

October 3, 2008

By Facsimile
Connie Davis
Shane Martin
State of Nevada
Department of Conservation and Natural Resources Division
of Environmental Protection - Bureau of Mining

Re: TCG Holdings LTD.; Permit Moonlight Project, File 90601-002 AND
Their Letter to Darlene Jackson and Mr. Bunte 10/02/08 e-Mailed
To Them by Shane Martin 10/02/08 PM

Ms. Davis and Mr. Martin, I write in response to the letter you forwarded to me via e-mail written by Mr. Thomas P. Erwin of Erwin, & Thompson LLP who represent TCG Holdings LTD.

Mr. Erwin states that our deed shows 30-foot easements for "possible roads, etc.," and that is true. We are not discussing easements. They are not proposing to State of Nevada or Bureau of Mines that they use our easements. They are applying for a permit to cross our lands via evidence of an old road through our desert property, as well as hundreds of acres of other desert property. Have they submitted any aerial photos, or other photos of the actual condition of all this roadway they would be crossing on a daily, and indeed yearly period? Do they tell you how much improvement they would have to do in order to utilize this roadway for their heavy equipment of drilling rigs, etc.? Do they say anything about their responsibility to maintain anything they improve or build for their vehicle access all along the roadway and through all these hundreds of acres? What about THEIR liability for possible accidents on roads they may improve for their use that gets broken down and causes other vehicles, should there be other vehicles, to suffer damage or possible physical harm to individual drivers or passengers? What about any liability I or any other landowners whose lands are traveled by them in case of problem areas with and connected to THEIR use of this road? You can imagine that in 2008 things are much different than in the late 1800s and early 1900s, and circumstances bring many possible areas for concern now that didn't exist then.

I do not object to their permit ONLY on the basis of trespass as they state as their reasoning why you should disallow any possibility of my being able to file an appeal or you to give it any credence. I believe the same to be true for many other property owners who are affected. I know Ms. Connie Herman plans to file an appeal, regarding her parcel 13 which they will also cross, and other parcels, and who has the same concerns about matters NOT pertaining strictly to trespass, as does Ms. Oma Dicus, regarding her parcel 11 which may or may not be crossed, as well as Mr. Bunte, regarding his parcel 6, and other parcels .

Pollution from their vehicles, from possible oil dripping or slicks, etc. can result in damage to the environment, possible accidents to other travelers, possible pollution to Indian Creek which I understand is a seasonal waterway on my property, from DAYS, MONTHS AND YEARS OF TRAVEL over this long, long, roadway that has seen no travel like their proposed use in over

100 years. And, this road would surely have to be constantly maintained to protect others who might travel along it. I'm sure even more people would use it if it were a great new modern road safer to travel.

When Buzz Gray of the County Assessor's office took me to view my property, he drove me off-road in his 4-wheel truck. There certainly wasn't a well-traveled road through it that he took, and I find this surprising that he wouldn't take me on this road if he could drive safely and comfortably through my property in its current condition. This was at least 10 or 15 years or so ago, but I believe we would have been notified if for some reason that old road was scheduled for improvement by the State of Nevada and worked on..

We are receiving no compensation for the added liability and possible/probable pollution issues. We will all have added worry and concern about issues which do not concern us currently. Our PROPERTY VALUES will certainly be affected, and we have been Nevada tax payers since 1958, keeping our land for resale or possible retirement use.

This certainly gives us all new issues, even the affect on wildlife. AND, really LIMITED time to deal with this. I wrote in August, and received no reply except a copy of the granted permit September 30th, and a copy of a letter to me from TCG Holdings Ltd. Informing me they were sorry not to have answered my letter forwarded to them by Shane Martin. They said they would call me "next week," and did not. Last night, October 2nd, an e-mail arrived from Shane Martin forwarding a letter to me and Mr. Bunte from Thomas P. Erwin. Today is October 3. Appeal must be received by 5pm October 6th. PLUS, you are requested to DISALLOW any APPEAL FROM ME (and, I assume, any other property owner with the same thoughts and concerns.) Surely you must allow appeals to be considered.

I am NOT an attorney. I bring up issues which I believe many landowners share in this matter. I ask that you DO accept my appeal which I will have filed by the deadline, and give it proper weight and thought and before you make an appropriate ruling.

Mr. Ronald Bunte and Ms. Connie Herman, and Ms. Oma Dicus will also file appeals by the deadline, and have asked me to advise you of this in this letter. In addition to their parcel ownership and signatures below, affirming their agreement in principle with the concerns stated in this letter, you will receive their signed appeals by the deadline. They each own additional parcels in the section, which may or may not be affected by crossing of this road .

Sincerely, Owner of Parcel APN 11-200-12, E1/2 SE1/4 NW1/4 Section 13 T29N R34E,MDB&

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M

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Owner- Parcel APN 11-200-06 Owner-Parcel APN-11-200-13 Owner Parcel APN-11-200-11

Ronald D. Bunte

Ronald Bunte

Connie D. Herman

Connie Herman

Oma Dicus

Oma Dicus