



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

Web posting 7/24/2009
24 July 2009

Notice of Decision

Water Pollution Control Permit
Number NEV2009101

Carico Lake Mining Company

Carico Lake Turquoise Mine

The Nevada Division of Environmental Protection has decided to issue Water Pollution Control Permit NEV2009101 to Carico Lake Mining Company. This permit authorizes the construction, operation, and closure of approved mining facilities in Lander County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447, to assure the Division that the groundwater quality will not be degraded by this operation, and that public safety and health will be protected.

The permit will become effective 08 August 2009. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, 03 August 2009, on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. For more information, contact Miles Shaw at (775) 687-9409 or visit the Division's Bureau of Mining Regulation (BMRR) website at www.ndep.nv.gov/bmrr/bmrr01.htm.

One (1) comment was received at the BMRR during the 30-day public comment period from Joseph DiTucci of the Nevada Division of Water Resources (NDWR).

NDWR Comment: "As stated in the Notice of Proposed Action for the Water Pollution Control Permit NEV2009101, the source of make-up water is a well drilled in 1953 that was to be used for stock watering. This well is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T.25N., R.45E. There are no water right permits associated with this well. Before Carico Lake Mining Company can use the water from this well they must obtain a permit from the Nevada Division of Water Resources for mining and milling. The Filippini Ranch must either obtain a permit from the Nevada Division of Water Resources for stock watering or plug the well.

All waters of the State belong to the public and may be appropriated for beneficial use pursuant to the provisions of Chapters 533 and 534 of the Nevada Revised Statutes (NRS), and not otherwise. No use of surface water or groundwater is to occur unless a permit is issued by the Nevada Division of Water Resources."

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BMRR Response: In accordance with Part II.C.7 of the issued permit, the Permittee is only authorized to manage fluids and solid wastes in accordance with the conditions of the permit. Any other required authorizations, permissions, or rights must be obtained by the Permittee from the appropriate State, Federal, and local authorities or regulatory agencies. Copies of this Notice of Decision, the issued permit, and fact sheet are also being sent to 'C' Ranches, Inc., owner of record for the Filippini Ranch located in Carico Lake Valley.

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