

BOOK 364 PAGE 232-235
OFFICIAL RECORDS
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Eureka County
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EUREKA COUNTY NEVADA
M.N. REBALEATI, RECORDER
FILE NO.

FEES *No Fee*

APN# _____

Recording Request by:

182316

Name EUREKA COUNTY

Address P O BOX 257

City/State/Zip EUREKA, NV 89316

11 patent

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2.
(Additional recording fees apply)

This cover page must be tied or printed.

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United States Department of the Interior

Bureau of Land Management

Nevada State Office
P.O. Box 12000 (1340 Financial Blvd.)
Reno, Nevada 89520-0006
<http://www.nv.blm.gov/>

In Reply Refer To:
N-48618 2800
N-66188 2700
(NV-931)

AUG - 5 2003

Eureka County
P. O. Box 257
Eureka, Nevada 89316

Gentlemen:

Our records indicate that you are the holder of right-of-way No. N-48618, granted for waterline, well house, and booster pump station purposes, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761), and which crosses the following land: Mount Diablo Meridian, Nevada

T. N., R. 53 E.,

§ 3, Lots 1-4, S½SE¼, S½SW¼;

§ 4, SE¼SE¼;

§ 9, E½NE¼, E½SE¼, W½NE¼, E½NW¼, NE¼SW¼, NW¼SE¼;

§ 10, Lots 1-4, N½, W½SW¼, E½SE¼, NW¼SE¼;

§ 11, W½SW¼;

§ 14, NW¼NW¼;

§ 15, Lots 1-6;

§ 16, NE¼NE¼.

The above-described lands transferred out of federal ownership in a competitive land sale under patent No. 27-2003-98, to Homestake Mining Company of California, a California Corporation, (Attention: L. Wilsey, Barrick Management Corporation, Barrick Gold Corporation), P. O. Box 2410, Salt Lake City, Utah 84147-2410. The patent was issued subject to the right-of-way which means that Homestake Mining Company of California, a California Corporation, has jurisdiction over that portion of the right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 866530.

Sincerely,

Pamela C. Ridley, Land Law Examiner

Enclosure

1. Patent No. 27-2003-98
- cc: Field Manager, Battle Mountain
Patentee

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United States of America

all to whom these presents shall come, Greeting:

Patent

N-66188

WHEREAS

Homestake Mining Company of California, a California Corporation

is entitled to a land patent pursuant to Section 203 and Section 209 of the Act of October 21, 1976 (43 U.S.C. 1713 and 1719, respectively), as amended, and pursuant to the Federal Land Transaction Facilitation Act of July 25, 2000, Public Law 106-248, for the following described land:

Mount Diablo Meridian, Nevada

T9 N., R. 53 E.,

S. 3, Lots 1-4, S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;

S. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

S. 9, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

S. 10, Lots 1-4, N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

S. 11, W $\frac{1}{2}$ SW $\frac{1}{4}$;

S. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$;

S. 15, Lots 1-6;

S. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Containing 1644.94 acres, more or less.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto Homestake Mining Company of California, a California Corporation, the land described above; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto Homestake Mining Company of California, a California Corporation, its successors and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way for ditches or canals by the authority of the United States pursuant to the Act of Aug 30, 1890 (43 U.S.C. 945); and
2. All mineral deposits shall be reserved to the United States, together with the right to prospect for, mine, and remove such deposits under applicable laws and regulations as the Secretary of the Interior may prescribe.

SUBJECT TO:

1. Valid existing rights; and
2. Those rights for waterline, well house, and booster pump station granted to Eureka County, its successors or assigns, by right-of-way No. N-48618, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

By accepting this patent, patentee, Homestake Mining Company of California, a California Corporation, agrees to indemnify, defend, and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgments of any kind or nature arising from the present, and future acts or omissions of the patentee, its employees, agents, contractors, or lessees, or any third-party, arising out of, or in connection with, the patentee's use, occupancy, operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee, its employees, agents, contractors, or lessees, or third party arising out of or in connection with the use and/or occupancy of patented real property resulting in: (1) Violations of federal, state, and local laws and regulations applicable to the real property; (2) Judgments, claims or demands of any kind asserted against the United States; (3) Costs, expenses, damages of any kind incurred by the United States; (4) Other releases or threatened releases on, into or under land, property and other interests of the United States by solid or hazardous waste(s) and/or hazardous substances(s), defined by federal or state environmental laws; (5) Other activities by which solids or hazardous substances or wastes, as defined by federal and state environmental laws were generated, released, stored, used or otherwise disposed of on the patented real property, and any cleanup, response, remedial action, or other actions related in any manner to said solid or hazardous substances or wastes; (6) Or natural resource damages as defined by federal and state law. This covenant shall be construed as running with the patented real property, and may be enforced by the United States in a court of competent jurisdiction.

PURSUANT to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), (42 U.S.C. 9620(h)), as amended by the Superfund Amendments and Reauthorization Act of 1988, (100 Stat. 1670), notice is hereby given that above-described lands have been examined and no evidence was found to indicate that any hazardous substances has been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in RENO, NEVADA, the FIFTH day of AUGUST in the year of our Lord TWO THOUSAND and THREE and of the Independence of the United States the two hundred and TWENTY-EIGHTH.

[SEAL]

By



Margaret L. Jensen
Deputy State Director
Natural Resources, Lands, and Planning