

**NOTICE OF PLEDGE**

State of Nevada  
 Division of Water Resources  
 123 West Nye Lane  
 Capitol Complex  
 Carson City, Nevada 89710

Attn: State Engineer

This Notice of Pledge supersedes and replaces that Notice of Pledge dated December 9, 1992, filed with the State Engineer's Office for Loan No. 0578012800. The related deed of trust that was recorded on December 30, 1992, as Instrument No. 333014 in Book 808, Page 846 in the Official Records of Elko County, Nevada, has been fully reconveyed.

Please be notified that the undersigned have this date executed a deed of trust in favor of Intermountain Federal Land Bank Association, FLCA covering certain land in Humboldt County, Nevada, together with all of the Trustor's right for any and/or all water and water rights, well and well rights, ditch and ditch rights, appurtenant to the described property, including but not limited to the following enumerated Proofs of Appropriation, and/or Applications/Permits to appropriate, or Certificates of Appropriation of Water on file with, and issued by the State Engineer for the right to use underground water for irrigation and domestic use, as evidenced by:

The Humboldt River Adjudication, The Bartlett Decree:

<u>Proof</u> 00676	<u>Source</u> Bullion Creek	<u>Use</u> Irrigation
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ALSO TOGETHER WITH all existing and future water rights, for irrigation, stockwatering, domestic or any other use, or drainage of all or any part of said lands, including vested water rights, permitted water rights, decreed water rights and certificated water rights arising under the laws of the State of Nevada, together with all certificates of appropriation, applications, proofs, permits and maps relating to such water and water rights which are appurtenant to the described real property, or any part thereof, or used or enjoyed in connection therewith or with any federal domain grazing land appurtenant or attached thereto.

The said deed of trust, given to secure a promissory note of even date, was recorded 12-27-01, in the Office of the County Recorder of the above referenced County, as Instrument No. 478157.

Please file this notice with your records of the above-referenced water rights 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 Intermountain Federal Land Bank Association, FLCA, P.O. Box 2088, Elko, NV 89803.

Dated this 18th day of December 2001

Signature(s):

KATHLEEN AND KEVIN TOMERA, a Partnership

Kristi Tomera  
Kristi Tomera, Individual

By: Kathleen M. Tomera  
Kathleen M. Tomera, Partner and Individually

By: Kevin B Tomera  
Kevin B. Tomera, Partner and Individually

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 Water Rights will be placed in the file in the Office of the State Engineer.

Beneficiary hereby agrees to keep the DWR office notified of any changes of address and to forward any reconveyances within 30 days of proper recording dates to remove the above encumbrance from the chain of title records.

(After signing both copies, please forward duplicate original copy to Intermountain Federal Land Bank Association, FLCA, PO Box 2088, Elko, NV 89803).

2-22-2002  
(date)

Barbara Kightling Mgmt. Assist II  
(signature) (title)