

File 04683

The United States of America.

To all to whom these presents shall come, Greeting:

WHEREAS, In pursuance of the provisions of the Revised Statutes of the United States, Chapter Six, Title Thirty-two, and legislation supplemental thereto, there have been deposited in the General Land Office of the United States the Plat and Field Notes of Survey and the Certificate of the Register of the Land Office at **Elko, Nevada,** accompanied by other evidence whereby it appears that **Roderick McCharles**

has entered and paid for the **Rustler #1, Rustler #2, and Windfall Extension Fraction** lode mining claims,

designated by the Survey of General as **Survey No. 4537,** embracing a portion of, approximately, **Township eighteen north of Range fifty-three east of the Mount Diablo Meridian,** in the **Kureka Mining District, Kureka County, Nevada,**

and bounded, described, and platted as follows: Beginning for the description of the **Rustler #1,** lode claim at corner No. 1, a mahogany post four inches square, two feet high, marked **R-1-1-4537,** in mound of earth and stone, from which U. S. Mineral Monument No. 12, bears north twenty-nine degrees twenty minutes thirty seconds west nine thousand twenty-one and six-tenths feet distant.

Thence, first course, south eighty degrees fifty-seven minutes east three hundred five and twenty-two-hundredths feet to a point from which discovery bears south one degree thirty-four minutes east one thousand feet distant; three hundred seventy-eight and forty-six-hundredths feet intersect line 2-3 of the Southern Cross lode claim, Survey No. 3706, at north sixteen degrees thirty-one minutes east two hundred seventeen and eighty-two-hundredths feet from corner No. 3, five hundred sixty and six-tenths feet to corner No. 2, a pine post four inches square, two feet high, marked **R-1-2-4537,** in mound of earth and stone;

916505

RECORD OF PATENTS - Patent Number

6-2004

Elko 04683

Thence, second course, south four degrees twenty-six minutes east nine hundred seventy feet to corner No. 3, a pine post four inches square, four feet long, marked R-1-3-4537, with mound of earth and stone:

Thence, third course, south seventeen degrees five minutes east five hundred forty-nine and ninety-four-hundredths feet to corner No. 4, a limestone rock 6 x 10 x 24 inches, marked (X) R-1-4-4537, with mound of stone:

Thence, fourth course, north eighty degrees fifty-seven minutes west six hundred twenty-four and five-hundredths feet to corner No. 5, a quartzite rock 9 x 16 x 26 inches, marked (X) R-1-5-4537, with mound of stone:

Thence, fifth course, north twelve degrees twenty-eight minutes west four hundred twenty-two and six-tenths feet to corner No. 6, a mahogany post four inches square, two feet high, marked R-1-6-4537, R-2-3-4537, in mound of earth and stone:

Thence, sixth course, north four degrees twenty-five minutes west eight hundred ninety-five and forty-two-hundredths feet intersect line 3-4 of said Southern Cross lode claim at north seventy-three degrees two minutes west three hundred eleven and sixty-eight-hundredths feet from corner No. 3; one thousand seventy-three and thirty-six-hundredths feet to corner No. 1, the place of beginning: the survey of the lode claim as above described extending one thousand five hundred feet in length along said Rustler # 1, vein or lode:

Beginning for the description of the Rustler # 2, lode claim at corner No. 1, a limestone rock 10 x 24 x 24 inches, marked (X) R-2-1-4537, WKP-4-4537, with mound of earth and stone; from which said U. S. Mineral Monument No. 12, bears north twenty-five degrees thirty-two minutes forty seconds west nine thousand one hundred twenty-one and one-tenth feet distant:

Thence, first course, south seventy-nine degrees forty-six minutes east five hundred thirty-one and seven-tenths feet intersect line 6-1 of said Rustler # 1, lode claim: five hundred eighty-eight and eighty-five-

916505

31ko 04683

hundredths feet to corner No. 2, a quartzite rock 7 x 12 x 24 inches, marked (X) R-2-1-4537, WKP-3-4537, with mound of stone.

Thence, second course, south fifty-two minutes west six hundred and forty-two-hundredths feet to corner No. 3, identical with corner No. 2, of said Rustler # 1, lode claim.

Thence, third course, south twelve degrees twenty-eight minutes east seven hundred sixty-three and one-tenth feet to corner No. 4, a quartzite rock 6 x 14 x 26 inches, marked (X) R-2-4-4537, with mound of earth and stone.

Thence, fourth course, north seventy-nine degrees forty-six minutes west three hundred nine and thirty-four-hundredths feet to a point from which discovery bears north three degrees fifty-three minutes west seven hundred forty-one feet distant; six hundred eighteen and sixty-eight-hundredths feet to corner No. 5, a pine post four inches square, four feet long, marked R-2-5-4537, with mound of earth and stone.

Thence, fifth course, north three degrees fifty-three minutes west six hundred sixty-nine and fifty-six-hundredths feet to corner No. 6, a pine post four inches square, four feet long, marked R-2-6-4537, with mound of stone and earth.

Thence, sixth course, north six degrees fifty-two minutes west six hundred seventy-seven feet to corner No. 1, the place of beginning; the survey of the lode claim as above described extending one thousand three hundred fifty-four and five-hundredths feet in length along said Rustler # 2, vein or lode.

Beginning for the description of the Windfall Extension Fraction lode claim at corner No. 1, a pine post four inches square, four feet long, marked WKP-1-4537, with mound of earth and stone; from which said U. S. Mineral Monument No. 12, bears north twenty-six degrees forty-three minutes fifty seconds west eight thousand eight hundred fifty-four feet distant;

Elko 04683

Thence, first course, south seventy-nine degrees forty-six minutes east thirty-eight and eighty-one-hundredths feet intersect line 4-1 of the Jim Crow Fraction lode claim, Survey No. 3705 at north nineteen degrees forty-six minutes east five and eighty-five-hundredths feet from corner No. 4; two hundred sixteen and four-tenths feet to a point from which discovery bears south three degrees nineteen minutes east one hundred forty-one and five-tenths feet distant; two hundred twenty and sixty-eight-hundredths feet intersect line 4-1 of said Southern Cross lode claim also line 2-3 of said Jim Crow Fraction lode claim at north sixteen degrees thirty-one minutes east twenty-two and six-hundredths feet from corners Nos. 4 and 3, respectively; four hundred fifty-five and thirty-four-hundredths feet intersect line 6-1 of said Rustler # 1, lode claim; five hundred nineteen and two-tenths feet to corner No. 2, a quartzite rock 6 x 10 x 30 inches, marked (X), NEP-4-4537, with mound of stone;

Thence, second course, south three degrees nineteen minutes east sixty and eighty-three-hundredths feet intersect line 3-4 of said Southern Cross lode claim at south seventy-three degrees two minutes east three hundred seventeen and thirty-seven-hundredths feet from corner No. 4; three hundred thirty-four and seven-tenths feet to corner No. 3, identical with corner No. 2, of said Rustler # 2, lode claim;

Thence, third course, north seventy-nine degrees forty-six minutes west five hundred eighty-eight and eighty-five-hundredths feet to corner No. 4, identical with corner No. 1, of said Rustler # 3, lode claim;

Thence, fourth course, north eight degrees forty-one minutes east three hundred twenty-five and five-tenths feet to corner No. 1, the place of beginning; the survey of the lode claim as above described extending three hundred thirty-four and seven-tenths feet in length along said Windfall Extension Fraction vein or lode; expressly excepting; and excluding; from these presents all that portion of the ground hereinbefore described embraced in said Southern Cross and Jim Crow Fraction lode

916505

Elko 04683

claims, Survey No. 370b, and also all veins, lodes, and ledges throughout their entire depth the tops or apices of which lie inside of such excluded ground; the premises herein granted contain, thirty-six acres and nine hundred eighteen thousandths of an acre.

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916505

Also 04683

NOW KNOW YE, That there is therefore, pursuant to the laws aforesaid, hereby granted by the United States unto the said **Hendrick McCharles**

the said mining premises hereinbefore described, and not expressly excepted from these presents, and all that portion of the said veins, lodes, or ledges, and of all other veins, lodes, and ledges throughout their entire depth, the tops or apexes of which lie inside of the surface boundary lines of said granted premises in said survey extended downward vertically, although such veins, lodes, or ledges in their downward course may so far depart from a perpendicular as to extend outside the vertical side lines of said premises: Provided, That the right of possession to such outside parts of said veins, lodes, or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward through the end lines of said survey so continued in their own direction that such planes will intersect such exterior parts of said veins, lodes, or ledges: And provided further, That nothing herein contained shall authorize the grantee herein to enter upon the surface of a claim owned or possessed by another.

TO HAVE AND TO HOLD said mining premises, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said grantee above named and to **his heirs** and assigns forever; subject, nevertheless, to the above-mentioned and to the following conditions and stipulations:

FIRST. That the premises hereby granted shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local laws, customs, and decisions of the courts. And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

SECOND. That in the absence of necessary legislation by Congress, the Legislature of **Nevada**, may provide rules for working the mining claim or premises hereby granted, involving easements, drainage, and other necessary means to its complete development.

IN TESTIMONY WHEREOF, I, **Calvin Coolidge**,

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **ELEVENTH** day of **SEPTEMBER** in the year of our Lord one thousand nine hundred and **TWENTY-THREE** and of the Independence of the United States the one hundred and **FORTY-EIGHTH**

By the President: **Calvin Coolidge**
By **Wida B. Coughlin**, Secretary,
John O'Connell, Acting Recorder of the General Land Office.

I certify the foregoing pages including this one, and each bearing Bureau of Land Management Seal is a true and correct copy of a document on file in the Land Office Reno, Nevada.
8/11/68
John O'Connell
Certifying Officer

RECORD BY PATENTS: Patent Number **916505**

RECORDED AT THE REQUEST OF **NEVADA TITLE GUARANTY CO.**
on **SEPT. 30** 19**68** at **12** mins past **8** A. M. in
Book **26** of OFFICIAL RECORDS, page **95-100** RECORDS OF
EUREKA COUNTY NEVADA *Wida B. Coughlin* Recorder,
File No. **480** Fee \$ **8.00**