

2470 0027

F. W. LEWIS COMPANY
120 GREENRIDGE DRIVE
RENO, NEVADA 89509

(61)

PHONE: (702) 826-2404

Item 27

Jan 13, 1979⁸⁰

Roscoe Smith
Geological Survey
345 Middlefield Rd.
Menlo Park
Calif 94025

Dear Roscoe:

Several years ago I wrote to you pertaining to the location of the Wyoming Minig District in Elko County in conjunction with the Mardis Mine and MillSite.

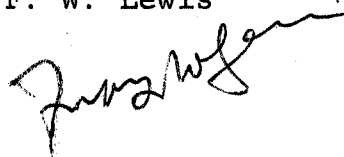
Latter on then some people by the name of Cirinciones had also contacted you suggesting that the Mardis Mine was not as noted by me. This information came to light when I had some difficulty with the Cirinciones as they had located some unpatented claims on top of my patented ground.

As the Patented ground had not been tied into the sections and township, it caused me a lot of difficulty, but in a court suit to quiet title to the ground, I eventually proved the location of the Mardis Mine, and hence the location of the Wyoming Mining District.

I didn't know if you were interested in putting the location of the Wyoming Mining District in your purblications or keeping it in your files or not, but it has been established now beyond any doubt, or any further confusion.

Good Luck,

F. W. Lewis



REED & BOWEN, CHARTERED
ATTORNEYS AT LAW
ARLINGTON-RIDGE BUILDING
290 SOUTH ARLINGTON AVENUE
RENO, NEVADA

1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
2 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

3 FRANK W. LEWIS,

No. 14723

4 Plaintiff,

5 vs.

6 PETER J. CIRINCIONE, JOSEPH F.
7 CIRINCIONE, EDWARD C. ROLLO,
8 FAY W. ROLLO, THE DIAMOND JIM
9 MINING COMPANY, a Nevada
10 Corporation, JOHN DOE FIRST
11 to TENTH, and JOHN DOE
12 CORPORATION FIRST TO TENTH,

13 Defendants.

14 PETER J. CIRINCIONE and JOSEPH
15 F. CIRINCIONE,

16 Third-Party Plaintiffs,

17 vs.

18 SHARON LEWIS, JOHN ROE and JIM
19 ROE, and all other persons un-
20 known claiming any right, title,
21 estate, lien or interest in the
22 real property described in the
23 Third-Party Complaint adverse to
24 the Third-Party Plaintiffs' own-
25 ership, or any cloud upon the
26 Third-Party Plaintiffs' title
27 thereto, excepting the underly-
28 ing interest of the United
29 States of America and to such
30 unpatented claims and the cer-
tain Lease with Edward C. Rollo
and Fay W. Rollo,

Third-Party Defendants.

NOTICE OF ENTRY OF JUDGMENT

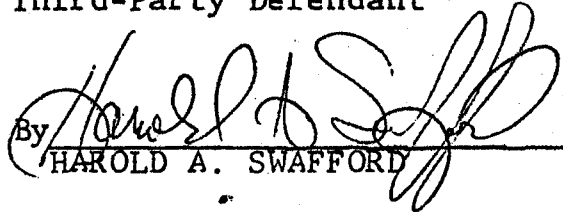
26 TO: PETER J. CIRINCIONE, JOSEPH F. CIRINCIONE, and to their
27 attorney ROBERT O. VAUGHN and to EDWARD C. ROLLO, FAY W. ROLLO,
28 THE DIAMOND JIM MINING COMPANY and to their attorney, GARY E. DI
29 GRAZIA.

30 NOTICE IS HEREBY GIVEN that the above-entitled Court

1 entered its Judgment in the above-entitled matter on the 24th day
2 of August, 1979, a copy of which is attached hereto.

3 DATED: August 27, 1979.

5 REED & BOWEN, CHARTERED
6 290 South Arlington Avenue
7 Reno, Nevada
8 Attorneys for Plaintiff and
9 Third-Party Defendant

10 By 
11 HAROLD A. SWAFFORD

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13
14 REED & BOWEN, CHARTERED
15 ATTORNEYS AT LAW
16 ARLINGTON-RIDGE BUILDING
17 290 SOUTH ARLINGTON AVENUE
18 RENO, NEVADA
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1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
2 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

3
4 FRANK W. LEWIS,

5 Plaintiff,

6 v.

7 PETER J. CIRINCIONE, JOSEPH F.
8 CIRINCIONE, EDWARD C. ROLLO,
9 FAY W. ROLLO, THE DIAMOND JIM
10 MINING COMPANY, a Nevada
11 Corporation, JOHN DOE FIRST
12 to TENTH, and JOHN DOE
13 CORPORATION FIRST to TENTH,

14 Defendants.

15
16 PETER J. CIRINCIONE and JOSEPH F.
17 CIRINCIONE,

18 Third-Party Plaintiffs,

19 v.

20 SHARON LEWIS, JOHN ROE and JIM
21 ROE, and all other persons unknown
22 claiming any right, title, estate,
23 lien or interest in the real prop-
24 erty described in the Third-Party
25 Complaint adverse to the Third-
26 Party Plaintiffs' ownership, or
27 any cloud upon the Third-Party
28 Plaintiff's title thereto, ex-
29 cepting the underlying interest
30 of the United States of America
and to such unpatented claims and
the certain Lease with Edward C.
Rollo and Fay W. Rollo,

Third-Party Defendants.

No. 14723

FILED

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CLERK

DEPUTY

REED & BOWEN, CHARTERED
ATTORNEYS AT LAW
ARLINGTON-RIDGE BUILDING
290 SOUTH ARLINGTON AVENUE
RENO, NEVADA

25
26 J U D G M E N T

27 The above-entitled Civil Action came on regularly for
28 trial on the 19th day of March, 1979, before the Court sitting
29 without a jury. The Plaintiff FRANK W. LEWIS and Third-Party
30 Defendant SHARON LEWIS were present and represented by their

1 attorney, Harold A. Swafford of the firm of Reed & Bowen, Chartered,
2 of Reno, Nevada. The Defendants PETER J. CIRINCIONE and JOSEPH F.
3 CIRINCIONE were present and were represented by Robert O. Vaughan
4 of the firm of Vaughan, Hull & Marfisi of Elko, Nevada. The Defen-
5 dants EDWARD C. ROLLO and FAY W. ROLLO and THE DIAMOND JIM MINING
6 COMPANY, a corporation, were present and represented by their attor-
7 ney, Gary E. DiGrazia of the firm of Goicoechea and DiGrazia of
8 Elko, Nevada; and the Court heretofore having entered its Findings
9 of Fact and Conclusions of Law,

10 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
11 as follows:

12 1. FRANK W. LEWIS, Plaintiff, has been at all times since
13 December 6, 1963, seized and possessed of all those certain lots,
14 pieces or parcels of land and mining claims situate in the County
15 of Elko, State of Nevada, and more particularly described in Exhibit
16 "A" annexed hereto which, by this reference, is incorporated herein.

17 2. FRANK W. LEWIS, Plaintiff herein, is now the owner of
18 and in possession of and entitled to possession of said real prop-
19 erty. Plaintiff has paid all taxes of every kind levied or assessed
20 and due against said property since acquiring it on December 6,
21 1963.

22 3. Defendants, or some of them, may have heretofore
23 claimed an interest or estate in the said property or some portion
24 thereof adverse to Plaintiff. The Court herewith adjudges and
25 decrees that as against said Defendants and each of them, and
26 against all persons or corporations claiming under or through the
27 Defendants, or any of them, the Plaintiff is the owner of the prem-
28 ises aforesaid, in possession thereof and entitled to possession
29 thereof. The Court herewith adjudges and decrees that the Defen-
30 dants, and each of them, have no right, title or interest in the

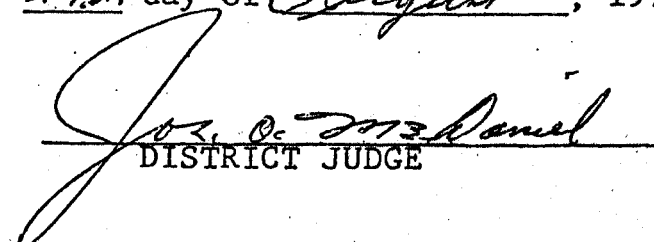
1 real property or premises aforesaid or any part thereof. Defendants
2 and each of them, are forever enjoined and debarred from asserting
3 any claim whatever, whether in or to said lands or premises, adverse
4 to plaintiff, his heirs, successors and assigns. Defendants have
5 no claim adverse to FRANK W. LEWIS in said premises.

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defen-
7 dants', PETER J. CIRINCIONE'S and JOSEPH F. CIRINCIONE'S, Counter-
8 claims and Amended Counterclaims against Plaintiff, and their Third-
9 Party Complaint and Amended Third-Party Complaint against SHARON
10 LEWIS are dismissed with prejudice.

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defen-
12 dants', EDWARD C. ROLLO'S, FAY W. ROLLO'S and THE DIAMOND JIM MIN-
13 ING COMPANY'S Counterclaims against Plaintiff are dismissed with
14 prejudice.

15 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff,
16 FRANK W. LEWIS, and Third-Party Defendant, SHARON LEWIS, are granted
17 Judgment against Defendants PETER J. CIRINCIONE and JOSEPH F.
18 CIRINCIONE, jointly and severally, for their costs of suit in the
19 amount of \$ 2,495.03, said judgment to bear interest at the legal
20 rate of 7% per annum from the date hereof until paid in full.

21 DONE IN OPEN COURT this 24th day of August, 1979.

22
23 
24 DISTRICT JUDGE
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August 14, 1979

FRANK W. LEWIS

Those certain mining claims shown and described on Amended Plat of Record of Survey Mardis Lode and Millsite, U.S. Mineral Survey No. 37A and B, Wyoming Mining District, Elko County, Nevada, in Sections 32, 33, & 34, T 45 N, R 56 E, MDM, as surveyed by A.C. Wood, RLS #3144, and Mark Chilton RLS #1404, and filed for record at 2:21 P.M., March 16, 1979, File No. 121252, Elko County Records of Survey, more particularly described as follows:

Mardis Lode, U.S. Survey No. 37A: Beginning at Corner No. 1, from which the NW corner of Section 34, T 45 N, R 56 E, MDM bears N 1° 22' 32" W 1690.94 feet,

thence N 33° 01' 33" E 999.71 feet to Corner #2,

thence S 81° 46' 17" E 199.90 feet to Corner #3,

thence S 33° 01' 23" W 999.86 feet to Corner #4,

thence N 81° 43' 38" W 199.89 feet to Corner #1, the Point of Beginning, containing 4.17 acres more or less.

Mardis Millsite, U.S. Survey No. 37B: Beginning at Corner #1, from which the NW corner of Section 33, T 45 N, R 56 E, MDM bears N 12° 19' 18" W 1298.01 feet,

thence N 47° 34' 40" W 520.85 feet to Corner #2,

thence S 54° 23' 13" W 417.50 feet to Corner #3,

thence S 47° 41' 59" E 521.98 feet to Corner #4,

thence N 54° 16' 04" E 416.18 feet to Corner #1, the Point of Beginning, containing 4.88 acres more or less.

mc/lb

Aug. 14, 1979

FRANK W. LEWIS

EXHIBIT "A"