

ELKO COUNTY

WHEN RECORDED MAIL TO:
PETTIS, TESTER, KRUSE & KRINSKY
ATTN: DONALD J. SAJOR
P.O. Box 19766
Irvine, CA 92713

GRANT, BARGAIN AND SALE DEED

FOR VALUABLE CONSIDERATION RECEIVED, RUSSELL LAND & CATTLE COMPANY, a California Corporation, herein referred to as "Grantor", grants, bargains and sells to GILBERT AGUIRRE, a single man, and his heirs and assigns, hereinafter referred to as "Grantee", accordingly, forever, the ranch property located in the unincorporated area of the County of Elko, State of Nevada, described as follows:

That real property more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

Together with the tenements, hereditaments and appurtenances thereunder belonging to or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits of said ranch lands.

Together with the following on or appurtenant to each parcel:

All buildings, and real property fixtures of Grantors thereon.

All springs, wells, water, water rights and stockwater rights applied for, appropriated for, appurtenant to or decreed to said land, or any portion thereof; all applications, proofs, permits, maps and certificates relating to such water and water rights; all dams, ditches, diversions, licenses, easements, pipelines, structures, measuring devices, headgates, culverts, ponds, and reservoirs; all easements, devices and controls used to apply such water and water rights to beneficial use and for the repair, cleaning, replacement and maintenance of any or all of such facilities and improvements by the use of modern equipment and methods and for access thereto; and all stockwater equipment, facilities, troughs, tanks, pumps, reservoirs, ponds and other stockwater improvements on said lands, including but not limited to the following described sources:

| Permit Number | Certificate Number | Source | c.f.s. |
|---------------|--------------------|--------|--------|
| 46460 | 12140 | Well | .046 |
| 46457 | 12138 | Well | .006 |

Together with all water rights decreed to said land or any portion thereof pursuant to the Decree entered in case number 2804 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 Stream System and Tributaries". Proof Number 00576, Page 79 of the Decree and Page 208 of the Bartlett Decree, set out in the Blue Book edition of "The Humboldt River Adjudication - 1923-1938", including but not limited to the following:

SOURCE: Springs

| Priority | Culture Acres Harvest |
|----------|-----------------------|
| 1898 | 191.5 |
| 1898 | 83.0 |
| | 274.5 |

ELKO COUNTY

SOURCE: Dry Creek and Springs

| Priority | Culture Acres Harvest |
|----------|--------------------------|
|----------|--------------------------|

| | |
|------|--------|
| 1898 | 125.70 |
|------|--------|

SOURCE: Springs and Foreman Creek

| Priority | Culture Acres Harvest |
|----------|--------------------------|
|----------|--------------------------|

| | |
|------|-------|
| 1876 | 186.1 |
| 1889 | 360.8 |
| 1886 | 381.0 |
| | 927.9 |

SOURCE: Stump Creek

| Priority | Culture Acres Harvest |
|----------|--------------------------|
|----------|--------------------------|

| | |
|------|-------|
| 1889 | 16.57 |
|------|-------|

All easements, rights of way and licenses appurtenant to or used in conjunction with said land.

All corrals, fences, stockwater troughs, water tanks, and pipelines and stockwater and domestic water systems on said lands.

All right, title, interest and estate Grantors have in and to all geothermal resources, geothermal energy, coal, oil, gas, oil shales and minerals of every kind and nature whatsoever (including, but not limited to, barium sulfate, uranium, fissionable materials, metals, and other minerals), existing upon, beneath the surface of, or within the above-described lands, and all mines thereof, with all leases of Grantor's interest therein, and all rentals, royalties, and other consideration payable to Grantors therefor.

SUBJECT TO:

1. All conditions, encroachments, planning, codes, laws, zoning, ordinances, restrictions and regulations, if any, which apply to the property.
2. All legal and valid rights of way, easements, licenses, privileges, reservations, oil and gas leases and mineral leases set forth in that certain Preliminary Title Report (Order Number EL-44599-6) dated as of October 7, 1992, issued by Frontier Title Company, except the exceptions to title referenced in Items 1-6, inclusive, and 18-21, inclusive, thereof.
3. Agricultural use property tax assessment under the so-called "Greenbelt" agricultural property tax law of Nevada.
4. Any mining claims, mill site, tunnel claims on the property.

TO HAVE AND TO HOLD the property, together with the appurtenances, to the Grantee, as separate property, and his heirs and assigns, accordingly, forever.

ELKO COUNTY

Signed this 20 day of October, 1992.

GRANTOR

Daniel H. Russell
RUSSELL LAND AND CATTLE COMPANY
By:
DANIEL H. RUSSELL, President

STATE OF CALIFORNIA)
)ss.
COUNTY OF SACRAMENTO)

On this 21st day of October, 1992 personally appeared before me, a Notary Public, DANIEL H. RUSSELL, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as President of the Russell Land & Cattle Company and acknowledged to me that the Russell Land & Cattle Company executed it.

Kathleen Reichard
NOTARY PUBLIC



ADDRESS OF GRANTEE: GILBERT G. AGUIRRE
 28811 Ortega Highway
 San Juan Capistrano, CA 92675
 cc: Bruce Tester
 PETTIS, TESTER, KRUSE AND KRINSKY
 18881 Von Karman Avenue, 16th Floor
 Post Office Box 19766
 Irvine CA 92715

ASSESSOR PARCEL NUMBERS:

- 06-160-01
- 06-160-10
- 06-150-05 (Portion lying Westerly of the Center Line of State Route 225)
- 05-570-06
- 05-580-09

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All that certain real property situate in the County of Elko, State of Nevada, more particularly described as follows:

PARCEL 1:

TOWNSHIP 40 NORTH, RANGE 54 EAST, M.D.B. & M.

Section 1: Lots 1, 2, 3 & 4; S1/2 N1/2; NE1/4 SE1/4;
Section 2: Lots 1, 2, 3 & 4; S1/2 NE1/4;

TOWNSHIP 40 NORTH, RANGE 55 EAST, M.D.B. & M.

Section 5: Lots 3 & 4; S1/2 NW1/4; SW1/4;
Section 6: Lots 1, 2, 3, 4, 5 & 6; NE1/4 SW1/4;
SE1/4 NW1/4; S1/2 NE1/4; N1/2 SE1/4;
SE1/4 SE1/4;

TOWNSHIP 41 NORTH, RANGE 54 EAST, M.D.B. & M.

Section 15: ALL;
Section 22: ALL;
Section 25: ALL;
Section 26: ALL;
Section 27: ALL;
Section 35: ALL;
Section 36: ALL;

TOWNSHIP 41 NORTH, RANGE 55 EAST, M.D.B. & M.

Section 29: W1/2 W1/2; SE1/4 NW1/4; E1/2 SW1/4;
Section 30: Lots 1, 2, 3 & 4; E1/2 W1/2; NW1/4 NE1/4;
NE1/4 SE1/4;
Section 31: Lots 1, 2, 3 & 4; E1/2 W1/2; W1/2 E1/2;
SE1/4 NE1/4; E1/2 SE1/4;
Section 32: W1/2;

PARCEL 2:

All that portion of the following described land lying westerly of the centerline of State Route 225:

TOWNSHIP 40 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 5: Lot 2; SW1/4 NE1/4; N1/2 SE1/4;

EXCEPTING FROM PARCELS 1 and 2 one-third (1/3 or 33.333%) of all the remaining (previously unreserved) coal, oil, gas and other hydrocarbons, all geothermal resources, and all other minerals of every kind and nature, lying in and under said land as reserved by RANCHO GRANDE, INC., in Deed recorded March 25, 1988, in Book 608, Page 611, Official Records, Elko County, Nevada.

EXHIBIT "A"

ELKO COUNTY

FURTHER EXCEPTING FROM PARCELS 1 and 2 one-half (1/2 or 50%) of all the remaining (previously unreserved) coal, oil, gas and other hydrocarbons, all geothermal resources, and all other minerals of every kind and nature, if any, lying in and under said land as reserved by Independence Mining Company Inc., a Delaware Corporation, in Deed recorded June 19, 1990, in Book 725, Page 381, Official Records, Elko County, Nevada.

PARCEL 3:

TOWNSHIP 41 NORTH, RANGE 55 EAST, M.D.B.6M.

Section 30: NE1/4 NE1/4; S1/2 NE1/4; W1/2 SE1/4;
SE1/4 SE1/4;

Section 31: NE1/4 NE1/4;

EXCEPTING THEREFROM all coal, oil, gas and other minerals of every kind and nature whatsoever lying in and under said land as reserved by J.R. SIMPLOT and RUBY A. SIMPLOT in deed recorded January 5, 1956, in Book 69, Page 137, Deed Records, Elko County, Nevada.

FURTHER EXCEPTING THEREFROM, six (6) percent of all remaining mineral rights lying in and under said land as reserved by HARRY L. CROSBY, JR., in deed recorded February 20, 1959, in Book 75, Page 458, Deed Records, Elko County, Nevada.

FURTHER EXCEPTING THEREFROM all of Anthony R. Moiso's interest in and to coal, oil, gas and other hydrocarbons, all geothermal resources, and all other minerals of every kind and nature lying in and under said land as reserved in deed recorded March 25, 1988, in Book 609, Page 21, Official Records, Elko County, Nevada.

FURTHER EXCEPTING THEREFROM all the remaining (previously unreserved) coal, oil, gas and other hydrocarbons, all geothermal resources, and all other minerals of every kind and nature, if any, lying in and under said land as reserved by Independence Mining Company Inc., a Delaware Corporation, in Deed recorded June 19, 1990, in Book 725, Page 381, Official Records, Elko County, Nevada.

INDEXED

FEE \$900 FILE # 330412
FILED FOR RECORD
AT REQUEST OF
Frontier Title Co.

92 NOV 24 P3:48

RECORDED BY 804 222
JERRY D. REYNOLDS
ELKO CO. RECORDER

330412

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