

176482

Master APN: 005-570-13

**GRANT, BARGAIN AND SALE DEED
TO JOINT TENANTS**

THIS INDENTURE, made and entered into this 18th day of May, 2001, by and between **DOMINEK J. PIERETTI**, also known as **DOMINICK PIERETTI**, an unmarried man, and **TOSCA SULLIVAN**, also known as **TOSCA P. SULLIVAN**, a widow, Grantors; and **HAROLD V. ROTHER** and **SHIRLEY A. ROTHER**, husband and wife, Grantees;

WITNESSETH

That the Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to them in hand paid by the Grantees, and other good and valuable consideration, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said Grantees, as joint tenants with right of survivorship and not as tenants in common. and to their assigns, and the heirs, executors, administrators, successors and assigns of the survivor, forever, all of the Grantors' right, title and interest in that certain lot, piece, or parcel of land situate, lying and being in the County of Eureka, State of Nevada, and more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

SUBJECT TO all covenants, conditions, restrictions, exceptions, easements, rights of way, reservations and rights, and other matters evidenced by documents of record.

SUBJECT TO any and all oil, gas, geothermal or mineral interests, mining claims, rights, or reservations on the property which may be owned by third parties.

SUBJECT TO Agricultural Use Assessment pursuant to Chapter 361A of Nevada Revised Statutes.

TOGETHER WITH fifty percent (50%) of Grantors' right, title and interest in and to all oil, gas and mineral rights of whatever nature existing as a part of, upon, beneath the surface of or within said lands, including any oil and gas leases, rentals and/or royalties thereon, **RESERVING UNTO** the Grantors the remaining fifty percent (50%) in and to all right, title and interest in all oil, gas and mineral rights of whatever nature existing as a part of, upon, beneath the surface of or within said lands, including any oil and gas leases, rentals and/or royalties thereon.

TOGETHER WITH all fences, corrals, buildings and other improvements thereon including but not limited to gates, panels and propane and fuel tanks.

GOICOECHEA & DI GRAZIA, LTD.
ATTORNEYS AT LAW
530 IDAHO STREET - P.O. BOX 1358
ELKO, NEVADA 89801
(775) 738-8091

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12-2001-010

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EXHIBIT "A"
Legal Description

The land referred to herein is situated in the State of Nevada, County of Eureka, described as follows:

TOWNSHIP 29 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 4: SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5: SE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; Lot 2;
Section 8: E $\frac{1}{2}$;
Section 9: W $\frac{1}{2}$;

EXCEPTING from Lot 2 of Section 5; TOWNSHIP 29 NORTH, RANGE 52 EAST, M.D.B.&M., all petroleum, oil, natural gas, and products derived therefrom lying in and under said land as reserved by Southern Pacific Land Company in Deed recorded March 9, 1950, in Book 24, Page 42, Deed Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM Lot 2 of Section 5; TOWNSHIP 29 NORTH, RANGE 52 EAST, M.D.B.&M., an undivided one-half ($\frac{1}{2}$) interest in and to any and all other mineral rights owned or possessed by grantor as reserved by Eureka Livestock Company, et al, in Deed recorded November 4, 1955, in Book 24, Page 480, Deed Records, Eureka County, Nevada.

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EXHIBIT "B"

That portion appurtenant to the lands described herein of proof 00304 as set out in the Blue Book compilation of "The Humboldt River adjudication - 1923-1938" pursuant to Decree entered in the Sixth Judicial District Court of the state of Nevada in and for the County of Humboldt entitled "In the Matter of the Determination of the Relative Rights of Claimants and Appropriators of the Waters of the Humboldt River System and Tributaries."

The following waters represented by those permits and certificates issued by the Nevada State Water Engineer.

<u>Permit No.</u>	<u>Certificate No.</u>
27914	8978
54153	13772

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Stewart Title
01 MAY 23 PM 2:29
EUREKA COUNTY NEVADA
M.M. REBALEATI, RECORDER
FILE NO. FEES 11.00

176482

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STATE OF NEVADA DECLARATION OF VALUE

1. Assessor Parcel Number(s):
 a) 005-570-13 Portion of
 b) _____
 c) _____
 d) _____

2. Type of Property:
 a) _____ Vacant Land
 b) _____ Single Family Res.
 c) _____ Condo/Townhouse
 d) _____ 2-4 Plex
 e) _____ Apartment Bldg.
 f) _____ Comm'l/Ind'l
 g) Agricultural
 h) _____ Mobile Home
 i) Other: _____

FOR RECORDERS OPTIONAL USE ONLY
 Document/Instrument No.: 176482
 Book: 341 Page: 241
 Date of Recording: 5/23/01
 Notes: _____

3. Total Value/Sales Price of Property

Deduct Assumed Liens and/or Encumbrances:

\$ 820,500.00

Provide recording information: Doc/Instrument No.:

\$ _____

Transfer Tax Value per NRS 375.010, Section 2:

Book: _____ Page: _____

Real Property Transfer Tax Due:

\$ 820,500.00

4. If Exemption Claimed:

\$ 1066.65

a. Transfer Tax Exemption, per NRS 375.090, Section:

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____ %

The undersigned Seller (Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1 1/2% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

SELLER (GRANTOR) INFORMATION

Seller Signature: _____
 Print Name: Dominek J. Pieretti
 Address: P.O. Box 667
 City/State/Zip: Carlin, NV 89822
 Telephone: _____
 Capacity: _____

BUYER (GRANTEE) INFORMATION

Buyer Signature: _____
 Print Name: Harold V. Rother
 Address: P.O. Box 489
 City/State/Zip: Chevenne Wells, CO 80810
 Telephone: _____
 Capacity: _____

COMPANY REQUESTING RECORDING

Company Name: STEWART TITLE OF NORTHEASTERN NEVADA Escrow No.: 01010028A
 (AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

**STATE OF NEVADA
DECLARATION OF VALUE**

1. Assessor Parcel Number(s):
 a) 005-570-13 Portion of
 b) _____
 c) _____
 d) _____
2. Type of Property:
 a) _____ Vacant Land
 b) _____ Single Family Res.
 c) _____ Condo/Townhouse
 d) _____ 2-4 Plex
 e) _____ Apartment Bldg.
 f) _____ Comm'l/Ind'l
 g) Agricultural
 h) _____ Mobile Home
 i) Other: _____

FOR RECORDERS OPTIONAL USE ONLY

Document/Instrument No.: 176492
 Book: 341 Page: 241
 Date of Recording: 5/23/01
 Notes: _____

3. Total Value/Sales Price of Property \$ 820,500.00
 Deduct Assumed Liens and/or Encumbrances: \$(_____)
 Provide recording information: Doc/Instrument No.: _____ Book: _____ Page: _____
 Transfer Tax Value per NRS 375.010, Section 2: \$ 820,500.00
 Real Property Transfer Tax Due: \$ 1066.65
4. If Exemption Claimed:
 a. Transfer Tax Exemption, per NRS 375.090, Section: _____
 b. Explain Reason for Exemption: _____
 _____ %
5. Partial Interest: Percentage being transferred: _____ %

The undersigned Seller (Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1 1/2% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

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 Print Name: Dominek J. Pieretti
 Address: P.O. Box 667
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 Telephone: _____
 Capacity: _____

BUYER (GRANTEE) INFORMATION

Buyer Signature: Harold V. Rother
 Print Name: Harold V. Rother
 Address: P.O. Box 489
 City/State/Zip: Cheyenne Wells, CO 80810
 Telephone: _____
 Capacity: _____

COMPANY REQUESTING RECORDING

Company Name: STEWART TITLE OF NORTHEASTERN NEVADA Escrow No.: 01010028A
 (AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)