

When recorded, return to:

Mike Perry  
Phelps Dodge Exploration Corp  
910 Greg Street  
Sparks NV 89431

166260

402041

MINERAL DEED

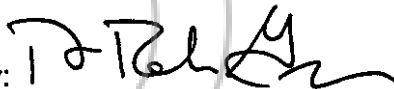
Union Oil Company of California, P.O. Box 4551, Houston, Texas 77210-4551 (Grantor), for and in consideration of \$10 and other good and valuable consideration, does hereby grant, sell, convey, assign and deliver unto Phelps Dodge Exploration Corporation, 2600 North Central, Phoenix, Arizona 85004-3089 (Grantee), all its right, title and interest in and to all of the oil, gas and other minerals, including royalties, in and under the lands described in Exhibit A hereto together with the right of ingress and egress at all times for the purpose of mining, drilling and exploring said land for oil, gas and other minerals, and removing the same from said lands.

TO HAVE AND TO HOLD the above described property, together with all and singular the rights and appurtenances thereto in any ways belonging unto the said Grantee herein, and Grantee's successors, and assigns forever; and Grantor does hereby bind its successors, heirs, executors and administrators, to warrant and forever defend all and singular the said property unto the said Grantee herein, and Grantee's successors, heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

Executed this 11<sup>th</sup> day of November, 1996 to be effective as of November 1, 1996

GRANTOR:

Union Oil Company of California

By:   
D. Robin Green, Attorney-in-Fact *mm*

GRANTEE:

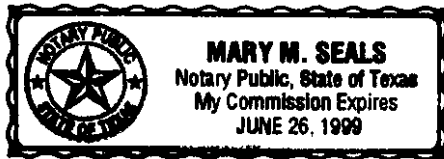
Phelps Dodge Exploration Corporation

By: 

STATE OF TEXAS

COUNTY OF FORT BEND

The foregoing was acknowledged before me on this 11<sup>th</sup> day of November, 1996 by  
D. Robin Green, Attorney-in-Fact for Union Oil Company of California, a California corporation, on  
behalf of such corporation.

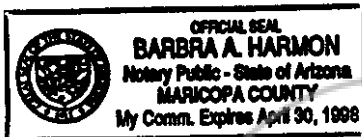


Mary M Seals  
Notary Public  
My Commission Expires: June 26, 1999

STATE OF ARIZONA

COUNTY OF

The foregoing was acknowledged before me this 11<sup>th</sup> day of November, 1996 by  
A.L. Lawrence, President  
of Phelps Dodge Exploration Corporation, a Delaware corporation, on behalf of such corporation.



Barbara A. Harmon  
Notary Public  
My Commission Expires: 4-30-98

**EXHIBIT "A"**

**To Mineral Deed from Union Oil Company of California  
to Phelps Dodge Exploration Corporation, dated effective November 1, 1996**

**All that real property, situated in the State of Nevada, described as follows:**

**PARCEL 1 - ELKO COUNTY:**

**All the oil, gas, minerals and other hydrocarbon substances in and under the following described land:**

**Township 33 North, Range 53 East, M.D.B. & M.**

Section 1, All  
Section 3, All  
Section 9, All  
Section 11, All  
Section 13, All  
Section 15, All  
Section 17, All  
Section 19, All Excepting a strip of land containing 45.20 acres and being 400.00 feet in width lying equally on each side of the centerline of the railroad of the Central Pacific Railway Company as now constructed, over, upon and across said Section 19; also excepting

A strip or tract of land 60.00 feet wide lying 30 feet on each side of the centerline of each of those certain abandoned portions of the original Central Pacific Railroad, enumerated and severally described as follows: That portion of said abandoned railroad extending from the North boundary line of the right of way of the new, relocated Central Pacific Railway in Section 19, Township 33 North, Range 53 East, M.D.B. & M., to the North boundary line of the right of way of said railway in Section 21 of said Township and Range, a length of 6,800 feet, more or less, as described in deed from Central Pacific Railway Company to State of Nevada dated May 11, 1904, recorded July 5, 1905 in Book 28 of Deeds, Page 468, also excepting

An irregular piece of land in the S/2 S/2 of Section 19, Township 33 North, Range 53 East, M.D.B. & M., being all that part of the said S/2 S/2 of said Section 19, which lines south of the south boundary of the 400 foot right of way of the Central Pacific Railway Company containing 5.08 acres, more or less; as granted in deed from Central Pacific Railway Company, et al, to Western Pacific Railway Company, dated November 17, 1908, recorded February 19, 1909 in Book 31 of Deeds, Page 71,

**Section 21, All excepting**

A strip of land containing 16.53 acres and being 400.00 feet wide lying equally on each side of the centerline of the railroad of the Central Pacific Railway Company as now constructed over, upon and across said Section 21; also excepting

A strip or tract of land 60.00 feet in width lying 30.00 feet on each side of the centerline of each of those certain abandoned portions of the original Central Pacific Railroad enumerated and severally described as follows: That portion of said abandoned railroad extending from the North boundary line of the right of way of the new, relocated Central Pacific Railway in section 19, Township 33 North, Range 53 East, M.D.B.&M. to the north boundary line of the right of way of said railway in Section 21 of said Township and Range, a length of 6800 feet more or less, that portion of said abandoned railroad extending from the northeast boundary line of the right of way of said new relocated railway in Section 21, Township 33 North, Range 53 East, M.D.B. & M, in the northeast boundary-line of said railway in Section 28 of said Township and Range, a length of 10,030.00 feet, more or less, as described in deed from Central Pacific Railway Company, a corporation, to State of Nevada, dated May 11, 1904, recorded July 5, 1905 in Book 28 of Deeds, Page 468.

**Section 27, All excepting**

A strip of land containing 52.16 acres and being 400.00 feet wide lying equally on each side of the centerline of the railroad of the Central Pacific Railway Company as now constructed over, upon and across said Section 27; also excepting

A strip or tract of land 60.00 feet wide lying 30.00 feet on each side of the centerline of each of those certain abandoned portions of the original Central Pacific Railroad, enumerated and severally described as follows: That portion of said abandoned railroad extending from the north boundary line of the right of way of said new, relocated railway in Section 27, Township 33 North, Range 53 East, M.D.B.&M., to the north boundary line of the right of way of said railway in Section 26 of said Township and Range, a length of 2,950 feet more or less; as described in deed from Central Pacific Railway Company, a corporation, to State of Nevada, dated May 11, 1904, recorded July 5, 1905, in Book 28 of Deeds, Page 468; and, also excepting

An irregular strip or tract of land, being all the land included between the west and east boundaries of the property next herein described and bounded on the south by a line drawn parallel with and 100.00 feet distant measured at right angles southerly from the centerline of the Western Pacific Railway Company's line of railroad as now located upon and across the property of the Southern Pacific Land Company, and on the north by a line drawn parallel with and 200 feet distant measured at right angles southerly from the present centerline of the Central Pacific Railway Company's railroad, which said property of the Southern Pacific Land company is described as follows: Section 27, Township 33 North, Range 53 East, M.D. B. & M.; the said

centerline of said Western Pacific Railway, insofar as the same extends across the above described property is particularly described as follows:

Beginning at a point in the east line of Section 27, Township 33 North, Range 53 East, M.D.B. & M., said point being distant north, along said east line 1,035.00 feet, more or less, from the southeast corner of said Section 27; thence running North 75 degrees, 50 minutes west, 1203.20 feet, more or less, to a point; thence by a 4 degree curve to the left with a radius of 1432.00 feet; 490.00 feet to a point; thence south 83 degrees, 32 minutes west, 543.10 feet to a point; thence on a 4 degree curve to the right with a radius of 1,432.00 feet, 677.10 feet to a point; thence north 69 degrees 23 minutes west, 2,127.10 feet to a point; thence by a 2 degree curve to the right with a radius of 2864.93 feet, 589.50 feet, more or less, to a point in the west line of said Section 27, said point being distant north, along said west line, 2,290.00 feet, more or less, from the southwest corner of said Section 27, containing 36.22 acres, more or less; as granted by Central Pacific Railway Company, a corporation, et al, to Western Pacific Railway Company, a corporation, by deed dated November 27, 1908, recorded February 19, 1909, in Book 31 of Deeds, Page 71;

Township 34 North, Range 53 East, M.D.B. & M.

Section	1,	All
Section	3,	All
Section	5,	All
Section	7,	All
Section	9,	All
Section	10,	NW/4 NW/4
Section	11,	All
Section	13,	All
Section	15,	All
Section	16,	N/2 NW/4; SW/4 NW/4
Section	17,	All
Section	19,	All
Section	20,	NE/4; N/2 SE/4 SW/4
Section	21,	All
Section	23,	All
Section	25,	All
Section	27,	All
Section	29,	All
Section	30,	N/2 NE/4; SW/4 NE/4; NW/4; SW/4; E/S SE/4
Section	31,	All
Section	33,	All
Section	35,	All

Township 35 North, Range 53 East, M.D.B. & M.

Section	1,	All
Section	2,	E/2 NE/4; N/2 NW/4
Section	3,	All
Section	4,	N/2 S/2
Section	5,	All
Section	7,	All
Section	9,	All
Section	11,	All
Section	13,	All
Section	17,	All
Section	19,	All
Section	20,	NE/4 NE/4
Section	23,	E/2
Section	25,	All
Section	29,	All
Section	31,	All
Section	35,	All

Township 36 North, Range 53 East, M.D.B. & M.

Section	18,	SE/4 SE/4
Section	20,	SE/4 NW/4; SE/4 SE/4
Section	24,	NE/4 NE/4; W/2 E/2
Section	26,	SW/4 SE/4
Section	28,	NW/4 NW/4; S/2 S/2
Section	30,	E/2 SW/4
Section	36,	SW/4 NE/4; E/2 W/2; NW/4 SE/4

Township 37 North, Range 53 East, M.D.B. & M.

Section	12,	SE/4 NW/4; SW/4 SE/4
Section	21,	S/2
Section	36,	N/2 NE/4

Township 33 North, Range 54 East, M.D.B. & M.

Section	3,	Lots 3 & 4; S/2 SW/4; W/2 SW/4 SE/4; excepting a strip of land containing 2.94 acres and being 400.00 feet wide lying equally on each side of the center line of the railroad of the Central Pacific Railway Company as now constructed over, upon and across said Section.
Section	4,	All

Section	5,	All excepting a strip of land containing 10.84 acres and being 400.00 feet wide lying equally on each side of the centerline of the railroad of the Central Pacific Railway Company as now constructed over, upon and across said Section 5.
Section	7,	All
Section	8,	All
Section	9,	All
Section	10,	N/2 NE/4; SW/4 NE/4; S/2; NW/4
Section	11,	NW/4 NW/4
Section	14,	NW/4; NE/4 SE/4
Section	15,	All
Section	16,	N/2; SW/4; N/2 SE/4
Section	17,	All
Section	18,	All
Section	19,	E/2 NE/4; SE/4; SE/4 SW/4; SE/4 SW/4NE/4

That portion of the east, northeast and north part of the NW/4 NE/4 of said Section 19 lying northeast of the boundary line fence between the lands of Tomera and the Hunter-Banks Company. Also that certain portion of said Section 19, more or particularly bounded and described as follows, to-wit:

Beginning at a point on the north line of Section 19, Township 33 North, Range 54 East, M.D.B. & M., 2,777 feet east of the northwest corner of said Section 19; thence first course south 62 degrees east 1,308 feet to the fence on the west side of the NE/4 NE/4 of Section 19;

Thence second course along the fence south 1,058 feet to the right of way of the Western Pacific Railroad; thence third course along the Western Pacific Railroad right of way south 52 degrees, 35 minutes west, 2,550 feet;

Thence fourth course along the Western Pacific Railroad right of way south 59 degrees 05 minutes west, 650 feet;

Thence fifth course along the Western Pacific Railroad right of way south 64 degrees 05 minutes west, 1,500 feet, more or less to the west line of Section 19;

Thence sixth course south along the west line of Section 19, 1,070 feet, more or less, to the southwest corner of Section 19;

Thence seventh course east along the south line of Section 19, 5,255 feet, more or less, to the southeast corner of Section 19;

Thence eighth course north along the east line of Section 19, 5,280 feet, more or less, to the northeast corner of Section 19;



Thence ninth course west along the north line of Section 19, 2,475 feet, more or less, to the place of beginning.

EXCEPTING THEREFROM the right of way of the Western Pacific Railway Company across said lands.

Section 20, W/2 NW/4;

Township 34 North, Range 54 East, M.D.B. & M.

Section	5,	All
Section	7,	All
Section	17,	All
Section	19,	All
Section	25,	All excepting a strip of land containing 24.79 acres and being 400.00 feet wide lying equally on each side of the centerline of the railroad of the Central Pacific Railway Comp as now constructed over, upon and across said Section 25;
Section	27,	All
Section	29,	All
Section	31,	All
Section	33,	All

Township 35 North, Range 54 East, M.D.B. & M.

Section	28,	N/2 NW/4
Section	34,	NE/4 SW/4; NW/4 SE/4

Township 36 North, Range 54 East, M.D.B. & M.

Section	3,	All
Section	4,	Lot 4
Section	5,	All
Section	6,	Lot 2; SE/4 NE/4
Section	8,	NW/4 NE/4; E/2 NW/4; NE/4 SW/4; SW/4SW/4
Section	9,	All
Section	11,	All
Section	18,	SW/4 NE/4; E/2 SW/4

Township 37 North, Range 54 East, M.D.B. & M.

Section	6,	NE/4 SW/4
Section	11,	All
Section	23,	All
Section	28,	W/2 SE/4



Section 35, All

EXCEPTING and RESERVING therefrom all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine and remove the same in the following described land:

Mount Diablo Meridian, Nevada

Township 33 North, Range 54 East.

Section 4, S/2 NE 1/4; NW/4; NW/4 SW/4  
Section 8, W/2 NW/4; NE/4 NW/4  
Section 18, NW/4, W/2 SW/4

Township 34 North, Range 53 East

Section 20, NE/4 SE/4  
Section 30, Lots 1 & 2, NE/4 NW/4; E/2 SE/4

Township 34 North, Range 55 East, M.D.B. & M.

Section 7, All  
Section 17, All

Township 35 North, Range 55 East, M.D.B. M.

Section 1, All  
Section 3, All  
Section 5, All  
Section 7, NE/4; E/2 NW/4; Lots 1 & 2; SE/4  
Section 9, All  
Section 11, All  
Section 13, All  
Section 15, All  
Section 19, All less 2.07 acres.  
Section 29, All  
Section 31, All

Township 36 North, Range 55 East, M.D.B. & M.

Section 3, All

Township 35 North, Range 56 East, M.D.B. & M.

Section	1,	S/2 S/2; except 3.21 acres conveyed to Western Pacific Railway Companyt by deed dated November 27, 1908, and except a strip of land Four Hundred (400) feet wide, containing Twenty seven and 645/1000 (27.645) acres, lying equally on each side of Central Pacific Railway Company's railroad as now constructed,
Section	3,	All
Section	5,	All
Section	7,	All
Section	17,	N/2; SW/4; W/2 SE/4 one-fourth, except a strip of land Four Hundred (400) feet wide containing Seventeen and 41/100 (17.41) acres lying equally on each side of Central Pacific Railway Company's railroad as now constructed.
Section	19,	All except One and 00/100 (1.00) acre in southwest corner conveyed to Fred Fernald on January 15, 1927.

Township 36 North, Range 56 East, M.D.B. & M.

Section	1	Lots 3 & 4; S/2 NW/4; S/2
Section	3,	All
Section	5,	All
Section	7,	All
Section	9,	All
Section	11,	All
Section	13,	All
Section	15,	All
Section	17,	All
Section	23,	All
Section	25,	All
Section	27,	All
Section	33,	All
Section	35,	All

Township 35 North, Range 57 East, M.D.B. & M.

Section	5,	All
Section	9,	All less right of way except a strip of land 200 feet wide, containing 18.60 acres, conveyed to Western Pacific Railway Company by deed dated November 27, 1908 and except a strip of land 400 feet wide, containing 50.633 acres, lying equally on each side of Central Pacific Railway Company's railroad as now constructed.

Township 36 North, Range 57 East, M.D.B. & M.

Section	7,	All lots 1, 2, 3, and 4; E/2 W/2; SE/4
Section	17,	NW/4; S/2
Section	19,	All
Section	29,	All
Section	31,	All

**PARCEL 2 - EUREKA COUNTY:**

All right, title and interest in and to coal, oil, gas and other minerals of every kind and nature whatsoever existing upon, beneath the surface of, or within said lands, including the right to the use of so much of the surface thereof as may be required in prospecting for, in locating, developing, producing, and transporting said coal, oil, gas or minerals and any of their by-products, in the following described parcels of land:

Township 30 North, Range 50 East, M.D.B. & M

All of Sections 3, 5, 7, 9, 15, 17, 19, 21, 23, 25, 27, 29, 31, and 33.

Township 30 North, Range 49 East, M.D.B. & M.

All of Sections 1, 3, 11, 13, 15, 23, 25, 27, and 35.

BOOK 306 PAGE 117  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Phelps Dodge*  
97 FEB 24 AM 11:46

EUREKA COUNTY NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES \$77.00

nevdesc

**166260**

9

BOOK 306 PAGE 127

INDEXED

FEE \$17.00 FILE # 402041

FILED FOR RECORD  
AT REQUEST OF

*Phelps Dodge Exploration*  
97 JAN 27 AM 1:14

RECORDED BK 977 PG 276  
JERRY D. REYNOLDS  
ELKO CO. RECORDER

BOOK 977 PAGE 286

# DECLARATION OF VALUE

Instrument # 166260

Full Value of Property Interest Conveyed

\$ 66,000.00

Less Assumed Liens & Encumbrances

- 0

Taxable Value (NRS 375.010)

\$ 66,000.00

Real Property Transfer Tax Due

\$ 85.80

If exempt, state reason. NRS 375.090, Section \_\_\_\_\_

Explain:

## INDIVIDUAL

Under penalty of perjury, I hereby declare that the above statements are correct.

J. Michael Perry

Signature of Declarant

J. Michael Perry

Name (Please Print)

910 GREG STREET

Address

SPARKS

City

NV

State

89431

Zip

## ESCROW HOLDER

Under penalty of perjury, I hereby declare that the above statements are correct to the best of my knowledge based upon the information available to me in the documents contained in the escrow file.

\_\_\_\_\_  
Signature of Declarant

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Escrow Number

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip