

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**DOCKET NO. FD 36889**

**NEVADA GOLD RAIL LLC – CONSTRUCTION EXEMPTION – LINE OF  
RAILROAD IN EUREKA AND LANDER COUNTIES, NEVADA**

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**PETITION FOR EXEMPTION**

Pursuant to 49 U.S.C. § 10502, Nevada Gold Rail LLC (“Nevada Gold Rail”), an affiliate of Nevada Gold Mines LLC (“NGM”), hereby petitions the Surface Transportation Board (“Board”) for an exemption from the prior approval requirements of 49 U.S.C. § 10901 to construct approximately 55.7 miles of new rail line (the “Project”) in Eureka and Lander Counties, Nevada. Nevada Gold Rail is not seeking operational authority. Nevada Gold Rail intends to enter into a contract with an existing, experienced third-party operator to provide common carrier service over the Project to all present and future customers. A map of the Project is attached hereto as Exhibit A. This petition is supported by the Verified Statement of Hiliary N. Wilson, attached as Exhibit B.<sup>1</sup> The exemption would be subject to completion of an environmental review by the Board’s Office of Environmental Analysis (“OEA”).

Nevada Gold Rail asserts that an exemption from the full application requirements is warranted in this case because they are not necessary to carry out the rail transportation policy (“RTP”) set forth in 49 U.S.C. § 10101, the transaction is limited in scope, and Board regulation is not necessary to protect any shipper from an abuse of market power.

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<sup>1</sup> Referred to herein as “Wilson VS.”

**I. DESCRIPTION OF PETITIONER, THE PROJECT, AND PLANNED OPERATIONS**

**A. Description of Nevada Gold Rail and the Cortez Mine**

Nevada Gold Rail is a wholly owned subsidiary of NGM, a Delaware limited liability company. NGM is a joint venture between Barrick Mining Corporation (61.5%) and Newmont Corporation (38.5%).<sup>2</sup> The joint venture combines Barrick's and Newmont's significant mining assets in Nevada and forms the single largest gold-producing complex in the world.<sup>3</sup> In total, NGM produces approximately 3.5 million ounces of gold per year.<sup>4</sup>

NGM's mining operation consists of eight mines in Nevada, along with associated infrastructure and processing facilities.<sup>5</sup> Three of these facilities – Carlin, Cortez, and Turquoise Ridge – are “Tier One” facilities, meaning that they have the potential to deliver a minimum 10-year life, annual production of at least 500,000 ounces of gold and total cash costs over the mine life in the lower half of the industry cost curve.<sup>6</sup>

The Cortez Mine is located in Eureka and Lander Counties, Nevada and is authorized to annually produce up to four million tons of gold ore.<sup>7</sup> This gold ore requires processing at NGM's roasting facilities located north of the Cortez Mine at the Goldstrike and Gold Quarry Mines.<sup>8</sup>

**B. Project Purpose and Need**

The purpose of the proposed Project is to construct a new common carrier rail line to connect the Cortez Mine and the roasting facilities located at the Goldstrike Mine. The Project

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<sup>2</sup> Wilson VS at 1.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at 1 & n.1.

<sup>7</sup> *Id.* at 1-2.

<sup>8</sup> *Id.*

would connect these facilities using two rail segments and would include use of the existing Union Pacific Railroad (“UPRR”) east-west mainline.

Currently, NGM transports gold ore from the Cortez Mine to its roasting facilities using large semi-trucks pulling double trailers over public and private roads.<sup>9</sup> Each truck has a maximum capacity of 40 tons of gold ore.<sup>10</sup> NGM’s trucks currently make up to 20 trips per hour, amounting to a total of up to 480 trips per day.<sup>11</sup> These truck trips contribute to road congestion, increase road accident risks, affect the environment, and increase greenhouse gas (“GHG”) emissions.<sup>12</sup>

The proposed Project is necessary to provide a safer, more cost-effective, and more environmentally friendly means of transporting gold ore from the Cortez Mine to NGM’s other facilities.<sup>13</sup> The Project has strong public support as a public safety project.<sup>14</sup> NGM anticipates that the Project will reduce road congestion in the area and expects a corresponding reduction in traffic accidents in the region.<sup>15</sup> Transitioning from truck to rail transportation will also help alleviate truck driver shortages.<sup>16</sup> NGM further anticipates that, by reducing the number of trucks on the road, the Project will decrease air pollutants and GHG emissions.<sup>17</sup> Specifically, the Project is anticipated to decrease GHG emissions by approximately 78%.<sup>18</sup>

Access to a rail line will also create other opportunities for NGM. The Project potentially enables NGM to partner with UPRR to provide door-to-door transport of gold ore between mines.<sup>19</sup>

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<sup>9</sup> *Id.* at 2.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* at 3.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* at 2-3.

The Project will also allow NGM to transport other commodities and consumables, such as diesel fuel, lime, and mill balls, directly to NGM's mine sites.<sup>20</sup>

NGM intends to use the Project to provide common carrier rail service. The Project will thus be available for the benefit of other businesses that may locate in the area and seek to take advantage of the connection to the UPRR line. NGM plans to work with regional economic development entities to identify potential rail users that might locate in the vicinity of the Project and utilize the Project.<sup>21</sup>

**C. Project Description**<sup>22</sup>

The Project consists of constructing a new common carrier commercial freight rail line connecting the Cortez Mine to the Goldstrike Mine. The Project would connect these facilities using two distinct rail segments, the Crescent Segment and the Boulder Segment. The total length of new rail constructed would be approximately 55.7 miles.

Both segments of the Project will generally run north-south and connect to the existing UPRR east-west mainline with two tie-ins. The two tie-ins to the existing UPRR mainline for each segment would allow trains to travel in either direction when coming and going from their ultimate destination. Nevada Gold Rail considered several possible alignments for each segment and concluded that the preferred alternative for the proposed alignments would be optimal.

The proposed Crescent Segment would be approximately 35.6 miles long. The northern terminus for the Crescent Segment will be a tie-in to the UPRR mainline directly east-southeast of Beowawe, Nevada. This segment would then travel south for approximately 21 miles, then

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<sup>20</sup> *Id.*

<sup>21</sup> *Id.* at 2.

<sup>22</sup> Exhibit A to this Petition contains maps of the project and project area.

southwest for approximately 10.7 miles before connecting to the southern terminus loop at the Cortez Mine.

The proposed Boulder segment would be approximately 20.1 miles long. The Boulder Segment's southern terminus will be a tie-in to an existing rail spur at the TS Power Plant approximately 24 miles northeast of Battle Mountain, Nevada. This existing rail spur connects to the UPRR mainline near the Western Pacific Railroad Dunphy Station near Dunphy, Nevada. Beginning at the tie-in, the Boulder Segment would travel east for 1.3 miles. The segment would then run generally north for 11.3 miles, east of Dunphy/Boulder Valley Road. After approximately 11.3 miles, the segment will run north and eastward in an undulating manner for 4 miles in order to avoid private lands. The line would then continue northeast until reaching the northern terminus loop at the Goldstrike Mine.

The project area is in the Great Basin region of Nevada, which is dominated by valleys and flats. The land proposed to be traversed by the Project consists of wetlands, grasslands and meadows, shrubs, and sagebrush. The area is sparsely populated and largely undeveloped. Land in the Project area is owned by private landowners as well as federal, state, and local government agencies, though the alignment of the Project is designed to avoid privately owned lands as much as possible.

In addition to the rail line, the proposed Project would include rail sidings at certain locations, a right-of-way ranging in width from 50 to 100 feet, and ancillary railroad support facilities. Ancillary railroad support facilities – including stockpiles, rail loops, conveyor systems, and access roads – would be necessary to support loading, unloading, and maintenance activities. The Project will also involve approximately 23 new at-grade crossings.

Once approved, Nevada Gold Rail will enter into a contract with a qualified rail operator for operation of the Project. Any necessary Board authority for such operations would be obtained separately by that contract operator. Nevada Gold Rail anticipates initial train traffic of one loaded unit train per day and one unloaded unit train per day. An empty train would travel from the UPRR line to the Cortez Mine starting on the Crescent Segment near Beowawe. At the point that the Crescent Segment alignment begins, the train would be operated by the contract rail operator. The train would proceed to the Cortez Mine, where it would be loaded with gold ore. Each unit train will have between 50 to 110 cars depending on gold ore production. The train would then travel back to Beowawe, where the operator would drive the train to the Goldstrike Mine. After unloading at the Goldstrike Mine, the empty train would return to Beowawe. The trains would operate for 350 days per year, with the 15 remaining days in each year to be used for maintenance. Operation of the Project will not increase mining or production at the Cortez Mine.

## **II. DISCUSSIONS WITH THE OFFICE OF ENVIRONMENTAL ANALYSIS**

Nevada Gold Rail is working with OEA to comply with the Board's National Environmental Policy Act ("NEPA") requirements under 49 C.F.R. Part 1105. Nevada Gold Rail retained the third-party contractor Vanasse Hangen Brustlin, Inc. ("VHB") to work under the direction and supervision of OEA. OEA is consulting with federal, state, tribal, and local agencies. Based on information available to date, OEA has determined that preparation of an environmental impact statement in this proceeding is appropriate.

In analyzing the environmental effects of a project pursuant to NEPA, "[t]he Board has 'substantial discretion' in assessing the facts relevant to its environmental review and the relevant impacts."<sup>23</sup> However, "while NEPA prescribes a process that must be followed, it does not

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<sup>23</sup> *Union Pac. R.R. Co.—Constr. & Operation Exemption—In Maricopa Cnty., Ariz.*, FD 36501, at 6 (served Mar. 13, 2026) (quoting *Seven Cnty. Infrastructure Coal. v. Eagle Cnty.*, 605 U.S.

mandate a particular result” and does not “otherwise impose any ‘*substantive* constraints on the agency’s ultimate decision to build, fund, or approve a proposed project.’”<sup>24</sup> Rather, in deciding to approve a project, “the Board may ‘weigh environmental consequences as [it] reasonably sees fit under its governing statute and any relevant substantive environmental laws,’ and may conclude that ‘other values outweigh the environmental costs.’”<sup>25</sup>

### **III. NEVADA GOLD RAIL’S PROJECT SATISFIES THE STANDARDS FOR EXEMPTION UNDER 49 U.S.C. § 10502**

Pursuant to 49 U.S.C. § 10901, Board approval is required for the construction of a new common carrier railroad line, either through a certificate under Section 10901 or an exemption pursuant to 49 U.S.C. § 10502. “In either case, the [statute] expresses a clear presumption in favor of approving railways.”<sup>26</sup> Section 10901(c) directs the Board to authorize new rail line construction unless it determines that the proposal is “inconsistent with the public convenience and necessity.” 49 U.S.C. § 10901(c). The Board has recognized that Congress has “established a presumption that rail construction projects are in the public interest unless shown otherwise.”<sup>27</sup>

Under 49 U.S.C. § 10502(a), the Board must exempt, “to the maximum extent” authorized, a proposed track construction from the detailed application process of 49 U.S.C. § 10901 when the Board finds (1) that the process is not necessary to carry out the RTP of 49 U.S.C. § 10101; and

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168, 181 (2025)).

<sup>24</sup> *Id.* (quoting *Seven Cnty.*, 605 U.S. at 180).

<sup>25</sup> *Id.* (quoting *Seven Cnty.*, 605 U.S. at 173, 177).

<sup>26</sup> *Seven Cnty.*, 605 U.S. at 194 (Sotomayor, J., concurring); *Savannah Indus. Logistics, LLC—Constr. Exemption—In Effingham Cnty., GA*, STB Finance Docket No. 36723, at 4 (served Aug. 5, 2025).

<sup>27</sup> *DesertXpress Enterprises, LLC and DesertXpress HSR Corp.—Constr. and Operation Exemption—In Victorville, Cal. and Las Vegas, Nev.*, FD 35544, slip op. at 3 (served Oct. 25, 2011).

(2) either (a) the proposal is of limited scope, or (b) the application process is not necessary to protect shippers from abuse of market power. This exemption is to be applied broadly.<sup>28</sup>

The construction proposed here falls squarely within the four corners of Section 10502. Nevada Gold Rail's Project is intended to meet NGM's need for a safer and more environmentally friendly method of transporting gold ore from its Cortez Mine to nearby roasting facilities. The Project meets the statutory requirements for exemption and is consistent with the Board's precedent for granting similar construction exemptions under section 10502.<sup>29</sup>

**A. The Board has jurisdiction over the Project.**

Nevada Gold Rail's Project is a common carrier "line of railroad" as the Board interprets that term and would require a license to construct under 49 U.S.C. § 10901. The Board has jurisdiction over "transportation by rail carrier," and 49 U.S.C. § 10102(5) defines a "rail carrier" as "a person providing common carrier railroad transportation for compensation."<sup>30</sup> The Board has found that a proposed line is a common carrier line subject to Section 10901, and not private track, when the line is available to provide common carriage to other shippers besides the petitioner who could be served by the proposed project.<sup>31</sup> Here, Nevada Gold Rail will construct the Project to potentially serve other customers who choose to locate their businesses along the Project.

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<sup>28</sup> See, e.g., *Am. Trucking Ass'n v. ICC*, 656 F.2d 1115, 1119 (5th Cir. 1981) (explaining that the ICC was charged with the responsibility of actively pursuing exemptions for transportation and services that comply with the section's standards).

<sup>29</sup> *Savannah Indus. Logistics*, FD 36723, slip op. at 4-5; *Palmetto Railways—Constr. & Operation Exemption—In Berkeley County, S.C.*, FD 36095, at 2-3 (served July 22, 2019); *Ariz. E. Rwy., Inc.—Constr. Exemption—In Graham County, AZ*, FD 34836, slip op. at 3 (STB served June 15, 2009); *Itasca Cnty. Reg'l Rail Auth.—Petition for Exemption—Constr. of a Line of R.R. in Itasca County, MN*, FD 34992, slip op. at 3 (STB served Sept. 8, 2008).

<sup>30</sup> *Midwest Generation, LLC—Exemption from 49 U.S.C. 10901—For Constr. in Will Cnty., IL*, FD 34060, at 6 (STB served Mar. 21, 2002).

<sup>31</sup> *Id.*

Nevada Gold Rail is willing to accept a common carrier obligation and to “hold out” to provide rail service on the Project to any shippers that may request service. However, as discussed above, Nevada Gold Rail is not seeking operational authority with this application. Nevada Gold Rail intends to enter into a contract with an existing, experienced third-party operator to provide common carrier service over the Project to all present and future customers. Nevada Gold Rail acknowledges that, as the owner of the rail line, Nevada Gold Rail will acquire a residual common carrier obligation to provide service over the Project after its construction, even though Nevada Gold Rail has not sought operating authority from the Board.<sup>32</sup>

**B. Application of 49 U.S.C. § 10901 is not necessary to further the Rail Transportation Policy.**

Compliance with the formal requirements of Section 10901 for the Project is not necessary to accomplish the transportation policies of 49 U.S.C. § 10101. The RTP states, in pertinent part, that: “it is the policy of the United States Government . . . (2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required”; “(4) to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public and the national defense”; “(5) to foster sound economic conditions in transportation and to ensure effective competition and coordination between rail carriers and other modes”; “(7) to reduce regulatory barriers to entry into and exit from the industry”; “(14) to encourage and promote energy conservation”; and “(15) to provide for the expeditious handling and resolution of all proceedings required or permitted to be brought under this part.” 49 U.S.C. § 10101.

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<sup>32</sup> See *Calif. High-Speed Rail Auth.—Constr. Exemption—In Merced, Madera and Fresno Cty.s., Cal.*, FD 35724, at 2 n.6 (STB served June 13, 2013).

The Board should grant Nevada Gold Rail's petition because regulation of the Project is not necessary to accomplish the RTP, as stated under paragraphs (2) and (7), since an exemption will minimize the need for federal regulatory control over the rail transportation system and reduce regulatory barriers to entry.<sup>33</sup> Here, an exemption will minimize the time and administrative expense associated with construction, which is intended to bring rail service to an area where none currently exists and to help promote economic development. An exemption is also consistent with the RTP, as stated in paragraph (15), because it will provide for the expeditious handling and resolution of proceedings.

Granting the exemption is also consistent with the goals in RTP paragraphs (4) and (5) because the Project will ensure the development of a rail transportation system with effective competition and will foster sound economic conditions in the transportation industry. The Project will enhance competition by providing alternative transportation options for NGM as well as for future shippers who choose to locate their businesses in the area.<sup>34</sup>

Consistent with RTP paragraph (14), the Project will encourage and promote energy conservation by reducing the current reliance on truck transportation. The Project will reduce road congestion along the public roads between the Cortez Mine and NGM's processing facilities and enhance highway safety by removing numerous trucks from area highways.<sup>35</sup> The Project will

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<sup>33</sup> See *Savannah Indus. Logistics*, FD 36489, slip op. at 5 (exemption for after-the-fact construction exemption furthers RTP paragraphs (2), (7), and (15)); *Alaska R.R.—Constr. & Operation Exemption—A Rail Line Extension to Port Mackenzie, Alaska*, FD 35095, at 4 (served Nov. 21, 2011) (granting rail construction and operation exemption furthers RTP paragraphs (2) and (7)).

<sup>34</sup> See *Palmetto Railways*, STB Finance Docket No. 36095, at 3 (proposed line furthered RTP paragraphs (4) and (5) by providing a freight rail option that previously did not exist); *Six Cnty. Ass'n of Governments—Constr. & Operation Exemption—Rail Line Between Levan and Selina, UT*, FD 34075, at 2 (STB served Oct. 26, 2001) (proposed line would increase competition consistent with RTP paragraph (4) by providing a rail service option to shippers in an area where no rail service existed).

<sup>35</sup> See *Savage Tooele R.R.—Constr. & Operation Exemption—Line of R.R. in Tooele County*,

also contribute to a reduction in GHG emissions and other air pollutants by eliminating up to 480 daily semi-truck trips between NGM’s mines.

Finally, the grant of Nevada Gold Rail’s petition would not be inconsistent with any of the other goals of the RTP.

**C. The transaction is limited in scope and regulation is not necessary to protect shippers from the abuse of market power.**

The second component of the test for exemption is stated in the alternative – either the proposed construction project must be of limited scope, or the Board must find that regulation of the transaction is not needed to protect shippers from the abuse of market power. 49 U.S.C. § 10502(a)(2).<sup>36</sup> Although required to satisfy just one of these alternatives, the Project satisfies both.

First, the proposed construction is limited in scope. The entire amount of rail line to be constructed and operated is approximately 55.7 miles in total length with defined beginning and end points. The line will be located entirely within the State of Nevada in a largely undeveloped area with low population density.

Second, even if the transaction is not limited in scope, there is no opportunity to expose shippers to abuse of market power. The line to be constructed is being proposed by the sole shipper that it will serve, and it will also be capable of serving any other shippers that may locate on the line. The Project, when completed, will thus provide an additional form of freight transportation for NGM as well as future shippers who locate in the area. This Project is similar to other cases

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*Utah*, FD 36616, at 3 (STB served Apr. 1, 2024) (proposed line that would reduce truck traffic would increase overall energy efficiency and thus further RTP paragraph (14)).

<sup>36</sup> If the Board concludes that regulation of the transaction is not needed to protect against an abuse of market power, the Board “need not determine whether the transaction is limited in scope.” *California High-Speed Rail Auth.—Constr. Exemption—In Merced, Madera, and Fresno Cntys., Calif.*, FD 35724, at 25, n.118 (STB served June 13, 2013).

where the Board approved via individual exemption new rail lines in areas without rail service where shippers would otherwise be dependent solely on truck or truck/rail transloading services for their transportation needs.<sup>37</sup> Construction of the Project will not result in any harm to shippers because it will add and improve transportation options in the area with no reduction in service options.

#### IV. CONCLUSION

For the foregoing reasons, Nevada Gold Rail respectfully requests that the Board grant this Petition for Exemption to authorize Nevada Gold Rail to construct approximately 55.7 miles of new lines of railroad in Eureka and Lander Counties, Nevada without the need of a full application pursuant to 49 U.S.C. § 10901.

Respectfully submitted,

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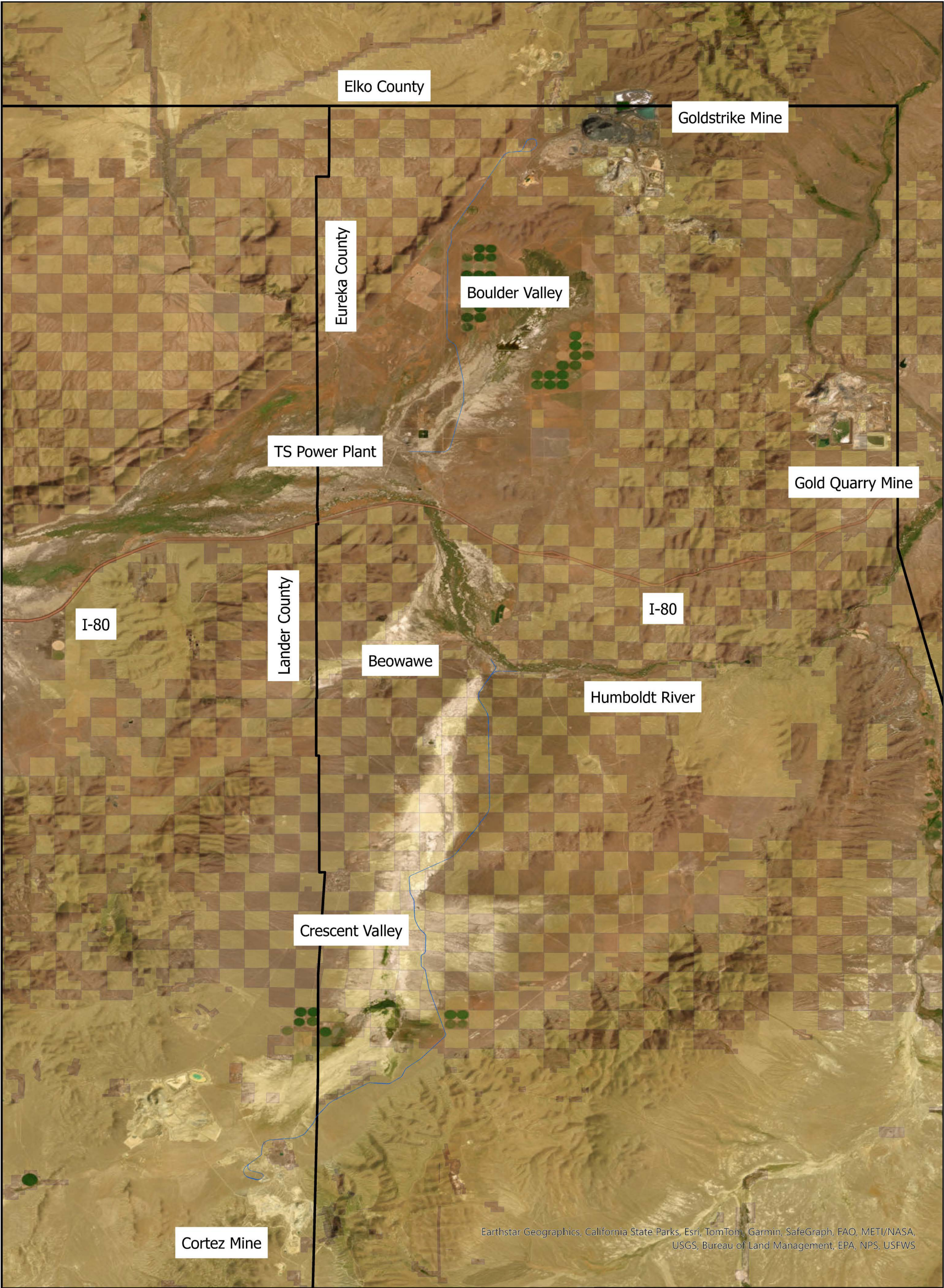
*Attorney for Nevada Gold Rail LLC*

May 6, 2026

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<sup>37</sup> *Palmetto Railways*, FD 36095, slip op. at 3 (concluding that review under Section 10901 was not necessary to protect shippers because the proposed line “would enhance competition by providing rail service where it does not currently exist”); *Ariz. E. Ry.*, FD 34836, slip op. at 3 (concluding that formal application procedures are not necessary to protect shippers where proposed line construction would enhance competition and provide an alternative to truck transportation); *Itasca Cnty. Reg’l Rail Auth.*, FD 34992, slip op. at 3 (concluding that formal application procedures were not necessary to protect shippers because the proposed construction would “provide the area with additional transportation options and enhanced competition”); *Six Cnty. Ass’n of Governments*, FD 34075, slip op. at 2 (concluding that regulation unnecessary to protect shippers because proposed line would provide another form of transportation and increase competition).

# EXHIBIT A



### Legend

- Bureau of Land Management
- Preferred Alignment

0 1 2 4 6 8 Miles

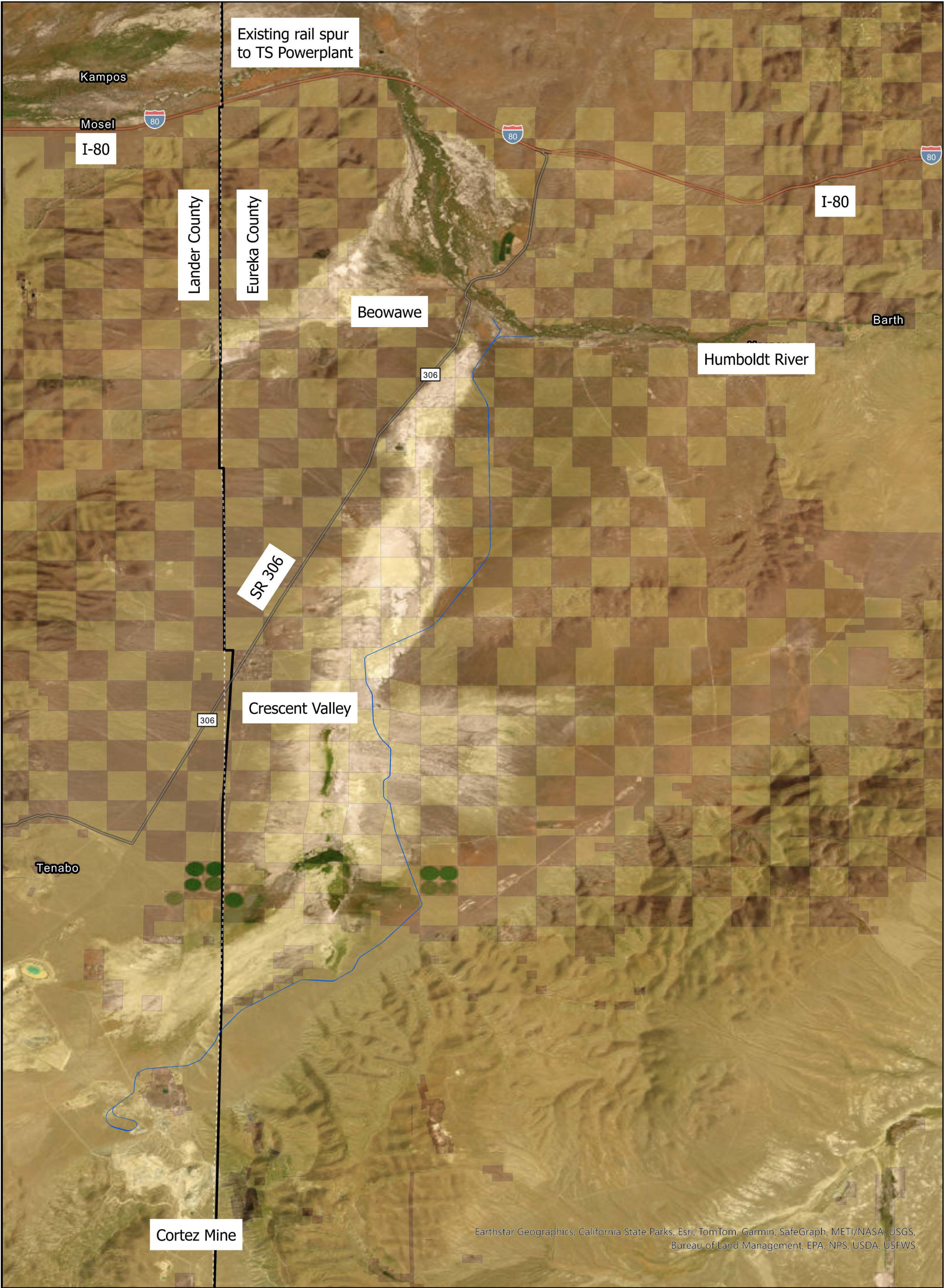
THE DRAWING, DESIGNS, IDEAS, ARRANGEMENT AND PLANS INDICATED OR PREPARED ARE THE SOLE PROPERTY OF NEVADA GOLD MINES (NGM), AND ARE SUBJECT TO THE COPYRIGHT OF NGM OR ITS ASSIGNS. THEY WERE CREATED, EVOLVED AND DEVELOPED EXCLUSIVELY FOR USE ON, AND IN CONJUNCTION WITH, THE SPECIFIED PROJECT. ANY USE OF THE DRAWINGS, DESIGNS AND INFORMATION CONTAINED HEREIN, INCLUDING COPYING, WHICH IS NOT EXPRESSLY AUTHORIZED BY NGM, IS STRICTLY PROHIBITED AS AN ACT OF INFRINGEMENT OF COPYRIGHT AND MAY RESULT IN LIABILITY.

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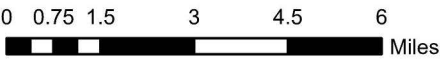
### FIGURE 1 - Proposed Project Alignment

|                                              |                                       |                                 |
|----------------------------------------------|---------------------------------------|---------------------------------|
| PROJECT AREA:<br>Boulder and Crescent Valley | MAP SCALE:<br>As Shown                | COORD. SYSTEM:<br>NAD83 UTM-11M |
| COMPILED BY:<br>LB                           | PLOT DATE:<br>5/6/2026                | REVISION DATE:<br>00/00/0000    |
| DRAFTED BY:<br>LB                            | TOPOGRAPHY/DATA SOURCE:<br>ENTER HERE | REVISION:                       |
| DIGITAL FILE NAME:<br>NGM_RAIL_PREF          |                                       | REVISED BY:<br>NAME             |



Legend

- Preferred Alignment
- Bureau of Land Management



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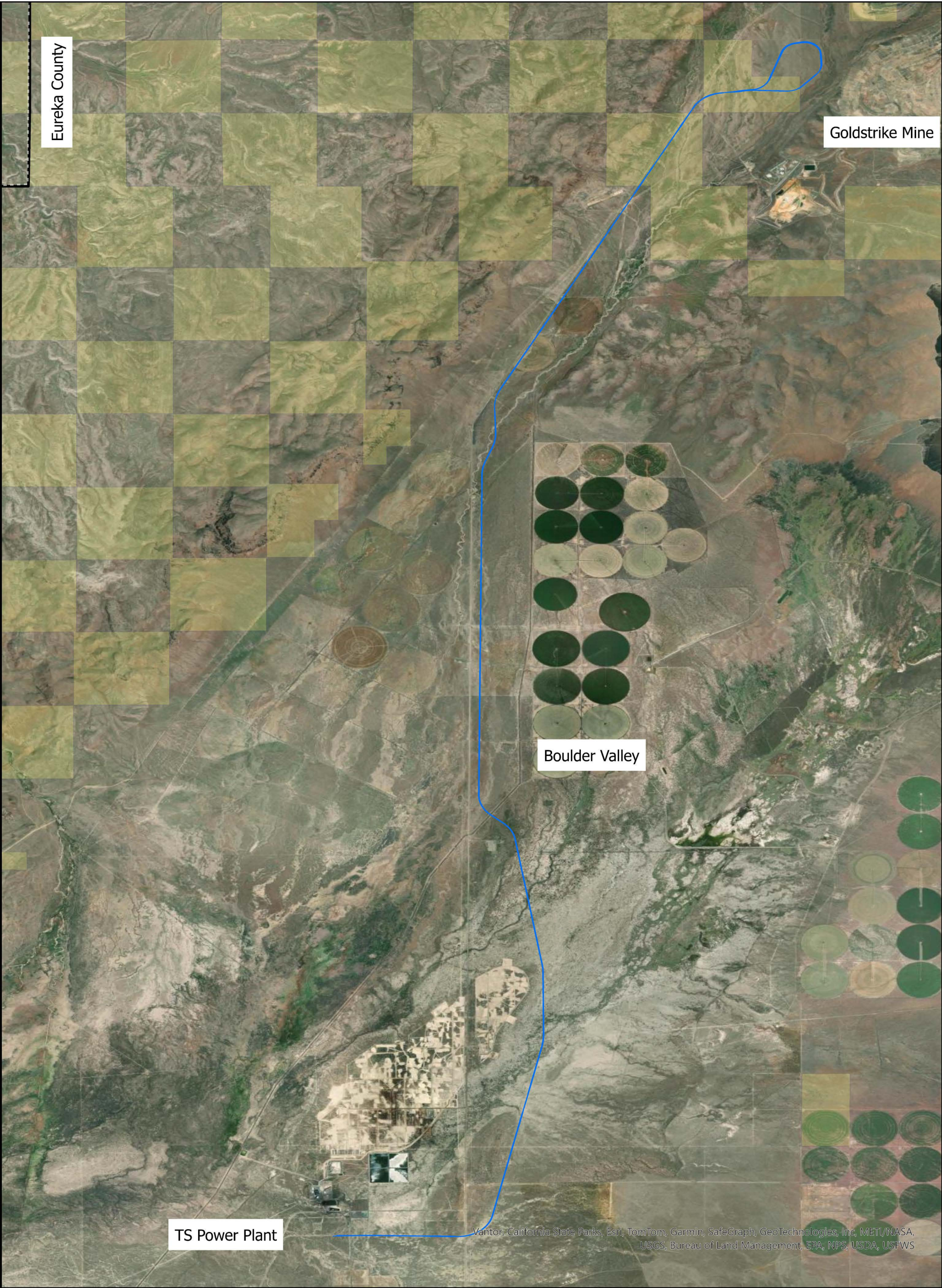


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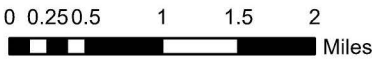
FIGURE 2 - Proposed Crescent Valley Alignment

|                                              |                                       |                                 |
|----------------------------------------------|---------------------------------------|---------------------------------|
| PROJECT AREA:<br>Boulder and Crescent Valley | MAP SCALE:<br>As Shown                | COORD. SYSTEM:<br>NAD83 UTM-11M |
| COMPILED BY:<br>LB                           | PLOT DATE:<br>5/6/2026                | REVISION DATE:<br>00/00/0000    |
| DRAFTED BY:<br>LB                            | TOPOGRAPHY/DATA SOURCE:<br>ENTER HERE | REVISION:                       |
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Legend

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Nevada Gold Rail

FIGURE 3 - Proposed Boulder Valley Alignment

|                                              |                                       |                                 |
|----------------------------------------------|---------------------------------------|---------------------------------|
| PROJECT AREA:<br>Boulder and Crescent Valley | MAP SCALE:<br>As Shown                | COORD. SYSTEM:<br>NAD83 UTM-11M |
| COMPILED BY:<br>LB                           | PLOT DATE:<br>5/6/2026                | REVISION DATE:<br>00/00/0000    |
| DRAFTED BY:<br>LB                            | TOPOGRAPHY/DATA SOURCE:<br>ENTER HERE | REVISION:                       |
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# EXHIBIT B

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**DOCKET NO. FD 36889**

**NEVADA GOLD RAIL LLC – CONSTRUCTION EXEMPTION – LINE OF  
RAILROAD IN EUREKA AND LANDER COUNTIES, NEVADA**

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**VERIFIED STATEMENT OF HILIARY N. WILSON**

My name is Hiliary N. Wilson, and I am the Secretary of Nevada Gold Rail LLC (“Nevada Gold Rail”).

Nevada Gold Mines LLC (“NGM”), a Delaware limited liability company, established Nevada Gold Rail in 2025 to be a common carrier railroad. Nevada Gold Rail will construct the proposed rail line over land in Eureka and Lander Counties, Nevada (the “Project”).

NGM is a joint venture between Barrick Mining Corporation (“Barrick”) (61.5%) and Newmont Corporation (“Newmont”) (38.5%). The joint venture combined Barrick’s and Newmont’s significant assets across the state of Nevada in 2019 to create the single largest gold-producing complex in the world. NGM currently produces approximately 3.5 million ounces of gold annually. NGM’s mining operations consist of eight mines along with associated infrastructure and processing facilities. This operation hosts three of Barrick’s “Tier One”<sup>1</sup> mines: Carlin, Cortez, and Turquoise Ridge.

The Project relates to the Cortez Mine, located in Eureka and Lander Counties, Nevada. The Cortez Mine annually produces approximately four million tons of gold ore that requires

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<sup>1</sup> A “Tier One” asset is an asset with the reserve potential to deliver a minimum 10-year life, annual production of at least 500,000 ounces of gold, and total cash costs over the mine life in the lower half of the industry cost curve.

processing at NGM's roasting facilities, which are located north of Cortez at NGM's Goldstrike and Gold Quarry Mines. At these processing facilities, high heat processes are used to recover gold from the ore.

Currently, large semi-trucks pulling double trailers haul gold ore from the Cortez Mine to the roasting facilities over both public and private roads. Each truck has a maximum capacity of 40 tons of gold ore. Up to 20 truck trips are made every hour, for a total of up to 480 truck trips per day. These truck trips contribute to road congestion, create a risk of accidents, and negatively impact the environment and greenhouse gas ("GHG") emissions.

Nevada Gold Rail is seeking STB approval to construct a new common carrier freight rail line to connect the Cortez Mine to the roasting facilities at the Goldstrike Mine. The rail route between the Cortez Mine and the Goldstrike Mine would also include use of the existing Union Pacific Railroad ("UPRR") east-west mainline. The Project would allow Nevada Gold Rail to transport gold ore from the Cortez Mine to the roasting facilities by rail instead of semi-truck. Nevada Gold Rail anticipates train traffic of one unit train per day for 350 days per year. The remaining 15 days of the year will be used for maintenance activities.

Nevada Gold Rail intends to use the rail line to provide common carrier rail service. The line will be available for the benefit of other businesses that may locate in the area. Nevada Gold Rail intends to work with regional economic development entities to identify potential rail users that might locate in the vicinity of the rail lines to take advantage of the connection to the UPRR line.

Nevada Gold Rail intends to enter into a contract with a qualified rail operator for operation of the Project. The Project would also provide immediate opportunities for other commodities to

be delivered via rail directly to NGM's other mine sites. With the Project, NGM would be able to deliver consumables such as diesel fuel, lime, and mill balls directly to the Cortez Mine.

Without rail service, NGM's Cortez Mine and roasting facilities would continue to be served only by truck, which creates safety and environmental risks and limits the area's appeal to other businesses. The Project will provide a safer, more cost-effective, and more environmentally friendly alternative to trucking gold ore along public roadways. The Project is anticipated to reduce road congestion, road accidents, and truck driver shortages by taking a large number of semi-trucks off the road. The Project will also reduce air pollutants and is anticipated to decrease GHG emissions by 78%. For these reasons, the Project has strong local support as a public safety project. Transporting the gold ore by rail will also be more cost-effective for NGM than hauling it by truck.

NGM established Nevada Gold Rail to develop this rail project because we see a transportation need for ourselves and other shippers, and we believe that Nevada Gold Rail and the Project is the best solution to meeting this need.

### VERIFICATION

I, Hiliary N. Wilson, declare under penalty of perjury that I have read the foregoing Verified Statement, that I know the facts asserted therein, and that the same are true as stated. Further, I certify that I am qualified to and authorized to submit this Verified Statement.

Executed on April 1, 2026

A handwritten signature in blue ink, reading "Hiliary N. Wilson", is written over a horizontal line.