

AFFIDAVIT

STATE OF NEVADA       )  
                                      : SS.  
COUNTY OF ELKO       )

I, DOMINEK J. PIERETTI, do hereby swear (or affirm) under penalty of perjury that the following assertions of this Affidavit are true:

1. That I am an adult and a resident of the State of Nevada.
2. That the undersigned and my sister, TOSCA SULLIVAN are the owners of that real property situate in the County of Eureka, State of Nevada, described as follows:

TOWNSHIP 29 NORTH, RANGE 52 EAST, MDB&M

Section 4: SW $\frac{1}{4}$ ; E $\frac{1}{2}$  NW $\frac{1}{4}$   
5: SE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$   
8: E  $\frac{1}{2}$   
9: W  $\frac{1}{2}$   
16: NW $\frac{1}{4}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$   
17: NE $\frac{1}{4}$   
20: SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$   
21: NW $\frac{1}{4}$   
32: NW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 30 NORTH, RANGE 52 EAST, MDB&M

Section 28: NW $\frac{1}{4}$ SW $\frac{1}{4}$

2. That the above described property is a portion of the lands owned by the undersigned and TOSCA SULLIVAN and has been operated and managed by the undersigned since 1980.
3. That prior to 1955, the undersigned was entirely familiar with the subject property and any transactions involving that property, as I assisted Joe Pieretti, my father, in its operation.
4. That I am informed that Frank Giurlani and Mary Giurlani reserved an undivided one-sixth (1/6th) interest in and to all oil, gas, casinghead gas or other petroleum products for a period of ten (10) years after September 6, 1955, or so long thereafter as such is produced in commercial quantities or proven as a commercial producer on the described lands by Deed recorded January 7, 1958 in Book 25 of Deeds at page 207, Eureka County, Nevada.

5. That on September 6, 1965, the expiration date of the reservation contained in the above described Deed, there was no commercial production of oil, gas, casinghead gas or other petroleum products. Moreover, said lands had not been proven as a commercial producer of oil, gas, casinghead gas or other petroleum products. No producing well for any of said products was drilled on those lands and, as a result, the reservation expired.

6. That a portion of the above described land is the subject of an Oil and Gas Lease dated May 17, 1982, executed by the undersigned, TOSCA P. SULLIVAN and JOHN J. SULLIVAN, as Lessors and Cities Service Company as Lessee recorded August 12, 1982 in Book 104 of Official Records at 215, Eureka County, Nevada for a term of five (5) years from the date thereof, and as long thereafter as oil or gas is produced from said land and an annual rental if no well is commenced on said land by each anniversary date of the lease.

7. That a portion of the above described land is the subject of an Oil and Gas Lease dated April 10, 1991, executed by the undersigned and TOSCA P. SULLIVAN as Lessors and Anadarko Petroleum Corporation as Lessee recorded September 11, 1991 in Book 225 of Official Records at page 265, Eureka County, Nevada for a term of three (3) years from the date thereof, and as long thereafter as oil or gas is produced from said land and an annual rental if no well is commenced on said land by each anniversary date of the lease.

8. That since the date of those leases described in Paragraphs 6 and 7, there has been no well drilled upon those lands described therein, or any oil or gas produced therefrom, and that the rentals accruing under the terms of said leases have not been paid as due or tendered to affiant, or to any bank for their credit, by the Lessees. Affiant has not executed any extension of said original leases, and that both leases have expired.

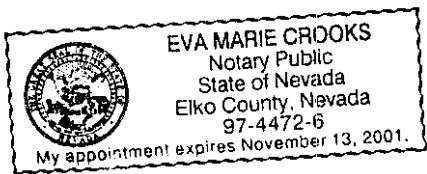
9. Affiant states that by reason of the noncompliance with the terms set forth in those leases described in Paragraphs 6 and 7 by Lessee and/or their assigns, affiant declares said leases forfeited, and will not, by acceptance of rentals, or in any other manner, recognize the same as valid or existing leases.

10. Affiant makes this Affidavit to be recorded in the office of the County Recorder of Eureka County, Nevada for the purpose of evidencing the expiration of the interest of Frank Giurlani and Mary Giurlani in and to any oil, gas or other petroleum products in the above described lands and the termination of those leases described in Paragraphs 6 and 7, herein.

  
DOMINEK J. PIERETTI

STATE OF NEVADA       )  
                                      :  
COUNTY OF ELKO       )

~~1999~~<sup>2000</sup> This instrument was acknowledged before me on the 10th day of January,  
by DOMINEK J. PIERETTI.



Eva Marie Crooks  
NOTARY PUBLIC  
My Commission Expires: 11-13-01

BOOK 332 PAGE 320  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
Stewart Title Company  
00 JAN 20 AM 11:46  
EUREKA COUNTY NEVADA  
M.H. REBALEATI, RECORDER  
FILE NO. FEES 9.00

173767 3

BOOK 332 PAGE 322