

LUTHUR W. CRABTREE, ET UX

+ FILE NO. 70313 +

TO

W. W. WHITAKER

THIS INDENTURE, made the 12th day of May, 1939, BETWEEN LUTHUR W. CRABTREE and EDITH V. CRABTREE, his wife, of Modesto, Stanislaus County, California, the parties of the first part, and W. W. WHITAKER, of Fallon, Nevada, the party of the second part,

WITNESSETH:

FILED
DEC 9 1980
ENGINEERS OFFICE

That the parties of the first part, for and in consideration of the sum of Ten Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged by these presents grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real property, to-wit:

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

PARCEL 1: The Southwest quarter of Section 24; the Southwest quarter of the Northeast quarter; the South half of the Northwest quarter; the North half of the Southwest quarter; and the North half of the Southeast quarter of Section 11; the North half of the Southeast quarter; the North half of the Southwest quarter and the South half of the North half of Section 12; the Northeast quarter, and the Southwest quarter of Section 13; the North half of the Southeast quarter; the Southwest quarter of the Southeast quarter; the Southwest quarter of the Southwest quarter, and the East half of the Northwest quarter of Section 14, all in Township 41 North, Range 54 East, Mount Diablo Base and Meridian.

PARCEL 2: The south half of the Southwest quarter of Section 3; the South half of the South half of Section 4; the North half of Section 9; the West half of the Northwest quarter of Section 10; the Northwest quarter of the Southwest quarter of Section 7; the Southwest quarter of the Northeast quarter; the Northwest quarter of the Southeast quarter, and Lots 2, 3 and 4 of Section 8; Lots 3 and 4, and the Southeast quarter of the Southwest quarter of Section 18; the Northwest quarter of the Northeast quarter; the Northeast quarter of the Northwest quarter of Section 19; all in Township 41 North, Range 55 East, Mount Diablo Base and Meridian.

W.W. Whitaker
11/16/81

*Elko
Rec'd
Blk 49
P 4174*

TOGETHER with the rights in and to the waters of the North Fork of the Humboldt River and Pratt Creek, as decreed to G. E. Truett for the property hereinabove described set forth in the decree in Case No. 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."

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All of the Northwest quarter; the Northwest quarter of the Northeast quarter; the Southeast quarter of the Northeast quarter; the South half, all in Section 3; all of the Southeast quarter; the South half of the North half; the Northeast quarter of the Northeast quarter; the East half of the Southwest quarter; the Southwest quarter of the Southwest quarter; all in Section 4; the South half of the Southeast quarter; the Northwest quarter of the Southeast quarter; the Southwest quarter of the Northeast quarter, all in Section 5; all of the Northeast quarter and the Southeast quarter of the Southeast quarter in Section 6; all of Section 9; all of Section 10; the South half of the Southwest quarter of Section 11; all in Township 41 North, Range 54 East, Mount Diablo Base and Meridian.

TOGETHER with decreed water right as set out in the Determination of the Relative Rights of Claimants and Appropriators of the Waters of the Humboldt River Stream System and its tributaries, Decree No. 2804, entered in the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, which said rights are particularly described as follows: 211.20 acre feet of water from Pratt Creek, through the R. T. Evans Ditches, with a priority of 1895 to 1904 for the irrigation of 70.40 acres in the Northwest quarter of the Northeast quarter and the North half of the Northwest quarter of Section 3, Township 41 North, Range 54 East, Mount Diablo Base and Meridian, and 2835.60 acre feet of water from Forney Creek, Branch of Forney Creek, Pratt Creek and Springs, through the C. B. Evans Ditches, with a priority of 1903, for irrigation of 945.20 acres in the South half, the South half of the Northwest quarter and the Southeast quarter of the Northeast quarter of Section 3; the Southeast quarter of the Northeast quarter and the Southeast quarter of Section 4; the North half of the Northeast quarter of Section 5; all of Section 9, and all of Section 10, all in Township 41 North, Range 54 East, Mount Diablo Base and Meridian.

In Township 40 North, Range 54 East, Mount Diablo Base and Meridian:

- In Section 5: Lot 5 of the Northwest quarter,
- In Section 9: The northwest quarter of the Southwest quarter.
- In Section 13: The South half of the South half, and the Northwest quarter of the Southwest quarter.
- In Section 14: The East half of the Southeast quarter, and the Northwest quarter of the Southeast quarter.
- In Section 24: The northwest quarter of the Southeast quarter.
- In Section 25: The northeast quarter of the Southeast quarter.
- In Section 36: The northeast quarter of the Northeast quarter.

In Township 41 North, Range 54 East, Mount Diablo Base and Meridian.

- In Section 7: The South half of the North half, the North half of the Southeast quarter, and the Southeast quarter of the Southeast quarter.
- In Section 8: The Southwest quarter of the Southwest quarter.
- In Section 16: The Northwest quarter; the North half of the Southwest quarter; and the Southwest quarter of the Southwest quarter.
- In Section 17: The East half; the East half of the West half; and the Northwest quarter of the Northwest quarter.
- In Section 20: The East half of the East half and the Southwest quarter of the Northeast quarter.
- In Section 21: The West half of the West half.
- In Section 28: The West half, and the West half of the Southeast quarter.
- In Section 29: The northeast quarter of the Northeast quarter.

TOGETHER with a decreed right for the irrigation of 1397.60 acres of the property hereinabove described from Foreman Creek, Winters Creek, California Creek and Springs, through the R. T. Evans Ditches, with a priority of 1888 to 1903, as set forth in the Determination of the Relative Rights of Claimants and Appropriators of the Waters of the Humboldt River Stream System and its Tributaries, Decree No. 2804, entered in the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt.

The parcels of land hereinabove described contain 7556 acres, more or less.

RESERVING AND EXCEPTING from the operation of this deed all rights of way, roads and other easements of record, and also reserving and excepting from this deed all other reservations and exceptions of record.

This deed is made subject, however, to an obligation executed by the grantors herein to The Federal Land Bank of Berkeley and the deed of trust securing the payment of the same executed by the grantors herein to Walter C. Dean, Frank R. Hodgson and H. W. Browning, trustees for The Federal Land Bank of Berkeley, which said deed of trust has heretofore been delivered into the possession of the Washoe County Title and Guaranty Company for delivery and recording, and which said deed of trust and the obligations assumed by the said grantors herein and the payment of the promissory note therein described, are assumed and agreed to be paid and carried out by the grantee herein, and the grantee herein by the acceptance of this deed agrees to save and hold harmless the grantors from the payment of said promissory note secured by said deed of trust and from the performance of any of the obligations contained in said deed of trust, including the payment of the taxes as therein provided.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

CERTIFICATION OF COPY
STATE OF NEVADA
COUNTY OF ELKO,) SS.
I, JERRY D. REYNOLDS, the duly elected and
qualified Recorder of Elko County, in the State of
Nevada, do hereby certify that this is a true, full
and correct copy of the instrument now on record
in this office. IN WITNESS WHEREOF, I have
hereunto set my hand and affixed the seal of my
office, in Elko, Nevada this

day of DEC 04 1980 A.D. 19
JERRY D. REYNOLDS, COUNTY RECORDER
By *[Signature]*
(SEAL)

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TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said party of the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

\$7.00 Int. Rev. stamp attached
and cancelled: CANCELLED

LUTHER W. CRABTREE
EDITH V. CRABTREE

STATE OF CALIFORNIA,)
County of Stanislaus.) ss.

On this 12th day of May, 1939, before me, Hazel A. Anderson, a Notary Public in and for the County of Stanislaus, State of California, personally appeared LUTHER W. CRABTREE and EDITH V. CRABTREE, his wife, known to me to be the persons whose names are subscribed to the within instrument, and they duly acknowledged to me that they executed the same.

WITNESS my hand and official seal the day and year first above written.

HAZEL A. ANDERSON

S E A L

Notary Public in and for the County
of Stanislaus, State of California.

Filed for record at request of H. S. Taber on the 2 day of June 1939 at 2:04 o'clock P.M.

Gertrude M. Williams
County Recorder

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