



California
Department of Conservation
Division of Mine Reclamation

Gavin Newsom, Governor
David Shabazian, Director

March 9, 2023

SENT VIA EMAIL: CFlather@co.lassen.ca.us

Cortney Flather
County of Lassen
Planning and Building Services
707 Nevada St, Suite 5
Susanville Ca 96130

RECEIVED

MAR 09 2023

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

RECLAMATION PLAN REVIEW
GEOFORTIS POZZOLAN MINE (CA MINE #91-18-0054)

Dear Cortney Flather:

The Department of Conservation's Division of Mine Reclamation (DMR) received a reclamation plan (RP) for the Geofortis Pozzolan Mine (Mine) on February 7, 2023 from County of Lassen (County). The County is the lead agency under the Surface Mining and Reclamation Act of 1975 (SMARA; Public Resources Code [PRC] Section 2710 et seq.). The RP was submitted for the Division's review pursuant to PRC Section 2772.1. The applicant is Geofortis Minerals, LLC (Operator).

The DMR determined that the RP is incomplete pursuant to PRC Section 2772.1(b)(1), which states:

"An incomplete submission is one that does not meet the contents requirements of Section 2772, 2773, and 2773.3 and Article 1 (commencing with Section 3500) and Article 9 (commencing with Section 3700) of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations (CCR), as applicable."

Pursuant to PRC 2772.1(b)(3), DMR's time to prepare written comments regarding the submittal will commence upon receipt of the following contents:

1. The RP submittal does not satisfy the content requirements of PRC Section 2772 (c)(5) as indicated below:
 - a) Size and legal description of the lands that will be affected by the surface mining operation and the names and addresses of the owners of all surface interests and mineral interests in the lands.

March 9, 2023

- b) Clearly defined and accurately drawn property lines, setbacks, and the reclamation plan boundary.
- c) Existing topography and final topography depicted with contour lines drawn at appropriate intervals for the site's conditions.
- d) Detailed geologic description of the area of the surface mining operation.
- e) Location of railroads, utility facilities, access roads, temporary roads to be reclaimed, and any roads remaining for the approved end use.
- f) All maps, diagrams, or calculations that require preparation in accordance with the Professional Engineers Act (Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code), the Geologist and Geophysicist Act (Chapter 12.5 (commencing with Section 7800) of Division 3 of the Business and Professions Code), or the Professional Land Surveyors' Act (Chapter 15 (commencing with Section 8700) of Division 3 of the Business and Professions Code) shall be prepared by a California-licensed professional, shall include his or her license number and name, and shall bear the signature and seal of the licensee.

The Division recommends that all requirements pursuant to PRC Section 2772 (c)(5) outlined above are met to be considered a complete submittal.

2. *Revegetation Baseline Data:* The Mining plan (page 20) describes onsite undisturbed vegetative cover of 53 percent. However, baseline data for density and species richness is not included in the RP.

CCR Section 3705(m) requires that, " A vegetative cover suitable for the proposed end use and capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer shall be established on disturbed land unless an artificially maintained landscape is consistent with the approved reclamation plan. Vegetative cover or density, and species-richness shall be, where appropriate, sufficient to stabilize the surface against effects of long-term erosion and shall be similar to naturally occurring habitats in the surrounding area. *The vegetative density, cover and species richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of mining activities [emphasis added].* However, for areas that will not

GEOFORTIS POZZOLA MINE (CA MINE #91-18-0054) RP

March 9, 2023

be reclaimed to prior conditions, the use of data from reference areas in lieu of baseline site data is permissible."

The lead agency should ensure that all baseline data (i.e. percent cover, density and species richness) is included in the proposed reclamation plan to be considered complete pursuant to PRC Section 2772.1(b).

If you have any questions regarding this letter, please contact Amy Gomes at 916-616-1558. Additionally, DMR receives electronic correspondence at DMR-Submittals@conservation.ca.gov.

Sincerely,

DocuSigned by:

Amy M. Gomes

C84262A45B474A8...

Amy M. Gomes
Environmental Scientist
Environmental Services Unit

DocuSigned by:

Jacquelynn Fau

10B2FB1E4F934E0...

Jacquelynn Fau, G.I.T.
Project Manager
Engineering and Geology Unit

DocuSigned by:

Ian Stevenson

1DD13B2E3CD54B6...

Ian Stevenson, P.G.
Manager
Engineering and Geology Unit

cc: David McMurty, Designated Agent, dmcumrty@geofortis.com

Cortney Flather

From: Gomes, Amy@DOC <Amy.Gomes@conservation.ca.gov>
Sent: Tuesday, February 14, 2023 10:29 AM
To: Cortney Flather
Subject: Geofortis Pozzolan Mine RP question
Attachments: SMARA.pdf

RECEIVED

Follow Up Flag: Follow up
Flag Status: Flagged

FEB 14 2023

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

This Message Is From an External Sender
This message came from outside your organization.

Good Morning Cortney,

I am reviewing the reclamation plan (RP) submittal for the Geofortis Pozzolan Mine. After review of the Biological Survey Report by BEC environmental Inc, I am not finding a baseline biological survey that describes the current revegetation on site. I do see that a species survey was conducted and charts listing species found onsite was provided. However, I do not see specific data as far as baseline vegetative density, cover and species richness. This information is necessary to calculate success criteria onsite. Is this information located in a different report or available from the report preparer?

For your reference the California Code of Regulations (CCR) that we discussed:
CCR Section 3705(a):

"A vegetative cover suitable for the proposed end use and capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer shall be established on disturbed land unless an artificially maintained landscape is consistent with the approved reclamation plan. Vegetative cover or density, and species-richness shall be, where appropriate, sufficient to stabilize the surface against effects of long-term erosion and shall be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover and species richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of mining activities. However, for areas that will not be reclaimed to prior conditions, the use of data from reference areas in lieu of baseline site data is permissible.

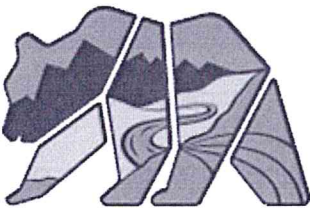
CCR Section 3705(m):

"Success of revegetation shall be judged based upon the effectiveness of the vegetation for the approved end use, and by comparing the quantified measures of vegetative cover, density, and species-richness of the reclaimed mined-lands to similar parameters of naturally occurring vegetation in the area. Either baseline data or data from nearby reference areas may be used as the standard for comparison. Quantitative standards for success and the location(s) of the reference area(s) shall be set forth in the approved reclamation plan. Comparisons shall be made until performance standards are met provided that, during the last two years, there has been no human intervention, including, for example, irrigation, fertilization, or weeding. Standards for success shall be based on expected local recovery rates. Valid sampling techniques for measuring success shall be specified in the approved

reclamation plan. Sample sizes must be sufficient to produce at least an 80 percent confidence level. There are standard statistical methods in commonly available literature for determining an 80 percent confidence level on a site-by-site basis. Examples of such literature include, but are not limited to, D. Mueller-Dombois and H. Ellenberg, 1974, "Aims and Methods of Vegetation Ecology", John Wiley and Sons, Inc., or C. D. Bonham, 1988, "Measurements for Terrestrial Vegetation", John Wiley and Sons, Inc., and are available at many university libraries. The texts are also available at some local libraries through the Inter-Library Loan Program."

Thank you

Amy



Amy M. Gomes

Environmental Scientist, Environmental Services Unit
Division of Mine Reclamation

California Department of Conservation

715 P Street, MS 1905, Sacramento, CA 95814

T: (916) 616-1558

E: Amy.Gomes@conservation.ca.gov



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Cortney Flather

From: Don Willis
Sent: Friday, April 21, 2023 2:34 PM
To: Cortney Flather
Cc: Matthew May
Subject: RE: Draft Initial Study #2021-006 Geofortis

Follow Up Flag: Follow up
Flag Status: Flagged

Cortney,

At your request, I have reviewed the Condition of Title report and have the following comments:

1. The underlying legal parcels for the three A.P.N.'s listed in the report are part of a "Remainder" from a Parcel Map Waiver that was recorded in 1986 (458 O.R. 98). This "Remainder" encompasses many A.P.N.'s in multiple Sections. As you may recall, I had previously found that there were two Patents issued by the U.S. Government that covered the subject lands where the mine is to be located. The A.P.N.'s included within these Patents are 145-030-016, 020, *portions of* 005 and 011, 145-050-004, 012, 013, 014 and 015.

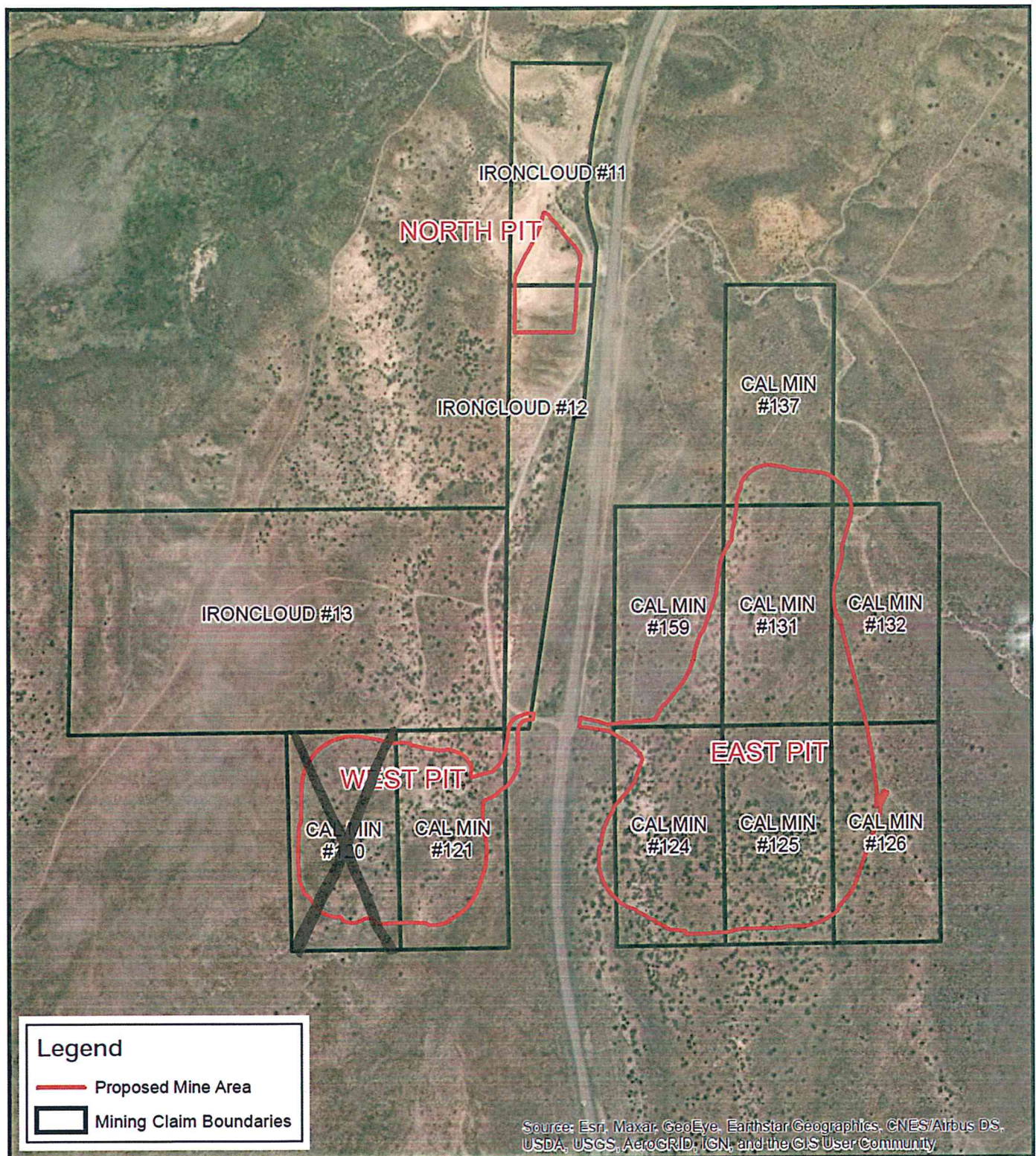
A.P.N. 145-030-020 was later conveyed to the State of California and is properly excepted out in the report (it later came back into private ownership, however this is irrelevant). A.P.N.'s 145-050-013 and 014 were later separated by said Parcel Map Waiver that was recorded in 1986. So, the report does not currently include those lands included in the two patents which are outside the three listed A.P.N.'s. These should specifically include the *portions of* 145-050-005 and 011. A.P.N. 145-050-015 should also be listed in the report since those lands are included. I don't know that much would be revealed by including the additional lands, but if I were completing a land division project I would ask for an updated report.
2. This ties into number one above and further demonstrates that not all A.P.N.'s are listed. The report describes lands in Section 11 as the E1/2 of the E1/2 and the NW1/4 of the NE1/4. The NW1/4 of the NE1/4 is part of A.P.N. 145-030-005, which is not listed.
3. The two documents listed in Schedule B, Item No. 10, (Gross Overriding Royalty Agreement and Royalty Agreement) state that these run with the land and inure to any successors and assigns. Not sure the County needs to worry about these, but they are in place at 640 O.R. 145 and 660 O.R. 599 of the Official Records.
4. As you know, there are multiple easements listed in the report that affect the subject properties. The County is not in the business of functioning as easement police, however they are certainly something to be aware of and definitely something for the landowner/operator to be conscious of.

I didn't see anything else that seemed worth mentioning. If you have any questions about anything just let me know.

Sincerely,

Don Willis
County Surveyor
Lassen County Department of
Planning and Building Services
707 Nevada Street, Suite 5

Figure 10. Proposed Mine Areas



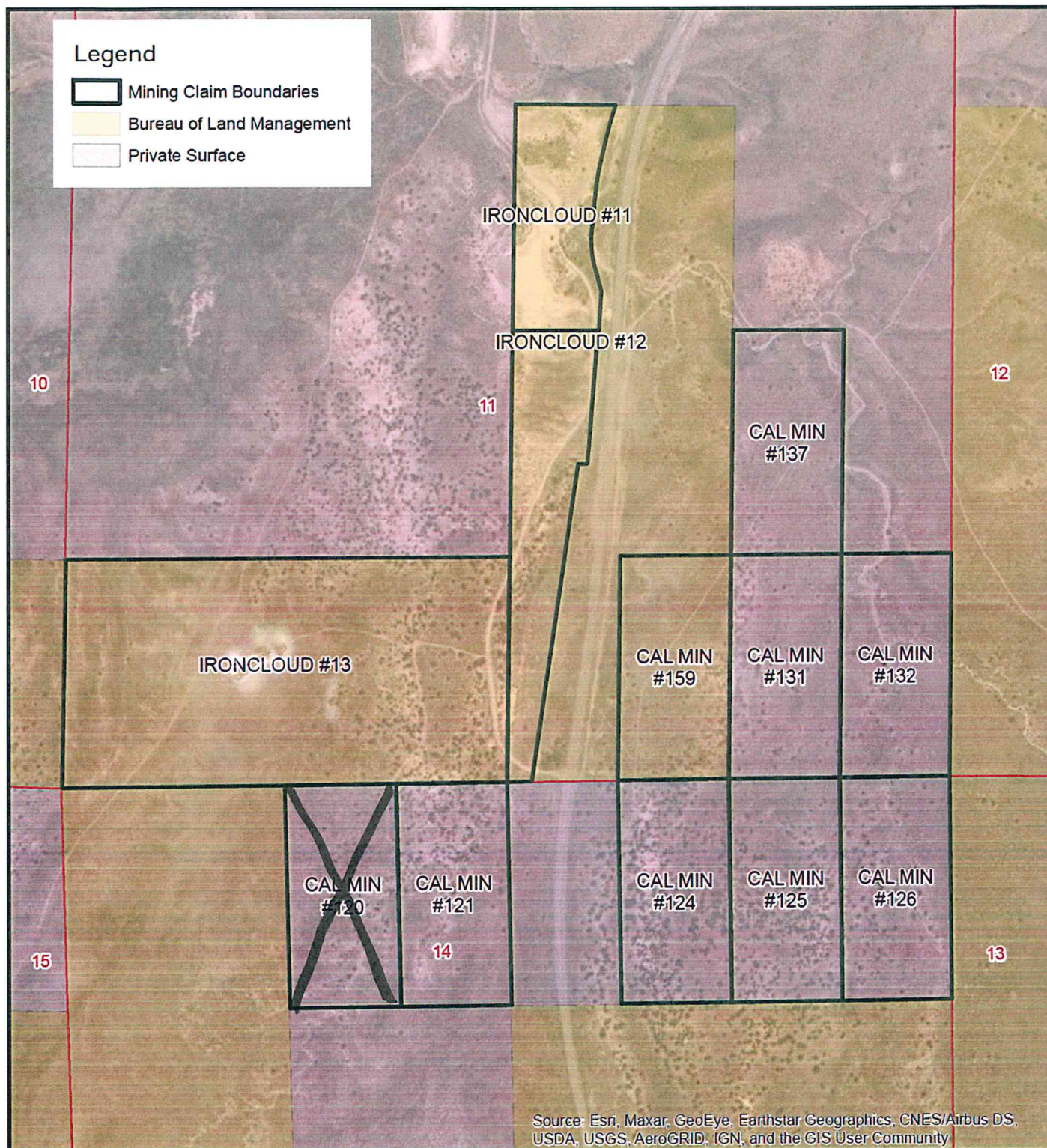
0 400 800 1,600 2,400 Feet



US Department of the Interior
BUREAU OF LAND MANAGEMENT
California State Office
Sacramento, California
(916) 978-4690
www.blm.gov/california
Date Prepared: 7/6/2020
Project: Fig 10 Proposed Mine Areas July 2020.mxd

Prepared by S. Allen

Figure 2. Mining Claims with Land Status



0 400 800 1,600 2,400 Feet




 US Department of the Interior
 BUREAU OF LAND MANAGEMENT
 California State Office
 Sacramento, California
 (916) 978-4690
www.blm.gov/california
 Date Prepared: 7/5/2020
 Project: Fig 2 Mining Claims with Land Status July 2020.mxd

Map prepared by S. Allen

RECORDING REQUESTED BY:
Chicago Title Company

Escrow Order No.: FFHO-CTO150560LZ

When Recorded Mail To:
Avalanche Funding, LLC
5040 Acoma St
Denver, CO 80216

2021-05366

Recorded at the request of:

CHICAGO TITLE CO

10/22/2021 11:05 AM

Fee: \$124.00 Pgs: 1 of 15 TD

OFFICIAL RECORDS

Julie M. Bustamante - Clerk-Recorder
Lassen County, CA



SPACE ABOVE THIS LINE FOR RECORDER'S USE

Receivers Deed Upon Sale

Unofficial Copy

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Additional recording fee applies)

WHEN RECORDED MAIL TO

Fred J. Orr
Avalanche Funding, LLC
5040 Acoma St.
Denver, CO 80216

MAIL TAX STATEMENTS TO

Fred J. Orr
Avalanche Funding, LLC
5040 Acoma St.
Denver, CO 80216

only

Receiver Sale No. 2021-1

Space above this line for recorder's use

Title Order No. FFHO-CTO150560ZL

RECEIVER'S DEED UPON SALE

APN 143-070-07, 143-070-12, 143-070-13, 143-070-15, 143-100-03, 143-100-07, 143-100-20, 143-100-22, 143-100-24, 143-100-26, 145-020-05, 145-020-06, 145-030-03, 145-030-04, 145-030-05, 145-030-11, 145-040-12, 145-050-04, 145-050-12, 145-050-15, 145-030-16 and 145-030-20
T.R.A. No.

The undersigned grantor declares:

- 1) The Grantee herein was the foreclosing beneficiary.
- 2) The amount of the unpaid debt together with costs was..... \$
- 3) The amount paid by the grantee at the trustee sale was..... \$900,000.00
- 4) The documentary transfer tax is \$0
- 5) Said property is in Lassen County

THIS DEED is made this as of the 9th day of September, 2021 between TOM MORROW, as the duly appointed Receiver in Case No. 2:16-CV-02555-TLW-KJN pending in the United States District Court for the Eastern District of California (the "Grantor" or the "Receiver"), and AVALANCHE FUNDING, LLC, an Colorado limited liability company, (the "Grantee") whose legal address is 5040 Acoma Street, Denver, CO 80216.

WHEREAS, Avalanche Funding, LLC did on April 30, 2021 obtain in the United States District Court for the Eastern District of California, Case No. 2:16-CV-02555-TLN-KJN, an Order Granting Avalanche Funding, LLC's Motion For Summary Judgment And For a Final Judgment And Entry Of Decree Of Foreclosure Against Syed M. Arif, an individual; Syeda Rehana Begum, an individual; Tim Swickard, an individual; Mapes Ranch, Inc., a California

corporation; Five Dot Cattle Company, a California corporation; Norman F. Rice, deceased; The Testate And Intestate Successors Of Norman F. Rice, Deceased, And All Persons Claiming By, Through Or Under Such Decedent, As Represented By The Personal Representative Of The Estate Of Norman F. Rice; Gloria Rice, deceased; The Testate And Intestate Successors Of Gloria Rice, Deceased, And All Persons Claiming By, Through Or Under Such Decedent, As Represented By The Personal Representative Of The Estate Of Gloria Rice; Rice 1997 Family Trust; Gloria M. Rice, Trustee Of The Rice 1997 Family Trust; Norman Rice Enterprises, Inc., a Nevada corporation; Matthew G. Huntley a/k/a Matthew Grant Huntley, an individual; Michon Huntley, an individual; Ramona Stonebarger, deceased; The Testate And Intestate Successors Of Ramona Stonebarger, Deceased, And All Persons Claiming By, Through Or Under Such Decedent, As Represented By The Personal Representative Of The Estate Of Ramona Stonebarger; Art Koffinke, deceased; The Testate And Intestate Successors Of Art Koffinke, Deceased, And All Persons Claiming By, Through Or Under Such Decedent, As Represented By The Personal Representative Of The Estate Of Art Koffinke; Larry Campbell, deceased; The Testate And Intestate Successors Of Larry Campbell, Deceased, And All Persons Claiming By, Through Or Under Such Decedent, As Represented By The Personal Representative Of The Estate Of Larry Campbell; Hanson Cattle Company, purported corporation of likely Nevada domicile; Hansen Cattle Company, a Nevada corporation; North American Technical Trading Co., Inc., an Illinois corporation; A Trustee Of An Unnamed Trust To Be Established Referenced In A Notice Recorded On February 11, 1997 In Volume 660 At Page 559; Chicago Title Company in its capacity as Trustee under a Deed of Trust Recording Number 2008-04633 of Official Records, Lassen County; All Persons Unknown Claiming Only Legal Or Equitable Right, Title Interest Or Cloud On Plaintiff's Interest In Property; and Does 1 – 50 (the "Order"); and

WHEREAS, the Order directs the undersigned Receiver to sell at public auction the real property ("Property") in the County of Lassen, State of California, described in Exhibit A attached hereto, thereby foreclosing the lien thereon imposed by that certain Deed of Trust dated July 23, 2008, executed by Syed M. Arif, individually, and Syeda Rehana Begum, individually, as Trustors, to Chicago Title Company, as Trustee, in favor of Avalanche Funding, LLC, a Colorado LLC, as Beneficiary, recorded July 30, 2008, as Instrument No. 2008-04633, in the Official Records of such Lassen County;

WHEREAS, by virtue of said Order, the undersigned Receiver after public notice had been given of the time and place of sale as required by law, the Property was offered for sale and sold on September 9, 2021 according to said notice, and the high bid in the amount of \$900,000 was received from Grantee; and

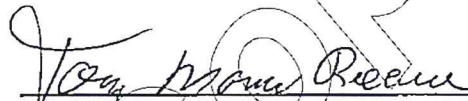
WHEREAS, all requirements of law regarding the mailing of copies, and the posting of copies, and the publication of the Notice of Sale have been complied with.

WHEREAS, all periods of pre-sale redemption have expired and no post-sale redemption rights are applicable to the Property;

NOW, THEREFORE, I, Tom Morrow, Receiver, in compliance with said Order and Notice of Sale and in consideration of the premises, confirm the sale and sell and convey to Grantee being the highest lawful bidder at said sale for a credit bid in the amount of \$900,000, the Property located in the County of Lassen, State of California, to-wit:

See the Property described in Exhibit A attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the same, with all appurtenances, forever.


Tom Morrow, Receiver in Case No. 2:16-CV-02555-TLW-KJN pending in the United States District Court for the Eastern District of California

ACKNOWLEDGMENT


A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Lassen

On September 9, 2021 before me, R. Fink, Notary Public, personally appeared Tom Morrow, as Receiver in Case No. 2:16-CV-02555-TLW-KJN pending in the United States District Court for the Eastern District of California, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)
Notary Public in and for said County and State

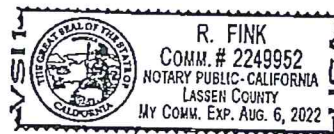


EXHIBIT A

THE FOLLOWING DESCRIBED PROPERTY LOCATED IN
THE COUNTY OF LASSEN, STATE OF CALIFORNIA:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED
IN THE UNINCORPORATED AREA, COUNTY OF LASSEN,
STATE OF CALIFORNIA AND IS DESCRIBED AS
FOLLOWS:

IN TOWNSHIP 24 NORTH, RANGE 17 EAST, MOUNT
DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL
PLAT THEREOF.

SECTION 13: THE E 1/2 OF THE NW 1/4; THE NE 1/4
OF THE SW 1/4; AND THE W 1/2 OF THE E 1/2.

EXCEPTING THEREFROM THE PARCEL DESCRIBED IN
THE DEED TO THE STATE OF CALIFORNIA, RECORDED
MAY 03, 1968, IN BOOK 221 PAGE 378, OF OFFICIAL
RECORDS.

ALSO EXCEPTING THEREFROM A STRIP OF LAND, 100
FEET IN WIDTH, AS DESCRIBED IN THE JUDGMENT OF
CONDEMNATION IN FAVOR OF CHARLES MORAN, ET
AL, RECORDED FEBRUARY 08, 1888, IN BOOK F PAGE
326, OF DEEDS.

ALSO EXCEPTING THEREFROM ALL THAT PORTION
LYING WESTERLY OF THE EASTERLY LINE OF THE
WESTERN PACIFIC RAILROAD AND THAT PORTION
LYING EASTERLY OF THE WESTERLY LINE OF U.S.
HIGHWAY 395, AS DESCRIBED IN THE DEED TO THE
STATE OF CALIFORNIA, RECORDED SEPTEMBER 22,
1933, IN BOOK 30 PAGE 246, OF DEEDS.

SECTION 24: LOTS 2, 3 AND 4; THE W 1/2 OF THE E
1/2; THE E 1/2 OF NW 1/4; AND THE NE 1/4 OF THE SW
1/4.

EXCEPTING THEREFROM A STRIP OF LAND, 100 FEET IN
WIDTH, AS DESCRIBED IN THE JUDGMENT OF
CONDEMNATION IN FAVOR OF CHARLES MORAN, ET
AL, RECORDED FEBRUARY 08, 1888, IN BOOK F PAGE
326, OF DEEDS.

ALSO EXCEPTING THEREFROM A STRIP OF LAND 100
FEET IN WIDTH AS DESCRIBED IN THE DEED TO
WESTERN PACIFIC RAILWAY COMPANY, RECORDED

APRIL 10, 1905, IN BOOK P PAGE 214, OF DEEDS.

ALSO EXCEPTING THEREFROM A STRIP OF LAND 200 FEET IN WIDTH AS DESCRIBED IN THE DEED TO WESTERN PACIFIC RAILWAY COMPANY, RECORDED FEBRUARY 08, 1906, IN BOOK P PAGE 632, OF DEEDS.

ALSO EXCEPTING THEREFROM PARCELS 1 AND 2 AS DESCRIBED IN THE DEED TO ERMIN J. HINTZ RECORDED September 13, 1967, IN BOOK 216 PAGE 472, OF OFFICIAL RECORDS.

SECTION 25: LOTS 1, 2, 3 AND 4; AND THE W 1/2 OF THE SW 1/4.

SECTION 26: THE S 1/2 OF THE SE 1/4.

SECTION 34: THE E 1/2 OF THE SE 1/4; AND THE SW 1/4 OF THE SE 1/4.

EXCEPTING FROM THE NE 1/4 OF THE SE 1/4; AND THE SW 1/4 OF THE SE 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO FRED E. GALEPPI, RECORDED MAY 11, 1982, IN BOOK 401 PAGE 521, OF OFFICIAL RECORDS.

SECTION 35: THE W 1/2 OF THE SW 1/4.

SECTION 36: THE SW 1/4 OF THE NE 1/4; THE SE 1/4 OF THE NW 1/4; THE E 1/2 OF THE SW 1/4; AND THE SW 1/4 OF THE SW 1/4.

EXCEPTING THEREFROM A STRIP OF LAND 150 FEET IN WIDTH AS DESCRIBED IN THE DEED TO WESTERN PACIFIC RAILWAY COMPANY, RECORDED MARCH 15, 1905, IN BOOK P PAGE 159, OF DEEDS.

IN TOWNSHIP 23 NORTH, RANGE 17 EAST, MOUNT DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SECTION 1: LOTS 1 AND 2; THE S 1/2 OF THE NW 1/4; THE SW 1/4 OF THE NE 1/4; THE W 1/2 OF THE SE 1/4; AND THE S 1/2 OF THE SW 1/4.

EXCEPTING THEREFROM THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED SEPTEMBER 04, 1926, IN BOOK 18 PAGE 189, OF DEEDS.

"Remainder Parcel"
per P.M. Wvr. No.
3-02-86.
458 D.R. 98

ALSO EXCEPTING THEREFROM THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 10, 1992, IN BOOK 560 PAGE 500, OF OFFICIAL RECORDS.

ALSO EXCEPTING FROM THE S 1/2 OF THE SW 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI, RECORDED APRIL 07, 1941, IN BOOK 39 PAGE 472, OF DEEDS.

SECTION 2: LOTS 1, 2, 3 AND 4; THE SE 1/4 OF THE NW 1/4; THE S 1/2 OF THE NE 1/4; THE N 1/2 OF THE SE 1/4; THE SW 1/4 OF THE SE 1/4; THE E 1/2 OF THE SW 1/4; AND THE SW 1/4 OF THE SW 1/4.

EXCEPTING FROM THE SW 1/4 OF THE SW 1/4, ALL THAT PORTION THEREOF LYING SOUTHERLY AND EASTERLY OF THE NORTHWESTERLY LINE OF THE STRIP OF LAND 100 FEET IN WIDTH CONVEYED TO WESTERN PACIFIC RAILWAY COMPANY BY DEED, RECORDED JUNE 06, 1905, IN BOOK P PAGE 341, OF DEEDS.

EXCEPTING FROM THE SW 1/4 OF THE SE 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI, RECORDED April 07, 1941, IN BOOK 39 PAGE 472, OF DEEDS.

ALSO EXCEPTING THEREFROM THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 10, 1992, IN BOOK 560 PAGE 500, OF OFFICIAL RECORDS.

SECTION 3: LOT 1 AND 2; THE S 1/2 OF THE NE 1/4; AND THE SE 1/4.

EXCEPTING FROM LOT 2: THE SE 1/4 OF THE NE 1/4; AND THE S 1/2 OF THE SE 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO FRED E. GALEPPI, RECORDED MAY 11, 1982, IN BOOK 401 PAGE 521, OF OFFICIAL RECORDS.

SECTION 10: THE N 1/2 OF THE NE 1/4.

"Remainder Parcel"
per P.M. W.R. No.
3-02-86.
458 O.R. 98

EXCEPTING THEREFROM, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO FRED E. GALEPPI, RECORDED MAY 11, 1982, IN BOOK 401 PAGE 521, OF OFFICIAL RECORDS.

SECTION 11: THE E 1/2 OF THE E 1/2; AND THE NW 1/4 OF THE NE 1/4.

✓ THE NORTH 396 FEET OF THE SOUTH 476 FEET OF THE WEST 550 FEET OF THE S.E. 1/4 OF THE NE 1/4 OF SECTION 11, T. 23 N., R. 17 E. M.D.M.

EXCEPTING THEREFROM, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI, RECORDED April 07, 1941, IN BOOK 39 PAGE 472, OF DEEDS.

ALSO EXCEPTING THEREFROM THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 10, 1992, IN BOOK 560 PAGE 500, OF OFFICIAL RECORDS.

SECTION 12: THE NW 1/4 OF THE NW 1/4.

EXCEPTING THEREFROM, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI, RECORDED APRIL 07, 1941, IN BOOK 39 PAGE 472, OF DEEDS.

SECTION 14: THE N 1/2 OF THE NE 1/4; THE E 1/2 OF THE NW 1/4; THE NE 1/4 OF THE SW 1/4; AND THE W 1/2 OF THE SE 1/4.

EXCEPTING THEREFROM THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 10, 1992, IN BOOK 560 PAGE 500, OF OFFICIAL RECORDS.

ALSO EXCEPTING FROM THE N 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE

A.P.N. 145-030-020
(Not part of the
"Remainder")

"Remainder Parcel"

UNITED STATES OF AMERICA TO CHARLES A. GALEPPI,
RECORDED APRIL 07, 1941, IN BOOK 39 PAGE 472, OF
DEEDS.

SECTION 15: THE SW 1/4 OF THE NE 1/4; AND THE
W 1/2 OF THE SE 1/4.

EXCEPTING THEREFROM, ALL THE COAL AND OTHER
MINERALS IN SAID LANDS, TOGETHER WITH THE
RIGHT TO PROSPECT FOR, MINE AND REMOVE THE
SAME AS CONTAINED IN THE PATENT FROM THE
UNITED STATES OF AMERICA TO THE HEIRS OF
ARTHUR PAUL PENZA, RECORDED MAY 11, 1982, IN
BOOK 401 PAGE 527, OF OFFICIAL RECORDS.

SECTION 22: THE NW 1/4 OF THE NE 1/4.

EXCEPTING THEREFROM, ALL THE COAL AND OTHER
MINERALS IN SAID LANDS, TOGETHER WITH THE
RIGHT TO PROSPECT FOR, MINE AND REMOVE THE
SAME AS CONTAINED IN THE PATENT FROM THE
UNITED STATES OF AMERICA TO THE HEIRS OF
ARTHUR PAUL PENZA, RECORDED MAY 11, 1982, IN
BOOK 401 PAGE 527, OF OFFICIAL RECORDS.

APN: 143-070-07, 143-070-12, 143-070-13, 143-070-15, 143-
100-03, 143-100-07, 143-100-20, 143-100-22, 143-100-24, 143-
100-26, 145-020-05, 145-020-06, 145-030-03, 145-030-04, 145-
030-05, 145-030-11, 145-030-16, 145-040-12, 145-050-12,
145-050-15, 145-050-04

Parcel No.: 143-070-07

Together with all of Trustor's right, title and interest, whether
now owned or hereafter acquired, in and to the following:

(a) All buildings, structures, and improvements
now or hereafter located on such tract or tracts, as well as
all rights-of-way, easements, and other appurtenances
thereto ("Improvements");

(b) Any land lying between the boundaries of
such tract or tracts and the center line of any adjacent
street, road, avenue, or alley, whether opened or
proposed, if any;

(c) All of the rents, income, receipts, revenues,
issues and profits of and from such tract or tracts and
improvements;

(d) All (i) water and water rights (whether
decreed or undecreed, tributary, nontributary or not

nontributary, surface or underground, or appropriated or unappropriated), including, without limitation, those certain water rights granted in Decree No. 12999, entered August 9, 1976, in Book 26 of Judgments, Page 20, by the Superior Court for Lassen County concerning the Long Valley Creek Stream System within California in Counties of Lassen, Sierra and Plumas; (ii) ditches and ditch rights; (iii) spring and spring rights; (iv) reservoir and reservoir rights; and (v) shares of stock in water, ditch and canal companies and all other evidence of such rights, which are now owned or hereafter acquired by Trustor and which are appurtenant to or which have been used in connection with such tract or tracts or improvements;

✓ (e) All minerals, crops, timber, trees, shrubs, flowers, and landscaping features now or hereafter located on, under or above such tract or tracts;

(f) All machinery, apparatus, equipment, fittings, fixtures (whether actually or constructively attached, and including all trade, domestic, and ornamental fixtures) now or hereafter located in, upon, or under such tract or tracts or improvements and used or usable in connection with any present or future operation thereof, including but not limited to all heating, air-conditioning, freezing, lighting, laundry, incinerating and power equipment; engines; pipes; pumps; tanks; motors; conduits; switchboards; plumbing, lifting, cleaning, fire prevention, fire extinguishing, refrigerating, ventilating, cooking, and communications apparatus; boilers, water heaters, ranges, furnaces, and burners; appliances; vacuum cleaning systems; elevators; escalators; shades; awnings; screens; storm doors and windows; stoves; refrigerators; attached cabinets; partitions; ducts and compressors; rugs and carpets; draperies; and all additions thereto and replacements therefor;

(g) All rights to the payment of money, accounts, accounts receivable, reserves, deferred payments, refunds, cost savings, payments and deposits, whether now or later to be received from third parties (including all earnest money sales deposits) or deposited by Trustor with third parties (including all utility deposits), escrow funds, escrow accounts, contract rights, management agreements, construction agreements or contracts, franchise agreements, development and use rights, governmental permits and licenses, including, without limitation, that certain Use Permit (File No. 2002-113) issued by the Lassen County Planning Commission on February 26, 2003 for the operation of a Pozzolan mine, applications, architectural and

engineering plans, specifications and drawings, as-built drawings, chattel paper, instruments, documents, notes, drafts and letters of credit (other than letters of credit in favor of Beneficiary), which arise from or relate to construction on the Land, occupancy, management, operation, or to any business now or hereafter to be conducted on it, or to the Land and Improvements generally;

(h) All proceeds, including all claims to and demands for them, of the voluntary or involuntary conversion of any of the Property or the other property described above into cash or liquidated claims, including proceeds from the sale or other disposition of the Property or other property described herein, including, but not limited to, all present and future Leases, Sales Contracts (defined below), rights to payment of money as well as proceeds of all present and future fire, hazard or casualty insurance policies and all condemnation awards or payments now or later to be made by any public body or decree by any court of competent jurisdiction for any taking or in connection with any condemnation or eminent domain proceeding, and all causes of action and their proceeds for any damage or injury to the Property or the other property described above or any part of them, or breach of warranty in connection with the construction of the Improvements, including causes of action arising in tort, contract, fraud or concealment of a material fact;

(i) All development rights associated with such tract or tracts, whether previously or subsequently transferred to such tract or tracts from other real property or now or hereafter susceptible of transfer from such tract or tracts to other real property;

(j) All awards and payments, including interest thereon, resulting from the exercise of any right of eminent domain or any other public or private taking of, injury to, or decrease in the value of, any of such property;

(k) All books and records pertaining to any and all of the property described above, including computer-readable memory and any computer hardware or software necessary to access and process such memory;

(l) All trade names and trademarks;

(m) all of Trustor's interest in and to the Loan funds, whether disbursed or not, and any of Trustor's funds now or later to be held by or on behalf of Beneficiary;

(n) Any and all contracts and agreements for the sale of all or any portion of the Property and all rights to any and all earnest money deposits, sales proceeds and all other payments now or hereafter due thereunder ("Sales Contracts"). Trustor represents and warrants that there are no current Sales Contracts affecting the Property;

(o) All of Trustor's right, title and interest in and to any association or joint ownership association, now or hereafter formed pursuant to a declaration (the "Association") and interest in any common areas or common elements and any limited common areas or limited common elements of the Property owned by the Association; and

(p) All other and greater rights and interests of every nature in such tract or tracts and in the possession or use thereof and income therefrom, whether now owned or subsequently acquired by Trustor.

Mary Bacon, Bar No. 283369
mbacon@spencerfane.com
John O'Brien (admitted Pro Hac Vice)
jobrien@spencerfane.com
Scott C. Sandberg (admitted Pro Hac Vice)
ssandberg@spencerfane.com
SPENCER FANE LLP
1700 Lincoln Street, Suite 2000
Denver, Colorado 80203

Attorneys for Plaintiff
Avalanche Funding, LLC

I hereby certify that the annexed
instrument is a true and correct copy of
the original on file in my office.

ATTEST: KEITH HOLLAND

Clerk, U. S. District Court
Eastern District of California

By [Signature] Deputy Clerk

Dated 9/27/21

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AVALANCHE FUNDING, LLC, a Colorado
limited liability company;

Plaintiff,

v.

SYED M. ARIF, an individual; SYEDA
REHANA BEGUM, an individual; TIM
SWICKARD, an individual; MAPES RANCH,
INC., a California corporation; FIVE DOT
CATTLE COMPANY, a California corporation;
NORMAN F. RICE, deceased; THE TESTATE
AND INTESTATE SUCCESSORS OF
NORMAN F. RICE, DECEASED, AND ALL
PERSONS CLAIMING BY, THROUGH OR
UNDER SUCH DECEDENT, AS
REPRESENTED BY THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
NORMAN F. RICE; GLORIA RICE, deceased;
THE TESTATE AND INTESTATE
SUCCESSORS OF GLORIA RICE,
DECEASED, AND ALL PERSONS
CLAIMING BY, THROUGH OR UNDER
SUCH DECEDENT, AS REPRESENTED BY
THE PERSONAL REPRESENTATIVE OF
THE ESTATE OF GLORIA RICE; RICE 1997
FAMILY TRUST; GLORIA M. RICE,
TRUSTEE OF THE RICE 1997 FAMILY
TRUST; NORMAN RICE ENTERPRISES,
INC., a Nevada corporation; MATTHEW G.
HUNTLEY A/K/A MATTHEW GRANT
HUNTLEY, an individual; MICHON
HUNTLEY, an individual; RAMONA

Case No. 2:16-CV-02555-TLN-KJN

ORDER GRANTING (1) MOTION TO
APPROVE RECEIVER'S REPORT;
(2) MOTION TO CONFIRM SALE; (3)
MOTION TO TERMINATE THE
RECEIVERSHIP; AND (4) MOTION
TO RELEASE AND DISCHARGE THE
RECEIVER

Ctrlm: 2

Judge: Hon. Troy L. Nunley

SPENCER FANE LLP
1700 LINCOLN STREET, SUITE 2000
DENVER, COLORADO 80203
TELEPHONE: 303-839-3800
FACSIMILE: 303-839-3838

STONEBARGER, deceased; THE TESTATE
AND INTESTATE SUCCESSORS OF
RAMONA STONEBARGER, DECEASED,
AND ALL PERSONS CLAIMING BY,
THROUGH OR UNDER SUCH DECEDENT,
AS REPRESENTED BY THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
RAMONA STONEBARGER; ART
KOFFINKE, deceased; THE TESTATE AND
INTESTATE SUCCESSORS OF ART
KOFFINKE, DECEASED, AND ALL
PERSONS CLAIMING BY, THROUGH OR
UNDER SUCH DECEDENT, AS
REPRESENTED BY THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
ART KOFFINKE; LARRY CAMPBELL,
deceased; THE TESTATE AND INTESTATE
SUCCESSORS OF LARRY CAMPBELL,
DECEASED, AND ALL PERSONS
CLAIMING BY, THROUGH OR UNDER
SUCH DECEDENT, AS REPRESENTED BY
THE PERSONAL REPRESENTATIVE OF
THE ESTATE OF LARRY CAMPBELL;
HANSON CATTLE COMPANY, purported
corporation of likely Nevada domicile;
HANSEN CATTLE COMPANY, a Nevada
corporation; NORTH AMERICAN
TECHNICAL TRADING CO., INC., an Illinois
corporation; A TRUSTEE OF AN UNNAMED
TRUST TO BE ESTABLISHED
REFERENCED IN A NOTICE RECORDED
ON FEBRUARY 11, 1997 IN VOLUME 660
AT PAGE 559; CHICAGO TITLE COMPANY
in its capacity as Trustee under a Deed of Trust
Recording Number 2008-04633 of Official
Records, Lassen County; ALL PERSONS
UNKNOWN CLAIMING ONLY LEGAL OR
EQUITABLE RIGHT, TITLE INTEREST OR
CLOUD ON PLAINTIFF'S INTEREST IN
PROPERTY; and DOES 1 – 50

Defendants

Upon the (1) Motion To Approve Receiver's Report; (2) Motion to Confirm Sale;
(3) Motion To Terminate The Receivership; and (4) Motion To Release And Discharge The
Receiver filed by Avalanche Funding, LLC, and upon good grounds appearing therefor this Court
orders as follows:

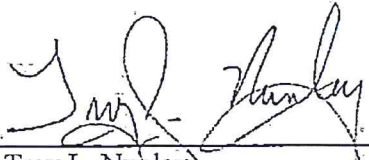
IT IS HEREBY ORDERED that the motions are granted.

IT IS FURTHER ORDERED as follows:

SPENCER FANE LLP
170 LINCOLN STREET, SUITE 2000
DENVER, CO 80202
TELEPHONE: 303-533-3800
FACSIMILE: 303-533-3838

- (a) That the Receiver's Report is accepted and approved as filed and the Receiver is relieved from filing any additional reports with the Court;
- (b) That the Receiver is relieved, discharged, and released from any further responsibility for any property over which he has been appointed;
- (c) That Tom Morrow be and hereby is and shall stand discharged as Receiver, and that he and his surety shall be, and hereby are discharged, relieved, released and exonerated from any liability or acts occurring prior to or subsequent to his discharge, said discharge and release to be effective without further application of this court;
- (d) That the Receivership is hereby terminated;
- (e) That the Receiver has no further responsibility to keep or maintain any records after December 31, 2023 and that the Receiver may destroy all of his records after December 31, 2023;
- (f) That persons or parties requesting information or services from the Receiver after his discharge shall make their own arrangements for compensating the Receiver, and the Receiver shall have no further responsibility to provide information or services with or without compensation; and
- (g) that the sale made by the Receiver with respect to the Property on September 9, 2021 and all of the proceedings in all respects are hereby approved and confirmed.

Dated this 20th day of September, 2021.


Troy L. Nunley
United States District Judge

BOOK 458 PAGE 98
RECORDED AT REQUEST OF

LASSEN COUNTY
at 15 minutes past 3 P m., or

MAY 12 1986

in Vol. 458 at Page 98

Official Records, Lassen County, California

P.J. ITHURBURN, RECORDER

Fee None Doc No 2462

Indexed

CONSENT OF RECORD OWNER
PARCEL MAP WAIVER NO. 3-02-86

The undersigned, Mapes Ranch, Inc., a California corporation, hereby certifies that it is the only party having any record title interest, within the meaning of Section 66436 of the Government Code of California, in the hereinafter described parcels of real property, and that it does hereby consent to the division of said real property into the hereinafter described "Parcel A" and "Remainder Parcel" subject to the following restriction:

"In the event that any archaeological or cultural resources are discovered or found during construction or any ground disturbing activities in association with this project, such work is to be halted in the immediate area of the discovery until a qualified archaeologist is consulted to determine its significance and recommend appropriate mitigation measures."

PARCEL MAP WAIVER NO. 3-02-86 WAS APPROVED ON APRIL 2, 1986 BY LASSEN COUNTY.

ALL THAT CERTAIN REAL PROPERTY SITUATE, LYING AND BEING IN THE COUNTY OF LASSEN, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

IN TOWNSHIP 23 NORTH, RANGE 17 EAST, MOUNT DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SECTION 23: THE N 1/2 OF THE NE 1/4; THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4.

REMAINDER PARCEL:

IN TOWNSHIP 24 NORTH, RANGE 17 EAST, MOUNT DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SECTION 34: THE E 1/2 OF THE SE 1/4; AND THE SW 1/4 OF THE SE 1/4.

EXCEPTING FROM THE NE 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO FRED E. GALEPPI RECORDED MAY 11, 1982 IN BOOK 401 OF OFFICIAL RECORDS, AT PAGE 521.

SECTION 35: THE W 1/2 OF THE SW 1/4.

SECTION 36: THE SW 1/4 OF THE NE 1/4; THE SE 1/4 OF THE NW 1/4; THE E 1/2 OF THE SW 1/4; AND THE SW 1/4 OF THE SW 1/4.

EXCEPTING THEREFROM A STRIP OF LAND 150 FEET IN WIDTH AS DESCRIBED IN THE DEED TO WESTERN PACIFIC RAILWAY COMPANY RECORDED MARCH 15, 1905 IN BOOK P OF DEEDS, AT PAGE 159.

IN TOWNSHIP 23 NORTH, RANGE 17 EAST, MOUNT DIABLO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SECTION 1: LOTS 1 AND 2; THE S 1/2 OF THE NW 1/4; THE SW 1/4 OF THE NE 1/4; THE W 1/2 OF THE SE 1/4; AND THE S 1/2 OF THE SW 1/4.

EXCEPTING THEREFROM THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA RECORDED SEPTEMBER 4, 1926 IN BOOK 18 OF DEEDS, AT PAGE 189.

ALSO EXCEPTING FROM THE S 1/2 OF THE SW 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI RECORDED APRIL 7, 1941 IN BOOK 39 OF DEEDS, AT PAGE 472.

SECTION 2: LOTS 1, 2, 3 AND 4; THE SE 1/4 OF THE NW 1/4; THE S 1/2 OF THE NE 1/4; THE N 1/2 OF THE SE 1/4; THE SW 1/4 OF THE SE 1/4; THE E 1/2 OF THE SW 1/4; AND THE SW 1/4 OF THE SW 1/4.

EXCEPTING FROM THE SW 1/4 OF THE SW 1/4, ALL THAT PORTION THEREOF LYING SOUTHERLY AND EASTERLY OF THE NORTHWESTERLY LINE OF THE STRIP OF LAND 100 FEET IN WIDTH AS CONVEYED TO WESTERN PACIFIC RAILWAY COMPANY BY DEED RECORDED JUNE 6, 1905 IN BOOK P OF DEEDS, AT PAGE 341.

EXCEPTING FROM THE SW 1/4 OF THE SE 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI RECORDED APRIL 7, 1941 IN BOOK 39 OF DEEDS, AT PAGE 472.

SECTION 3: LOTS 1 AND 2; THE S 1/2 OF THE NE 1/4; AND THE SE 1/4.

EXCEPTING FROM LOT 2, THE SE 1/4 OF THE NE 1/4 AND THE S 1/2 OF THE SE 1/4, ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO FRED E. GALEPPI RECORDED MAY 11, 1982 IN BOOK 401 OF OFFICIAL RECORDS, AT PAGE 521.

SECTION 10: THE N 1/2 OF THE NE 1/4.

EXCEPTING THEREFROM ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO FRED E. GALEPPI RECORDED MAY 11, 1982 IN BOOK 401 OF OFFICIAL RECORDS, AT PAGE 521.

SECTION 11: THE E 1/2 OF THE E 1/2; AND THE NW 1/4 OF THE NE 1/4.

EXCEPTING THEREFROM ALL THE COAL AND OTHER MINERALS IN SAID LAND, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI RECORDED APRIL 7, 1941 IN BOOK 39 OF DEEDS, AT PAGE 472.

ALSO EXCEPTING THEREFROM THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA RECORDED AUGUST 11, 1941 IN BOOK 40 OF DEEDS, AT PAGE 160.

SECTION 12: THE NW 1/4 OF THE NW 1/4.

EXCEPTING THEREFROM ALL THE COAL AND OTHER MINERALS IN SAID LANDS, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI RECORDED APRIL 7, 1941 IN BOOK 39 OF DEEDS, AT PAGE 472.

SECTION 14: THE N 1/2 OF THE NE 1/4; THE E 1/2 OF THE NW 1/4; THE NE 1/4 OF THE SW 1/4; AND THE W 1/2 OF THE SE 1/4.

EXCEPTING FROM THE N 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 ALL THE COAL AND OTHER MINERALS IN SAID LAND, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME AS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO CHARLES A. GALEPPI RECORDED APRIL 7, 1941 IN BOOK 39 OF DEEDS, AT PAGE 472.

Dated 4-24-86

MAPES RANCH, INC.
a California corporation

By [Signature]

CAT. NO. NN00737
TO 21945 CA (1-83)
(Corporation)

TICOR TITLE INSURANCE

STATE OF CALIFORNIA
COUNTY OF Lassen } ss.

On April 24, 1986 before me, the undersigned, a Notary Public in and for said State, personally appeared Timothy J. Swickard personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the President, and

[Signature] personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Secretary of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

Signature [Signature]


JANE E. GARDNER
 NOTARY PUBLIC-CALIFORNIA
 Lassen County
 My Commission Expires Nov. 5, 1998

(This area for official notarial seal)

STAPLE HERE