

178841

AGREEMENT AND STIPULATION  
OF INTEREST

THIS AGREEMENT AND STIPULATION OF INTEREST ("Agreement") is made and entered into the date hereinafter set forth to witness that:

I.

RECITALS

1.1 WHEREAS, the undersigned parties (the "parties") claim an interest in the oil and gas leasehold estate in the following lands (the "subject lands"):

Township 31 North, Range 52 East, MDM  
Section 3: All

containing 640.00 acres, more or less

This leasehold estate issues out of the following oil and gas leases (the "subject leases"), more particularly described Exhibit A-I attached hereto.

1.2 WHEREAS, the parties to this Agreement recognize that their interests arise from the following assignments, more particularly described in Exhibit A-II attached hereto.

II.

AGREEMENT

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is acknowledged, the parties stipulate, agree and declare:

2.1 Declaration of Interest  
*CSN to the best of our knowledge*

The parties acknowledge the possible conflicts concerning the mineral estate but agree that the subject leases constitute complete leasehold coverage and also acknowledge the possible ambiguities concerning the overriding royalty interests burdening the subject leases, and agree, declare, and stipulate among themselves that the working interests and/or overriding royalty interests, as appropriately owned by each of the parties in the subject lands and the subject leases, as of the date of first production of the Tomera Ranch #33-2-RR oil and gas well is as follows:

<u>Owner</u>	<u>Working Interest</u>	<u>Net Revenue Interest</u>
A. Wade Nollkamper		2.00000% ORRI
Joe McMahon, Jr.		1.08340% ORRI
Springcreek Resources, Inc. <i>PARTNERSHIP LTD CSN</i>		0.25000% ORRI
Michael James Krueger		0.25000% ORRI

Scott Dodds, Trustee of		0.25000% ORRI
George E. Meyer Grchildren's		
Trust		
Scott Dodds		0.17000% ORRI
Paul R. Mayo, Jr.		0.12500% ORRI
Zebra Investments, Ltd		0.12500% ORRI
Steve A. Tofte		0.08333% ORRI
Louis A. Oswald, III, Trustee		0.08333% ORRI
Oswald Family Trust		
dated April 27, 1998		
George E. Meyer		0.08000% ORRI
V. F. Neuhaus Property Inc.	40.00000%	33.20000% WI
Winn Exploration Co., Inc.	55.00000%	45.65000% WI
A. Wade Nollkamper	5.00000%	4.15000% WI

## 2.2 Cross-Covenant of Interests.

For the same consideration recited in Article II, to establish the ownership interests set forth in paragraph 2.1 above, each of the parties grants, transfers, assigns, quitclaims and conveys to each of any interest such party may own in the subject lands and subject leases inconsistent with the duration of interests set forth herein.

## 2.3 Execution and Counterparts.

This agreement may be executed in counterparts and shall be binding upon the parties hereto, their respective heirs, devisees, personal representatives, successors, and assigns. If this instrument is, in fact, executed in counterparts for recording purposes, one original together with the original of the signature page and the acknowledgement page for each party executing the instrument shall be deemed to constitute the entire instrument, and it will not be necessary to record full separate Agreements for each execution.

EXECUTED as the dates found in the respective acknowledgements but effective from the date of first production from the Tomera Ranch #33-2-RR oil and gas well.

Attest:

SPRINGCREEK RESOURCES, INC.

*Partnership, Ltd.* *CSN*

*James A. [Signature]*

*Charles S. Wilson*  
By: *President*

Attest:

V. F. NEUHAUS PROPERTIES, INC.

\_\_\_\_\_

By: \_\_\_\_\_

Scott Dodds, Trustee one		0.25000% ORRI
George E. Meyer Grchildren's Trust		
Scott Dodds		0.17000% ORRI
Paul R. Mayo, Jr.		0.12500% ORRI
Zebra Investments, Ltd		0.12500% ORRI
Steve A. Tofte		0.08333% ORRI
Louis A. Oswald, III, Trustee		0.08333% ORRI
Oswald Family Trust		
dated April 27, 1998		
George E. Meyer		0.08000% ORRI
V. F. Neuhaus Propert. Inc.	40.00000%	33.20000% WI
Winn Exploration Co., Inc.	55.00000%	45.65000% WI
A. Wade Nollkamper	5.00000%	4.15000% WI

## 2.2 Cross-Covenant of Interests.

For the same consideration recited in Article II, to establish the ownership interests set forth in paragraph 2.1 above, each of the parties grants, transfers, assigns, quitclaims and conveys to each or any interest such party may own in the subject lands and subject leases inconsistent with the duration of interests set forth herein.

## 2.3 Execution and Counterparts.

This agreement may be executed in counterparts and shall be binding upon the parties hereto, their respective heirs, devisees, personal representatives, successors, and assigns. If this instrument is, in fact, executed in counterparts for recording purposes, one original together with the original of the signature page and the acknowledgement page for each party executing the instrument shall be deemed to constitute the entire instrument, and it will not be necessary to record full separate Agreements for each execution.

EXECUTED at the dates found in the respective acknowledgements but effective from the date of first production from the Tomera Ranch #33-2-RR oil and gas well.

Attest: SPRINGCREEK RESOURCES, INC.

\_\_\_\_\_  
By:

Attest: V. F. NEUHAUS PROPERTIES, INC.

Sherry C. Byrds  
By:

M. V. Byrd  
By:

Attest:

ZEBRA INVESTMENTS, LTD.

Charles S. Ylion

James W. Meyer  
By:

Attest:

WINN EXPLORATION CO., INC.

\_\_\_\_\_

By: \_\_\_\_\_

Paul R. Mayo, Jr.

A. Wade Nollkamper

Joe McMahon, Jr.

Steve A. Tofte

Louis A. Oswald, III, Trustee of the  
Oswald Family Trust dated April 27, 1998

Michael James Krueger

Scott Dodds, Trustee of the  
George E. Meyer Grandchildren's Trust

Scott Dodds

George E. Meyer

UK 350 PAGE 289

3

2 31553

Attest:

ZEBRA INVESTMENTS, LTD.

Attest:

WINN EXPLORATION CO., INC.

*Relia M. Galt*  
*Chm.*

By:

*Michael W. Calley*  
By: Michael W. Calley  
Vice President

Paul R. Mayo, Jr.

A. Wade Nollkamper

Joe McMahon, Jr.

Steve A. Tofte

Louis A. Oswald, III, Trustee of the  
Oswald Family Trust dated April 27, 1998

Michael James Krueger

Scott Dodds, Trustee of the  
George E. Meyer Grandchildren's Trust

Scott Dodds

George E. Meyer



80350 PAGE 290

Attest:

ZEBRA INVESTMENTS, LTD.

Attest:

WINN EXPLORATION CO., INC.

By:

By:

Paul R. Mayo, Jr.

A. Wade Nollkamper

Joe McMahon, Jr.

Steve A. Tofte

Louis A. Oswald, III, Trustee of the  
Oswald Family Trust dated April 27, 1998

Michael James Krueger

Scott Dodds, Trustee of the  
George E. Meyer Grandchildren's Trust

Scott Dodds

George E. Meyer

BOOK 35 PAGE 291

Attest:

ZEBRA INVESTMENTS, LTD.

Attest:

WINN EXPLORATION CO., INC.

By:

By:

Paul R. Mayo, Jr.



A. Wade Nollkamper

Joe McMahon, Jr.

Steve A. Tofte

Louis A. Oswald, III, Trustee of the  
Oswald Family Trust dated April 27, 1998

Michael James Krueger

Scott Dodds, Trustee of the  
George E. Meyer Grandchildren's Trust

Scott Dodds

George E. Meyer

BOOK 350 JE 292

Attest:

ZEBRA INVESTMENTS, LTD.

Attest:

WINN EXPLORATION CO., INC.

By:

By:

Paul R. Mayo, Jr.

A. Wade Nollkamper

Joe McMahon, Jr.

Steve A. Tofte

Louis A. Oswald, III, Trustee of the  
Oswald Family Trust dated April 27, 1998

Michael James Krueger

Scott Dodds, Trustee of the  
George E. Meyer Grandchildren's Trust

Scott Dodds

George E. Meyer

BOOK 350 PAGE 13



Attest:

ZEBRA INVESTMENTS, LTD.

Attest:

WINN EXPLORATION CO., INC.

By:

By:

Paul R. Mayo, Jr.

A. Wade Nollkamper

Joe McMahon, Jr.

Steve A. Tofte

Louis A. Oswald, III, Trustee of the  
Oswald Family Trust dated April 27, 1998

Michael James Krueger

Scott Dodds, Trustee of the  
George E. Meyer Grandchildren's Trust

Scott Dodds

George E. Meyer

BOOK 350 PAGE 94

Attest:

ZEBRA INVESTMENTS, LTD.

Attest:

WINN EXPLORATION CO., INC.

By:

By:

Paul R. Mayo, Jr.

A. Wade Nollkamper

Joe McMahon, Jr.

Steve A. Tofte

Louis A. Oswald, III, Trustee of the  
Oswald Family Trust dated April 27, 1998

Michael James Krueger

Scott Dodds, Trustee of the  
George E. Meyer Grandchildren's Trust

Scott Dodds

George E. Meyer

BOOK 350 IE 295

STATE OF Texas )  
 ) ss.  
COUNTY OF Bexar )

The foregoing instrument was acknowledged before me this 17th day of April 2002, by Charles S. Nelson, as CSN of Springcreek Resours, Inc. Partnership Ltd. corporation.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 10-20-04

  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by \_\_\_\_\_, as \_\_\_\_\_ of V. F. Neuhaus Proties, Inc., a \_\_\_\_\_ corporation.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by \_\_\_\_\_, as \_\_\_\_\_ of Zebra Investments, l.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

BOOK 350 PAGE 36

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 002, by \_\_\_\_\_, as \_\_\_\_\_ of Springcreek Resource Inc., a \_\_\_\_\_ corporation.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

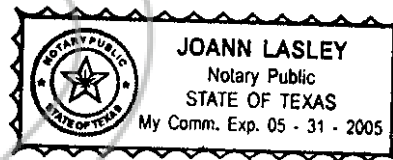
\_\_\_\_\_  
Notary Public

STATE OF TEXAS )  
 ) ss.  
COUNTY OF HIDALGO )

The foregoing instrument was acknowledged before me this 20th day of MARCH 002, by MARK V RICHARDS, as PRESIDENT of V. F. Neuhaus Properties, Inc., a TEXAS corporation.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 05-31-2005



*Joann Lasley*  
\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 002, by \_\_\_\_\_, as \_\_\_\_\_ of Zebra Investments, L.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

BOOK 350 PAGE 297

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing strument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 002, by \_\_\_\_\_, as \_\_\_\_\_ of Springcreek Resourc Inc., a \_\_\_\_\_ corporation.

WITNESS MY AND AND OFFICIAL SEAL.

My commissionpires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing strument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 002, by \_\_\_\_\_, as \_\_\_\_\_ of V. F. Neuhaus Propers, Inc., a \_\_\_\_\_ corporation.

WITNESS MY AND AND OFFICIAL SEAL.

My commissionpires: \_\_\_\_\_

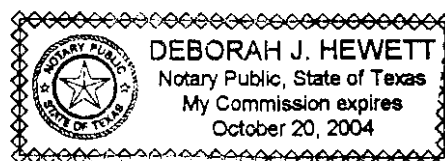
\_\_\_\_\_  
Notary Public

STATE OF TEXAS )  
 ) ss.  
COUNTY OF BEXL )

The foregoing strument was acknowledged before me this 17<sup>TH</sup> day of April 002, by JAMES W. NIXON, as PRESIDENT of Zebra Investments, l.

WITNESS MY AND AND OFFICIAL SEAL.

My commissionpires: 10-20-04



Deborah J. Hewett  
Notary Public

BOOK 350 PAGE 98

STATE OF TEXAS )  
 ) ss.  
COUNTY OF NUECES )

The foregoing instrument was acknowledged before me this 19th day of March 2002, by Michael W. Calley, as Vice President of Winn Exploration C Inc., a Texas corporation.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 8-31-05



Delia M. McGrath  
Notary Public, State of Texas

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by Paul R. Mayo, Jr.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by A. Wade Nollkamper.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by \_\_\_\_\_, as \_\_\_\_\_ of Winn Exploration C. Inc., a \_\_\_\_\_ corporation.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

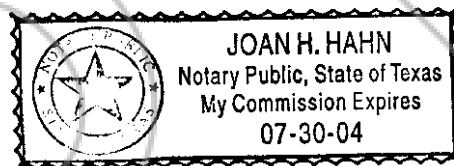
\_\_\_\_\_  
Notary Public

STATE OF TEXAS )  
 ) ss.  
COUNTY OF BEXAR )

The foregoing instrument was acknowledged before me this 22nd day of MARCH 2002, by Paul R. Mayo, Jr.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 7-30-04



Joan H. Hahn  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by A. Wade Nollkamper.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

BOOK 350 P 300

STATE OF Tex )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by \_\_\_\_\_, as \_\_\_\_\_ of Winn Exploration C Inc., a \_\_\_\_\_ corporation.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by Paul R. Mayo, Jr.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF Texas )  
 ) ss.  
COUNTY OF Hobbs )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of March 2002, by A. Wade Nollkamper.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 6-28-2003



Laurie Ann Cannon  
Notary Public

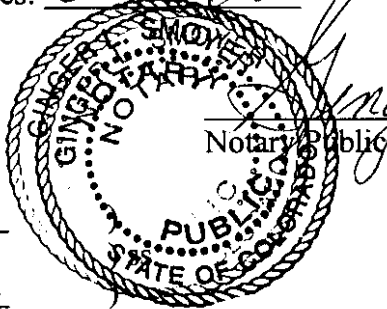


STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 21 day of March, 2002, by Joe McMahon, Jr.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 3-17-06



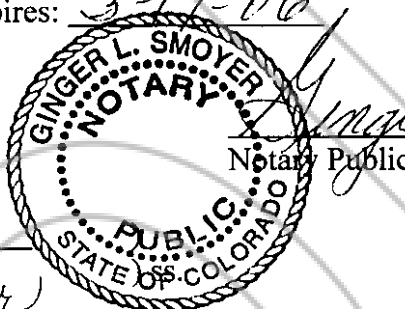
Ginger L. Smoyer  
Notary Public

STATE OF Colorado  
COUNTY OF Denver

The foregoing instrument was acknowledged before me this 22 day of March, 2002, by Steve A. Tofte.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 3-17-06



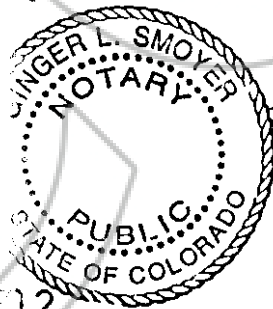
Ginger L. Smoyer  
Notary Public

STATE OF Colorado  
COUNTY OF Denver

The foregoing instrument was acknowledged before me this 22nd day of March, 2002, by Louis A. Oswald, III, Trustee of the Oswald Family Trust dated April 27, 1998.

WITNESS MY HAND AND OFFICIAL SEAL.

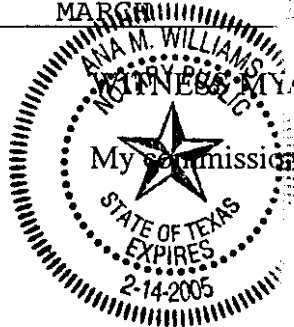
My commission expires: 3-17-06



Ginger L. Smoyer  
Notary Public

STATE OF TEXAS )  
 ) ss.  
COUNTY OF KLEBG )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of MARCH 2002, by Michael James Krueger.



WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 02-14-05

Ana M. Williams  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by Scott Dodds, Trustee of the George E. Meyer Grandchildren's Trust.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by Scott Dodds.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

BOOK 350 IE 303

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2002, by Michael James Krueger.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: \_\_\_\_\_

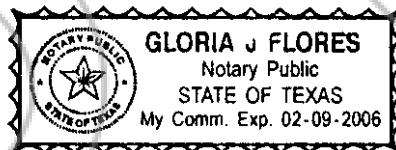
\_\_\_\_\_  
Notary Public

STATE OF Texas )  
 ) ss.  
COUNTY OF Klebe )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March 2002, by Scott Dodds, Trustee of the George E. Meyer Grandchildren's Trust.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 2-09-06



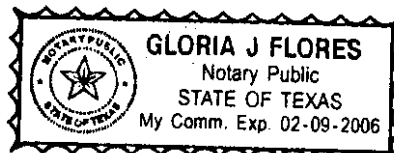
Gloria J. Flores  
Notary Public

STATE OF Texas )  
 ) ss.  
COUNTY OF Klebe )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March 2002, by Scott Dodds.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 2-09-06



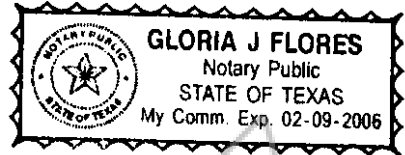
Gloria J. Flores  
Notary Public

STATE OF Texas )  
 ) ss.  
COUNTY OF Kleberg )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March 2002, by George E. Meyer.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 2-9-06



Gloria J Flores  
Notary Public

BOOK 350 PAGE 05

EXHIBIT A-I

OIL AND GAS LEASES

1. Oil and gas lease (Lease No. 1) executed by Chestine D. Cook, individually and as heir and devisee of Fraim Berry Cook, deceased, dated April 28, 1997, recorded June 4, 1997, in book 993 at page 16 of the records of Elko County, Nevada; and May 27, 1997, in book 308 at page 171 of the records of Eureka County, Nevada, covering the subject lands.
2. Oil and gas lease (Lease No. 2) executed by JaNell Cook, individually and as heir and devisee of Charles Cook Jr., deceased, dated April 28, 1997, recorded June 4, 1997, in book 993 at page 111 of the records of Elko County, Nevada; and May 27, 1997, in book 308 at page 173 of the records of Eureka County, Nevada, covering the subject lands.
3. Oil and gas lease (Lease No. 3) executed by Dawn E. Cook, dated April 28, 1997, recorded June 4, 1997, in book 993 at page 113 of the records of Elko County, Nevada; and May 27, 1997, in book 308 at page 175 of the records of Eureka County, Nevada, covering the subject lands.
4. Oil and gas lease (Lease No. 4) executed by Carla Stivers, formerly known as Carla A. Poole, dated April 28, 1997, recorded June 4, 1997, in book 993 at page 115 of the records of Elko County, Nevada; and May 27, 1997, in book 308 at page 177 of the records of Eureka County, Nevada.
5. Oil and gas lease (Lease No. 5) executed by Todd Cook, dated April 28, 1997, recorded June 4, 1997, in book 993 at page 117 of the records of Elko County, Nevada; and May 27, 1997, in book 308 at page 179 of the records of Eureka County, Nevada, covering the subject lands.
6. Oil and gas lease (Lease No. 6) executed by Julian Tomera Ranches, Inc., Stonehouse Ranch Division, dated February 15, 2001, recorded April 13, 2001, in book 1 at page 10214 of the records of Elko County, Nevada; and May 4, 2001, in book 341 at page 132 of the records of Eureka County, Nevada, covering the subject lands.

## EXHIBIT A-II

### ASSIGNMENTS OF OIL AND GAS LEASES

1. By partial agnment dated July 28, 2000, recorded August 11, 2000, in book 336 at page 217 of the Eureka County records, and August 21, 2000, in book 0 at page 20760 of the Elko County records, F. Neuhaus Properties, Inc. conveyed 50% of its 100% leasehold interest in the East Tiera Ranch Prospect to Winn Exploration Co., Inc. in Lease Nos. 1 through 5, insofar as they cover the subject lands. This assignment is subject to that certain unrecorded exploration agreement dated June 16, 1999. This assignment does not contain a reservation of an overriding royalty interest, nor does it contain a reassignment obligation.

2. By partial agnment dated September 7, 2000, recorded September 19, 2000, in book 337 at page 017 the Eureka County records, A. Wade Nollkamper conveyed 50% of his 10% leasehold interest in the East Tomera Ranch Prospect to Winn Exploration Co., Inc. in Lease Nos. 1 through 5, insofar as they cover the subject lands. This assignment is subject to that certain unrecorded exploration agreement dated June 16, 1999, and unrecorded letter agreement dated July 13, 1999. This assignment does not contain a reservation of an overriding royalty interest, nor does it contain a reassignment obligation.

3. By partial agnment dated September 15, 2000, recorded October 4, 2000, in book 0 at page 24900 of the Eureka County records, and October 30, 2000, in book 338 at page 247 of the Eureka County records, V. F. Neuhaus Properties, Inc. conveyed 20% of its 50% leasehold interest in the East Tora Ranch Prospect to A. Wade Nollkamper in Lease Nos. 1 through 5, insofar as they cover the subject lands. This assignment is subject to that certain unrecorded exploration agreement dated June 16, 1999. This assignment does not contain a reservation of an overriding royalty interest, nor does it contain a reassignment obligation.

4. By partial agnment dated October 10, 2000, recorded October 30, 2000, in book 0 at page 27579 in the Elko County records, A. Wade Nollkamper conveyed 50% of his 10% leasehold interest in the East Tomera Ranch Prospect to Winn Exploration Co., Inc. in Lease Nos. 1 through 5, insofar as they cover the subject lands. This assignment is subject to that certain unrecorded exploration agreement dated June 16, 1999 and unrecorded letter agreement dated July 13, 1999. This assignment does not contain a reservation of an overriding royalty interest, nor does it contain a reassignment obligation.

5. By assignment of overriding royalty interests dated September 14, 2000, recorded September 18, 2000, in book 0 at page 23171 of the Elko County records, and October 10, 2000, in book 337 at page 1 of the Eureka County records, V. F. Neuhaus Properties, Inc. conveyed a proportionately reduced 4.50% overriding royalty interest to A. Wade Nollkamper (3.50%) and Joe McMahon, Jr. (1.0%) in Lease Nos. 1 through 5, insofar as they cover the subject lands.

6. By assignment of overriding royalty interests dated September 15, 2000, recorded October 10, 2000, in book 0 at page 25533 of the Elko County records, and November 2, 2000, in book 338 at page 6 of the Eureka County records, A. Wade Nollkamper conveyed a proportionately reduced 1.00% overriding royalty interest to Joe McMahon, Jr. (0.50%), Scott

Dodds, Trustee of the George E. Meyer Grandchildren's Trust (0.25%), Scott Dodds (0.17%) and George E. Meyer (0.8%) in Lease Nos. 1 through 5, insofar as they cover the subject lands.

7. By assignment of overriding royalty interests dated November 1, 2000, recorded November 13, 2000, book 0 at page 28812 of the Elko County records, and November 28, 2000, in book 339 at page 045 of the Eureka County records, Joe McMahon, Jr. conveyed a proportionately reduced 0.25% overriding royalty interest to Paul R. Mayo, Jr. (0.125%) and Zebra Investments, L (0.125%) in Lease Nos. 1 through 5, insofar as they cover the subject lands.

8. By assignment of overriding royalty interests dated November 1, 2000, recorded November 13, 2000, book 0 at page 28818 of the Elko County records, and November 28, 2000, in book 339 at page 51 of the Eureka County records, A. Wade Nollkamper conveyed a proportionately reduced 0.25% overriding royalty interest to Paul R. Mayo, Jr. (0.125%) and Zebra Investments, L (0.125%) in Lease Nos. 1 through 5, insofar as they cover the subject lands.

9. By assignment of overriding royalty interests dated November 6, 2000, recorded November 13, 2000, book 0 at page 28824 of the Elko County records, and November 28, 2000, in book 339 at page 57 of the Eureka County records, Joe McMahon, Jr. conveyed a proportionately reduced 0.16666% overriding royalty interest to Louis A. Oswald, III, Trustee, The Oswald Family Trust dated April 27, 1998 (0.08333%) and Steve A. Tofte (0.08333%) in Lease Nos. 1 through 5, insofar as they cover the subject lands.

10. By assignment of overriding royalty interests dated November 9, 2000, recorded February 26, 2001, in book 1 at page 4811 of the Elko County records, and March 27, 2001, in book 340 at page 5 of the Eureka County records, Zebra Investments, Ltd. conveyed a proportionately reduced 0.125% overriding royalty interest to Springcreek Resources, Inc. in Lease Nos. 1 through 5, insofar as they cover the subject lands.

11. By assignment of overriding royalty interests dated November 9, 2000, recorded in book 1 at page 4805 of the Elko County records, and in book 340 at page 542, of the Eureka County records, recording dates unknown, Paul R. Mayo, Jr. conveyed a proportionately reduced 0.125% overriding royalty interest to Springcreek Resources, Inc. in Lease Nos. 1 through 5, insofar as they cover the subject lands.

12. By assignment of overriding royalty interest dated December 5, 2000, recorded December 11, 2000, book 0 at page 31374 of the Elko County records, and January 2, 2001, in book 339 at page 2 of the Eureka County records, A. Wade Nollkamper conveyed a proportionately reduced 0.25% overriding royalty interest to Michael James Krueger in Lease Nos. 1 through 5, insofar as they cover the subject lands.

13. By assignment of overriding royalty interests dated June 5, 2001, recorded July 9, 2001 in book 1 at page 0683 of the Elko County records, and July 27, 2001, in book 342 at page 264 of the Eureka County records, V. F. Neuhaus Properties, Inc. conveyed a proportionately reduced 4.50% overriding royalty interest to A. Wade Nollkamper (3.50%) and Joe McMahon, Jr. (1.00%) in Lease No. 6, insofar as it covers the subject lands.



14. By assignment of overriding royalty interests dated June 19, 2001, recorded July 9, 2001, in book 1 at page 20685 of the Elko County records, and July 27, 2001, in book 342 at page 266 of the Elko County records, Joe McMahon, Jr. conveyed a proportionately reduced 0.41666% overriding royalty interest to Springcreek Resources, Inc. (0.125%), Paul R. Mayo, Jr. (0.0625%), Zebra Investments, Ltd. (0.0625%), Louis A. Oswald, III, Trustee of The Oswald Family Trust dated April 27, 1998 (0.08333%), and Steve A. Tofte (0.08333%) in Lease No. 6, insofar as it covers the subject lands.

15. By assignment of overriding royalty interests dated June 29, 2001, recorded August 16, 2001, in book 1 at page 25262 of the Elko County records, and August 30, 2001, in book 343 at page 49 of the Elko County records, A. Wade Nollkamper conveyed a proportionately reduced 1.50% overriding royalty interest to Joe McMahon, Jr. (0.50%), Scott Dodds, Trustee of the George E. Meyer and children's Trust (0.25%), Scott Dodds (0.17%), George E. Meyer (0.08%), Michael Jam Krueger (0.25%), Springcreek Resources, Inc. (0.125%), Paul R. Mayo, Jr. (0.0625%) and Zebra Investments, Ltd. (0.0625%) in Lease No. 6, insofar as it covers the subject lands.

BOOK 350 PAGE 286  
OFFICIAL RECORDS  
RECORDED AT THE DISTRICT CLERK'S OFFICE  
*Joe McMahon, Jr.*  
02 SEP 25 11:05  
ELKO CO. NVADA  
M.N. REBALEA RECORD  
FILE NO. 178841  
FEES 37<sup>00</sup>

BOOK 350 PAGE 09

INDEXED  
FEE 37<sup>00</sup> FILE # 487681  
REQUEST OF  
*Joe McMahon, Jr.*  
02 SEP -9 PM 12:42  
BK 2 PG 31550  
JERRY D. REYNOLDS  
ELKO CO. RECORDER

2 31573