

MAR 21 1984

JOAN SHANGLE, CLERK

BY *M. Elliott* DEPUTY

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF EUREKA

HIGH DESERT MINERAL RESOURCES OF NEVADA, INC., a Nevada corporation; and NEWMONT GOLD COMPANY, a Delaware corporation,

Plaintiffs,

vs.

G.R. ADAMS, aka GEORGE ADAMS; J.W. ADAMS, aka JOHN ADAMS; WILLIAM E. BARNEY, aka W.E. BARNEY and Wm. E. BARNEY; AGNES J. BEHLING; ESTATE OF AGNES J. BEHLING; ALBERT E. COLE; D.T. DEMPSEY; W.S. ELLIOTT, aka OLE ELLIOTT; CLARENCE E. FELIX; EUGENIO GARCIA; J.B. GOODWIN; ESTATE OF GEORGE M. HADRABA; JACK M. HOLMES; IRA J. JAFFE; HUGH JONES, aka J.H. JONES; W.W. LABBO; P.E. MAYHEW, aka E.R. (PONEY) MAYHEW; J.A. McFARLANE, aka J. ALVIN McFARLANE; M.B. MOORE; C.W. REESE; Wm. ROBINSON, aka WILL ROBINSON; W.H. SETTLEMAYER; DANIEL SUMIN, aka DAN SUMIN; ALICE TALBOT; M. ARTHUR WAITE; G.W. WALLACE, aka GEORGE WALLACE; B.H. WALTERS; CAMSELL PROPERTIES, INC., a Nevada corporation; FIRST COMMERCIAL TITLE, INC., a Nevada corporation; TRANS SERVICES CORPORATION, formerly known as SILVER WEST MINING COMPANY, a Utah corporation; CARDIFF COMMUNICATIONS, INC., formerly known as CARDIFF INDUSTRIES, INC.; UNITED GOLD, INC., a Nevada corporation; EL DORADO GOLD MINES, an entity or person; and DOES I-50, inclusive, individuals, partnerships, joint ventures, corporations, limited liability companies, or other business entities; also any other persons or entities unknown claiming any right, title, estate, lien or interest (whether community, entirety, dower, curtesy, joint tenancy, tenancy in common, legal, equitable, contingent, vested, possessory, mineral, surface, sub-surface, or otherwise) in the real property described in this Complaint adverse to Plaintiffs' ownership or asserting any cloud on Plaintiffs' title.

Defendants.

This action came on for hearing before the Court, Honorable Merlyn H. Hoyt, District

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1 Judge, presiding, and the issues having been duly heard and Findings of Fact and Conclusions of

2 Law having been made and entered,

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

4 1. That none of the Defendants or any unknown person or entity has any claim, right, title, estate, lien or interest in or to or cloud on any of the mining claims and properties described in Exhibits A through M hereto (the "Mining Claims").

7 2. HIGH DESERT MINERAL RESOURCES OF NEVADA, INC. owns an undivided forty percent (40%) interest in the Mining Claims and NEWMONT GOLD COMPANY owns an undivided sixty percent (60%) interest in the Mining Claims free and clear of all claims asserted or which may be or which might have been asserted by any Defendant including, without limitation, all unknown persons and entities except as provided in paragraph 3 below.

12 3. Plaintiffs' ownership interests, as aforesaid, are subject only to: (a) a Deed of Non-Participating Net Smelter Return Royalty dated August 7, 1990, recorded in Book 212 (Official Records), Pages 315-26, but only to the extent such Deed of Non-Participating Net Smelter Return Royalty by its express terms applies to and includes any of the Mining Claims; (b) the obligations to pay the Production Royalty described in section 4 of the Agreement dated May 10, 1979, recorded in Book 71 (Official Records), Pages 9-102, but only to the extent the Production Royalty

17 by its express terms applies to and includes such of the Mining Claims as are expressly and specifically identified in the Agreement dated May 10, 1979, and such of the Mining Claims as are located on lands within the exterior boundaries of the unpatented mining claims expressly and specifically identified as part of the Agreement dated May 10, 1979; and (c) a Net Returns Royalty Deed dated effective August 31, 1992, recorded in the office of the Eureka County Recorder, Nevada, in Book 238 (Official Records), Pages 182-90, and a Quitclaim Deed dated effective August 31, 1992, recorded in Book 244 (Official Records), Pages 136-38, but only to the extent such Net Returns Royalty Deed and Quitclaim Deed apply to the Big Six Claims (as described on Exhibit M hereto) and to no other of the Mining Claims.

26 4. That the Defendants, and each of them, and all unknown persons and entities be and hereby are forever barred from asserting any claim whatever in or to the Mining Claims or the

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1 minerals or mineral interests in the Mining Claims adverse to Plaintiffs.

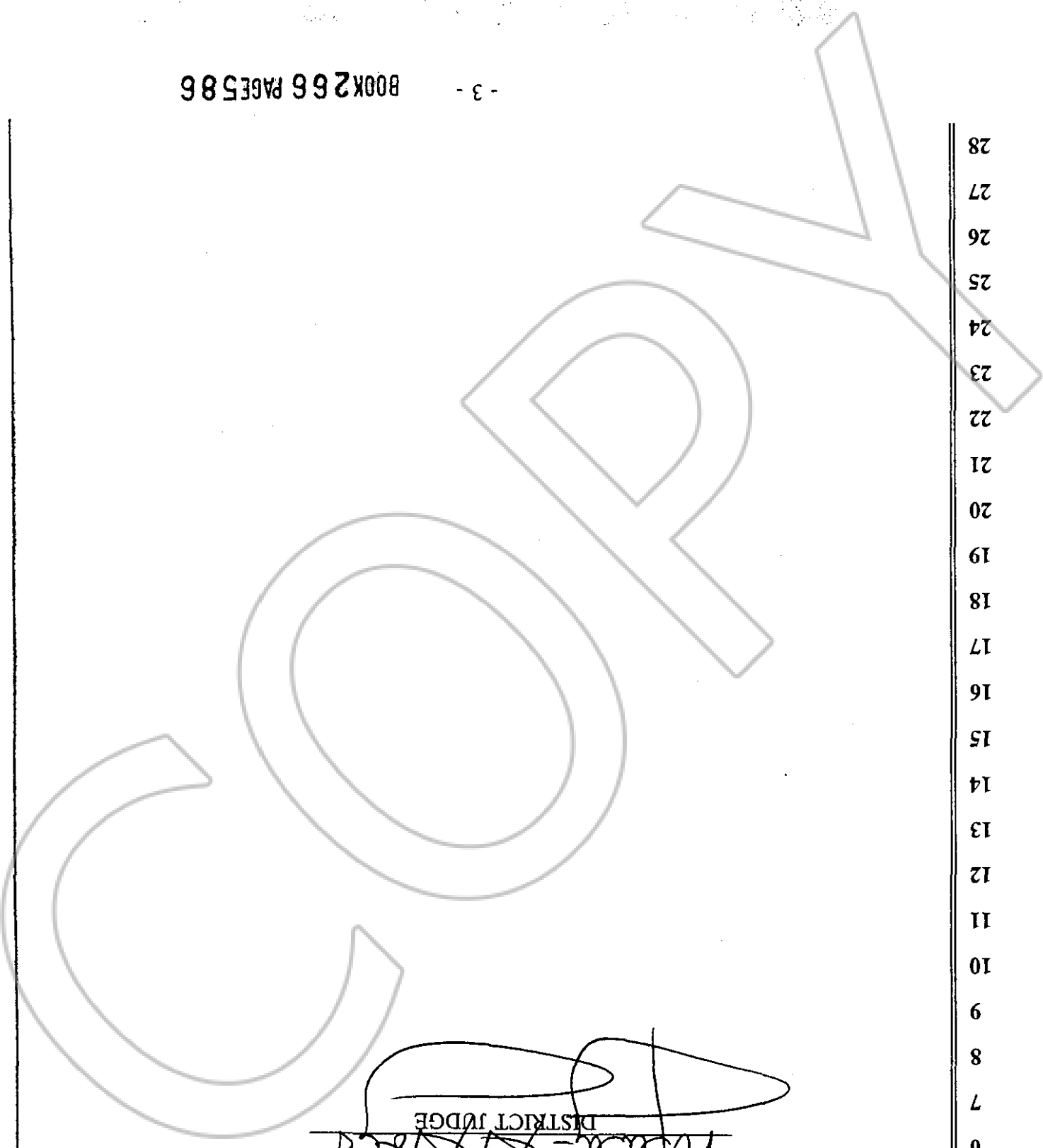
2 5. HIGH DESERT MINERAL RESOURCES OF NEVADA, INC. and NEWMONT

3 GOLD COMPANY are awarded their taxable costs of action.

4 DATED this 21 day of March, 1994.

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Mary-Ann [Signature]
DISTRICT JUDGE



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EXHIBIT A
BIG JIM CLAIMS

As used in the Findings of Fact and Conclusions of Law Supplement to which this Exhibit A is attached, "Big Jim Claims" means the following unpatented mining claims situated in Eureka County, Nevada.

EUREKA COUNTY

Claim Name	Book	Page	Nev. BLM NMC No.	Location	Dates
Cracker Jack No. 1	O	23	11174		02/08/63
Cracker Jack No. 2	O	25	11176		02/08/63
Cracker Jack No. 3	O	26	11177		02/08/63
Cracker Jack No. 4	O	27	11178		02/08/63
Cracker Jack No. 5	O	28	11179		02/08/63
Yellow Rose No. 8	O	31	11182		02/25/63
Yellow Rose No. 9	O	32	11183		03/05/63
Yellow Rose No. 10	O	33	11184		02/12/63
Yellow Rose No. 11	O	34	11185		02/12/63
Yellow Rose No. 12	O	35	11186		02/12/63
Yellow Rose No. 13	O	36	11187		02/15/63
Yellow Rose No. 14	O	37	11188		02/15/63

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EUREKA COUNTY

Claim Name	Book	Page	New. BLM NMC No.	Location	Dates
Yellow Rose No. 15	O	38	11189		02/12/63
Yellow Rose No. 16	O	39	11190		02/12/63
Yellow Rose No. 17	O	40	11191		02/12/63
Yellow Rose No. 18	O	41	11192		02/12/63
Yellow Rose No. 19	O	42	11193		02/12/63
Yellow Rose No. 20	O	43	11194		02/12/63
Big Jim	O	45	11196		02/15/63
Big Jim No. 1	O	46	11197		02/09/63
Big Jim No. 2	O	47	11198		02/09/63
Big Jim No. 3	O	48	11199		02/09/63
Big Jim No. 4	O	49	11200		02/09/63
Big Jim No. 5	O	50	11201		02/09/63
Big Jim No. 6	O	51	11202		02/09/63
Big Jim No. 7	O	52	11203		02/09/63
Big Jim No. 8	O	53	11204		02/11/63

EUREKA COUNTY

Claim Name	Book	Page	Ne. BLM NMC No.	Location Dates
Big Jim No. 9	O	54	11205	02/11/63
Big Jim No. 10	O	55	11206	02/11/63
Big Jim No. 11	O	56	11207	02/11/63
Big Jim No. 12	O	57	11208	02/11/63
Big Jim No. 13	O	58	11209	02/11/63
Big Jim No. 14	O	59	11210	02/11/63
Big Jim No. 15	O	60	11211	02/11/63
Big Jim No. 16	O	61	11212	02/12/63
Big Jim No. 17	O	62	11213	02/09/63
Big Jim No. 18	O	63	11214	02/09/63
Big Jim No. 19	O	64	11215	02/09/63
Big Jim No. 20	O	65	11216	02/09/63
Big Jim No. 21	O	66	11217	02/09/63
Big Jim No. 22	O	67	11218	02/09/63
Big Jim No. 23	O	68	11219	02/09/63

EUREKA COUNTY

Claim Name	Book	Page	NeV. BLM NMC No.	Location Dates
Big Jim No. 24	O	69	11220	02/08/63
Big Jim No. 25	O	70	11221	02/08/63
Big Jim No. 26	O	71	11222	02/08/63
Big Jim No. 27	O	72	11223	02/08/63
Big Jim No. 28	O	73	11224	02/08/63
Big Jim No. 29	O	74	11225	02/08/63
Big Jim # 30	71	111	72757	05/23/79
Big Jim # 31	71	112	72758	05/23/79

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EXHIBIT B
PARAGON CLAIMS

As used in the Findings of Fact and Conclusions of Law - ~~IN REMOIT~~
to which this Exhibit B is attached,
"Paragon Claims" means the following unpatented mining claims
situated in Eureka County, Nevada.

EUREKA COUNTY

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>	<u>Nev. BLM NMC No.</u>	<u>Location</u>	<u>Dates</u>
Paragon Fraction	M	215	11236		09/05/62
Paragon No. 1	M	216	11237		09/05/62
Paragon No. 2	M	217	11238		09/05/62
Paragon No. 3	M	217	11239		09/05/62

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PARAGON

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EXHIBIT C
UNITY CLAIMS

~~JUDGMENT~~
As used in the Findings of Fact and Conclusions of Law
to which this Exhibit C is attached,
"Unity Claims" means the following unpatented mining claims
situated in Eureka County, Nevada.

EUREKA COUNTY

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>	<u>Nev. BLM NMC No.</u>	<u>Location Dates</u>
Unity No. 1	H	247	11240	07/01/29
Unity No. 2	H	247	11241	07/01/29

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EXHIBIT D
LAMIRA CLAIM

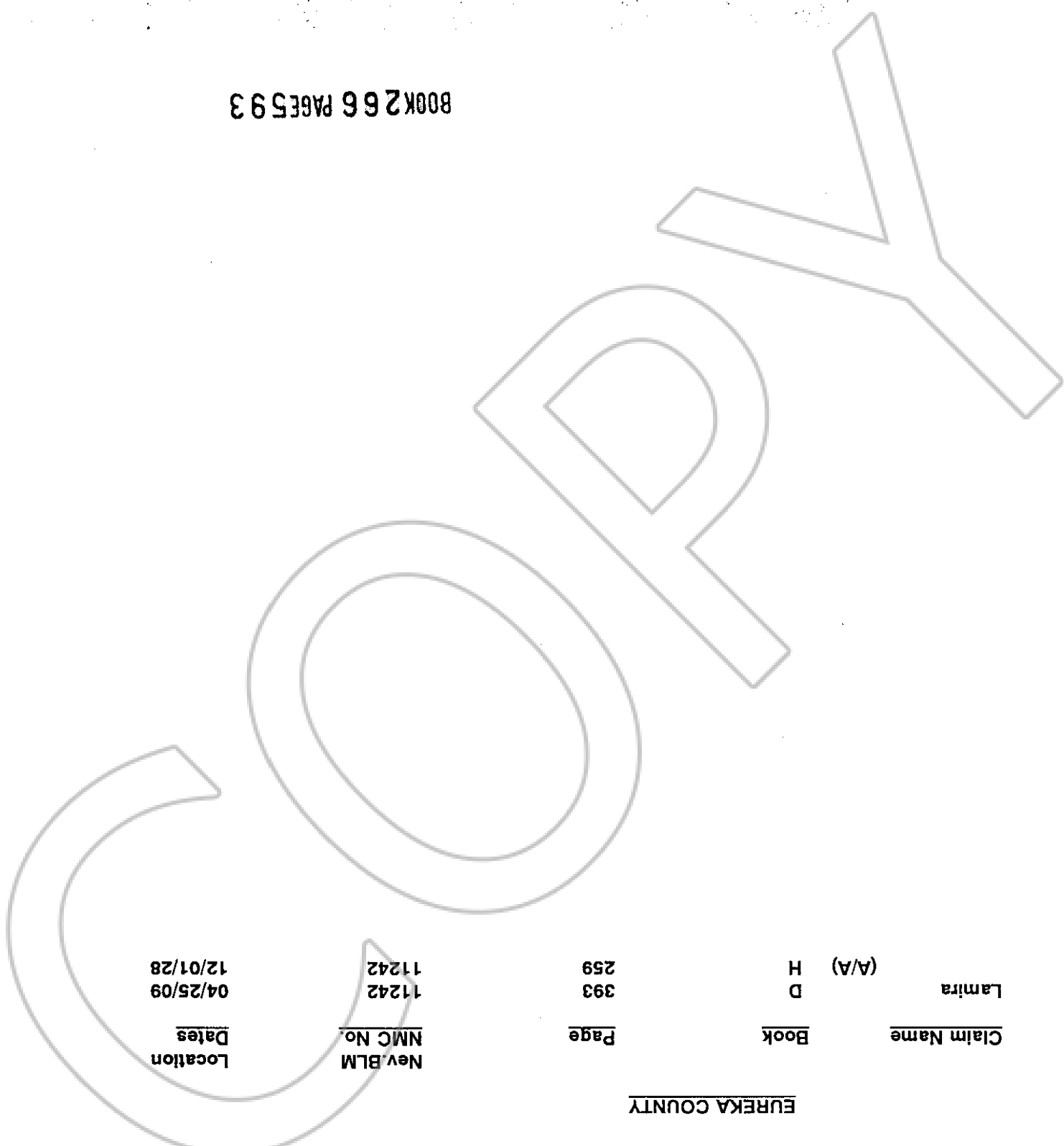
As used in the ~~Findings of Fact and Conclusions of Law~~ *Statement*
to which this Exhibit D is attached,
"Lamira Claim" means the following unpatented mining claim
situated in Eureka County, Nevada.

(A/A) - Amended and Additional Locations

EUREKA COUNTY

Claim Name	Book	Page	Nev. BLM NMC No.	Location Dates
Lamira (A/A)	D H	393 259	11242 11242	04/25/09 12/01/28

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EXHIBIT E
BADGER CLAIMS

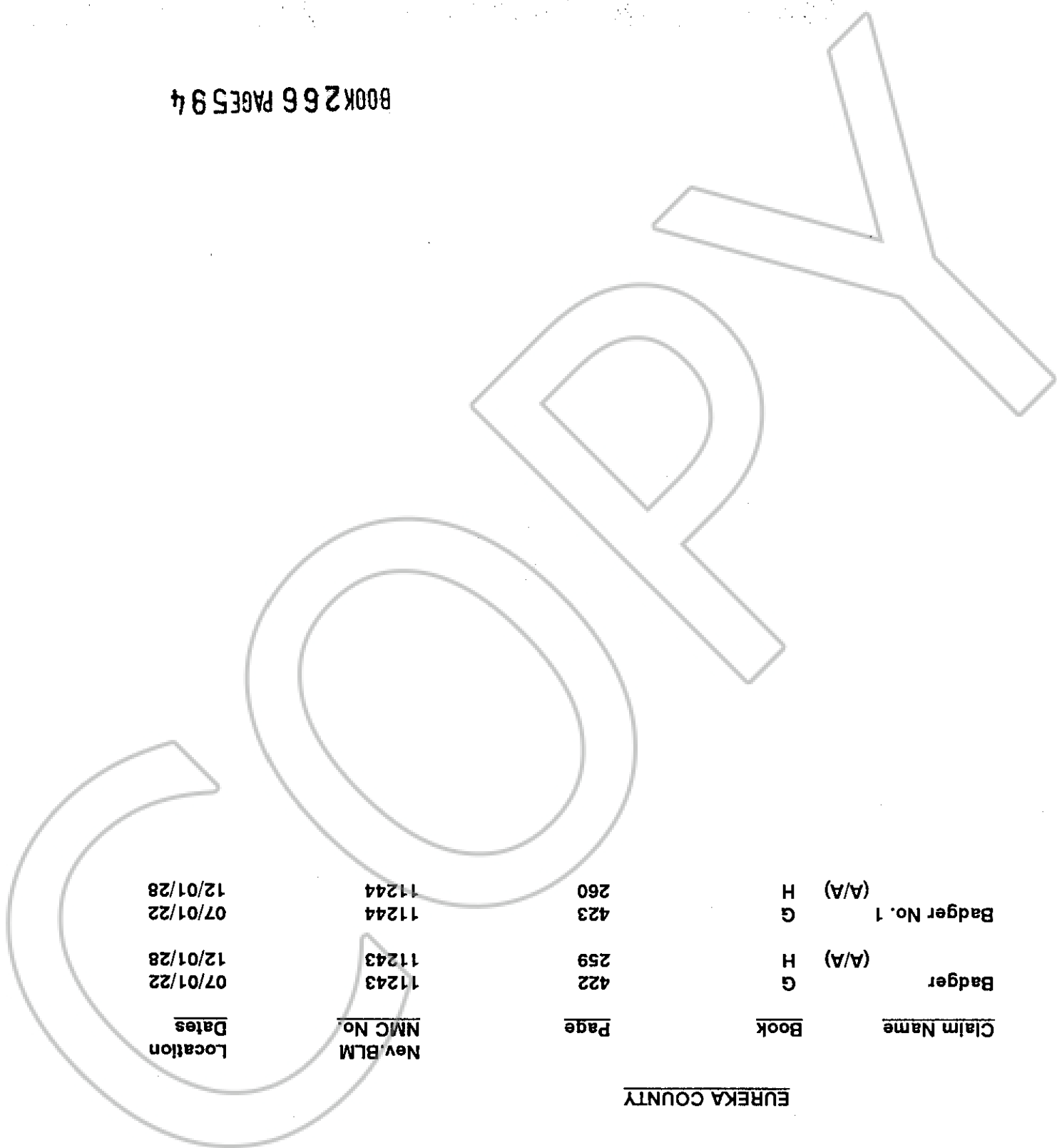
~~As used in the Findings of Fact and Conclusions of Law.~~
to which this Exhibit E is attached,
"Badger Claims" means the following unpatented mining claims
situated in Eureka County, Nevada.

(A/A) - Amended and Additional Locations

EUREKA COUNTY

Claim Name	Book	Page	Nev. BLM NMC No.	Location Dates
Badger	G	422	11243	07/01/22 12/01/28
Badger No. 1 (A/A)	H	259	11243	07/01/22 12/01/28
	G	423	11244	07/01/22 12/01/28
	H	260	11244	07/01/22 12/01/28

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EXHIBIT F
COMPROMISE CLAIMS

As used in the Findings of Fact and Conclusions of Law
SUBJECT
"Compromise Claims" means the following unpatented mining claims
situated in Eureka County, Nevada.

(A/A) - Amended and Additional Locations

Eureka County

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>	<u>Nev. BLM NMC No.</u>	<u>Location Dates</u>
Compromise No. 4	C	260	11245	04/08/07
(A/A)	H	261	11245	12/01/28
Compromise No. 5	C	218	11442	04/08/07
(A/A)	H	262	11442	12/01/28
Compromise No. 6	C	219	11443	04/08/07
(A/A)	H	262	11443	12/01/28
Compromise No. 7	C	220	11444	04/08/07
(A/A)	H	263	11444	12/01/28

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As used in the Findings of Fact and Conclusions of Law to which this Exhibit G is attached, "Hilltop Claims" means the following unpatented mining claims situated in Eureka County, Nevada.

**EXHIBIT G
HILLTOP CLAIMS**

Subpart

(A) - Amended Locations

EUREKA COUNTY

Claim Name	Book	Page	Nev. BLM NMC No.	Location
Hill Top	C	232	11231	04/05/07
Hill Top No. 1	C	233	11232	04/05/07
Hill Top No. 2	C	234	11233	04/05/07
Hill Top	(A)	106	11232	02/19/66
Hill Top	C	108	11233	02/19/66
Hill Top	(A)	428	11234	07/16/07
Hill Top	(A)	110	11234	02/19/66
Hill Top	C	429	11235	07/22/07
Hill Top No. 1	(A)	112	11235	02/19/66
Hill Top	9	484	11228	12/02/65
Hill Top	9	486	11229	12/02/65
Hill Top	9	488	11230	12/02/65

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EXHIBIT H
DIXIE LEA CLAIMS

~~As used in the findings of fact and conclusions of law~~

~~Subpart~~

"Dixie Lea Claims" means the following unpatented mining claims situated in Eureka County, Nevada.

EUREKA COUNTY

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>	<u>NeV. BLM NMC No.</u>	<u>Location</u>	<u>Dates</u>
Dixie Lea	29	200	27470		05/17/69
Dixie Lea No. 1	29	201	27471		05/17/69

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EXHIBIT I
HD CLAIMS AND VENT CLAIMS

As used in the Findings of Fact and Conclusions of Law
Suggestion
to which this Exhibit I is attached,
"HD Claims" and "Vent Claims"
means the following unpatented mining claims
situated in Eureka County, Nevada.

Eureka County

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>	<u> Nev. BLM NMC No.</u>	<u>Location Dates</u>
HD 1	229	532	638603	11/06/91
HD 2	229	533	638604	11/06/91
HD 3	229	534	638605	11/06/91
HD 4	229	535	638606	11/06/91
HD 5	229	536	638607	11/06/91
HD 6	229	537	638608	11/06/91
HD 7	229	538	638609	11/06/91
HD 8	229	539	638610	11/06/91
HD 9	229	540	638611	11/06/91
HD 10	229	541	638612	11/06/91
HD 11	229	542	638613	11/06/91
HD 12	229	543	638614	11/06/91
HD 13	229	544	638615	11/06/91
HD 14	229	545	638616	11/06/91
HD 15	229	546	638617	11/06/91
HD 16	229	547	638618	11/06/91
HD 17	229	548	638619	11/06/91
HD 18	229	549	638620	11/06/91

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Eureka County

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>	<u> Nev. BLM NMC No.</u>	<u>Location Dates</u>
HD 26	229	554	638625	11/21/91
Vent 1	247	34	677567	02/18/93
Vent 2	247	35	677568	02/18/93
Vent 3	247	36	677569	01/21/93
Vent 4	247	37	677570	02/18/93

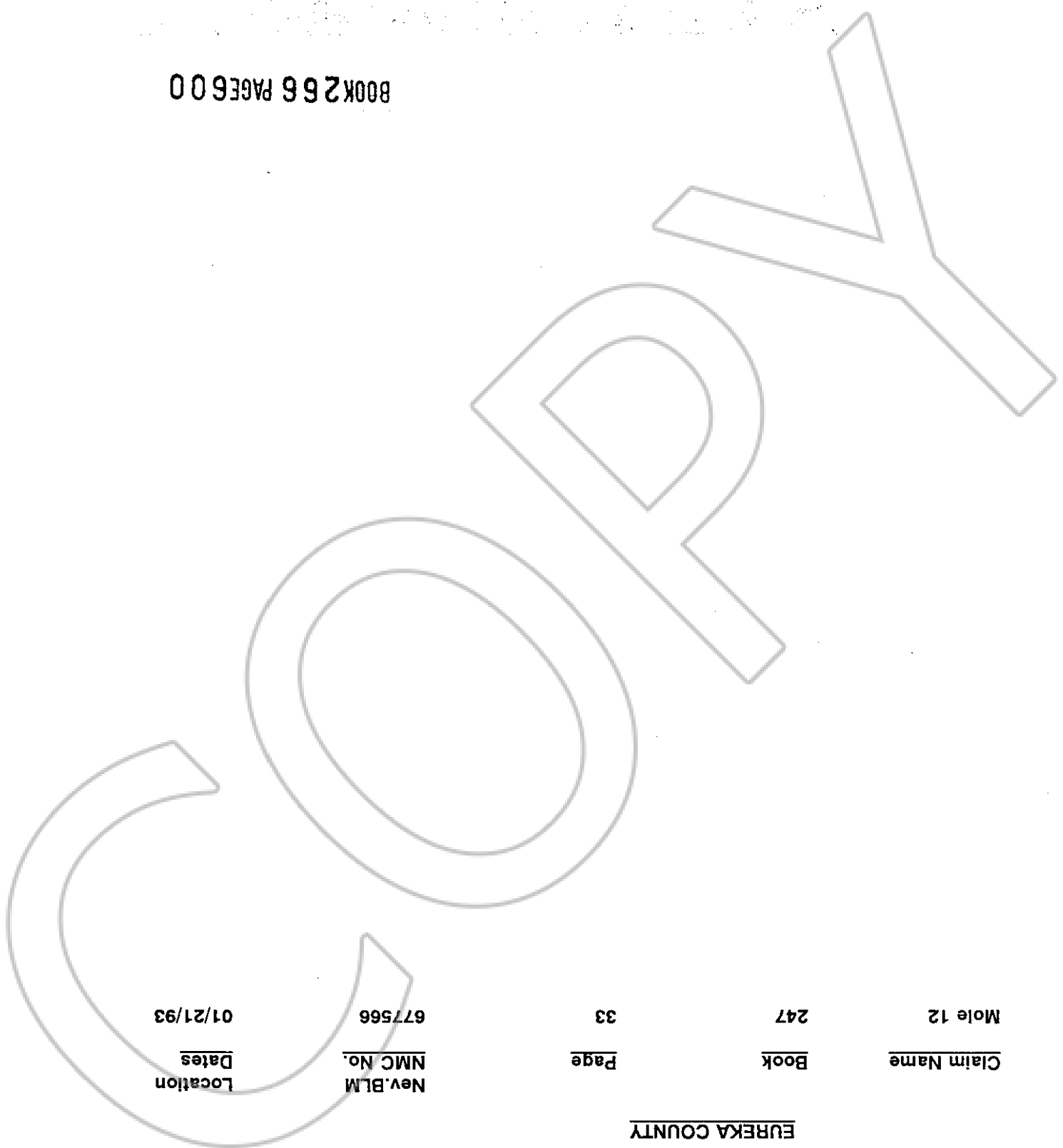
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EXHIBIT J
MOLE CLAIM

~~Subject~~
As used in the Findings of Fact and Conclusions of Law
to which this Exhibit J is attached,
"Mole Claim" means the following unpatented
mining claim situated in Eureka County, Nevada.

EUREKA COUNTY

Claim Name	Book	Page	Nev. BLM NMC No.	Location Dates
Mole 12	247	33	677566	01/21/93



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EXHIBIT K
DDC CLAIMS

~~As used in the findings of fact and conclusions of law.~~
SUGGEST
"DDC Claims" means the following unpatented
mining claims situated in Eureka County, Nevada.

EUREKA COUNTY

<u>Claim Name</u>	<u>Book</u>	<u>Page</u>	<u>Nev. Bim. NMC No.</u>	<u>Location</u>	<u>Dates</u>
DDC #1	143	142	364173		02/06/86
DDC #2	143	143	364174		02/06/86
DDC #3	143	144	364175		02/06/86

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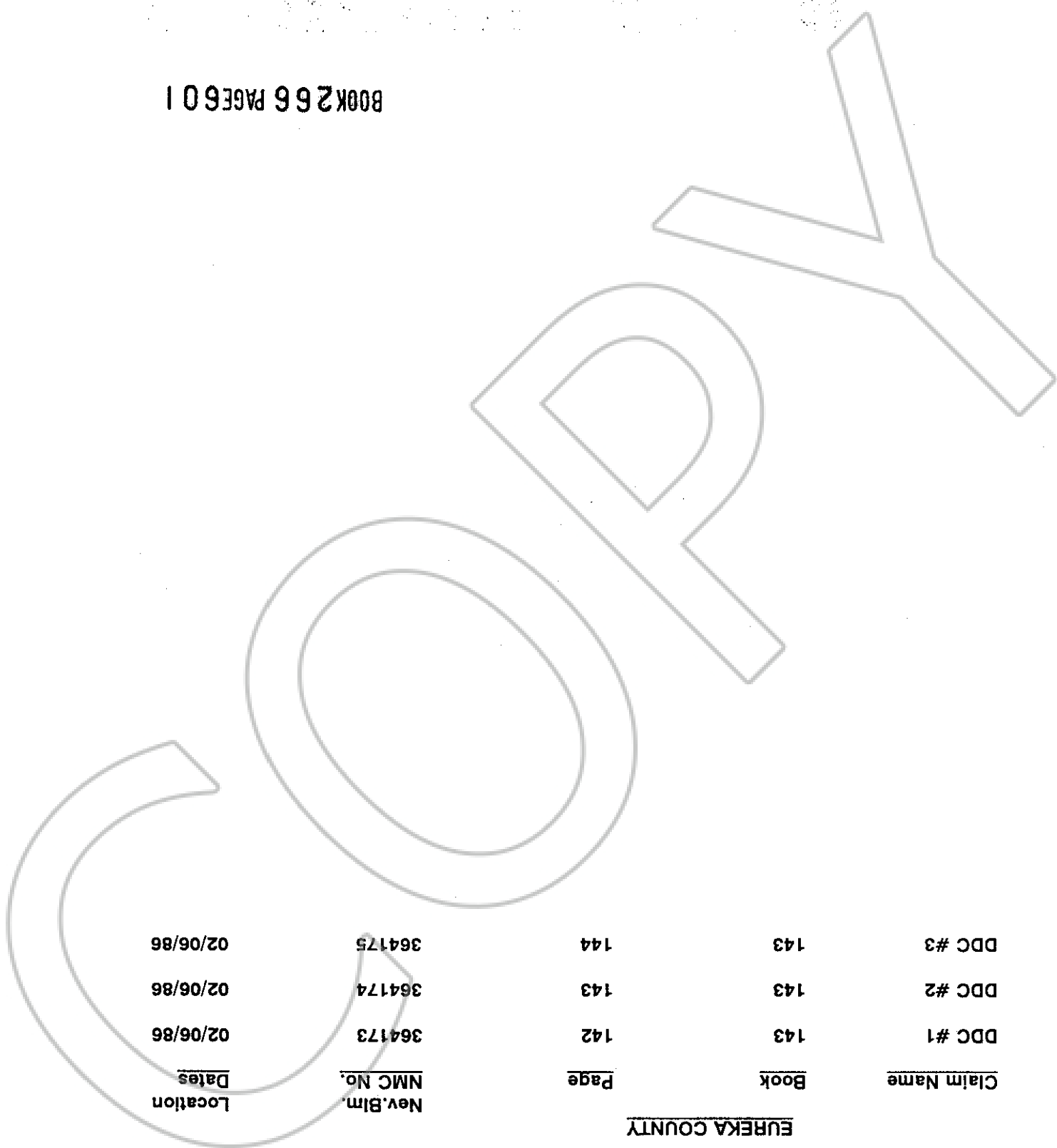


EXHIBIT L
OTHER UNPATENTED MINING CLAIMS

(A) - Amended Locations

EUREKA COUNTY

Claim Name	Book	Page	NeV. BLM NMC No.	Location Dates
Yellow Rose No. 21	0	44	11195	02/15/93
Polar #1	54	385	11154	04/20/76
Polar #2	54	386	11155	04/20/76
Polar #3	54	387	11156	04/20/76
Polar #4	54	388	11157	04/20/76
Polar #5	54	389	11158	04/20/76
Polar #6	54	390	11159	04/20/76
Polar #7	54	391	11160	04/20/76
Polar #8	54	392	11161	04/20/76
Polar #9	54	393	11162	04/20/76
Polar #10	54	394	11163	04/20/76
Polar #11	54	395	11164	04/20/76
Polar #12	54	396	11165	04/20/76
Polar #13	54	397	11166	04/20/76
Polar #14	54	398	11167	04/24/76
Polar #15	54	399	11168	04/24/76
Polar #16	54	400	11169	04/24/76
Polar #17	54	401	11170	04/24/76
Polar #18	54	402	11171	04/24/76
Polar #19	54	403	11172	04/24/76
Polar #20	54	404	11173	04/24/76
RJV	62	318	13741	12/21/77

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EUREKA COUNTY

Claim Name	Book	Page	Nev. BLM NMC No.	Location Dates
Joe*	73	367	92823	09/02/79
Don*	73	368	92824	09/02/79
Junction	H	330	11445	07/15/31
BM #1	132	241	333061	11/08/84
BM #2	132	242	333062	11/08/84
BM #3	132	243	333063	11/08/84
BM #4	132	244	333064	11/08/84
BM #5	132	245	333065	11/08/84
BM #6	147	79	372458	05/08/86
BM #7	147	80	372459	05/08/86
BM #8	147	81	372460	05/08/86
BM 9	200	175	565082	05/25/89
BM 10	200	176	565083	05/24/89
BM 11	200	177	565084	05/24/89
BM 12	200	178	565085	05/24/89
BM 13	200	179	565086	05/24/89
BM 14	200	180	565087	05/24/89
BM 15	200	181	565088	05/24/89
BM 16	200	182	565089	05/24/89
BM 17	200	183	565090	07/21/89
BM 18	200	184	565091	05/26/89

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

EUREKA COUNTY

Claim Name	Book	Page	Neu. BLM NMC No.	Location
BM 19	200	185	565092	05/26/89
BM 20	205	456	574082	08/13/89
Discovery #1 (A)	205	458	574084	09/08/89
	208	491	574084	12/08/89
Discovery #2	208	490	588702	12/08/89

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BOOK 266 PAGE 04

WMA

**EXHIBIT M
BIG SIX CLAIMS**

As used in the findings of fact and conclusions of law to which this Exhibit M is attached, "Big Six Claims" means the following patented mining claims situated in Eureka County, Nevada.

EUREKA COUNTY

Claim Name	Book	Page	OT	Patent No.	Survey No.
Bald Eagle	20	58	Deeds	946758	4527
Big Six No. 3	55	482	O.R.	783757	4332
	215	51	[Re-recorded]		
Great Divide	20	57	Deeds	945439	4393
Holt	20	55	Deeds	881735	4422
July	20	54	Deeds	935874	4528

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Thomas & Swain
94 MAR 21 P1:10

151684
EUREKA COUNTY, NEVADA
M.N. REBAL EATH. RECORDER
FILE NO. *2800*

BOOK 266 PAGE 05

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,
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 *21st* day of *March*, 19 *94*

Don George
County Clerk and Ex-Officio Clerk
Deputy Clerk *by M. Swain*