

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE, made and entered into as of the 8th day of April, 1991, by and between REX C. CLARIDGE and SUSAN Y. CLARIDGE, Husband and Wife as community property, as to an undivided one-half interest, and CHARLES B. EVANS, a married man dealing as his sole and separate property, as to undivided one-half interest, party of the first part, and CALTON M. LEWIS and CAROLE LEWIS, Husband and Wife as Joint Tenants, party of the second part;

W I T N E S S E T H:

That the said first party, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, and other good and valuable consideration to them in hand paid by the said second party, receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, and convey unto the said second party, and to their assigns, forever, all that certain real property situate in the County of Elko, State of Nevada, and more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, together with the appurtenances unto the said parties of the second part, and to their assigns forever.

IN WITNESS WHEREOF, the said first party has hereunto set his hand the day and year first above written.

Grantee's Address:
P.O. Box 501
Elko, Nevada 89801

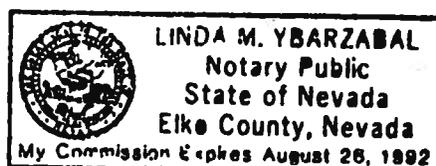
Assessor's Parcel Nos.:
77-010-15-5 & 77-010-16-3

Rex C. Claridge
Rex C. Claridge
Susan Y. Claridge
Susan Y. Claridge
Charles B. Evans
Charles B. Evans

STATE OF NEVADA)
) SS.
COUNTY OF ELKO)

On this 8th day of April, 1991, before me, a Notary Public, appeared Rex C. Claridge, Susan Y. Claridge and Charles B. Evans, known to me to be the persons described in and who acknowledged that they executed the above instrument

Linda M. Ybarzabal
NOTARY PUBLIC



77-010-15-5
FC

A parcel of land located in the E 1/2 of Section 34 and the W 1/2 of Section 35, T 33 N, R 55 E, MDM, more particularly described as follows:

Commencing at the NW Corner of said Section 35, thence S 2°46'27" W 1311.57 Feet along the East Boundary of said Section 34 to a point, thence N 89°21'03" W 1327.42 Feet to a point, thence S 2°24'46" W 987.40 Feet to Corner No. 1 the Point of Beginning,

thence N 73°05'14" E 2178.87 Feet to Corner No. 2 being a point on the centerline of Hamilton Stage Road,

thence S 16°54'46" E 320.00 Feet along the said centerline of Hamilton Stage Road to Corner No. 3,

thence from a tangent bearing S 16°54'46" E, a curve to the left with a radius of 500.00 Feet through a central angle of 18°00'27" for an arc length of 157.14 Feet along the said centerline of Hamilton Stage Road to Corner No. 4,

thence S 55°04'47" W, 2182.81 Feet to Corner No. 5,

thence N 32°43'11" W 859.96 Feet to Corner No. 6, being a point common with the NE Corner of Parcel 12 Block J,

thence N 2°24'46" E 330.92 Feet to Corner No. 1 the Point of Beginning containing 42.040 acres more or less.

Said parcel being known as Parcel 15 in Block J of the amended record of Survey Map for WESTERN HILLS as recorded in the Office of the County Recorder, Elko, County, Nevada on February 25, 1975, File No. 89139.

TOGETHER WITH a portion of those certain water rights set forth in the Bartlett Decree defining the rights of George Clayton to the waters of Ten Mile Creek, Proof No. 00689, being action No. 2804, "In the matter of the Determination of the Relative Rights of Claimants and Appropriators of the Waters of the Humboldt River Stream System and Its Tributaries" in the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, which water rights and point of diversion for said water rights are more particularly described as follows:

<u>Year</u> <u>Priority</u>	<u>Harvest</u>	<u>Year</u> <u>Priority</u>	<u>Diversified</u>
1892	4.19	1897	1.31
1897	24.05	1898	4.84
1905	7.25		

THE POINT of diversion from Ten Mile Creek, the area of use for said water and the ditches to be used for the distribution of said water, for said water rights shall be as shown on a map filed in the Office of the State of Nevada, Division of Water Resources, Elko, Nevada, Office.

RESERVING unto the Grantors, their heirs, executors, administrators and assigns, all other water rights to Ten Mile Creek decreed to Griswald-Henderson Livestock Co., Proof No. 00578, and George Clayton, Proof No. 00689, in the said Bartlett Decree as above set forth and reserving unto the Grantors, their heirs, executors, administrators and assigns, the right to the use of the irrigation ditch or ditches designated by the Division of Water Resources for the distribution of water hereinabove reserved by Grantors, their heirs, executors, administrators and assigns, for the perpetual benefit of all lands owned by Grantors, their heirs, executors, administrators and assigns to which the reserved water rights are appurtenant, and reserving further to the Grantors,

their heirs, executors, administrators and assigns, the right to grant the use of said ditches to any third person or persons and their heirs, executors, administrators and assigns, acquiring an interest in any of the reserved water rights or title to any of the said lands to which said water rights are appurtenant, together with the right to maintain and repair said ditch or ditches.

RESERVING unto the Grantors, their heirs, executors, administrators successors and assigns a thirty (30) foot roadway easement along the Easterly side of the above described parcel for the perpetual benefit of all land owned now by the Grantors, their heirs, executors, administrators, successors and assigns in the E 1/2 of Section 34 and the W 1/2 of Section 35, T 33 N, R 55 E, MDM.

RESERVING FURTHER unto the Grantors, their heirs, executors administrators, successors and assigns, the right to convey an interest in the easement hereby reserved to any third person or persons and their heirs, executors, administrators, successors and assigns acquiring interest in any of the land owned by the Grantors in the E 1/2 of Section 34 and the W 1/2 of Section 35, T 33 N, R 55 E, MDM. This easement shall be deemed to run with the land.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

A parcel of land located in the NE 1/4 of Section 34, and the NW 1/4 of Section 35, T 33 N, R 55 E, MDM, more particularly described as follows:

Beginning at the NW Corner of said Section 35, being Corner No. 1 the Point of Beginning,

thence S 89°08'55" E 113.76 Feet along the North boundary of Said Section 35 to Corner No. 2 being a point on the centerline of Hamilton Stage Road,

thence S 46°20'42" E 189.19 Feet along the said centerline of Hamilton Stage Road to Corner No. 3,

thence from a tangent bearing S 46°20'42" E, a curve to the right with a radius of 500.00 Feet through a central angle of 17°34'27" for an arc length of 153.36 Feet along the said centerline of Hamilton Stage Road to Corner No. 4,

thence S 28°46'15" E 85.85 Feet along the said centerline of Hamilton Stage Road to Corner No. 5,

thence from a tangent bearing S 28°46'15" E a curve to the right with a radius of 300.00 Feet through a central angle of 23°33'44" for an arc length of 123.37 Feet along the said centerline of Hamilton Stage Road to Corner No. 6,

thence S 5°12'31" E 460.53 Feet along the said centerline of Hamilton Stage Road to Corner No. 7,

thence from a tangent bearing S 5°12'31" E a curve to the Left with a radius of 1200.00 Feet through a central angle of 8°48'04" for an arc length of 183.27 Feet along the said centerline of Hamilton Stage Road to Corner No. 8,

thence S 13°57'35" E 94.01 Feet along the said centerline of Hamilton Stage Road to Corner No. 9,

thence from a tangent bearing S 13°57'35" E a curve to the Left with a radius of 5000.00 Feet through a central angle of 2°57'11" for an arc length of 257.70 Feet along the said centerline of Hamilton Stage Road to corner No. 10,

thence S 16°54'46" E, 233.14 Feet along the said centerline of Hamilton Stage Road to Corner No. 11,

thence S 73°05'14" W 2178.87 Feet to Corner No. 12 a point being common with the NW Corner of Parcel 15 Block J,

thence N 2°24'46" E 987.40 Feet to Corner No. 13,

thence S 89°21'03" E 1327.42 Feet to Corner No. 14,

thence N 2°46'27" E 1311.57 Feet to Corner No. 1 the Point of Beginning containing 44.086 acres more or less.

Said parcel being known as Parcel 16 in Block J of the amended record of Survey Map for WESTERN HILLS as recorded in the Office of the County Recorder, Elko, County, Nevada on February 25, 1975, File No. 89139.

RECORDER'S MEMO: LEGIBILITY
OF WRITING, TYPING OR PRINTING
UNSATISFACTORY IN THIS
DOCUMENT WHEN RECEIVED

TOGETHER WITH a portion of those certain water rights set forth in the Bartlett Decree defining the rights of George Clayton to the waters of Ten Mile Creek, Proof No. 00689, being action No. 2804, "In the matter of the Determination of the Relative Rights of Claimants and Appropriators of the Waters of the Humboldt River Stream System and Its Tributaries" in the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, which water rights and point of diversion for said water rights are more particularly described as follows:

<u>Year</u> <u>Priority</u>	<u>Harvest</u>	<u>Year</u> <u>Priority</u>	<u>Diversified</u>
		1898	13.79

THE POINT of diversion from Ten Mile Creek, the area of use for said water and the ditches to be used for the distribution of said water, for said water rights shall be as shown on a map filed in the Office of the State of Nevada, Division of Water Resources, Elko, Nevada, Office.

RESERVING unto the Grantors, their heirs, executors, administrators and assigns, all other water rights to Ten Mile Creek decreed to Griswald-Henderson Livestock Co., Proof No. 00378, and George Clayton, Proof No. 00689, in the said Bartlett Decree as above set forth and reserving unto the Grantors, their heirs, executors, administrators and assigns, the right to the use of the irrigation ditch or ditches designated by the Division of Water Resources for the distribution of water hereinabove reserved by Grantors, their heirs, executors, administrators and assigns, for the perpetual benefit of all lands owned by Grantors, their heirs, executors, administrators and assigns to which the reserved water rights are appurtenant, and reserving further to the Grantors, their heirs, executors, administrators and assigns, the right to grant the use of said ditches to any third person or persons and their heirs, executors, administrators and assigns, acquiring an interest in any of the reserved water rights or title to any of the said lands to which said water rights are appurtenant, together with the right to maintain and repair said ditch or ditches.

RESERVING unto the Grantors, their heirs, executors, administrators successors and assigns a thirty (30) foot roadway easement along the Easterly side of the above described parcel for the perpetual benefit of all land owned now by the Grantors, their heirs, executors, administrators, successors and assigns in the NE 1/4 of Section 34, and the NW 1/4 of Section 35, T 33 N, R 85 E, MDM.

RESERVING FURTHER unto the Grantors, their heirs, executors administrators, successors and assigns, the right to convey an interest in the easement hereby reserved to any third person or persons and their heirs, executors, administrators, successors and assigns acquiring interest in any of the land owned by the Grantors in the NE 1/4 of Section 34, and the NW 1/4 of Section 35, T 33 N, R 85 E, MDM. This easement shall be deemed to run with the land.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

INDEXED

304838

FEE 9⁰⁰ FILE # _____
FILED FOR RECORD
AT REQUEST OF
Frontier Title Co.

'91 APR 11 P2:31

RECORDED BK 749 901
JERRY D. REYNOLDS
ELKO CO. RECORDER

304838

BOOK 749 PAGE 905