



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Anchorage Field Office
4700 BLM Road
Anchorage, Alaska 99507-2591
<http://www.blm.gov/ak>

In Reply Refer To:
3809 (AKA012)
3715 (AKA012)
AA-086337
AA-087162

SEP 22 2016

CERTIFIED MAIL 7008 1140 0000 9031 6093
RETURN RECEIPT REQUESTED

DECISION

Mr. Blane Wilson
President and CEO
Mystery Creek Resources, Inc.
469 Stageline Loop
Elko, NV 89801

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Mine Restart

CONCURRENCE TO RESTART THE NIXON FORK MINE

Mr. Wilson,

On August 24, 2016 the Bureau of Land Management (BLM) received your Notification of Restart for the Nixon Fork Mine. In July 2013 the Nixon Fork Mine was placed in temporary closure status and was maintained for the following three years in accordance with the Nixon Fork Temporary Closure Plan as authorized by the BLM and Alaska Department of Natural Resources. Per section 7 of the Temporary Closure Plan you must seek approval to resume mining operations at the mine from all applicable agencies. Your August 24, 2016 letter and subsequent permit approvals fulfills this requirement and you are hereby authorized to commence mining activities, to include milling operations, upon receipt of this letter.

You are required to comply with approved Nixon Fork Mine Plan, dated November 2011, and the associated Environmental Assessment Decision Record that authorizes your mining activity. All conditions of approval, restrictions, and subsequent approved modifications must be complied with at all times. Any changes that must be implemented to facilitate mine restart must first be approved by the BLM.

Appeal of the Decision

If you do not agree and are adversely affected by this decision, you may request that the Alaska State Director review this decision. If you request a State Director Review, the request must be received in the Alaska BLM State Office at 222 West 7th Ave., #13 Anchorage, Alaska 99513, no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless the State Director grants a Stay. If you request a Stay, you have the burden of proof to demonstrate that a Stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM State Office to determine when BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with this office at Anchorage Field Office, 4700 BLM Road, Anchorage, Alaska 99516, which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office within 30 days from receipt of this decision. As the appellant, you have the burden of showing that the decision appealed from is in error. Enclosed BLM Form 1842-1 contains further information on taking appeals to the IBLA.

If you have any questions or concerns please feel free to contact James Whitlock at 907-267-1284 or via email at j05whitl@blm.gov.

Sincerely,



Alan Bittner
Field Manager

CC:

Kyle Moselle
Large Mine Coordinator
Alaska Department of Natural Resources
Office of Project Management and Permitting
400 Willoughby Avenue, Suite 400
Juneau, AK 99801

Joe Galluzzi
BLM- AK State Office
AK930
