

AP.N.# 007-380-6  
ESCROW NO. 032017  
RECORDING REQUEST BY:  
STEWART TITLE COMPANY

BOOK 363 PAGE 299-301  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Stewart Title*  
2003 JUL 23 PM 1:48

EUREKA COUNTY NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 41.00

WHEN RECORDED MAJO:

Michael J. Podorny  
P.O. Box 672  
Eureka NV 816

182234

(Space Above for Recorder's Use Only)

### SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THE PRESENTS: That I, Michael J. Podorny  
have made, constituted, appointed, and by these presents do make, constitute and appoint  
Diane D. Podboy  
as my true and lawful attor for and in my name, place and stead, and for my use and  
benefit as follows, which I pertain to the following described lands situated in the County of  
EUREKA in the State of Nevada, to wit:  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

- (1) To exercise any or all the following powers as to real property herein described, any interest therein and/or any building thereon: to contract for, purchase, receive and take possession thereof and of evidence of title thereto; to lease the same for any term or purpose, including leases for business, residence and oil and/or mineral development; to exchange grant or convey the same with or without warranty, to mortgage, transfer in trust, or otherwise encumber or hypothecate the same to secure payment of negotiable or nonnegotiable note or performance of any obligation or agreement;
- (2) To exercise any or all the following powers as to all kinds of personal property and goods, wares and merchandise, choses in action and other property in possession or in action herein described: To contract for, buy, sell, exchange, transfer in any legal manner deal in and with the same; and to mortgage, transfer in trust, or otherwise encumber hypothecate the same to secure payment of a negotiable or nonnegotiable note or performance of any obligation or agreement;
- (3) To borrow money and execute and deliver negotiable or nonnegotiable notes therefor with or without security; and to loan monney receive negotiable or nonnegotiable notes therefor with such security as he shall deem proper for the purpose herein described;
- (4) To receive any Notice Right to Cancel under the Truth in Lending Act on my behalf, to modify or waive my right to rescind to pass without exercising such right to rescind, and to confirm that such right to rescind has not been exercised.
- (5) To sign, seal, execute and acknowledge such instruments in writing of whatever kind and nature as may be necessary or proper for the premises.
- (6) To receive and endorse for net proceeds of loan or hypothecation of Note.

CONTINUED ON NEXT PAGE (One Inch Margin on all sides of Document for Recorder's Use Only)

SPECIAL POWER OF ATTORNEY - Page 2

GIVING AND GRANTING to said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to all intents and purposes as the signor might or could do if personally present, and hereby ratifying and confirming all that said attorney shall lawfully do or cause to be done in the above stated premises virtue of these presents.

IN WITNESS WHEREOF Michael J. Podborny  
have hereunto set his/hers hand(s) and seal on this 17th  
day of July, 2003


Signed, sealed and delivered in the presence of

\_\_\_\_\_  
*Michael J. Podborny*  
Michael J. Podborny

STATE OF NEVADA }  
COUNTY OF Eureka } ss.

This instrument was acknowledged before me on July 17, 2003  
by, Michael J. Podborny

Signature *Kimberly L. Todd*  
Notary Public

 KIMBERLY L. TODD  
Notary Public - State of Nevada  
Appointment Recorded in Eureka County  
ID: 03-79670-8 - Expires January 3, 2007

(One Inch Margin on sides of document for Recorder's Use Only)

## EXHIBIT "A"

### LEGAL DESCRIPTION

ESCROW NO.: 001710

Parcel 3 as shown on that certain Parcel Map for JERRY R. MARTIN, JOHN and BECKY O'FLAHERTY and CURTIS P. HAYWARD filed in the office of the County Recorder of Eureka County, State of Nevada on June 21, 1996, as File No. 163256, being a portion of Lot 1, Section 28, TOWNSHIP 20 NORTH, RANGE 53 EAST, M.D.B.&M

EXCEPTING THEREFROM all the oil and gas lying in and under said land, as reserved by the United States of America, in Patent recorded December 30, 1965, in Book 9, Page 422, Official Records of Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM 1/2 of all mineral rights, oil or gas lying in and under said land as reserved by EDWIN C. BISHOP and LETA B. BISHOP, his wife, in deed recorded August 23, 1978, in Book 65, Page 317, Official Records, Eureka County, Nevada.