



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Mount Lewis Field Office

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http://www.blm.gov/nv/st/en/fo/battle_mountain_field.html

In Reply Refer To:
2800 (NVB0100)
N-092012

CERTIFIED MAIL: 7014 2870 0001 8509 2200

Return Receipt Requested

DECISION

Barrick Cortez Inc.
Attn: Tasha Caple
293 Spruce Road
Elko, NV 89801

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Right-Of-Way Grant
N-092012

Right-of-Way Grant Issued

A right-of-way (ROW) is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761). Enclosed is the copy of your right-of-way (ROW) grant and stipulations, serial number N-092012, which authorizes the construction, operation, and maintenance of an approximately 21.8-mile-long fiber optic cable project between Barrick Cortez Inc.'s (BCI) Lodge at Pine Valley and the southeastern boundary of BCI Gold Mines Operations Area. The ROW is located on public land in Lander County, Nevada primarily at:

MDBM T. 26N., R. 50E., sec. 27-30 & 34-36

The issuance of this grant constitutes a final decision by the Bureau of Land Management in this matter. The enclosed grant will expire December 31, 2045.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulations at 43 CFR 2801.10 or 43 CFR 2881.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each

party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Should you have any questions please contact Angela (Annie) Rader, Realty Specialist at 775-635-4168.

Sincerely,



Jon D. Sherve
Field Manager
Mount Lewis Filed Office

Enclosures