

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Serial Number:
N-84637

Mineral Report

Validity Examination of the
Apple Rose 1, Apple Rose 2, Apple Rose 3, Apple Rose 4, Apple
Rose 5, Apple Rose # 6, Apple Rose 7, Apple Rose 8, Apple Rose
9, Apple Rose 10, Apple Rose 11, Apple Rose 12, Apple Rose 13,
Apple Rose 14, Apple Rose 15, Apple Rose 16 and Apple Rose 17
Millsites
held by Las Vegas Rock, Inc.

Lands Involved:

Mount Diablo Meridian Townships of
Township 23 South, Range 60 East,
Portions of Section 36
Township 24 South, Range 60 East,
Portions of Section 1
In Clark County, Nevada

Containing 85 acres more or less



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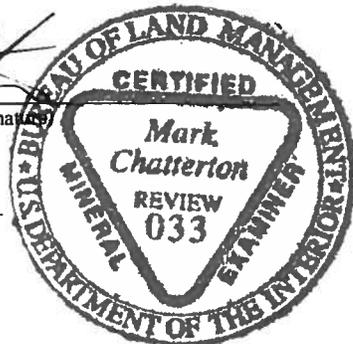
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I. Summary, Conclusion and Recommendations

A. Summary

On November 6, 2002, Congress passed the Clark County Conservation of Public Lands and Natural Resources Act of 2002, Public Law 107-282 (Appendix 8) that designated a Transportation and Utility Corridor (Corridor) in Nevada. Public Law 107-282 withdrew public lands in this Corridor from the location and entry of mining claims and millsites under the General Mining Law of 1872.

In September 1996, the millsites depicted on the following table were located:

Table 1: Apple Rose Millsites

BLM Serial No.	Millsite Name	Location Date
NMC749344	Apple Rose 1	September 17, 1996
NMC749345	Apple Rose 2	September 17, 1996
NMC749346	Apple Rose 3	September 17, 1996
NMC749347	Apple Rose 4	September 17, 1996
NMC749348	Apple Rose 5	September 17, 1996
NMC749349	Apple Rose # 6	September 17, 1996
NMC749350	Apple Rose 7	September 17, 1996
NMC749351	Apple Rose 8	September 17, 1996
NMC749352	Apple Rose 9	September 17, 1996
NMC749353	Apple Rose 10	September 17, 1996
NMC749354	Apple Rose 11	September 17, 1996
NMC749355	Apple Rose 12	September 17, 1996
NMC749356	Apple Rose 13	September 17, 1996
NMC749357	Apple Rose 14	September 17, 1996
NMC749358	Apple Rose 15	September 19, 1996
NMC749359	Apple Rose 16	September 19, 1996
NMC749360	Apple Rose 17	September 19, 1996

These millsites were located on public lands administered by the Bureau of Land Management (BLM) prior to the passage of Public Law 107-282 in 2002 that established the Corridor. Portions of the Apple Rose 2, 4, 5, 7, 9, 11, 13, 14, 15, 16, and 17 millsites; however, were located within the right-of-way corridors for the old Los Angeles to Salt Lake City Highway, US Highway 91, now known as State Route 604, and Interstate 15, both issued under the authority of the Federal-Aid Highway Act. Appendix 5 shows the conflicts between the millsites and the highway right-of-ways.

In June, July, September and November of 2008, BLM mineral examiners examined the Apple Rose 1 – 5, 7 – 17 and Apple Rose #6 millsites. The purpose of the examinations was to determine the validity of the millsites to resolve a conflict created when Congress established a 229-acre site within the Corridor that the BLM is to transfer to Clark County for a heliport facility, subject to valid existing rights. Although only the Apple Rose #6 and Apple Rose 7 – 17 millsites are included in the transfer of the 229-acre site, all of the millsites are located within the

withdrawn Transportation and Utility Corridor described above and all of the millsites were the subject of this examination.

As of the date of the withdrawal and the field examinations, the Apple Rose 1 – 5, 7 – 17 and Apple Rose #6 millsites have not been used or occupied for mining or milling purposes. The only activity or use the claimants stated they conducted on the millsites was to store equipment and material for about a week in the late 1990's.

B. Conclusions

Based on field examinations and discussions with the claimants, Las Vegas Rock, Inc., during the joint site visit on September 24, 2008, the Apple Rose 1 – 5, 7 – 17 and Apple Rose #6 millsites have not been used or occupied as of the date of withdrawal for mining or milling purposes as required under the General Mining Law of 1872 (30 U.S.C. § 42) as amended. Nor have the claimants requested BLM authorization for use or occupancy under the 43 CFR 3809 Surface Management Regulations.

C. Recommendation

It is recommended that the BLM initiate contest against the Apple Rose millsites described in Table 1 (NMC749344 thru NMC749360). The complaint should request that the mineral entry be cancelled and the millsites be declared null and void. It should contain the following charge:

The land involved is not being used or occupied for purposes of mining, milling, processing, beneficiation, or other operations in connection with a placer mining claim.

II. Introduction

A. Purpose

The Apple Rose 1 – 5, Apple Rose #6 and Apple Rose 7 – 17 millsites were located in 1996 on lands open to mineral entry, except for the portions of the millsites that were located within the Federal Aid Highway right-of-ways issued to the Nevada Department of Transportation for Interstate-15 and the old Los Angeles to Salt Lake City Highway, formerly US Highway 91, now known as State Route 604 (Appendix 5). On November 6, 2002, Congress designated a Transportation and Utilities Corridor (Corridor) in the Clark County Conservation of Public Land and Natural Resources Act of 2002, Public Law 107-282 (Appendix 8, Pages 14-15). The 2002 Clark County Act withdrew the Corridor, subject to valid existing rights, from the location and entry under the mining laws. The Apple Rose 1 – 5, 7 – 17 and Apple Rose #6 millsites are located within this Corridor.

The purpose of the report is to determine the validity of the Apple Rose 1 – 5, 7 – 17 and Apple Rose #6 millsites. The conclusions of report are limited to the management action prompting the report. This report will not serve as an appraisal of value. In the report the Apple Rose 1 – 5, 7 – 17 and Apple Rose #6 millsites will be referred to either by their official names, the Apple Rose millsite group, millsite group or the millsites.

B. Brief History of the Case

On January 25, 2008, Lori Potter, of Kaplan Kirsch Rockwell, requested Mark R. Chatterton, Assistant Field Manager, Non-Renewable Resources of the Bureau of Land Management, Las Vegas Field Office, complete a mineral examination of the Apple Rose 1 – 5, 7 – 17 and Apple Rose #6 millsites. This request was made on behalf of the Clark County Department of Aviation. The BLM Las Vegas Field Office agreed to conduct the mineral examination in a letter dated February 5, 2008. Originally, the case was assigned to Dave Fanning, Geologist, of the BLM, Las Vegas Field Office; however, the case was reassigned to Thomas Scott Murrellwright (Murrellwright), BLM Nevada State Office, Certified Mineral Examiner No. 124 and Shonna Dooman (Dooman), Geologist, BLM Las Vegas Field Office.

Clark County Department of Aviation requested the BLM to perform the validity examination to resolve a conflict created when Congress established a 229-acre site that the BLM is to transfer to the County for a heliport facility with the passage of the Transportation, Treasury, Housing and Urban Development, the Judiciary, The District of Columbia, and Independent Agencies Appropriation Act, 2006, Public Law 109-115, on November 30, 2005 (Appendix 9). This heliport site was in conflict with the Apple Rose #6 and the Apple Rose 7 – 17 millsites located in section 1, T. 24 S., R. 60 E., M.D.M. (Appendix 5). No agreement could be reached between Clark County and the claimants, Las Vegas Rock, Inc. regarding these millsites.

The claimants, Las Vegas Rock, Inc., were officially notified by the BLM of the examination on July 31, 2008. There was correspondence regarding the examination between Robert G. Pruitt, of Las Vegas Rock prior to the official notification. The claimants, Las Vegas Rock, Inc. provided affidavits through Mr. Pruitt in August 2008.

The Apple Rose millsite group was first visited on June 6, 2008 by Dooman, assisted by Richard Zaninovich, Natural Resources Specialist, and Lewis Brownfield, GIS Specialist, of the BLM Las Vegas Field Office. Photos of the millsites were taken, along with GPS points of the claim and survey monuments. The GPS points could not be used due to a technical problem with the GPS unit.

On July 15, 2008, Dooman and Murrellwright visited the millsite group. The millsite group was traversed and GPS points were taken. Out of the 17 millsites, only 12 location monuments could be found and GPS'd. Appendix 6 shows the location of the found monuments. A site visit between Las Vegas Rock, Inc., represented by Mike Kiddy and Steve Wickman, and the BLM, represented by Murrellwright and Dooman occurred on September 24, 2008. A final visit to the site was conducted on November 25, 2008 by Dooman and David Fanning, BLM Geologist.

III. Lands Involved

A. Geographic Location

The Apple Rose millsite are located south of the Las Vegas Valley, Clark County, Nevada, along the east side of Interstate-15 (I-15) and State Route 604 (SR604) (Appendix 3 and Appendix 5). The Apple Rose millsite group is located in Mount Diablo Based Meridian (M.D.M.), Township 23 South, Range 60 East, section 36 and Township 24 South, Range 60 East, section 1. The millsite group was further described in the Notices of Location as following (the claim names appear as they are on the "Certificates and Notices of Locations Mill Sites" filed with the BLM Nevada State Office):

Table 2: Apple Rose Millsites Locations

Serial No.	Millsite Name	Township	Range	Section	Aliquot Part
NMC749344	Apple Rose 1	23 South	60 East	36	E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
NMC749345	Apple Rose 2	23 South	60 East	36	W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
NMC749346	Apple Rose 3	23 South	60 East	36	W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
NMC749347	Apple Rose 4	23 South	60 East	36	E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
NMC749348	Apple Rose 5	23 South	60 East	36	W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
NMC749349	Apple Rose # 6	24 South	60 East	1	E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
NMC749350	Apple Rose 7	24 South	60 East	1	W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
NMC749351	Apple Rose 8	24 South	60 East	1	W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
NMC749352	Apple Rose 9	24 South	60 East	1	E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$
NMC749353	Apple Rose 10	24 South	60 East	1	E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
NMC749354	Apple Rose 11	24 South	60 East	1	W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
NMC749355	Apple Rose 12	24 South	60 East	1	W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
NMC749356	Apple Rose 13	24 South	60 East	1	E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
NMC749357	Apple Rose 14	24 South	60 East	1	W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$
NMC749358	Apple Rose 15	24 South	60 East	1	E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ¹
NMC749359	Apple Rose 16	24 South	60 East	1	W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$
NMC749360	Apple Rose 17	24 South	60 East	1	E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$

¹ The aliquot part described for the Apple Rose 15 millsite is the corrected legal description from the amended certificate and notice of location.

All of the millsites were described in the Notices of Locations as being 660 feet in length and 330 feet in width, for an area of 5 acres each. The total area encompassed by the 17 millsites is 85 acres.

B. Access

Physical and legal access to the Apple Rose millsite group is provided by utilizing the road and highway system of Clark County and the State of Nevada. To reach the site from Las Vegas, Nevada, take I-15 south to the Sloan exit. At the end of the exit, turn left (east) and travel to the intersection with SR604. Turn right (south) onto SR604 and go approximately 2.4 miles. The millsites start at this point on the east side of SR604. The entire millsite group is easily accessible by utilizing existing roads and trails.

IV. Land Status and Record Data

The Apple Rose millsite group is located on public lands of which the surface and mineral estates are managed by the United States Department of the Interior, Bureau of Land Management. The lands are undeveloped and primarily used by the public for recreational activities such as camping, hiking and shooting.

The millsites were located by aliquot part in surveyed townships. Each "Certificate and Notice of Location Mill Site" filed with the BLM state the location monument is located on the northeast corner of the millsite and each millsite was described by aliquot part. Since only the northeast corners of the millsites were monumented, the exam used the aliquot part description when describing the locations of the millsites and the existing conflicts.

A. Millsites Involved

The Apple Rose millsite group was located on two days, September 17 and September 19, 1996. The "Certificates and Notices of Location" were filed with the BLM on October 1, 1996 (Appendix 13). An "Amended Certificate and Notice of Location" was filed for the Apple Rose 15 millsite on December 2, 1996. The original locater for the entire Apple Rose millsite group was Paul C. Helmick Company. The "Certificates and Notices of Location" were filed by David Bellaire, who identified himself as an Agent.

The Apple Rose 1 – 5, 7 – 14 and Apple Rose #6 millsites were recorded with Clark County, Nevada on September 17, 1996, Official Records Book No. 960917, Instrument No. 02182, File No. 071, Page No. 0035. The Apple Rose 15 – 17 millsites were recorded with Clark County, Nevada on September 19, 1996, Official Records Book No. 960919, Instrument No. 01296, File No. 71, Page No. 37. An amended map was submitted for the Apple Rose 15 – 17 millsites on November 26, 1996, Official Records Book No. 961126, Instrument No. 1383, File No. 71, Page No. 66 (Appendix 14).

A Transfer of Interest was signed for the Apple Rose 1 – 5, 7 – 15 and Apple Rose #6 millsites (BLM serial numbers NMC749344 through NMC749358) on July 14, 2006. The transfer was filed with the BLM on October 4, 2006. The Apple Rose 1 – 5, 7 – 15 and Apple Rose #6

millsites were transferred to Las Vegas Rock, Inc. A separate Transfer of Interest was signed for the Apple Rose 16 and 17 millsites (BLM serial numbers NMC749359 and NMC749360) on October 11, 2006. This transfer was filed with the BLM on November 13, 2006. The Apple Rose 16 and 17 millsites were also transferred to Las Vegas Rock, Inc.

An Affidavit and Notice of Intent to Hold was filed each year since the location of the millsites in 1996. There was never a time that the millsites were declared Forfeit and Void for failure to file on time or to pay the annual assessment fees.

B. Withdrawals

On November 6, 2002 the Clark County Conservation of Public Land and Natural Resources Act of 2002, Public Law 107-282 (Appendix 8) was signed into Law. This Act will be referred to as the Clark County Act. Title V of the Clark County Act created the Ivanpah Corridor. Section 501(b) described the Transportation and Utilities Corridor (Appendix 8, Pages 14-15). The Act directed the Secretary, in consultation with the City of Henderson and Clark County, to establish a 2,640 foot wide corridor between Las Vegas Valley and the proposed Ivanpah Airport, for the placement, on a nonexclusive basis, of utilities and transportation. The Transportation and Utility Corridor is shown on both Appendix 5 and Appendix 6 where it conflicts with the Apple Rose millsite group; the entire Corridor is shown on the Master Title Plats for the affected townships (Appendices 11 & 12). This Corridor was withdrawn, subject to valid existing rights, from the location and entry under the mining laws, and from the operation under the mineral leasing and geothermal leasing laws. The location of the corridor was not finalized and posted on the Master Title Plat until August 15, 2007 (Appendices 11 & 12).

All of the Apple Rose millsites fall within the Transportation and Utilities Corridor as noted on the Master Title Plat; therefore, the entire Apple Rose millsite group falls within the lands withdrawn from location and entry under the mining laws.

The Clark County Act also amended the Las Vegas Valley Disposal boundary as originally described in the Southern Nevada Public Land Management Act of 1998. Title IV of the Clark County Act, Sec. 401(c) states: "Subject to valid existing rights, the land designated for disposal in this section is withdrawn from entry and appropriation under the public land laws, location and entry under the mining laws, and from operation under the mineral leasing and geothermal leasing laws until such times as the Secretary terminated the withdrawal or the lands are patented." (Appendix 8, Page 14). The disposal boundary was designated on a map entitled "Southern Nevada Public Land Management Act" (Appendix 9). The Apple Rose 1 – 5 millsites fall within the lands designated for disposal and withdrawn by the Clark County Act.

C. Valid Existing Rights

With the passage of the Transportation, Treasury, Housing and Urban Development, the Judiciary, The District of Columbia, and Independent Agencies Appropriation Act, 2006, Public Law 109-115, on November 30, 2005, Congress directed the Secretary of the Interior, as soon as practical after the date of enactment, to convey, subject to valid existing rights, an approximately 229 acre parcel to Clark County, Nevada for operation as a heliport facility (Appendix 10). The

location of the heliport facility is shown on Appendix 4. There were no provisions in the 2006 Act to withdraw the heliport site from operation under the mining laws; however, almost the entire heliport site is located within the Transportation and Utilities Corridor described in the previous section and is therefore withdrawn.

A survey of T. 24 S., R. 60 E., section 1, M.D.M was completed in November and December, 2007. This survey delineated the east highway right-of-way boundary in section 1, T. 24 S., R. 60 E., M.D.M., which also served to delineate the western edge of the heliport facility. The survey was officially filed at the Bureau of Land Management, Nevada State Office on March 27, 2008. In section 36, T. 23 S., R. 60 E., M.D.M. the east highway right-of-way boundary follows the disposal boundary as shown in both Appendix 5 and Appendix 6.

Clark County has applied for a sale of the subject lands under application N-81451. They have also applied for a right-of-way, serialized N-85582, to conduct testing of the subject lands; however, they have not requested the transfer of lands as of the date of this report. The heliport lands have not been noted to the Master Title Plat as of the date of this report. The general legal description for the Clark County Public Heliport Facility is:

Mount Diablo Meridian, Clark County, Nevada
T. 24 S., R. 60 E.,
Section 01, Lots 6, 8, 13, 14, 17, 18, 19, 22, 23 and 24

D. Rights-of-Way

Right-of-way CC-019435 was granted to the State of Nevada, Department of Highways by the General Land Office on February 12, 1936, approved under Sec. 17 of the Federal Aid Highway Act of November 9, 1921 (42 Stat. 212). This right-of-way was, US Highway 91, the old Los Angeles to Salt Lake City highway. This highway is now known as State Route (SR) 604 or the southern extension of Las Vegas Boulevard. Proof of Construction for the highway was accepted by the BLM on June 29, 1966. The original width of the grant was 200 feet from centerline, or 400 feet total width.

Right-of-way NEV-046362, Interstate 15 (I-15), was granted to the State of Nevada, Department of Highways on July 20, 1959. It was granted under the authority of Sec. 17 of the Federal Aid Highway Act of November 9, 1921 (42 Stat. 212-216, 23 U.S.C. Sec. 18). The width of the right-of-way varies along its length, but in the area of the Apple Rose millsites group, the right-of-way width is 383 feet wide. Also, in this area, NEV-046362 overlaps CC-019435 leaving no gap between the two right-of-ways. The proof of construction was accepted on March 26, 1967.

The right-of-way boundary for the SR604 is marked on the ground by fence line and concrete markers. Since the two highway right-of-ways overlap in this section, there is only one fence marking the boundary. Portions of the Apple Rose 2, 4, 5, 7, 9, 11, 13, 14, 15, 16 and 17 millsites overlap the right-of-way boundary for both SR604 and I-15 (see Appendix 5). The overlap changes significantly depending on whether the millsites are mapped using the legal descriptions or mapped using the location monuments located in the field.

Right-of-way N-007100 was issued to CALNEV Pipeline Co. for an underground oil and gas pipeline. The right-of-way was granted on May 20, 1975. The grant was renewed on July 13, 2006 and expires December 31, 2035. The right-of-way has a width of 50 feet and runs along the western side of the subject lands.

Right-of-way N-043923 was issued to MCI WorldCom for an underground fiber optic line. The right-of-way was granted in August of 1986 with a width of 10 feet. The right-of-way runs along the western side of the subject lands.

Right-of-way N-047888 was issued to U.S. Sprint Communications Co. for an underground fiber optic line. The right-of-way grant was issued on April 22, 1988 and expires on April 21, 2038. The width of the right-of-way is 10 feet and is generally located within the I-15 corridor along the west side of the subject lands.

Right-of-way N-048572 was issued to AT&T for an underground fiber optic line. The right-of-way was granted in January of 1989 with a width of 10 feet. The right-of-way crosses Lot 2 and the SW $\frac{1}{4}$ N $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 1.

Right-of-way NEV-0562 13 was issued to CALNEV Pipeline Co. for an underground petroleum pipeline. The right-of-way was granted in October of 1960 with a width of 50 feet. The right-of-way runs along the western side of the subject lands.

V. Physical Features, Geology and Mining History

A. Regional Geology

The subject lands are located at the southern terminus of the Las Vegas Valley, and the northern terminus of the Ivanpah Valley. The area is a pinch point between the McCullough Range on the east side the Bird Spring Range on the west. The area is part of the Basin and Range physiographic province. The Basin and Range area is generally made up of north-south trending mountain ranges separated by wide valleys of substantial alluvial fill.

The McCullough Mountains, or McCullough Range, extends from the New York Mountains in California to the southern end of the Las Vegas Valley near Henderson, Nevada. Volcanic rocks of Tertiary age make up most of the range in the area from Henderson to McClanahan Spring, east of Jean, Nevada. South of this area rocks are mainly metamorphic and igneous rocks of Precambrian age. The highest peaks in the McCullough Range (5000 -6900 feet) occur in the southern end of the range.

A steep escarpment in the Henderson area exposes 2000 to 3000 feet of the volcanic section. The escarpment may reflect a normal fault extending southwest from Railroad Pass. Rocks in the northern part of the range generally dip to the west. The north-trending, west dipping McClanahan fault is exposed for about 12 miles in the area of McClanahan Spring. Displacement of volcanic rocks due to this fault is 600 feet near its north end and 3000 feet at the south end.

The Bird Spring Range extends from Red Spring on its northern end, south to State Route -161. The range is a structural block created by the Bird Spring and Contact thrusts. The Bird Spring

thrust is visible on the eastern side of the range. The thrust separates rocks of the Bird Spring and Monte Cristo Formation from Permian red beds, Kaibab and Moenkopi Formations below. Exposed rocks range from Cambrian to Permian in age. The Bird Spring Formation makes up the majority of the exposed rock in the range. The basal sequence is made of a sequence of beds made up of sandstone, shale and thin limestones. Limestone and dolomite make up most of the upper sequence with some layers of shale and sandstone.

Valley fill extends in a wide band separating the various ranges. The fill is the result of deposition from erosion of upland areas. The materials range in age from the Pliocene and Pleistocene to recent. The fill is typically composed of coarse-grained, heterogeneous deposits of mineral materials near the source. Finer grained materials are found as the distance from the source increases, or in areas where shallow lakes formed in the past. The materials can be highly cemented, particularly where carbonate fragments have been partially dissolved. (Seum, 2006)

B. Mining History of the Region

The area of the Apple Rose millsite group is not located in a designated Mining District. No precious metals mines are located on, or in close proximity to the subject lands. No known occurrences of locatable minerals, in an economic amount to mine, have been found within the valley fill in the Las Vegas area (Vanderberg, 1936 and Johnson, 1973).

A quarry for high quality limestone and dolomite is located approximately three miles north of the subject lands at Sloan, Nevada. The mine is located in T. 23 S., R. 60 E., section 13. Quarrying has been taking place in a member of the Monte Cristo Limestone Formation since the early 1920's. There is also a proposal for similar aggregate mine across I-15 from this quarry in T. 23 S., R. 61 E., section 29 N½ and section 32 N½. This proposal is currently being analyzed and will cover approximately 640 acres.

Three quarries (Nevada Royale, Gary Allan and unnamed) for silica from the Supai Formation were located approximately 6 miles west of the subject lands. The silica was shipped for use as steel molding sand in the early 1930's. There is no production report on the amount of materials mined and the areas mined were not extensive.

Sand and gravel have been mined from the North Jean Lake Community Pit since its inception in January 1980. The North Jean Lake Community Pit is located approximately 1.5 miles south of millsite group. In 1990 approximately 320 acres, of the area designated as community pit, were fenced for an operating area. Approximately 40 of those acres were mined out except for left over waste piles which could be reprocessed. Of the 280 acres remaining in the operating area approximately 80 acres have been, or are being mined. The majority of the mining is currently taking place in the southeast quarter of section 22, T. 24 S., R. 60 E., M.D.M.

Mineral materials have also been removed from Nevada Department of Transportation mineral material site right-of-way N-44285. This pit is located along the southern boundary of the heliport lands in T. 24 S., R. 60 E., sec. 1 S ½ SW ¼ SW ¼ and sec. 12 N½, SE¼, M.D.M. Materials from this site were used for improvements on I-15.

C. Physical Features and Site Geology

At the lowest point, the Apple Rose millsite group sits at an elevation of about 2,920 feet above sea level. The highest elevation is found at the southern most millsites at about 3,040 feet. The elevations in the millsite group rises to the east and south towards a group of unnamed mountains.

The Geologic Map of Clark County, Nevada, Bulletin 62, Plate I, (Longwell et. al., 1965), shows the majority of the area encompassed by the subject lands to be designated by the symbol Tv, which stands for Tertiary undifferentiated volcanic rocks.

In addition to the Clark County geologic report (Longwell et. al., 1965), a master's thesis by Bridwell (1991) covers the geology of the subject area. Bridwell's map is more detailed than the county report and is used as the basis for the site geology in this report. The Apple Rose claim group is underlain by two Quaternary units Qal and Qfc, according to Bridwell. The southern half of the millsites occurs in Qfc which is described as an alluvial fan deposit. A field examination of this area shows the Qfc to be composed of cobble and pebble sized clasts with significant amounts of silt. The cobbles and pebbles consist of violet colored dacite flows derived from the Center Mtn. Dome Complex to the east (Appendix 7). At the time of the site visit November 25, 2008, Clark County consultants Kleinfelder were on site with a drill rig and provided information on the depth of alluvium in the area. They stated that the depth to bedrock varied from 13 to 20 feet in the alluvial fan area and the thickness of cover increased as you go northward into the valley.

Qal underlies the northern portion of the claim group and is made up of unconsolidated valley fill which contains a variety of lithologies derived from both the McCullough Range and the Bird Springs Range. Depth of the alluvium here is unknown.

The land surface has been left relatively undisturbed except for a few roads associated with rights-of-ways crossing the property or with off-road vehicle travel.

VI. Millsite Development

A. Method of Identification of the Millsites on Ground

According to the documents titled "Certificates and Notices of Location Mill Site" filed with the BLM Nevada State Office, the location monuments were located on the northeast corner of the millsites. The Apple Rose millsite group was first visited on June 6, 2008 by Shonna Dooman, Geologist, assisted by Richard Zaninovich and Lewis Brownfield of the BLM Las Vegas Field Office. The monuments were located and photographs were taken. GPS points were taken on the claim monuments, section corners and survey monuments; however, due to a technical problem with the units, the GPS points were not able to be used.

On July 15, 2008, the millsites were visited for a second time by Dooman and Murrellwright. The millsites were traversed and GPS points were taken on the 12 location monuments that were found. GPS points were also taken on section corners and other survey monuments. The

following table shows what monuments were found and, of those found, which monuments contained Notices of Location:

Table 3: Location Monument Information

Millsite Name	Location Monument Found	Notice of Location Found
Apple Rose 1	Yes	No
Apple Rose 2	Yes	Yes
Apple Rose 3	Yes	No
Apple Rose 4	Yes	Yes
Apple Rose 5	Yes	No
Apple Rose #6	Yes	No
Apple Rose 7	No	No
Apple Rose 8	No	No
Apple Rose 9	Yes	Yes
Apple Rose 10	Yes	Yes
Apple Rose 11	Yes	No
Apple Rose 12	No	No
Apple Rose 13	Yes	No
Apple Rose 14	No	No
Apple Rose 15	No	No
Apple Rose 16	Yes	No
Apple Rose 17	Yes	Yes

The location monuments were marked with a four foot tall, uncapped PVC pipe, about four inches in diameter. The Notices of Location were found in small plastic tubing, about eight to twelve inches long and one inch in diameter (Appendix 1, Page 1). The tubes were found under the rocks located at the base of the monument. Notices of Location were only found on five of the 12 location monuments that could be located (see Table 2 above).

Appendix 6 shows the sites of the found location monuments. The locations of the monuments are not consistent with the descriptions of the millsites found on the "Certificates and Notices of Location" filed with the BLM. The distances between the monuments varies with each one found and do not equal either 330 feet for the width or 660 feet for the length. Appendix 6 shows the millsites as best drawn from the GPS points taken in the field.

B. Millsite Development

According to the claimants, the only time the Apple Rose millsite group was used was in 1996 or 1997. During a field visit on September 24, 2008, Mike Kiddy of Las Vegas Rock, Inc. stated that they used the millsites to park haul trucks and bulldozers for about one week. Mr. Kiddy stated that the equipment was broken into so they hauled everything off of the millsites and took the equipment and trucks to their property at the corner of Bermuda Road and St. Rose Parkway in southern Las Vegas Valley. Mr. Kiddy stated that since they could not afford to keep a guard, they never used the millsites beyond that one week of storing equipment.

In his affidavit; however, Mike Kiddy stated, "For a while in the early days we used the Mill Sites as an outdoor overflow storage yard and a transfer depot for palletized stone products from Rainbow Quarry, but frequent theft and pilferage proved a big problem if this remote roadside site was left unguarded. Eventually, for safekeeping, we removed what the thieves hadn't taken and have since used the Mill Sites *only* for temporary storage and as a very short-term transfer depot for produced stone products from Rainbow Quarry." There are no BLM records of either an approved Plan of Operations or acknowledged Notice to support the statements made by Mr. Kiddy. Appendix 15 contains the full affidavit.

No development of the Apple Rose millsite group has occurred since the time they were located. This is evident in the series of aerial photos taken since 1994 (Appendix 2) and during the four site visits conducted by BLM Mineral Examiners. Photographs of the millsites can be found in Appendix 1. No buildings or structures have ever been constructed on the millsites and no utilities have been brought in. No development was seen on the Apple Rose millsite group.

According to BLM records, Las Vegas Rock, Inc. has never submitted a Notice or Plan of Operations under Title 43 CFR 3809 Surface Management Regulations, for use or occupancy of the Apple Rose millsite group.

C. Mining and Related Operations

A Plan of Operations for Las Vegas Rock, Inc., to produce stone products from the Flagstone mining claim group was approved by BLM on November 30, 1988. The quarry has been in operation since that time. The main products of the quarry are monument and building stone, dimension stone, decorative rock, polished stone and silica.

The Apple Rose 1 – 5, 7 – 17 and Apple Rose #6 millsites are dependant millsites. The mining claims the millsites are dependent on are the Flagstone placer mining claim group. Portions of the Flagstone #1, Flagstone #2, Flagstone #3, Flagstone #4 and Flagstone #6 placer mining claims were patented under the Mining Laws on December 13, 2002 (Patent #27-2004-0099). The patented site is described as:

Mount Diablo Meridian, Clark County, Nevada

T. 23 S., R. 58 E.,

Section 27 SW¹/₄NW¹/₄NW¹/₄, NW¹/₄SW¹/₄NW¹/₄, S¹/₂SW¹/₄NW¹/₄, SW¹/₄SE¹/₄NW¹/₄,
W¹/₂SE¹/₄SE¹/₄NW¹/₄, W¹/₂E¹/₂NE¹/₄SW¹/₄, W¹/₂NE¹/₄SW¹/₄, NW¹/₄SW¹/₄,
E¹/₂SW¹/₄SW¹/₄, W¹/₂SE¹/₄SW¹/₄, W¹/₂NE¹/₄SE¹/₄SW¹/₄;

Section 28 SE¹/₄NE¹/₄NE¹/₄, E¹/₂SE¹/₄NE¹/₄, E¹/₂E¹/₂SE¹/₄;

Section 34 W¹/₂E¹/₂NW¹/₄, E¹/₂W¹/₂NW¹/₄, NE¹/₄NW¹/₄SW¹/₄

The Flagstone mining claims and operations are located about 23 highway miles from the Apple Rose millsite group. To reach the Flagstone group from the Apple Rose millsite group, you have to travel on I-15 south for approximately 10 miles and take the Goodsprings Road exit, SR161. From there, travel about 6 miles west along SR161, until the access road for the patented mining claims is reached. From there, travel about 7 miles on unpaved access road to the patented mining claims.

VII. References

Bridwell, Hayden L., The Sloan Sag: A Mid-Miocene Volcanotectonic Depression, North-Central McCullough Mountains, Southern Nevada; December 1991, University of Nevada, Las Vegas M.S. Thesis.

Johnson, Maureen G., Placer Gold Deposits of Nevada; Geological Survey Bulletin 1356; 1973, Washington D.C.; United States Government Printing Office.

Longwell, C.R., E.H. Pampeyan, Ben Bower, and R.J. Roberts; Geology and Mineral Deposits of Clark County, Nevada; Bulletin 62; 1965, Reno; Nevada Bureau of Mines and Geology.

Seum, Edward, Mineral Potential Report for the Clark County Public Heliport Facility, October 2006, Bureau of Land Management.

Vanderberg, William O.; Placer Mining in Nevada; Bulletin 27; 1936, Reno; Nevada Bureau of Mines and Geology.



Photo 1: Typical location monument. This location monument is for the Apple Rose 10 millsite. Photo taken by Shonna Dooman on June 6, 2008.



Photo 2: Location monument for the Apple Rose 4 millsite. Photo taken by Shonna Dooman on June 6, 2008.



Photo 3: Notice of Location for an Apple Rose millsite. The Notice does not state which millsite, but it appears it is the Apple Rose 9. Photo taken by Richard Zaninovich on June 6, 2008.

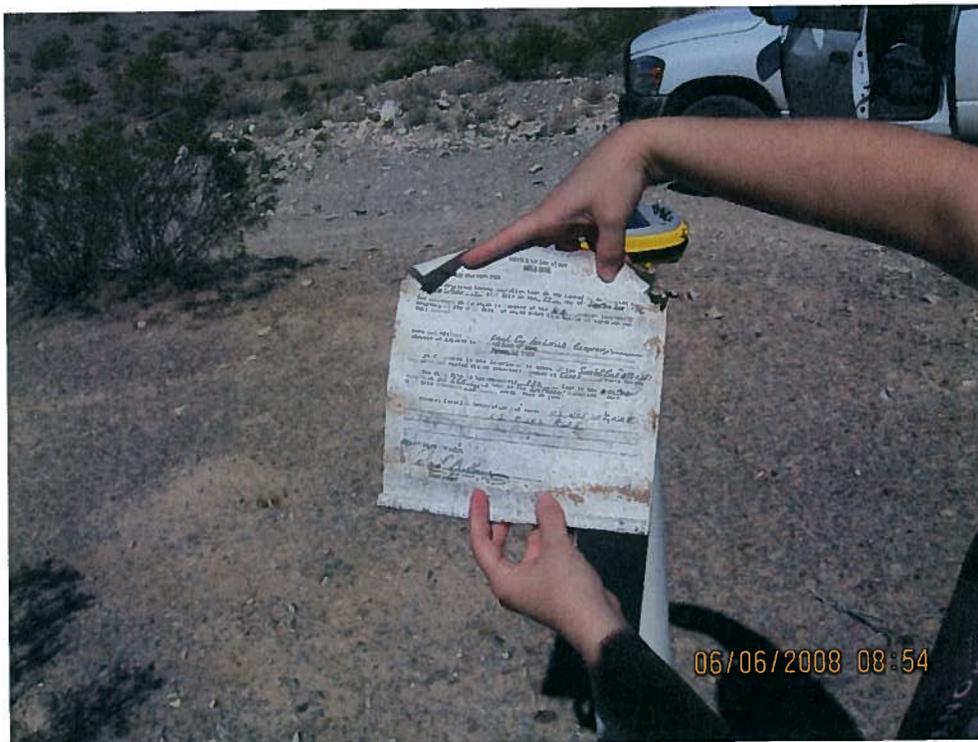


Photo 4: Notice of Location for the Apple Rose 10 millsite. Photo taken by Richard Zaninovich on June 6, 2008.

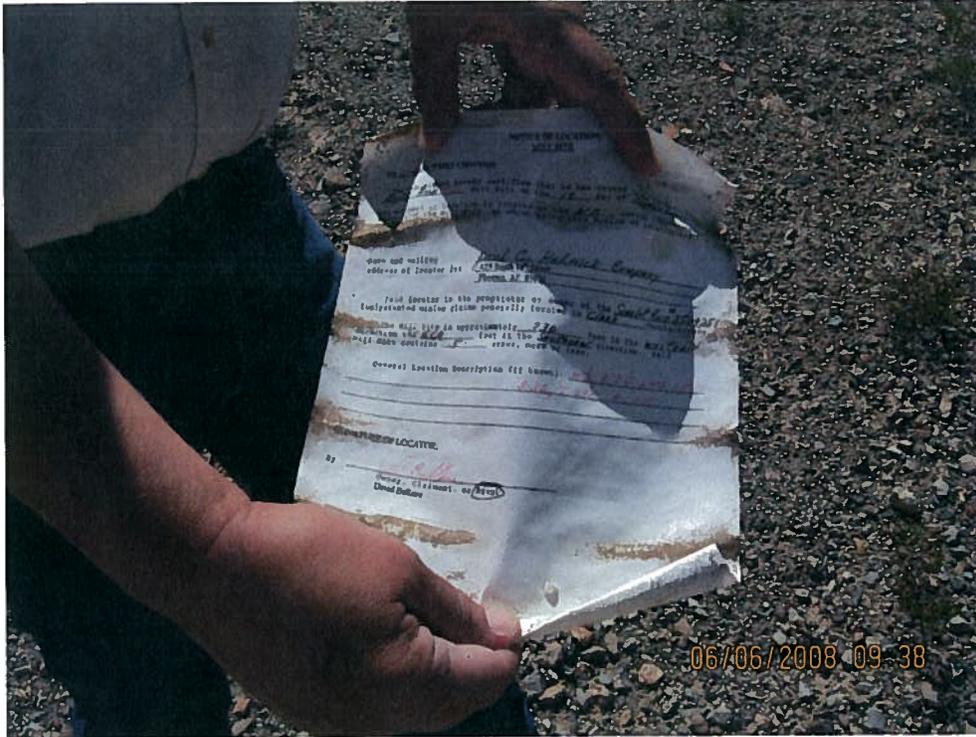


Photo 5: Notice of Location for the Apple Rose 2 millsite. Photo taken by Shonna Dooman on June 6, 2008.

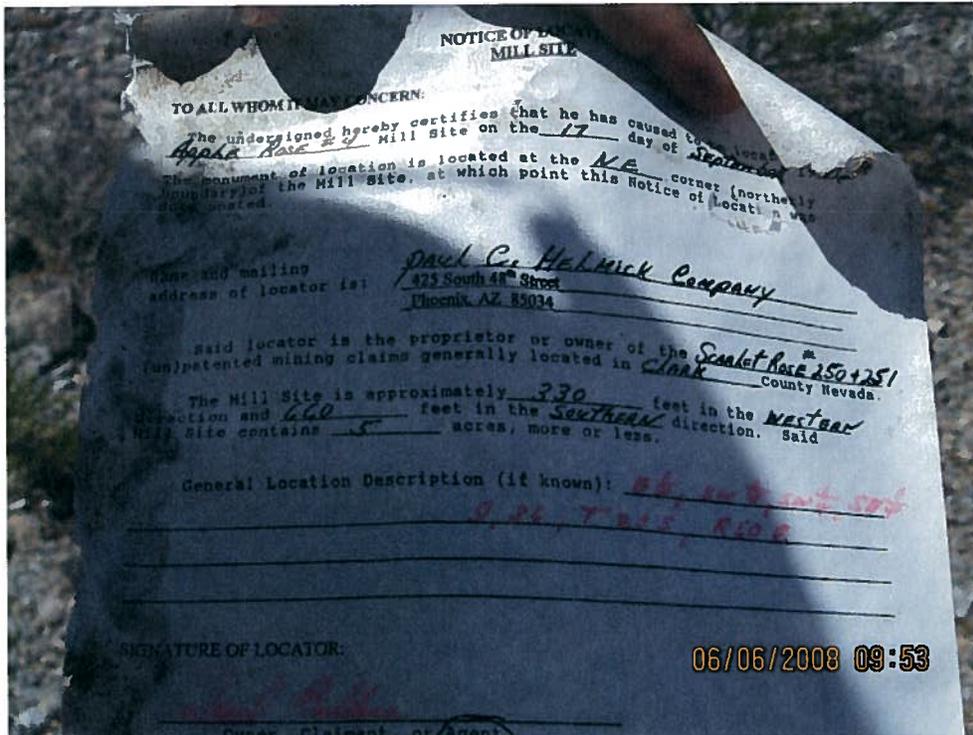


Photo 6: Notice of Location for the Apple Rose 4 millsite. Photo taken by Shonna Dooman on June 6, 2008.

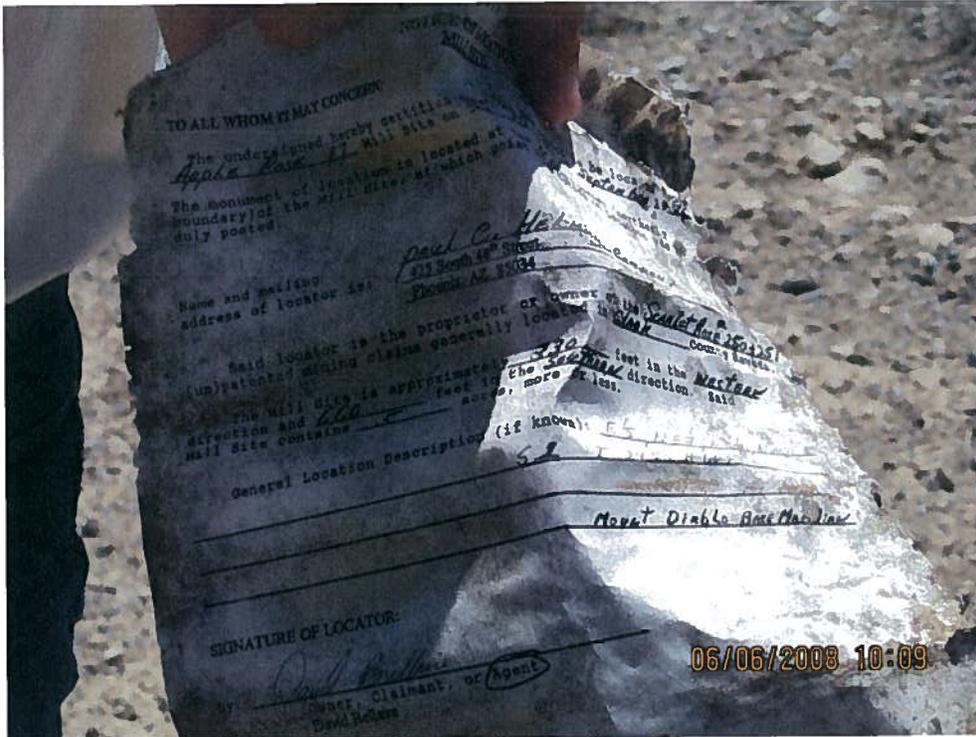


Photo 7: Notice of Location for the Apple Rose 17 millsite. Photo taken by Shonna Dooman on June 6, 2008.



Photo 8: Looking south on the Apple Rose millsite group. Mike Kiddy and Steve Wickman of Las Vegas Rock and Thomas Scott Murrellwright, BLM, shown in the photo. Photo taken by Shonna Dooman on September 24, 2008.



Photo 9: View looking south from the Apple Rose 13 location monument. Photo taken by Shonna Dooman on November 25, 2008.

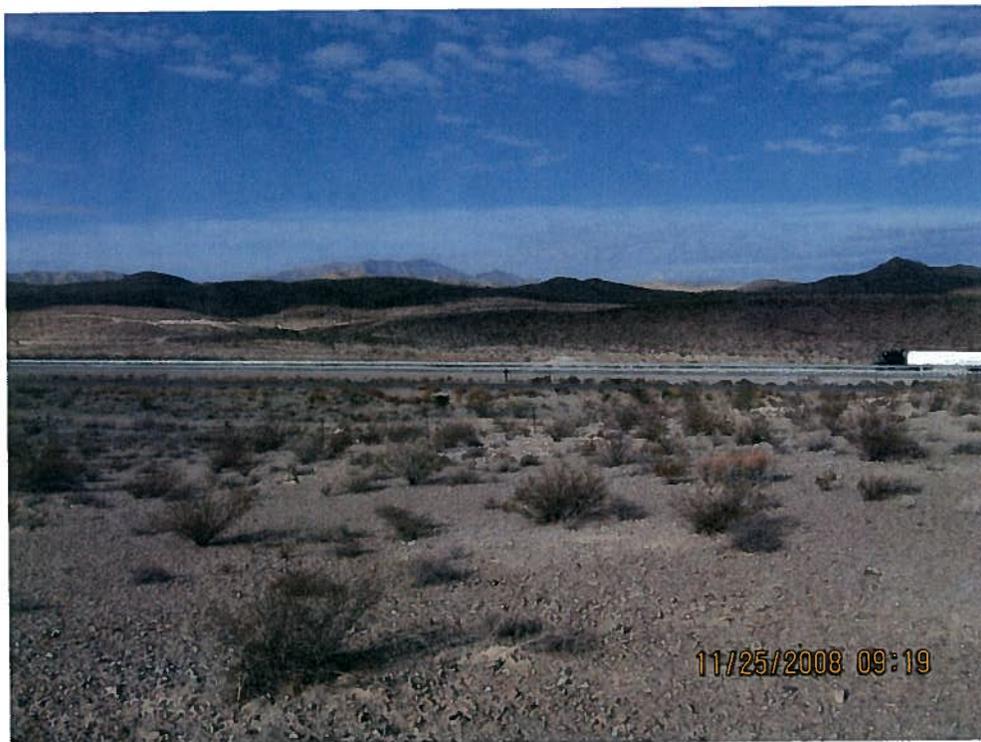


Photo 10: View looking west from the Apple Rose 13 location monument. Interstate-15 and State Route 604 can be seen in the photo. Photo taken by Shonna Dooman on November 25, 2008.



Photo 11: View looking southwest from the Apple Rose 13 location monument looking into the millsite. Interstate 15 and State Route 604 can be seen in the photo. Photo taken by Shonna Dooman on November 25, 2008.

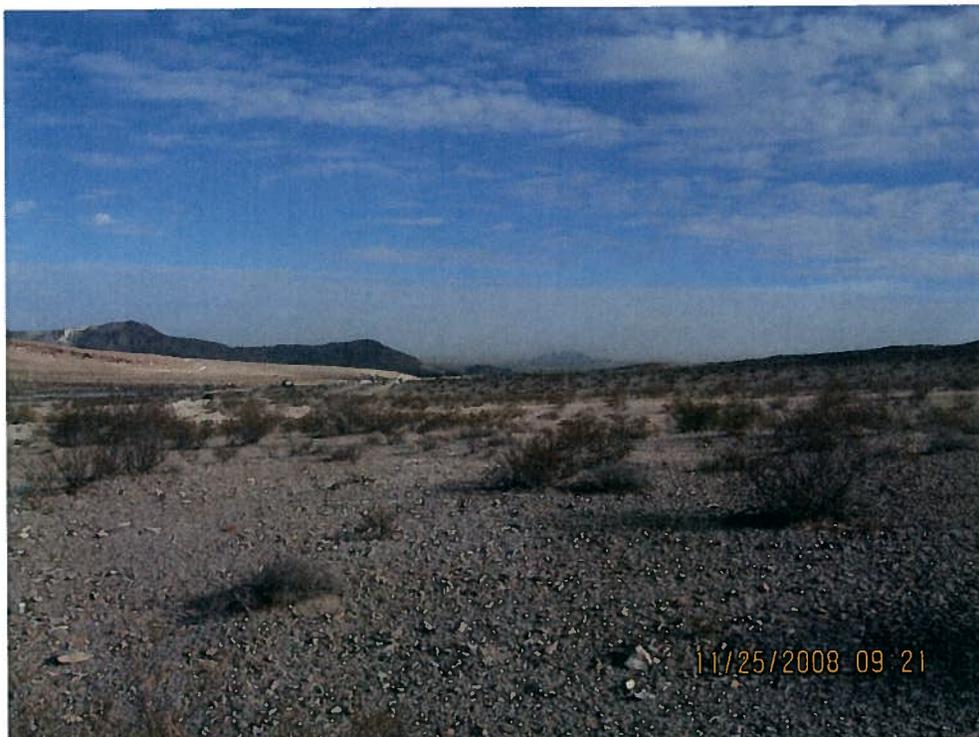


Photo 12: View looking north from the Apple Rose 13 location monument. Photo taken by Shonna Dooman on November 25, 2008.



Photo 13: View looking northwest from the Apple Rose 13 location monument. Photo taken by Shonna Dooman on November 25, 2008.



Photo 14: Kleinfelder conducting soil boring on the Heliport site, but south of the millsite group. Photo taken by Shonna Dooman on November 25, 2008.

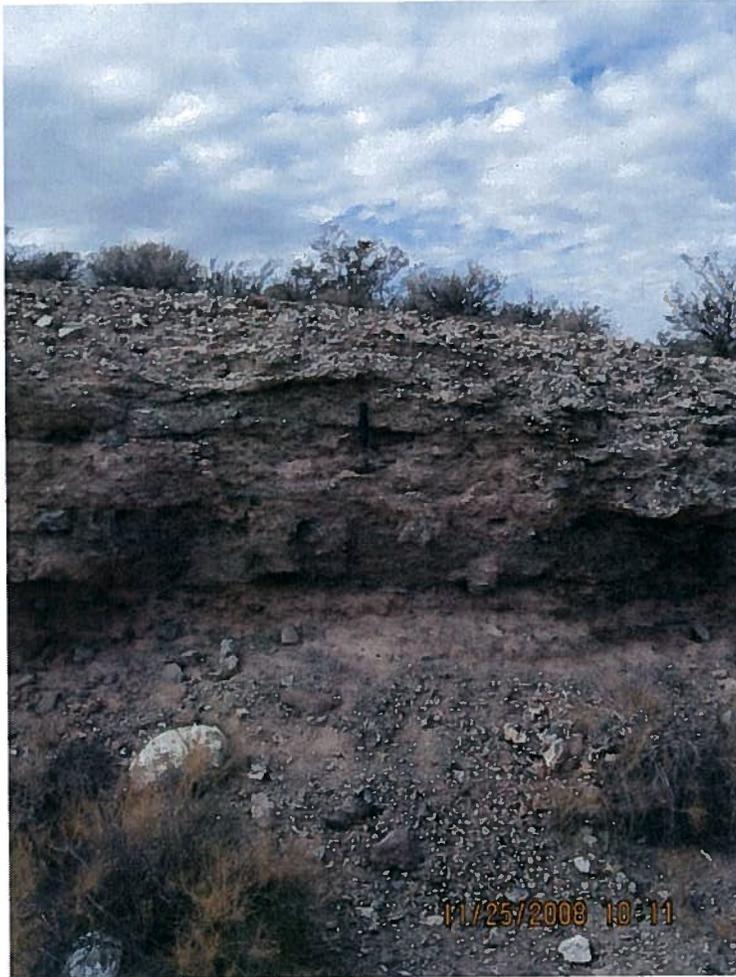
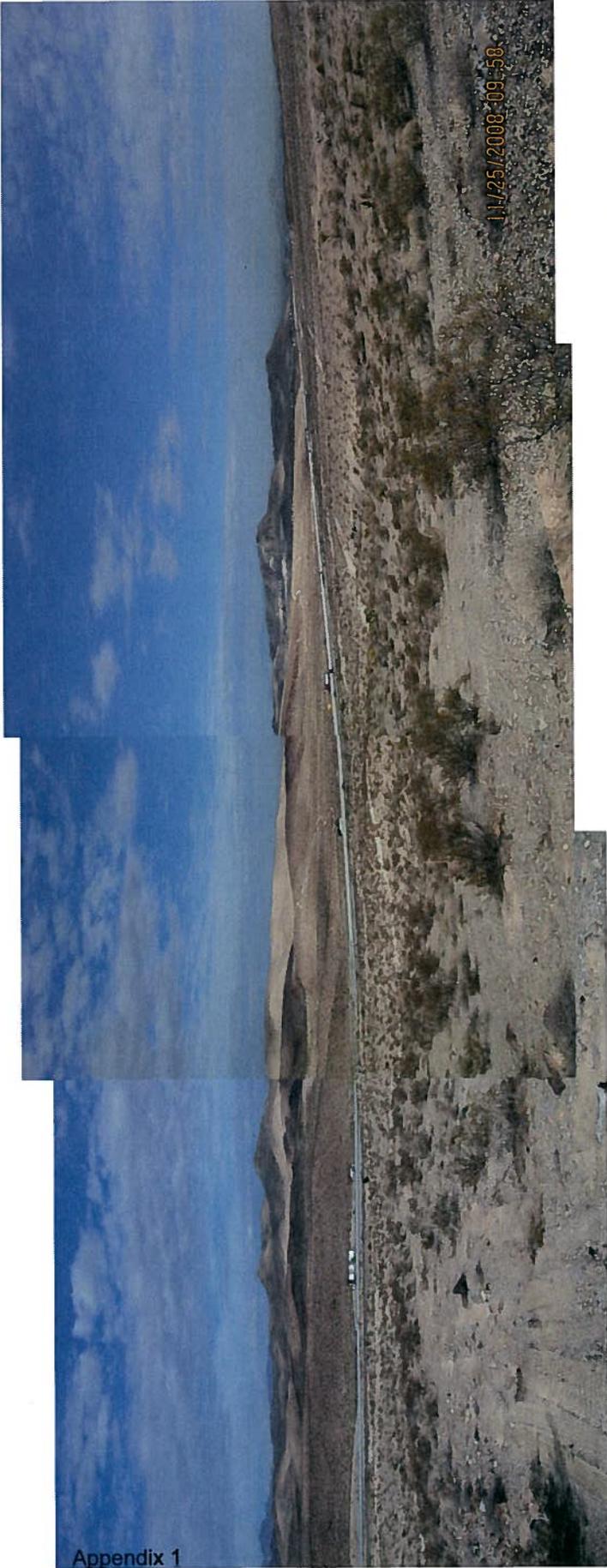
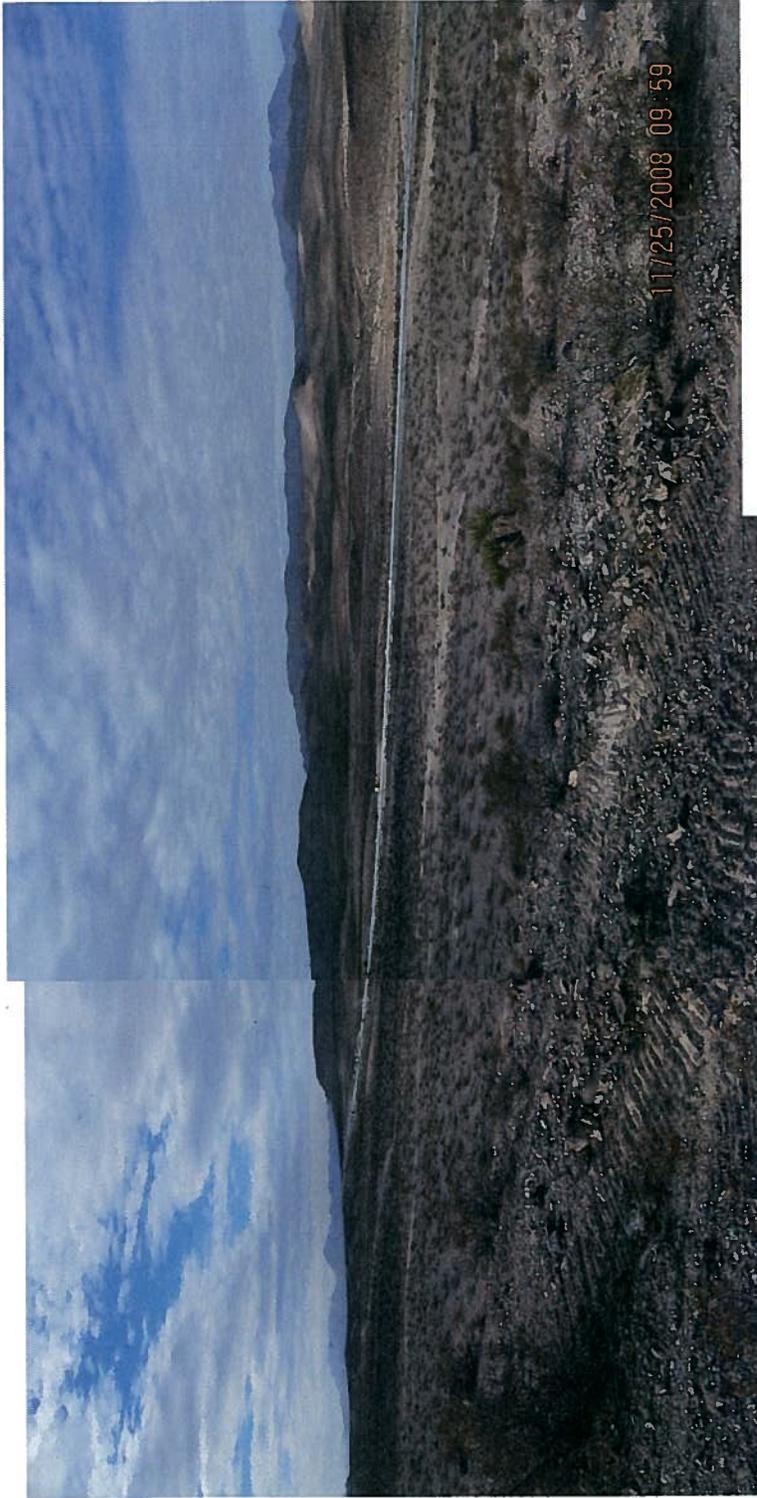


Photo 15: A gravel column on the Apple Rose 11 millsite. Photo taken by Shonna Dooman on November 25, 2008.



Appendix 1

Panorama 1: View looking from northwest to northeast at the Apple Rose 1 - 5, #6, 7 - 11 and 15 - 17 millsites. Photos taken by Shonna Dooman on November 25, 2008.



Panorama 2: View looking southwest at Apple Rose 12 - 14 millsites. Photos taken by Shonna Dooman on November 25, 2008.



KAPLAN KIRSCH ROCKWELL

RECEIVED
BUREAU OF
LAND MANAGEMENT

2008 JUL 31 AM 10:13

July 30, 2008

VIA FEDERAL EXPRESS NO. 7920 9098 3168

LAS VEGAS
FIELD OFFICE
LAS VEGAS, NEVADA

Shonna Dooman
BLM, Las Vegas Field Office
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130

Re: BLM Mineral Exam, Apple Rose Mill Site Claims

Dear Shonna:

Enclosed is a series of aerial photos of the land in the vicinity of the alleged Apple Rose mill site claims. The red line superimposed on the photos denotes the approximate boundary of the proposed Clark County heliport site. Clark County submits these aerial photos to the record in BLM's ongoing mineral examination of the alleged Apple Rose mill site claims as they illustrate the absence of actual development and use of said claims.

An index to the specific date and source of the aerial photos is provided below.

The 1994 aerial (6/10/94) is from USGS Source.

For the images from 1996 to 2007: the flight info & Company for the bi-annual County aerial flights is HJW. Hammon, Jensen, Wallen & Assoc. (HJW), a California-based aerial mapping firm.

<http://www.hjw.com/Services/photography.htm>

Data is provided in Stateplane NAD83 Nevada East 2701 projection to Clark County digitally. Clark County CEIT handles the contract.

BOOK/SEC	TILE	YEAR
DOQQ		06/10/94 (from USGS Source)
204-01	36783	09/14/00
204-01		09/29/02
204-01		09/26/03
204-01		09/15/05
204-01		09/23/06
204-01		03/31/07

If you have any questions regarding these aerials, please contact Sonya Wilson, Sr GIS Analyst, Clark County Department of Aviation, at (702) 261-5882, or myself.

Yours truly,

Lori Potter

LP/ll

enclosures

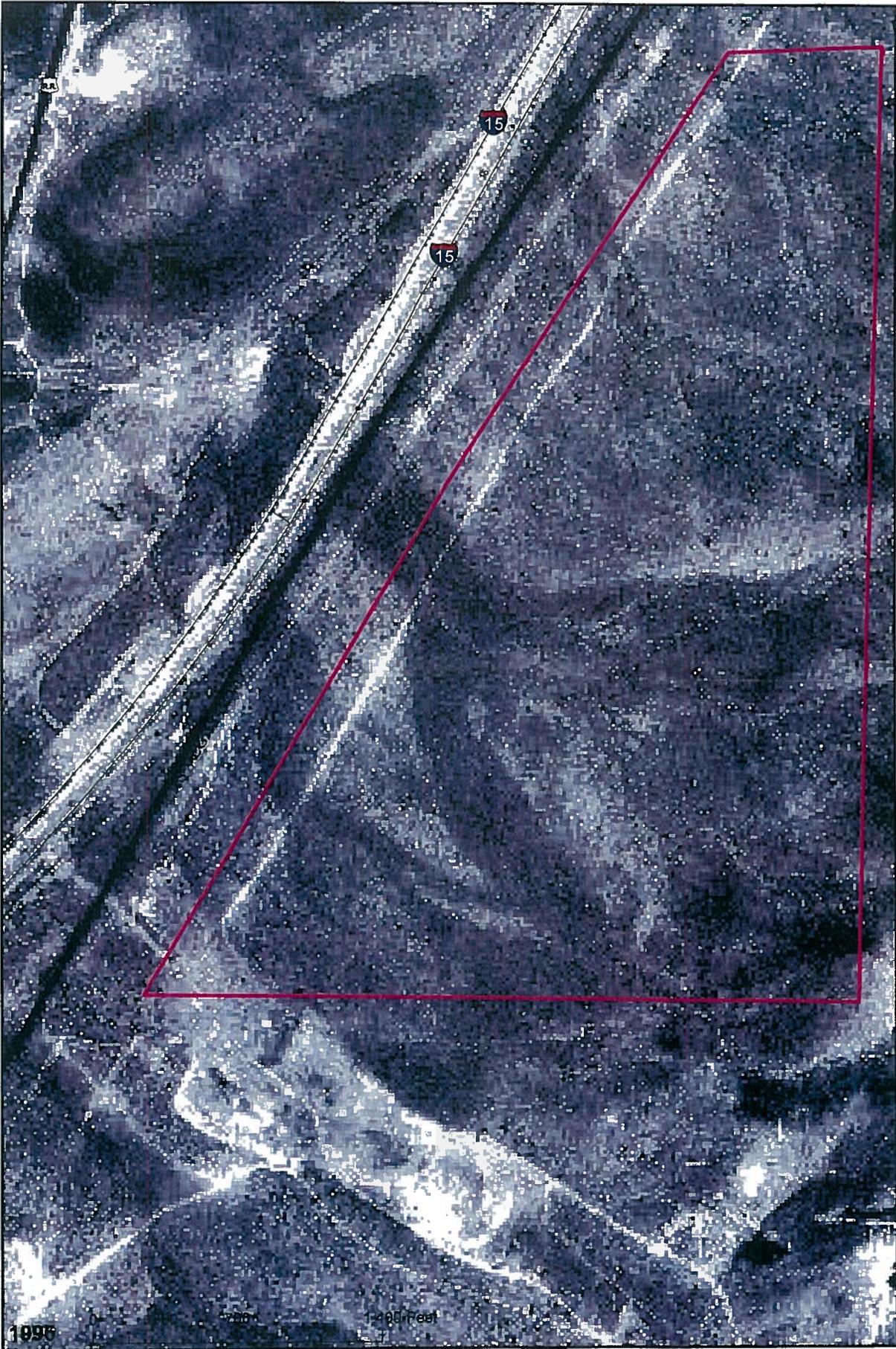
cc: Teresa Arnold
Sonya Wilson
Lee Thomson

Attorneys at Law
Denver • New York • Washington, DC

Kaplan Kirsch & Rockwell LLP
1675 Broadway, Suite 2300
Denver, CO 80202

tel: (303) 825-7000
fax: (303) 825-7005
www.kaplankirsch.com
A2 - Page 1 of 9



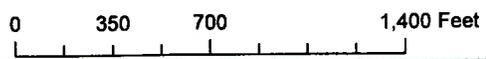




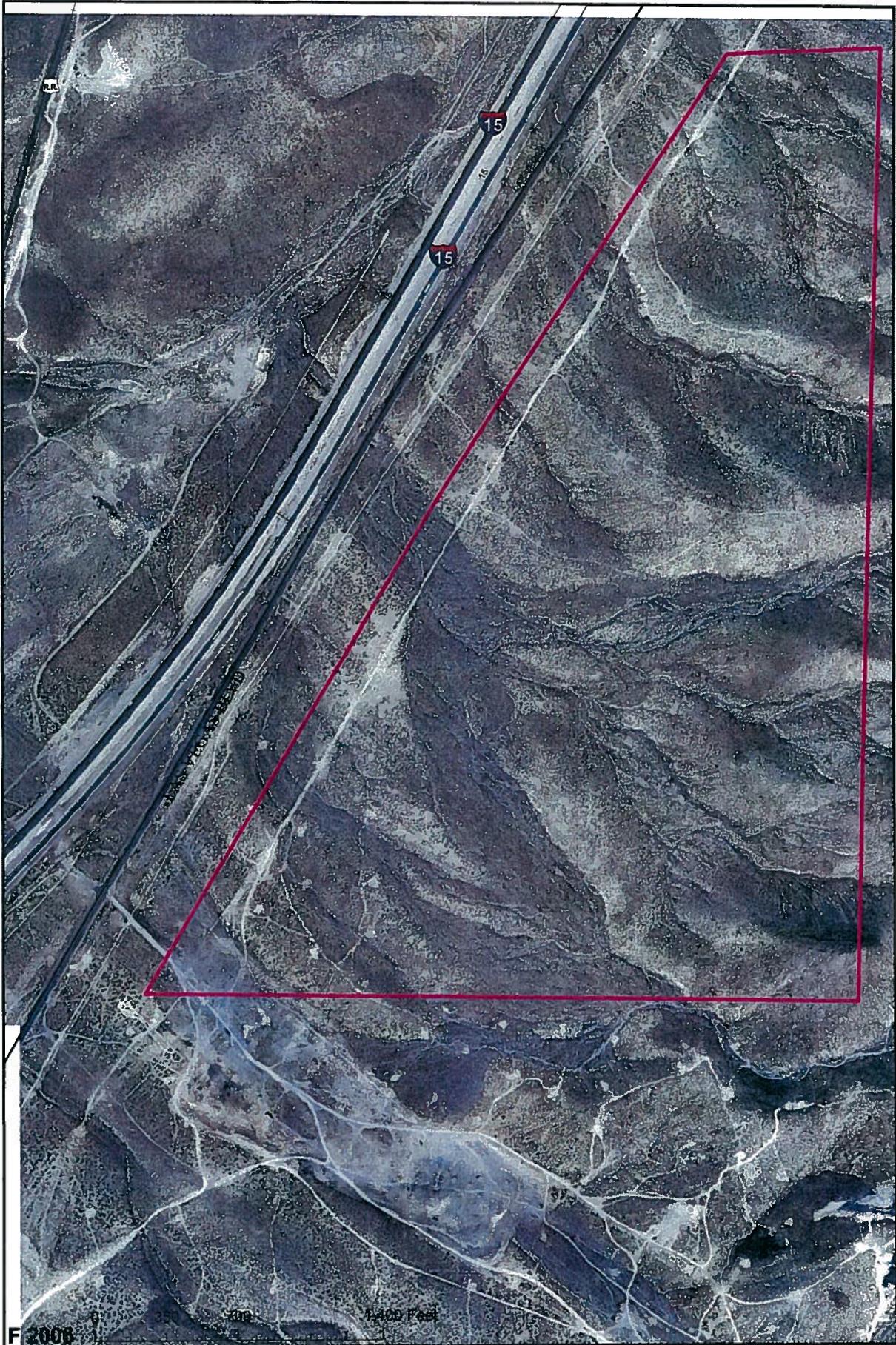




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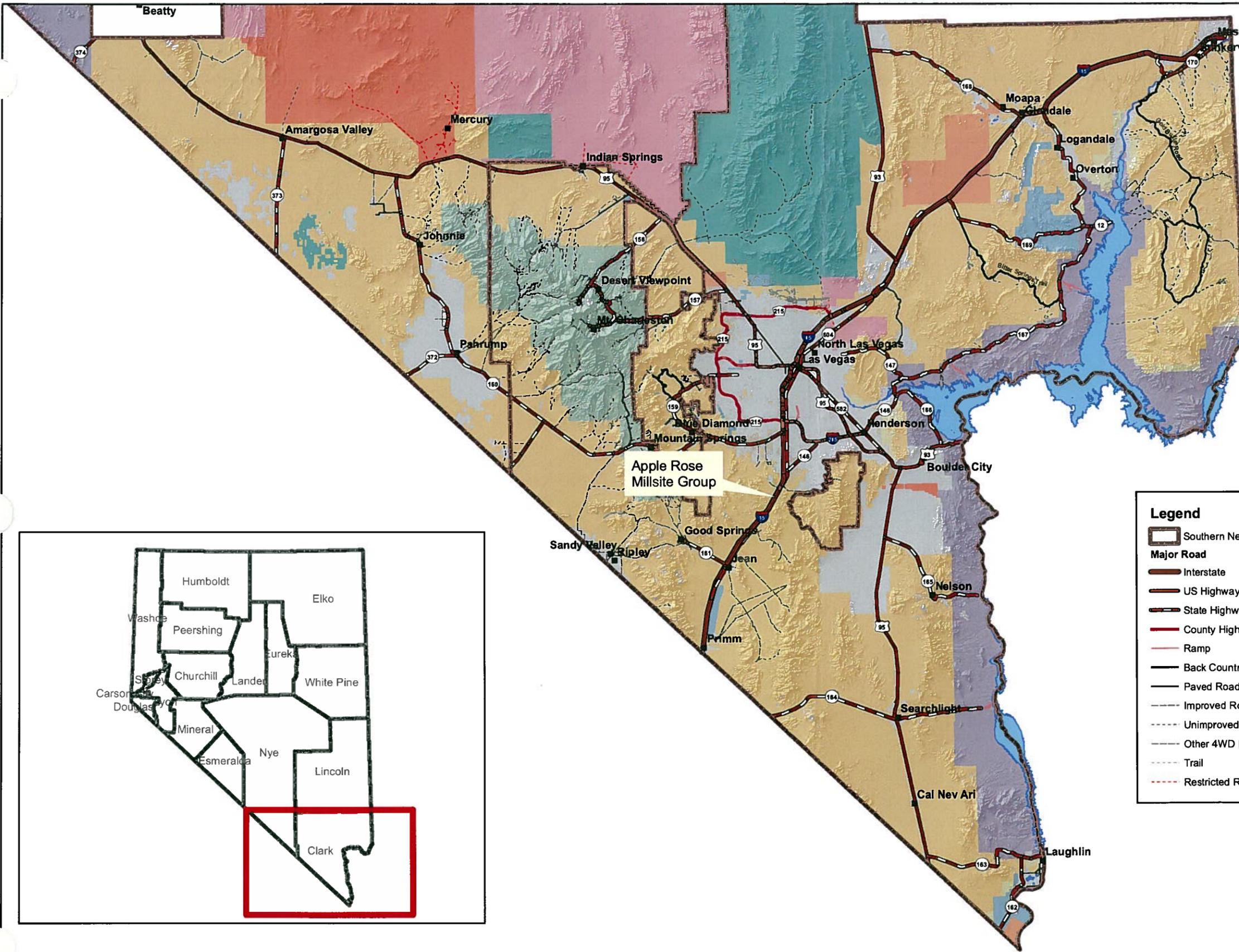






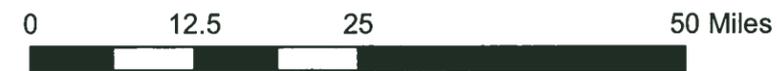


Apple Rose Millsite Group Location Map



Legend

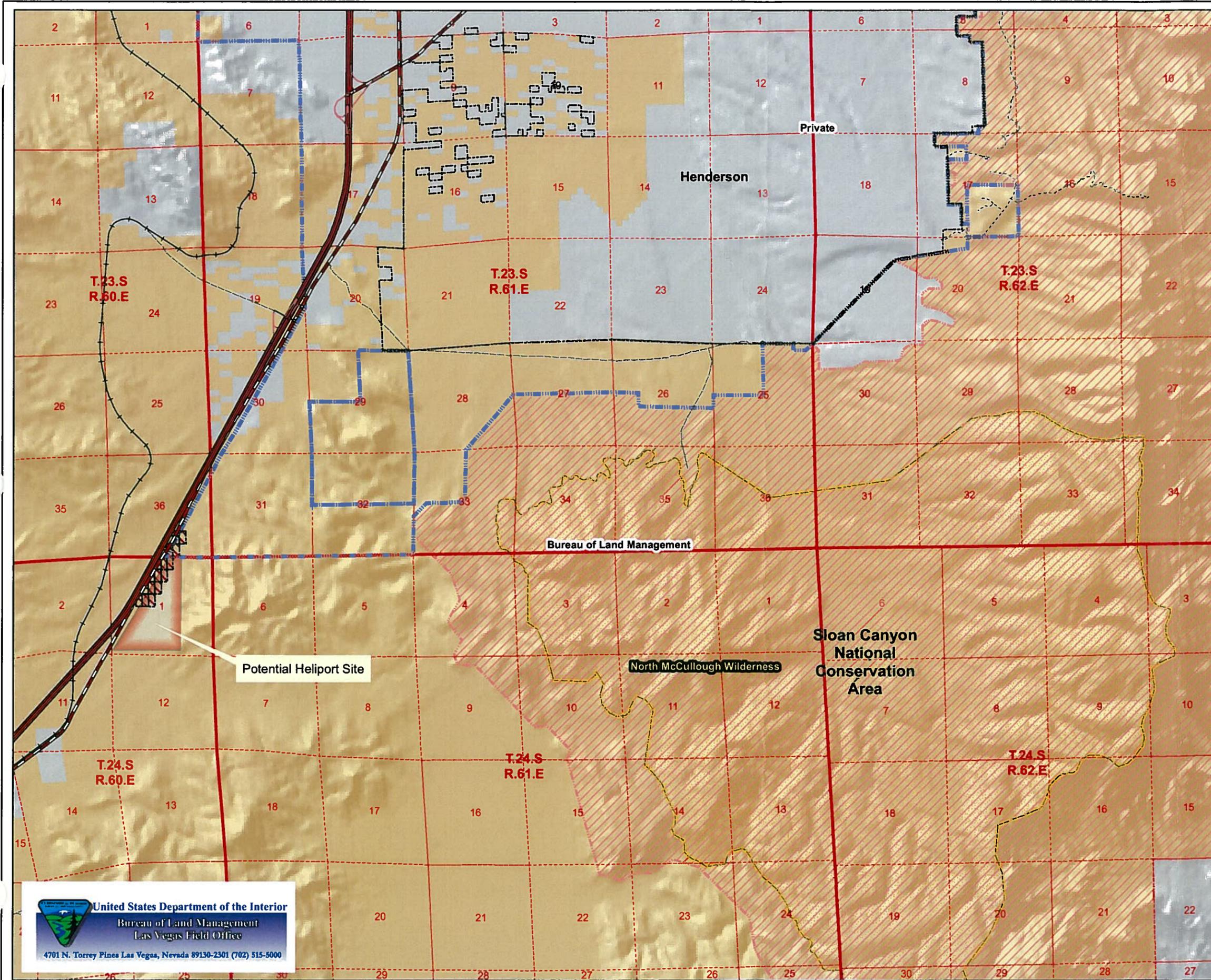
Southern Nevada District Office	Lake Mead
Major Road	Land Status
Interstate	Bureau of Indian Affairs
US Highway	Bureau of Land Management
State Highway	Bureau of Reclamation
County Highway	City of Las Vegas
Ramp	Clark County, Nevada
Back Country Byway	Department of Defense
Paved Road	Department of Energy
Improved Road	Fish and Wildlife Service
Unimproved Road	Forest Service
Other 4WD Road	National Park Service
Trail	Nevada State
Restricted Road	Private



United States Department of the Interior
Bureau of Land Management
 Las Vegas Field Office
 4701 N. Torrey Pines Las Vegas, Nevada 89130-2301 (702) 515-5000

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Clark County, Nevada Public Heliport Facility



Legend

- Proposed Heliport Site (3-11-2004)
- Apple Rose Millsite
- Railroad
- Major Road**
- Interstate
- US Highway
- State Highway
- County Highway
- Ramp
- Back Country Byway
- Paved Road
- Improved Road
- Unimproved Road
- Other 4WD Road
- Trail
- Restricted Road
- City Limit
- SNPLMA Disposal Boundary
- National Conservation Area
- Wilderness Area**
- Designated Wilderness Area
- Wilderness Study Area
- Land Status**
- Bureau of Indian Affairs
- Bureau of Land Management
- Bureau of Reclamation
- City of Las Vegas
- Clark County, Nevada
- Department of Defense
- Department of Energy
- Fish and Wildlife Service
- Forest Service
- National Park Service
- Nevada State
- Private

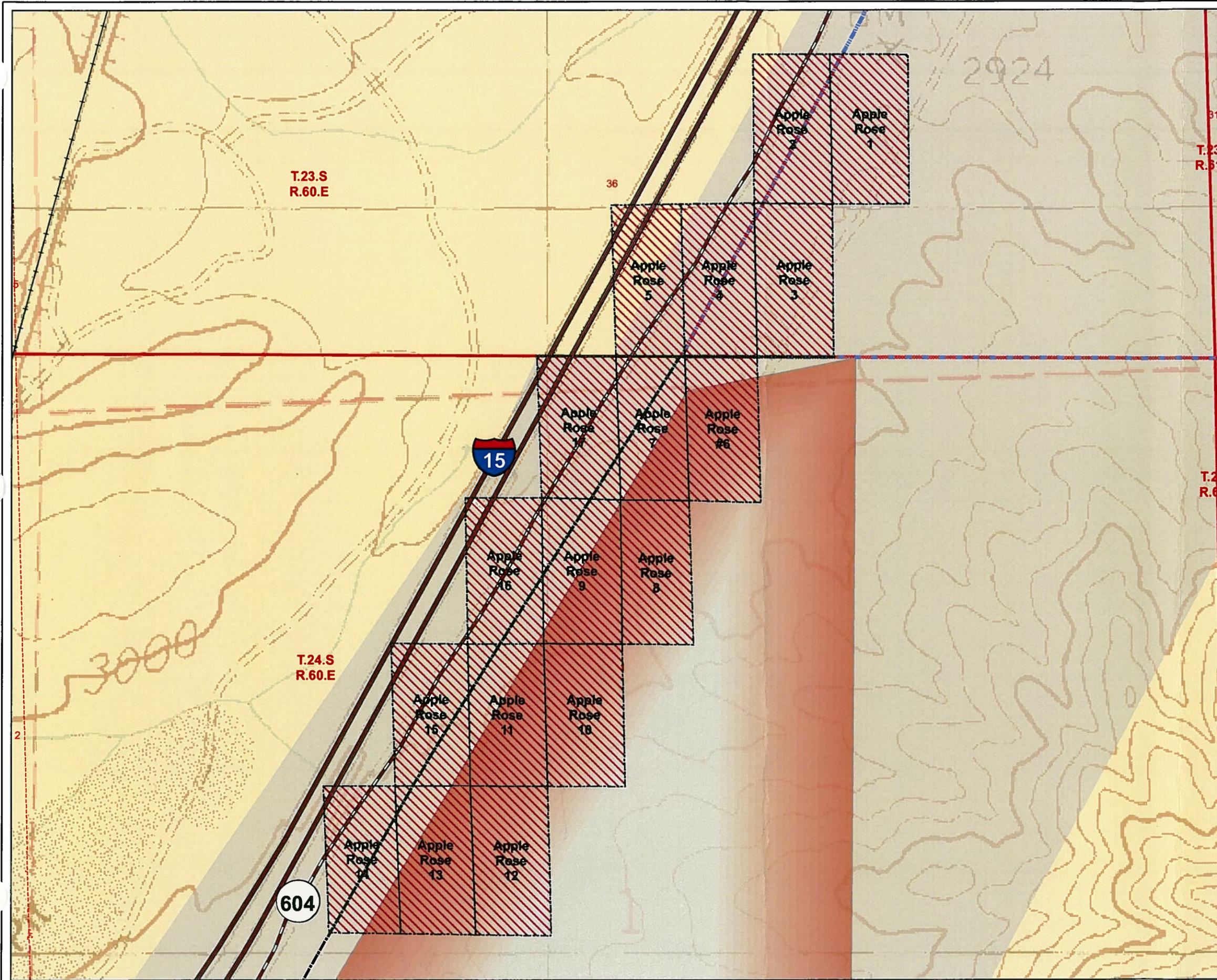


United States Department of the Interior
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Apple Rose Millsite Group

Legal Description



Legend

-  Apple Rose Millsite
-  East ROW Boundary
-  Railroad
- Major Road**
-  Interstate
-  State Highway
-  SNDO Disposal Boundary
-  Proposed heliport site (3-11-2004)
-  Transportation/Utility Corridor
- Land Status**
-  Bureau of Land Management

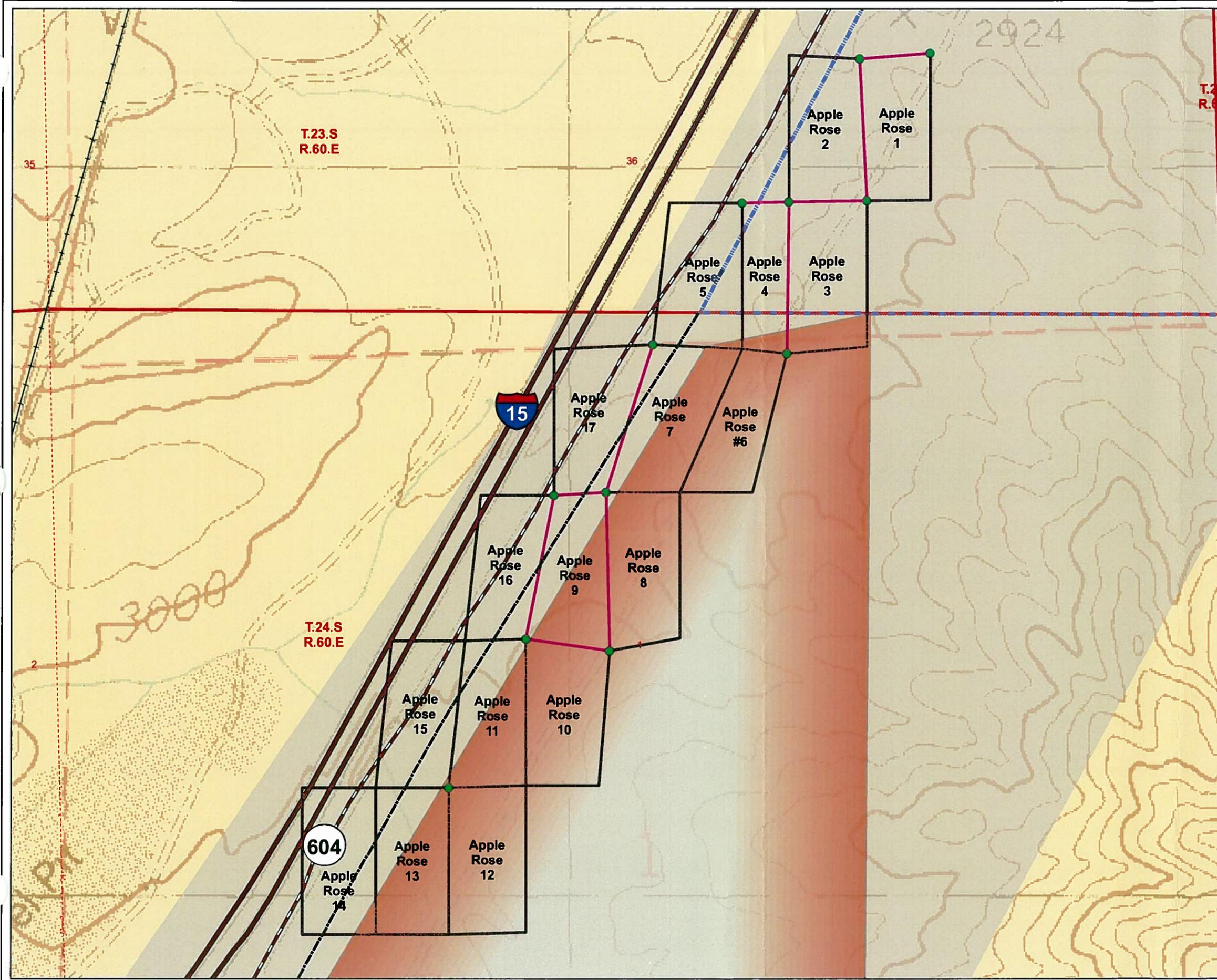


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Apple Rose Millsite Group

Found Location Monument



Legend

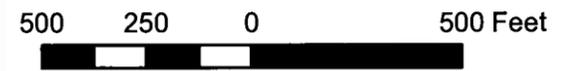
- Found Location Monument
- Interpreted Millsite Boundary Line
- ▭ Millsite Boundary Line
- ▭ Proposed Heliport Site (3-11-2004)
- East ROW Boundary
- +--- Railroad

Major Road

- Interstate
- State Highway
- ▭ SNDO Disposal Boundary
- ▭ Transportation/Utility Corridor

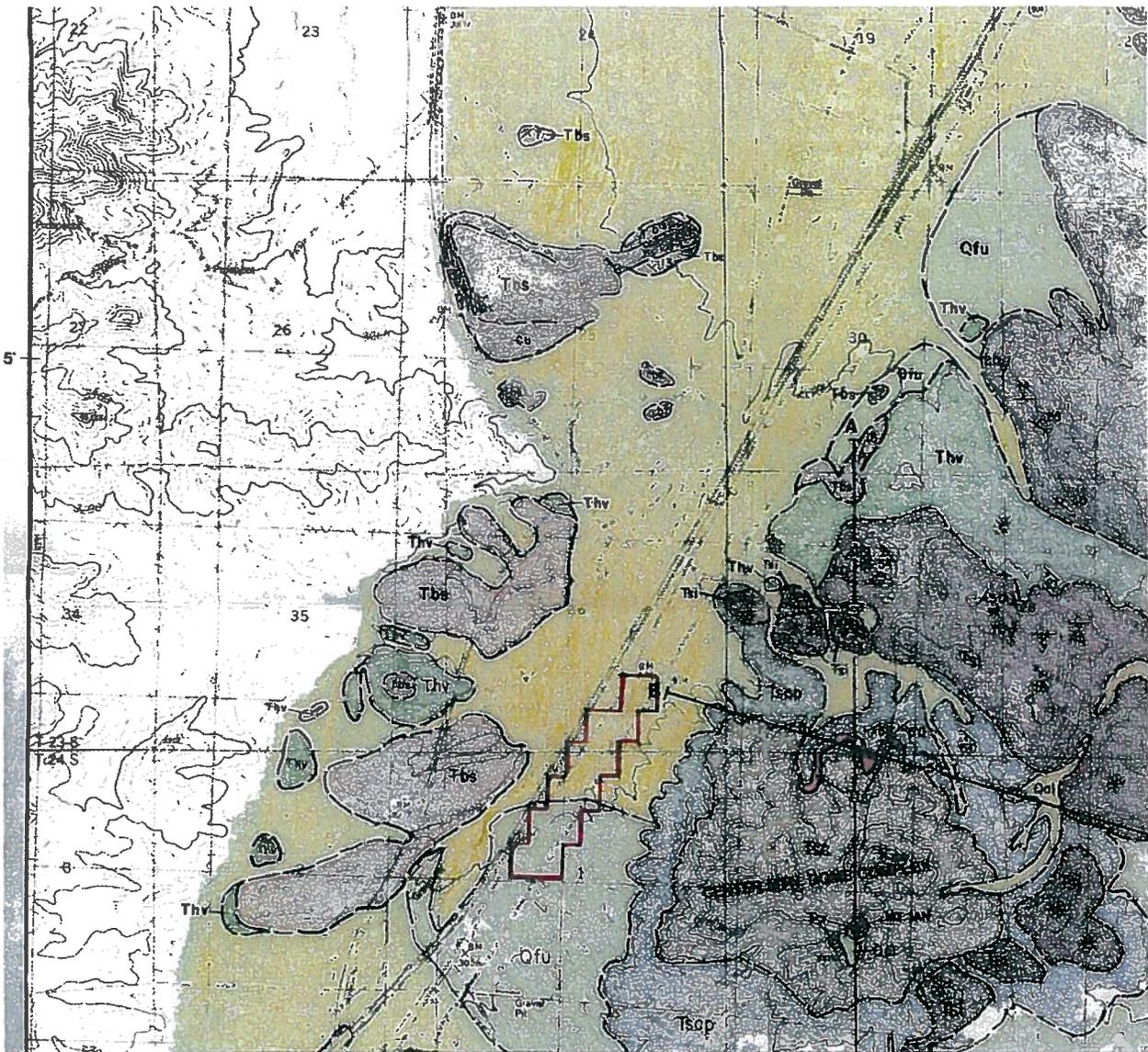
Land Status

- ▭ Bureau of Land Management



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GEOLOGIC MAP OF THE APPLE ROSE CLAIM AREA

(From Bridwell, 1991)

↑ North

1 in. = 2000 ft

 Outline of Apple Rose Millsite Claims

MAP UNITS

Qal – Alluvium: Recent, non-indurated, silt, sand, and gravel in seasonal drainages

Qfu – Unconsolidated Fan Deposits: Non-indurated, poorly sorted, sand to boulder-size material with caliche lenses.

SLOAN VOLCANICS

Tsc – Center Mountain Dacite: Dacite domes and flows

Tscp – Cinder Prospect Member: Brecciated dacite flows, ash-flows, and vitrophyres

PRE-SLOAN VOLCANIC ROCKS

Thv – Hidden Valley Volcanics: Basalt and andesite domes and flows

Tbs – Tuff of Bridge Spring: Pink, welded, rhyolite to dacite, ash flow tuffs

One Hundred Seventh Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
the twenty-third day of January, two thousand and two*

An Act

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clark County Conservation of Public Land and Natural Resources Act of 2002".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.
- Sec. 4. Authorization of appropriations.

**TITLE I—RED ROCK CANYON NATIONAL CONSERVATION AREA LAND
EXCHANGE AND BOUNDARY ADJUSTMENT**

- Sec. 101. Short title.
- Sec. 102. Definitions.
- Sec. 103. Findings and purposes.
- Sec. 104. Red Rock Canyon land exchange.
- Sec. 105. Status and management of lands.
- Sec. 106. General provisions.

TITLE II—WILDERNESS AREAS

- Sec. 201. Findings.
- Sec. 202. Additions to National Wilderness Preservation System.
- Sec. 203. Administration.
- Sec. 204. Adjacent management.
- Sec. 205. Military overflights.
- Sec. 206. Native American cultural and religious uses.
- Sec. 207. Release of wilderness study areas.
- Sec. 208. Wildlife management.
- Sec. 209. Wildfire management.
- Sec. 210. Climatological data collection.
- Sec. 211. National Park Service lands.

TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION

- Sec. 301. Transfer of administrative jurisdiction to the United States Fish and Wildlife Service.
- Sec. 302. Transfer of administrative jurisdiction to National Park Service.

**TITLE IV—AMENDMENTS TO THE SOUTHERN NEVADA PUBLIC LAND
MANAGEMENT ACT**

- Sec. 401. Disposal and exchange.

TITLE V—IVANPAH CORRIDOR

- Sec. 501. Interstate Route 15 south corridor.
- Sec. 502. Area of Critical Environmental Concern segregation.

H. R. 5200—2

TITLE VI—SLOAN CANYON NATIONAL CONSERVATION AREA

- Sec. 601. Short title.
- Sec. 602. Purpose.
- Sec. 603. Definitions.
- Sec. 604. Establishment.
- Sec. 605. Management.
- Sec. 606. Sale of Federal parcel.
- Sec. 607. Right-of-way.

TITLE VII—PUBLIC INTEREST CONVEYANCES

- Sec. 701. Definition of map.
- Sec. 702. Conveyance to the University of Nevada at Las Vegas Research Foundation.
- Sec. 703. Conveyance to the Las Vegas Metropolitan Police Department.
- Sec. 704. Conveyance to the City of Henderson for the Nevada State College at Henderson.
- Sec. 705. Conveyance to the City of Las Vegas, Nevada.
- Sec. 706. Sale of Federal parcel.

TITLE VIII—HUMBOLDT PROJECT CONVEYANCE

- Sec. 801. Short title.
- Sec. 802. Definitions.
- Sec. 803. Authority to convey title.
- Sec. 804. Payment.
- Sec. 805. Compliance with other laws.
- Sec. 806. Revocation of withdrawals.
- Sec. 807. Liability.
- Sec. 808. National Environmental Policy Act.
- Sec. 809. Future benefits.

TITLE IX—MISCELLANEOUS PROVISIONS

- Sec. 901. Technical amendments to the Mesquite Lands Act 2001.

SEC. 3. DEFINITIONS.

In this Act:

(1) **AGREEMENT.**—The term “Agreement” means the Agreement entitled “Interim Cooperative Management Agreement Between the United States of the Interior Bureau of Land Management and Clark County”, dated November 4, 1992.

(2) **COUNTY.**—The term “County” means Clark County, Nevada.

(3) **SECRETARY.**—The term “Secretary” means—

(A) the Secretary of Agriculture with respect to land in the National Forest System; or

(B) the Secretary of the Interior, with respect to other Federal land.

(4) **STATE.**—The term “State” means the State of Nevada.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There is authorized such sums as may be necessary to carry out this Act.

TITLE I—RED ROCK CANYON NATIONAL CONSERVATION AREA LAND EXCHANGE AND BOUNDARY ADJUSTMENT

SEC. 101. SHORT TITLE.

This title may be cited as the “Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002”.

SEC. 102. DEFINITIONS.

As used in this title:

(1) CORPORATION.—The term “Corporation” means the Howard Hughes Corporation, an affiliate of the Rouse Company, with its principal place of business at 10000 West Charleston Boulevard, Las Vegas, Nevada.

(2) RED ROCK CANYON.—The term “Red Rock Canyon” means the Red Rock Canyon National Conservation Area, consisting of approximately 195,780 acres of public lands in Clark County, Nevada, specially designated for protection in the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), as depicted on the Red Rock Canyon Map.

(3) RED ROCK CANYON MAP.—The term “Red Rock Canyon Map” means the map entitled “Southern Nevada Public Land Management Act”, dated October 1, 2002.

SEC. 103. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Red Rock Canyon is a natural resource of major significance to the people of Nevada and the United States. It must be protected in its natural state for the enjoyment of future generations of Nevadans and Americans, and enhanced wherever possible.

(2) In 1998, the Congress enacted the Southern Nevada Public Lands Management Act of 1998 (Public Law 105–263), which provided among other things for the protection and enhancement of Red Rock Canyon.

(3) The Corporation owns much of the private land on Red Rock Canyon’s eastern boundary, and is engaged in developing a large-scale master-planned community.

(4) Included in the Corporation’s land holdings are 1,071 acres of high-ground lands at the eastern edge of Red Rock Canyon. These lands were intended to be included in Red Rock, but to date have not been acquired by the United States. The protection of this high-ground acreage would preserve an important element of the western Las Vegas Valley viewshed.

(5) The Corporation has volunteered to forgo development of the high-ground lands, and proposes that the United States acquire title to the lands so that they can be preserved in perpetuity to protect and expand Red Rock Canyon.

(b) PURPOSES.—The purposes of this title are:

(1) To accomplish an exchange of lands between the United States and the Corporation that would transfer certain high-ground lands to the United States in exchange for the transfer of other lands of approximately equal value to the Corporation.

(2) To protect Red Rock Canyon and to expand its boundaries as contemplated by the Bureau of Land Management, as depicted on the Red Rock Canyon Map.

(3) To further fulfill the purposes of the Southern Nevada Public Lands Management Act of 1998 and the Red Rock Canyon National Conservation Area Establishment Act of 1990.

SEC. 104. RED ROCK CANYON LAND EXCHANGE.

(a) ACQUISITION REQUIREMENT.—If the Corporation offers to convey to the United States all right, title, and interest in and to the approximately 1,082 acres of non-Federal land owned by

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the Corporation and depicted on the Red Rock Canyon Map as “Offered Lands proposed addition to the Red Rock Canyon NCA”, the Secretary shall accept such offer on behalf of the United States, and not later than 90 days after the date of the offer, except as otherwise provided in this title, shall make the following conveyances:

(1) To the Corporation, the approximately 998 acres of Federal lands depicted on the Red Rock Canyon Map as “Public land selected for exchange”.

(2) To Clark County, Nevada, the approximately 1,221 acres of Federal lands depicted on the Red Rock Canyon Map as “Proposed BLM transfer for county park”.

(b) SIMULTANEOUS CONVEYANCES.—Title to the private property and the Federal property to be conveyed pursuant to this section shall be conveyed at the same time.

(c) MAP.—The Secretary shall keep the Red Rock Canyon Map on file and available for public inspection in the Las Vegas District Office of the Bureau of Land Management in Nevada, and the State Office of the Bureau of Land Management, Reno, Nevada.

(d) CONDITIONS.—

(1) HAZARDOUS MATERIALS.—As a condition of the conveyance under subsection (a)(1), the Secretary shall require that the Corporation be responsible for removal of and remediation related to any hazardous materials that are present on the property conveyed to the United States under subsection (a).

(2) SURVEY.—As a condition of the conveyance under subsection (a)(1), the Secretary shall require that not later than 90 days after the date of the offer referred to in subsection (a), the Corporation shall provide a metes and bounds survey, that is acceptable to the Corporation, Clark County, and the Secretary, of the common boundary between the parcels of land to be conveyed under subsection (a).

(3) LANDS CONVEYED TO CLARK COUNTY.—As a condition of the conveyance under subsection (a)(2), the Secretary shall require that—

(A) the lands transferred to Clark County by the United States must be held in perpetuity by the County for use only as a public park or as part of a public regional trail system; and

(B) if the County attempts to transfer the lands or to undertake a use on the lands that is inconsistent with their preservation and use as described in subparagraph (A), such lands shall, at the discretion of the Secretary, revert to the United States.

(e) VALUATION.—

(1) EQUAL VALUE EXCHANGE.—The values of the Federal parcel and the non-Federal parcel, as determined under paragraph (2)—

(A) shall be equal; or

(B) if the values are not equal, shall be equalized in accordance with paragraph (3).

(2) APPRAISAL.—The values of the Federal parcel and the non-Federal parcel shall be determined by an appraisal, to be approved by the Secretary, that complies with the Uniform Standards for Federal Land Acquisitions.

(3) EQUALIZATION.—

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(A) IN GENERAL.—If the value of the non-Federal parcel is less than the value of the Federal parcel—

(i) the Corporation shall make a cash equalization payment to the Secretary; or

(ii) the Secretary shall, as determined to be appropriate by the Secretary and the Corporation, reduce the acreage of the Federal parcel.

(B) DISPOSITION OF PROCEEDS.—The Secretary shall deposit any cash equalization payments received under subparagraph (A)(i) in accordance with section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345).

SEC. 105. STATUS AND MANAGEMENT OF LANDS.

(a) INCLUSION AND MANAGEMENT OF LANDS.—Upon the date of the enactment of this Act, the Secretary shall administer the lands depicted on the Red Rock Map as “Public Lands-proposed addition to the Red Rock Canyon NCA”, exclusive of those lands used for the Corps of Engineers R-4 Detention Basin, as part of Red Rock and in accordance with the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.) and all other applicable laws.

(b) INCLUSION OF ACQUIRED LANDS.—Upon acquisition by the United States of lands under this Act, the Secretary shall—

(1) administer the lands as part of Red Rock and in accordance with the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), the Southern Nevada Public Lands Management Act of 1998 (Public Law 105-263), and all other applicable laws; and

(2) create new maps showing the boundaries of Red Rock as modified or pursuant to this Act, and make such maps available for review at the Las Vegas District Office of the Bureau of Land Management and the State Office of the Bureau of Land Management, Reno, Nevada.

(c) CONFORMING AMENDMENT.—Section 3(a)(2) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc-1(a)(2)) is amended by inserting before the period the following: “, and such additional areas as are included in the conservation area pursuant to the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002”.

SEC. 106. GENERAL PROVISIONS.

(a) REVIEW OF APPRAISAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall complete a review of the appraisal entitled, “Complete Self-Contained Appraisal Red Rock Exchange, Las Vegas, Nevada”, completed on or about June 3, 2002. The difference in appraisal values shall be reimbursed to the Secretary by the Corporation in accordance with the Southern Nevada Public Lands Management Act of 1998.

(b) VALID EXISTING RIGHTS.—The land exchange under this Act shall be subject to valid existing rights. Each party to which property is conveyed under this Act shall succeed to the rights and obligations of the conveying party with respect to any lease, right-of-way, permit, or other valid existing right to which the property is subject.

(c) TECHNICAL CORRECTIONS.—Nothing in this Act prohibits the parties to the conveyances under this Act from agreeing to

the correction of technical errors or omissions in the Red Rock Map.

(d) **WITHDRAWAL OF AFFECTED LANDS.**—To the extent not already accomplished under law or administrative action, the Secretary shall withdraw from operation of the public land and mining laws, subject to valid existing rights—

(1) those Federal lands acquired by the United States under this Act; and

(2) those Federal lands already owned by the United States on the date of enactment of this Act but included within the Red Rock National Conservation Area boundaries by this Act.

TITLE II—WILDERNESS AREAS

SEC. 201. FINDINGS.

The Congress finds that—

(1) public land in the County contains unique and spectacular natural resources, including—

(A) priceless habitat for numerous species of plants and wildlife; and

(B) thousands of acres of pristine land that remain in a natural state;

(2) continued preservation of those areas would benefit the County and all of the United States by—

(A) ensuring the conservation of ecologically diverse habitat;

(B) conserving primitive recreational resources; and

(C) protecting air and water quality.

SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) **ADDITIONS.**—The following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

(1) **ARROW CANYON WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 27,530 acres, as generally depicted on the map entitled “Arrow Canyon”, dated October 1, 2002, which shall be known as the “Arrow Canyon Wilderness”.

(2) **BLACK CANYON WILDERNESS.**—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 17,220 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Black Canyon Wilderness”.

(3) **BRIDGE CANYON WILDERNESS.**—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 7,761 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Bridge Canyon Wilderness”.

(4) **ELDORADO WILDERNESS.**—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 31,950 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated

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October 1, 2002, which shall be known as the “Eldorado Wilderness”.

(5) IRETEBA PEAKS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 32,745 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Ireteba Peaks Wilderness”.

(6) JIMBILNAN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 18,879 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Jimbilnan Wilderness”.

(7) JUMBO SPRINGS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 4,631 acres, as generally depicted on the map entitled “Gold Butte”, dated October 1, 2002, which shall be known as the “Jumbo Springs Wilderness”.

(8) LA MADRE MOUNTAIN WILDERNESS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 47,180 acres, as generally depicted on the map entitled “Spring Mountains”, dated October 1, 2002, which shall be known as the “La Madre Mountain Wilderness”.

(9) LIME CANYON WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 23,233 acres, as generally depicted on the map entitled “Gold Butte”, dated October 1, 2002, which shall be known as the “Lime Canyon Wilderness”.

(10) MT. CHARLESTON WILDERNESS ADDITIONS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 13,598 acres, as generally depicted on the map entitled “Spring Mountains”, dated October 1, 2002, which shall be included in the Mt. Charleston Wilderness.

(11) MUDDY MOUNTAINS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of land managed by the Bureau of Land Management, comprising approximately 48,019 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Muddy Mountains Wilderness”.

(12) NELLIS WASH WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 16,423 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Nellis Wash Wilderness”.

(13) NORTH MCCULLOUGH WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 14,763 acres, as generally depicted on the map entitled “McCulloughs”, dated October 1, 2002, which shall be known as the “North McCullough Wilderness”.

(14) PINTO VALLEY WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising

approximately 39,173 acres, as generally depicted on the map entitled “Muddy Mountains”, dated October 1, 2002, which shall be known as the “Pinto Valley Wilderness”.

(15) RAINBOW MOUNTAIN WILDERNESS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 24,997 acres, as generally depicted on the map entitled “Spring Mountains”, dated October 1, 2002, which shall be known as the “Rainbow Mountain Wilderness”.

(16) SOUTH MCCULLOUGH WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 44,245 acres, as generally depicted on the map entitled “McCulloughs”, dated October 1, 2002, which shall be known as the “South McCullough Wilderness”.

(17) SPIRIT MOUNTAIN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 33,518 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Spirit Mountain Wilderness”.

(18) WEE THUMP JOSHUA TREE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 6,050 acres, as generally depicted on the map entitled “McCulloughs”, dated October 1, 2002, which shall be known as the “Wee Thump Joshua Tree Wilderness”.

(b) BOUNDARY.—

(1) LAKE OFFSET.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by Lake Mead, Lake Mohave, or the Colorado River shall be 300 feet inland from the high water line.

(2) ROAD OFFSET.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by a road shall be at least 100 feet from the edge of the road to allow public access.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area designated by subsection (a) with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—Each map and legal description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management, National Park Service, or Forest Service, as applicable.

(d) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas designated in this section are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws;

and

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(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 203. ADMINISTRATION.

(a) **MANAGEMENT.**—Subject to valid existing rights, each area designated as wilderness by this title shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior with respect to lands administered by the Secretary of the Interior.

(b) **LIVESTOCK.**—Within the wilderness areas designated under this title that are administered by the Bureau of Land Management, the grazing of livestock in areas in which grazing is established as of the date of enactment of this Act shall be allowed to continue, subject to such reasonable regulations, policies, and practices that the Secretary considers necessary, consistent with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), including the guidelines set forth in Appendix A of House Report 101-405.

(c) **INCORPORATION OF ACQUIRED LANDS AND INTERESTS.**—Any land or interest in land within the boundaries of an area designated as wilderness by this title that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area within which the acquired land or interest is located.

(d) **WATER RIGHTS.**—

(1) **FINDINGS.**—Congress finds that—

(A) the lands designated as Wilderness by this Act are within the Mojave Desert, are arid in nature, and include ephemeral streams;

(B) the hydrology of the lands designated as wilderness by this Act is locally characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the lands designated as wilderness by this Act are generally not suitable for use or development of new water resource facilities and there are no actual or proposed water resource facilities and no opportunities for diversion, storage, or other uses of water occurring outside such lands that would adversely affect the wilderness or other values of such lands; and

(E) because of the unique nature and hydrology of these desert lands designated as wilderness by this Act and the existence of the Clark County Multi-Species Habitat Conservation Plan it is possible to provide for proper management and protection of the wilderness, perennial springs and other values of such lands in ways different from those used in other legislation.

(2) **STATUTORY CONSTRUCTION.**—

(A) Nothing in this Act shall constitute or be construed to constitute either an express or implied reservation by

the United States of any water or water rights with respect to the lands designated as Wilderness by this Act.

(B) Nothing in this Act shall affect any water rights in the State of Nevada existing on the date of the enactment of this Act, including any water rights held by the United States.

(C) Nothing in this subsection shall be construed as establishing a precedent with regard to any future wilderness designations.

(D) Nothing in this Act shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State of Nevada and other States.

(E) Nothing in this subsection shall be construed as limiting, altering, modifying, or amending the Clark County Multi-Species Habitat Conservation Plan (MSHCP) with respect to the lands designated as Wilderness by this Act including the MSHCP's specific management actions for the conservation of perennial springs.

(3) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of the law of the State of Nevada in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas designated by this Act.

(4) NEW PROJECTS.—

(A) As used in this paragraph, the term “water resource” facility means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures. The term “water resource” facility does not include wildlife guzzlers.

(B) Except as otherwise provided in this Act, on and after the date of the enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the wilderness areas designated by this Act.

SEC. 204. ADJACENT MANAGEMENT.

(a) IN GENERAL.—Congress does not intend for the designation of wilderness in the State pursuant to this title to lead to the creation of protective perimeters or buffer zones around any such wilderness area.

(b) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness designated under this title shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

SEC. 205. MILITARY OVERFLIGHTS.

Nothing in this title restricts or precludes—

- (1) low-level overflights of military aircraft over the areas designated as wilderness by this title, including military overflights that can be seen or heard within the wilderness areas;
- (2) flight testing and evaluation; or

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(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

SEC. 206. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this Act shall be construed to diminish the rights of any Indian Tribe. Nothing in this Act shall be construed to diminish tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

SEC. 207. RELEASE OF WILDERNESS STUDY AREAS.

(a) **FINDING.**—Congress finds that, for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land in the County administered by the Bureau of Land Management and the Forest Service in the following areas have been adequately studied for wilderness designation:

- (1) The Garrett Buttes Wilderness Study Area.
- (2) The Quail Springs Wilderness Study Area.
- (3) The Nellis A, B, C Wilderness Study Area.
- (4) Any portion of the wilderness study areas—

(A) not designated as wilderness by section 202(a); and

(B) designated for release on—

(i) the map entitled “Muddy Mountains” and dated October 1, 2002;

(ii) the map entitled “Spring Mountains” and dated October 1, 2002;

(iii) the map entitled “Arrow Canyon” and dated October 1, 2002;

(iv) the map entitled “Gold Butte” and dated October 1, 2002;

(v) the map entitled “McCullough Mountains” and dated October 1, 2002;

(vi) the map entitled “El Dorado/Spirit Mountain” and dated October 1, 2002; or

(vii) the map entitled “Southern Nevada Public Land Management Act” and dated October 1, 2002.

(b) **RELEASE.**—Except as provided in subsection (c), any public land described in subsection (a) that is not designated as wilderness by this title—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with—

(A) land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(B) existing cooperative conservation agreements.

(c) **RIGHT-OF-WAY GRANT.**—The Secretary shall issue to the State-regulated sponsor of the Centennial Project the right-of-way for the construction and maintenance of two 500-kilovolt electrical transmission lines. The construction shall occur within a 500-foot-wide corridor that is released from the Sunrise Mountains Instant Study Area in the County as depicted on the Southern Nevada Public Land Management Act map, dated October 1, 2002.

SEC. 208. WILDLIFE MANAGEMENT.

(a) **IN GENERAL.**—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas designated by this title.

(b) **MANAGEMENT ACTIVITIES.**—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas designated by this title where consistent with relevant wilderness management plans, in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, including the occasional and temporary use of motorized vehicles, if such use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values and accomplish those purposes with the minimum impact necessary to reasonably accomplish the task.

(c) **EXISTING ACTIVITIES.**—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations, including bighorn sheep, and feral stock, horses, and burros.

(d) **WILDLIFE WATER DEVELOPMENT PROJECTS.**—Subject to subsection (f), the Secretary shall, authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(e) **HUNTING, FISHING, AND TRAPPING.**—The Secretary may designate by regulation areas in consultation with the appropriate State agency (except in emergencies), in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas designated by this title.

(f) **COOPERATIVE AGREEMENT.**—No later than one year after the date of enactment of this Act, the Secretary shall enter into a cooperative agreement with the State of Nevada. The cooperative agreement shall specify the terms and conditions under which the State (including a designee of the State) may use wildlife management activities in the wilderness areas designated by this title.

SEC. 209. WILDFIRE MANAGEMENT.

Consistent with section 4 of the Wilderness Act (16 U.S.C. 1133), nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) to manage wildfires in the wilderness areas designated by this title.

SEC. 210. CLIMATOLOGICAL DATA COLLECTION.

Subject to such terms and conditions as the Secretary may prescribe, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas designated by this title if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

SEC. 211. NATIONAL PARK SERVICE LANDS.

To the extent any of the provisions of this title are in conflict with laws, regulations, or management policies applicable to the National Park Service for Lake Mead National Recreation Area, those laws, regulations, or policies shall control.

**TITLE III—TRANSFERS OF
ADMINISTRATIVE JURISDICTION**

**SEC. 301. TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE
UNITED STATES FISH AND WILDLIFE SERVICE.**

(a) **IN GENERAL.**—Administrative jurisdiction over the land described in subsection (b) is transferred from the Bureau of Land Management to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Range.

(b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (a) is the approximately 26,433 acres of land administered by the Bureau of Land Management as generally depicted on the map entitled “Arrow Canyon” and dated October 1, 2002.

(c) **WILDERNESS RELEASE.**—

(1) Congress finds that the parcel of land described in subsection (b) has been adequately studied for wilderness designation for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

(2) The parcel of land described in subsection (b)—

(A) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with

(i) the National Wildlife Refuge System Administration Act, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd–668ee); and

(ii) existing cooperative conservation agreements.

**SEC. 302. TRANSFER OF ADMINISTRATIVE JURISDICTION TO NATIONAL
PARK SERVICE.**

(a) **IN GENERAL.**—Administrative jurisdiction over the parcel of land described in subsection (b) is transferred from the Bureau of Land Management to the National Park Service for inclusion in the Lake Mead National Recreation Area.

(b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (a) is the approximately 10 acres of Bureau of Land Management land, as depicted on the map entitled “Eldorado/Spirit Mountain” and dated October 1, 2002.

(c) **USE OF LAND.**—The parcel of land described in subsection (b) shall be used by the National Park Service for administrative facilities.

TITLE IV—AMENDMENTS TO THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT

SEC. 401. DISPOSAL AND EXCHANGE.

(a) IN GENERAL.—Section 4 of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2344) is amended—

(1) in the first sentence of subsection (a), by striking “entitled Las Vegas Valley, Nevada, Land Disposal Map, dated April 10, 1997” and inserting “entitled Southern Nevada Public Land Management Act, dated October 1, 2002”; and

(2) in subsection (e)(3)(A)—

(A) in clause (iv)—

(i) by inserting “or regional governmental entity” after “local government”; and

(ii) by striking “and” at the end;

(B) by redesignating clause (v) as clause (vi); and

(C) by inserting after clause (iv) the following:

“(v) up to 10 percent of amounts available, to be used for conservation initiatives on Federal land in Clark County, Nevada, administered by the Department of the Interior or the Department of Agriculture; and”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on January 31, 2003.

(c) WITHDRAWAL.—Subject to valid existing rights, the land designated for disposal in this section is withdrawn from entry and appropriation under the public land laws, location and entry, under the mining laws, and from operation under the mineral leasing and geothermal leasing laws until such times as the Secretary terminates the withdrawal or the lands are patented.

TITLE V—IVANPAH CORRIDOR

SEC. 501. INTERSTATE ROUTE 15 SOUTH CORRIDOR.

(a) MANAGEMENT OF INTERSTATE ROUTE 15 CORRIDOR LAND.—

(1) IN GENERAL.—The Secretary shall manage the land located along the Interstate Route 15 corridor south of the Las Vegas Valley to the border between the States of California and Nevada, generally depicted as Interstate 15 South Corridor on the map entitled “Clark County Conservation of Public Land and Natural Resources Act of 2002” and dated October 1, 2002, in accordance with the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2343) and this section.

(2) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(3) MULTIPLE USE MANAGEMENT.—Subject to any land management designations under the 1998 Las Vegas District Resource Management Plan or the Clark County Multi-Species Conservation Plan, land depicted on the map described in paragraph (1) shall be managed for multiple use purposes.

(4) **TERMINATION OF ADMINISTRATIVE WITHDRAWAL.**—The administrative withdrawal of the land identified as the Interstate 15 South Corridor on the map entitled “Clark County Conservation of Public Land and Natural Resources Act of 2002” and dated October 1, 2002, from mineral entry dated July 23, 1997, and as amended March 9, 1998, as further amended July 2, 2002, is terminated.

(5) **WITHDRAWAL OF LAND.**—Subject to valid existing rights, the corridor described in subsection (b) and the land described in subsection (c)(1) are withdrawn from location and entry under the mining laws, and from operation under the mineral leasing and geothermal leasing laws, until such time as—

(A) the Secretary terminates the withdrawal; or

(B) the corridor or land, respectively, is patented.

(b) **TRANSPORTATION AND UTILITIES CORRIDOR.**—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary, in consultation with the City of Henderson and the County, and in accordance with this section and other applicable laws and subject to valid existing rights, shall establish a 2,640-foot-wide corridor between the Las Vegas valley and the proposed Ivanpah Airport for the placement, on a nonexclusive basis, of utilities and transportation.

(c) **IVANPAH AIRPORT ENVIRONS OVERLAY DISTRICT LAND TRANSFER.**—

(1) **IN GENERAL.**—Subject to paragraph (2) and valid existing rights, on request by the County, the Secretary shall transfer to the County, without consideration, all right, title, and interest of the United States in and to the land identified as Ivanpah Airport noise compatibility area on the map entitled “Clark County Conservation of Public Land and Natural Resources Act of 2002” and dated October 1, 2002.

(2) **CONDITIONS FOR TRANSFER.**—As a condition of the transfer under paragraph (1), the County shall agree—

(A) to manage the transferred land in accordance with section 47504 of title 49, United States Code (including regulations promulgated under that section); and

(B) that if any portion of the transferred land is sold, leased, or otherwise conveyed or leased by the County—

(i) the sale, lease, or other conveyance shall be—

(I) subject to a limitation that requires that any use of the transferred land be consistent with the Agreement and section 47504 of title 49, United States Code (including regulations promulgated under that section); and

(II) for fair market value; and

(ii) of any gross proceeds received by the County from the sale, lease, or other conveyance of the land, the County shall—

(I) contribute 85 percent to the special account established by section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345);

(II) contribute 5 percent to the State for use in the general education program of the State; and

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(III) reserve 10 percent for use by the Clark County Department of Aviation for airport development and noise compatibility programs.

(d) EFFECTIVE DATE.—Subsections (b) and (c) shall not take effect until construction of the Ivanpah Valley Airport is approved in accordance with Public Law 106-362.

SEC. 502. AREA OF CRITICAL ENVIRONMENTAL CONCERN SEGREGATION.

(a) TEMPORARY WITHDRAWAL.—Subject to valid existing rights, any Federal land in an Area of Critical Environmental Concern that is designated for withdrawal under the 1998 Las Vegas Resource Management Plan, and which is not already withdrawn by the effect of this or any other Act, is hereby withdrawn from location, entry, and patent under the mining laws for a period not to exceed five years. The withdrawal shall lapse at the earlier—

(1) five years; or

(2) when the Secretary issues a final decision on each proposed withdrawal.

(b) ADMINISTRATIVE WITHDRAWAL.—The Secretary shall make final decisions on each of the temporary withdrawals described in subsection (a) within five years of the date of enactment of this Act. Such decisions shall be made consistent with the Federal Land Policy and Management Act (43 U.S.C. 1714), and in accordance with the 1998 Las Vegas Resource Management Plan.

(c) MINERAL REPORT.—The mineral reports required by section 204(c)(12) of the Federal Land Policy and Management Act shall be the responsibility of the United States Geological Survey and shall be completed for each of the temporary withdrawals described in subsection (a) within four years of the date of enactment of this Act.

TITLE VI—SLOAN CANYON NATIONAL CONSERVATION AREA

SEC. 601. SHORT TITLE.

This title may be cited as the “Sloan Canyon National Conservation Area Act”.

SEC. 602. PURPOSE.

The purpose of this title is to establish the Sloan Canyon National Conservation Area to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the Conservation Area.

SEC. 603. DEFINITIONS.

In this title:

(1) CONSERVATION AREA.—The term “Conservation Area” means the Sloan Canyon National Conservation Area established by section 604(a).

(2) FEDERAL PARCEL.—The term “Federal parcel” means the parcel of Federal land consisting of approximately 500 acres that is identified as Tract A on the map entitled “Southern

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Nevada Public Land Management Act” and dated October 1, 2002.

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Conservation Area developed under section 605(b).

(4) **MAP.**—The term “map” means the map entitled “Southern Nevada Public Land Management Act” and dated October 1, 2002.

SEC. 604. ESTABLISHMENT.

(a) **IN GENERAL.**—For the purpose described in section 602, there is established in the State a conservation area to be known as the Sloan Canyon National Conservation Area.

(b) **AREA INCLUDED.**—The Conservation Area shall consist of approximately 48,438 acres of public land in the County, as generally depicted on the map.

(c) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to Congress a map and legal description of the Conservation Area.

(2) **EFFECT.**—The map and legal description shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map or legal description.

(3) **PUBLIC AVAILABILITY.**—A copy of the map and legal description shall be on file and available for public inspection in the appropriate office of the Bureau of Land Management.

SEC. 605. MANAGEMENT.

(a) **IN GENERAL.**—The Secretary, acting through the Director of the Bureau of Land Management, shall manage the Conservation Area—

(1) in a manner that conserves, protects, and enhances the resources of the Conservation Area; and

(2) in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) other applicable law, including this Act.

(b) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the State, the city of Henderson, the County, and any other interested persons, shall develop a management plan for the Conservation Area.

(2) **REQUIREMENTS.**—The management plan shall—

(A) describe the appropriate uses and management of the Conservation Area;

(B)(i) authorize the use of motorized vehicles in the Conservation Area—

(I) for installing, repairing, maintaining, and reconstructing water development projects, including guzzlers, that would enhance the Conservation Area by promoting healthy, viable, and more naturally distributed wildlife populations; and

(II) subject to any limitations that are not more restrictive than the limitations on such uses authorized in wilderness areas under section 208; and

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(ii) include or provide recommendations on ways of minimizing the visual impacts of such activities on the Conservation Area;

(C) include a plan for litter cleanup and public lands awareness campaign on public lands in and around the Conservation Area; and

(D) include a recommendation on the location for a right-of-way for a rural roadway to provide the city of Henderson with access to the Conservation Area, in accordance with the application numbered N-65874.

(c) USES.—The Secretary shall allow only such uses of the Conservation Area that the Secretary determines will further the purpose described in section 602.

(d) MOTORIZED VEHICLES.—Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Conservation Area shall be permitted only on roads and trails designated for the use of motorized vehicles by the management plan developed under subsection (b).

(e) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights, all public land in the Conservation Area is withdrawn from—

(A) all forms of entry and appropriation under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) ADDITIONAL LAND.—Notwithstanding any other provision of law, if the Secretary acquires mineral or other interests in a parcel of land within the Conservation Area after the date of enactment of this Act, the parcel is withdrawn from operation of the laws referred to in paragraph (1) on the date of acquisition of the land.

(f) HUNTING, FISHING, AND TRAPPING.—

(1) IN GENERAL.—Nothing in this title affects the jurisdiction of the State with respect to fish and wildlife, including hunting, fishing, and trapping in the Conservation Area.

(2) LIMITATIONS.—

(A) REGULATIONS.—The Secretary may designate by regulation areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Conservation Area.

(B) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency before promulgating regulations under subparagraph (A) that close a portion of the Conservation Area to hunting, fishing, or trapping.

(g) NO BUFFER ZONES.—

(1) IN GENERAL.—The establishment of the Conservation Area shall not create an express or implied protective perimeter or buffer zone around the Conservation Area.

(2) PRIVATE LAND.—If the use of, or conduct of an activity on, private land that shares a boundary with the Conservation Area is consistent with applicable law, nothing in this title concerning the establishment of the Conservation Area shall prohibit or limit the use or conduct of the activity.

SEC. 606. SALE OF FEDERAL PARCEL.

(a) **IN GENERAL.**—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713) and subject to valid existing rights, not later than 1 year after the date of enactment of this Act, the Secretary shall convey to the highest qualified bidder all right, title, and interest of the United States in and to the Federal parcel.

(b) **DISPOSITION OF PROCEEDS.**—Of the gross proceeds from the conveyance of land under subsection (a)—

(1) 5 percent shall be available to the State for use in the general education program of the State; and

(2) the remainder shall be deposited in the special account established under the Southern Nevada Public Lands Management Act of 1998 (Public Law 105–263; 112 Stat. 2345), to be available to the Secretary, without further appropriation for—

(A) the construction and operation of facilities to support the management of the Conservation Area;

(B) the construction and repair of trails and roads in the Conservation Area authorized under the management plan;

(C) research on and interpretation of the archaeological and geological resources of the Conservation Area;

(D) conservation and research relating to the Conservation Area; and

(E) any other purpose that the Secretary determines to be consistent with the purpose described in section 602.

SEC. 607. RIGHT-OF-WAY.

Not later than 180 days after the date of enactment of this Act, the Secretary shall convey to the City of Henderson the public right-of-way requested for public trail purposes under the application numbered N–76312 and the public right-of-way requested for public trail purposes under the application numbered N–65874.

TITLE VII—PUBLIC INTEREST CONVEYANCES

SEC. 701. DEFINITION OF MAP.

In this title, the term “map” means the map entitled “Southern Nevada Public Land Management Act” and dated October 1, 2002.

SEC. 702. CONVEYANCE TO THE UNIVERSITY OF NEVADA AT LAS VEGAS RESEARCH FOUNDATION.

(a) **FINDINGS AND PURPOSES.**—

(1) **FINDINGS.**—Congress finds that—

(A) the University of Nevada, Las Vegas, needs land in the greater Las Vegas area to provide for the future growth of the university;

(B) the proposal by the University of Nevada, Las Vegas, for construction of a research park and technology center in the greater Las Vegas area would enhance the high tech industry and entrepreneurship in the State; and

(C) the land transferred to the Clark County Department of Aviation under section 4(g) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2346)

is the best location for the research park and technology center.

(2) PURPOSES.—The purposes of this section are—

(A) to provide a suitable location for the construction of a research park and technology center in the greater Las Vegas area;

(B) to provide the public with opportunities for education and research in the field of high technology; and

(C) to provide the State with opportunities for competition and economic development in the field of high technology.

(b) TECHNOLOGY RESEARCH CENTER.—

(1) CONVEYANCE.—Notwithstanding section 4(g)(4) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2347), the Clark County Department of Aviation may convey, without consideration, all right, title, and interest in and to the parcel of land described in paragraph (3) to the University of Nevada at Las Vegas Research Foundation (referred to in this section as “Foundation”) for the development of a technology research center.

(2) CONDITION.—The conveyance under paragraph (1) shall be subject to the condition that the Foundation enter into an agreement that if the land described in paragraph (3) is sold, leased, or otherwise conveyed by the Foundation.

(A) the Foundation shall sell, lease, or otherwise convey the land for fair market value;

(B) the Foundation shall contribute 85 percent of the gross proceeds from the sale, lease, or conveyance of the land to the special account;

(C) with respect to land identified on the map entitled “Las Vegas Valley, Nevada, Land Sales Map”, numbered 7306A, and dated May 1980, the proceeds from the sale, lease, or conveyance of the land identified on the map contributed to the special account by the Foundation under subparagraph (B) shall be used by the Secretary of Agriculture to acquire environmentally sensitive land in the Lake Tahoe Basin under section 3 of Public Law 96-586 (94 Stat. 3383);

(D) the Foundation shall contribute 5 percent of the gross proceeds from the sale, lease, or conveyance of the land to the State of Nevada for use in the general education program of the State; and

(E) the remainder of the gross proceeds from the sale, lease, or conveyance of the land shall be available for use by the Foundation.

(3) DESCRIPTION OF LAND.—The parcel of land referred to in paragraph (1) is the parcel of Clark County Department of Aviation land—

(A) consisting of approximately 115 acres; and

(B) located in the SAW $\frac{1}{4}$ of section 33, T. 21 S., R. 60 E., Mount Diablo Base and Meridian.

SEC. 703. CONVEYANCE TO THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT.

The Secretary shall convey to the Las Vegas Metropolitan Police Department, without consideration, all right, title, and interest

in and to the parcel of land identified as "Tract F" on the map for use as a shooting range.

SEC. 704. CONVEYANCE TO THE CITY OF HENDERSON FOR THE NEVADA STATE COLLEGE AT HENDERSON.

(a) DEFINITIONS.—In this section:

(1) CHANCELLOR.—The term "Chancellor" means the Chancellor of the University system.

(2) CITY.—The term "City" means the city of Henderson, Nevada.

(3) COLLEGE.—The term "College" means the Nevada State College at Henderson.

(4) SURVEY.—The term "survey" means the land survey required under Federal law to define the official metes and bounds of the parcel of Federal land identified as "Tract H" on the map.

(5) UNIVERSITY SYSTEM.—The term "University system" means the University and Community College System of Nevada.

(b) CONVEYANCE.—

(1) IN GENERAL.—Notwithstanding the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and section 1(c) of the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869(c)), not later than 180 days after the date on which the survey is approved, the Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the parcel of Federal land identified as "Tract H" on the map for use as a campus for the College.

(2) CONDITIONS.—

(A) IN GENERAL.—As a condition of the conveyance under paragraph (1), the Chancellor and the City shall agree in writing—

(i) to pay any administrative costs associated with the conveyance, including the costs of any environmental, wildlife, cultural, or historical resources studies;

(ii) to use the Federal land conveyed for educational and recreational purposes;

(iii) to release and indemnify the United States from any claims or liabilities which may arise from uses that are carried out on the Federal land on or before the date of enactment of this Act by the United States or any person;

(iv) as soon as practicable after the date of the conveyance under paragraph (1), to erect at the College an appropriate and centrally located monument that acknowledges the conveyance of the Federal land by the United States for the purpose of furthering the higher education of citizens in the State; and

(v) to assist the Bureau of Land Management in providing information to the students of the College and the citizens of the State on—

(I) public land in the State; and

(II) the role of the Bureau of Land Management in managing, preserving, and protecting the public land.

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(B) VALID EXISTING RIGHTS.—The conveyance under paragraph (1) shall be subject to all valid existing rights.

(3) USE OF FEDERAL LAND.—

(A) IN GENERAL.—The College and the City may use the land conveyed under paragraph (1) for—

(i) any purpose relating to the establishment, operation, growth, and maintenance of the College; and

(ii) any uses relating to such purposes, including residential and commercial development that would generally be associated with an institution of higher education.

(B) OTHER ENTITIES.—The College and the City may—

(i) consistent with Federal and State law, lease or otherwise provide property or space at the College, with or without consideration, to religious, public interest, community, or other groups for services and events that are of interest to the College, the City, or any community located in the Las Vegas Valley;

(ii) allow the City or any other community in the Las Vegas Valley to use facilities of the College for educational and recreational programs of the City or community; and

(iii) in conjunction with the City, plan, finance, (including the provision of cost-share assistance), construct, and operate facilities for the City on the Federal land conveyed for educational or recreational purposes consistent with this section.

(4) REVERSION.—If the Federal land or any portion of the Federal land conveyed under paragraph (1) ceases to be used for the College, the Federal land or any portion of the Federal land shall, at the discretion of the Secretary, revert to the United States.

SEC. 705. CONVEYANCE TO THE CITY OF LAS VEGAS, NEVADA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means the city of Las Vegas, Nevada.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) CONVEYANCE.—The Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the parcels of land identified as “Tract C” and “Tract D” on the map.

(c) REVERSION.—If a parcel of land conveyed to the City under subsection (b) ceases to be used for affordable housing or for a purpose related to affordable housing, the parcel shall, at the discretion of the Secretary, revert to the United States.

SEC. 706. SALE OF FEDERAL PARCEL.

(a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713) and subject to valid existing rights, the Secretary shall convey as a single parcel to the highest qualified bidder all right, title, and interest of the United States in and to approximately 360 acres that is identified as the North Half (N½) of Section 7, Township 23 South, Range 61 East, M.D.B.&M., Clark County, Nevada and the Northeast Quarter (NE¼) of the Southeast

Quarter (SE¹/₄) of Section 7, Township 23 South, Range 61 East, M.D.M., Clark County, Nevada.

(b) DISPOSITION OF PROCEEDS.—The proceeds from the conveyance of the lands described in subsection (a) shall be deposited in accordance with section 4(e)(1) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345).

TITLE VIII—HUMBOLDT PROJECT CONVEYANCE

SEC. 801. SHORT TITLE.

This title may be cited as the “Humboldt Project Conveyance Act”.

SEC. 802. DEFINITIONS.

For purposes of this title:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) STATE.—The term “State” means the State of Nevada.

(3) PCWCD.—The term “PCWCD” means the Pershing County Water Conservation District, a public entity organized under the laws of the State of Nevada.

(4) PERSHING COUNTY.—The term “Pershing County” means the Pershing County government, a political subunit of the State of Nevada.

(5) LANDER COUNTY.—The term “Lander County” means the Lander County government, a political subunit of the State of Nevada.

SEC. 803. AUTHORITY TO CONVEY TITLE.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act and in accordance with all applicable law, the Secretary shall convey all right, title, and interest in and to the lands and features of the Humboldt Project, as generally depicted on the map entitled the “Humboldt Project Conveyance Act”, and dated July 3, 2002, including all water rights for storage and diversion, to PCWCD, the State, Pershing County, and Lander County, consistent with the terms and conditions set forth in the Memorandum of Agreement between PCWCD and Lander County dated January 24, 2000, the Conceptual Agreement between PCWCD and the State dated October 18, 2001, the Letter of Agreement between Pershing County and the State dated April 16, 2002, and any agreements between the Bureau of Reclamation and PCWCD.

(b) MAP.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a map of the Humboldt Project Conveyance. In case of a conflict between the map referred to in subsection (a) and the map submitted by the Secretary, the map referred to in subsection (b) shall control. The map shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in such map and legal description. Copies of the map shall be on file and available for public inspection in the Office of the Commissioner of the Bureau of Reclamation and in the Office of the Area Manager of the Bureau of Reclamation in Carson City, Nevada.

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(c) **COMPLIANCE WITH AGREEMENTS.**—All parties to the conveyance under subsection (a) shall comply with the terms and conditions of the agreements cited in subsection (a).

(d) **REPORT.**—If the conveyance required by this section has not been completed within 18 months after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate that describes—

- (1) the status of the conveyance;
- (2) any obstacles to completion of the conveyance; and
- (3) the anticipated date for completion of the conveyance.

SEC. 804. PAYMENT.

(a) **IN GENERAL.**—As consideration for any conveyance required by section 803, PCWCD shall pay to the United States the net present value of miscellaneous revenues associated with the lands and facilities to be conveyed.

(b) **WITHDRAWN LANDS.**—As consideration for any conveyance of withdrawn lands required by section 803, the entity receiving title shall pay the United States (in addition to amounts paid under subsection (a)) the fair market value for any such lands conveyed that were withdrawn from the public domain pursuant to the Secretarial Orders dated March 16, 1934, and April 6, 1956.

(c) **ADMINISTRATIVE COSTS.**—Administrative costs for conveyance of any land or facility under this title shall be paid in equal shares by the Secretary and the entity receiving title to the land or facility, except costs identified in subsections (d) and (e).

(d) **REAL ESTATE TRANSFER COSTS.**—As a condition of any conveyance of any land or facility required by section 803, costs of all boundary surveys, title searches, cadastral surveys, appraisals, maps, and other real estate transactions required for the conveyance shall be paid by the entity receiving title to the land or facility.

(e) **NEPA COSTS.**—Costs associated with any review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for conveyance of any land or facility under section 803 shall be paid in equal shares by the Secretary and the entity receiving title to the land or facility.

(f) **STATE OF NEVADA.**—The State shall not be responsible for any payments under this section. Any proposal by the State to reconvey to another entity land conveyed by the Secretary under this title shall be pursuant to an agreement with the Secretary providing for fair market value to the United States for the lands, and for continued management of the lands for recreation, wildlife habitat, wetlands, or resource conservation.

SEC. 805. COMPLIANCE WITH OTHER LAWS.

Following the conveyance required by section 803, the district, the State, Pershing County, and Lander County shall, with respect to the interests conveyed, comply with all requirements of Federal, State, and local law applicable to non-Federal water distribution systems.

SEC. 806. REVOCATION OF WITHDRAWALS.

Effective on the date of the conveyance required by section 803, the Secretarial Orders dated March 16, 1934, and April 6, 1956, that withdrew public lands for the Rye Patch Reservoir and the Humboldt Sink, are hereby revoked.

SEC. 807. LIABILITY.

Effective on the date of the conveyance required by section 803, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the Humboldt Project, except for damages caused by acts of negligence committed by the United States or by its employees or agents prior to the date of conveyance. Nothing in this section shall be considered to increase the liability of the United States beyond that currently provided in chapter 171 of title 28, United States Code, popularly known as the "Federal Tort Claims Act".

SEC. 808. NATIONAL ENVIRONMENTAL POLICY ACT.

Prior to any conveyance under this title, the Secretary shall complete all actions as may be required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and all other applicable laws.

SEC. 809. FUTURE BENEFITS.

Upon conveyance of the lands and facilities by the Secretary under this title, the Humboldt Project shall no longer be a Federal reclamation project and the district shall not be entitled to receive any future reclamation benefits with respect to that project, except those benefits that would be available to other nonreclamation districts.

TITLE IX—MISCELLANEOUS PROVISIONS

**SEC. 901. TECHNICAL AMENDMENTS TO THE MESQUITE LANDS ACT
2001.**

Section 3 of Public Law 99-548 (100 Stat. 3061; 110 Stat. 3009-202) is amended—

(1) in subsection (d), by adding at the end the following:

"(3) **USE OF PROCEEDS.**—The proceeds of the sale of each parcel completed after the date of enactment of this subsection shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and shall be available for use by the Secretary—

"(A) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this section;

"(B) for the development of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada, including any associated groundwater monitoring plan; and

"(C) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

"(4) **TIMING.**—Not later than 90 days after the date of enactment of this section, the Secretary shall complete the sale of any parcel authorized to be conveyed pursuant to this section and for which the Secretary has received notification from the city under paragraph (1)."; and

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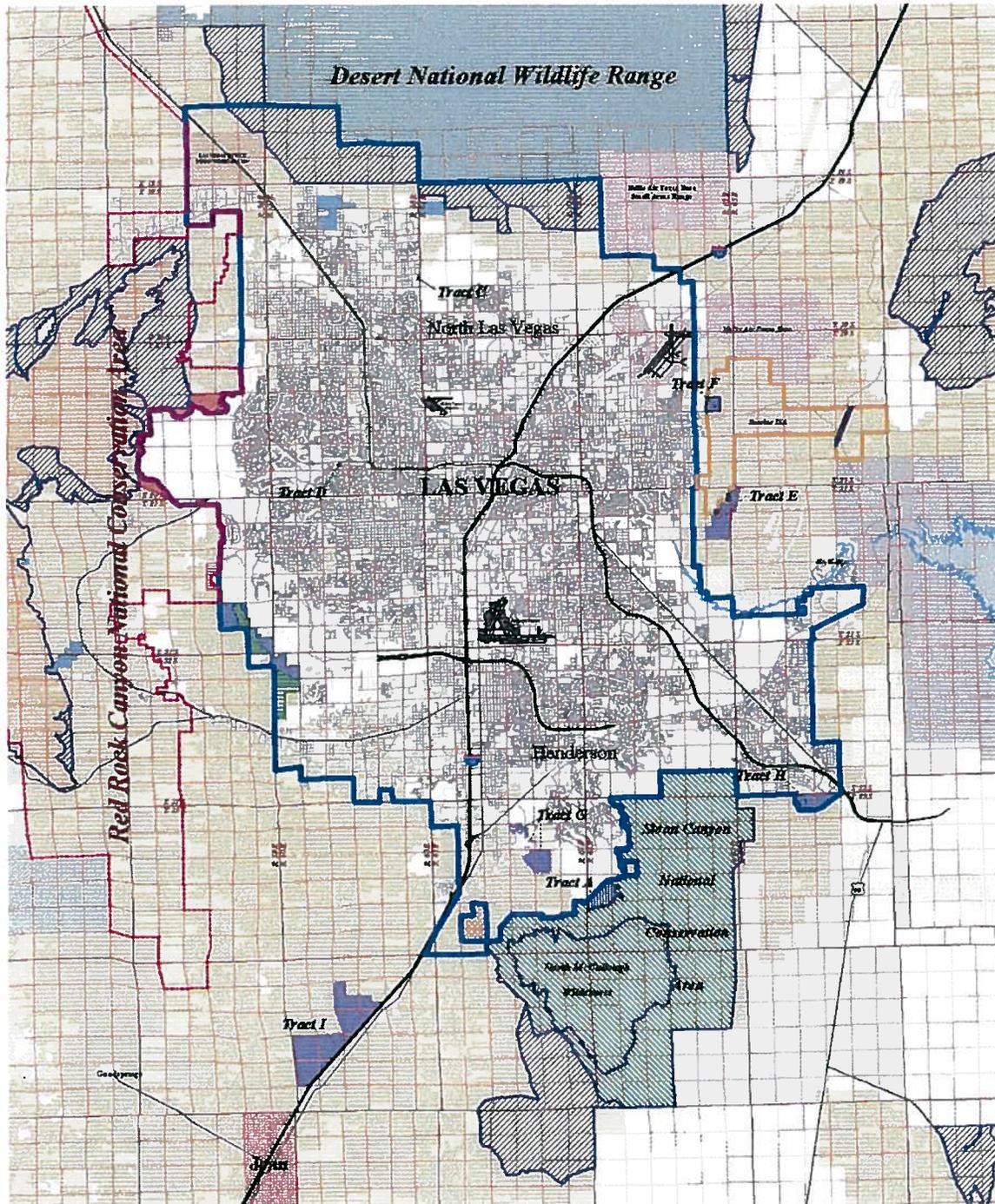
(2) in subsection (f)(2)(B), by adding at the end the following:
“(v) Sec. 7.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

Southern Nevada Public Land Management Act

This map prepared at the request of Senator Harry Reid and Senator John Ensign



Legislative Proposal		Land Status		Hughes Corp. Exchange/Sale Proposal		Roads	
	Proposed BLM National Conservation Area		Bureau of Reclamation		Offered lands-proposed addition to the Red Rock Canyon NCA		Interstate Highway
	Las Vegas Airport noise compatibility area		Desert National Wildlife Range		Proposed BLM transfer for County Park		U.S. Route
	Proposed BLM Wilderness		Humboldt-Toiyabe National Forest		Public land selected for exchange		State Route
	Proposed for Release		Indian Reservation				County road
	Tract A		Lake Mead National Recreation Area				Streets
	Tract B		Nellis Air Force Base				
	Tract C		Private				
	Tract D		Public land				
	Tract E		State of Nevada				
	Tract F						
	Tract G						
	Tract H						

This map has been provided for public review by the BLM at the request of Senators Harry Reid and John Ensign. If you have any questions about the map or the legislation, please contact:
 Kai Anderson/Peter Mall Office of Senator Reid (202) 224-3542
 John Lopez Office of Senator Ensign (202) 224-6244

Appendix 10 Note:

Public Law 109-115: Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriation Act, 2006, is 2,395 pages in length. We have only included those pages of the Public Law that pertain to the heliport facility.

PUBLIC LAW 109-115—NOV. 30, 2005

TRANSPORTATION, TREASURY, HOUSING
AND URBAN DEVELOPMENT, THE JUDICIARY,
THE DISTRICT OF COLUMBIA, AND
INDEPENDENT AGENCIES APPROPRIATIONS
ACT, 2006

to as the Federal Tort Claims Act) and any other Federal tort liability statute shall not apply to an employee who is assigned to a contractor under subsection (a).

SEC. 180. (a) In this section:

(1) The term "Conservation Area" means the Sloan Canyon National Conservation Area established by section 604(a) of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (116 Stat. 2010).

(2) The term "County" means Clark County, Nevada.

(3)(A) The term "helicopter tour" means a commercial helicopter tour operated for profit.

(B) The term "helicopter tour" does not include a helicopter tour that is carried out to assist a Federal, State, or local agency.

(4) The term "Secretary" means the Secretary of the Interior.

(5) The term "Wilderness" means the North McCullough Mountains Wilderness established by section 202(a)(13) of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (116 Stat. 2000).

(b) As soon as practicable after the date of enactment of this Act, the Secretary shall convey to the County, subject to valid existing rights, for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (c).

(c) The parcel of land to be conveyed under subsection (b) is the parcel of approximately 229 acres of land depicted as tract A on the map entitled "Clark County Public Heliport Facility" and dated May 3, 2004.

(d)(1) The parcel of land conveyed under subsection (b)—

(A) shall be used by the County for the operation of a heliport facility under the conditions stated in paragraphs (2), (3), and (4); and

(B) shall not be disposed of by the County.

(2)(A) Any operator of a helicopter tour originating from or concluding at the parcel of land described in subsection (c) shall pay to the Clark County Department of Aviation a \$3 conservation fee for each passenger on the helicopter tour if any portion of the helicopter tour occurs over the Conservation Area.

(B)(i) Not earlier than 10 years after the date of enactment of this Act and every 10 years thereafter, the Secretary shall conduct a review to determine whether to raise the amount of the conservation fee.

(ii) After conducting a review under clause (i) and providing an opportunity for public comment, the Secretary may raise the amount of the conservation fee in an amount determined to be appropriate by the Secretary, but by not more than 50 percent of the amount of the conservation fee in effect on the day before the date of the increase.

(3)(A) The amounts collected under paragraph (2) shall be deposited in a special account in the Treasury of the United States.

(B) Of the amounts deposited under subparagraph (A)—

(i) $\frac{2}{3}$ of the amounts shall be available to the Secretary, without further appropriation, for the management of cultural, wildlife, and wilderness resources on public land in the State of Nevada; and

Deadlines.
Fees.

Public comment.

(ii) $\frac{1}{3}$ of the amounts shall be available to the Director of the Bureau of Land Management, without further appropriation, for the conduct of Bureau of Land Management operations for the Conservation Area and the Red Rock Canyon National Conservation Area.

(4)(A) Except for safety reasons, any helicopter tour originating or concluding at the parcel of land described in subsection (c) that flies over the Conservation Area shall not fly—

(i) over any area in the Conservation Area except the area that is between 3 and 5 miles north of the latitude of the southernmost boundary of the Conservation Area;

(ii) lower than 1,000 feet over the eastern segments of the boundary of the Conservation Area; or

(iii) lower than 500 feet over the western segments of the boundary of the Conservation Area.

Regulations.

(B) The Administrator of the Federal Aviation Administration shall establish a special flight rules area and any operating procedures that the Administrator determines to be necessary to implement subparagraph (A).

(5) If the County ceases to use any of the land described in subsection (c) for the purpose described in paragraph (1)(A) and under the conditions stated in paragraph (2)—

(A) title to the parcel shall revert to the United States, at the option of the United States; and

(B) the County shall be responsible for any reclamation necessary to revert the parcel to the United States.

(e) The Secretary shall require, as a condition of the conveyance under subsection (b), that the County pay the administrative costs of the conveyance, including survey costs and any other costs associated with the transfer of title.

SEC. 181. The first sentence of section 29(c) of the International Air Transportation Competition Act of 1979 (Public Law 96-192; 94 Stat. 48) is amended by inserting "Missouri," before "and Texas".

SEC. 182. Notwithstanding any other provision of law, none of the funds provided in or limited by this Act may be obligated or expended to provide a budget justification for fiscal year 2007 concurrently with the President's annual budget submission to Congress under section 1105(a) of title 31, United States Code, to any congressional committee other than the House and Senate Committees on Appropriations prior to May 31, 2006.

SEC. 183. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, said reprogramming action shall be approved or denied solely by the Committees on Appropriations: *Provided*, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 184. Notwithstanding any other provision of law, the projects numbered 5094 and 5096 in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59; 119 Stat. 1144) shall be subject to section 120(c) of title 23, United States Code.

TOWNSHIP 23 SOUTH RANGE 60 E. OF THE MOUNT DIABLO MERIDIAN, NEVADA

SECTION	SUBDIVISION				ACRES	KIND OF ENTRY OR PURPOSE OF ORDER	SERIAL FILE OR ORDER NUMBER	DATE OF ACTION	DATE POSTED	REMARKS - E. G. DATE CLOSED, TERMINATED, REJECTED OR RECORDED
	NE 1/4	NW 1/4	SW 1/4	SE 1/4						
9										
16										
21										
22					2550.00	06 Per	CC 015284	7/13/1937		Canc 3/4/1942
23					640.00					
24					640.00	06 Per	CC 015285	7/13/1937		Canc 12/24/1941
3					654.04	06 Per	CC 015282	2/21/1938		Canc 3/4/1942
4					654.04	R/W Pats Line	CC 017357	5/17/1978 8:00 AM		Rel This To 4/14/1978
36					654.76	06 Per	CC 018120	8/14/1934		Term 7/31/1937
19					657.32	06 Per	CC 018121	8/14/1934		Term 7/31/1937
1										
31										
32										
33										
34					2553.36	06 Per	CC 018123	8/14/1934		Term 7/31/1937
36					626.37	R/W	CC 019435	2/12/1936		
7					626.37	06 Per	CC 018117	4/26/1937		Canc 9/30/1940
8					623.07	06 Per	CC 018119	4/26/1937		Canc 8/31/1939
4					317.66	06 Les	CC 021328	7/1/1943		Partially Asgn; Canc 9/23/1946
5					319.13	06 Les	CC 021330	8/1/1943		Canc 7/31/1948
4					318.28	06 Les	CC 021339	9/1/1943		Canc 8/31/1948
3					654.04	06 Les	CC 021356	9/1/1943		Canc 8/31/1948
14					640.00	06 Les	CC 021382	9/1/1943		Canc 3/29/1949
1					320.00	06 Les	CC 021383	10/1/1943		Canc 9/30/1948
12					320.00	06 Les	CC 021387	10/1/1943		Canc 9/30/1948
15					640.00	06 Les	CC 021400	11/1/1943		Canc 4/18/1949
9					320.00	06 Les	CC 021401	11/1/1943		Partially Asgn; Term 10/31/1949
1					79.33	06 Les	CC 021404	11/1/1943		Canc 4/18/1949
9					320.00	06 Les	CC 021410	11/1/1943		Canc 10/21/1946
2					160.00	06 Les	CC 021360	2/1/1944		Canc 1/10/1947
8					320.00	06 Les	CC 021390	2/1/1944		Canc 4/18/1949
13										
24					1220.00	06 Les	CC 021399	2/1/1944		Canc 4/18/1949
1					80.00	06 Les	CC 021405	2/1/1944		Canc 4/18/1949
21					160.00	06 Les	CC 021417	2/1/1944		Canc 4/18/1949
21					320.00	06 Les	CC 021424	2/1/1944		Canc 1/12/1947
23					160.00	06 Les	CC 021431	2/1/1944		Canc 5/25/1949
6					312.60	06 Les	CC 021432	2/1/1944		Canc 5/25/1949
8					320.00	06 Les	CC 021411	3/1/1944		Term 2/28/1949
5					320.13	06 Les	CC 021331	4/1/1944		Term 3/31/1949
2					316.96	06 Les	CC 021338	4/1/1944		Term 3/31/1949
12					320.00	06 Les	CC 021354	4/1/1944		Partially Asgn; Canc 4/18/1949
33					160.00	06 Les	CC 021419	4/1/1944		Canc 4/18/1949
24					320.00	06 Les	CC 021528	4/1/1944		Canc 12/28/1946
25					320.00	06 Les	CC 021554	4/1/1944		Canc 1/16/1947
23					160.00	06 Les	CC 021604	4/1/1944		Canc 4/18/1949
1					157.99	06 Les	CC 021486	5/1/1944		Canc 4/30/1949
36					320.00	06 Les	CC 021534	5/1/1944		Canc 1/27/1947

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Page 2

TOWNSHIP 23 SOUTH RANGE 60 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

PAGE

SECTION OR TRACT	SUBDIVISION				ACRES	KIND OF ENTRY - OR - PURPOSE OF ORDER	SERIAL FILE - OR - ORDER NUMBER	DATE OF ACTION	DATE POSTED	REMARKS - E. & DATE CLOSED, TERMINATED, REJECTED OR RESCINDED REFER TO INDEX OF MISCELLANEOUS DOCUMENTS
	NE 1/4	NW 1/4	SW 1/4	SE 1/4						
17					5.00	ST Lse	Mer 014248	7/1/1959		Term 6/30/1962
29	X				40.00	00 Lse	Mer 039917 J	7/1/1959		Agm out of Lse Mer 039917 dated 6/1/1956; Term 5/31/1962
33			X		40.00	00 Lse	Mer 039917 K	7/1/1959		Agm out of Lse Mer 039917 dated 6/1/1956; Term 5/31/1962
2				1, 2	77.20	00 Lse	Mer 052971	7/1/1959		Term 6/30/1962
25										
36										
7		X			40.00	00 Lse	Mer 046562	7/20/1959	6/7/1965	Other Trs 245 60E, 235 61E, Prob of Construction filed 7/17/1967
16		X	X		120.00	00 Lse	Mer 039917 L	9/1/1959	6/7/1965	Agm out of Lse Mer 039917 dated 6/1/1956; Term 5/31/1962
21			X	X	120.00	00 Lse	Mer 053041	9/1/1959		Term 8/31/1962
20					640.00	00 Lse	Mer 053167	9/1/1959		Term 8/31/1962
3	X	X	X	X						
9	X	X	X	X						
19	X	X	X	X						
29	X	X	X	X						
31	X	X	X	X	1228.60	00 Lse	Mer 053455	9/1/1959	9/9/1964	Term 8/31/1962
1					280.00	00 Lse	Mer 042734 E	10/1/1959		Agm out of Lse Mer 042734 dated 10/1/1956; Partially Agm; Term 2/20/1962
1					5.00	ST Pat	1201828	11/12/1959		
28					5.00	ST Pat	1201829	11/12/1959		
13	X	X	X	X	640.00	00 Lse	Mer 054918	4/1/1960	6/7/1960	Term 3/31/1968
29	X	X	X	X	450.00	00 Lse	Mer 054918	4/1/1960	6/7/1960	Agm out of Lse Mer 039917 dated 6/1/1956; Term 5/31/1962
29	X	X	X	X	40.00	00 Lse	Mer 039917 H	6/1/1960		Agm out of Lse Mer 039917 dated 6/1/1956; Term 5/31/1962
2					40.00	00 Lse	Mer 039917 H	6/1/1960		Agm out of Lse Mer 039917 dated 6/1/1956; Term 5/31/1962
3										
9										
10										
16										
17										
20										
29										
33										
19			X		36.31	N/A Trans Line	Mer 014242	6/15/1960		Amst. 6/7/1991
29	X	X		X	120.00					
31	X	X	X	X	313.36					
35					40.00	00 Lse	Mer 052386	7/1/1960		Term 6/30/1963
10					640.00	00 Lse	Mer 052900	9/1/1960		Term 8/31/1963
29	X	X			80.00	00 Lse	Mer 042734 F	11/1/1960	10/6/1965	Term 9/30/1966
36				X	40.00	ST Pat	Mer 054555	12/9/1960	11/30 am	Term 3/19/1963
23	X				40.00	00 Lse	Mer 056192	3/1/1961	3/10/1965	Term 2/28/1966
1				11	4.78	ST Pat	1220705	6/19/1961	11:00 am	
1				10	4.20	ST Pat	1220707	6/19/1961		
1				9	4.82	ST Pat	1220708	6/19/1961		
2	X	X	X	X	4.06	ST Pat	1220709	6/19/1961		
11	X	X	X	X	236.96					
12	X	X	X	X	560.00					
12	X	X	X	X	320.00	00 Lse	Mer 058151	3/1/1962	3/27/1965	Partially Agm; Term 2/28/1965
2	X	X	X	X	236.96					
11	X	X	X	X	560.00					
12	X	X	X	X	280.00	00 Lse	Mer 058151 A	3/1/1962		Agm out of Lse Mer 058151 dated 3/1/1962; Re: this Tr 2/16/1965

3
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Page 10

TOWNSHIP 23 SOUTH RANGE 60 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

Sec	Subdivision	Other Desc	Acres	Kind of Entry	Serial or Order Num	Date of Action	Date Posted	Remarks
20	All;		9,857.87	Segregation	NVN61855	7/2/2002	7/8/2002	Not open to mineral location.
21	All;							
36	SENE, SWSE, SESE.	Key 18S 59E	Total 23,334.160	Wdl- Las Vegas Valley	NVN76653	11/6/2002	5/27/2003	
4	S2N2, Lots 1-4,	Key 22S 60E	Total 1,480.100	ACEC Arden Historic Site	NVN76866	11/6/2002	7/18/2003	
5	S2N2, Lots 1-4.							
3	SWNE, S2NW, SW, W2SE, Lots 2-4;		634.290	R/W Res Renewal	N 52707	5/24/2004	6/1/2004	Conservation Ctr for Desert Tortoise
4	SENE, E2SE, Lot 1.							
36	SWSE, E2SE, E2NE.	Key 24S59E	Total 13,766.560	Public Law	107-282	7/2/2007	8/15/2007	N 76652 Ivanpah Corridor
4	Lots 1-4, S2N2;		Total 944,343	Prop Wdl	N 83979	11/1/2007	12/7/2007	Bid Dune ACEC N 76869
4	Lots 1-4, S2N2.							

TOWNSHIP 24 SOUTH RANGE 60 E. OF THE MOUNT DIABLO MERIDIAN, NEVADA

Page

Lot No.	SUBDIVISION				ACRES	KIND OF ENTRY PURPOSE OF ORDER	SERIAL FILE ORDER NUMBER	DATE OF ACTION	DATE POSTED	REMARKS - E. G. DATE CLOSED, TERMINATED, REJECTED OR RESCINDED
	NE 1/4	NW 1/4	SW 1/4	SE 1/4						
31										
32					Subdiv Ord: 255 SBE W/RESERVE, E/RESERVE	CC 019435 CC 019532 1102737	2/12/1936 N/A/1938 7/13/1939			
30										
31										
26										
35										
36										
29										
30										
32										
15										
22										
5										
6										
5										
6										
4										
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28										
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13										

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Page 2

TOWNSHIP 24 SOUTH RANGE 60 EAST OF THE MOUNT DIABLO MERIDIAN

Page

SECTION	SUBDIVISION				ACRES	KIND OF ENTRY -OR- PURPOSE OF ORDER	SERIAL FILE -OR- ORDER NUMBER	DATE OF ACTION	DATE POSTED	REMARKS - E. G. DATE CLOSED, TERMINATED, REJECTED OR RESCINDED
	NE 1/4	NW 1/4	SW 1/4	SE 1/4						
1										
2										
10										
11										
15										
16										
20										
21										
29										
30										
31										
32										
10					120.00	R/W Hwy	Rev 046362	7/20/1959		Proof of Construction filed 2/17/1967
10					140.00	DC Lse	Rev 046231 B	9/1/1959		Assign out of Lse Rev 046231 dated 2/1/1958; Term 1/31/1963
9							Rev 046231 C	9/1/1959		Assign out of Lse Rev 046231 dated 2/1/1958; Term 1/31/1968
11										
19										
21										
22										
1					1560.00	DC Lse	Rev 051608	12/7/1964	12/7/1964 10:30 am	Term 11/30/1964
12										
5							Rev 046285	5/4/1960		Amt: 4/5/1969
6										
7										
18										
19										
31					280.00	R/W Trans Line	Rev 016022	6/15/1960		Amt: 6/7/1951
32					640.00					
33					640.00					
34					640.00					
35					350.00	Pitman Per	Rev 047690	10/21/1960		Exp 10/20/1962
11										
15										
16										
20										
21										
29										
30										
31										
29										
11										
15										
6					160.00	SK Per	123776	7/31/1963		
14					78.43	DC Lse	M 2506	6/27/1968		Lse effective 7/1/1968; Partially Assign
14					40.00	DC Lse	Rev 050093 A	1/14/1969	8/2/1971 11:00 am	Assign out of Lse Rev 050093 dated 2/1/1959; Lse effective 1/1/1969; Term 1/31/1971
14					40.00	DC Lse	Rev 050493 B	1/15/1969	2/4/1971 11:00 am	Assign out of Lse Rev 050493 dated 2/1/1959; Lse effective 1/1/1969; Term 1/31/1971
31										
29										
11										
15										
6										
14										
14										
6										

T. 245
R. 60
Page 6

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Page 6

TOWNSHIP 24 SOUTH RANGE 60 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

Sec	Subdivision	Other Desc	Acres	Kind of Entry	Serial or Order Num	Date of Action	Date Posted	Remarks
5 8 17 18 19 20 29 30 32	NE,E2SW,W2SE. E2NW,S2NW,NESW,W2SW. W2NW. E2NE,SE. NE,E2SE. W2SW. W2NW,SW. NENE. W2NE,E2NW,SE.	Key 22S60E	Total 5,920.00	FERC Wdl Vacated	NVN56892	4/8/1998	8/20/1999	
1 2 10 11 12 14 15 16 20 21 22 28 29 30 31 32	Lots 1-3, S2ME, SENW, E2SW, SWSW, SENWSW, NWSE, W2NESE, SWSE; SESE; SESE; E2NE, SENWNE, SWNE, NESW, SENWSW, SWSW, N2SE, SWSE, NWSESE; NWNWNE, N2NW, SWNW, NWSENW, NWNWSE; SWNW, NWNWSW, NWSENW, NWNWNE, NWNW; SENW, SW, N2SE, NWSWSE; SE; SE; NESE, NWSWSE, NE, NENW, S2NW, SW; NWNW; NENW, NWNW, SWNW; S2, N2NESE, SENWSE, NWSWSE, NE, NENENW, SWNW, SENW; SE; Lot 3, NE, SENW, W2NESE, NWSE, SWSE; NWNENW, NWNW, NWSWNW.	Key 24S59E	Total 13,766.560	Public Law	107-282	7/2/2007	8/15/2007	N 76652 Ivanpah Corridor

CERTIFICATE AND
NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 1 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. HELMICK COMPANY
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the SCARLET ROSE #250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less. E 1/2, NE 1/4, SW 1/4, SE 1/4

General Location Description (if known): E 1/2, NE 1/4, SW 1/4, SE 1/4
S-36 T 23 S R 60 E
S-36

Mount Diablo Base Meridian

NMC 749344

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NEVADA NMC
749344

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00 OCT - 1 1996
A.M.

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC
BOOK: 960917 INST: 02183
FEE: 9.50 RPTT: MM 071 0035
CONFIRMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

CERTIFICATE AND
NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned ² _{cm 13LW} hereby certifies that he has caused to be located the Apple Rose 2 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing

address of locator is:

Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose #250+251 (un)patented mining claims generally located in Clark County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less. W 1/2, NE 1/4, SW 1/4, SE 1/4
_{cm 13LW}

General Location Description (if known): W 1/2, NE 1/4, SW 1/4, SE 1/4
S-36, T2.3.5 R60E

Mount Diablo Base Meridian
OWN NVDA NMC
9/17/96

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00 A.M. OCT - 1 1996

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY

09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02184

FEE: 9.50 RPTT: .00
CERT LOCATION MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

548672 NMC 749345
OWN NVDA NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

Certificate and
NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned ³ *cm/bur* hereby certifies that he has caused to be located the APPLE ROSE Mill Site on the 17 day of SEPTEMBER 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: PAUL C. HELMICK COMPANY
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the SCARLET ROSE #250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): W 1/2, SE 1/4, SW 1/4, SE 1/4
cm/bur
S-36, T23S, R60E
S-36, T23S
Mount Diablo Base Standard

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NMC 749346

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE
9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02185
FEE: 9.50 RPT: .00
CERT LOCATION MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

749346
NEVADA NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

CERTIFICATE No 4
NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned ^{4 cm 192m} hereby certifies that he has caused to be located the Apple Rose 4 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose #250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains .5 acres, more or less.

General Location Description (if known): E 1/2, SW 1/4, SW 1/4, SE 1/4
S. 36, T 23 S, R 60 E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NMC 749347

RECEIVED
Bureau of Land Management
NEVADA LAND OFFICE
9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02186
FEE: 9.50 APTT: MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

RECEIVED
Bureau of Land Management
9:00 A.M. OCT 01 96
NEVADA STATE OFFICE
RENO, NEVADA
749347
NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

Certificate Work
NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned ^{5 cm/BW} hereby certifies that he has caused to be located the Apple Rose Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose #250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): W 1/2, SW 1/4, SW 1/4, SE 1/4
cm/BW
W 1/2, SW 1/4, SW 1/4, SE 1/4
S-36 T28S R60E
S-36
Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NMC 749348

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE
9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02187
FEE: 9.50 RPT: MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

848642
NEVADA NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

CLARK COUNTY NEVADA

NOTICE OF LOCATION

MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned ^{#6} hereby certifies that he has caused to be located the Apple Rose #6 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing

address of locator is:

Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose #250+251 (un)patented mining claims generally located in Clark County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known):

E 1/2, NW 1/4, NW 1/4, NE 1/4
S-1, T 24 S, R 60 E CMBW

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

NMC 749349

By

David Bellaire

Owner, Claimant, or Agent
David Bellaire

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00
A.M. OCT - 1 1996

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C HELMICK COMPANY

09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02188

FEE: 9.50 RPTT: .00
CERT LOCATION MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

648647

NEVADA MCM

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

CERTIFICATE MAP

NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 7 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing

address of locator is:

PAUL C. HELMICK COMPANY
425 South 48th Street
Phoenix, AZ, 85034

Said locator is the proprietor or owner of the SCARLET ROSE 250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): W 1/2, NW 1/4, NW 1/4, NE 1/4
S-1, T 24S, R 60E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By

David Bellaire
Owner, Claimant, or Agent
David Bellaire

NMC 749350

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00 A.M. OCT - 1 1996

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02189
FEE: 9.50 RPTG: MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

749350
NEVADA NMC

CERTIFICADO NMC

NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose # 8 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose # 250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): W 1/2, SW 1/4, NW 1/4, NE 1/4
S 1, T 24 S, R 60 E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NMC 749351

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00 A.M. OCT - 1 1996

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02190
FEE: 9.50 RPT: MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

198647

NEVADA NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

Certificate No 1924

NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 9 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose 250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): E 1/2 SE 1/4, NE 1/4, NW 1/4
S-1, T 24S, R 60E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NMC 749352

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE
9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02191
FEE: 9.50 RPT: MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

749352
NEVADA NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

CERTIFICATE AND
NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 10 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose #250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): E $\frac{1}{2}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$
S 1 T 24 S R 60 E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NMC 749353

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE
9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02192
FEE: 9.50 RPT: MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

658672
OWN NVDAEM

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

CERTIFICATE AND

NOTICE OF LOCATION

MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose II Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing

address of locator is:

Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose #250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): W 1/2, NE 1/4, SE 1/4, NW 1/4
S 1, T 29 S, R 60 E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By

David Bellaire

Owner, Claimant, or Agent
David Bellaire

NMC 749354

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02193
FEE: 9.50 RPT: .00
CERT LOCATION MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE
9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

458672
NEVADA NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

Certificate And

NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 12 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose 250+251 (un)patented mining claims generally located in Clark County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): N 1/2, SE 1/4, SE 1/4 NW 1/4
S-1 T 24 S R 60 E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire NMC 749355
Owner, Claimant, or Agent
David Bellaire

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00 A.M. OCT - 1 1996

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY

09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02194

FEE: 9.50 RPTT: .00
CERT LOCATION MM 071 0035
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

558647
NMC 749355

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

CERTIFICATE 1114

NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 13 Mill Site on the 17 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose 250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): E 1/2, SW 1/4, SE 1/4, NW 1/4
S1-T245, R60E
Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NMC 749356

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02195
FEE: 9.50 RPT: .00
CERT LOCATION MM 071 0035
CONFORMED COPY-HAS NOT BEEN COMPARED TO THE ORIGINAL

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE
9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

749356
NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

CERTIFICATE AND
NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the APPLE ROSE 14 Mill Site on the 17 day of SEPTEMBER 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: PAUL C. HELMICK COMPANY
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the SCARLET ROSE 250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): N 1/2, SW 1/4, SE 1/4, NW 1/4
S-1, T24S, R60E

MOUNT DIABLO BASE MERIDIAN

SIGNATURE OF LOCATOR:

By David L. Bellaire
Owner, Claimant, or Agent
David Bellaire

Legibility of document received was of marginal quality and may not produce an acceptable copy.
cm BLM

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY
09-17-96 14:25 JMC 1
BOOK: 960917 INST: 02196
FEE: 9.50 RPT: MM 071 0035 00
CERT LOCATION
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE
9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

NMC 749357

749357
NEVADA NMC

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 65 Mill Site on the 19 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose 250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): W 1/2 NW 1/4, SE 1/4 NW 1/4
S-1, T 24 S, R 60 E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NEVADA NMC
749358

NMC 749358

RECEIVED
Bur. of Land Management

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00 A.M. OCT 01 96

9:00 A.M. OCT - 1 1996

NEVADA STATE OFFICE
RENO, NEVADA

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY

09-19-96 12:07 DB1 1
BOOK: 960919 INST: 01297
FEE: 9.50 RPT: MM 071 0037
CERT LOCATION
CONFORMED COPY-HAS NOT BEEN COMPARED TO THE ORIGINAL

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

AMENDED

CERTIFICATE AND
NOTICE OF LOCATION
MILL SITE

NMC 749358

UM/BW

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 65 Mill Site on the 19 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

RETURN TO

Name and mailing
address of locator is:

Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose 250 + 251 (un)patented mining claims generally located in Clark County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): E 1/2 NW 1/4, SE 1/4 NW 1/4
S-2, T 24 S, R 60 E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00
A.M. DEC 02 1996

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C HELMICK COMPANY

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

11-26-96 14:52 EAH 1
BOOK: 961126 INST: 01384
FEE: 9.50 RPTT:
CERT LOCATION MM 071 0066
CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned ¹⁶ hereby certifies that he has caused to be located the Apple Rose 16 Mill Site on the 19 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing

address of locator is:

Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose 250+251 (un)patented mining claims generally located in Clark County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known):

W 1/2, SE 1/4, NE 1/4, NW 1/4
S. 1, T. 24 S., R. 60 E.

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By

David Bellaire

Owner, Claimant, or Agent
David Bellaire

NEVADA NMC
749359

NMC 749359

RECEIVED
Bur. of Land Management

9:00 A.M. OCT 01 96

NEVADA STATE OFFICE
RENO, NEVADA

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00 A.M. OCT - 1 1996

NEVADA STATE OFFICE
RENO, NEVADA

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY

09-19-96 12:07 DB1 1
BOOK: 960919 INST: 01298
FEE: CERT LOCAT^{9.50} BENT: MM 071 0037⁰⁰

CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

CERTIFICATE AND
NOTICE OF LOCATION
MILL SITE

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that he has caused to be located the Apple Rose 17 Mill Site on the 19 day of September 1996.

The monument of location is located at the NE corner (northerly boundary) of the Mill Site, at which point this Notice of Location was duly posted.

Name and mailing address of locator is: Paul C. Helmick Company
425 South 48th Street
Phoenix, AZ 85034

Said locator is the proprietor or owner of the Scarlet Rose 250+251 (un)patented mining claims generally located in CLARK County Nevada.

The Mill Site is approximately 330 feet in the WESTERN direction and 660 feet in the SOUTHERN direction. Said Mill Site contains 5 acres, more or less.

General Location Description (if known): cm 13W E 1/2, NE 1/4, NE 1/4, NW 1/4
S 1, T 24S, R 60 E

Mount Diablo Base Meridian

SIGNATURE OF LOCATOR:

By David Bellaire
Owner, Claimant, or Agent
David Bellaire

NEVADA HMC
749360

RECEIVED
Bur. of Land Management

9:00 A.M. OCT 01 96
NEVADA STATE OFFICE
RENO, NEVADA

RECEIVED
Bur. of Land Management
NEVADA LAND OFFICE

9:00 A.M. OCT - 1 1996
NEVADA STATE OFFICE
RENO, NEVADA

NMC 749360

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
PAUL C. HELMICK COMPANY

BOOK: 09-19-96 12:07 DB1 960919 INST: 01299 1

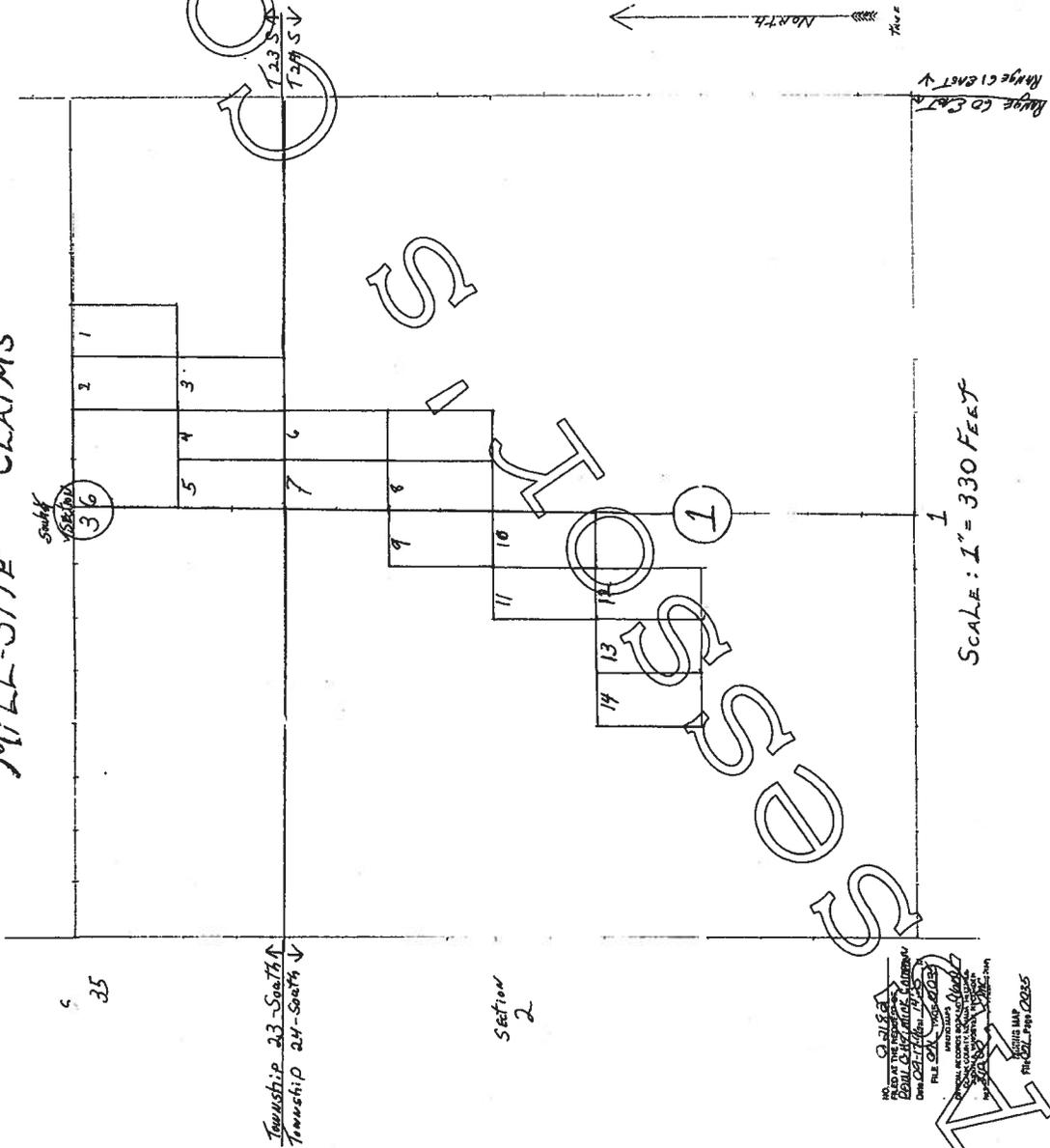
FEE: 9.50 CERT LOCATION: MM 071 0037 00

CONFORMED COPY HAS NOT BEEN COMPARED TO THE ORIGINAL

Suggested Form - Nevada Division of Minerals
Nevada Placer Notice of Location - NRS 517.090
(Revised 9/6/95 LV)

02182

APPLE ROSE MILL-SITE CLAIMS



SCALE: 1" = 330 FEET

Locator:

PAUL C. Helmeck Company

425 South 48 Street
PHOENIX ARIZONA 85034

APPLE ROSE MILL-SITE CLAIMS

Township 23+24 South

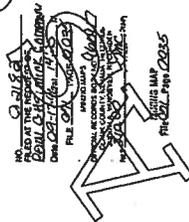
RANGE 60., EAST

SECTION 36+1, Located 9/17/96

MOUNT DIABLO MERIDIAN

CLARK COUNTY

NEVADA



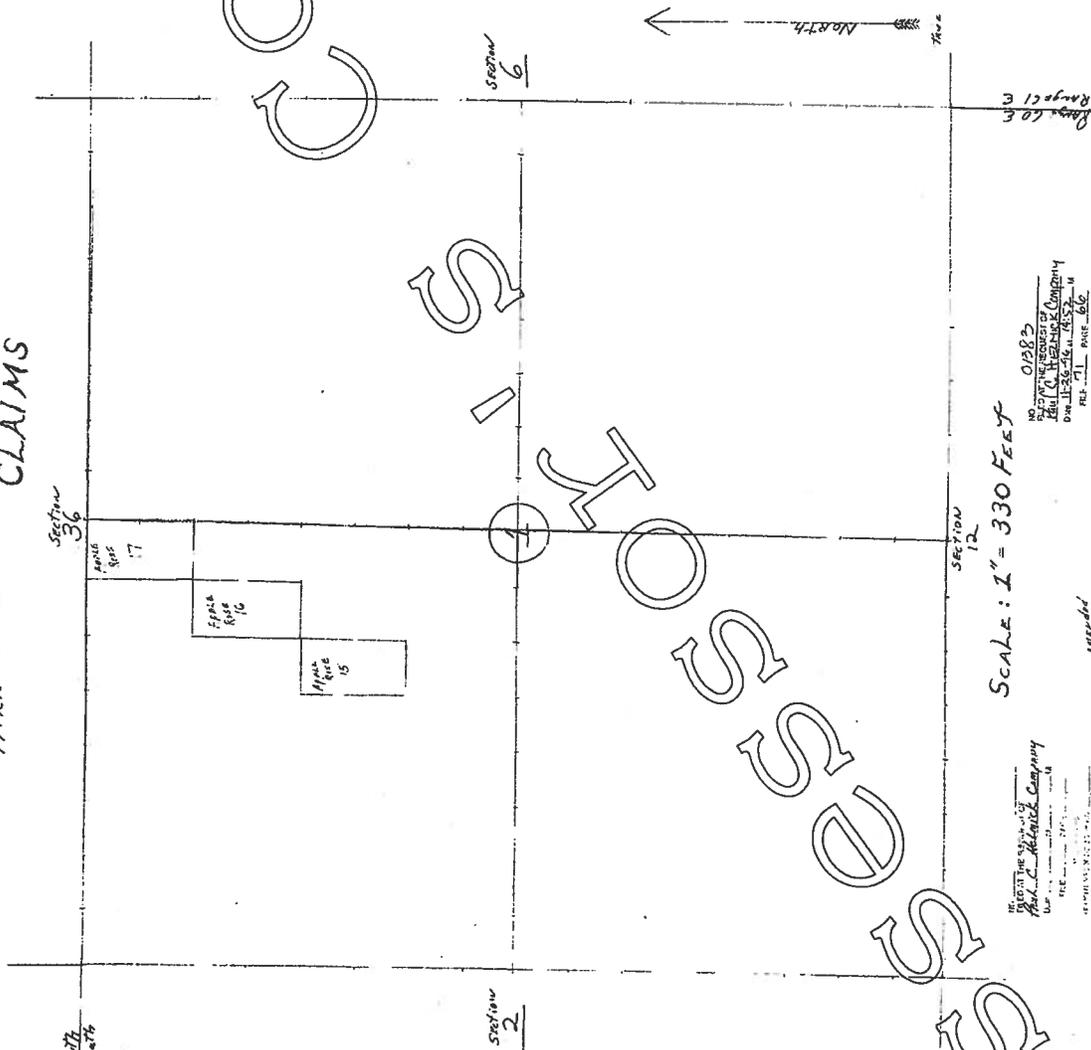
960917

01383

APPLE MILL-SITE
ROSE CLAIMS

961120

Township 23 South
Range 10 East



Location:
 Paul C. Ballock Company
 425 South 48 Street
 PHOENIX ARIZONA 85034

APPLE ROSE MILL-SITE CLAIM
 TOWNSHIP 24, SOUTH
 RANGE 60, EAST
 SECTION, 1, Located 9/18/96
 MOUNT DIABLO MERIDIAN
 CLARK COUNTY
 NEVADA

SCALE: 1" = 330 FEET

NO. 01383
 BY THE RECORDS OF
 THE CLERK OF THE COUNTY OF
 CLARK, NEVADA
 ON JULY 11, 1996

Approved
 LIVING MAP
 No. 11, page 27

THE CLERK OF THE COUNTY OF
 CLARK, NEVADA

LIVING MAP
 No. 11, page 66

STATE of NEVADA)
) :ss
COUNTY of CLARK)

**STATEMENT OF MIKE KIDDY,
PRESIDENT OF LAS VEGAS ROCK, INC.**

I, **MIKE KIDDY**, President and Co-Owner of Las Vegas Rock, Inc., a Nevada corporation doing business in Clark County, Nevada, do hereby make the following statement to the Las Vegas Field Office of the Bureau of Land Management in support of the validity of the Apple Rose Nos. 1 – 17 Mill Site claims (NMC-749344 to 749360):

1. I am a native citizen of the United States over the age of 21 years residing in Clark County, State of Nevada, and I can be contacted at the following address:

Mike Kiddy, President
Las Vegas Rock, Inc.
P. O. Box 89118
Jean, NV 89019
(telephone 702-791-7625)

2. I am President and original co-owner of Las Vegas Rock, Inc., a Nevada corporation, the BLM-designated and sole proprietor operator of the Flagstone Group of patented and unpatented mining claims located about six miles north of Goodsprings, NV, known generally as the “Flagstone Quarry” and satellite operations.

3. In 1996, in my capacity as President of Las Vegas Rock (“LVR”), I participated with Paul C. Helmick in selecting the site for the subject Mill Site claims and assisted David Bellair in locating and monumenting the Apple Rose Nos. 1 thru 17 Mill Site claims situated in Section 1, T. 24 S., R. 60 E., and Section 36, T.23 S., R.60E., MDM, in Clark County, NV. The Mill Sites were located along the eastern edge of Old U.S. Highway 91 (then serving as a frontage road to I-15 near the Sloan Exit), at a point designated by Paul Helmick as being open, vacant public land, and deemed by both of us as a convenient “overflow site” for temporary storage of machinery, equipment and supplies destined for the Rainbow Quarry operations, and as a temporary stockpile and transfer depot for stone products produced at Rainbow Quarry for convenient pickup by highway vehicles which could not navigate the early unimproved dirt road leading north from Goodsprings, NV, to our Rainbow Quarry. We also envisioned the Mill Sites as a future processing site for stone products from the Rainbow Quarry, when electrical and other necessary services could be arranged for at this remote location. We decided to describe and monument these Mill Sites by aliquot parts of the government-surveyed

sections, since the Flagstone Group of mining claims had been so monumented, and we believed these Mill Sites should be located in a manner consistent with the mining claims with which they were intended to be associated. Mr. Bellair used professional field survey instruments to find the existing government survey monuments and to accurately measure the courses and distances required by the mining laws to create full-sized 5-acre Mill Sites along and outside of the existing highway right-of-way, which was identified on the ground by remnants of an old barbed-wire fence line a short distance east of the pavement. Because the Mill Sites were located according to aliquot parts of the section survey, and the existing highway was constructed at an angle to these aliquot parts, portions of our Mill Sites inadvertently overlapped onto the highway right-of-way. Since we were uncertain as to the legal status of the "overlap areas," we were careful to place all "location papers" on ground outside the overlap, and to utilize and occupy only those lands outside of the barbed-wire fence boundary line. We used +5-foot long oversized white plastic PVC pipe to monument the boundaries of each Mill Site, marking the monuments with felt-tip pens and required papers in small plastic containers. Vandals and weather have obliterated these markings and many of the PVC posts, but sufficient identifiable monuments remain to accurately reconstruct the boundaries of the network of all 17 Mill Sites.

4. I have read the Affidavit of Paul C. Helmick dated October 17, 2006 and I agree with its facts and statements. Mr. Helmick has long been closely affiliated with LVR, advising us on mining matters, furnishing needed machinery and equipment, and financially supporting our small enterprise since long before 1996. We considered him a confidential "partner" in the business. For over ten years he held an option to formally buy into our business, a Nevada-based "Sub-Chapter S corporation" for tax purposes, but which we operated like a small partnership, of which we considered him "our partner" in 1996 and for years thereafter. For tax-related reasons, and on advice of his tax accountant, Mr. Helmick ultimately decided not to formally become a shareholder in LVR, but we have continued to have frequent and complex close informal business relationships with Mr. Helmick. Since Mr. Helmick was knowledgeable about mining law and Mill Sites and had a clerk in his Phoenix-based business who was experienced in working with unpatented mining claims and Mill Sites, LVR let him handle the paperwork details of locating these new Mill Sites and seeing that they were properly maintained by compliance with laws and regulations each year. I supervised the actual uses and occupancy of the Mill Sites for LVR, and left the paperwork to Mr. Helmick. Everyone considered the Apple Rose Mill Sites to be held and administered by Mr. Helmick as a trustee (i.e., partner) for LVR. When asked by LVR's legal counsel to formally convey all of the Apple Rose Mill Sites to LVR, he immediately did so without remuneration. Over time, as the business of LVR has grown and matured, we have come to rely less upon the mining advice, guidance and financial assistance of Mr. Helmick, and his decision not to become a formal shareholder of LVR has modified our relationship, but we still consider him a helpful friend and close associate.

5. Promptly after the Apple Rose Mill Sites were located in 1996 LVR began to park machinery, equipment and supplies on the Mill Sites alongside the old highway, being careful to use only the claimed public lands just outside of the barbed-wire fence line boundary. The entire area was an open, essentially flat area used in the past for roadside parking and camping by truckers, easily accessible from the pavement, so the entire stretch alongside the pavement could be and was used by LVR. During this early period the Mill Sites were occupied usually for short periods at a time, several days in a row, until arrangements could be made to transfer the stored items to suitable vehicles for transport to Rainbow Quarry for installation and permanent use, and where onsite security was much better. We found that the open, roadside location of the Apple Rose Mill Sites was too vulnerable to casual theft, pilferage and vandalism if anything portable was left unguarded for very long. Posting a 24-hour, 7-days-a-week guard at the site proved difficult, since there was no electricity or other "services" available, and a small travel trailer for "dry-camping" was inadequate quarters for more than just a few days. About this same time Mr. Helmick assisted LVR in leasing a tract of private land on St. Rose Parkway (our "Bermuda Road Sales Yard & Office"), where incoming supplies, small and loose items destined for Rainbow Quarry could be safely stored. Large, bulky items still required temporary storage at the Apple Rose Mill Sites and could be left unguarded for short periods without fear of loss or great damage. During the past few years the Quarry Road from Goodsprings, NV, was improved and paved, allowing many items of heavy machinery and equipment to be delivered directly to Rainbow Quarry. As a result we increasingly limited our uses of the Apple Rose Mill Sites to temporary parking of large equipment and large, virtually immovable stone products – even then, a guard was needed to prevent vandalism. For a while in the early days we used the Mill Sites as an outdoor overflow storage yard and a transfer depot for palletized stone products from Rainbow Quarry, but frequent theft and pilferage proved a big problem if this remote roadside site was left unguarded. Eventually, for safekeeping, we removed what the thieves hadn't taken and have since used the Mill Sites *only* for temporary storage and as a very short-term transfer depot for produced stone products from Rainbow Quarry. We have, however, dutifully maintained all of the Apple Rose Mill Sites for intended future use when (as eventually happened) our outdoor operations at the Bermuda Road facility were curtailed and eventually squeezed out by encroaching residential subdivisions. Unfortunately, by then the controversy over "valid existing rights" in conflict with the 2005 Congressional heliport grant had arisen, prompting LVR to await the outcome before investing in electrical and other services to the Mill Sites, a substantial security fence enclosure and facilities needed for an outdoor Retail Sales Yard and fabricating yard. In just the past month LVR vacated its leased premises on Bermuda Road, the offices of LVR have been temporarily removed to Jean, NV (an inconvenient location for staff), and the outdoor Retail Sales Yard has been temporarily closed pending resolution of the Mill Sites conflict, by negotiation or otherwise. The Wholesale & Contractors Sales Yard maintained on the premises of Rainbow Quarry has been temporarily expanded to accommodate accumulation of palletized and loose stone products, until a more convenient permanent facility can be arranged.

DATED and executed at Jean, NV, on the 8/18/08 day of August, 2008.



Mike Kiddy, President
Las Vegas Rock, Inc.