

DEED OF CORRECTION

THIS INDENTURE, made and entered into this 16th day of ~~May~~ ^{November}, 1994, by and between GARY POLLOCK and BEVERLY POLLOCK, husband and wife, ("POLLOCKS"); and CITY HEALTH, INC., a California corporation;

RECITALS:

WHEREAS, the Parties entered into that certain Contract of Purchase and Sale on or about October 1, 1991; and

WHEREAS, the deeds employed by the Parties at closing of the contract of purchase and sale were:

Grant, Bargain and Sale Deed, dated October 18, 1991, recorded at the Elko County, Nevada Recorder's Office on October 23, 1991, at Book 766, Official Records, Page 529 as Document No. 312530, and re-recorded on November 14, 1991, at Book 768, Official Records, Page 648 as Document No. 313431 to clarify a Grantor's name (Assessor's Parcel No. 07-550-23-9) and,

Grant, Bargain and Sale Deed, dated October 18, 1991 and recorded at the Elko County, Nevada Recorder's Office on October 23, 1991, at Book 766, Official Records, Page 537 as document No. 312532 (Assessor's Parcel No. 07-550-23-9).

WHEREAS, the said Contract of Purchase and Sale expressly provides at Exhibit C thereof that the following provisions be used in the description of water rights in the deeds to be used at closing of said Contract of Purchase and Sale:

Specifically included in the above rights are those established by proof no. 00488 in "The Edwards Decree" under claimant J.M. Riddell (In the Matter of the Determination of the Relative Rights of Claimants and Appropriation of the Waters of the Humboldt River Stream System and Its Tributaries, No. 2804, In the Sixth Judicial District Court of the State of Nevada, In and For the County of Humboldt), as set forth on Exhibit "C-1" attached hereto. With respect to that portion of the water rights established by proof no. 00488 which is located in Section 4, T 36 N, R 60 E, MDB&M, the Parties agree that the "Conley Place" as the same is described in Paragraph XXIV of this Agreement shall be entitled to the proportionate percentage of 76.80 harvest acres of water rights as the total acreage of the "Conley Place" bears to the total acreage encompassed by said proof within Section 4.

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(15)

WHEREAS, the "Conley Place" is described at Paragraph XXIV of the Said Contract of Purchase and Sale as follows:

All that certain lot, piece or parcel of land situate in the County of Elko, State of Nevada more particularly described as follows:

Commencing at Corner No. 1, a point from which the East quarter corner of Section 4, Township 36 North, Range 60 East, MDB&M, bears North 82°25'14" East, for a distance of 2191.02 feet;

thence due South to Corner No. 2 for a distance of 965.62 feet to a point on the Northerly right-of-way line of the Starr Valley State Highway;

thence North 89°42'27" West, along the Northerly right-of-way line of the Starr Valley State Highway for a distance of 461.24 feet to Corner No. 3, a point on the existing fence line marking the N-S quarter section line of said Section 4;

thence North 0°29'⁵⁴" East, along the fence line which marks the N-S quarter section line for a distance of 963.30 feet to Corner No. 4;

thence due East for a distance of 452.86 feet to Corner No. 1, the true point of commencement.

WHEREAS the said Deeds used by the Parties in closing of the said Contract of Purchase and Sale contain the following provision in the description of water rights set forth in said deeds:

SPECIFICALLY INCLUDED in the above water rights are those established by proof no 00488 in "The Edwards Decree" under claimant J.M. Riddell (In the Matter of the Determination of the Relative Rights of Claimants and Appropriation of the Waters of the Humboldt River Stream System and Its Tributaries, No. 2804, In the sixth Judicial District Court of the State of Nevada, In and For the County of Humboldt.)

WHEREAS, the foregoing description omits the following reservation of certain water rights described as:

With respect to that portion of the water rights established by proof no. 00488 which is located in Section 4, T 36 N, R 60 E, MDB&M, the Parties agree that the "Conley Place" as the same is described in Paragraph XXIV of this Agreement shall be entitled to the proportionate percentage of 76.80 harvest acres of water rights as the total acreage of

the "Conley Place" bears to the total acreage encompassed by said proof within Section 4.

WHEREAS, the Parties desire to amend the said deeds to accurately describe the conveyance and the reservation of water rights as specified in said Contract of Purchase and Sale by adding the foregoing provision to the said deeds; NOW THEREFORE,

WITNESSETH:

For good and valuable consideration, receipt of which is hereby acknowledged by the Parties, they hereby correct and amend the description of the water rights conveyed and reserved by the said deeds, and, solely for the purpose of making said correction, POLLOCKS hereby grant, bargain, sell and convey to CITY HEALTH, INC., its successors or assigns, and CITY HEALTH, INC., hereby grants, bargains, sells and conveys to POLLOCKS, as joint tenants with the right of survivorship, and to the heirs, successors or assigns of the survivor, those certain water rights, located in Elko County, Nevada and particularly described as:

Those water rights established by proof no. 00488 in "The Edwards Decree" under claimant J.M. Riddell (In the Matter of the Determination of the Relative Rights of Claimants and Appropriation of the Waters of the Humboldt River Stream System and Its Tributaries, No. 2804, In the Sixth Judicial District Court of the State of Nevada, In and For the County of Humboldt). With respect to that portion of the water rights established by proof no. 00488 which is located in Section 4, T 36 N, R 60 E, MDB&M, the Parties agree, amend, convey and correct said Grant, Bargain and Sale Deeds as follows:

The "Conley Place", described below, shall continue to have appurtenant to it 6.80 harvest acres of the 76.80 harvest acres of water rights established by proof no. 00488 in Section 4, T 36 N, R 60 E, MDB&M, and were thus reserved by POLLOCKS; and 70.00 harvest acres of the 76.80 acres of water rights shall be deemed to have been conveyed to CITY HEALTH, INC., in the above described Grant Bargain and Sale Deeds and are thus appurtenant to lands conveyed to CITY HEALTH, INC. in the above-described deeds.

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The "Conley Place"

All that certain lot, piece or parcel of land situate in the County of Elko, State of Nevada more particularly described as follows:

Commencing at Corner No. 1, a point from which the East quarter corner of Section 4, Township 36 North, Range 60 East, MDB&M, bears North 82°25'14" East, for a distance of 2191.02 feet;

thence due South to Corner No. 2 for a distance of 965.62 feet to a point on the Northerly right-of-way line of the Starr Valley State Highway;

thence North 89°42'27" West, along the Northerly right-of-way line of the Starr Valley State Highway for a distance of 461.24 feet to Corner No. 3, a point on the existing fence line marking the N-S quarter section line of said Section 4;

thence North 0°29'⁵⁴~~27~~" East, along the fence line which marks the N-S quarter section line for a distance of 963.30 feet to Corner No. 4;

thence due East for a distance of 452.86 feet to Corner No. 1, the true point of commencement.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the Parties, and the survivor, the heirs, the successors or assigns, respectively, of the Parties, forever.

IN WITNESS WHEREOF, the said Parties have executed this Deed of Correction the day and year first hereinabove written.


GARY POLLOCK

BEVERLY POLLOCK

CITY HEALTH, INC., a California corporation

BY 
Title President

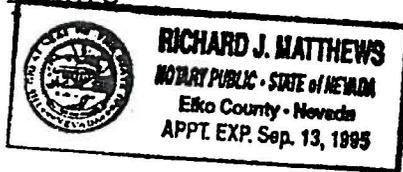
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STATE OF Nevada)
COUNTY OF Elko) SS

On this 10th day of November, 1994, GARY POLLOCK and BEVERLY POLLOCK, husband and wife, personally appeared before me, a Notary Public, who is personally known or proved to me to be the persons who acknowledged that they executed the above instrument.

Richard J. Matthews
NOTARY PUBLIC

STATE OF Nevada)
COUNTY OF Elko) SS

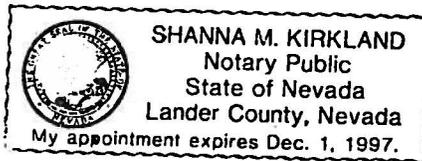


On this 25 day of November, 1994, Shanna M. Kirkland, as President, of CITY HEALTH, INC., personally appeared before me, a Notary Public, who is personally known or proved to me to be the person who acknowledged that Shanna M. Kirkland executed the above instrument.

Shanna M. Kirkland
NOTARY PUBLIC

Grantees' Address:

P.O. Box 38
Deeth, Nevada 89823



Assessor's Parcel No.: 07-55D-017

This Deed of Correction affects the water rights description contained in the two Grant, Bargain and Sale Deeds described on page 1 above together with the assessor's parcel numbers shown therewith.

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FEE 00 FILE # 361913

FEE 00 FILE # 360980

FILED FOR RECORD
AT REQUEST OF

FILED FOR RECORD
AT REQUEST OF

Matthews + Wines

Matthews + Wines

'94 DEC -6 P3:06

'94 NOV 15 P3:50

RECORDED BK 877 PG 477
JERRY D. REYNOLDS
ELKO CO. RECORDER

RECORDED BK 875 PG 333
JERRY D. REYNOLDS
ELKO CO. RECORDER

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