

APPEAL HEARING
BEFORE THE STATE ENVIRONMENTAL COMMISSION
STATE OF NEVADA

In Re:)	
)	
Appeal of Water Pollution Control Permit:)	MOTION OF ANGLOGOLD ASHANTI
NEV0087001, Big Springs Mine)	(NEVADA) CORP. TO LIMIT JULY 6
)	HEARING AND AUTHORIZE
)	ATTENDANCE BY PHONE
)	

AngloGold Ashanti (Nevada) Corp. ("AngloGold Ashanti") respectfully requests: (a) that the merits of the permit appeal brought by Great Basin Mine Watch ("GBMW") not be addressed at the hearing in this matter scheduled to reconvene on July 6, 2006 ("July 6 Hearing"); (b) that a hearing on the merits of GBMW's permit appeal be set at the July 6 Hearing if the State Environmental Commission ("SEC") appeals panel determines to go forward with such a hearing notwithstanding the recent issuance of an Attorney General's Opinion ("AGO") in response to questions from the SEC appeals panel about its jurisdiction to proceed with GBMW's permit appeal; and (c) that AngloGold Ashanti, and any other interested person, be allowed to attend and participate in the July 6 Hearing by phone. As grounds for this request, AngloGold Ashanti states as follows:

1. At the initial permit appeal hearing conducted on March 29, 2006, the SEC appeals panel requested a formal AGO regarding a recent legislative change to Nevada's Administrative Procedures Act. Specifically, the SEC appeals panel requested the Office of the Nevada Attorney General to evaluate the jurisdictional challenge by the Nevada Division of Environmental Protection ("NDEP") to GBMW's ability to pursue its permit appeal under NRS 233B.127(4). The SEC appeals panel stayed the proceedings until that AGO was obtained.

2. On June 19, 2006 the SEC received the AGO (OPINION NO. 2006-03) from the Office of the Nevada Attorney General. In summary, the AGO concludes that "[p]ursuant to NRS 233B.127(4) a public interest group must demonstrate a financial interest as a direct result of a grant or renewal of a license in order to appeal that grant or renewal to the State Environmental Commission."

3. In the recent notice for the July 6 Hearing, the Chairman of the SEC appeals panel has indicated that, prior to proceeding with any other matters regarding the appeal, he will request a brief review of the AGO from counsel of the SEC and entertain motions from SEC panel members regarding the applicability of the AGO. As such, the SEC appeals panel's final decision on whether it will proceed with a hearing on the merits of GBMW's permit appeal, notwithstanding the conclusions of the AGO, remains an open question until the July 6 Hearing.

4. The relief requested is intended to address this open question by avoiding the potentially unnecessary expenditure of time and money for all the parties to be prepared at the July 6 Hearing for a hearing on the merits which the SEC appeals panel may decide, based on the AGO, should not proceed. This preparation would include, without limitation, arranging for the attendance of all potential witnesses.

5. AngloGold Ashanti has discussed this request with Bill Frey — counsel for NDEP — who authorized AngloGold Ashanti to state that NDEP joins in it.

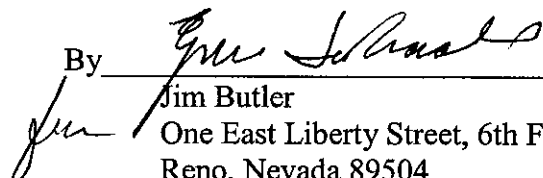
6. AngloGold Ashanti has also discussed this request with Nicole Rinke — counsel for GBMW — who authorized AngloGold Ashanti to state that GBMW does not oppose the relief requested herein.

WHEREFORE, AngloGold Ashanti respectfully requests:

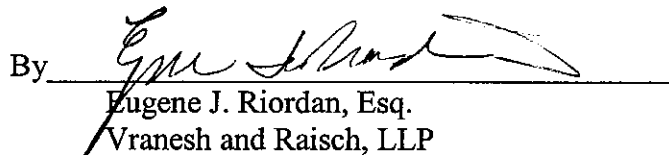
- (a) That the merits of GBMW's permit appeal not be addressed at the July 6 Hearing;
- (b) That a hearing on the merits of GBMW's permit appeal be set at the July 6 Hearing if the SEC appeals panel determines to go forward with such a hearing notwithstanding the AGO; and
- (c) That AngloGold Ashanti, and any other interested person, be allowed to attend and participate in the July 6 Hearing by phone.

Respectfully submitted this 29th day of June, 2006.

PARSONS BEHLE & LATIMER

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ATTORNEYS FOR ANGLOGOLD ASHANTI
(NEVADA) CORP.

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2006, I caused to be emailed and mailed, first class, postage prepaid, a true and correct copy of the foregoing **MOTION OF ANGLOGOLD ASHANTI (NEVADA) CORP. TO LIMIT JULY 6 HEARING AND AUTHORIZE ATTENDANCE BY PHONE** to:

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