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NO. FILED

FEB 7 1985

JOAN SHANGLE, CLERK

Case No. 3111

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

ALICE HARDY PAULSEN, aka ALICE HARDY; ROYCE ALLEN HARDY, aka ROYCE A. HARDY; BAR RESOURCES, INC.; BUCKHORN MINES CO.; HENNES-WESTEX CORPORATION; EXPLORAM MINERALS LTD.; and COMINCO AMERICAN INCORPORATED,

Plaintiffs,

vs.

BUCKHORN-HUMBOLDT MINING COMPANY; BUCKHORN GOLD MINING COMPANY; BUCKHORN MINES COMPANY; and all other persons unknown claiming any right, title, estate, lien of interest in the real property described in the following Verified Complaint adverse to Plaintiffs' ownership or interests, or any cloud upon Plaintiffs' title thereto,

Defendants.

ORDER, JUDGMENT AND DECREE

This Court, having made its decision by its Findings of Fact and Conclusions of Law, made and entered on the 31 day of January, 1985, and for good cause appearing;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the Plaintiffs are the sole owners of the various parcels of the subject properties (the Parcels 1 and 2 being more particularly described in Exhibit A attached hereto) as set forth below.

Parcel 2: ROYCE A. HARDY and ALICE HARDY PAULSEN, subject to the leasehold interest of BUCKHORN MINES CO., as set forth in that certain Mining Lease dated January 4,

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1972, a Memorandum of which was recorded in the Official Records of Eureka County, Nevada on April 20, 1972 in Book 42, at Page 225, and subject to the leasehold interests, through mesne assignments, of Herbert Kuglmeier; BAR RESOURCES, INC.; EXPLORAM MINERALS LTD.; and COMINCO AMERICAN INCORPORATED.

Parcel 1: BUCKHORN MINES CO. and Herbert Kuglmeier, subject to the leasehold interests, evidenced by certain unrecorded leases and subleases, of BAR RESOURCES, INC.; EXPLORAM MINERALS LTD.; and COMINCO AMERICAN INCORPORATED.

2. That the Defendants, both named and unnamed, and their unknown heirs or successors, or anyone claiming under them, have no right, title or interest in and to the subject properties, and thus are restrained and enjoined from any claim thereto or enjoyment thereof.

DATED this 31 day of JANUARY, 1985.

B. Melvin H. Hart
DISTRICT JUDGE

STATE OF NEVADA, }
COUNTY OF EUREKA. }⁵⁵

I, Joan Shangle County Clerk and ex-officio Clerk of the ~~Third~~ ^{Seventh} Judicial District Court of the State of Nevada, Eureka County, do hereby certify that the annexed is a full, true and correct copy of Alice Hardy Paulsen, et al vs Buckhorn-Humboldt Mining Company, et al; ORDER, JUDGEMENT AND DECREE as appears as of record and on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand officially and affixed the Seal of said Court, at my office in the town of Eureka, this 7 day of February, A. D. 1985



Joan Shangle County Clerk,
And ex-officio Clerk of the District Court, Eureka County.

By Marcia Elliott, Deputy.

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HOY & MILLER
CHARTERED
350 SOUTH CENTER
SUITE 200
RENO, NEVADA 89501
BL. CHIEF BUILDING
SUITE 200
ELKO, NEVADA 89801

FRONTIER TITLE COMPANY



ELKO • 2115 Main Street • P.O. Box 1277 • Elko, Nevada 89601 • (702) 238-1127
ELY • 1211 Cameron Street • P.O. Box 1271 • Ely, Nevada 89301 • (702) 238-3274
EATTLE MOUNTAIN • 10550 Fresno Street • P.O. Box 1071 • Eureka Mountain, Nevada 89523 • (702) 238-5415
TENOIPAH • 1712 Main Street • P.O. Box 1212 • Tenoipah, Nevada 89604 • (702) 238-3222

Hoy & Miller Chartered
Suite 201
Blond Building
Elko, Nevada 89801

Attention: John Miller
Your No. BUCKHORN MINES
Our No. T.O. 13052-EL

In response to the above referenced application for a policy of title insurance, Frontier Title Company, agent for Chicago Title Insurance Company, hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a California Land Title Association Standard Coverage form Policy of Title Insurance describing the land and the estate or interest therein hereinafter forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as Exception below, or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy for

This report (and any supplements or amendments thereto) is issued for the purpose of facilitating the issuance of a policy of title insurance.

Dated: October 27, 1983 at 7:30 A.M. Judy Gueth Title Officer

The estate or interest in the land hereinafter described or referred to covered by this report is: A fee

Title to said estate or interest at the date hereof is vested in:

PARCEL 1: BUCKHORN MINES CO., and HENNES-WESTEX CORPORATION, as their respective interests may appear.

PARCEL 2: ROYCE A. HARDY, also known as ROYCE ALLER HARDY, and ALICE HARDY PAULSEN

The land referred to in this report is described as follows:

All that certain real property situate in the County of Eureka, State of Nevada more particularly described as follows:

Description Continued . . .

BOOK 134 PAGE 256

EXHIBIT A

PRELIMINARY REPORT

ADDED PAGE 2

Description Continued . . .

PARCEL 1:

The Buckhorn No. 10 Lode Mining Claim designated by the Surveyor General of the United States of America as Survey No. 3819 as described in patent executed by UNITED STATES OF AMERICA, recorded May 8, 1913, in Book 17 of Patents at page 410, Eureka County, Nevada.

Humboldt No. 1 and Humboldt No. 2 Lode Mining Claims being a portion of Survey No. 3883 as designated by the Surveyor General of the UNITED STATES OF AMERICA as described in Patent executed by UNITED STATES OF AMERICA, recorded July 13, 1912, in Book 17 of Deeds at page 268, Eureka County, Nevada.

Lame Bull No. 1 and 2 and Lame Bull Fraction Lode Mining Claims being a portion of Survey No. 4130 as designated by the Surveyor General of the UNITED STATES OF AMERICA as described in Patent executed by UNITED STATES OF AMERICA, recorded September 15, 1919, in Book 18 of Patents at page 430, Eureka County, Nevada.

PARCEL 2:

The Monarch Lode Mining Claim designed by the Surveyor General of the UNITED STATES OF AMERICA, as Survey No. 3818 as described in Patent executed by UNITED STATES OF AMERICA, recorded July 18, 1912, in Book 17 of Deeds at page 274, Eureka County, Nevada.

The Buckhorn No. 1, Buckhorn No. 2, Buckhorn No. 3, Buckhorn No. 4, Buckhorn No. 5, Buckhorn No. 6, Buckhorn No. 7, Buckhorn No. 8, Buckhorn No. 9, E and P Fraction and Narrow Gauge Lode Mining Claims, designated by the Surveyor General of the United States of America as Survey No. 3866 as described in Patent executed by the UNITED STATES OF AMERICA, recorded June 7, 1913, in Book 17, of Deeds at page 425, Eureka County, Nevada. *Mineral*

The Easter No. 1 and Easter No. 2 Lode Mining Claims designed by the Surveyor General of the United States of America as Survey No. 3919 as described in Patent executed by UNITED STATES OF AMERICA, recorded December 23, 1912, in Book 17 of Deeds at page 343, Eureka County, Nevada.

CHICAGO TITLE INSURANCE COMPANY

PRELIMINARY REPORT

At the date hereof exceptions to coverage, in addition to the printed exceptions and exclusions contained in said policy form, would be as follows:

1. Reservations, provisions, conditions and stipulations contained in various Patents from the United States of America, recorded in the Office of the Eureka County Recorder, Eureka County, Nevada.
2. Dedication of parcels for streets, alleys, schools, to public use as shown upon the Plat of Buckhorn Townsite, recorded October 4, 1909, in Book 1 of Surveys at Page 184 and 196, as shown upon the Plat of First Addition, Buckhorn Townsite recorded April 4, 1910, in book 1 of Surveys at Page 188, Eureka County, Nevada, records, and as shown upon the Plat of Second Addition, Buckhorn Townsite, recorded April 4, 1910, in Book 1 of Surveys at Page 192, Eureka County, Nevada.

Affects portions of Buckhorn No. 1, Buckhorn No. 6, Buckhorn No. 10 and Monarch Lode Mining Claims.

- * 3. The interest, if any, of the Buckhorn-Humboldt Mining Company, acquired by Patent recorded July 12, 1912, in Book 17, Page 268, Deed Records, Eureka County, Nevada. A conveyance from said party does not appear of record in the Office of the County Recorder of Eureka County, Nevada. (Affects the Humboldt No. 1 and No. 2 Mining Claims)
- * 4. The interest, if any, of the Buckhorn Gold Mining Company, acquired by Patent recorded September 15, 1919, in Book 18, Page 430, Deed Records, Eureka County, Nevada. A conveyance from said party does not appear of record in the Office of the County Recorder of Eureka County, Nevada. (Affects the Lame Bull No. 2 and the Lame Bull Fraction Mining Claims)
- * 5. The interest, if any, of Buckhorn Mines Company, acquired by Patents from the United States of America, recorded December 23, 1912, in Book 17, Page 343 and June 7, 1913, in Book 17, Page 425 and by deed from W. R. McCREA, recorded July 18, 1912, in Book 17, Page 277, Deed Records, Eureka County, Nevada. A conveyance from said party does not appear of record in the Office of the County Recorder of Eureka County, Nevada. (Affects Monarch, Easter 1 and 2, Buckhorn 1 through 9, E and P Fraction and Narrow Gauge Mining Claims)
6. An unrecorded lease dated January 4, 1972 by ROYCE A. HARDY and ALICE HARDY PAULSEN, as Lessors and WILLIAM B. GOLDEN, as Lessee, for the term and upon the terms, covenants and conditions therein provided, disclosed by a Memorandum of said lease, executed by said parties, recorded April 20, 1972, in Book 42, Page 225, Official Records, Eureka County, Nevada. (Affects Parcel 2)

A Memorandum of Contract, dated June 22, 1973, executed by WILLIAM B. GOLDEN, as seller, and ERNEST DALE SOULE', SR., and ERNEST DALE SOULE', JR., as Buyer, was recorded June 26, 1973, in Book 45, Page 476, Official Records, Eureka County, Nevada.

An Assignment, dated August 10, 1983, executed by WILLIAM B. GOLDEN, as Assignor, to ERNEST DALE SOULE', SR., and ERNEST DALE SOULE', JR., as Assignee, was recorded August 15, 1983, in Book 113, Page 177, Official Records, Eureka County, Nevada.

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An Assignment dated June 1, 1983, executed by ERNEST DALE SOULE', JR., and LINDA K. SOULE', his wife, and AUDREY P. SOULE', a widow and surviving spouse of ERNEST DALE SOULE', SR., as Assignor, to BUCKHORN MINES COMPANY, a Nevada corporation, as Assignee, was recorded August 15, 1983, in Book 113, Page 191, Official Records, Eureka County, Nevada.

An instrument, dated August 3, 1983, executed by ROYCE A. HARDY, states that said lease has been brought current and is in Full Force and effect and that he approves an Assignment to COMINCO AMERICAN, INC., recorded August 15, 1983, in Book 113, Page 194, Official Records, Eureka County, Nevada.

7. The interest, if any, of the heirs or devisees of ERNEST DALE SOULE', deceased, acquired by an unrecorded contract of Sale, dated June 22, 1973, executed by WILLIAM B. GOLDEN, as seller and ERNEST DALE SOULE', SR., and ERNEST DALE SOULE', JR., as buyer, a memorandum thereof was recorded June 26, 1973, in Book 45, Page 476, Official Records, and by a Deed covering Parcel 1, dated August 10, 1983, from WILLIAM B. GOLDEN to ERNEST DALE SOULE', SR., and ERNEST DALE SOULE', JR., recorded August 15, 1983, in Book 113, Page 185, and by Assignment covering a leasehold in Parcel 2, dated August 10, 1983, from WILLIAM B. GOLDEN to ERNEST DALE SOULE', SR., and ERNEST DALE SOULE', JR., recorded August 15, 1983, in Book 113, Page 177, Official Records, Eureka County, Nevada, it appears that on the date of said Deed and Assignment, ERNEST DALE SOULE', SR. was a deceased person.

8. The effect of the following matters disclosed by an Agreement, dated August 1, 1983, recorded October 21, 1983, in Book 115, Pages 461, 470, 479 and 488, by and between AUDREY SOULE', Executrix of the estate of ERNEST DALE SOULE', deceased, ERNEST DALE SOULE', JR., BUCKHORN MINES CO., a Nevada corporation, BAR RESOURCES, INC., a Nevada corporation, BAR RESOURCES LIMITED, an Ontario corporation, HENNES-WESTEX CORPORATION, formerly WESTEX METAL CORPORATION, a Nevada corporation, COMINCO AMERICAN INCORPORATED, a Washington corporation.
 - (a) An unrecorded Joint Venture Agreement by and between, BUCKHORN MINES CO., a Nevada corporation, WESTEX MINERALS CORPORATION, a Nevada corporation, and BAR RESOURCES INC., a Nevada corporation.
 - (b) An unrecorded Agreement, dated April, 1978, by and between BUCKHORN MINES CO., a Nevada corporation and WESTEX MINERALS CORPORATION, a Nevada corporation.
 - (c) An unrecorded Mining Lease, dated January 15, 1979, executed by BUCKHORN MINES CO., a Nevada corporation, and HENNES-WESTEX CORPORATION, a Nevada corporation, as Lessor, and BAR RESOURCES, INC., a Nevada corporation, as Lessee.

Continued . . .

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- (d) An unrecorded Sublease Agreement, dated December 6, 1979, executed by BAR RESOURCES, INC., a Nevada corporation, and BAR RESOURCES LIMITED, an Ontario-Canada corporation, as Lessors, and BETHLEHEM COPPER CORPORATION, a corporation organized under the Canada Business Corporations Act, as Lessee.
 - (e) An unrecorded Memorandum of Agreement, dated June 30, 1980, which modifies the Sublease Agreement, referred to in paragraph (d) above.
 - (f) An unrecorded Agreement, dated April 19, 1982, by and between BAR RESOURCES, INC., a Nevada corporation, BAR RESOURCES LIMITED, an Ontario-Canada corporation, BETHLEHEM COPPER CORPORATION, a corporation organized under the Canada Business Corporations Act, and EXPLORAM MINERALS, LTD., an Alberta, Canada corporation, which, among other provisions, modifies the Agreements described in paragraphs (d) and (e) above.
 - (g) An unrecorded Assumption Agreement, dated December 1, 1982, executed by BAR RESOURCES LIMITED, an Ontario corporation, BAR RESOURCES, INC., a Nevada corporation, BETHLEHEM COPPER CORPORATION, a corporation continued under the Canada Business Corporations Act, BETHEX CORPORATION, a Nevada corporation, and TESSIK MINERALS, LTD., a corporation incorporated under the Canada Business Corporations Act, which, among other provisions, provides that TESSIK MINERALS, LTD., be bound by the terms of the Sublease Agreement described in paragraph (d) above, to the same extent as BETHLEHEM COPPER CORPORATION is bound thereby.
 - (h) An unrecorded Assignment Agreement, dated May 26, 1983, wherein TESSIK MINERALS, LTD., a corporation incorporated under the Canada Business Corporations Act, assigned all of its assets, including all of its interest in Real and Personal property, to COMINCO LIMITED, a corporation incorporated under the Canada Business Corporation Act.
 - (i) An unrecorded Agreement of Sale, dated May 26, 1983, executed by COMINCO LIMITED, a corporation incorporated under the Canada Business Corporations Act, as seller, and COMINCO AMERICAN, INC., a Washington corporation, as buyer.
9. A Quit-Claim deed, dated August 3, 1983, executed by COMINCO, LTD., and BETHEX CORPORATION, a Nevada corporation, to COMINCO AMERICAN, INC., was recorded October 21, 1983, in Book 115, Page 453, Official Records, Eureka County, Nevada.
10. Any possible community interest of the spouses of ROYCE A. HARDY, ALICE HARDY PAULSEN and WILLIAM B. GOLDEN, if said parties be married persons.

RECORDED AT REQUEST OF
 John C. Miller
 BOOK 134 PAGE 254

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OFFICIAL RECORDS
 EUREKA COUNTY, NEVADA
 (M. REBALENTI) RECORDER
 FILE NO. 08510
 FEE \$ 11.00