

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that RUBY HILL MINING COMPANY, hereinafter called Grantor, in consideration of one dollar (\$1.00) and other good and valuable consideration paid by EUREKA WATER ASSOCIATION, INC., hereinafter called the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer, and convey to said Grantee, its successors, and assigns, a perpetual easement over and across Block 67 and Lot 5 of Block 121, Eureka Townsite, in Eureka County, State of Nevada, ten (10) feet in width lying five (5) feet on each side of the center lines hereinafter described, to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove any and all pipes, lines, valves, connections, etc., used and to be used by Grantee, its successors and assigns, in constructing, maintaining, and operating a water system in the Town of Eureka, County of Eureka, State of Nevada.

Beginning at a point on the Southerly boundary of said Block 67, which point bears N. $05^{\circ} 49'$ W., 1737.7 feet distant from the West one-quarter corner, Section 24, T. 19 N., R. 53 E., M.D.B. & M.; thence N. $62^{\circ} 00'$ W., 68.0 feet along the surveyed location line to the Westerly boundary of said Block, at which point the West one-quarter corner, Section 24, T. 19 N., R. 53 E., M.D.B. & M., bears S. $07^{\circ} 38'$ E., 1776.4 feet distant. The sideline boundaries are to be lengthened or shortened as the case may be, so as to begin at the Southerly boundary of said Block and to terminate on the Westerly boundary of said Block, containing an area of 0.0312 acre, more or less.

Also beginning at a point on the Easterly boundary of said Lot 5 of Block 121, which point bears N. $03^{\circ} 11'$ W., 1687.6 feet distant from the West one-quarter corner, Section 24, T. 19 N., R. 53 E., M.D.B. & M.; thence N. $62^{\circ} 00'$ W., 10.8 feet along the surveyed location line to the Northerly boundary of said Lot, at which point the West one-quarter corner, Section 24, T. 19 N., R. 53 E., M.D.B. & M., bears S. $03^{\circ} 30'$ E., 1693.3 feet distant. The sideline boundaries are to be lengthened or shortened as the case may be, so as to begin at the Easterly boundary of said Lot and to terminate on the Northerly boundary of said Lot, containing an area of 0.001 acre, more or less.

The consideration recited herein shall constitute payment in full for all damages sustained by Grantor by reason of the installation of the structures referred to herein and the Grantee will maintain such easement in a state of good repair and efficiency so that no unreasonable damages will result from its use to Grantor's premises. This Agreement shall constitute a covenant

running with the land for the benefit of the Grantee, its successors, and assigns. The Grantor makes no covenants or warrants with respect to the above-described lands.

IN WITNESS WHEREOF, the said Grantor has executed this instrument this 11th day of August, 1967.



RUBY HILL MINING COMPANY

By

John B. Metcalfe
John B. Metcalfe,
Vice President

ATTEST:

Mary E. Stenberg
Assistant Secretary

State of NEW YORK)
County of NEW YORK) ss.

On this 11th day of August, 1967, personally appeared before me, the undersigned, a Notary Public in and for said County and State, John B. Metcalfe, Vice President of the corporation that executed the foregoing instrument, and upon oath did depose that he is the officer of said corporation as designated, that he is acquainted with the seal of said corporation, and that the seal affixed to said instrument is the corporate seal of said corporation; that the signatures to said instrument were made by the officers of said corporation as indicated after said signatures, and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires:

March 30, 1968

Rosalind M. Lacy
Notary Public

ROSALIND M. LACY
Notary Public, State of New York
Qualified in New York County
No. 31-7400275
Certificate Filed in New York County
Clerks Office
Term Expires March 30, 1968



CONSENT AND SUBORDINATION

RICHMOND-EUREKA MINING COMPANY, a Maine corporation, SILVER EUREKA CORPORATION, a Nevada corporation, NEWMONT MINING CORPORATION, a Delaware corporation, CYPRUS EXPLORATION COMPANY, a Nevada corporation, and HECLA MINING COMPANY, a Washington corporation, Lessees (Silver Eureka Corporation as successor of Eureka Corporation Limited) under a Lease from Ruby Hill Mining Company, a Nevada corporation, which covers the premises described in the Right-of-Way Easement dated August 11, 1967 to which this Consent and Subordination is attached, hereby consent to Ruby Hill Mining Company's executing and delivering said Right-of-Way Easement, and subordinate their lease interest in said premises to the easement therein granted.

IN WITNESS WHEREOF, said corporations have executed this Consent and Subordination as of the 11th day of August, 1967.

RICHMOND-EUREKA MINING COMPANY

By J. George Gange
J. George Gange, Vice President

SILVER EUREKA CORPORATION

By C. G. Holmgvist
Vice President

NEWMONT MINING CORPORATION

By L. Balzeroff
President

CYPRUS EXPLORATION COMPANY

By J. G. Hanson
Vice President

HECLA MINING COMPANY

By W. H. Hove
President

ATTEST:

Henry G. Stenberg
Assistant Secretary

ATTEST:

Judith A. Robinson
Assistant Secretary

ATTEST:

Jaques L. Leroy
Secretary

ATTEST:

Alma J. Ryan
Asst. Secretary

ATTEST:

William J. Krimer
Secretary

SEAL
Affixed

State of NEW YORK)
County of NEW YORK : ss.

On this 11th day of August, 1967, personally appeared before me, the undersigned, a Notary Public in and for said County and State, J. George Gange, Vice President of Richmond-Eureka Mining Company that executed the foregoing Consent and Subordination, and upon oath did depose that he is the officer of said corporation as designated, that he is acquainted with the seal of said corporation, and that the seal affixed to said instrument is the corporate seal of said corporation; that the signatures to said instrument were made by the officers of said corporation as indicated after said signatures, and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Rosalind M. Lacy
Notary Public

My commission expires:

March 30, 1968

ROSALIND M. LACY
Notary Public, State of New York
Qualified in New York County
No. 31-7460275
Certificate Filed in New York County
Clerks Office
Term Expires March 30, 1968



State of New York)
County of New York : ss.

On this 20th day of August, 1967, personally appeared before me, the undersigned, a Notary Public in and for said County and State, C. B. Holmquist, Vice President of Silver Eureka Corporation that executed the foregoing Consent and Subordination, and upon oath did depose that he is the officer of said corporation as designated, that he is acquainted with the seal of said corporation, and that the seal affixed to said instrument is the corporate seal of said corporation; that the signatures to said instrument were made by the officers of said corporation as indicated after said signatures, and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Heleen F. Meares
Notary Public

My commission expires:

March 30, 1969

HELEN F. MEARES
Notary Public, State of New York
No. 41-2644900 Queens County
Cert. filed in New York County
Commission expires March 30, 1969



State of New York)
County of New York : ss.

On this 18th day of August, 1967, personally appeared before me, the undersigned, a Notary Public in and for said County and State, P. Malozemoff, President of Newmont Mining Corporation that executed the foregoing Consent and Subordination, and upon oath did depose that he is the officer of said corporation as designated, that he is acquainted with the seal of said corporation, and that the seal affixed to said instrument is the corporate seal of said corporation; that the signatures to said instrument were made by the officers of said corporation as indicated after said signatures, and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Winifred Kelly
Notary Public

My commission expires: NOTARY PUBLIC, State of New York
Qualified in New York County
No. 31-2081285
Commission Expires March 30, 1969

State of California)
County of Los Angeles) SS.

On this 30th day of August, 1967, personally appeared before me, the undersigned, a Notary Public in and for said County and State, J. B. Hansen, Vice President of Cyprus Exploration Company that executed the foregoing Consent and Subordination, and upon oath did depose that he is the officer of said corporation as designated, that he is acquainted with the seal of said corporation, and that the seal affixed to said instrument is the corporate seal of said corporation; that the signatures to said instrument were made by the officers of said corporation as indicated after said signatures, and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NAOMI RICHARDSON - Notary Public - Cal.
COM. EXP. JUNE 15, 1971 - LOS ANGELES CO.
523 W. 6th St., Rm. 1230, Los Angeles, Ca. 90014

Naomi Richardson
Notary Public

My commission expires:



State of Idaho)
County of Shoshone) SS.

On this 5th day of September, 1967, personally appeared before me, the undersigned, a Notary Public in and for said County and State, A. W. Love, President of Hecla Mining Company that executed the foregoing Consent and Subordination, and upon oath did depose that he is the officer of said corporation as designated, that he is acquainted with the seal of said corporation, and that the seal affixed to said instrument is the corporate seal of said corporation; that the signatures to said instrument were made by the officers of said corporation as indicated after said signatures, and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

R. E. Adams
Notary Public

My commission expires:
My Commission Expires
AUG. 22, 1971



RECORDED AT THE REQUEST OF
Thomas Johnston
on July 16, 1968
at 50 min 1 P. M.
in Book 25
RECORDS, BOOKS 52-56 RECORDS
OF EUREKA COUNTY, CALIF.
Recorder 47305 Fee \$ 7.00