

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and effective this 10<sup>th</sup> day of January, 1981 between WINDFALL VENTURE, a Nevada general partnership composed of William E. Foster, Kenneth E. Johnson, Robert G. Wilson, Chan Edmonds and William L. Wilson, all of Grand Junction, Colorado (the "Grantor") and WESTERN-WINDFALL, LTD. (the "Grantee"), a limited partnership organized under the laws of Nevada, the General Partner of which is Western Gas, Oil and Mining, Ltd., a corporation organized under the laws of Nevada.

1. For and in consideration of Ten Dollars (\$10.00) and other valuable consideration, Grantor hereby bargains, sells and conveys to Grantee, its successors and assigns, an undivided twenty-five percent (25%) interest in and to those certain patented mining claims, unpatented mining claims and millsite claims situated in Eureka County, Nevada, described as follows:

(a) Patented Mining Claims: Those certain patented mining claims the names of which together with the U.S. Mineral Survey Number of which are, respectively, as follows:

<u>Claim Name</u>	<u>U.S. Mineral Survey No.</u>
Jim Crow	3705
Jim Crow Fraction	3705
Southern Cross	3705
Elmer	3705
Elmer Fraction	3705
Windfall	3705
Windfall Fraction	3705
"2G"	3705
May	3705
May Fraction	3705
Windfall Extension Fraction	4537
Rustler NO. 1	4537
Rustler No. 2	4537
Rambler	239
Little Rosa	301

(The above claims are referred to herein as the "Patented Claims").

(b) Unpatented Mining Claims: Those certain unpatented lode mining claims, the names of which,

DOCUMENTARY TRANSFER TAX \$ 10.00  
 COMPUTED ON FULL VALUE OF PROPERTY CONVEYED; OR  
 COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBRANCES  
 REMAINING THEREON AT TIME OF TRANSFER  
 UNDER PENALTY OF PERJURY

SIGNATURE OF DECLARANT OR AGENT  
 DETERMINING TAX/FIRM NAME

together with the book and page of the recording of the certificates of location thereof in the office of the Recorder of said county are, respectively, as follows: (The abbreviation "O.R." used below means "Official Records"; the abbreviation "O.D.M.L." used below means "Outside District Mining Locations"; and the abbreviation "M.L." used below means "Mining Locations.")

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>
F-1	34 O.R.	528
F-2	34 O.R.	508-509
F-3	34 O.R.	529
F-4	34 O.R.	510-511
F-5	34 O.R.	530
F-6	34 O.R.	512-513
F-7	34 O.R.	531
F-8	34 O.R.	514-515
F-9	34 O.R.	532
F-10	34 O.R.	516-517
F-11	34 O.R.	533
F-12	34 O.R.	518-519
F-13	34 O.R.	534
F-14	34 O.R.	520-521
F-15	34 O.R.	535
F-16	34 O.R.	522-523
F-17	34 O.R.	536
F-18	34 O.R.	524-525
F-19	34 O.R.	537
F-20	34 O.R.	526-527
F-21	34 O.R.	491
F-22	34 O.R.	501
F-23	34 O.R.	492
F-24	34 O.R.	502
F-25	34 O.R.	493
F-26	34 O.R.	503
F-27	34 O.R.	494
F-28	34 O.R.	504
F-29	34 O.R.	495
F-30	34 O.R.	496
F-31	34 O.R.	497
F-32	34 O.R.	498
F-33	34 O.R.	499
F-34	34 O.R.	500
F-91	71 O.R.	405
F-92	71 O.R.	406
F-93	71 O.R.	407
F-94	71 O.R.	408
F-95	71 O.R.	409
F-96	71 O.R.	410
F-97	35 O.R.	306
F-98	35 O.R.	307
F-102	35 O.R.	308
F-104	35 O.R.	309
F-106	35 O.R.	310
F-108	35 O.R.	311
F-110	35 O.R.	312
F-112	35 O.R.	313
F-118	35 O.R.	315
F-120	35 O.R.	316
F-122	35 O.R.	317
F-124	35 O.R.	318
F-126	35 O.R.	319
F-128	35 O.R.	320
F-130	34 O.R.	507
F-198	35 O.R.	314
W-3	26 O.R.	105-106
W-1	26 O.R.	101-102

W-2	26 O.R.	103-104
W-4	26 O.R.	107-108
W-5	26 O.R.	109-110
W-7	26 O.R.	111-112
W-8	26 O.R.	113-114
W-11	43 O.R.	077
W-12	26 O.R.	115-116
W-13	26 O.R.	117-118
W-17	26 O.R.	119-120
W-19	43 O.R.	078
W-20	33 O.R.	105
W-21	33 O.R.	106
W-22	33 O.R.	107
W-23	33 O.R.	108
W-24	33 O.R.	109
W-25	33 O.R.	110
W-26	33 O.R.	111
W-27	33 O.R.	112
W-30	43 O.R.	079
W-31	43 O.R.	080
W-32	43 O.R.	081
W-33	43 O.R.	082
W-34	43 O.R.	083
Gold	K-O.D.M.L.	100
Gold No. 1	K-O.D.M.L.	101
Summit	25 O.R.	300
Red Iron	25 O.R.	302
Johnnie	25 O.R.	301
Sadie Nos. 1 to 8	47 O.R.	78-85
H 1 to 7	71 O.R.	398-404
Rambler No. 1	H-O.D.M.L.	328
Rambler No. 2	H-O.D.M.L.	329
Gossan	J-O.D.M.L.	268
Doe Run No. 1	35 O.R.	322
Doe Run No. 2	35 O.R.	323
Pearl	H-M.L.	261
Nellie	H-M.L.	262
New York No. 1	75 O.R.	29
New York No. 2	75 O.R.	30
New York No. 3	75 O.R.	525

	<u>Book</u>	<u>Page</u>	<u>BLM No.</u>
HC 1-24	81 O.R.	223-256	NMC153780-153803
HC Fraction	81 O.R.	257	NMC153804
IM 1-18	81 O.R.	258-275	NMC153805-153822
F 55-90	81 O.R.	276-311	NMC153744-153749
J 1-4	81 O.R.	312-315	NMC153823-153826
J 5-14	81 O.R.	316-325	NMC153827-153836
J 15-16	81 O.R.	326-327	NMC153837-153838
J 17-19	81 O.R.	328-330	NMC153839-153841
J 10-23	81 O.R.	331-334	NMC153842-153845
J 30-31	81 O.R.	335-336	NMC153846-153847
HC 25, 26	88 O.R.	153-154	NMC172742-172743
W 101-104	88 O.R.	149-152	NMC169094-169097
J 24-28	84 O.R.	361-365	NMC160193-160197
J 29 Fraction	84 O.R.	366	NMC160198
J 33-51	84 O.R.	367-385	NMC160199-160217
J 52-54	84 O.R.	386-388	NMC160218-160220
J 71-76	84 O.R.	389-394	NMC160221-160226
J 81-84	84 O.R.	395-398	NMC160277-160230

(The above described claims are referred to herein as the "Unpatented Claims.")

(c) Millsite Claims. Those certain unpatented millsite claims, the names of which together with the book and page of the certificates of location thereof in the Office of the Recorder of said county are, respectively, as follows:

<u>Millsite Name</u>	<u>Book</u>	<u>Page</u>
MS 1 - 5, inclusive	47 O.R.	580-584
MS 6	50 O.R.	004
MS 7, 8	47 O.R.	585, 586
MS 9-12, inclusive	50 O.R.	005-008
MS 13	51 O.R.	572
MS 13A	74 O.R.	485

(The MS 13A Claim was originally located as MS 13 which was a duplication of a claim of the same name owned by Idaho originally recorded in Book 56 at Page 399 and amended on September 27, 1979 and recorded in Book 74 at Page 485.)

MS 14-21	56 O.R.	400-407
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(The above described claims are hereinafter referred to as the "Millsites". The Patented Claims, the Unpatented Claims and the Millsites are hereafter referred to as the "Property".)

2. This conveyance is specifically subject to the burdens, terms and provisions of four royalty deeds, and a mortgage heretofore made, as follows:

(a) Royalty Deed from Idaho Mining Corporation to A.K. Wilson, Jr. and others, dated September 28, 1979 and recorded in Book 75 of Official Records at Pages 86-91, inclusive, in the office of the Recorder of Eureka County, Nevada;

(b) "Supplemental Royalty Deed" from Idaho Mining Corporation to A.K. Wilson, Jr. and others, dated December 20, 1979 and recorded in Book 77 at Pages 362-367, inclusive, in the office of the Recorder of Eureka County, Nevada;

(c) "Supplemental Royalty Deed" from Idaho Mining Corporation to JoAnn K. Wilson, executrix and others, dated October 30, 1980 and recorded in Book 89 at Pages 245-249, inclusive, in the office of the Recorder of said Eureka County;

(d) "Royalty Deed" from Windfall Venture to St. James Holdings, Ltd., dated December 2, 1980, recorded in Book 90 at Page 311-317 in the office of the Recorder of said Eureka County;

(e) Real Estate Mortgage dated January 7, 1980 between Windfall Venture and Idaho Mining Corporation,

recorded in Book 78 at Pages 260-266 in the office of the Recorder of said Eureka County, Nevada, and by the acceptance of this Special Warranty Deed, Grantee agrees to assume responsibility for the obligations of Grantor specified in said royalty deeds and supplemental royalty deeds, and of the Mortgagor in said Real Estate Mortgage.

3. Grantor warrants its title to the Property conveyed hereby as against, but only as against, any persons claiming the whole or any part of said Property by, through or under Grantor, except for the following:

- (a) Obligations arising under the royalty deeds and mortgage specified in the foregoing paragraph hereof;
- (b) Any real property taxes for years subsequent to 1980;
- (c) The burdens specified in Sections 2(a) through 2(e), inclusive, of this Special Warranty Deed.

The conveyance of the undivided twenty-five percent (25%) interest in the Property under this Special Warranty Deed shall include not only the title which Grantor may have thereto as of the date of this Deed, but also such after-acquired title which Grantor may hereafter acquire pertaining to such twenty-five percent (25%) interest conveyed herein, except for any title which Grantor may acquire from or through Grantee.

Executed and effective <sup>WLD</sup> <sup>as of</sup> this 10<sup>th</sup> day of January, 1981.

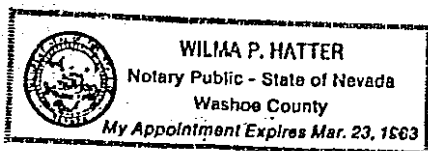
WINDFALL VENTURE

By W.L. Wilson  
W.L. Wilson, General Partner

NEVADA )  
STATE OF ~~COLORADO~~ )  
WASHOE ) ss.  
COUNTY OF MESA )

On the 2 day of March, 1981, personally appeared before me W.L. Wilson as general partner of WINDFALL VENTURE, who, being duly sworn, did acknowledge that he signed this instrument on behalf of Windfall Venture.

My commission expires: March 29 1987



Wilma P. Hatter  
Notary Public

RECORDED AT REQUEST OF  
Hay & Miller Chartered  
BOOK 93 PAGE 524

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OFFICIAL RECORDS  
CLERK OF DISTRICT COURT, NEVADA  
WILLIS A. DEPASO - RECORDER  
FILE NO. 80042  
FEE \$ 8.00

COPY