

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

Robert J. McGowan,
Plaintiff,
vs.

Oro Nevada Exploration, Inc.,
A Nevada Corporation, Oro
Nevada Mining Company, Inc.,
A Nevada Corporation, Oro Nevada
Resources Inc., an Ontario, Canada
Corporation,
Defendants.

**MOTION TO DISMISS
WITH PREJUDICE**

COMES NOW, the Plaintiff, Robert J. McGowan, does hereby, through his Counsel, Paul A. Richards, of Paul A. Richards, Ltd, respectfully move this Honorable Court for an Order to Dismiss With Prejudice the Plaintiff's Complaint and Lis Pendens on file herein, as against the Defendants, Oro Nevada Exploration, Inc., a Nevada Corporation, Oro Nevada Mining Company, Inc., a Nevada Corporation, Oro Nevada Resources, Inc., an Ontario, Canada Corporation. This Motion is based upon the voluntary withdrawal of the Complaint and Lis Pendens by the Plaintiff, Robert J. McGowan, against all said Defendants of the Action. It has been agreed that both parties pay their own costs and attorney's fees. The above-entitled action is hereby dismissed and the Judge of the Second Judicial District Court is hereby requested to enter an Order for Dismissal With Prejudice in this Action.

RESPECTFULLY SUBMITTED.

DATED this 13th day of October, 1998.

PAUL A. RICHARDS, ESQ.
Attorney for the Plaintiff
NV State Bar #002350
248 South Sierra Street
Reno, Nevada 89501

98 OCT 13 P2:11

FILED

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

By: 4: White

Robert J. McGowan,
Plaintiff,

vs.

Oro Nevada Exploration, Inc.,
A Nevada Corporation, Oro
Nevada Mining Company, Inc.,
A Nevada Corporation, Oro Nevada
Resources Inc., an Ontario, Canada
Corporation,
Defendants.

This matter, the Plaintiff, Robert J. McGowan, having voluntarily withdrew his Complaint and submitting his Motion to Dismiss heretofore filed,

IT IS HEREBY ORDERED that the Plaintiff's Motion to Dismiss the Complaint against the Defendants shall be granted and dismissed, and

FURTHER, IT IS ORDERED that the Lis Pendens heretofore issued become null and void on any lien on the property of the Defendants herein, upon the recording of this Order, is hereby cleared of any cloud that may be a result of the recording of the Lis Pendens. That for the purpose of identification thereof, both are attached hereto to specify the Counties in which they were recorded, with the recording information thereon.

DATED this 13th day of October, 1998.

Steven P. Elliott

DISTRICT COURT JUDGE

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

I, Phoebe

Robert J. McGowan,
Plaintiff,

vs.

Oro Nevada Resources, Inc., an Ontario,
Canada Corporation, Oro Nevada Mining
Company, Inc., a Nevada Corporation, Oro
Nevada Exploration, Inc., a Nevada
Corporation
Defendants.

LIS PENDENS

NOTICE IS HEREBY GIVEN by the undersigned that an action has been commenced in

the Second Judicial District Court of the State of Nevada, in and for the County of Washoe, by the
undersigned, for the enforcement of N.R.S. 78.138 and, in particular, N.R.S. 78.565 for the
enforcement of those Statutes in relation to the Nevada Corporation in any sale of assets, and
particularly, the Dean Ranch of the Defendants herein.

The Property, which is described in Exhibit A and attached hereto, owned by either Oro
Mining Company Inc., a Nevada Corporation, or Oro Nevada First Corporation, or Oro Nevada
Exploration, Inc., Defendants herein, and that the Court determine and adjudicate the property of
selling that property pursuant to the laws of the State of Nevada.

Persons interested in said Action with regards to further information are instructed to refer

to the Complaint on file in the Second Judicial District Court, of the State of Nevada, at the Court

House, Reno, Nevada, in the above entitled matter.

DATED: this Sept day of 23rd, 1998.

ROBERT J. MCGOWAN

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF NEVADA)
COUNTY OF WASHOE)
ss.)

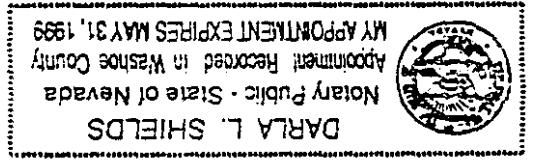
On this 22nd day of September, 1998, before me, the undersigned Notary

Public in and for the County of Washoe, State of Nevada, duly commissioned and sworn,

personally appeared Robert J. McGowan known to me to be the person whose name is subscribed to the within instrument, and who acknowledged to me that he executed the same freely and

voluntarily for the uses and purposes therein mentioned.

Darla L. Shields
NOTARY PUBLIC



3. MINERAL CLAIMS AND DEFERRED EXPLORATION COSTS

Dean Ranch

In July 1996, the Company acquired the Dean Ranch in central Nevada for \$15.3 million dollars. The Dean Ranch comprises 48,437 acres of private land situated in the Crescent Valley, Dry Hills and Cortez Mountain Range of Eureka and Lander counties, Nevada. In addition, the Company staked an additional 45,929 acres of public land contiguous to the private land. The Company currently owns or leases 96% (16% purchased) of the mineral rights on the private land and 100% of the mineral rights on the public land.

The Company has entered into a series of mineral leases pursuant to which it is required to pay production royalties to the lessors in accordance with the following table:

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

by T. Pince

Robert J. McGowan,
Plaintiff,

vs.

Oro Nevada Resources, Inc., an Ontario,
Canada Corporation, Oro Nevada Mining
Company, Inc., a Nevada Corporation, Oro
Nevada Exploration, Inc., a Nevada
Corporation

Defendants.

NOTICE IS HEREBY GIVEN by the undersigned that an action has been commenced in

the Second Judicial District Court of the State of Nevada, in and for the County of Washoe, by the undersigned, for the enforcement of N.R.S. 78.138 and, in particular, N.R.S. 78.565 for the

enforcement of those Statutes in relation to the Nevada Corporation in any sale of assets, and

particularly, the Dean Ranch of the Defendants herein.

The Property, which is described in Exhibit A and attached hereto, owned by either Oro

Mining Company Inc., a Nevada Corporation, or Oro Nevada First Corporation, or Oro Nevada

Exploration, Inc.; Defendants herein, and that the Court determine and adjudicate the property of

selling that property pursuant to the laws of the State of Nevada.

Persons interested in said Action with regards to further information are instructed to refer

to the Complaint on file in the Second Judicial District Court, of the State of Nevada, at the Court

House, Reno, Nevada, in the above entitled matter.

DATED: this 5th day of Sept, 1998.

ROBERT J. MCGOWAN

28
27
26
25
24
23
22
21
20
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1

On this 27th day of September, 1998, before me, the undersigned Notary Public in and for the County of Washoe, State of Nevada, duly commissioned and sworn, personally appeared Robert J. McGowan known to me to be the person whose name is subscribed to the within instrument, and who acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

DARLA L. SHIELDS
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES MAY 31, 1999

Darla L. Shields
NOTARY PUBLIC

3. MINERAL CLAIMS AND DEFERRED EXPLORATION COSTS

Dean Ranch

In July 1996, the Company acquired the Dean Ranch in central Nevada for \$15.3 million dollars. The Dean Ranch comprises 48,437 acres of private land situated in the Crescent Valley, Dry Hills and Cortez Mountain Range of Eureka and Lander counties, Nevada. In addition, the Company staked an additional 45,929 acres of public land contiguous to the private land. The Company currently owns or leases 96% (16% purchased) of the mineral rights on the private land and 100% of the mineral rights on the public land.

The Company has entered into a series of mineral leases pursuant to which it is required to pay production royalties to the lessors in accordance with the following table:

BOOK 322 PAGE 028

EXHIBIT

EX 458 PG 430

RECORDED AT REQUEST OF

Paul A. Richardson, Jr.

OCT 8, 1998 AT 10:50 AM

BOOK 322 OFFICIAL RECORDS PAGE 428
OF LANDER COUNTY, NEVADA

FEES PAID 10.00

FILE NO.

209198

COUNTY RECORDER

[Signature]

SEAL
AFFIXED

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.
BETTY J. LEWIS
SEP 23 1998
JUDICIAL DISTRICT CLERK
DISTRICT COURT FOR THE COUNTY OF WASHINGTON

BOOK 322 PAGE 30

CERTIFIED COPY
The document to which this certificate is
attached is a full, true and correct copy of
the original on file and of record in my office.
DATE: **09 13 1998**
BETTY J. LEWIS, Clerk of the Second Judicial
District Court, in and for the County of
Washington, State of Nevada.
By _____ Deputy

CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I hereby certify that I am an employee of Paul A. Richards, Ltd., and that I deposited in the United States mails at Reno, Nevada, on the 14th day of October, 1998, a true copy of the foregoing Motion to Dismiss with Prejudice and the Order to Dismiss with Prejudice to the following:

Mr. Roger W. Jeppson
Hale, Lane, Peek, Dennison, Howard and Anderson
P.O. Box 3237
Reno, Nevada 89505

Mr. Robert McGowan
c/o Sagebrush Exploration
44-100 Monterey Avenue #206 W
Palm Desert, CA 92260

Lander County Recorder
315 Humboldt
Battle Mountain, Nevada 89820

Eureka County Recorder
P.O. Box 556
Eureka, Nevada 89316

Paul A. Richards
PAUL A. RICHARDS, LTD.
Declarant

BOOK 322 PAGE 020
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Paul A. Richards
98 OCT 16 PM 1:06
EUREKA COUNTY NEVADA
M.N. REBALANCE RECORDER
FILE NO. 170839
FEES \$18.00

PAUL A. RICHARDS, ESQ.
PAUL A. RICHARDS, LTD.
248 South Sierra Street
Reno, Nevada 89501

BOOK 322 PAGE 031