

Recording Requested By and  
When Recorded Return to:  
Timothy A. Haley  
Barnes & Thornburg  
11 S. Meridian St.  
Indianapolis, IN, 46204

**Instrument # 592254**

HAILEY, BLAINE, IDAHO  
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JOLYNN DRAGE Fee: 205.00  
Ex-Officio Recorder Deputy  
Index to: COVENANTS & RESTRICTIONS

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

**THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL COVENANT IMPOSING  
ACTIVITY AND USE LIMITATIONS PURSUANT TO THE UNIFORM ENVIRONMENTAL  
COVENANTS ACT, IDAHO CODE § 55-3001, et seq.**

**ENVIRONMENTAL COVENANT**

This instrument is an Environmental Covenant ("Environmental Covenant") executed by DeNovo Independence LLC, a Delaware limited liability company, ("DeNovo"), and the Idaho Department of Environmental Quality ("Department") pursuant to the Uniform Environmental Covenants Act, Idaho Code §§ 55-3001 through 3015, and pursuant to the Voluntary Remediation Work Plan submitted by DeNovo, and approved by the Department. DeNovo believes that it satisfies all requirements to qualify as a "bona fide prospective purchaser" under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 *et. seq.*, because it performed "all appropriate inquiries" and because it intends that the remediation work performed under the VCP (including the restrictions set forth herein) will satisfy any requirement to take "reasonable steps". This Environmental Covenant sets forth protective provisions, covenants, restrictions and conditions (collectively referred to as "Activity and Use Limitations") on the Property described below, which is referred to as the "Other Areas" in DeNovo's Remediation Completion Report for the Property. The Activity and Use Limitations are designed to protect natural resources, human health and the environment. DeNovo is a "holder" as defined in Idaho Code § 55-3002(6), and as the current property owner, grants this Environmental Covenant to all signatories to this instrument.

Property. This Environmental Covenant concerns real property in County of Blaine, State of Idaho, legally described in the attached Schedule A (hereafter referred to as "the Property"). A Map of the Property is attached as Schedule B.

Property Ownership. DeNovo hereby represents and warrants to the other signatories to this Environmental Covenant that it is the sole owner of the Property, holds fee simple title to the Property which it acquired on October 6, 2008, and DeNovo has the power and authority to enter into this Environmental Covenant.

Reason for Activity and Use Limitations. Three former mines are situated within the Property. During their operation, mine waste was left on the Property by previous owners before DeNovo's acquisition. On December 2, 2008, the Department executed a Voluntary Remediation Agreement with DeNovo to

remediate residual impacts of waste remaining from the former mining activities at the Property to allow for recreational use of the Property, if desired. DeNovo has implemented a Voluntary Remediation Work Plan on the Property, which was approved by the Department after a public hearing. The Remediation Work Plan required the excavation and placement of certain impacted soils at the Property into capped repositories to ensure that recreational users would not be exposed to previously-released mine waste. The Property contains portions of land where mining waste has been placed into repositories ("Capped Areas" or left exposed ("Uncapped Areas") (Capped Areas and Uncapped Areas collectively referred to as the "Restricted Areas"). Maps and legal descriptions of the capped portions of the Restricted Area are found in Schedule C-1. Maps and legal descriptions of the waste left in place portions of the Restricted Area are found in Schedule C-2. This Environmental Covenant restricts certain uses of the property, and restricts certain earthwork at the Restricted Areas of the Property, to ensure the continued effectiveness of the work performed under DeNovo's Remediation Work Plan.

Name and Location of Administrative Record. A copy of the DeNovo Department file can be found at the Department's State Office at 1410 North Hilton, Boise, Idaho 83706.

Activity and Use Limitations. By acceptance and recordation of this Environmental Covenant, DeNovo, and each future owner of any right, title or interest in, or lien or encumbrance against, the Property or any portion thereof, including, but not limited to, owners of an interest in fee simple, installment contract buyers, mortgagees, easement holders and/or lessees acquiring or owning any right, title, lien or interest in, or possessing any portion of the Property and their respective heirs, successors, assigns, personal representatives, executors, administrators and devisees (collectively, the "Bound Parties") are hereby restricted from using the Property, now or at any time in the future, in the manner specifically set forth below:

1. The Property shall not be used for any residential purposes, unless:
  - a. The owner provides soil samples to the Department to demonstrate that residential use is acceptable at the Property (or at any subpart of the Property) under applicable Idaho standards; or
  - b. The Department determines, after additional remediation is performed, that residential use is acceptable at the Property (or any subpart of the Property) under applicable Idaho standards.
2. There shall be no extraction of groundwater under the Property for any purpose, including drinking by animals or human beings, irrigation or an industrial or commercial use, until the owner consults with the DEQ and ensures to DEQ's satisfaction that the intended use does not pose a threat to human health or the environment and does not negatively impact the groundwater remedy in place at the Triumph Tunnel Plug portion of the Triumph Mine Tailings Pile Site Remedy. Groundwater may be extracted as part of an environmental investigation or remediation project.
3. Excavation, perforation, or any other disturbances of soil in the Restricted Areas are prohibited, except that soil may be excavated in conjunction with cap maintenance, or other activities that are approved by the Department.
4. The Capped Areas must be inspected pursuant to the schedule and methods set forth in the Long-Term Inspection & Maintenance Plan (set forth in Schedule D to this

Environmental Covenant). Limited funds to complete these inspections and to perform necessary maintenance are available to the owner through an Escrow Agreement initially funded with \$108,562.

5. Gates depicted on Schedule E shall not be removed from the Property to restrict access to Uncapped Areas.
6. Two roads are depicted on Schedule E and were degraded to restrict access to Uncapped Areas. These roads shall not be re-graded.
7. Land disturbance activities for the purpose of mineral exploration and entry, which may compromise the integrity of the Triumph Tunnel Plug portion of the Triumph Mine Tailings Pile Site Remedy are prohibited.

The owners and occupants of the Property shall be responsible for demonstrating that use of the Property is in conformity with the Activity and Use Limitations throughout the duration of their ownership and/or occupancy.

Amendment by Consent. The Environmental Covenant may be amended by consent pursuant to Idaho Code § 55-3010. Except for an assignment undertaken pursuant to a governmental reorganization, an assignment of the Environmental Covenant to a new holder is an amendment.

Duration and Termination. The Activity and Use Limitations shall apply to the Property, or any subdivided portion thereof, in perpetuity unless terminated by court action as provided in Idaho Code § 55-3009 or by consent pursuant to Idaho Code § 55-3010. DeNovo, or its successors in interest, may seek consent to terminate any or all of the Activity and Use Limitations that apply to the Property, or any subdivided portion thereof, pursuant to Idaho Code § 55-3010, by demonstrating with the record before the Department that:

1. the Property or any subdivided portion thereof is shown in a Department-approved document not to contain contaminated soils or groundwater; or
2. contaminated soils and groundwater are at levels the Department deems in writing to be adequate for the Property to be developed for unrestricted use.

Provisions to Run With the Land. Each and all of the Activity and Use Limitations shall run with the land, and pass with each and every portion of the Property, and shall apply to and bind the Bound Parties. Each and all of the Activity and Use Limitations are imposed upon the entire Property unless expressly stated as applicable solely to a specific portion of the Property.

Concurrence of Subsequent Owners, Etc. Presumed. All Bound Parties, including without limitation any purchasers, lessees, or possessors of any portion of the Property, shall be deemed by their purchase, leasing, possession or other taking of any right, title or interest in such Property, to be in accord with the foregoing and to agree for and among themselves, and their successors, that the Activity and Use Limitations as herein established must be adhered to and that their interest in the Property shall be subject to the Activity and Use Limitations contained herein.

Recording/Filing of Environmental Covenant. This Environmental Covenant and any amendment or termination of the Environmental Covenant shall be recorded in the Official Records of Blaine County Idaho. The Environmental Covenant or any amendment or termination shall be recorded by DeNovo, or the then-current owner(s) of fee simple title thereto, within thirty (30) days of receipt of this Environmental Covenant or any amendment or termination of this Environmental Covenant signed by the Department. Within thirty (30) days of the recording of this Environmental Covenant, or any amendment or termination, DeNovo, or the then-current owner(s) of fee simple title thereto, shall provide to the Department a copy of this recorded Environmental Covenant, or any amendment or termination of this Environmental Covenant. Upon receipt of the copy of the recorded Environmental Covenant, and any amendment or termination therein, the Department shall post the copy of the fully executed instrument in the Registry as required by Idaho Code Section 55-3012(1). In addition, a copy of the recorded Environmental Covenant, or any amendment or termination, shall be provided by DeNovo, or the then-current owner(s) of fee simple title thereto, to the following persons:

- each person that signed the Environmental Covenant;
- each person holding a recorded interest in the Property;
- each person in possession of the Property pursuant to a lease or written occupancy agreement;
- each municipality or other local government in which the Property is located; and
- any other person the Department requires.

The validity of the Environmental Covenant is not affected by failure to provide a copy of the Environmental Covenant as required under this section. The Activity and Use Limitations set forth herein shall be incorporated by reference in each and all deeds and leases of any portion of the Property.

Compliance Reporting. Owner[s] or/and any successors in interest, shall submit to the Department on an annual basis written documentation verifying that the activity and use limitations remain in place and compliance with the activity and use limitations.

Enforcement. The Department and any holder shall have authority to enforce the Activity and Use Limitations against DeNovo or the other Bound Parties, including subsequent owners of the Property and any other person using the Property who have violated the Activity and Use Limitations. Failure of any of the Bound Parties to comply with any of the Activity and Use Limitations set forth herein shall be grounds for the Department, or its successor, to require that the then-current owner of the Property to correct or remove any violations of this Environmental Covenant. Violation of this Environmental Covenant shall be grounds for the Department, or its successor, to file civil actions against the then-current owner of fee simple title to the Property and other Bound Parties in violation hereof as provided by law or in equity, including without limitation, the Uniform Environmental Covenants Act, Idaho Code § 55-3011.

Non-Waiver. No failure on the part of the Department or any holder at any time to require performance by any of the Bound Parties of any term of this Environmental Covenant shall be taken or held to be a waiver of such term or in any way affect the Department's or any holder's rights to enforce such term.

Property Access. The Department and/or its agents shall have a right of access to the Property at reasonable times for the purposes of evaluating compliance with this Environmental Covenant.

Notices. All notices required or permitted to be given hereunder shall be in writing and mailed in the United States Mail, postage prepaid, by certified or registered mail, return receipt requested, to the appropriate address indicated below or at such other place or places as DeNovo or any of the Bound

Parties or their successors, or the Department or its successors, may, from time to time, respectively, designate in a written notice given to the other. Notices which are deposited in the United States Mail in accordance with the terms of this provision shall be deemed received three (3) days after the date of mailing thereof.

DENOVO

DeNovo Independence LLC  
1300 Randolph Street  
Chicago, IL 60607

THE DEPARTMENT:

Idaho Department of Environmental Quality  
ATTN: State Response Program Manager  
1410 N. Hilton  
Boise, ID 83706

Costs and Expenses. All costs of terminating this Environmental Covenant, including the cost of any remediation or abatement of any environmental condition related to Activity and Use Limitations pertaining to the Property, shall be borne by the party seeking such termination.

Partial Invalidity. If any portion of the Environmental Covenant or terms set forth herein is determined to be invalid for any reason, the remaining portion shall remain in full force and effect as if such invalidated portion had not been included herein.

Headings. Headings at the beginning of each section of this Environmental Covenant are solely for the convenience of the parties and are not a part of the Environmental Covenant.

Idaho Code References. All references to the Idaho Code sections include successor provisions.

Reservation of Rights. Notwithstanding any provision of this Environmental Covenant, the Department retains all of its access and enforcement authorities under any applicable statute or rule. Nothing in this Environmental Covenant shall affect the Department's ability to enforce the terms of any voluntary consent order or other agreement relating to remediation of the Property entered into between the Department and DeNovo or any other responsible party. Nothing in this Environmental Covenant shall affect the obligations of DeNovo or any other responsible party under such voluntary consent order or other agreement. The Department's acceptance hereunder is based upon the information presently known or available to the Department with respect to the environmental condition of the Property, and the Department reserves the right to take appropriate action under applicable authorities in the event the Department determines new information warrants such action.

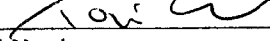
Effective Date. The effective date of this instrument shall be the date the fully executed Environmental Covenant is recorded at the county recorder's office.

[SIGNATURE PAGES FOLLOW]

Signature and Acknowledgments

Accepted:

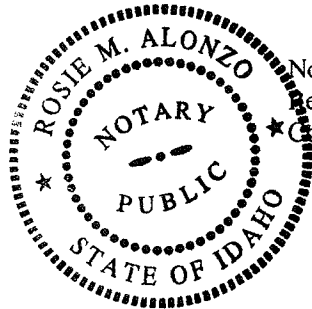
Idaho Department of Environmental Quality

Signature:   
Printed Name: Toni Hardesty  
Title: Director, Idaho Department of Environmental Quality  
Date: 11/7/11

State of Idaho           )  
                                  ) ss.  
County of Ada           )

On this 7 day of November, in the year 2011, before me, a Notary Public in and for said County and State, personally appeared Toni Hardesty, known or identified to me to be the Director of the Idaho Department of Environmental Quality that executed this Environmental Covenant, and acknowledged to me that the Idaho Department of Environmental Quality executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho: Rosie M. Alonzo  
Residing at: Nampa, Idaho  
Commission Expires: 1/30/2015

Signature and Acknowledgments

Accepted:

DeNovo Independence LLC

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

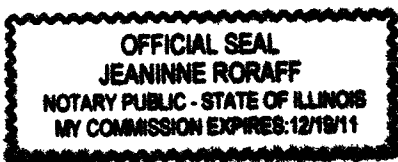
Title: \_\_\_\_\_

Date: \_\_\_\_\_

State of IL, county of Cook, ss.

On this 8th day of Aug, in the year 2011, before me Jonathan Markhoff (here insert the name and quality of the officer), personally appeared \_\_\_\_\_, known or identified to me (or proved to me on the oath of \_\_\_\_\_), to be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho: \_\_\_\_\_

Residing at: \_\_\_\_\_

Commission Expires: 12-19-11





Schedule A

Legal Description of the Property

Legal Description of:

**OTHER AREAS**

Sections 14 & 22-26, T.4N., R.18E., B.M., Blaine County, Idaho

A parcel of land situated in Sections 14 and 22 through 26, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, consisting of Patented Mining Claims May Leaf, Triumph, Minerva, Mary, True Friend, Helen Fraction, Koeninger, Independence Fraction, Independence, Redemption No.2, Silver Bullion No.2, Little Giant, Neighbor, Neighbor Fraction, Harper, Harper Fraction, Chicago, Maria, Eula, Baby Ethel, Dipper, Donski, GE, Oro, Teller, Malta No. 1, Malta No.2, Malta No.3, Wednesday, Thursday, Sunday, Monday, Tuesday, Bryan, Woodrow, Morning Star, Eclipse, North Star, American Eagle, Ketchum, Union, Haimdal, Smolenski, Western, Ben Harrison, Edhem Pasha, Midland, La Barge, West Shore and portions of the Silver Crown and Crescent Patented Mining Claims, and a portion of the Dipper Millsite according to the Bureau of Land Management Dependent Resurvey and Subdivision Plats and Notes dated July 18, 1987 & February 18, 1994 being more particularly described as follows:

Commencing at the southwest corner of said Section 25, being marked a BLM brass cap and proceeding North 76°03'02" East, 1603.77 feet to a 5/8" rebar, PLS 4566, being a point on the line common to Government Lot 23, said Section 25 and the Silver Crown Patented Mineral Claim, Mineral Survey 3461 also being the *Point of Beginning*;

Thence North 32°06'39" West, 1321.73 feet along said line to an aluminum cap, LS 3461 marking Corner No.3 of said Silver Crown Claim;

Thence North 56°54'35" East, 509.95 feet along the northerly line of said Silver Crown Claim to a BLM brass cap marking the intersection of said northerly line and the westerly line of the Patented Mineral Claim Tuesday, Mineral Survey 3157;

Thence departing said northerly line and proceeding North 30°26'04" West, 16.48 feet along the westerly line of the aforementioned Tuesday Mineral Claim to a BLM brass cap, marking the intersection of said westerly line and the southerly line of Patented Mineral Claim Venus, Mineral Survey 2308;

Thence departing said westerly line and proceeding South 65°43'30" West, 377.30 feet, along the southerly line of the aforementioned Venus Mineral Claim also being the northwesterly line of Government Lot 21 of said Section 25 to a BLM brass cap marking Corner No. 4 of the aforementioned Venus Claim and Corner No. 2 of Patented Mineral Claim Silver Key, Mineral Survey 2308 also being Corner No. 2 of Government Lot 21 of said Section 25;

Thence departing said southerly line of the aforementioned Venus Claim and proceeding South 53°41'27" West, 526.47 feet along the southerly line of the aforementioned Silver Key Claim also being the northwesterly line of Government Lot 21 to a BLM brass cap marking Corner No. 3 of Government Lot 21 of said Section 25;

Thence departing said northwesterly line and continuing along the southerly line of the aforementioned Silver Key Claim, South 53°42'12" West, 80.69 feet to a BLM brass cap, marking Corner No. 3 of the aforementioned Silver Key Claim;

Thence North 40°46'57" West, 63.24 feet along the westerly line of the aforementioned Silver Key Claim to a BLM brass cap marking the southeasterly corner of Government Lot 22;

Thence North 40°22'57" West, 1439.33 feet along the westerly line of the aforementioned Silver Key Claim to a BLM brass cap marking the corner for Corner No.4 of the aforementioned Silver Key Claim, also being Corner No.1 of Patented Mineral Claim Thursday, Mineral Survey 3156 and Corner No.8 of Patented Mineral Claim Eclipse, Mineral Survey 1093;

Thence departing said westerly line and proceeding South 54°19'51" West, 593.61 feet along the southerly line of the aforementioned Thursday Claim to a BLM brass cap marking Corner No. 2 of the aforementioned Thursday Claim;

Thence departing said southerly line, North 26°38'49" West, 1363.62 feet along the westerly line

of the aforementioned Thursday Claim to a BLM brass cap marking Corner No.3 of Government Lot 16 of said Section 26;

Thence departing said westerly line and proceeding North 33°44'32" East, 247.33 feet along the southeasterly line of said Government Lot 16 to a BLM brass cap marking Corner No. 4 of said Government Lot 16;

Thence departing said southeasterly line and proceeding North 62°22'34" West, 766.25 feet along the northeasterly line of said Government Lot 16 also being the line common to Government Lot 11 of said Section 26 and the Patented Mineral Claim Wednesday, Mineral Survey 3156 to a BLM brass cap marking Corner No. 7 of said Government Lot 11;

Thence the following two (2) courses common to said Wednesday Claim and said Government Lot II:

North 83°37'24" East, 321.70 feet to an aluminum cap, PLS 4566 & PLS 9561, marking Corner No. 8 of said Government Lot 11 and North 19°19'23" West, 317.83 feet to a BLM brass cap marking Corner No. 9 of said Government Lot 11 also being a point on the southwesterly line of Government Lot 10 of said Section 26;

Thence South 48°26'15" East, 687.59 feet along the line common to said Government Lot 10 and said Wednesday Claim to a BLM brass cap marking Corner No. 3 of said Government Lot 10;

Thence departing said common line and proceeding North 64°38'22" East, 155.06 feet along the southeasterly line of said Government Lot 10 to a BLM brass cap marking Corner No. 4 of said Government Lot 10, also being a point on the westerly line of Patented Mineral Claim Dipper, Mineral Survey 758;

Thence departing said southeasterly line and proceeding North 51°06'08" West, 1369.28 feet along the line common to said Government Lot 10 and said Dipper Claim to a BLM brass marking Corner No. 1 of said Government Lot 10;

Thence departing said common line and proceeding South 64°23'36" West, 85.16 feet to a BLM brass cap marking Corner No. 2 of said Government Lot 10, also being a point on the northeasterly line of said Government Lot 11;

Thence North 48°37'01" West, 40.20 feet along said northeasterly line to a BLM brass marking Corner No. 1 of said Government Lot 11, also being a point on the southeasterly line of Patented Mineral Claim American Eagle, Mineral Survey 3;

Thence South 53°52'01" West, 341.81 feet along the line common to said American Eagle Claim and said Government Lot 11 to a BLM brass cap marking Corner No. 4 of said American Eagle Claim;

Thence departing said common line and proceeding North 55°20'41" West, 597.73 feet along the southwesterly line of said American Eagle Claim to a BLM brass cap marking Corner No. 3 of said American Eagle Claim;

Thence departing said southwesterly line and proceeding North 55°14'52" East, 1055.76 feet along the northwesterly line of said American Eagle Claim to a BLM brass cap marking the intersection of the northwesterly line of said American Eagle Claim with the southerly line of Patented Mineral Claim GE, Mineral Survey 1240 also being Corner No. 3 of said GE Claim;

Thence departing said northwesterly line and proceeding South 82°22'19" West, 1077.68 feet along the southerly line of said GE Claim to a BLM brass cap marking Corner No. 4 of said GE Claim;

Thence departing said southerly line and proceeding North 06°33'23" West, 244.54 feet along the westerly line of said GE claim to a BLM brass cap marking the intersection of said westerly line with the northerly line of said Section 26;

Thence continuing along said westerly line, North 06°31'44" West, 352.33 feet to a BLM brass cap, marking Corner No. 5 of said GE Claim, also being a point on the southerly line of Patented Mineral Claim Teller, Mineral Survey 1240;

Thence departing said westerly line and proceeding South 82°19'36" West, 316.94 feet along said southerly line to an aluminum cap, PLS 4566 & PLS 9561, marking Corner No. 11 of said Teller Claim;

Thence departing said southerly line and proceeding North 07°40'24" West, 261.43 feet along

the westerly line of said Teller Claim to a BLM brass cap marking the southerly most corner of Patented Mineral Claim Edhem Pasha, Mineral Survey 1239, being Corner No. 23 of said Edhem Pasha Claim;

Thence departing said westerly line and proceeding North 45°21'21" West, 1501.85 feet along the southwesterly line of said Edhem Pasha Claim to a BLM brass cap marking Corner No. 24 of said Edhem Pasha Claim also being Corner No. 27 of Patented Mineral Claim Union, Mineral Survey 1239;

Thence departing said southwesterly line and proceeding North 44°13'12" West, 1499.45 feet along the southwesterly line of said Union Claim to a BLM brass cap marking Corner No. 28 of said Union Claim;

Thence departing said southwesterly line and proceeding North 06°55'27" West, 975.24 feet, along the westerly line of said Union Claim to a BLM brass cap marking Corner No. 29 of said Union Claim, also being a point on the southwesterly line of Patented Mineral Claim Midland, Mineral Survey 1239;

Thence departing said westerly line and proceeding North 44°22'19" West, 299.90 feet along the southwesterly line of said Midland Claim to a BLM brass cap marking Corner No. 20 of said Midland Claim;

Thence departing said southwesterly line and proceeding North 84°25'10" East, 513.79 feet along the northerly line of said Midland Claim to an aluminum cap, PLS 4566 & PLS 9561, marking the intersection of the northerly line of said Midland Claim and the westerly line of Patented Mineral Claim Chicago, Mineral Survey 2907;

Thence departing said northerly line and proceeding North 15°55'32" West, 446.34 feet along the westerly line of said Chicago Claim to a BLM brass cap marking Corner No. 2 of said Chicago Claim;

Thence departing said westerly line and proceeding North 89°04'16" East, 1497.68 feet along the northerly line of said Chicago Claim to a BLM brass cap marking Corner No. 3 of said Chicago Claim, also being Corner No.3 of the Patented Mineral Claim Ida Harland, Mineral Survey 11;

Thence departing said northerly line and proceeding South 16°00'40" East, 594.98 feet along the westerly line of Ida Harland Claim to a rectangular steel bar marking Corner No.4 of said Ida Harland Claim, from which the west one-quarter (WI/4) corner of said Section 23 being a BLM brass cap bears South 40°10' 18" West, 1454.91 feet;

Thence departing said westerly line and proceeding North 63°33'59" East, 750.00 feet along the southerly boundary of said Ida Harland Claim to an aluminum cap, PLS 4566 & PLS 9561, marking an angle point on the south line of said Ida Harland Claim;

Thence North 84°16'22" East, 750.00 feet along the southerly line of said Ida Harland Claim to an aluminum cap, PLS 4566 & PLS 9561, marking Corner No. 1 of said Ida Harland Claim;

Thence departing said southerly line and proceeding North 12°33'51" West, 600.00 feet along the easterly line of said Ida Harland Claim to an aluminum cap, PLS 4566 & PLS 9561, marking Corner No.2 of said Ida Harland Claim;

Thence departing said easterly line and proceeding South 70°39'04" West, 716.10 feet along the northerly line of said Ida Harland Claim to a BLM brass cap marking Corner No. 3 of Patented Mineral Claim Minnie May, Mineral Survey 10;

Thence departing said northerly line and proceeding North 00°45'32" East, 668.50 feet along the easterly line of said Minnie May Claim to the intersection of said easterly line with northerly line of Patented Mineral Claim Neighbor Fraction, Mineral Survey 2907 being marked by an aluminum cap, PLS 4566 & PLS 9561;

Thence departing said easterly line and proceeding North 73°44'26" East, 519.82 feet along the northerly line of said Neighbor Fraction Claim to a BLM brass cap marking Corner No.3 of said Neighbor Fraction Claim also being a point on the westerly line of Patented Mineral Claim Neighbor, Mineral Survey 2907;

Thence departing said northerly line and proceeding North 15°42'00" West, 178.52 feet along the westerly line of said Neighbor Claim to a BLM brass cap marking Corner No.2 of said Neighbor Claim;

Thence departing said westerly line and proceeding North 86°05'24" East, 1495.96 feet along the northerly line of said Neighbor Claim to a BLM brass cap marking Corner No. 3 of said Neighbor Claim, also being Corner No. 3 of Patented Mineral Claim Malta No. 1, also being Corner No. 2 of Patented Mineral Claim Malta No. 2;

Thence departing said northerly line and proceeding North 03°48'38" East, 1446.28 feet along the westerly line of said Malta No. 2 Claim to an aluminum cap, PLS 4566 & PLS 9561, marking the intersection of the westerly line of said Malta No. 2 Claim and the southerly line of Patented Mineral Claim Victoria, Mineral Survey 8;

Thence departing said westerly line and proceeding North 77°47'32" East, 205.10 feet along the southerly line of said Victoria Claim to an aluminum cap, PLS 4566 & PLS 9561, marking Corner No. 4 of said Victoria Claim;

Thence departing said southerly line and proceeding North 20°45'56" West, 9.18 feet along the easterly line of said Victoria Claim to an aluminum cap, PLS 4566 & PLS 9561, marking the intersection of said easterly line with the northerly line of Patented Mineral Claim Malta No. 2;

Thence departing said easterly line and proceeding South 85°19'56" East, 298.74 feet along the northerly line of said Malta No. 2 Claim to a BLM brass cap marking Corner No. 4 of said Malta No. 2 Claim and Corner No. 3 of Patented Mineral Claim Malta No. 3, Mineral Survey 2465;

Thence departing said northerly line and proceeding South 86°50'25" East, 503.22 feet along the northerly line of said Malta No. 3 Claim to a BLM brass cap marking Corner No. 4 of said Malta No. 3 Claim;

Thence departing said northerly line and proceeding South 01°58'52" West, 1498.80 feet to a BLM brass cap, marking Corner No. 1 of said Malta No. 3 Claim from which the southeast corner of the aforementioned Section 14, being marked by a BLM brass cap, bears South 61°28' 18" East, 811.67 feet;

Thence departing said easterly line and proceeding North 86°53'47" West, 494.74 feet along the southerly line of said Malta No. 3 Claim to a BLM brass cap marking Corner No. 2 of said Malta No. 3 Claim, also being Corner No. 1 of the aforementioned Malta No. 2 Claim and Corner No. 2 of the aforementioned Malta No. 1 Claim;

Thence departing said southerly line and proceeding South 06°11'37" West, 664.23 feet along the easterly line of said Malta No. 1 Claim to an aluminum cap, PLS 4566 & PLS 9561, marking the intersection of the easterly line of said Malta No. 1 Claim and the northerly line of Patented Mineral Claim Redemption No. 2, Mineral Survey No. 2907;

Thence departing said easterly line and proceeding North 86°11'04" East, 662.92 feet along the northerly line of said Redemption No. 2 Claim to a BLM brass cap marking Corner No. 3 of said Redemption No. 2 Claim;

Thence departing said northerly line and proceeding South 15°51'56" East, 598.41 feet along the easterly line of said Redemption No. 2 Claim to a BLM brass cap marking Corner No. 4 of said Redemption No. 2 Claim, also being Corner No. 3 of Patented Mineral Claim Silver Bullion No. 2, Mineral Survey No. 2907;

Thence departing said easterly line and proceeding South 15°53'16" East, 300.49 feet along the easterly line of said Silver Bullion No. 2 Claim to a BLM brass cap marking Corner No. 2 of Patented Mineral Claim Maria, Mineral Survey No. 2907;

Thence departing said easterly line and proceeding North 86°06'23" East, 1499.90 feet along the northerly line of said Maria Claim to a BLM brass cap marking Corner No. 3 of said Maria Claim;

Thence departing said northerly line and proceeding South 15°49'17" East, 597.64 feet along the easterly line of said Maria Claim to a BLM brass cap marking Corner No. 4 of said Maria Claim;

Thence departing said easterly line and proceeding South 86°01'04" West, 1074.83 feet along the southerly line of said Maria Claim to an aluminum cap, PLS 4566 & PLS 9561, marking the intersection of said southerly line and the easterly line of Patented Mineral Claim Koeninger, Mineral Survey 2908;

Thence departing said southerly line and proceeding South 02°30'57" West, 104.09 feet along the easterly line of said Koeninger Claim to a BLM brass cap marking Corner No. 1 of said

Koeninger Claim;

Thence departing said easterly line and proceeding South 86°04'31" West, 1499.07 feet to a rectangular steel bar marking Corner No.2 of said Koeninger Claim, also being a point on the easterly line of Patented Mineral Claim True Friend, Mineral Survey No. 2908;

Thence departing said southerly line and proceeding South 02°55'05" West, 47.73 feet along said easterly line to a rectangular steel bar marking Corner No. 2 of said True Friend Claim;

Thence continuing along the easterly line of said True Friend Claim, South 24°24'26" East, 478.23 feet to an aluminum cap, PLS 4566 & PLS 9561, marking the intersection of the easterly line of said True Friend Claim and the northerly line of Patented Mineral Claim Mary, Mineral Survey 2908;

Thence departing said easterly line and proceeding North 86°21'07" East, 1047.38 feet along the northerly line of said Mary Claim to a BLM brass cap marking Corner No. 4 of said Mary Claim;

Thence departing said northerly line and proceeding South 02°17'24" West, 599.68 feet along the easterly line of said Mary Claim to a BLM brass cap marking Corner No. 1 of said Mary Claim;

Thence departing said easterly line and proceeding South 86°15'28" West, 1062.57 feet along the southerly line of said Mary Claim to an aluminum cap, PLS 4566 & PLS 9561, marking the intersection of the southerly line of said Mary Claim with the easterly line of Patented Mineral Claim Minerva, Mineral Survey 24;

Thence departing said southerly line and proceeding South 06°31'24" East, 1371.64 feet along the easterly line of said Mineral Claim Minerva to a BLM brass cap marking Corner No. 3 of said Minerva Claim, also being Corner No. 2 of Patented Mineral Survey Ketchum, Mineral Survey 2;

Thence departing said easterly line and proceeding South 35°16'23" East, 1361.95 feet along the easterly line of said Ketchum Claim to an aluminum cap, PLS 4566 & PLS 9561, marking the intersection of the easterly line of said Ketchum Claim with the northerly line of Patented Mineral Claim Bryan, Mineral Survey 3157;

Thence departing said easterly line and proceeding North 67°50'07" East, 595.92 feet along the northerly line of said Bryan Claim to a BLM brass cap marking Corner No. 2 of said Bryan Claim;

Thence departing said northerly line and proceeding South 31°32'37" East, 1384.38 feet along the easterly line of said Bryan Claim to a BLM brass cap marking Corner No. 3 of said Bryan Claim;

Thence departing said easterly line and proceeding South 68°48'42" West, 115.82 feet along the southerly line of said Bryan Claim to a BLM brass cap marking Corner No. 3 of Patented Mineral Claim Woodrow, Mineral Survey 3157;

Thence departing said southerly line and proceeding South 31°43' 53" East, 1420.16 feet along the easterly line of said Woodrow Claim to a BLM brass cap marking Corner No. 4 of said Woodrow Claim;

Thence departing said easterly line and proceeding South 68°00'34" West, 577.38 feet along the southerly line of said Woodrow Claim to a BLM brass cap marking Corner No. 1 of said Woodrow Claim, also being Corner No. 4 of Patented Mineral Claim Monday, Mineral Survey 3157 and Corner No. 2 of Patented Mineral Survey Tuesday, Mineral Survey 3157;

Thence departing said southerly line and proceeding South 31°35'21" East, 1495.33 feet along the easterly line of said Tuesday Claim to a BLM brass cap marking Corner No. 3 of said Tuesday Claim;

Thence departing said easterly line and proceeding South 67°59'59" West, 128.93 feet along the southerly line of said Tuesday Claim to a BLM brass cap marking the intersection of the southerly line of said Tuesday Claim and the northeasterly line of Patented Mineral Claim Crescent, Mineral Survey 3068A;

Thence departing said southerly line and proceeding South 69°35'39" East, 976.52 feet along the northeasterly line of said Crescent Claim to a 5/8" rebar on the northerly boundary line of the Amended Wooden Hill Subdivision;

Thence departing said northeasterly line and proceeding along the following three (3) courses along said northerly boundary:

South 65°07'43" West, 4.31 feet to a 5/8" rebar, PLS 4566;

South 65°07'43" West, 361.98 feet to a 5/8" rebar;

And South 88°16'53" West, 492.40 feet to a 5/8" rebar;

Thence departing said northerly boundary and proceeding South 37°32'08" East, 268.19 feet to a 5/8" rebar, PLS 4566 marking the easterly right-of-way line of Karst Drive, a public street;

Thence South 52°30'37" West, 14.82 feet along the northerly end of said Karst Drive to 5/8" rebar, PLS 4566;

Thence along the northerly end of said Karst Drive, South 52°30'50" West, 52.24 feet to a 5/8" rebar, PLS 4566 marking the intersection of the westerly right-of-way line of Karst Drive (a public street) with the northwesterly boundary of the New Gravity Subdivision Revised 2008;

Thence the following six (6) courses along said northwesterly boundary;

South 68°51'22" West, 149.88 feet to a 5/8" rebar, PLS 4566;

South 52°22'19" West, 70.09 feet to a 5/8" rebar, PLS 4566;

South 70°06'23" West, 86.02 feet to a 5/8" rebar, PLS 4566;

South 48°48'33" West, 402.36 feet to a 5/8" rebar, PLS 4566;

South 32°58'10" East, 42.13 feet to a 5/8" rebar, PLS 5080;

And South 52°30'50" West, 18.59 feet to the Point of Beginning.

Containing 872.95 acres, gross, more or less, as determined by computer methods.

**And**

A parcel of land situated in Section 23, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, consisting of a portion of the Patented Mining Claim Neighbor Fraction, Mineral Survey 2907 being more particularly described as follows:

Commencing at the west one-quarter (WI/4) corner of said Section 23, being marked a BLM brass cap, from which the northwest corner of said Section 23, being marked a BLM brass cap, bears North 00°14'05" East, 2630.74 feet and proceeding North 40°10'18" East, 1454.91 feet to 3/8" x 1" steel bar marking Corner No. 2 of Patented Mineral Claim Harper Fraction, Mineral Survey 2907, also being Corner No. 4 of Patented Mineral Claim Ida Harland, Mineral Survey 11;

Thence North 16°00'40" West, 594.98 feet to a BLM brass cap marking Corner No. 3 of said Ida Harland Claim;

Thence North 73°12'22" East, 7.99 feet to a BLM brass cap marking Corner No. 1 of Patented Mineral Claim Neighbor Fraction, Mineral Survey 2907 and Point of Beginning;

Thence North 15°53'43" West, 599.74 feet along the westerly line of said Neighbor Fraction Claim to a BLM brass cap marking Corner No. 2 of said Neighbor Fraction Claim;

Thence departing said westerly line and proceeding North 73°44'26" East, 351.69 feet along said northerly line to an aluminum cap, PLS 4566 & PLS 9561 marking the intersection of said northerly line with the westerly line of Patented Mineral Claim Minnie May, Mineral Survey 10;

Thence departing said northerly line and proceeding South 00°53'36" West, 657.85 feet along said westerly line to a BLM brass cap marking Corner No. 2 of said Minnie May Claim;

Thence departing said westerly line and proceeding South 83°52'25" West, 164.05 feet along the southerly line of said Neighbor Fraction Claim to the Point of Beginning.

Containing 3.65 acres, more or less, as determined by computer methods.

**Excepting therefrom:**

**Patented Mineral Claim Silver Bullion, Mineral Survey No. 2907**

A parcel of land situated in Section 23, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the west one-quarter (*W* 1/4) corner of said Section 23, being marked a BLM brass cap, from which the northwest corner of said Section 23, being marked a BLM brass cap, bears North 00°14'05" East, 2630.74 feet and proceeding North 80°03'23" East, 2169.39 feet to a BLM brass cap marking Corner No. 1 of Patented Mineral Claim Silver Bullion, Mineral Survey 2907 and the Point of Beginning;

Thence North 15°54'59" West, 600.07 feet to a 3/8" x 1" steel bar, marking Corner No. 2 of said Silver Bullion;

Thence North 62°56'21" East, 1499.55 feet to a 1/2" rebar, PLS 5398 marking Corner No. 3 of said Silver Bullion Claim;

Thence South 15°51'44" East, 600.25 feet to an aluminum cap, PLS 9561 & 4566, marking Corner No. 4 of said Silver Bullion Claim;

Thence South 63°06'25" West, 96.21 feet, to a 3/8" x 1" steel bar, marking Corner No. 4 of Patented Mineral Claim Helen Fraction, Mineral Survey 2908;

Thence South 62°54'38" West, 558.23 feet along the north line of Patented Mineral Claim Helen Fraction, Mineral Survey 2908 to a BLM brass cap marking the northeast corner of Government Lot 11 of said Section 23, also being Corner No. 3 of Patented Mineral Claim Helen Fraction, Mineral Survey 2908;

Thence South 62°56'36" West, 844.53 feet along the northerly line of said Lot 11 to the Point of Beginning.

This parcel contains 20.26 acres (882,670 square feet), more or less, as determined by computer methods.

**Also excepting therefrom:**

**Government Lot 10, Section 23**

A parcel of land situated in Section 23, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the west one-quarter (*W* 1/4) corner of said Section 23, being marked a BLM brass cap, from which the northwest corner of said Section 23, being marked a BLM brass cap, bears North 00°14'05" East, 2630.74 feet and proceeding North 40°41'19" East, 633.97 feet to an aluminum cap, PLS 9561 & 4566 being a point on the south line of Patented Mineral Claim Harper, Mineral Survey 2907 and the Point of Beginning;

Thence North 89°01'53" East, 138.18 feet along the southerly line of the Patented Mineral Claim Harper, Mineral Survey 2907, to a BLM brass cap also marking Corner No. 2 of the Patented Mineral Claim Eula, Mineral Survey 2907;

Thence South 15°56'22" East, 208.88 feet along the west line of the Patented Mineral Claim Eula, Mineral Survey 2907 to an aluminum cap, PLS 9561 & 4566;

Thence North 44°33'55" West, 278.63 feet to the Point of Beginning.

This parcel contains 0.32 acres (13,942 square feet), more or less, as determined by computer methods.



**Also excepting therefrom:**

**Government Lot 11, Section 23**

A parcel of land situated in Section 23, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the west one-quarter (WI/4) corner of said Section 23, being marked a BLM brass cap, from which the northwest corner of said Section 23, being marked a BLM brass cap, bears North 00°14'05" East, 2630.74 feet and proceeding North 80°03'23" East, 2169.39 feet to a BLM brass cap marking Patented Mineral Claim Eula Corner No. 4, Mineral Survey 2907 also being Patented Mineral Claim Silver Bullion Corner No. 1, Mineral Survey 2907 and the Point of Beginning:

Thence North 62°56'36" East along the southerly line of said Patented Mineral Claim Silver Bullion, 844.53 feet to a BLM brass cap marking the Patented Mineral Claim Helen Fraction Corner No. 3, Mineral Survey 2908;

Thence South 27°29'45" East, along the westerly line of said Patented Mineral Claim Helen Fraction, 179.65 feet to a BLM brass cap marking the Patented Mineral Claim Smolenski Corner No. 7, Mineral Survey 1239;

Thence South 74°55'58" West, along the northerly line of said Patented Mineral Claim Smolenski, 864.77 feet to the Point of Beginning.

This parcel contains 1.74 acres (75,855 square feet), more or less, as determined by computer methods.

**Also excepting therefrom:**

**Government Lot 14, Section 23**

A parcel of land situated in Section 23, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the west one-quarter (W 1/4) corner of said Section 23, being marked a BLM brass cap, from which the northwest corner of said Section 23, being marked a BLM brass cap, bears North 00°14'05" East, 2630.74 feet and proceeding South 46°00'55" East, 1354.56 feet to a BLM brass cap marking the Patented Mineral Claim Ben Harrison, Corner No. 15, Mineral Survey 1239 and the Point of Beginning:

Thence North 83°10'51" East along the southerly line of said Patented Mineral Claim Ben Harrison, 197.84 feet to a BLM brass cap marking the Patented Mineral Claim Teller Corner No. 12, Mineral Survey 1240;

Thence South 6°30'47" East, along the westerly line of said Patented Mineral Claim Teller, 251.88 feet to a BLM brass cap marking the Patented Mineral Claim Edhem Pasha Corner No. 22, Mineral Survey 1239;

Thence North 44°46'37" West, along the northeasterly line of said Patented Mineral Claim Edhem Pasha, 319.45 feet to the Point of Beginning.

This parcel contains 0.57 acres (24,915 square feet), more or less, as determined by computer methods.

**Also excepting therefrom:**

**Government Lot 17, Section 23**

A parcel of land situated in Section 23, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the southeast corner of said Section 23, being marked a BLM brass cap, from which the east one-quarter (E1/4) corner of said Section 23, being marked a BLM brass cap, bears North 00°20'29" East, 2636.43 feet and proceeding North 67°08'17" West, 1439.43 feet to an aluminum cap, PLS 9561 & 4566, marking Corner No. 4 of Patented Mineral Claim West Shore, Mineral Survey 736 and being the Point of Beginning:

Thence South 66°05'01" West, 497.17 feet along the northerly line of Patented Mineral Claim West Shore, Mineral Survey 736 to a point on the easterly line of Patented Mineral Claim La Barge, Mineral Survey 3155, being marked by an aluminum cap, PLS 9561 & 4566;

Thence North 35°44'25" West, 3.34 feet along said easterly line to a point on the southerly line of Patented Mineral Claim Triumph, Mineral Survey 25, being marked by an aluminum cap, PLS 9561 & 4566;

Thence North 64°25'25" East, 357.10 feet along the southerly line of Patented Mineral Claim Triumph, Mineral Survey No. 25 to Corner No. 3 of Patented Mineral Claim Triumph, Mineral Survey No. 25, being marked by an aluminum cap, PLS 9561 & 4566;

Thence North 07°18'11" West, 202.53 feet along the easterly line of Patented Mineral Claim Triumph, Mineral Survey No. 25 to a point on the southerly line of Patented Mineral Claim Minerva, Mineral Survey 24, being marked by an aluminum cap, PLS 9561 & 4566;

Thence North 62°06'11" East, 41.97 feet along the southerly line of Patented Mineral Claim Minerva, Mineral Survey 24 to Corner No. 4 of the Patented Mineral Claim Ketchum, Mineral Survey 2, being marked by an aluminum cap, PLS 9561 & 4566;

Thence South 34°57'53" East, 214.58 feet along the westerly line of Patented Mineral Claim Ketchum, Mineral Survey 2 to the Point of Beginning.

This parcel contains 0.52 acres (22,508 square feet), more or less, as determined by computer methods.

**Also excepting therefrom:**

**Government Lot 19, Section 25**

A parcel of land situated in Section 25, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the southwest corner of said Section 25, being marked a BLM brass cap, from which the west one-quarter (W 1/4) corner of said Section 25, being marked a BLM brass cap, bears North 00°27'52" East, 2664.47 feet and proceeding North 46°45'04" East, 2068.55 feet to a BLM brass cap marking Angle Point No. 3 of said Lot 19, and being the Point of Beginning:

Thence North 31°34'27" West, 328.06 feet to a BLM brass cap marking Angle Point No. 2 of said Government Lot 19, also being a point on the westerly line of Patented Mineral Claim Tuesday, Mineral Survey 3157;

Thence North 51°26'42" East, 228.92 feet to a BLM brass cap marking Angle Point No. 1 of said Government Lot 19;

Thence South 24°27'13" East, 389.11 feet to a BLM brass cap, marking Angle Point No. 4 of said Government Lot 19, also being a point on the northerly line of Government Lot 20, Section 25;

Thence South 68°03'55" West, 79.64 feet along the line common to said Government Lots 19 &

20 to a BLM brass cap marking Angle Point No. 2 of the aforementioned Government Lot 20; Thence continuing along the southerly line of said Government Lot 19, South 67°58' 15" West, 101.88 feet to the Point of Beginning.

This parcel contains 1.67 acres (72,549 square feet), more or less, as determined by computer methods.

**Also excepting therefrom:**

**Government Lot 20, Section 25**

A parcel of land situated in Section 25, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the southwest corner of said Section 25, being marked a BLM brass cap, from which the west one-quarter (W1/4) corner of said Section 25, being marked a BLM brass cap, bears North 00°27'52" East, 2664.47 feet and proceeding North 47°43'39" East, 2163.84 feet to a BLM brass cap marking Angle Point No. 2 of said Lot 20, also being a point on the southerly line of Government Lot 19 and the Point of Beginning;

Thence North 68°03'55" East, 79.64 feet along the line common to the aforementioned Government Lots 19 & 20 to a BLM brass cap;

Thence North 67°56'28" East, 119.02 feet along the north line of said Government Lot 20, to a BLM brass cap marking Angle Point No. 1 of Government Lot 20, also being a point on the northwesterly line of Patented Mineral Claim Crescent, Mineral Survey 3068A;

Thence South 17°26'15" West, 178.23 feet along the line common to Government Lot 20 and Patented Mineral Claim Crescent, Mineral Survey 3068A to an aluminum cap, PLS 4566, also being Angle Point No.1 of Government Lot 24, Section 25;

Thence continuing South 17°26'15" West, 74.75 feet along the line common to Government Lots 20 & 24 to a concrete filled iron pipe marking Angle Point No.3 of Government Lot 20;

Thence North 32°59'43" West, 199.01 feet along the westerly line of Government Lot 20 to the Point of Beginning.

This parcel contains 0.45 acres (19,395 square feet), more or less, as determined by computer methods.

**Also excepting therefrom:**

**Government Lot 24, Section 25**

A parcel of land situated in Section 25, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the southwest corner of said Section 25, being marked a BLM brass cap, from which the west one-quarter (W1/4) corner of said Section 25, being marked a BLM brass cap, bears North 00°27'52" East, 2664.47 feet and proceeding North 57°09'30" East, 1947.45 feet to a concrete filled iron pipe marking Angle Point No. 2 of said Lot 24 and the Point of Beginning;

Thence North 17°30'24" East, 243.76 feet to a concrete filled iron pipe marking Angle Point No. 3 of Government Lot 20;

Thence North 17°26' 15" East, 74.75 feet on the line common to Government Lots 20 & 24 to an aluminum cap, PLS 4566 and being a point on the westerly line of Patented Mineral Claim Crescent, Mineral Survey 3068A;

Thence South 24°27'10" East, 449.91 feet along the line common to Government Lot 24 and Patented Mineral Claim Crescent, Mineral Survey 3068A to a concrete filled iron pipe marking

Angle Point No.3 of Government Lot 24;  
Thence North 69°26'22" West, 301.15 feet to the Point of Beginning.

This parcel contains 1.10 acres (47,881 square feet), more or less, as determined by computer methods.

**Also excepting therefrom:**

**Government Lot 16, Section 23**

A parcel of land situated in Section 23, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the southwest corner of said Section 23, being marked a BLM brass cap, from which the west one-quarter (WI/4) corner of said Section 23, being marked a BLM brass cap, bears North 00°11'00" East, 2669.49 feet and proceeding North 71°41'38" East, 2660.55 feet to an aluminum cap, PLS 9561 & 4566, being a point on the line common to Patented Mineral Claim Oro, Mineral Survey 1240 and Patented Mineral Claim Mayleaf, Mineral Survey 25 and being the Point of Beginning;

Thence South 51°09'53" East, 549.49 feet to a point on the line common to Patented Mineral Claim Mayleaf, Mineral Survey 25 and Patented Mineral Claim GE, Mineral Survey 1240, being marked by an aluminum cap, PLS 9561 & 4566;

Thence South 82°19'36" West, 378.18 feet along said northerly line of Patented Mineral Claim GE, Mineral Survey 1240 to Corner No.6 of Patented Mineral Claim Oro, Mineral Survey 1240, being marked by an aluminum cap, PLS 9561 & 4566;

Thence North 07°40'24" West, 398.64 feet along the easterly line of Patented Mineral Claim Oro, Mineral Survey 1240 to the Point of Beginning.

This parcel contains 1.73 acres (75,379 square feet), more or less, as determined by computer methods.

Basis of Bearings: The south line of the Southwest One-quarter (SW 1/4) of the Southwest One-quarter (SW 1/4) of Section 25, Township 4 North, Range 18 East, B.M., Blaine County, Idaho bears North 89°57'06" East.

Basis of Bearings: The west line of the Northwest One-quarter (NW 1/4) of Section 23, Township 4 North, Range 18 East, B.M., Blaine County, Idaho bears North 00°14'05" East.

**Also excepting therefrom:**

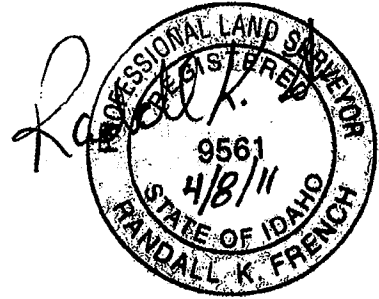
**North Star Neighborhood Area**

A parcel of land situated in Section 25, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho, and more particularly described as follows;

Commencing at a brass cap marking the South Quarter Corner of said Section 25; Thence S89°57'13"W, 2644.84 feet to a brass cap marking the Southwest Corner of said Section 25; Thence N64°4'16"E, 1534.77 feet to the westerly boundary of the Silver Crown Lode and the Point of Beginning;

Thence N38°1'59"E, 169.35 feet;  
Thence N80°59'18"E, 123.43 feet;  
Thence N89°50'02"E, 195.26 feet;  
Thence S38°22'08"E, 89.13 feet;  
Thence N68°57'34"E, 223.68 feet;

Thence S20°15'01"E, 14.85 feet to the northerly boundary of New Gravity Subdivision Revised 2008;  
 Thence S68°46'55"W, 97.59 feet along the northerly boundary of New Gravity Subdivision Revised 2008;  
 Thence S52°30'50"W, 70.00 feet along the northerly boundary of New Gravity Subdivision Revised 2008;  
 Thence S70°06'23"W, 86.02 feet along the northerly boundary of New Gravity Subdivision Revised 2008;  
 Thence S68°50'15"W, 28.75 feet;  
 Thence S77°13'05"W, 410.13 feet to the westerly boundary of the Silver Crown Lode;  
 Thence N32°07'02"W, 69.46 feet along the westerly boundary of the Silver Crown Lode to the Point of Beginning.



The above described parcel contains approximately 1.63 acres (70,976 sq ft).

**Also excepting therefrom:**

**Independence Neighborhood Area**

Sections 22 & 23, T.4N.,  
 R.18E., B.M., Blaine County, Idaho

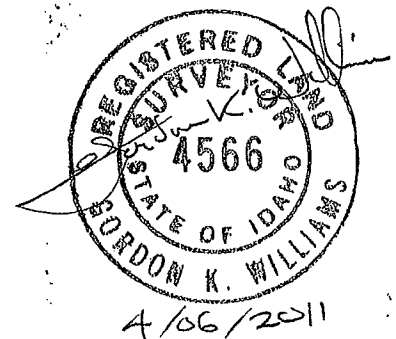
A parcel of land situated in Sections 22 and 23, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho more particularly described as follows;

All of the Harper MS No. 2907, all of the Ben Harrison MS No. 1239, all of the Midland MS No. 1239, a portion of the Eula MS No. 2907, a portion of the Edhem Pasha MS No. 1239, a portion of the Union MS No. 1239, all of the Chicago MS No. 2907 and a portion of the Western MS No. 1239, said parcel being more particularly described as follows;

Commencing at the west corner of Government Lot 14 in said Section 23 as shown on the Record of Survey recorded under Instrument Number 561929, said corner being the Point of Beginning;  
 Thence N44°38'40"W, 258.34 feet along the southwest boundary of the Ben Harrison; thence N90°00'00"W, 843.45 feet to the southwest boundary of the Union; thence N44°13'12"W, 1052.89 feet to the west corner of the Union; thence N06°55'26"W, 975.24 feet to the north corner of the Union; thence N44°22'19"W, 299.90 feet to the west corner of the Midland; thence N84°25'11"E, 513.79 feet along the north boundary of the Midland to the west boundary of the Chicago; thence N15°55'32"W, 446.34 feet to the northwest corner of the Chicago; thence N89°04'16"E, 1497.68 feet to the northeast corner of the Chicago; thence S16°00'40"E, 594.98 feet to the southeast corner of the Chicago; thence S15°58'59"E, 476.18 feet along the east boundary of the Harper to the north boundary of the Eula; thence S23°40'31"E, 1642.66 feet to the southeast corner of the Ben Harrison; thence S83°10'51"W, 760.00 feet along the south boundary of the Ben Harrison to the Point of Beginning. **Excepting therefrom: Government Lot 10, Section 23 as previously described.**

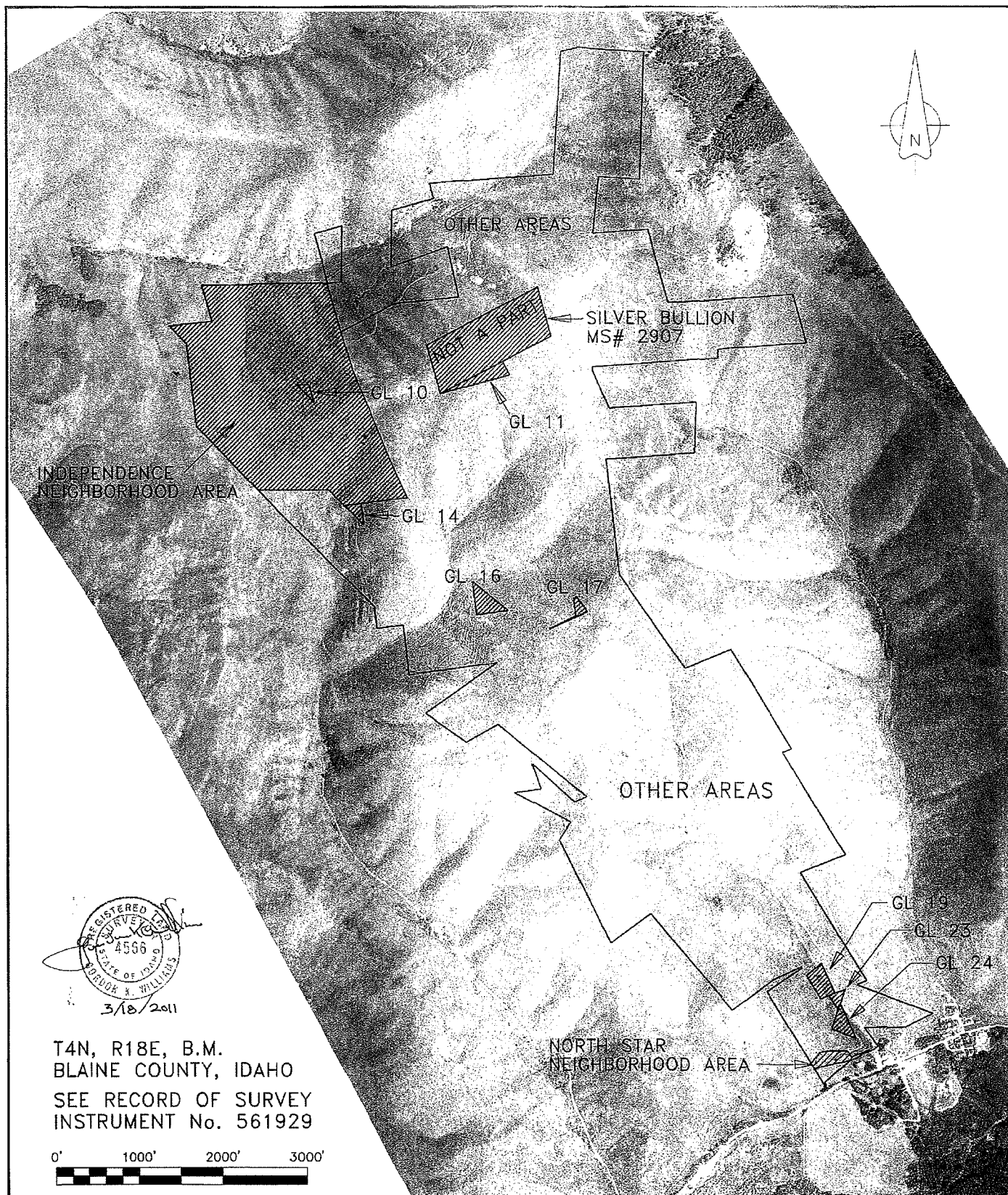
The above described parcel contains approximately 107.62 acres (4,688,030 sq ft).

**Gross area of Other Areas is 876.60 acres, more or less.**  
**Exception area of Other Areas is 137.33 acres, more or less.**  
**Net area of Other Areas is 739.27 acres, more or less.**




Schedule B

Map of the Property



LEGEND:

- BOUNDARY
-  = NOT A PART OF OTHER AREAS
- GL = GOVERNMENT LOT (NOT A PART)

OTHER AREAS

FIGURE 7-1

INSTITUTIONAL CONTROLS  
DENOVO INDEPENDENCE

Schedule C-1

Maps and Legal Descriptions for Capped Portions of the Restricted Area



LEGEND:

— PROPERTY LINE  
 — CAP LIMITS  
 (P-312) — POINT No. FROM R.O.S.

SEC. 25, 14N, R18E, B.M.  
 BLAINE COUNTY, IDAHO  
 SEE RECORD OF SURVEY (R.O.S.)  
 INSTRUMENT No. 561929

NORTH STAR NEIGHBORHOOD CO-ORDINATES

POINT	NORTHING	EASTING
14 1	721520.544	1572727.975
15 2	721505.775	1572235.793
16 3	721293.108	1572399.187
17 4	721279.140	1572380.976
18 5	721490.186	1572218.325
19 6	721957.886	1572004.023
20 7	721874.874	1571977.949
21 8	721750.231	1572081.337
22 9	721700.353	1571990.400
23 10	721787.847	1571950.614
24 11	721378.290	1572136.852
25 12	721484.053	1571854.885

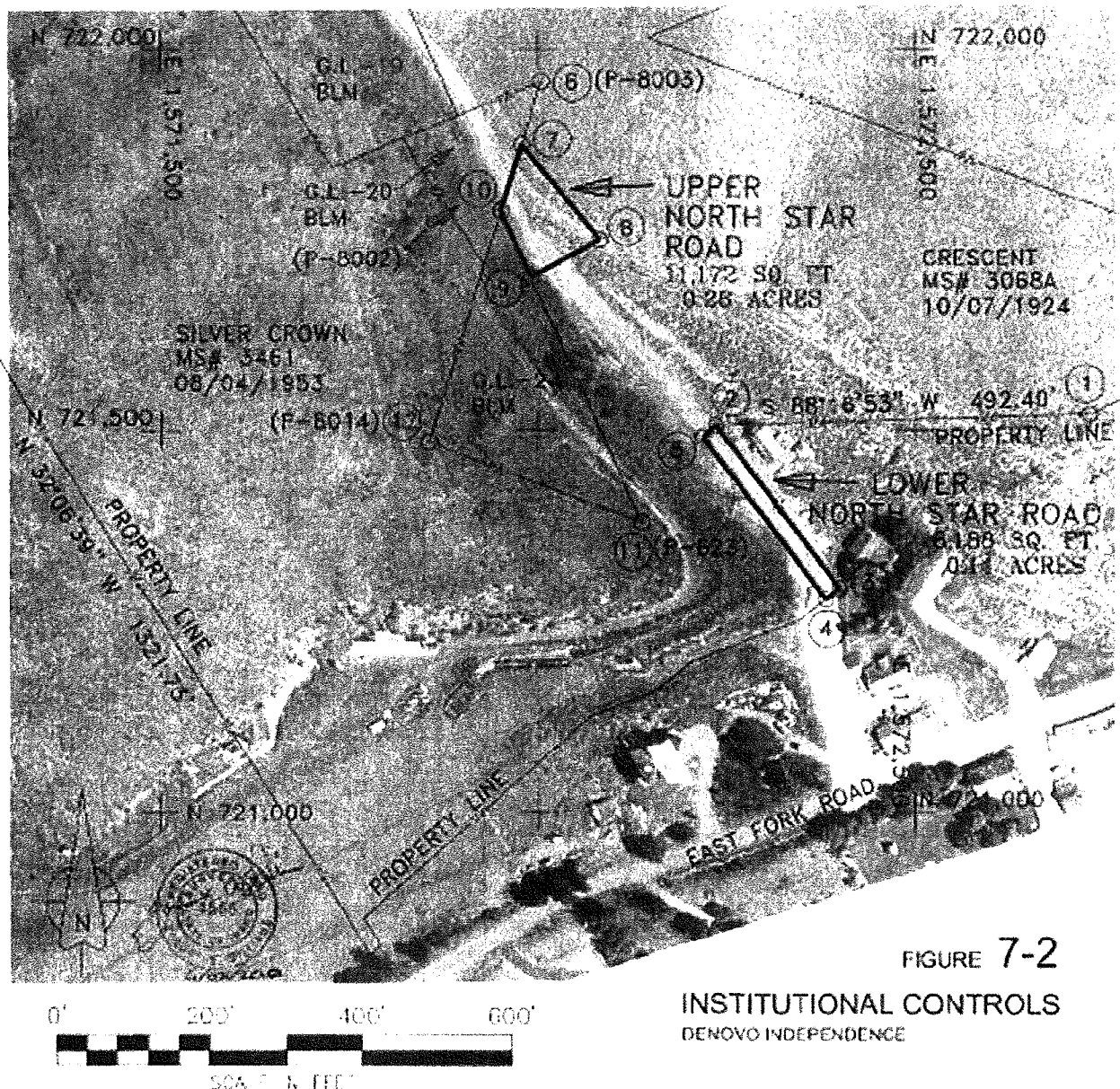


FIGURE 7-2

INSTITUTIONAL CONTROLS  
 DENOVO INDEPENDENCE

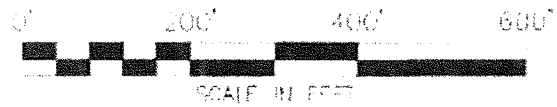
# INDEPENDENCE CAP CO-ORDINATES

POINT	N. E. CO-ORD.	E. N. CO-ORD.
1	730784.137	1566632.676
2	730998.811	1566397.157
3	731241.514	1566862.840
4	731507.313	1567288.593
5	731747.993	1567345.945
6	731918.826	1567387.912
7	731963.732	1567245.293
8	731770.271	1567015.285
9	731151.281	1566585.563
10	730793.373	1566385.768

## LEGEND:

————— PROPERTY LINE  
 ———— CAP LIMITS

(P 312) = POINT No. FROM R.O.S.



SEC. 14 & 23, T4N, R18E, B.M.  
 BLAINE COUNTY, IDAHO

SEE RECORD OF SURVEY (R.O.S.)  
 INSTRUMENT No. 561929

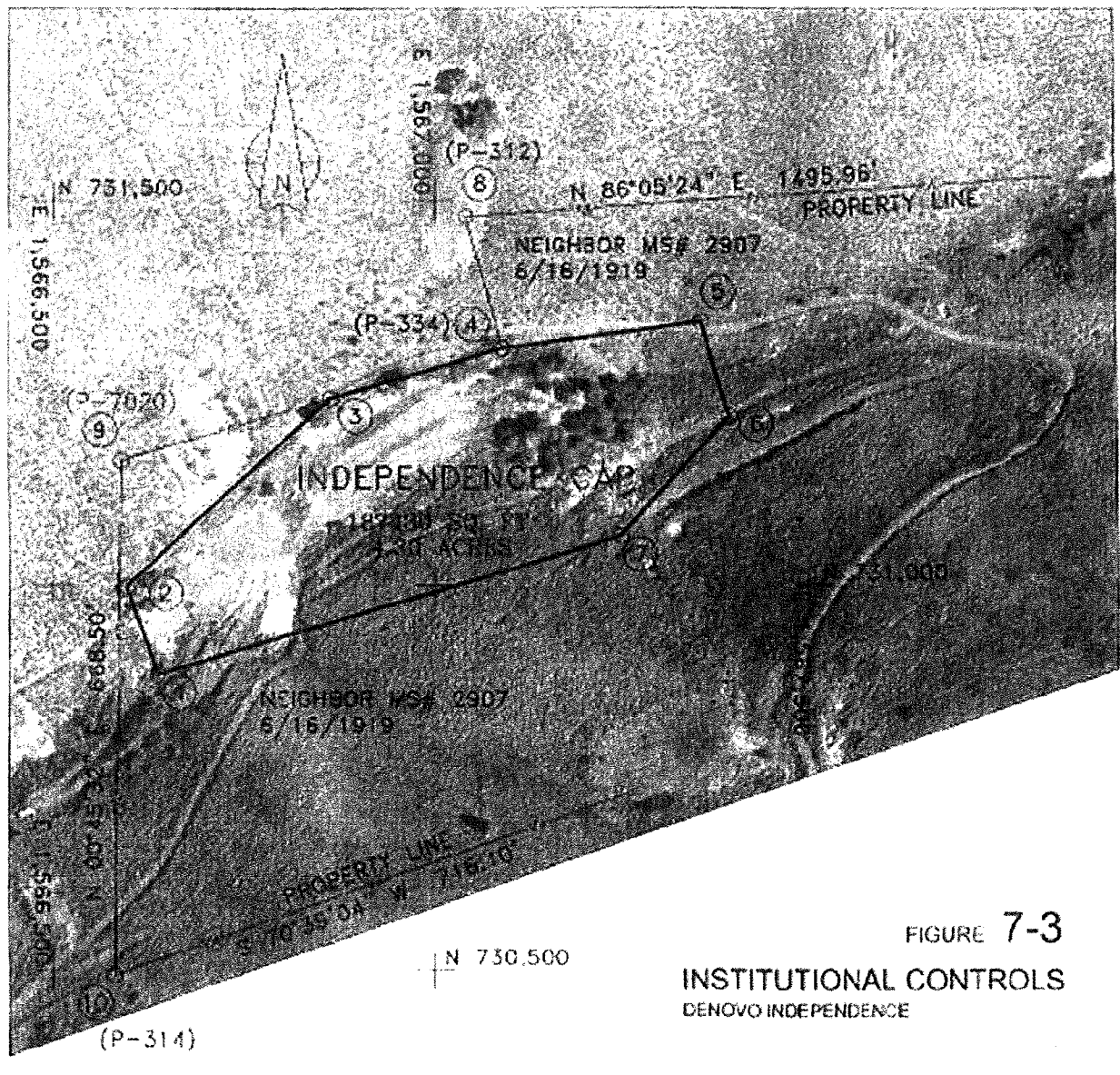


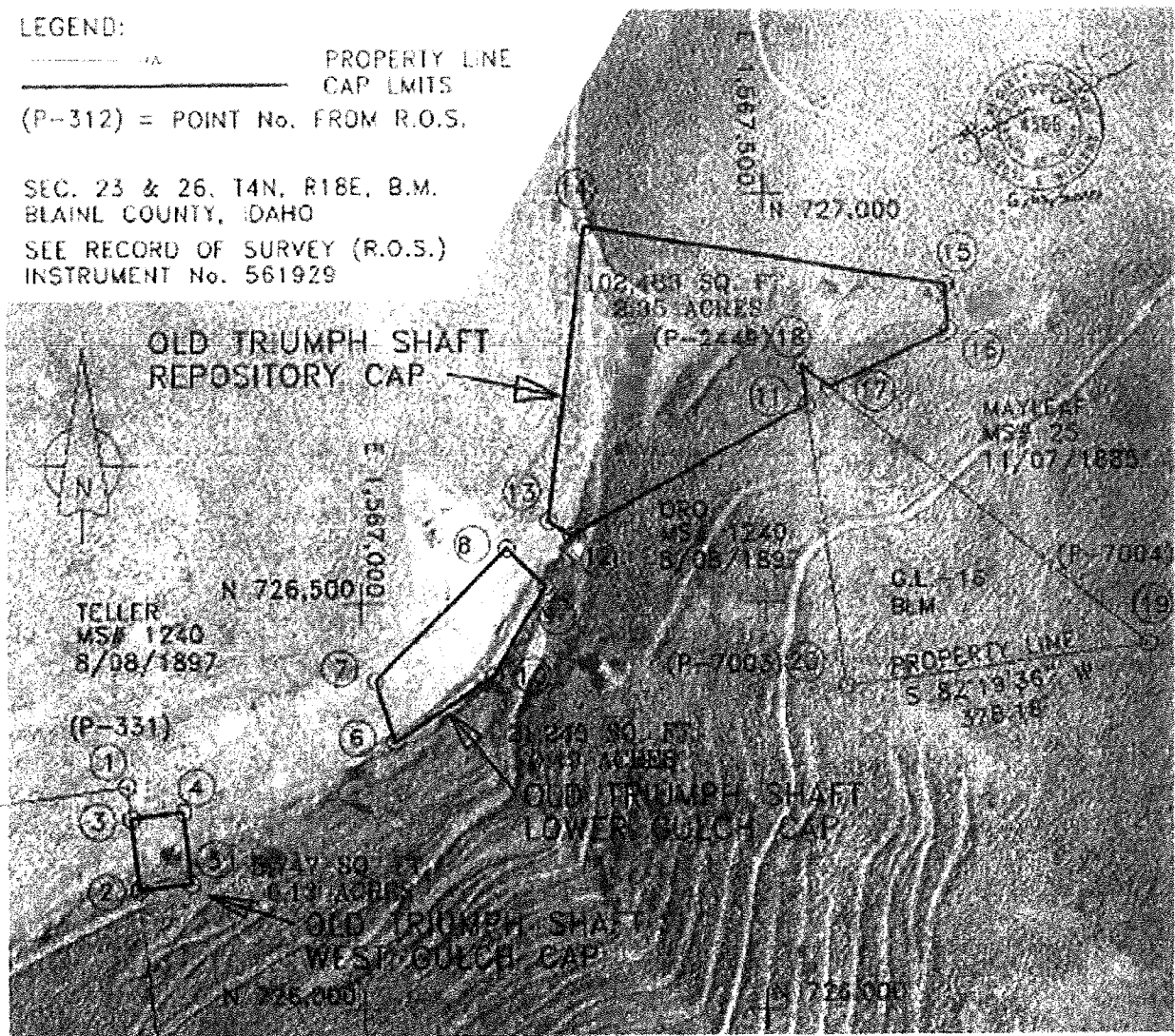
FIGURE 7-3

INSTITUTIONAL CONTROLS  
 DENOVO INDEPENDENCE

LEGEND:

—A— PROPERTY LINE  
 — CAP LIMITS  
 (P-312) = POINT No. FROM R.O.S.

SEC. 23 & 26, T4N, R18E, B.M.  
 BLAINL COUNTY, IDAHO  
 SEE RECORD OF SURVEY (R.O.S.)  
 INSTRUMENT No. 561929



OLD TRIUMPH SHAFT CO-ORDINATES

POINT	NORTHING	EASTING	POINT	NORTHING	EASTING
1	726275.506	1566709.157	12	726582.015	1567260.307
2	726149.028	1566723.632	13	726599.734	1567231.226
3	726236.228	1566713.652	14	726960.688	1567278.017
4	726244.309	1566778.187	15	726887.687	1567725.614
5	726156.264	1566788.516	16	726832.404	1567729.163
6	726329.255	1567040.305	17	726762.781	1567582.610
7	726404.759	1567015.608	18	726790.749	1567547.870
8	726567.718	1567179.346	19	726446.175	1567975.891
9	726520.498	1567226.797	20	726395.678	1567601.098
10	726410.982	1567162.997			
11	726741.987	1567554.439			

FIGURE 7-4



INSTITUTIONAL CONTROLS  
 DENOVO INDEPENDENCE



NOFFENTAR SP5 GORDON K W LMS PL 3

Schedule C-2

Maps and Legal Descriptions for Waste Left in Place Portions of the Restricted Area

LEGEND:

----- PROPERTY LINE  
 \_\_\_\_\_ CAP LIMITS

(P-312) = POINT No. FROM R.O.S.

SEC. 14 & 23, T4N, R18E, B.M.  
 BLAINE COUNTY, IDAHO

SEE RECORD OF SURVEY (R.O.S.)  
 INSTRUMENT No. 561929

INDEPENDENCE WASTE  
 LEFT IN PLACE CO-ORDINATES

POINT	NORTHING	EASTING
1	730144.996	1567386.882
2	730730.628	1567256.362
3	730702.709	1567176.855
4	730801.182	1567132.458
5	731000.000	1567500.000
6	730382.357	1567777.255
7	730643.584	1568258.757
8	730481.368	1568346.763
9	730177.659	1567786.956
10	730409.799	1567327.865

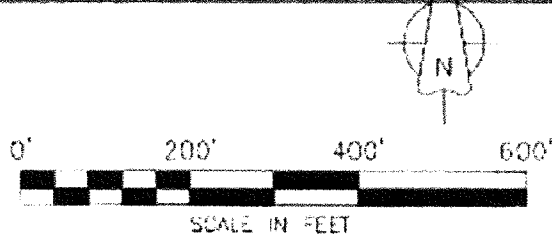
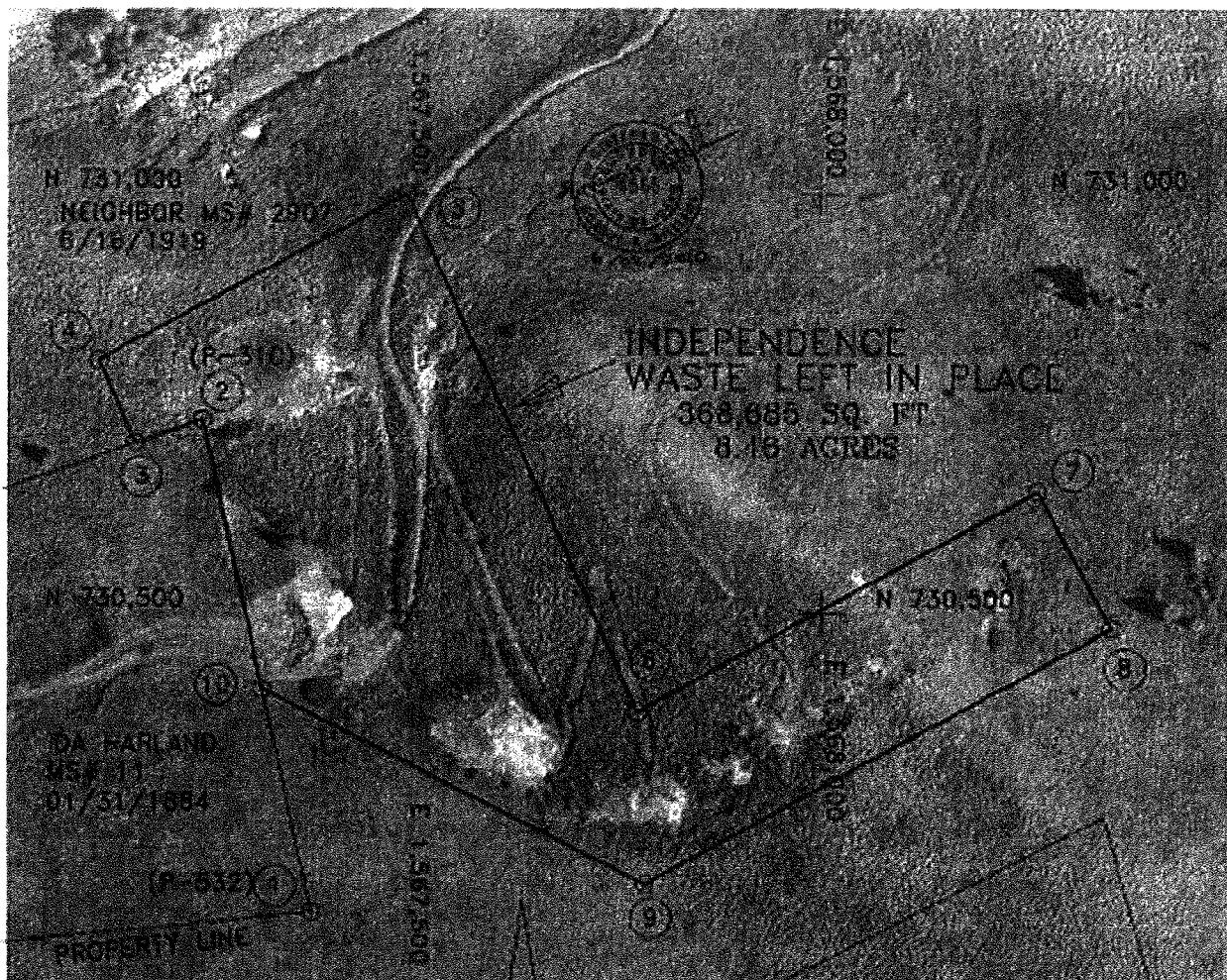


FIGURE 7-8

INSTITUTIONAL CONTROLS  
 DENOVO INDEPENDENCE

LEGEND:

----- PROPERTY LINE  
 \_\_\_\_\_ CAP LIMITS  
 (P-312) = POINT No. FROM R.O.S.

NORTH STAR WASTE  
 LEFT IN PLACE CO-ORDINATES

POINT	NORTHING	EASTING
1	724920.372	1569961.739
2	724823.958	1570058.217
3	724454.930	1570083.112
4	724516.549	1570026.850
5	724506.073	1569954.509
6	724383.983	1569984.777
7	724628.140	1569540.287
8	725000.218	1569568.248
9	725090.508	1569713.947
10	725758.087	1570101.635
11	725982.908	1570653.516

(P-526) PROPERTY LINE  
 N 67°50'07" E 595.92'  
 BYRAN  
 MS# 3157  
 01/07/1928



E 1,570,500  
 N 725,500

SEC. 23, 24, 25 & 26,  
 T4N, R18E, B.M.  
 BLAINE COUNTY, IDAHO  
 SEE RECORD OF SURVEY (R.O.S.)  
 INSTRUMENT No. 561929

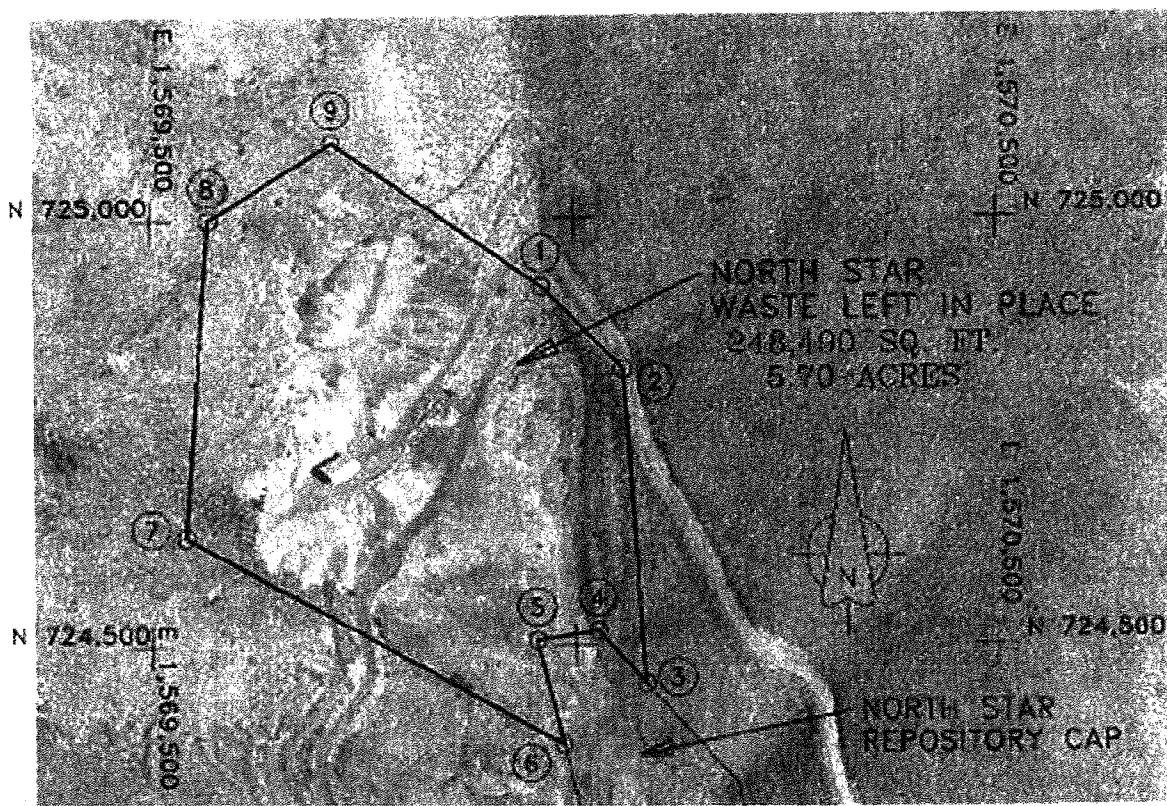


FIGURE 7-9

INSTITUTIONAL CONTROLS  
 DENOVO INDEPENDENCE



Schedule D

Long-Term O&M Plan



REPORT

# LONG-TERM INSPECTION AND MAINTENANCE PLAN

**DeNovo Independence Site  
Blaine County, Idaho**

**Submitted To:** DeNovo Independence LLC  
1300 West Randolph Street  
Chicago, Illinois 6060

And copied to:

Sun Valley Credit, LLC  
5642 Coventry Lane  
Fort Wayne, Indiana 46804

**Submitted By:** Golder Associates Inc.  
18300 NE Union Hill Road, Suite 200  
Redmond, WA 98052 USA

June 27, 2011

Project No.113-93031.100

**A world of  
capabilities  
delivered locally**





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## List of Attachments

### Attachment A Figures

Figure 1 Site Location Map

Figure IND-IM-01 Independence Repository Area – Inspection Features

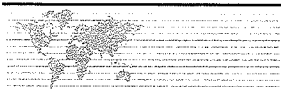
Figure TRI-IM-01 Old Triumph Area – Inspection Features

Figure NS-IM-01 North Star Repository Area – Inspection Features

Figure TT-IM-01 Triumph Tunnel Area – Inspection Features

### Attachment B Inspection Checklists

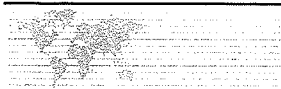
### Attachment C Maintenance Record Form



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## LIST OF ACRONYMS

BMP	Best Management Practices
IDEQ	Idaho Department of Environmental Quality
NPDES	National Pollutant Discharge Elimination System
RCR	Remediation Completion Report
SWPPP	Stormwater Pollution Prevention Plan
VCP	Voluntary Cleanup Program
VRWP	Voluntary Remediation Work Plan



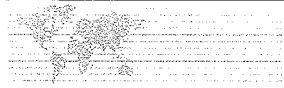
## 1.0 BACKGROUND AND PURPOSE

The DeNovo Independence Site (Site) is located in Blaine County, Idaho and covers approximately 850 acres in the Warm Springs Mining District. The Site is located approximately four miles east-southeast of the cities of Ketchum and Sun Valley, and north of the town of Triumph, Idaho. There is no physical street address for the Site. The Site contains historical mining and ore processing areas that provided a source of copper, zinc, gold, lead, silver, antimony, and tin. Mines were established at the Site in the 1880s and operated intermittently until the 1960s. Historically, there were three mines at the Site: North Star Mine, Old Triumph Mine (Shaft), and Independence Mine. By the 1930s the three mines were connected underground and were operated as the Triumph Mine. After mining operations ceased, the Site was used by the public for recreational activities such as mountain biking, hiking, camping, hunting, shooting, and all terrain vehicle driving. DeNovo Independence LLC (DeNovo) purchased the Site in 2008 and entered the Site into the State of Idaho's Voluntary Cleanup Program (VCP) in order to address environmental issues relating to historical mining activities. The Site Location is presented in Figure 1.

DeNovo developed a Voluntary Remediation Work Plan (VRWP) (Golder 2009), which identified specific and general activities that were to be implemented in order to address the environmental issues at the Site. The VRWP was reviewed and approved by the Idaho Department of Environmental Quality (IDEQ) and implemented in 2009 and 2010. The VRWP outlined the investigation of historical impacts to the Site, including both soil and groundwater, as well as the remediation of those impacts. Remediation has occurred at the Site, including excavation and capping/covering of impacted soils. The VRWP is presented under separate cover. The remediation and sampling results are also presented under separate cover in the Remediation Completion Report (RCR) (Golder 2011).

The original form of this Inspection and Maintenance (I&M) Plan was Appendix S of the VRWP (Golder 2009) and is now a stand alone document. This document has evolved and been updated based on the remediation that has been conducted as presented in the RCR. This I&M Plan establishes the procedures for inspecting and maintaining the covers and stormwater management systems at the repository sites, covers at other locations on the Site, and other features on an on-going basis to ensure that they continue to function as designed. This I&M Plan is limited to conditions reflecting the existing condition of the Site after remediation construction activities were completed. This Plan does not address any operational activities on Site or future development of the Site.

Long-term confirmational monitoring, including surface and groundwater monitoring, will also be conducted on a routine basis in an effort to monitor the effectiveness of the remedial action. Confirmational monitoring is discussed in the Compliance Monitoring Plan, presented under separate cover, and is not part of this plan.



A major component of the remedial action involves establishing vegetation on cover surfaces and in disturbed areas. A comprehensive Restoration Plan (often referred to as the revegetation plan) (Conservation Seeding & Restoration 2009) for this project was prepared, and is presented under separate cover. The Restoration Plan describes the ongoing restoration activities, restoration goals, success criteria, and performance standards and provides area-specific restoration plans that establish specific activities for each of the North Star, Old Triumph, and Independence areas. Because of these detailed and specialized requirements, inspection and maintenance activities related to revegetation will be performed by the restoration contractor and are not within the scope of this I&M Plan.



## 2.0 STORMWATER MANAGEMENT

This section of the Plan describes the stormwater management facilities and best management practices (BMPs) at the Site. These BMPs will require inspection and maintenance. Inspection and maintenance activities are described in Sections 3.0 and 4.0 of this document.

A Construction Stormwater Pollution Prevention Plan (SWPPP) was prepared by Golder as Appendix Q of the VRWP (Golder 2009) to address stormwater management and pollution prevention activities during the construction phase of remediation. Since construction is complete, and there are no operational activities to be performed at this Site, a SWPPP and coverage under National Pollutant Discharge Elimination System (NPDES) permits are not required. However, some of the stormwater management features outlined in the remedial design and incorporated into the SWPPP are now permanent and will remain in place. As such, applicable elements are incorporated into this I&M Plan for future I&M activities.

### 2.1 Existing Site Condition and Pollutant Sources

As previously described, remediation activities at the Site are complete. There are no future planned operational or construction activities. Revegetation activities are being completed, but on-going maintenance for revegetation may be required (and is not included in this plan). Therefore, there is a low potential for pollution from sediment erosion. The Site will have several uncovered mine waste rock piles remaining; however they are remote. Vehicular activity on Site will be minimal due to access restrictions; therefore, the potential of pollution from vehicles or additional erosion due to vehicle traffic is also low.

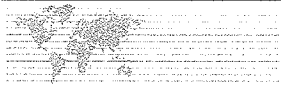
However, if there are any changes in operational activities on Site, or during major maintenance activities, additional pollutant sources should be considered and appropriate BMPs selected to prevent or control pollutants.

### 2.2 Final Stabilization and Removal of Temporary BMPs

Final stabilization of the Site occurs once all permanent BMPs are in place and revegetation is complete. Once final stabilization has been completed at the Site, the temporary BMPs remaining at the Site may be removed.

Temporary BMPs remaining at the Site include:

- Silt fence - located along Karst Drive, north of the town of Triumph, this temporary BMP is the last stormwater management device in place before stormwater leaves the Site. This device should be removed after revegetation is complete and sediment control is not an issue in this area.
- Straw wattles – these devices are located throughout the Site to allow vegetation to establish. The straw wattles will degrade naturally and do not require removal.



Any areas that are disturbed during temporary BMP removal activities should be revegetated and stabilized.

### 2.3 Permanent Stormwater BMPs

Post-construction stormwater management BMPs were selected as part of the remedial action. These BMPs include the permanent channels and diversion ditches around the waste repositories, the sediment traps, and check dams. Design of these stormwater management facilities included both hydrologic analyses, (i.e., determining the flow rates for runoff from the design storm event), and hydraulic analyses (i.e., sizing the channels and riprap lining to accommodate the peak flows). See the VRWP for additional details.

The permanent stormwater management BMPs that must be inspected and maintained consists of the following.

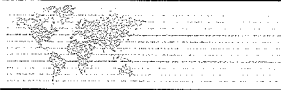
- **Stream Channels** - Stream channels were designed to convey flows from drainage basins past the repositories while preventing erosion of the repositories.
- **Diversion Ditches** - Diversion ditches were designed and constructed to intercept and divert flows upslope of the repositories to prevent erosional damage to the repository covers.
- **Check Dams** - Check dams were installed during construction in some channels and ditches to reduce flow velocity and encourage settling of sediment.
- **Sedimentation Traps** - Permanent sediment traps equipped with spillways were installed in the general locations of the temporary sediment traps. The sediment traps will be used to collect, trap, and store sediment and minimal flow detention for reducing runoff rates. This will prevent sediment laden stormwater from migrating off the Site. Two permanent sediment traps were installed in the North Star Gulch, one in the Triumph Gulch (down-gradient of the Old Triumph [Shaft]), and one in the Independence Gulch (down-gradient of the Independence Mine). These locations are down-gradient of the repositories (with the exception of the second sediment trap at North Star Gulch that is upslope of the repository) and will control stormwater flowing off of the property.

Descriptions of inspection and maintenance activities for each of these BMPs are detailed in Sections 3.0 and 4.0.

### 2.4 Major Maintenance Activities

This Plan does not address any major future construction or operational activities. However, if major maintenance activities are performed that require heavy equipment on Site, several BMPs should be considered prior to construction. These include:

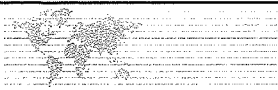
- Minimize disturbed area and protect natural features and soil
- Phase construction activity
- Control pollutants
- Stabilize soils



- Protect slopes
- Establish perimeter controls and sediment barriers
- Retain sediment on-Site and control dewatering practices
- Establish stabilized construction exits

Applicable BMPs should be selected depending on the location and nature of the work to be performed. These BMPs are described in greater detail in the Construction SWPPP in the VRWP (Golder 2009).





### **3.0 INSPECTION ACTIVITIES**

#### **3.1 Covers**

The primary concern related to the clean soil cover is loss of integrity that could expose mine waste to the environment. Loss of integrity could result from erosion or slope instability. Inspection activities will therefore focus on identifying the signs of these types of problems.

Each repository cover, the Triumph Tunnel area cover, and other covers will be visually inspected by personnel walking around the perimeter and across the cover in at least one longitudinal and two transverse sections. The inspector will look for the following types of features:

1. Gullies or bare spots due to sheet erosion, indicating excessive erosion.
2. Ponding or damp areas, including the presence of wetland vegetation, indicating significant local settlement.
3. Cracks, slumps, or scarps, indicating localized differential settlement or slope failure.
4. Areas of sparse vegetation that may need reseeding to provide continued erosion control (note that other performance criteria for vegetation will be evaluated by the Restoration Contractor and are not part of these I&M activities).
5. Growth of deep rooted vegetation such as bushes or trees on the cover.

#### **3.2 Other Disturbed Areas**

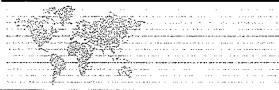
Disturbed areas include waste removal areas, temporary access tracks, soil borrow sources, and similar features. The primary concern related to the areas disturbed during the remediation is whether vegetation has been successfully re-established. As discussed above, I&M activities related to vegetation will be performed by the Restoration Contractor and area not part of this Plan.

#### **3.3 Stormwater Management System**

The purpose of the stormwater management system is to direct runoff away from the repositories. Inspection activities will therefore focus on identifying conditions that reduce the flow capacity of the system or disrupt its integrity. As previously described, the stormwater management system consists of stream channels, diversion ditches, check dams, and permanent sediment traps.

The stormwater management system will be visually inspected by personnel walking along all ditches and the crests of sediment trap embankments. The inspector will look for the following types of features:

1. Lack of vegetation, scour in unlined channels.
2. Loss of riprap or quarry spalls in rock-lined channels.



3. Condition of grouted riprap at sediment traps.
4. Localized settlement and ponding.
5. Excessive sediment accumulation in sediment traps, channels, and behind check dams. Traps should be cleaned out when accumulation of sediment interferes with the proper operation of the stormwater management system. See Section 4.1.2 for details regarding sediment removal.
6. Blockage by debris.
7. Bank sloughing.

### **3.4 Triumph Tunnel Drainage**

The catch basin and drainage pipe system at the Triumph Portal is intended to collect seepage from the Triumph Tunnel and convey it into the surge pond on ASARCO property. In the future, the Triumph Portal water management system and configuration may be modified. Inspection and maintenance of the above-ground portions of the current system and future modifications to the system at the Triumph Tunnel portal and the current or modified underground drainage pipe system is performed by others as part of the earlier CERCLA remediation activities for this area (EPA 1998) and therefore are not part of the I&M activities described in this Plan. Inspection activities that will be performed as part of the DeNovo Independence Project include the following:

1. Inspect the catch basin for physical damage and clogging of the inlet grate or outlet pipe by sediment, vegetation, or debris.
2. Walk the length of the V-ditch (overflow spillway), inspecting for the types of potential problems listed in section 2.3.

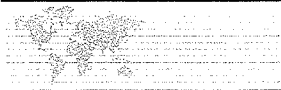
### **3.5 Administrative Procedures**

#### **3.5.1 Inspector Qualifications**

Inspections will be performed by a qualified civil or geotechnical engineer with experience in earthworks and surface water facilities.

#### **3.5.2 Documentation**

Inspection documentation will include a completed inspection checklist, marked-up as-built drawings, and digital photographs. Base as-built drawings for use in the inspection activities are included in Attachment A of this document. Areas of concern and photo locations will be sketched on copies of these drawings. The results of the inspection will be recorded on the forms presented in Attachment B. Digital photographs will be taken during each inspection at specific locations and at areas of concern. Specific locations for photographs will be established by the Inspector during the first inspection to include overall

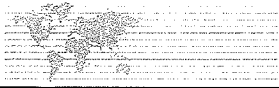


views of the cover slopes, drainage ditches, the portal drainage facilities, and other features. These same locations will be used for photographs during subsequent inspections, and the as-built drawings in Attachment A of this document will be modified to show these points. Other photos will be taken of any areas requiring maintenance and to document the condition of key, small-scale features such as check dams, if necessary.

The original versions of the inspection documents will be placed in the project files of the Site manager, and copies provided to the Idaho Department of Environmental Quality (IDEQ), and other affected parties.

### **3.5.3 Frequency**

Inspections will begin after cover construction has been completed and initially will be performed once each year, generally at the end of the spring runoff period so that any maintenance can be performed during the summer construction season. The initial inspection will be thorough and conducted with IDEQ staff so that necessary modifications to the proposed inspection procedures can be identified for subsequent inspections. After 5 years of annual inspection the results will be reviewed and, if conditions are stable and acceptable, the frequency will be decreased, with IDEQ concurrence, to every other year or every five years, or whatever is appropriate as determined at that time.



## 4.0 MAINTENANCE

### 4.1 As-Needed Maintenance

Maintenance of the covers, stormwater management facilities, and the Triumph Tunnel drainage facilities will be performed on an as-needed basis when the results of the inspections indicate that repairs are necessary. The nature of the maintenance will depend on the type of problem. The following activities are typical examples of minor maintenance that could be required. These should be used as general guidelines for maintenance activities and can be modified as necessary to accommodate the actual field conditions. If uncertain, the Inspector or Site manager will consult with a qualified engineer as necessary.

#### 4.1.1 Covers and Other Disturbed Areas

1. Erosion: Erosion of more than a few inches of cover thickness will require maintenance. Replace eroded soil to grade. Revegetate in accordance with the Restoration Plan (CSR 2009). If erosion is a repeated problem, add a larger size of crushed rock to the replacement soil, retaining sufficient fine soil to support vegetation (typically 50% to 75% fine soil).
2. Ponding: Add clean soil with armor rock per the original design to fill the low area. Grade the soil in the fill area to provide positive drainage and reseed as described above. To avoid exposing contaminated materials, do not regrade the existing cover surface; achieve positive drainage only by adding soil.
3. Instability: Offsets or deformation in the cover that reflect deep-seated failure should be evaluated by a qualified civil or geotechnical engineer and appropriate remedial measures implemented to stabilize the subgrade. After these measures have been completed, the cover surface should be repaired to provide the minimum thickness of clean cover soil, including armor rock per the original design, and revegetated in accordance with the Restoration Plan (CSR 2009).

#### 4.1.2 Stormwater Management System

1. General: Obtain the advice of a qualified engineer prior to making significant changes in materials or geometry of the stormwater facilities. All repair and replacement work should be performed in accordance with the original plans and specifications, unless approved otherwise.
2. Excess sediment: Remove excess sediment from ditches, sediment traps, check dams, and other facilities. Sediment should be removed as necessary to insure the proper function of the stormwater controls. General guidelines include the removal from traps when sediment exceeds 1-foot in depth, removal from ditches when sediment exceeds 6-inches in depth, and removal from check dams when the sediment depth exceeds half of the check dam height. When removing sediment, take care not to disturb the underlying rock lining or other parts of the facility.



If these components are disturbed, restore them to their original condition. Dispose of sediment in the North Star repository expansion area (located at the southern end of the North Star repository), other on-Site area approved by IDEQ, or properly characterize and disposed of off-Site. Identify sediment source and mitigate, e.g., by revegetation, if feasible.

3. Debris: Clear debris from ditches, sediment traps, and other facilities. Dispose of man-made garbage off Site in a permitted disposal facility. If debris is natural vegetation only, or if all garbage has been removed, place vegetation debris on Site in approved disposal locations only.
4. Loss of ditch lining: Replace rock or grouted riprap ditch lining that has been lost due to erosion or maintenance activities. Use rock of similar quality, size, and gradation to the original material; place to nominal design thickness. If protective layer is lost again, use larger rock, grouted riprap, or other more resistant material.

#### **4.1.3 Triumph Tunnel Drainage Facilities**

1. Inlet clogging: Remove material from inlet of catch basin or drainage pipe and dispose of appropriately, as described in section 4.1.2.
2. V-Ditch blockage or damage: Perform maintenance activities as for other stormwater ditches, as described in section 4.1.2.

## **4.2 Documentation**

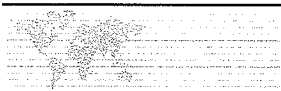
Maintenance reports will be prepared using the form presented in Attachment C, to provide comprehensive documentation of all maintenance activities. Each report will reference the inspection report that triggered the maintenance activity. The report will include a summary of the maintenance activity, the date of the activity, the contractor, sources and descriptions of materials used, and other pertinent information. A complete chronology of maintenance activities will be maintained.

The original versions of the maintenance reports will be placed in the project files of the Site manager, with copies provided to IDEQ and other affected parties.



## **5.0 FINANCIAL ASSURANCE**

The financial assurance for the inspection and maintenance activities described in this Plan will be provided in an escrow account that will be managed in accordance with an escrow agreement between the concerned parties. The value of the escrow account is estimated to be \$108,562, based on implementation of the I&M Plan for 30 years.



## 6.0 POINTS OF CONTACT

The points of contact at the time of preparing this long-term I&M Plan are:

The Designer for this project is:

Golder Associates Inc.  
18300 N.E. Union Hill Rd., Suite 200  
Redmond, WA 98052  
(425) 883-0777  
Dr. Douglas Morell

The Site managers for this project are:

DeNovo Independence, LLC  
1300 West Randolph Street  
Chicago, Illinois 60607  
(888) 633-6686  
Mr. Richard Vorpahl

The Regulatory Agency involved with this project is:

Department of Environmental Quality  
1410 N. Hilton  
Boise, Idaho 83706  
(208) 373-0246  
Mr. Bruce Wicherski

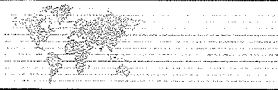
Note that personnel may change. If the above individuals are not available, inquire with their associated organization as to their successors.

### **GOLDER ASSOCIATES INC.**

Douglas J. Morell, PhD, LG, LHY  
Principal

Kirsi S. Longley  
Project Environmental Scientist

DJM/KSL/sb



## 7.0 REFERENCES

Conservation Seeding & Restoration, Inc. 2009. Restoration Plan. September 18.

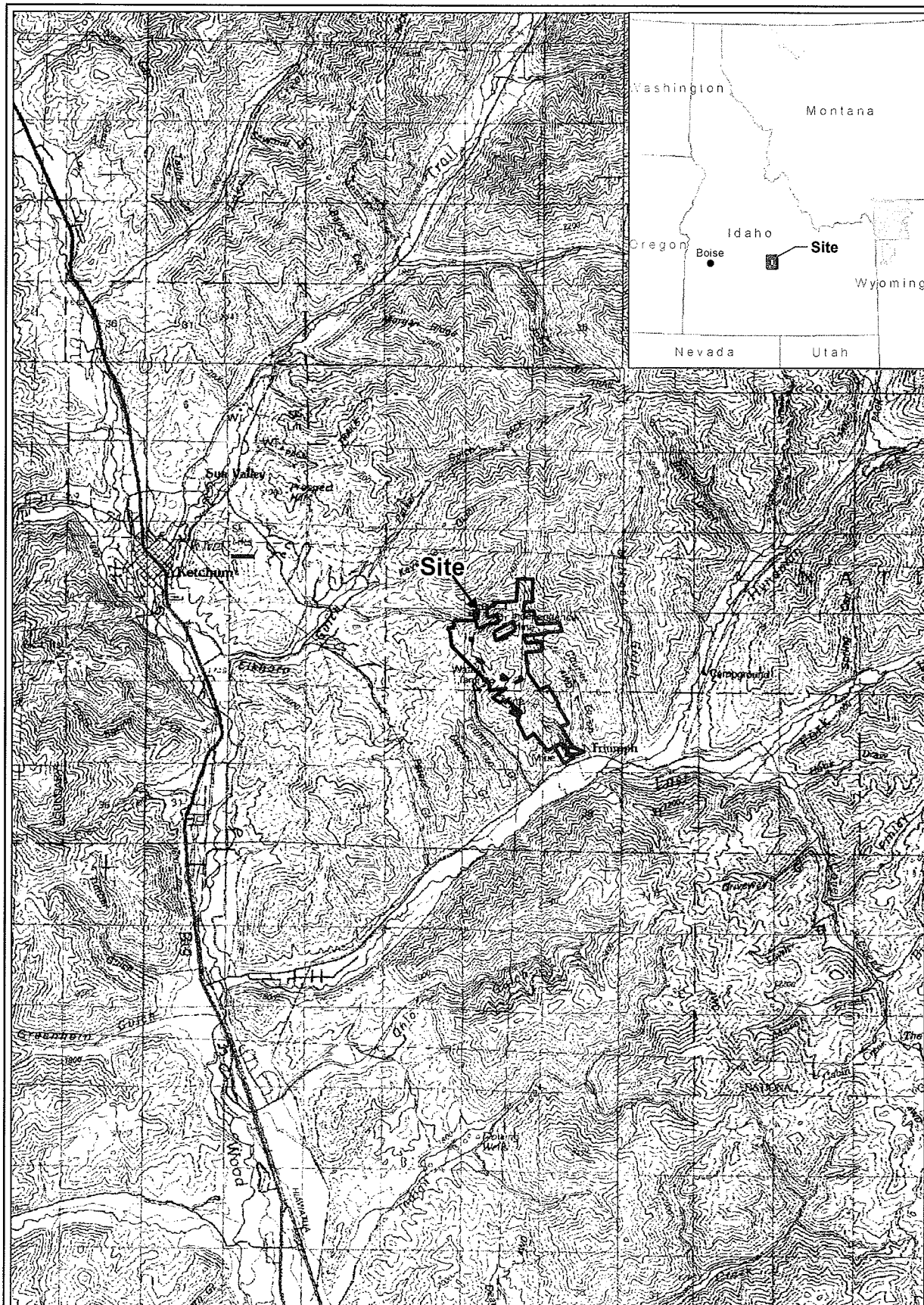
Golder Associates, Inc. (Golder) 2009. Voluntary Remediation Completion Report, DeNovo Independence Site, Blaine County, Idaho. Prepared for DeNovo Independence, LLC. October.

Golder. 2011. *Final Remediation Completion Report - DeNovo Independence Mine Site, Blaine County, Idaho*. Prepared for DeNovo Independence, LLC. In production.

U.S. Environmental Protection Agency. (EPA). 1998. EPA Superfund Record of Decision: Triumph Mine Tailings Piles. EPA/ROD/R10-98/506 1998. March 19.



**ATTACHMENT A**  
**FIGURES**



# LEGEND

 Site Boundary

0 6000  
Scale in Feet

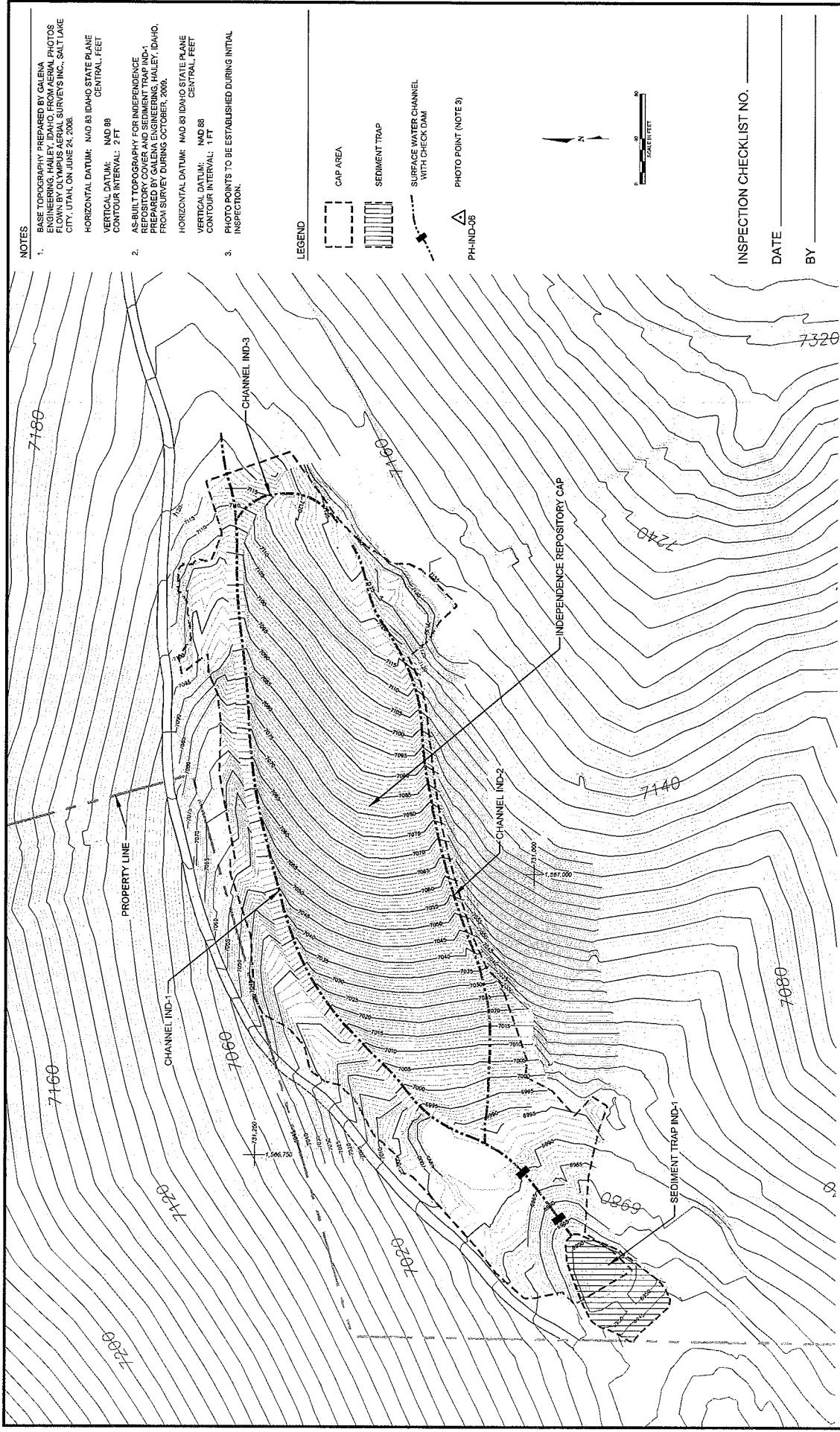
Map Projection:  
NAD 1983 StatePlane Idaho Central  
FIPS 1102 Feet

Source:  
USGS (quadrangle map)  
Golder Associates Inc.



This figure was originally produced in color. Reproduction in black and white may result in a loss of information.

FIGURE 1  
**SITE LOCATION MAP**  
INDEPENDENCE MINE REMEDI. PLAN/ID  
**Golder Associates**

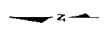


NOTES

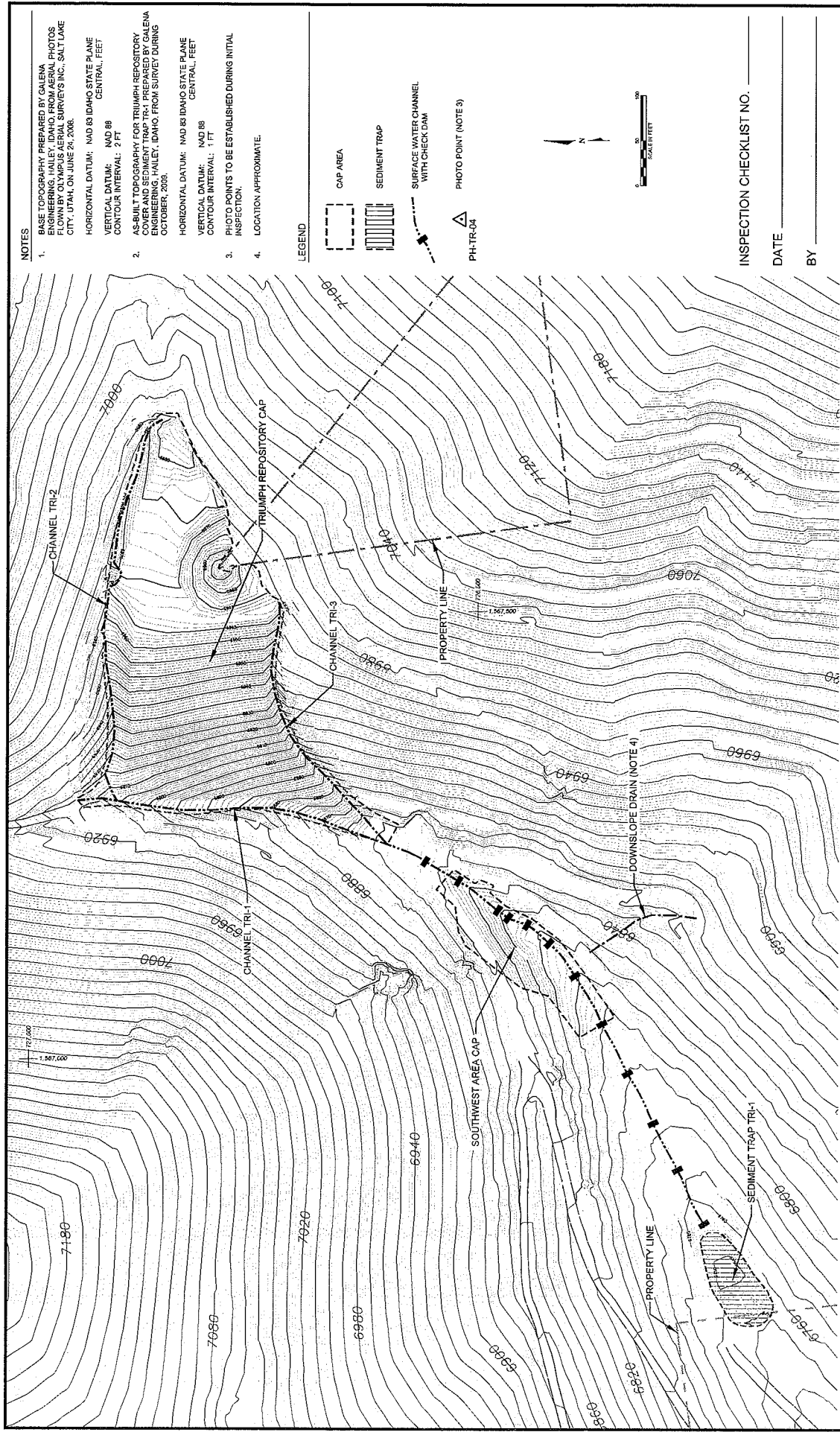
1. BASE TOPOGRAPHY PREPARED BY GALENA ENGINEERING, HAILEY, IDAHO, FROM AERIAL PHOTOS FLOWN BY OLYMPIAN AERIAL SURVEYS INC., SALT LAKE CITY, UTAH, ON JUNE 24, 2008.  
HORIZONTAL DATUM: NAD 83 IDAHO STATE PLANE  
VERTICAL DATUM: NAD 83  
CONTOUR INTERVAL: 2 FT
2. AS-BUILT TOPOGRAPHY FOR INDEPENDENCE REPOSITORY COVER AND SEDIMENT TRAP IND-1, IND-2, AND IND-3, PREPARED BY GALENA ENGINEERING, HAILEY, IDAHO, FROM SURVEY DURING OCTOBER, 2008.  
HORIZONTAL DATUM: NAD 83 IDAHO STATE PLANE  
VERTICAL DATUM: NAD 83  
CONTOUR INTERVAL: 1 FT
3. PHOTO POINTS TO BE ESTABLISHED DURING INITIAL INSPECTION.

LEGEND

- CAP AREA
- SEDIMENT TRAP
- SURFACE WATER CHANNEL WITH CHECK DAM
- PHOTO POINT (NOTE 3)



INSPECTION CHECKLIST NO. \_\_\_\_\_  
DATE \_\_\_\_\_  
BY \_\_\_\_\_



NOTES

1. BASE TOPOGRAPHY PREPARED BY GALENA ENGINEERING, HALLEY, IDAHO, FROM AERIAL PHOTOS FLOWN BY OLYMPIUS AERIAL SURVEYS INC., SALT LAKE CITY, UTAH, ON JUNE 24, 2008.  
HORIZONTAL DATUM: NAD 83 IDAHO STATE PLANE CENTRAL, FEET  
VERTICAL DATUM: NAD 83  
CONTOUR INTERVAL: 2 FT
2. AS-BUILT TOPOGRAPHY FOR TRIUMPH REPOSITORY COVER AND SEDIMENT TRAP TRI-1 PREPARED BY GALENA ENGINEERING, HALLEY, IDAHO, FROM SURVEY DURING OCTOBER, 2008.  
HORIZONTAL DATUM: NAD 83 IDAHO STATE PLANE CENTRAL, FEET  
VERTICAL DATUM: NAD 83  
CONTOUR INTERVAL: 1 FT
3. PHOTO POINTS TO BE ESTABLISHED DURING INITIAL INSPECTION.
4. LOCATION APPROXIMATE.

LEGEND

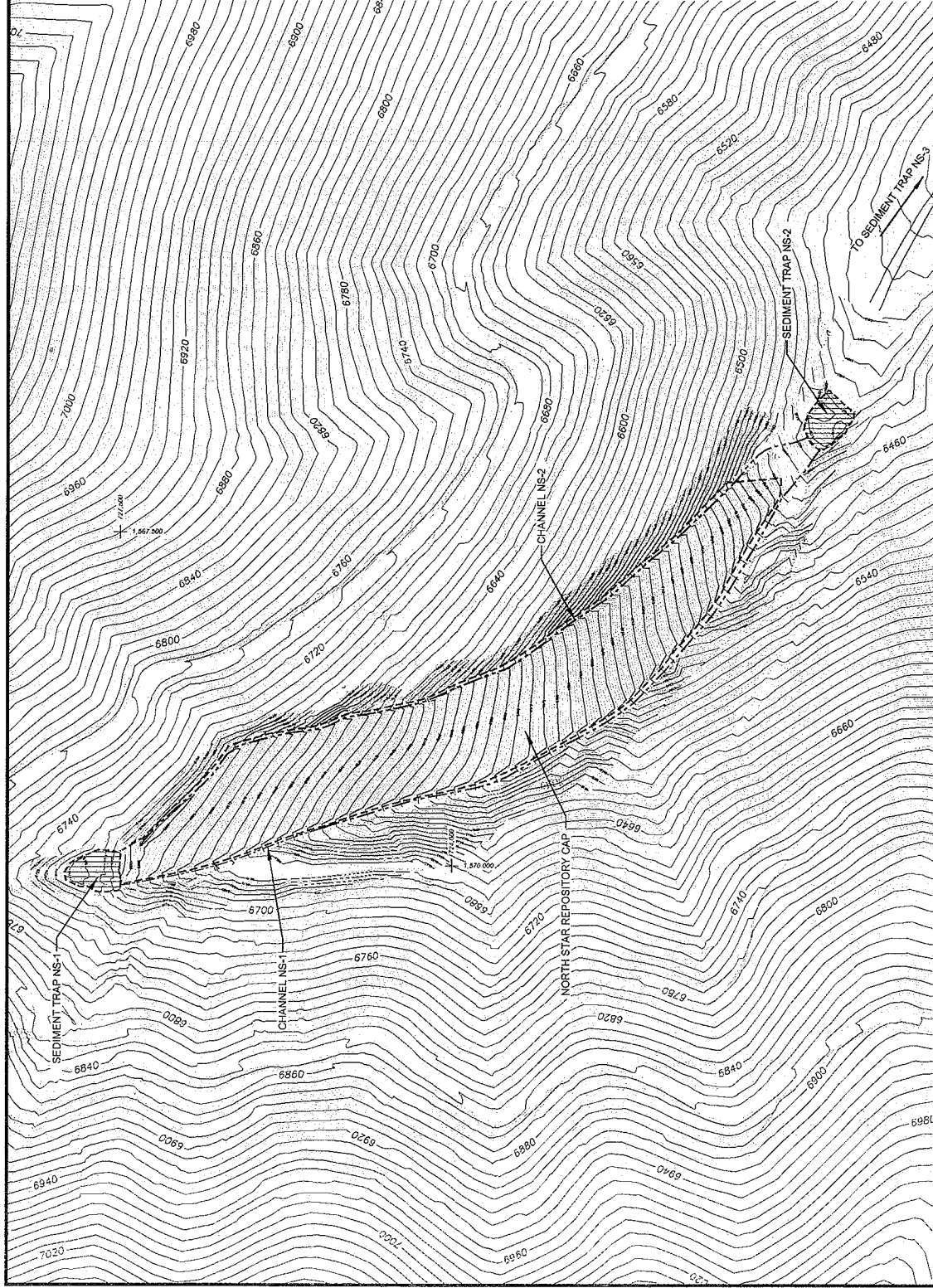
- CAP AREA
- SEDIMENT TRAP
- SURFACE WATER CHANNEL WITH CHECK DAM
- PHOTO POINT (NOTE 3)
- PH-TR-04

INSPECTION CHECKLIST NO. \_\_\_\_\_

DATE \_\_\_\_\_

BY \_\_\_\_\_

FIGURE TRI-IM-01  
**OLD TRIUMPH AREA - INSPECTION FEATURES**  
DENOV0 / INDEPENDENCE PROJECT / ID  
**Goldier Associates**



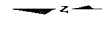
NOTES

1. BASE TOPOGRAPHY PREPARED BY GALENA ENGINEERING, HALEY, IDAHO, FROM AERIAL PHOTOS FLOWN BY OLYMPIUS AERIAL SURVEYS INC., SALT LAKE CITY, UTAH, ON JUNE 24, 2008.  
HORIZONTAL DATUM: NAD 83 IDAHO STATE PLANE  
CENTRAL, FEET  
VERTICAL DATUM: NAD 83  
CONTOUR INTERVAL: 2 FT  
AS-BUILT TOPOGRAPHY FOR NORTH STAR REPOSITORY COVER AND SEDIMENT TRAPS PREPARED BY GALENA ENGINEERING, HALEY, IDAHO, FROM SURVEY DURING OCTOBER, 2008.
2. HORIZONTAL DATUM: NAD 83 IDAHO STATE PLANE  
CENTRAL, FEET  
VERTICAL DATUM: NAD 83  
CONTOUR INTERVAL: 1 FT  
PHOTO POINTS TO BE ESTABLISHED DURING INITIAL INSPECTION.
- 3.

LEGEND

- CAP AREA
- SEDIMENT TRAP
- SURFACE WATER CHANNEL
- PH-NS-05

PHOTO POINT (NOTE 3)



INSPECTION CHECKLIST NO. \_\_\_\_\_  
DATE \_\_\_\_\_  
BY \_\_\_\_\_

FIGURE **NS-IM-01**  
**NORTH STAR REPOSITORY AREA - INSPECTION FEATURES**  
DENOV0 / INDEPENDENCE PROJECT / ID  
**Goldier Associates**

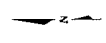


**NOTES**

1. BASE TOPOGRAPHY PREPARED BY GALENA ENGINEERING, HAILEY, IDAHO, FROM AERIAL PHOTOS FLOWN BY OLYMPUS AERIAL SURVEYS INC., SALT LAKE CITY, UTAH, ON JUNE 24, 2008.  
HORIZONTAL DATUM: NAD 83 IDAHO STATE PLANE  
VERTICAL DATUM: NAD 83  
CONTOUR INTERVAL: 2 FT
2. AS-BUILT TOPOGRAPHY FOR TRIUMPH TUNNEL AREA PREPARED BY GALENA ENGINEERING, HAILEY, IDAHO, FROM SURVEY DURING OCTOBER, 2008.  
HORIZONTAL DATUM: NAD 83 IDAHO STATE PLANE  
VERTICAL DATUM: NAD 83  
CONTOUR INTERVAL: 1 FT
3. PHOTO POINTS TO BE ESTABLISHED DURING INITIAL INSPECTION.
4. INDICATED LOCATION APPROXIMATE.

**LEGEND**

- CAP AREA
- SURFACE WATER CHANNEL (NOTE 4)
- PH-TT-03



INSPECTION CHECKLIST NO. \_\_\_\_\_  
DATE \_\_\_\_\_  
BY \_\_\_\_\_

**FIGURE TT-IM-01**  
**TRIUMPH TUNNEL AREA - INSPECTION FEATURES**  
DENOV0 / INDEPENDENCE PROJECT / ID  
**Goldier Associates**

**ATTACHMENT B**  
**INSPECTION CHECKLISTS**

**Independence Project  
INSPECTION CHECKLIST**

Checklist No.:

Date of Inspection:

Weather Conditions:

Inspected by (print name):

Signature of Inspector:

Inspection Feature	Photo No.	Overall Condition G/F/P	Problem Severity 0/1/2	Maintenance Required? N/Y	Notes and Comments
<b>Independence Area - Figure IND-IM-01</b>					
<b>Repository Cap</b>					
Erosion					
Settlement					
Slope Failure					
Sparse Vegetation					
Deep Rooted Vegetation					
Photo Point PH-IND-01					
Photo Point PH-IND-02					
Photo Point PH-IND-03					
Photo Point PH-IND-04					
Photo Point PH-IND-05					
Photo Point PH-IND-06					
<b>Surface Water Facilities</b>					
Main Channel IND-1					
Diversion Ditch South IND-2					
Diversion Ditch East IND-3					
Sediment Trap IND-1					
Check Dams					
Photo Point PH-IND-07					
Photo Point PH-IND-08					
Photo Point PH-IND-09					
Photo Point PH-IND-10					
Photo Point PH-IND-11					
Photo Point PH-IND-12					
<b>Other</b>					
Condition: G = Good F = Fair P = Poor					
Severity: 0 = None or minor, feature appears stable 1 = Moderate, potential for future problems 2 = Major, function presently compromised					
Indicate problem areas on attached figure					



**Independence Project  
INSPECTION CHECKLIST**

Checklist No.: \_\_\_\_\_

Date of Inspection: \_\_\_\_\_

Weather Conditions: \_\_\_\_\_

Inspected by (print name): \_\_\_\_\_

Signature of Inspector: \_\_\_\_\_

Inspection Feature	Photo No.	Overall Condition G/F/P	Problem Severity 0/1/2	Maintenance Required? NY	Notes and Comments
<b>North Star Area - Figure NS-IM-01</b>					
<b>Repository Cap</b>					
Erosion					
Settlement					
Slope Failure					
Sparse Vegetation					
Deep Rooted Vegetation					
Photo Point PH-NS-01					
Photo Point PH-NS-02					
Photo Point PH-NS-03					
Photo Point PH-NS-04					
Photo Point PH-NS-05					
Photo Point PH-NS-06					
<b>Surface Water Facilities</b>					
Main Channel NS-1					
Diversion Ditch East NS-2					
Sediment Trap NS-1					
Sediment Trap NS-2					
Sediment Trap NS-3					
Check Dams					
Photo Point PH-NS-07					
Photo Point PH-NS-08					
Photo Point PH-NS-09					
Photo Point PH-NS-10					
Photo Point PH-NS-11					
<b>Other</b>					
Condition: G = Good F = Fair P = Poor					
Severity: 0 = None or minor, feature appears stable 1 = Moderate, potential for future problems 2 = Major, function presently compromised					
Indicate problem areas on attached figure					

**Independence Project  
INSPECTION CHECKLIST**

Checklist No.: \_\_\_\_\_

Date of Inspection: \_\_\_\_\_

Weather Conditions: \_\_\_\_\_

Inspected by (print name): \_\_\_\_\_

Signature of Inspector: \_\_\_\_\_

Inspection Feature	Photo No.	Overall Condition G/F/P	Problem Severity 0/1/2	Maintenance Required? N/Y	Notes and Comments
<b>Old Triumph (Shaft) Area - Figure TR-IM-01</b>					
<b>Repository Cap, Southwest Area Cap</b>					
Erosion					
Settlement					
Slope Failure					
Sparse Vegetation					
Deep Rooted Vegetation					
Photo Point PH-TRI-01					
Photo Point PH-TRI-02					
Photo Point PH-TRI-03					
Photo Point PH-TRI-04					
Photo Point PH-TRI-05					
Photo Point PH-TRI-06					
<b>Surface Water Facilities</b>					
Main Channel TRI-1					
Diversion Ditch North TRI-2					
Diversion Ditch South TRI-3					
Sediment Trap TRI-1					
Downslope Drain					
Check Dams					
Photo Point PH-TRI-07					
Photo Point PH-TRI-08					
Photo Point PH-TRI-09					
Photo Point PH-TRI-10					
Photo Point PH-TRI-11					
<b>Other</b>					
Condition: G = Good F = Fair P = Poor					
Severity: 0 = None or minor, feature appears stable 1 = Moderate, potential for future problems 2 = Major, function presently compromised					
Indicate problem areas on attached figure					

**Checklist No.:**

**Weather Conditions:**

Independence Inspection checklist 2009-12-14.xls: TT Insp

**ATTACHMENT C**  
**MAINTENANCE RECORD FORM**

**Independence Project  
MAINTENANCE RECORD**

**Maintenance Record No.:** \_\_\_\_\_

**Date(s) of Maintenance:** \_\_\_\_\_

**Weather Conditions:** \_\_\_\_\_

**Feature:** \_\_\_\_\_

**Cross-Reference Inspection Checklist No.:** \_\_\_\_\_

**Maintenance Contractor:**

**Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**Phone** \_\_\_\_\_

**Maintenance Activities:** (describe in detail, including any problems or unforeseen conditions;  
use additional sheets as necessary)

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**Materials and Products:** (list and describe all materials and products used for the maintenance activity,  
including supplier name and location; use additional sheets as necessary)

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**Independence Project  
MAINTENANCE RECORD**

**Maintenance Record No.:** \_\_\_\_\_

**Maintenance Documentation:** (list all photos and / or drawings of maintenance activity, during and after completion of maintenance; attach photos and / or drawings to this record)

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**Did Maintenance Require Changes from Recommended Procedures?**

Yes ☐

No ☐

If yes, describe changes: (use additional sheets as necessary)

---

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**Additional Maintenance Activities Required for this Feature?**

Yes ☐

No ☐

If yes, describe changes: (use additional sheets as necessary)

---

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**Maintenance Inspected by (print name):** \_\_\_\_\_

Organization: \_\_\_\_\_

**Signature of Maintenance Inspector:** \_\_\_\_\_

Date: \_\_\_\_\_

At Golder Associates we strive to be the most respected global group of companies specializing in ground engineering and environmental services. Employee owned since our formation in 1960, we have created a unique culture with pride in ownership, resulting in long-term organizational stability. Golder professionals take the time to build an understanding of client needs and of the specific environments in which they operate. We continue to expand our technical capabilities and have experienced steady growth with employees now operating from offices located throughout Africa, Asia, Australasia, Europe, North America and South America.

Africa	+ 27 11 254 4800
Asia	+ 852 2562 3658
Australasia	+ 61 3 8862 3500
Europe	+ 356 21 42 30 20
North America	+ 1 800 275 3281
South America	+ 55 21 3095 9500

[solutions@golder.com](mailto:solutions@golder.com)  
[www.golder.com](http://www.golder.com)

**Golder Associates Inc.**  
**18300 NE Union Hill Road, Suite 200**  
**Redmond, WA 98052 USA**  
**Tel: (425) 883-0777**  
**Fax: (425) 882-5498**



Schedule E

Maps of Gates and de-graded Roads subject to Activity and Use Restrictions

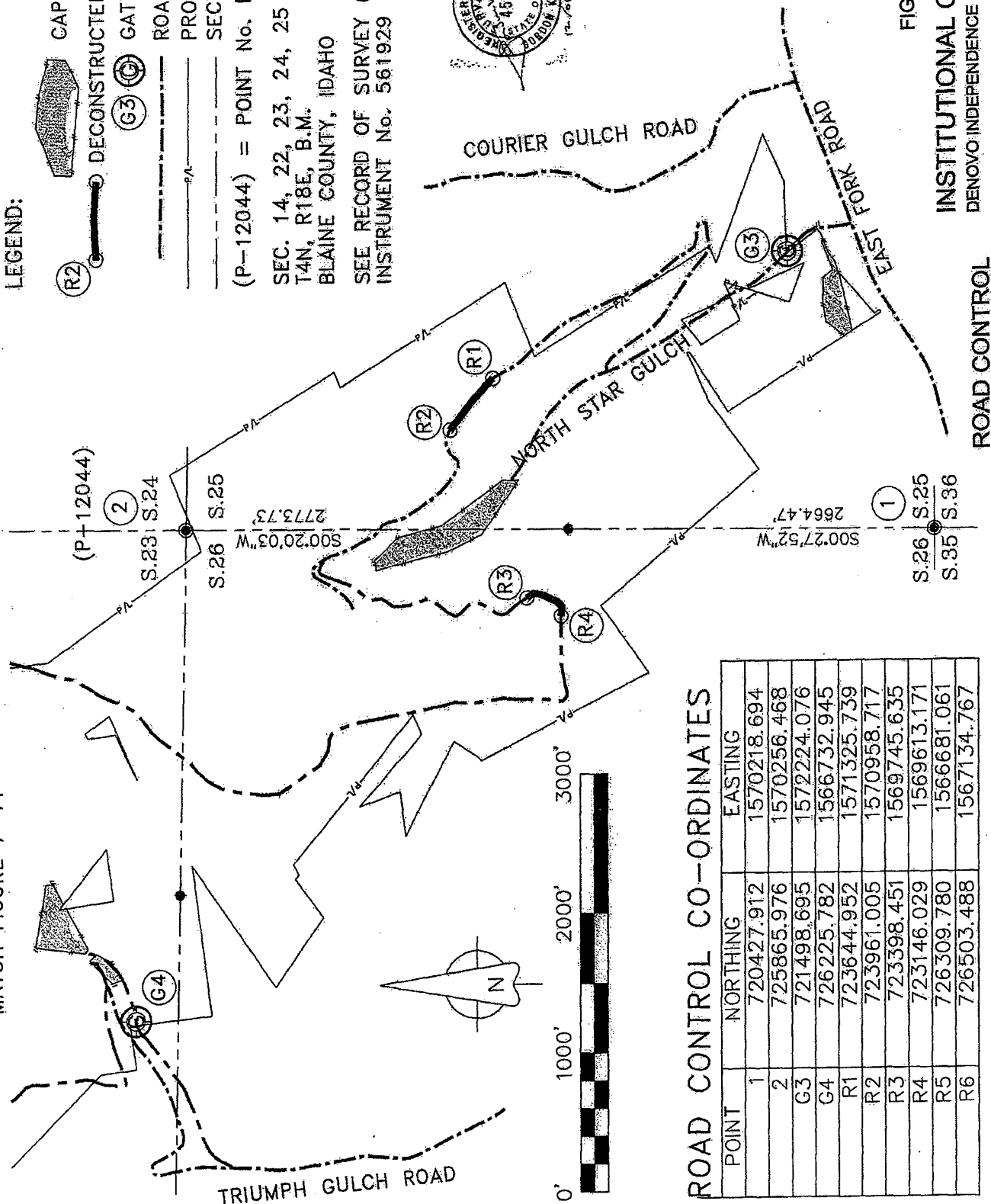
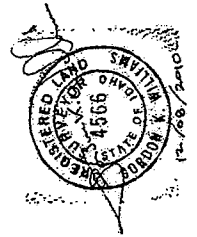


MATCH FIGURE 7-11

LEGEND:

- GAP LIMITS
- DECONSTRUCTED ROADWAY
- GATE
- ROADWAY
- PROPERTY LINE
- SECTION LINE

(P-12044) = POINT No. FROM R.O.S.  
 SEC. 14, 22, 23, 24, 25 & 26,  
 T4N, R18E, B.M.  
 BLAINE COUNTY, IDAHO  
 SEE RECORD OF SURVEY (R.O.S.)  
 INSTRUMENT No. 561929



ROAD CONTROL CO-ORDINATES

POINT	NORTHING	EASTING
1	720427.912	1570218.694
2	725865.976	1570256.468
G3	721498.695	1572224.076
G4	726225.782	1566732.945
R1	723644.952	1571325.739
R2	723961.005	1570958.717
R3	723398.451	1569745.635
R4	723146.029	1569613.171
R5	726309.780	1566681.061
R6	726503.488	1567134.767

FIGURE 7-10  
 INSTITUTIONAL CONTROLS  
 DENOVO INDEPENDENCE  
 ROAD CONTROL

