

APN: N/A

WHEN RECORDED SEND
AND MAIL TAX STATEMENTS,
IF ANY, TO:

James L. Harness, Trustee
4601 East Shangri-la Road
Phoenix, AZ 85028

BOOK 402 PAGE 192-196
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Newmont Mining
2004 DEC 22 AM 8:30

EUREKA COUNTY, NEVADA
M.H. REBALEATI, RECORDER
FILE NO. FEES 18.00

194661

RATIFICATION OF TRANSFERS OF ROYALTY INTERESTS TO TRUST

THIS RATIFICATION OF TRANSFERS OF ROYALTY INTERESTS, is made this 30 day of APRIL, 2004, by James L. Harness and Ruth L. Harness, Co-Trustees of the *Leslie and Ruth Harness Family Trust*, as Restated on the 31st day of March, 2000, and as Amended the 20th day of November, 2002, with reference to the following facts:

WHEREAS, Leslie J. Harness (deceased February 11, 2003) and Ruth L. Harness, husband and wife, as Settlor and Co-Trustees created the *Leslie and Ruth Harness Family Trust*, dated the 27th day of February, 1992 (subsequently amended and restated) (the "Trust"); and,

WHEREAS, Leslie J. Harness and Ruth L. Harness owned certain royalty interests defined in that certain Royalty Division Agreement ("RDA") dated January 6, 1988, by and between Lynn Mychael Barstow, Kathryn Lee Barstow, James Harness, Leslie J. Harness, Ruth Harness and Euro-Nevada Mining Corporation, recorded on November 9, 1990, in Book 217, Page 278, of the Official Records, Document No. 134711, of Eureka County, Nevada, and relate to and arise from the 20 unpatented mining claims and the "Unitization Agreement" lands described in the RDA; and,

WHEREAS, Leslie J. Harness and Ruth L. Harness transferred their royalty interests to the Trust; and,

WHEREAS, certain of the 20 unpatented mining claims were patented, certain others were relocated and/or realigned and some unpatented claims were added to further the intent of the royalty owners and royalty payor; and,

WHEREAS, by *First Amendment to the Restatement of the Leslie and Ruth Harness Family Trust Dated March 31, 2000*, James L. Harness was appointed as a Co-Trustee of the Trust; and he, together with Ruth L. Harness, are the present and surviving Co-Trustees of the Trust; and,

WHEREAS, the Co-Trustees of the Trust desire to ratify the foregoing; **NOW THEREFORE**,

The Co-Trustees of the Trust hereby acknowledge and ratify the above described transfers of the royalty interests of Leslie J. Harness and Ruth L. Harness to the Trust. The Co-Trustees further acknowledge and approve of the following description and definition of the lands subject of the Trust's royalty interests:

PART 1: PATENTED MINING CLAIMS:

PARCEL 1:

LES-1, LES-4, KL-5, KL-6, KL-8, and KL-9 Patented Lode Mining Claims, designated and described by Mineral Survey No. 4998, approved April 12, 1984, being United States Mineral Patent No. 27-86-0003 executed October 22, 1985, recorded October 28, 1985, in Book 139, Page 481, Official Records, Eureka County, Nevada, situate in the Southeast one-quarter (SE $\frac{1}{4}$) of Section 34 and Gov. Lot 12 of Section 35, Township 34 North, Range 51 East, Mount Diablo Meridian, Eureka County, Nevada.

PARCEL 2:

POINT TOO Patented Lode Mining Claim, designated and described by Mineral Survey No. 5020, approved March 22, 1988, being United States Mineral Patent No. 27-91-0011 executed December 12, 1990, recorded January 11, 1991, in Book 219, Page 429, Official Records, Eureka County, Nevada, situate in the Southeast one-quarter (SE $\frac{1}{4}$) of Section 34, Township 34 North, Range 51 East, Mount Diablo Meridian, Eureka County, Nevada.

PARCEL 3:

LORRI-1 and LORRI-2 Patented Lode Mining Claim, being a portion of Mineral Survey No. 5050, approved July 10, 1991, being United States Mineral Patent No. 27-2000-0054 executed February 29, 2000, recorded May 10, 2000, in Book 334, Page 147, Official Records, Eureka County, Nevada, and re-recorded July 7, 2000, in Book 335, Page 280, Official Records, Eureka County, Nevada, situate in Section 35, Township 34 North, Range 51 East, Mount Diablo Meridian, Eureka County, Nevada.

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PART 2: UNPATENTED LODE MINING CLAIMS:

<u>CLAIM NAME</u>	<u>BLM SERIAL NO.</u>	<u>EUREKA COUNTY RECORDER</u>			
		<u>Loc. Cert.</u>		<u>Amended</u>	
		<u>Book</u>	<u>Page</u>	<u>Book</u>	<u>Page</u>
1. LORRI-3	NMC 1807	61	89	61	591
2. KL-1	NMC 10295	61	574		
3. KL-2	NMC 10296	61	575		
4. KL-3	NMC 10297	61	576		
5. KL-4	NMC 10298	61	577		
6. KL-7	NMC 10301	61	580		
7. KL-1	NMC 50978	56	453		
8. KL-2	NMC 50979	56	454		
9. KL-3	NMC 50980	56	455		
10. KL-4	NMC 50981	56	456		
11. KL-7	NMC 50984	56	459		
12. HANGFIRE	NMC 540659	193	438		
13. ICE	NMC 540660	193	439		
14. LORRIE NO. 4	NMC 546471	195	535		
15. KL-2A	NMC 593920	209	531		
16. KL-3A	NMC 593921	209	532		
17. KL-4A	NMC 593922	209	533		
18. LORRI-1A	NMC 593923	209	534		
19. LORRI-2A	NMC 593924	209	535		
20. LORRI-3A	NMC 593925	209	536		
21. SHOE 1	NMC 674374	243	494		
22. SHOE 2	NMC 674375	243	495		
23. SHOE 3	NMC 674376	243	496		
24. SHOE 4	NMC 674377	243	497		
25. SHOE 5	NMC 674378	243	498		

PART 3: UNITIZATION AGREEMENT LANDS (in Section 3 as described in the RDA):

That portion of Section 3, Township 33 North, Range 51 East, M.D.M., within lands defined by Exhibit A of unrecorded Agreement for Unitization of Ore Reserves, entered into January 18, 1992, by and between Carlin Gold Mining Company, a Delaware corporation, Southern Pacific Land Company, a California corporation, Lynn M. Barstow, and Kathryn Lee Barstow, to wit:

That certain gold bearing orebody contained within those certain lands generally within Section 3, Township 33 North, Range 51 East, and Section 34, Township 34 North, Range 51 East, M.D.B.&M., Eureka County, Nevada.

Beginning at the Southeast corner of Section 34, Township 34 North, Range 51 East, M.D.B.&M.; thence bears North 48°42'36" West, 311.44 feet to P-1, which is the true point of beginning (P.O.B.); thence bears South 4°05' West, 477.00 feet to P-2; thence bears South 36°41' West, 403.00 feet to P-3; thence bears South 72°28' West, 900.00 feet to P-4; thence bears North 39°23' West, 380.00 feet to P-5; thence North 27°07' East, 588.00 feet to P-6; thence bears North 46°25' West, 242.00 feet to P-7; thence bears North 1°31'06" East, 578.17 feet to P-8; thence bears North 43°48' East, 1195.00 feet to P-9; thence bears South 57°48' East, 131.00 feet to P-10; thence bears South 21°45' East, 658 feet to P-11; thence bears South 32°19' West, 474.00 feet to P-12; thence bears South 51°04' East, 434.00 feet to P-1, which is the true point of beginning.

9 IN WITNESS WHEREOF, the Co-Trustees have hereunto set their hands as of the day of June 2004,

Ruth L. Harness
RUTH L. HARNESS, Co-Trustee

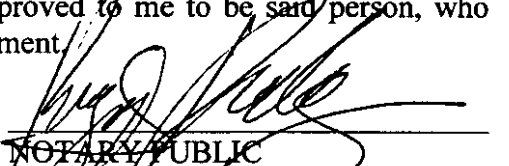
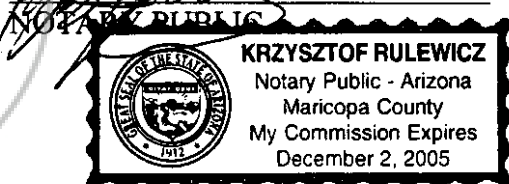
James L. Harness
JAMES L. HARNESS, Co-Trustee

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

On this 9th day of June, 2004, personally appeared before me, a Notary Public, RUTH L. HARNESS, known or proved to me to be said person, who acknowledged that she executed the foregoing instrument.

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

On this 9th day of June, 2004, personally appeared before me, a Notary Public, JAMES L. HARNESS, known or proved to me to be said person, who acknowledged that he executed the foregoing instrument.



APPROVAL

Newmont USA Limited, a Delaware corporation, dba Newmont Mining Corporation, payor of the royalty described above, hereby approves of the foregoing Ratification of Transfers of Royalty Interests to Trust as to form and content.

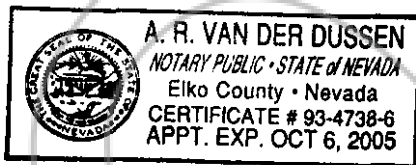
Dated this 30 day of April, 2004,

By: Leland W. Kaugerud

Title: Vice President

STATE OF NEVADA)
) SS.
COUNTY OF EUREKA)

On this 30 day of APRIL, 2004, personally appeared before me, a Notary Public, LELAND W. KAUGERUD, known or proved to me to be said person, who acknowledged that he executed the foregoing instrument as the VICE PRESIDENT of Newmont USA Limited.



A. R. Van Der Dussen
NOTARY PUBLIC

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