

Laura A. Schroeder
Licensed in Oregon, Idaho,
Nevada and Washington

V. Scott Borison, Ph.D.
Certified Legal Manager

Daryl N. Cole
Office Manager



Cortney D. Duke
Oregon, Nevada

Sarah R. Liljefelt
Oregon, California

Wyatt E. Rolfe
Oregon, Nevada,
Washington

Therese A. Ure
Oregon, Nevada

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

**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

1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

440 Marsh Avenue, Reno, Nevada 89509 (775) 786-8800

www.water-law.com counsel@water-law.com

1 SCHROEDER LAW OFFICES, P.C.
Laura A. Schroeder, Nevada State Bar #3595
2 Therese A. Ure, Nevada State Bar #10255
440 Marsh Ave., Reno, Nevada 89509
3 PHONE: (775) 786-8800; FAX: (877) 600-4971
counsel@water-law.com

4 *Attorneys for the Appellant, Carolyn Bailey*

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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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8 _____
9 Therese A. Ure, NSB #10255
10 Laura A. Schroeder, NSB #3595
11 440 March Ave.
12 Reno, NV 89509
13 Phone: (775) 786-8800
14 Email: counsel@water-law.com
15 *Attorneys for the Appellant, Carolyn Bailey*



1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 25th 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.
7 Parsons, Behle & Latimer
8 50 West Liberty Street, Suite 750
9 Reno, NV 89501
10 *jbutler@parsonsbehle.com*
11 *jzimmerman@parsonsbehle.com*

Cassandra P. Joseph, Esq.
Deputy Attorney General
Nevada Attorney General's Office
100 North Carson Street
Carson City, NV 89701
CJoseph@ag.nv.gov

12 Dated this 25th day of January, 2013.



13 THERESE A. URE, NSB# 10255
14 Schroeder Law Offices, P.C.
15 440 Marsh Avenue
16 Reno, NV 89509
17 PHONE (775) 786-8800; FAX (877) 600-4971
18 *counsel@water-law.com*
19 *Attorneys for Appellant Bailey*

