

# The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS

Cripple Creek & Victor Gold Mining Company

is entitled to a Patent pursuant to Section 206 of the Act of October 21, 1976 (90 Stat. 2743, 2756; 43 U.S.C. 1701, 1716), for the following described lands:

Sixth Principal Meridian, Colorado,

T. 15 S., R. 69 W.,

All public land parcels within the boundaries of the following-described sections:

sec. 17, all;

sec. 18, all;

sec. 19, all;

sec. 20, all;

sec. 29, N $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$ , NW $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , SW $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , NW $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ , SW $\frac{1}{2}$ SW $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$  and SW $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ ;

sec. 30, all;

sec. 31, lots 1, 2, 3, 4, NE $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ , and S $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ , excepting therefrom a triangular-shaped parcel bounded on the north by line 2-3 of M.S. 9941-New Discovery; on the southeast by line 2-3 of M.S. 7937-Viola; and the west by line 1-4 of M.S. 8279-Goldfield, said parcel containing 0.015 acres; and excepting therefrom a triangular-shaped parcel bounded on the north by line 3-4 of M.S. 8279-Goldfield; on the southeast by M.S. 7937-Viola; and on the northwest by M.S. 13723-Quintana, said parcel containing 0.065 acres;

T. 15 S., R. 70 W.,

All public land parcels within the boundaries of the following-described section:

sec. 25, N $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$ , SE $\frac{1}{2}$ SE $\frac{1}{2}$ , E $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ , SW $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , S $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$ , and NE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$ ,

containing 62.44 acres,

The term "public land parcels" as used herein shall mean land parcels legal, equitable and/or beneficial title to which is held by the United States.

05-97-0020

It is the intent of this patent to convey all remaining public lands, together with minerals, lying within the exterior boundaries of the above legal descriptions excepting only the two parcels above-described in section 31, irrespective of whether such lands are shown on official Master Title/Use Plats or other public land records maintained by the Bureau of Land Management.

NOW KNOW YE, that there is, therefore, granted by the United States unto Cripple Creek & Victor Gold Mining Company, the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto Cripple Creek & Victor Gold Mining Company, its successors and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches and canals constructed by authority of the United States. Act of August 30, 1890 (43 U.S.C. 945); and

SUBJECT TO valid existing rights.

Cripple Creek & Victor Gold Mining Company, its successors and/or assigns, (hereinafter Cripple Creek & Victor Gold Mining Company) shall defend, indemnify, and hold harmless the United States and its officers, agents, representatives, and employees, from all claims, loss, damage, actions, causes of action, expense, and liability, including liability arising from the violation of any law applicable to the disposal, placement or release of hazardous substances (as defined by the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA) 42 U.S.C. 9601 et seq.) and the disposal, placement or release of hazardous waste, (as defined by the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901 et seq.) in any action brought for, or on account of, any personal injury, threat of personal injury, or property damage, including injury or damage related to the disposal, placement or release of hazardous substances and/or hazardous waste, arising out of or attributable to Cripple Creek & Victor Gold Mining Company's use of the public land parcels conveyed hereunder. The public land parcels conveyed hereunder are adjacent to nonfederal lands, some of which were used in past mining operations and may contain small quantities of hazardous substances as defined under CERCLA, and small quantities of solid or hazardous waste as defined under RCRA.

THE INFORMATION CONTAINED IN THIS NOTICE IS REQUIRED UNDER THE AUTHORITY OF REGULATIONS PROMULGATED UNDER SECTION 120(H) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, LIABILITY AND COMPENSATION ACT (CERCLA OR "SUPERFUND") 42 U.S.C. SECTION 9620(H), (SPECIFICALLY 40 CFR 373.3).

Colorado 53722

Notice is hereby given to the patentee, and to all others that, of the above-described lands, the following may have upon it: sodium cyanide, Chemical Abstract Services Registry (CASR) No. 143-33-9; Resource Conservation and Recovery Act Hazardous Waste No. P106, of unknown quantity, if any, released from the Victor Mine Building in 1993 onto a multi-sided parcel in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of section 17, T. 15 S., R. 69 W., Sixth Principal Meridian, Colorado, bounded by Mineral Surveys Nos. 8655-Guess, 9639-Oxford, 8447-Oro and 9972-Mosquito, all lode mining claims, comprising an estimated area of 0.019 acre.

No portion of the lands covered by this patent shall under any circumstances revert to the United States if such portion has been used for solid waste disposal or for any other purpose that the Secretary finds may result in the disposal, placement, or release of any hazardous substance.

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.

[SEAL]

GIVEN under my hand, in **LAKEWOOD, COLORADO**  
the **TWENTIETH** day of **MARCH**  
in the year of our Lord one thousand nine hundred and  
**NINETY-SEVEN** and of the Independence of the  
United States the two hundred and **TWENTY-FIRST**.

/s/ Jenny L. Saunders

By \_\_\_\_\_  
Realty Officer, Colorado

Patent Number 05-97-0020