

SEP 24 1993

JOAN SHANGLER, CLERK

BY *M. West* DEPUTY

147288

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF EUREKA

BULLION MONARCH COMPANY,  
a Utah corporation,

Plaintiff,

vs.

POLAR RESOURCES CO., a  
Nevada corporation, et al.,

Defendants.

Plaintiff and Counterdefendant BULLION MONARCH COMPANY having failed to answer

or otherwise reply to the Counterclaim filed by HIGH DESERT MINERAL RESOURCES OF

NEVADA, INC. and NEWMONT GOLD COMPANY as required by law and the Default of

BULLION MONARCH COMPANY having been entered and filed on August 13, 1993,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That BULLION MONARCH COMPANY has no right, title, estate, lien or interest in

or to any of the mining claims and properties described on Schedule "1" hereto (the "Properties");

provided, however, that BULLION MONARCH COMPANY'S right to a production royalty under

the provisions of paragraph 4 of that certain Agreement dated May 10, 1979, recorded in Book 71

(Official Records), at pages 9-102 in the Office of the County Recorder of Eureka County, Nevada,

shall survive this judgment.

2. HIGH DESERT MINERAL RESOURCES OF NEVADA, INC. owns an undivided forty

percent (40%) interest in the Properties and NEWMONT GOLD COMPANY owns an undivided

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sixty percent (60%) interest in the Properties free and clear of all claims asserted or which may be

or which might have been asserted by BULLION MONARCH COMPANY, except for the said

production royalty, and the said production royalty is not a cloud on the title to the Properties held

by HIGH DESERT MINERAL RESOURCES OF NEVADA, INC. and NEWMONT GOLD

COMPANY.

3. BULLION MONARCH COMPANY should be, and hereby is, forever barred and

enjoyed from asserting any claim whatsoever in or to the Properties or the minerals or mineral

interests in the properties adverse to HIGH DESERT MINERAL RESOURCES OF NEVADA,

INC. or NEWMONT GOLD COMPANY, but BULLION MONARCH COMPANY shall not be

precluded by this order from asserting its right to the said production royalty.

4. Plaintiff's Complaint herein is dismissed with prejudice as to HIGH DESERT

MINERAL RESOURCES OF NEVADA, INC. and NEWMONT GOLD COMPANY.

5. HIGH DESERT MINERAL RESOURCES OF NEVADA, INC. and NEWMONT

GOLD COMPANY are awarded their taxable costs of action.

DATED: This 22 day of Sept, 1993.

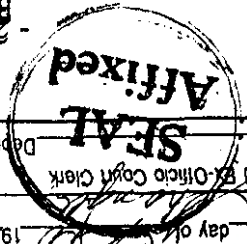
*[Handwritten signature]*  
DISTRICT JUDGE

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

I, the Undersigned COUNTY CLERK, and Ex-Officio  
CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby CERTIFY  
that the foregoing is a full, true and correct copy of the original on file in  
my office and that I have carefully compared the same with the  
original

WITNESS, My Hand and Seal, said  
DISTRICT COURT, this 22 day of Sept, 1993.

*[Signature]*  
County Clerk and Ex-Officio County Clerk  
Deputy Clerk



BOOK 255 PAGE 08

(Must be attached to original or a true copy of paper served)

**AFFIDAVIT OF SERVICE BY MAIL**

STATE OF NEVADA, }  
COUNTY OF WASHOE }  
ss. No. 3334

KATHERINE FULKERSON, being sworn, says that she is a

citizen of the United States, over 21 years of age, a resident of Washoe County, and not a party to the within action.

This affiant's residence/business address is 333 Marsh Ave., Reno, NV, 89509

AMENDED PROPOSED JUDGMENT BY DEFAULT

That affiant served a copy of the attached to S. R. Olesen, Esq. and Robert William Hughes, Esq. their respective

at his office (residence) address as: PO Box 118, Ely, NV, 89301 and

7050 Union Ave., Suite 420, Midvale, Utah 84045

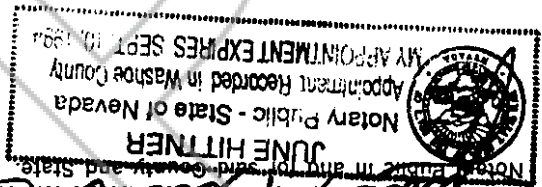
which envelope was then sealed and postage fully prepaid thereon, and thereafter was on

September 14, 1993, deposited in the United States mail at Reno, NV.

That there is delivery service by United States mail at the place so addressed, or regular communication by United States mail between the place of mailing and the place so

addressed.

Subscribed and sworn to before me on September 14, 1993



*June Hittner*  
*Katherine Fulkerson*

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AFFIDAVIT OF MAILING

State of Nevada

SS.

County of Eureka

)

Marcia Elliott, being duly sworn, says that on the 24th day

of September, 1993, she deposited in the United States Post Office

in Eureka, Nevada, five sealed envelopes, in each of which was

contained a copy of the foregoing notice, postage prepaid thereon;

that said sealed envelopes were addressed as follows:

Earl M. Hill, Esq.

HILL, CASSAS & DELIPKAU

Suite 300 Holcomb Professional Center

300 Holcomb Ave. P.O. Box 2790

Reno, NV 89505-2790

S. R. Olesen, Esq.

P.O. Box 118

Ely, NV 89301

Robert William Hughes, Esq.

7050 South Union Avenue, Suite 420

Midvale, UT 84045

Julien G. Sourwine, Esq.

Jones, Jones, Close & Brown

333 Marsh Avenue

P.O. Box 460

Reno, NV 89504

Thomas P. Erwin, Esq.

Erwin, Thompson & Hascheff

P.O. Box 40817

Reno, NV 89504

*Marcia Elliott*

Subscribed and sworn to before me this 24th day of September, 1993.

County Clerk

*Ray Jackson Bailey*

Deputy Clerk

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SCHEDULE 1  
THE PROPERTIES

As used in the Amended Answer and Counterclaim and Notice of Pending Action to which this Schedule 1 is attached, the "Properties" means the following unpatented and patented mining claims situated in Eureka County, Nevada.

(A/A) - Amended and Additional Locations  
(A) - Amended Locations

Unpatented Claims

EUREKA COUNTY      NEVADA BLM

NMC No.

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>	<u>NMC No.</u>
Cracker Jack	O	23	11174
Cracker Jack No. 1	O	24	11175
Cracker Jack No. 2	O	25	11176
Cracker Jack No. 3	O	26	11177
Cracker Jack No. 4	O	27	11178
Cracker Jack No. 5	O	28	11179
Yellow Rose No. 8	O	31	11182
Yellow Rose No. 9	O	32	11183
Yellow Rose No. 10	O	33	11184
Yellow Rose No. 11	O	34	11185
Yellow Rose No. 12	O	35	11186
Yellow Rose No. 13	O	36	11187
Yellow Rose No. 14	O	37	11188

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NMC No.

Page

Book

Claim Name

11189

38

O

Yellow Rose No. 15

11190

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Yellow Rose No. 16

11191

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Yellow Rose No. 17

11192

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O

Yellow Rose No. 18

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Yellow Rose No. 19

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Yellow Rose No. 20

11195

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O

Yellow Rose No. 21

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O

Big Jim

11197

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O

Big Jim No. 1

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O

Big Jim No. 2

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O

Big Jim No. 3

11200

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O

Big Jim No. 4

11201

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O

Big Jim No. 5

11202

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O

Big Jim No. 6

11203

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O

Big Jim No. 7

11204

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O

Big Jim No. 8

11205

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O

Big Jim No. 9

11206

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Big Jim No. 10

11207

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O

Big Jim No. 11

11208

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O

Big Jim No. 12

NMC No.

Page

Book

Claim Name

11209	58	O	Big Jim No. 13
11210	59	O	Big Jim No. 14
11211	60	O	Big Jim No. 15
11212	61	O	Big Jim No. 16
11213	62	O	Big Jim No. 17
11214	63	O	Big Jim No. 18
11215	64	O	Big Jim No. 19
11216	65	O	Big Jim No. 20
11217	66	O	Big Jim No. 21
11218	67	O	Big Jim No. 22
11219	68	O	Big Jim No. 23
11220	69	O	Big Jim No. 24
11221	70	O	Big Jim No. 25
11222	71	O	Big Jim No. 26
11223	72	O	Big Jim No. 27
11224	73	O	Big Jim No. 28
11225	74	O	Big Jim No. 29
11240	247	H	Unity No. 1
11241	248	H	Unity No. 2
11242	393-394	D	Lamira

NMC No.

Book Page

Claim Name

NMC No.	Book	Page	Claim Name
11242	H	259	Lamira (A/A)
11243	G	422	Badger
11243	H	259-260	Badger (A/A)
11243	H	259-260	Badger No. 1
11244	G	423	Badger No. 1 (A/A)
11244	H	260-261	Badger No. 1 (A/A)
11245	C	260	Compromise No. 4
11245	H	261	Compromise No. 4 (A/A)
11442	C	218	Compromise No. 5
11442	H	262	Compromise No. 5 (A/A)
11442	H	219	Compromise No. 6
11443	C	263	Compromise No. 6 (A/A)
11443	H	220	Compromise No. 7
11444	C	232-233	Compromise No. 7 (A/A)
11231	H	264	Hill Top
11231	C	233-235	Hill Top (A)
11232	H	104-105	Hill Top No. 1
11232	C	233-235	Hill Top No. 1 (A)
11233	C	233-235	Hill Top No. 2
11233	H	106-107	Hill Top No. 2 (A)
11233	H	108-109	Hill Top No. 2 (A)

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NMC No.

Page

Book

Claim Name

Claim Name	Book	Page	NMC No.
Hill Top Fraction	C	428-429	11234
Hill Top Fraction (A)	10	110-111	11234
Hill Top Fraction No. 1	C	429-430	11235
Hill Top Fraction No. 1 (A)	10	112-113	11235
Hill Top Fraction No. 2	9	484-485	11228
Hill Top Fraction No. 3	9	486-487	11229
Hill Top Fraction No. 4	9	488-489	11230
Big Jim #30	71	111	72757
Big Jim #31	71	112	72758
Polar #1	54	385	11154
Polar #2	54	386	11155
Polar #3	54	387	11156
Polar #4	54	388	11157
Polar #5	54	389	11158
Polar #6	54	390	11159
Polar #7	54	391	11160
Polar #8	54	392	11161
Polar #9	54	393	11162
Polar #10	54	394	11163
Polar #11	54	395	11164

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NMC No.

Page

Book

Claim Name

11165	396	54	Polar #12
11166	397	54	Polar #13
11167	398	54	Polar #14
11168	399	54	Polar #15
11169	400	54	Polar #16
11170	401	54	Polar #17
11171	402	54	Polar #18
11172	403	54	Polar #19
11173	404	54	Polar #20
13741	318	62	RJV
11236	215	M	Paragon Fraction
11237	216	M	Paragon No. 1
11238	217	M	Paragon No. 2
11239	218	M	Paragon No. 3
72752	563	70	Bullion #1
72753	564	70	Bullion #2
72754	565	70	Bullion #3
72755	566	70	Bullion #4
72756	567	70	Bullion #5

\* These claims are subject to a Royalty Quitclaim Deed of December 7, 1979, recorded in Book 77, Pages 577-78.

NMC No.

Page

Book

Claim Name

Claim Name	Book	Page	NMC No.
Joe*	73	367	92823
Don*	73	368	92824
Junction	H	330	11445
Dixie Lea	29	200	27470
Dixie Lea No. 1	29	201	27471
Back Pay	29	187	27472
Back Pay No. 1	29	188	27473
BM #1	132	241	333061
BM #2	132	242	333062
BM #3	132	243	333063
BM #4	132	244	333064
BM #5	132	245	333065
BM #6	147	79	372458
BM #7	147	80	372459
BM #8	147	81	372460
BM #9	200	175	565082
BM #10	200	176	565083
BM #11	200	177	565084
BM #12	200	178	565085

\* These claims are subject to a Royalty Quitclaim Deed of December 7, 1979, recorded in Book 77, Pages 577-78.

Claim Name Book Page NMC No.

BM #13	200	179	565086
BM #14	200	180	565087
BM #15	200	181	565088
BM #16	200	182	565089
BM #17	200	183	565090
BM #18	200	184	565091
BM #19	200	185	565092
BM #20	205	456	574082
BM #21	205	457	574083
Discovery #1	205	458	574084
Discovery #1 (A)	208	491	574084
Discovery #2	208	490	588702

Patented Claims

Claim Name	Patent No.	Survey No.
Big Six No. 3	783757	4332
Holt	881735	4422
July	935874	4528
Great Divide	945439	4393
Bald Eagle	946758	4527

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

I, the Undersigned COUNTY CLERK and Ex-Officio CLERK of the SEVENTH JUDICIAL DISTRICT COURT of the County of Eureka, Nevada, do hereby certify that the foregoing is a full, true and correct copy of the original on file in my office and that I have carefully compared the same with the original.

WITNESS My Hand and Seal of said DISTRICT COURT, this 4th day of June, 1925.

County Clerk and Ex-Officio Court Clerk

Deputy Clerk

COPY

BOOK 255 PAGE 019

147288

EUREKA COUNTY, NEVADA  
M.N. REBALANCE, RECORDER  
FILE NO. FEE \$19.00

BOOK 255 PAGE 007  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Thomas P. Shwin*  
93 NOV -4 P2:54