

NOTICE OF PLEDGE

State of Nevada
Division of Water Resources
123 W. Nye Lane - Capitol Complex
Carson City, Nevada 89710

Attn: State Engineer

Please be notified that the undersigned have this date executed a deed of trust in favor of the INTERMOUNTAIN FEDERAL LAND BANK ASSOCIATION, FLCA covering certain land in Elko County, Nevada, as more fully described in "Exhibit A" attached hereto and made a part hereof, together with the Trustor's right for the irrigation of the total of 31.32 acres of land situated in: Sections 25 and 26, Township 31 North, Range 53 East M.D.B. & M., as allotted under Proof No. 00676 in the Humboldt River Adjudication, as shown in the Findings of Facts, Conclusions of Law and Decree of the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, 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, Case No. 2804 (the "Bartlett Decree").

The said deed of trust, given to secure a promissory note of even date, was recorded December 30, 1992, in the Office of the County Recorder of Elko County, Book 808, Page 846, as Instrument No. 333014.

Please file this notice with your records of the above referenced proofs and direct notice of any intended change of the place of use or other change which materially affects the beneficiary's security interest in the said right to the Intermountain Federal Land Bank Association, FLCA, P.O. Box 2124, Elko, Nevada 89803.

Dated: December 9, 1992

KATHLEEN AND KEVIN TOMERA,
a Partnership

By: Kathleen M. Tomera a Partner
KATHLEEN M. TOMERA

Kathleen M. Tomera
KATHLEEN M. TOMERA

By: Kevin B. Tomera a Partner
KEVIN B. TOMERA

Kevin B. Tomera
KEVIN B. TOMERA

Receipt of the Notice of Pledge, of which this is a copy, is acknowledged. A copy of this notation of the Association's interest in the referred to proofs will be placed in the file of the Office of the State Engineer.

4-13-93
(date)

Barbara Lightinger
(signature)
Management Assist. II
(title)

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LEGAL DESCRIPTION

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

PARCEL 1:

TOWNSHIP 31 NORTH, RANGE 53 EAST, M.D.B.&M.

- Section 19: All
- Section 29: All
- Section 31: Lots 1, 2 and 3
- Section 33: N1/2 NE1/4; W1/2;
- Section 35: S1/2 S1/2;

EXCEPTING THEREFROM all petroleum, oil, natural gas and products derived therefrom lying in and under said land as reserved by Southern Pacific Land Company, in deeds recorded October 6, 1948, in Book 56, Page 397, and recorded March 4, 1950, in Book 58, Page 22, Deed Records, Elko County, Nevada.

FURTHER EXCEPTING THEREFROM an undivided one-half (1/2) interest in and to any and all other mineral rights lying in and under said land as reserved by Oscar Rudnick, et ux, et al, in deed recorded November 28, 1955, in Book 69, Page 25, Deed Records, Elko County, Nevada.

PARCEL 2:

TOWNSHIP 31 NORTH, RANGE 53 EAST, M.D.B.&M.

- Section 25: N1/2; N1/2 S1/2;
- Section 27: All

TOWNSHIP 31 NORTH, RANGE 54 EAST, M.D.B.&M.

- Section 7: W1/2;
- Section 19: All
- Section 31: That portion lying westerly of the BLM allotment fence.

EXCEPTING THEREFROM 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 October 6, 1948, in Book 56, Page 397, Deed Records, Elko County, Nevada.

PARCEL 3:

LEGAL DESCRIPTION CONTINUED

TOWNSHIP 31 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 36: All

EXCEPTING THEREFROM all minerals lying in and under said land as reserved by the United States of America, in Patent recorded November 16, 1966, in Book 76, Page 55, Official Records, Elko County, Nevada.

PARCEL 4:

TOWNSHIP 31 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 25: S1/2 S1/2;

Section 26: S1/2 SE1/4; NE1/4 SE1/4; SE1/4 SW1/4;

Section 35: N1/2; N1/2 S1/2;

EXCEPTING FROM S1/2 S1/2 of Section 25 and N1/2; N1/2 S1/2 of Section 35, 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 October 6, 1948, in Book 56, Page 397, and recorded March 4, 1950, in Book 58, Pages 22 and 24, Deed Records, Elko County, Nevada.

FURTHER EXCEPTING FROM N1/2; N1/2 S1/2 of Section 35 an undivided one-half (1/2) interest in and to any and all other mineral rights lying in and under said land as reserved by Oscar Rudnick, et ux, et al, in Deed recorded November 28, 1955, in Book 69, Page 25, Deed Records, Elko County, Nevada.

FURTHER EXCEPTING FROM Parcels 1, 2, 3 and 4, all right, title, interest and estate in and to all coal, oil, oil shales, gas, minerals and geothermal resources of every kind, nature and description, and their by-products lying in and under said land as reserved by YOLE TOMERA, Trustee of the Testamentary Trust contained in the Last Will and Testament of EDWARD V. TOMERA, in Deed recorded June 30, in Book 788, Page 764, File Number 322991, Official Records, Elko County, Nevada.

TOGETHER WITH the Trustor's right for the irrigation of the total of 31.32 acres of land situated in: Sections 25 and 26, Township 31 North, Range 53 East M.D.B. & M., as allotted under Proof No. 00676 in the Humboldt River Adjudication, as shown in the Findings of Facts, Conclusions of Law and Decree of the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, 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, Case No. 2804 (the "Bartlett Decree").