

130798

Return to: Kennecott Exploration Company
Post Office Box 11248
Salt Lake City, Utah 84147
ATTN: Scott L. Nelson

AFFIDAVIT OF POSSESSION

STATE OF UTAH)
COUNTY OF SALT LAKE)

Kevin P. McAndrews, of lawful age, being first duly sworn, upon oath deposes and says:

That for at least two years and six months last preceding the making of this affidavit, affiant has been familiar with the conditions of the following described land with respect to labor performed for and improvements made for the benefit of the Rod 1 thru 32 unpatented lode claims by Kennecott Nevada Company, a Delaware corporation, and its predecessors in interest (Kevada Company, a Delaware corporation, Kennecott Minerals Company, a Delaware corporation and originally staked by Kennecott Explorations (Australia) Ltd., a Delaware corporation) and has known these corporations in possession of said land, such land being described as follows in the County of Eureka, State of Nevada, to wit:

The following 32 unpatented lode claims are located in Township 36 North, Range 49 East, Section 34, Mount Diablo Base and Meridian, Eureka County, Nevada.

UNPATENTED CLAIM NAME	BLM NMC #	DATE OF LOCATION	EUREKA COUNTY RECORDER'S OFFICE BOOK	PAGE
Rod 1	412472	5-12-87	158	351
Rod 2	412473	5-12-87	158	352
Rod 3	412474	5-12-87	158	353
Rod 4	412475	5-12-87	158	354
Rod 5	412476	5-12-87	158	355
Rod 6	412477	5-12-87	158	356
Rod 7	412478	5-12-87	158	357
Rod 8	412479	5-12-87	158	358
Rod 9	412480	5-12-87	158	359
Rod 10	412481	5-12-87	158	360
Rod 11	412482	5-12-87	158	361
Rod 12	412483	5-12-87	158	362
Rod 13	412484	5-12-87	158	363
Rod 14	412485	5-12-87	158	364
Rod 15	412486	5-12-87	158	365
Rod 16	412487	5-12-87	158	366
Rod 17	412488	5-13-87	158	367
Rod 18	412489	5-13-87	158	368
Rod 19	412490	5-13-87	158	369
Rod 20	412491	5-13-87	158	370
Rod 21	412492	5-13-87	158	371
Rod 22	412493	5-13-87	158	372
Rod 23	412494	5-13-87	158	373
Rod 24	412495	5-13-87	158	374
Rod 25	412496	5-13-87	158	375
Rod 26	412497	5-13-87	158	376
Rod 27	412498	5-13-87	158	377
Rod 28	412499	5-13-87	158	378
Rod 29	412500	5-13-87	158	379
Rod 30	412501	5-13-87	158	380
Rod 31	412502	5-13-87	158	381
Rod 32	412503	5-13-87	158	382

containing 360 acres, more or less.

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That at the time of the making of this affidavit, the land has had resistivity geophysical surveys and reverse circulation rotary drilling performed for and at the expense of Kennecott Nevada Company and its predecessors in interest as depicted above ("Kennecott"). Kennecott properly located and maintained its unpatented lode claims as depicted above.

That on the 6th of September, 1989, Newmont Gold Company ("Newmont") located the Ken 1 thru 128 unpatented millsite claims on top of the Rod 1 thru 32 unpatented lode claims as evidenced by certificates of location filed in Book 203, Pages 361 thru 488 of the Official Records of Eureka County, Nevada. Kennecott does not recognize the Ken 1 thru 128 unpatented millsite claims as it has valid unpatented lode claims covering the subject ground.

That Kennecott protests this action by Newmont and plans to continue its exploration program on the Rod 1 thru 32 unpatented lode claims.

L. P. McAndrews
Affiant

Subscribed and sworn before me, a notary public, this 17th day of November, 1989, by Kevin P. McAndrews, known to me personally to be the person whose name is subscribed to the foregoing instrument as Area Exploration Manager of Kennecott Exploration Company, a Delaware corporation, who acknowledged to me that he executed the same.

Patricia L. Powers

Notary Public for the State of
Utah

My Commission Expires:

9/30/91



Affidavit of Possession

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RECORDED AT THE REQUEST OF
BOOK 206 PAGE 166
Kennecott
89 NOV 30 4:30:00

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
MIN. RECORDS DEPARTMENT
FILE NO. *130738*

130738 November 17, 1989

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