

File No. MA 011-98

L. Kamerman)
Mining and Lands Commissioner) Monday, the 21st day
of August, 2000.

THE MINING ACT

IN THE MATTER OF

Mining Claims L-961253 to 961257, both inclusive, 1097076, 1097080 to 1097082, both inclusive, 1097084, 1111046, 1118532, 1118533, 1118587, 1118591, 1118593, 1132023, 1132024, 1130968, 1130969, 1145821, 1145856, 1145857, 1146075, 1146076, 1147154 to 1147156, both inclusive, 1167853 to 1167857, both inclusive, 1168043 to 1168045, both inclusive, 1168672, 1168673, 1178980, 1179097, 1179146, 1179147, 1185652, 1186147, 1186148, 1198560, 1198569, 1198588, 1198637, 1198716, 1202648 to 1202650, both inclusive, 1202652 and 1212005, situate in the Townships of Bryce and Tudhope, in the Larder Lake Mining Division, hereinafter referred to as the "Mining Claims";

AND IN THE MATTER OF

An application under section 105 of the **Mining Act** for a declaration concerning the ownership of the Mining Claims and their transfer from the Respondents to the Applicant and such other relief as the tribunal deems just.

B E T W E E N:

DIAMOND ROCK RESOURCES INC.

Applicant

- and -

JOHN R. EWANCHUK, JAMES MORRIS and
FREDERICK JOHN SWANSON

Respondents

ORDER

WHEREAS THIS APPLICATION was received by this tribunal on 9th day of March, 1998;

AND WHEREAS on the 29th day of June, 1999, pursuant to a motion brought by the Respondents, this tribunal ordered that the Respondent's motion be allowed and that security for costs in the amount of \$17,500.00 were to be posted and filed by the Applicant by the 3rd day of August, 1999, failing which, this application would be dismissed, which Order was complied with;

AND FURTHER TO the Direction from Mr. Robert B. Cohen to the tribunal on the 29th day of February, 2000 and the verbal consent of Mr. Geoffrey C. Kubrick to Mr. Cohen's request on that same day, for the aforementioned security for costs in litigation to be paid in trust to Mr. Cohen's law firm, Cassels, Brock and Blackwell, LLP;

AND WHEREAS the Revenue Section of the Shared Services Bureau paid the monies held in trust to Cassels, Brock and Blackwell, LLP, on the 3rd day of March, 2000;

AND WHEREAS a consent to dismiss this application without costs, dated the 10th day of August, 2000, was received by this tribunal from Mr. Geoffrey C. Kubrick, counsel for the Applicant;

AND WHEREAS a consent to dismiss this application without costs, dated the 28th day of July, 2000, was received by this tribunal from Mr. Robert B. Cohen, co-counsel for the Respondents;

1. THIS TRIBUNAL ORDERS that this application for a declaration concerning the ownership of the Mining Claims and their transfer from the Respondents to the Applicant and such other relief as the tribunal deems just be and is hereby dismissed.

2. THIS TRIBUNAL FURTHER ORDERS that the notation "Pending Proceedings", which was recorded on the abstracts of the Mining Claims to be effective from the 9th day of March, 1998, be removed from the abstracts of the Mining Claims.

3. THIS TRIBUNAL FURTHER ORDERS that the time during which the Mining Claims were under pending proceedings, being the 9th day of March, 1998 to the 21st day of August, 2000, a total of 897 days, be excluded in computing time within which work upon the Mining Claims is to be performed.

4. THIS TRIBUNAL FURTHER ORDERS that the 16th day of September, 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-961253 and 1130968, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be September 16 pursuant to subsection 67(4) of the **Mining Act**.

5. **THIS TRIBUNAL FURTHER ORDERS** that the 17th day of September, 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-961254, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be September 17 pursuant to subsection 67(4) of the **Mining Act**.

6. **THIS TRIBUNAL FURTHER ORDERS** that the 18th day of September 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-961255, 1132023 and 1132024, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be September 18 pursuant to subsection 67(4) of the **Mining Act**.

7. **THIS TRIBUNAL FURTHER ORDERS** that the 19th day of September 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-961256, 961257 and 1147156, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be September 19 pursuant to subsection 67(4) of the **Mining Act**.

8. **THIS TRIBUNAL FURTHER ORDERS** that the 14th day of November, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1097076, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be November 14 pursuant to subsection 67(4) of the **Mining Act**.

9. **THIS TRIBUNAL FURTHER ORDERS** that the 13th day of November, 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1097080 to 1097082, respectively, 1097084 and 1111046, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be November 13 pursuant to subsection 67(4) of the **Mining Act**.

10. **THIS TRIBUNAL FURTHER ORDERS** that the 6th day of March, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1118532 and 1118533, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be March 6 pursuant to subsection 67(4) of the **Mining Act**.

11. **THIS TRIBUNAL FURTHER ORDERS** that the 16th day of February, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1118587 and 1118591, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be February 16 pursuant to subsection 67(4) of the **Mining Act**.

12. THIS TRIBUNAL FURTHER ORDERS that the 17th day of October, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1118593 and 1202652, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be October 17 pursuant to subsection 67(4) of the **Mining Act**.

13. THIS TRIBUNAL FURTHER ORDERS that the 16th day of September, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1130969, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be September 16 pursuant to subsection 67(4) of the **Mining Act**.

14. THIS TRIBUNAL FURTHER ORDERS that the 15th day of September, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1145821, 1145856, 1145857 and 1147155, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be September 15 pursuant to subsection 67(4) of the **Mining Act**.

15. THIS TRIBUNAL FURTHER ORDERS that the 1st day of June, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1146075, 1146076 and 1167853 to 1167857, respectively, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be June 1 pursuant to subsection 67(4) of the **Mining Act**.

16. THIS TRIBUNAL FURTHER ORDERS that the 15th day of September, 2003, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1147154, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be September 15 pursuant to subsection 67(4) of the **Mining Act**.

17. THIS TRIBUNAL FURTHER ORDERS that the 22nd day of June, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1168043, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be June 22 pursuant to subsection 67(4) of the **Mining Act**.

18. THIS TRIBUNAL FURTHER ORDERS that the 22nd day of January, 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1168044 and 1168045, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be January 22 pursuant to subsection 67(4) of the **Mining Act**.

19. **THIS TRIBUNAL FURTHER ORDERS** that the 14th day of August, 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1168672 and 1168673, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be August 14 pursuant to subsection 67(4) of the **Mining Act**.

20. **THIS TRIBUNAL FURTHER ORDERS** that the 4th day of October, 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1186147 and 1186148, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be October 4 pursuant to subsection 67(4) of the **Mining Act**.

21. **THIS TRIBUNAL FURTHER ORDERS** that the 16th day of October, 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1178980, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be October 16 pursuant to subsection 67(4) of the **Mining Act**.

22. **THIS TRIBUNAL FURTHER ORDERS** that the 12th day of October, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1179097, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be October 12 pursuant to subsection 67(4) of the **Mining Act**.

23. **THIS TRIBUNAL FURTHER ORDERS** that the 12th day of March, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1179146 and 1179147, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be March 12 pursuant to subsection 67(4) of the **Mining Act**.

24. **THIS TRIBUNAL FURTHER ORDERS** that the 11th day of March, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1185652, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be March 11 pursuant to subsection 67(4) of the **Mining Act**.

25. **THIS TRIBUNAL FURTHER ORDERS** that the 6th day of December, 2001, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1198560, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be December 6 pursuant to subsection 67(4) of the **Mining Act**.

26. **THIS TRIBUNAL FURTHER ORDERS** that the 31st day of October, 2004, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1198569, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be October 31 pursuant to subsection 67(4) of the **Mining Act**.

27. THIS TRIBUNAL FURTHER ORDERS that the 2nd day of May, 2005, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1198588, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be May 2 pursuant to subsection 67(4) of the **Mining Act**.

28. THIS TRIBUNAL FURTHER ORDERS that the 19th day of November, 2004, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1198637, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be November 19 pursuant to subsection 67(4) of the **Mining Act**.

29. THIS TRIBUNAL FURTHER ORDERS that the 25th day of April, 2005, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1198716, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be April 25 pursuant to subsection 67(4) of the **Mining Act**.

30. THIS TRIBUNAL FURTHER ORDERS that the 16th day of October, 2004, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claims L-1202648 to 1202650, respectively, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be October 16 pursuant to subsection 67(4) of the **Mining Act**.

31. THIS TRIBUNAL FURTHER ORDERS that the 17th day of January, 2002, be fixed as the date by which the next unit of assessment work, in the amount set out in Schedule "A" attached to this Order, must be performed and filed on Mining Claim L-1212005, pursuant to subsection 67(3) the **Mining Act** and all subsequent anniversary dates are deemed to be January 17 pursuant to subsection 67(4) of the **Mining Act**.

32. THIS TRIBUNAL FURTHER ORDERS that no costs shall be payable by either party to this application.

THIS TRIBUNAL FURTHER ADVISES that, pursuant to subsection 129(4) of the **Mining Act**, as amended, a copy of this Order shall be forwarded by the Tribunal to the Provincial Mining Recorder **WHO IS HEREBY DIRECTED** to amend the records in the Provincial Recording Office as necessary and in accordance with the aforementioned subsection 129(4).

DATED this 21st day of August, 2000.

Original signed by

L. Kamerman
MINING AND LANDS COMMISSIONER

SCHEDULE "A"

Mining Claim	Due Date	New Due Date
L- 961253	April 3, 1999	September 16, 2001
L-1130968	"	"
L- 961254	April 4, 1999	September 17, 2001
L- 961255	April 5, 1999	September 18, 2001
L-1132023	"	"
L-1132024	"	"
L- 961256	April 6, 1999	September 19, 2001
L- 961257	"	"
L-1147156	"	"
L-1097076	May 31, 2000	November 14, 2002
L-1097080	May 31, 1999	November 13, 2001
L-1097081	"	"
L-1097082	"	"
L-1097084	"	"
L-1111046	"	"
L-1118532	September 21, 1999	March 6, 2002
L-1118533	"	"
L-1118587	September 3, 1999	February 16, 2002
L-1118591	"	"
L-1118593	May 3, 2000	October 17, 2002
L-1202652	"	"
L-1130969	April 4, 2000	September 16, 2002
L-1145821	April 3, 2000	September 15, 2002
L-1145856	"	"
L-1145857	"	"
L-1147155	"	"
L-1146075	December 17, 1999	June 1, 2002

SCHEDULE "A"
(continued)

Mining Claim	Due Date	New Due Date
L-1140676	December 17, 1999	June 1, 2002
L-1167853	"	"
L-1167854	"	"
L-1167855	"	"
L-1167856	"	"
L-1167857	"	"
L-1147154	April 3, 2001	September 15, 2003
L-1168043	January 7, 2000	June 22, 2002
L-1168044	January 7, 1999	January 22, 2001
L-1168045	"	"
L-1168672	March 1, 1999	August 14, 2001
L-1168673	"	"
L-1186147	April 21, 1999	October 4, 2001
L-1186148	"	"
L-1178980	May 3, 1999	October 16, 2001
L-1179097	April 28, 2000	October 12, 2002
L-1179146	September 27, 2000	March 12, 2002
L-1179147	"	"
L-1185652	September 26, 1999	March 11, 2002
L-1198560	June 23, 1999	December 6, 2001
L-1198569	May 18, 2002	October 31, 2004
L-1198588	November 17, 2002	May 2, 2005
L-1198637	June 6, 2002	November 19, 2004
L-1198716	November 10, 2002	April 25, 2005
L-1202648	May 3, 2002	October 16, 2004
L-1202649	"	"
L-1202650	"	"
L-1212005	August 4, 1999	January 17, 2002