

DECLARATION OF OWNERSHIP
(Deferment of Assessment work)

Uniform - For all States

That, the Undersigned, Agent and Principal Locator for the owners of Placer Mineral Mining Claims, aggregating a total of approximately 80 Acres, and having been offered for recordation in the County of POTTAWATOMIE and State of WYOMING

do hereby reaffirm and declare their ownership of the aforesaid mining claims, and the minerals contained thereunder, and further say that they cannot perform the annual assessment work on the aforesaid mining claims for reason of damage to the surface of the mining claims, and in a manner not compatible with the federal and state environmental laws, and that they therefore ask for a deferment of said assessment work, and in accordance with the Federal Code of Regulations providing for such deferments.

Undersigned further says that such environmental laws and codes acts as a legal impediment to the proper application of assessment work, as the law now exists, and further, that the United States Interior Department has warned the Undersigned that the performance of assessment work on the aforesaid claims would make the Locator and Undersigned, and the co-locators thereof, responsible for damages to federally owned public domain, as in accordance with letter dated May 8, 1971, addressed to the Undersigned, regarding strip mining locations made in the State of Nevada, and saying in part:

"You will be held responsible for any damages to the lands or improvements which exists within the said location."

"You should be aware that this is an important watershed and that the disturbances to the surface of any kind whatsoever could be a significant impact on high-value improvements and land values located downstream from your claims."

Undersigned says that, as opposed to this ecological position taken by the United States Interior Department, the State of Nevada has taken the position that failure to do the assessment work in a manner which would be a violation of U.S. Interior Department Rules and Regulations, would constitute a forfeiture of the claims in question, and a violation of Nevada mining laws. Undersigned says that therefore a legal impediment to the performance of assessment work has been created by incompatible federal and state mining laws, and that he is restrained by threat of prosecution, to conduct assessment work or to otherwise strip mine, explore for, or do damage to the surface of the mining claims until the issue is resolved.

Undersigned says, therefore, that he will not in any way do damage to the surface of the mining claims in question, and which would be in direct violation of ecological and environmental considerations, and Undersigned further says that he will restrain others from doing damage to the above mining claims.

Undersigned says that the above described mining claims are a part of 31 million acres of mining claims owned by the Undersigned in several states of the western United States, and that the undersigned are the owners of the surface, with the right to deny trespass, and all other rights attendant thereto; and that they do declare that the surface of the claims above described are hereby set aside and reserved from damage to the surface by strip mining, or by whatsoever nature by mineral mining companies, utility companies, and oil companies, until proper notice of full compliance with Public Land Law #585 is given the Undersigned.

Undersigned says that the entire 31 million acres, of which the above described lands are a part, is a possessory right of the Undersigned, and that all coal mining companies, and all oil companies are hereby held accountable financially and otherwise, for strip mining, construction of roads and slush ponds, and otherwise doing damage to the surface of the claims, which is a possessory right of the Undersigned, and that the oil and coal companies will be held responsible for surface damages to the aforesaid mining claims, retroactive to the date of the location of the above described mineral mining claims. Undersigned says that the right of ingress and egress from the above described lands for the purpose of recreation, hunting, fishing, and camping is expressly granted, in compliance with the Multiple Use provisions of the mining laws.

Copy of this application for Deferment of Assessment work mailed to Secretary of the Interior Department, Washington, D.C., this 25th day of August, 1972.

Executed this 25th day of August, 1972.

Merle J. Zwicker
Locator and Agent for the Owners of Record

Emil H. Kocian
Name of Principal Co-Locator

1226 Zarskyz
Corpus Christi, Texas 78403

STATE OF OKLAHOMA
COUNTY OF POTTAWATOMIE } ss:

Subscribed and sworn to, before me, a notary public, this 25th day of August, 1972

My Comm. Expires

My Commission Expires June 7, 1975

Marcia Green
Notary Public