

433048
GRANT, BARGAIN AND SALE DEED

THIS INDENTURE, made and entered into as of the 30th day of September, 1998, by and between ALBERT E. HERRIGAN JR., a married man, dealing with his sole and separate property, party of the first part, and RICHARD W. DUDLEY, Trustee of the Richard W. Dudley Revocable Trust as to an undivided one-half interest and SUSAN GLASMANN as Trustee of the Susan Glasmann Revocable Trust, as to an undivided one-half interest, parties of the second part;

WITNESSETH:

WHEREAS, the said first party has recorded a certain Deed and Boundary Line Adjustment recorded at Book 1063, Page 657, File No. 432444 on September 17, 1998, in the official records of the Elko County Recorder's Office, Elko County, State of Nevada;

WHEREAS, the said first party has recorded a certain Boundary Line Adjustment Record Of Survey recorded at Book N/A, Page N/A, File No. 433047 on SEPTEMBER 30, 1998, in the official records of the Elko County Recorder's Office, Elko County, State of Nevada;

WHEREAS, ALFRED SALICCHI, "Grantor" and ALBERT E. HERRIGAN JR., "GRANTEE" have recorded a certain GRANT OF RIGHT-OF-WAY EASEMENT recorded at Book 1058, Page 649, File No. 403765 on August 13, 1998, in the official records of the Elko County Recorder's Office, Elko County, State of Nevada for the purpose of providing for the extension of electric and telephone service to the subject property; and,

WHEREAS, 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 it in hand paid by the said second parties, receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said second parties, and to their heirs and assigns, forever, all that certain real property situate in the County of Elko, State of Nevada, and more particularly described as follows, to-wit:

Parcels B & C as shown on the certain Boundary Line Adjustment Record Of Survey recorded at Book N/A, Page N/A, File No. 433047 on September 30, 1998, in the official records of the Elko County Recorder's Office, Elko County, State of Nevada.

The total area of Parcels B & C is 200.00 acres, more or less

TOGETHER WITH all buildings, fixtures, fences and other improvements thereon.

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

TOGETHER WITH a RIGHT-OF-WAY EASEMENT for ingress and egress to Parcel "B" over and upon the existing, historic ingress and egress road to said parcel, located adjacent to the Easterly boundary of said parcel, beginning at Hog Tommy Road and running the entire length of the existing road to a point where the road crosses the existing irrigation ditch and is thereafter located wholly on and within said parcel.

TOGETHER WITH all springs, wells, water, water rights and stockwater rights applied for, appropriated for, appurtenant to or decreed to said lands, or any portion thereof; all applications, proofs, permits, maps and certificates relating to such

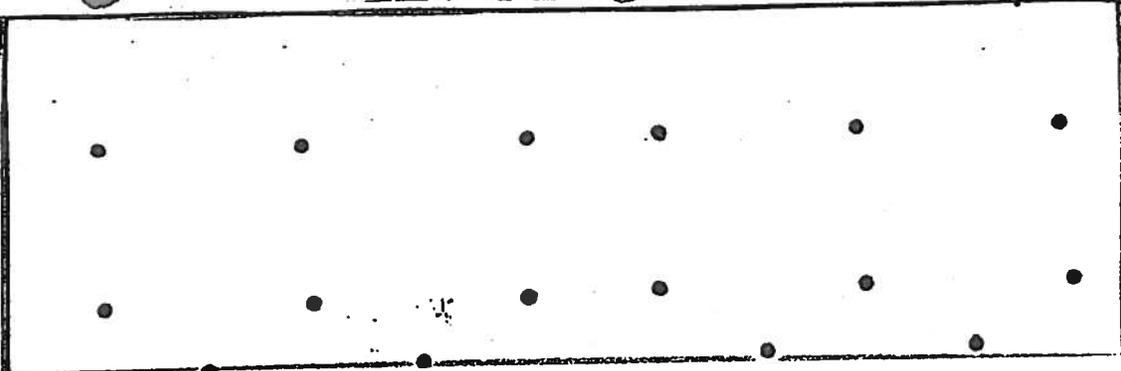
water and water rights; all dams, ditches, diversions, licenses, easements, pipelines, structures, measuring devices, headgates, culverts, ponds and reservoirs; all easements, devices and controls used to apply such water and water rights to beneficial use and for the repair, cleaning, replacement and maintenance of any or all of such facilities and 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 those water rights decreed to said lands or any portion thereof pursuant to the Decree entered in civil Action 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, " set out in the Blue Book edition of "The Humboldt River Adjudication - 1923-1938" and those permits described as follows:

Proof 00418, Page 56 of the Edwards Decree;
 Proof 00411, Page 54 of the Edwards Decree;
 Proof 00438, Page 182 of the Bartlett Decree;
 Proof 00439, Page 182 of the Bartlett Decree;
 Proof 00462, Page 63 of the Edwards Decree;
 Permit 2392;
 Permit 2393;
 Permit 2412, Certificate 233;
 Permit 3530, Certificate 656
 Application 19233; Certificate 7233.

TOGETHER WITH all right, title, interest and estate Grantor has in and to all coal, oil, oil shales, gas, minerals and geothermal resources of every kind, nature and description, and their by-products, existing upon, beneath or within the above-described lands or any portion thereof, with all royalties, rents and other consideration for such right, title, interest and estate reserved and all leases and other disposal thereof, including the right to use so much of the surface thereof and the subsurface thereof as may be reasonably required to prospect for, locate, develop, mine, drill, extract, produce, process, utilize, unitize, sell, market, remove and transport the same.

SUBJECT TO:

1. Taxes which are a lien but not yet due and payable.
2. All reservations, restrictions, restrictive covenants, easements, and rights-of-way of record,
3. Any and all unrecorded easements and rights-of-way traversing or affecting the premises or any portion thereof which were not granted by Grantor.
4. All zoning, planning and other governmental rules, regulations, laws and ordinances affecting the property.
5. Agricultural use property tax assessment under the so-called "Greenbelt" agricultural property tax law of Nevada.
6. A ten (10) foot wide equestrian trail easement (Trail Easement) extending within and along the entire property line of each parcel and any parcel that may be created in the future. All new perimeter fencing shall be setback ten (10) feet from all front, side and rear property lines. The Trail Easement is



- NOT a public easement, it is for the exclusive use by and benefit of members of the Ruby Home Ranch Home Owners Association and future parcels created on portions of the Ruby Home Ranch.
7. A restriction prohibiting the further division of Parcel C in to any parcel containing less than a total of eighty (80) acres more or less.

TO HAVE AND TO HOLD the property with the appurtenances to the parties of the second part, and to the heirs and assigns of the parties of the second part, forever.

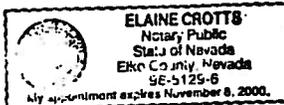
IN WITNESS WHEREOF, the party of the first part has hereunto set its hand as of the day and year first above written.


 ALBERT E. HORRIGAN Jr.

APN 006 - 520 - 041
 APN 006 - 520 - 042

STATE OF NEVADA,)
)ss,
 COUNTY OF ELKO.)

The foregoing instrument was acknowledged before me this
30th day of September, 1998, by ALBERT E. HORRIGAN JR.




 NOTARY PUBLIC

RICHARD W DUDLEY
 SUSAN GLASMANN
 P O BOX 40
 OAKLEY, UT 84055

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 REQUEST OF

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EX 1065 PG 728
 JERRY D. REYNOLDS
 ELKO CO. RECORDER