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RIGHT-OF-WAY RESERVATION

BUREAU OF LAND MANAGEMENT
BATTLE MOUNTAIN DISTRICT

KNOW ALL MEN BY THESE PRESENTS, that in accordance with Section 507 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2781, 43 U.S.C. 1767) that the United States of America acting by and through the Bureau of Land Management, U.S. Department of the Interior, does hereby issue and reserve to the United States Department of Agriculture, Rural Economic & Community Development Services and its assigns, a right-of-way to locate, construct, use, control, maintain, improve, and repair an easement for right-of-way access over and across the following described real property situated in the County of Eureka, State of Nevada, to wit:

Mount Diablo Meridian, Nevada

T. 21½ N., R. 54 E.,
sec. 31, lot 1, E½SE¼NE¼,
T. 22 N., R. 54 E.,
sec. 31, E½ENE¼

Right-of-way reservation N-58156, is 30 feet wide x 7920 feet long and contains 5.5 acres, more or less.

A plat showing the right-of-way described above is attached hereto as Exhibit A and made a part thereof. The right-of-way herein authorized is for the full use of the above described property as an easement for right-of-way access by the United States Department of Agriculture, Rural Economic & Community Development Services, its licensees, permittees, agents and contractors including the right of access for the people of the United States generally to the lands owned, administered, or controlled by the UNITED STATES OF AMERICA subject to reasonable rules and regulations of the Secretary of the Interior and to the following terms and conditions:

1. This right-of-way reservation is subject to all valid rights existing on the effective date of this right-of-way reservation.
2. This right-of-way reservation is subject to all the applicable regulations contained in 43 CFR 2800.
3. The right-of-way reservation shall terminate 30 years from the effective date of this grant, unless prior thereto it is relinquished, abandoned, terminated, or otherwise modified pursuant to the terms and conditions of this grant or of any applicable Federal law or regulation.
4. There is reserved to the Authorized Officer, the right to grant additional rights-of-way or permits for compatible use on, over, under or adjacent to the land involved in this reservation.
5. The holder agrees to be responsible for the release or threatened release of any hazardous substance or hazardous waste as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 or the Resource Conservation and Recovery Act (RCRA) of 1976 respectively, within the boundaries of the right-of-way. This agreement applies without regard to whether the release or threatened release is caused by the holder, its agent, or unrelated third parties.

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6. All construction activities shall be confined to the minimum area necessary and shall not exceed the width of this right-of-way reservation.

7. If cultural resources are discovered during operations under this authorization, the holder shall immediately bring them to the attention of the Authorized Officer. The holder shall not disturb such resources except as may be subsequently authorized. Within two working days of notification, the Authorized Officer will evaluate or have evaluated any cultural resources discovered and will determine if any action may be required to protect cultural resources discovered. The cost of data recovery for cultural resources discovered during operations shall be borne by the BLM unless otherwise specified by the Authorized Officer of the BLM. This reservation shall remain in effect for a term commencing on the 1st day of June, 1995 and continuing until the 1st day of June, 2025.

Wayne King
Signature of Authorized Officer of
Issuing Agency
Wayne King, Area Manager
Shoshone-Eureka Resource Area

Wayne King
Signature of Authorized Officer of
Requesting Agency

