

43.0 PARCELS 1303018, 1303021, 1316002, 1316003 AND 1316063

Owner: William McInnis Trust

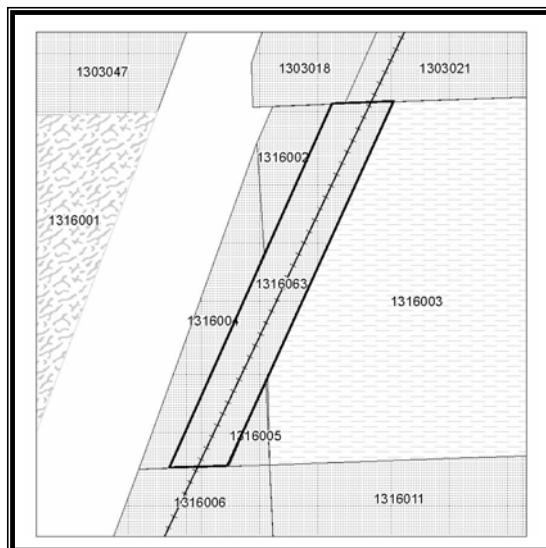
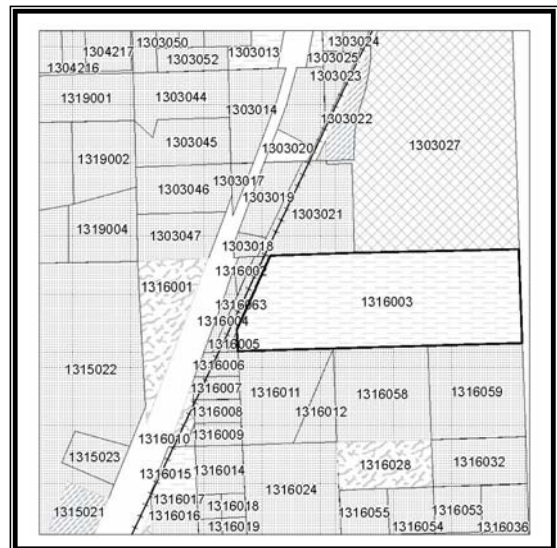
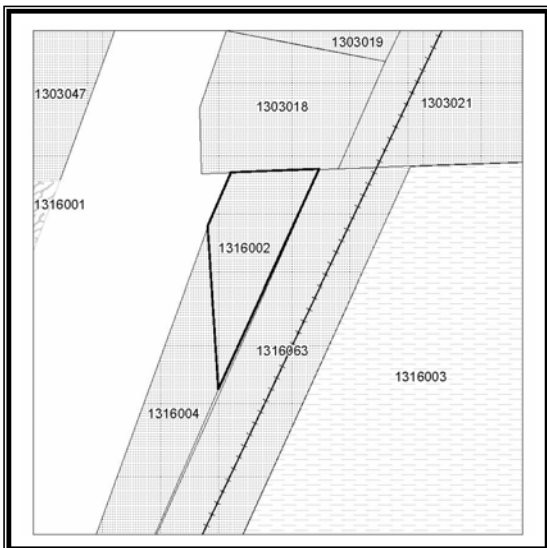
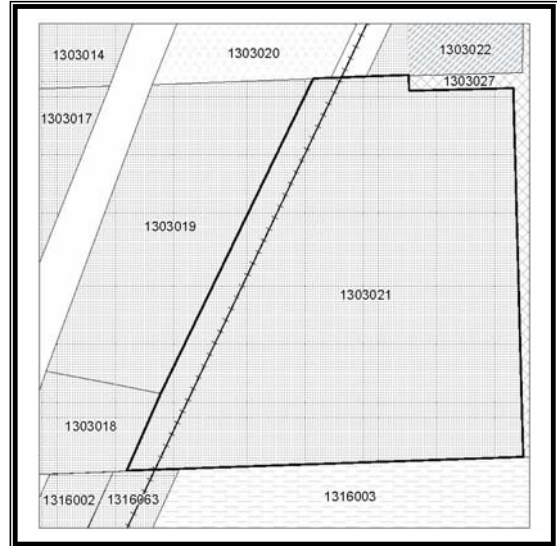
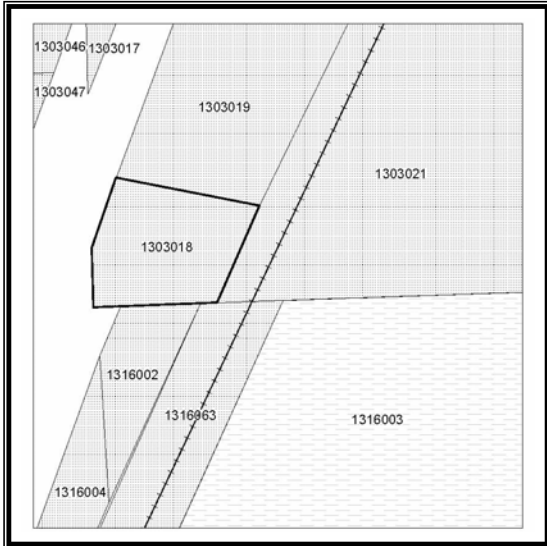
Land Use: Single family residence and vacant/unknown

43.1 PARCEL DESCRIPTIONS

Parcels 1303018, 1303021, 1316002, 1316003 and 1316063 total approximately 153.09 +/- acres in size and there are existing water rights. According to Lincoln County's records, these parcels are currently classified as either agricultural deferred or the land use is unknown.

Table 43.1: **Parcel Details**

PARCEL NUMBER	ACRES	LAND USE	COMMENTS
1303018	2.82+/-	Vacant/unknown	
1303021	28.85+/-	Vacant/unknown	
1316002	2.16+/-	Vacant/unknown	
1316003	115.6+/-	Single family residence	
1316063	3.66+/-	Vacant/unknown	
TOTAL	153.09+/-	Single family residence/ vacant/unknown	Parcel sizes verified April 2008 Lincoln County Assessor's Office



Robison/Seidler, Inc.

PROPOSED RAILROAD ALIGNMENT – DOE PROPOSED ROUTE – CALIENTE ALTERNATIVE

The Caliente alternative segment would begin in Caliente, enter Meadow Valley at Indian Cove, and extend generally north through Meadow Valley and along U.S. Highway 93. Impacts and mitigation cannot be specifically determined until the centerline of the track is staked, and until the design is available showing the amount of cuts and fills.

43.1.2 Impacts for Proposed Alignment

43.1.2.1 Taking of Private Property

Lincoln County is a vast county with minimal private land.

Planning/policy development

No impacts from the initial planning and policy development phase were identified.

Detailed planning/funding/impact assessment

Construction of the Caliente Railroad will require the acquisition of right-of-way over private land. It is anticipated that this acquisition will commence during the detailed planning phase. This acquisition will impact these parcels. The DOE identified a nominal width of approximately 31 meters, or about 100 feet, as the preferred width for a construction right-of-way, where practicable in areas with private land. The DOE identified the operation right-of-way as having a nominal width of 122 meters, or about 400 feet, generally. It is likely that this is the true minimum width of direct and irreversible impacts during the construction and operation of the Caliente Railroad. The DOE identified the general construction right-of-way for the Caliente Railroad as having a nominal width of 300 meters, or about 1,000 feet. While they state they will try to limit that where there is private property, there are no commitments, let alone guarantees. Therefore, it is possible that all of the properties within this boundary will be impacted during the construction and operation of the Caliente Railroad. Serious consideration will need to be given to the extent to which the right-of-way acquisitions adversely affect the remainder of the properties listed here.

Construction/implementation

The magnitude of the Caliente Railroad construction project lends itself to unexpected, unplanned changes to the implementation plan as the project progresses. Thus, even if all of the land acquisition that is anticipated is accomplished in the previous phase, it is highly likely that additional acquisitions may be required as the project progresses. The existing and planned portions of these parcels but outside of the construction right-of-way will likely be seriously disturbed during the construction of the Caliente Railroad.

Operation/maintenance

Existing and planned portions of these parcels but outside of the operation right-of-way will be seriously disturbed during the operation of the Caliente Railroad. This disruption may be exacerbated by allowing shared use of the rail line.

Abandonment/decommissioning

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed.

43.1.2.2 Effects on Property Values and Other Economic Impacts

Planning/policy development

No impacts from the initial planning and policy development phase were identified.

Detailed planning/funding/impact assessment

As right-of-ways are acquired, the existing and planned land uses will be irreversibly impacted. The acquisition of right-of-ways may significantly devalue the entire portfolio of properties owned by William McGinnis Trust. Furthermore, it is quite possible that even before right-of-ways are actually acquired, the owner of these parcels may experience loss of economic opportunity if funding for future development or activities associated with the property is restricted due to the DOE's intent to construct a railroad through these properties if this alignment is selected.

Construction/implementation

The owners of these parcels will experience a significant loss of economic opportunity associated with the impacts to the existing and planned land uses. The extent of this loss of economic opportunity is not yet known.

Operation/maintenance

The owners of these parcels will continue to experience a significant loss of economic opportunity associated with the impacts to the existing and planned land uses. The extent of this loss of economic opportunity is not yet known.

Abandonment/decommissioning

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed. However, if the DOE plans on abandoning or decommissioning the railroad, nationwide experience with the abandonment of railroads and federal projects show that significant impacts often occur.

43.1.3 Mitigation/Compensation for Proposed Alignment

43.1.3.1 Avoiding

Avoiding the impacts to this property is not possible if this rail alignment is selected.

43.1.3.2 Minimizing

Minimizing the impacts to this property is not possible if this rail alignment is selected.

43.1.3.3 Rectifying

Rectifying the impacts to this property is not possible if this rail alignment is selected.

43.1.3.4 Reducing

Reducing the impacts to this property is not possible if this rail alignment is selected.

43.1.3.5 Compensating

No acceptable mitigation measures were identified. Therefore, compensating the property owner for the taking of this property is recommended. When determining fair compensation, the loss of economic opportunity and costs incurred by the owner while awaiting fair compensation, if any, should be considered.

43.2 PROPOSED RAILROAD ALIGNMENT – LINCOLN COUNTY SHORT ROUTE – CALIENTE ALTERNATIVE

The Caliente alternative segment would begin in Caliente, enter Meadow Valley at Indian Cove, and extend generally north through Meadow Valley and along U.S. Highway 93. Impacts and mitigation cannot be specifically determined until the centerline of the track is staked, and until the design is available showing the amount of cuts and fills.

43.2.1 Impacts for Proposed Alignment

43.2.1.1 Taking of Private Property

Lincoln County is a vast county with minimal private land.

Planning/policy development

No impacts from the initial planning and policy development phase were identified.

Detailed planning/funding/impact assessment

Construction of the Caliente Railroad will require the acquisition of right-of-way over private land. It is anticipated that this acquisition will commence during the detailed planning phase. This acquisition will impact these parcels. The DOE identified a nominal width of approximately 31 meters, or about 100 feet, as the preferred width for a construction right-of-way, where practicable in areas with private land. The DOE identified the operation right-of-way as having a nominal width of 122 meters, or about 400 feet, generally. It is likely that this is the true minimum width of direct and irreversible impacts during the construction and operation of the Caliente Railroad. The DOE identified the general construction right-of-way for the Caliente Railroad as having a nominal width of 300 meters, or about 1,000 feet. While they state they will try to limit that where there is private property, there are no commitments, let alone guarantees. Therefore, it is possible that all of the properties within this boundary will be impacted during the construction and operation of the Caliente Railroad. Serious consideration will need to be given to the extent to which the right-of-way acquisitions adversely affect the remainder of the properties listed here.

Construction/implementation

The magnitude of the Caliente Railroad construction project lends itself to unexpected, unplanned changes to the implementation plan as the project progresses. Thus, even if all of the land acquisition that is anticipated is accomplished in the previous phase, it is highly likely that additional acquisitions may be required as the project progresses. The existing and planned portions of these parcels but outside of the construction right-of-way will likely be seriously disturbed during the construction of the Caliente Railroad.

Operation/maintenance

Existing and planned portions of these parcels but outside of the operation right-of-way will be seriously disturbed during the operation of the Caliente Railroad. This disruption may be exacerbated by allowing shared use of the rail line.

Abandonment/decommissioning

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed.

43.2.1.2 Effects on Property Values and Other Economic Impacts

Planning/policy development

No impacts from the initial planning and policy development phase were identified.

Detailed planning/funding/impact assessment

As right-of-ways are acquired, the existing and planned land uses will be irreversibly impacted. The acquisition of right-of-ways may significantly devalue the entire portfolio of properties owned by William McGinnis Trust. Furthermore, it is quite possible that even before right-of-ways are actually acquired, the owner of these parcels may experience loss of economic opportunity if funding for future development or activities associated with the property is restricted due to the DOE's intent to construct a railroad through these properties if this alignment is selected.

Construction/implementation

The owners of these parcels will experience a significant loss of economic opportunity associated with the impacts to the existing and planned land uses. The extent of this loss of economic opportunity is not yet known.

Operation/maintenance

The owners of these parcels will continue to experience a significant loss of economic opportunity associated with the impacts to the existing and planned land uses. The extent of this loss of economic opportunity is not yet known.

Abandonment/decommissioning

More detailed information is needed from the U.S. Department of Energy regarding future possible plans for abandonment or decommissioning of the railroad before impacts can be properly assessed. However, if the DOE plans on abandoning or decommissioning the railroad, nationwide experience with the abandonment of railroads and federal projects show that significant impacts often occur.

43.2.2 Mitigation/Compensation for Proposed Alignment

43.2.2.1 Avoiding

Avoiding the impacts to this property is not possible if this rail alignment is selected.

43.2.2.2 Minimizing

Minimizing the impacts to this property is not possible if this rail alignment is selected.

43.2.2.3 Rectifying

Rectifying the impacts to this property is not possible if this rail alignment is selected.

43.2.2.4 Reducing

Reducing the impacts to this property is not possible if this rail alignment is selected.

43.2.2.5 Compensating

No acceptable mitigation measures were identified. Therefore, compensating the property owner for the taking of this property is recommended. When determining fair compensation, the loss of economic opportunity and costs incurred by the owner while awaiting fair compensation, if any, should be considered.