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January 25, 2013

**VIA U.S. AND ELECTRONIC MAIL**

Nevada State Environmental Commission  
c/o John B. Walker, Executive Secretary  
901 South Steward Street, Suite 4001  
Carson City, NV 89701-5249  
*Email: [jbwalker@ndep.nv.gov](mailto:jbwalker@ndep.nv.gov)*

**RE: Dismissal of Appeal Without Prejudice  
In Re: Appeal of Water Pollution Control Permit No. NEV2008106**

Dear Mr. Walker:

Enclosed for filing with the SEC in the above-referenced matter, please find the following *Dismissal of Appeal Without Prejudice*.

Also enclosed, please find a pre-addressed, postage prepaid confirmation card for the filing. Upon receipt of the above-referenced document, please return the card to our office.

Thank you for your assistance. Please call our office if you have any questions.

Very truly yours,

SCHROEDER LAW OFFICES, P.C.

Therese A. Ure

TAU:alr

Enclosures

cc: Cassandra P. Joseph  
Jim B. Butler  
John R. Zimmerman  
Client

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4 *Attorneys for the Appellant, Carolyn Bailey*

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7  
8 BEFORE THE STATE OF NEVADA  
9 STATE ENVIRONMENTAL COMMISSION

10  
11 In Re:  
12 Appeal of Water Pollution Control Permit  
13 Permit No. NEV2008106  
14 Permittee: Eureka Moly, LLC  
15

**DISMISSAL OF APPEAL WITHOUT  
PREJUDICE**

16  
17 Appellant Carolyn Bailey, hereinafter "Bailey," by and through her attorneys of record,  
18 Therese A. Ure, Laura A. Schroeder, and Schroeder Law Offices, P.C., hereby voluntarily  
19 dismisses her appeal filed December 6, 2012, without prejudice, regarding Water Pollution  
20 Control Permit NEV2008106.

21 Due to circumstances beyond Bailey's control, Bailey must voluntary dismiss her appeal  
22 in this matter without prejudice. Bailey requests that her Opening Brief filed on January 22,  
23 2013, remain in the files of the State Environmental Commission relating to this permit as  
24 providing notice of the legal and factual concerns by Appellant in this matter. Counsel for  
25 Bailey provided verbal notice to the counsel for Permittee Eureka Moly, LLC on January 24,  
26 2013, of Bailey's intention to dismiss the appeal.



1 Based on the foregoing, Appellant Carolyn Bailey withdraws her appeal in this matter  
2 without prejudice.

3  
4 DATED this 25th day of January, 2013.

5 SCHROEDER LAW OFFICES, P.C.

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9 Therese A. Ure, NSB #10255  
10 Laura A. Schroeder, NSB #3595  
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12 Reno, NV 89509  
13 Phone: (775) 786-8800  
14 Email: [counsel@water-law.com](mailto:counsel@water-law.com)  
15 *Attorneys for the Appellant, Carolyn Bailey*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 25<sup>th</sup> day of January, 2013, I caused a copy of the foregoing  
3 ***DISMISSAL OF APPEAL WITHOUT PREJUDICE*** to be sent via electronic mail and  
4 deposited for mailing, postage prepaid, to the following:

5 Jim B. Butler, Esq.  
6 John R. Zimmerman, Esq.  
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Cassandra P. Joseph, Esq.  
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12 Dated this 25<sup>th</sup> day of January, 2013.



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