> part of this scoring, it is negotiated upon selection

IMPLEMENTATION of CMAR

- Results of Interview Scoring MUST be Shared with Competitors
- Owner Negotiates with Highest Ranking Firm

Benefits of CMAR

- Early Alignment of Expectations
- Schedule Control
- Guaranteed QUALIFIED Team Members
- Early Team Selection
- TRANSPARENCY
- ◆ Faster Overall Project Delivery COMPLETION
- Reduces Changes in the Field

Bid Process Run by Contractor

- May Create Opportunity for Savings (\$\$\$)
- Benefit of Contractor as a PARTNER BUDGET - Design to Cost Model Constructability Subcontractor Selection Criteria

AGREEMENT FOR PROFESSIONAL SERVICES J-U-B PROJECT NO. 83-12-012 AUSTIN AIRPORT, NEVADA

THIS AGREEMENT is made as of the 14th day of March, 2012, by and between Lander County,315 South Humboldt Street, Battle Mountain, NV.,89820, hereinafter referred to as the CLIENT, and J-U-B ENGINEERS, Inc., 2875 S. Decker Lake Dr., Suite 575, Salt Lake City, Utah, 84119, hereinafter referred to as J-U-B.

WHEREAS, the CLIENT intends to make certain improvements and/or modifications to the Austin Airport, consisting of the following:

Austin Airport Improvements Environmental Evaluations described as follows:

Environmental Evaluation for the Construction of a General Aviation Flight Planning Building and the Expansion of the Airport Apron.

This task will complete an environmental evaluation for the expansion of the existing apron and the construction of a general aviation flight planning building proposed for construction adjacent to the airport apron. This task will follow all regulations set forth by the Federal Aviation Administration for the completion of a categorical exclusion. The environmental process will address all items which are necessary for the expansion of the apron and the construction of the building including the installation of an onsite septic system.

Hereinafter referred to as the PROJECT:

WITNESSETH

For and in consideration of the mutual covenants and promises between the parties hereto, it is agreed:

ARTICLE 1 J-U-B'S SERVICES

1.01 BASIC SERVICES

J-U-B agrees to perform or furnish professional engineering and planning services in relation to the PROJECT, including normal civil engineering services related thereto, as set forth below and contained within this document.

Environmental Evaluation for the Expansion of Airport Apron and the Construction of a General Aviation Flight Planning Building: Upon the CLIENT's Authorization to Proceed J-U-B shall perform the following work:

The consultant will conduct an environmental evaluation and describe existing environmental conditions of the potentially affected geographic area(s). This evaluation will highlight pertinent background material, such as previous and reasonably foreseeable development and actions, whether Federal or non-Federal and actions taken or proposed by the community or citizen groups pertinent to the proposal, or any other unique factors associated with the proposed action. Work will be conducted in accordance with FAA Order 5050.4B and 1050.1E. The completion of the environmental evaluation will consist of the following tasks:

 Community and Agency Coordination – Coordinate with local, state, and federal resource agencies with authority, jurisdiction, or expertise pertaining to subjects relevant to the proposed action.

- Project Mapping Obtain existing mapping information for use on the environmental evaluation. This can include but is not limited to: aerial photography, land use maps, USGS maps, FEMA maps, NWI maps, transportation maps, utility maps, and maps demarcating jurisdictional boundaries.
- Preliminary Engineering Perform preliminary design engineering sufficient to conduct a concept analysis to provide necessary data for the environmental evaluations.
- 4. Purpose and Need Identify current and future needs at the airport to develop the purpose and need for the proposed action. The purpose and need statement will be specific to the identified goals for the proposed action.
- Project Description Identify and detail all proposed project improvements for the proposed action. This project description will serve as the basis for evaluating impacts to resources within the project vicinity.
- 6. Resource Evaluation Obtain relevant data from local, state, and federal agencies to identify the existing environmental conditions of the potentially affected geographic and resources area(s). This information will be used as the baseline conditions in which impacts will likely be measured against. The proposed action will be evaluated for potential impacts to the environmental resources within the project area following criteria identified in Order 5050.4B and Order 1050.1E. Order 1050.1E, Appendix A, which identifies specific criteria for each resource category. Each resource area will be evaluated for direct, indirect (or secondary), and cumulative impacts. Mitigation measures will be identified, as necessary, for each resource category.
- 7. Prepare Draft Environmental Evaluation Compile the information produced during the community and agency consultation, and resource evaluation. Technical memorandums, correspondence, and agency coordination will be included in the appendices of the document. In consultation with the Airport Authority and FAA, J-U-B will review and refine the environmental evaluation as necessary based on comments raised during the creation of the document. The Draft Environmental Evaluation will be provided to the Airport Authority and FAA for review and comment.
- 8. Prepare Final Environmental Evaluation Address the comments from the Airport Authority and the FAA's review of the draft environmental evaluation. J-U-B will edit the document as necessary and prepare sufficient copies for the review team. J-U-B will submit to FAA the final environmental evaluation in both written and electronic form.

1.02 SCHEDULE OF SERVICES TO BE PERFORMED

J-U-B will perform said Services as follows:

Environmental Evaluation for Construction of a General Aviation Flight Planning Building

- Completed no later than December 31, 2012.

This schedule shall be equitably adjusted as the PROJECT progresses, allowing for changes in scope, character or size of the PROJECT requested by the CLIENT or for delays or other causes beyond J-U-B's control.

1.03 ADDITIONAL SERVICES

When authorized in writing by the CLIENT, J-U-B agrees to furnish, or obtain from others, additional professional services in connection with the PROJECT, as set forth below and as otherwise contained within this Agreement:

A. Additional services when the PROJECT involves more than the expansion of the existing apron and the construction of a general aviation flight planning building.

- B. Prepare special change orders when requested by the CLIENT that are not within the scope of the original PROJECT.
- C. Review the PROJECT prior to expiration of the guarantee period and report observed discrepancies under guarantee provided by the construction contract.
- D. Extended services during construction made necessary by: 1) work damaged by fire or other cause during construction; 2) defective or incomplete work of the Contractor causing delays in the project resulting in additional costs to J-U-B; 3) prolongation of the initial construction contract time; 4) acceleration of the work schedule involving services beyond established office working hours; and 5) the Contractor's default under the construction contract due to delinquency or insolvency.
- E. Provide services as an expert witness for the CLIENT in connection with litigation or other proceedings involving the PROJECT.
- F. Assist the CLIENT in resolving disputes over claims, bankruptcy, legal complaints or default of the Contractor.
- G. Assist or extend services as a result of strikes, walkouts, or other labor disputes, including acts relating to settlement of minority group problems.
- H. Provide other services not otherwise provided for in this Agreement, including services normally furnished by the CLIENT as described in Article 2, CLIENT'S RESPONSIBILITIES.
- Mitigation work identified in the environmental review.

ARTICLE 2 CLIENT'S RESPONSIBILITIES

2.01 CLIENT'S RESPONSIBILITIES

The CLIENT shall:

- A. Designate, in writing, a person authorized to act as the CLIENT'S contact. The CLIENT or his designated contact shall receive and examine documents submitted by J-U-B to determine acceptability of said documents, interpret and define the CLIENT'S policies, and render decisions and authorizations in writing promptly to prevent unreasonable delay in the progress of J-U-B's services.
- B. Make available to J-U-B all technical data that is in the CLIENT'S possession, including maps, surveys, property descriptions, borings, and other information required by J-U-B and relating to his work.
- C. Hold promptly all required special meetings, serve all required public and private notices, receive and act upon all protests and fulfill all requirements necessary in the development of the PROJECT and pay all costs incidental thereto.
- D. Provide legal, accounting and insurance counseling services necessary for the PROJECT: Legal review of the construction Contract Documents; and such writing services as the CLIENT may require to account for the expenditure of construction funds.
- E. Furnish permits and approvals from all governmental authorities having jurisdiction over the PROJECT and from others as may be necessary for completion of the PROJECT.
- F. The CLIENT agrees to cooperate with J-U-B in the approval of all plans, reports and studies, and shall make a timely decision in order that no undue expense will be caused J-U-B because of lack of decisions. If J-U-B is caused extra drafting or other expense due to changes ordered by the CLIENT after the completion and approval of the plans, reports, and studies, J-U-B shall be equitably paid for such extra expenses and services involved.
- G. Guarantee full and free access for J-U-B to enter upon all property required for the performance of J-U-B's services under this AGREEMENT.

- H. Give prompt written notice to J-U-B whenever the CLIENT observes or otherwise becomes aware of any defect in the PROJECT or other event that may substantially affect J-U-B's performance of services under this AGREEMENT.
- Prepare and submit reimbursement requests to funding agencies.
- J. Furnish above services at the CLIENT'S expense and in such manner that J-U-B may rely upon them in the performance of its services under this AGREEMENT.
- K. Compensate J-U-B for services promptly rendered under this AGREEMENT.
- L. Obtain bids or proposals from contractors for work relating to the PROJECT and bear all costs relating thereto.
- M. When identified in the construction contract documents, provide construction surveys and materials testing by the successful contractor.

ARTICLE 3 J-U-B'S COMPENSATION

3.01 BASIC SERVICES COMPENSATION

J-U-B shall provide services in connection with the terms and conditions of this Agreement, and the CLIENT shall compensate J-U-B therefore as follows:

A. Environmental Evaluations

- The CLIENT shall compensate J-U-B for the Environmental Evaluation tasks, Section 1.01a and b on a Cost-Plus-Fixed-Fee basis, with an estimated not to exceed amount without written notice of Forty Three Thousand Nine Hundred Twelve Dollars and 69/100 (\$43,912.69). The CLIENT shall reimburse J-U-B for the following items:
 - a. <u>Payroll Cost:</u> Actual salaries paid J-U-B's employees, without markup, for the time such employees are directly used on work necessary to fulfill the terms of this AGREEMENT. Reasonable salary increases, promotions and other payroll adjustments during the course of this work are acceptable subject to approval by the CLIENT. The list of names of personnel actually working on this project and their salaries shall be submitted prior to the start of work on the project and shall be updated as needed to reflect any changes.
 - b. Payroll Additives: Additives representing the employee benefits based on payroll cost shall be computed as a percentage of the payroll cost paid in paragraph B.1.a.above. For the purposes of this AGREEMENT, that additive shall be 53.83 percent of the payroll cost based on existing audits, cost data, and other information mutually agreed to by both parties. This factor is subject to adjustment by the parties based on audits occurring during the life of this AGREEMENT. Independently prepared cost data shall be submitted to the CLIENT at intervals not less than every 18 months to support the payroll additives for this AGREEMENT.
 - c. General and Administrative Overhead Cost: These overhead costs shall be in accordance with Federal requirements contained in the 41 CFR 1-15. These costs shall be computed at 142.61 percent of the payroll costs paid under paragraph B.1.a above. This percentage may be adjusted by the parties based on audits occurring during the life of this AGREEMENT. Independently prepared cost data shall be submitted to the CLIENT at intervals not less than every 18 months to support the General and Administrative Overhead for this AGREEMENT.
 - d. <u>Direct Cost and Out-of-Pocket Cost</u>: These costs shall be directly related to this project and determined in accordance with Federal requirements contained in 41 CFR 1-15. Direct costs shall be assessed an administrative fee of 10 percent.
 - e. <u>Fixed Fee</u>: The Fixed Fee for performance completed under this task shall be Three Thousand Seven Hundred Eighty Six and 10/100 Dollars (\$4,340.67). Should there be a

change in the scope of work under this AGREEMENT; the fixed fee shall be negotiated with an appropriate adjustment for change in the scope of work. Additional fixed fees, as approved as a portion of Supplemental Engineering Agreements, shall be in addition to the above agreed upon amount. FAA participation in those costs is conditioned on their approval of the increased costs.

- Total estimate for the Environmental Evaluations, including fixed fee, for the work under this AGREEMENT shall not exceed Forty Three Thousand Nine Hundred Twelve Dollars and 69/100 (\$43,912.69). This maximum amount is subject to adjustment in the event of any approved increases in scope of service as approved by the CLIENT and the FAA and documented by approved Supplemental Engineering Agreements.
- 3. Partial payment shall be made for the services performed as the work under this AGREEMENT progresses. Such payment is to be made monthly based on the itemized statements, invoices, or other evidences of performance furnished to and approved by the CLIENT. All claims for payment will be submitted in a form compatible with current practices and acceptable to the CLIENT. Partial payments will include payroll costs, payroll burden and general and administrative overhead, and out-of-pocket expense, plus that portion of the fixed fee which its percentage of completion bears to the total cost of the fully completed work under this AGREEMENT. The CLIENT shall make full payment of the value of such documented monthly service as verified on the monthly statement.
- B. Total Project Fees. Total fees as outlined in Sections 3.01.A.and 3.01.B.. Forty Three Thousand Nine Hundred Twelve Dollars and 69/100 (\$43,912.69). See Exhibit A for detailed cost breakdown.

3.02 ADDITIONAL SERVICES

In addition to any and all compensation hereinabove, the CLIENT shall compensate J-U-B for Additional Services, Section 1.03, under a supplemental agreement. These additional services are to be performed or furnished by J-U-B only upon written authorization by the CLIENT.

3.03 COMPENSATION ADJUSTMENT

It is agreed by the parties hereto that the contract amounts as shown in Sections 3.01 have been calculated on the stipulation that the CLIENT will authorize J-U-B to proceed with all of these above-said services within six (6) months from the date of this AGREEMENT. It is also agreed that the costs of those services, in whole or in part, that have not been authorized by the CLIENT for performance by J-U-B within said period, shall be adjusted to allow for changes in the costs, as measured by the percentage increase as set forth in the Department of Labor National Average Costs of Living Index over the previous twelve (12) months.

3.04 ADDITIONAL CONDITIONS OF COMPENSATION

The CLIENT and J-U-B further agree that:

- A. When the CLIENT directs that competitive bids be taken for construction on alternate designs, where this involves the preparation of designs, plans, and specifications for alternate facilities, the compensation to J-U-B shall be an additional payment to be negotiated at the time the CLIENT directs that alternative designs, plans, and specifications be prepared, subject to FAA review and approval.
- B. Progress payments shall be made in proportion to services rendered as indicated within this Agreement and shall be due and owing within thirty (30) days of J-U-B's submittal of a monthly statement. Any monies not paid after 30 days when due under this AGREEMENT shall bear a finance charge at the rate of one percent (1%) per month on the balance, until paid.
- C. If the CLIENT fails to make monthly payments due J-U-B, J-U-B may, after giving ten (10) days written notice to the CLIENT, suspend services under this Agreement.

- D. No deductions shall be made from J-U-B's compensation on account of penalty, liquidated damages, or other sums that may be withheld from payments to Contractors.
- E. If the PROJECT is delayed, or if J-U-B's service for the PROJECT is delayed or suspended for more than three (3) months for reasons beyond J-U-B's control, J-U-B may, after giving ten (10) days written notice to the CLIENT, terminate this Agreement and the CLIENT shall compensate J-U-B in accordance with the termination provisions contained hereafter in this Agreement.

ARTICLE 4 GENERAL PROVISIONS

4.01 OWNERSHIP OF DOCUMENTS

Upon the request of the CLIENT and the acceptance of the construction, J-U-B shall furnish the CLIENT copies of all maps, plots, drawings, estimate sheets, and other contract documents required for the PROJECT. Upon the request of the CLIENT and the completion of the work specified herein, all material documents acquired or produced by J-U-B in conjunction with the preparation of the plans shall be delivered to and become the property of the CLIENT providing no future use of said documents or portions thereof shall be made by the CLIENT with J-U-B's name or that of J-U-B ENGINEERS, Inc., attached thereto. Final submittal of J-U-B's work product shall be in hard-copy format and no electronic design files will be submitted as part of the PROJECT, unless expressly requested.

Reuse of any of the above-said documents by the CLIENT on extensions of this PROJECT or on any other project without written permission of J-U-B shall be at the CLIENT'S risk, and the CLIENT agrees to defend, indemnify, and hold harmless J-U-B from all claims, damages, and expenses including attorney's fees arising out of such unauthorized reuse of said documents by the CLIENT or by others acting through the CLIENT.

J-U-B shall retain an ownership interest in PROJECT documents that allows their reuse of non-proprietary information on subsequent projects at J-U-B's sole risk.

4.02 DELEGATION OF DUTIES

Neither the CLIENT nor J-U-B shall delegate, assign, sublet or transfer his duties under this Agreement without the written consent of the other.

4,03 TERMINATION

The CLIENT and J-U-B reserve the right to terminate this Agreement at any time, upon a seven (7) days written notice, should any of the following events occur:

- A. If the PROJECT is abandoned or indefinitely postponed.
- B. If J-U-B's services are, in the judgment of the CLIENT, unsatisfactory.
- C. If J-U-B fails to prosecute the work with due diligence or fails to complete the work within the time limits specified herein or as subsequently extended.
- D. If the CLIENT fails to make regular progress payments for work completed.

The CLIENT may, by written notice, terminate this contract in whole or in part at any time, either for the CLIENT's convenience without cause or because of failure to fulfill the contract obligations. Upon receipt of such notice services shall be immediately discontinued (unless the notice directs otherwise) and all materials as may have been accumulated in performing this contract, whether completed or in progress, delivered to the CLIENT.

The rights and remedies of the CLIENT provided in this clause are in addition to any other rights and remedies provided by law or under this contract.

Except upon involuntary abandonment of the PROJECT by J-U-B, or breach of contract by J-U-B, in the event the CLIENT terminates this Agreement, the CLIENT shall be obligated to pay J-U-B an amount equal in value to that of the services satisfactorily performed, or in progress, until the time of the

termination, but no amount shall be allowed for anticipated profit on unperformed services, plus reasonable termination expenses. The tracing and master specifications sheets and related project documents shall become the property of the CLIENT.

4.04 GENERAL

- A. Should litigation occur between the two parties relating to the provisions of this Agreement, court costs and reasonable attorney fees incurred shall be borne by their own party.
- B. Neither party shall hold the other responsible for damage or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or the other's employees and agents.
- C. In the event any provisions of this AGREEMENT shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One (1) or more waivers by either party or any provision, term, condition, or covenant shall not be construed by the other party as a waiver of subsequent breach of the same by the other party.
- D. J-U-B has not been retained or compensated to provide design and construction review services relating to the Contractor's safety precautions or to means, methods, techniques, sequences or procedures required for the Contractor to perform his work including, but not limited to, aircraft safety precautions, shoring, scaffolding, underpinning, temporary retainment of excavations, and any erection methods and temporary bracing.
- E. J-U-B shall render its services under this AGREEMENT in accordance with generally accepted professional practices. J-U-B makes no other warranty for the work provided under this AGREEMENT.
- F. Any opinion of the estimated construction cost prepared by J-U-B represents his judgment as a design professional and is supplied for the general guidance of the CLIENT. Since J-U-B has no control over the cost of labor and material, or over competitive bidding or market conditions, J-U-B does not guarantee the accuracy of such opinions as compared to Contractor bids or actual costs to the CLIENT.
- G. In soils investigation work and determining subsurface conditions for the PROJECT, the characteristics may vary greatly between successive test points and sample intervals. J-U-B will coordinate this work in accordance with generally accepted engineering practices and makes no other warranties, expressed or implied, as to the professional advice furnished by others under the terms of this AGREEMENT.

Any notice or other communications required or permitted by this contract or by law to be served on, given to, or delivered to either party hereto by the other party shall be in writing and shall be deemed duly served, given, or delivered when personally delivered to the party to whom it is addressed or, in lieu of such personal service, when deposited in the United States mail, certified mail, return receipt requested, addressed to the CLIENT at and to J-U-B at 2875 S. Decker Lake Dr., Suite 575, Salt Lake City, Utah, 84119. Either party, the CLIENT or J-U-B, may change his address for the purpose of this paragraph by giving written notice of such change to the other party in the manner provided in this paragraph.

4.05 BREACH OF CONTRACT TERMS (49 CFR Part 18.36)

This provision is required in all contracts that exceed the simplified acquisition threshold, presently set at \$100,000.

Any violation or breach of terms of this contract on the part of J-U-B or their subcontractors may result in the suspension or termination of this contract or such other action that may be necessary to enforce the rights of the parties of this agreement. The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law.

4.06 MEDIATION BEFORE LITIGATION

In an effort to resolve any conflicts that arise during the design and construction of the PROJECT or following the completion of the PROJECT, the CLIENT and J-U-B agree that all disputes between them arising out of or relating to this AGREEMENT or the PROJECT, except for the payment of J-U-B's fees, shall be submitted to nonbinding mediation as a condition precedent to litigation unless the parties mutually agree otherwise. The CLIENT further agrees to include a similar mediation provision in all agreements with independent contractors and consultants on the PROJECT, and also to include a similar mediation provision in all agreements with their subcontractors, subconsultants, suppliers and fabricators on the PROJECT, thereby providing for mediation as the primary method for dispute resolution among the parties to all those agreements.

This Contract shall be governed by and interpreted under the laws of the State of Nevada. The parties agree that in the event it becomes necessary to enforce any of the terms and conditions of this Contract that the form, venue and jurisdiction in that particular action shall be in Lander County, Nevada.

4.07 EXTENT OF AGREEMENT

This Agreement represents the entire and integrated agreement between the CLIENT and J-U-B and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both CLIENT and J-U-B

4.08 CONSTRUCTION CONTRACTOR'S RESPONSIBILITY

Visits to the construction site and observations made by J-U-B's design staff as part of their services shall not relieve the construction Contractor of his obligation to conduct comprehensive inspection of the work sufficient to ensure conformance with the intent of the Contract Documents, and shall not relieve the construction Contractor of his full responsibility for all construction means, methods, techniques, sequences and procedures necessary for coordination and completing all portions of the work under the construction contract and for all safety precautions related thereto. Such visits by J-U-B's design staff are not to be construed as part of the observation duties of the on-site observation personnel defined in other parts of this Agreement.

4.09 FUNCTION OF ON-SITE OBSERVATION AND PERSONNEL

If the scope of services includes construction engineering, J-U-B may be required to act as the Resident Engineer on the PROJECT. When so stipulated, the Resident Engineer and on-site observation personnel will make reasonable efforts to guard the CLIENT against defects and deficiencies in the work of the Contractor and to help determine if the provisions of the Contract Documents are being fulfilled. When construction engineering is included as services of this agreement, Standard Exhibit B – Construction Phase Services, attached, outlines the specific responsibilities of J-U-B, acting as the Resident Engineer during construction. Their day-to-day observation will not, however, cause J-U-B to be responsible for those duties and responsibilities that belong to the construction Contractor and that include, but are not limited to, full responsibility for the techniques and sequences of construction and the safety precautions related to the construction and commissioning of the work.

ARTICLE 5 SPECIAL PROVISIONS

5.01 INSURANCE AND INDEMNITY

A. <u>J-U-B's Insurance</u>. J-U-B agrees to procure and maintain, at its expense, Commercial General Liability insurance of \$1,000,000 combined single limit for personal injury and property damages, and Professional Liability Insurance of \$1,000,000 per claim for protection against claims arising out of the performance of services under this Contract caused by negligent acts, errors, or omissions for which J-U-B is legally liable. J-U-B shall deliver to the CLIENT, prior to execution of the AGREEMENT by the CLIENT and prior to commencing work, Certificates of Insurance, identified on their face as the Agreement Number to which applicable, as evidence that policies providing such coverage and limits of insurance are in full force and effect, which Certificates

- shall provide that not less than thirty (30) days advance notice will be given in writing to the CLIENT prior to cancellation, termination or alteration of said policies of insurance. J-U-B shall acquire and maintain statutory workmen's compensation coverage.
- B. J-U-B agrees to comply with Federal Executive Order No. 11246 entitled, "Equal Employment Opportunity", as supplemented in Department of Labor Regulations (41 CFR, Part 60), if this Agreement exceeds Ten Thousand Dollars (\$10,000); Sections 103 and 107 of the Contract Work House and Safety Standards Act (40 USC 327-330) as supplemented by Department of Labor Regulations (29 CFR, Part 5) if this AGREEMENT exceeds Twenty-five Thousand Dollars (\$25,000); and all applicable standards, orders, and regulations issued pursuant to the Clear Act of 1970 if this Agreement exceeds One Hundred Thousand Dollars (\$100,000).
- C. Indemnification by J-U-B. To the fullest extent permitted by law, J-U-B shall indemnify and hold harmless CLIENT, and CLIENT's officers, directors, partners, agents, consultants, and employees from and against any and all claims, costs, losses, and damages (including but not limited to all fees and charges of J-U-B, architects, attorneys, and other professionals, and all court, arbitration, or other dispute resolution costs) arising out of or relating to the PROJECT, provided that any such claim cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting there from, but only to the extent caused by any negligent act, error, or omission of J-U-B or J-U-B's officers, directors, partners, employees, or Consultants. The indemnification provision of the preceding sentence is subject to and limited by the provisions agreed to by CLIENT and J-U-B in Subsection 5.01E, "Allocation of Risks," if any.
- D. Indemnification by CLIENT. To the fullest extent permitted by law, CLIENT shall indemnify and hold harmless J-U-B, J-U-B's officers, directors, partners, agents, employees, and Consultants from and against any and all claims costs, losses, and damages (including but not limited to all fees and charges of J-U-B, architects, attorneys, and other professionals, and all court, arbitration, or other dispute resolution costs) arising out of or relating to the PROJECT, provided that any such claim cost, loss, or damage is attributable to bodily injury, sickness, disease, or death or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting there from, but only to the extent caused by any negligent act, error, or omission of CLIENT or CLIENT's officers, directors, or employees, retained by or under contract to the CLIENT with respect to this AGREEMENT or to the PROJECT.
- E. <u>Allocation of Risks</u>. The CLIENT and J-U-B have discussed the risks, rewards and benefits of the project and the design professional's total fee for services. The risks have been allocated such that the CLIENT agrees that, to the fullest extent permitted by law, J-U-B's total liability to the CLIENT for any and all injuries, claims, losses, expenses, damages or claims expenses arising out of this agreement from any cause or causes, shall not exceed the total amount of One Million Dollars (\$1,000,000). Such causes include, but are not limited to J-U-B's negligence, errors, omissions and strict liability.
- F. J-U-B reserves the right to obtain the services of other consulting engineers and consultants experienced in airport work to prepare and execute a portion of the work that relates to the PROJECT.
- G. Nothing contained in this agreement shall create a contractual relationship with or a cause of action in favor of a third party against J-U-B.

5.02 CERTIFICATION OF J-U-B

- A. The CLIENT and J-U-B hereby certify that J-U-B has not been required, directly or indirectly, as an expressed or implied condition in connection with obtaining or carrying out this contract, to:
 - 1. employ or retain, or agree to employ or retain, any firm or persons; or
 - pay, or agree to pay, to any firm, person or organization, any fee, contribution, donation or consideration of any kind.

- B. A signed "Certificate for Contracts, Grants, Loans, and Cooperative Agreements" is included with this agreement.
- C. In accordance with Title 49, Code of Federal Regulations, Part 29, FAA Order 5100.38, J-U-B certifies, by submission of this proposal or acceptance of this contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, or declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. It further agrees by submitting this proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where J-U-B or any lower tier participant is unable to certify to this statement, it shall attach an explanation to this solicitation/proposal.

5.03 SUCCESSORS AND ASSIGNMENTS

- A. The CLIENT and J-U-B each binds himself, his partners, successors, executors, administrators and assigns to the other parties to this Agreement, and to the successors, executors, administrators and assigns of such other party in respect to all covenants of this Agreement.
- B. It is understood by the CLIENT and J-U-B that the FAA is not a party to this Agreement and will not be responsible for engineering costs except as should be agreed upon by the CLIENT and the FAA under a Grant Agreement for the PROJECT.
- C. This Agreement may not be assigned except upon written consent of the CLIENT.

5.04 TITLE VI ASSURANCES

During the performance of this contract, J-U-B, for itself, subconsultants, its assignees and successors in interest, agrees as follows:

- A. Compliance with Regulations. J-U-B shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- B. <u>Nondiscrimination</u>. J-U-B, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subconsultants, including procurements of materials and equipment. J-U-B shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- C. <u>Solicitations for Subcontracts, Including Procurements of Materials and Equipment</u>. In all solicitations either by competitive bidding or negotiation made by J-U-B for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subconsultant or supplier shall be notified by J-U-B of J-U-B's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- D. <u>Information and Reports</u>. J-U-B shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the CLIENT or the Federal Aviation Administration (FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of J-U-B is in the exclusive possession of another who fails or refuses to furnish this information, J-U-B shall so certify to the CLIENT or the FAA, as appropriate, and shall set forth what efforts it has made to obtain the information
- E. <u>Sanctions for Noncompliance</u>. In the event of J-U-B's noncompliance with the nondiscrimination provisions of this contract, the CLIENT shall impose such contract sanctions as it, or the FAA, may determine to be appropriate, including, but not limited to:

- 1. withholding of payments to J-U-B under the contract until J-U-B complies, and/or
- 2. cancellation, termination, or suspension of the contract, in whole or in part.
- F. Incorporation of Provisions. J-U-B shall include the provisions of paragraphs A through E in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. J-U-B shall take such action with respect to any subcontract or procurement as the CLIENT or the FAA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event J-U-B becomes involved in, or is threatened with, litigation with a subconsultant or supplier as a result of such direction, J-U-B may request the CLIENT to enter into such litigation to protect the interests of the CLIENT and, in addition, J-U-B may request the United States to enter into such litigation to protect the interests of the United States.

5.05 CONTRACT ASSURANCES

- A. <u>Policy</u>. It is the policy of the Department of Transportation (DOT) that disadvantaged business enterprises (DBE), as defined in 49 CFR, Part 23, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Agreement. Consequently, the DBE requirements of 49 CFR, Part 23, apply to this Agreement.
- B. Contract Assurance (§26.13). J-U-B shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. J-U-B shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by J-U-B to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.

5.06 LOBBYING AND INFLUENCING FEDERAL EMPLOYEES (49 CFR Part 20, Appendix A)

No Federal appropriated funds shall be paid, by or on behalf of J-U-B, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant and the amendment or modification of any Federal grant.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal grant, J-U-B shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

5.07 ACCESS TO RECORDS AND REPORTS

In accordance with Title 49, Code of Federal Regulations, Part 18.36(i), FAA Order 5100.38, J-U-B shall maintain an acceptable cost accounting system. J-U-B agrees to provide the CLIENT, the FAA and the Comptroller General of the United States or any of their duly authorized representative's access to any books, documents, papers, and records of J-U-B that are directly pertinent to the specific contract for the purpose of making audit, examination, excerpts, and transcriptions. J-U-B agrees to maintain all books, records and reports required under this contract for a period of not less than three years after final payment is made and all pending matters are closed.

5.08 RIGHTS TO INVENTIONS

In accordance with Title 49 CFR Part 18.36(i)(8), FAA Order 5100.38, all rights to inventions and materials generated under this contract are subject to regulations issued by the FAA and the Sponsor of the Federal grant under which this contract is executed.

5.09 TRADE RESTRICTION CLAUSE

In accordance with Title 49 CFR Part 30.13, FAA Order 5100.38, J-U-B or subconsultant, by submission of an offer and/or execution of a contract, certifies that it:

- A. is not owned or controlled by one or more citizens of a foreign country included in the list of countries that discriminate against U.S. firms published by the Office of the United States Trade Representative (USTR);
- B. has not knowingly entered into any contract or subcontract for this project with a person that is a citizen or national of a foreign country on said list, or is owned or controlled directly or indirectly by one or more citizens or nationals of a foreign country on said list;
- C. has not produced any product nor subcontracted for the supply of any product for use on the project that is produced in a foreign country on said list.

Unless the restrictions of this clause are waived by the Secretary of Transportation in accordance with 49 CFR 30.17, no contract shall be awarded to a consultant or subconsultant who is unable to certify to the above. If J-U-B knowingly procures or subcontracts for the supply of any product or service of a foreign country on said list for use on the project, the FAA may direct through the CLIENT cancellation of the contract at no cost to the Government.

Further, J-U-B agrees that, if awarded a contract resulting from this solicitation, it will incorporate this provision for certification without modification in each contract and in all lower tier subcontracts. J-U-B may rely on the certification of a prospective consultant unless it has knowledge that the certification is erroneous.

J-U-B shall provide immediate written notice to the CLIENT if J-U-B learns that its certification or that of a subconsultant was erroneous when submitted or has become erroneous by reason of changed circumstances. J-U-B agrees to provide written notice to the CLIENT if, at any time, it learns that its certification was erroneous by reason of changed circumstances.

This certification is a material representation of fact upon which reliance was placed when making the award. If it is later determined that the consultant or subconsultant knowingly rendered an erroneous certification, the FAA may direct, through the CLIENT, cancellation of the contract or subcontract for default at no cost to the Government.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by this provision. The knowledge and information of an engineer is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

This certification concerns a matter within the jurisdiction of an agency of the United States of America and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under Title 18, United States Code, Section 1001.

5.10 AIRPORT AND AIRWAY IMPROVEMENT ACT OF 1982, SECTION 520 – GENERAL CIVIL RIGHTS PROVISIONS

J-U-B assures that it will comply with pertinent statutes, Executive Orders, and such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap, be excluded from participating in any activity conducted with or benefiting from Federal assistance. This provision obligates the CLIENT or its transferee for the period during which Federal assistance is extended to the airport, expect where Federal assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon. In these cases, the provision obligates the party or any transferee for the longer of the following periods:

 The period during which the property is used by the CLIENT or any transferee for a purpose for which Federal assistance is extended, or for another purpose involving the provision of similar services or benefits, and/or The period during which the airport sponsor or any transferee retains ownership or possession of the property.

In the case of contractors, this provision binds the contractors from the bid solicitation period through the completion of the contract. This provision is in addition to that required of Title VI of the Civil Rights Act of 1964.

5.11 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION

J-U-B certifies, by submission of this proposal or acceptance of this contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. It further agrees by submitting this proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where J-U-B or any lower tier participant is unable to certify to this statement, it shall attach an explanation to this solicitation/proposal.

5.12 HUMAN TRAFFICKING

- A. J-U-B, J-U-B's employees, and subcontractors may not engage in severe forms of trafficking in persons during the period of time that the FAA award is in effect, procure a commercial sex act during the period of time that the award is in effect, or use forced labor in the performance of the award or sub-awards under the award.
- B. For the purpose of this award term, "employee" includes:
 - An individual employed by you or a sub-recipient who is engaged in the performance of the project or program under this award
 - Another person engaged in the performance of the project or program under this award and not compensated by you, including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
- C. For the purposes of this award term only, "forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- D. For the purposes of this award term only, "severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at Section 103 of the TVPA, as amended (22 U.S.C. 7102).

IN WITNESS WHEREOF, the CLIENT and J-U-B hereto have made and executed this AGREEMENT as of the day and year first above written.

	CLIENT: Lander County, NV
Sadil Pullivan	By: Dean Bullock
Name: 50die Sullivan	Name: Steven Stienmetz Dean Bullack
Title: Clerk	Title: Chairman, County Commissioners
ATTEST:	J-U-B: J-U-B ENGINEERS, Inc.
	Ву:
Name:	Name: Chuck A. Larson, P.E.
Title:	Title: J-U-B Vice President

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

- 1. No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL "Disclosure Form to Report Lobbying", in accordance with its instructions.
- The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontractors, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signed Sponsor's Authorized Representative

NON TRAFFICKING CERTIFICATION

Trafficking in persons:

- A. Provisions applicable to a recipient that is a private entity.
 - 1. you as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not:
 - Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - b. Procure a commercial sex act during the period of time that the award is in effect; or
 - c. Use forced labor in the performance of the award or subawards under the award.

Certification:

I, Chuck A. Larson, being Vice President (title) of J-U-B Engineers, Inc., hereby certify that the information as stated above is true and complete to the best of my knowledge and belief and the above mentioned statement will be provided in writing to all sub-contractors hired for the above mentioned job.

Name and Title

Airports FAA Standard Contract (Rev. 12-09)

PROJECT TITLE:	Austin Airp	ort Environ	Austin Airport Environmental Evaluation	tion							
CLIENT:	Lander Cou	Lander County, Nevada									
JOB NUMBER:	83-12-012										
DATE:	3/12/2012	2012				ENGINEER'S PERSONDAY ESTIMATE	SONDAY ESTIM	ATE			
	Project	Project	Airport	Environmental	CADO	Wildlife	GIS	Ŋ,		ļ	TASK
TASK	Director	Engineer	Engineer	Specialist	Specialist	Blologist	Specialist	Manager	Clerical	TOTAL	DIRECT
NO PROJECT TASK	\$80.29	\$54.18	\$32.81	\$30.58	\$27.56	\$31.32	\$27.14	\$58.83	\$19.00	HRS	COSTS
1. COMMUNITY & AGENCY COORDINATION	0	4	4	16	0	8	0	0	2	34	\$1,125.80
2. PROJECT MAPPING	Đ	0	4	4	9	4	16	2	0	38	\$930.74
3. Preliminary engineering	*	17	30	Q	40	O	0	0	4	96	\$2,031.62
4. PURPOSE & NEED	0	2	0	∞	0	0	0	0	0	5	\$353.00
5. PROJECT DESCRIPTION	0	2	2	∞ 3	0	0	0	0	0	17	\$418.62
6. RESOURCE EVALUATION	0	0	4	32	0	40	0	0	0	76	\$2,362.60
7. PREPARE DRAFT ENVIRONMENTAL DOCUMENT	2	2	7	24	0	4	2	*	2	45	\$1,521.36
8. PREPARE FINAL ENVIRONMENTAL DOCUMENT	7	2	4	83	0	T	7	7	4	28	\$1,018.04
Labor Subtotal	60	24	20	100	46	09	02	8	12	328	89,761,78
Direct Overhaed									196.44%		\$19,176.04
Fixed Fee									15.00%		\$4,340.67
Total Labor + Overhead + Fixed Fee											\$33,278.49
EXPENSES:											
	Cost	Air	Ground			Trip					
Travel:	Per Unit	Trips	Trips	Days		Miles		Markup			
Air Travel	\$500.00	-						1.0			\$500.00
Mileage	\$0.510		4			780		1.0			\$1,591.20
Meals/Lodging	\$156.00	0		æ				1.0			\$1,248.00
Misc. expenses:											
POSTAGE											\$45.00
PRINTING											\$100.00
SUB-CONSULTANTS/DESIGN;											
1. Cultural Review - SWCA						\$6,500		2			\$7,150.00
											\$0.00
	Subtotal - L	1bor + Overh	Subtotal - Labor + Overhead + Fixed Fee	φ							\$33,278.49
	Subtotal - Expenses	cpenses									\$3,484.20
	Subtotal - Subconsultant/Design	bconsultant	t/Design								\$7,150.00
	Total -	nvironmen	Environmental Document							L	\$43,912.69
										J	

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 4

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding acceptance and approval of Agreement for Professional Services, J-U-B Project No. 83-12-012, between Lander County and J-U-B Engineers, Inc., for an environmental evaluation for construction of a general aviation flight planning building and expansion of the Austin Airport apron, in an amount not to exceed \$43,912.69, and other matters properly relating thereto.

Public comment.

Background:

The Agreement for Professional Services, J-U-B Project No. 83-12-012, between Lander County and J-U-B Engineers, Inc., for an environmental evaluation for construction of a general aviation flight planning building and expansion of the Austin Airport apron, in an amount not to exceed \$43,912.69, is presented for Commission consideration.

The 2012 Federal Fiscal Year Airport Capital Improvement Plan (ACIP) contained this component of the design and engineering phase of the Austin Airport Apron Expansion Project. The 2012 Federal Fiscal Year ACIP was approved by the Federal Aviation Administration (FAA) Airport District Office (ADO) San Francisco (SFO) Program Manager for Lander County Airports, Mr. Abel Tapia, on Friday, January 6, 2012. The Commission approved the ACIP during the regular meeting held January 26, 2012 – Agenda Item #3, and approved the scope of work under this Agreement during the regular meeting held March 22, 2012 – Agenda Item #8.

The estimated cost for the environmental evaluation is presented on a Cost Plus Fixed Fee Basis, **not to exceed \$43,912.69**, with the County portion of unreimbursed costs at **\$2,195.63**. This is within the amount designated and budgeted for 2012 ACIP work at the Austin Airport (totaling \$85,000.00; FAA Share, \$80,750.00; Local Share, \$4,250.00).

Recommended Action:

It is recommended that the Commission approve the Agreement for Professional Services, J-U-B Project No. 83-12-012, between Lander County and J-U-B Engineers, Inc., for an environmental evaluation for construction of a general aviation flight planning building and expansion of the Austin Airport apron, in an amount not to exceed \$43,912.69.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 5

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding approval of the Assignment of Contract from Aggregate Industries – SWR, Inc. to Road and Highway Builders, LLC for the Battle Mountain Airport Apron Reconstruction Project, FAA Project No. 3-32-0001-21, and other matters properly relating thereto.

Public comment.

Background:

The Assignment of Contract from Aggregate Industries – SWR, Inc. to Road and Highway Builders, LLC for the Battle Mountain Airport Apron Reconstruction Project, FAA Project No. 3-32-0001-21, is brought before the Commission for consideration.

The initial contract between Lander County and SWR, Inc., for the Battle Mountain Airport Apron Reconstruction Project, FAA Project No. 3-32-0001-21 was approved by the Commission during the regular meeting held October 27, 2011 – Agenda Item #3.

The "Assignor," Aggregate Industries - SWR, Inc., of North Las Vegas, Nevada assigned all right, title and interest in the above-referenced contract to the "Assignee," Road and Highway Builders, LLC, of Sparks, Nevada. This assignment was executed on March 22, 2012 and encompasses all duties, rights and obligations under this contract including the Performance Bond, Payment Bond and Certificate of Insurance.

Recommended Action:

It is recommended that the Commission approve the Assignment of Contract from Aggregate Industries – SWR, Inc. to Road and Highway Builders, LLC for the Battle Mountain Airport Apron Reconstruction Project, FAA Project No. 3-32-0001-21.

AGENDA REQUEST FORM



COMMISSIONER MEETING DATE: April 12, 2012

NAME: J.D. Heithoff REPRESENTING: J-4-B Englueens
ADDRESS: 2875 South Decker Late Orive, Salt Lake City, 444 84119
PHONE (#): (970) 587-6376 (W)(208) 376 - 7330 (FAX):
WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS: Work or cell
WHO WILL BE ATTENDING THE MEETING: J.D. avcilable by phone
10B TITLE: Senier Airport Engineer.
SPECIFIC REQUEST TO BE PLACED ON THE AGENDA: Approve the "Assignment of Contract" from
Aggregate Endustries to Road and Utyphuray Builders for
the Battle Mountain Airport Aproin Reconstruction Project,
Lander County D.A. Elquist has reviewed and approved the content. WHAT ACTION WOULD YOU LIKE THE BOARD TO TAKE TO RESOLVE THIS ISSUE? Approve the "Assignment of Confrect."
ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST: AMOUNT:
HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING? YES V NO WHEN? I believe if war discussed on March 22.
WILL YOU BE PRESENTING WRITTEN INFORMATION AT THE MEETING? YES NO The Assignment her been provided to the D.A. and Executive Director 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
O.D. Heille 3-29-12

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

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LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 6

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding adoption of Resolution No. 2012-03, a resolution stating Lander County's position relative to the Consolidated Tax (CTX) distribution formula and other matters properly relating thereto.

Public comment.

Background:

Resolution No. 2012-03, a resolution stating Lander County's position relative to the Consolidated Tax (CTX) distribution formula, is presented to the Commission for consideration.

The Resolution states, in a clear and concise format, the general position of Lander County relative to the current formula for the distribution of Consolidated Tax (CTX). The current formula was developed over the course of the 1995 and 1997 sessions (as well as the interim between sessions) of the Nevada State Legislature and was fully implemented July 1, 1997. The 2012-2013 Fiscal Year is the sixteenth year the formula has been in place.

Consolidated Tax combines the individual components of Basic City-County Relief Tax (BCCRT), Supplemental City-County Relief Tax (SCCRT), Cigarette Tax, Liquor Tax, Real Property Transfer Tax (RPTT), Government Services Tax (GST) and any special county levy of sales tax into one monthly distribution to Counties, Incorporated Cities and *qualifying* Towns and General and Special Improvement Districts. The distribution formula is a two-tier calculation whereby the total allocated distribution to all entities within a county is determined in the first tier and the individual allocated distributions to ALL *qualifying* local governments within a county is determined in the second tier.

Please read the Nevada Department of Taxation publication: "Consolidated Tax for Dummies, Or, Can anyone explain the CTX;" included as backup information to this agenda item.

A cursory review of the information in the publication relative to the second tier distribution among local governments within a county (being based upon the change in either or both assessed value or population of the individual entity) will render the opinion that Lander County does not have a dog in this fight. However, the widely-held opinion that ANY change to the formula would ultimately affect all entities in the formula is an IMPORTANT CONSIDERATION.

Recommended Action:

It is recommended that the Commission approve and adopt Resolution No. 2012-03, a resolution stating Lander County's position relative to the Consolidated Tax (CTX) distribution formula and direct staff to deliver the executed Resolution to the Nevada Association of Counties and the Chairwoman of the Legislative Interim Subcommittee to study Consolidated Tax Distribution.

Provide Quality Service and Responsible Fiscal Management for Present and Future

Printed on 4/11/2012 8:35 AM

RESOLUTION NO. 2012-03

Of The Lander County Board of Commissioners

A RESOLUTION STATING LANDER COUNTY'S POSITION RELATIVE TO THE CONSOLIDATED TAX (CTX) DISTRIBUTION FORMULA

WHEREAS, Lander County is cognizant of the current distribution formula for Consolidated Tax (CTX) having been in place for sixteen fiscal years – the longest span of any tax distribution formula since prior to the 1979 and 1981 "Tax Shift", and

WHEREAS, Lander County supports the position of setting "Tier I" of the current CTX Distribution Formula aside from consideration for modification, and

WHEREAS, Lander County understands the dynamics of "Tier II" of the current CTX Distribution Formula whereby the intra-county revenue allocation is established, and

WHEREAS, Lander County realizes no negative effects through the application of "Tier II" of the current CTX Distribution Formula, and

WHEREAS, Lander County is aware that modifications to either "Tier I" or "Tier II" of the CTX Distribution Formula can have serious de stabilizing effects, both anticipated and unanticipated, on the allocation of intra-county revenue,

NOW THEREFORE BE IT RESOLVED, the Lander County Commission has established the position that "Tier I" of the current Consolidated Tax (CTX) Distribution Formula has worked well and continues to work well and should be set aside from consideration for modification,

AND BE IT FURTHER RESOLVED, the Lander County Commission requests that deference be given to the position of Lander County and all counties within the state of Nevada experiencing no negative effects through the application of "Tier II" of the current CTX Distribution Formula,

AND BE IT FURTHER RESOLVED, the Lander County Commission requests the Legislative Commission's Subcommittee to Study the Allocation of Money Distributed from the Local Government Tax Distribution, Account to recognize the potential de-stabilizing effects on the allocation of intra-county revenue that could result from substantial modifications to "Tier II" of the current CTX Distribution Formula,

AND BE IT FURTHER RESOLVED, the Lander County Commission requests the Legislative Commission's Subcommittee to Study the Allocation of Money Distributed from the Local Government Tax Distribution Account to exercise utmost caution in developing alternatives for modifying "Tier II" of the current CTX Distribution Formula to eliminate or minimize any negative impacts to Lander County and all other counties within the state of Nevada experiencing no negative effects through the application of "Tier II" of the current CTX Distribution Formula

PASSED AND ADOPTED this 12th day of April, 2012.

THOSE VOTING AYE: Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

THOSE VOTING NAY:

THOSE ABSENT:

DEAN BULLOCK, CHAIR
LANDER COUNTY BOARD OF COMMISSIONERS

ATTEST:

SADIE SULLIVAN LANDER COUNTY CLERK

· for Oummes

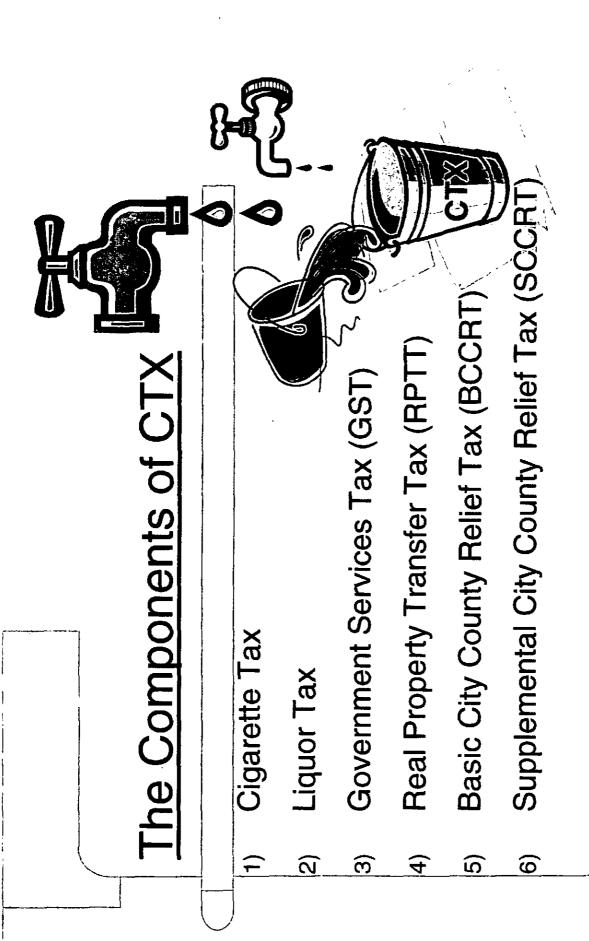
Or, "Can anyone explain the CTX?"

Prepared by the Nevada Department of Taxation 11/01/2007

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Introduction to the Consolidated Tax Distribution (CTX)

- It was implemented in 1997 as a way to combine the distribution of six different tax types into one monthly distribution.
- This document provides descriptions of each tax type and the various distribution formulas.
- Additional details may be found in the Nevada Revised Statutes, or by contacting the Department of Taxation.



The CTX components explained

- Cigarette Tax -- 5 mills (1/2 cent) per cigarette/10 counties on the basis of their population. NRS collected statewide is distributed amongst the cents per pack of 20. The total amount of tax 370.260
- Liquor Tax -- 50 cents per gallon of liquor containing over 22% alcohol. The total amount of tax collected statewide is distributed amongst the counties on the basis of their population. NRS 369.173

The CTX components explained

- Motor Vehicle Privilege Tax (MVPT) is collected by the value of a motor vehicle at the time of registration. The GST is distributed back to the county of origin. NRS Government Services Tax (GST) - formerly called Department of Motor Vehicles. It is based on the 482.180 and 482.181
- county. The RPTT is distributed back to the county of Real Property Transfer Tax (RPTT) - 55 cents per \$500 of value on real property transfers within each origin. NRS 375

The CTX components explained

- distributed to the county where the company is located. amongst all counties on the basis of population. NRS Basic City County Relief Tax (BCCRT) - 1/2% of the For out-of-state companies, the BCCRT is distributed 6.5% statewide sales/use tax rate. The BCCRT is 377.055
- 1.75% of the 6.5% statewide sales/use tax rate. SCCRT distribution formula. (Stay tuned for more details on the is distributed back to the counties based on a statutory Supplemental City-County Relief Tax (SCCRT) -formula.) NRS 377.057

First Tier vs. Second Tier distribution

for distribution from all of the components is allocated among the 17 counties. (Think of First Tier - Total amount of CTX available 17 buckets, each containing one county's total distribution.)



First Tier Distribution amounts

Components are highlighted in green. The "Total" amount for Churchill This spreadsheet is a sample of one month's distribution. The CTX (highlighted in orange) is the first tier distribution to that county.

CARSONCITY	פכראו	SCCRT	CIGARETTE	LIGUOR	HP TT	GST	TOTAL
	378,617.62	1,281,040.97	25,037.52	7,850.08	•	218,951.24	1,911,497.43
CHÜRCHILL	126,002.13	401,669.77	11,656.32	3,654.64	•	100,327.04	643,309.90
CLÆRK	14,352,887.88	49,775,656.81	787,631.47	246,948.18	•	8,766,218.67	73,929,343.01
DOUGLAS	293,459.99	1,297,776.06	21,970.09	6,888.34	•	230,668.53	1,850,763.01
ELKO	457,749.07	1,619,127.58	20,864.31	6,541.64	20,209.20	255,263.10	2,379,754.90
ESMERALDA	32,942.09	94,476.78	559.47	175.41	: -	8,400.69	136,554.44
EUREKA	116,962.58	448,518.63	651.11	204.14	854.15	12,157.86	579,348.47
HUMBOLDT	186,310.44	665,744.07	7,582.20	2,377.27	1	105,983.71	967,997.69
LANDER	120,818.01	228,320.93	2,415.45	757.32	2,595.45	36,474.91	391,382.07
INCOLN	12,385.40	110,150.94	1,703.84	534.21	1 1	30,196.07	154,970.46
NON	163,365.53	931,466.37	21,422.90	6,716.78	39,896.45	239,807.78	1,402,675.81
MINERAL	17,628.11	153,553.59	2,029.61	636.35	• •	23,624.31	197,471.97
lYE	255,279.01	854,688.94	18,109.06	5,677.78		243,619.07	1,377,373.86
PERSHING	30,631.70	172,098.95	2,953.43	926.00	•	26,943.21	233,553.29
STOREY	24,402.11	144,250.52	1,759.08	551.53		24,659.54	195,622.78
WASHOE	2,801,183.43	9,563,000.38	173,998.16	54,554.10	457,631.35	2,023,238.32	15,073,605.74
WHITE PINE	60,383.38	250,802.06	4,066.67	1,275.03		51,731.75	368,258.89
TOTAL	19,431,008,48	67 992 343 34	1.104.410.69	346 268 80	521 186 60	12 398 265 80	101 793 483 71

First Tier vs. Second Tier distribution

distribution is a further breakdown of the First allocated among the Local Governments and Special Districts in each county according to Second Tier - Each county's Second Tier Tier distribution. This time the revenue is Base and Excess Distribution formulas.

First Tier vs. Second Tier distribution

The Base Distribution-

- Each entity (local government) has a base allocation that was determined when CTX was established in 1997.
- allocation multiplied by the Consumer Price The lesser of the prior year's base or actual Base allocations are recalculated annually. Index determines the next year's base allocation. NRS 360.680

Sample Base Distribution

Note that the "Revenue Available to Distribute" is the First Tier distribution amount. It is allocated among the local governments according to the Base Distribution percentage. In the case where revenue is less than the base distribution amount, a modified distribution is made prorating the amount of revenue available among the local governments in the same proportion as the base distribution.

MODIFIED DISTRIBUTION MODIFIED DISTRIBUTION OR SHORTFALL	20 ZUA				EACESS	
AVAILABLE TO DISTRIBUTE AVAILABLE TO DISTRIBUTE 643,309.90 AVAILABLE TO DISTRIBUTE 643,309.90 AVAILABLE TO DISTRIBUTE 643,309.90 AVAILABLE TO DISTRIBUTE 643,309.90 121,237.70 1	במעל שם	MONTHLY		MODIFIED	DISTRIBUTION	BASE
AVAILABLE TO DISTRIBUTE 643,309.90 OVERNAMENTS L. COUNTY L. COUNTY 423,136.25 0.7474 121,237.70 0.2141 121,237.70 21,164.79 0.0011 L. MOSQUITO ABATEMENT GID 21,164.79 0.0374 77,134.76 566,175,14 1,0000	/0-00 L	ALLOCATION	% OF BASE	DISTRIBUTION	OR SHORTFALL	DISTRIBUTION
643,309.90 423,136.25 0.7474 121,237.70 0.2141 NCY 636.39 0.0011 3D 21,164.79 0.0374	THE COUNTY OF CHURCHILL					
A23,136.25 0.7474 423,136.25 0.7474 121,237.70 0.2141 NCY 636.39 0.0011 21,164.79 0.0374 566.175.14 1.0000	THE VERTICAL AND THE PARTY OF T	W VOV UV				•
TTS 423,136.25 0.7474 121,237.70 0.2141 ATER CONSERVANCY 636.39 0.0011 21,164.79 0.0374 1,0000	KEVENUE A VAILABLE TO DISTRIBUTE	043,309.90	1	i		
ATER CONSERVANCY CO ABATEMENT CID 21, 164.79 CO INTRY 566.175.14 1,0000 77.134.76 5	LOCAL GOVERNMENTS	· ·		•	•	
A TER CONSERVANCY 636.39 0.0011 O ABATEMENT GID 21,164.79 0.0374 COUNTY 566.175.14 1.0000	CHURCHIIL COUNTY	423,136.25	0.7474			423,136.25
A TER CONSERVANCY CO A BATEMENT GID 21, 164, 79 0.0374 77, 134, 76 566, 175, 14 1,0000	FALLON	121,237.70	0.2141			121,237.70
Y 636.39 0.0011 21,164.79 0.0374 - 566.175.14 1.0000 77.134.76 5	SPECIAL DISTRICTS		!	: :		
21,164.79 0.0374 5.66.175.14 1.0000 77.134.76 5	CARSON-TRUCKEE WATER CONSERVANCY	636.39	0.0011			636.39
566 175 14 1 0000 - 77 134 76	CHURCHILL MOSQUITO ABATEMENT GID	21,164.79	0.0374			21,164.79
	TOTAL CHURCHILL COUNTY	566,175.14	1,0000	•	77,134.76	566,175.14

The Second Tier distribution

Excess Distribution-

- revenue available to distribute after the Base The Excess Distribution is the amount of Distribution has been made.
- population and assessed valuation for each local assessed valuation is used in calculating their It is distributed based on a formula combining the 5 year moving average of the changes in associated population, so only the change in government. Special Districts have no excess distribution. NRS 360.690

Sample Excess Distribution

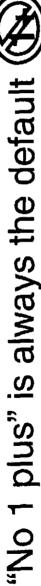
The Revenue Available to Distribute less the Base Distribution equals the amount of excess distribution. In the case where the amount of revenue is less than the base distribution, there is no excess distribution.

		BASE	WITH 1 PLUS EXCESS %	NO 1 PLUS EXCESS %	EXCESS	TOTAL
SOVERIMENTS 643,309.90 77,134.76 SOVERIMENTS 423,136.25 60,079.17 FIL COUNTY 121,237.70 14,725.43 IDETRICIS 636.39 67.96 TRUCKEE WATER CONSERVANCY 636.39 67.96 FULL MOSQUITO ABATEMENT GID 21,164.79 77,134.76 FURCHILL COUNTY 566,175.14 0.0000 1.0000 77,134.76	FY 06-D7 THE COUNTY OF CHURCHILL	DISTRIBUTION	DISTRIBUTION	DISTRIBUTION	DISTRIBUTION	DISTRIBUTION
COVERNMENTS 423,136.25 60,079.17 ILL COUNTY 121,237.70 60,000 DISTRICTS 14,725.43 TRUCKEE WATER CONSERVANCY 636.39 67.96 FILL MOSQUITO ABATEMENT GID 21,164.79 22,262.20 HURCHILL COUNTY 566,175.14 0.0000 1.0000 77,134.76	REVENUE A VAILA BLE TO DISTRIBUTE	643,309.90		:	77,134.76	
DISTRICTS 121,237.70 - 0.1909 14,725.43 TRUCKEE WATER CONSERVANCY ILL MOSQUITO ABATEMENT CID 636.39 67.96 FILL MOSQUITO ABATEMENT CID 21,164.79 22,262.20 HURCHILL COUNTY 566,175.14 0.0000 1.0000 77,134.76	LOCAL GOVERNMENTS CHURCHILL COUNTY	423,136.25		0.7789	60,079.17	483,215.41
636.39 67.96 21,164.79 20000 566,175.14 0.0000 1.0000 77,134.76	FALLON	121,237.70	,	0.1909	14,725.43	135,963.14
568,175,14 0.0000 1.0000 77,134.76	SPECIAL DISTRICTS CARSON-TRUCKEE WATER CONSERVANCY CHURCHILL MOSQUITO ABATEMENT GID	636.39		0.0009	67.96	704.36 23,426.99
	TOTAL CHURCHILL COUNTY	566,175.14	0.0000	1.0000	77,134.76	643,309.90

This column is calculated according to a

statutory formula

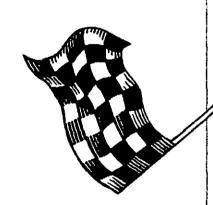
Using "1 Plus" or "No 1 Plus"





Conditions for using "1 Plus" (NRS 360.690):

- growth factor for each entity in the county is a negative number AND the average change of assessed value in each special The sum of the population growth factor & assessed value district is negative
- growth factor for each entity is a negative number AND the average change of assessed value in any special district is The sum of the population growth factor & assessed value positive
- The county has a \$50 million or greater 5 year average in Net population is negative OR \$50 million in NPM and negative Proceeds of Minerals (NPM) OR the 5 year average of population



Summary

- The CTX distributes six different tax types
- The first tier calculation is the gross revenue allocated to each of the 17 counties
- The second tier calculation allocates the revenue among the entities within a county
- The base distribution is calculated prior to the excess distribution
- The excess distribution may be distributed using the One Plus or No One Plus formula

CONSOLIDATED TAX SUMMARY OF THE REVENUE TRANSFERRED BY COUNTY FISCAL YEAR 2010-11

COUNTY		BCCRT	SCCRT	CIGARETTE	LIQUOR		RPTT	GST	TOTAL
CARSON CITY	ω	3,657,317 \$	12,454,438	\$ 245,995	\$ 68,951	51 \$	190,054 \$	1,939,045 \$	18,555,800
CHURCHILL		1,165,048	3,733,127	116,779	32,732	32	368,544	1,099,726	6,515,956
CLARK		144,608,659	499,947,296	8,529,163	2,390,794	8	17,082,378	82,716,077	755,274,367
DOUGLAS		2,753,701	13,905,357	222,500	62,367	61	502,220	2,093,620	19,539,759
ELKO		5,618,865	20,084,997	224,518	62,935	35	218,531	3,581,724	29,791,570
ESMERALDA		59,721	970,300	5,145	1,4	1,442	2,637	139,482	1,178,727
EUREKA		1,266,170	4,788,857	6,851	1,921	21	3,785	247,059	6,314,642
HUMBOLDT		2,780,774	10,138,910	77,705	21,783	83	59,353	1,367,030	14,445,555
LANDER		1,074,174	2,431,146	26,180	7,338	38	18,199	627,112	4,184,148
LINCOLN		155,585	1,172,099	19,081	5,349	49	15,696	385,697	1,753,507
LYON		1,642,655	10,335,063	233,641	65,486	98	332,227	2,227,423	14,836,493
MINERAL		214,781	1,554,800	19,516	5,470	.70	4,413	337,889	2,136,869
NYE		2,378,027	7,894,491	201,539	56,489	89	213,282	2,284,090	13,027,918
PERSHING		282,366	1,842,779	31,175	8,739	39	14,900	456,250	2,636,209
STOREY		275,520	1,532,756	18,768	5,260	09	42,677	258,261	2,133,242
WASHOE		25,039,792	84,534,023	1,818,179	509,642	42	2,933,688	19,873,234	134,708,557
WHITE PINE		1,381,800	2,676,110	41,697	11,688	88	30,708	802,511	4,944,513
TOTAL .	s	194,354,954 \$	679,996,548	\$ 11,838,432	\$ 3,318,381	81 \$	22,033,292 \$	120,436,227 \$	1,031,977,833

BCCRT, SCCRT, Cigarette and Liquor taxes: Revenue for each county is transferred monthly to the Consolidated Tax Account by the Department of Taxation.

RPTT: Each county treasurer deposits to the Consolidated Tax Account, at least quarterly the revenue collected within the county.

GST: Revenue for each county is transferred monthly to the Consolidated Tax Account by the Department of Motor Vehicles.

CONSOLIDATED TAX DISTRIBUTION REVENUE SUMMARY BY COUNTY FISCAL YEAR 2011-12

TOTAL	11,249,479.36	3,848,193.95	453,901,328.46	10,716,302.35	20,116,182.06	652,714.12	4,609,884.02	8,680,774.57	2,527,707.63	952,051.64	8,070,775.78	1,217,683.79	7,529,823.32	1,519,426.15	1,228,928.72	81,353,495.79	2,670,791.57	620,845,543.28
GST	1,078,404.57	585,419.62	46,662,103.68	1,178,293.10	2,010,996.74	72,122.63	142,381.34	745,895.12	350,271.05	211,406.11	1,229,354.35	177,325.33	1,214,877.08	249,642.78	143,320.72	11,098,024.75	424,290.23	67,574,129.20
RPTT	136,816.35	43,839.40	8,714,805.19	231,504.25	147,769.60	2,610.85	28,215.55	64,843.35	13,213.75	11,568.15	154,402.05	4,934.05	86,728.40	9,320.85	46,713.70	1,580,954.95	14,215.85	11,292,456.29
LIQUOR	41,289.53	19,487.76	1,455,543.26	36,404.27	38,514.95	846.48	1,189.52	13,576.38	4,429,84	3,423.68	38,690.17	3,305.38	33,607.53	5,273.38	3,130,17	308,565.42	7,025.51	2,014,303.23
CIGARETTE	135,127.38	63,777.22	4,763,526.54	119,139.52	126,047.10	2,770.31	3,892.93	44,431.14	14,497.46	11,204.56	126,620.51	10,817.44	109,986.67	17,258.07	10,244.05	1,009,835.77	22,992.21	6,592,168.88
SCCRT	7,646,638.27	2,407,826.56	304,931,834.26	7,421,173.41	13,930,934.29	517,841.17	3,505,103.56	6,132,033.79	1,297,482.13	625,539.39	5,515,736.87	829,783.99	4,686,551.28	983,475.78	818,019.23	52,146,944.71	1,428,217.56	414,825,136.25
BCCRT	2,211,203.26	727,843.39	87,373,515.53	1,729,787.80	3,861,919.38	56,522.68	929,101.12	1,679,994.79	847,813.40	88,909.75	1,005,971.83	191,517.60	1,398,072.36	254,455.29	207,500.85	15,209,170.19	774,050.21	118,547,349,43 414,825,136.25
COUNTY	CARSON CITY	CHURCHILL	CLARK	DOUGLAS	ELKO	ESMERALDA	EUREKA	HUMBOLDT	LANDER	LINCOLN	LYON	MINERAL	NYE	PERSHING	STOREY	WASHOE	WHITE PINE	TOTAL

YEAR TO DATE IQIAL	6,035.19	150,037,095.45	4,591,943.89	121,273,172.44	18,774,970.82 20,521,421,76	292,109.80	7,054,646.00	3 282 992 BR	615,198 60	31,719,593.07	205,630.69	8,899,615.70	71,898.67	4,384,613.76	355,418.78	7,002,670.32		275,818.39	21,877,138.60	988,345.09	9,037,570.05	379,921.66	72,400.33	453,901,328.48
JUNE																								
MAY																								
APRIL						•																		
MARCH																								
FEBRUARY																								
JANUARY	862.17	20,093,271,58	614,962,42	16,241,148.79	509,894.12 2,748,270.35	39.119.94	224,812.01	439,685.05	52,623.11	4,247,952.13	27,538,48	1,191,854,55	9,628.82	587,196.35	45,944.76	937,811,79		36,938.16	2,929,830,70	132,361,18	1,210,329.68	50,879,88	9,696.00	58,031,371,21
DECEMBER	862.17	21,912,025.88	670,626.11	17,711,225.89	11,575,659.62 2,997,031.65	42,660,90	4,204,003.32	479.461.59	221,021.43	4,632,458.00	30,031.14	1,299,735.97	10,500 37	640,346.77	59,194.32	1,022,698.37		40,281.64	3,195,026.04	144,341.92	1,319,883.38	55,485.30	10,573,64	78,435,435,25
NOVEMBER	862.17	21,413,089.92	655,355.98	17,307,941.98	543,386.31 2,926,789.36	41,689,51	239,365.55	468 544 27	56,079,64	4,526,977.12	29,347.33	1,270,141.03	10,261.28	625,766.10	48,962.62	999,411,57		39,364 42	3,122,275.42	141,055.26	1,289,829.69	54,221.90	10,332.88	61,643,081.38
OCTOBER	862.17	21,646,796.19	662,508 65	17,496,843.95	549,316.92 2,960,754.69	42.144 52	241,978 03	473 658 05	56,691,70	4,576,385.35	29,667.63	1,284,003.58	10,373.27	632,595.63	49,497.01	1,010,319.32		39,794.05	3,156,352.49	142,594,77	1,303,907.12	54,813.69	10,445 65	62,518,038.38
SEPTEMBER	862.17	22,438,464.80	686,737.98	18,136,740.16	4,517,369.72 3,069,035.69	43.685.83	1,689,228.29	490 980 72	117,390.09	4,743,753.35	30,752.64	1,330,962.27	10,752.65	655,731.18	54,564,17	1,047,268.82		41,249.41	3,271,766.91	147,809.76	1,351,593.73	56,818.34	10,827.57	70,232,668.12
AUGUST	862.17	21,223,562.64	649,555.42	17,154,749.39	538,576.80 2,902,866.65	41.320.52	237,248.93	464 397 19	55,583,28	4,486,908.84	29,087.58	1,258,899.01	10,170.46	620,227.45	48,529 26	990,585.78		39,018.01	3,094,640,16	139,806.78	1,278,413.40	53,741,98	10,241,42	61,295,715.90
JULY	862.17	21,309,884.46	652,197.33	17,224,522.28	540,767,33 2,914,673,37	41.488.58	238,211.87	486 286 01	55,809,35	4,505,158.28	29,205.89	1,264,019.29	10,211.82	622,750.08	48,726.64	994,594,67		39,174.70	3,107,226 88	140,375.42	1,283,613 05	53,960 57	10,283.07	61,545,018.22
ENTITY	THE COUNTY OF CLARK ENTERPRISE DISTRICT KYLE CANYON WATER DISTRICT COCAL CONFERMENTS	CLARK COUNTY	BOULDER CITY HENDEDSON	LAS VEGAS	MESQUITE NORTH LAS VEGAS	BUNKERVILLE	ENTERPRISE	LAUGHLIN	MOAPA VALLEY	PARADISE	SEARCHUGHT	SPRING VALLEY	SUMMERLIN	SUNRISE MANOR	WHITNEY	WINCHESTER	SPECIAL DISTRICTS	BOULDER LIBRARY DISTRICT	CLARK COUNTY FIRE PROTECTION	HENDERSON LIBRARY DISTRICT	LAS VEGAS/CLARK CO LIBRARY DISTR	MOAPA FIRE PROTECTION	MT CHARLESTON FIRE PROTECTION	TOTAL CLARK COUNTY

ENTITY	ነባር	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	YEAR TO DATE <u>TOTAL</u>	
THE COUNTY OF DOUGLAS ENTERPRISE DISTRICTS ENCILA-S, COUNTY SEXPER MIPROVER ELK POINT SANTATION GID MINDENGARDNERVILLE SANITATION TAHOE DOUGLAS SEWER IMPROVEME	31,498.70 609.25 11,221.62 36,472.53	11,498.70 609,25 11,221,62 36,472.53	11,498.70 609.25 11,221.62 36,472.53	11,498.70 609.25 11,221.62 36,472.53	11,498.70 609.25 11,221,62 36,472,53	11,498.70 809.25 11,221.62 36,472.53	11,498.70 609.25 11,221,62 36,472.53					1	80,490.90 4,284.75 78,551.34 255,307.71	
LOCAL GOVERNMENTS DOUGLAS COUNTY	810,198.57	807,295.04	874,653.21	784,053.78	783,292.94	861,577.39	756,545.83						5,697,616.76	
GARDNERVILLE GENOA MINDEN	19,428.16 798.61 25,767.06	19,358.53 785.75 25,674.72	20,973.75 962.14 27,816.93	18,801.22 772.84 24,935.56	18,782.97 772.09 24,911.37	21,139.79 668.97 28,037.15	18,141,58 745,73 24,060,72						136,626.01 5,616.13 181,203.51	
SPECIAL DISTRICTS CARSON-TRUCKEE WATER CONSERV. CAVE ROCK GID	1,765.03	1,758.71	1,905 45	1,708.08	1,706.42	1,920.53	1,648.15						12,412.37 9,362.13	
DOUGLAS MOSQUITO PROTECTION G EAST FORK FIRE PROTECTION	9,724.43	9,689.58	10,498.04	9,410.62 119,139.13	9,401.49	10,581,15 133,958.12	9,080.48						68,385.77 865,768.58	
GARDNERVILLE RANCHOS GID INDIAN HILLS GID	56,957,97 19,531,11	56,753,85	61,489.22	55,119.96	55,068,47	61,976.00 21,251.80	53,186,12						400,549.59 137,349.98	
KINGSBURY GID LAKERIDGE GID	39,105.66 1,257.84	38,965.52 1,253.34	42,216 68 1,357.91	37,843.74 1,217.25	37,807.02	1,368.65	36,516,02						275,005.53 8,845.62	
LOGAN CREEK GID MARLA BAY GID	.540,69 3,90 6 .45	538.75	583.70 4,217,23	523.24	522,73 3,776.72	588.32 4,250.61	504.88 3,647.78						3,802,31 27,471.61	
OLIVER PARK GID	1,428.50	1,423.38	1,542.15	1,382.41	1,381.07	1,554.36	1,333.91						10,045.78 203,441.98	
SIERRA FOREST FIRE PROTECTION	00.636.07	20,020,02				-	!							
SKYLAND GID	5,529.26	5,509 45	5,969,14	5,350 84	5,345,84	6,016.39	5,153.11						38,883.83	
TAHOE DOUGLAS FIRE PROTECTION	301,417.96	300,337.77	325,397.01	291,891.33	291,408.27	327,973.01	281,457.55						2,119,682.90	
JOPAL RANCH GID	4,855.95 2,053.93	2 046 57	2.217.33	1.987.65	1,985.72	2,234,89	1,917.92						14,444.01	
ZEPHYR HEIGHTS GID	6,451.94	6,428.82	6,965 22	6,243.74	6,237.68	7,020.36	6,024.68						45,372.44	
ZEPHYR KNOLLS GID	236.91	236.08	255.75	229.26	229 04	257.78	221.22						1,666.02	
TOTAL DOUGLAS COUNTY	1,524,128.68	1,518,880.97	1,640,621.93	1,476,875,46	1,475,500.32	1,653,136.49	1,427,158.50						10,716,302.35	

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YEAR TO DATE TOTAL	228,314.52 95,346.72	8,291,197.05	1,038,207,14 7,465,710,65 671,554,65 1,524,973,35	791,480.83 5,222.80 4,174.25	20,116,182.08	628,895 66	13,697.11 10,121.35	652,714.12	32,128.74	4,565,393.81	1,022.47 2,763.08	4,287.96 4,287.96	4,609,884.02
JUNE													
MAY													
APRIL													
MARCH													
FEBRUARY													
JANUARY	32,616,36 13,620.96	1,088,135.82	136,367,30 980,367,18 88,164.81 200,498.01	104,328.13 686.29 546.78	2,645,332.62	91,531.79	1,993.53	94,998.42	4,589.82	626,918.30	141,00 379.52	589.75 589.75	633,208.14
DECEMBER	32.616.36 13,620.9 6	1,297,677.94	162,359.69 1,167,811.02 105,071.54 238,253.80	123,341.68 815.47 654.58	3,142,224.04	94,464.00	2,057,39	98,041.68	4,589.82	578,494.28	131,29	546.06 546.06	584,657.90
NOVEMBER	32,616.36 13,620.96	1,250,891.60	156,556.14 1,125,958.77 101,296.62 229,823.73	119,096.58 787.40 630.51	3,031,278.57	90,254.20	1,965.70	93,672,44	4,589.82	519,441.71	119.45	- 492.77 492.77	525,451.38
OCTOBER	32,616.36 13,620.96	1,156,182,28	144,808.04 1,041,237,46 93,655.08 212,758.78	110,503.24 728.56 581.77	2,806,692.53	90,205.73	1,964 65	93,622,14	4,569.82	563,286.98	128 24 341.24	532.34 532.34 532.34	569,410.96
SEPTEMBER	32,616,36 13,620,96	1,151,556.33	1,037,099,38 93,281,84 211,925.27	110,083.51 725.69 578.39	2,795,722.95	97,357.00	2,120,40	101,044,25	4,589.82	672,333.37	150.10 406.84	630.73 630.73	678,741.58
AUGUST	32,616,38 13,620,96	1,219,960.65	152,719 34 1,098,289.78 98,800.98 224,250.52	, 116,290,10 768.19 614.59	2,957,931.47		1,859,81	88,631.16	4,589.82	647,091.87	145.04 391.65	607.98 607.96	653,434.30
ኒገለና	32,616.36 13,620.96	1,126,792.43	141,162.41 1,014,947.06 91,283.78 207,463.24	107,836.59 710.30 566.65	2,736,989.78	78,686.05	1,735.53	82,704.03	4,589.82	957,827,30	207.35 578 58	888.35 888.35	964,979,75
ENTITY	THE COUNTY OF ELKO ENTERPRISE DISTRICT ELKO CONVENTION/VISITORS AUTHO! ELKO TELEVISION DISTRICT	LOCAL GOVERNMENTS ELKO COUNTY	CARUN ELKO CITY WELLS WEST WENDOVER	JACKPOT MONTELLO MOUNTAIN CITY	TOTAL ELKO COUNTY	THE COUNTY OF ESMERALDA LOCAL GOVERNMENTS ESMERALDA COUNTY	GOLDFIELD SILVER PEAK	TOTAL ESMERALDA COUNTY	THE COUNTY OF EUREKA ENTERPRISE DISTRICT EUREKA TELEVISION DISTRICT	LOCAL GOVERNMENTS EUREKA COUNTY	CRESENT VALLEY EUREKA	SPECIAL DISTRICTS DIAMOND VALLEY RODENT DIAMOND VALLEY WEED	TOTAL EUREKA COUNTY

FINITY	X'IA'	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	YEAR TO DATE IQIAL
THE COUNTY OF HUMBOLDT LOCAL GOVERNMENTS HIMBOLDT COUNTY	705 753 63		, , ,									,	01 FBR 487 5
WINNEMUCCA	304,795.02	308,180,05	338,289.46	302,832.99	265,725.47	356,784,12	255,552,27						2,132,159.38
SPECIAL DISTRICTS			. ,										
GOLCONDA FIRE PROTECTION HUMBOLDT FIRE PROTECTION	29,691.21 2,539.12	2,568.16	32,933,93 2,826.45	29,501,26	25,908.74	2,985.11	24,923.83						17,761.78
HUMBOLDT HOSPITAL DISTRICT MODERMIT FIRE PROTECTION	84,103.92 271.30	85,035.91 274.08	93,325.83 298.66	83,563.72	73,347.02	313.77	70,546.07						588,340.38
OROVADA COMMUNITY SERVICES GIE	2,702.51	2,731.55	2,989.84	2,685,68	2.367.35	3,148.50	2,280.08						18,905.51
OROVADA FIRE PROTECTION	3,365.88	3,401.83	3,721.62	3,345 04	2,950,92	3,918.05	2,642.87						23,546.21
PARADISE FIRE PROTECTION PUEBLO FIRE PROTECTION	2,723.56	2,753.98	3,024.57	2,705.93	2,372,44	3,190.78	2,281.02						19,052.28
WINNEMUCCA RURAL FIRE PROTECTI-	14,348.53	14,508.93	15,935.69	14,255.56	12,497.20	16,812.07	12,015.13						100,373.11
TOTAL HUMBOLDT COUNTY	1,240,931.01	1,254,758.75	1,377,754.71	1,232,916.17	1,081,333.18	1,453,304.79	1,039,775.96						6,660,774.57
THE COUNTY OF LANDER		• 1		. ,		<i>t</i> 1					,		
LANDER CO SEWER IMPROVEMENT D	296.17	298.17	296.17	296.17	296.17	296.17	296.17						2,073.19
LOCAL GOVERNMENTS LANDER COUNTY	258,130,81	270,889.44	284,256.11	280,211.35	270,380.95	353,067.54	276,438.09						1,893,384.29
AUSTIN BATTLE MOUNTAIN KINGSTON	1,085.90 16,099.31 1,456.15	1,135.81 16,865.73 1,528.60	1,188.15 17,669.28 1,604.57	1,172,28 17,425,70 1,581,54	1,133 83 16,835,19 1,525,72	1,457,31 21,802,22 1,995,29	1,157,52 17,199.04 1,560.11						8,330.80 123,896.47 11,251.98
SPECIAL DISTRICTS LANDER HOSPITAL DISTRICT	50,415.42	52,869.25	55,441,95	54,662,10	52,771,45	68,674,33	53,936.40						388,770.90
TOTAL LANDER COUNTY	327,483.78	343,585 00	360,466,23	355,349,14	342,943,31	447,292.88	350,587,33						2,527,707.63

YEAR TO DATE <u>IOTAL</u>	695,478.38	78,043.19	11,841.08 21,454.87 28,602.05	73,337,46 27,616,36 15,678.25	952,051,64	11,120.69 1,343.79	7,138,959.71	112,476,17 147,592.04	4 950 63 268,111,82 40,744,08 35,335,7 72,959 95 48,27,51 27,037,40 139,667,32
JUNE									
MAY									
APRIL									
MARCH									
FEBRUARY									
JANUARY	99,441.80	11,158.88	1,693.08 3,067.69 4,089.62	10,486,03 3,948,68 2,241,73	136,127.51	1,588.67 191,97	972,080.19	28,034.25 10,192.59	701.41 36.945.75 5.426.75 4.760.98 10.516.52 6.133.37 3.861.82 19,677.89
DECEMBER	113,110.72	12,692.73	1,925.80 3,489.36 4,651.76	11,927.41 4,491.45 2,549.87	154,839.10	1,588.67 191.97	1,032,940.41	29,685.11	708.77 38.672.27 5.128.75 5.129.95 10.529.74 7.105.88 3.865.93 20,062.76 1,187,447.31
NOVEMBER	100,167.45	11,240.30	1,705.43 3,090.07 4,119.46	10,562,55 3,977,49 2,258,09	137,120.84	1,588.67 191.97	979,915.62	10,298 20 28,248 37	702.91 37.176.88 5,486.93 4.807.42 10,529.74 6,249.69 3,865.89 19,740.22 1,108,804.55
OCTOBER	98,317.37	11,032.69	1,673.93 3,033.00 4,043.37	10,367,45 3,904.03 2,218.38	134,588,23	1,588.67 191.87	1,015,993 23	10,800.94 29,225.92	706.90 38.194.33 5.788.16 5.026.87 10.529.74 6.822.23 3,865.93 19,959.68
SEPTEMBER	100,579.37	11,286.53	1,712.45 3,102.78 4,136.40	10,605.99 3,993.85 2,267.37	137,684.74	1,588.67 191,97	1,054,553.10	11,338.27 30,270.73	711.16 39.261.79 6,108.02 5,261.42 10,529.74 7,454.86 3,865.93 20,184.22
AUGUST	84,817.93	10,640.00	1,614,35 2,925,05 3,899,45	9,998.45 3,765.07 2,137.49	129,797,79	1,588,67 191,97	1,051,432.29	11,294.78 30,186.17	710.81 39.193.78 6,082.13 5,224.43 10,529.74 7,404.46 3,865.93 20,175.24
TAN'	89,043.74	9,992.06	1,516 04 2,746 92 3,681.99	9,389.57 3,535.79 2,007.32	121,893.43	1,588.67	1,032,044.87	11,024.62 29,660 85	708.67 38.647.02 5.91.32 5,124.50 10,529.74 7,031.42 3,865.93 20,057.31 1,166,456.89
ENTILL	THE COUNTY OF LINCOLN LOCAL GOVERNMENTS LINCOLN COUNTY	CALIENTE	ALAMO PANACA PIOCHE	SPECIAL DISTRICTS LINCOLN COUNTY HOSPITAL DISTRIC: FAHRANAGAT VALLEY FIRE PROTECT PIOCHE FIRE PROTECTION	TOTAL LINCOLN COUNTY	THE COUNTY OF LYON ENTERPRISE DISTRICTS STAGECOACH GID WILLOWCREEK GID	LOCAL GOVERNMENTS LYON COUNTY	FERNLEY YERINGTON	SPECIAL DISTRICTS CARSON-TRUCKEE WATER CONSERV. CARSON-TRUCKEE WATER CONSERV. CASON VALLEY FIRE PROTECTION MASSON VALLEY REPROTECTION NORTH LYON FIRE PROTECTION SILVER SPRINGS STAGECOACH HOSE SMITH VALLEY FIRE PROTECTION SOUTH LYON HOSPITAL DISTRICT TOTAL LYON GOUNTY

AUGUSI SEPTEMBER OCTOBER
167,006.35 163,442.02 161,172.23
9,751,23 8,543,11 9,410,58
178,757.58 172,985.13 170,582.81
929,784,04 1,053,806,51 856,227,51
10,478.75
30,340,80 34,277,06 27,966,33
473.21
68,148,56
23,148.44
25,300,97 28,505,06 23,315,87
!
729.18 831.08 670.41 509.04 577.03 488.75
9,189.90
5,375,98
2,305.07 1,
202,16 229,94 185,97
1,099,205.82 1,246,061.01 1,012,191.57
153,822,32 162,465,71 168,363.45
28,953,10 30,560,12 31,673,26
20,045.29 21,157.89 21,828.56
202,920.71 214,183.72 221,985.28

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51	<u>זחר</u>	AUGUST	SEPTEMBER	<u>october</u>	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	YEAR TO DATE <u>TOTAL</u>
168,768.59 167,	167	167,294,52	208,429,44	168,669.68	184,480.76	174,553.78	160,314.70						1,228,511.47
57.33		56.83	70.07	56 81	62.66	59.29	32.46						417.25
168,825.92 167	167	167,351,35	206,499.51	166,726.29	184,543.42	174,613.07	160,369.16						1,228,928.72
10,995.33 10, 5,324,45 5,7	0,0	10,995.33 5,324,45 752,46	10,995.33 5,324,45 752.46	10,995,33 5,324,45 752.48	10,995.33 5,324.45 752.46	10,995.33 5,324.45 752.46	10,995,33 5,324.45 752.48						76,967.31 37,271.15 5,267.22
5,910,467.05 5,998,622,98	,,998.e	322,98	5,928,710.18	5,834,954.28	5,469,223.19	7,017,383.11	5,158,110.51						41,315,471,30
3,390,177,24 3,492,527,55 1,449,561,98 1,499,218,05	3,492,5 1,499,2	27,55 18,05	3,411,357,77 1,459,837,89	3,310,615.73	3,103,108.52 1,322,951.31	4,441,991.15 1,946,738.86	2,925,455.76 1,247,212.44						24,075,233.72 10,336,938.60
11,405,75 11,4 78,402,72 78,4 13,765,81 16,6 89,187,80 89,1 397,891,85 387,8	11,4 78,4 216,4 16,6 89,1	11,405,75 78,402,72 216,440,61 16,658,16 89,187,80 387,891,85	11,405.75 78,402.72 216,440.61 14,364.35 89,187.80 387,891.85	11,379.11 78,219.58 215,935.04 11,709.08 68,979.47 386,985.79	10,865.88 73,316.83 202,400.37 10,975.16 83,402.30 362,729.78	12,172,27 83,671,74 230,886,42 37,976,00 95,181,63 413,959,97	10,055,26 68,119,45 190,612,97 10,346,84 78,627,52 341,963,52						78,489,77 539,536,76 1,489,456,63 115,784,40 613,754,32 2,689,314,51
11,564,373.05 11,807,427,71	1 807 47	17.71	11,614,671.16	11,367,268.39	10,655,845.58	14,297,133,39	10,046,776.51						81,353,495.79
250,237.40 260,0	260,0	260,065.07	255,030.54	255,536 28	239,974.48	265,507.14	256,971.03						1,783,321.94
87,031.11 90,3	8	90,324,07	88,637.15	88,806 61	83,494.96	92,147.54	89,287.35						619,728.79
1,269.24 1,5 4,350.02 4,5 1,508.42 1,5	245	1,317.28 4,513.85 1,566.68	1,292.67 4,429.92 1,535.81	1,295 14 4,438 35 1,538 91	1,217.57 4,173.48 1,444.35	1,343.88 4,604.57 1,600.05	1,302.15 4,462.27 1,547.71						9,038 03 30,972.46 10,739.93
30,451.34 31	8	31,641.85	31,031.97	31,093.24	29,203.89	32,301.09	31,267.04						216,990.42
374,845.53 389	389	389,428.80	381,858.06	382,708.53	359,508.83	397,504.27	384,837,55						2,670,791.57

(SASSAGRAMMA) (SASSAGRAM | 120,827,825.13)



RECORDING REQUEST BY:

Lander County Clerk

315 South Humboldt Street

Battle Mountain, Nevada 89820

RESOLUTION NO. 2012-03 STATING LANDER COUNTY'S POSITION RELATIVE TO THE CONSOLIDATED TAX (CTX) DISTRIBUTION FORMULA

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.

RESOLUTION NO. 2012-03

Of The Lander County Board of Commissioners

A RESOLUTION STATING LANDER COUNTY'S POSITION RELATIVE TO THE CONSOLIDATED TAX (CTX) DISTRIBUTION FORMULA

WHEREAS, Lander County is cognizant of the current distribution formula for Consolidated Tax (CTX) having been in place for sixteen fiscal years – the longest span of any tax distribution formula since prior to the "Tax Shift", and

WHEREAS, Lander County supports the position of setting "Tier I" of the current CTX Distribution Formula aside from consideration for modification, and

WHEREAS, Lander County understands the dynamics of "Tier II" of the current CTX Distribution Formula whereby the intra-county revenue allocation is established, and

WHEREAS, Lander County realizes no negative effects through the application of "Tier II" of the current CTX Distribution Formula, and

WHEREAS, Lander County is aware that modifications to either "Tier I" or "Tier II" of the CTX Distribution Formula can have serious de-stabilizing effects, both anticipated and unanticipated, on the allocation of intra-county revenue, and

NOW THEREFORE BE IT RESOLVED, the Lander County Commission

PASSED AND ADOPTED this 12th day of April, 2012.

THOSE VOTING AYE:

Commissioner Stienmety

Commissioner Mason

Commissioner Williams

Commissioner Bullock

Commissioner

THOSE VOTING NAY:

THOSE ABSENT: Commissioner

DEAN BULLOCK, CHAIR

LANDER COUNTY BOARD OF COMMISSIONERS

ATTEST: Vadil Vull

SADIE SULLIVAN

LANDER COUNTY CLERK



RECORDING REQUEST BY:

Lander County Clerk

315 South Humboldt Street

Battle Mountain, Nevada 89820

RESOLUTION NO. 2012-03 STATING LANDER COUNTY'S POSITION RELATIVE TO THE CONSOLIDATED TAX (CTX) DISTRIBUTION FORMULA (RE-RECORDED DUE TO ERROR OF DOCUMENT NOT BEING COMPLETE)

TITLE OF DOCUMENT

RESOLUTION NO. 2012-03

Of The Lander County Board of Commissioners

A RESOLUTION STATING LANDER COUNTY'S POSITION RELATIVE TO THE CONSOLIDATED TAX (CTX) DISTRIBUTION FORMULA

WHEREAS, Lander County is cognizant of the current distribution formula for Consolidated Tax (CTX) having been in place for sixteen fiscal years – the longest span of any tax distribution formula since prior to the 1979 and 1981 "Tax Shift", and

WHEREAS, Lander County supports the position of setting "Tier I" of the current CTX Distribution Formula aside from consideration for modification, and

WHEREAS, Lander County understands the dynamics of "Tier II" of the current CTX Distribution Formula whereby the intra-county revenue allocation is established, and

WHEREAS, Lander County realizes no negative effects through the application of "Tier II" of the current CTX Distribution Formula, and

WHEREAS, Lander County is aware that modifications to either "Tier I" or "Tier II" of the CTX Distribution Formula can have serious de-stabilizing effects, both anticipated and unanticipated, on the allocation of intra-county revenue,

NOW THEREFORE BE IT RESOLVED, the Lander County Commission has established the position that "Tier I" of the current Consolidated Tax (CTX) Distribution Formula has worked well and continues to work well and should be set aside from consideration for modification,

AND BE IT FURTHER RESOLVED, the Lander County Commission requests that deference be given to the position of Lander County and all counties within the state of Nevada experiencing no negative effects through the application of "Tier II" of the current CTX Distribution Formula,

AND BE IT FURTHER RESOLVED, the Lander County Commission requests the Legislative Commission's Subcommittee to Study the Allocation of Money Distributed from the Local Government Tax Distribution Account to recognize the potential de-stabilizing effects on the allocation of intra-county revenue that could result from substantial modifications to "Tier II" of the current CTX Distribution Formula,

AND BE IT FURTHER RESOLVED, the Lander County Commission requests the Legislative Commission's Subcommittee to Study the Allocation of Money Distributed from the Local Government Tax Distribution Account to exercise utmost caution in developing alternatives for modifying "Tier II" of the current CTX Distribution Formula to eliminate or minimize any negative impacts to Lander County and all other counties within the state of Nevada experiencing no negative effects through the application of "Tier II" of the current CTX Distribution Formula

PASSED AND ADOPTED this 12th day of April, 2012.

THOSE VOTING AYE:

Commissioner Stenmety

Commissioner Mason

Commissioner Williams

Commissioner Bullock

Commissioner

THOSE VOTING NAY:

THOSE ABSENT: Commissioner

DEAN BULLOCK, CHAIR

LANDER COUNTY BOARD OF COMMISSIONERS

LANDER COUNTY CLERK

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 7

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding a grant request from the Battle Mountain Professional Rodeo Association, in the amount of \$12,000.00, to cover the costs of additional money, entertainment and operation for the Battle Mountain Pro Rodeo event, and other matters properly relating thereto.

Public comment.

Background:

The grant request from the Battle Mountain Professional Rodeo Association, in the amount of \$12,000.00, to cover the costs of additional money, entertainment and operation for the Battle Mountain Pro Rodeo event is presented for Commission consideration.

The Battle Mountain Professional Rodeo Association requested \$12,000.00 in funding during the 2012-2013 budget development process. The request was **not** granted by the Commission during the Budget Workshop held March 14, 2012, with a recommendation that the organization seek funding from the Lander County Convention and tourism Authority. Apparently the Convention and Tourism Authority granted the Battle Mountain Professional Rodeo Association funding for the Battle Mountain Pro Rodeo Event.

Yvette Hacker will be in attendance to provide the Commission further details on this funding request.

Recommended Action:

It is recommended that the Commission reiterate the decision and recommendation made regarding this request for funding during the March 14, 2012 Budget Workshop. Funding for these types of events is the primary role of the Lander County Convention and Tourism Authority.

AGENDA REQUEST FORM



COMMISSIONER MEETING DATE: ____

AME: Tuette Hacher REPRESENTING: Barrie Mt. Prof Rodeo Ass	
DDRESS: 130 Skeyline Blud	
HONE (H): 635-2137 (W): 635-8488 (FAX):	
/HICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS: 🔞 374-0867 CCall)
THO WILL BE ATTENDING THE MEETING: <u>Luelle Lacler</u>	
JOB TITLE: SOCRe Lary	
PECIFIC REQUEST TO BE PLACED ON THE AGENDA: Discussion for possible Compared to the amount of \$12000. To cover cost of added money, entertainment A opposition.	4
WHAT ACTION WOULD YOU LIKE THE BOARD TO TAKE TO RESOLVE THIS ISSUE?	
ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST: AMOUNT: # 12.000 NO	
NO	
VILL 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	
DATE: 3-19-2012	
NO. THE	

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

-#-

GRANTS FROM LANDER COUNTY REQUEST FORM

This form is to be used by organizations, groups, political subdivisions, or any other entity requesting funds from Lander County. These forms will be prioritized for decisions regarding authorization of the grant. Please complete the form as possible to provide information needed to analyze your request.

1. Please provide the name, address, and phone number of your organization and describe the nature of the business conducted by your organization. Please provide information regarding the legal existence or the organization (e.g. non-profit organization, political subdivision, citizen committee).

Battle Mountain Professional Rodeo Association C/O Yvette Hacker 1130 Skyline BLVD Battle Mountain, NV 89820

Phone: 775-635-2137 Cell: 775-374-0867

2. Please provide a complete description of the project or operations for which you are requesting assistance. Please be very specific.

Battle Mountain Professional Rodeo, Inc. is a Nevada non-profit corporation. Its goals are to promote the growth of the Rocky Mountain Professional Rodeo Association, promote increased tourism to the County of Lander, Nevada provide the opportunity for community service groups, charities, churches, schools and 4-H groups to raise money for their organizations.

This is the 4th annual year of this event.

3. Please provide a budget of your intended project or operations. Please indicate whether you plan for specific expenditures in your program to be paid from grant proceeds from Lander County. Please be specific.

		Newmont	LC	CT
EXPENSE CATEGORY		Donation	Dona	ation
Stock Contractor	\$ 10,000			
Added Money Event	\$ 8,000			
Motel	\$ 1,500			
Hay (2012)	\$ 1,000			
Rodeo Clown	\$ 750			
Adventisement	\$ 2,500			
Total	\$ 23,750	\$ 2000	\$	6000

^{*}Just started to ask for donations, have started with the larger donators first. Most donations after this are small donations.

GRANTS FROM LANDER COUNTY REQUEST FORM



4. Please state the amount you are requesting from Lander County and describe other funding sources for the project or operation that will used to accomplish your objectives for the plan.

We would like to request \$12,000. This amount would guarantee a successful rodeo. This event brings people into our community and with people in our community the more money they spend on our community.

5. Please indicate whether or not you received monies from Lander County in Prior years for similar requests and please list prior grant amounts and fully describe the use of prior proceeds.

This is the first year that our organization has asked for money. This event started out small and has grown each year. In order for us to continue the success of this event we have upped the added money. You up the added money the more constants participant bringing in more spectators, riders, and revenue to the event and our community.

6. Please provide an affirmative statement indicating that you will comply with any grant administration requirements that Lander County may establish through policies and procedures which involve status report use of proceeds, special reports, and disbursement methods.

We will comply with any and all conditions imposed by Lander County and the Lander County Commissioners if the requested funding is granted.

7. Please include any further information about your request which will assist Lander County in analyzing your request.

Yvette Hacker and/or Jana Moyes will be present at the applicable budget workshop to answer any and all of your question, if requested.

Signature

J-13. 2017

Date

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 8

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding an update on the Austin Airport Fuel System project; direction to staff on proceeding further with the project; and other matters properly relating thereto.

Public comment.

Background:

Executive Director Gene Etcheverry will give a brief update to the Commission regarding the Austin Airport Fuel System Project and seek general direction from the Commission as to further action.

The Federal Aviation Administration (FAA) funded, through the Austin Airport Capital Improvement Plan (ACIP) grant program, the environmental assessment (EA) for placement of an aircraft fueling facility at the airport. This EA was completed in June 2010. Placement of a fueling facility at an airport is not a priority activity for FAA funding and is typically the last project to be funded (if at all) in any ACIP.

The current circumstances with the Austin Airport Fueling System are such that updated National Environmental Policy Act (NEPA) requirements have been adopted at both the federal and state levels during the intervening time between project planning (2009-2010) and today. The application of the updated environmental standards and requirements has increased the project cost significantly above the amount budgeted within the current and prior fiscal year Lander County budgets. Since the FAA has indicated they will not pay for this project through the ACIP Grant, the entire cost of the equipment, installation and related infrastructure improvements would be the responsibility of the County.

Recommended Action:

It is recommended that the Commission direct staff to reassess the Austin Airport Fueling System Project and develop alternatives for the Commission to consider.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 9

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding a proposed scope of work to conduct a feasibility study for the Battle Mountain Airport to evaluate the costs, infrastructure needs and operations required to augment/upgrade the existing water supply at the Battle Mountain Airport and surrounding areas and other matters properly related thereto.

Public comment.

Background:

The proposed scope of work to conduct a feasibility study for the Battle Mountain Airport to evaluate the costs, infrastructure needs and operations required to augment/upgrade the existing water supply at the Battle Mountain Airport and surrounding areas is brought before the Commission for consideration.

The feasibility study is the first action to be taken to evaluate the likely costs, infrastructure requirements and scope of operation necessary to provide an adequate water supply for the airport and airport operations, (including the Bureau of Land Management (BLM) Fire Tanker Base), and the motorsports facilities. The feasibility study will provide two possible alternatives for potential future development.

The Basis of Fee is time and materials. No "Estimated Budgetary Fee" is included.

Recommended Action:

It is recommended that the Commission accept the proposed scope of work to conduct a feasibility study for the Battle Mountain Airport to evaluate the costs, infrastructure needs and operations required to augment/upgrade the existing water supply at the Battle Mountain Airport and surrounding areas and request a full proposal, including the "Estimated Budgetary Fee" and a project timeline with deliverables be brought forward at a future Commission meeting.



J-U-B ENGINEERS, Inc. AGREEMENT FOR PROFESSIONAL SERVICES

Attachment 1 – Scope of Services, Schedule, and Basis of Fee

The Agreement for Professional Services is amended and supplemented to include the following provisions regarding the Scope of Services, Schedule of Services, and the Basis of Fee:

For the purposes of this attachment, 'Agreement for Professional Services' and 'the Agreement' shall refer to the document entitled 'Agreement for Professional Services,' executed between J-U-B and CLIENT to which this exhibit and any other exhibits have been attached.

PART 1 - SCOPE OF SERVICES

A. Project Understanding

Lander County, Nevada has decided to conduct a feasibility study for the Battle Mountain Airport to evaluate the likely costs, infrastructure, and operation required to augment the County's existing water supply at the airport and the immediate surrounding area. Currently the County's well system at the airport is the only water source for the following water demands in the immediate vicinity of the airport:

- Fixed Based Operator (FBO) Building
- BLM Fire Base Buildings
- Filling Slurry Tanks (firefighting aircraft)
- Motorsports Park
- Fire protection flow scenarios
- Future Growth (Potential/Desire for Industrial Development at Airport)
- Fire Station (future)
- Irrigation (limited)

The quality of the groundwater in the immediate basin appears to generally not be suitable for direct potable use without extensive treatment (arsenic), limiting the County's potential to develop and operate a potable water system at the Battle Mountain Airport. However, a secondary non-potable water system capable of meeting just those demands may potentially "free-up" the County's potable supply delivery to serve the objectives listed above.

The purpose of the Feasibility Study described in this Scope of Work is to quantify the approximate costs and benefits and to identify the basic infrastructure requirements to develop either:

- A secondary non-potable water system capable of meeting non-potable water demands (i.e. fire protection, irrigation, etc).
- Or a separate potable water system or modifications to the existing system to provide additional capacity at the airport site to meet all demands.

The information contained in the Feasibility Study will be used by the County to decide if the benefits of such a system at the Battle Mountain Airport are economically feasible and justified; and to possibly begin planning for funding of an identified project.

B. Basic Services

J-U-B's Services under this Agreement are specifically limited to the following tasks with an assumed level of effort shown on Attachment 2:

Task 001 - Collection and Review of Background Information / Feasibility Study

Scope of Services:

- A. During this initial phase, J-U-B with assistance from the CLIENT, will identify and collect a variety of existing data relevant to the feasibility study. Specific information that will be researched during this phase includes:
 - a. Development of potable and non-potable water demands identified in the Project Understanding.
 - b. Well Logs of all wells within ~1 mile of the airport.
 - c. Existing groundwater quality information.
 - d. Existing Airport Facility Planning documents.
 - e. Existing Lander County Water and Sewer District #1 potable water system planning documents.
 - f. Inventory of existing infrastructure at the airport including infrastructure taken out of service as a result of recent improvements to the District system(?- was the old small system taken out of service and replaced with the recently constructed wells outside of basin that serves city).
 - g. Background information related to size, condition, design, etc. of existing water tank available for potential purchase.
 - h. Approximate property boundaries and potential service area.
 - i. Fire flow requirements.
 - Regulatory requirements and procedures.
 - k. Existing water quality data.
 - Irrigable areas.
 - m. Existing and future service areas.
- B. J-U-B will review the collected information and develop two conceptual alternatives for potential further development. The two approaches to be used to develop the conceptual plans are described below:
 - a. Development of a separate non-potable system to meet fireflow and other non-potable demands in the area of the airport to reduce existing demands on the potable system and potentially "free-up" potable water for future demands.
 - b. Development of either an independent potable water system at the airport to meet all demands or modifications to the existing potable water supply (limited to modifications at the airport site) to increase supply at the airport site to meet the identified demands.
- C. J-U-B will prepare a draft concept report for the County to review the information and analysis that has been collected and performed. Specific items to be <u>included for both of the conceptual plans</u> in the Feasibility Study include:
 - Description and schematic sketch of the conceptual plans.
 - b. Preliminary opinion of probable construction cost.
 - Summary of overall benefits of the alternative system plans, specifically as related to allow future growth at the airport.
 - d. Summary of existing and potential future demands.
 - e. Outline of regulatory and operational requirements to implement the system.

- D. J-U-B will provide the County a draft report for comment. Both written comments received and comments received at the Feasibility Study Draft Review meeting will be incorporated or addressed in the final document.
- E. J-U-B will provide five (5) sealed original copies of the final Feasibility Study report to the County.
- F. Assumptions: The following assumptions are made in this task to develop the level of effort in the fee estimate:
 - a. The level of effort is shown on the labor and equipment estimate, Attachment 2.
 - b. County will work with J-U-B to identify potential sources of information relevant to the study including planning documents and water use records.
 - c. County will participate in the collection of background information and will work with J-U-B to establish the specifically identified demands for future planned or desired activities that may be associated with the project contemplated in the Feasibility Study.
 - d. County's contract representative will review draft documents and provide input to J-U-B.
 - e. The level of this effort in not intended to meet the State's requirements for a facility plan or water master plan. The level of this effort is a feasibility analysis only.

Task 002 - Project Meetings

Scope of Services:

- A. Project Kick-Off Meeting: J-U-B will conduct the meeting at or near the project site at a location identified by the County. Attendees should include County staff, Fire Chief, FBO Staff and BLM Staff. At the County's discretion, other individuals or groups may be invited to attend. Purpose of the meeting will be to gather existing information from the Client, review Client goals and specific questions to be addressed in the Feasibility Study, review current operation, existing systems, and site features. J-U-B will review the conceptual plans to be evaluated and will identify refinements to the conceptual approaches with the Client to be incorporated in the Feasibility Study.
- B. Project Execution Meetings: A number of short meetings with different parties, or a workshop with all stakeholders, will be required to complete the scope of work as described. This scope of work assumes meetings with the following individuals/entities:
 - a. BLM: Identify any planned changes in BLM operations that may affect demands or unidentified needs to possibly incorporate into the Feasibility Study.
 - b. Lander County Water and Sewer District #1: Discuss existing system issues and capacity. Review any additional planned improvements by District that impact the airport.
 - c. Motorsports Park Operators: Discuss site operations and water demands. Review future planned operations or unidentified needs to possibly incorporate into the Feasibility Study.
 - d. Gather information from the Nevada State DEQ to confirm design criteria.
 - e. Gather information and requirements from the Local Fire Marshall Official.

Note: the attached labor estimate assumes these meetings all occur either on the same or following day as the project kick-off meeting occurs.

- C. Feasibility Study Draft Review Meeting: J-U-B will provide a draft copy of the Feasibility Study for review and comment. After an adequate review time, the County will schedule a meeting to be held at a location provided by the County to review and discuss the report comments
- D. Assumptions: The following assumptions are made in this task to develop the level of effort in the fee estimate:
 - a. The level of effort is shown on the labor and equipment estimate, Attachment 2.

- b. County's contract representative will assist in the coordination of the stakeholders, attend and participate in all meetings identified.
- c. Information or meetings necessary to complete the work included in this scope but not specifically identified under this task can be performed via teleconference, e-mail or other alternative method to in-person meetings requiring travel.

PART 2 - SCHEDULE OF SERVICES

J-U-B will coordinate with the County to agree on reasonable deliverable schedules.

PART 3 - BASIS OF FEE

J-U-B's Basis of Fee for the Services listed in the Agreement is as follows:

1. On a time and material basis with an estimated budgetary fee detailed on Attachment #2.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 10

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding Task Order No. 83-10-025-203 between Lander County and J-U-B Engineers, Inc., in an amount not to exceed \$4,900.00, for the Battle Mountain and Austin Airports Disadvantaged Business Enterprises (DBE) plan development and other matters properly relating thereto.

Public comment.

Background:

Task Order No. 83-10-025-203 between Lander County and J-U-B Engineers, Inc., in an amount not to exceed \$4,900.00, for the Battle Mountain and Austin Airports Disadvantaged Business Enterprises (DBE) plan development is brought before the Commission for consideration.

The most current Disadvantaged Business Enterprises Plan (DBE) for the Austin and Battle Mountain Airport Capital Improvement programs is dated 2006. Without a current DBE in place, Lander County could lose eligibility for future Federal Aviation Administration (FAA) funding and could, potentially, face a request for previous funding provided for completed projects to be paid back to FAA.

Recommended Action:

It is recommended that the Commission approve Task Order No. 83-10-025-203 between Lander County and J-U-B Engineers, Inc., in an amount not to exceed \$4,900.00, for the Battle Mountain and Austin Airports Disadvantaged Business Enterprises (DBE) plan development.

AGENDA REQUEST FORM



COMMISSIONER MEETING DATE: April 12 2012

NAME: J.O. Heithoff	REPRESENTING: ゴーリ・ダ	Engineers
ADDRESS: 2875 50444	Decker Lake Orive, Sal	t care city util 8411
Cell (206) 473- 8317	(W): (208) 376-7330 (FAX):	
WHICH NUMBER SHOULD WE CALL	DURING NORMAL BUSINESS HOURS	work or cull
WHO WILL BE ATTENDING THE MEE	TING:	
JOB TITLE: Scalor 4:	rport Engineer.	
SPECIFIC REQUEST TO BE PLACED O	N THE AGENDA: ^ /V= 83-(0_025_ 203	
Buttle Mountain 4	Austin Airports - Visu	durntaged Business
Enterprises (DEE)		
WHAT ACTION WOULD YOU LIKE THE APP OF HIC TAJK ARE THERE ANY COSTS ASSOCIATED AMOUNT: 4, 400	order	
HAS THIS ISSUE BEEN DISCUSSED A' WHEN?	T A PRIOR COMMISSION MEETING?	YES NO <u>~</u>
WILL YOU BE PRESENTING WRITTEN Grance Elchaverry HAVE YOU DISCUSSED THIS ISSUE W	has the I page docume	
FOR REVIEW BY:		
AIRPORT AMBULANCE ARGENTA J. P. ASSESSOR AUSTIN J.P. CLERK COMM. DEVT.	DIST. ATTY. EXE. DIR. FIRE GOLF PARKS & REC. PUBLIC WORKS RECORDER	SENIOR CTR. SHERIFF SOCIAL SVC. TREASURER W & S OTHER
THE EXECUTIVE DIRECTOR RESE ALL AGENDA REQUESTS FOR INSU		R RECOMMEND TABLING
ALL INFORMATION STATED IS.CORR		E 4. 9-12

BOARD MEETS THE $2^{\rm ND}$ AND $4^{\rm TH}$ THURSDAY OF EACH MONTH COMMISSION FAX (775) 635-5332



Lander County





83-10-025



LETTER OF TRANSMITTAL TO: **Gene Etchevery** DATE: PROJECT NO: **Executive Director**

RE: Task order 83-140-025-203

3 copies of Task Order 83-10-025-203 to complete DBE

315 South Humboldt Street Plans for both airports. Battle Mountain, NV 89820 WE ARE SENDING YOU as checked below: 🛛 U.S. Mail Overnight . Courier **COPIES** DATED DESCRIPTION 3 3-29-12 Task Order 83-10-025-203 THESE ARE TRANSMITTED as checked below: Resubmit ___ copies for review For information/use Make changes noted Submit ___ copies for distribution ☐ As requested Revise and resubmit Return ___ corrected prints For review and comment Prints returned after loan to us Other:

> Lewis J. Lott **Project Manager**

RECEIVED

APR - 2 2012

COUNTY COMMISSION

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 11

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding approval of the County Tax Deed for APN #003-191-04, allowing the Unincorporated Town of Kingston to acquire property held in trust by the Lander County Treasurer for taxes owing, and that the Unincorporated Town of Kingston shall not be required to pay the delinquent taxes because it qualifies pursuant to NRS 361.603(5), as the property will be used for street, sewer or drainage uses, and other matters properly relating thereto.

Public comment.

Background:

Approval of the County Tax Deed for APN #003-191-04, allowing the Unincorporated Town of Kingston to acquire property held in trust by the Lander County Treasurer for taxes owing, and that the Unincorporated Town of Kingston shall not be required to pay the delinquent taxes because it qualifies pursuant to NRS 361.603(5), as the property will be used for street, sewer or drainage uses, is brought before the Commission for consideration.

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

Recommended Action:

Treasurer Powrie will make a recommendation for action by the Commission on this item.

AGENDA REQUEST FORM

MEETING DATE:

'April 12, 2012

Name:

Grace Powrie

Representing:

Lander County Treasurer

Address:

315 South Humboldt Street, Battle Mountain, Nevada 89820

Fax: 775-635-5593

Phone:(H)

775-635-5882

(w)775-635-5127

WORK

WHO WILL BE ATTENDING THE MEETING:

WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS:

Grace Powrie

JOB TITLE:

Lander County Treasurer

SPECIFIC REQUEST TO BE PLACED ON THE AGENDA:

Update concerning NRS 361.603, pretaining to the Unicorporated Town of Kingston and other matters properly relating thereto. Information Only.

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

ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST? YES AMOUNT: HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING? NO WHEN? JANUARY 12, 2012 WILL YOU BE PRESENTING WRITTEN INFORMATION AT THE MEETING? HAVE YOU DISCUSSED THIS ISSUE WITH THE AFFECTED DEPT HEAD? NO FOR REVIEW BY:

CLERK	SHERIFF
ASSESSOR	WELFARE
BUILDING	PLANNING
AIRPORT	RECORDER
R&B	OTHER-Austin W/S #2
PUB WORKS	GOLF
FAIR/REC	EXECUTIVE DIRECTOR

	J.P.
	D.A.
	TREASURER
	HUMAN RESOURCES
	HOSPITAL
	school
XXXX V	FINANCE DIRECTOR
	=

_		
_	XXXX	سسا
	XXXX	سسا
_		

THE COUNTY 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..

MEETING DATE:

April 12, 2012

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 12

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding approval of Proclamation No. 2012-01, a proclamation in support of Nevada Wildfire Awareness Week April 28-May 5, 2012, and other matters properly relating thereto.

Public comment.

Background:

Proclamation No. 2012-01, a proclamation in support of Nevada Wildfire Awareness Week - April 28-May 5, 2012, is presented for Commission consideration.

This Proclamation was presented by Lander County Cooperative Extension Agent Rod Davis.

Recommended Action:

It is recommended that the Commission approve and adopt Proclamation No. 2012-01 A Proclamation in support of Nevada Wildfire Awareness Week – April 28-May 5, 2012.

AGENDA REQUEST FORM



COMMISSIONER MEETING DATE: 4-12-12 NAME: ROD DAVIS REPRESENTING: MAR

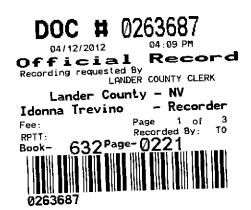
ADDRESS: 815 N (W): 635-5565 (FAX): PHONE (H): WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS: WHO WILL BE ATTENDING THE MEETING: KOD DAV; C JOB TITLE: Extension Educator SPECIFIC REQUEST TO BE PLACED ON THE AGENDA: 74.55 Att Ache A WHAT ACTION WOULD YOU LIKE THE BOARD TO TAKE TO RESOLVE THIS ISSUE? Mesalutiza. ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST: YES __ AMOUNT: HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING? YES WHEN? YES X WILL YOU BE PRESENTING WRITTEN INFORMATION AT THE MEETING? HAVE YOU DISCUSSED THIS ISSUE WITH THE AFFECTED DEPT HEAD?: YES ___ FOR REVIEW BY: DIST. ATTY. SENIOR CTR. AIRPORT AMBULANCE EXE. DIR. SHERIFF ARGENTA J. P. FIRE SOCIAL SVC. **GOLF** ASSESSOR TREASURER AUSTIN J.P. PARKS & REC. W & S PUBLIC WORKS CLERK OTHER RECORDER 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

DATE: 3-8-12

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



RECORDING REQUEST BY:

Lander County Clerk

315 South Humboldt Street

Battle Mountain, Nevada 89820

PROCLAMATION NO 2012-01 IN SUPPORT OF NEVADA WILDLIFE AWARENESS

WEEK APRIL 28 – MAY 5, 2012

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.

PROCLAMATION NO. 2012-01

A PROCLAMATION IN SUPPORT OF NEVADA WILDFIRE AWARENESS WEEK APRIL 28-MAY 5, 2012

WHEREAS, the trend in Nevada acres burned each year by wildfire has increased dramatically in recent decades; and

WHEREAS, Nevada wildfire seasons will become longer and wildfires will be more intense and more difficult to control; and

WHEREAS, wildfire significantly impacts Nevada's environmental, economic, and social well-being; and

WHEREAS, residents of Nevada's fire-prone communities need to accept responsibility for living in high fire-hazard areas; and

WHEREAS, proactive communities that have prepared in advance can survive wildfire with less damage; and

WHEREAS, many individuals can make a difference in reducing a community's wildfire threat, including homeowners, firefighters, land managers, builders, landscapers, planners, political leaders, and others.

THEREFORE, BE IT RESOLVED, that the Lander County Board of County Commissioners supports the week of April 28-May 5, 2012 as Nevada Wildfire Awareness Week and this year's theme "Wildfire Survival – It Takes a Community...You Can Make a Difference" as a means for education and a call for residents of Lander County to take action to reduce the wildfire threat in their communities.

PASSED AND ADOPTED this 12th day of April 2012.

THOSE VOTING AYE:	Commissioner Bullock
	Commissioner Stienmentin
	Compission Mason
	Commissioner Williams

THOSE VOTING NAY:		
THOSE ARSENT:	ammissioner	GOD HOTE.

Dean Bullock, Chairman

Lander County Board of Commissioners

ATTEST:

By:

Sadie Sullivan

Lander County Clerk

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 13

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding public land issues update by Western Counties Alliance (WCA); and membership renewal for FY 2012-2013 in the amount of \$3,500.00 and other matters properly relating thereto.

Public comment.

Background:

Mr. Ken Brown of Western Counties Alliance (WCA) will present an update to the Commission on public land issues and request membership renewal for Lander County in WCA for Fiscal Year 2012-2013, at a cost of \$3,500.00

Recommended Action:

It is recommended that the Commission acknowledge the contributions Western Counties Alliance makes on behalf of Lander County, particularly with respect to public lands issues, and renew the membership in WCA for Fiscal Year 2012-2013 at a cost of \$3,500.00.

AGENDA REQUEST FORM

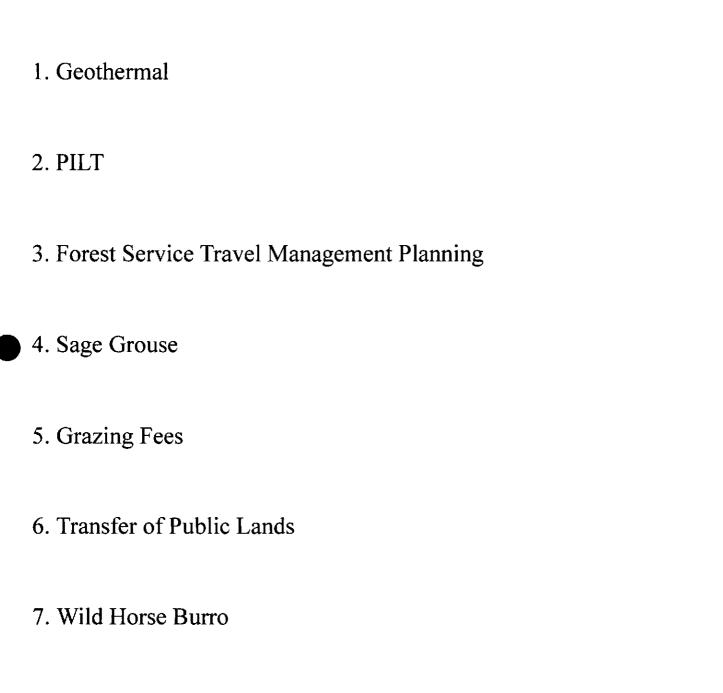
	oner mreting date: <u>4-72-73</u>		EVAD!
AME Ken Brown	REPRESENTING: Western	Countie	es AlliAN
	1 RANdulph, 217		
	(W): <u>672-365°\$</u> (FAX): <u>43</u>		
		•	
	L DURING NORMAL BUSINESS HOURS:	•	
	EETING: KEN Brown		
108 TITLE: Ex. Dire.	zzar		
PECIFIC REQUEST TO BE PLACED	ON THE AGENDA.		
Public Land Is	ON THE AGENDA.		
Request 11:30 Am.	Agendo Time		A
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WHAT ACTION WOULD YOU LIKE	THE EOARD TO TAKE TO RESOLVE THI	IS ISSUE?	
TON STATE VENGNINE	wer memberships	- X 7 CV 3	
ARE THERE ANY COSTS ASSOCIAT	FED WITH YOUR REQUEST:	YES 🔀	NO
MOUNT: 53500.00	•		
AS THIS ISSUE BEEN DISCUSSED	AT A PRIOR COMMISSION MEETING?	YES	X. 0%
VHEN?			
VILL YOU BE PRESENTING WRITT	EN INFORMATION AT THE MEETING?	YES 💢	№
IAVE YOU DISCUSSED THIS ISSUI	E WITH THE AFFECTED DEPT HEAD?:	YE\$	K⊅.∠≿
OR REVIEW BY:			
MRFORT	DIST, ATTY.	SENIOR CIR.	
MBULANCE RGENTA L.P.	EXE. DIR.	SHERIFF SOCIAL SVC.	
SSESSOR	GOLF	TREASURER	
TESK (USIN 1'6'	PARKS & REC. PUBLIC WORKS	W&S OTHER	
COMM. DEVT.	RECORDER		
THE EXECUTIVE DIRECTOR RE	SERVES THE RIGHT TO REJECT OF	RECOMMEN	D TABLING
all agenda requests for in	SUFFICIENT INFORMATION.		
1 / -	PRRECT AND TRUE TO MY KNOWLEDG	E	
Lew Brown	DATE: 3	-27-12	

BOARD MEETS THE 2^{59} AND 4^{18} THURSDAY OF EACH MONTH COMMISSION FAX (775) 635-3332



Western Counties Alliance

Agenda





Western Counties Alliance

Geothermal Disbursements to Counties

per Energy Policy Act of 2005

State	County	2010	2011
California	Imperial County	\$65,750.81	\$39,377.20
California	Inyo County	\$178,786.72	\$39,377.20 \$147,979.11
	Lake County	\$843,695.13	\$800,270.77
	Lassen County	\$13,302.63	\$12,231.70
	Mendocino County	\$ 750.00	\$12,251.70 \$750.00
	Mono County	\$33,369.06	\$34,256.68
	Siskiyou County	\$33,369.06 \$51,807.50	\$64,418.00
	Sonoma County	\$1,189,395.42	\$1.108,974.78
	California Total	\$2,376,857.27	\$2,208,258.24
daho	Bingham County	\$33.41	\$2,20 0,236.24 \$133.64
dano	Blaine County	\$ 0.00	\$404.50
	Bonneville County	\$40.09	\$160.36
	Camas County	\$0.00	\$305.50
	Caribou County	\$0.00 \$425.75	\$750,50
	Caribou County Cassia County	\$423.73 \$11,880.75	\$130.30 \$12,640.75
	Washington County	\$11,880.73 \$11,899.00	
		\$11,899.00 \$24,279.00	\$10,340.50 \$24,735.75
New Mexico	Idaho Total Dona Ana County	\$140.00	<u>\$24,755.75</u> \$160.93
New Mexico	Hidalgo County	\$1.410.54	\$100.93 \$7.037.75
	New Mexico Total	\$1,550.54	\$7,037.73 \$7,198.68
Nevada	Churchill County	\$2,413,536.58	\$879,577.55
vevada	Elko County	\$2,413,530.56 \$73,471.59	\$41,644.61
	Esmeralda County	\$75,471.39 \$380,625.38	\$73,612.30
		\$12,968.64	\$16,863.14
	Eureka County Humboldt County	\$12,968.64 \$159,964.36	\$76,443.04
	Lander County	\$139,964.30 \$148,106.04	\$70,445.04 \$71,646.19
	Lyon County	\$3,903.20	\$6,626.15
	Mineral County	\$110,318.93	\$64,330.92
	Nyc County	\$110,318.93 \$140,913.17	\$48,307.70
	Pershing County	· · · · · · · · · · · · · · · · · · ·	
	Washoe County	\$545,197.39 \$31,800.77	\$117,130.93 \$28,026.27
	White Pine County	\$31,890.77 \$74,196.50	\$26,023.50
	Nevada Total	\$4,095,092.55	\$1,450,232.30
<u> </u>			
Oregon	Deschutes County	\$44,807.72	\$41,652.25
	Hood River County	\$0.00	\$2,028.00
	Lake County	\$31,673.75	\$31,674.27
	Oregon Total	\$76,481.47	\$75,354.52
Jtah	Beaver County	\$106,143.36	\$79,443.10
	Iron County	\$19,416.00	\$1,267.50
	Juab County	\$87,976.50	\$37,913.74
	Millard County	\$61,250.87	\$44,269,11
	Utah Total	\$274,786.73	\$162,893.45

U.S. DEPARTMENT OF THE INTERIOR PAYMENTS IN LIEU OF TAXES FOR FISCAL YEAR 2011 SECTION 6902 PAYMENTS BY COUNTY

NEVADA

LUCAL UNIT OF GOVERNMENT ENTITILEMENT PAYMENTS POPULATION CELLING ALTERNATIVE A ALTERNATIVE B CGOVERNMENT ACRES \$4,842 \$0000 \$3,260,000 \$114,237 \$16,238 CHURCHILL COUNTY 2,143,291 \$4,802 \$2,062,560 \$2,062,560 \$10,237 \$16,238 CLARK COUNTY 2,88,324 \$14,628 45000 \$3,260,000 \$5,137,079 \$1,587,266 DOUGLAS COUNTY 2,804,316 \$467,273 48000 \$3,201,120 \$5,137,079 \$1,587,266 ELKO COUNTY 2,247,850 \$17,470 597 \$97,299 \$79,829 \$97,299 ENRERALDA COUNTY 2,247,850 \$139,604 \$1773 \$288,964 \$16,60,116 \$1,606,116 \$16,43,005 EUREKA COUNTY 2,156,889 \$139,604 \$1000 \$1,745,720 \$16,60,116 \$16,43,005 LANDER COUNTY 4,978,803 \$14,473 \$14,900 \$1,916,313 \$281,900 LINCOLN COUNTY 8,523,659 \$20000 \$3,206,700 \$1,916,313 \$	EST PAYMENT TO COUNTY	\$114,237	\$2,062,560	\$3,137,079	\$61,0516	\$2,733,847	\$97,299	\$288,964	\$1,643,005	\$814,900	\$775,296	\$1,916,313	\$640,350	\$2,812,807	\$915,720	\$35,114	\$3,232,366	
LOCAL UNIT OF GOVERNMENT ENITILEMENT PAYMENTS PODULATION CELLING ALTERNATIVE A GOVERNMENT ACRES PAYMENTS PODULATION \$3,260,000 \$114,237 CARSON CITY 4,802,896 \$122,921 \$0000 \$2,062,560 \$2,062,560 CLARK COUNTY 2,843,231 \$14,628 45000 \$3,13,335 \$616,516 ELKO COUNTY 2,247,850 \$17,470 \$97 \$97,299 \$179,829 EUREKA COUNTY 2,247,850 \$139,604 19000 \$1,745,720 \$1,606,116 EUREKA COUNTY 4,978,803 \$132,401 \$50 \$91,209 \$1,606,116 LANDER COUNTY 4,978,803 \$132,401 \$1773 \$288,964 \$199,783 LINCOLN COUNTY 4,978,803 \$142,473 \$000 \$1,745,720 \$1,606,116 LINCOLN COUNTY 6,410,564 \$33,031 \$1,900 \$1,745,720 \$1,906,516 MINERAL COUNTY 868,505 \$185,469 \$200,000 \$3,260,000 \$2,111,812 NYE COUNTY 19		\$16,238	\$707,266	\$1,587,266	\$85,247	\$2,609,150	\$97,299	\$288,964	\$1,643,005	\$814,900	\$775,296	\$286,607	\$640,350	\$2,812,807	\$915,720	\$4,788	\$967,148	01 120 140
CARSON CITY ACRES PAYMENTS POPULATION CARSON CITY CARSON CITY 49,206 \$4,842 50000 \$5 CHURCHILL COUNTY 2,143,231 \$0 24000 \$5 CLARK COUNTY 4,809,896 \$122,921 50000 \$5 CLARK COUNTY 2,58,324 \$14,628 45000 \$5 ELKO COUNTY 2,247,850 \$17,470 \$97 ESMERALDA COUNTY 2,247,850 \$17,470 \$97 ENEKA COUNTY 2,156,889 \$89,181 1773 HUMBOLDT COUNTY 4,978,803 \$139,604 19000 \$1 LANDER COUNTY 4,978,803 \$142,473 \$5000 \$5 LINCOLN COUNTY 868,505 \$185,469 \$5000 \$6 LYON COUNTY 8,523,659 \$951,908 44000 \$7 PERSHING COUNTY 1,940,455 \$221,116 4588 NYE COUNTY 2,927,801 \$0 6000 STOREY COUNTY 1,510 \$0 4428 WASHOE		\$114,237	\$2,062,560	\$3,137,079	\$610,516	\$2,733,847	\$79,829	\$199,783	\$1,606,116	\$672,427	\$741,255	\$1,916,313	\$526,636	\$2,111,812	\$915,720	\$35,114	\$3,232,366	765 5683
COCAL UNIT OF GOVERNMENT ENTITILEMENT PRIOR YEAR PAYMENTS UNITICAL UNITY CARSON CITY 49,206 \$4,842 CHURCHILL COUNTY 2,143,231 \$0 CLARK COUNTY 4,809,896 \$122,921 DOUGLAS COUNTY 2,58,324 \$14,628 ELKO COUNTY 2,247,850 \$17,470 EUREKA COUNTY 2,156,889 \$89,181 HUMBOLDT COUNTY 4,978,803 \$132,604 LANDER COUNTY 4,978,803 \$132,473 LINCOLN COUNTY 6,410,564 \$185,469 LYON COUNTY 868,505 \$185,469 MINERAL COUNTY 8,523,659 \$951,908 PERSHING COUNTY 2,927,801 \$0 STOREY COUNTY 1,940,455 \$221,116 WASHOE COUNTY 2,930,753 \$27,634	CEILING	\$3,260,000	\$2,062,560	\$3,260,000	\$3,133,350	\$3,201,120	\$97,299	\$288,964	\$1,745,720	\$814,900	\$775,296	\$3,260,000	\$747,752	\$3,063,720	\$915,720	\$721,675	\$3,260,000	£1 120 140
COCAL UNIT OF ENTITILEMENT PRIOR YEA GOVERNMENT ACRES PAYMENT CARSON CITY 49,206 \$4,8 CHURCHILL COUNTY 2,143,231 \$4,8 CLARK COUNTY 2,89,324 \$122,9 ELKO COUNTY 2,247,850 \$17,4 EURERALDA COUNTY 2,247,850 \$17,4 EURERA COUNTY 4,978,803 \$139,6 LANDER COUNTY 4,978,803 \$139,6 LINCOLN COUNTY 6,410,564 \$134,0 LYON COUNTY 868,505 \$185,40 LYON COUNTY 8,523,659 \$951,9 PERSHING COUNTY 2,927,801 \$27,6 STOREY COUNTY 1,940,455 \$951,9 WASHOE COUNTY 2,930,753 \$27,6 WASHOE COUNTY 2,930,753 \$27,6	UNIT POPULATION	20000	24000	20000	45000	48000	597	1773	00061	2000	4757	20000	4588	44000	0009	4428	20000	0000
GOVERNMENT GOVERNMENT CARSON CITY CHURCHILL COUNTY CLARK COUNTY ELKO COUNTY ESMERALDA COUNTY EUREKA COUNTY LANDER COUNTY LANDER COUNTY LANDER COUNTY LANDER COUNTY LYON COUNTY NYE COUNTY STOREY COUNTY WASHOE COUNTY	PRIOR YEAR PAYMENTS	\$4,842	\$0	\$122,921			\$17,470	\$89,181	\$139,604		\$34,041	\$185,469			0\$	\$0	\$27,634	11 A 10CP
	ENTITLEMENT ACRES	49,206	2,143,231	4,809,896	258,324	7,906,516	2,247,850	2,156,889	4,978,803	3,333,331	6,410,564	868,505	1,940,455	8,523,659	2,927,801	14,510	2,930,753	5 106 8/15
	LOCAL UNIT OF GOVERNMENT	CARSON CITY	CHURCHILL COUNTY	CLARK COUNTY	DOUGLAS COUNTY	ELKO COUNTY	SMERALDA COUNTY	EUREKA COUNTY	HUMBOLDT COUNTY	LANDER COUNTY	LINCOLN COUNTY	LYON COUNTY	MINERAL COUNTY	NYE COUNTY	PERSHING COUNTY	STOREY COUNTY	WASHOE COUNTY	WHITE DINE COUNTY
		1		L.						-	48							

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	JOINT RESOLUTION ON FEDERAL TRANSFER OF							
	PUBLIC LANDS							
2012 GENERAL SESSION								
	STATE OF UTAH							
	Chief Sponsor: Roger E. Barrus							
	Senate Sponsor: Margaret Dayton							
LONG	TITLE							
Gener	al Description:							
	This joint resolution of the Legislature demands that the federal government extinguish							
itle to	Utah's public lands and transfer title to those lands to the state of Utah.							
Highli	ghted Provisions:							
	This resolution:							
	• demands that the federal government transfer title of the public lands within Utah's							
order	s directly to the state of Utah;							
	• urges the United States Congress to engage in good faith communication,							
ooper	ation, coordination, and consultation with the state of Utah regarding the							
ransfe	r of title of public lands directly to the state of Utah;							
	• declares that the Legislature, upon transfer of title of the public lands directly to the							
tate o	f Utah, intends to affirmatively cede the national park lands to the federal							
overn	ment, under Article I, Section 8, Clause 17 of the United States Constitution,							
n con	dition that the lands permanently remain national park lands and that they not							
e solo	, transferred, or conveyed to any party other than the state of Utah;							
	• declares that, upon transfer of the public lands directly to the state of Utah, the							
ægisla	ature intends to affirmatively cede to the federal government all lands							
urren	ly designated as part of the National Wilderness Preservation System							
oursua	nt to the Wilderness Act of 1964;							
	• calls for the creation of a Utah Public Lands Commission to review and manage							

multiple use of the public lands, including access, open space, and sustainable yield

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of the abundant resources, and to determine, through a public process, the extent to which public land may be sold, if any; and

▶ urges, to the extent that the Public Lands Commission determines through a public process that any such land should be sold to private owners, that 5% of the net proceeds should be paid to the permanent fund for public education and 95% of the net proceeds should be paid to the federal government to pay down the national debt.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

WHEREAS, in 1780, the United States Congress resolved that "the unappropriated lands that may be ceded or relinquished to the United States, by any particular states, pursuant to the recommendation of Congress of the 6 day of September last, shall be granted and disposed of for the common benefit of all the United States that shall be members of the federal union, and be settled and formed into distinct republican states, which shall become members of the federal union, and have the same rights of sovereignty, freedom and independence, as the other states: . . . and that upon such cession being made by any State and approved and accepted by Congress, the United States shall guaranty the remaining territory of the said States respectively. (Resolution of Congress, October 10, 1780)";

WHEREAS, the territorial and public lands of the United States are dealt with in Article IV, section 3, clause 2 of the United States Constitution, referred to as the Property Clause, which states, "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.";

WHEREAS, with this clause, the Constitutional Convention agreed that the Constitution would maintain the "statu quo" that had been established with respect to the federal territorial lands being disposed of only to create new states with the same rights of sovereignty, freedom, and independence as the original states;

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WHEREAS, under these express terms of trust, the land claiming states, over time, ceded their western land to their confederated union and retained their claims that the confederated government dispose of such lands only to create new states "and for no other use or purpose whatsoever" and apply the net proceeds of any sales of such lands only for the purpose of paying down the public debt;

WHEREAS, with respect to the disposition of the federal territorial lands, the Northwest Ordinance of July 13, 1787, provides, "The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers";

WHEREAS, by resolution in 1790, the United States Congress declared "That the proceeds of sales which shall be made of lands in the Western territory, now belonging or that may hereafter belong to the United States, shall be, and are hereby appropriated towards sinking or discharging the debts for the payment whereof the United States now are, or by virtue of this act may be holden, and shall be applied solely to that use, until the said debt shall be fully satisfied";

WHEREAS, the intent of the founding fathers to eventually extinguish title to all public lands was reaffirmed by President Andrew Jackson in a message to the United States Senate on December 4, 1833, where he explained the reasons he vetoed a bill entitled "An act to appropriate for a limited time the proceeds of the sales of the public lands of the United States and for granting lands to certain States": "I do not doubt that it is the real interest of each and all the States in the Union, and particularly of the new States, that the price of these lands shall be reduced and graduated, and that after they have been offered for a certain number of years the refuse remaining unsold shall be abandoned to the States and the machinery of our land system entirely withdrawn. It can not be supposed the compacts intended that the United States should retain forever a title to lands within the States which are of no value, and no doubt is entertained that the general interest would be best promoted by surrendering such lands to the States";

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WHEREAS, in 1828, United States Supreme Court Chief Justice John Marshall, in American Ins. Co. v. 356 Bales of Cotton, 26 U.S. 511 (1828), confirmed that no provision in the Constitution authorized the federal government to indefinitely exercise control over western public lands beyond the duty to manage these lands pending the disposal of the lands to create new states when he said, "At the time the Constitution was formed, the limits of the territory over which it was to operate were generally defined and recognised (sic). These limits consisted in part, of organized states, and in part of territories, the absolute property and dependencies of the United States. These states, this territory, and future states to be admitted into the Union, are the sole objects of the Constitution; there is no express provision whatever made in the Constitution for the acquisition or government of territories beyond those Limits.";

WHEREAS, in 1833, referring to these land cession compacts which arose from the original 1780 congressional resolution, President Andrew Jackson stated, "These solemn compacts, invited by Congress in a resolution declaring the purposes to which the proceeds of these lands should be applied, originating before the constitution, and forming the basis on which it was made, bound the United States to a particular course of policy in relation to them by ties as strong as can be invented to secure the faith of nations" (Land bill veto, December 5, 1833);

WHEREAS, the United States Supreme Court, in State of Texas v. White, 74 U.S. 700 (1868), clarified that a state, by definition, includes a defined sovereign territory, stating that "State," in the constitutional context, is "a political community of free citizens, occupying a territory of defined boundaries, and organized under a government sanctioned and limited by a written constitution, and established by the consent of the governed", and added, "This is undoubtedly the fundamental idea upon which the republican institutions of our own country are established";

WHEREAS, in Shively v. Bowlby, 152 U.S. 1 (1894), the United States Supreme Court confirmed that all federal territories, regardless of how acquired, are held in trust to create new states on an equal footing with the original states when it stated, "Upon the acquisition of a Territory by the United States, whether by cession from one of the States, or by treaty with a

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foreign country, or by discovery and settlement, the same title and dominion passed to the United States, for the benefit of the whole people, and in trust for the several States to be ultimately created out of the Territory.";

WHEREAS, the United States Supreme Court has affirmed that the federal government must honor its trust obligation to extinguish title to the public lands for the sovereignty of the new state to be complete, stating once "the United States shall have fully executed these trusts, the municipal sovereignty of the new states will be complete, throughout their respective borders, and they, and the original states, will be upon an equal footing, in all respects. . ." (Polland v. Hagan, 44 U.S. 212 (1845));

WHEREAS, the enabling acts of the new states west of the original colonies established the terms upon which all such states were admitted into the union, and contained the same promise to all new states that the federal government would extinguish title to all public lands lying within their respective borders;

WHEREAS, the United States Supreme Court looks upon the enabling acts which create new states as "solemn compacts" and "bilateral (two-way) agreements" to be performed "in a timely fashion";

WHEREAS, under Section 3 of Utah's Enabling Act, Utah agreed to the same solemn compacts as states preceding in statehood, that until the title to unappropriated public lands lying within the state's boundaries "shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States; . . . that no taxes shall be imposed by the State on lands or property therein belonging to or which may hereafter be purchased by the United States or reserved for its use";

WHEREAS, the trust obligation of the federal government to timely extinguish title of all public lands lying within the boundaries of the state of Utah is made even more clear in Section 9 of Utah's Enabling Act as follows: "That five per centum of the proceeds of the sales of public lands lying within said State, which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to the

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same, shall be paid to the said State, to be used as a Permanent Fund, the interest of which only shall be expended for the support of the common schools within said State";

WHEREAS, the federal government confirmed its trust obligation to timely extinguish title to all public lands lying within the boundaries of the state of Utah by and through the 1934 Taylor Grazing Act, which declared that the act was established "In order to promote the highest use of the public lands pending its final disposal";

WHEREAS, in 1976, after nearly 200 years of trust history regarding the obligation of Congress to extinguish title of western lands to create new states and use the proceeds to discharge its public debts, the United States Congress purported to unilaterally change this solemn promise by and through the Federal Land Policy Management Act (FLPMA), which provides, in part, "The Congress declares that it is the policy of the United States that the public lands be retained in Federal ownership, unless . . . it is determined that disposal of a particular parcel will serve the federal interest":

WHEREAS, at the time of Utah's Enabling Act the course and practice of the United States Congress with all prior states admitted to the union had been to fully extinguish title, within a reasonable time, to all lands within the boundaries of such states, except for those Indian lands, or lands otherwise expressly reserved to the exclusive jurisdiction of the United States:

WHEREAS, the state of Utah did not, and could not have, contemplated or bargained for the United States failing or refusing to abide by its solemn promise to extinguish title to all lands within its defined boundaries within a reasonable time such that the state of Utah and its permanent fund for its common schools could never realize the bargained-for benefit of the deployment, taxation, or economic benefit of all the lands within its defined boundaries;

WHEREAS, from 1780 forward the federal government only held bare legal title to the western public lands in the nature of a trustee in trust with the solemn obligation to timely extinguish title to such lands to create new states and to use the proceeds to pay the public debt;

WHEREAS, the federal government complied with its promise and solemn obligation to imminently transfer title of public lands lying within the boundaries of all states to the

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eastern edge of the state of Colorado and also with the state of Hawaii;

WHEREAS, by the terms of Utah's Enabling Act, Utah suspended its sovereign right to eventually tax the public lands within its borders, pending final disposition of the public lands;

WHEREAS, the federal government has repeatedly and persistently failed to honor its promises and has refused to abide by the terms of its preexisting solemn obligations to imminently extinguish title to all public lands;

WHEREAS, had Congress honored its promise to Utah to timely extinguish title to all public lands within Utah's boundaries, Utah would have had sovereign control over lands within its borders;

WHEREAS, Congress, by and through FLPMA, unilaterally altered its duty in 1976 to extinguish title to all public lands within Utah's borders by committing to a policy of retention and a process of comprehensive land management and planning coordinated between the federal government, the states, and local governing bodies for access, multiple use, and sustained yield of the public lands;

WHEREAS, despite the fact that the federal government had not divested all public lands within Utah's borders by 1976, this did not alleviate the federal government from its duty to extinguish title and divest itself of federal ownership of remaining public land in Utah by ceding such land directly to the state as it did with other states;

WHEREAS, since the passage of FLPMA, the federal government has engaged in a persistent pattern and course of conduct in direct violation of the letter and spirit of FLPMA through an abject disregard of local resource management plans, failure and refusal to coordinate and cooperate with the state and local governments, unilateral and oppressive land control edicts to the severe and extreme detriment of the state and its ability to adequately fund education, provide essential government services, secure economic opportunities for wage earners and Utah business, and ensure a stable prosperous future;

WHEREAS, under the United States Constitution, the American states reorganized to form a more perfect union, yielding up certain portions of their sovereign powers to the elected officers of the government of their union, yet retaining the residuum of sovereignty for the

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purpose of independent internal self-governance;

WHEREAS, by compact between the original states, territorial lands were divided into "suitable extents of territory" and upon attaining a certain population, were to be admitted into the union upon "an equal footing" as members possessing "the same rights of sovereignty, freedom and independence" as the original states;

WHEREAS, the federal trust respecting public lands obligates the United States, through their agent, Congress, to extinguish both their government jurisdiction and their title on the public lands that are held in trust by the United States for the states in which they are located;

WHEREAS, the state and federal partnership of public lands management has been eroded by an oppressive and over-reaching federal management agenda that has adversely impacted the sovereignty and the economies of the state of Utah and local governments;

WHEREAS, federal land-management actions, even when applied exclusively to federal lands, directly impact the ability of the state of Utah to manage its school trust lands in accordance with the mandate of the Utah Enabling Act and to meet its obligation to the beneficiaries of the trust;

WHEREAS, Utah has been substantially damaged in its ability to provide funding for education and the common good of the state and to serve a sustainable, vibrant economy into the future because the federal government has unduly retained control of nearly two-thirds of the lands lying within Utah's borders;

WHEREAS, Utah consistently ranks highest among all the states in class size and lowest in the nation in per pupil spending for education;

WHEREAS, had the federal government disposed of the land in or about 1896, Utah would have, from that point forward, generated substantial tax revenues and revenues from the sustainable managed use of its natural resources to the benefit of its public schools and to the common good of the state and nation;

WHEREAS, the federal government gives Utah less than half of the net proceeds of mineral lease revenues and severance taxes generated from the lands within Utah's borders;

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WHEREAS, Utah has been substantially damaged in mineral lease revenues and severance taxes in that, had the federal government extinguished title to all public lands, Utah would realize 100% of the mineral lease revenues and severance taxes from the lands;

WHEREAS, the Bureau of Land Management's (BLM) failure to act affirmatively on definitive allocation decisions of multiple use activities in resource management plans has created uncertainty in the future of public land use in Utah and has caused capital to flee the state:

WHEREAS, during the process of finalizing the most recent six Resource Management Plans, the BLM refused to consider state and local government acknowledgments of R.S. 2477 rights-of-way or other evidence of the existence of R.S. 2477 rights-of-way in the Grand Staircase Escalante National Monument;

WHEREAS, the BLM has demonstrated a chronic inability to handle the proliferation of wild horses and burros on the public lands, to the detriment of the rangeland resource;

WHEREAS, the United States Army Corps of Engineers is proposing to extend its jurisdiction to regulate the waters of the United States to areas traditionally dry, except during severe weather events, in violation of the common definition of jurisdictional waters;

WHEREAS, in 1996, the president of the United States abused the intent of the Antiquities Act by the creation of the Grand Staircase Escalante National Monument without any consultation with the state and local authorities or citizens;

WHEREAS, the United States Fish and Wildlife Service is making decisions concerning various species on BLM lands under the provisions of the Endangered Species Act without serious consideration of state wildlife management activities and protection designed to prevent the need for a listing, or recognizing the ability to delist a species, thereby affecting the economic vitality of the state and local region;

WHEREAS, the BLM has not authorized all necessary rangeland improvement projects involving the removal of pinyon-juniper and other climax vegetation, thereby reducing the biological diversity of the range, reducing riparian viability and water quality, and reducing the availability of forage for both livestock and wildlife;

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WHEREAS, Utah initially supported placing into reserve the six National Forests in Utah -- Ashley, Fishlake, Manti La-Sal, Dixie, Uinta, and Wasatch-Cache, because Utah was promised this action would preserve the forest lands as watersheds and for agricultural use -- namely timber and other wood products, and grazing;

WHEREAS, this vision and promise of agricultural production on the forest lands is the reason that the United States Forest Service was made part of the United States Department of Agriculture as opposed to the Department of the Interior;

WHEREAS, the promise of preservation for agricultural use has been broken by the current and recent administrations;

WHEREAS, logging, timber, and wood products operations on Utah's National Forests have come to a virtual standstill, resulting in forests that are choked with old growth monocultures, loss of aspen diversity, loss of habitat, and a threat to community watersheds due to insect infestation and catastrophic fire;

WHEREAS, these conditions are the result of a failure to properly manage the forest lands for their intended use, which is responsible and sustained timber production, watersheds, and grazing;

WHEREAS, the only remedy for federal government breaches of Utah's Enabling Act Compact and breaches to the spirit and letter of the promises of FLPMA is for the state of Utah to take back title and management responsibility of federally-managed public lands, which would restore the promises in the solemn compact made at statehood;

WHEREAS, under Article I, Section 8, Clause 17 of the United States Constitution, the federal government is only constitutionally authorized to exercise jurisdiction over and above bare right and title over lands that are "purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings";

WHEREAS, the United States Supreme Court affirmed that the federal government only holds lands as a mere "ordinary proprietor" and cannot exert jurisdictional dominion and control over public lands without the consent of the state Legislature, stating "Where lands are

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acquired without such consent, the possession of the United States, unless political jurisdiction be ceded to them in some other way, is simply that of an ordinary proprietor (emphasis added). The property in that case, unless used as a means to carry out the purposes of the government, is subject to the legislative authority and control of the states equally with the property of private individuals."(Ft. Leavenworth R. Co. v. Lowe, 114 U.S. 525 (1885));

WHEREAS, in a unanimous 2009 decision, the United States Supreme Court, in Hawaii v. Office of Hawaiian Affairs, 556 U.S. 163 (2009), affirmed that Congress has no right to change the promises it made to a state's Enabling Act, stating, ". . . [a subsequent act of Congress] would raise grave constitutional concerns if it purported to 'cloud' Hawaii's title to its sovereign lands more than three decades after the State's admission to the Union . . . '[T]he consequences of admission are instantaneous, and it ignores the uniquely sovereign

character of that event . . . to suggest that subsequent events somehow can diminish what has already been bestowed'. And that proposition applies a fortiori [with even greater force] where virtually all of the State's public lands . . . are at stake" (emphasis added, citation omitted);

WHEREAS, citizens of the state of Utah have a love of the land and have demonstrated responsible stewardship of lands within state jurisdiction;

WHEREAS, the state of Utah is willing to sponsor, evaluate, and advance the locally driven efforts in a more efficient manner than the federal government, to the benefit of all users, including recreation, conservation, and the responsible and sustainable management of Utah's natural resources;

WHEREAS, the state of Utah has a proven regulatory structure to manage public lands for multiple use and sustainable yield;

WHEREAS, the United States Congress disposed of lands within the boundaries of the states of Tennessee and Hawaii directly to those states;

WHEREAS, because of the entanglements and rights arising over the 116 years that the federal government has failed to honor its promise to timely extinguish title to public lands and because of the federal government's breach of Utah's Enabling Act and breach of FLPMA,

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among other promises made, and the damages resulting from such breaches, the United States Congress should imminently transfer title to all public lands lying within the State of Utah directly to the State of Utah, as it did with Hawaii and Tennessee;

WHEREAS, the Legislature of the state of Utah, upon transfer of title by the federal government of the public lands directly to the state, intends to cede the national park land to the federal government on condition that the lands permanently remain national park lands, that they not be sold, transferred, left in disrepair, or conveyed to any party other than the state of Utah;

WHEREAS, the Legislature of the state of Utah, upon transfer of title by the federal government of the public lands directly to the state, intends to cede to the federal government all lands currently designated as part of the National Wilderness Preservation System pursuant to the Wilderness Act of 1964;

WHEREAS, in order to effectively address the accumulated entanglements and expectations over Utah's public lands, including open space, access, multiple use, and the management of sustainable yields of Utah's natural resources, a Utah Public Lands Commission should be formed to review and manage multiple use of the public lands and to determine, through a public process, the extent to which public land may be sold, if any; and

WHEREAS, to the extent that the Public Lands Commission determines through a public process that any such land should be sold to private owners, that 5% of the net proceeds should be paid to the permanent fund for Utah's public schools, and 95% of the net proceeds should be paid to the federal government to pay down the federal debt:

NOW, THEREFORE, BE IT RESOLVED that in order to provide a fair, justified, and equitable remedy for the federal government's past and continuing breaches of its solemn promises to the State of Utah as set forth in this resolution and to provide for the sufficient and necessary funding of Utah's public education system, the Legislature of the state of Utah demands that the federal government imminently transfer title to all of the public lands within Utah's borders directly to the state of Utah.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges the

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United States Congress in the most strenuous terms to engage in good faith communication, cooperation, coordination, and consultation with the state of Utah regarding the transfer of public lands directly to the state of Utah.

BE IT FURTHER RESOLVED that, upon transfer of the public lands directly to the state of Utah, the Legislature intends to affirmatively cede the national park lands to the federal government, under Article I, Section 8, Clause 17 of the United States Constitution, on condition that the lands permanently remain national park lands, that they not be sold, transferred, left in substantial disrepair, or conveyed to any party other than the state of Utah.

BE IT FURTHER RESOLVED that, upon transfer of the public lands directly to the state of Utah, the Legislature intends to affirmatively cede to the federal government all lands currently designated as part of the National Wilderness Preservation System pursuant to the Wilderness Act of 1964.

BE IT FURTHER RESOLVED that the Legislature calls for the creation of a Utah Public Lands Commission to review and manage access, open space, sustainable yields, and the multiple use of the public lands and to determine, through a public process, the extent to which public land may be sold.

BE IT FURTHER RESOLVED that, to the extent that the Public Lands Commission determines through a public process that any such land should be sold to private owners, that 5% of the net proceeds should be paid to the permanent fund for the public schools, and 95% should be paid to the Bureau of the Public Debt to pay down the federal debt.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the United States Department of the Interior, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the members of Utah's congressional delegation, and the Governors, Senate Presidents, and Speakers of the House of the 49 other states.

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TRANSFER OF PUBLIC LANDS ACT AND RELATED								
STUDY								
2012 GENERAL SESSION								
STATE OF UTAH								
Chief Sponsor: Ken Ivory								
Senate Sponsor: Wayne L. Niederhauser								
Cosponsors:	Francis D. Gibson	Curtis Oda						
Johnny Anderson	Richard A. Greenwood	Patrick Painter						
Stewart Barlow	Keith Grover	Lee B. Perry						
Roger E. Barrus	Stephen G. Handy	Jeremy A. Peterson						
Jim Bird	Wayne A. Harper	Val L. Peterson						
Derek E. Brown	Neal B. Hendrickson	Dixon M. Pitcher						
Melvin R. Brown	Christopher N. Herrod	Kraig Powell						
David G. Butterfield	Gregory H. Hughes	Paul Ray						
LaVar Christensen	Eric K. Hutchings	Douglas Sagers						
Bradley M. Daw	Don L. Ipson	Stephen E. Sandstrom						
Brad L. Dee	Todd E. Kiser	Dean Sanpei						
John Dougall	Bradley G. Last	V. Lowry Snow						
Jack R. Draxler	Rebecca D. Lockhart	Kenneth W. Sumsion						
Susan Duckworth	John G. Mathis	Evan J. Vickers						
James A. Dunnigan	Daniel McCay	Christine F. Watkins						
Rebecca P. Edwards	Ronda Rudd Menlove	R. Curt Webb						
Steve Eliason	Michael T. Morley	Ryan D. Wilcox						
Craig A. Frank	Merlynn T. Newbold	Brad R. Wilson						
Gage Froerer	Jim Nielson	Bill Wright						
Brad J. Galvez	Michael E. Noel							
	Senate Cosponsors: Johnny Anderson Stewart Barlow Roger E. Barrus Jim Bird Derek E. Brown Melvin R. Brown David G. Butterfield LaVar Christensen Bradley M. Daw Brad L. Dee John Dougall Jack R. Draxler Susan Duckworth James A. Dunnigan Rebecca P. Edwards Steve Eliason Craig A. Frank Gage Froerer	STUDY 2012 GENERAL SESSION STATE OF UTAH Chief Sponsor: Ken Ivory Senate Sponsor: Wayne L. Niederhau Cosponsors: Francis D. Gibson Johnny Anderson Richard A. Greenwood Stewart Barlow Keith Grover Roger E. Barrus Stephen G. Handy Jim Bird Wayne A. Harper Derek E. Brown Neal B. Hendrickson Melvin R. Brown Christopher N. Herrod David G. Butterfield Gregory H. Hughes Eric K. Hutchings Bradley M. Daw Don L. Ipson Brad L. Dee Todd E. Kiser John Dougall Bradley G. Last Jack R. Draxler Susan Duckworth John G. Mathis James A. Dunnigan Rebecca P. Edwards Steve Eliason Michael T. Morley Craig A. Frank Merlynn T. Newbold Gage Froerer Jim Nielson						

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29	General Description:
30	This bill addresses issues related to public lands, including the transfer of title to public
31	lands to the state and requiring the Constitutional Defense Council to study or draft
32	proposed legislation on certain issues related to public lands.
33	Highlighted Provisions:
34	This bill:
35	enacts the Transfer of Public Lands Act;
36	defines terms;
37	requires the United States to extinguish title to public lands and transfer title to
38	those public lands to the state on or before December 31, 2014;
39	 provides that if the state transfers title to public lands with respect to which the state
40	receives title to the public lands under the Transfer of Public Lands Act, the state
41	shall retain 5% of the net proceeds the state receives, and pay 95% of the net
42	proceeds the state receives to the United States;
43	 provides that the 5% of the net proceeds of those sales of public lands shall be
44	deposited into the permanent State School Fund;
45	 provides a severability clause;
46	 requires the Constitutional Defense Council to study or draft legislation on certain
47	issues related to the transfer, management, and taxation of public lands, including:
48	 drafting proposed legislation creating a public lands commission; and
49	• establishing actions that shall be taken to secure, preserve, and protect the state's
50	rights and benefits related to the United States' duty to have extinguished title to
51	public lands and transferred title to those public lands to the state; and
52	 makes technical and conforming changes.

This bill provides an immediate effective date.

Money Appropriated in this Bill:

None

Other Special Clauses:

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57	Utah Code Sections Affected:
58	ENACTS:
59	63L-6-101 , Utah Code Annotated 1953
60	63L-6-102 , Utah Code Annotated 1953
61	63L-6-103, Utah Code Annotated 1953
62	63L-6-104 , Utah Code Annotated 1953
63	Uncodified Material Affected:
64	ENACTS UNCODIFIED MATERIAL
65	
66	Be it enacted by the Legislature of the state of Utah:
67	Section 1. Section 63L-6-101 is enacted to read:
68	CHAPTER 6. TRANSFER OF PUBLIC LANDS ACT
69	<u>63L-6-101.</u> Title.
70	This chapter is known as the "Transfer of Public Lands Act."
71	Section 2. Section 63L-6-102 is enacted to read:
72	63L-6-102. Definitions.
73	As used in this chapter:
74	(1) "Governmental entity" is as defined in Section 59-2-511.
75	(2) "Net proceeds" means the proceeds from the sale of public lands, after subtracting
76	expenses incident to the sale of the public lands.
77	(3) "Public lands" means lands within the exterior boundaries of this state except:
78	(a) lands to which title is held by a person who is not a governmental entity;
79	(b) lands owned or held in trust by this state, a political subdivision of this state, or an
80	independent entity;
81	(c) lands reserved for use by the state system of public education as described in Utah
82	Constitution Article X, Section 2, or a state institution of higher education listed in Section
83	<u>53B-1-102;</u>
84	(d) school and institutional trust lands as defined in Section 53C-1-103;

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85	(e) lands within the exterior boundaries as of January 1, 2012, of the following that are
86	designated as national parks:
87	(i) Arches National Park;
88	(ii) Bryce Canyon National Park;
89	(iii) Canyonlands National Park;
90	(iv) Capitol Reef National Park; and
91	(v) Zion National Park;
92	(f) lands within the exterior boundaries as of January 1, 2012, of the following national
93	monuments managed by the National Park Service as of January 1, 2012:
94	(i) Cedar Breaks National Monument;
95	(ii) Dinosaur National Monument;
96	(iii) Hovenweep National Monument;
97	(iv) Natural Bridges National Monument;
98	(v) Rainbow Bridge National Monument; and
99	(vi) Timpanogos Cave National Monument;
100	(g) lands within the exterior boundaries as of January 1, 2012, of the Golden Spike
101	National Historic Site;
102	(h) lands within the exterior boundaries as of January 1, 2012, of the following
103	wilderness areas located in the state that, as of January 1, 2012, are designated as part of the
104	National Wilderness Preservation System under the Wilderness Act of 1964, 16 U.S.C. 1131
105	et seg.:
106	(i) Ashdown Gorge Wilderness;
107	(ii) Beartrap Canyon Wilderness;
108	(iii) Beaver Dam Mountains Wilderness:
109	(iv) Black Ridge Canyons Wilderness;
110	(v) Blackridge Wilderness;
111	(vi) Box-Death Hollow Wilderness;
112	(vii) Canaan Mountain Wilderness;

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113	(viii) Cedar Mountain Wilderness;
14	(ix) Cottonwood Canyon Wilderness;
115	(x) Cottonwood Forest Wilderness;
116	(xi) Cougar Canyon Wilderness;
117	(xii) Dark Canyon Wilderness;
118	(xiii) Deep Creek Wilderness;
119	(xiv) Deep Creek North Wilderness;
120	(xv) Deseret Peak Wilderness;
121	(xvi) Doc's Pass Wilderness;
122	(xvii) Goose Creek Wilderness;
123	(xviii) High Uintas Wilderness;
124	(xix) LaVerkin Creek Wilderness;
125	(xx) Lone Peak Wilderness;
126	(xxi) Mount Naomi Wilderness;
127	(xxii) Mount Nebo Wilderness;
128	(xxiii) Mount Olympus Wilderness;
129	(xxiv) Mount Timpanogos Wilderness;
130	(xxv) Paria Canyon-Vermilion Cliffs Wilderness;
131	(xxvi) Pine Valley Mountain Wilderness;
132	(xxvii) Red Butte Wilderness;
133	(xxviii) Red Mountain Wilderness;
134	(xxix) Slaughter Creek Wilderness;
135	(xxx) Taylor Creek Wilderness;
136	(xxxi) Twin Peaks Wilderness;
137	(xxxii) Wellsville Mountain Wilderness; and
138	(xxxiii) Zion Wilderness;
139	(i) lands with respect to which the jurisdiction is ceded to the United States as provided
140	in Section 63L-1-201 or 63L-1-203;

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141	(j) real property or tangible personal property owned by the United States if the
142	property is within the boundaries of a municipality; or
143	(k) lands, including water rights, belonging to an Indian or Indian tribe, band, or
144	community that is held in trust by the United States or is subject to a restriction against
145	alienation imposed by the United States.
146	Section 3. Section 63L-6-103 is enacted to read:
147	63L-6-103. Transfer of public lands.
148	(1) On or before December 31, 2014, the United States shall:
149	(a) extinguish title to public lands; and
150	(b) transfer title to public lands to the state.
151	(2) If the state transfers title to any public lands with respect to which the state receives
152	title under Subsection (1)(b), the state shall:
153	(a) retain 5% of the net proceeds the state receives from the transfer of title; and
154	(b) pay 95% of the net proceeds the state receives from the transfer of title to the
155	United States.
156	(3) In accordance with Utah Constitution Article X, Section 5, the amounts the state
157	retains in accordance with Subsection (2)(a) shall be deposited into the permanent State School
158	Fund.
159	Section 4. Section 63L-6-104 is enacted to read:
160	63L-6-104. Severability clause.
161	If any provision of this chapter or the application of any provision to any person or
162	circumstance is held invalid by a final decision of a court of competent jurisdiction, the
163	remainder of this chapter shall be given effect without the invalid provision or application. The
164	provisions of this chapter are severable.
165	Section 5. Constitutional Defense Council study.
166	(1) During the 2012 interim, the Constitutional Defense Council created in Section
167	63C-4-101 shall prepare proposed legislation:
168	(a) creating a public lands commission to:

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169	(i) administer the transfer of title of public lands to the state; and
70	(ii) address the management of public lands and the management of multiple uses of
171	public lands, including addressing managing open space, access to public lands, local planning,
172	and the sustainable yield of natural resources on public lands;
173	(b) to establish actions that shall be taken to secure, preserve, and protect the state's
174	rights and benefits related to the United States' duty to have extinguished title to public lands,
175	in the event that the United States does not meet the requirements of Title 63L, Chapter 6,
176	Transfer of Public Lands Act;
177	(c) making any necessary modifications to the definition of "public lands" in Section
178	63L-6-102, including any necessary modifications to a list provided in Subsections
179	63L-6-102(3)(e) through (h);
180	(d) making a determination of or a process for determining interests, rights, or uses
181	related to:
182	(i) easements;
183	(ii) geothermal resources;
184	(iii) grazing;
185	(iv) mining:
186	(v) natural gas;
187	(vi) oil;
188	(vii) recreation;
189	(viii) rights of entry;
190	(ix) special uses:
191	(x) timber;
192	(xi) water; or
193	(xii) other natural resources or other resources; and
194	(e) determining what constitutes "expenses incident to the sale of public lands"
195	described in Subsection 63L-6-102(2).
196	(2) During the 2012 interim, the Constitutional Defense Council created in Section

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197	63C-4-101 shall study and determine whether to prepare proposed legislation:
198	(a) to administer the process for:
199	(i) the United States to extinguish title to public lands;
200	(ii) the state to receive title to public lands from the United States; or
201	(iii) the state to transfer title to any public lands the state receives in accordance with
202	Title 63L, Chapter 6, Transfer of Public Lands Act;
203	(b) establishing a prioritized list of management actions for the state and the political
204	subdivisions of the state to perform on public lands:
205	(i) before and after the United States extinguishes title to public lands; and
206	(ii) to preserve and promote the state's interest in:
207	(A) protecting public health and safety;
208	(B) preventing catastrophic wild fire and forest insect infestation;
209	(C) preserving watersheds;
210	(D) preserving and enhancing energy and the production of minerals;
211	(E) preserving and improving range conditions; and
212	(F) increasing plant diversity and reducing invasive weeds on range and woodland
213	portions of the public lands;
214	(c) establishing procedures and requirements for subjecting public lands to property
215	taxation;
216	(d) establishing other requirements related to national forests, national recreation areas,
217	or other public lands administered by the United States; and
218	(e) addressing the indemnification of a political subdivision of the state for actions
219	taken in furtherance of Title 63L, Chapter 6, Transfer of Public Lands Act.
220	(3) The Constitutional Defense Council may study any other issue related to public
221	lands as determined by the Constitutional Defense Council.
222	(4) The Constitutional Defense Council shall:
223	(a) make a preliminary report on its study and preparation of proposed legislation to the
224	Natural Resources, Agriculture, and Environment Interim Committee and the Education

225 Interim Committee: 226 (i) on or before the June 2012 interim meeting; and 227 (ii) on or before the September 2012 interim meeting; and 228 (b) report on its findings, recommendations, and proposed legislation to the Natural 229 Resources, Agriculture, and Environment Interim Committee and the Education Interim 230 Committee on or before the November 2012 interim meeting. 231 Section 6. Effective date. 232 If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah 233 234 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,

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the date of veto override.

1	CONCURRENT RESOLUTION - LETTER TO FEDERAL
2	GOVERNMENT
3	2012 GENERAL SESSION
4	STATE OF UTAH
5	Chief Sponsor: Christopher N. Herrod
6	Senate Sponsor: Margaret Dayton
7 8	LONG TITLE
9	General Description:
10	This concurrent resolution of the Legislature and the Governor demands that the
11	national government of the United States declare to the state of Utah its intent to
12	dispose of its public lands in Utah or cede control of its lands to the state of Utah by
13	Ĥ→ [July 1, 2012,] ←Ĥ or the state of Utah will take appropriate action to vindicate its rights
14	under the United States Constitution, Utah's Enabling Act, and natural law.
15	Highlighted Provisions:
16	This resolution:
17	 demands that Ĥ→ [, by July 1, 2012,] ←Ĥ the national government of the United States
18	communicate, in writing, to the Governor of the state of Utah, the President of the
19	Utah Senate, and the Speaker of the Utah House of Representatives, the intent of the
20	national government of the United States to commit to either, by Ĥ→ [January 1,]
0a	<u>February 15,</u> ←Ĥ 2013,
21	begin:
22	 selling public lands held by the national government in Utah and depositing 5%
23	of those proceeds into Utah's permanent school fund as required by Utah's
24	Enabling Act; or
25	 ceding control of, management of, and authority to sell public lands in Utah held
26	by the national government to Utah's state government; and



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provides that, if the national government of the United States affirmatively rejects

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both courses of action, declines to commit to one of these courses of action, or fails to communicate its response to this demand by $\hat{H} \rightarrow [July 1, 2012]$ February 15, 2013 $\leftarrow \hat{H}$, the government of the state of Utah,

on behalf of the citizens of the state of Utah, will take appropriate action to vindicate its rights

on behalf of the citizens of the state of Utah, will take appropriate action to vindicate its rights under the United States Constitution, Utah's Enabling Act, and natural law.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the Legislature and the Governor of the state of Utah, on behalf of Utah's current and future citizens, seeks recognition of, and vindication of, certain rights granted to it by the Constitution of the United States, guaranteed to it by the United States government by the passage of Utah's Enabling Act, and secured to it by natural law;

WHEREAS, the Legislature and the Governor of the state of Utah seek redress from the United States government $\hat{\mathbf{H}} \rightarrow [\frac{\mathbf{by July 1, 2012}}{\mathbf{by July 1, 2012}}] \leftarrow \hat{\mathbf{H}}$;

WHEREAS, the Legislature and the Governor of the state of Utah assert, as a state within the United States of America, that certain express and implied promises made by the national government of the United States of America have not been fulfilled or have been abrogated by the direct and indirect action of the national government, to the detriment of the citizens of Utah;

WHEREAS, in granting the right to "the People of Utah to form a Constitution and State Government, and to be admitted into the Union on an equal footing with the original States," the United States Congress, the President of the United States, and the citizens of the United States made certain express and implied promises to Utah, which remain unfulfilled over one hundred years later;

WHEREAS, in addition, subsequent Congresses and Presidents have taken affirmative actions that, intentionally or not, change the covenants made between the national government of the United States and the citizens and government of the state of Utah;

WHEREAS, Utah's Enabling Act guarantees that "five per centum of the proceeds of the sales of public lands lying within said State, which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to the said State, to be used as a permanent fund, the interest

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59 of which only shall be expended for the support of the common schools within said State"; 60 WHEREAS, the national government of the United States has failed to fulfill its obligation under this portion of Utah's Enabling Act, as nearly 70% of the land area in Utah 62 continues to be held by the national government and has not been sold; 63 WHEREAS, Utah's citizens, particularly its school children, have been and continue to 64 be harmed by the failure of the national government of the United States to fulfill its promises; 65 WHEREAS, the loss of revenues from the sale of the land and Utah's inability to tax the 66 land decreases the money available to the state of Utah to spend on public education; 67 WHEREAS, Congress's power to make this promise is explicitly granted to it by Article 68 IV, Section 3 of the Constitution of the United States: "New States may be admitted by 69 Congress into this Union; . . ."; 70 WHEREAS, because Congress voluntarily imposed upon the national government the obligation to sell the public lands it holds within Utah, the United States Constitution, contract 72 law, and fundamental fairness require that the national government of the United States be 73 required to fulfill the promises it made in Utah's Enabling Act; 74 WHEREAS, by passing the Federal Land Policy and Management Act of 1976, 43 U.S.C. Sec. 1701 et seq., and other land management legislation, which shifted the national government of the United States' policy from selling lands within states held by the national 77 government to retaining and managing those lands, the national government of the United 78 States affirmatively broke the promise contained in Utah's Enabling Act and breached its 79 contractual obligation to the citizens of Utah: 80 WHEREAS, Utah's Enabling Act also guarantees that, if the citizens of Utah meet the 81

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conditions for becoming a state established by Congress in the Enabling Act, "the proposed State of Utah shall be deemed admitted by Congress into the Union, under and by virtue of this act, on an equal footing with the original States, . . . ";

WHEREAS, Congress's action in failing to sell public lands within Utah has denied Utah its right under the Enabling Act to exist as a state on an "equal footing" with the original states;

WHEREAS, the table attached as appendix A illustrates that Utah is not on an equal footing with the original states;

WHEREAS, the table compares the percentage of land in Utah held by the national

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90	government of the United States with the percentage of land in each of the original 13 states
91	held by the national government of the United States;
92	WHEREAS, to summarize the table, the national government owns 67.9% of the land
93	area of Utah, and of the original 13 states, Virginia has the highest percentage of land owned by
94	the national government at 15.7%;
95	WHEREAS, the citizens of the original 13 states have received and continue to receive
96	significant financial benefits not enjoyed by Utah's citizens;
97	WHEREAS, by failing to sell public lands in Utah, the national government of the
98	United States has deprived Utah's permanent school fund of money to build the school fund's
99	principal;
100	WHEREAS, consequently, the interest generated from the permanent school fund is
101	substantially less than it should be depriving Utah citizens of adequate money for public
102	education;
103	WHEREAS, sale of public lands to private parties may allow the state to tax those
104	lands;
105	WHEREAS, the revenues generated from those taxes can be used to further bolster
106	public education services, provide other essential state services, or to reduce the general tax
107	rates for all Utah citizens; and
108	WHEREAS, Utah's tax revenues and economy are harmed because economic growth
109	through private development of, and use of, the lands cannot occur:
110	NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
111	Governor concurring therein, on behalf of the citizens of Utah and based upon the reasons set
112	forth in this resolution, demand that, by $\hat{H} \rightarrow [\frac{\text{July 1, 2012}}{\text{February 15, 2013}} \leftarrow \hat{H}$, the national
112a	government of the United
113	States communicate, in writing, to the Governor of the state of Utah, the President of the Utah
114	Senate, and the Speaker of the Utah House of Representatives, the intent of the national
115	government of the United States to commit to either Ĥ→ [, by January 1, 2013,] ←Ĥ begin
115a	(1) selling
116	public lands held by the national government in Utah and depositing 5% of those proceeds in
117	Utah's permanent school fund as required by Utah's Enabling Act; or (2) ceding control of,
118	management of, and authority to sell public lands in Utah held by the national government to
119	Utah's state government.
120	BE IT FURTHER RESOLVED by the Legislature and the Governor that if the national

02-16-12 2:19 PM H.C.R. 1

121	government of the United States affirmatively rejects both courses of action, declines to
22	commit to one of these courses of action, or fails to communicate its response to this demand
123	by $\hat{H} \rightarrow [July 1, 2012]$ February 15, 2013 $\leftarrow \hat{H}$, the government of the state of Utah, on behalf of
123a	the citizens of the state of
124	Utah, will take appropriate action to vindicate its rights under the United States Constitution,
125	Utah's Enabling Act, and natural law.
126	BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
127	the United States, the Majority Leader of the United States Senate, the Speaker of the United
128	States House of Representatives, the United States Department of the Interior, and to the
129	members of Utah's congressional delegation.

Legislative Review Note as of 1-26-12 11:42 AM

Office of Legislative Research and General Counsel

National Wild Horse and Burro Advisory Board Member List (Updated February 21, 2012)

Wild Horse and Burro Advocacy Ms. June Sewing Executive Director National Mustang Association P.O. Box 1366 Cedar City, UT 84720 mustangs@infowest.com Term expires: 1/27/2015	Public Interest Ms. Callie Hendrickson P.O. Box 837 Meeker, CO 81641 Callie.whbab@gmail.com Term expires: 1/27/2015
Public Interest Ms. Julie Gleason 7100 W. Smoke Ranch Road #100 Las Vegas, NV 89128 rubyredhorse@gmail.com Term expires: 3/28/2014	Wild Horse and Burro Research Dr. Robert E. Bray 726 Eagle Street Woodstock, VA 22664 reb@csupomona.edu Term expires: 3/28/2014
Humane Advocacy Mr. Timothy J. Harvey 56 Beebe River Road Campton, NH 03223 timotico@gmail.com Term expires: 3/08/2013	Livestock Management Mr. Gary Zakotnik 68A Eden West 1st South Road Eden, WY 82932 gnjzakotni@gmail Term expires: 03/08/2013
Natural Resources Management Dr. James Dale Stephenson Yakama Nation Wildlife, Range Vegetation Management Program P.O. Box 151 Toppenish, WA jstephen@yakama.com Term expires: 3/28/2014	Wildlife Management Mr. H. Paul Durbin 2243 W. Musket Place Chandler, AZ 85286 durbairace@lycos.com Term expires: 03/08/2013
Veterinary Medicine Dr. Boyd Spratling Starr Valley Route P.O. Box 27 Deeth, NV 89823 boyddvm@wellsrec.net Term expires: 01/27/2015	

Executive Order 12548 -- Grazing Fees

February 14, 1986

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to provide for establishment of appropriate fees for the grazing of domestic livestock on public rangelands, it is ordered as follows:

Section 1. Determination of Fees. The Secretaries of Agriculture and the Interior are directed to exercise their authority, to the extent permitted by law under the various statutes they administer, to establish fees for domestic livestock grazing on the public rangelands which annually equals the \$1.23 base established by the 1966 Western Livestock Grazing Survey multiplied by the result of the Forage Value Index (computed annually from data supplied by the Statistical Reporting Service) added to the Combined Index (Beef Cattle Price Index minus the Prices Paid Index) and divided by 100; provided, that the annual increase or decrease in such fee for any given year shall be limited to not more than plus or minus 25 percent of the previous year's fee, and provided further, that the fee shall not be less than \$1.35 per animal unit month.

Sec. 2. Definitions. As used in this Order, the term:

- (a) "Public rangelands" has the same meaning as in the Public Rangelands Improvement Act of 1978 (Public Law 95 514);
- (b) "Forage Value Index" means the weighted average estimate of the annual rental charge per head per month for pasturing cattle on private rangelands in the 11 Western States (Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, and California) (computed by the Statistical Reporting Service from the June Enumerative Survey) divided by \$3.65 and multiplied by 100;
- (c) "Beef Cattle Price Index" means the weighted average annual selling price for beef cattle (excluding calves) in the 11 Western States (Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, and California) for November through October (computed by the Statistical Reporting Service) divided by \$22.04 per hundred weight and multiplied by 100; and
- (d) "Prices Paid Index" means the following selected components from the Statistical Reporting Service's Annual National Index of Prices Paid by Farmers for Goods and Services adjusted by the weights indicated in

parentheses to reflect livestock production costs in the Western States:
1. Fuels and Energy (14.5); 2. Farm and Motor Supplies (12.0); 3. Autos and Trucks (4.5); 4. Tractors and Self-Propelled Machinery (4.5); 5. Other Machinery (12.0); 6. Building and Fencing Materials (14.5); 7. Interest (6.0); 8. Farm Wage Rates (14.0); 9. Farm Services (18.0).

Sec. 3. Any and all existing rules, practices, policies, and regulations relating to the administration of the formula for grazing fees in section 6(a) of the Public Rangelands improvement Act of 1978 shall continue in full force and effect.

Sec. 4. This Order shall be effective immediately.

Ronald Reagan

The White House,

February 14, 1986.

[Filed with the Office of the Federal Register, 10:32 a.m., February 18, 1986]

Wild Horse Burro Advisory Board Public Meeting

Monday, April 23, 2012 (1:30 p.m.-5 p.m.)

1:30 p.m. Welcome and Introductions

Call to order
Assistant Director's Welcome
Nevada State Director's Welcome
Program Overview

2:30 p.m. Old Business

Approval of October 2011 Minutes
October 2011 Meeting follow up and responses to Recommendations

3 p.m. Break

3:15 p.m. Old Business cont'd

October 2011 Meeting follow up and responses, cont'd

5 p.m. Adjourn

Tuesday, April 24, 2011 (8 a.m.-5 p.m.)

8 a.m. Old Business cont'd, Updates

Director's Challenge
Wild Horse and Burro Strategy and FY 2005-2010 Report to Congress
Research

9:30 a.m. Break

Comprehensive Animal Welfare Program Litigation

10:30 a.m. Break

10:45 a.m. Public Comment period

Lunch (12 p.m.-1 p.m.)

1 p.m. New Business

Sage Grouse Planning Strategy
Advisory Board Charter/Standard Operating Procedures/By-Laws

2:45 p.m. Break

3 p.m. Board Recommendations

4:30 a.m. Recap/Summary/Next Meeting/Date/Site

5 p.m. Adjourn



Western Counties Alliance

April 5, 2012

President Barack Obama The White House 1600 Pennsylvania Avenue, NW Washington, DC 20500

Dear Mr. President:

The Western Counties Alliance (WCA) is a non-profit organization established for the purpose of giving western counties greater influence on federal policies in support of well managed multiple use of the public lands and natural resources. Additionally, Western Counties Alliance supports a strong economic development process and a reasonable sensible environmental protection. As such, we are categorically opposed to the proposed Grazing Fee Increase included in President Obama's Interior Department budget. The enclosed letter will examine the reasoning for continued use of the Grazing Fee Formula, the flawed reasoning behind an "administrative cost" increase, and the President's own Executive Order stating the importance of resource use and viability in times of hardship.

The Federal grazing fee, which applies to Federal lands in 16 Western states on public lands managed by the BLM and the U.S. Forest Service, is adjusted annually and is calculated by using a formula originally set by Congress in the Public Rangelands Improvement Act (PRIA) of 1978. Under this formula, as modified and extended by a presidential Executive Order issued in 1986, the grazing fee cannot fall below \$1.35 per animal unit month (AUM); also, any fee increase or decrease cannot exceed 25 percent of the previous year's level. (An AUM is the amount of forage needed to sustain one cow and her calf, one horse, or five sheep or goats for a month.) The grazing fee for 2012 is \$1.35 per AUM, the same level as it was in 2011.

The Federal grazing fee is computed by using a 1966 base value of \$1.23 per AUM for livestock grazing on public lands in Western states. The figure is then adjusted each year according to three factors – current private grazing land lease rates, beef cattle prices, and the cost of livestock production. In effect, the fee rises, falls, or stays the same based on market conditions, with livestock operators paying more when conditions are better and less when conditions have declined.

As is evidenced by the above paragraphs many factors have been included in the PRIA formula, both for the government to receive payment and for livestock producers to utilize the public lands, which they should have the right to use, just as all Americans, at a price that reflects production input increases (\$4.50 diesel fuel etc.) and the admission of the government that the minimum dollar amount charged per AUM reflects that the only thing provided by the lessor (government), is the grass and in some, but not all cases, use of water. Some extremist groups are calling for the federal land AUM rate to be based solely on the private land lease rates. This is a complete impossibility as a private land lessor provides fencing, water, minerals, no access by other livestock, predators or humans and overall herd management. This compares with grass and water usage on federal lands, period.

This proposed increase, via the Interior budgeting process, is disingenuous at best and penalizes permitees for issues beyond their control. Administration of the permitees and their livestock has not increased in any way since the PRIA was instituted in 1978; instead the business of environmental litigation has driven agencies and their budgets past the point of no return. While extreme environmental groups continually sue over procedural items related to NEPA, permit renewal, APA, ESA, Clean Air and Water, FLPMA etc. the workload on the agencies has become unbearable. These groups have the stated goal of ending all public lands grazing and are incentivized to sue the Federal government under the Equal Access to Justice Act and other fee shifting statutes allowed within the environmental laws. The reality is that very few of these challenges are directly related to on the ground management or mismanagement of the resources. They are in essence semantic, politically driven differences of opinion, lawsuits that do nothing but grind the agencies to a halt. A goal publicly stated by the Center for Biological Diversity and the Western Watershed Project.

Our rural counties in the meantime rely heavily on dollars provided by public lands grazers to stabilize our economies. Each dollar made by a federal lands grazer is plowed back into their communities seven times, proven by studies done as recently as 2009. Is it the Obama administrations goals to destabilize the very economic drivers that they espouse support of? Just last week President Obama issued the following Executive Order:

NATIONAL DEFENSE RESOURCES PREPAREDNESS

- (d) The Secretary of Commerce, in cooperation with the Secretary of Defense, the Secretary of Homeland Security, and other agencies, shall:
- (1) analyze potential effects of national emergencies on actual production capability, taking into account the entire production system, including shortages of resources, and develop recommended preparedness measures to strengthen capabilities for production increases in national emergencies; and
- (2) perform industry analyses to assess capabilities of the industrial base to support the national defense, and develop policy recommendations to improve the international competitiveness of specific domestic industries and their abilities to meet national defense program needs.

It would be our knowledgeable contention that cattle and sheep grazing on grass grown on public lands and in very diverse and remote locales are exactly what the emergency preparedness modules diagrammed in the Executive Order are asking for. This has already been accomplished regarding the public lands grazing industry and done without requiring a new bureaucracy to enable it. Westerners have always taken pride in taking care of each other, their neighbors and also their country. In times of true hardship the public lands grazing industry will rise to the occasion by providing nutrient rich food and fiber for this nation, but not if they are litigated, regulated and taxed into economic ruin. It is our view that the livestock industry are good land stewards and, by in large, manage the resource they use extremely well and to the betterment of not only the land and water but the ecosystems that are dependent on them.

We respectfully ask that the Obama administration pull this administrative cost increase out of the Interior Appropriations budget for the above stated reasons. We would reiterate that the American people have been expected to fund political environmental agendas with their own tax dollars far too many times. This budgeted increase is the epitome of that misguided philosophy. Simply stated, the public lands permitees have not increased the administrative cost burden on the federal government, environmental lawsuits have.

Sincerely,

John Jones, Chairman

I du fue

Carbon County, Utah Commissioner

Jerrie Tipton, Vice-Chair

Jenington

Mineral County, Nevada Commissioner

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 14

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding presentation by Bureau of Land Management (BLM) Mt. Lewis Field Office staff, including Michael Vermeys and Mike Stamm, concerning the recent sage grouse conservation measures that BLM and/or stakeholders have implemented in Lander County and future strategies that Lander County and BLM can implement cooperatively for the conservation of sage grouse and other matters properly relating thereto.

Public comment.

Background:

Bureau of Land Management (BLM) Mt. Lewis Field Office staff, including Michael Vermeys and Mike Stamm, will make a presentation to the Commission concerning the recent sage grouse conservation measures that BLM and/or stakeholders have implemented in Lander County and future strategies that Lander County and BLM can implement cooperatively for the conservation of sage grouse.

Recommended Action:

It is recommended that the Commission acknowledge the presentation of Mr. Vermeys and Mr. Stamm and reference the Sage Grouse and Sage Grouse Habitat Conservation Plan currently being formulated and implemented by the Lander County Public Land Use Advisory Planning Commission and the Board of Commissioners in partnership with the Bureau of Land Management and other federal/state agencies.

Soveida Robinson < srobinson@landercountynv.org>

M

BLM on the 4/12 LCC Agenda

1 message

Vermeys, Michael C < mvermeys@blm.gov>

Mon, Mar 19, 2012 at 7:52 AM

To: "Soveida Robinson (srobinson@landercountynv.org)" <srobinson@landercountynv.org>

Cc: "Stamm, Michael P" <mstamm@blm.gov>, "Furtado, Douglas W" <dfurtado@blm.gov>, "Cook, Christopher J" <cjcook@blm.gov>

Morning Soveida,

Please place the BLM on the agenda for the April 12th LCC meeting with regard to updating/briefing the Commission on recent sage grouse conservation measures that the BLM and/or stakeholders have implemented in Lander County and future strategies that Lander County and the BLM can implement cooperatively for the conservation of the sage grouse. (w/PowerPoint if that's OK?)

Let me know if you have any further questions...Thanks and see you then!

Michael Vermeys

BLM-NV-Battle Mt. District

Mt. Lewis Field Office

A.F.M.-Renewable Resources

775-635-4178 work

775-635-3933 work cell

Soveida Robinson < srobinson@landercountynv.org> RE: Rocky Barker: Wind project delay simplifies bird plan (3-12, Idaho Statesman)

1 message

Vermeys, Michael C< mvermeys@blm.gov>

Mon, Mar 19, 2012 at 9:31 AM

To: "Kula, Christopher N" <ckula@blm.gov>, "Ellsworth, Ethan A" <eellsworth@blm.gov> Cc: "Soveida Robinson (srobinson@landercountynv.org)" <srobinson@landercountynv.org>

Straight from the mouth of Raul Morales BLM NSO Renewable Chief..."Western Watershed Project Director John Marvel read the Elko County Commissioners ("stupid bird") comments and WWP will be placing a larger target on BLM Elko Projects...,which help in driving Elko County economics..."

Soveida, please forward below article to LCC, THX

From: Foree, Stephen J

Sent: Monday, March 19, 2012 8:02 AM

To: Kula, Christopher N; Ellsworth, Ethan A; Vermeys, Michael C

Cc: Furtado, Douglas W; Cook, Christopher J

Subject: FW: Rocky Barker: Wind project delay simplifies bird plan (3-12, Statesman)

FYI you guys.

From: Shawn P. Espinosa [mailto:sespinosa@ndow.org]

Sent: Thursday, March 15, 2012 2:09 PM

To: Ken Gray

Cc: Kari Huebner; Matt Jeffress; Caleb McAdoo; Foree, Stephen J; Curt Baughman; Mike Podborny

Subject: FW: Rocky Barker: Wind project delay simplifies bird plan (3-12, Statesman)

I thought this was a great article about "the stupid bird".

Myers is getting some press.

Shawn Espinosa

Nevada Department of Wildlife

Upland Game Staff Specialist

1100 Valley Road

Reno, NV 89512

(775) 688-1523

e-mail: sespinosa@ndow.org

From: jcsagegrouse@aol.com [mailto:jcsagegrouse@aol.com]

Sent: Thursday, March 15, 2012 1:48 PM

To: Shawn P. Espinosa

Subject: Fwd: Rocky Barker: Wind project delay simplifies bird plan (3-12, Statesman)

FYI--see highlighted areas

Jack Connelly Principal Wildlife Research Biologist Idaho Department of Fish and Game

Northwest Section Representative to The Wildlife Society 83 West 215 North Blackfoot, ID 83221 208/785-4220 (office) 208/681-1414 (cell)

----Original Message-----

From: Connelly, Jack < jack.connelly@idfg.idaho.gov>

To: jcsagegrouse <jcsagegrouse@aol.com>

Sent: Thu, Mar 15, 2012 1:10 pm

Subject: FW: Rocky Barker: Wind project delay simplifies bird plan (3-12, Statesman)

From: Coleman, Melissa

Sent: Monday, March 12, 2012 9:00 AM

To: Coleman, Melissa

Subject: Rocky Barker: Wind project delay simplifies bird plan (3-12, Statesman)

Rocky Barker: Wind project delay simplifies bird plan

12:00am on Mar 12, 2012; Modified: 12:20am on Mar 12, 2012

2012-03-12106;20:322

Former Idaho State Sen. Stan Hawkins is a rancher, a farmer and foe to wind turbines in Idaho.

Hawkins is a smart, irascible, iconoclastic conservative Republican from Ucon who often out-maneuvered his opponents by knowing their issue better than they did. He has returned to Boise to convince his colleagues that a two-year moratorium on building new wind-generation plants is needed.

Long a voice for regionalism and local control, Hawkins has decided to push for a state-enforced moratorium because he thinks wind energy is too costly. He also believes that wind projects proposed across Idaho's sagebrush sea will lead to a listing of sage grouse under the federal Endangered Species Act.

And he thinks Gov. Butch Otter's stated efforts to increase renewable energy development at the same time he's working on a plan to protect sage grouse will conflict.

"For the governor to say he's trying to keep sage grouse off the endangered species list and supporting all these wind turbines in prime sage grouse habitat defies reason," said Hawkins, who is running again for the Legislature.

Otter will convene a task force Monday to formally begin writing an Idaho sage grouse management plan. He may have gotten some help from the U.S. Bureau of Land Management Thursday when it deferred for two years a decision on the \$500 million China Mountain Wind project on the Nevada border.

This is a project that would have produced a lot of power and a lot of jobs. But it also was to be built in the middle of some of the best sage grouse habitat in both states.

The company had proposed mitigating the effects on sage grouse. But much of the habitat surrounding China Mountain burned, making it even more critical for grouse. And environmentalists, including the Idaho Conservation League, opposed the project.

"We support renewable energy, including wind, but China Mountain was in the wrong place," said Lara Rozzell, an energy fellow with the group.

Hawkins has been trying to convince his friends in the livestock industry that they would have to do more for sage grouse to make up for the losses caused by China Mountain. Some had a financial interest in the project.

"China Mountain should scare every cattleman to death," Hawkins said. "If that project is built, it could tip us over the edge."

Elko County; Nev., commissioners didn't see it that way, the Elko Daily Free Press reported. Commissioner Charlie Meyers was unhappy that a "stupid bird" could kill such an important project to the economy.

And Commissioner Glen Guttry saw the effort to protect the bird as a way to alter the Western way of life, which apparently now includes building renewable energy projects.

Brian Kelly, the Idaho state supervisor for the U.S. Fish and Wildlife Service, said he fears people looking at sage grouse issues will focus too much on grazing issues and not enough on energy — oil and gas and renewable — and the development associated with it.

If there was nothing else happening in the landscape except grazing, it's unlikely the sage grouse would be listed as an endangered species, Kelly said? Grazing is not the threat to sage grouse that fire, development and invasive species are, Kelly said?

"If all we did was ensure that grazing would be done properly, this bird would still be in trouble," he said.

That means some painful choices are going to have to be made. For instance, the new Blaine County airport is proposed in the heart of sage grouse habitat nearly as good as China Mountain's. The airport may have to go elsewhere.

Proposed high transmission lines may end up having to cross more private land than Idaho counties want. Will Otter's plan put in place enforceable restrictions to make sure these decisions get made?

If ranchers think they can continue the status quo in many areas, that's not the impression Kelly wants them to leave with. They may have to adjust their grazing calendar to protect rearing sage grouse broods and place fences in different places, for instance.

Assistant House Majority Leader Scott Bedke, a rancher from Oakley, said he and other cowboys are on board.

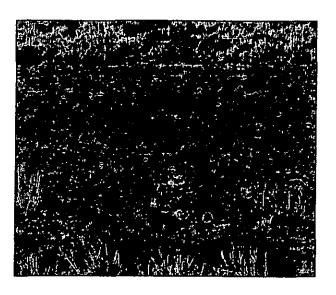
"I think the livestock industry is ready to adapt," he said.

As Otter begins his sage grouse odyssay, he may have to consider the same kind of statewide framework Hawkins is proposing, even if Otter rejects a moratorium. It may be that a statewide energy siting program is the only way to keep the "stupid bird" off the list.

Read more here: http://www.idahostatesman.com/2012/03/12/2031564/wind-project-delay-simplifies.html#storylink=cpy

U.S. Department of the Interior Bureau of Land Management

Battle Mountain District Office Greater Sage-Grouse Conservation Efforts 2005-2011



Battle Mountain District Office 50 Bastian Road Battle Mountain, NV 89820 Phone: 775-635-4000

Fax: 775-635-4034



Introduction

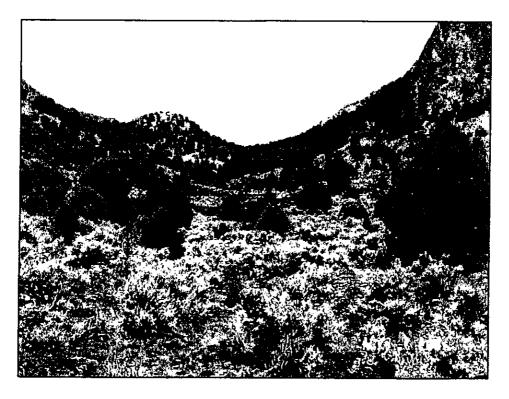
Through various resource management efforts, the Battle Mountain District Office (BMDO) has implemented a variety of projects that has and will improve sagebrush and greater sage-grouse habitat. Since 2005, these projects include 1) wildlife habitat enhancement projects, such as pinyon and juniper tree reductions and spring/riparian exclosures, 2) sage-grouse monitoring programs, and 3) changes in livestock grazing management practices through Rangeland Health Evaluation and Permit Renewal processes.

Wildlife Habitat Enhancement Projects

With the goal to improve sage-grouse and mule deer habitat, multiple wildlife habitat enhancement projects focusing on the reduction of pinyon and juniper trees have been implemented since 2005 in the BMDO in coordination with the University of Nevada Reno Extension's Bootstraps program. Implementation of these projects has been completed by sending crews out on foot from existing roads and using chainsaws to thin phase-1 and phase-2 pinyon and juniper stands. Felled trees have primarily been left in place to create microhabitat for wildlife and underlying vegetation. The reduction in trees has resulted in the restoration of springs and riparian areas, as well as sagebrush habitat, important for sage-grouse nesting, broodrearing, and seasonal movement.

The following provides more details regarding specific sites where work has been completed.

Site Location	Status	Number Acres of Affected P-J
Tonkin Springs, Eureka County	Completed in 2005	500
Fish Creek Mountains, Lander County	Completed from 2006-07	500
Roberts Mountain, Eureka County	Completed from 2008-09	3,000
Bald Mountain, Lander County	Completed in 2010	800
Bates Mountain, Lander County	Upcoming 2011 - ??	Projected 3,000 acres
Sulphur Springs Range, Eureka County	Upcoming 2012 - ??	Projected 5,000 acres
	Total	12,800

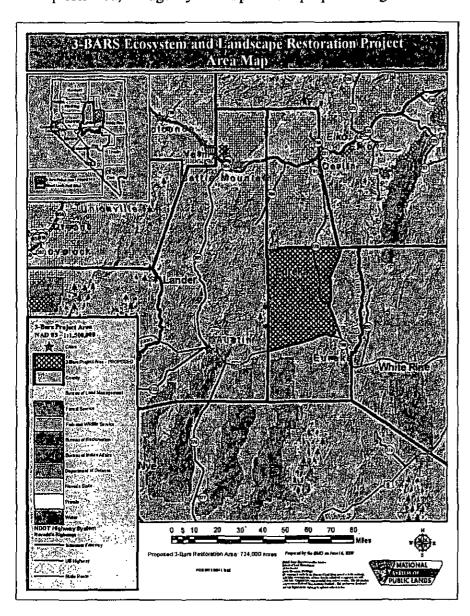




Before (above; 2007) and after (below; 2010) of pinyon-juniper reduction in the Bald Mountain project area, Lander County.

3-Bars Ecosystem and Landscape Restoration Project

The 3-Bars Ecosystem and Landscape Restoration Project initiated by the BMDO encompasses nearly 750,000 acres of public lands in central Eureka County. This project tiers off of the BLM's 2007 Healthy Lands Initiative with the overarching goal of restoring sagebrush steppe and sagebrush communities. While selective project work has been applied to the "3-Bars Area" in the recent past, the 3-Bars Project hopes to envelope all current efforts toward common goals and objectives. A major focus of the restoration effort involves enhancement of tens of thousands of acres of sage grouse habitat through a multitude of treatment options in one of the BMDO's most important sage grouse areas. Efforts are underway to identify specific shortcomings in current habitats and provide a game plan for enhancement. Key in this effort will be interaction between BLM resource staff to ensure that once treatment areas are identified and prioritized, the agency has in place the proper management to facilitate fulfillment and



perpetuation of predetermined objectives. Another key element in the success of these restoration efforts will be the development of funding partnerships at the Federal, State, County, and private levels. The 3-Bars Project hopefully will serve at the template for large scale restoration efforts in the future.

Initiated in 2009, the 3-Bars Project EIS is slated for completion with the Record of Decision being signed in the summer of 2012. The EIS will have a site-specific treatment component as well as a programmatic component. This will allow the BMDO to engage in treatment opportunities following the issuance of the ROD and fuel project opportunities for a decade or more into the future.

SAGE-GROUSE TELEMETRY PROJECTS

Falcon to Gondor Transmission Line Project, 2004 - present

- The 345 kV transmission line was completed in the spring of 2004, stretching 180 miles from Beowawe to Ely, and composed of 750 steel H-frame towers, 100 feet high.
- Mitigation during the NEPA process included installing anti-perching devices on towers within 2 miles of sage-grouse habitat to study the response of raptors and impacts to sage-grouse.
- Although the anti-perching devices were not 100% effective, average perching time by ravens and raptors decreased and were effective as anti-nesting devices.
- University of Nevada Reno has been integral in the monitoring since the project's inception and is in its 8th year of the 10-year study that has been funded, in part, by mitigation money from the project.

Bates Mountain Telemetry Study, 2008 - present

- BMDO has supported Nevada Department of Wildlife's efforts to monitor movements, habitat use, survival, and causes of mortality of sage-grouse in the Bates Mountain area of Lander County.
- During four trapping efforts on Bates Mountain and McGinness Hills, 88 birds have been captured, and 40 birds have been fitted with radiotransmitters.

Shoshone OHV Telemetry Study, 2008 - present

- As part of the monitoring plan for the development of the Shoshone OHV trail system, the BMDO in coordination with the Great Basin
 - Bird Observatory has been capturing and monitoring sage-grouse in the Shoshone Mountains, Lander County. The main objective is to identify, prior to construction, areas of potential conflict between sage-grouse use and the proposed trail.
- During trapping efforts, 10 birds have been fitted with radiotransmitters to monitor movements and habitat use.

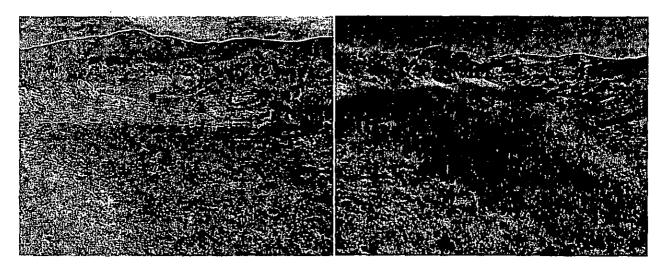


2005 - 2011 GRAZING DECISIONS

From 2005 to present, adjustments in term-grazing permits to address resource degradation to riparian and upland habitats on approximately 2.5 million acres throughout the BMDO have been made. These changes have resulted in reduction in Animal Unit Months (AUMs), changes in season of use to address upland and riparian management, and implementation of utilization triggers as short-term indicators for obtaining objectives set for an allotment. The following provides a summary of the changes made to address resource concerns, primarily that where sage grouse habitat has been most notably affected:

Carico Lake Allotment (Rangeland Health Evaluation)

- Final Multiple Use Decision was implemented in September 2005.
- Riparian management was imposed on 222,711 acres. This occurred through a combination of the elimination of hot-season grazing in upper elevations of the allotment and the construction of riparian exclosures.
- Acres converted from cattle to sheep: 73.110
- Carrying Capacity for livestock and Appropriate Management Level for wild horses were established. Approximately 25% of the permitted AUMs for domestic livestock were reduced.
- Terms and Conditions (T&Cs) for improving sage-grouse habitat included season of use for riparian areas, and season of use restrictions for the various ecological types to limit grazing during the critical growth period for key upland vegetation (namely herbaceous components which were limited at the time of the rangeland health evaluation). Utilization restrictions were also made for upland and riparian zones. Utilization limits for various upland vegetation types were adopted from Holechek et. al (Rangeland Management: Principles and Practices Fifth Edition).
- In 2010, the Bootstraps program constructed exclosures around 9 spring/riparian areas.



2001: Moss Creek - West Fork

2009: Moss Creek - West Fork

Simpson Park Allotment (Rangeland Health Evaluation)

- Final Multiple Use Decision was implemented in September 2005.
- Riparian management was imposed on 33,374 acres. This occurred through a combination of the elimination of hot-season grazing in upper elevations of the allotment, T&Cs restricting utilization limits, and the identification of riparian areas needing exclosures. These are in the process of being authorized for construction.
- Carrying Capacity for livestock and Appropriate Management Level for wild horses AND burros were established. Approximately 42% of the permitted AUMs for domestic livestock were reduced.
- T&Cs for improving sage grouse habitat: Same as Carico Lake Allotment.





2003: Barton Meadow. Permitted Use: 04/16 - 12/30; No formal grazing system.

2006: Barton Meadow, Permitted Use: 05/01 --06/30; Willow/Barton Use Area

Kingston Allotment (Rangeland Health Evaluation)

- Final Multiple Use Decision was implemented in September 2005.
- Carrying Capacity for livestock and Appropriate Management Level for wild burros was established. There was no change to permitted AUMs for domestic livestock.
- T&Cs for improving sage grouse habitat: Same as Carico Lake Allotment.

Austin Allotment (Permit Renewal)

Final Multiple Use Decision was implemented in 1995 and was confirmed through the permit renewal process in October 2007.

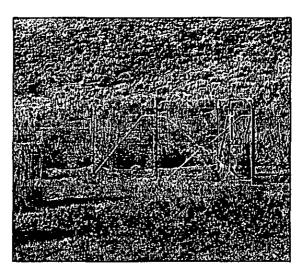
- Riparian management was imposed on 80,753 acres. This occurred through the climination of hot-season grazing in upper elevations of the allotment.
- T&Cs for improving sage-grouse habitat included season of use restrictions to reduce/eliminate grazing during the critical growth period for key upland species. Shortterm indicators in the form of utilization triggers were implemented (native herbaceous components reduced from 60% use by seed dissemination to 40% use limits; riparian stubble height of 4" by the end of the grazing season in order to re-grow to 6" residual), along with rest-rotation for seedings.

Manhattan Mountain Allotment (Permit Renewal)

- Final Multiple Use Decision was implemented in 1992 and was confirmed through the permit renewal process in October 2007.
- Riparian management was imposed on 63,664 acres. This occurred through the elimination of hot-season grazing throughout the allotment (10/01 - 05/31).
- T&Cs for improving sage grouse habitat included season of use restrictions to reduce/eliminate grazing during the critical growth period for key upland species. Shortterm indicators in the form of utilization triggers were also implemented (native herbaceous components reduced from 60% use by seed dissemination to 40% use limits).

Gilbert Creek Allotment (Permit Renewal)

- Final Multiple Use Decision was implemented in 1991 and was confirmed through the permit renewal process in October 2007.
- Riparian management was imposed on 250,742 acres. This occurred through the elimination of hot-season grazing throughout the allotment (10/01 - 05/31).
- T&Cs for improving sage grouse habitat included season of use restrictions to reduce/eliminate grazing during the critical growth period for key upland species. Shortterm indicators in the form of utilization triggers were also implemented (native herbaceous components reduced from 60% use by seed dissemination to 40% use limits).



Sage-grouse utilizing wet meadow area that was fenced in the Fish Creek Mountains (2005), Lander County.

Dry Creek Allotment (Permit Renewal)

- Final Grazing Decision was implemented in October 2007.
- Riparian management was imposed on 17,125 acres. This occurred through the elimination of hot-season grazing throughout the upper elevations of the allotment where the majority of riparian issues/concerns were present.
- T&Cs for improving sage grouse habitat included season of use restrictions to reduce/eliminate grazing during the critical growth period for key upland species. Shortterm indicators in the form of utilization triggers were also implemented (native herbaceous components reduced from 60% use by seed dissemination to 40% use limits).

Buffalo Valley Complex (Buffalo Valley and South Buffalo Allotments) (Permit Renewal)

- Final Grazing Decision was implemented in October 2007.
- Riparian management was imposed on 101,635 acres. This occurred through the elimination of hot-season grazing throughout the upper elevations of the allotment where the majority of riparian issues/concerns were present.
- T&Cs for improving sage grouse habitat included season of use restrictions to reduce/eliminate grazing during the critical growth period for key upland species. Shortterm indicators in the form of utilization triggers were also implemented (native herbaceous components reduced from 60% use by seed dissemination to 40% use limits).
- In 2005, the Bootstraps program constructed exclosures around 5 spring/riparian areas.



2006 Fish Creek: Carico Lake (background) and Buffalo Valley Allotment Boundary Fenceline. Permitted Use for Buffalo Valley: 03/01 - 02/28, with no formal grazing system.

2009 Fish Creek: Permitted Use: 05/01 - 07/15; Fish Creek Use Area with formal grazing system. Photo taken at end of authorized grazing period.

Potts Allotment (Permit Renewal)

- Final Grazing Decision was implemented in December 2008.
- Riparian management was imposed on approximately 1,100 acres. This occurred through restricting utilization limits that require movement of livestock upon attaining a 6" stubble height on or before 9/30.
- T&Cs for improving sage grouse habitat included season of use restrictions to reduce/eliminate grazing during the critical growth period for key upland species. Shortterm indicators in the form of utilization triggers were also implemented (native herbaceous components reduced from 60% use by seed dissemination to 40% use limits).

Roberts Mountain Allotment (Annual Authorization)

- Annual use authorizations to address riparian and sage-grouse habitat management implemented from 2006 to present.
- Riparian management was imposed on approximately 68,309 acres. Depending upon the year, grazing management practices have included the elimination of hot season grazing and deferred grazing.
- Short-term indicators in the form of utilization triggers were implemented (native herbaceous components reduced from 60% use by seed dissemination to 40% use limits: riparian stubble heights restricted to 6" stubble height by 9/30). Upon attainment of triggers, livestock are to be removed from that given use area or from the allotment in its entirety.

Battle Mountain Complex (Copper Canyon and North Buffalo Allotments) (Permit Renewal)

- Proposed Decision to be issued by March 2011. Pending litigation, new grazing permits would be issued by summer 2011.
- Riparian management is proposed on approximately 34,782 acres.
- Grazing management practices that are being proposed would instill within-season triggers for movement off of the upper elevations of the allotments within the Complex. Triggers will be associated with utilization limits (stubble heights) and bank alteration (trampling). Upon attainment of the trigger, livestock are to be removed from that given use area or from the allotment(s) in its entirety.
- T&Cs for improving sage grouse habitat include utilization triggers for both upland and riparian vegetative communities to provide short-term indicators in meeting objectives for sage-grouse habitat.
- Riparian exclosures within important sage-grouse habitat will be constructed in FY2011 to enhance the recovery of these areas.

Magnitude of Threat		
	NE CA- NV Sub-region	
FWS Threat	Threat Ranking	Notes/Comments
Wildfire	1	
Invasive Species	2	Vegetation Management
Infrastructure	u	Lands and Realty, Renewable Energy (including geothermal), Transmission Lines (electric/fluids), Fences, Roads
Conifer Invasion	4	Vegetation Management, P-J encroachment
Livestock Grazing	5	T I
Hard Rock Mining	6	Locatable minerals, mineral materials
Urbanization	7	Travel & Transportation, WUI
Predation	00	
Agriculture	9	
Water Development	10	Lands and Realty
Oil & Gas	11	Fluid Minerals
Cimate Change	12	
Disease	13	West Nile Virus
Prescribed Fire	14	Fuels Management
Human	15	Human Uses, Over-utilization (recreation, scientific, religious)
Hunting	15	Human Uses
Weather	16	Drought
Contaminants	17	
Coal/Strip Mining	N/A	Resource does not exist in Sub-region

Elko daily free Press

Sage grouse delays wind project

BLM defers China Mountain decision for two years

By ADELLA HARDING — aharding@elkodaily.com | Posted: Thursday, March 8, 2012 8:33 am

ELKO — Blame it on the sage grouse.

The U.S. Bureau of Land Management is deferring a decision on the China Mountain Wind Project that would straddle the Elko County and Idaho border for two years because of impact to the sage grouse.

David Overcast, the Tuscarora Field Office manager for the Elko BLM District, told Elko County Commissioners Wednesday the BLM district in Idaho that is leading the project and the Elko BLM District decided to wait on a decision.

"It's an important area," he said, reporting that 42 percent of the sage grouse population in a management area is within the proposed project site, so the decision will await the BLM's completion of environmental impact statements on conserving the sage grouse to prevent its listing as an endangered species.

The decision also is being delayed until the Idaho district completes a land-use plan, Overcast told commissioners, who voted to send a letter of protest.

Commissioner Charlie Myers said in his motion the letter should express the county's displeasure with the decision because of economic impacts to the county, and protest that the decision was made without public input under the BLM's new interim policies for conserving the sage grouse.

"I am not happy with the decision. It appears to me the company worked hard to mitigate the issue of the sage grouse," Myers said.

He said with the economy like it is outside Elko, which has benefited from a mining boom, the project that would bring construction jobs to Idaho and Elko County could be killed by a "stupid bird. That really concerns me."

RES America Developments Inc. proposed the China Mountain Project to provide electricity to buyers that will include NV Energy.

Suzanne Leta Liou, development manager for the company, said late Wednesday afternoon she was unable to comment on the BLM's decision.

Liou said at an open house in Elko last year that the \$500 million first phase would provide roughly 750 construction jobs and up to 50 permanent jobs.

She also said then the full project would provide \$18.8 million in property taxes on the Nevada side, with \$7.6 million going to the state and the remainder to Elko County.

The company said it planned to install 87 turbines in the first phase of the project to produce 200 megawatts for NV Energy.

"We knew you would be concerned, and I will carry your concerns forward," Overcast said.

He said the BLM and wildlife officials looked at a variety of options before deciding to defer the project, and followed the criteria in the new interim policy regarding renewable energy projects.

"We're all just pawns in this thing," said Commissioner Glen Guttry, who chaired the meeting as vice chairman in the absence of

http://elkodaily.com/news/local/blm-defers-china-mountain-decision-for-two-years/article... 4/10/2012

Chairman Jeff Williams.

Guttry said even if the BLM, states and citizens avoid the listing of the sage grouse, those who want to alter the Western way of life will "find another critter" to propose for listing.

"I have no animosity to you folks, you're doing the best you can, but this is very disappointing for the county," Guttry told Overcast.

"Citizens need to understand the actual cost of deferment because of the threat to the bird," Commissioner Demar Dahl said.

Commissioners were already upset with the national BLM for issuing the interim policy on management of the sage grouse late last year without public comment, and the use of the policy to defer the China Mountain proposal added to their concerns.

Myers said no one from Elko County was at the table when the decision came down on China Mountain.

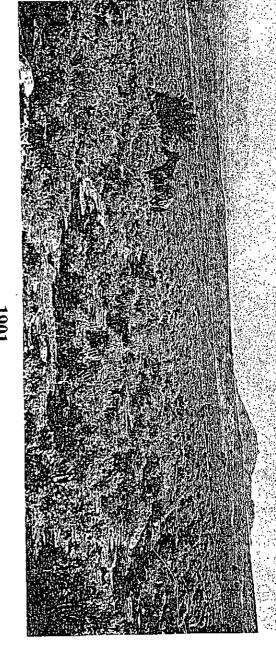
"I can almost guarantee that the wind project won't happen," he said.

The BLM has already completed a draft environmental impact statement on the China Mountain proposal but hadn't yet issued the final study and record of decision, so in that respect there has been public comment, Overcast said outside the meeting chambers.

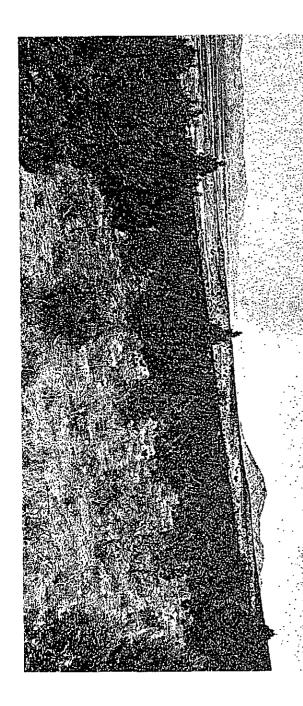
He said wildlife agencies commented in the draft EIS that the project would have a big impact on the sage grouse.

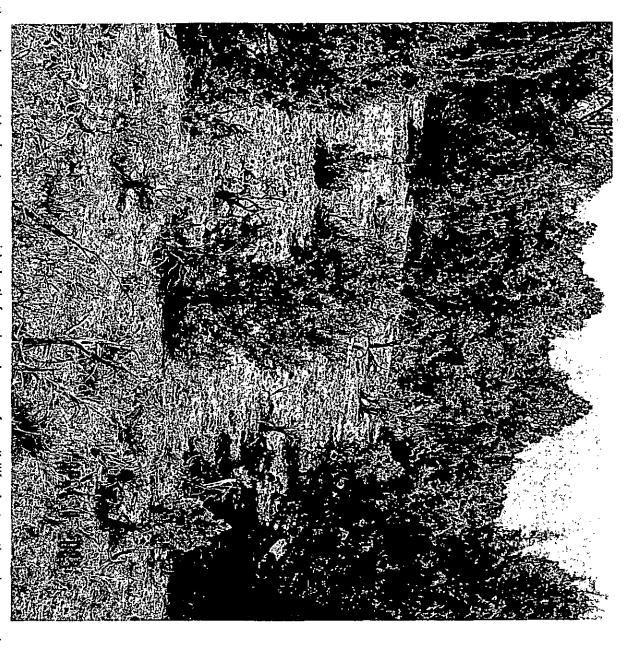


Sage Grouse, Pinyon-Juniper and the Bootstraps Program



Prior to 1860 two thirds of the Great Basin landscape was treeless. Today less than one-third of the landscape remains treeless. More than 90 percent of the trees have established since the 1860s (both photos taken from the same location).





and dying grasses and sagebrush in this stand. This habitat (Phase 3 P-J) is basically worthless for wildlife and widespread, numerous and dense, shrubs, grasses and forbs are lost through competitive exclusion. Note the dead livestock. In moderation, pinyon and juniper trees provide both food and cover for wildlife, but as they become increasingly



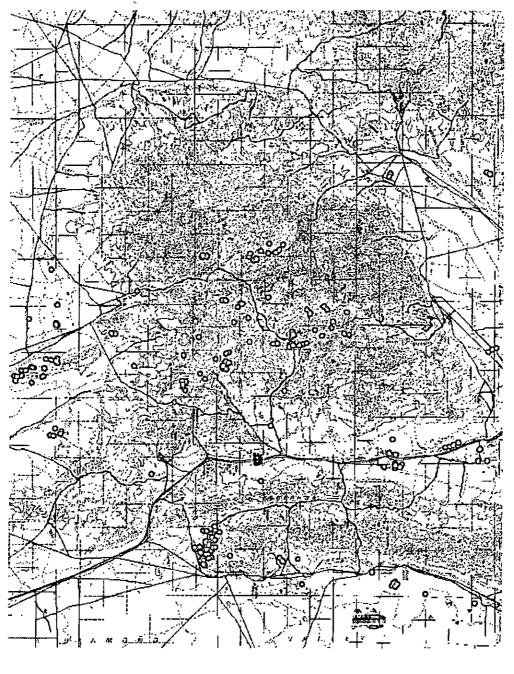


Mule Deer Pinyon-Juniper and Bootstraps

As the Nevada Department of Wildlife Mule Deer Management Plan warns:

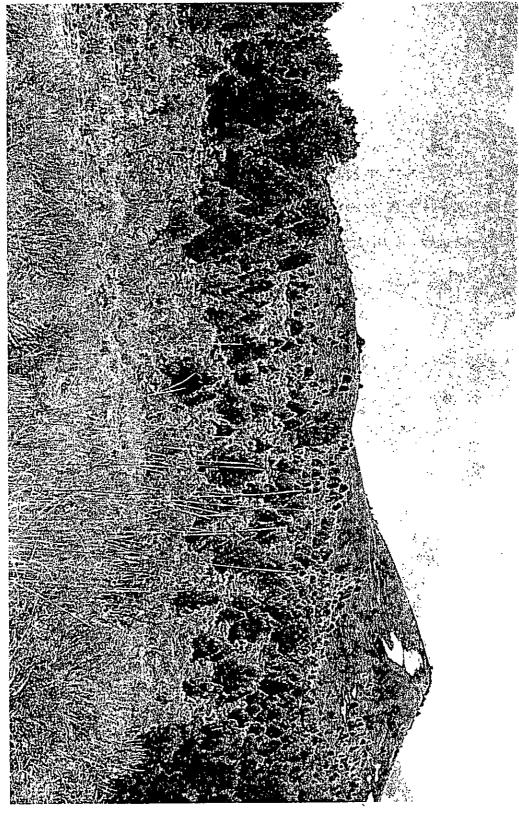
"Pinyon-Juniper forests provide thermal cover for mule deer, but dense stands reduce understory plant productivity and diversity, increase site aridity, and accelerate soil erosion. Pinyon juniper conditions throughout much of Nevada are having negative impacts on mule deer and other wildlife."

The Roberts Mountains north of Eureka are an example of how sage grouse are being squeezed out of former habitat. During the last 100 years, areas shown in green have become dominated by pinyon and juniper trees and now have few remaining grasses, forbs or shrubs.



Red dots represent sage grouse nest locations; blue dots represent hens with broods. Notice how the birds avoid tree cover. One hundred years ago, sage grouse likely used the entire mountain.

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To make matters worse, trees are now invading remaining open areas. Note the numerous young trees invading the sagebrush community.

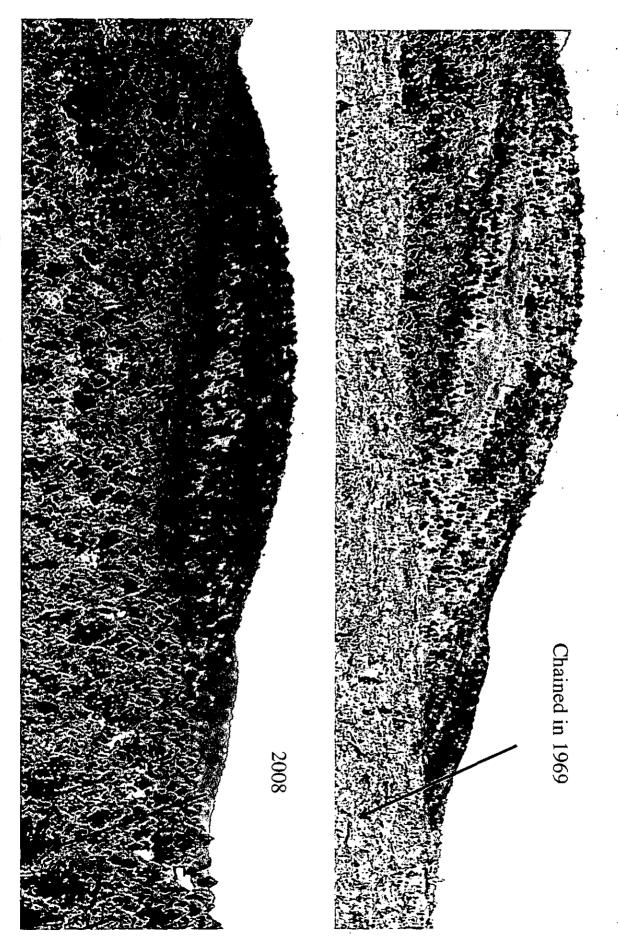
Pinyon-juniper invasion, upper elevations, Roberts Mountain, north slope



Pinyon-juniper encroachment degrades habitat for most wildlife species. This photo shows P-J invasion of valuable bitterbrush habitat, especially important for mule deer, in the Sulphur Springs Range north of Eureka.



Advanced pinyon-juniper domination of a site with diminishing bitterbrush in the Sulphur Springs Range, Nevada



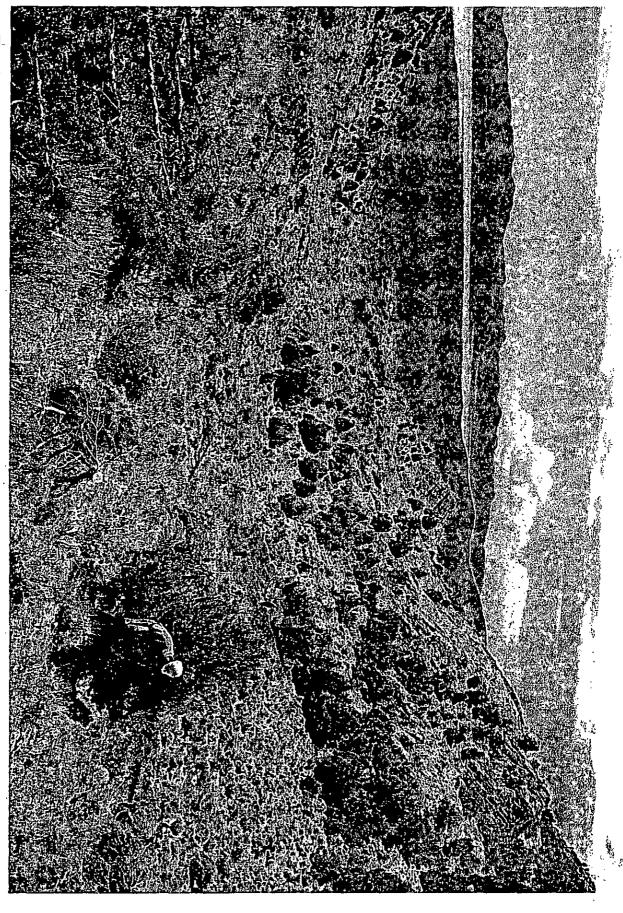
Pinyon and juniper can dominate a site in as little as 40 years in some cases.



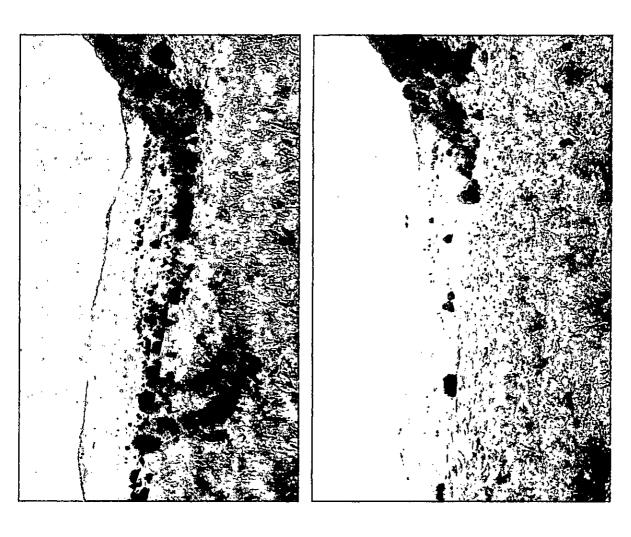
Fire will eventually remove the trees, but only under extreme (hot, dry and windy) conditions – and the result usually isn't good. Three years after the fire, cheatgrass and tumble mustard dominate this site.



The 2010 Battle Mountain Bootstraps Crew. The Bootstraps Program was launched in 2005 by the BLM and UNR Cooperative Extension to complete natural resource projects on public lands.

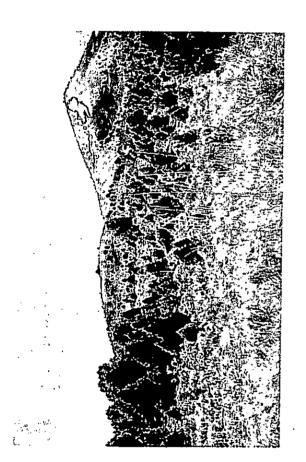


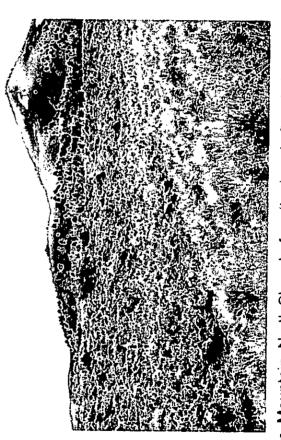
Pinyon - juniper removal has been a major part of the program, with support from NDOW, sportsman's groups, and Lander The Bootstraps Crew opening up a pinyon-juniper choked meadow complex on Bald Mountain, Lander County, Nevada. and Eureka Counties.



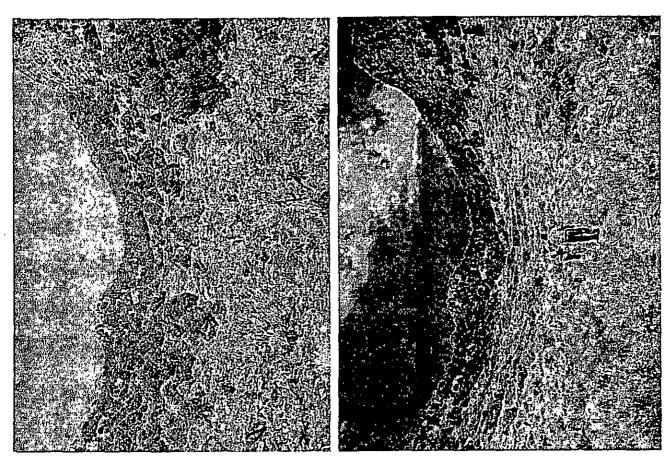
A tributary of Vinini Creek, Roberts Mountains, before (above) and after chainsaw treatment (below)

Vinini Creek, Roberts Mountains, before (above) and after chainsaw treatment (below)





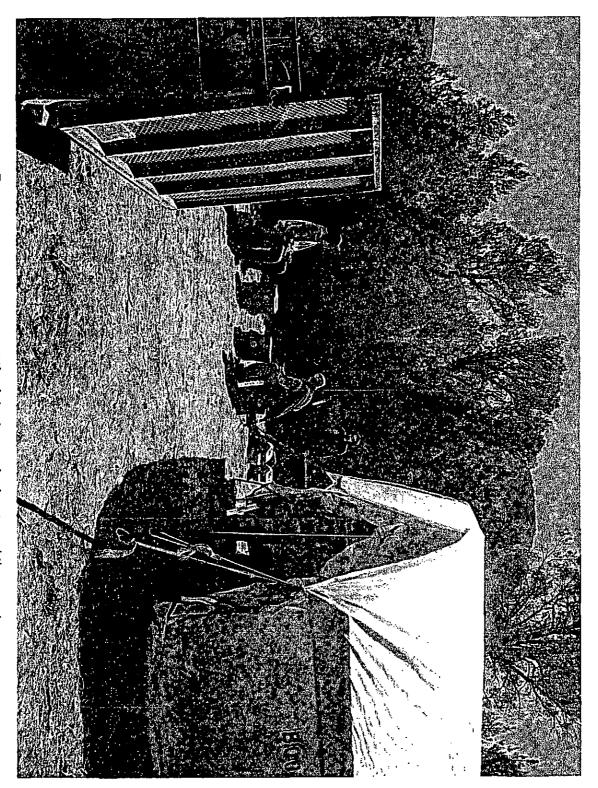
Roberts Mountain, North Slope before (top) and after chain saw treatment



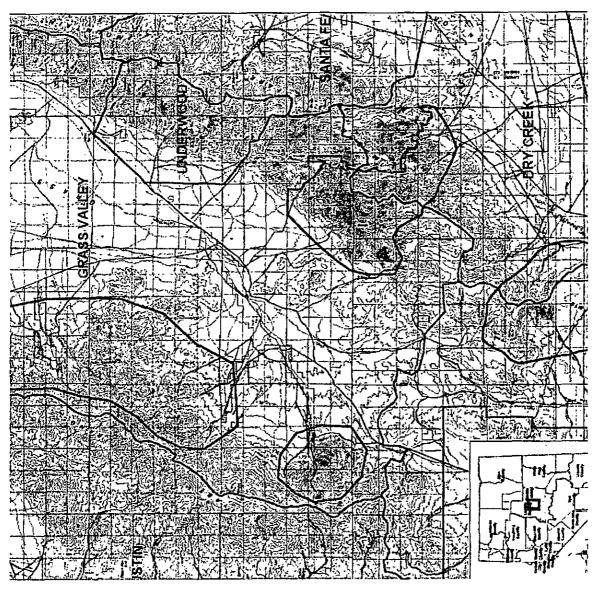
. One of several Bald Mountain meadow complexes before and after P-J removal. To date, Bootstraps crews have removed P-J from approximately 5,000 acres of high-value wildlife habitats



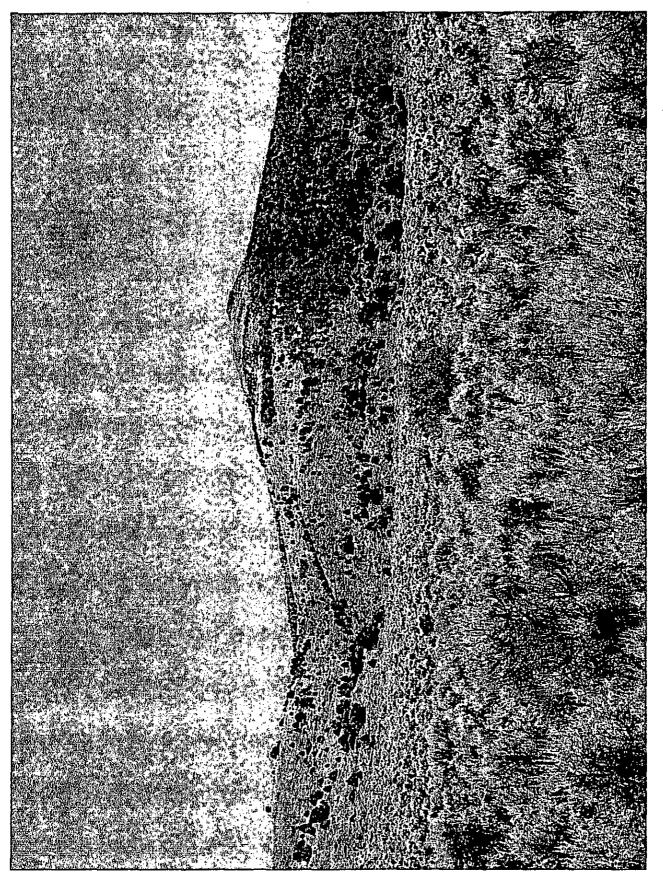
Since 2005, Bootstraps Crews have constructed numerous wetland protective fences and treated thousands of acres of noxious weeds.



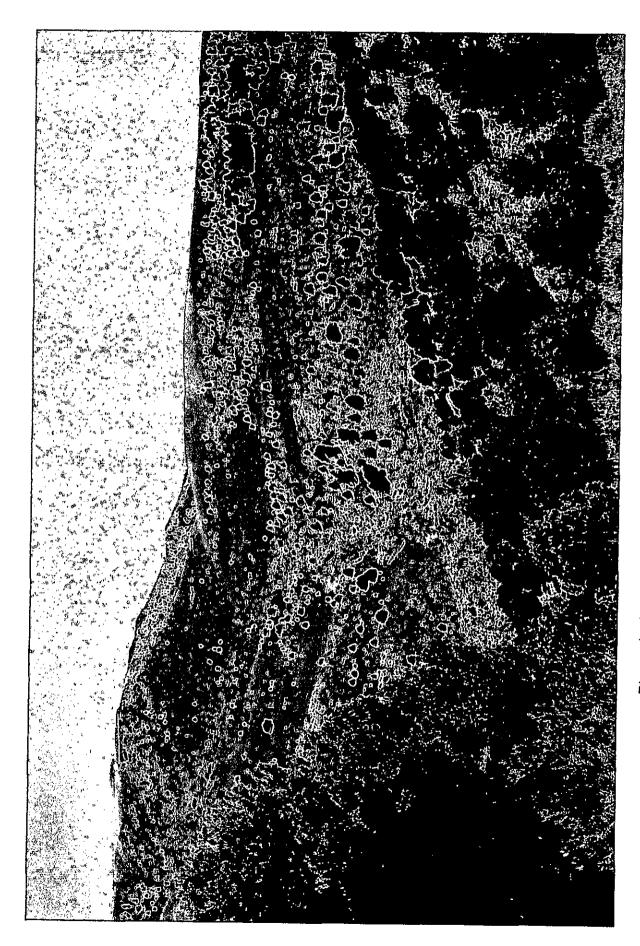
Bootstraps crews camp at the job site, reducing travel time and expense.



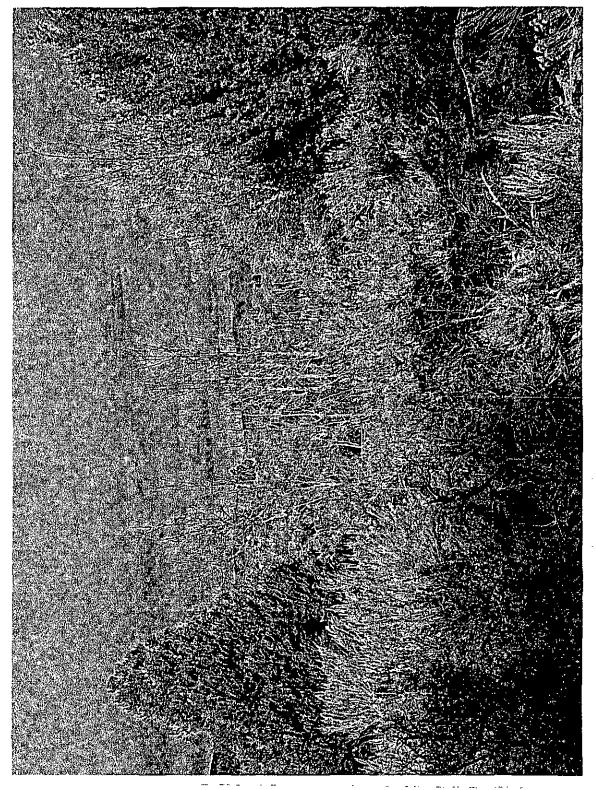
Bootstraps crews will begin work on the Eagle Butte Wildlife Habitat Improvement Project (boundaries in purple) grouse and other wildlife. Funding for P-J removal projects, is being provided in part by the Natural Resources Conservation Service (NRCS) in cooperation with C Ranches Inc. and Grass Valley Ranch LLC. beginning in June 2012. Pinyon-juniper will be removed from up to 5,000 acres of important habitat for sage



Hundreds of young pinyon and juniper trees invading prime sage grouse habitat in the lower elevations of Eagle Butte, southern Simpson Park Mountains, Lander County, Nevada



Pinyon-juniper encroachment, upper elevations of Eagle Butte (the southern end of Bates Mountain is visible in upper left of photo)



Pinyon-juniper encroachment of aspen stands in another part of the Eagle Butte project area (Rosebush Creek, Toiyabe Range, Lander County, Nevada).



Pinyon-juniper encroachment of high-value sage grouse habitat, upper elevations, Rosebush Creek, Eagle Butte project area



A proliferation of young pinyon and juniper trees, upper Boone Creek, Toiyabe Range, Lander County, Nevada

the landscape remains treeless and more than 90 percent of the trees have established since the 1860s. These data support active "Prior to 1860 two thirds of the landscape was treeless and occupied by sagebrush-steppe communities. Today, less than one-third of management in tree removal for over half the landscape. In the absence of disturbance, woodlands will continue to expand, mature, and close, with the majority reaching Phase 3 over the next 40 to 50 years."

-Age Structure and Expansion of Piñon-Juniper Woodlands: A Regional Perspective in the Intermountain Region. 2009. Richard F. Miller, Robin J. Tausch, E. Durant McArthur, Dustin D. Johnson, Stewart C. Sanderson Rocky Mountain Research Station Paper 69.

Bottom Line: Even with an ambitious effort, thousands of acres of wildlife habitat will be lost in Lander County over the next few decades to pinyon-juniper expansion and infilling. With strong collaboration, however, we can save the best habitats and minimize the loss. The clock is ticking.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 15

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding Change Order No. 1 for the Elquist Park Playground Equipment Upgrade project, in the amount of \$7,620.00, and other matters properly relating thereto.

Public comment.

Background:

Change Order No. 1 for the Elquist Park Playground Equipment Upgrade project, in the amount of \$7,620.00, is presented for Commission consideration.

Lander County Public Works Foreman Jacob Edgar will present the change order to the Commission and provide further details.

Recommended Action:

Public Works Foreman Edgar will make a recommendation for action by the Commission.

CHANGE ORDER #1

Playcraft Direct, Inc.

DATE: MARCH 26, 2012

123 North Valley Drive Grants Pass, OR 97526 Phone (888) 571-7640 Fax (541) 244-2196

TO Lander County Parks
550 W. Second Street
Battle Mountain, Nevada 89820
(775) 635-2190

SALESPERSON	JOB	PAYMENT/TERMS	DUEDATE
	Elquist Park	50% Deposit Net 30 Days	

QTY.	DESCRIPTION	UNIT PRICE	LINE TOTAL .
201 V 402 - 4 800-4	Original bid / Purchase Order #10371, came in at \$158,516.51, with the original amount for the Rubber Mulch being \$14,205.00, included.		<u> </u>
0' X 60' = 4,800sf	Safety requirement standards have been changed,		
Original depth 4"	pursuant to height fall ratio regulations. The Rubber		
New depth 6"	Mulch has to be increased from 4 inches thick to 6 inches thick.		\$7,620.00
	The difference in cost is \$7,620.00		
	·		
	ORIGINAL BID: \$ 158,516.51 CHANGE ORDER #1: 7,620.00		
	NEW PROJECT TOTAL: \$ 166,136.51		
			,
			. }
	0 0 1/2	SUBTOTAL	\$7,620 0

Dem Bullock

SALES TAX -0TOTAL \$7,620.00

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 16

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding award of bid for the Austin Park and Playground Equipment project and other matters properly relating thereto.

Public comment.

Background:

The Schedule of Bids Received for the Austin Park and Playground Equipment Project is presented to the Commission for consideration.

Lander County Public Works Foreman Jacob Edgar will present the single bid received, from Playcraft Direct, Inc., to the Commission. The amount of the bid is \$151,818.58. Mr. Edgar will provide further details to the Commission on this item.

Recommended Action:

Public Works Foreman Edgar will make the recommendation for award of bid to the Commission.

AGENDA REQUEST FORM

	IVIE	ETING DATE:	April 12, 2012	_		
NAME:	Jake Edgar		_REPRESENTING:	Parks		
ADDRESS:	ADDRESS: 550 West Second St, Battle Mountain, NV 89820					
PHONE (H)	:	(W):	775-635-2190	_ FAX:	775-635-2801	
WHICH NU	MBER SHOULD WE CAL	L DURING NOF	RMAL BUSINESS HOU	RS:	775-635-2190	
WHO WILL	BE ATTENDING THE ME JOB TITE		Tammy Dimitroff Executive Secreta	ary		
	REQUEST TO BE PLACE of Austin Park & Playe			sion and po	ssible action on	
WHAT ACT Approve	ION WOULD YOU LIKE T	THE BOARD TO	TAKE TO RESOLVE	THIS ISSUE?		
					<u>-</u>	
ARE THERE	E ANY COSTS ASSOCIA	TED WITH YOU	IR REQUEST?		X_YESNO	
HAS THIS IS WHEN?	SSUE BEEN DISCUSSED	D AT A PRIOR C	COMMISSION MEETIN	G?	YESX_NO	
WILL YOU E	BE PRESENTING WRITT	TEN INFORMAT	ION AT THE MEETING	3?	_X_YESNO	
HAVE YOU	DISCUSSED THIS ISSU	E WITH THE AF	FECTED DEPT HEAD	?	_X_YES NO	
FOR REVIE	W BY:					
CLERK ASSESSOR BUILDING AIRPORT R&B PARKS FAIR/REC		SHERIFF WELFARE PLANNING REC/AUDITOR W&S GOLF EX DIRECTOR		J.P. D.A. TREASURER SWIN POOL HOSPITAL CIVIC CENTE		
	JTIVE DIRECTOR RESE EQUESTS FOR INSUFFI			ECOMMEND T	ABLING ALL	
ALL INFORI	MATION STATED IS COR	RRECT AND TR	RUE TO MY KNOWLED	GE	·—	

MEETING DATE:

April 12, 2012



BIDS RECEIVED AUSTIN PARK & PLAYGROUND EQUIPMENT LANDER COUNTY PUBLIC WORKS FRIDAY APRIL 6, 2012 @ 4:00 PM

NO	DATE	NAME/BIDDER	BID AMOUNT	BID BOND YES/NO
1	405/12	Playcraft Direct, tre	151, 818.58	NO
2			,	
3				
4				
5				
6				
7				
8				
9				
10				
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OPENED BY:		Sade Sulle Va-
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GENERAL SPECIFICATIONS

It is the intent of these specifications to describe "Austin Park & Playground Equipment" in sufficient detail to assure that product reliability, design integrity, technical soundness and performance is provided. The unit provided shall be new or used, as specified, of current manufacture, and the model and series must have been in production a minimum of five (5) years. Bidder shall provide a list of 5 cities currently using the model as bid. All parts not specifically mentioned, which are necessary to provide a complete unit, shall be included in the bid and shall conform in strength and quality of material and workmanship to what is normally provided to the trade in general.

The unit shall be delivered completely assembled, serviced and ready to operate. The bidder shall have a qualified representative in attendance with the unit during start-up operation to make any adjustments and give instruction to assure proper operation of the equipment. The unit shall be warranted to be free from defective materials and workmanship for a period of 12 months from date of delivery.

The unit bid shall be "Austin Park & Playground Equipment"

COMPLIANCE TO SPECIFICATIONS

The bidder shall indicate his compliance with a "Yes" or non-compliance with a "No" for each line item specification. Any space left blank shall be considered non-compliance. Any deviations from the specification, or where submitted literature does not fully support the meeting of the specification, must be clearly cited in writing by the bidder, but no deviation below "minimum" specifications will be accepted.

MINIMUM REQUIRED SPECIFICATIONS

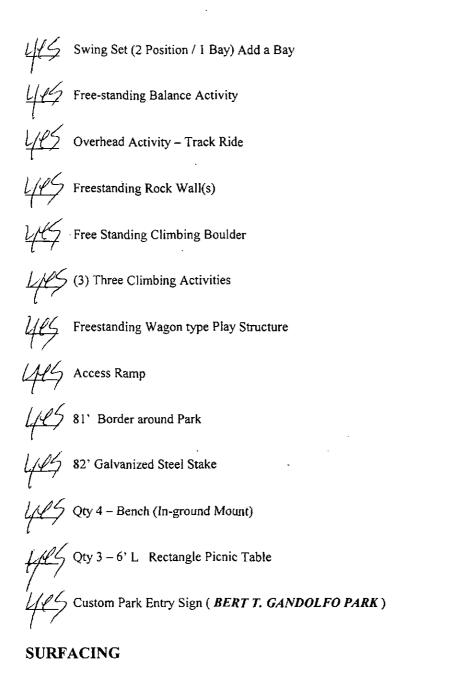
- Proposal must include a minimum of 14 ground-based and 11 elevated activities
- · Proposed equipment must fit into area of 6,500 square feet (see attached drawing)
- No Direct-Bolt systems will be accepted
- Decks must be PVC coated
- Powder Coated parts must average 11 mils thickness
- Plastic components must carry a full warranty of 15 years
- Pro-rated warranties will not be accepted

PARK & PLAYGROUND EQUIPMENT

Round 5 Steel Play System. Equal to or less than \$41,000 (Western Forest Theme is required)

Swing Set (2 Position / 1 Bay)

Invitation to Bid 6 Austin Park & Playground Equipment



Loose fill rubber mulch to cover area beneath playground equipment. 6,500 sf @ 6" depth

INSTALLATION

Teardown of all equipment and materials

Assembly and installation of all equipment and materials quoted. Include freight costs.

BID SPECIFICATION

The undersigned hereby agrees that the price as bid includes all of the above specifications, including exceptions noted by the bidder. This specification sheet must be signed below by an authorized employee, in order to receive consideration.

All Bid Prices - F.O.B. Battle Mountain, Nevada.

mehindred litte methousand Eight hundred
(Amount of bid written in words) Eightee 2, Nollass
#15/818.55 figures)
Authorized Signature
Playesaft Diziet Inc
Name of Firm C
4/4/12 Date

Invitation to Bid

Austin Park & Playground Equipment



PLAYCRAFT DIRECT, INC.

123 North Valley Drive • Grants Pass, OR 97526 Tel: (541) 244-2189 Fax: (541) 244-2196

Toll Free: (888) 571-7640 E-mail: sales@playcraftdirect.com

Website: www.playcraftsystems.com



April 4, 2012

Jacob Edgar, Public Works Foreman Sadie Sullivan, Lander County Clerk 315 S Humboldt Street Battle Mountain, NV 98920

Phone Number: (775) 635-2728

Proposal Date: April 6, 2012

Delivery Schedule: 36 days after notice to proceed Est. Install Date: Within 90 days after notice to proceed

Austin Park Price Quotation Total

R5 Custom Steel Play System (5-12) PR# 7586A / 5', 6', and 7' Tree Climbers / R-5 Arch Swing and Add-A-Bay / Log Jam / R-5 20' Track Ride / Tri-Shaped Erector Rocks w/ Stacked Loops / 90" Boulder Stack Climber / Custom Prairie Wagon / Custom Welcome Sign / (81) Borderscapes, (82) Stakes, Access Ramp, (4) Urban Elite Benches, (3) 6' Picnic Tables.	Play System Shipping Estimate	\$74,993.58 \$ 1,800.00
	Playcraft Total Maximum	\$76,793.58

Rubber Mulch - Safety Surfacing 8 ft fall height - 6,500 sf x 6" depth = 43 tons per manufacturer recommendations	Additional Items	\$ 24,725.00
	Shipping Estimate	\$ 2,500.00
	Playcraft Total	\$ 27,225.00

Removal - All old existing play equipment (in front of pool building), Fill all excavated holes and grade to proper level. Installation - R5 Custom Steel Play System (5-12) PR# 7586A / 5', 6', and 7' Tree Climbers / R-5 Arch Swing and Add-A-Bay / Log Jam / R-5 20' Track Ride / Tri-Shaped Erector Rocks w/ Stacked Loops / 90" Boulder Stack Climber / Custom Prairie Wagon / Custom Welcome Sign / (81)	Additional Item	\$ 47,800.00
Borderscapes, (82) Stakes, Access Ramp, (4) Urban Elite Benches, (3) 6' Picnic Tables, 43 tons of Rubber Mulch. Romoval and Installation by: Sierra Winds Construction - See attached Terms.	Wood Fiber Total	\$ 47,800.00



PLAYCRAFT DIRECT, INC.

123 North Valley Drive • Grants Pass, OR 97526 Tel: (541) 244-2189 Fax: (541) 244-2196

Toll Free: (888) 571-7640

E-mail: sales@playcraftdirect.com **Website:** www.playcraftsystems.com

Jacob Edgar, Public Works Foreman Sadie Sullivan, Lander County Clerk 315 S Humboldt Street Battle Mountain, NV 98920 Phone Number: (775) 635-2728

Austin Park Price Quotation

Proposal Date: April 6, 2012

Delivery Schedule: 36 days after notice to proceed **Est. Install Date**: Within 90 days after notice to proceed

50% Deposit Net 30 Days

GRAND TOTAL

\$151,818.58

NV Sales/Use Tax to be calculated and paid by Customer.

PURCHASE AGREEMENT

Please authorize this order by signing and "Purchase Order"	d returning by fax to (541) 244-2196 in lieu of a
Authorized By:	Date:
Print Name:	_

Please Call Shirley Law at (888) 571-7640 if you have any questions





Playcraft Direct, Inc. Factory Certified Sales and Support

123 North Valley Drive Grants Pass, OR 97526

Tel: (888) 571-7640 Fax: (541) 244-2196

PRICE QUOTATION

Quote Date	Quote No.
4/3/2012	112459
Project	Name
Austin Park	- Structure

Bill To:		Ship To:		
Lander County Public Works		Austin Park		
315 S Humbolt Street		·		
Battle Mountain NV 89820		Austin NV 89310		
Terms	Contact Name	Ship Date	Ship Via	
50% Deposit Net 30 Days	Jacob Edgar		Best Way	

PC#	Product Description	Qty.	List Price Ea.	Disc. (%)	Disc. Price Ea.	Extended Price	Extended Weight
PR-R5	PR# 7586A Custom Round 5 Steel Play System	1	\$40,102.00	15.0%	\$34,086.70	\$34,086.70	7576 lbs
PC-2915	5' Tree Climber	1	\$1,746.00	12.0%	\$1,536.48	\$1,536.48	212 lbs
PC-2916	6' Tree Climber	, 1	\$1,835.00	12.0%	\$1,614.80	\$1,614.80	237 lbs
) PC-2917	7' Tree Climber	! 1	\$2,139.00	12.0%	\$1,882.32	\$1,882.32	265 lbs
PC-2120	Arch Swing R5 (2 Position/ 1 Bay)	1	\$2,198.00	12.0%	\$1,934.24	\$1,934.24	705 lbs
PC-2120-AB	Arch Swing R5 (2 Position/ 1 Bay) Add-A-Bay	1 1	\$1,429.00	12.0%	\$1,257.52	\$1,257.52	460 lbs
MISC	Log Jam	1 1	\$2,421.00	12.0%	\$2,130.48	\$2,130.48	608 lb
PC-2802-R5	Track Ride 20' w/ Round 5 Steel Posts	1 1	\$2,776.00	12.0%	\$2,442.88	\$2,442.88	595 lb
ER-1236-RL	Tri-Shaped w/ Stacked Loops	. 1	\$5,627.00	12.0%	\$4,951.76	\$4,951.76	916 lb
MISC	90" Boulder Stack Climber	1.	\$4,289.00	12.0%	\$3,774.32	\$3,774.32	600 lbs
MISC	Custom Prairie Wagon	· 1	\$10,516.00 :	12.0%	\$9,254.08	\$9,254.08	920 lb
MISC	Custom Welcome Sign	: 1	\$3,000.00	12.0%	\$2,640.00	\$2,640.00	282 lb

All orders must be accompanied by a purchase order.

This price quotation is valid for 30 days from the quote date.

^{*} Prices may not include shipping, installation, safety surfacing or applicable taxes.

540400	Borderscape 1'H x4'L - Recycled Plastic Border	81	\$27.00 :10.0%	\$24.30	\$1,968.30	648 lbs.
·	•	i				
541000	Galvanized Steel Stake	82	\$7.50 10.09	\$6.75	\$553.50 	328 lbs.
MISC	4331-G Urban Elite Bench - In ground mount	4	\$696.00 10.0%	6 \$626.40	\$2,505.60	520 lbs.
4250-S6	6'L Weather Buster Rectangle Picnic Table	3	\$695.00 10.0%	6 \$625.50	\$1,876.50	675 lbs.
1205	: Access Ramp	1	\$649.00 \ 10.09	6. \$ 584.10	\$584.10	110 lbs.

M Customer is responsible for calculating and paying NV sales/use tax.	Total Weight	15657 lbs.	
M O	Discounted Subtotal	\$74,993.58	
	Sales Tax 0.000%	\$0.00	
	Shipping Estimate	\$1,800.00	
	Quote Total	\$76,793.58	

PURCHASE AGREEMENT

Please authorize this order by signing and returning by fax (541-244-2196) or by email (shirleyl@playcraftdirect.com) in lieu of a "Purchase Order"

Authorized by:	Date:	
Print Name:		

Please call us at (888) 571-7640 if you have any questions.

All orders must be accompanied by a purchase order.
This price quotation is valid for 30 days from the quote date.

* Prices may not include shipping, installation, safety surfacing or applicable taxes.



Playcraft Direct, Inc.

Factory Certified Sales and Support

123 North Valley Drive Grants Pass, OR 97526 Tel: (888) 571-7640

Tei: (888) 571-7640 Fax: (541) 244-2196

PRICE QUOTATION

Quote Date	Quote No.					
4/3/2012	112460					
Project	Name					
Austin Park -	Austin Park - Surfacing					

Bill To:		Ship To:			
Lander County Public Works 315 S Humboldt Street		Austin Park Austin NV 89310			
Battle Mountain NV 89820					
Terms	Contact Name	Ship Date	Ship Via		
50% Deposit Net 30 Days	Jacob Edgar		Best Way		

PC#	Product Description	Qty.	List Price Ea.	Disc. (%)	Disc. Price Ea.	Extended Price	Extended Weight
MISC	Rubber Mulch / 6,500 sf @ 6" depth/ Color = 43 tons total	1	\$24,725.00	0.0%	\$24,725.00	\$24,725.00	0 lbs.

M Customer is responsible for calculating and paying NV sales/use tax	Total Weight	0 lbs.
M O	Discounted Subtotal	\$24,725.00
	Sales Tax 0.000%	\$0.00
	Shipping Estimate	\$2,500.00
	Quote Total	\$27,225.00

PURCHASE AGREEMENT

Please authorize this order by signing and returning by fax (541-244-2196) or by email (shirleyl@playcraftdirect.com) in lieu of a "Purchase Order"

Authorized by:	Date:
Print Name:	

Please call us at (888) 571-7640 if you have any questions.

All orders must be accompanied by a purchase order.

* This price quotation is valid for 30 days from the quote date.

* Prices may not include shipping, installation, safety surfacing or applicable taxes.

Page 1 of 1

SIERRA WINDS Products for Leisure LLC

592 California Ave. #B. Reno, NV 89509

NV Contractor's License: 0035818A - 0057270A

775 348-6113 775 786-5712 fax

PLEASED TO QUOTE

INVOICING BY:

Sierra Winds

DATE: 4-03-12

TERMS: 3 EQUAL PAYMENTS - see note

VALID UNTIL: 5-31-12

COMPANY:

PlayCraft Direct

ATTENTION: C.J.

PROJECT:

Bert Gondolfo Park

PHONE:

ADDRESS:

Austin, NV

FAX:

email:

Please verify quantities - Only material priced and indicated will be furnished.

Delivery to be made no later than 90 days from received contract, otherwise prices to be renegotiated.

STYLE

DESCRIPTION

QTY

UNIT

TOTAL

VENDOR: SIERRA WINDS CONSTRUCTION DEPARTMENT

PROJECT TO CONSIST OF THE FOLLOWING:

- removal of all old existing play equipment in front of pool building
- fill all excavated holes and grade to proper level
- Assemble & install new play equipment as provided by owner

Price includes all equipment, materials, excavation, tools & labor to complete project

TOTAL INSTALLATION

\$47,800.00

PAYMENT TERMS:

1st payment at start of project * 2nd payment 2 weeks after project start \$15,000.00

\$16,000.00

3rd payment at job completion

\$16,800.00

*note no work will begin until 1st deposit is received

page 1 of 2

Page 2 of 2 Quote 4-03-12 PLAYCRAFT DIRECT Lander Co PW / Gandolfo Park

EQUIPMENT INSTALLATION DISCLAIMER

NCL# 0035818A • 0057270A

EIN# 20-3788809

Sierra Winds hereby proposes to perform the labor and materials necessary for the installation of equipment as stated in quote dated 4-03-12

Job location to be at: Lander Co. Public Works, Gondolfo Park, Austin, NV

Installation of quoted material to be according to the following:

- Installation pit area to be prepped by others
- Ground pit area shall have no more than a 1% slope
- Sierra Winds and its subsidiaries shall not be responsible for any damage to existing landscape, irrigation, concrete, etc.
- No concrete flatwork is included in this work scope
- No safety surfacing pricing is included unless otherwise stated
- Price is for equipment delivered to listed job site
- Does not include storage or security of equipment if required

Installation pricing does <u>not include</u> extra labor or materials needed to move or repair any unforeseen underground hazards; i.e.: utilities, cable, sprinkler wiring or pipes. Nor does it include any extra costs incurred for above normal excavation from irregular soil conditions as a result of bad terrain, large boulders, calichi, & etc. for which those costs will be added to invoice upon owner notification.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and necessary insurance upon above work. Workman's compensation and public liability insurance on above work to be the responsibility of Sierra Winds

Terms are: as I	iotea
Submitted by:	Richard A. (Dick) Olivas / Owner - Sierra Winds
Above terms and condi	tions are accepted:
ACCEPTED BY:	
(print)	·



PLAYCRAFT DIRECT, INC.

123 North Valley Drive • Grants Pass, OR 97526 Tel: (541) 244-2189 Fax: (541) 244-2196

Toll Free: (888) 571-7640

E-mail: sales@playcraftdirect.com Website: www.playcraftsystems.com

April 4, 2012

Jacob Edgar, Public Works Foreman Sadie Sullivan, Lander County Clerk 315 S Humboldt Street Battle Mountain, NV 98920 Phone Number: (775) 635-2728

Proposal Date: April 6, 2012

Delivery Schedule: 36 days after notice to proceed

Est. Install Date: Within 90 days after notice to proceed

Austin Park Price Quotation Total

R5 Custom Steel Play System (5-12) PR# 7586A / 5', 6', and 7' Tree Climbers / R-5 Arch Swing and Add-A-Bay / Log	Play System	\$74,993.58
Jam / R-5 20' Track Ride / Tri-Shaped Erector Rocks w/ Stacked Loops / 90" Boulder Stack Climber / Custom Prairie Wagon / Custom Welcome Sign / (81) Borderscapes, (82) Stakes, Access Ramp, (4) Urban Elite Benches, (3) 6' Picnic	Shipping Estimate	\$ 1,800.00
Tables.	Playcraft Total Maximum	\$76,793.58
Rubber Mulch - Safety Surfacing 8 ft fall height - 6,500 sf x 6" depth = 43 tons per manufacturer recommendations	Additional Items	\$ 24,725.00
•	Shipping Estimate	\$ 2,500.00
	Playcraft Total	\$ 27,225.00
Permayal - All old existing play equipment (in front of see)	Additional Item	\$ 47,800.00
Removal - All old existing play equipment (in front of pool building), Fill all excavated holes and grade to proper level.	Additional Item	\$ 47,800.0

Removal - All old existing play equipment (in front of pool building), Fill all excavated holes and grade to proper level.
Installation - R5 Custom Steel Play System (5-12) PR#
7586A / 5', 6', and 7' Tree Climbers / R-5 Arch Swing and Add-A-Bay / Log Jam / R-5 20' Track Ride / Tri-Shaped
Erector Rocks w/ Stacked Loops / 90" Boulder Stack Climber / Custom Prairie Wagon / Custom Welcome Sign / (81)
Borderscapes, (82) Stakes, Access Ramp, (4) Urban Elite
Benches, (3) 6' Picnic Tables, 43 tons of Rubber Mulch.
Romoval and Installation by: Sierra Winds Construction - See attached Terms.

Additional Item

\$ 47,800.00

\$ 47,800.00



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Jacob Edgar, Public Works Foreman Sadie Sullivan, Lander County Clerk 315 S Humboldt Street

Battle Mountain, NV 98920 **Phone Number:** (775) 635-2728

Proposal Date: April 6, 2012

Delivery Schedule: 36 days after notice to proceed **Est. Install Date**: Within 90 days after notice to proceed

50% Deposit Net 30 Days

GRAND TOTAL

\$151,818.58

Austin Park

Price Quotation

NV Sales/Use Tax to be calculated and paid by Customer.

PURCHASE AGREEMENT

Please authorize this order by signing and returning by fax to (541) 244-2196 in lieu of a

"Purchase Order"

Authorized By:

Date

Print Name:

Please Call Shirley Law at (888) 571-7640 if you have any questions

SIERRA WINDS Products for Leisure LLC

592 California Ave. #B, Reno, NV 89509

NV Contractor's License: 0035818A - 0057270A

775 348-6113 775 786-5712 fax

PLEASED TO QUOTE

INVOICING BY:

Sierra Winds

DATE: 4-03-12

TERMS: 3 EQUAL PAYMENTS - see note

VALID UNTIL: 5-31-12

COMPANY:

PlayCraft Direct

ATTENTION: C.J.

PROJECT.

Bert Gondolfo Park

PHONE:

ADDRESS:

Austin, NV

FAX:

email:

Please verify quantities - Only material priced and indicated will be furnished.

Delivery to be made no later than 90 days from received contract, otherwise prices to be renegotiated.

STYLE

DESCRIPTION

QTY

UNIT

TOTAL

VENDOR: SIERRA WINDS CONSTRUCTION DEPARTMENT

PROJECT TO CONSIST OF THE FOLLOWING:

- > removal of all old existing play equipment in front of pool building
- fill all excavated holes and grade to proper level
- > Assemble & install new play equipment as provided by owner

Price includes all equipment, materials, excavation, tools & labor to complete project

TOTAL INSTALLATION

\$47,800.00

PAYMENT TERMS:

1st payment at start of project * 2nd payment 2 weeks after project start

\$15,000.00 \$16,000.00

3rd payment at job completion

\$16,800.00

*note no work will begin until 1st deposit is received

page 1 of 2

Page 2 of 2 Quote 4-03-12 PLAYCRAFT DIRECT Lander Co PW / Gandolfo Park

EQUIPMENT INSTALLATION DISCLAIMER

NCL# 0035818A • 0057270A

EIN# 20-3788809

Sierra Winds hereby proposes to perform the labor and materials necessary for the installation of equipment as stated in quote dated <u>4-03-12</u>

Job location to be at: Lander Co. Public Works, Gondolfo Park, Austin, NV

Installation of quoted material to be according to the following:

- Installation pit area to be prepped by others
- Ground pit area shall have no more than a 1% slope
- Sierra Winds and its subsidiaries shall not be responsible for any damage to existing landscape, irrigation, concrete, etc.
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Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and necessary insurance upon above work. Workman's compensation and public liability insurance on above work to be the responsibility of Sierra Winds

Terms are: as noted

Submitted by: Richard A. (Dick) Olivas / Owner - Sierra Winds

Alone terms and conditions soe accepted

TÉD PT.

(print)

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Passent Die

Playcraft Direct, Inc.

Factory Certified Sales and Support

123 North Valley Drive Grants Pass, OR 97526 Tel: (888) 571-7640

Fax: (541) 244-2196

PRICE QUOTATION

Quote Date Quote No.					
4/3/2012 1124					
Project Name					
Austin Park - Surfacing					

Bill To:		Ship To:			
Lander County Public Works		Austin Park			
315 S Humboldt Street					
Battle Mountain NV 89820		Austin NV 89310			
Terms	Contact Name	Ship Date	Ship Via		
50% Deposit Net 30 Days	Jacob Edgar		Best Way		

PC#	Product Description	Qty.	List Price Ea.	Disc. (%)	Disc. Price Ea.	Extended Price	Extended Weight
MISC	Rubber Mulch / 6,500 sf @ 6" depth/ Color = 43 tons total	1 1	\$24,725.00	0.0%	\$24,725.00	\$24,725.00	0 lbs.

M Customer is responsible for calculating and paying NV sales/use tax	Total Weight	0 lbs.
E M	Discounted Subtotal	\$24,725.00
0	Sales Tax 0.000%	\$0.00
	Shipping Estimate	\$2,500.00
	Quote Total	\$27,225.00

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Authorized by:

Print Name:

Date

.

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Fax: (541) 244-2196

PRICE QUOTATION

•	•
Quote Date	Quote No.
4/3/2012	112459
Project	Name
Austin Park -	Structure

Bill To:		Ship To: .		
Lander County Public Works		Austin Park		
315 S Humbolt Street		11		
Battle Mountain NV 89820		Austin NV 89310		
Terms	Contact Name	Ship Date	Ship Via	
50% Deposit Net 30 Days	Jacob Edgar		Best Way	

PC#	Product Description	Qty.	List Price Ea.	Disc. (%)	Disc. Price Ea.	Extended Price	Extended Weight
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PC-2917	7' Tree Climber	1	\$2,139.00	12.0%	\$1,882.32	\$1,882.32	265 lbs.
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PC-2120-AB	Arch Swing R5 (2 Position/ 1 Bay) Add-A-Bay	1 1	\$1,429.00 !	12.0%	\$1,257.52	\$1,257.52	460 lbs.
MISC	Log Jam	1	\$2,421.00	12.0%	\$2,130.48	\$2,130.48	608 lbs.
PC-2802-R5	Track Ride 20' w/ Round 5 Steel Posts	1	\$2,776.00	12.0%	\$2,442.88	\$2,442.88	595 lbs.
ER-1236-RL	Tri-Shaped w/ Stacked Loops	1 1	, \$5,627.00 ;	12.0%	\$4,951.76	\$4,951.76	916 lbs.
MISC	90" Boulder Stack Climber	1	\$4,289.00	:12.0%	\$3,774.32 ⁻	\$3,774.32	600 lbs.
MISC	Custom Prairie Wagon	. 1	\$10,516.00	12.0%	\$9,254.08	\$9,254.08	920 lbs.
MISC	Custom Welcome Sign	1	\$3,000.00	12.0%	\$2,640.00	\$2,640.00	282 lbs.

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540400	Borderscape 1'H x4'L - Recycled Plastic Border	81	\$27.00 10.0%	\$24.30	\$1,968.30	648 lbs
				<u> </u>		
541000	Galvanized Steel Stake	, 82	\$7.50 10.0%	\$6.75 ! i	\$553.50	328 lbs
MISC	4331-G Urban Elite Bench - In ground mount	1 .4	\$696.00 `10.0%` ;	\$626.40	\$2,505.60	520 lbs
4250-S6	6'L Weather Buster Rectangle Picnic Table	3	\$695.00 10.0%	\$625.50	\$1,876.50	675 lbs
1205	Access Ramp	1:	\$649.00 10.0%	\$584.10	\$584.10	110 lbs

Total Weight	15657 lbs.
Discounted Subtotal	\$74,993.58
Sales Tax 0.000%	\$0.00
Shipping Estimate	\$1,800.00
Quote Total	\$76,793.58
	Discounted Subtotal Sales Tax 0.000% Shipping Estimate

PURCHASE AGREEMENT

Please authorize this order by signing and returning by fax (541-244-2196) or by email (shirleyl@playcraftdirect.com) in lieu of a "Purchase Order"

Authorized by:

_ Date:

Print Name:

Please call us at (888) 571-7640 if you have any questions.

All orders must be accompanied by a purchase order.

[·] This price quotation is valid for 30 days from the quote date.

^{*} Prices may not include shipping, installation, safety surfacing or applicable taxes.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 17

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding adoption of Resolution No. 2012-04, a resolution modifying the connection fee schedule for the Battle Mountain Water and Sewer Systems and other matters properly relating thereto.

Public comment.

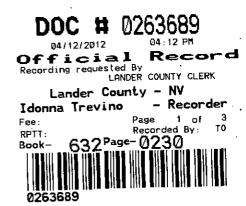
Background:

Resolution No. 2012-04, a resolution modifying the connection fee schedule for the Battle Mountain Water and Sewer Systems, is presented for Commission consideration.

Lander County Public Works Foreman Jacob Edgar and Public Works Executive Secretary Tammy Dimitroff will present the details of the Resolution to the Commission.

Recommended Action:

It is recommended that the Commission approve and adopt Resolution No. 2012-04, a resolution modifying the connection fee schedule for the Battle Mountain Water and Sewer Systems.



RECORDING REQUEST BY:

Lander County Clerk
315 South Humboldt Street

Battle Mountain, Nevada 89820

RESOLUTION 2012-04 MODIFYING THE CONNECTION FEE SCHEDULE FOR BATTLE MOUNTAIN WATER & SEWER

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.

SUMMARY: A RESOLUTION MODIFYING THE CONNECTION FEE SCHEDULE FOR THE BATTLE MOUNTAIN WATER AND SEWER SYSTEMS.

RESOLUTION NO. _2012-04

WHEREAS, Lander County has the authority to establish the fee schedules for the Battle Mountain Water and Sewer Systems pursuant to Lander County Code ("LCC") 13.04.080 and 13.12.720; and

WHEREAS, Lander County finds it necessary to set forth new fee schedules in order to continue to provide quality service and to fund the long term capital improvement needs of Lander County Water and Sewer District 1.

NOW, THEREFORE, BE IT RESOLVED, that the connection fees for the Battle Mountain Water and Sewer Systems shall be modified to the following:

BATTLE MOUNTAIN WATER CONNECTION FEES FOR BOTH RESIDENTIAL AND COMMERCIAL CONNECTIONS:

¾ INCH CONNECTION	\$2,500.00
1 INCH CONNECTION	\$3,000.00
1 1/2 INCH CONNECTION	\$3,500.00
2 INCH, CONNECTION	\$3,700.00
3 INCH CONNECTION	\$4,800.00
4 INCH CONNECTION	\$6,000.00
6 INCH CONNECTION	\$7,500.00

BATTLE MOUNTAIN SEWER CONNECTION FEES:

4 INCH RESIDENTIAL METER	\$2,900.00
6 INCH RESIDENTIAL METER	\$2,900.00
COMMERCIAL CONNECTION CALCULATED PER WEIGHTED FIXTURE UNIT	\$85.00

11111 11111 •

BE IT FURTHER RESOLVED, that all other water and sewer fees shall remain as currently in effect.

PASSED and ADOPTED this 12th day of April 2012.

BOARD OF COMMISSIONERS OF LANDER

By: DEAN BULLOCK, Chair

Attest:

COUNTA

SADIE SULLIVAN, County Clerk and

Ex-Officio Clerk of the Board of Commissioners

of Lander County, Nevada

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 18

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding Road and Bridge Foreman/South Bert Ramos' request to close out Right-of-Way (ROW) N-020005 for the Austin Disposal Site Access Road located at T19N, R43E, Section 13 and other matters properly relating thereto.

Public comment.

Background:

The request of Lander County Road and Bridge Foreman –South, Bert Ramos, to close out Right-of-Way (ROW) N-020005 for the Austin Disposal Site Access Road located at T19N, R43E, Section 13, is presented for Commission consideration.

This particular 'road' provided access to the old landfill site north of the Town of Austin and has been subject to reclamation.

Mr. Ramos will be in attendance to provide further details to the Commission on this item.

Recommended Action:

It is recommended that the Commission accept and approve the close-out of Right-of-Way (ROW) N-020005 for the Austin Disposal Site Access Road located at T19N, R43E, Section 13.

AGENDA REQUEST FORM





NAME: Bert Ramos	REPRESENTING Lander	County R & B Austin	
ADDRESS: P.O. Box 63	200 Main St. Austin, NV 893	10	
PHONE (H):(W):	75-455-6860 (FAX): <u>775</u>	5-964-1060	
WHICH NUMBER SHOULD	WE CALL DURING NORMAL BL	JSINESS HOURS: <u>775-455</u>	-6860
WHO WILL BE ATTENDING	G THE MEETING:Bert Ramos		
JOB TITLE:Fore	man		
SPECIFIC REQUEST TO BE	PLACED ON THE AGENDA:		
ROW N-019756Silver Cre ROW -N-021183Smith Cred ACTION WOULD YOU LIK Permission to close out ROW	ustin Disposal Site Access Road. Locek Road Located at T. 21N, R 43E, Sek Valley Located at T. 18 N, R 40 E E THE BOARD TO TAKE TO RESON-020005. This road is to the old lar	Sec. 5—expired 12/4/2008 (, Sec 16—expired 2/7/2009(OLVE THIS ISSUE?	La Co Rd. # 202C) Secondary Rd to 220
Renew Row N-019756 Silver Renew Row N-021183 Smith			
ARE THERE ANY COSTS A AMOUNT:	SSOCIATED WITH YOUR REQUE	ST: YES_	NO <u>_X</u>
HAS THIS ISSUE BEEN DIS	CUSSED AT A PRIOR COMMISSI	ON MEETING? YES	NO_X
WILL YOU BE PRESENTIN	G WRITTEN INFORMATION AT 1	THE MEETING? YES 2	<u>x</u> no
HAVE YOU DISCUSSED TH	US ISSUE WITH THE AFFECTED	DEPT HEAD? YES	<u>x</u> no
FOR REVIEW BY: AIRPORT AMBULANCE ARGENTA J. P. ASSESSOR AUSTIN J. P. CLERK COMM. DEVT.	EXE. DIR. FIRE GOLF PARKS & REC.	SENIOR SHERIFF SOCIAL TREASU W & S OTHER	SVC
	TOR RESERVES THE RIGHT TO FOR INSUFFICIENT INFORMA		IMEND TABLING
ALL INFORMATION STATE	ED IS CORRECT AND TRUE TO M	IY KNOWLEDGE	
Santas	1411102-	DATE: <u>03-27</u>	-Z0/Z
BOARD MEETS THE 2 ND AT	NID A TH TUI ID SID A V OE E A CU MO	Nitri	

COMMISSION FAX (775) 635-5332



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: 2800 (NVB01000) N-020005

MAR 0 1 2012

CERTIFIED MAIL #7010 1670 0001 5008 6356- RETURN RECEIPT REQUESTED

Lander County Road and Bridge Attn: Bert Ramos P.O. Box 63 Austin, NV 89310

Dear Mr. Ramos:

Right-of-way (ROW) N-020005, for the Austin Disposal Site Access Road located at T. 19 N., R. 43 E., sec. 13, expired on February 28, 2009. With the closure of the Disposal site, we are wondering if the road is still in use. If it is no longer in use and has been reclaimed we would like to close the case file. If the road is still in use, you will need to apply for a new right of way. You are required to renew the aforementioned ROW to retain it on public land.

Enclosed is an SF-299, Application for Transportation and Utility Systems and Facilities on Federal Lands. Please: 1) Complete the application accordingly 2) have it signed by an authorized agent 3) date and return it within 30 days to the Mount Lewis Field Office at 50 Bastian Road, Battle Mountain, NV 89820.

You may also find the application online at: http://www.blm.gov/wo/st/en/prog/energy/cost_recovery_regulations/pre-application.html

Questions may be directed to Jon Kramer, LLE, at 775-635-4053.

Sincerely,

Christopher J. Cook

Field Manager

Mount Lewis Field Office

STANDARD FORM 299 (5/2009) Prescribed by DOI/USDA/DOT P.L. 96487 and Federal Register Notice 5-22-95

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES

FORM APPROVED OMB NO. 1004-0189 Expires: April 30, 2012

	RAL LANDS	
	ERAL LANDS	FOR AGENCY USE ONLY
NOTE: Before completing and filing the application, the approach preapplication meeting with representatives of the may have specific and unique requirements to be in the help of the agency representative, the application	Application Number Date filed	
Name and address of applicant (include zip code)	Name, title, and address of authorized agent if different from Item 1 (include zip code)	3. TELEPHONE (area code) Applicant
		Authorized Agent
(length, width, grading, etc.); (d) term of years need	5. Specify what application is for: (check one) a. New authorization b. Renewing existing authorization No. c. Amend existing authorization No. d. Assign existing authorization No. e. Existing use for which no authorization has been rec f. Other* *If checked provide details under Item 7 the United States? Yes No system or facility, (e.g., canal, pipeline, road); (b) related structured; (c) time of year of use or operation; (f) Volume or amount on needed for construction (Attach additional sheets, if additional space	res and facilities; (c) physical specifications f product to be transported; (g) duration and
8. Attach a map covering area and show location of proj		
State or local government approval: Attached	Applied for Not required	
State or local government approval: Attached		
9. State or local government approval: Attached 10. Nonreturnable application fee. Attached 11. Does project cross international boundary or affect international boundary.	Applied for Not required Not required	

13a.	Describe other reasonable alternative routes and modes considered.
b.	Why were these alternatives not selected?
<u>c</u> .	Give explanation as to why it is necessary to cross Federal Lands
14.	List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)
15.	Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.
16.	Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.
17.	Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.
18.	Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.
19.	State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 9601 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.
20.	Name all the Department(s)/Agency(ies) where this application is being filed.
	EREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and eve that the information submitted is correct to the best of my knowledge.
Sign	nature of Applicant Date
	e 18, U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United es any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

(Continued on page 3) (SF-299, page 2)

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES ON FEDERAL LANDS

GENERAL INFORMATION ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

- Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
- Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
- Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
- 4. Systems for the transmission and distribution of electric energy.
- Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
- Improved rights-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
- Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

U.S. Department of Agriculture FOREST SERVICE (USFS) Alaska Regional Office (Region 10) Physical Address: Federal Office Building 709 West 9th Street Juneau, Alaska 99801 Muiling Address: P.O. Box 21628 Juneau, Alaska 99802 Telephone: 907-586-8806

U.S. Department of the Interior BUREAU OF INDIAN AFFAIRS (BIA) Alaska Regional Office (Juneau) Mailing/Physical Address: P.O. Box 25520 709 West 9th Street Juneau, Alaska 99802 Telephone: 800-645-8397

U.S. Department of the Interior BUREAU OF LAND MANAGEMENT (BLM) Alaska State Office Mailing/Physical Address: 222 West 7th Avenue #13 Anchorage, Alaska 99513 Telephone: 907-271-5960

U.S. Department of the Interior NATIONAL PARK SERVICE (NPS) Alaska Regional Office (Anchorage) Mailing/Physical Address: 240 West 5th Avenue, Room 114 Anchorage, Alaska 99501 Telephone: 907-644-3501 U.S. Department of the Interior FISH AND WILDLIFE SERVICE Alaska Regional Office (Region 7) Mailing/Physical Address: 1011 East Tudor Road Anchorage, Alaska 99501 Telephone: 907-271-5011

Note: Filings with any Department of the Interior agency may be filed with any office noted above or with the:

U.S. Department of the Interior
OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE
Alaska Regional Office (Anchorage)
Regional Environmental Officer
1689 C Street, Room 119
Anchorage, Alaska 99501
Telephone: (907) 271-5011

U.S. Department of Transportation FEDERAL AVIATION ADMINISTRATION Alaska Regional Office (Anchorage) 222 West 7th Avenue, #14 Anchorage, Alaska 99513 Telephone: 907-271-5269

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual departments/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and ranges within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information in as much detail as possible will assist the Federal agency(ics) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

If additional space is needed to complete any item, please put the information on a separate sheet of paper and identify it as "Continuation of Item".

SUPPLEMENTAL		
NOTE: The responsible agency(ies) will provide additional instructions	CHECK APPROPRIATE BLOCK	
I - PRIVATE CORPORATIONS	ATTACHED	FILED*
a. Articles of Incorporation		
b. Corporation Bylaws		
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State.		
d. Copy of resolution authorizing filing		
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.		
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications		
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.		
II - PUBLIC CORPORATIONS		
a. Copy of law forming corporation		
b. Proof of organization		
c. Copy of Bylaws		
d. Copy of resolution authorizing filing		
e. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.		
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY		
a. Articles of association, if any		
b. If one partner is authorized to sign, resolution authorizing action is		
c. Name and address of each participant, partner, association, or other		
d. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.		

(Continued on page 5) (SF-299, page 4)

^{*} If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICES

NOTE: This applies to the Department of the Interior/Bureau of Land Management (BLM).

The Privacy Act of 1974 provides that you be furnished with the following information in connection with the information provided by this application for an authorization.

AUTHORITY: 16 U.S.C. 310 and 5 U.S.C. 301.

PRINCIPAL PURPOSE: The primary uses of the records are to facilitate the (1) processing of claims or applications; (2) recordation of adjudicative actions; and (3) indexing of documentation in case files supporting administrative actions.

ROUTINE USES: BLM and the Department of the Interior (DOI) may disclose your information on this form: (1) to appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources; (2) to members or the public who have a need for the information that is maintained by BLM for public record; (3) to the U.S. Department of Justice, court, or other adjudicative body when DOI determines the information is necessary and relevant to litigation; (4) to appropriate Federal, State, local, or foreign agencies responsible for investigating, prosecuting violation, enforcing, or implementing this statute, regulation, or order; and (5) to a congressional office when you request the assistance of the Member of Congress in writing.

EFFECT OF NOT PROVIDING THE INFORMATION: Disclosing this information is necessary to receive or maintain a benefit, Not disclosing it may result in rejecting the application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

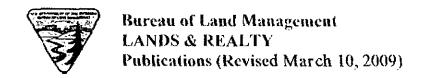
The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certifications for the use of Federal Lands.

Federal agencies use this information to evaluate your proposal.

No Federal agency may request or sponsor and you are not required to respond to a request for information which does not contain a currently valid OMB Control Number.

BURDEN HOURS STATEMENT: The public burden for this form is estimated at 25 hours per response including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0189), Bureau Information Collection Clearance Officer (WO-630) 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

A reproducible copy of this form may be obtained from the Bureau of Land Management, Division of Lands, Realty and Cadastral Survey, 1620 L Street, N.W., Rm. 1000 LS, Washington, D.C. 20036.



OBTAINING A RIGHT-OF-WAY ON PUBLIC LANDS

Bureau of Land Management Right-Of-Way Program

Each year, thousands of individuals and companies apply to the Bureau of Land Management (BLM) to obtain a right-of-way (ROW) on public land. A ROW grant is an authorization to use a specific piece of public land for a certain project, such as roads, pipelines, transmission lines, and communication sites. A ROW grant authorizes rights and privileges for a specific use of the land for a specific period of time. Generally, a BLM ROW is granted for a term appropriate for the life of the project.

The BLM places a high priority on working with applicants on a proposed ROW to provide for the protection of resource values and to process the application expeditiously. This brochure is designed to acquaint you with this process. A more complete explanation of the BLM ROW program is found in Title 43 of the Code of Federal Regulations, Parts 2800 and 2880. Copies of these regulations are available at all BLM offices. The regulations include a customer service standard that BLM is committed to. BLM strives to provide ROW applicants a decision within 60 days from the receipt of a completed application. We will notify applicants after 30 days if the application processing will take longer, and identify a date when a decision on your application can be reasonably expected. See the <u>Customer Service Standard Flow Chart</u> for timeframes.

Careful advance planning with BLM personnel who will be handling your application is the key to success. If they know about your plans early, they can work with you to avoid many problems and costly delays later on in the process.

If you are not familiar with local BLM jurisdictions, the best place to start is by contacting a BLM State Office listed in the back of this brochure. Each State Office oversees a number of Field Offices. Depending on your project, you may be working primarily with personnel at a BLM Field Office.

WHEN YOU DO and WHEN YOU DON'T NEED A ROW

As a general rule, you do need a ROW whenever you wish to build a project on the public land. Some examples of land uses which require a ROW grant include: electric transmission lines, communication sites, roads, highways, trails, telephone/fiber optic lines, canals, flumes, pipelines, reservoirs, etc.

You don't need a ROW for so-called "casual use." What kinds of activities are considered "casual use"? Examples include driving vehicles over existing roads, sampling, surveying, marking routes, collecting data to prepare an application for a ROW, and performing certain activities that do not cause any appreciable disturbance or damage to the public land, resources or improvements.

Depending on the specifics of your proposed activity, uses on the public land can be either casual use or will require a ROW grant. It's a good idea to contact the BLM and discuss your plans before assuming your use is casual. The BLM can then make a judgment on the requirements in your particular case.

INITIAL STEPS IN APPLYING FOR A ROW

- 1. Contact the <u>BLM office</u> with management responsibility for the land where the ROW is needed.
- 2. Obtain an Application Form (Standard Form 299 (563 KB PDF) "Application for Transportation and Utility Systems and Facilities on Federal Lands"). You must use this form to file an application except for oil and gas operators where a completed Sundry Notice or Application for Permit to Drill includes information on related ROWs that are needed.
- 3. Arrange a pre-application meeting with a BLM Realty Specialist or appropriate staff member. Jointly review the application form and requirements to determine what information is needed. In some cases it may be possible to arrange for a pre-application meeting at the location of your proposed ROW.
- 4. When you have assembled all of the required information, bring or mail the application to the appropriate BLM office.

PRE-APPLICATION MEETING

The BLM wants to make the application process as easy as possible. The pre-application meeting provides the opportunity for you to fully discuss and describe your proposal in detail and provides an opportunity for BLM to fully explain the processing requirements. If possible, you should review the application form (SF-299) before the pre-application meeting. You can fill it out before or during the pre-application meeting with the BLM. Be sure to bring any information that may be useful during this session, such as a map of your project area (Item 8 of the application). You may already have a survey or another adequate map that will satisfy this requirement and provide additional information for processing your application.

The pre-application meeting will also cover fees, safety, work schedules, and other items. This meeting has the potential to save both you and the BLM time and expense.

COMPLETING THE APPLICATION (Standard Form 299)

Directions for completing the application are included on page 3 of the form (Standard Form 299), however, the following instructions may also assist you. Incomplete information is often the reason application processing periods are unnecessarily delayed.

The application form is considered **complete** when information has been provided for the following items:

<u>Required</u>: Items 1, 3, 4, 5, 7, 8, 12, 13, 19, signature, and date.

Required if applicable: Items 2, 6, 11, 20 and "Supplemental" page 4, if a business entity.

Optional: Items 9 and 14 through 18.

Detailed Instructions:

Item 6—Citizenship: This applies only to oil and gas pipelines, which are authorized under the Mineral Leasing Act (MLA); wherein applicants must be citizens of the United States. Citizenship is required of all partners in a partnership. Aliens may own or control stock in corporations if the laws of their countries do not deny similar privileges to citizens of the United States.

Item 7—Project Description: This section requires you to provide details about the project you are applying for. Be as specific as possible in describing the project, its location, and dimensions. Include the legal description of the affected public land. You may need to attach separate sheets as the space in this block is limited and we recommend you review the list of items found under the heading of "ROW – Plan of Development Outline" that follows. Detailed lists and examples of PODs for particular types of projects (roads, power lines, wind energy, etc.) are also available on the Pre-Application website. This POD outline should help you thoroughly describe your project from the initial construction phase through termination and rehabilitation of the public land. You should also describe any temporary or short-term use areas needed (See the section on Temporary Use Permits or Short-term ROW for more information).

Item 8—Map: Attach a map (BLM intermediate scale map, 1:100,000; U.S. Geological Survey quadrangle; aerial photo; or equivalent) showing the approximate location of the proposed ROW on public land and existing improvements adjacent to the proposal. Only improvements that may directly affect the proposal need to be shown on the map. Include the township, range, section, and a north arrow.

Item 9—State or local government approval: It is not mandatory to submit documentation of other approvals at the time you submit your application. However, the authorized officer may require other agency approvals prior to or during the application processing.

Item 10— Nonreturnable application fee: The fees are discussed in the COSTS section below. No fees are required at the time you file your application with BLM. BLM will determine the appropriate <u>Processing Category fee</u> once you have submitted your complete application and will notify you of the fee in writing.

Item 12—Statement of technical and financial capability: If you have no doubts about your capability to complete the project, write in "[I am/We are] technically and financially capable of completing the project described in this application." The BLM Authorized Officer may require you to post a performance bond or to hire a registered/licensed engineer, depending upon the scope and complexity of your project.

Item 13 —Describe reasonable alternatives: Complete parts a. through c. to help BLM understand alternatives that could be considered in the analysis of this project.

Items 14 through 18--It is generally not necessary to complete these items. However, if you have information or have conducted studies that address these items, the information should be submitted to accelerate the processing of the application.

Item 19—Hazardous Materials: It is mandatory to provide information related to the use or transportation of any hazardous materials. Do not write "N/A" in this block but you may state "None".

Signature and Date blocks—The application must be signed and dated. If you are allowing an Authorized Agent to act on your behalf, and you want them to sign the application or authorization on your behalf, please complete Item 2. on the application and include evidence of permission allowing the other person to act as your Authorized Agent.

Supplemental (page 4 of application)—This information is needed for all business entities. For all applications filed under the FLPMA, check the appropriate boxes and if the information has been previously submitted with another BLM ROW application or grant, provide the name of the office and file identification numbers. For all applications filed under the MLA, complete only Section I - f. and g. and Section II - e. or Section III - d., as these pertain only to oil and gas pipelines authorized under the MLA.

An application consists of a completed application form (Standard Form 299) and map. When you have all the required information, bring or mail the application to the appropriate BLM office.

COSTS

There are three different fees or charges involved for processing ROWs. These three fees are adjusted annually based on inflation indices:

Processing Fee – Applicants are required to reimburse the United States in advance for the cost of processing an application. The fees are based on the amount of time BLM

estimates it will take to process your application and issue a decision to grant or deny the application. BLM will determine the appropriate Processing Category fee, once you have submitted your complete application, and will notify you in writing of this fee. You must submit the appropriate payment before BLM will begin processing your application.

There are six Processing Fee Categories. Categories I through 4 are one-time, non-refundable fees based on the number of federal work hours involved to process an application. The <u>Processing Fee Schedule</u> is available at BLM offices. Category 5 is for Master Agreements which are negotiated with a single applicant for processing and monitoring multiple applications covering facilities within a specific geographic area. Any application that requires more than 50 hours to process is a Category 6 which requires the applicant to reimburse BLM for the full costs of processing your application.

Monitoring Fee – A Monitoring fee is charged to reimburse the BLM for monitoring the construction, operation, maintenance, and termination of the project, including protection and rehabilitation of the public lands involved. BLM categorizes this fee based on the estimated number of work hours necessary to monitor your grant.

Monitoring fees in Categories 1 through 4 are one-time, non-refundable fees. Category 5, for Master Agreements, and Category 6, involving more than 50 hours of monitoring, are the same as described above. BLM will determine the appropriate Monitoring Category fee and will notify you in writing of this fee. You must pay the monitoring fee before BLM issues you a grant.

Rent - The third charge is the annual rent. The Linear Rent Schedule is adjusted annually based on changes to the Implicit Price Deflator Index (an inflation index), The Communication Uses Rental Schedule is adjusted annually based on changes to the Consumer Price Index, All Urban Consumers (CPI-U). The rent for linear and communication site ROWs on public land is established via two separate administrative schedules (see Linear Schedule or Communication Uses Schedule. These schedules are based on land values in the project area and, in some cases, the rent is established by an appraisal. BLM will notify you of the initial rent amount due. You must pay rent for the initial rent period before BLM issues you a grant.

No processing fee, monitoring fee, or rent is required for:

- State or local agencies or instrumentalities thereof (except municipal utilities and cooperatives whose principal source of revenue is customer charges) where the land will be used for governmental proposes and the land resources will continue to serve the public interest.
- Road use agreements or reciprocal road agreements.

Other exemptions, waivers, or reductions in the processing and monitoring fees and/or rent may apply and can be explained by BLM officials during the pre-application meeting.

BONDS

BLM may require you to post a cash or surety bond.

REMEMBER TO PLAN AHEAD

You should arrange for your pre-application meeting well in advance of when you would like to start work on the project. BLM will try to process your completed application in 60 calendar days if it is in a Category 1 through 4. You will be notified, in writing, if it is expected to take longer than 60 days to process. Applications for Category 5 projects are processed based on the agreement that is negotiated. Applications for Category 6 projects can take much longer. The Field Office Manager and staff are ready to provide information, advice, and assistance to help you prepare an application.

TEMPORARY USE PERMIT (TUP – for MLA oil & gas pipelines) or SHORT-TERM ROW (FLPMA facilities)

Keep in mind that all activities associated with the construction, operation and termination of your ROW must be within the specified limits (length, width, etc.) of the authorization. Temporary construction needs should be discussed during the preapplication meeting. You can apply for a TUP/short-term ROW at the same time you apply for a ROW by describing its dimensions, locations, and term needed in Item 7. of the ROW application (SF-299), or by describing it in your Plan of Development. This additional land may be necessary for construction, stock piling of excess materials, equipment parking, etc. These authorizations can be granted for up to 3 years.

You may also apply for a TUP/short-term ROW after your ROW has been granted. In this case, you would use a separate SF-299 form, and would pay additional processing/monitoring fees for BLM to process the authorization. This might require a separate environmental analysis and take additional processing time. If there is a possibility that you may need extra construction width or space, it is best to identify this in your ROW application.

ROW - PLAN OF DEVELOPMENT (POD) OUTLINE

For use in completing Item 7, Project Description on the SF-299

I. DESCRIPTION OF THE FACILITY (e.g., road, pipeline, utility line, etc.)

What is to be built?

What will it be used for?

Why is it necessary to use public lands?

When do you propose to construct? Specify duration and timing if known.

How long is the authorization needed?

Is an additional temporary construction area needed? List the needs for additional space outside of the ROW grant area. Include the type of proposed use, dimensions, duration of the temporary use needed, including time to rehabilitate the site.

II. DESIGN CRITERIA - The degree of design must be compatible with the proposed use and anticipated environmental impacts. All disturbances must be within the boundary of the ROW/TUP.

A. Road Specifications (Road POD Outline)

- Length and total width of ROW; width of road surface; maximum grade of road
- Minimum/maximum clearing width
- · Cut/fill slope ratios
- Type and location of drainage structures, cattle guards, fences, gates
- Proposed surfacing type (gravel) and quantities, dust abatement
- Centerline survey plat
- Design drawings including: Plan and Profile sheets, typical roadway crosssections, culvert installation details, grade dip detail (water bars, rolling dips, etc.), cattle guard, fence and gate details
- Construction specifications
- Materials specifications

B. Pipeline Specifications (Pipeline POD Outline)

- Length and width of ROW/TUP
- Diameter of pipe and type of material
- Depth of pipeline
- Size of trench
- Construction access requirements during and after construction
- Construction equipment requirements
- Survey plat
- Site specific engineering surveys for critical areas
- Cathodic protection site, valve stations, compressor stations

C. Power Line Specifications (Powerline POD Outline)

- Length and width of ROW
- Size, number and type of conductors
- Height and size of tower/poles
- · Vegetation clearance requirements
- · Raptor proof design
- Construction access and equipment requirements
- Transformers, substations, anchor locations, pulling sites
- Marker ball installations

D. <u>Communication Site Specifications</u> (pertain to non-linear sites) (<u>Communication Site POD Outline</u>)

- Site dimensions
- Size of all structures (building, towers, guys).
- Site design plan
- Utility requirements (power, phone)
- Access requirements during and after construction
- Technical data report including specifications of equipment, frequency of transmissions
- FCC license
- · Compatibility with other users

III. CONSTRUCTION OF THE ROW FACILITY - Most surface disturbing activities associated with a ROW occur during this phase of the project. The following components have been found to be common to most ROW construction projects. These items, where relevant, should be carefully described in the Plan of Development.

- A. Flagging and Staking the ROW/TUP.
 - Stake centerline and/or the exterior limits of the ROW
 - · Construction staking, cut and fill areas, clearing limits
- B. Clearing and Grading of the ROW/TUP.
 - State how much topsoil will be saved, show where it will be stockpiled and how it will be spread
 - Describe disposal of all woody vegetation (trees, stumps and brush) cut on the ROW

C. Earthwork

- Engineering and quality control
- Excavation and placement of embankment
- Borrow material sources
- Removal of structures and obstructions
- Disposal of unsuitable excavated materials (e.g. oversize rock, weak soils, etc.)
- Soil erosion and water pollution control measures
- D. Structure Installation Describe how improvements will be constructed i.e., constructed on-site, prefabricated and delivered to the site, concrete cast-in-place, precast concrete, etc.
- E. Stabilization, Rehabilitation and Revegetation
 - 1. Soil replacement and stabilization. (Explain how soil will be stabilized in the project area).
 - Recontouring all disturbed areas to restore original contours

Placement of waterbars and/or other erosion control structures

2. Seeding Specifications

- Seed mixture (certified seed required)
- Rate, method, schedule for seed application
- · Application of mulch (straw, burlap, hydromulch) and locations
- Application of fertilizer (type, location, rates)
- Criteria for determining success of revegetation

IV. OPERATION AND MAINTENANCE OF THE FACILITY - Describe what maintenance is required and the anticipated level of use

- State when and how scheduled maintenance will be performed
- Snow removal, road grading, building maintenance

V. TERMINATION AND REHABILITATION - Provide a written plan describing the actions required to terminate the use and rehabilitate the ROW area

 Removal of facilities (who, how, when) and method for reclamation of disturbed areas

VI. MISCELLANEOUS INFORMATION NEEDS

- A. Waste Disposal Trash, construction debris, solid waste and hazardous waste
- B. Traffic Control Plan Barricades, construction signs, flaggers
- C. Safety Plan for employees, contractors, general public
- D. Fire Prevention Plan
- E. Spill Prevention and Contingency Plan: Preventive measures, notification of proper authorities, Incident Response/Containment measures, testing and cleanup measures
- F. Pesticide Use Proposal application to BLM describing plans for controlling noxious weeds (chemicals, rate, method of application, etc.)

HOW BLM PROCESSES YOUR ROW APPLICATION

Once you have filed an application with BLM (SF-299 completed with maps, POD, and other details) it will be reviewed to make sure all necessary information has been included. The application is then evaluated to ensure the proposed use is in conformance with the BLM land use plan and that there are no other conflicts, such as other valid existing rights currently on the lands requested in your application. BLM has the discretion to grant a ROW if doing so is in the public interest.

If your proposed use is in conformance with the BLM plans and there are no apparent conflicts, BLM will determine the Processing Fee Category based on the number of federal work hours expected to process the application. BLM will request you to pay the non-refundable processing fee and request any additional information that is needed. Once the processing fees have been received, BLM will start processing your application. If BLM determines it will take more than 60 days to process your application, you will be notified of the expected timeframe for processing the application. Please refer to the Customer Service Standard Flow Chart for more information.

ROW applications are generally processed in the order they are received. A thorough, complete application can move ahead of a deficient, problem-riddled application. ROW applications often compete against other land use applications and other priority workloads. For this reason, applicants may have to wait for extended periods of time for the BLM specialist to complete required inventories or to consult with other agencies. Other points to consider are weather and season of the year. Application processing may come to a standstill while waiting for inventory work or studies to be completed. For example, if you filed an application late in the fall and the BLM archaeologist already had other workloads committed for that year, the archaeologist may not be able to complete the field work prior to snowfall and the application may be delayed until the next summer. If specific resource issues are identified on the proposed project area it can prolong the processing time.

Once BLM has completed the necessary reviews, inventories and reports, you will be notified in writing if the ROW will be granted or denied. If the ROW will be granted, BLM will request you to review and sign the ROW Grant and to pay the rent and monitoring fee (See COSTS section). Once all the necessary fees have been received and you have signed and returned the ROW Grant, the BLM Authorized Officer will sign and return a copy of the completed ROW Grant to you.

The BLM will inspect and monitor your project for compliance with the terms and conditions of the grant. In addition, the BLM reserves the right of access onto the public lands covered by the ROW grant and, with reasonable notice to the holder, the right of access and entry to any facility constructed in connection with the project.

Applicant Contributions to the ROW Process

One option you may wish to consider is contracting with qualified individuals or firms to perform required inventories when the BLM has other competing workloads. The BLM may accept the work of certain qualified individuals and firms that hold permits to do cultural resources and Threatened and Endangered Species (T&E) inventories on the public lands. These firms do the field inventory and write reports for BLM approval. This can often significantly reduce the processing time for your application and may also reduce the processing fee. These items should be discussed with the BLM at the preapplication meeting.

A ROW application may be denied for any one of the following reasons:

- --The proposal is not in conformance with the applicable Land Use Plans, i.e., purpose for which the public lands are managed.
- -- The proposal would not be in the public interest.
- -- The applicant is not qualified.
- -- The proposal is inconsistent with Federal, State, or local laws.
- -- The applicant is not technically or financially capable of accomplishing the project.
- --Serious environmental consequences may occur from the proposed project that cannot be mitigated.

Reminder: A pre-application meeting can reduce the possibility of the application being denied.

YOUR RESPONSIBILITIES AS A ROW GRANT HOLDER

Once you have a signed ROW grant, you can proceed with your plans, unless your grant has a Notice to Proceed stipulation. In this circumstance, BLM will notify you in writing when you can begin activities on the area authorized in the grant. A ROW holder may use the ROW only for those purposes authorized in the grant. You will need to follow the terms and conditions in the ROW Grant. You are responsible for notifying the local BLM office of any changes in your address or legal rights to hold the ROW grant.

The ROW grant holder is responsible for damage or injuries to the United States Government in connection with the holder's use of the ROW. The ROW grant holder indemnifies or insures the United States Government harmless for third party liability, damages, or claims arising from the holder's use and occupancy of the ROW. The BLM may suspend or terminate a ROW if the holder does not comply with the applicable laws, regulations, terms, or conditions. The BLM may also add additional terms and conditions to the grant, including bonding, and require an immediate temporary suspension of activities within a ROW, to protect the public health and safety or the environment.

ROW Amendments:

If you want to change, improve, or add to your project once you have a ROW grant you will need to get approval from BLM (see Amendments in the <u>Grant Administration</u> section of the ROW website). Contact the Field Office Manager to determine if your proposed changes require an amendment to your ROW grant.

You must complete form <u>SF-299</u> (also see the <u>Forms</u> section of the ROW website) to amend your ROW grant and receive prior written approval from the BLM for any change in location or authorized use during construction, operation, or maintenance of the ROW. BLM will process your request for amendment in the same manner as a new application

including new terms and conditions, cost recovery fees, monitoring fees, bonding, and may include an adjustment to the rent.

ROW Assignments:

If you wish to transfer all or part of your ROW to another person/entity, this is called an Assignment. The person who wants the ROW Grant (Assignce) must apply to BLM using a form SF-299 (also see the Forms section of the ROW website). The proposed Assignce fills out questions 1-6, and 12 and provides the form to the local BLM office. In addition, the ROW Grant holder (Assignor) must sign a document agreeing to the assignment, and the proposed assignce must sign a statement agreeing to be bound by the terms and conditions of the grant (see Assignment Statements in the Grant Administration section of the ROW website).

The assignment to the new owner is not legally recognized by the United States until it has been approved in writing by the BLM. If the new owner is qualified and agrees to be bound by all of the requirements of the ROW grant, and the ROW is in compliance with all its terms and conditions, the BLM will approve the assignment. A processing fee will be charged for the assignment process.

ROW Renewals

If your ROW grant specifies that it is renewable, you must apply to BLM to renew it at least 120 calendar days before your grant expires (refer to SF-299 from the Forms section of the ROW website) BLM will renew the grant if you are in compliance with its terms and conditions. If your grant does not address whether it is renewable, you may apply to BLM to renew your grant at least 120 calendar days before your grant expires. BLM has the discretion to renew the grant, if doing so is in the public interest, and may change or add terms and conditions to the new ROW Grant. (See Renewal Guidance in the Grant Administration section of the ROW website).

APPEAL RIGHTS

Any party to a case who is adversely affected by a decision of the Bureau of Land Management has the right to appeal that decision. If your ROW application is denied, BLM will provide you with a written decision and explain the reasons for denying the ROW as well as information on how and where to file an appeal, should you so desire. Appeal rights also pertain to other decisions, such as the determination of the processing and monitoring categories.

FOR MORE INFORMATION

Please contact the <u>BLM State Office</u> in your area for any questions or information concerning how to obtain a right-of-way on public lands.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 19

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action regarding renewal of Right-of-Way (ROW) N-019756 for the access road located at T21N, R43E, Section 5, known as the Silver Creek Cut Off (Lander County Road #202C) and other matters properly relating thereto.

Public comment.

Background:

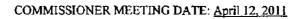
The request of Lander County Road and Bridge Foreman –South, Bert Ramos, to renew Right-of-Way (ROW) N-019756 for the access road located at T21N, R43E, Section 5, known as the Silver Creek Cut Off (Lander County Road #202C), is presented for Commission consideration.

Mr. Ramos will be in attendance to provide further details to the Commission on this item.

Recommended Action:

It is recommended that the Commission accept and approve the renewal of Right-of-Way (ROW) N-019756 for the access road located at T21N, R43E, Section 5, known as the Silver Creek Cut Off (Lander County Road #202C).

AGENDA REQUEST FORM





NAME: Bert Ramos RE	PRESENTING Lander County R & B Au	<u>stin</u>	
ADDRESS: <u>P.O. Box 63</u> 200 Ma	ain St. Austin, NV 89310		
PHONE (H):(W):	(FAX): <u>775-964-1060</u>		
WHICH NUMBER SHOULD WE CALL D	DURING NORMAL BUSINESS HOURS	775-455-6860	·····
WHO WILL BE ATTENDING THE MEET	ING: Bert Ramos		
JOB TITLE: Foreman			
SPECIFIC REQUEST TO BE PLACED ON	THE AGENDA:		
Right-of-Way N-020005— Austin Disposal Site Access Road. Located at T 19N, R 43E sec 13 Exp-2/28/2009 ROW N-019756Silver Creek Road Located at T. 21N, R 43E, Sec. 5—expired 12/4/2008 (La Co Rd. # 202C) ROW N-021183Smith Creek Valley Located at T. 18 N, R 40 E, Sec 16—expired 2/7/2009 (Secondary Rd to 220—			
ACTION WOULD YOU LIKE THE BOAR Permission to close out ROW N-020005. T Renew Row N-019756 Silver Creek Rd. # 2 Renew Row N-021183 Smith Valley secon	his road is to the old landfill site North of 02C		en reclaimed.
ARE THERE ANY COSTS ASSOCIATED AMOUNT:	WITH YOUR REQUEST:	YES	NO X
HAS THIS ISSUE BEEN DISCUSSED AT WHEN?	A PRIOR COMMISSION MEETING?	YES	NO_X_
WILL YOU BE PRESENTING WRITTEN	INFORMATION AT THE MEETING?	YES X	мо
HAVE YOU DISCUSSED THIS ISSUE W	ITH THE AFFECTED DEPT HEAD?	YES X	NO
FOR REVIEW BY: AIRPORT AMBULANCE ARGENTA J. P. ASSESSOR AUSTIN J.P. CLERK COMM. DEVT.	DIST. ATTY. EXE. DIR. FIRE GOLF PARKS & REC. PUBLIC WORKS RECORDER	SENIOR CTR. SHERIFF SOCIAL SVC. TREASURER W & S OTHER R &	<u> </u>
THE EXECUTIVE DIRECTOR RESERVES THE RIGHT TO REJECT OR RECOMMEND TABLING ALL AGENDA REQUESTS FOR INSUFFICIENT INFORMATION.			
ALL INFORMATION STATED IS CORRI	ECT AND TRUE TO MY KNOWLEDGE DATE: 03		VZ
BOARD MEETS THE 2 ND AND 4 TH THUR COMMISSION FAX (775) 635-5332	RSDAY OF EACH MONTH		

#

19



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: 2800 (NVB01000) N-019756

MAR 0.1 2012

CERTIFIED MAIL #7010 1670 0001 5008 6394- RETURN RECEIPT REQUESTED

Lander County
Attn: Donnie Negro
315 S. Humboldt Street
Battle Mountain, NV 89820

Dear Mr. Negro:

Right-of-way (ROW) N-019756, for the access road located at T. 21 N., R. 43 E., sec. 5, known as the Silver Creek Cut Off expired on December 4, 2008. You are required to renew the aforementioned ROW to retain it on public land. If this road is no longer in use and has been reclaimed, please inform the BLM at the address above and we will be able to close the case file.

The regulations found at 43 CFR 2807.22(a), state that "If your grant specifies that it is renewable, and you choose to renew it, you must apply to BLM to renew the grant at least 120 calendar days before your grant expires."

Section .22 A. 2 of BLM Manual 2807, <u>Grant Administration</u>, states, "<u>Late Filings</u> will not be accepted. Advise applicants that their renewal application will be treated and processed as an application for a new ROW pursuant to FLPMA."

For these reasons, we are unable to process this application as a renewal and instead you will be applying for a new ROW.

Enclosed is an SF-299, Application for Transportation and Utility Systems and Facilities on Federal Lands. Please: 1) Complete the application accordingly 2) have it signed by an authorized agent 3) date and return it within 30 days to the Mount Lewis Field Office at 50 Bastian Road, Battle Mountain, NV 89820.

You may also find the application online at: http://www.blm.gov/wo/st/en/prog/energy/cost_recovery_regulations/pre-application.html

Once the application is received and reviewed for completeness, we will inform you of the new ROW Grant offer.

Questions may be directed to Jon Kramer, LLE, at 775-635-4053.

Sincerely,

Christopher J. Cook Field Manager

Mount Lewis Field Office

Enclosures

STANDARD FORM 299 (5/2009) Prescribed by DOI/USDA/DOT P.L. 96487 and Federal Register Notice 5-22-95

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES

FORM APPROVED OMB NO. 1004-0189 Expires: April 30, 2012

	ERAL LANDS	
NOTE of	ERAL LANDS	FOR AGENCY USE ONLY
preapplication meeting with representatives of the may have specific and unique requirements to be i	applicant should completely review this package and schedule a sagency responsible for processing the application. Each agency net in preparing and processing the application. Many times, with on can be completed at the preapplication meeting.	Application Number Date filed
Name and address of applicant (include zip code)	2. Name, title, and address of authorized agent if different	3. TELEPHONE (area code)
1. Without address of approach (menade 21p code)	from Item 1 (include zip code)	Applicant
		Authorized Agent
4. As applicant are you? (check one)	5. Specify what application is for: (check one)	
a. Individual	a. New authorization!	
b. Corporation*	b. Renewing existing authorization No.	
c. Partnership/Association*	c. Amend existing authorization No.	
d. State Government/State Agency	d. Assign existing authorization No.	
e. Local Government	e. Existing use for which no authorization has been rec	eived*
f. Tederal Agency	f. Other*	
* If checked, complete supplemental page	*If checked provide details under Item 7	
6. If an individual, or partnership are you a citizen(s) of	the United States? Yes No	
8. Attach a map covering area and show location of pro	ject proposal	
8. Attach a map covering area and show location of pro 9. State or local government approval: Attached	ject proposal Applied for Not required	
9. State or local government approval: Attached	, , , , , , , , , , , , , , , , , , ,	
9. State or local government approval: Attached	Applied for Not required Not required	on map)
9. State or local government approval: Attached 10. Nonreturnable application fee. Attached 11. Does project cross international boundary or affect in	Applied for Not required Not required	

13a.	Describe other reasonable alternative routes and modes considered.
b.	Why were these alternatives not selected?
с.	Give explanation as to why it is necessary to cross Federal Lands
14.	List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or nume)
15.	Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.
16.	Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.
17.	Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.
18.	Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.
19.	State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 9601 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.
20.	Name all the Department(s)/Agency(ies) where this application is being filed.
	EREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and eve that the information submitted is correct to the best of my knowledge.
Sign	nature of Applicant Date
	e 18, U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United es any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES ON FEDERAL LANDS

GENERAL INFORMATION ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

- Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
- Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
- Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
- 4. Systems for the transmission and distribution of electric energy.
- Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
- Improved rights-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
- Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

U.S. Department of Agriculture FOREST SERVICE (USFS) Alaska Regional Office (Region 10) Physical Address: Federal Office Building 709 West 9th Street Juneau, Alaska 99801 Mailing Address: P.O. Box 21628 Juneau, Alaska 99802 Telephone: 907-586-8806

U.S. Department of the Interior BUREAU OF INDIAN AFFAIRS (BIA) Alaska Regional Office (Juneau) Mailing/Physical Address: P.O. Box 25520 709 West 9th Street Juneau, Alaska 99802 Telephone: 800-645-8397

U.S. Department of the Interior BUREAU OF LAND MANAGEMENT (BLM) Alaska State Office Muiling/Physical Address: 222 West 7th Avenue #13 Anchorage, Alaska 99513 Telephone: 907-271-5960

U.S. Department of the Interior NATIONAL PARK SERVICE (NPS) Alaska Regional Office (Anchorage) Mailing/Physical Address: 240 West 5th Avenue, Room 114 Anchorage, Alaska 99501 Telephone: 907-644-3501 U.S. Department of the Interior FISH AND WILDLIFE SERVICE Alaska Regional Office (Region 7) Mailing/Physical Address: 1011 East Tudor Road Anchorage, Alaska 99501 Telephone: 907-271-5011

Note: Filings with any Department of the Interior agency may be filed with any office noted above or with the;

U.S. Department of the Interior
OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE
Alaska Regional Office (Anchorage)
Regional Environmental Officer
1689 C Street, Room 119
Anchorage, Alaska 99501
Telephone: (907) 271-5011

U.S. Department of Transportation FEDERAL AVIATION ADMINISTRATION Alaska Regional Office (Anchorage) 222 West 7th Avenue, #14 Anchorage, Alaska 99513 Telephone: 907-271-5269

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department, Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual departments/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and ranges within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information in as much detail as possible will assist the Federal agency(ics) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

If additional space is needed to complete any item, please put the information on a separate sheet of paper and identify it as "Continuation of Item".

SUPPLEMENTAL			
NOTE: The responsible agency(ics) will provide additional instructions		CHECK APPROPRIATE BLOCK	
I - PRIVATE CORPORATIONS	ATTACHED	FILED*	
a. Articles of Incorporation			
b. Corporation Bylaws			
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State.			
d. Copy of resolution authorizing filing			
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly; by the affiliate.			
 If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications 			
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.			
II - PUBLIC CORPORATIONS			
a. Copy of law forming corporation			
b. Proof of organization			
c. Copy of Bylaws			
d. Copy of resolution authorizing filing			
c. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.			
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY			
a. Articles of association, if any			
b. If one partner is authorized to sign, resolution authorizing action is			
c. Name and address of each participant, partner, association, or other			
d. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.			

(Continued on page 5) (SF-299, page 4)

^{*} If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICES

NOTE: This applies to the Department of the Interior/Bureau of Land Management (BLM).

The Privacy Act of 1974 provides that you be furnished with the following information in connection with the information provided by this application for an authorization.

AUTHORITY: 16 U.S.C. 310 and 5 U.S.C. 301.

PRINCIPAL PURPOSE: The primary uses of the records are to facilitate the (1) processing of claims or applications; (2) recordation of adjudicative actions; and (3) indexing of documentation in case files supporting administrative actions.

ROUTINE USES: BLM and the Department of the Interior (DOI) may disclose your information on this form: (1) to appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources; (2) to members or the public who have a need for the information that is maintained by BLM for public record; (3) to the U.S. Department of Justice, court, or other adjudicative body when DOI determines the information is necessary and relevant to litigation; (4) to appropriate Federal, State, local, or foreign agencies responsible for investigating, prosecuting violation, enforcing, or implementing this statute, regulation, or order; and (5) to a congressional office when you request the assistance of the Member of Congress in writing.

EFFECT OF NOT PROVIDING THE INFORMATION: Disclosing this information is necessary to receive or maintain a benefit. Not disclosing it may result in rejecting the application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

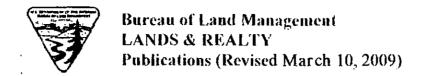
The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certifications for the use of Federal Lands.

Federal agencies use this information to evaluate your proposal.

No Federal agency may request or sponsor and you are not required to respond to a request for information which does not contain a currently valid OMB Control Number.

BURDEN HOURS STATEMENT: The public burden for this form is estimated at 25 hours per response including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0189), Bureau Information Collection Clearance Officer (WO-630) 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

A reproducible copy of this form may be obtained from the Bureau of Land Management, Division of Lands, Realty and Cadastral Survey, 1620 L Street, N.W., Rm. 1000 LS, Washington, D.C. 20036.



OBTAINING A RIGHT-OF-WAY ON PUBLIC LANDS

Bureau of Land Management Right-Of-Way Program

Each year, thousands of individuals and companies apply to the Bureau of Land Management (BLM) to obtain a right-of-way (ROW) on public land. A ROW grant is an authorization to use a specific piece of public land for a certain project, such as roads, pipelines, transmission lines, and communication sites. A ROW grant authorizes rights and privileges for a specific use of the land for a specific period of time. Generally, a BLM ROW is granted for a term appropriate for the life of the project.

The BLM places a high priority on working with applicants on a proposed ROW to provide for the protection of resource values and to process the application expeditiously. This brochure is designed to acquaint you with this process. A more complete explanation of the BLM ROW program is found in Title 43 of the Code of Federal Regulations, Parts 2800 and 2880. Copies of these regulations are available at all BLM offices. The regulations include a customer service standard that BLM is committed to. BLM strives to provide ROW applicants a decision within 60 days from the receipt of a completed application. We will notify applicants after 30 days if the application processing will take longer, and identify a date when a decision on your application can be reasonably expected. See the <u>Customer Service Standard Flow Chart for timeframes</u>.

Careful advance planning with BLM personnel who will be handling your application is the key to success. If they know about your plans early, they can work with you to avoid many problems and costly delays later on in the process.

If you are not familiar with local BLM jurisdictions, the best place to start is by contacting a BLM State Office listed in the back of this brochure. Each State Office oversees a number of Field Offices. Depending on your project, you may be working primarily with personnel at a BLM Field Office.

WHEN YOU DO and WHEN YOU DON'T NEED A ROW

As a general rule, you do need a ROW whenever you wish to build a project on the public land. Some examples of land uses which require a ROW grant include: electric transmission lines, communication sites, roads, highways, trails, telephone/fiber optic lines, canals, flumes, pipelines, reservoirs, etc.

You don't need a ROW for so-called "casual use." What kinds of activities are considered "casual use"? Examples include driving vehicles over existing roads, sampling, surveying, marking routes, collecting data to prepare an application for a ROW, and performing certain activities that do not cause any appreciable disturbance or damage to the public land, resources or improvements.

Depending on the specifics of your proposed activity, uses on the public land can be either casual use or will require a ROW grant. It's a good idea to contact the BLM and discuss your plans before assuming your use is casual. The BLM can then make a judgment on the requirements in your particular case.

INITIAL STEPS IN APPLYING FOR A ROW

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- 1. Contact the <u>BLM office</u> with management responsibility for the land where the ROW is needed.
- 2. Obtain an Application Form (Standard Form 299 (563 KB PDF) "Application for Transportation and Utility Systems and Facilities on Federal Lands"). You must use this form to file an application except for oil and gas operators where a completed Sundry Notice or Application for Permit to Drill includes information on related ROWs that are needed.
- 3. Arrange a pre-application meeting with a BLM Realty Specialist or appropriate staff member. Jointly review the application form and requirements to determine what information is needed. In some cases it may be possible to arrange for a pre-application meeting at the location of your proposed ROW.
- 4. When you have assembled all of the required information, bring or mail the application to the appropriate BLM office.

PRE-APPLICATION MEETING

The BLM wants to make the application process as easy as possible. The pre-application meeting provides the opportunity for you to fully discuss and describe your proposal in detail and provides an opportunity for BLM to fully explain the processing requirements. If possible, you should review the application form (SF-299) before the pre-application meeting. You can fill it out before or during the pre-application meeting with the BLM. Be sure to bring any information that may be useful during this session, such as a map of your project area (Item 8 of the application). You may already have a survey or another adequate map that will satisfy this requirement and provide additional information for processing your application.

The pre-application meeting will also cover fees, safety, work schedules, and other items. This meeting has the potential to save both you and the BLM time and expense.

COMPLETING THE APPLICATION (Standard Form 299)

Directions for completing the application are included on page 3 of the form (Standard Form 299), however, the following instructions may also assist you. Incomplete information is often the reason application processing periods are unnecessarily delayed.

The application form is considered **complete** when information has been provided for the following items:

Required: Items 1, 3, 4, 5, 7, 8, 12, 13, 19, signature, and date.

Required if applicable: Items 2, 6, 11, 20 and "Supplemental" page 4, if a business entity.

Optional: Items 9 and 14 through 18.

Detailed Instructions:

Item 6—Citizenship: This applies only to oil and gas pipelines, which are authorized under the Mineral Leasing Act (MLA); wherein applicants must be citizens of the United States. Citizenship is required of all partners in a partnership. Aliens may own or control stock in corporations if the laws of their countries do not deny similar privileges to citizens of the United States.

Item 7—Project Description: This section requires you to provide details about the project you are applying for. Be as specific as possible in describing the project, its location, and dimensions. Include the legal description of the affected public land. You may need to attach separate sheets as the space in this block is limited and we recommend you review the list of items found under the heading of "ROW – Plan of Development Outline" that follows. Detailed lists and examples of PODs for particular types of projects (roads, power lines, wind energy, etc.) are also available on the Pre-Application website. This POD outline should help you thoroughly describe your project from the initial construction phase through termination and rehabilitation of the public land. You should also describe any temporary or short-term use areas needed (See the section on Temporary Use Permits or Short-term ROW for more information).

Item 8—Map: Attach a map (BLM intermediate scale map, 1:100,000; U.S. Geological Survey quadrangle; aerial photo; or equivalent) showing the approximate location of the proposed ROW on public land and existing improvements adjacent to the proposal. Only improvements that may directly affect the proposal need to be shown on the map. Include the township, range, section, and a north arrow.

Item 9—State or local government approval: It is not mandatory to submit documentation of other approvals at the time you submit your application. However, the authorized officer may require other agency approvals prior to or during the application processing.

Item 10— Nonreturnable application fee: The fees are discussed in the COSTS section below. No fees are required at the time you file your application with BLM. BLM will determine the appropriate <u>Processing Category fee</u> once you have submitted your complete application and will notify you of the fee in writing.

Item 12—Statement of technical and financial capability: If you have no doubts about your capability to complete the project, write in "[I am/We are] technically and financially capable of completing the project described in this application." The BLM Authorized Officer may require you to post a performance bond or to hire a registered/licensed engineer, depending upon the scope and complexity of your project.

Item 13 —Describe reasonable alternatives: Complete parts a. through c. to help BLM understand alternatives that could be considered in the analysis of this project.

Items 14 through 18--It is generally not necessary to complete these items. However, if you have information or have conducted studies that address these items, the information should be submitted to accelerate the processing of the application.

Item 19—Hazardous Materials: It is mandatory to provide information related to the use or transportation of any hazardous materials. Do not write "N/A" in this block but you may state "None".

Signature and Date blocks—The application must be signed and dated. If you are allowing an Authorized Agent to act on your behalf, and you want them to sign the application or authorization on your behalf, please complete Item 2. on the application and include evidence of permission allowing the other person to act as your Authorized Agent.

Supplemental (page 4 of application)—This information is needed for all business entities. For all applications filed under the FLPMA, check the appropriate boxes and if the information has been previously submitted with another BLM ROW application or grant, provide the name of the office and file identification numbers. For all applications filed under the MLA, complete only Section I - f. and g. and Section II - e. or Section III - d., as these pertain only to oil and gas pipelines authorized under the MLA.

An application consists of a completed application form (Standard Form 299) and map. When you have all the required information, bring or mail the application to the appropriate BLM office.

COSTS

There are three different fees or charges involved for processing ROWs. These three fees are adjusted annually based on inflation indices:

Processing Fee – Applicants are required to reimburse the United States in advance for the cost of processing an application. The fees are based on the amount of time BLM

estimates it will take to process your application and issue a decision to grant or deny the application. BLM will determine the appropriate Processing Category fee, once you have submitted your complete application, and will notify you in writing of this fee. You must submit the appropriate payment before BLM will begin processing your application.

There are six Processing Fee Categories. Categories 1 through 4 are one-time, non-refundable fees based on the number of federal work hours involved to process an application. The <u>Processing Fee Schedule</u> is available at BLM offices. Category 5 is for Master Agreements which are negotiated with a single applicant for processing and monitoring multiple applications covering facilities within a specific geographic area. Any application that requires more than 50 hours to process is a Category 6 which requires the applicant to reimburse BLM for the full costs of processing your application.

Monitoring Fee – A Monitoring fee is charged to reimburse the BLM for monitoring the construction, operation, maintenance, and termination of the project, including protection and rehabilitation of the public lands involved. BLM categorizes this fee based on the estimated number of work hours necessary to monitor your grant.

Monitoring fees in Categories 1 through 4 are one-time, non-refundable fees. Category 5, for Master Agreements, and Category 6, involving more than 50 hours of monitoring, are the same as described above. BLM will determine the appropriate Monitoring Category fee and will notify you in writing of this fee. You must pay the monitoring fee before BLM issues you a grant.

Rent - The third charge is the annual rent. The Linear Rent Schedule is adjusted annually based on changes to the Implicit Price Deflator Index (an inflation index), The Communication Uses Rental Schedule is adjusted annually based on changes to the Consumer Price Index, All Urban Consumers (CPI-U). The rent for linear and communication site ROWs on public land is established via two separate administrative schedules (see Linear Schedule or Communication Uses Schedule. These schedules are based on land values in the project area and, in some cases, the rent is established by an appraisal. BLM will notify you of the initial rent amount due. You must pay rent for the initial rent period before BLM issues you a grant.

No processing fee, monitoring fee, or rent is required for:

- State or local agencies or instrumentalities thereof (except municipal utilities and cooperatives whose principal source of revenue is customer charges) where the land will be used for governmental proposes and the land resources will continue to serve the public interest.
- Road use agreements or reciprocal road agreements.

Other exemptions, waivers, or reductions in the processing and monitoring fees and/or rent may apply and can be explained by BLM officials during the pre-application meeting.

BONDS

BLM may require you to post a cash or surety bond.

REMEMBER TO PLAN AHEAD

You should arrange for your pre-application meeting well in advance of when you would like to start work on the project. BLM will try to process your completed application in 60 calendar days if it is in a Category I through 4. You will be notified, in writing, if it is expected to take longer than 60 days to process. Applications for Category 5 projects are processed based on the agreement that is negotiated. Applications for Category 6 projects can take much longer. The Field Office Manager and staff are ready to provide information, advice, and assistance to help you prepare an application.

TEMPORARY USE PERMIT (TUP – for MLA oil & gas pipelines) or SHORT-TERM ROW (FLPMA facilities)

Keep in mind that all activities associated with the construction, operation and termination of your ROW must be within the specified limits (length, width, etc.) of the authorization. Temporary construction needs should be discussed during the preapplication meeting. You can apply for a TUP/short-term ROW at the same time you apply for a ROW by describing its dimensions, locations, and term needed in Item 7. of the ROW application (SF-299), or by describing it in your Plan of Development. This additional land may be necessary for construction, stock piling of excess materials, equipment parking, etc. These authorizations can be granted for up to 3 years.

You may also apply for a TUP/short-term ROW after your ROW has been granted. In this case, you would use a separate SF-299 form, and would pay additional processing/monitoring fees for BLM to process the authorization. This might require a separate environmental analysis and take additional processing time. If there is a possibility that you may need extra construction width or space, it is best to identify this in your ROW application.

ROW - PLAN OF DEVELOPMENT (POD) OUTLINE

For use in completing Item 7, Project Description on the SF-299

I. DESCRIPTION OF THE FACILITY (e.g., road, pipeline, utility line, etc.)

What is to be built?

What will it be used for?

Why is it necessary to use public lands?

When do you propose to construct? Specify duration and timing if known.

How long is the authorization needed?

Is an additional temporary construction area needed? List the needs for additional space outside of the ROW grant area. Include the type of proposed use, dimensions, duration of the temporary use needed, including time to rehabilitate the site.

II. DESIGN CRITERIA - The degree of design must be compatible with the proposed use and anticipated environmental impacts. All disturbances must be within the boundary of the ROW/TUP.

A. Road Specifications (Road POD Outline)

- Length and total width of ROW; width of road surface; maximum grade of road
- Minimum/maximum clearing width
- Cut/fill slope ratios
- Type and location of drainage structures, cattle guards, fences, gates
- Proposed surfacing type (gravel) and quantities, dust abatement
- Centerline survey plat
- Design drawings including: Plan and Profile sheets, typical roadway crosssections, culvert installation details, grade dip detail (water bars, rolling dips, etc.), cattle guard, fence and gate details
- Construction specifications
- Materials specifications

B. Pipeline Specifications (Pipeline POD Outline)

- Length and width of ROW/TUP
- Diameter of pipe and type of material
- Depth of pipeline
- Size of trench
- Construction access requirements during and after construction
- Construction equipment requirements
- Survey plat
- Site specific engineering surveys for critical areas
- Cathodic protection site, valve stations, compressor stations

C. Power Line Specifications (Powerline POD Outline)

- Length and width of ROW
- Size, number and type of conductors
- Height and size of tower/poles
- Vegetation clearance requirements
- Raptor proof design
- Construction access and equipment requirements
- Transformers, substations, anchor locations, pulling sites
- Marker ball installations

D. <u>Communication Site Specifications</u> (pertain to non-linear sites) (<u>Communication Site POD</u> Outline)

- Site dimensions
- Size of all structures (building, towers, guys)
- Site design plan
- Utility requirements (power, phone)
- Access requirements during and after construction
- Technical data report including specifications of equipment, frequency of transmissions
- FCC license
- Compatibility with other users

III. CONSTRUCTION OF THE ROW FACILITY - Most surface disturbing activities associated with a ROW occur during this phase of the project. The following components have been found to be common to most ROW construction projects. These items, where relevant, should be carefully described in the Plan of Development.

- A. Flagging and Staking the ROW/ΓUP.
 - Stake centerline and/or the exterior limits of the ROW
 - Construction staking, cut and fill areas, clearing limits
- B. Clearing and Grading of the ROW/TUP.
 - State how much topsoil will be saved, show where it will be stockpiled and how it will be spread
 - Describe disposal of all woody vegetation (trees, stumps and brush) cut on the ROW

C. Earthwork

- Engineering and quality control
- Excavation and placement of embankment
- Borrow material sources
- Removal of structures and obstructions
- Disposal of unsuitable excavated materials (e.g. oversize rock, weak soils, etc.)
- Soil erosion and water pollution control measures
- D. Structure Installation Describe how improvements will be constructed i.e., constructed on-site, prefabricated and delivered to the site, concrete cast-in-place, precast concrete, etc.
- E. Stabilization, Rehabilitation and Revegetation
 - 1. Soil replacement and stabilization. (Explain how soil will be stabilized in the project area).
 - Recontouring all disturbed areas to restore original contours

- Placement of waterbars and/or other erosion control structures
- 2. Seeding Specifications
 - Seed mixture (certified seed required)
 - · Rate, method, schedule for seed application
 - · Application of mulch (straw, burlap, hydromulch) and locations
 - Application of fertilizer (type, location, rates)
 - · Criteria for determining success of revegetation

IV., OPERATION AND MAINTENANCE OF THE FACILITY - Describe what maintenance is required and the anticipated level of use

- State when and how scheduled maintenance will be performed
- Snow removal, road grading, building maintenance

V. TERMINATION AND REHABILITATION - Provide a written plan describing the actions required to terminate the use and rehabilitate the ROW area

 Removal of facilities (who, how, when) and method for reclamation of disturbed areas

VI. MISCELLANEOUS INFORMATION NEEDS

- A. Waste Disposal Trash, construction debris, solid waste and hazardous waste
- B. Traffic Control Plan Barricades, construction signs, flaggers
- C. Safety Plan for employees, contractors, general public
- D. Fire Prevention Plan
- E. Spill Prevention and Contingency Plan: Preventive measures, notification of proper authorities, Incident Response/Containment measures, testing and cleanup measures
- F. Pesticide Use Proposal application to BLM describing plans for controlling noxious weeds (chemicals, rate, method of application, etc.)

HOW BLM PROCESSES YOUR ROW APPLICATION

Once you have filed an application with BLM (SF-299 completed with maps, POD, and other details) it will be reviewed to make sure all necessary information has been included. The application is then evaluated to ensure the proposed use is in conformance with the BLM land use plan and that there are no other conflicts, such as other valid existing rights currently on the lands requested in your application. BLM has the discretion to grant a ROW if doing so is in the public interest.

If your proposed use is in conformance with the BLM plans and there are no apparent conflicts, BLM will determine the Processing Fee Category based on the number of federal work hours expected to process the application. BLM will request you to pay the non-refundable processing fee and request any additional information that is needed. Once the processing fees have been received, BLM will start processing your application. If BLM determines it will take more than 60 days to process your application, you will be notified of the expected timeframe for processing the application. Please refer to the Customer Service Standard Flow Chart for more information.

ROW applications are generally processed in the order they are received. A thorough, complete application can move ahead of a deficient, problem-riddled application. ROW applications often compete against other land use applications and other priority workloads. For this reason, applicants may have to wait for extended periods of time for the BLM specialist to complete required inventories or to consult with other agencies. Other points to consider are weather and season of the year. Application processing may come to a standstill while waiting for inventory work or studies to be completed. For example, if you filed an application late in the fall and the BLM archaeologist already had other workloads committed for that year, the archaeologist may not be able to complete the field work prior to snowfall and the application may be delayed until the next summer. If specific resource issues are identified on the proposed project area it can prolong the processing time.

Once BLM has completed the necessary reviews, inventories and reports, you will be notified in writing if the ROW will be granted or denied. If the ROW will be granted, BLM will request you to review and sign the ROW Grant and to pay the rent and monitoring fee (See COSTS section). Once all the necessary fees have been received and you have signed and returned the ROW Grant, the BLM Authorized Officer will sign and return a copy of the completed ROW Grant to you.

The BLM will inspect and monitor your project for compliance with the terms and conditions of the grant. In addition, the BLM reserves the right of access onto the public lands covered by the ROW grant and, with reasonable notice to the holder, the right of access and entry to any facility constructed in connection with the project.

Applicant Contributions to the ROW Process

One option you may wish to consider is contracting with qualified individuals or firms to perform required inventories when the BLM has other competing workloads. The BLM may accept the work of certain qualified individuals and firms that hold permits to do cultural resources and Threatened and Endangered Species (T&E) inventories on the public lands. These firms do the field inventory and write reports for BLM approval. This can often significantly reduce the processing time for your application and may also reduce the processing fee. These items should be discussed with the BLM at the preapplication meeting.

A ROW application may be denied for any one of the following reasons:

- -- The proposal is not in conformance with the applicable Land Use Plans, i.e., purpose for which the public lands are managed.
- --The proposal would not be in the public interest.
- -- The applicant is not qualified.
- -- The proposal is inconsistent with Federal, State, or local laws.
- -- The applicant is not technically or financially capable of accomplishing the project.
- --Serious environmental consequences may occur from the proposed project that cannot be mitigated.

Reminder: A pre-application meeting can reduce the possibility of the application being denied.

YOUR RESPONSIBILITIES AS A ROW GRANT HOLDER

Once you have a signed ROW grant, you can proceed with your plans, unless your grant has a Notice to Proceed stipulation. In this circumstance, BLM will notify you in writing when you can begin activities on the area authorized in the grant. A ROW holder may use the ROW only for those purposes authorized in the grant. You will need to follow the terms and conditions in the ROW Grant. You are responsible for notifying the local BLM office of any changes in your address or legal rights to hold the ROW grant.

The ROW grant holder is responsible for damage or injuries to the United States Government in connection with the holder's use of the ROW. The ROW grant holder indemnifies or insures the United States Government harmless for third party liability, damages, or claims arising from the holder's use and occupancy of the ROW. The BLM may suspend or terminate a ROW if the holder does not comply with the applicable laws, regulations, terms, or conditions. The BLM may also add additional terms and conditions to the grant, including bonding, and require an immediate temporary suspension of activities within a ROW, to protect the public health and safety or the environment.

ROW Amendments:

If you want to change, improve, or add to your project once you have a ROW grant you will need to get approval from BLM (see Amendments in the <u>Grant Administration</u> section of the ROW website). Contact the Field Office Manager to determine if your proposed changes require an amendment to your ROW grant.

You must complete form <u>SF-299</u> (also see the <u>Forms</u> section of the ROW website) to amend your ROW grant and receive prior written approval from the BLM for any change in location or authorized use during construction, operation, or maintenance of the ROW. BLM will process your request for amendment in the same manner as a new application

including new terms and conditions, cost recovery fees, monitoring fees, bonding, and may include an adjustment to the rent.

ROW Assignments:

If you wish to transfer all or part of your ROW to another person/entity, this is called an Assignment. The person who wants the ROW Grant (Assignce) must apply to BLM using a form SF-299 (also see the Forms section of the ROW website). The proposed Assignce fills out questions 1-6, and 12 and provides the form to the local BLM office. In addition, the ROW Grant holder (Assignor) must sign a document agreeing to the assignment, and the proposed assignce must sign a statement agreeing to be bound by the terms and conditions of the grant (see Assignment Statements in the Grant Administration section of the ROW website).

The assignment to the new owner is not legally recognized by the United States until it has been approved in writing by the BLM. If the new owner is qualified and agrees to be bound by all of the requirements of the ROW grant, and the ROW is in compliance with all its terms and conditions, the BLM will approve the assignment. A processing fee will be charged for the assignment process.

ROW Renewals

If your ROW grant specifies that it is renewable, you must apply to BLM to renew it at least 120 calendar days before your grant expires (refer to SF-299 from the Forms section of the ROW website) BLM will renew the grant if you are in compliance with its terms and conditions. If your grant does not address whether it is renewable, you may apply to BLM to renew your grant at least 120 calendar days before your grant expires. BLM has the discretion to renew the grant, if doing so is in the public interest, and may change or add terms and conditions to the new ROW Grant. (See Renewal Guidance in the Grant Administration section of the ROW website).

APPEAL RIGHTS

Any party to a case who is adversely affected by a decision of the Bureau of Land Management has the right to appeal that decision. If your ROW application is denied, BLM will provide you with a written decision and explain the reasons for denying the ROW as well as information on how and where to file an appeal, should you so desire. Appeal rights also pertain to other decisions, such as the determination of the processing and monitoring categories.

FOR MORE INFORMATION

Please contact the <u>BLM State Office</u> in your area for any questions or information concerning how to obtain a right-of-way on public lands.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 20

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding renewal of Right-of-Way (ROW) N-021183 for the access road located at T18N, R40E, Section 16 in Smith Creek Valley (Smith Valley secondary road) and other matters properly relating thereto.

Public comment.

Background:

The request of Lander County Road and Bridge Foreman –South, Bert Ramos, to renew Right-of-Way (ROW) N-021183 for the access road located at T18N, R40E, Section 16, in Smith Creek Valley (Smith Valley Secondary Road), is presented for Commission consideration.

Mr. Ramos will be in attendance to provide further details to the Commission on this item.

Recommended Action:

It is recommended that the Commission accept and approve the renewal of Right-of-Way (ROW) N-021183 for the access road located at T18N, R40E, Section 16, in Smith Creek Valley (Smith Valley Secondary Road).

AGENDA REQUEST FORM





NAME: Bert Ramos RE	PRESENTING Lander County R & B Au	<u>stin</u>
ADDRESS: P.O. Box 63 200 Ma	in St. Austin, NV 89310	
PHONE (H): (W):	(FAX): <u>775-964-1060</u>	
WHICH NUMBER SHOULD WE CALL D	URING NORMAL BUSINESS HOURS:	775-455-6860
WHO WILL BE ATTENDING THE MEET	ING: Bert Ramos	····
JOB TITLE: Foreman		
SPECIFIC REQUEST TO BE PLACED ON	THE AGENDA:	
Right-of-Way N-020005 Austin Disposal ROW N-019756Silver Creek Road Loca ROW-N-021183Smith Creek Valley Loc	ted at T. 21N, R 43E, Sec. 5-expired 12/	4/2008 (La Co Rd. # 202C)
ACTION WOULD YOU LIKE THE BOAR Permission to close out ROW N-020005. TI Renew Row N-019756 Silver Creek Rd. # 2 Renew Row N- 021183 Smith Valley secon	nis road is to the old landfill site North of	
ARE THERE ANY COSTS ASSOCIATED AMOUNT:		YES NO _X
HAS THIS ISSUE BEEN DISCUSSED AT WHEN?	A PRIOR COMMISSION MEETING?	YES NO_X_
WILL YOU BE PRESENTING WRITTEN	INFORMATION AT THE MEETING?	YES XNO
HAVE YOU DISCUSSED THIS ISSUE W	ITH THE AFFECTED DEPT HEAD?	YES X NO
FOR REVIEW BY: AIRPORT AMBULANCE ARGENTA J. P. ASSESSOR AUSTIN J.P. CLERK COMM. DEVT.	DIST. ATTY. EXE. DIR. FIRE GOLF PARKS & REC. PUBLIC WORKS RECORDER	SENIOR CTR. SHERIFF SOCIAL SVC. TREASURER W & S OTHER R & B South
THE EXECUTIVE DIRECTOR RESEI ALL AGENDA REQUESTS FOR INSUI		RECOMMEND TABLING
ALL INFORMATION STATED IS CORRI		2-27-2012
Carrier Strategy		

BOARD MEETS THE $2^{\rm ND}$ AND $4^{\rm TH}$ THURSDAY OF EACH MONTH COMMISSION FAX (775) 635-5332



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: 2800 (NVB01000) N-021183

CERTIFIED MAIL #7010 1670 0001 5008 6417- RETURN RECEIPT REQUESTED

Lander County Attn: Donnie Negro 315 S. Humboldt Street Battle Mountain, NV 89820

Dear Mr. Negro:

Right-of-way (ROW) N-021183, for the access road located at T. 18 N., R. 40 E sec. 16 in Smith Creek Valley, Lander County, Nevada expired on February 7, 2009. You are required to renew the aforementioned ROW to retain it on public land. If this road is no longer in use and has been reclaimed please inform the BLM at the address above and we will be able to close the case file.

The regulations found at 43 CFR 2807.22(a), state that "If your grant specifies that it is renewable, and you choose to renew it, you must apply to BLM to renew the grant at least 120 calendar days before your grant expires."

Section .22 A. 2 of BLM Manual 2807, <u>Grant Administration</u>, states, "<u>Late Filings</u> will not be accepted. Advise applicants that their renewal application will be treated and processed as an application for a new ROW pursuant to FLPMA."

For these reasons, we are unable to process this application as a renewal and instead you will be applying for a new ROW.

Enclosed is an SF-299, Application for Transportation and Utility Systems and Facilities on Federal Lands. Please: 1) Complete the application accordingly 2) have it signed by an authorized agent 3) date and return it within 30 days to the Mount Lewis Field Office at 50 Bastian Road, Battle Mountain, NV 89820.

You may also find the application online at: http://www.blm.gov/wo/st/en/prog/energy/cost_recovery_regulations/pre-application.html

You are allowed 30 days from the receipt of this letter to inform the BLM of your intentions; either by filing the application or inform or supplying confirmation of the closure of the road.

Questions may be directed to Jon Kramer, LLE, at 775-635-4053.

Sincerely,

Christopher J. Cook Field Manager

Mount Lewis Field Office

Enclosures

STANDARD FORM 299 (5/2009) Prescribed by DOI/USDA/DOT P.L. 96487 and Federal Register Notice 5-22-95

APPLICATION FOR TRANSPORTATION AND

FORM APPROVED OMB NO. 1004-0189

NOTE: Before completing and filing the application, the applicant should completel preapplication meeting with representatives of the agency responsible for premay have specific and unique requirements to be met in preparing and process the help of the agency representative, the application can be completed at the second supplication of the agency representative of the application can be completed at the second supplication of the agency representative of the application of the agency representative. 1. Name and address of applicant (include zip code) 2. Name, title, and address of the agency representative of the application of the agency representative.	occssing the application. Each agency sing the application. Many times, with preapplication meeting. Date filed The filed of the application meeting. Date filed of the application meeting.
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Name and address of applicant (include zip code) 2. Name, title, and address.	dress of authorized agent if different 3. TELEPHONE (area code)
from Item 1 (includ	le zip code) Applicant
	Authorized Agent
4. As applicant are you? (check one) 5. Specify what applies	ation is for; (check one)
a. Individual a. New authoriz	zation
b. Corporation* b. Renewing ex	sisting authorization No.
c. Partnership/Association* c. Amend exist	ing authorization No.
d. State Government/State Agency d. Assign existi	ing authorization No.
	for which no authorization has been received*
f. Federal Agency f. Other*	
* If checked, complete supplemental page	details under Item 7
6. If an individual, or partnership are you a citizen(s) of the United States? Yes	s
8. Attach a map covering area and show location of project proposal	
9. State or local government approval: Attached Applied for Not	required
10. Nonreturnable application fee. Attached Not required	
	
11. Does project cross international boundary or affect international waterways?	Yes No (If "yes," indicate on map)

13a.	Describe other reasonable alternative routes and modes considered.
Ь.	Why were these alternatives not selected?
c.	Give explanation as to why it is necessary to cross Federal Lands
14.	List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)
15.	Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.
16,	Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.
17.	Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (c) existing noise levels; and (f) the surface of the land, including vegetation, permufrost, soil, and soil stability.
18.	Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.
19.	Case which was been a stated as defined in this programs, will be used another than the state of many or any of the girls of many
19.	State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 9601 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.
20.	Name all the Department(s)/Agency(ies) where this application is being filed.
	EREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and eve that the information submitted is correct to the best of my knowledge.
	nature of Applicant Date
	e 18, U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United es any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

(Continued on page 3) (SF-299, page 2)

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES ON FEDERAL LANDS

GENERAL INFORMATION ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

- Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
- Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
- Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
- 4. Systems for the transmission and distribution of electric energy.
- Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
- Improved rights-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
- Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

U.S. Department of Agriculture FOREST SERVICE (USFS) Alaska Regional Office (Region 10) Physical Address: Federal Office Building 709 West 9th Street Juneau, Alaska 99801 Mailing Address: P.O. Box 21628 Juneau, Alaska 99802 Telephone: 907-586-8806

U.S. Department of the Interior BUREAU OF INDIAN AFFAIRS (BIA) Alaska Regional Office (Juneau) Mailing/Physical Address: P.O. Box 25520 709 West 9th Street Juneau, Alaska 99802 Telephone: 800-645-8397

U.S. Department of the Interior BUREAU OF LAND MANAGEMENT (BLM) Alaska State Office Mailing/Physical Address: 222 West 7th Avenue #13 Anchorage, Alaska 99513 Telephone: 907-271-5960

U.S. Department of the Interior NATIONAL PARK SERVICE (NPS) Alaska Regional Office (Anchorage) Mailing/Physical Address: 240 West 5th Avenuc, Room 114 Anchorage, Alaska 99501 Telephone: 907-644-3501 U.S. Department of the Interior FISH AND WILDLIFE SERVICE Alaska Regional Office (Region 7) Mailing/Physical Address: 1011 East Tudor Road Anchorage, Alaska 99501 Telephone: 907-271-5011

Note: Filings with any Department of the Interior agency may be filed with any office noted above or with the:

U.S. Department of the Interior
OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE
Alaska Regional Office (Anchorage)
Regional Environmental Officer
1689 C Street, Room 119
Anchorage, Alaska 99501
Telephone: (907) 271-5011

U.S. Department of Transportation FEDERAL AVIATION ADMINISTRATION Alaska Regional Office (Anchorage) 222 West 7th Avenue, #14 Anchorage, Alaska 99513 Telephone: 907-271-5269

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual departments/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and ranges within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information in as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

If additional space is needed to complete any item, please put the information on a separate sheet of paper and identify it as "Continuation of Item".

SUPPLEMENTAL			
NOTE: The responsible agency(ies) will provide additional instructions		CHECK APPROPRIATE BLOCK	
1 - PRIVATE CORPORATIONS	ATTACHED	FILED*	
a. Articles of Incorporation			
b. Corporation Bylaws			
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State.			
d. Copy of resolution authorizing filing			
c. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.			
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications			
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.			
II - PUBLIC CORPORATIONS			
a. Copy of law forming corporation			
b. Proof of organization			
c. Copy of Bylaws			
d. Copy of resolution authorizing filing			
c. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.			
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY			
a. Articles of association, if any			
b. If one partner is authorized to sign, resolution authorizing action is			
c. Name and address of each participant, partner, association, or other			
d. If application is for an oil or gas pipeline, provide information required by Item "I-f" and "I-g" above.			

(Continued on page 5) (SF-299, page 4)

[•] If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICES

NOTE: This applies to the Department of the Interior/Bureau of Land Management (BLM).

The Privacy Act of 1974 provides that you be furnished with the following information in connection with the information provided by this application for an authorization.

AUTHORITY: 16 U.S.C. 310 and 5 U.S.C. 301.

PRINCIPAL PURPOSE: The primary uses of the records are to facilitate the (1) processing of claims or applications; (2) recordation of adjudicative actions; and (3) indexing of documentation in case files supporting administrative actions.

ROUTINE USES: BLM and the Department of the Interior (DOI) may disclose your information on this form: (1) to appropriate Federal agencies when concurrence or supporting information is required prior to granting or acquiring a right or interest in lands or resources; (2) to members or the public who have a need for the information that is maintained by BLM for public record; (3) to the U.S. Department of Justice, court, or other adjudicative body when DOI determines the information is necessary and relevant to litigation; (4) to appropriate Federal, State, local, or foreign agencies responsible for investigating, prosecuting violation, enforcing, or implementing this statute, regulation, or order; and (5) to a congressional office when you request the assistance of the Member of Congress in writing.

EFFECT OF NOT PROVIDING THE INFORMATION: Disclosing this information is necessary to receive or maintain a benefit. Not disclosing it may result in rejecting the application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certifications for the use of Federal Lands.

Federal agencies use this information to evaluate your proposal.

No Federal agency may request or sponsor and you are not required to respond to a request for information which does not contain a currently valid OMB Control Number.

BURDEN HOURS STATEMENT: The public burden for this form is estimated at 25 hours per response including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0189), Bureau Information Collection Clearance Officer (WO-630) 1849 C Street, N.W., Mail Stop 401 LS, Washington, D.C. 20240.

A reproducible copy of this form may be obtained from the Bureau of Land Management, Division of Lands, Realty and Cadastral Survey, 1620 L Street, N.W., Rm. 1000 LS, Washington, D.C. 20036.

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 21

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:

Discussion for possible action to create a list of substitute Justices of the Peace for the Argenta Justice Court and the Austin Township Justice Court, pursuant to NRS 4.032, and other matters properly relating thereto.

Public comment.

Background:

Names of individuals submitting letters of interest and qualifications to be included on a list of substitute Justices of the Peace for the Argenta Justice Court and the Austin Township Justice Court to be created by the Board of County Commissioners, pursuant to the provisions of NRS 4.032, are presented.

Argenta Justice of the Peace, Max W. Bunch, will present the list of names for consideration by the Commission.

Recommended Action:

It is recommended that the Commission create a list, from the names presented by Justice of the Peace Bunch, of substitute Justices of the Peace for the Argenta Justice Court and the Austin Township Justice Court, pursuant to NRS 4.032.

PUBLIC NOTICE

LIST OF SUBSTITUTE JUSTICES OF THE PEACE

NOTICE IS HEREBY GIVEN that the Lander County Board of Commissioners is seeking applications from qualified persons to develop a panel of individuals to serve in the capacity of Substitute Justice of the Peace for the Argenta Justice Court and the Austin Township Justice Court, pursuant to the provisions of Nevada Revised Statutes (NRS) 4.032. It is the policy of the Board to require a letter indicating the individual's interest in and qualifications for serving at this capacity. Individuals interested in serving on this panel must meet the qualifications set forth in Nevada Revised Statutes (NRS) 4.010. Copies of the pertinent Nevada Revised Statutes can be obtained at either the Office of the Argenta Township Justice Court or the Office of the Austin Township Justice Court.

Submit letters of interest and qualifications, to be received no later than 5:00 p.m. on Tuesday, April 10, 2012, to The Honorable Max W. Bunch, Argenta Township Justice of the Peace, 315 South Humboldt Street, Battle Mountain, Nevada 89820. For further information concerning appointment, contact the Office of the Argenta Township Justice Court at (775) 635-5151.

Publish: March 28, 2012 & April 4, 2012

Publish in two-column border

ARGENTA JUSTICE COURT

Theodore C. Herrera, Esq. 168 South Reese Street Battle Mountain, Nevada 89820

2012 APR 10 AM 10: 48

050/

Honorable Max W. Bunch Argenta Township, Justice of the Peace 315 South Humboldt Street Battle Mountain, Nevada 89820 April 9, 2012

Re: Justice of the peace pro tempore, Civil

To the Honorable Max W. Bunch:

This is a letter of interest asking to be included on the panel to serve in the capacity of Substitute Justice of the Peace for the Argenta Justice Court and the Austin Township, Justice Court for Civil actions.

I was raised in and graduated from High School in Battle Mountain, Nevada. Upon graduating from Law School and passing the Bar I became employed by the counties of the sixth judicial district court in the capacity of law clerk for the Honorable Llewellyn A. Young. I remained in this capacity for two years working in Lovelock, Winnemucca and Battle Mountain, Nevada. I then opened an office in Battle Mountain, Nevada practicing both civil and criminal law. It was at this time that I first became the Lander County Public Defender and I have remained in that capacity for over 20 years.

During the last 22 years I have had a large civil practice that includes trying cases in most state courts in the state of Nevada, the Federal District Court as well as the Nevada Supreme Court. I have both prosecuted and defended civil cases in the Justices' courts of Pershing County, Humboldt County, and of course Lander County. All this was done from my local office that still remains situate in Battle Mountain.

I am asking to be considered to be included on the pro tempore panel for civil matters because I have the qualifications and the desire to give back to this community by serving in said capacity. Thank-you for your attention in this matter.

Sincerely yours,

Theodore C. Herrera, Esq.

Theodore C. Xhurue

ARGENTA JUSTICE COURT

2012 APR -9 PM 1: 27

FILED

April 4, 2012

BY Omb

The Honorable Max Bunch Argenta Justice Court 315 Humboldt Street Battle Mountain, NV 89820

Your Honor,

I am interested in serving as a Substitute Justice of the Peace for the Austin Township Justice Court.

Although I have an extensive resume of various business and civic involvement, the following would be directly related to the position:

Investigator, Insurance Division of Nevada 5 years, Consultant 8 years
Court Clerk, Austin Justice Court. 7 1/2 years
October 2011, Awarded Member of the year for dedication to excellence by the
Nevada Association of Court Career Advancement

My full resume will be submitted upon request.

Thank you for your consideration,

Patsy A Waits P O Box 504

Austin, NV 89310

775.964.2380 or 964.1033

and the state of t

2012 APR -6 AMII: 47

Denise Fortune 316 Bastian Rd. Battle Mountain, NV 89820 (775)635-8990 (H) (775)761-2870 (C) dfortune@nycourts.state.nv.us



April 6, 2012

Lander County Commissioners

I would like to submit to you this letter of interest for the position of Judge Pro Tem for the Argenta Justice Court and Austin Justice Court.

I feel I am very qualified for this position. I have been employed by Lander County for twenty years; I am currently in my sixteenth year here at the court. My first position was the collections officer for Battle Mountain General Hospital for almost 5 years in which I attended small claims court monthly as the Plaintiff for the Hospital. This position gave me my first experience in the court system. When a position in the Argenta Justice Court became open in 1996, I applied for and obtained the traffic clerk position which I held for about 9 years. When the criminal clerk position became available, I transferred into that position which I still hold. As the criminal clerk, I spend the most time in court with the judge.

I have sat beside Judge Bunch throughout court proceedings for over fifteen years and feel I have learned a lot from him regarding the judicial system. He has always answered questions I have had in helping me to better understand some of his rulings and decisions. I feel I have learned from the fairest judge I can. I have observed other courts and proceedings and have attended multiple training classes and seminars for the courts over the years.

I am a very precise and structured employee and am very organized and well experienced in the proceedings in the Justice Court.

I would appreciate the opportunity to further my knowledge and experience in the judicial system and would be happy to provide any additional information you may need on my candidacy.

Thank-you for your time in considering my qualifications.

Denise Fortune

Sincerely,

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 22

THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS: Discussion for possible action regarding appointments to the 2012-2013 Advisory Board, categories 1, 2, 3 & 4 and other matters properly relating thereto.

Public comment.

Background:

Letters of Intent for appointment or re-appointment to the 2012-2013 Advisory Board, categories 1, 2, 3 & 4 are presented for Commission consideration.

Ms. Joy Brandt of Austin submitted a Letter of Intent, dated March 16, 2012, for reappointment to the Lander County Planning Commission. The term of her current appointment expires on June 30, 2012.

Recommended Action:

It is recommended that the Commission re-appoint Ms. Brandt to the Lander County Planning Commission for a four-year term commencing June 30, 2012.

LANDER COUNTY PLANNING COMMISSION

RECEIVED MAR 2 2 2012 LANDER CO. CLERK

APPOINTMENT

DATE MARCH 16, 2012

TO: LANDER COUNTY COMMISSIONERS

FROM: JOY K. BRANDT

I would like to be reappointed to the Lander County Planning

Commission to represent Lander County.

Thank you for your consideration in this matter.

SINCERELY,

JOYK, BRANDT

LANDER COUNTY PLANNING COMMISSION

LANDER COUNTY COMMISSION MEETING April 12, 2012

AGENDA ITEM NO. 23

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

Public comment.
Background:
Recommended Action:

AGENDA

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

APRIL 12, 2012

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

Also Via Teleconference At

AUSTIN COURTHOUSE COMMISSION OFFICE 122 MAIN STREET AUSTIN, NEVADA

- 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:

MARCH 14 & 15, 2012 – BUDGET WORKSHOP MARCH 22, 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

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

Public comment.

COMMISSIONERS

_*(2) Discussion for possible action regarding development, scoping and implementation of a solar power initiative for Lander County facilities and other matters properly relating thereto.

Public comment.

Construction/Construction Manager at Risk (CMAR) project and publishing a Request for Qualifications (RFQ) for the Courthouse/Administration Building project and other matters properly relating thereto.

Public comment.

*(4) Discussion for possible action regarding acceptance and approval of Agreement for Professional Services, J-U-B Project No. 83-12-012, between Lander County and J-U-B Engineers, Inc., for an environmental evaluation for construction of a general aviation flight planning building and expansion of the Austin Airport apron, in an amount not to exceed \$43,912.69, and other matters properly relating thereto.

Public comment.

Discussion for possible action regarding approval of the Assignment of Contract from Aggregate Industries – SWR, Inc. to Road and Highway Builders, LLC for the Battle Mountain Airport Apron Reconstruction Project, FAA Project No. 3-32-0001-21, and other matters properly relating thereto.

Public comment.

Discussion for possible action regarding adoption of Resolution No. 2012-03, a resolution stating Lander County's position relative to the Consolidated Tax (CTX) distribution formula and other matters properly relating thereto.

Public comment.

*(2) Discussion for possible action regarding a grant request from the Battle Mountain Professional Rodeo Association, in the amount of \$12,000.00, to cover the costs of additional money, entertainment and operation for the Battle Mountain Pro Rodeo event, and other matters properly relating thereto.

Public comment.

EXECUTIVE DIRECTOR

Discussion for possible action regarding an update on the Austin Airport Fuel System project; direction to staff on proceeding further with the project; and other matters properly relating thereto.

Public comment.

*(9) Discussion for possible action regarding a proposed scope of work to conduct a feasibility study for the Battle Mountain Airport to evaluate the costs, infrastructure needs and operations required to augment/upgrade the

existing water supply at the Battle Mountain Airport and surrounding areas and other matters properly related thereto.

Public comment.

Discussion for possible action regarding Task Order No. 83-10-025-203 between Lander County and J-U-B Engineers, Inc., in an amount not to exceed \$4,900.00, for the Battle Mountain and Austin Airports Disadvantaged Business Enterprises (DBE) plan development and other matters properly relating thereto.

Public comment.

TREASURER

Discussion for possible action regarding approval of the County Tax Deed for APN #003-191-04, allowing the Unincorporated Town of Kingston to acquire property held in trust by the Lander County Treasurer for taxes owing, and that the Unincorporated Town of Kingston shall not be required to pay the delinquent taxes because it qualifies pursuant to NRS 361.603(5), as the property will be used for street, sewer or drainage uses, and other matters properly related thereto.

Public comment.

COOPERATIVE EXTENSION

Discussion for possible action regarding approval of Proclamation No. 2012-01, a proclamation in support of Nevada Wildfire Awareness Week April 28-May 5, 2012, and other matters properly relating thereto.

Public comment.

COMMISSIONERS

*(13) Discussion for possible action regarding public land issues update by Western Counties Alliance (WCA); and membership renewal for FY 2012-2013 in the amount of \$3,500.00 and other matters properly relating thereto.

Public comment.

Discussion for possible action regarding presentation by Bureau of Land Management (BLM) Mt. Lewis Field Office staff, including Michael Vermeys and Mike Stamm, concerning the recent sage grouse conservation measures that BLM and/or stakeholders have implemented in Lander County and future strategies that Lander County and BLM can implement cooperatively for the conservation of sage grouse and other matters properly relating thereto.

Public comment.

12:00 P.M. Recess for Lunch

1:00 P.M. *PUBLIC WORKS*

*(1-5) Discussion for possible action regarding Change Order No. 1 for the Elquist Park Playground Equipment Upgrade project, in the amount of \$7,620.00, and other matters properly relating thereto.

Public comment.

2(+6) Discussion for possible action regarding award of bid for the Austin Park and Playground Equipment project and other matters properly relating thereto.

Public comment.

*(17) Discussion for possible action regarding adoption of Resolution No. 2012-04, a resolution modifying the connection fee schedule for the Battle Mountain Water and Sewer Systems and other matters properly relating thereto.

Public comment.

ROAD AND BRIDGE SOUTH

Discussion for possible action regarding Road and Bridge Foreman/South Bert Ramos' request to close out Right-of-Way (ROW) N-020005 for the Austin Disposal Site Access Road located at T19N, R43E, Section 13 and other matters properly relating thereto.

Public comment.

*(19) Discussion for possible action regarding renewal of Right-of-Way (ROW) N-019756 for the access road located at T21N, R43E, Section 5, known as the Silver Creek Cut Off (Lander County Road #202C) and other matters properly relating thereto.

Public comment.

Discussion for possible action regarding renewal of Right-of-Way (ROW) N-021183 for the access road located at T18N, R40E, Section 16 in Smith Creek Valley (Smith Valley secondary road) and other matters properly relating thereto.

Public comment.

JUSTICE COURT

*(21) Discussion for possible action to create a list of substitute Justices of the Peace for the Argenta Justice Court and the Austin Township Justice Court, pursuant to NRS 4.032, and other matters properly relating thereto.

Public comment.

BOARD APPOINTMENTS

*(32)

Discussion for possible action regarding appointments to the 2012-2013 Advisory Board, categories 1, 2, 3 & 4 and other matters properly relating thereto.

Public comment.

COMMISSIONERS

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

Public comment.

<u>Public Comment</u> – 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

Ounty of Lander) Mary Ann Gray, Senior Deputy Clerk, of said Lander County, Nevada, being duly sworn, says, that on the 6th day of April 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.

MARY ANN GRAY, SENIOR DEPUTY CLERK May Ann Subscribed and sworn to before me this 6th day of April 2012.

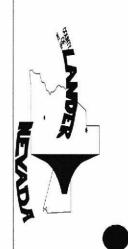
WITNESS Slide Sullivan

State of Nevada

Payment of Bills

April 12, 2012

ROGENE HILL Lander County Finance Director



Commissioner	Commissioner	Commissioner	Commissioner	Chairman	ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION
					DATE

LANDER COUNTY COMMISSION MEETING

April 12, 2012

SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 216,192.41 From Check #40101 thru #40228 APPROVE / DISAPPROVE

		40107	40106	40104	40103	40101 40102	CHECK NUMBER
		AUSTIN CLOSE-UP/AUSTIN B M AUTO SUPPLY, INC	ATLAS TOWING & RECOVERY	ALBERTSON FUNERAL HOME TO AMPED-OUT-ELECTRICAL, LLC 3	ADT SECURITY SERVICES	A G TELEPHONE SYSTEMS ADAPCO, INC	VENDOR
3/19/12/FIL/FRS/R&B 3/19/12/FIL/GR DRY/LANDFIL 3/20/12/FIL/R&B 3/21/12/HONDA COMPLNDFIL 3/21/12/BATCHGR/R&B 3/21/12/BATCHGR/R&B 3/21/12/OCTBOOSTER/R&B 3/22/12/OCTBOOSTER/R&B 3/22/12/FILS/R&B 3/22/12/FILS/R&B 3/22/12/HOSE/HOSEEND/R&B 3/23/12/BIADES/SERCH/RES 3/24/12/OILFILLERCAP SO 3/26/12/HSE END/W&S 3/26/12/HSE END/W&S	3/7/12/ANTIFREEZE/SERC/RE 3/8/12/GOJO 3/12/12/ 3/13/12/COUPLERS/A R&B 3/13/12/CREDIT63449/A R&B 3/13/12/CREDIT63449/A R&B 3/13/12/VAL/HOSE/FRT/R&B 3/13/12/FUSE/GLF CRS 3/13/12/SOLEMOID/SO 3/13/12/BATTS/R&B 3/14/12/FILTS/R&B	3/26/12/CLOSEUPAUSTIN	3/12/12/TOWAMNLTRK/SO 3/15/12/CAR WASH/R&B	TRANSP ME/M FRAKUR LC 3/21/12/ARCHIVES VOTEMACH	3/10/12/SECURITY/FIREHSE 3/10/12/SECURITY/LEARNING	3/9/12/COMP ROOM/ASSESSOR 4/2/12/NEWWIRELINE/PHONE	INVOICE DESCRIPTION
4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12	4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12	4/12/12	4/1: 4/1:	4/1:	4/1 4/1		P/O # DA
/12 69467 /12 69467		2/12 69586	4/12/12 69466 4/12/12 69466	4/12/12 69560 4/12/12 69551	4/12/12 69464 4/12/12 69464		DATE TRANS#
12.48 90.75 11.98 59.07 2,400.00 53.99 23.66 16.65 100.77 56.33 18.62 5.09 10.60 16.12	24.98 6.46 15.66 12.74 142.12 16.64 1.59 21.81 11.98 35.71 6.87 61.06 266.20 110.92	5,200.00		450.00 75.00	343.47 1,565.68 112.86		AMOUNT
		96.25 5,200.00		1,678.54 450.00	343.47	330.00	CHECK TOTAL

N

NUMBER Report No: PB1308 Run Date : 04/09/12 CHECK 40115 40113 40111 40114 40112 40110 40109 BOB w TINA MARIE BISIAUX BIOQUIP PRODUCTS INC. M DANIEL BALDINI VENDOR KAYLA BARE M WATER & SEWER M GENERAL HOSPITAL BARKER COMPANY, INC 3/26/12/RENT/HEALTHNURSE 2/11/12/MED CLR/SO 3/15/12/GLVS/SO 2/11/12 BA//SO 2/11/12/ BA//SO 3/02/12/ BA//SO 3/02/12/ BA//SO 3/3/12// BA//SO 3/9/12// BA//SO 3/5/12/CLOTHING/SO 4/2/12/SEALANT/W&S 4/2/12/OIL FIL /R&B 4/3/12/FIL/CARBCLNTR/W&S 3/6-3/28/12, DRG CRTTEST 3/26/12/EVSTRAP/BAG 4/3/12/TRANPSMENTAL 3/26/12 STIPENDS BMAMBUL DMV FEES REG VACTORTRK 1/13/12/MED CLR/SO 3/29/12/ UJOINTS/BLDGS 3/29/12/U JOINT/R&B 3/28/12/DRIVESHAFT/BLDG INVOICE DESCRIPTION CHECK REGISTER 4/12/12 P/0 # LANDER COUNTY 4/12/12 DATE TRANS# 69468 69468 69468 69468 69468 69468 69468 69469 69561 69584 69467 69467 69467 69467 69467 69467 69626 69516 69484 613.00 904.00 126.75 105.00 105.00 105.00 105.00 105.00 22.00 150.00 150.98 225.00 184.98 29.06 21.86 14.92 13.15 21.85 AMOUNT 66.07 45.00 18.00 3,150.75 3,924.85 225.00 150.00 150.98 18. 45.00 CHECK .00 Page

40117

BONANZA PRODUCE

8

3/15/12/PRODUCE/SR CTR
3/15/12/PRODUCE/SR CTR
3/16/12/PRODUCESR CTR
3/16/12/PRODUCESR CTR
3/22/12/PRODUCE/SR CTR
3/22/12/PRODUCE/SR CTR
4/3/12/PRODUCE/SR CTR
4/3/12/PRODUCE/SR CTR

4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12

69610 69610 69610 69610 69610

54.45 28.70 30.97 20.65 26.80 21.85 10.78 7.18

4/12/12 4/12/12 4/12/12

40119

STACY BROOKS

MARCH MARCH

RAW FOOD/SR CTR

4/12/12 4/12/12

69611

13.74 1.60

4/12/12

69587

19

. 99

201.38

19.99

40118

ALSAKER CORPORATION

3/30/12/PROPANE EXCHG/RB

40116

PAPE MATERIAL HANDLING

3/6/12/MISCPRTS/A R&B

4/12/12

69494

850

. 02

850.02

66.07

CHECK	. 07/00/10	CHECK	CHECK REGISTER 4/12/12	***	
NUMBER	VENDOR	INVOICE DESCRIPTION P/O	DATE	TRANS#	AMOUNT
		MARCH/POSTAGE/SR CTR	4/12/12	69611	6,65
40120	SCOTT D. BULLOCK	3/5/12/ROOFTOPUNIT/SO 3/15/12//SRCTR FRIDGE/	4/12/12 4/12/12	69470 69470	325.00 210.00
40121	C R DRAKE & SONS INC	3/30/12/QTZ EXLLAMPS/BMAR	4/12/12	69589	405.94
40122	GARY CAMPBELL	TRNG FIRSTLINSUPRVR/CAMPB	4/12/12 4/12/12	6957 4 6957 4	241.00 241.00
40123	CAPITAL CONTROL SYSTEMS	3/14/12SERVC AC/SO 3/14/12/REF 761CREDIT	4/12/12 4/12/12	69562 69562	1,575.62 168.75-
40124	CASHMAN EQUIPMENT	3/28/12/BOLT TRACK/LNDFIL	4/12/12	69588	16.00
40125	CENTRAL RESTAURANT PROD.). 3/13/12/SHELVING/SO 3/13/12/SHELVING/SO	4/12/12 4/12/12	69563 69563	152.12 240.00
40126	CESCO EQUIPMENT	3/21/12/FITTINGS/R&B	4/12/12	69471	492.83
40127	CHASE CARD SERVICE	3/31/12/FASTENERS/SUPP	4/12/12	69564	201.14
40128	COMPUTERLAND OF RENO	3/23/12/COMP SUPP/ASSESSO 3/27/12/NOTEBOOK/ASSESSOR	4/12/12 4/12/12	69590	376.92 2,150.48
		3/27/12/NOTEBOOK/ASSESSOR 3/28/12/HPM551PRINTERS/AS 3/29/12/DESKCOMP/ASSESSOR 3/30/12/ADAPTER/ASSESSOR	4/12/12 4/12/12 4/12/12 4/12/12 4/12/12	69590 69590 69590	2,150.48 2,336.46 3,321.00 80.13
40129	DAVID J. CORMANY	3/14/12/PLN RETURN 3/13/12/PLN REV/DYNO	4/12/12 4/12/12	69472	3 595 36
		3/13/12/PLN REV/DYNO 3/14/12/PLN REVIEW/SARIO 3/14/12/PLN REVIEW/LENZ 3/14/12/PLN REVIEW/CORTEZ 3/13/12/PLN RET/DYNO	4/12/12 4/12/12 4/12/12 4/12/12 4/12/12	69472 69472 69472 69472 69472	3,585.38 459.58 516.43 225.14 5.25
40130	COURSON EQUIPMENT CO. I	INC 3/14/12/AIRCLNR/HYDFIL/RB	4/12/12	69473	441.75
40131	CRIMSON IMAGING SUPPLIES	S 3/12/12/INKCARTS/R&B 3/15/12/TONER/R&B	4/12/12 4/12/12	69474 69591	490.00 320.00
40132	JAYSON DAVID CUTLER	3/26/12/STIPENDS AMBUL 3/26/12/STIPENDS BMAMBUL 3/16/12/STIPENDS	4/12/12 4/12/12 4/12/12	69517 69517	75.00 60.00

Page

Report No: #51308
Run Date: 04/09/12
CHECK

LANDER COUNTY CHECK REGISTER 4/12/12

40146 40144 NUMBER 40147 40143 40141 40145 40142 40140 40139 40137 40138 40136 40135 40134 40133 GEM ST. PAPER & SUPPLY CO 3/29/12/KIT SUPP/SR CTR SHEALENE FRENCH FAST GLASS ETCHEVERRYS FOOD TOWN GENE P ETCHEVERREY ENGS MOTOR TRUCK CO. ANGIE M. ELKO DAILY FREE PRESS DOMINION VOTING SYSTEMS,
3/9/12/BATTERYS/CLERKS DELONG FORD MERCURY, INC. 3/28/12/SERVC AMBUL/AMBUL ELKO COUNTY LIBRARY ECOLAB DOUBLE RADIUS, INC VENDOR DELBERT L. CORNELLA SUPPLY #3210 ELQUIST 3//2012/FOOD SR CTR 3/2012/FOOD SR CTR 3/19/12/DRGCRT SUPP/CLERK 3/7/12/ISOLATOR/R&B 3/12/12/HOSE/SLMP/R&B 3/29/12/ STARTER/R&B 3/26/12/STIPENDS/AMBUL 3/14/12/PIPE/SEWER 3/16/12/DOOR /SO 3/29-30/12/TRVLELKO/ 3/11/12/RENTALFEE/SO 3/21/12SUPPLIES/SO 3/28/12 CIVIC SEWER 3/27/12 CIVIC CTR DISPOSA 3/28/12/DRAIN SR CTR 3/23/12/RENOTRNG/DA 3/25/12/BUSINESSCARDS/SO 4/1/12/ 4THQRT FY11/12 3/15/12/COMPUPGRADLRNGCTR 3/19/12 REPRS SR CTR SINK
3/19/12/ BULBS JUV OFFICE
3/20/12/INSTL TOILET
3/20/12/REPL BULBS/JCRT INVOICE DESCRIPTION P/0 # 4/12/12 DATE TRANS# 69612 69612 69622 69613 69478 69566 69477 69477 69609 69518 69565 69565 69620 69549 69549 69549 69549 69549 69606 69510 69592 69621 69509 69623 69549 25,993.75 1,225.00 65.00 69.06 300.23 87.48 1,281.39 112.59 1,586.53 118.99 94.40 312.50 90.34 287.62 165.02 244.20 135.94 71.73 7.57 5.05 70.56 AMOUNT 90.00 66.36 77.70 88.75 25,993.75 1,225.00 1,586.53 1,980.75 165.02 525.89 244.20 377.96 135.94 90.00 77.70 150.00 83.18 88.75 66.36 CHECK

CHECK REGISTER 4/12/12 LANDER COUNTY

40161 40158 NUMBER 40160 40159 40157 40155 40154 40153 40152 40151 40156 40149 40150 40148 JONES WEST FORD J-U-B ENGINEERS, INC ч MICHAEL CHARLES JENNINGS INLAND SUPPLY CO INC HUFFY'S AIRPORT WINDSOCKS
3/19/12/WINDSOCKS/BMARPRT IKON OFFICE SOLUTIONS INTERNATIONAL ASSOC. FOR ROGENE HILL HIGH DESERT MICROIMAGING THEODORE JORGE MICHAEL GONZALEZ GOLD DUST WEST CARSON VENDOR Σ WELDING SUPPLY [T] C. JOHNSON HERRERA 3/05/12/SUPPLIES/SO
3/16/12/INMATESUPPLIES/SO
3/16/12/SUPPLIES ASC
3/23/12/SUPPLIES ASC
3/23/12/INMATESUPPLIES/SO
3/21/12/INMATESUPPLIES/SO 4/3/12/FRDSKIDPLTECT,R&B 4/3/12/FRDTRKF150,R&B 4/3/12/FRDTRKF250,R&B 3/12/12/AUSTIN GES 2012 3/12/12/ BM/GES 2012 3/12/12/AUSTIN FUEL 3/13/12/BM APRONPROJ/ FIRSTLINESUPRVR TRNG/SO FIRSTLINESUPRVR TRNG/SO AJA CONFER/C JENNINGS/SO 3/14/12/COPIERCNTRT/TREAS 3/14/12/COPIERCNTRT/BLDGS 3/27/12/IMAGES/RECORDER 3/31/12/MED OXYGEN 11/29/11/DUES/D CANTRELL 3/26/12/STIPENDS/AMBUL 3/16/12 STIPENDS/ 4/5/12/REIMB POSTAGE 3/5/12/ ROOM/SO PUBLIC DEFENDER INVOICE DESCRIPTION 3/29/12/KIT SUPP/SR CTR P/0 # 4/12/12 DATE 69594 69594 69594 69576 69576 TRANS# 69483 69483 69483 69483 69575 69481 69481 69481 69481 69481 69480 69480 69627 69519 69479 69482 69514 69630 69593 69522 69567 69613 312.50 26,332.25 23,667.75 912.36 1,149.66 2,810.36 6,406.84 3,541.50 241.00 241.00 195.80 34.00 21.31 14.53 117.97 254.16 40.79 112.50 241.00 119.25 529.50 147.05 143.00 AMOUNT 50.00 12.25 15 47.82 .00 11,279.22 3,541.50 482.00 241.00 119.25 637.77 153.29 529.50 147.05 143.00 119.55 12.25 50.00 CHECK TOTAL 45.00

11.94		4/12/12 4/12/12			
7.14 2.23			1/13/12/INMATE MEALS 2/28/12/INMATE MEALS 2/8/12//INMATE MEALS		
2.37					
7.88		4/12/12			
4.20	69486 2	4/12/12	2/24/12/ BLEACH/SO		
3 . / K		21/21/2			
1.78		4/12/12	1/10/12/INMATE MEALS		
0.32		4/12/12			
7.72		4/12/12			
7.41	69486 21	4/12/12			
0.06		4/12/12			
3.84-		4/12/12	3/26/12/CREDIT/SO		
				MIDWAY MARKET	40171
444.36	69585 44	4/12/12	TON 3/29/12/VEC TEST/MOSQCTL	MICROGENICS CORPORATION	40170
474.87	69624 47	4/12/12	4/2/12/DEC11TARGETCASE		
			ERV.	MENTAL HEALTH DEV. SERV.	40169
155.40	69487 15	4/12/12	3/16/12/NRWA MTNG/		
				DAVID R. MASON	40168
299.75	69485 29	4/12/12	3/14/12/25DINNERS/	HANN S FIGAR & DELL	4010
				MAMA S STORY	40167
250.00	69547 50 69547 25	4/12/12 4/12/12	3/28/12 SENIOR CENTER 3/28/12 ROAD & BRIDGE		
0.00		4/12/12 4/12/12	3/28/12 COURT HOUSE 3/28/12 2ND ST ANNEX		
				LOVE CLEANING	40166
9.06	69614	4/12/12	3/22/12/KIT SUPP/SR CTR		
				JAY C WINROD	40165
47.50	69595 4	4/12/12	3/29/12/REVLACCT/CORONER		
32.00		71/21/4	6/22/12/REVIACCT/TRVIACON		
0.00		4/12/12	2/23/12/PEVIT ACCT/CONONEX		
15.00		4/12/12	1/26/12/REVLACCT/EASON		
35.00		4/12/12	1/26/12/REVLACCT/EASON		
14.47	69595	4/12/12	1/26/12/REVLACCT/DISPATCH		
		4/12/12	NG ACT 1/26/12/REVLACCT/CORONER	L C SHERIFF REVOLVING ACT	40164
09.10	69607 1,909.	4/12/12	IMP DIST #1 4/3/12 REV		
			MENT	L C GENERAL IMPROVEMENT	40163
15.00	69520	4/12/12	3/26/12/STIPENDS/AMBUL		
				JASON JURY	40162
AMOUNT	TRANS# AM	P/O # DATE	INVOICE DESCRIPTION	VENDOR	NUMBER
		CHECK REGISTER 4/12/12		. 04/00/40	CHECK

	40181	40180	40178	40177	40176	40175		40174	401/3	40173		40172			NUMBER
	NV STATE FIRE MARSHALL	NV FOOD DISTRIBUTION DEC	NORTHERN SAFETY CO., INC	NORCO, INC.	REITA NEWGARD	NEW FRONTIER TREATMENT		DON NEGRO	BAKT E. NEGKO			NATIONWIDE DRAFTING &			VENDOR
2/9/12/HAZ STORAGEPERMIT 2/9/12/HAZ STORAGEPERMIT 2/9/12/HAZ STORAGEPERMIT 2/9/12/HAZ STORAGEPERMIT 2/9/12/HAZ STORAGEPERMIT 2/9/12/HAZ STORAGEPERMIT 2/9/12/HAZ STORAGEPERMIT	2/16/12/RAW FOOD SR CTR	3/2/12/R CEJA/SO	3/1/12/ GLOVES/A R&B 3/5/12/LATEXGLVS/A R&B	3/31/12/MEDOXYBMAMBUL	3/5/12/ELY TRNG/ HEALTHNR 3/5/12/ELY TRNG/ HEALTHNR	3/26/12/S TYBO/ DRG CRT	3/2/12/GLVS/ 3/31/12/VESTS/ 3/16/12/STIPENDS		3/26/12/STIPENDS/AMBUL 3/16/12/STIPENDS 3/26/12/STIPENDS/AMBUL		2/28/12/SUPPLIES/TREAS 2/28/12/SUPPLIES/TREAS 2/28/12/SUPPLIES/TREAS 2/28/12/SUPPLIES/TREAS 2/28/12/SUPPLIES/TREAS 2/28/12/SUPPLIES/DA		2/29/12/INMATE MEALS 2/3/12/INMATE MEALS 2/3/12/INMATE MEALS 1/18/12/INMATE MEALS 1/30/12/INMATE MEALS 2/16/12/INMATE MEALS 1/20/12/INMATE MEALS 3/11/11/ BLEACH/SO 2/29/12/INMATE MEALS	7/26/11/ BLEACH/SO	INVOICE DESCRIPTION
															P/0 #
4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12	4/12/12	4/12/12	4/12/12 4/12/12	4/12/12	4/12/12 4/12/12	4/12/12	4/12/12 4/12/12 4/12/12		4/12/12 4/12/12 4/12/12		4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12		4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12 4/12/12	4/12/12	DATE
69596 69596 69596 69596	69616	69568	69492 69492	69628	69491 69491	69513	69490 69490 69490		69521 69521 69521		69512 69512 69512 69512 69512		6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	69486	TRANS#
100.00 150.00 300.00 150.00 150.00	152.83	55.90	100.47 18.53	148.80	83.25 55.00	500.00	123.64 86.14 15.00		90.00 30.00 90.00		299.99 29.96 367.47 367.47 174.75 174.75		38.59 18.59 4.96 4.37 9.70 198.82 3.52 3.52	9.17	AMOUNT
	152.83	55.90	119.00	148.80	1 00 00 00 00 00	224.78		210.00		1,295.42		2,479.25			CHECK

Report No: PB1308
Run Datè: 04/09/12
CHECK
NUMBER VENDOR

LANDER COUNTY CHECK REGISTER 4/12/12

40182 40183 40184 40185 40186	VENDOR NWOP CONSULTING, INC. PAIR NETWORKS, INC. PC INTERNET PHARMCHEM, INC. PITNEY BOWES PITNEY BOWES GLOBAL
40184	
40186	PITNEY BOWES
40187	PITNEY BOWES GLOBAL
40188	POWERPLAN
40190	DRECISION DANAMICS CORD
, ,	TABLETOTON PINNETTED CON
40191	DON PRINCE 3
40193	QUARTERMASTER, INC.
40194	ROBERT QUICK
40195	QUILL CORP

	40200		40199	40198	40197	40196		CHECK
	ROYAL HARDWARE		RON'S SEED & SUPPLY	GUY ROCK	RMT EQUIPMENT	BARTOLO RAMOS		VENDOR
3/2/12/GLOVES/W&S 3/5/12/TAP/BRASSPLUG/W&S 3/6/12/BLUBGLVS/W&S 3/6/12/BLUBGLVS/W&S 3/7/12/FERTILIZER/GLFCRS 3/7/12/FERFTES/PIPEPRTS 3/8/12/BLUBGLYS/R&B 3/8/12/BLUFES/PIPEPRTS 3/8/12/BATTY/BLDG 3/8/12/BATTY/BLDG 3/9/12/SAWBLD/S&W 3/12/12/FUC PRTS/GLFCRS 3/12/12/FUC PRTS/GLFCRS 3/12/12/FERMOMETER/R&B 3/12/12/THERMOMETER/R&B 3/13/12/THERMOMETER/R&B 3/15/12/FADLOCKS/CONN/GLF 3/17/12/SAWBLD/BAG/BLUBS/MOSQCT 3/17/12/SPRDRBAG/BLUBS/MOSQCT 3/17/12/SPRDRBAG/BLUBS/MOSQCT 3/19/12/FERTILIZER/GLFCRS 3/20/12/HINGE/PARKS 3/20/12/HINGE/PARKS 3/22/12/FUC CEMENT 3/22/12/FUC CEMENT		3/15/12/KROVAR/R&B	3/28/12/INK CART/ 3/19/12 INSPECT/BLDG 3/28/12/INSPECMTNGWINN 3/28/12/ POSTAGE		3/27/12/FUELPMPASSY/GLFCR	3/14/12TITLEFEES/A R&B	3/12/12/OFFICE 3/12/12/OFFICE/A DOE 3/12/12/STAMPERS/DA 3/12/12/RACK/BLDG 3/16/12/CHAIR/SUPPLIES/RE 3/19/12/INK,SUPP/R&B 3/19/12/NOTORY BOOK/DA 3/19/12/NOTARYBOOKASSESSO 3/27/12/SUPPLIES 3/28/12/SUPPLIES SPLIT 3/28/12/SUPPLIES SPLIT 3/28/12/SUPPLIES SPLIT 3/28/12/SUPPLIES SPLIT	INVOICE DESCRIPTION
4/12/12 4/12/13 4/12/13 4/12/13 4/12/13 4/12/12		4/1	4/1 4/1 4/1 4/1		4/1	4/1	44444444444444444444444444444444444444	P/O # DATE
4/12/12 69599 4/12/12 69599		4/12/12 69501	4/12/12 69500 4/12/12 69500 4/12/12 69500 4/12/12 69500 4/12/12 69500			4/12/12 69499	4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498 4/12/12 69498	DATE TRANS#
~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~		01	0000		98	99	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	#S#
19.98 40.96 4.49 4.49 49.99 121.84 163.66 52.47 15.98 27.60 2.79 35.79 35.79 35.79 41.36 21.67 27.99 13.98 24.58 21.67 27.99 35.79 35.79 35.79 35.79 35.79 35.79 35.79 35.79 36.88		2,925.00	26.92 337.33 404.59 6.20			30.25	80.93 61.18 30.99 124.99 471.95 53.85 40.57 13.76 126.06 33.05 33.05 33.05	AMOUNT
	2,925.00		775.04	228.10	30.25	1,472.62		CHECK

12

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3/23/12/TAPE/NIPPLER&B
3/26/12/SEWER ROD/W&S
3/26/12/NUTS/BOLTS/W&S
3/26/12/NUTS/BOLTS/W&S
3/27/12/STENCILS/W&S 3/7/12/KLONDEX G&S 3/7/12/CORTEZ-CASHMAN 3/7/12/CORTEZPIPELN, AMESC FIRSTLINESUPRVR TRNG/SO FIRSTLINESUPRVR TRNG/SO 3/15/12/CIVIC BKFLOWVALV 3/21/12/RAW FOOD 4/1/12/3MOSECURITYGLF CRS 3/28/12/BMARPRTWELLPERMIT 3/9/12/WAN SERVICES/SO 3/20/12/LICENSEFLTTRL/ARB 3/30/12/LAB CHRGS/W&S 3/30/12/LAB CHRGS/W&S 3/12/12/ SWITCH/ A R&B 3/9/12/LNDFILCONSULT/ 3/14/12/LAWENFORDIRECTORY PARKS CONTRACT 3/12/12/FIRE SYSTEM/SO 3/27/12/Y WEBB/DA 3/28/12/PROPANEBOTTLER&B 3/28/12/SCREWS/GLF CRS 3/31/12/GLVS/MOSQCTRL INVOICE DESCRIPTION PMT P/0 # 4/12/12 DATE 69579 69579 69504 69618 69578 69578 69578 69601 TRANS# 69476 69600 69511 69573 69515 69599 69599 69599 69599 69599 69599 69570 69502 69523 69503 69599 2,362.50 1,096.75 1,191.50 241.00 311.50 75.00 413.15 100.00 152.10 497.00 50.00 45.00 52.45 42.88 30.99 36.56 3.21 6.49 6.58 AMOUNT 4.36 65.60 23.60 5.00 1,096.75 4,725.00 1,191.50 4,520.67 482.00 386.50 150.00 100.00 152.10 497.00 CHECK 65.60 45.00 4.36 5 .00

11

Report No. #31308 Run Date : 04/09/12 CHECK

LANDER COUNTY CHECK REGISTER 4/12/12

40224 40223 40222 40221 40220 40219 40218 40217 40216 NUMBER 40215 WESTERN NEVADA SUPPLY CO KEITH WESTENGARD U S POSTAL SERVICE VALLEY BEVERAGES INC. VAISALA INC USA BLUE BOOK Н TIRE FACTORY JAY R. FISCHER SYSCO FOOD SERVICES VENDOR & M LAWN CARE 3/14/12/ SERVICECOMMBLZR
3/15/12/REPRSUNIT12/SO
3/23/12/FLAT RPR//R&B
3/21/12/REPAIRSUIT20/SO
3/21/12/REPRS UNIT 12/ 3/8/12/RAW FOOD SR CTR
3/15/12/RAW FOOD SR CTR
3/15/12/RAW FOOD SR CTR
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3/28/12/SUPPLIES/SR CTR
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4/4/12/ FOOD SR CTR 3/22/12/FOOD/SR CTR 3/22/12/FOOD/SR CTR TRVL, EXPENSE/EVAL OFEMERG 3/22/12/ REPS DODGEINTREP 3/22/12/SERVC SERCH/RES 4/1/12/AWOSMAINT4/1-6/30 3/26/12/LEADERHOSE/SEWER 3/12/12/REFILLS/SO 3/7/12/REPRS UNIT6 3/7/12/SEARCH&RESC VEH 3/12/12/SERV UNIT15/SO 3/7/12/REPRS UNIT 10 3/13/12/SERV UNIT15/SO 3/23/12/TOKENS/R&B PARKS MAINTENANCE 3/21/12/RAW FOOD 3/21/12/RAW FOOD INVOICE DESCRIPTION P/0 # 4/12/12 DATE 69608 69619 69603 69505
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216, 192.41					CHECKS TOTAL	CHECK	
327.89							
	43.16	80508	4/12/12		3/28/12/FOR NOTICE/PLNG	**	
	41.30	69508	4/12/12		3/26/12/FUB NOTICE/PING		
	85.69	69508	4/12/12		3/20/13/MAINTIL A R&B		
	157.74	69455	4/12/12		3/14/12/LEGAL/SEC ADV		
30.00)., INC.	WINNEMUCCA PUB. CO., INC.	40228
	30.00	69581	4/12/12		3/26/12/STIPENDS/AMBUL		
482.00						JASON L. WILLIAMS	40227
	241.00 241.00	69580 69580	4/12/12 4/12/12		FIRSTLINESUPRVR TRNG/SO		
77.70						BECKY WILEY	40226
	77.70	69507	4/12/12		3/16/12/CNWA MTNG/EUREKA		
291.10						FRANK WHITMAN	40225
	291.10	69604	4/12/12		3/28/12/SOLENOID/GLF CRS		
TOTAL	AMOUNT	TRANS#	DATE	P/0 #	INVOICE DESCRIPTION	VENDOR	NUMBER
			4/12/12	CHECK REGISTER 4/12/12			CHECK

COUNTY OF LANDER

BUSINESS CARD

DATE	INVOICE ALCOHOL	AMOUNT	REMARKS
03/28/12	AMAZON /SPLIT	330.63	3/19/12/TONERCART/SO
03/28/12	AMOZON/SPLIT	330.63	3/19/12/TONERCARTS/SO
03/28/12	B&H	539.85	3/12/12/BATTBCKUP/SO
03/28/12	BANK CARD	25.00	3/1/12/CARDFEES ANNL/SO
03/28/12	FLYING J	113.03	3/9/12/FUEL/SO
03/28/12	LEXMARK	32.10	3/2/12/INKCARTS/SO
03/28/12	LOVES	80.16	3/9/12/FUEL/SO
03/28/12	RIVIERA	241.92	3/5/12/HOTEL/SO
03/28/12	TIGER PERFORMANCE	505.10	3/1/12/SEARCH RESCUE/SUPP
I .			

CHECK NO

40072

\$2,198.42

COUNTY OF LANDER

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

PAY TO THE ORDER OF

BUSINESS CARD

WELLS FARGO BANK

BATTLE MOUNTAIN, NV 89820
GENERAL ACCOUNT

No. 040072

4-7074 3212

VOID IF NOT CASHED WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
04/02/12	40072	\$2,198.42
VOID	**VOID**	**VOID**

VOID*******2,198DOLLARS AND42CENTS***

BUSINESS CARD P.O. BOX 15796

WILMINGTON

DE 19886-5796

NON-NEGOTIABLE

LANDER COUNTY VOUCHER

Date

Pav To:	Bank Card Services	Vender #:	624 / 8436 / 99
	P.O. Box 53155	PO #:	
	Phoenix, AZ	Fund#	001
			Lander Co. Sheriff's Office
Account #	4024490000012515		
DEPT#	012	EXPENSE ACCT# 5392	0
Invoice #		Invoice Description	Amount
hamman and a same and a	See Attached		
2222			
DEPT#	,	EXPENSE ACCT#	
Invoice #		Invoice Description	Amount
		14 JH (1955-1964) - 1400-155 - 1560-1560 - 1560-1560 - 1560-1560 - 1560-1560 - 1560-1560 - 1560-1560 - 1560-1	
DEPT#		EXPENSE ACCT#	
Invoice #			
invoice #	The second secon	Invoice Description	Amount
A CONTRACTOR OF THE STATE OF TH			
			TOTAL \$2,198.42
and just; that the	foregoing claim is cor articles specified have proper officials of the		OMMISSION APPROVAL
County, the Coun	rts and/or Special Dis	tricts,	Chairman
	ated have been perfor		
	re necessary for; have	been	
	l to County, Court or		DEARITIES
Special District p	ourposes.	ST - 0.5.09439	MELEIAFA
do- 11			APR 0 2 2012
son un	qu-		NAS SERVICE SERVICE
3.30	horized Signature	For	Comptroller Use Only

Bank Card Services

Voucher

P.O. Box 15731

Wilmington, DE 19886

Wilmington, DE 19886					
Admin.	Description	Vender	Date	Total	
012-53170	Coroner				
012-53360	Gas/Oi				
012-53560	Maint	B & H	12-Mar	\$539.85	
012-53560	Maint				
012-53560	Maint				
012-53880	Vehicle Maint				
012-53920	Service/Supply	Amazon	19-Mar	\$330.63	Split
012-53920	Service/Supply	Card Fees	1-Mar	\$25.00	
012-53920	Service/Supply				
012-53920	Service/Supply				
002-53260	Service/Supply				
012-53920	LC Clerk's Office				
012-53940	Travel	Riviera	5-Mar	\$241.92	
012-53940	Travel	Flying J	9-Mar	\$113.03	
012-53940	Travel	Loves Country	9-Mar	\$80.16	
012-53641	Search & Rescue	Tiger Performance	1-Mar	\$505.10	
Detentions	Description		A STATE OF THE STA		
013-53700	Meals				
013-53720	Medical				
013-53920	Service/Supply	Amazon	19-Mar	330.63	Split
013-53920	Service/Supply	Lexmark	2-Mar	32.1	
013-53560	Building Maint				
013-53560	Building Maint				
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				\$2,198.42	
Credits	Description	Check#	Date Mailed		
Inmate Welfare	Netflix.com	2335	30-Mar	\$17.13	
Inmate Welfare					
Statement Balance				\$2,215.55	

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

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

3/30/2012

2335

PAY TO THE ORDER OF

Bank Card Services

Seventeen and 13/100*******

DOLLARS

Bank Card Services P.O. Box 15731 Wilmington DE 19886-5731 **VOID AFTER 60 DAYS**

MEMO

Inmate Movies

AUTHORIZED SIGNATURE

"OO 2335" (321270742) O670872142"

LANDER COUNTY SHERIFF'S OFFICE / INMATE WELFARE FUND

2335

Bank Card Services

Inmate Movies

3/30/2012

17.13

Inmate Welfare Check Inmate Movies

17.13

LANDER COUNTY SHERIFF'S OFFICE / INMATE WELFARE FUND

Bank Card Services

Inmate Movies

3/30/2012

2335

17.13



Business Card

LANDER CNTY SHERIFF DEP 4024 4900 0001 **2515** February 25, 2012 - March 24, 2012

Company Statement

Account Information:

www.bankofamerica.com

Mail Billing Inquiries to: BANK OF AMERICA PO BOX 982238 EL PASO, TX 79998-2238

Mail Payments to: **BUSINESS CARD** PO BOX 15796 WILMINGTON, DE 19886-5796

Customer Service: 1.800.673.1044, 24 Hours

TTY Hearing Impaired: 1.888.500.6267, 24 Hours

Outside the U.S.: 1.509.353.6656, 24 Hours

For Lost or Stolen Card: 1.800.673.1044, 24 Hours

Business Offers:

www.bankofamerica.com/mybusinesscenter

Payment Information	
New Balance Total\$2	,215.55
Minimum Payment Due	\$22.16
Payment Due Date 0	4/19/12
Minimum Payment Warning: If you make on minimum payment each period, you will pay me interest and it will take you longer to pay off you balance.	ore in

RECEIVED

MAR 2 9 2012

LANDER COUNTY S.O.

Account Summary	
Previous Balance	\$5,235.60
Payments and Other Credits	\$5,235.60
Balance Transfer Activity	\$0.00
Cash Advance Activity	\$0.00
Purchases and Other Charges	\$2,190.55
Fees Charged	\$25.00
Finance Charge	\$0.00
New Balance Total	\$2,215.55
Credit Limit	\$15,000
Credit Available	\$12,784.45
Statement Closing Date	03/24/12
Days in Billing Cycle	29

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						, cro smarged
15,000	1,275.34	0.00	0.00	0.00	1,250,34	25.00
UNGER, RON 4003 9000 0008 6082			A CONTRACTOR OF THE CONTRACTOR	1 N		23.00
15,000	940.21	0.00	0.00	0.00	940.21	0.00



LANDER CNTY SHERIFF DEP 4024 4900 0001 2515 February 25, 2012 - March 24, 2012

Page	3	of	1

Trans	sactions			
Posting Date	Transaction Date	Description	Reference Number	Amount
Committee of the second	R CNTY SHER t Number: 251			
03/12 03/21	03/12 03/21	Payments and Other Credits PAYMENT RECEIVED THANK YOU PAYMENT RECEIVED THANK YOU TOTAL PAYMENTS AND OTHER CREDITS FOR THIS PERIOD	07274405350000500630752 08174405350000500824628	- 5,218.47 - 17.13 -\$5,235.60
	ROBERT W Number: 241		National Physics of Property and Company	
03/05 03/05 03/12 03/12 03/13	03/02 03/02 03/09 03/09 03/12	Purchases and Other Charges LEXMARK US PFSWEBSTORE 800-539-6275 KY NETFLIX.COM NETFLIX.COM CA Amazon.com AMZN.COM/BILLWA AMAZON MKTPLACE PMTS AMZN.COM/BILLWA B & H PHOTO-VIDEO.COM 800-9479950 NY TOTAL PURCHASES AND OTHER CHARGES FOR THIS PERIOD Fees Charged	24692162062000246067017 24692162062000249575610 24692162069000232594118 24692162069000282766996 24767902072073006580302	32.10 17.13 489.90 171.36 539.85 \$1,250.34
03/01	03/01	ANNUAL CARD FEE TOTAL FEES FOR THIS PERIOD		25.00 \$25.00
UNGER, Account	Number: 608:		anament all the Print days After Color of Tribes.	
03/02 03/12 03/12 03/13	03/01 03/09 03/09 03/09	Purchases and Other Charges TIGER PERFORMANCE 716-6748545 NY PILOT Wells NV LOVES COUNTRY 00003400 LAS VEGAS NV RIVIERA HOTEL AND CASINO LAS VEGAS NV Arr: 03/05/12	24301372061106062000039 24628012069000157117552 24164072070111802503921 24610432072004081027452	505.10 V 113.03 V 80.16 V 241.92 V
	741	TOTAL PURCHASES AND OTHER CHARGES FOR THIS PERIOD		\$940.21

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	\$0.00	\$0.00
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.



2901 Las Vegas Blvd. South Las Vegas, NV 89109 (702) 734-5110 www.RivieraHotel.Com

RON UNGER 2 STATE ROUTE 305 S BATTLE MOUNTAIN NV 898204300

Arrival Date Time: 03/05/2012 Departure Date Time: 03/09/2012

Number of Guests: 2

Room Number: 5417

Credit Card Number:

Card Expiration Date:

Group Number: WSSAS12

Thank you for staying with us

DATE	TICKET	DESCRIPTION	AMOUNT
03/05/2012	5417	ROOM CHARGE 5417	72.00
03/05/2012		APPLIED DEPOSIT	8.64 80.64-
03/06/2012	5417	***********6082 ROOM CHARGE 5417	72.00
03/07/2012	5417	TAX1 ROOM CHARGE 5417	8.64 72.00
03/08/2012	5417	TAX1 ROOM CHARGE 5417	8.64 72.00
03/09/2012		TAX1 VISA - LODGING ***********6082	8.64 241.92-
5 0			
		**	
		TOTAL AMOUNT DUE	.00

Please call (702) 734-5110 For Billing Information Or Inquiries Thank You For Choosing Riviera Hotel & Casino!

Flying J #692 Flying J #692 156 Hwy 93 South Wells (775) 752-2400

. 1

Invoice # 81546 Date 03/09/12 Time 15:28 Auth # 053566

Pump Gallons Price 05 26.292 \$ 4.299

Product Amount ADS11 \$ 113.03

Total Sale \$ 113.93

SALE - Card Swiped

VI Acct# ##########6082

Thank You For Choosing Pilot Flying J

> Thank you for shopping at Flying J!

Welcome To Loves#34년 12501 Apex Great Bas Las Vegas NV 89115

03/09/12 10:03

Pump Gallons Price 16 18.955 \$ 4.229

Product Amount Auto Diesel \$ 80.16

###########6082 Card: UISA

Approval: 08748G

Ticket: 45221

Thank You !!!

Jesh ?

SNO M

155 M

UPS BATTERY Brehys

Robert Quick

From: Sent: ord-status@bhphotovideo.com Monday, March 12, 2012 8:12 AM

To:

rquick@landerso.org

Subject:

Confirmation of Your Order #1019858375

if you cannot read this email Click here to view on the web



The Professional's Source www.bhphotovideo.com

420 Ninth Avenue New York, NY 10001 800-606-6969 212-444-6615

Order Confirmation

Please print and save a copy for reference

Please review the information below and verify

PLEASE NOTE Since in most instances we begin processing your order shortly after you submit it on our website. If any changes are necessary you must contact us by phone only, at 800-221-5743 or 212-239-7765

Date	Shipping Meth	od Status (Order Number
03/12/2012	UPS Ground	NEW 1	019858375
Ship To		Bill To	Payment.
Robert Quick Lander County Sheriff Route 305 Battle Mountain, NV 8 USA (775) - 635 - 1100		Robert Quick Lander County Sheriff's Office PO Box 1625 Battle Mountain, NV 89820-1625 USA (775) - 635 - 1100	Card Type: Visa Card Card Number: xxxxxxxxxxxx- 2411 Amount Charged: \$539.85

1-1-0 ENGINE AND MARKET	Product	CONTROL DESCRIPTION OF THE PARTY OF THE	Price	Utai
- 1	APC APBR1500G			
-	Power-Saving Back-UPS Pro 1500	3	\$179.95	\$539.85

Constitution of the second section of the sect

Orders consisting of two or more types of items may be shipped from multiple locations.

 Sub Total:
 \$539.85

 Shipping:
 \$0.00

 Sales Tax:
 \$0.00

 Total \$539.85

All orders are subject to approval by our verification dept. We will notify you by phone or email should your order be delayed.

Estimated Delivery Date: Monday March 19, 2012

Check your order Status Click here contact customer service Click Here

SMS Order Tracking
Use your mobile phone to check your order status <u>Click Here</u>

Thank you for your order

Our NYC SuperStore Hours of Operation Sunday: 10:00am - 6:00pm Monday thru Thursday: 9:00am - 7:00pm Friday: 9:00am - 1:00pm EST / 2:00pm EDT Saturday: Closed



X



The Professional's Source

INVOICE

420 Ninth Avenue, New York, NY 100 www.bhphotovideo.com 866.254.2439 212.560.3242

Please print and save a copy for re

☐ Print Page

Those who complete this survey will be entered in the Digital Camera Giveaway!

Shopper Satisfaction Survey

Share your shopping experience with thousands of shoppers!

Please take a moment and tell us about your experience shopping at this online store

Go To The Survey →

Powered By PriceGrabber.com

Date	Shipping Method	Status	Order Number
03/12/2012	UPS Ground	NEW ORDER	1019858375

Ship To	Bill To	Payment
Robert Quick	Robert Quick	Card Type

Robert Quick Robert Quick Card Type: Visa Card

Lander County Sheriff's Office Lander County Sheriff's Office Card No.: xxxxxxxxxxxxx2411

2 State Route 305 PO Box 1625

Robert Quick Card Type: Visa Card

Card No.: xxxxxxxxxxxx2411

Amount Charged: \$ 539.85

2 State Route 305 PO Box 1625

Battle Mountain

Battle Mountain

NV 89820 NV 89820-1625 USA USA 775 - 635 - 1100 230 775 - 635 - 1100 230

 Qty
 Price
 Total

 APC APBR1500G Power-Saving Back-UPS Pro 1500
 3
 \$179.95
 \$539.85

 Sub Total Shipping Sales Tax
 \$0.00

 Sales Tax
 \$0.00

Total \$539.85

Orders consisting of two or more types of items may be shipped from multiple locations.

All orders are subject to approval by our verification dept. We will notify you by phone or email should your order be delayed.

Please print and save a copy of your invoice before leaving this page. 린 <u>Print Page</u>

On the go? SMS Order Tracking! Now use your mobile phone to check order status. \Box Click Here

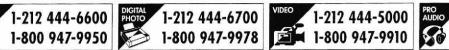
Estimated Delivery Date: Monday March 19, 2012. Thank you for your order.

Home



420 Ninth Avenue, New York, NY 10001 • Fax: 212.239.7770









To Inquire About Your Order Tel: 212.239.7765 - 800.221.5743 • Fax: 212.502.9426 - 866.527.7375

The Professional's Source

www.BandH.com



Sold To: ROBERT QUICK

LANDER COUNTY SHERIFF'S OFFICE

PO BOX 1625

BATTLE MOUNTAIN, NV 89820

Order No.: 379716850 Reference No.: 1019858375

Ship To: ROBERT QUICK

LANDER COUNTY SHERIFF'S OFFICE

2 STATE ROUTE 305

BATTLE MOUNTAIN, NV 89820

Bill Phone: (775)635-1100 Ext: 000230 Work Phone: (775)635-1100 Ext: 000230

Ship Phone: (775)635-1100 Ext: 230

Invoice Date Customer (Number Salesperson	Ship Via	
03/12/12 5706986		WB	UPS GROUND 5-7	DAYS 💃
Qty Ord Qty Ship Qty Bl	to Item Description	SKU#	Item Price	Amount
3 3	APC BACK-UPS PRO 1500 POWER SAVING Salesperson Code: WB SERIAL #: S3B1149X27222 S3B1149X27236	APBR1500G	179.95	539.85
	S3B1149X25965 Qualifies for Free Shipping Within the Contiguous USA PLEASE NOTE: *****B&H HOLIDAY SCHEDULE***** B&H Will be CLOSED from Friday, April 6th Thru Friday, April 13th We will REOPEN on Sunday, April 15 at 10:00am	ESE CONTRACTOR OF THE CONTRACT		5
				\$

Payment Type	Card/Check Number	Amount	Sub-Total:	\$539.85
VISA CARD	*********2411	539.85		
				*
			Total Order:	\$539.85
			Total Payment: Balance:	\$539.85 \$.00

REQUEST FOR PURCHASE LANDER COUNTY SHERIFF'S OFFICE

BILLING ADDRES Lander County Sheri Attn: Accounts Recei Post Office Box 1625 Battle Mountain, Nev	ff`s Offic ivable 5	e Lander C # 2 State Battle Mo	ounty Sheriff's Office Route 305 Duntain, Nevada 89820			Federal Tax ID #: 88-6000093 Telephone Numbers: (775) 635-1100 FAX (775) 635-2577		
LINE ITEM: 00	1-012-53	641		DA	TE: Februa	ry 7, 2012		
REQUESTED VEN	DER:	Tiger Performance Pro	oducts		P.C	D. #: 2214	1	
PHONE: _716-674	1-8545	FAX#	: 716-674-7497		Date Orde	ered: <u>2-2</u>	9-12	
CONFIRMATION	#: <u>(</u>	090	CONTACT:	Sonny		ACCT#:		
PURCHASE:		Urgent:	Non-Urgent:	3arhar ⊠		et Related:	\boxtimes	
ORDER#	QTY		ITEM		SIZE COLOR	PRICE EACH	TOTAL	
T-5430	1	Adapter- Helicopter to	General Aviation			\$55.00	\$55.00	
T-5815	1	Preamp, installed				\$70.00	\$70.00	
T-5905-100	1	Motorola Plug in Coil (Cord with 90 degree 2 pir	n plug		\$60.00	\$60.00	
T-5905GA-3'cc	1	3' General Aviation ICS	S Plug in coil cord			\$70.00	\$70.00	
T-61705	1	Air crew Interface Drop	р Вох			\$295.00	\$295.00	
			*					
					***************************************	Sub Total		
				Frei	ght and/or Ship	pping Costs		
					TOTAL CO	ST		
REASON NEEDED:								
Communications betw	veen airpi	ane, Dispatch and SAR p	personnel on the ground					
Pre-paid	d Wi	th Credit	card					
27112	2				9,00	2/1/-		
Employee Signature	J.	$\overline{}$	Supervisor's Signature			Date		
AlthO	4	/	Approved	☐ Denied			12012	
Administrative Signati	ure	the state of the s				Date		

Tiger Performance Products, Inc.

525 Bullis Road West Seneca, NY 14224 U.S.A. www.tigerperformance.com 1-716-674-8545 1-716-674-7497 (fax)

Quote

Invoice #: 00006090

Bill To: Tyler Peterson Lander County Sheriffs 120 Cove Road Battle Mountain, NV 89820

Ship To:

Lander County Sheriffs 120 Cove Road Battle Mountain, NV 89820

Phone: 1-775-374-0124 Cell

Fax:

							1 00			
SALES	SPERSON	YOUR NO.	SHIP VIA	COL	PPD	SHIP DATE		TERMS	DATE	PG
S	Sonny		UPS - Ground	x				C.O.D.	1/20/2012	1
QTY.	ITEM NO.		DESCRIPTION			PRICE	UNIT	DISC %	EXTENDED	TX.
1	T-5815	Aviation Preamp.	Helicopter to G			\$55.00 \$70.00	1		\$55.00 \$70.00	
1		90 degree	Plug In Coil Cor 2 pin plug.			\$60.00	1		\$60.00	
1		3' Genera coil cord	al Aviation ICS F	570.		\$70.00	1		\$70.00	
1	T-61705	Air Crew	Interface Drop E	Box		\$295.00	1		\$295.00	
	٨									
Made in L Make che Wire Tran Account # All returns	Job #12035. Made in USA. Freight Collect. Make checks payable to Tiger Performance Products, Inc. (U.S. Funds) Wire Transfers: Bank of America. Account #: 9418913107. Routing #: 026009593. Swift Code: BOFAUS3N. All returns subject to a 15% restocking charge.					1	FF SALE TOTA	E AMT. REIGHT ES TAX L AMT. FODAY	\$550.00 \$25.10 \$0.00 \$575.10 \$0.00	
Prices & s	Prices & specs subject to change without notice.						BALANC	E DUE	\$575,10	

Tiger Performance Products, Inc.

525 Bullis Road West Seneca, NY 14224 U.S.A. www.tigerperformance.com 1-716-674-8545 1-716-674-7497 (fax)

Invoice

Invoice #: 00006090

Bill To: Tyler Peterson Lander County Sheriffs Ship To:

Lander County Sheriffs 120 Cove Road Battle Mountain, NV 89820

120 Cove Road Battle Mountain, NV 89820

SALES	PERSON	YOUR NO.	SHIP VIA	COL	PPD	SHIP DATE		TERMS	DATE	PG
Sc	onny	2214	UPS - Ground	Х		3/1/2012		C.O.D.	3/1/2012	1
QTY.	ITEM NO.		DESCRIPTION			PRICE	UNIT	DISC %	EXTENDED	TX.
1	T-5430	Adapter	- Helicopter to G	eneral		\$55.00	1		\$55.00	
1	T-5905-100	Aviation Motorola	Plug In Coil Co	rd with		\$60.00	1		\$60.00	
1	T-5905GA-3'co	90 degre	ee 2 pin plug. al Aviation ICS F			\$70.00	1		\$70.00	
		coil cord								
1	T-61705	Air Crew	Interface Drop I	зох		\$295.00	1		\$295.00	
63.01.12 T.D00115915	М S	APPR CODE: 02514G INVH: 000003	CUSTOHER COPY					LE AMT.	\$490.00	
Job #12035. Made in USA. Freight Collect. Make checks payable to Tiger Performance Products, Inc. (U.S. Funds) Wire Transfers: Bank of America. Account #: 9418913107. Routing #: 026009593. Swift Code: BOFAUS3N. All returns subject to a 15% restocking charge.							F SA TOT	REIGHT LES TAX AL AMT.	\$480.00 \$25.10 \$0.00 \$505.10 \$505.10	
	specs subject to						BALAN	CE DUE	\$0.00	

Tiger Performance Products, Inc.

525 Bullis Road West Seneca, NY 14224 U.S.A.

Packing Slip

Invoice #: 00006090

Bill To:

Lander County Sheriffs 120 Cove Road

Battle Mountain, NV 89820

Ship To:

Lander County Sheriffs 120 Cove Road Battle Mountain, NV 89820

SALES	PERSON	YOUR NO.	SHIP VIA	COL	PPD	SHIP DATE		TERMS	DATE	PG.
Sc	onny	2214	UPS - Ground	x		3/1/2012		C.O.D.	3/1/2012	2 1
QTY.	ITEM NO.		DESCRIPTION		PRICE	UNIT	DISC %	EXTENDED	TX.	
1	T-5430 T-5905-100 T-5905GA-3'cc T-61705	Aviation Motorola 90 degre 3' Gener coil cord	- Helicopter to G Plug In Coil Cor e 2 pin plug. al Aviation ICS F Interface Drop E	d with			1 1 1 1			
Job #1203	Total Items: 4						FF SAL TOTA	E AMT. REIGHT ES TAX AL AMT. TODAY		
	(k .)			40.400			BALAN	CE DUE		

Robert Quick

From:

auto-confirm@amazon.com

Sent:

Thursday, March 08, 2012 12:45 PM

To:

rquick@landerso.org

Subject:

Your Order with Amazon.com

amazon.com[.]

VIEW CART | WISH LIST | (YOUR ACCOUNT) | HELP

Thanks for your order, Robert W. Quick!

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: rquick@landerso.org

Billing Address:

Robert Ouick PO Box 1625

Battle Mountain, Nevada 89820

United States

Shipping Address:

Robert W. Quick 2 State Route 305

LANDER COUNTY SHERIFF'S OFFICE BATTLE MOUNTAIN, NV 89820-4300

United States

Order Grand Total: \$661.26

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

Order Summary:

Your purchase has been divided into 2 orders.

Order #1: (order will arrive in 1 shipment)

Order #:

105-3218882-4729861

Shipping Method:

FREE Super Saver Shipping

Items:

\$489.90

Shipping & Handling:

\$7.35

Super Saver Discount:

-\$7.35

Total Before Tax:

\$489.90

Estimated Tax To Be Collected:*

\$0.00

Order Total:

\$489.90

Delivery estimate: Mar. 14, 2012 - Mar. 17, 2012

2 "Lexmark C544X1MG Magenta Toner Cartridge Extra High Yield Return Prog for C544/X544"

Office Product; \$118.96

In Stock

Sold by: Amazon.com

2 "C544/X544 Extra Hy Return Prog Black Toner Cart"

Office Product; \$125.99

In Stock

Sold by: Amazon.com

Order #2: TigerSupplies

Order #:

105-7509841-7873005

Shipping Method:

Standard

Items:

\$332.26

Shipping & Handling:

\$8.26

Total Before Tax:

\$340.52

Estimated Tax To Be Collected:*

\$0.00

Total:

\$340.52

Gift Certificate/Card:

-\$169.16

Order Total:

\$171.36

Delivery estimate: Mar. 14, 2012 - Mar. 19, 2012

1 "C544/X544 Extra Hy Return Prog Yellow Toner Cart"

Office Product; \$114.16

In Stock

Sold by: TigerSupplies

2 "C544/X544 Extra Hy Return Prog Cyan Toner Cart"

Office Product; \$109.05

In Stock

Sold by: TigerSupplies

Amazon.com Gift Cards Designs for any occasion



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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**

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Robert Quick

9, 3,

From:

mylxk@lexmark.com

Sent:

Tuesday, February 28, 2012 2:57 PM

To:

rquick@landerso.org

Subject:

Thanks, Your Order has been placed successfully!

Having trouble viewing the email below? Please visit. http://www1.lexmark.com/US/en/

Lexmark.com order (#o267675644) confirmation.

LEXMARK

Dear Robert,

Thank you for your recent order with Lexmark.com. We value your business and look forward to serving you in the future.

Your order details are below – please save this email for your records. You will receive a second follow-up email when your order has shipped.

Track Your Order Online

You can also track this order or any other Lexmark.com anytime you like. Just go to this page: http://www1.lexmark.com/US/en/

We want your Lexmark experience to exceed your expectations in service, efficiency, value, and quality. If you ever have any questions or concerns, please call us toll free at 1-800-LEXMARK (539-6275)

Thank you for choosing Lexmark.

Order Details:

Order Date:

Order Number:

Order Status:

2/28/02012

0267675644

???PENDING_SUBMISSION???

Item(s) summary	Quan	tity Price	Subtotal	Item Status & Tracki	ing
C54x, X54x Waste Toner Bottle	3	\$9.99	\$29.97	???PENDING_SUBMI	SSION???
Ship To:	Bill	То:		Total Charges	
Robert Quick 2 STATE ROUTE 305 S		rt Quick ox 1625		SubTotal:	\$29.97
BATTLE MOUNTAIN, NV89820-4300		Mountain, N	V89820	Discounts:	-\$0.00
756351100	7756	351100		Shipping & Handling:	\$0.00
Shipping Method	Payr	nent Metho	od	Taxes:	\$2.13
2nd Business Day	VISA	Last Digits:2	2411	Total:	\$32.10

If you ever have any questions or concerns, please call us toll free at 1-800-LEXMARK (539-6275) or email support@lexmark.com

Sincerely, Lexmark team

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Addresses

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Option

Current Folder: INBOX

Calendar

Message List 🚁 Delete

🖧 Forward | Forward as Attachment | 🙆 Reply | 🧟 Reply All

Subject: FW: Thanks, Your Order has been placed successfully!

From: "Robert Quick" <rquick@landerso.org> Date: Wed, February 29, 2012 1:22 pm

To: "Elizabeth Eason" <eeason@landerso.org>

Priority: Normal Read receipt: sent

Options: View Full Header | View Printable Version | Download this as a file | View Unsafe Images | View Message details | View as plain text

Robert W. Quick

Undersheriff, TAC

Lander County Sheriff's Office

Physical: 2 State Route 305

Mailing: Post Office Box 1625

Battle Mountain, Nevada 89820

(775) 635-1100

(775) 635-8196 (fax)

From: mylxk@lexmark.com [/sqmail/src/compose.php?send_to=mylxk@lexmark.com]

Sent: Tuesday, February 28, 2012 2:57 PM

To: rquick@landerso.org

Subject: Thanks, Your Order has been placed successfully!

Having trouble viewing the email below? Please visit http://www1.lexmark.com/US/en/

Lexmark.com order (#o267675644) confirmation.

This image has been removed for security reasons.

Dear Robert,

Thank you for your recent order with Lexmark.com. We value your business and look forward to serving you in the future.

Your order details are below - please save this email for your records. You will receive a second follow-up email when your order has shipped.

Track Your Order Online

You can also track this order or any other Lexmark.com anytime you like. Just go to this page:http://www1.lexmark.com/US/en/

We want your Lexmark experience to exceed your expectations in service, efficiency, value, and quality. If you ever have any questions or concerns, please call us toll free at 1-800-LEXMARK (539-6275)

Thank you for choosing Lexmark.

Order Details:

Order Date:	Order Number	:	Order	Status:		
2/28/02012	o267675644		???PE	NDING_SU	BMISSION???	
Item(s) summary C54x, X54x Waste Tone	r Bottle	Quantity 3	Price \$9.99	Subtotal \$29.97	Item Status & Tracki ???PENDING_SUBMI	•
Ship To:		Bill To:			Total Charges	
Robert Quick 2 STATE ROUTE 305 S BATTLE MOUNTAIN, NV89 756351100 Shipping Method	9820-4300	7756351	625 Juntain, NV8 100		SubTotal; Discounts: Shipping & Handling:	12000001 T000000
2nd Business Day		ASSOCIATION ASSOCI	nt Method st Digits:24		Taxes: Total:	\$2.13 \$32.10

If you ever have any questions or concerns, please call us toll free at 1-800-LEXMARK (539-6275) or email support@lexmark.com

Sincerely,

Lexmark team

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Move

Take Address

ROGENE HILL Lander County Finance Director



ACKNOWLEDGEMENT OF REVIEW & AUTHORIZATION	DAT
	,
Wen Daywor	7
hairman	
Neven Herry	4/12
ommissioner /	101
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opmissioner / / / / / / /	
S. S. Chelling	5
ommissioner	•
Ommissioner	

LANDER COUNTY COMMISSION MEETING

April 12, 2012

SUBMITTED EXPENDITURES IN THE AMOUNT OF \$ 216,192.41 From Check #40101 thru #40228 APPROVE / DISAPPROVE

CDACE	POWRIE

RACE POWRIE	1 211112			
DATE INVOICE	AMOUNT		REMARKS	
3/22/12 REIMB TRVL 182X.555	100.46	3/20/12	AUSTINBRDMTNG W&S	
CHECK NO 40065	\$100.4	.6 **		
COUNTY OF LANDER	WELLS FARGO BAN	K	No. 040065	
OAS COUTH HUMBOLDT STREET	BATTLE MOUNTAIN, NV SENERAL ACCO		VOID IF NOT CASHED	94-7074 3212
PAY TO THE ORDER OF	DATE	CHECK NO.	WITHIN 90 DAYS AMOUNT	
GRACE POWRIE	03/22/12 **VOID**	40065 **VOID**		6
VOID******100DOLLARS AND46CENTS***				
GRACE POWRIE 621 ELQUIST DRIVE				
BATTLE MOUNTAIN NV 89820		NON-N	NEGOTIABLE	=
	in the second se			
TOTAL	-Li-		\$100.46	
TOTAL I hereby certify that the above and foregoing claim against Lai		Nevada,	\$100.46	
By: State Over Transport	and unpaid.			
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.	0	1/1/1/	1	
Signed: Title/ District Judge/Clerk of the Court	Kay	anous	RECEIVED	
Rejected: Laid Over:	Hen It I	tue 6	MAR 2 2 2012	
Date approved:	()	D. 111.00	ton 1.C FINANCE	

BUSINESS CARD

DATE	INVOICE	AMOUNT	REMARKS
03/28/12	AMAZON /SPLIT	330.63	3/19/12/TONERCART/SO
03/28/12	AMOZON/SPLIT	330.63	3/19/12/TONERCARTS/SO
03/28/12	B&H	539.85	3/12/12/BATTBCKUP/SO
03/28/12	BANK CARD	25.00	3/1/12/CARDFEES ANNL/SO
03/28/12	FLYING J	113.03	3/9/12/FUEL/SO
3/28/12	LEXMARK	32.10	3/2/12/INKCARTS/SO
03/28/12	LOVES	80.16	3/9/12/FUEL/SO
03/28/12	RIVIERA	241.92	3/5/12/HOTEL/SO
03/28/12	TIGER PERFORMANCE	505.10	3/1/12/SEARCH RESCUE/SUPP

CHECK NO

40072

\$2,198.42

COUNTY OF LANDER

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

PAY TO THE ORDER OF

BUSINESS CARD

WELLS FARGO BANK

BATTLE MOUNTAIN, NV 89820 GENERAL ACCOUNT No. 040072

94-7074 3212

VOID IF NOT CASHED WITHIN 90 DAYS

DATE	CHECK NO.	AMOUNT
04/02/12	40072	\$2,198.42
VOID	**VOID**	**VOID**

VOID*******2,198DOLLARS AND42CENTS***

BUSINESS CARD P.O. BOX 15796

WILMINGTON

DE 19886-5796

NON-NEGOTIABLE

TOTAL

\$2,198.42

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.

3.30-/2

Date

COUNTY COMMISSION APPROVAL

Chairman

APR 0 2 2012

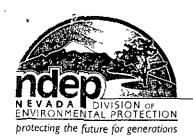
For Comptroller Use Only

L.C. FINANCE

Commissioners' Report

April 12, 2012

- 1. Lisa A. Kreskey, Nevada Division of Environmental Protection, to Brian Musser, Cortez Gold Mines, letter regarding Cortez Hills Expansion Project, Water Pollution Control Permit #NEV2007106, Finding of Alleged Violation & Order.
- 2. Austin & Tonopah Ranger Districts, Humboldt-Toiyabe National Forest, Forest Service requests input regarding Austin/Tonopah Combined Travel Management Plan.
- 3. Steve Bradhurst, Central Nevada Regional Water Authority, to Gene Etcheverry, Executive Director, letter regarding Central Nevada Regional Water Authority FY 2013 Member Assessment.
- 4. W. Todd Suessmith, Jr., Nevada Division of Environmental Protection, to Glenn King, Newmont Mining Corporation, letter regarding BMRR approval of the Phoenix Project Revised Phoenix Copper Leach Project Amendment dated February 29, 2012 and issuance of Revised Draft Reclamation Permit 0223, BLM Case Number NVN-067930.
- 5. Mitsuyo Maser, Nevada Department of Taxation, to McKay Drilling, Inc., letter regarding Application Filing Number: 10-10006G, Project Name: Ormat McGinness Hills Project.
- 6. Nevada Division of Environmental Protection, Notice of Public Workshop to Solicit Comments on Proposed Amendments to Nevada Administrative Code (NAC) Chapter 445B- Air Pollution scheduled for April 23, 2012.



STATE OF NEVADA

Department of Conservation & Natural Resources

Brian Sandoval, Governor Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

DIVISION OF ENVIRONMENTAL PROTECTION

March 20, 2012

Certified Mail # 9171 9690 0935 0009 9303 98

Re:

Cortez Hills Expansion Project

Crescent Valley, NV 89821-1250

Water Pollution Control Permit #NEV2007106

Finding of Alleged Violation and Order

Mr. Musser:

Brian Musser Cortez Gold Mines HC66 Box 1250

The enclosed <u>Finding of Alleged Violation</u> and <u>Order</u> are issued by the Administrator of the Nevada Division of Environmental Protection (NDEP), pursuant to Nevada Revised Statutes (NRS) 445A.675 and 445A.690, and require compliance by Cortez Gold Mines with the terms and conditions of the <u>Order</u> by the dates specified.

The <u>Finding of Alleged Violation</u> and <u>Order</u> were developed as a result of unauthorized construction and operation of process components on and before March 6, 2012, as verified during a site inspection by NDEP staff on that date.

Any violation of the terms of the Order could subject you to an action for appropriate relief pursuant to NRS 445A.695, 445A.700, or 445A.705.

This Order is final and not subject to review unless, within 30 days after the date such Order is served, the State Environmental Commission (SEC) located at 901 South Stewart Street, Ste. 4001, Carson City, Nevada, 89701-5249, receives a request for a hearing by written petition on SEC Form 3.

If you have any questions concerning this matter, please contact me at (775) 687-9415.

Sincerely,

Lisa A. Kreskey

Environmental Scientist / Mine Compliance Inspector Bureau of Mining Regulation and Reclamation

RECEIVED

MAR 2 3 2012

COUNTY COMMISSION



FINDING OF ALLEGED VIOLATION

- I. This Finding is made on the basis of the following facts, to wit:
 - A. The State of Nevada, Department of Conservation and Natural Resources, Division of Environmental Protection (NDEP), under the authority of Nevada Revised Statutes (NRS) 445A.445, subsection 1, has the power and duty to administer and enforce the provisions of NRS 445A.300 to 445A.730, inclusive, all rules, regulations and standards promulgated by the Commission, and all orders and permits issued by the Department.
 - B. Nevada Administrative Code (NAC) 445A.390, subsection 2, states, "After July 1, 1990, no person may begin construction of a new process component, or materially modify an existing process component, without first obtaining a permit or permit modification, or the concurrence of the department that the construction or modification is in conformance with the existing permit."
 - C. NAC 445A.427 states "Within 30 days after completing construction on a new process component or materially modifying an existing process component, the holder of the permit shall submit to the department:
 - 1. As-built drawings of the process component;
 - 2. A summary of the quality control procedures which were carried out during construction; and
 - 3. The final operating plans required by NAC 445A.398 which have been revised to reflect modifications made during construction."
 - D. On October 12, 2010, NDEP received an Engineering Design Change (EDC) application from Cortez Gold Mines (Cortez) for the F-Canyon Ore Storage Pad to be located near the portal at the Cortez Hills Expansion Project, Water Pollution Control Permit NEV2007106 (Permit). On December 14, 2010, NDEP responded to the EDC application citing deficiencies with the submittal. The EDC was not approved.
 - E. On March 23, 2011, NDEP received a follow-up submittal from Cortez regarding the F-Canyon Ore Storage Pad. NDEP responded on April 7, 2011, again citing deficiencies and the EDC was not approved. No further correspondence regarding the storage pad was received by NDEP.
 - F. On February 27, 2012, representatives from Cortez met with NDEP regarding the Grass Valley heap leach expansion modification to the Permit. In the course of the discussion, Cortez revealed that they had constructed the F-Canyon Ore Storage Pad even though its construction had not been approved by NDEP.
 - G. On March 6, 2012, NDEP performed a quarterly inspection of the Cortez Hills Expansion Project. During the inspection, NDEP was able to confirm that the ore storage pad had been constructed and was in use.
- II. On the basis of the facts listed above, the Administrator of the Division of Environmental Protection finds that Cortez is allegedly in violation of NAC 445A.390, subsection 2 and NAC 445A.427.

IN THE MATTER OF	}
Cortez Gold Mines	}
March 20, 2012	}
Page 3 of 3	}

ORDER

The following Administrative <u>Order</u> is issued on this date pursuant to the powers and duties vested in the Director of the Department of Conservation and Natural Resources by Nevada Revised Statutes (NRS), Chapter 445A.445, subsection 1, and 445A.450, subsection 8; and as delegated to the Nevada Division of Environmental Protection (NDEP) pursuant to NRS Chapter 445A.450, subsection 9; and in accordance with NRS Chapter 445A.675, subsection 1(a) and 445A.690.

On the basis of the attached <u>Finding of Alleged Violation</u>, the Administrator of NDEP, pursuant to authority delegated to her by the Director of the Department of Conservation and Natural Resources, has determined that Cortez Gold Mines (Cortez) is allegedly in violation of NAC 445A.390, subsection 2 and NAC 445A.427.

IT IS HEREBY ORDERED:

That Cortez complete the following acts by the specified dates:

- 1. Immediately cease and desist all material modification, construction, and operation of process components that have not been specifically approved by NDEP;
- 2. By April 20, 2012, provide evidence to NDEP that all material from the F-Canyon Ore Storage Pad has been removed to approved containment;
- 3. By May 1, 2012, submit to NDEP for review and approval an application and \$500 fee for an Engineering Design Change for the F-Canyon Ore Storage Pad. A year has lapsed since the original submittal by Cortez and the initial EDC application is void. For the new application all of NDEP's concerns detailed in the December 14, 2010 and April 7, 2011, technical review comments must be addressed: or
- 4. By May 1, 2012, submit evidence to NDEP that the F-Canyon Ore Storage Pad has been decommissioned. If this option is selected then a Final Permanent Closure Plan and Closure Report for the pad must be submitted by this date; and
- 5. By May 1, 2012, contact NDEP to establish a meeting date and time to show cause why NDEP should not refer these matters to the Office of the Attorney General of the State of Nevada for consideration as provided by NRS 445A.700 and 445A.705.

3/20/12 Dated

Bruce Holmgren, P.E.

Chief

NDEP Bureau of Mining Regulation and Reclamation

Forest Service Requests Input Regarding Austin/Tonopah Combined Travel Management Plan

AUSTIN, Nevada...The Austin and Tonopah Ranger Districts, Humboldt-Toiyabe National Forest, are requesting public input regarding these respective Ranger Districts' Motor Vehicle Use Maps (Travel Plan) to determine if there are any needed changes.

On July 13, 2009, a Decision Notice/Finding of No Significant Impact was signed for the Austin/Tonopah Ranger Districts Combined Travel Management Project. The decision designated which roads and trails were open to motorized use on the Austin and Tonopah Ranger Districts. In 2011, motor vehicle use maps were published for the Austin and Tonopah Ranger Districts in accordance with the decision signed in 2009.

Travel Management regulations at 36 CFR 212.54 provide for revision of designated roads, as needed. As the Austin and Tonopah Travel Management Plan has been implemented. District staff have received comments from the public that there are roads that were overlooked, roads that may not be passable to the vehicle class identified, and roads and trails that may need different designations. Between now and November of 2012, Austin and Tonopah District staff are requesting public comments and participation to identify where changes may be needed to the overall Forest Transportation System.

Over the next eight months, District staff will be available by appointment to review the maps and talk about specific concerns. The Austin Office is located at 100 Midas Canyon Road, in Austin, Nevada, and the Tonopah Office is located at 1400 S. Erie Main Street, in Tonopah, Nevada.

The Austin Office telephone number is 775-964-2671. The Tonopah Office telephone number is 775-482-6286.

All interested parties are encouraged to review the Austin and Tonopah Ranger Districts' Motor Vehicle Use Maps, which are available at the District Offices or on the Humboldt-Toiyabe National Forest web site at:

http://www.fs.usda.gov/detail/htnf/home/?cid=stelprdb5246242

Learn more about this release by talking with Steven Williams, Austin and Tonopah District Ranger, at 775-964-2671.

RECEIVED

MAR 2 3 2012

COUNTY COMMISSION

Central Nevada Regional Water Authority

485 West B Street • Suite 103 • Fallon, NV 89406 • 775-747-2038

March 22, 2012

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

Subject: Central Nevada Regional Water Authority FY13 Member Assessment

Dear Gene,

At the March 16, 2012 Central Nevada Regional Water Authority meeting the Authority approved its FY13 budget under Item #11. Enclosed is the agenda for the March 16, 2012 meeting and the approved budget. The budget calls for each Authority member (eight counties) to be assessed \$7,500 in FY13. The Authority has not changed its annual member assessment since its creation in 2005.

The Authority continues to accomplish its conferred functions, including the following:

1) be a forum to discuss and formulate positions on critical water and water-related issues pertaining to the eight member counties, 2) facilitate the development and implementation of a groundwater monitoring program in certain water basins, 3) host the annual Great Basin Water Forum, 4) provide technical and policy advice necessary for sound water resource decisions, and 5) assess proposals to develop and export water resources from member counties.

The Authority is fortunate to have you and Commissioner Williams on its board.

Braddenst

I will send you an invoice for the FY13 member assessment in June. If you have any questions, please do not hesitate to contact me via phone (775.747.2038) or email (sbradhurst@gmail.com).

Thank you.

Steve Bradhurst Executive Director

Enclosures (2)

c: Joni Eastley, Chair, CNRWA Gary Perea, Vice Chair, CNRWA RECEIVED

Correspondence #3

MAR 2 6 2012

COUNTY COMMISSION

AGENDA CENTRAL NEVADA REGIONAL WATER'AUTHORITY

Eureka County Board of Commissioners' Meeting Room
Eureka County Courthouse
10 South Main Street, Eureka, NV 89316

March 16, 2012 10:00 a.m.

Notes: I. Items on this agenda on which action may be taken are followed by the term "Possible Action."

2. Items on this agenda may be taken out of order, combined with other agenda items for consideration, removed from the agenda, or delayed for discussion at any time.

3. Reasonable efforts will be made to assist and accommodate physically handicapped persons attending the meeting. Please call 775.747.2038 in advance so arrangements can be made. This agenda was transmitted by email March 9,2012 for posting by the Churchill County Clerk (775.423.6028), Elko County Clerk (775.753.4600), Esmeralda County Clerk (775.485.6309), Eureka County Clerk (775.237.5262), Lander County Clerk (775.635.5738), Nye County Clerk (775.482.8127), Pershing County Clerk (775.273.2208) and the White Pine County Clerk (775.289.2341).

ITEM

- 1. CALL TO ORDER Chairman's welcome, roll call, determination of quorum and introductions. (Discussion)
- 2. PUBLIC COMMENT This time is devoted to comments by the general public, pursuant to NRS 241.020(2)(c)(3). No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. (Discussion)
- 3. APPROVAL OF AGENDA Approval of the agenda for the Authority's meeting of March 16, 2012, including taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists. (Possible Action)
- 4. APPROVAL OF MINUTES Review and approve minutes of the December 9, 2011 Authority meeting. (Possible Action)
- 5. PRESENTATION ON PERSHING COUNTY WATER ACTIVITIES AND ISSUES Recommendation to receive a presentation by Pershing County representatives on Pershing County water activities and issues. (Discussion)

- 6. DISCUSSION ON BUREAU OF LAND MANAGEMENT FILINGS WITH THE NEVADA STATE ENGINEER FOR PUBLIC WATER RESERVES CLAIMS Recommendation to receive a presentation from Jake Tibbitts, Eureka County Natural Resource Manager, on BLM filings with the Nevada State Engineer for Public Water Reserves claims. (Discussion)
- 7. PRESENTATION ON THE IMPLEMENTATION OF THE CENTRAL NEVADA REGIONAL WATER AUTHORITY GROUNDWATER MONITORING PROGRAM DURING FISCAL YEAR 2012 Recommendation to receive a presentation by Dan Dragan, consulting hydrogeologist, on the implementation of the Central Nevada Regional Water Authority Groundwater Monitoring Program during Fiscal Year 2012. (Discussion)
- 8. DISCUSSION ON THE STATUS OF THE BLM FINAL ENVIRONMENTAL IMPACT STATEMENT ON THE SOUTHERN NEVADA WATER AUTHORITY GROUNDWATER DEVELOPMENT PROJECT Recommendation to discuss the status of the BLM Final Environmental Impact Statement on the Southern Nevada Water Authority Groundwater Development Project. (Discussion)
- 9. DISCUSSION ON THE NEVADA STATE ENGINEER RULING ON SOUTHERN NEVADA WATER AUTHORITY APPLICATIONS FOR GROUNDWATER FROM SPRING, CAVE, DRY LAKE AND DELAMAR VALLEYS IN EASTERN NEVADA – Recommendation to discuss the State Engineer ruling on the Southern Nevada Water Authority applications (25) for groundwater from Spring, Cave, Dry Lake and Delamar Valleys in eastern Nevada. (Discussion)
- 10. CONTINUATION OF THE DECEMBER 9, 2011 CENTRAL NEVADA REGIONAL WATER AUTHORITY DISCUSSION TO CONSIDER WATER AND WATER-RELATED RECOMMENDATIONS TO THE NEVADA LEGISLATIVE COMMITTEE ON PUBLIC LANDS Discussion to consider Central Nevada Regional Water Authority water and water-related recommendations to the Nevada Legislative Committee on Public Lands during the 2011-2012 legislative interim. (Possible Action)
- 11. DISCUSSION ON THE CENTRAL NEVADA REGIONAL WATER AUTHORITY FISCAL YEAR 2012-2013 BUDGET Recommendation to discuss and approve the Central Nevada Regional Water Authority fiscal year 2012-2013 budget. (Possible Action)
- 12. FINANCIAL REPORT AND QUARTERLY EXPENDITURES –
 Recommendation to approve the Central Nevada Regional Water Authority
 financial report and quarterly expenditures. (Possible Action)

- 13. BOARD MEMBER/EXECUTIVE DIRECTOR COMMENTS Board members and the executive director can make announcements, request information and discuss topics for future agendas. (Discussion)
- 14. EMERGENCY ITEMS (Possible Action)
- 15. NEXT MEETING Set date, place, time and possible agenda items for the Authority's next meeting. (Possible Action)
- 16. PUBLIC COMMENT This time is devoted to comments by the general public, pursuant to NRS 241.020(2)(c)(3). No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. (Discussion)
- 17. ADJOURN (Possible Action)

BUDGET SUMMARY FOR THE CENTRAL NEVADA REGIONAL WATER AUTHORITY: JULY 1, 2012 TO JUNE 30, 2013 03/16/2012

REVENUES:	ESTIMATED
1. Unaudited Beginning Fund Balance	\$41,000.00
2. Member Assessment:	•
a. Churchill County	\$7,500.00
b. Elko County	\$7,500.00
c. Esmeralda County	\$7,500.00
d. Eureka County	\$7,500.00
e. Lander County	\$7,500.00
f. Nye County	\$7,500.00
g. Pershing County	\$7,500.00
h. White Pine County	\$7,500.00
TOTAL REVENUES	\$101,000.00
EXPENDITURES - EXPENSES:	
1. Professional Services:	
a. Executive Director	ይ ፈስ ለሰብ ሰለ
b. Executive Assistant	\$40,000.00
c. Water Resource Education	\$3,000.00
	\$2,000.00
d. Consistency Analysis of Member County Water Resource	
Plans with Recommendations for a Regional Water Resource Plan	\$2,000.00
- ·····	\$10,000.00
e. Implement CNRWA Groundwater Monitoring Program	•
2. Insurance	\$1,600.00
3. Travel	\$2,400.00
4. Dues/Memberships 5. Office Supplies Consider Telephone Mailing and Marting Cottoning	\$500.00
5. Office Supplies, Copying, Telephone, Mailing and Meeting Catering6. Conferences/Workshops	\$2,500.00
7. Contingencies	\$5,000.00 \$9,000.00
TOTAL EXPENDITURES – EXPENSES	\$78,000.00
Excess of Revenues Over (Under) Expenditures – Expenses	\$23,000.00
FUND BALANCE JUNE 30, END OF YEAR	\$23,000.00
TOTAL ENDING FUND BALANCE	\$23,000.00
TOTAL ENDING FUND BALANCE	\$23,000.00



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor Leo M. Drozdoff, P.E., Director

correspondence #4

Colleen Cripps, Ph.D., Administrator

March 28, 2012

Mr. Glenn King Certified Mail Number Manager, Environmental Review & Permitting **Newmont Mining Corporation** Phoenix Mine P.O. Box 1657 Battle Mountain, NV 89820

9171 9690 0935 0009 9302 06.

RE: BMRR Approval of the Phoenix Project Revised Phoenix Copper Leach Project Amendment Dated February 29, 2012 and Issuance of Revised Draft Reclamation Permit 0223; BLM Case Number NVN-067930.

Dear Mr. King:

The Bureau of Mining Regulation and Reclamation (BMRR) has reviewed and decided to approve Newmont Mining Corporation's (Newmont's) Phoenix Project revised Phoenix Copper Leach Project Amendment dated February 29, 2012. With this major modification, Newmont would construct and operate the Phoenix Copper Heap Leach Facility (HLF) and Reona Copper HLF along with a SX-EW plant and develop various borrow areas for cover and construction material. This modification would result in 902 additional acres of disturbance on both private and public land. With this approval, BMRR also determines that the required surety amount required for this amendment is \$128,637,282. This amount added to the current bond for the entire Phoenix project results in the required new surety amount of \$452,201,275. Newmont should post the additional required surety with the Bureau of Land Management (BLM) Nevada State office by no later than May 28, 2012. In addition, attached to this letter please find enclosed a copy of revised draft Reclamation Permit 0223 reflecting the acreage changes associated with this major modification for your files.

BMRR will publish the Notice of Intent (NOI) in the Battle Mountain Bugle newspaper on Wednesday March 28, 2012. This publication will initiate a 30 day appeal period that will end on April 27, 2012. Should you have any questions regarding this letter, please contact me at (775) 687-9412 or by e-mail at tsuessmi@ndep.nv.gov.

Sincerely,

Bureau of Mining Regulation and Reclamation

Meg Burt, Newmont Mining Corporation Phoenix Mine P O. Box 1657. Battle Mountain, NV. 89820. Anianda Glasgow, Newmont Mining Corporation Phoenix Mine P.O. Box 1657. Bartle Mountain, NV 89820. Roger MacGregor, Newmont Mining Corporation 1655. Mountain City Highway Elko, NV 89801 (w/o att.) Kimra Page, Newmont Mining Corporation Phoenix Mine P.O. Box 1657 Battle Mountain NV 89820 (two att.) Jon Sherve, BLM – Battle Mountain District Lacy Trapp, BLM - NSO (w/o att:) Katie Miller, NDOW

George Bishop, Nevada Division of Minerals Chairman, Lander County Commissioners (w/o att.) Rob Kuczynski, BMRR - Regulation Permit Writer (w/o att.) Dave Willard, BMRR - Closure Branch

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COUNTY COMMISSION



Notice of Intent

by the

State of Nevada

The Administrator of the Division of Environmental Protection gives notice that a major modification application for a Reclamation Permit for a mining operation for the **Phoenix Project** has been properly filed with the Division of Environmental Protection in Carson City. The applicant for Permit 0223 is:

Newmont USA Ltd. dba Newmont Mining Corporation P.O. Box 1657 Battle Mountain, Nevada 89820

This project is located within Lander County, and is in portion(s) of Sections 15, 16, 21-23, 26-28, & 32-34, Township 31 North, Range 43 East; Sections 2-4, 8-10, 16, & 21. Township 30 North, Range 43 East; Mount Diablo Base and Meridian, approximately 20 miles from the community of Battle Mountain, Nevada. This major modification application concerns incorporation of the Phoenix Copper Leach Amendment into the Phoenix Project Reclamation Permit. New mining facilities under this proposal include construction of copper heap leach pads and an SX-EW plant. The amendment would increase surface disturbance by 902 acres on both private and public land.

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

Persons wishing to submit written comments or information on the draft of the permit must do so in writing no later than by 5 PM on April 27, 2012. Any person who is directly affected by the application for a permit may request, in writing, a public hearing on the application for a permit. The request must state the reason for the request and the issues to be raised at the hearing. This request must be submitted, in writing, no later than by 5 PM on April 27, 2012.

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

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

The draft Reclamation Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS Chapter 239.010. For more information contact Todd Suessmith at (775) 687-9412, or visit the Bureau of Mining Regulation and Reclamation website at http://ndep.nv.gov/bmrr/bmrr01.htm.

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

PERMITTEE: Newmont USA Ltd. dba

Newmont Mining Corporation

P.O. Box 1657

Battle Mountain, Nevada 89820

PROJECT NAME: Phoenix Project

PROJECT LOCATION: Portions of Sections 15, 16, 21-23, 26-28, & 32-34, Township 31

North, Range 43 East; Sections 2-4, 8-10, 16, & 21, Township 30

North, Range 43 East; Mount Diablo Base & Meridian,

Lander County Nevada

PERMIT NUMBER: 0223 BLM CASE NUMBER: N-067930

PROJECT TYPE: Mine Project AMENDMENTS: 10/8/05 (Phase 1 C.E.);

1/9/06 (Phase IA C.E); 11/8/07 (Phase IB C.E); 3/10/09 (Acreage Transfer Phase IB); 6-2-09 (N.Iron Cyn WRF Exp); 6-10 Phase 2 RCE; 8-10 Minute Pit & Philadelphia Canyon Expansion; 4-11 Phoenix Pit Expansion -NOUA Amendment; 6-16-11 Sec. 5 Haul Road; 2-29-11 Copper Leach Amendment.

Pursuant to Nevada Revised Statutes (NRS) 519A.010 to 519A.280, inclusive, and regulations promulgated thereunder by the State Environmental Commission as Nevada Administrative Code (NAC) 519A.010 to 519A.415, inclusive, and implemented by the Division of Environmental Protection (hereinafter the Division), this revised permit authorizes Newmont USA Ltd. dba Newmont Mining Corporation to reclaim the Phoenix Project consistent with the conditions of this permit and the reclamation plans dated, October 20, 2003 entitled, Reclamation Plan – Phoenix Project.

This permit issued this ## day of Month, 2012, is valid for the life of the project unless it is modified, suspended or revoked by the Division. The permit will not now or in the future serve as a determination of ownership or the validity of any mining claim to which it might relate.

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

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

1. Permitted Disturbances

A.						
Disturbance Table				112		
		Phase 2	ا و. ا الإنتاق.	第 域	Cumulative	
Component	Private	Public	Total 🍇	Private 🖫		Total
Post Reclamation Pit Highwalls ¹			/在是第	2.4% 19.34		
Midas	478	174	652		79	323
Phoenix	285	24	309	287	69	356
Reona	8	74	. *** 82	到 沙0	18	18
Iron Canyon	31	1	京洋5.32	20	3 0	20
Subtotal	802	273	1075	551 7	166	717
Pit Backfill Facilities ¹		/ 在科学的	运 机			
Midas Pit Backfill	0,	0	· %%-0	185	3年1月100	285
Phoenix Pit Backfill	165	£≥ 31	∄4196≹	165	运动数 31	196
Reona Pit Backfill	0	## O	沙兰0 3	13	110	123
Iron Canyon Pit Backfill		^≟′∴√ 0	\$25×0\$	47.	25	72
Minnie ANTINA	37.	1. The 1.	後44	45	8	53
Subtotal		38	240 %	455	274	729
Stockpiles	VX5 X 57	2 400/00	1 5 2		·	
Fortitude	式参照も	18	18	0_	33	33
Orê Stockpile	· 29	W-400	29	29	0	29
Subtotal	29i	18	, 47	29	33	62
Waste Rock Facilities	"不是"的"些	7				
Iron Canyon North	50	39	89	50	39	89
Iron Canyon South	98	30	128	98	30	128
Iron Canyon East	12	75	87	12_	. 75	87
Box Canyon	43	170	_213	43	170	213
Butte Canyon	2	25	27	2	25_	27
Philadelphia Canyon	376	14	390	376	14	390
Natomas ^{2,3}	292	705	997	292	705	997
North Fortitude	58	23	81	58	23	81
North Optional Use Area4	71	7	78	71	. 7	78
Subtotal	1002	1088	2090	1002	1088	2090
-Táilings Facilities						
Tailings Area # 1	547	274	821	547	274	821
Tailings Area # 2	182	87	269	182	87	269
Tailings Area # 3	0	0	0	301	5	306
Subtotal	729	361	1090	1030	366	1396

Disturbance Table							
		Phase 2			Cumulative		
Component	Private	Public	Total	Private	Public	Total	
Growth Media Stockpiles			<u></u> 1		14		
Sec. 4 (Adj. Natomas Waste)	0	14	14.	0.	14	14	
Sec. 4 (within Tailings Borrow Area)	0	9	4. 9	0	9	9	
Sec. 28 (adjacent Reona Pit)	0	35	35 \$	## (O)	金属製 31	31	
Reona Growth Media ⁵	7	0	1877		0	0	
Sec. 10 (S.E. of tailings excluding stockpile)		13	3 13	经数 1.29 00	33 13	13	
Subtotal	7	71	783	0.	67	67	
<u>Other</u>			1.例图器				
Clay Borrow Area	463	10 The second	े दे 469		6	469	
Borrow Area adj. Tailings excl. stckple.	176:	52	228	176	52	228	
Office Area ⁶	44	建設的3	473	3	49	52	
Reona HLF (Gold) ⁷		41	209	3 03	168	471	
Reona Event Pond⁵	3503	·	3	O.	0	0	
New Phoenix Mill Area & Ancillary	The state of the s	不能是				<u> </u>	
Facilities The Facilities Facilit	63		818	31	0	31	
Ancillary Facilities 5			¥¥703	21	0	21	
South Optional Use Area		€ 306	306مختفر	0	306	306	
Utility and Haul Road Corridor	7後 82	// 第79	161	82	79	161	
Utility Corridor		. ¥ :312	55	43	12	55	
Solid Waste Landfill (Sec. 3)9	<u> </u>	0	11	0	0		
Haul Roads 10	164	243	407	0	0	· 0	
Exploration	25	25	50	25	25	50	
Phoenix HLF ¹	200	336	536	200	336	536	
Section 5 Optional Use Area	360	38	398	360	38	398	
Section 15 Borrow Area	123	3	126	123	3	126	
Section 16 Borrow Area	0	128	128	0	128	128	
Subtotal Sub	1925	1290	3215	1830	1202	3032	
Total Disturbance All Categories 13	4696	3139	7835	4897	3196	8093	
Willow Creek County Road Reroute	23	4	27	23	4	27	
Buffalo Valley Power Line	2	1	3	2	1		
Philadelphia Canyon Power Line	1	1	2	1	1		
Subtotal ¹⁴	26	6	32	26	6	32	
Total Disturbance All Categories	4722	3145	7867	4923	3202	8129	

¹The total proposed area of disturbance of each pit is obtained by adding the post-reclamation pit high wall area with the pit backfill facility area. Because backfill is not included in initial phases, the pit disturbance amount may exceed the cumulative pit amount, but is less than pit plus bit backfill amounts.

2 Includes 2.3 acres of disturbance for the bioremediation cell.

⁶ Acres Reconciled by Newmont in February 2011.

Drill holes will be plugged in accordance with the provisions specified in Chapter 534 В. of the Nevada Administrative Code. No more than thirty-three (33) drill holes will remain unplugged at any one time.

Departure from Approved Plan for Reclamation

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

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

Fees

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

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

Reports

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

The SX-EW Beneficiation Facility and a portion of the proposed haul road and utility corridor would be located within the area permitted for the Natomas WRF.

^{*}The entire North Optional Use Area will remain bonded as a WRF until the Phoenix Pit expansion is complete.

⁵ Reiona growth media stockpile and Reiona event pond are consumed by teach pad in future phases.

^{*}Acres Reconciled by Newmont in February 2011.
The proposed Reona Copper Heap Leach Facility (HLF) (app. 58 acres) would be developed in the permitted Reona Gold HLF. Up to app. 12 additional acres would be utilized for development of evaporation ponds (E-ponds) during closure of the Reona Copper HLF.

Includes Mill area, office area, mine &mill maintenance area, parking lot, clear water pond, lab, and security building.

Onsumed in future phases by Tailings and leach pad.

¹⁰Consumed in future phases by other facilities such as waste rock dumps.

¹¹This facility's name has been changed from Section 8 Leach Pad to the Phoenix HLF.

Of this disturbance 395 acres would be heap leach pad, 10 acres would be process ponds, 75 acres would be for future E-pond and 56 acres would be for storage of equipment and materials.

¹²New Surface disturbance would occur from the development of Proposed Action Facilities.

¹³Total acreage of disturbance inside the Phoenix Project boundary.

[&]quot;Total acreage of disturbance associated with rights-of-way outside the Phoenix boundary. (not included for bonding purposes.)

5. Project Completion, Abandonment or Suspension of Work

- A. The Division shall be notified in writing within 90 days after an operation is complete or abandoned. The notice must state the date on which the activities for reclamation will begin as specified in NAC 519A.320.
- B. The Division shall be notified in writing within 90 days after work is suspended at the operation for more than 120 days. The notice must state the nature and reason for the suspension; the anticipated duration of the suspension; and any event which would reasonably be expected to result in either the resumption of activities or the abandonment of the operation. The Operator is not required to notify the Division of a temporary closure caused by weather conditions.

6. Surety

- A. The operator shall file and maintain an acceptable surety as specified in NAC 519A 350 to ensure that reclamation will be completed.
- B. Within 3 years after the effective date of this permit and at least every 3 years thereafter the operator shall review the surety amount to determine whether it is still adequate to execute the approved reclamation plant intlation must be considered.
- The operator shall notify the Division and the appropriate Federal Land Management Agency(s) of the results of the surety review, and within 120 days of its completion, verify that the current surety is adequate, increase the surety, or request a decrease in the surety.
- D. The operator must provide documentation on reclamation work completed, before any portion of the surety may be released. (See Attachment A).

Inspection of Exploration Project and/or Mining Operation

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

8. General Requirements

A. The operator shall maintain a copy of this permit and all modifications at the permitted project or operation at all times.

- B. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit, shall not be affected.
- C. Any noncompliance with this permit shall be reported orally to the Division within 48 hours of the time the operator has knowledge of the circumstances. A written summary shall be provided within 10 days after the oral report is made.
- D. Any changes in the Operator's name or address shall be reported within 10 days to the Division in writing, and must indicate the permit number and appropriate changes.
- E. Any changes in Corporation/Partnership/Proprietorship name officers, or address shall be reported within 10 days to the Division in writing and must indicate the permit number and appropriate changes.
- The operator shall meet the revegetation standards as set forth in Attachment B.
- G An operator who initiates reclamation activities prior to meeting chemical stabilization (closure) requirements will be responsible to provide a surely for and to repair any reclaimed areas which may be re-affected by closure activities.
- H. The operator shall provide an "as built" map annually April 15th of each project year which accurately depicts locations of drill roads and drill pads, including breakdown of lengths & widths of disturbed areas. The "as-built" information shall reflect site conditions of December 317 of the previous calendar year and shall say what field methods were utilized to verify disturbance sizes and acreages.

9. Schedule of Compliance

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

None

Permit Revisions

1. March 2012. Permit revised to incorporate Copper Leach Amendment major modification.

ATTACHMENT A

Documentation of Reclamation Activities for Surety Release

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

MINING OPERATIONS

- 1. Map(s) clearly identifying the area, noting specific treatments and sampling locations (as applicable).
- 2. Description of the following activities:

A. Earthwork:

- 1) The number of acres regraded and/or ripped.
- 2) Final slope angles left after regrading.
- 3) Methodology used to check final slope angles (e.g., clinometer, transit, etc.).
- 4) The number of acres that received topsoil/growth medium.
- 5) Depth and source of topsoil/growth medium and application method.
- 6) Dates of initiation and completion of activities.

B. Revegetation Activities:

- 1) The number of acres that were seeded and/or planted.
- 2) Seed bed preparation methods utilized.
- 3) Seeding/planting methods used (e.g., broadcast seeding, etc.).
- 4) Provide information on how seed was covered.
- 5) Seed mix and seeding rate; document by maintaining seed tags and any testing results (PLS, germination, noxious weeds, etc.).
- 6) The number of acres that received fertilization, mulch or amendments.
- 7) Fertilizer (N-P-K, type, application rate, application method).
- 8) Mulches and soil amendments (type, application rate, and application method).
- 9) Date of initiation and completion of activities (such as seeding, seed bed prep, irrigation).

C. Final Revegetation Sampling:

- 1) Adjacent representative vegetation type or range site description (baseline data).
- 2) Sampling method (e.g., line intercept).
- 3) Number of samples taken (disturbed and adjacent representative sites).
- 4) Statement of methodology demonstrating sample size, adequacy and how the location of sampling sites were determined.
- Results of sampling (copy of sampling worksheet) for disturbed and representative areas. Indicate all perennial species located.
- 6) Dates of sampling.
- D. Other reclamation activities such as; structure and debris removal, safety feature installation, erosion control treatment, equipment removal or other permit requirements.
- 3. Detailed calculation of the surety amount proposed for release if applicable.
- 4. Prior to release, a field inspection is required to verify that reclamation has been performed in accordance with the approved reclamation plan and permit.

ATTACHMENT A

Documentation of Reclamation Activities for Surety Release

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

EXPLORATION PROJECTS

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

ATTACHMENT B

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

I. MINING PLANS-OF-OPERATIONS

A. Reclaimed Desired Plant Communities for Mining Operation Disturbances

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

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

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

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

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

B. Guidelines for Successful Revegetation

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

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

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

C. Time frames

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

II. EXPLORATION PLANS-OF-OPERATIONS

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

III. BLM NOTICES

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



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

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

LAS VEGAS OFFICE
Grant Sawyer Office Building, Suite1300
555 E. Washington Avenue
Las Vegas, Nevada 89101
Phone: (702) 486-2300 Fax: (702) 486-2373

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

HENDERSON OFFICE 2550 Paseo Verde Parkway, Suite 180 Henderson, Nevada 89074 Phone: (702) 486-2300 Fax: (702) 486-3377

March 28, 2012

Taxpayer ID: 1001892119-001

Expiration Date: May 16, 2014

McKay Drilling, Inc. 4850 Joule Street, #A5 Reno, NV 89502-4150

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, McKay Drilling, 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, Tax Examiner II, at (775) 684-2124.

Sincerely

Mitsuyo Maser, Tax Program Supervisor I

Compliance Division

RECEIVED

APR - 2 2012

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

COUNTY COMMISSION



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

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

LAS VEGAS OFFICE Grant Sawyer Office Building, Suite1300 555 E. Washington Avenue Las Vegas, Nevada 89101 Phone: (702) 486-2300 Fax: (702) 486-2373

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

HENDERSON OFFICE 2550 Paseo Verde Parkway, Suite 180 Henderson, Nevada 89074 Phone: (702) 486-2300 Fax: (702) 486-3377

March 28, 2012

Taxpayer Identification Number: 1001892119-001 Application Filing Number:

10-10006G

McKay Drilling, Inc. 4850 Joule Street, #A-5 Reno, NV 89502-4150

EXPIRATION DATE: May 16, 2014

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

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 McKay Drilling, Inc. for Ormat McGinness Hills Renewable Energy 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 McKay Drilling, Inc. for Ormat McGinness Hills Renewable Energy 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.

Singerely

Rayloond H. Lummus

Tax Manager

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

NEVADA DEPARTMENT OF TAXATION

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

> McKAY DRILLING, INC. 4850 JOULE STREET, #A-5 RENO, NV 89502-4150 AFN 10-10006G Ormat McGinness Hills Project

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.

<u> </u>	For Department Use Only

TID No:

For MONTH

Ending:

1001892119 - 001

Due on or before:

Date paid:

IF POSTMARKED AFTER DUE DATE, PENALTY AND INTEREST WILL APPLY

A RETURN MUST BE FILED EVEN IF NO TAX LIABILITY EXISTS

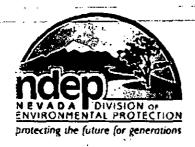
		Ś	ALES TAX				USE TAX	
ENTER AMOUNTS IN COUNTY OF SALES/USE (OR COUNTY OF OELIVERY)	TOTAL SALES	EXEMPT SALES		TAX RATE	CALCULATED TAX	AMOUNT SUBJECT TO USE TAX	TAX RATE	CALCULATED TAX
TAX CALCULATION FORMULA	COLUMN A	- COLUMN B	= COLUMN C	x COLUMN D	= COLUMN E	COLUMN F	x CÓLUMN G	= COLUMN H
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02 CLARK				Madiinii i			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%	· <u></u>
14 PERSHING							2.600%	
15 STOREY							2.600%	
16 WASHOE							2.600%	
17 WHITE PINE				111111111111111111111111111111111111111			2.600%	
TOTALS								<u> </u>
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19. ENTER O	OLLECTION ALLOWAND	E FOR TIMELY FILING (LINE 18a x 0.50%)	19.		COLLECTION ALLOWA	NCE IS FOR SALE	S TAX ONLY THERE IS
	ES TAX (LINE 18a - LINE		·	20.		NO COLLECT	ION ALLOWANCE I	FOR USE TAX
		,		21. NET SALE	S AND USE TAX (LINE 20) + LINE 18b)	21.	
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RETURN MUST	BE SIGNED			24. PLUS LIA	BILITIES ESTABLISHED B	Y THE DEPARTMENT	24.	
				25. LESS CRE	EDIT(S) APPROVED BY TI	HE DEPARTMENT	25.	
					MOUNT DUE AND PAYABI		26.	
SIGNATURE OF TAXE	PAYER OR AUTHORIZED	AGENT			MOUNT REMITTED WITH		27.	
TITI F		PHONE NUMBER (WITH		i		MAKE CHECKS	TIGAVADI E	то.

NEVADA DEPARTMENT OF TAXATION



DATE

FEDERAL TAX ID NUMBER (EIN OR SSN)



Notice of Workshops to Solicit Comments on Proposed Amendments to Nevada Administrative Code Chapter 445B - Air Pollution

The Nevada Division of Environmental Protection (NDEP) is proposing regulations that will update the State's adoption of federal regulations by reference and the list of federal ambient air quality standards; and revise the best available retrofit technology (BART) requirements for NO_x at NV Energy's Reid Gardner Generating Station (RGGS). The following workshop has been scheduled to solicit comments from persons interested in the amendments, which are described below. The workshop agenda is attached.

April 23, 2012 9:30 AM to 12:00 PM RECEIVED

APR 10 2012

Nevada Department of
Transportation
Room 301
1263 South Stewart Street
Carson City, Nevada

Video Conference to^{COUNTY COMMISSION}
NDEP
Red Rock Conference Room
2030 E. Flamingo Road, Ste. 230
Las Vegas, Nevada

LCB File No. R038-12: The NDEP is proposing to update the national ambient air quality standards (NAAQS) portion of the standards table in NAC 445B.22097 to align it with the federal standards currently in effect. Further, the agency is proposing to adopt federal regulations by reference that will provide a deferral for carbon dioxide emissions from bioenergy and other biogenic sources under the federal Prevention of Significant Deterioration (PSD) and Title V permitting programs. This will allow Nevada's industry to defer the application of the PSD and Title V permitting requirements to biogenic carbon dioxide emissions for three years. The regulation will also revise methods for measuring filterable PM₁₀ and PM_{2.5} and condensable particulate matter emissions from stationary sources.

LCB File No. R051-12: The NDEP is proposing to revise the BART requirements for NO_x for electric generating units 1, 2 and 3 at NV Energy's RGGS in Southern Nevada. If adopted, this regulation will be sent to the U.S. Environmental Protection Agency for approval into the Nevada state implementation plan.

The proposed regulation will lower the NO_x emission limit for unit 3 from 0.28 pounds per million Btu on a 12-month rolling average to 0.20 pounds per million Btu on a 30-day rolling average. The averaging time for units 1 and 2 will also change to a 30-day rolling average. The revised emission limit will be averaged across all three units. Additionally, the proposed regulation will revise the control technology for all three units to low NO_x burners with over fire air and selective non-catalytic reduction. The proposed regulation requires that all BART control measures must be installed and operating on or before April 30, 2016.

The proposed amendments and related materials are available on the NDEP website at: http://ndep.nv.gov/admin/public.htm#air-qp. A copy of materials relating to the proposed regulations may also be obtained at the workshop or from Paul Williams at NDEP, 901 S. Stewart Street, Suite 4001, Carson City, NV 89701; (775) 687-9543; or e-mail to pawilliams@ndep.nv.gov. Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Paul Williams no later than 3 working days before the workshop.

This notice has been posted at the Nevada Division of Environmental Protection offices in Carson City and Las Vegas, at the State Library in Carson City and at County libraries throughout Nevada. 3/30/12

MONTHLY & QUARTERLY REPORTS TO LANDER COUNTY COMMISSIONERS

FEBRUARY & MARCH 2012

- 1) LANDER COUNTY CLERK MONIES COLLECTED FOR THE MONTH OF FEBRUARY & MARCH, 2012
- 2) AUSTIN JUSTICE OF THE PEACE MONIES COLLECTED FOR THE MONTH OF FEBRUARY & MARCH, 2012
- 3) AGRENTA JUSTICE COURT FINES & FEES COLLECTED FOR THE MONTH OF FEBRUARY & MRCH, 2012
- 4) ARGENTA JUSTICE COURT QUARTERLY FINANCIAL STATEMENT FOR THE QUARTER ENDING MARCH, 2012
- 5) LANDER COUNTY RECORDER TOTAL AMOUNT REMITTED TO TREASURER FOR THE MONTH OF FEBRUARY, 2012
- 6) TECHNOLOGY FEES FOR THE MONTH OF FEBRUARY, 2012

Lander County Clerk's Office Monies Collected for the Month of: February, 2012

TOTAL STATE FEES:	\$ 265.00
TOTAL COUNTY FEES:	\$ 1,809.62
TOTAL LAW LIBRARY FUND:	\$ 90.00
TOTAL DOMESTIC VIOLENCE:	\$ 125.00
TOTAL LEGAL AID FUND:	\$ 128.00
TOTAL DRUG COURT FEES:	\$ 620.00
TOTAL MONIES COLLECTED FOR THE MONTH OF <u>March</u>	\$ 3,037.62

Sadie Sullivan

Lander County Clerk's Office Monies Collected for the Month of: February, 2012

TOTAL STATE FEES:	\$ 164.00
TOTAL COUNTY FEES:	\$ 984.00
TOTAL LAW LIBRARY FUND:	\$ 75.00
TOTAL DOMESTIC VIOLENCE:	\$ 50.00
TOTAL LEGAL AID FUND:	\$ 103.00
TOTAL DRUG COURT FEES:	\$ 1,270.00
TOTAL MONIES COLLECTED FOR THE MONTH OF <u>February</u>	\$ 2,646.00

Sadie Sullivan

Page:

Approved by State Board of Accounts for LANDER County - 2012

To Auditor of LANDER County, NEVADA Collecting for Period: 01/31/2012 thru 02/28/2012

Prior 2012 MAR - 2 PH 12: 04 Year To Date

Account . ,	Collections	This Period	Collections
61 AA FEE - JUSTICE #085-32003	3,829.00	SADIC COUNTY CAN DIST. COUNTY CAPERK	4,235.00
6I AA FEE - JUVENILE #286-32006	1,102.00	116.00	1,218.00
6I AA FEE - STATE (A #090-32005	17,294.00	1,873.00	19,167.00
6I AA FEE - STATE (G #090-000-32013	2,225.00	290.00	2,515.00
6I BAIL FORFEITURES #001-35030	30,213.50	3,414.50	33,628.00
61 BAIL/BOND PROCESSING FEE	140.00	0.00	140.00
61 BOND FILING FEE VICTIMS OF CRIME	140.00	0.00	140.00
61 CIVIL FEES	40.00	0.00	40.00
6I COUNTY FINES/FORF #001-35030	7,487.50	1,248.00	8,735.50
6I DEPARTMENT OF WILDLIFE - COUNTY	0.00	0.00	0.00
61 DEPARTMENT OF WILDLIFE CIVIL FEES	0.00	0.00	0.00
61 DOMESTIC VIOLENCE FEE	0.00	0.00	, 0.00
61 FACILITY ASSESSME #285-34201	4,905.00	580.00	5,485.00
6I FELONY/GROSS MISD FORF -	0.00	0.00	0.00
SPECIALTY CO			
61 FELONY/GROSS MISD FORF - VICTIMS	. 0.00	0.00	0.00
OF C		•	
6I FINE - STATE OF N #090-35030	3,242.00	640.00	3,882.00
6I LC98-3 OTHER #01-32009	10.00	0.00	10.00
6I MISCELLANEOUS FEES	7.50	0.00	7.50
61 NON SUFFICIENT FUNDS	0.00	60.00	60.00
6I NRS 4.065 (SB#62) #090-32015	1.00	0.00	1.00
6I OVERPAYMENTS TO THE COUNTY	47.50	6.00	53.50
6I SPECIALTY COURT F #090-32207	3,346.00	420.00	3,766.00
6I SUBSTANCE ABUSE FEE (CHEMICAL FEE)	0.00	0.00	0.00
Totals:	74,030.00	9,053.50	83,083.50

State of NEVADA LANDER County, SS:

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

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

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

DATE

S 7.053.59

DOLLARS

WELLS FARGO BANK, N.A.

NEVADA
MEMO FIRST FARGO BANK, N.A.

#000961# #321270742# 0404029175#

JB - 828938

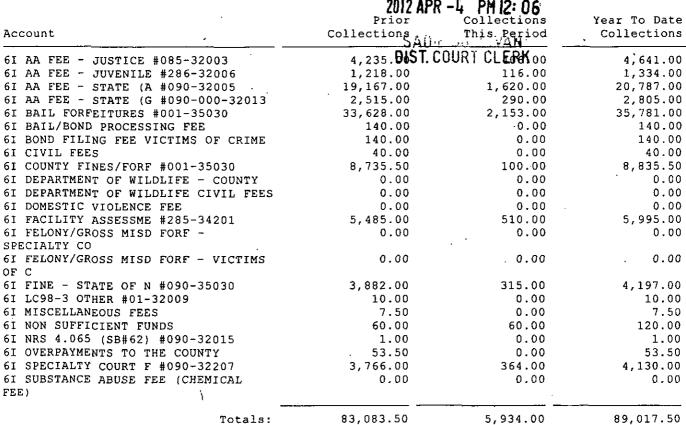
Clerk's Report to Auditor of Costs and Fees Collected

Approved by State Board of Accounts for LANDER County 2012

To Auditor of LANDER County, NEVADA

Collecting for Period: 02/28/2012 thru 03/27/2012

2012 APR -4 PM 12: 06



State of NEVADA LANDER County, SS:

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

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

JUSTICE OF THE PEACE AUSTIN TOWNSHIP - CRIMINAL ACCOUNT P.O. BOX 100 AUSTIN, NV 89310	000962 -02-12 94-7074/3212
PAY TO THE ORDER OF Lander County Treasurer	\$ 5, 934.00
Sive thousand nine hundred thirty-four a NO/ _	DOLLARS
MELLS FARGO BANK, N.A. NEVADA MEMO fines of faces for March	VOID AFTER 90 DAYS
0 0 0	_ پرسی

FINES & FORFEITS MONTH OF FEBRUARY 2012 6H NRS 4.065 (SB#62) 6H SPECIALTY COURT, FEE (MISD) 6H SUBSTANCE ABUSE FEE (CHEMICAL 6H MARRIAGE FEE - STATE 6H FACILITY ASSESSMENT FEE 6H LC98-3 OTHER 6H FACSIMILE FEES 6H COPY FEES 6H CIVIL FEES 6H BAIL/BOND PROCESSING FEE 6H AA FEE - STATE (GENERAL) 6H AA FEE - JUSTICE DEPARTMENT OF WILDLIFE DOMESTIC VIOLENCE FEE COUNTY FINES/FORFEITURES STATE OF NEVADA STATE (AOC) JUVENILE COUNTY BOND Payee Name LANDER COUNTY LANDER LANDER LANDER LANDER COUNTY TREASURER COUNTY TREASURER 02/29/2012 13:39:43 N/A N/A Number N/A 2012 FEB 348 N/A N/A NOIST COURT CLERK N/A tatus Code AH 8: | Li 5,664.00 1,183.00 1,176.00 1,665.00 6,958.00 280.00 300.00 845.00 618.00 338.00 28.00 50.00 35.00 60.00 26.00 10.00 80.00 Disbursed Total 3.00 of Cases Number 27,534.00 157 137 157 157 157 157 16. 28 8 30

*** End of Report ***

6H STATE FORFEITURES

6H BOND FILING FEE VICTIMS OF CRIME

LANDER LANDER

COUNTY TREASURER

COUNTY TREASURER

8,135.00

80.00

FEE)

Π9

6H FINE -

FEES

6H AA

FEE

Account

AA FEE -

H9

STATE OF NEVADA COUNTY OF LANDER

being first duly sworn deposes and says: MAX W. BUNCH, Justice of the Peace of Argenta Township, Lander County, Nevada,

That all causes and matters heretofore submitted to him have been decided

submitted to the Treasurer of Lander County That since filing mylast report the above fines have been collected, which are being

Subscribed and sworn to before me this 29TH day of FEBRUARY, 2012

Justice of the Peace

O O

03/30/2012 09:46:07

Н

PH 12: 24 Disbursed Total 36,667.36

FINES & FORFEITS MONTH OF MARCH 2012

,			**/ **				
٥	380 00	Z / Þ	N/P	COUNTY TOFACIIONS	こうとうけせ	SH BOND STITUC SEE WICTIMS OF CRIME	
182	13,633.79	N/A	N/A	COUNTY TREASURER	LANDER	6H STATE FORFEITURES	
200	1,659.00	N/A	N/A	COUNTY TREASURER	LANDER	6H SPECIALTY COURT FEE (MISD)	
20	19.00	N/A	N/A	COUNTY TREASURER	LANDER	6H NRS 4.065 (SB#62)	
						FEE)	
N	120.00	N/A	N/A	COUNTY TREASURER	LANDER	6H SUBSTANCE ABUSE FEE (CHEMICAL	
20	190.00	N/A	N/A	COUNTY TREASURER	LANDER	6H LC98-3 OTHER	
200	2,380.00	N/A	N/A	COUNTY TREASURER	LANDER	6H FACILITY ASSESSMENT FEE	
26	4,982.00	N/A	N/A	COUNTY TREASURER	LANDER	6H COUNTY FINES/FORFEITURES	
23	296.00	N/A	N/A	COUNTY TREASURER	LANDER	6H FINE - STATE OF NEVADA	
0	10.00	N/A	N/A	COUNTY TREASURER	LANDER	6H FACSIMILE FEES	
0	18.00	N/A	N/A	COUNTY TREASURER	LANDER	6H COPY FEES	
20	362.92	N/A	N/A	COUNTY TREASURER	LANDER	6H COLLECTION FEES	
22	664.00	N/A	N/A	COUNTY TREASURER	LANDER	6H CIVIL FEES	
						FEES	
9	180.00	N/A	N/A	COUNTY TREASURER	LANDER	6H BAIL/BOND PROCESSING FEE BOND	
196	1,125.00	N/A	N/A	COUNTY TREASURER	LANDER	6H AA FEE - STATE (GENERAL)	
199	0151. COC. 468.00	N/A	N/A	COUNTY TREASURER	LANDER	6H AA FEE - JUVENILE	
199	OFFICE OFFICE	N/A	N/A	COUNTY TREASURER	LANDER	6H AA FEE - JUSTICE	
205	65	N/A	N/A	COUNTY TREASURER	LANDER	6H AA FEE - STATE (AOC)	
of Cases		Status	Number				
Number	7012 HAB 380 FRIC. E.	Check	Check	Name	Payee Name	Account	

*** End of Report ***

COUNTY OF LANDER STATE OF NEVADA

being first duly sworn deposes and says: MAX W. BUNCH, Justice of the Peace of Argenta Township, Lander County, Nevada,

That all causes and matters heretofore submitted to him have been decided

submitted to the Treasurer of Lander County. That since filing my last report the above fines have been collected, which are being

Subscribed and sworn to before me this 30TH day of MARCH, 2012.

Justice of the Peace

FILED

ARGENTA JUSTICE COURT QUARTERLY FINANCIAL STATEMENTAPR -3 PM 3: 14

SADIC SULLIVAN DIST. COURT CLERK

I, Max W. Bunch, JUSTICE OF THE PEACE OF ARGENTA TOWNSHIP, LANDER COUNTY, NEVADA, DO HEREBY SWEAR, UNDER OATH, THAT THE FOLLOWING IS A TRUE AND CORRECT ACCOUNTING OF ALL FEES RECEIVED BY ME FOR THE QUARTER ENDING MARCH, 2012.

Connell	(WEDDING)	\$ 45.00
Gilmore	(WEDDING)	\$ 45.00
Weske	(WEDDING)	\$ 45.00
Black	(WEDDING)	\$ 45.00
Moskiewicz	(WEDDING)	\$ 45.00

JATOT

\$ 225.00

MAX W. BUNCH

JUSTICE OF THE PEACE

State of Nevada County of Lander

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

NOTARY PUBLIC



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

RECEIVED MAR 0 5 2012

LANDER CO. CLERK

MONTHLY REPORT

The following fees were collected for the period of FEB 1, 2012 through FEB 29, 2012.

ACCOUNT	AMOUNT
RECORDINGS	\$2,387.00
NON STD DOC FEE	\$400.00
OUTSTANDING RCD	\$0.00
OVERPYMT KEPT	\$0.00
OVERPYMT VOUCHER	\$0.00
AB 6 NOD FORECLOSURE MEDIATION FUND	\$0.00
AB 6 NOD BUDGET SHORTFALL	\$0.00
AB 259 NOD INDIGENT	\$0.00
REAL PROPERTY TRANSFER TAX (General)	\$1,272.15
REAL PROPERTY TRANSFER TAX (State .10)	\$231.30
REAL PROPERTY TRANSFER TAX (State 1.30)	\$3,006.90
COPY WORK	\$402.50
SB 14 DOMESTIC VIOLENCE FUND	\$25.00
POSTAGE	\$0.00
TECHNOLOGY FEE	\$564.00
FOSTER CARE (State)	\$188.00
DEPARTMENT OF MINERALS (State)	\$909.50
AB 6 AFFIDAVIT CLAIMS HELD	\$0.00
MAPS	\$1,605.00

TOTAL AMOUNT REMITTED TO TREASURER: \$10,991.35

Idonna M Trevino

Slanna M. Levins

Recorder 3/2/2012

FUND #300--TECHNOLOGY FEES 2012 MAR -6 PH 12: 09 SADIE COURT CLERK

\$26,034.87	ENDING BALANCE-Feb 2012
\$2.17	Interest
4	Expenditures
\$510.00	REVENUE
\$25,522.70	BEGINNING BALANCE-Feb 2012
	RECORDER

ASSESSOR

\$2,013,072.25	ENDING BALANCE-Feb 2012
\$167.45	Interest
	Refund
(11,621.10)	EXPENDITURES
\$13,160.01	REVENUE
\$2,011,365.89	BEGINNING BALANCE-Feb 2012

CLERK

\$27.46	ENDING BALANCE-Feb 2012
\$0.01	Interest
\$0.00	EXPENDITURES
\$0.00	REVENUE
\$27.45	BEGINNING BALANCE Feb 2012

\$2,039,134.58	Feb 2012 Ending Balance
\$0.01	CLERK
\$1,706.36	Assessor
\$512.17	Recorder
\$2,036,916.04	Feb 2012 Beginning Balance
	TOTALS

Page 80

ELAPSED TIM 67 %

Report No: PB2030 LANDER COUNTY
Run Date: 03/01/12 PUBLIC BUDGET ACCOUNTING STATEMENT OF BUDGETED REVENUES & EXPENDITURES COMPARED TO ACTUAL

300 TECHNOLOGY FEES PERIOD ENDING 2/29/12

	FINAL .		UAL *******	OVER -	
	AMENDED	CURRENT	YEAR	UNDER	
	BUDGET	PERIOD	TO DATE	BUDGET	*
REVENUES					
32221 RECORDER TECH FEES	6;500.00	564.00	5,277.00	1,223.00	81
32223 ASSESSOR TECH FEES	.00	13,106.01	181,947.19	181,947.19-	0
32224 DIST COURT TECH FEES	.00	.00	.00	.00	. 0
38007 INTEREST-RECORDER	170.00	2.17	13.66	156.34	8
38009 INTEREST-ASSESSOR	2,295.00	167.45	1,148.45	1,146.55	50
38013 INTEREST-DIST. COURT	.00	.01		.07-	0
38046 ASSESR TECH NET PRO	.00	.00	. 00	.00	. 0
38080 MISCELLANEOUŚ REVENU	.00	.00	.00	.00	0
TOTAL REVENUES	8,965.00	13,839.64	188,386.37	179,421.37-	2, <u>101</u>
EXPENDITURES					
067 RECORDER					
53920 SERVICE AND SUPPLIES	14,000.00	.00	59.95	13,940.05	0
53991 MINOR EQUIP/FURNITUR	2,000.00	.00	.00	2,000.00	0
59950 MISCELLANEOUS	500.00	.00	.00	500.00	0
TOTAL RECORDER	16,500.00	.00	59.95	16,440.05	
068 ASSESSOR					
53920 SERVICE AND SUPPLIES	100,000.00	200 70	12 622 66	06 166 01	
	300,000.00	280.70	13,833.99	86,166.01	. 13
53991 MINOR EQUIP/FURNITUR	•	.00	27,137.49	272,862.51	9
54010 NEW FIXED ASSETS	300,000.00	11,340.40	66,617.80	233,382.20	22
TOTAL ASSESSOR	700,000.00	11,621.10	107,589.28	592,410.72	15
069 DISTRICT COURT					•
53920 SERVICE AND SUPPLIES	25.00	.00	.00	25.00	0
53991 MINOR EQUIP/FURNITUR	.00	.00	.00	.00	0
TOTAL DISTRICT COURT	25.00	.00	.00	25.00	0
TOTAL EXPENDITURES	716,525.00	11,621.10	107,649.23	608,875.77	15
NET REV & EXPENDITURE	707,560:00-	2,218.54	80,737.14	788,297.14-	11-
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Run: 03/01/12 11: 45:13

1 YER 1

TREASURER"S ACCOUNTING LEDGER
FOR ACCOUNTS: 000 THRU 999 - 2/01/12 THRU 2/29/12

<u> </u>	<u> </u>					<u> </u>			Ī				_		Ţ	_						
	ACCOUNT-300 TECHROLOGY FEES		47989 WEEK ENDING 02-29-12	47982 2011-12 PERS PROP	47981 2010-11 PERS PROP	47980 2009-10 PERS PRIF	47979 2011-12 KEAL PROP	47978 2010-11 KEAL PKOP	47977 2009-10 REAL PROP	47964 HEEK ENDING 02-24-12	2232 CUMM BILLS 02-23-12	47940 WEEK ENDING 02-17-12	47912 HEEK ENDING 02-10-12	2092 CBMM GILLS 02-10-12	47898 INVEST ACCT JAN'12	47898 INVEST ACCT JAN'12	47898 INVEST ACCT JAN'12	47875 WEEK ENDING 02-03-12		HOWERT JOS I WELLINGTON I WES	sala adii innijala out-triilisag	Rept No. Receipt Description
			300 CR 02/29/12	300 CR 02/29/12	300 CR 02/29/12	300 CR 02/29/12	S	300 CR 02/29/12	300 CR 02/29/12	300 CR 02/27/12	300 DS 02/23/12	300 CR 02/21/12	300 CR 02/13/12	300 DS 02/10/12	300 CR 02/09/12	300 CR 02/09/12	300 CR 02/09/12	300 CR 02/06/12		- 1 GRV	TYDS - CIUS	Act IP Date
	ENDING	11,621.10	12	12	12	12	12	12	12		12 280. 70	12	12	12 11,340.40	12	12	12	12	Reginning Palance			Debit Anount Cre
	ENDING BALANCE	13,839.64	54.00	4,405.49	5, 48	. 89	8,676.72	28.8	8.58	39.00		33, 00	132.00		. 01	1.67.45	2.17	306.00	lal ance			Credit Amount
	2,039,134.58		2,039,134.58 300-000-32221-000 RECURDER TECH FEES	2,039,080.58 300-000-32223-000 ASSESSON TECH FEES	2,034,675.09 300-000-32223-000 ASSESSOR TECH FEES			2,025,992.00 300-000-32223-000 ASSESSOR TECH FEES	2,025,983.15 300-000-32223-000 ASSESSOR TECH FEES	2,025,974.57 300-000-32221-000 RECORDER TECH FEES	2,025,935.57 300-000-00000-000	2,026,216.27 300-000-32221-000 RECORDER TECH FEES	2,026,183.27 300-000-32221-000 RECORDER TECH FEES	2,026,051.27 300-000-0000-000		2,037,391.66 300-000-38009-000 INTEREST-ASSESSUR	2,037,224.21 300-000-38007-000 INTEREST-RECORDER	2,037,222.04 300-000-32221-GOO KECDRDER TECH FEES	2,036,916.04			Balance PDA No.
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