

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND & WATER
3700 AIRPORT WAY
FAIRBANKS, ALASKA 99709-4699

MATERIAL SALE AUCTION BROCHURE
ADL 419234

AUCTION #469

Location of Auction: Large Conference Room
Department of Natural Resources
3700 Airport Way
Fairbanks, Alaska 99709

Date of Auction: October 25, 2011

Time of Auction: Bidders' Registration – 10:00 a.m.
Briefing and Auction – 10:15 a.m.

Type of Auction: Public Outcry

Subject to AS 38.05.05, and the regulations implementing those laws, the Director of the Division of Mining, Land & Water, or his authorized representative, will offer 309,730 cubic yards (cy) of material for sale by public outcry auction to the highest bidder for the Eva Creek Wind Project.

Quantity for Sale: 309,730 cubic yards

Minimum bid per cubic yard: \$1.50 per cubic yard (total minimum bid contract value = \$ 464,595)

LOCATION AND LEGAL DESCRIPTION OF MATERIAL SITES

The material sites total approximately 30.8 acres and are located approximately 13 miles north of Healy near Walker and Eva Creek. The 5 material sites are all located east of the Nenana River and are not road accessible from the Parks Highway.

The legal description of the material sites are as follows:

Site B/C: Approximately 9.9 acres within the NE1/4SE1/4 and SE1/4NE1/4 of Section 25, Township 10 South, Range 8 West, Fairbanks Meridian and within the NW1/4SW1/4 and SW1/4NW1/4 of Section 30, Township 10 South, Range 7 West, Fairbanks Meridian.

Site D: Approximately 4.0 acres within the W1/2W1/2 of Section 29 and the NE1/4SE1/4 of Section 30, Township 10 South, Range 7 West, Fairbanks Meridian.

Site E: Approximately 2.6 acres within the N1/2S1/2 of Section 29, Township 10 South, Range 7 West, Fairbanks Meridian.

Site F: Approximately 8.0 acres within the S1/2S1/2 of Section 22, Township 10 South, Range 7 West, Fairbanks Meridian.

Site H: Approximately 6.3 acres within the E1/2NW1/4 of Section 11, Township 10 South, Range 7 West, Fairbanks Meridian.

The material site locations are depicted in Attachment A.

REGISTRATION

Anyone wishing to participate in the bidding must be qualified under 11 AAC 71.030 and submit a deposit of \$46,459.50, which is 10% of the total contract amount at the minimum bid price (11 AAC 71.065). The bid deposit must be submitted during registration prior to bidding at the auction. Bid deposits will be returned to non-successful auction participants after a successful bidder is determined. The deposit may be cash, cashier's check, certified check, money order, credit card or a combination thereof. Money orders or checks should be made payable to the *Department of Revenue*.

Regulations state that an individual is qualified to bid if he or she is at least 18 years of age, legally competent to enter into and carry out the provisions of a sale contract, and if the sale is for commercial intention, licensed to do business in the state. The bidder shall be required to submit evidence of his or her qualifications at the time of registration.

An agent may represent a bidder. The agent will be required to file, at the time of the registration for the auction, an original or certified true copy of a power of attorney properly executed by the person being represented. An agent may represent only one principal and one agent may only represent a principal. An agent may not participate for both the agent and the person being represented at this auction. Powers of attorney of successful bidders will be retained by the State of Alaska in the individual casefile.

SPECIAL INFORMATION SPECIFIC TO THIS AUCTION

The minimum bid will begin at \$1.50 per cubic yard, which is the Northern Region's representative sales price (11 AAC 71.090). No bid will be accepted for less than this amount.

If the highest bidder is other than the applicant, all public notice costs shall be reimbursed to the applicant.

The term of the contract is for a period of 5 years. Annual accounting and payment must be submitted on a calendar-year basis and is due by January 31 of each year. A final accounting of the quantity of material removed, along with the payment, must be submitted within 30 days of expiration of the contract, completion of removal under the contract, or other contract termination.

BIDDER REGISTRATION

Bidder registration will begin at 10:00 a.m. on the day of the auction. Anyone meeting the bidder qualifications may register.

AUCTION PROCEDURES

Only qualified and registered bidders may submit bids. The auction will be conducted as follows:

1. The opening bid will begin at the minimum bid price stated in this brochure.
2. A bidder may withdraw a bid at any time before the hammer falls.
3. If a bid is made while the hammer is falling, the auctioneer shall decide whether the bid is timely.
4. The auctioneer may request confirmation of a bid if a bidder's conduct is confusing or distracting, or if it is clear that the bidder does not hear or understand the call of the bid.
5. If a bid is withdrawn after the hammer falls, or if the bidder fails to comply with (8) of this section, he or she will be ineligible to participate in the auction.
6. A bidder or spectator may be ejected from the auction if, in the judgment of the auctioneer, the person's conduct conflicts with the orderly proceedings of the auction.

7. Immediately after the fall of the hammer, the auctioneer will return the bid deposit to all unsuccessful bidders.
8. If the successful bidder fails to comply with any of the terms or conditions of this auction, the auctioneer shall cancel the bid, and at his discretion, may reoffer the material at the auction. If a bid is cancelled, **the deposit is non-refundable**. Prospective bidders should remain present until the auctioneer officially closes the auction. If the auctioneer cancels the bid of the successful bidder for noncompliance with the terms or conditions of the sale, the bidder shall be ineligible to participate in the remaining portion of the auction.
9. The auction will be declared adjourned when the auctioneer determines that the auction procedures have been fulfilled.

RIGHT TO ADJOURN

The State reserves the right to reject any or all bids and to adjourn, postpone, or vacate this auction, in whole or in part, at any time prior to or during the offering, where such action appears necessary to protect the interest of the State.

COMPLETION OF BID REQUIREMENTS

The successful bidder shall have 30 days upon receipt of the material sale contract to return to the Division of Mining, Land & Water the following items: 1) the executed material sale contract; 2) the initial payment in the amount of 10 percent (10%) of the total contract price, less the bid deposit amount of \$46,459.50; 3) a performance guaranty in an amount which is 5 percent (5%) of the contract price; and 4) mining and reclamation plan. Failure to do so shall result in the forfeiture of any and all rights in the proposed material sale contract and forfeiture of the bid deposit together with interest on the unpaid balance of the contract. If a purchaser shall in any respect fail to comply with the conditions of this auction after the auction is adjourned, or checks used in connection with this sale are returned for any reason, the state may cancel the bid, whereupon the defaulting bidder shall forfeit as above. The contract may then be awarded to the next highest bidder under the same conditions as the original successful bidder.

MINING AND RECLAMATION PLANS

The buyer is responsible for providing the mining and reclamation plans for the material excavation sites listed in this brochure prior to issuance of the contract. The approved mining and reclamation plan will be attached to and made a part of the material sale contract. During the term of the contract, mining activities shall occur as described in the buyer or site operator's approved Mining and Reclamation plans. Reclamation shall be to the standards of the Division and shall include repair of access roads to and within the sites, disposal of remaining stockpiles, other procedures that will be used to stabilize and reclaim the areas and any other site specific measures that may be necessary.

VALID EXISTING RIGHTS

The sale is subject to any and all valid, existing rights, including, but not limited to, oil and gas leases, and valid rights-of-way for roads, highways, power line and pipelines.

APPEALS

An aggrieved bidder may appeal in writing, in accordance with 11 AAC 02, to the Commissioner, Department of Natural Resources within five (5) working days after the auction for review of the auctioneer's determination of the successful bidder. All appeals should reference Auction #469, and should be addressed to:

Dan Sullivan, Commissioner
Department of Natural Resources
550 W. 7th Avenue, Suite 1400
Anchorage, AK 99501-3579
907-269-8431; 907-269-8918 (fax)

ACCEPTANCE OF TERMS

The standard contract for the sale of materials (Form 102-137 [Rev. 10/01]) will be used. In addition to the standard material sale terms, the material sale contract will contain special conditions. A purchaser, by making a bid at the auction, agrees to abide by these terms and conditions. A sample copy of the contract is available at the address below.

The Division of Mining, Land & Water does not warrant the quantity or quality of the material being offered.

Occasionally, technical defects in an auction brochure are discovered after it has been distributed, necessitating some changes in the particulars of the auction. In addition, adjustments to material sale contracts may be made. Therefore, while the auction will be held substantially as described, the right is reserved to make such changes and adjustments. Individuals interested in participating in the auction should contact the Northern Regional Office, Division of Mining, Land & Water, with their questions. Interested persons should appear at the auction location on the designated date, preregister, and in time for any explanatory briefing or discussion concerning any additions, deletions, or changes made, before the actual auction begins.

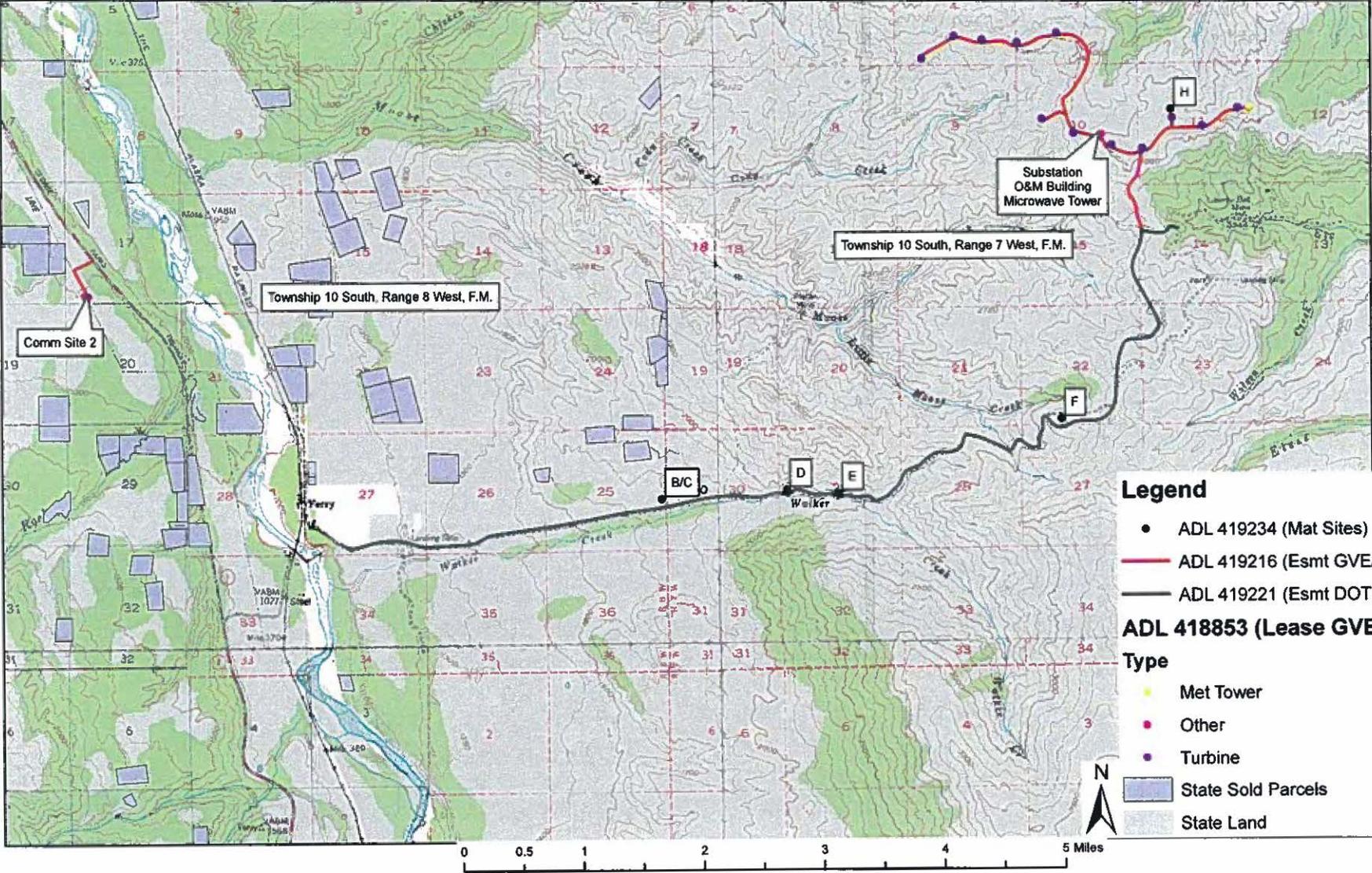
All programs and services provided by the State of Alaska are available to all qualified individuals regardless of age, race, social and economic status, gender or disability.

ADDITIONAL INFORMATION

For further information and documents related to this sale, please contact:

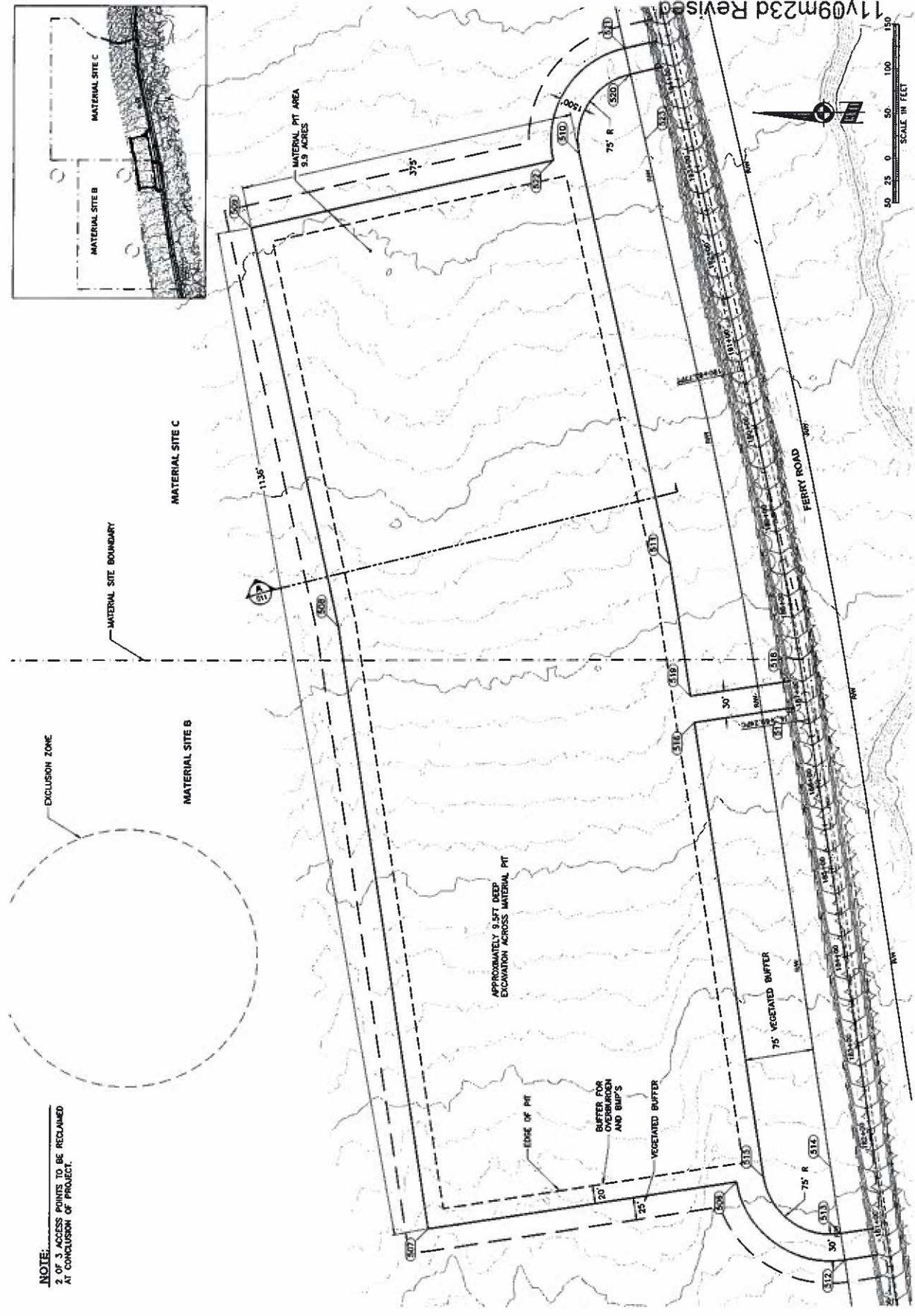
Frank Maxwell
DNR/Division of Mining, Land & Water
Northern Regional Office
3700 Airport Way
Fairbanks, Alaska 99709-4699
907-451-2728
907-451-2751 (fax)
frank.maxwell@alaska.gov

Attachment A



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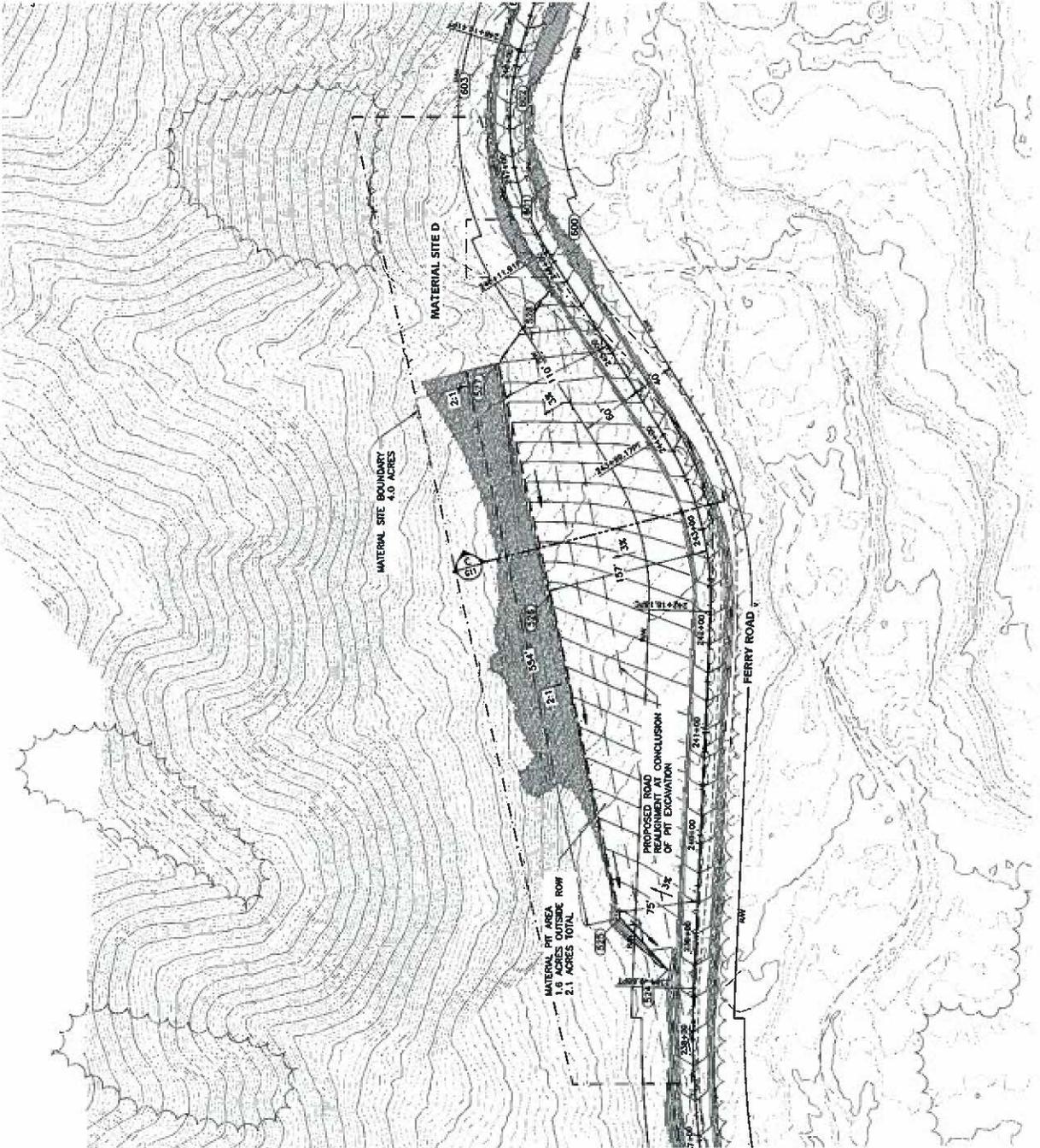
NOTE:
2 OF 3 ACCESS POINTS TO BE RECLAIMED
AT CONCLUSION OF PROJECT.



| | | | | | |
|---|--|---|---------------------------|---------------------------------|-----------------------------|
| <p>PDC INC. ENGINEERS 1008 Avenue C, P.O. Box 1008, Piquette, Michigan 49779-1028</p> | <p>PROJECT: EVA CREEK WIND FARM FERRY ROAD EVA CREEK</p> | <p>SHEET TITLE: MATERIAL SITE B & C</p> | <p>DATE: 11/05/16</p> | <p>PROJECT NO.: 11054FB</p> | <p>SHEET NUMBER: G3</p> |
| | <p>CONSULTANT:</p> | <p>PROJECT NO.:</p> | <p>DATE:</p> | <p>DATE:</p> | <p>DATE:</p> |

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MATERIAL SITE CONTROL TABLE

| POINT # | NORTHING | EASTING | DESCRIPTION |
|---------|------------|------------|-------------|
| 524 | 3661888.70 | 1803199.79 | M.S. D |
| 525 | 3661944.89 | 1803190.86 | M.S. D |
| 526 | 3662012.77 | 1803507.52 | M.S. D |
| 527 | 3662063.31 | 1803732.18 | M.S. D |
| 528 | 3662014.11 | 1803803.13 | M.S. D |

11y09m23d Revised



50 25 0 50 100 150
SCALE IN FEET

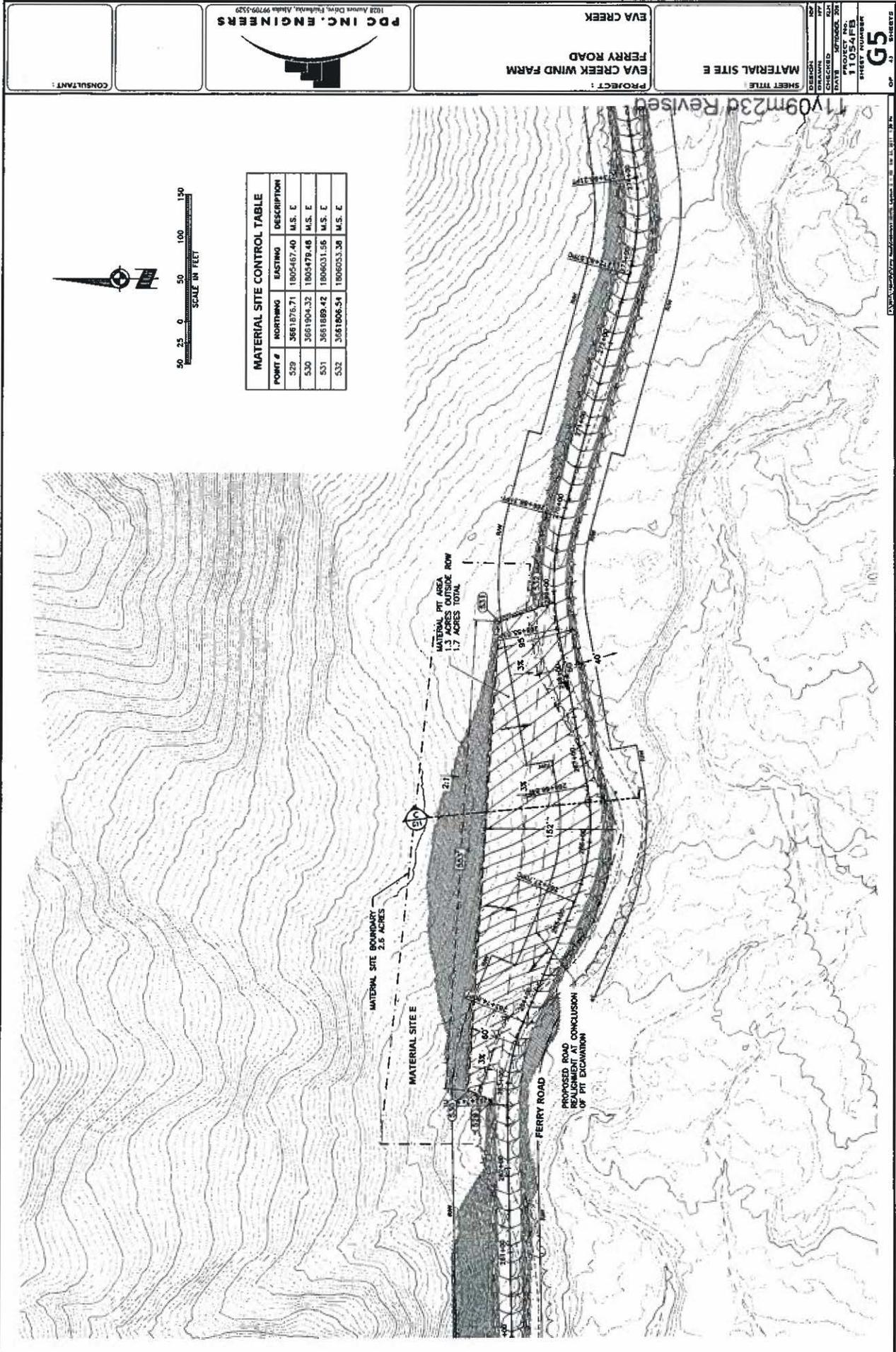
CAD: 11/09/2013 10:54:16 AM

| | | | | | |
|---|--|---|---------------------------|--------------------------------|------------------------------|
| PDC INC. ENGINEERS 1028 Avenue D Drive, Fishers, Alaska 99709-5530 | PROJECT : EVA CREEK WIND FARM FERRY ROAD EVA CREEK | SHEET TITLE : MATERIAL SITE D | SHEET NUMBER G4 | CHECKED BY DATE 11/05/13 | DRAWN BY DATE 11/05/13 |
|---|--|---|---------------------------|--------------------------------|------------------------------|

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MATERIAL SITE CONTROL TABLE

| POINT # | NORTHING | EASTING | DESCRIPTION |
|---------|------------|------------|-------------|
| 529 | 3681876.71 | 1806587.40 | M.S. E |
| 530 | 3681804.32 | 1806478.48 | M.S. E |
| 531 | 3681889.42 | 1806031.56 | M.S. E |
| 532 | 3681806.54 | 1806033.38 | M.S. E |



50 25 0 50 100 150
SCALE IN FEET

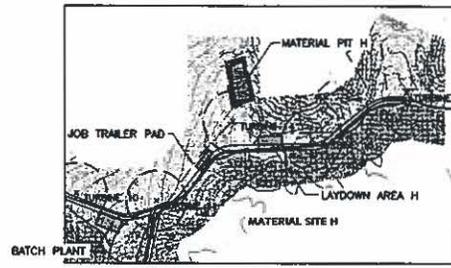
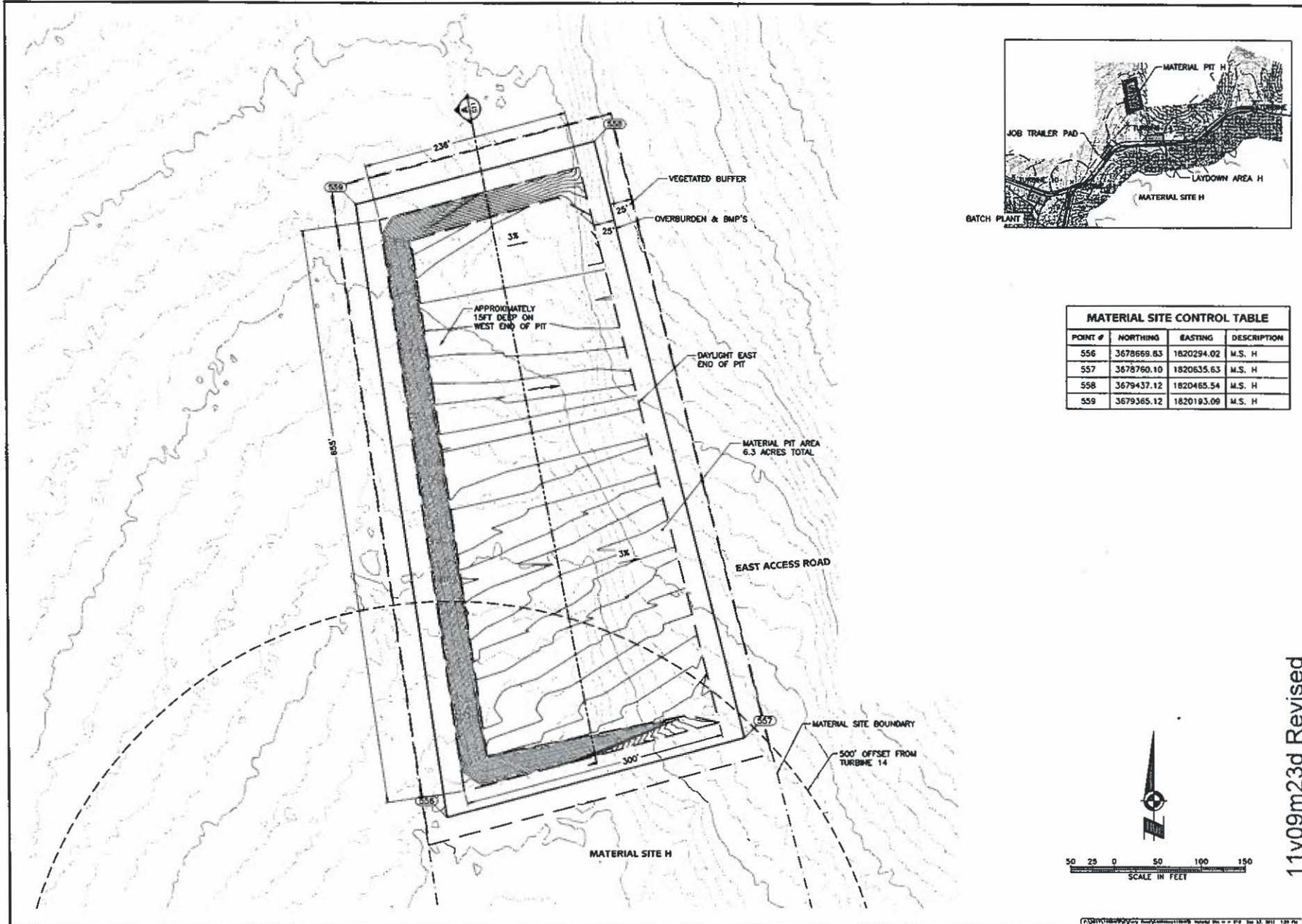
PDC INC. ENGINEERS
1028 Avenue Drive, Fairburn, Alaska 99709-5329

PROJECT :
EVA CREEK WIND FARM
FERRY ROAD
EVA CREEK

SHEET TITLE :
MATERIAL SITE E

DATE : 11/09/23
DESIGNER : [blank]
CHECKED : [blank]
SCALE : [blank]
SHEET NUMBER : 65
OF 2 SHEETS

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| MATERIAL SITE CONTROL TABLE | | | |
|-----------------------------|------------|------------|-------------|
| POINT # | NORTHING | EASTING | DESCRIPTION |
| 556 | 3678669.83 | 1820294.02 | M.S. H |
| 557 | 3678760.10 | 1820635.63 | M.S. H |
| 558 | 3679437.12 | 1820465.54 | M.S. H |
| 559 | 3679365.12 | 1820193.09 | M.S. H |

CONSULTANT:

PROJECT: EVA CREEK WIND FARM FERRY ROAD EVA CREEK

SHEET TITLE: MATERIAL SITE H

DESIGN: JDP
DRAWN: JFP
CHECKED: GJJ
DATE: 10/16/2014

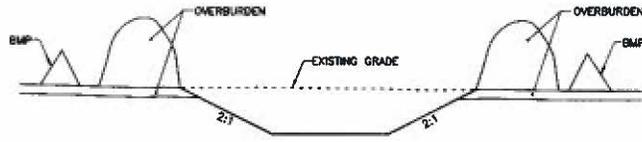
PROJECT NO: 11054FB

SHEET NUMBER: G10 OF 43 SHEETS

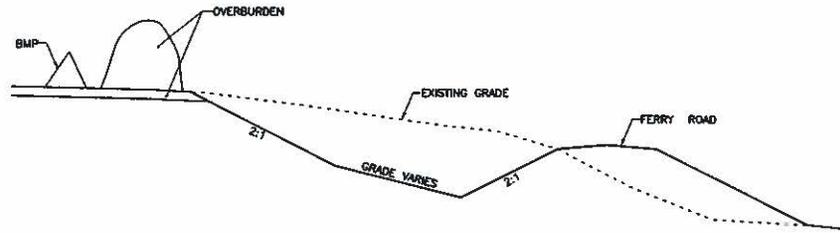
PDC INC. ENGINEERS
1023 Avenue D Drive, Enterprise, Alaska 99709-5329

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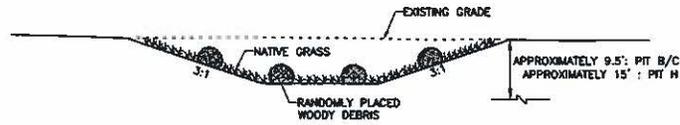
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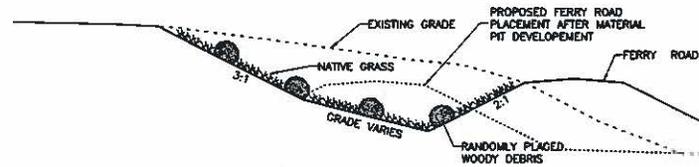
A
 TYPICAL SECTION:
 PIT DURING MINING
 SCALE: H/S



C
 TYPICAL SECTION:
 HILL CUT DURING MINING
 SCALE: H/S



B
 TYPICAL SECTION:
 PIT AFTER RECLAMATION
 SCALE: H/S



D
 TYPICAL SECTION:
 HILL CUT AFTER RECLAMATION
 SCALE: H/S

11y09m23d Revised

CONSULTANT:



PDC INC. ENGINEERS
 1000 Trans-Alaska Pipeline, Umiak 99705-0002

PROJECT:
 EVA CREEK WIND FARM
 FERRY ROAD
 EVA CREEK

SHEET TITLE:
 PIT TYPICALS

| | |
|--------------|---------------|
| DESIGN | MS |
| DRAWN | PP |
| CHECKED | AK |
| DATE | 10/2008 - JCS |
| PROJECT No. | 11054FB |
| SHEET NUMBER | G11 |
| SHEETS | 2 |

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