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A PROFESSIONAL
LAW CORPORATION

John R. Zimmerman

E-Mail
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December 14, 2012

By Hand Delivery

John B. Walker
Executive Secretary
Nevada State Environmental Commission
901 S. Stewart St., Suite 4001
Carson City, NV 89701

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DEC 17 2012
ENVIRONMENTAL PROTECTION

Re: Appeal of Water Pollution Control Permit NEV2008106

Dear Mr. Walker:

Enclosed please find Eureka Moly, LLC's Petition to Intervene in the appeal of Water Pollution Control Permit NEV2008106. Also enclosed is a copy of the petition that I ask you date stamp and return to my office in the provided envelope.

Please contact me should you have any questions or comments.

Very truly yours,

PARSONS BEHLE & LATIMER


John R. Zimmerman

JRZ/rls

Enclosures

Copy [w/encl.] to:

Laura A. Schroeder, Esq.

Therese A. Ure, Esq.

Cassandra Joseph, Esq.

1 Parsons Behle & Latimer
2 Jim B. Butler, Esq.
3 Nevada Bar No. 8389
4 John R. Zimmerman, Esq.
5 Nevada Bar No. 9729
6 50 W. Liberty St., Suite 750
7 Reno, NV 89501
8 Telephone: (775) 323-1601
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6 Attorneys for Petitioner
Eureka Moly, LLC

NEVADA STATE ENVIRONMENTAL COMMISSION

9 In Re:
10 Appeal of Water Pollution Control
11 Permit NEV2008106
12 Operator: Eureka Moly, LLC

PETITION TO INTERVENE

13 Pursuant to NAC 445B.8915, Eureka Moly, LLC ("Eureka Moly") hereby submits
14 this Petition to Intervene in the appeal of Water Pollution Control Permit NEV2008106.
15 Eureka Moly is the operator of the Mt. Hope Project, which is a proposed molybdenum
16 mine located in Eureka County. In support of this Petition and as required by NAC
17 445B.8915(2), Eureka Moly provides the following information.

18 a. Identification of the proceedings in which the petitioner requests to
19 intervene.

20 Eureka Moly requests leave to intervene in the appeal filed by Carolyn Bailey on
21 December 7, 2012 of Water Pollution Control Permit NEV2008106.

22 b. Identification of the petitioner and the petitioner's attorney.

23 Petitioner:
24 Eureka Moly, LLC
25 2215 N. 5th St.
26 Elko, NV 89801

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1 Petitioner's Attorneys:

2 Jim B. Butler, Esq.
3 John R. Zimmerman, Esq.
4 PARSONS BEHLE & LATIMER
5 50 West Liberty Street, Suite 750
6 Reno, NV 89501
7 Telephone: 775.323.1601
8 Email: jbutler@parsonsbehle.com
9 Email: jzimmerman@parsonsbehle.com

10 c. Petitioner's interest in the proceedings.

11 Eureka Moly holds Permit NEV2008106, which is being challenged by Appellant
12 in this appeal. Eureka Moly is the operator of the Mt. Hope Project in Eureka County
13 and has obtained Permit NEV2008106 in order to operate Project.

14 d. The manner in which the petitioner may be affected by the proceedings.

15 Permit NEV2008106 is necessary for the operation of the Mt. Hope Project.
16 Should the appeal be granted, Eureka Moly will be adversely affected because the
17 permit granted for Eureka Moly to operate the Mt. Hope Project could be overturned. As
18 such, Eureka Moly will be directly and substantially affected by the outcome of the
19 appeal proceedings before the SEC. Eureka Moly's involvement will not broaden the
20 issues on appeal or prejudice the parties to the appeal.

21 e. Statement regarding whether the petitioner intends to present evidence at
22 the hearing.

23 Eureka Moly intends to participate in all aspects of the appeal, including the
24 presentation of evidence.

25 Eureka Moly respectfully requests that the SEC exercise its discretion under NAC
26 445B.8915 and allow it to intervene in this appeal to protect its rights and interests
27 regarding NEV2008106. Additionally, Eureka Moly requests that the SEC grant this
28 Petition to Intervene in time for Eureka Moly to participate in any pre-hearing conference,
 motion practice, or briefing.

1 Dated: December 14, 2012

Parsons Behle & Latimer

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By: John R. Zimmerman

Jim B. Butler, Esq.
Nevada Bar No. 8389
John R. Zimmerman, Esq.
Nevada Bar No. 9729

Attorneys for Petitioner
Eureka Moly, LLC

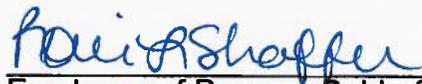
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JAN 10 2013

CERTIFICATE OF SERVICE

1
2 The undersigned, an employee of Parsons Behle & Latimer, does hereby certify
3 that on the 14th day of December, 2012, a true and correct copy of the foregoing
4 document, PETITION TO INTERVENE, was duly mailed, postage prepaid, to the
5 following:

6 Laura A. Schroeder, Esq.
7 Therese A. Ure, Esq.
8 Schroeder Law Offices, P.C.
9 440 Marsh Ave.
10 Reno, NV 89509

11 Cassandra Joseph, Esq.
12 Deputy Attorney General
13 Nevada Attorney General's Office
14 100 N. Carson St.
15 Carson City, NV 89701-4717

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Employee of Parsons Behle & Latimer