

# CERTIFICATE OF SURVEY

## RETRACEMENT FOR TUNGSTEN HOLDINGS, INC. A PORTION OF H.E.S. NO. 444

IN SECTIONS 24 AND 25 OF T.31N., R.32W., P.M.,MT.  
NOVEMBER 1998

### PURPOSE OF SURVEY AND EXEMPTION CERTIFICATION

I, Dianna Rooney, President of Tungsten Holdings, Inc., owner of record, hereby certify that the purpose of this survey is the resurvey and retracement of a record tract of land; to mark the boundary lines upon the ground between adjoining lands and no division of land is hereby created. Therefore, this parcel is exempt from review as a subdivision.

Dianna Rooney, President Date

### ACKNOWLEDGEMENT

The foregoing Exemption was subscribed and acknowledged before me, a Notary Public for the State of Montana, County of Lincoln, by the above named person(s), on this 16 day of DEC 1998. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Alvah F. Hughes, Notary Public for the State of Montana,  
residing in: Lincoln, Montana My Commission expires: 12-14-98

### SURVEYOR'S NOTE

In my efforts to retrace and establish the boundaries of Parcel 1D, I have examined the senior record Plats, Certificates of Survey, and Deeds which were used to prepare the deed for Tract 1D, as filed Book 253, Page 53. Thus, I have found typographical errors, mathematical misclosures, and distance error, in this deed. Ambiguities and misinterpretation of distances, as shown on the original Plat No. 2312 by Ira Miller, have caused many of these errors. Therefore, I have used 485.00 feet and not 490.50 feet, as described in the adjoining deed of Tract 3A, filed Book 176 Page 475, to correct the said distance error and establish the common corner between Tract 1D and Tract 3A. Typographical errors have been corrected using platted bearings and distances.

### METHOD OF SURVEY

A four second Nikon total station and HP data collector was used with closed traverse procedures to tie the previously set controlling corners of HES No. 444 and various record Certificates of Surveys.

### LAND SURVEYOR'S CERTIFICATION:

I hereby certify that I am a Registered Land Surveyor in the State of Montana, that the survey shown on this Certificate of Survey has been prepared in accordance with the Montana Code Annotated, Sections 76-3-101 through 76-3-625, and the Lincoln County regulations adopted pursuant thereto.

Alvah F. Hughes 7322LS 12-14-98  
Alvah F. Hughes, Montana Reg. No. 7322LS Date

### EXAMINING OFFICIAL CERTIFICATION

Approved this 16 day of DEC 1998, A.D.  
Bill J. Bischoff  
Examining Official

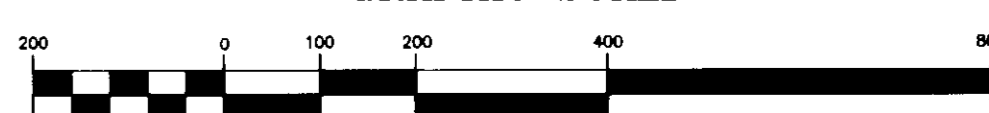
### COMMISSIONER'S CERTIFICATION

Approved R.G. Wagoner 12/16/98  
Chairman, Lincoln County Commissioners Date

### CLERK AND RECORDER'S CERTIFICATION.

State of Montana, County of Lincoln, filed this 16 day  
of DECEMBER 1998, A.D. at 9:30 o'clock AM  
Coral M. Cummings by Jeannie Dennis  
County Clerk Recorder Deputy

### GRAPHIC SCALE

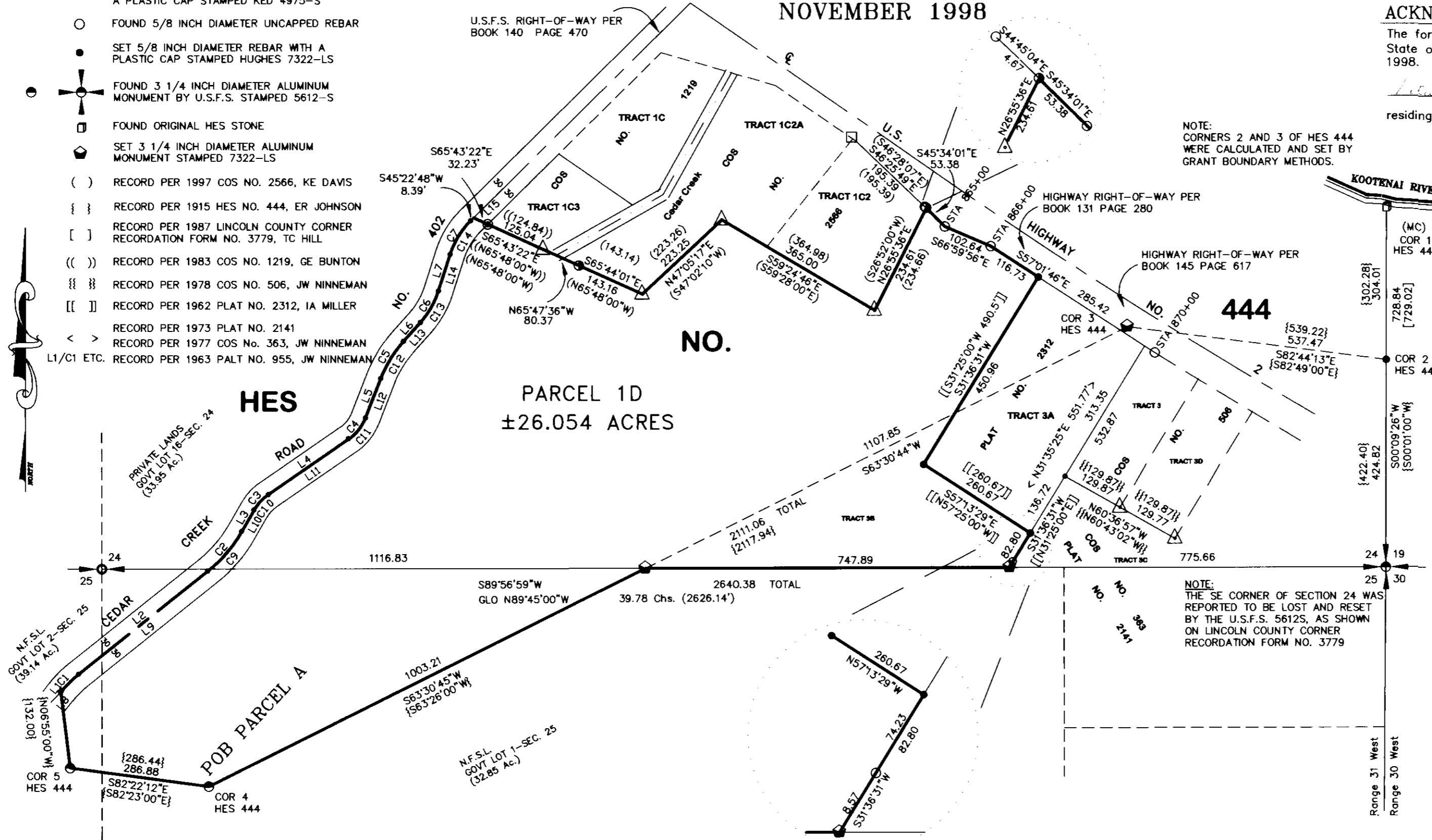


( IN FEET )  
1 inch = 200 ft.

CERTIFICATE OF SURVEY NO. 2733

Doc #136973

- ### LEGEND
- FOUND 2 INCH DIAMETER ALUMINUM CAP STAMPED M.D.O.H.
  - FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED GEB 4974-S
  - △ FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED JHN 4661-S
  - FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED KED 4975-S
  - FOUND 5/8 INCH DIAMETER UNCAPPED REBAR
  - SET 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED HUGHES 7322-LS
  - FOUND 3 1/4 INCH DIAMETER ALUMINUM MONUMENT BY U.S.F.S. STAMPED 5612-S
  - FOUND ORIGINAL HES STONE
  - SET 3 1/4 INCH DIAMETER ALUMINUM MONUMENT STAMPED 7322-LS
  - ( ) RECORD PER 1997 COS NO. 2566, KE DAVIS
  - { } RECORD PER 1915 HES NO. 444, ER JOHNSON
  - [ ] RECORD PER 1987 LINCOLN COUNTY CORNER RECORDATION FORM NO. 3779, TC HILL
  - (( )) RECORD PER 1983 COS NO. 1219, GE BUNTON
  - ||| RECORD PER 1978 COS NO. 506, JW NINNEMAN
  - [[ ]] RECORD PER 1962 PLAT NO. 2312, IA MILLER
  - < > RECORD PER 1977 COS No. 363, JW NINNEMAN
  - LI/C1 ETC. RECORD PER 1963 PALT NO. 955, JW NINNEMAN



LINE	LENGTH	BEARING
L1	0.50	N38°09'48"E
L2	340.70	N51°23'48"E
L3	50.80	N29°55'48"E
L4	199.80	N55°27'48"E
L5	86.80	N21°21'48"E
L6	53.20	N41°46'48"E
L7	79.00	N17°47'48"E
L8	30.43	N38°09'48"E
L9	340.70	N51°23'48"E
L10	50.80	N29°55'48"E
L11	199.80	N55°27'48"E
L12	86.80	N21°21'48"E
L13	53.20	N41°46'48"E
L14	79.00	N17°47'48"E
L15	19.97	N45°22'48"E

CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	50.90	220.40	131°4'00"	25.57
C2	107.34	286.50	21°28'00"	54.31
C3	42.56	95.50	25°32'00"	21.64
C4	57.02	95.80	34°06'00"	29.38
C5	88.76	249.10	20°25'00"	44.86
C6	74.97	179.10	23°59'00"	38.04
C7	81.12	168.50	27°35'00"	41.36
C8	43.98	190.40	131°4'00"	22.09
C9	118.58	316.50	21°28'00"	59.99
C10	29.19	65.50	25°32'00"	14.84
C11	74.87	125.80	34°06'00"	38.58
C12	78.07	219.10	20°25'00"	39.46
C13	87.53	209.10	23°59'00"	44.41
C14	66.68	138.50	27°35'00"	34.00

### Legal Description

An irregular tract of land, lying westerly of Libby, Montana, Lincoln County, and partially in the Southeast Quarter of Section 24, Township 31 North, Range 32 West, P.M.M.T., and the Northeast Quarter of Section 25, Township 31 North, Range 32 West, P.M.,MT., and being in a portion of Homestead Entry Survey No. 444, more particularly described as follows to wit:  
Commencing at Corner No. 4, H.E.S. No. 444, a 3 1/4 inch aluminum cap monument, marked 5612S, 1987 and the TRUE POINT OF BEGINNING: Thence N82°22'12"W, 286.88 feet to Corner No. 5, H.E.S. No. 444, a 3 1/4 inch aluminum cap monument, marked 5612S, 1987; thence on a record bearing, as shown on the plat of H.E.S. No. 444 bearing N06°55'00"W, 132.00 feet to an unmarked point at the centerline of Cedar Creek Road No. 402, also being the centerline point of a 60.00 foot strip road right-of-way, filed in Lincoln County, Book 140, page 470; thence continuing along said road centerline and along a tangent bearing N38°09'48"E, 0.50 feet to the P.C. of a 220.40 feet radius curve to the right, having a central angle of 13°14'00"; thence along a tangent bearing N51°23'48"E, 340.70 feet to the P.C. of a 286.50 feet radius curve to the left, having a central angle of 21°28'00"; thence along a tangent bearing N29°55'48"E, 50.80 feet to the P.C. of a 95.50 feet radius curve to the right, having a central angle of 25°32'00"; thence along a tangent bearing N55°27'48"E, 199.80 feet to the P.C. of a 95.80 feet radius curve to the left, having a central angle of 34°06'00"; thence along a tangent bearing N21°21'48"E, 86.80 feet to the P.C. of a 249.10 feet radius curve to the right, having a central angle of 20°25'00"; thence along a tangent bearing N41°46'48"E, 53.20 feet to the P.C. of a 179.10 feet radius curve to the left, having a central angle of 23°59'00"; thence along a tangent bearing N17°47'48"E, 79.00 feet to the P.C. of a 168.50 feet radius curve to the right, having a central angle of 27°35'00"; thence along a tangent bearing N45°22'48"E, 8.39 feet to an unmarked point on the centerline of said Cedar Creek Road; thence leaving said road centerline bearing S65°43'22"E, 32.23 feet to the easterly line of said right-of-way and the southwest corner of Parcel "A", as shown on C.O.S. No. 1219, a 5/8 inch rebar marked GEB-4974S; thence continuing along the southerly line of said Parcel "A" bearing S65°43'22"E, 125.04 feet to a 5/8 inch rebar marked JHN 4661S, lying on the westerly bank of Cedar Creek; thence S65°47'36"E, 80.37 feet to the easterly bank of said creek and the southwest corner of Tract 1C2A, as shown on C.O.S. No. 2566, a 5/8 inch rebar marked KED-4975S; thence, S65°44'01"E, 143.16 feet to a 5/8 inch rebar marked JHN 4661-S;

thence N47°05'17"E, 223.25 feet to a 5/8 inch rebar marked JHN 4661S; thence along the southerly line of Tract 1C2, as shown on C.O.S. No. 2566, bearing S59°24'46"E, 365.00 feet to a 5/8 inch rebar marked JHN 4661S; thence N26°55'36"E, 234.61 feet to a 5/8 inch rebar marked KED 4975S and on the southerly U.S. Highway 2 right-of-way line, variable widths, filed in Book 131, page 280, Lincoln County; thence continuing along said highway right-of-way line, bearing S45°34'01"E, 53.38 feet to a 5/8 inch uncapped rebar and M.D.O.H. Station 865+00; thence continuing along said highway right-of-way line bearing S66°59'56"E, 102.64 feet to a 5/8 inch uncapped rebar and M.D.O.H. Station 866+00; thence continuing along said highway right-of-way line, variable widths, filed in Book 145, page 617, bearing S57°01'46"E, 116.73 feet to a 5/8 inch rebar marked Hughes 7322LS and lying N87°07'46"W 285.42 feet from a 5/8 inch uncapped rebar and M.D.O.H. Station 870+00; thence along the northwesterly line of an irregular tract of land bearing S57°13'29"E, 260.67 feet to a 5/8 inch rebar marked Hughes 7322LS; thence along the northwesterly line of said regular tract of land bearing S57°13'29"E, 260.67 feet to a 5/8 inch rebar marked Hughes 7322LS; thence along the northwesterly line of an irregular tract of land as shown on Plat No. 2141, bearing S31°36'31"W, 74.23 feet to a 5/8 inch uncapped rebar as shown on Plat No. 2141; thence S31°36'31"W, 8.57 feet to a 3 1/4 inch aluminum cap monument marked Hughes 7322LS, and lying on the south section line of said Section 24, which lies N89°56'59"E, 775.66 feet from the southeast section corner of said Section 24, an aluminum cap monument, marked 5612S, 1987; thence along the south section line of said Section 24, bearing S89°56'59"W 747.89 feet to a 3 1/4 inch aluminum cap monument marked Hughes 7322LS, and the intersection point of the section line and the southeasterly line of H.E.S. No. 444 between Corner 3 H.E.S. No. 444, a 3 1/4 inch aluminum cap monument marked Hughes 7322LS and said Corner 4 H.E.S. No. 444; thence along the southeasterly line of H.E.S. No. 444 bearing S63°30'45"W 1003.21 feet to said Corner No. 4 of said H.E.S. No. 444, a 3 1/4 inch aluminum cap monument and the True Point of Beginning; containing ±26.054 acres.