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Mining Regulation & Reclamation  
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[NDEP.nv.gov](http://NDEP.nv.gov)

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**DIVISION OF ENVIRONMENTAL PROTECTION**

333 W. Nye Lane, Room 138  
Carson City, Nevada 89706

**March 9, 2005**

**NOTICE OF DECISION**

**WATER POLLUTION CONTROL  
PERMIT NUMBER NEV2004107  
FOR THE ALDER CREEK RANCH PILOT TEST  
MILLING FACILITY AND ASHDOWN MINING PROJECT**

The Nevada Division of Environmental Protection has decided to issue Water Pollution Control Permit NEV2004107 to Golden Phoenix Minerals, Inc. This permit authorizes the construction, operation, and closure of the approved facilities. The Division has been provided with sufficient information, in accordance with NAC 445A.350 through NAC 445A.447, to assure the Division that the groundwater quality will not be degraded by this operation and that public safety and health will be protected.

This permit will become effective March 23, 2005. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and Nevada Administrative Code (NAC) 445A.407. All requests for appeals must be filed by 5pm, March 18, 2005 on Form 3 with the State Environmental Commission, 333 West Nye Lane, Capitol Complex, Carson City, Nevada 89706. For more information, contact Bob Carlson at (775) 687-9401, toll free in Nevada at (800) 992-0900, extension 4670, or visit the Bureau's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>.

Comments were not received during the public notice period. However, the following changes were made to the final permit to reflect program requirements, provide clarification or provide appropriate time.

Part I.B.1 – the monitoring well installation date has been changed to April 15, 2005.

Part I.L – has been modified to read:

The Permittee shall not dispose of or remediate hydrocarbon-contaminated soil exceeding 100 mg/kg Total Petroleum Hydrocarbon (TPH) on the mine site without first obtaining a Mining Hydrocarbon Facility Permit from the Division.

Part II.B.4.a.iv and vii – have been modified to read:

If materials released, identify material and report total gallons and quantity of contaminant;

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

Part II.B.4.b.i and ii and II.B.4.c.i-iv – the words “release and discharge” have been replaced with the word “incident”.