

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:  
Nevada Land & Resource Company, LLC  
704 W. Nye Lane, Suite 201  
Carson City, NV 89703

BOOK 413 PAGE 273-275  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Stewart Little*  
2005 MAY 26 AM 11:00

EUREKA COUNTY, NEVADA  
M.H. REBALEATI, RECORDER  
FILE NO. FEES 16.00

198520

EUREKA COUNTY APN: 004-280-19; 004-280-21

05010830  
05010831

AFFIDAVIT  
OF  
NONDEVELOPMENT

STATE OF NEVADA )  
 )ss.  
COUNTY OF CARSON CITY )

Stephen D. Hartman, being first duly sworn, deposes and says:

That Nevada Land and Resource Company, LLC (NLRC) is the present owner of that certain real property located in the County of Eureka, State of Nevada, more particularly described on Exhibit A.

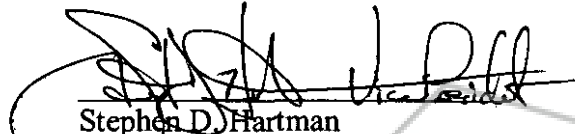
Said land is described in an oil and gas mining lease executed on the 1<sup>st</sup> day of July, 1991, by Catellus Development Corporation and Atchison, Topeka & Santa Fe Railroad Company as Lessors, and Santa Fe Energy Operating Partners, L.P. as Lessee, recorded in Book 238, Page 370, File No. 142207, in the office of the County Recorder of said County.

Said Lease expired by its terms on June 30, 2001. Based upon a review of the files and upon the best information and belief of affiant, as of July 1, 1991 there has been no well drilled upon said land, nor any oil or gas produced therefrom, and that none of the rentals accruing under and by virtue of the terms of said lease have been paid or tendered to affiant or said Lessors, or to any bank for their credit, by the Lessee, or his agents or assigns. The Affiant affirms that since October 4, 1995, when NLRC acquired the above-described property, that the Lessee and his assigns had actual notice that rentals were payable to NLRC under the lease, and that the lease has expired.

Affiant further states that by reason of the nondevelopment and noncompliance with the terms of the lease by Lessee and its assigns, affiant hereby determines and declares said lease forfeited,

and the Lessor will not, by acceptance of rentals, or in any other manner, recognize the same as a valid or existing lease.

The foregoing Affidavit of Nondevelopment has been executed this 17<sup>th</sup> day of May, 2005 by Stephen D. Hartman.

  
Stephen D. Hartman  
Executive Vice President, Corporate Counsel

STATE OF NEVADA                    )  
  )ss.  
COUNTY OF CARSON CITY        )

The foregoing was subscribed and sworn before me this 17<sup>th</sup> day of May 2005.

  
NOTARY PUBLIC

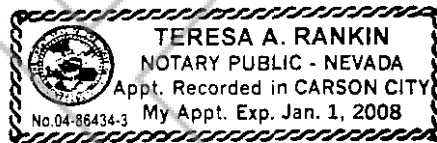
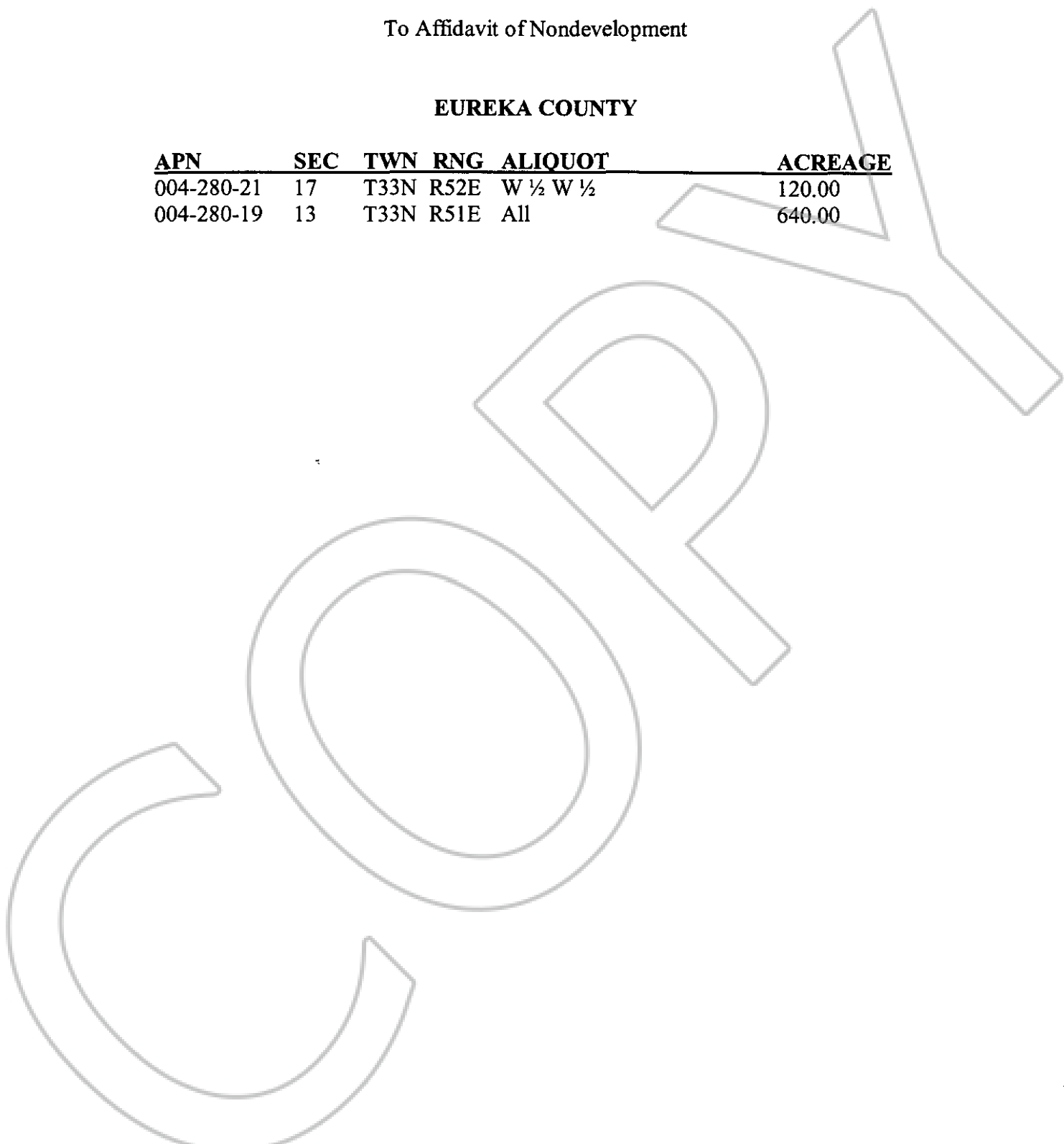


EXHIBIT "A"

To Affidavit of Nondevelopment

EUREKA COUNTY

<u>APN</u>	<u>SEC</u>	<u>TWN</u>	<u>RNG</u>	<u>ALIQUOT</u>	<u>ACREAGE</u>
004-280-21	17	T33N	R52E	W ½ W ½	120.00
004-280-19	13	T33N	R51E	All	640.00



**198520**

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