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6 IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE

8
9 * * * * *

10 NEMMONT GOLD COMPANY and ELKO
11 LAND & LIVESTOCK COMPANY,

12 Plaintiffs,

13 vs.

14 BARRICK GOLDSTRIKE MINES INC.
15 and BARRICK GOLD CORPORATION,

16 as successor-in-interest to
17 American Barrick Resources
18 Corporation,

19 Defendants.

20 BARRICK GOLDSTRIKE MINES INC.
21 Counterclaimant,

22 vs.

23 NEMMONT GOLD COMPANY and
24 ELKO LAND & LIVESTOCK COMPANY,

25 Counterclaim Defendants.

26 * * * * *

1 NOTICE IS HEREBY GIVEN that counterclaimant Barrick
2 Goldstrike Mines Inc. ("Barrick") has filed a counterclaim
3 against the above-named counterclaim defendant Elko Land &
4 Livestock Company ("ELCO") in the above-entitled Court affecting
5 the title to, and right of possession of, the real property
6 described below, which counterclaim is now pending.
7 The object of said counterclaim is, in part, for Barrick to
8 obtain a judgment of condemnation of the below-described property
9 creating the below-described property rights in Barrick pursuant
10 to the provisions of Section 37.010 of the Nevada Revised
11 Statutes.
12 A. Conveyance Parcel
13 The following rights in the property described on Exhibit A
14 hereto, which is hereinafter referred to as the "Conveyance
15 Parcel":
16 1. A perpetual right of way, easement, and right of
17 entry to construct, maintain, alter, repair, operate, and remove
18 the facilities for the "Conveyance Project" described in
19 Barrick's counterclaim, including water treatment facilities,
20 outfall structures, diversion structure, lined canal, ponds,
21 pipeline systems, pumping systems, cooling facilities, electrical
22 transmission facilities, and ancillary facilities.
23 2. The right to remove trees, brush, or other
24 vegetation and any other materials or property which will
25 interfere with Barrick's property interests as set forth above
26 and Barrick's right to construct, maintain, alter, repair,

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1 operate and remove the facilities for the Conveyance Project as
 2 described above.
 3 3. The right to enter on the right of way and
 4 easement at any time Barrick deems it appropriate for any of the
 5 above purposes.
 6 4. The right to fence any and all easements or rights
 7 of way.
 8 5. The right to construct or maintain buildings or
 9 other facilities on the easements and rights of way.
 10 B. Springs Parcel
 11 The following rights in the property described on Exhibit B
 12 hereto, which is hereinafter referred to as the "Springs Parcel":
 13 1. A perpetual easement, right of way, right of
 14 entry, and right to flow water on or under the surface of the
 15 Springs Parcel and to manage the water.
 16 2. A perpetual easement, right of way, and right of
 17 entry to construct, maintain, alter, repair, operate, and remove
 18 that portion of the Sand Dune Canal that is located on the
 19 Springs Parcel.
 20 3. Perpetual rights of way for pipeline systems or
 21 other facilities necessary for water management.
 22 4. The right to remove trees, brush, or other
 23 vegetation and any other materials or property which will
 24 interfere with Barrick's property interests as set forth above.
 25 5. The right to enter on the rights of way and
 26 easements at any time Barrick deems it appropriate for any of the
 27 above purposes.
 28

6. The right to fence any and all areas of flowage,

easements, or rights of way.

DATED this 6 day of December, 1995.

RICHARD W. HORTON

LIONEL SAWYER & COLLINS

Suite 1100, Bank of America Plaza

50 West Liberty Street

Reno, Nevada 89501

Telephone: (702) 788-8666

and

GORDON L. ROBERTS

LAWRENCE E. STEVENS

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Salt Lake City, UT 84145-0898

Telephone: (801) 532-1234

Attorneys for Counterclaimant

Barrick Goldstrike Mines Inc.

By:

~~RICHARD W. HORTON~~

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of December, 1995, I caused to be mailed by first class mail, postage prepaid, a true and correct copy of the foregoing NOTICE OF PENDENCY OF ACTION to the following:

Margo Piscevich, Esq.

PISCIVICH & FENNER

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Bruce A. Featherstone, Esq.

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1800 Massachusetts Avenue, N.W.

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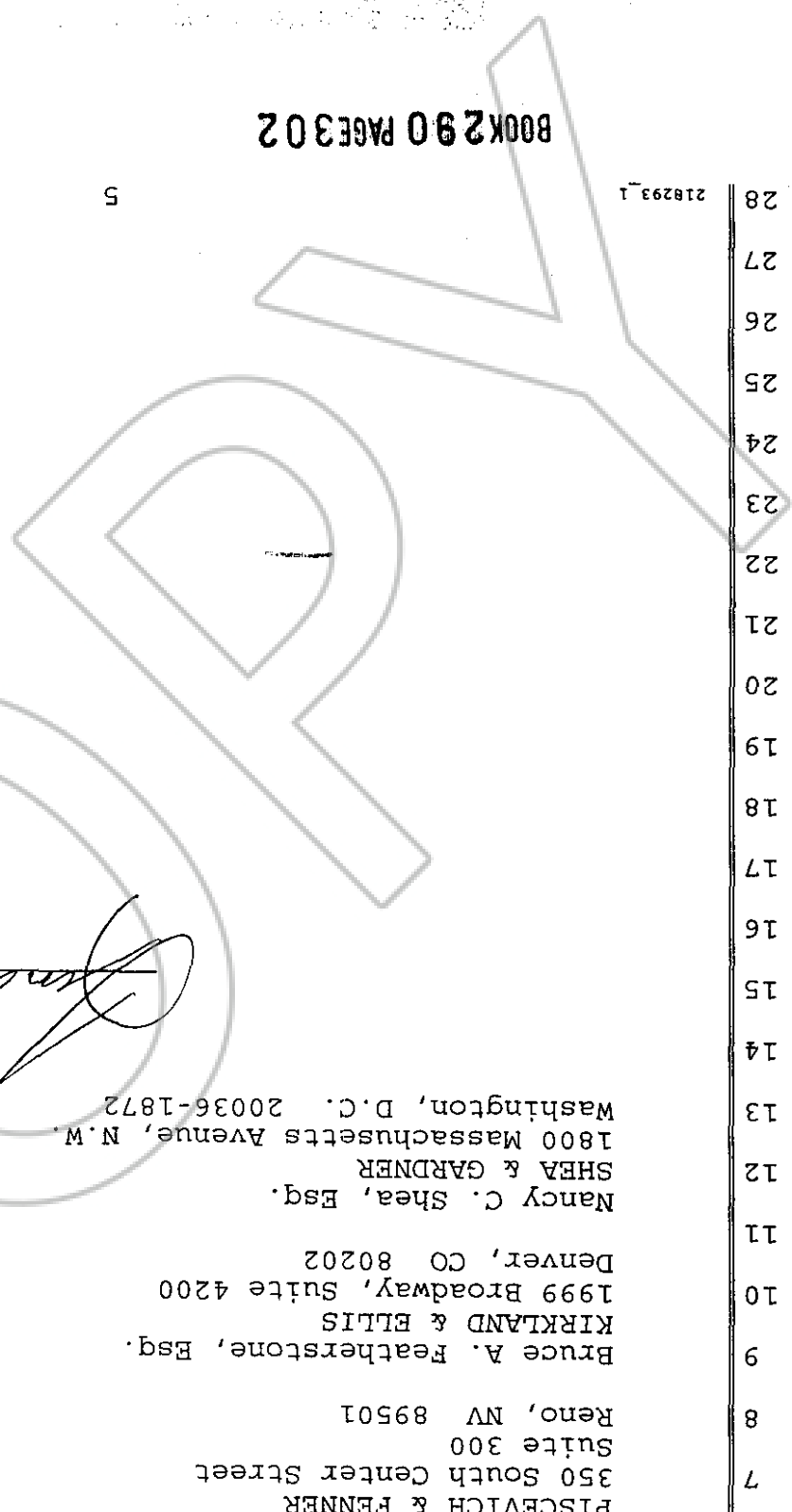


EXHIBIT A

CONVEYANCE PARCEL

WATER TREATMENT FACILITIES

ALL PROPERTY LOCATED IN UNSURVEYED SECTION 33 (PROTRACTED), TOWNSHIP 36 NORTH, RANGE 49 EAST, MDM, EUREKA COUNTY, NEVADA, WITHIN THE FOLLOWING BOUNDARY, WHICH BOUNDARY IS ESTABLISHED BY COORDINATES BASED UPON NORTH AMERICAN DATUM OF 1983, AND BEGINNING AT POINT #1 AND ENDING AT POINT #113, AND ALSO INCLUDING ALL PROPERTY LYING 30 FEET OUTSIDE OF THE FOLLOWING DESCRIBED BOUNDARY:

Point #	Northing	Easting
1.	28505723.79	417978.89
2.	28505641.47	417900.03
3.	28505627.82	417828.99
4.	28505533.09	41770.10
5.	28505507.58	41775.45
6.	28505499.48	417781.49
7.	28505396.40	417835.38
8.	28505345.26	417872.69
9.	28505270.65	417909.26
10.	28505236.86	417923.14
11.	28505182.60	417982.27
12.	28505232.20	418043.16
13.	28505261.33	418103.37
14.	28505299.41	418177.01
15.	28505277.78	418256.04
16.	28505302.15	418305.46

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Point #	Nothing	Easting
17.	28505274.54	418334.69
18.	28505197.61	418379.86
19.	28505122.23	418423.31
20.	28505003.81	418491.91
21.	28504928.61	418535.51
22.	28504883.09	418561.47
23.	28504818.08	418598.67
24.	28504752.35	418637.28
25.	28504710.54	418666.96
26.	28504674.56	418700.85
27.	28504649.19	418739.81
28.	28504633.16	418788.76
29.	28504625.47	418837.60
30.	28504616.30	418913.50
31.	28504608.28	418986.44
32.	28504599.28	419033.26
33.	28504584.09	419080.85
34.	28504555.19	419148.52
35.	28504521.26	419214.25
36.	28504471.07	419286.62
37.	28504422.44	419346.59
38.	28504358.58	419415.01
39.	28504309.94	419463.87
40.	28504280.21	419501.06

Point #	Northing	Easting
41.	28504259.73	419547.64
42.	28504254.03	419610.65
43.	28504262.66	419659.42
44.	28504278.67	419714.61
45.	28504308.57	419770.78
46.	28504447.77	419900.47
47.	28504588.02	420034.61
48.	28504657.44	420099.80
49.	28504727.85	420163.06
50.	28504939.27	420346.87
51.	28505011.34	420412.27
52.	28505081.19	420474.70
53.	28505150.48	420539.51
54.	28505223.36	420604.87
55.	28505365.40	420731.03
56.	28505435.56	420792.46
57.	28505513.46	420853.14
58.	28505630.59	420944.53
59.	28505811.52	421088.01
60.	28505868.81	421164.71
61.	28505924.94	421226.28
62.	28506010.00	421280.67
63.	28506032.17	421197.11
64.	28506040.62	421140.67

Point #	Northing	Easting
65.	28506046.92	421079.28
66.	28506052.83	421018.48
67.	28506059.91	420953.12
68.	28506061.54	420902.05
69.	28506061.40	420847.29
70.	28506058.69	420793.61
71.	28506032.06	420572.37
72.	28506050.38	420422.53
73.	28506137.16	420209.57
74.	28506195.66	420154.89
75.	28506295.96	420088.81
76.	28506943.56	420104.75
77.	28507116.90	420197.04
78.	28507251.53	420266.26
79.	28507289.61	420215.40
80.	28507329.71	420185.37
81.	28507417.01	420062.32
82.	28507474.88	419996.09
83.	28507537.41	419921.23
84.	28507590.93	419862.78
85.	28507608.46	419831.47
86.	28507607.47	419753.53
87.	28507646.72	419693.79
88.	28507659.55	419662.95

Point #	Northing	Easting
89.	28507600.76	419615.20
90.	28507489.72	419561.84
91.	28507411.25	419522.05
92.	28507304.66	419405.25
93.	28507240.97	419318.78
94.	28507121.01	419206.12
95.	28507093.58	419110.10
96.	28507037.06	419069.84
97.	28506985.93	419016.41
98.	28506900.90	418960.81
99.	28506850.33	418910.75
100.	28506715.67	418885.75
101.	28506542.77	418769.17
102.	28506469.60	418705.08
103.	28506422.77	418673.25
104.	28506404.92	418500.69
105.	28506370.95	418472.87
106.	28506277.94	418405.67
107.	28506151.67	418314.87
108.	28506114.74	418275.54
109.	28506020.98	418182.58
110.	28505952.13	418142.18
111.	28505872.54	418087.30
112.	28505775.32	418021.06

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113.	28505723.79	417978.89
Point #	Northing	Easting

CONVEYANCE PARCEL

ELECTRICAL TRANSMISSION FACILITIES SERVICING WATER TREATMENT FACILITIES

ALL THE FOLLOWING DESCRIBED PROPERTY LOCATED IN SECTIONS 28, 29 AND 32, AND UNSURVEYED SECTION 33 (PROTRACTED), TOWNSHIP 36 NORTH, RANGE 49 EAST, MDM, EUREKA COUNTY, NEVADA, LYING 100 FEET ON BOTH SIDES OF THE FOLLOWING CENTER LINE, WHICH CENTER LINE IS ESTABLISHED BY THE FOLLOWING COORDINATES WHICH ARE BASED UPON NORTH AMERICAN DATUM OF 1927, AND BEGINNING AT POINT #1 AND ENDING AT POINT #3:

Point #	Northing	Easting
1.	2263614.27	259563.57
2.	2258027.24	262790.42
3.	2257822.15	263729.00

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CONVEYANCE PARCEL

DIVERSION STRUCTURE

ALL PROPERTY LOCATED IN UNSURVEYED SECTION 19 (PROTRACTED), TOWNSHIP 35 NORTH, RANGE 49 EAST, MDM, EUREKA COUNTY, NEVADA, INSIDE THE FOLLOWING BOUNDARY, WHICH BOUNDARY IS ESTABLISHED BY THE FOLLOWING COORDINATES WHICH ARE BASED UPON NORTH AMERICAN DATUM OF 1983, AND BEGINNING AT POINT #1 AND ENDING AT POINT #21:

Point #	Northing	Easting
1.	28485845.91	404142.96
2.	28485800.85	404198.66
3.	28485878.24	404159.69
4.	28485921.63	404164.95
5.	28485966.41	404142.96
6.	28486014.35	404114.18
7.	28486044.82	404086.97
8.	28486026.89	404071.20
9.	28485978.02	404013.50
10.	28485923.20	403959.07
11.	28485893.00	403959.18
12.	28485858.18	403971.64
13.	28485804.68	403975.55
14.	28485767.44	403969.02
15.	28485744.80	403988.92
16.	28485732.55	404019.01
17.	28485714.67	404031.08
18.	28485697.48	404046.17
19.	28485702.10	404097.81

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Point #	Northing	Easting
21.	28485845.91	404142.96
20.	28485670.07	404146.87

CONVEYANCE PARCEL

LINED CANAL

ALL THE FOLLOWING DESCRIBED PROPERTY LOCATED IN UNSURVEYED (PROTRACTED) SECTIONS 19, 30 AND 31, TOWNSHIP 35 NORTH, RANGE 49 EAST, (PROTRACTED) SECTIONS 6, 7 AND 8, TOWNSHIP 34 NORTH, RANGE 49 EAST, MDM, UNSURVEYED (PROTRACTED) SECTIONS 13, 24, 25, 26 AND 35, TOWNSHIP 34 NORTH, RANGE 48 EAST, MDM, SECTIONS 2, 3, 10, 15, 16 AND 21, TOWNSHIP 33 NORTH, RANGE 48 EAST, MDM, EUREKA COUNTY, NEVADA, LYING 100 FEET ON BOTH SIDES OF THE FOLLOWING CENTER LINE, WHICH CENTER LINE IS ESTABLISHED BY THE FOLLOWING COORDINATES WHICH ARE BASED UPON NORTH AMERICAN DATUM OF 1983, AND BEGINNING AT POINT #1 AND ENDING AT POINT #181:

Point #	Northing	Eastng
1.	28485808.05	404111.16
2.	28485618.90	404396.77
3.	28485377.47	404559.59
4.	28485336.05	404614.68
5.	28485295.71	404636.52
6.	28485245.77	404671.33
7.	28485193.13	404703.75
8.	28485139.33	404737.63
9.	28485087.86	404773.25
10.	28485054.09	404802.56
11.	28485028.21	404774.41
12.	28485067.10	404742.03
13.	28485109.55	404713.72

Point #	Northing	Easting
14.	28485147.26	404691.14
15.	28485186.42	404663.88
16.	28485228.82	404636.65
17.	28485273.21	404607.63
18.	28485286.61	404620.49
19.	28485248.22	404646.42
20.	28485248.35	404646.33
21.	28485206.68	404674.98
22.	28485167.96	404701.13
23.	28485134.64	404723.49
24.	28485097.93	404748.12
25.	28485063.58	404771.34
26.	28485038.94	404787.98
27.	28484785.33	404959.29
28.	28484519.65	405138.78
29.	28482798.78	405638.89
30.	28482540.70	405583.06
31.	28482416.33	405569.54
32.	28482351.10	405562.55
33.	28482300.45	405556.73
34.	28482112.76	405535.99
35.	28481753.87	405495.99
36.	28481342.11	405457.14
37.	28481017.97	405426.55

Point #	Northing	Easting
38.	28480598.30	405400.50
39.	28480709.92	405397.48
40.	28480386.05	405405.57
41.	28480060.45	405413.43
42.	28479736.90	405421.13
43.	28479419.99	405428.95
44.	28479094.14	405436.98
45.	28478779.52	405385.87
46.	28478453.31	405332.87
47.	28478123.67	405158.52
48.	28477822.87	404999.13
49.	28477517.05	404837.34
50.	28477245.71	404693.69
51.	28476952.58	404538.58
52.	28476656.25	404470.72
53.	28476341.85	404398.62
54.	28476036.32	404328.56
55.	28475647.48	404259.05
56.	28475319.96	404200.51
57.	28475016.97	404146.36
58.	28474697.05	404089.18
59.	28474374.80	404031.59
60.	28474065.58	403976.33
61.	28473635.37	403899.44

Point #	Northing	Eastng
62.	28473592.30	403904.22
63.	28473252.25	403941.98
64.	28472274.63	402813.97
65.	28472838.60	403987.92
66.	28472556.57	403807.83
67.	28472694.53	404006.32
68.	28472683.23	404012.57
69.	28472681.38	404013.48
70.	28472669.81	404019.30
71.	28472668.22	404019.77
72.	28472677.43	403980.15
73.	28472667.27	403985.95
74.	28472665.14	403987.20
75.	28472655.02	403994.25
76.	28472653.61	403995.21
77.	28472689.89	403999.52
78.	28472677.50	404003.09
79.	28472675.19	404004.08
80.	28472662.34	404006.08
81.	28472660.89	404006.91
82.	28472553.17	404022.99
83.	28472543.14	404024.19
84.	28472533.32	404025.90
85.	28472323.84	404055.27

Point #	Northing	Easting
86.	28472224.20	404065.71
87.	28472208.01	404067.72
88.	28472055.14	404077.71
89.	28471727.66	404091.00
90.	28471457.94	404035.92
91.	28471367.26	404099.01
92.	28471007.29	404106.98
93.	28470665.23	404114.56
94.	28470453.15	404129.48
95.	28470362.23	404135.80
96.	28470291.95	404140.68
97.	28470053.10	404157.34
98.	28469781.22	404192.18
99.	28469777.07	404193.01
100.	28469774.31	404193.44
101.	28469759.35	404193.35
102.	28469784.52	404162.34
103.	28469779.88	404162.53
104.	28469777.46	404162.94
105.	28469762.19	404162.45
106.	28469782.97	404174.97
107.	28469778.38	404175.30
108.	28469775.83	404175.48
109.	28469759.70	404176.65

Point #	Northing	Easting
110.	28469382.09	404203.90
111.	28469114.89	404184.73
112.	28468809.54	404162.83
113.	28468491.70	404140.03
114.	28468115.82	404085.72
115.	28467799.68	404040.03
116.	28467476.34	403993.31
117.	28467251.41	403960.81
118.	28466952.11	403917.55
119.	284666210.56	404196.79
120.	284666664.66	403876.02
121.	28466544.17	403857.99
122.	28466234.49	403811.66
123.	28465922.96	403765.06
124.	28465607.24	403717.82
125.	28465291.91	403670.63
126.	28464984.42	403624.65
127.	28464791.35	403600.53
128.	28464740.36	403594.20
129.	28464734.10	403593.41
130.	28464729.32	403592.82
131.	28464474.26	403560.86
132.	28464217.41	403512.46
133.	28464211.98	403511.74

Point #	Northing	Easting
134.	28464209.50	403511.55
135.	28464187.40	403510.30
136.	28464178.18	403510.47
137.	28464216.74	403542.54
138.	28464212.11	403542.44
139.	28464209.51	403542.84
140.	28464185.56	403540.86
141.	28464178.04	403541.05
142.	28464216.83	403528.62
143.	28464212.23	403528.05
144.	28464209.86	403527.75
145.	28464184.14	403524.53
146.	28464178.09	403523.77
147.	28463944.44	403494.49
148.	28463791.42	403475.32
149.	28463779.75	403473.86
150.	28463768.97	403472.50
151.	28463650.70	403457.68
152.	28463644.91	403456.96
153.	28463636.18	403455.86
154.	28463444.75	403432.03
155.	28463108.30	403389.90
156.	28462786.87	403349.69
157.	28462434.56	403305.62

Point #	Northing	Easting
158.	28462119.21	403266.15
159.	28461799.58	403226.15
160.	28461520.35	403191.21
161.	28461200.13	403132.46
162.	28460875.12	403072.89
163.	28460574.81	403017.84
164.	28460256.40	402959.47
165.	28459945.63	402902.51
166.	28459677.45	402853.35
167.	28459427.05	402832.13
168.	28459255.09	402817.48
169.	28458986.36	402794.57
170.	28458689.61	402790.35
171.	28458401.83	402786.27
172.	28458112.24	402782.15
173.	28424598.39	380908.01
174.	28422276.76	382203.06
175.	28422277.81	382189.97
176.	28422277.95	382178.98
177.	28422250.43	382123.79
178.	28422261.40	382131.65
179.	28422270.49	382139.18
180.	28422274.21	382153.96
181.	28422266.29	382153.01

CONVEYANCE PARCEL

PUMPING SYSTEMS/COOLING FACILITIES

ALL PROPERTY LOCATED IN SECTION 21, TOWNSHIP 33 NORTH, RANGE 48 EAST, MDM, EUREKA COUNTY, NEVADA, INSIDE THE FOLLOWING BOUNDARY, WHICH BOUNDARY IS ESTABLISHED BY THE COORDINATES WHICH ARE BASED UPON NORTH AMERICAN DATUM OF 1927, AND BEGINNING AT POINT #1 AND ENDING AT POINT #5:

Point #	Northing	Eastng
1.	2175760.05	226417.34
2.	2176760.05	226417.34
3.	2175760.05	227417.34
4.	2176760.05	227417.34
5.	2175760.05	226417.34

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CONVEYANCE PARCEL

ELECTRICAL TRANSMISSION FACILITIES SERVICING PUMP SYSTEMS/COOLING FACILITIES

ALL THE FOLLOWING DESCRIBED PROPERTY LOCATED IN SECTIONS 21, 22, 23 AND 24, TOWNSHIP 33 NORTH, RANGE 48 EAST, MDM, EUREKA COUNTY, NEVADA, LYING 100 FEET ON BOTH SIDES OF THE FOLLOWING CENTER LINE, WHICH CENTER LINE IS ESTABLISHED BY THE FOLLOWING COORDINATES WHICH ARE BASED UPON NORTH AMERICAN DATUM OF 1927, AND BEGINNING AT POINT #1 AND ENDING AT POINT #2:

Point #	Northing	Easting
1.	2176260.05	227417.34
2.	2176251.48	245931.57

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220504.1

CONVEYANCE PARCEL PIPELINE SYSTEM

ALL THE FOLLOWING DESCRIBED PROPERTY LOCATED IN SECTIONS 21 AND 28, TOWNSHIP 33 NORTH, RANGE 48 EAST, MDM, EUREKA COUNTY, NEVADA, LYING 100 FEET ON BOTH SIDES OF THE FOLLOWING CENTER LINE, WHICH CENTER LINE IS ESTABLISHED BY THE FOLLOWING COORDINATES WHICH ARE BASED UPON NORTH AMERICAN DATUM OF 1927, AND BEGINNING AT POINT #1 AND ENDING AT POINT #2:

Point #	Northing	Easting
1.	2175760.05	226917.34
2.	2169820.06	226995.36

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220506-1

EXHIBIT B

SPRINGS PARCEL

ALL OF THAT CERTAIN PROPERTY LOCATED IN EUREKA COUNTY, NEVADA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Mount Diablo Meridian

Township 35 North, Range 49 East

Section 21:

Section 22:

Section 23:

Section 24:

Section 25:

Section 26:

Section 27:

Section 28:

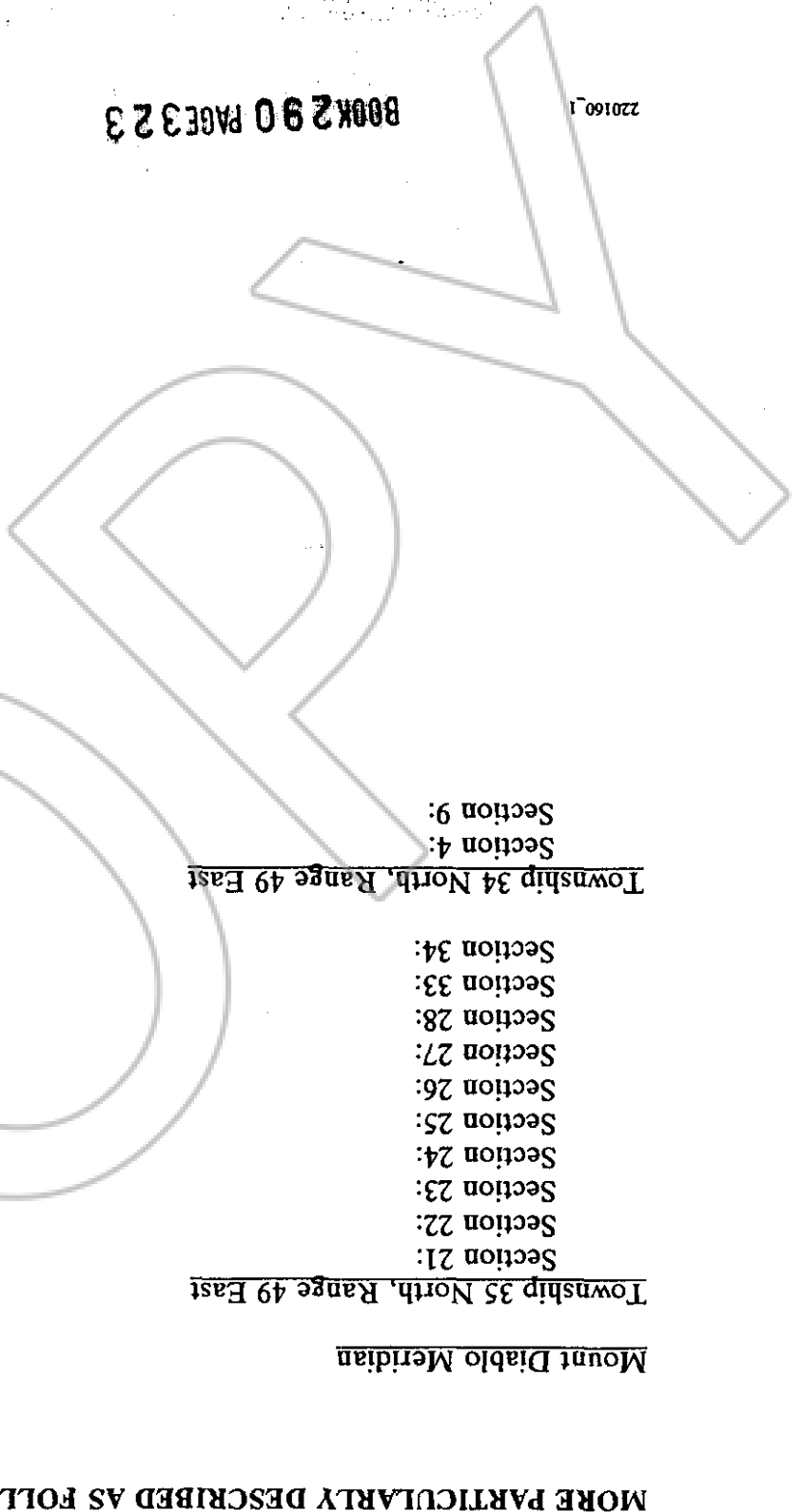
Section 33:

Section 34:

Township 34 North, Range 49 East

Section 4:

Section 9:



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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Sheryl, Trustee of Allura
95 DEC -7 PM 2:21
EUREKA COUNTY NEVADA
M.N. REBAL EATL. RECORDER
FILE NO. FEES \$32.00

160105

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220160.1