

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

December 31, 2018

LANDER COUNTY COURTHOUSE  
COMMISSIONERS' CHAMBER  
50 STATE ROUTE 305  
BATTLE MOUNTAIN, NEVADA

Also Via Teleconference At

AUSTIN COURTHOUSE  
COMMISSION OFFICE  
122 MAIN STREET  
AUSTIN, NEVADA

10:00  
A.M

Call to Order

Pledge of Allegiance

A Moment of Silence

**Lander County Commissioners may break for lunch from 12:00pm to 1:15pm**

Any agenda item may be taken out of order, may be combined for consideration by the public body, and items may be pulled or removed from the agenda at any time.

Commissioners Reports on meetings, conferences and seminars attended

Staff Reports on meetings, conferences and seminars attended

Public Comment - For non-agendized items only. *Persons are invited to submit comments in writing and/or attend and make comments on any non- agenda item at the Board meeting if any, and discussion of those comments at the discretion of the Board. All public comment may be limited to three (3) minutes per person, again 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.*

**\*CONSENT AGENDA\***

All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, without extensive discussion. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed and acted upon separately during this meeting. Consent agenda materials are available at the Lander County Clerk' s office for viewing and copies are available for a nominal charge.

\*(1) Approval of December 31, 2018 Agenda Notice

\*(2) Approval of November 8, 2018 Meeting Minutes

\*(3) Approval of November 29, 2018 Meeting Minutes

\*(4) Approval of December 13, 2018 Meeting Minutes

- \*(5) Approval of the Payment of Bills
- \*(6) Approval of Payroll Change Requests

**\*COMMISSIONERS\***

- \*(1) Discussion and possible action with regard to the modification of Lander County Code 9.28, County Fire Department; to update the ordinance to include the whole County and direction from the County Commissioners as to what other matters, if any, should be included in the ordinance, and all other matters properly related thereto.

*Public Comment*

- \*(2) Discussion and possible action to thank the Honorable Justice of the Peace Max W. Bunch for his service to Lander County both Judicially and in his role as point person in the construction of the Lander County Courthouse Administration Building and to establish a process for him to turn over the building access programming equipment and all other equipment and/or duties pertaining to the Courthouse and Administration building to the County Manager upon his retirement from Office, and all other matters properly related thereto.

*Public Comment*

- \*(3) Discussion and possible action to approve/disapprove insurance for retired elected officials, one (1) year of paid insurance for every two (2) years of elected office, or what the commission feels is fair, and all other matters properly related thereto.

*Public Comment*

**\*PUBLIC WORKS\***

- \*(4) Discussion and possible action to award the Austin State Routes 212, 214 & 215 Road Rehab 2018 Project and to consider each of the following:
  - a) A & K Construction: \$3,840,340.00 with an Alternate bid of \$346,660.00 totaling \$4,187,000.00;
  - b) H.E. Hunewill Construction Co., Inc.: \$3,750,760.00 with an Alternate bid of \$338,700.00 totaling \$4,089,460.00, recommended by Public Works Director;
  - c) Q & D Construction: \$4,180,091.00 with an Alternate bid of \$387,800.00 totaling \$4,567,891.00;and all other matters properly related there.

*Public Comment*

**\*COMMISSIONERS\***

- \*(5) Discussion and possible action to approve/disapprove alcohol at the Battle Mountain Fire Hall on December 24, 2018 through January 1, 2019 for the Battle Mountain Volunteer Fire Department annual fund raising event, and all other matters properly related thereto.

*Public Comment*

**\*CORRESPONDENCE**

- \*(6) Correspondence/reports/potential upcoming agenda items.

*Public Comment*

Public Comment - For non-agendized items only. *Persons are invited to submit comments in writing and/or attend and make comments on any non- agenda item at the Board meeting if any, and discussion of those comments at the discretion of the Board. All public comment may be limited to three (3) minutes per person, again 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 "for possible action". Each such item may be discussed and action taken thereon 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 Manager in writing at the Courthouse, 50 State Route 305, Battle Mountain, Nevada 89820, or call (775) 635-2885 at least one day in advance of the meeting.

NOTICE: Any member of the public that would like to request any supporting material from the meeting, please contact the clerk's office, 50 State Route 305, Battle Mountain, Nevada 89820 (775) 635-5738.

**AFFIDAVIT OF POSTING**

State of Nevada     )  
                                  ) ss  
County of Lander    )

Keith Westengard, Lander County Manager of said Lander County, Nevada, being duly sworn. says, that on the 26<sup>th</sup> day of December, 2018, he 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, 4) Swackhamer's Plaza Bulletin Board, 5) Kingston Community Hall Bulletin Board, and 6) Austin Courthouse in said Lander County, where proceedings are pending.



Keith Westengard, Lander County Manager

Subscribed and sworn to before me this 26<sup>th</sup> day of December, 2018.

Witness



Name of Agenda: Lander County Board of Commissioners

Date of Meeting: December 31, 2018





LANDER COUNTY COMMISSIONERS MEETING  
12/31/2018

Agenda Item Number \_\_1\_\_

***THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:***

Discussion and possible action with regard to the modification of Lander County Code 9.28, County Fire Department; to update the ordinance to include the whole County and direction from the County Commissioners as to what other matters, if any, should be included in the ordinance, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action:

## Chapter 9.28

### COUNTY FIRE DEPARTMENT

**Sections:**

- 9.28.010** County fire department—Established.
- 9.28.020** Service area—Boundaries established.
- 9.28.030** County Commissioners to set tax rate.
- 9.28.040** Separate fire department fund—Established.
- 9.28.050** Volunteer organization to provide staffing—Formation authorized.
- 9.28.060** Fire department authorized to provide ambulance service.
- 9.28.070** Fire department—May enter into mutual aid agreements.
- 9.28.080** Uniform Fire Protection Code—Adopted.
- 9.28.090** Fire chief to adopt regulations.

**9.28.010 County fire department—Established.**

Pursuant to the provisions of NRS 244.1961, et seq., a county fire department is established. (Ord. 92-3 § 1 (part), 1992: prior code § 7.101)

**9.28.020 Service area—Boundaries established.**

The county fire department shall provide fire protection services within a services area generally described as the Hilltop Area, and more particularly described as:

All of the following lands situate southerly of the southerly right-of-way line of Interstate Highway 80 and easterly of the easterly right-of-way line of old Highway 8-A (the Tomera Ranch Road);

T32N, R45E, Sections 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36;

T31N, R45E, Sections 1, 2, 3, 4, 9, 10, 11, 12;

T32N, R46E, Sections 31, 32, 33;

T31N, R46E, Sections 6, 7.

(Ord. 92-3 § 1 (part), 1992: prior code § 7.102)

**9.28.030 County Commissioners to set tax rate.**

The board of county commissioners is authorized, pursuant to NRS 244.2967, to levy a tax for support of the fire department on all property within the boundaries of the service area. The initial tax rate effective upon adoption of this chapter shall be no cents on each one hundred dollars of assessed value. (Ord. 92-3 § 1 (part), 1992: prior code § 7.103)

**9.28.040 Separate fire department fund—Established.**

Pursuant to NRS 244.2967, a separate fund for the county fire department hereby is established in the county treasury. (Ord. 92-3 § 1 (part), 1992: prior code § 7.104)

**9.28.050 Volunteer organization to provide staffing—Formation authorized.**

The volunteer organization shall submit its constitution and by-laws to the board of county commissioners for ratification. The volunteer organization shall annually elect a fire chief, who shall serve as chief after ratification by the board of county commissioners of his appointment. (Ord. 92-3 § 1 (part), 1992: prior code § 7.105)

**9.28.060 Fire department authorized to provide ambulance service.**

The county fire department is authorized to provide ambulance service within its service area. (Ord. 92-3 § 1 (part), 1992: prior code § 7.106)

**9.28.070 Fire department—May enter into mutual aid agreements.**

The county fire department is authorized to enter into mutual aid agreements with other fire departments and ambulance services, including the Federal Bureau of Land Management and the Nevada Division of Forestry, subject to ratification of such agreements by the board of county commissioners. (Ord. 92-3 § 1 (part), 1992: prior code § 7.107)

**9.28.080 Uniform Fire Protection Code—Adopted.**

The current edition of the Uniform Fire Protection Code is adopted by reference and made a part of this chapter. (Ord. 92-3 § 1 (part), 1992: prior code § 7.108)

**9.28.090 Fire chief to adopt regulations.**

Subject to ratification by the board of county commissioners the fire chief may from time to time adopt appropriate regulations regarding open burning and similar matters. (Ord. 92-3 § 1 (part), 1992: prior code § 7.109)

LANDER COUNTY COMMISSIONERS MEETING  
12/31/2018

Agenda Item Number \_\_2\_\_

***THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:***

Discussion and possible action to thank the Honorable Justice of the Peace Max W. Bunch for his service to Lander County both Judicially and in his role as point person in the construction of the Lander County Courthouse Administration Building and to establish a process for him to turn over the building access programming equipment and all other equipment and/or duties pertaining to the Courthouse and Administration building to the County Manager upon his retirement from Office, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action:

LANDER COUNTY COMMISSIONERS MEETING  
12/31/2018

Agenda Item Number \_\_3\_\_

***THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:***

Discussion and possible action to approve/disapprove insurance for retired elected officials, one (1) year of paid insurance for every two (2) years of elected office, or what the commission feels is fair, and all other matters properly related thereto.

Public Comment:

Background: **None in written form.**

Recommended Action: **Approve insurance for retired elected officials as they retire or leave office. One year insurance under the existing at that time county insurance for each two years of service in an elected position.**



Agenda Request Form  
COMMISSION MEETING DATE 12/31/18

NAME Max W. Bunch REPRESENTING Argenta Justice Court

ADDRESS 50 State Route 305 Battle Mtn. NV. 89820

PHONE(H) \_\_\_\_\_ (W) 775-635-5151 (FAX) 775-635-0604

WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS? Work

WHO WILL BE ATTENDING THE MEETING? Max Bunch

JOB TITLE Justice of the Peace

SPECIFIC REQUEST TO BE PLACED ON THE AGENDA: Insurance for Retired Elected officials:  
1 yr for each 2 years of Elected office or what the Commission feels is fair

BACKGROUND INFORMATION: None in written form.

WHAT ACTION WOULD YOU LIKE THE BOARD TO TAKE TO RESOLVE THIS ISSUE? Approve Insurance  
for retired Elected officials as they Retire or Leave office ONE year

Insurance under the Existing at that time County insurance for each 2 years of Service  
of an Elected position.

ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST? YES ☒ NO ☐

AMOUNT: UNKNOWN

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

WHEN? \_\_\_\_\_

HAS THIS ISSUE BEEN REVIEWED BY AFFECTED DEPT HEADS? YES ☐ NO ☒

**ALL BACKUP MATERIAL MUST BE PROVIDED WITH AGENDA REQUEST- NOT AT THE MEETING**

IS ALL THE BACKUP MATERIAL ATTACHED TO THIS AGENDA REQUEST? YES ☐ NO ☒ NO BACK-UP.

IF THE ITEM IS A CONTRACT AND/OR AGREEMENT, OR REQUIRES LEGAL REVIEW, IT MUST BE REVIEWED BY THE DISTRICT ATTORNEY'S OFFICE PRIOR TO AGENDA SETTING OR IT WILL NOT GO ON THE AGENDA.

HAS THE DISTRICT ATTORNEY'S OFFICE PROVIDED REQUIRED REVIEW? YES ☒ NO ☐ D.A. is aware of Request

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

ALL INFORMATION STATED IS CORRECT AND TRUE TO MY KNOWLEDGE.

SIGNATURE: Max W. Bunch DATE: 12/19/2018

LANDER COUNTY COMMISSIONERS MEETING  
12/31/2018

Agenda Item Number \_\_4\_\_

***THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:***

Discussion and possible action to award the Austin State Routes 212, 214 & 215 Road Rehab 2018 Project and to consider each of the following:

- a) A & K Construction: \$3,840,340.00 with an Alternate bid of \$346,660.00 totaling \$4,187,000.00;
- b) H.E. Hunewill Construction Co., Inc.: \$3,750,760.00 with an Alternate bid of \$338,700.00 totaling \$4,089,460.00, recommended by Public Works Director;
- c) Q & D Construction: \$4,180,091.00 with an Alternate bid of \$387,800.00 totaling \$4,567,891.00;

And all other matters properly related thereto.

Public Comment:

Background:

Recommended Action:



**BID SUBMITTAL CHECKLIST**

**STATE ROUTES 212, 214 & 215 ROAD REHAB 2018 PROJECT  
AUSTIN, LANDER COUNTY, NEVADA**

**PWP NO. LA-2019-021**

**DECEMBER 20, 2018 – 3:00 PM**

BIDDER	PROP.	BID	BID BOND	GEN. CONT	LIST OF SUBS	AFFID. OF NON- COLLUS.	AFFID. OF AB 144	CONT. WAIVER NRS 338	ADDEND. 1
A&K	✓	3,840,340 346,660 4,187,000	✓	✓	✓	✓	✓	✓	✓
HUNEWILL	✓	3,750,760 38,700 4,089,460	✓	✓	✓	✓	✓	✓	✓
Q&D	✓	4,180,091 387,800 4,567,891	✓	✓	✓	✓	✓	✓	✓



BOX 651 • EUREKA, NEVADA 89316 • (775) 237-5395  
5 EAST PARK STREET • FALLON, NEVADA 89406 • (775) 423-9090

December 20, 2018

Bert Ramos -- Public Works Director  
LANDER COUNTY PUBLIC WORKS  
50 State Route 305  
Battle Mountain, Nevada 89820

**RE: BID SUMMARY AND RECOMMENDATION FOR AWARD  
AUSTIN, LANDER COUNTY, NEVADA  
STATE ROUTES 212, 214 & 215 ROAD REHAB 2018 PROJECT  
PWP NO. LA-2019-021**

Mr. Ramos;

Attached herewith is a copy of the bid summary and bid submittal checklist for the referenced project. Three bids were received at the Lander County Clerk's Office on Thursday, December 20, 2018 prior to the bid time of 3:00 pm. A&K Construction from Reno, Q&D Construction from Reno and Hunewill Construction from Winnemucca were the eligible bidders. The bids were then opened and read aloud.

The submitted bid documents from the bidders were reviewed for completeness, alterations, math errors and irregularities. The documentation submitted with all three bids were complete. There was an informality with the Sub-Contractor's List in Hunewill's bid. There were no math errors in the bids. Hunewill was the apparent low bidder with a total bid amount of \$4,089,460.00 which includes the alternate bid A. Alternate Bid A includes paving State Route 215. A complete Bid Summary spreadsheet is attached herewith. An abbreviated bid summary is presented in Table 1 below.

Table 1 – Abbreviated Bid Summary

Bidder	Base Bid (SR 212 & 214)	Alt. "A" Bid (SR 215)	Total Bid with Alternates
Hunewill	\$3,750,760.00	\$338,70.00	\$4,089,460.00
A&K	\$3,840,340.00	\$346,660.00	\$4,187,000.00
Q&D	\$4,180,091.00	\$387,800.00	\$4,567,891.00

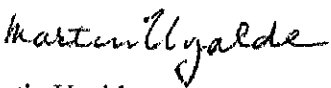
Mr. Bert Ramos  
Bid Recommendation Letter  
December 20, 2018  
Page 2

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The bids appear to be competitive based on the results. The bid from Hunewill Construction is less than the Engineer's Estimate of \$5.4 Million and is less than the amount budgeted for this project.

If you have any questions or require additional information, please do not hesitate to call the undersigned at (775) 423-9090.

Sincerely,  
**DAY ENGINEERING**

  
Martin Ugalde

Enclosures

cc: Keith Westengard -- Lander County Executive Director  
Rick Hardin -- Austin Road and Bridge  
Tammy Dimitroff -- Lander County Public Works  
Stephanie Colorado -- Day Engineering  
Dean Day, P.E. -- Day Engineering

C:\\$DayEngineering\Lander\Austin\SR 212 214 215\docs\L12 20 18 Bid Award Letter.doc

**STATE ROUTES 212, 214 AND 215 ROAD REHAB 2018 PROJECT**

**PWP LA-2019-021**

**BID SUMMARY**

**DECEMBER 20, 2018**

BASE BID											
SR 212 - REESE RIVER ROAD (8 MILES)				ENGINEER'S ESTIMATE		HUNEWILL		A&K		Q&D	
BID ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mob Demob	1	LS	\$100,000	\$100,000	\$150,000	\$150,000	\$63,064	\$63,064	\$161,112	\$161,112
2	AC Grinding	43,800	LF	\$6	\$262,800	\$4.35	\$190,530	\$5.20	\$227,760	\$2.50	\$109,500
3	Grading and Earthwork	43,800	LF	\$5	\$219,000	\$4.60	\$201,480	\$5.75	\$251,850	\$5.20	\$227,760
4	Install AC Pavement (26' Wide)	1,138,800	SF	\$2.5	\$2,847,000	\$1.75	\$1,992,900	\$1.82	\$2,072,616	\$2.10	\$2,391,480
5	ADS Culverts	20	EA	\$10,000	\$200,000	\$5,000	\$100,000	\$2,800	\$56,000	\$6,000	\$120,000
6	Cattle Guards	2	EA	\$10,000	\$20,000	\$6,500	\$13,000	\$3,000	\$6,000	\$6,000	\$12,000
7	Signage	1	LS	\$5,000	\$5,000	\$6,000	\$6,000	\$1,400	\$1,400	\$2,000	\$2,000
SR 214 - FARM DISTRICT ROAD (3 MILES)				ENGINEER'S ESTIMATE		HUNEWILL		A&K		Q&D	
BID ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
8	AC Grinding	17,000	LF	\$6	\$102,000	\$4.35	\$73,950	\$4.85	\$82,450	\$2.50	\$42,500
9	Grading and Earthwork	17,000	LF	\$5	\$85,000	\$4.60	\$78,200	\$5.70	\$96,900	\$5.20	\$88,400
10	Install AC Pavement (20' Wide)	340,000	SF	\$2.5	\$850,000	\$2.28	\$775,200	\$2.45	\$833,000	\$2.45	\$833,000
11	ADS Culverts	10	EA	\$10,000	\$100,000	\$5,000	\$50,000	\$2,800	\$28,000	\$6,000	\$60,000
12	Cattle Guards	1	EA	\$10,000	\$10,000	\$6,500	\$6,500	\$3,000	\$3,000	\$6,000	\$6,000
13	Signage	1	LS	\$5,000	\$5,000	\$3,000	\$3,000	\$800	\$800	\$2,000	\$2,000
14	Dry Utility Repair	10	EA	\$500	\$5,000	\$500	\$5,000	\$500	\$5,000	\$500	\$5,000
15	Additional Potholing	100	HR	\$50	\$5,000	\$50	\$5,000	\$125	\$12,500	\$193.39	\$19,339
16	Force Account	1	LS	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
<b>Base Bid Total</b>					<b>\$4,915,800</b>		<b>\$3,750,760</b>		<b>\$3,840,340</b>		<b>\$4,180,091</b>

ALTERNATE BID "A"											
SR 215 (1 MILE)				ENGINEER'S ESTIMATE		HUNEWILL		A&K		Q&D	
BID ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
A-1	AC Grinding	6,000	LF	\$6	\$36,000	\$4.35	\$26,100	\$5.20	\$31,200	\$2.50	\$15,000
A-2	Grading and Earthwork	6,000	LF	\$5	\$30,000	\$4.60	\$27,600	\$5.75	\$34,500	\$5.20	\$31,200
A-3	Install AC Pavement (26' Wide)	156,000	SF	\$2.5	\$390,000	\$1.75	\$273,000	\$1.76	\$274,560	\$2.10	\$327,600
A-4	Install 36" ADS Culverts with FES	2	EA	\$10,000	\$20,000	\$5,000	\$10,000	\$2,800	\$5,600	\$6,000	\$12,000
A-5	Signage	1	LS	\$5,000	\$5,000	\$2,000	\$2,000	\$800	\$800	\$2,000	\$2,000
<b>Alternate Bid Total</b>					<b>\$481,000</b>		<b>\$338,700</b>		<b>\$346,660</b>		<b>\$387,800</b>
<b>BID TOTAL (Base including Alterante)</b>					<b>\$5,396,800</b>		<b>\$4,089,460</b>		<b>\$4,187,000</b>		<b>\$4,567,891</b>

LANDER COUNTY COMMISSIONERS MEETING  
12/31/2018

Agenda Item Number \_\_5\_\_

***THE REQUESTED ACTION OF THE LANDER COUNTY COMMISSION IS:***

Discussion and possible action to approve/disapprove alcohol at the Battle Mountain Fire Hall on December 24, 2018 athrough January 1, 2019 for the Battle Mountain Volunteer Fire Department annual fund raising event, and all other matters properly related thereto.

Public Comment:

Background:

Recommended Action: **Approval**



Agenda Request Form  
COMMISSION MEETING DATE 12-31-18

NAME RON UNGER REPRESENTING BATTLE MTN. VOL. FIRE DEPT

ADDRESS \_\_\_\_\_

PHONE(H) \_\_\_\_\_ (W) 635-1100 (FAX) \_\_\_\_\_

WHICH NUMBER SHOULD WE CALL DURING NORMAL BUSINESS HOURS? 374-0808

WHO WILL BE ATTENDING THE MEETING? RON UNGER / BART NEGRO

JOB TITLE Asst Chief - Chief (BART)

SPECIFIC REQUEST TO BE PLACED ON THE AGENDA: NEED COMMISSION

APPROVAL TO HAVE ALCOHOL IN THE FIRE HALL  
FROM 12-24-18 THRU 1-1-19. FOR FIREMAN'S ANNUAL RAFFLE

BACKGROUND INFORMATION: \_\_\_\_\_

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

ARE THERE ANY COSTS ASSOCIATED WITH YOUR REQUEST? YES \_\_\_\_\_ NO ✓

AMOUNT: \_\_\_\_\_

HAS THIS ISSUE BEEN DISCUSSED AT A PRIOR COMMISSION MEETING? YES ✓ NO \_\_\_\_\_

WHEN? \_\_\_\_\_

HAS THIS ISSUE BEEN REVIEWED BY AFFECTED DEPT HEADS? YES ✓ NO \_\_\_\_\_

**ALL BACKUP MATERIAL MUST BE PROVIDED WITH AGENDA REQUEST- NOT AT THE MEETING**

IS ALL THE BACKUP MATERIAL ATTACHED TO THIS AGENDA REQUEST? YES \_\_\_\_\_ NO \_\_\_\_\_

IF THE ITEM IS A CONTRACT AND/OR AGREEMENT, OR REQUIRES LEGAL REVIEW, IT MUST BE REVIEWED BY THE DISTRICT ATTORNEY'S OFFICE PRIOR TO AGENDA SETTING OR IT WILL NOT GO ON THE AGENDA.

HAS THE DISTRICT ATTORNEY'S OFFICE PROVIDED REQUIRED REVIEW? YES ✓ NO \_\_\_\_\_ LAST YEAR

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

ALL INFORMATION STATED IS CORRECT AND TRUE TO MY KNOWLEDGE.

SIGNATURE: Ron Unger

DATE: 12-17-18

LANDER COUNTY COMMISSIONERS MEETING  
12/31/2018

Agenda Item Number \_\_6\_\_

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

Public Comment:

Background:

Recommended Action:

1. Monthly Reports to Lander County Commissioners. November 2018.
2. Argenta Justice Court. Minimum Accounting Standards External Audit by Independent Accountants for the Year Ended June 30, 2018.
3. State of Nevada. Department of Conservation & Natural Resources. Notice of Proposed Action by the State of Nevada. Barrick Gold Exploration Inc. Permit NEV2018110.
4. State of Nevada. Department of Conservation and Natural Resources. Division of Water Resources. Notice of Workshops.



# **MONTHLY REPORTS TO LANDER COUNTY COMMISSIONERS**

## ***NOVEMBER 2018***

- 1) LANDER COUNTY CLERK – MONIES COLLECTED FOR THE MONTH OF  
NOVEMBER 2018**
- 2) AUSTIN JUSTICE OF THE PEACE – MONIES COLLECTED FOR THE MONTH  
OF NOVEMBER 2018**
- 3) ARGENTA JUSTICE COURT – FINES/FORFEITS FOR THE MONTH OF  
NOVEMBER 2018**
- 4) LANDER COUNTY RECORDER – TOTAL AMOUNT REMITTED TO  
TREASURER FOR THE MONTH OF NOVEMBER 2018**
- 5) LANDER COUNTY TREASURER – TECHNOLOGY FEES FOR THE MONTH  
OF NOVEMBER 2018**

**Lander County Clerk's Office**  
**Monies Collected for the Month of:**  
***NOVEMBER 2018***

<u>ACCOUNT</u>	<u>AMOUNT</u>
TOTAL STATE FEES	\$ 99.00
TOTAL COUNTY FEES	\$ 258.50
TOTAL LAW LIBRARY FUND	\$ 0.00
TOTAL DOMESTIC VIOLENCE	\$ 150.00
TOTAL LEGAL AID FUND	\$ 0.00
TOTAL DRUG TEST FEES	\$ 2,395.00
 <b>TOTAL MONIES COLLECTED FOR THE MONTH OF NOVEMBER 2018</b>	 <b>\$ 2,902.50</b>

  
\_\_\_\_\_


**LANDER COUNTY CLERK**

Approved by State Board of Accounts for LANDER County - 2018

To Auditor of LANDER County, NEVADA  
Collecting for Period: 10/31/2018 thru 11/28/2018

Account	Prior Collections	Collections This Period	Year To Date Collections
6I AA FEE - GENETIC MARKER ANALYSIS	1,164.00	183.00	1,347.00
6I AA FEE - JUSTICE #085-32003	2,758.00	427.00	3,185.00
6I AA FEE - JUVENILE #286-32006	788.00	122.00	910.00
6I AA FEE - STATE (A #090-32005	14,567.00	2,531.00	17,098.00
6I AA FEE - STATE (G #090-000-32013	1,962.00	305.00	2,267.00
6I BAIL FORFEITURES #001-35030	29,384.00	5,510.00	34,894.00
6I BAIL/BOND PROCESSING FEE	0.00	0.00	0.00
6I BOND FILING FEE VICTIMS OF CRIME	0.00	0.00	0.00
6I CIVIL FEES	0.00	0.00	0.00
6I CIVIL FEES - COURT ACCOUNT/	0.00	0.00	0.00
6I COUNTY FINES/FORF #001-35030	933.94	125.00	1,058.94
6I DEPARTMENT OF WILDLIFE - COUNTY	0.00	0.00	0.00
6I DEPARTMENT OF WILDLIFE CIVIL FEES	50.00	0.00	50.00
6I DOMESTIC VIOLENCE FEE	0.00	0.00	0.00
6I DUI SPECIALTY COURT FEE (AOC)	0.00	0.00	0.00
6I EPAYMENT CONVENIENCE FEE	1,322.07	189.70	1,511.77
6I FACILITY ASSESSME #285-34201	3,881.06	605.00	4,486.06
6I FELONY/GROSS MISD FORF -	0.00	0.00	0.00
SPECIALTY CO			
6I FELONY/GROSS MISD FORF - VICTIMS	0.00	0.00	0.00
OF C			
6I FINE - STATE OF N #090-35030	0.00	0.00	0.00
6I FINE -LANDER COUN #090-35030	0.00	0.00	0.00
6I LC98-3 OTHER #01-32009	0.00	0.00	0.00
6I MISCELLANEOUS FEE #001-000-38080	0.00	0.00	0.00
6I NON SUFFICIENT FUNDS	30.00	0.00	30.00
6I NRS 4.065 (SB#62) #090-32015	0.00	0.00	0.00
6I OVERPAYMENTS TO THE COUNTY	0.00	0.00	0.00
6I SPECIALTY COURT F #090-32207	2,718.50	427.00	3,145.50
6I SUBSTANCE ABUSE FEE (CHEMICAL	0.00	0.00	0.00
FEE)			
Totals:	59,558.57	10,424.70	69,983.27

State of NEVADA LANDER County, SS:

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

FILED

2018 NOV 29 PM 3:22

LANDER COUNTY CLERK

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**WWW.SUPPRESSORPRESS.COM**

FILED

ARGENTA JUSTICE COURT  
MONTHLY FINANCIAL STATEMENT

2018 DEC -3 PM 3:15

LANDER COUNTY 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 MONTH ENDING  
NOVEBER, 2018.

HOUSE	(WEDDING)	\$ 70.00
PEASNALL	(WEDDING)	\$ 70.00
BEELER	(WEDDING)	\$ 70.00
SUTHERS	(WEDDING)	\$ 70.00

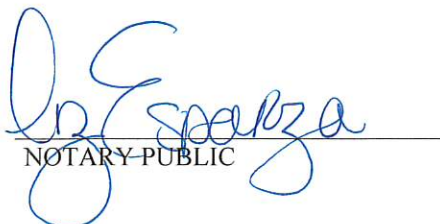
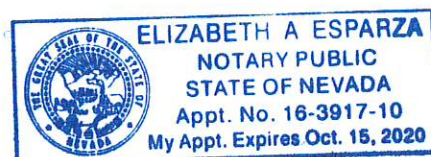
TOTAL \$ 280.00



MAX W. BUNCH  
JUSTICE OF THE PEACE

State of Nevada  
County of Lander

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 3<sup>RD</sup>, DAY OF DECEMBER, 2018

  
NOTARY PUBLIC

FINES & FEES MONTH OF NOVEMBER 22,227.00

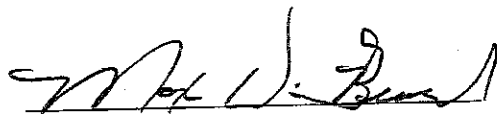
Account	Payee Name	Check Number	Check Status Code	Disbursed Amount	Number of Cases
6H AA FEE - STATE (AOC)	LANDER COUNTY TREASURER	N/A	N/A	5,204.00	120
6H AA FEE - JUSTICE	LANDER COUNTY TREASURER	N/A	N/A	931.00	113
6H AA FEE - JUVENILE	LANDER COUNTY TREASURER	N/A	N/A	266.00	113
6H AA FEE - STATE (GENERAL)	LANDER COUNTY TREASURER	N/A	N/A	669.00	114
6H AA FEE - GENETIC MARKER ANALYSIS	LANDER COUNTY TREASURER	N/A	N/A	396.00	114
6H BAIL/BOND PROCESSING FEE BOND FEES	LANDER COUNTY TREASURER	N/A	N/A	37.50	2
6H CIVIL FEES	LANDER COUNTY TREASURER	N/A	N/A	1,410.50	27
6H CIVIL FEES - COURT ACCOUNT	LANDER COUNTY TREASURER	N/A	N/A	642.25	29
6H COPY FEES	LANDER COUNTY TREASURER	N/A	N/A	3.00	0
6H DEPARTMENT OF WILDLIFE - COUNTY	LANDER COUNTY TREASURER	N/A	N/A	25.00	1
6H FACSIMILE FEES	LANDER COUNTY TREASURER	N/A	N/A	477.75	0
6H COUNTY FINES/FORFEITURES	LANDER COUNTY TREASURER	N/A	N/A	1,080.00	11
6H FACILITY ASSESSMENT FEE	LANDER COUNTY TREASURER	N/A	N/A	1,375.00	119
6H LC98-3 OTHER	LANDER COUNTY TREASURER	N/A	N/A	270.00	27
6H MARRIAGE FEE - STATE	LANDER COUNTY TREASURER	N/A	N/A	20.00	0
OVERPAYMENTS TO COUNTY	LANDER COUNTY TREASURER	N/A	N/A	2.00	1
6H NRS 4.065 (SB#62)	LANDER COUNTY TREASURER	N/A	N/A	27.00	27
6H SPECIALTY COURT FEE (MISD)	LANDER COUNTY TREASURER	N/A	N/A	948.00	117
6H DUI SPECIALTY COURT FEE (AOC)	LANDER COUNTY TREASURER	N/A	N/A	105.00	2
31 6H STATE FORFEITURES	LANDER COUNTY TREASURER	N/A	N/A	8,288.00	107
6H BOND FILING FEE VICTIMS OF CRIME	LANDER COUNTY TREASURER	N/A	N/A	50.00	2

\*\*\* End of Report \*\*\*

STATE OF NEVADA  
COUNTY OF LANDER

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

Subscribed and sworn to before me this 30<sup>TH</sup> day of November, 2018.

  
Justice of the Peace

LANDER COUNTY CLERK

2018 DEC -3 PM 3:54

FILED

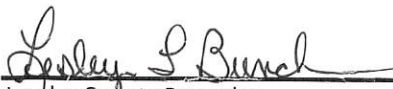
**Lander County Recorder**

Lesley L Bunch  
50 State Route 305  
Battle Mountain, NV 89820

**FILED****2018 DEC -3 AM 9:14****MONTHLY REPORT****LANDER COUNTY CLERK**

The following fees were collected for the period of November 1, 2018 through November 30, 2018.

<u>ACCOUNT</u>	<u>AMOUNT</u>
RECORDINGS	\$3,728.00
OUTSTANDING RCD	\$0.00
OVERPYMT KEPT	\$0.00
OVERPYMT VOUCHER	\$0.00
AB 6 NOD FORECLOSURE MEDIATION FUND	\$90.00
AB 6 NOD BUDGET SHORTFALL	\$150.00
AB 259 NOD INDIGENT	\$10.00
REAL PROPERTY TRANSFER TAX (General)	\$1,863.40
REAL PROPERTY TRANSFER TAX (State .10)	\$338.80
REAL PROPERTY TRANSFER TAX (State 1.30)	\$4,404.40
COPY WORK	\$302.40
SB 14 DOMESTIC VIOLENCE FUND	\$40.00
TECHNOLOGY FEE	\$1,135.00
FUND TO ASSIST (Previous Foster Care)	\$227.00
LEGAL SERVICES FOR INDIGENT	\$681.00
COMPENSATION OF INVESTIGATORS APPOINTED BY DISTRICT COURT	\$227.00
DEPARTMENT OF MINERALS (State)	\$4,370.00
MAPS	\$2,445.00
<b>TOTAL AMOUNT REMITTED TO TREASURER:</b>	<b>\$20,012.00</b>

  
\_\_\_\_\_  
Lander County Recorder

REPORTING MONTH OF November 2018

FUND #300--TECHNOLOGY FEES

## RECORDER

BEGINNING BALANCE November 2018	\$53,255.51
REVENUE	\$1,460.00
Expenditures	(1,586.93)
Adjustment	\$0.00
ENDING BALANCE November 2018	\$53,128.58

## ASSESSOR

BEGINNING BALANCE November 2018	\$2,753,378.44
REVENUE	73.34
EXPENDITURES	(9,763.15)
Adj Btw Fnds	-
Interest 2018 Adjustment	
ENDING BALANCE-November 2018	\$2,743,688.63

## CLERK

BEGINNING BALANCE November 2018	\$28.15
REVENUE	\$0.00
EXPENDITURES	\$0.00
Interest 2018 Adjustment	\$0.00
ENDING BALANCE November 2018	\$28.15

## TOTALS

November 2018 Beginning Balance	\$2,830,907.68
Recorder	(126.93)
Assessor	(9,689.81)
CLERK	
November 2018 Ending Balance	\$2,821,090.94

*R Murphy*  
Lander County Treasurer/Gene Etcheberry

## Yearly Recap July 2018 Thru June 30, 2019

Beginning Bal July 2018	3,150,895.64
Revenue	27,470.27
Expenditures	(357,274.97)
Interest	-
Adj	-
Ending Balance June 30, 2019	2,821,090.94

LANDER COUNTY CLERK

2018 DEC 11 AM 11:35

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RECEIVED

DEC 11 2018

LANDER COUNTY CLERK



STATEMENT OF BUDGETED REVENUES & EXPENDITURES COMPARED TO ACTUAL

300 TECHNOLOGY FEES  
PERIOD ENDING 11/30/18

	FINAL AMENDED BUDGET	***** ACTUAL ***** CURRENT PERIOD	YEAR TO DATE	OVER - UNDER BUDGET	%
REVENUES					
31010 REAL PROPERTY TAXES-	.00	.00	.00	.00	0
32221 RECORDER TECH FEES	10,500.00	1,460.00	8,580.00	1,920.00	81
32223 ASSESSOR TECH FEES	300,000.00	73.34	18,890.27	281,109.73	6
32224 DIST COURT TECH FEES	.00	.00	.00	.00	0
38007 INTEREST-RECORDER	7,652.00	.00	.00	7,652.00	0
38009 INTEREST-ASSESSOR	7,652.00	.00	.00	7,652.00	0
38013 INTEREST-DIST. COURT	7,652.00	.00	.00	7,652.00	0
38046 ASSESR TECH NET PRO	.00	.00	.00	.00	0
38080 MISCELLANEOUS REVENU	.00	.00	.00	.00	0
38122 GRANT-OTS CRASH	.00	.00	.00	.00	0
39009 TRANS IN FMV	.00	.00	.00	.00	0
TOTAL REVENUES	333,456.00	1,533.34	27,470.27	305,985.73	8
EXPENDITURES					
59045 TRANS OF REVENUES	.00	.00	.00	.00	0
TOTAL	.00	.00	.00	.00	0
067 RECORDER					
53920 SERVICE AND SUPPLIES	17,500.00	1,586.93	3,667.80	13,832.20	20
53991 MINOR EQUIP/FURNITUR	5,000.00	.00	662.68	4,337.32	13
59015 TRANS OUT INTEREST	.00	.00	.00	.00	0
59950 MISCELLANEOUS	2,500.00	.00	668.19	1,831.81	26
TOTAL RECORDER	25,000.00	1,586.93	4,998.67	20,001.33	19
068 ASSESSOR					
53920 SERVICE AND SUPPLIES	550,000.00	7,478.15	320,858.55	229,141.45	58
53991 MINOR EQUIP/FURNITUR	315,000.00	2,285.00	11,855.00	303,145.00	3
54010 NEW FIXED ASSETS	365,000.00	.00	.00	365,000.00	0
54095	.00	.00	.00	.00	0
59045 TRANS OF REVENUES	.00	.00	.00	.00	0
59405	.00	.00	.00	.00	0
TOTAL ASSESSOR	1,230,000.00	9,763.15	332,713.55	897,286.45	27
069 DISTRICT COURT					
53920 SERVICE AND SUPPLIES	.00	.00	.00	.00	0
53991 MINOR EQUIP/FURNITUR	.00	.00	.00	.00	0
TOTAL DISTRICT COURT	.00	.00	.00	.00	0
TOTAL EXPENDITURES	1,255,000.00	11,350.08	337,712.22	917,287.78	26
NET REV & EXPENDITURE	921,544.00-	9,816.74-	310,241.95-	611,302.05-	33
=====	=====	=====	=====	=====	=====

Acct No.	Receipt Description	Act	TP	Date	Debit Amount	Credit Amount	Balance	PMA No.
ACCOUNT-300	TECHNOLOGY FEES			TYPE- FUND				
					Beginning Balance		2,830,907.68	
59523	WEEK ENDING 10-31-18	300	CR	11/05/18		325.00	2,831,232.68	300-000-32221-000 RECORDER TECH FEES
59549	WEEK ENDING 11-09-18	300	CR	11/13/18		160.00	2,831,392.68	300-000-32221-000 RECORDER TECH FEES
11028	SPEC EXPND 11-02-18	300	DS	11/15/18	93.96		2,831,298.72	300-000-00000-000
11168	SPEC EXPND 11-14-18	300	DS	11/16/18	6,461.15		2,824,837.57	300-000-00000-000
59580	WEEK ENDING 11-14-18	300	CR	11/19/18		105.00	2,824,942.57	300-000-32221-000 RECORDER TECH FEES
59600	WEEK ENDING 11-23-18	300	CR	11/28/18		310.00	2,825,252.57	300-000-32221-000 RECORDER TECH FEES
11298	COMM BILLS	300	DS	11/30/18	4,794.97		2,820,457.60	300-000-00000-000
59614	WEEK ENDING 11-30-18	300	CR	11/30/18		560.00	2,821,017.60	300-000-32221-000 RECORDER TECH FEES
59619	2017-18 REAL PROP	300	CR	11/30/18		2.45	2,821,020.05	300-000-32223-000 ASSESSOR TECH FEES
59620	2018-19 REAL PROP	300	CR	11/30/18		30.25	2,821,050.30	300-000-32223-000 ASSESSOR TECH FEES
59621	2014-15 PERS PROP	300	CR	11/30/18		.19	2,821,050.49	300-000-32223-000 ASSESSOR TECH FEES
59622	2015-16 PERS PROP	300	CR	11/30/18		2.01	2,821,052.50	300-000-32223-000 ASSESSOR TECH FEES
59623	2016-17 PERS PROP	300	CR	11/30/18		2.01	2,821,054.51	300-000-32223-000 ASSESSOR TECH FEES
59624	2017-18 PERS PROP	300	CR	11/30/18		2.41	2,821,056.92	300-000-32223-000 ASSESSOR TECH FEES
59625	2018-19 PERS PROP	300	CR	11/30/18		34.82	2,821,090.94	300-000-32223-000 ASSESSOR TECH FEES
					11,350.08	1,533.34		
ACCOUNT-300	TECHNOLOGY FEES				ENDING BALANCE		2,821,090.94	

FILED

2018 DEC 19 PM 2:37

LANDER COUNTY CLERK

**Argenta Justice Court  
Minimum Accounting Standards External Audit  
by Independent Accountants  
for the Year Ended June 30, 2018**



## **Independent Accountants' Report on Applying Agreed-Upon Procedures**

To the Judge of the Argenta Justice Court:

We have performed the procedures enumerated below, which are required by the Minimum Accounting Standards Guide for External Audits, solely to assist the Court and the Nevada Supreme Court in evaluating the Argenta Justice Court's compliance with the requirements of Minimum Accounting Standards (MAS) during the year ended June 30, 2018. The court's judges and staff are responsible for the Argenta Justice Court's compliance with the applicable Minimum Accounting Standards issued by the Nevada Supreme Court.

The agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The procedures involve a degree of sampling risk which is present whenever a procedure is applied to less than 100 percent of the items in the population. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures that we performed and our findings are as follows:

1. We obtained from the judge(s) and staff a copy of the Argenta Justice Court's submitted written procedures, as required to be maintained by Supreme Court Order dated January 19, 2018, which the judge(s) and staff informed us was submitted to the Nevada Supreme Court and was in effect during the year ended June 30, 2018.
2. We obtained from the Nevada Supreme Court a copy of the Minimum Accounting Standards published by the Administrative Office of the Courts and in effect during the period from July 1, 2017 through June 30, 2018.
3. We compared the detailed controls and procedures, provided in the Minimum Accounting Standards, obtained in procedure 2, to the detailed controls and procedures described in the written procedures, obtained in procedure 1, to determine whether the required controls and procedures specified in the MAS were included in the written procedures.
4. In accordance with the Minimum Accounting Standards Guide for External Audits effective January 2018, we completed testing procedures. We noted instances of noncompliance that have been included in Schedule A, Instances of Noncompliance Reported by Independent Accountants, to the report.

We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Argenta Justice Court's compliance with the applicable MAS. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Nevada Supreme Court and the Argenta Justice Court and is not intended to be, and should not be used by anyone other than these specified parties.

*HintonBurdick, PLLC*

HintonBurdick, PLLC  
Mesquite, Nevada  
October 10, 2018



**Argenta Justice Court  
Appendix A  
Instances of Noncompliance Reported by Independent Accountants  
for the Year Ended June 30, 2018**

For a complete listing of procedures performed, see the Nevada Courts Minimum Accounting Standards Guide for External Audits, V1.1 as published by the Administrative Office of the Courts, Administration Division, Audit Unit.

**Section 1 – Written Procedure Review**

No exceptions noted.

**Section 2 – Payment Handling and Receipting Review Procedures**

No exceptions noted.

**Mail Payments**

No exceptions noted.

**Manual and Computerized Receipting**

No exceptions noted.

**Manual Payment Receipts**

No exceptions noted.

**Computerized Payment Receipts**

No exceptions noted.

**Payment Receipt Voids/Reversals**

**MAS 2.26** Voided receipts should include a reason for the void/reversal documented on the receipt. The reason must also be documented in the cash receipts journal, the automated case management system, or on a designated void and/or reversal log.

**Findings/Exceptions:**

Through detail testing between September 11 and 12, 2018, 1 voided receipt in a population of 15 voided receipts dated between July 1, 2017 to June 30, 2018, did not include the reason for voiding or reversing the receipt on the face of the





**Argenta Justice Court  
Appendix A  
Instances of Noncompliance Reported by Independent Accountants  
for the Year Ended June 30, 2018**

instrument.

Management Response:

The practice and implementation of having the reason for voiding and/or reversing a receipt documented on the face of the instrument has been in practice for several years by all court staff. This instance was rare; however careful we are here at Argenta Justice Court, mistakes are made. We will strive to be more diligent in the future.

**MAS 2.27** A secondary court staff member (if available, a supervisor or higher) must review and approve the void and/or reversal and evidence of the approval should be documented at the time it occurs. If a second person is not available at the time of the void and/or reversal, a second court staff member should review and document approval for all voids/reversals for reasonableness as a compensating control. This should include a review of the automated case management system record (if applicable) for reasonableness.

Findings/Exceptions:

Through detail testing between September 11 and 12, 2018, 1 voided receipt in a population of 15 voided receipts dated between July 1, 2017 to June 30, 2018, did not include documentation of review and approval of the voided receipt by a secondary court staff member.

Management Response:

The practice and implementation of having a secondary court staff member (supervisor or higher) review and approve the void and/or reversal and evidence of the approval documented has been in practice for several years by all court staff. This instance was rare; however careful we are here at Argenta Justice Court, mistakes are made. We will strive to be more diligent in the future.

**Payments Received by Other Government Entities and Independent Contractors on the Court's Behalf**

No exceptions noted.



**Argenta Justice Court  
Appendix A  
Instances of Noncompliance Reported by Independent Accountants  
for the Year Ended June 30, 2018**

**Safeguarding Operating Funds, Payments, and Payment Receipt Records**

No exceptions noted.

**Change Fund**

No exceptions noted.

**Petty Cash**

No exceptions noted.

**Insufficient Funds**

No exceptions noted.

**Determining What Is Owed the Court and Authority to Adjust Amounts Owed to the Court**

No exceptions noted.

**Recording Payments**

No exceptions noted.

**Payment Handling and Receipt Testing**

No exceptions noted.

**Section 3 – Disbursements**

**Cash and Check Disbursements**

No exceptions noted.

**Voucher Requests**

No exceptions noted.





**Argenta Justice Court  
Appendix A  
Instances of Noncompliance Reported by Independent Accountants  
for the Year Ended June 30, 2018**

**Voiding and/or Reversing Disbursement Instruments**

No exceptions noted.

**Recording Disbursements**

No exceptions noted.

**Disbursement Testing**

No exceptions noted.

**Section 4 – Conversion of Monetary Penalties Imposed by the Court to  
Alternative Sentencing and Modification of Sentencing**

No exceptions noted.

**Sentence Modification Testing**

No exceptions noted.

**Section 4A – Reserved for Future Reference**

Reserved for Future Reference

**Section 4B – District Court Ordered Fines and Fees**

No exceptions noted.

**Section 5 – Trust Accounts and Bonds**

No exceptions noted.

**Trust Account and Bond Testing**

No exceptions noted.

**Section 6 – Bank Accounts**



**Argenta Justice Court**  
**Appendix A**  
**Instances of Noncompliance Reported by Independent Accountants**  
**for the Year Ended June 30, 2018**

**Authority and Security**

No exceptions noted.

**Bank Deposits**

**MAS 6.14** All bank deposits should be secured before being transported to the bank and/or local government treasurer. Secure methods include locking the deposit in a bank bag and/or placing the deposit in a tamper-proof plastic bag.

**Findings/Exceptions**

Through observation of daily deposit preparation and finalization on September 11, 2018, noted that the deposit is not secured in a locked bank bag or sealed in a temper-proof plastic bag. This was the court's routine procedure.

**Management Response**

As a result of the MAS audit, the court has added to the policy and procedures and implemented the use of tamper-proof plastic bags obtained by Wells Fargo Bank for the bank deposits.

**Lost, Stolen, Stale Dated Instruments**

No exceptions noted.

**Unclaimed Property**

No exceptions noted.

**Bank Account Testing**

No exceptions noted.

**Section 7 – Financial Management**

**MAS 7.2)** Court staff should perform the following daily reconciliations:



**Argenta Justice Court  
Appendix A  
Instances of Noncompliance Reported by Independent Accountants  
for the Year Ended June 30, 2018**

- a) Each court staff responsible for a lock box, cash drawer, locking cash bag, and safe/vault should verify beginning operating funds before usage, and document the count on a checkout sheet.
- b) Each court staff responsible for operating funds should count his/her lock box, cash drawer, locking cash bag, and safe/vault after each shift or when staff responsible for the operating funds change, and document the count on a checkout sheet.
- c) Each court staff should reconcile and balance all monies received after each shift with the cash receipts journal. Any variances noted must be documented and investigated timely.
- d) An independent, court staff member should verify and reconcile the daily deposit with the cash receipts journal. Any variances noted must be documented and investigated timely.
- e) All counts and verifications must be evidence.

**Findings/Exceptions**

Through interviews with staff and observation on September 11, 2018, noted that the independent court staff member did not verify and reconcile the daily deposit to the cash receipts journal, only recounted the bank deposit.

**Management Response**

As a result of the MAS audit, the court has added to the policy and procedures and implemented the verification and reconciliation of the daily deposit to the printed cash receipts journal by the second clerk when verifying the deposit.

**Financial Management Testing**

No exceptions noted.

**Section 8 – Computer Access and Security**

No exceptions noted.

**Payment Card Data Security (Credit Card Information Security)**



**Argenta Justice Court  
Appendix A  
Instances of Noncompliance Reported by Independent Accountants  
for the Year Ended June 30, 2018**

No exceptions noted.

**Section 9 – General Administrative Security and Key Controls**

No exceptions noted.

**Section 10 – Record Retention**

No exceptions noted.





NEVADA DIVISION OF  
**ENVIRONMENTAL  
PROTECTION**

**STATE OF NEVADA**  
Department of Conservation & Natural Resources  
Brian Sandoval, Governor  
Bradley Crowell, Director  
Greg Lovato, Administrator

Notice of Proposed Action

By the

State of Nevada

The Administrator of the Division of Environmental Protection (the Division) gives notice that an application for a new Discharge Permit for the Toiyabe Exploration Project II, an exploration drilling facility, has been properly filed with the Division of Environmental Protection in Carson City. The Applicant for the Discharge Permit NEV2018110 (Permit) is:

Barrick Gold Exploration Inc.  
293 Spruce Road  
Elko, NV 89801

The facility is located on public land in Lander County, within Sections 33-35, T26 N, R46E; Sections 7, 18, 19, T25N, R47E; Sections 1-3, 10-15, 23-26 T25N R46E, MDB&M, approximately 40 miles southeast of Battle Mountain, Nevada.

The Project is a gold exploration drilling program discharging up to 36,000 gallons per day of spent drilling cuttings and fluid into constructed sumps for sedimentation and clarification, pursuant to NAC 445A.228 through 445A.263. Decant water meeting background groundwater quality or drinking water standards is allowed to infiltrate to groundwater.

The Administrator is constrained to either issue the Permit or to deny the application. The Administrator has made the tentative decision to issue the new Permit.

Persons wishing to comment upon the proposed Permit, to recommend terms and conditions for consideration of incorporation into the Permit, or who request a public hearing pursuant to NAC 445A.238, must submit their written comments, objections, or requests by hand delivery or US Postal Service, or by facsimile or e-mail transmittal, no later than 5:00 PM on the 30<sup>th</sup> day following the date of publication of this notice (submittal end date 4 January 2019) to:

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

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

The draft Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to Nevada Revised Statute 445A.665. For more information, contact Lisa A. Kreskey at (775) 687-9415 or visit the Division public notice website at <https://ndep.nv.gov/posts/category/land>.

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

**Discharge Permit**

Permittee: **Barrick Gold Exploration Inc.**  
**Toiyabe Exploration Project II**  
**293 Spruce Road**  
**Elko, NV 89801**

Permit Number: **NEV2018110**  
Review Type/Year/Revision: **New Permit 2019, Revision 00**

Pursuant to Nevada Revised Statutes (NRS) 445A.300 through 445A.730, inclusive, and regulations promulgated thereunder by the State Environmental Commission and implemented by the Division of Environmental Protection (the Division), this Permit authorizes the Permittee to construct, operate, and close the **Toiyabe Exploration Project II**, in accordance with the limitations, requirements, and other conditions set forth in this Permit. The Permittee is authorized to discharge up to **36,000 gallons per day**.

The facility is located in Lander County, within Sections 33-35, Township 26 North (T26N), Range 46 East (R46E); Sections 7, 18, 19, T25N, R47E; Sections 1-3, 10-15, 23-26, T25N, R46E, Mount Diablo Baseline and Meridian, approximately 40 miles southeast of Battle Mountain, Nevada.

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

This Permit is based on the assumption that the information submitted in the application of 12 October 2018, as modified by subsequent approved amendments, is accurate and that the facility has been constructed and is being operated as specified in the application. The Permittee must inform the Division of any deviation from, or changes in, the information in the application, which may affect the ability of the Permittee to comply with applicable regulations or Permit conditions.

This Permit is effective as of **Day Month 2019**, and shall remain in effect until **Day Month 2024**, unless modified, suspended, or revoked.

Signed this \_\_\_\_\_ day of **January 2019**.

\_\_\_\_\_  
Joseph Sawyer, P.E.  
Chief, Bureau of Mining Regulation and Reclamation

I. Specific Facility Conditions and Limitations

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

1. Construct, operate, and close the facility in accordance with those plans;
2. Except for the discharge authorized by this Permit, and any other approved uses, contain within the fluid management system all dewatering water and all meteoric waters that enter the system as a result of the 25-year, 24-hour storm event; and
3. Not release or discharge any contaminants from the fluid management system that would result in degradation of waters of the State.

B. Schedule of Compliance: None required.

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

1. All Project boreholes and their associated chambered sumps; and
2. All components used to collect, convey, manage, and control the discharge water, including but not limited to, pumps, pipes, valves, vents, flow meters, fittings, tanks, drains, basins, sumps, ditches, berms, culverts, drill rigs, mobile equipment, run-off/run-on structures, and devices for controlling erosion or sedimentation.

D. Monitoring Requirements:

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
1. <u>Outfall Monitoring</u> Each Active Sump <sup>(1)</sup>	Date, borehole sump ID, sump location <sup>(2)</sup> , maximum surface discharge flow rate (gpm), daily discharge (gpd), duration of discharge (hours) <sup>(3)</sup> , Profile I <sup>(4)</sup>	Daily;  Monthly on first day of surface discharge
2. <u>Total Project Daily Surface Discharge Flow</u> Total from All Active Sumps <sup>(1)</sup>	Date, total surface discharge flow (gpd)	Daily

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
3. <u>Discharge Flow Distance</u> Each Surface Discharge	Borehole sump ID, endpoint location <sup>(5)</sup> and photograph <sup>(6)</sup> , flow path distance (feet) from sump to endpoint <sup>(5)</sup>	Daily <sup>(7)</sup>
4. <u>Discharge to Surface Water or Stream Channel</u> Receiving Body at Discharge Inflow Point <sup>(8)</sup> ;  Storm Event Monitoring on Date of Discharge to Surface Water or Stream Channel	Date, borehole sump ID, receiving body ID <sup>(8)</sup> , inflow point location <sup>(8)</sup> , volume discharged (gal) <sup>(8)</sup> , discharge duration (hours) <sup>(8)</sup> ;  Storm duration (hours), precipitation (inches) <sup>(8)</sup>	Per discharge event

The Permittee may request a reduction of the monitoring frequency after four quarters of complete monitoring based on justification other than cost. Such reductions may be considered modifications to the Permit and require payment of modification fees.

#### Abbreviations and Definitions:

BMP = best management practice; CaCO<sub>3</sub> = calcium carbonate; ft = feet; gal = gallons; gpm = gallons per minute; gpd = gallons per day; GPS = global positioning satellite; mg/L = milligrams per liter; N = nitrogen; NAC = Nevada Administrative Code; NAD = North American Datum; NDEP = Nevada Division of Environmental Protection; SU = standard units; UTM = Universal Transverse Mercator

#### Footnotes:

- (1) A sump is considered active while it is receiving drilling water or discharging to the surrounding land surface.
- (2) Use GPS to determine locations in UTM coordinates (in meters) Zone 11, NAD 1983, and provide a map showing all locations monitored per Part II.B.1.
- (3) Determine the maximum rate of discharge in gpm, and the total discharge in gpd, from each active sump to the surrounding land surface each day, and describe the method of quantification used. Also report how many hours each active sump discharged each day. If there is no surface discharge from the



outfall that day, report 0 gpm, 0 gpd, and 0 hours. Also identify the hydrographic basin and whether the borehole is being abandoned or is being completed as a monitoring well or piezometer.

(4) Profile I:

Alkalinity (as CaCO <sub>3</sub> )	Cadmium	Magnesium	Silver
Bicarbonate	Calcium	Manganese	Sodium
Total	Chloride	Mercury	Sulfate
Aluminum	Chromium	Nitrate + Nitrite (as N)	Thallium
Antimony	Copper	Nitrogen, Total (as N)	Total Dissolved Solids
Arsenic	Fluoride	pH (± 0.1 SU) <sup>(9)</sup>	Zinc
Barium	Iron	Potassium	-
Beryllium	Lead	Selenium	-

- (5) As used herein, the discharge endpoint is the furthest downgradient point reached by a surface discharge.
  - (6) For each surface discharge, take a photograph looking downgradient showing the discharge endpoint<sup>(5)</sup> for visual evidence that the discharge flowed to that point but no further.
  - (7) Monitor the endpoint<sup>(5)</sup> location of each surface discharge daily, but in the monitoring report required in Part II.B.1., include only the furthest downgradient location and photograph<sup>(6)</sup>, and the maximum flow distance, reached during the quarter.
  - (8) As used herein, the discharge inflow point is the point where water discharged from a particular outfall comingles with a surface water body or enters an otherwise dry stream channel, whichever occurs first. Provide the type of receiving body (e.g., creek, river, wetland, pond, lake, reservoir, dry channel, etc.), receiving body name, if it has one, and inflow point location. Estimate the total volume of discharge water that flows into the receiving body and the duration of the discharge to the receiving body. Specify whether or not the discharge to surface water or stream channel occurred during a storm event, and if so, report the storm duration and total amount of precipitation. If there is no discharge to a surface water or stream channel, there is no inflow point monitoring requirement.
  - (9) All sample analyses resulting in a pH value less than or equal to 5.0 SU shall also be analyzed for acidity (mg/L, as CaCO<sub>3</sub> equivalent).
- E. Quarterly and annual monitoring reports and release reporting shall be in accordance with Part II.B.
- F. All sampling and analytical accuracy shall be in accordance with Part II.E.

G. Permit Limitations:

1. The maximum instantaneous surface discharge flow rate from an individual outfall is 25 gpm. The maximum total Project daily surface discharge for all outfalls combined is 36,000 gpd.
2. There shall be no discharge except from the outfalls identified in the Permit application, or from other outfalls in the Project area that comply with all Permit requirements and are identified in quarterly monitoring reports.
3. There shall be no discharge to surface water or a stream channel that exceeds an applicable water quality standard at NAC 445A.121. There shall be no discharge that infiltrates beneath the land surface and exceeds both a drinking water standard and the natural background groundwater concentration for the same parameter, unless the Division has approved a demonstration that the discharge does not have the potential to degrade groundwater.
4. There shall be no discharge to surface water, except during a storm event that causes surface runoff and if such a discharge cannot be reasonably prevented.
5. No chemicals shall be added to the discharge water, except as approved by the Division prior to use. A proposal to add a chemical to an approved discharge may require submittal of a new permit application and fee. The application must specify the type of chemical, the proposed dosage rate, and include a safety data sheet (SDS) with aquatic life toxicity information and any other supporting documentation which demonstrates that the proposed chemical will not create any adverse environmental effects.
6. There shall be no objectionable odors from the discharge area.
7. There shall be no discharge of floating or suspended solids, or visible foam, in other than trace amounts. Drilling mud and other visible residue shall not be left in a stream channel where it may be carried into waters of the State during a flow event. Other discharged contaminants shall not be left in a stream channel if it would create the potential for exceedance of a water quality standard.
8. Best management practices (BMPs) shall be employed for energy dissipation and for management of water flow and water quality, at the outfall. Additional BMPs shall be installed in the discharge flow path, as warranted, to minimize erosion and sedimentation.
9. In accordance with Part I.M., the following BMPs shall be employed during dust suppression activities: only clarified water shall be used, no runoff shall be created, and dust suppression activities shall be suspended when the ground surface is saturated or frozen.
10. The facility shall not degrade waters of the State to the extent that applicable water quality standards and background concentrations are exceeded.

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

- H. The Project shall maintain an automated or manual calibrated rain gauge, which shall be monitored at least daily to record precipitation (inches of water). A written and/or electronic record of all daily accumulations of precipitation shall be maintained on site.
  - I. The Permittee shall inspect all control devices, systems, and facilities weekly, and also during, when possible, and after major storm events. These inspections are performed to detect evidence of:
    - 1. Deterioration, malfunction, or improper operation of control or monitoring systems;
    - 2. Sudden changes in the data from any monitoring device (if applicable);
    - 3. Unauthorized discharges; and
    - 4. Severe erosion or other signs of deterioration in sumps, dikes, diversions, or other containment devices.
  - J. Prior to permanently ceasing a permitted discharge, or prior to initiating permanent closure activities at the Project, or at any component within the Project, the Permittee must have an approved final plan for permanent closure, which shall include, but may not be limited to, plans to stabilize, as defined at NAC 445A.379, all applicable components of the fluid management system and applicable lands disturbed by the Project.
  - K. The Permittee shall remit an annual review and services fee in accordance with Nevada Administrative Code (NAC) 445A.232 starting July 1 after the effective date of this Permit and every year thereafter until the Permit is terminated or the facility has received final closure certification from the Division.
  - L. The Permittee shall not dispose of or treat Petroleum-Contaminated Soil (PCS) on the mine site without first obtaining from the Division approval of a PCS Management Plan.
  - M. When performing dust suppression activities, the Permittee shall use BMPs and appropriate selection of water source and additives to prevent degradation of waters of the State. If a dust suppressant exceeds a water quality standard and the corresponding natural background water concentration in the area where dust suppression will occur, the Permittee shall demonstrate no potential to degrade waters of the State.
  - N. Continuing Investigations: None required.
- II. General Facility Conditions and Limitations
- A. General Requirements
    - 1. The Permittee shall achieve compliance with the conditions, limitations, and requirements of the Permit upon commencement of each relevant activity. The Administrator may, upon the request of the Permittee and after public notice (if required), revise or modify a Schedule of Compliance in an issued Permit if he or she determines good and valid cause (such as an act of God, a labor

strike, materials shortage, or other event over which Permittee has little or no control) exists for such revision.

2. The Permittee shall at all times maintain in good working order and operate as efficiently as possible, all devices, facilities, and systems installed or used by the Permittee to achieve compliance with the terms and conditions of this Permit.
3. Whenever the Permittee becomes aware that he or she failed to submit any relevant facts in the Permit application, or submitted incorrect information in a Permit application or in any report to the Administrator, the Permittee shall promptly submit such facts or correct information. Any inaccuracies found in this information may be grounds for revocation or modification of this Permit and appropriate enforcement action.

#### B. Reporting Requirements

1. The Permittee shall submit quarterly reports, in both hard copy and a Division-approved electronic format, which are due to the Division on or before the 28<sup>th</sup> day of the month following the quarter and must contain the following:
  - a. Analytical results from the sumps identified in Part I.D.1, reported on NDEP Form 0190 or equivalent;
  - b. Photographs of discharge(s) identified in Part I.D.3, labeled with date and sump ID;
  - c. A location map showing outfalls, discharge endpoints, and surface water inflow points, as identified in Parts I.D.1, I.D.3, and I.D.4;
  - d. Outfall flow monitoring, total Project flow monitoring, flow distance, and all other non-analytical monitoring results identified in Parts I.D.1, I.D.2, I.D.3, and I.D.4, reported in tabular format, as appropriate;
  - e. A notice of new discharges in accordance with NAC 445A.258 for any outfalls not identified in Part I.C. or in previous quarterly reports; and
  - f. A record of releases, and the remedial actions taken, on NDEP Form 0490 or equivalent.

Facilities which have not initiated permitted activities must submit a quarterly report identifying the status of the Project. Subsequent to any noncompliance or any Project expansion which may lead to an increased discharge rate or frequency, the Division may require an accelerated monitoring frequency. If the Permittee monitors any parameter at a location designated herein more frequently than required by this Permit, using methods that comply with the requirements in Part II.E, the results of such monitoring shall be included in the quarterly monitoring report.

2. The Permittee shall submit an annual report, in both hard copy and a Division-approved electronic format, by February 28<sup>th</sup> of each year, for the preceding calendar year, which contains the following:

- a. A synopsis of releases on NDEP Form 0390 or equivalent;
  - b. A brief summary of site operations, including construction and expansion activities and major problems with the fluid management system;
  - c. A table of total monthly precipitation amounts recorded in accordance with Part I.H, reported for either a five-year history previous to the date of submittal or the history since initial Permit issuance, whichever is shorter;
  - d. An updated version of the Project monitoring and sampling procedures and protocols;
  - e. A graph of total Project daily surface discharge flows versus time. The graph shall display either a five-year history previous to the date of submittal or the history since initial Permit issuance, whichever is shorter; and
  - d. Graphs of volume, depth, elevation, freeboard, arsenic, chloride, fluoride, nitrate + nitrite (as N), pH, sulfate, and total dissolved solids (TDS) (as applicable), versus time for all fluid monitoring points. These graphs shall display either a five-year history previous to the date of submittal or the history since initial Permit issuance, whichever is shorter. Additional parameters may be required by the Division, if deemed necessary.
3. Release Reporting Requirements: The following applies to facilities with an approved Emergency Response Plan. If a site does not have an approved Emergency Response Plan, then all releases must be reported as per NAC 445A.347 or NAC 445A.3473, as appropriate.
- a. A release of any quantity of hazardous substance, as defined at NAC 445A.3454, to surface water, or that threatens a vulnerable resource, as defined at NAC 445A.3459, must be reported to the Division as soon as practicable after knowledge of the release, and after the Permittee notifies any emergency response agencies, if required, and initiates any action required to prevent or abate any imminent danger to the environment or the health or safety of persons. An oral report shall be made by telephone to (888) 331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within 10 days in accordance with Part II.B.4.b.
  - b. A release of a hazardous substance in a quantity equal to or greater than that which is required to be reported to the National Response Center pursuant to 40 Code of Federal Regulations Part 302 must be reported as required by NAC 445A.3473 and Part II.B.3.a.
  - c. A release of a non-petroleum hazardous substance not subject to Parts II.B.3.a. or II.B.3.b., released to soil or other surfaces of land, and the total quantity is equal to or exceeds 500 gallons or 4,000 pounds, or that is discovered in or on groundwater in any quantity, shall be reported to the Division no later than 5:00 P.M. of the first working day after knowledge

of the release. An oral report shall be made by telephone to (888) 331-6337 for in-State callers or (775) 687-9485 for out-of-State callers, and a written report shall be provided within 10 days in accordance with Part II.B.4.b. Smaller releases, with total quantity greater than 25 gallons or 200 pounds and less than 500 gallons or 4,000 pounds, released to soil or other surfaces of land, or discovered in at least 3 cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.

- d. Petroleum Products and Coolants: If a release is subject to Parts II.B.3.a. or II.B.3.b., report as specified in Part II.B.3.a. Otherwise, if a release of any quantity is discovered on or in groundwater, or if the total quantity is equal to or greater than 100 gallons released to soil or other surfaces of land, report as specified in Part II.B.3.c. Smaller releases, with total quantity greater than 25 gallons but less than 100 gallons, released to soil or other surfaces of land, or if discovered in at least 3 cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.

4. The Permittee shall report to the Administrator any noncompliance with the Permit.

- a. Each such event shall be reported orally by telephone to (775) 687-9400, not later than 5:00 P.M. of the next regular work day from the time the Permittee has knowledge of the circumstances. This report shall include the following:

- i. Name, address, and telephone number of the owner or operator;
- ii. Name, address, and telephone number of the facility;
- iii. Date, time, and type of incident, condition, or circumstance;
- iv. If reportable hazardous substances were released, identify material and report total gallons and quantity of contaminant;
- v. Human and animal mortality or injury;
- vi. An assessment of actual or potential hazard to human health and the environment outside the facility; and

If applicable, the estimated quantity of material that will be disposed and the disposal location.

- b. A written summary shall be provided within 10 days of the time the Permittee makes the oral report. The written summary shall contain:
  - i. A description of the incident and its cause;
  - ii. The periods of the incident (including exact dates and times);
  - iii. If reportable hazardous substances were released, the steps taken and planned to complete, as soon as reasonably practicable, an assessment of the extent and magnitude of the contamination pursuant to NAC 445A.2269;

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

C. Administrative Requirements

- 1. A valid Permit must be maintained until permanent closure is complete. Therefore, unless permanent closure has been completed and termination of the Permit has been approved in writing by the Division, the Permittee shall apply for Permit renewal not later than 180 days before the Permit expires, pursuant to NAC 445A.241.
- 2. Except as required by NAC 445A.419 for a Permit transfer, the Permittee shall submit current Permit contact information described in paragraphs (a) through (c) of subsection 2 of NAC 445A.394 within 30 days after any change in previously submitted information.
- 3. All reports and other information requested by the Administrator shall be signed and certified as required by NAC 445A.231.
- 4. All reports required by this Permit, including, but not limited to, monitoring reports, corrective action reports, and as-built reports, as applicable, and all applications for Permit modifications, shall be submitted in both hard copy and a Division-approved electronic format.
- 5. When ordered consistent with Nevada Statutes, the Permittee shall furnish any relevant information in order to determine whether cause exists for modifying,

revoking and reissuing, or permanently revoking this Permit, or to determine compliance with this Permit.

6. The Permittee shall maintain a copy of, and all modifications to, the current Permit at the permitted facilities at all times.
7. The Permittee is required to retain during operation, closure and post-closure monitoring, all records of monitoring activities and analytical results, including all original strip chart or data logger recordings for continuous monitoring instrumentation, and all calibration and maintenance records. This period of retention must be extended during the course of any unresolved litigation.
8. The provisions of this Permit are severable. If any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not thereby be affected.
9. The Permittee is authorized to manage fluids and solid wastes in accordance with the conditions of this Permit. Issuance of this Permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of Federal, State, or local law or regulations. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under the Water Pollution Control Statutes for releases or discharges from facilities or units not regulated by this Permit. NRS 445A.675 provides that any person who violates a Permit condition is subject to administrative or judicial action provided in NRS 445A.690 through 445A.705.

#### D. Division Authority

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

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

#### E. Sampling and Analysis Requirements

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. For each measurement or sample taken pursuant to the conditions of this Permit, the Permittee shall record the following information:



- a. The exact place, date, and time of the inspection, observation, measurement, or sampling; and
  - b. The person(s) who inspected, observed, measured, or sampled.
3. Samples must be taken, preserved, and labeled according to Division approved methods.
  4. Standard environmental monitoring chain of custody procedures must be followed.
  5. Samples shall be analyzed by a laboratory certified or approved by the State of Nevada, as applicable for the method(s) being performed. The Permittee must identify in all required reports the certified and approved laboratories used to perform the analyses, analytical methods performed (electronic version of report only), laboratory reference numbers, sample dates, and laboratory test dates.
  6. The accuracy of analytical results, unless otherwise specified, shall be expressed in mg/L and be reliable to at least two significant digits. The analytical methods used must have a practical quantitation limit (PQL) equal to or less than one-half the reference value for Profile I parameters. Laboratories shall report the lowest reasonable PQL based on in-house method detection limit studies. Samples for Profile I parameters shall be filtered and analyzed for the dissolved fraction, unless otherwise required by the Division.

F. Permit Modification Requirements

1. Any material modification, as defined at NAC 445A.365, plan to construct a new water management process component, or proposed change to Permit requirements must be reported to the Division by submittal of an application for a Permit modification, or if such changes are in conformance with the existing Permit, by submittal of a written notice of the changes. The Permit modification application must comply with NAC 445A.391 through 445A.399, 445A.410, 445A.412, 445A.414, 445A.4155, 445A.416, 445A.417, 445A.440, and 445A.442, as applicable. The construction or modification shall not commence, nor shall a change to the Permit be effective, until written Division approval is obtained.
2. Prior to the commencement of discharge at any location within the State outside of the Project area which is owned or operated by the Permittee but not identified and characterized in a previously submitted Permit application, the Permittee shall submit to the Division an application for a new Permit which identifies the locations of the proposed outfalls, and characterizes the potential for the discharge to release pollutants and degrade waters of the State. The discharge shall not commence until the new Permit is issued and effective.
3. The Permittee shall notify the Division in writing at least five days before commencing the discharge authorized by this Permit of the intent to begin active operation of the Project.

4. The Permittee must obtain a written determination from the Administrator of any planned water management process component construction or material modification, or any proposed change to Permit requirements, as to whether it is considered a Permit modification, and if so, what type.
5. If a toxic effluent standard or prohibition is established under NAC 445A for a toxic pollutant that is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this Permit, this Permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the Permittee so notified.

Prepared by: L.A. Kreskey  
Date: 29 November 2018  
Revision 00: New Permit; effective DATE 2019.

## FACT SHEET

(Pursuant to Nevada Administrative Code (NAC) 445A.236)

Permittee Name: **Barrick Gold Exploration Inc.**

Project Name: **Toiyabe Exploration Project II**

Permit Number: **NEV2018110**

Review Type/Year/Revision: **New Permit 2019, Fact Sheet Revision 00**

### A. Location of Discharge

The Toiyabe Exploration Project II is located in Lander County, within Sections 33-35, Township 26 North (T26N), Range 46 East (R46E); Sections 7, 18, 19, T25N, R47E; Sections 1-3, 10-15, 23-26 T25N R46E, Mount Diablo Baseline and Meridian, approximately 40 miles southeast of Battle Mountain, Nevada.

Site is accessed from the town of Battle Mountain by traveling east on Interstate 80 approximately 30 miles to the Beowawe Exit and turning south onto State Highway 306. Drive south for approximately 30 miles; then shortly before the Pipeline Mine, take a left turn onto the Cortez Gold Mine Road; a sign on the right shows "Cortez Hills Mine" just before the turn. Proceed 12 miles to the Cortez Canyon Road and turn left (south). This turn is approximately 0.7 miles *before* the entrance to the ranch. Proceed south for 4.7 miles; stay to the left at the fork; then turn left immediately afterward; proceed south for approximately 6 miles on an unmarked dirt road to the Project site.

### B. Description of Discharge

In an effort to manage drilling fluid generated as a result of the Toiyabe Exploration Project, Temporary Water Pollution Control Permit TNEV2017113 (expired on 4 March 2018), authorized the discharge of up to 43,200 gallons per day (gpd) of drilling fluid into constructed collection sumps located adjacent to each drill pad.

Since the Division has no regulatory authority to renew Temporary Discharge Permits, Barrick Gold Exploration Inc. (Permittee) applied for a 5-year Water Pollution Control Permit on 12 October 2018 for the Toiyabe Exploration Project.

Eleven locations have initially been identified for exploratory drilling at the Project site. Additionally, boreholes may be added in subsequent years. The number of boreholes is not limited by this Permit, but all boreholes and sumps must be located within the specified Project area and must comply with all Permit requirements. The location of all active drill sumps must be identified in each quarterly monitoring report, along with a notice of new discharges in accordance with NAC 445A.258, subsection 1. The drilling program requires the construction of drill pads and collection sumps to manage excess drilling fluid generated. Following completion of drilling activities, the boreholes will be plugged and abandoned pursuant to Nevada Division of Water Resources regulatory requirements, then the pads and sumps will be backfilled and graded. Table 1 displays the locations of the initial boreholes.

**Table 1: Initial boreholes planned for the drilling project.** All data are in meters, Universal Transverse Mercator, North American Datum 1983.

Drill Hole ID	Easting	Northing
A	520150	4436270
B	519590	4435840
C	520360	4435830
D	519410	4435220
E	520340	4435150
F	520950	4435140
G	519510	4434680
H	520330	4434640
I	520940	4434670
J	520340	4433710
K	520860	4433560

At each borehole, excess drill water will be discharged to a two chambered sump, approximately 15 feet wide by 20 feet long by 15 feet deep (total volume at crest approximately 9,000 cubic feet). Each sump is divided into two chambers, "A" and "B", separated with weed-free straw bales/wattles for trapping drill cuttings and silt. The drilling fluid is pumped to Sump A, which captures the coarse cuttings and some of the suspended solids (drilling mud). Overflow from Sump A filters through the straw bales/wattles to Sump B, where the drilling fluid is further clarified via settling. The drilling water is managed to preclude surface discharges when possible, but in some cases the available sump capacity is exceeded and excess drilling water is discharged to the surrounding land surface. Any overflow discharge from Sump B to the surrounding land surface is monitored, sampled, and analyzed for Profile I parameters, and the surface discharge flow rate is measured or estimated, as best as practicable, for reporting and comparison with Permit limits. Best management practices (BMPs) shall be utilized to clarify the surface discharge at each overflowing sump, and to dissipate the energy of the overflow for the purpose of limiting the erosion and sediment transport caused by the discharge.

Because the earthen sumps do not include engineered containment, discharge to groundwater also occurs as drilling water infiltrates into the subsurface through sump walls and bottoms. Discharge to groundwater may also occur as infiltration along the flow path of a surface discharge. Typically, before a sump overflows to the surrounding land surface, the Permittee will use a pump to convey the clarified water out of the sump in a more controlled manner. The discharge will be via a non-perforated pipe to a perforated pipe wherein the overflow is dispersed over the ground surface. Sprinklers may also be used to disseminate excess water. This process is active only when Sump B has reached overflow capacity. When the water level has declined and stabilized below the overflow status in Sump B, the water discharge process is not necessary. Overflow will not be discharged into or near any drainage, except during a storm event that causes surface runoff and if such a discharge cannot be reasonably prevented.

Discharge will be intermittent and seasonal during dryer months with the maximum permitted discharge of 36,000 gpd and a maximum instantaneous discharge rate from an individual outfall of 25 gallons per minute.

Hydrologic pump tests of boreholes or wells may be performed under this Permit only if compliance is maintained with all Permit requirements. If this may not be possible (for example, if the pump test discharge flow rate will exceed Permit limits, or if it is anticipated that the pump test water may flow into an existing surface water body, other than as a result of a concurrent storm event), a separate permit must be obtained prior to such testing.

C. **Proposed Determination**

The Division has made the tentative determination to issue the Permit.

D. **Receiving Water Characteristics**

The closest monitoring wells to the site are those at the Toiyabe Mine Project (Water Pollution Control Permit NEV0060050), approximately 1.5 miles to the southeast. There are 8 wells that are monitored per the Permit. See Table 2.

**Table 2: Toiyabe Mine Project Monitoring Well Data.**

Well I.D.	Total Depth (ft. bgs) <sup>(a)</sup>	Depth to Water, (ft. bgs) <sup>(a)</sup>	Screen Interval, (ft. bgs) <sup>(a)</sup>
WBT-01	300	273	295 - 300
WBT-02	300	240	295 - 300
WBT-04	300	280	295 - 300
WBT-05	120	96	115 - 120
WBT-07	240	164	235 - 240
WBT-08	200	185	195 - 200
WBT-10	310	278	245 - 305
WBT-11	220	165	180 - 210

(a) ft. bgs = feet below ground surface.

The above wells primarily monitor groundwater downgradient of the three closed heap leach pads. There are no wells within the Project area itself. Therefore, groundwater chemistry is not known. There are no regulated surface water bodies within 1 mile of the Project area.

E. **Proposed Effluent Limitations, Schedule of Compliance, Monitoring, Special Conditions**

See Section I of the Permit.

F. **Rationale for Permit Requirements**

The Permittee shall not discharge a pollutant that would result in the degradation of existing or potential underground sources of drinking water, or that would cause an exceedance of an applicable surface water quality standard or regulation.

The primary methods for ensuring compliance will be required routine monitoring and reporting, augmented by Division site inspections. Specific monitoring requirements can be found in the Permit.

G. **Procedures for Public Comment**

The Notice of the Division's intent to issue a Permit authorizing the discharge, subject to the conditions within the Permit, is being sent to the **Battle Mountain Bugle** for publication. The Notice is being mailed to interested persons on the Bureau of Mining Regulation and Reclamation mailing list. Anyone wishing to comment on the proposed Permit can do so in writing within a period of 30 days following the date of public notice. The comment period can be extended at the discretion of the Administrator. All written comments received during the comment period will be retained and considered in the final determination.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected intrastate agency, or any interested agency, person or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator determines to be appropriate. The public hearing must be conducted in accordance with NAC 445A.238.

H. **Federal Migratory Bird Treaty Act**

Under the Federal Migratory Bird Treaty Act, 16 U.S. Code 701-718, it is unlawful to kill migratory birds without license or permit, and no permits are issued to take migratory birds using toxic ponds. The Federal list of migratory birds (50 Code of Federal Regulations 10, 15 April 1985) includes nearly every bird species found in the State of Nevada. The U.S. Fish and Wildlife Service is authorized to enforce the prevention of migratory bird mortalities at ponds. Compliance with State permits may not be adequate to ensure protection of migratory birds for compliance with provisions of Federal statutes to protect wildlife.

Open waters attract migratory waterfowl and other avian species. High mortality rates of birds have resulted from contact with toxic ponds at operations utilizing toxic substances. The Service is aware of two approaches that are available to prevent migratory bird mortality: 1) physical isolation of toxic water bodies through barriers (e.g., by covering with netting), and 2) chemical detoxification. These approaches may be facilitated by minimizing the extent of the toxic water. Methods which attempt to make uncovered ponds unattractive to wildlife are not always effective. Contact the U.S. Fish and Wildlife Service at 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502-7147, (775) 861-6300, for additional information.

Prepared by: L.A. Kreskey  
Date: 29 November 2018  
Revision 00: New Permit; effective DATE 2019



**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

December 12, 2018

**NOTICE OF WORKSHOPS**

Churchill County Commissioners  
155 N. Taylor Street, Suite 110  
Fallon, Nevada 89406

Lander County Board of Commissioners  
50 State Route 305 S  
Battle Mountain, NV 89820-4300

Elko County Board of Commissioners  
540 Court Street, Suite 101  
Elko, Nevada 89801

Pershing County Board of Commissioners  
P. O. Drawer E  
Lovelock, Nevada 89419

Eureka County Board of Commissioners  
P.O. Box 694  
Eureka, Nevada 89316

White Pine County Board of Commissioners  
297 11th Street East, Suite 2  
Ely, Nevada 89301

Humboldt County Board of Commissioners  
50 West Fifth Street, #205  
Winnemucca, Nevada 89445

Ladies and Gentlemen:

The State Engineer will hold public workshops to provide information on water modeling studies, conjunctive management plans, and the administration of the Humboldt River.

The dates, times and locations of the workshops are as follows:

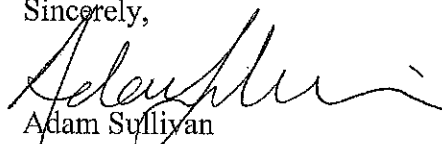
Date	Time	Location
Tuesday, January 15, 2019	9:30 AM	Lovelock City Hall City Council Meeting Room 400 14th Street Lovelock, NV

Date	Time	Location
Tuesday, January 15, 2019	2:00 PM	Humboldt County Complex County Commissioner Chambers Fifth and Bridge Streets Winnemucca, NV
Wednesday, January 16, 2019	9:30 AM	Elko County Library 720 Court Street Elko, NV

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the workshops. If special arrangements are necessary, please notify this office in writing at the above address or by calling (775) 684-2800 as soon as possible.

If you have any questions, please feel free to contact me at (775) 684-2867.

Sincerely,



Adam Sullivan  
Deputy Administrator

JB/lb

cc: Humboldt River Working Group, E-mail  
Jason King, E-mail  
Tim Wilson, E-mail  
Micheline Fairbank, E-mail  
Adam Sullivan, E-mail  
Kristen Geddes, E-mail  
Steve Del Soldato, E-mail  
Elko Branch Office, E-mail  
Southern Nevada Branch Office, E-mail