

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE, made and entered into this 31st day of May, 1968, by and between GORDON MacMILLAN and DOROTHE MacMILLAN, his wife, of the County of Eureka, State of Nevada, first parties, and WILLAMETTA K. DAY, whose address is 9601 Wilshire Boulevard, Beverly Hills, California, 90210, second party,

W I T N E S S E S E T H:

That the said first parties, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to them in hand paid by the said second party, and other good and valuable consideration, the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto the said second party, and to her heirs, executors, administrators and assigns, all that certain real property situate, lying and being in the County of Eureka, State of Nevada, particularly described as follows, to-wit:

TOWNSHIP 31 NORTH, RANGE 49 EAST, M.D.B.&M.

- Section 1: All
- Section 3: South half and the Northeast quarter
- Section 4: Southwest quarter of the Northwest quarter;
Northwest quarter of the Southwest quarter
- Section 5: All, except that portion contained within the Town of Beowawe as shown on the Plat filed in the office of the County Recorder of Eureka County, Nevada, as Document No. 2166 on June 15, 1908.
- Section 9: All
- Section 10: South half and the North half;
North half of the South half
- Section 11: All
- Section 12: North half of the South half;
North half

EXCEPTING from Sections 5, 9, 10, 11 and 12 all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.



TOWNSHIP 31 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 3: All, EXCEPTING THEREFROM all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 5: All

Section 7: All that portion of Lot 3 (Northwest quarter of The Southwest quarter) lying Northerly of a line parallel with and 200.00 feet distant northerly of the center line of Central Pacific Railway Company's Railroad: Northeast quarter; East half of the Northwest quarter; Lots 1 and 2 (West half of the Northwest quarter) Northeast quarter of the Southwest quarter and North half of the Southeast quarter.

EXCEPTING all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 8: North half of the Southwest quarter, EXCEPTING all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 9: That portion of the North half lying Northerly of a line parallel with and 100 feet distant Northerly of the center line of the Western Pacific Company's railroad as now constructed. That portion of the North half and the Southeast quarter Southeasterly of a strip of land 200 feet wide containing 23.18 acres conveyed to Western Pacific Railway Company by deed dated November 27, 1908, and Northwesterly of a line parallel with and 200.00 feet distant Northwesterly of center line of C.P.R.R. Co.'s railroad as now constructed.

Section 10: Northwest quarter of the Northeast quarter EXCEPTING all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 11: That portion of the Northeast quarter lying Northeasterly of the Northeasterly boundary of that parcel conveyed to the Western Pacific Railway Company by deed dated November 27, 1908.

EXCEPTING FROM Sections 7 and 9 all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

FURTHER EXCEPTING from Lot 3 of Section 7, and those portions of Sections 9 and 11 described above all petroleum, oil, natural gas and products derived therefrom, within or underlying said land or that may be produced therefrom as reserved by Southern Pacific Land Company in Deed recorded October 27, 1948 in Book 23 of Deeds, at page 501, Eureka County, Nevada, records.

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 6: Lot 7 (Southwest quarter of the Southwest quarter)

TOWNSHIP 32 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 1: East half lying Easterly of a line parallel with and 200.00 feet distant Easterly of the center line of the Central Pacific Railway Company's Railroad right-of-way.
EXCEPTING THEREFROM all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 12: East half of the East half, excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Section 13: Southeast quarter of the Northwest quarter;
East half of the Northeast quarter;
Southwest quarter of the Northeast quarter;
East half of the Southwest quarter;
Southeast quarter

Section 23: East half of the Southeast quarter

Section 24: East half; Southwest quarter; East half of the Northwest quarter

Section 25: All

Section 26: Southeast quarter; East half of the Southwest quarter;
South half of the Northeast quarter;
Northeast quarter of the Northeast quarter

Section 27: South half of the Southeast quarter;
Northeast quarter of the Southeast quarter

Section 34: East half of the East half

Section 35: All

Section 36: North half; Southwest quarter; West half of the Southeast quarter

EXCEPTING from the Southeast quarter of the Northwest quarter of Section 13, the Northeast quarter of the Southeast quarter of Section 23 and the Northeast quarter of the Southeast quarter and the South half of the Southeast quarter of the Section 27 all petroleum, oil, natural gas and products derived therefrom, within or underlying said land or that may be produced therefrom as reserved by Southern Pacific Land Company in Deed recorded November 12, 1948 in Book 23 of Deeds at page 506, Eureka County, Nevada, records.

TOWNSHIP 32 NORTH, RANGE 49 EAST, M.D.B.&M.

- Section 5: All, excepting therefrom that portion lying Northeastly of U. S. Highway 40. Further excepting therefrom that parcel conveyed to the State of Nevada by deed recorded September 24, 1963 in Book 27 of Deeds, at page 25, Eureka County, Nevada, records.
- Section 6: Lot 5 (Southwest quarter of the Northwest quarter) Lots 6 and 7 (West half of the Southwest quarter) Southeast quarter of the Southwest quarter; Southwest quarter of the Southeast quarter
- Section 7: All, Excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 8: Northwest quarter of the Northwest quarter; South half of the Northwest quarter; Southwest quarter; Southwest quarter of the Northwest quarter; West half of the Southeast quarter; Southeast quarter of the Southeast quarter
- Section 9: All except that portion lying Northerly of U.S. Highway 40; Further excepting therefrom that parcel conveyed to the State of Nevada by deed recorded September 24, 1963 in Book 27 of Deeds, at page 25, Eureka County, Nevada, records.
- Section 11: All except that portion lying Northerly of U.S. Highway 40; Further excepting therefrom that parcel conveyed to the State of Nevada by deed recorded August 10, 1964 in Book 5 of Official Records, at page 38, Eureka County, Nevada.
- Section 15: All
- Section 17: All
- Section 18: All excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 19: All excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 20: All
- Section 21: All
- Section 23: North half and the Southwest quarter
- Section 25: Northeast quarter; South half
- Section 27: North half; the Southwest quarter
- Section 28: West half; Northeast quarter; West half of the Southeast quarter; Northeast quarter of the Southeast quarter
- Section 29: All
- Section 30: All excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

TOWNSHIP 32 NORTH, RANGE 49 EAST M.D.B.&M. (Continued)

- Section 31: North half and the East half of the Southeast quarter excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 32: North half; Southwest quarter; Southwest quarter of the Southeast quarter and the North half of the Southeast quarter, excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.
- Section 33: West half and the Northeast quarter
- Section 35: South half and the Northeast quarter

TOWNSHIP 32 NORTH, RANGE 50 EAST, M.D.B.&M.

- Section 7: All except that portion lying North of U.S. Highway 40.
- Section 13: All
- Section 15: All except that portion lying Northeasterly of U.S. Highway 40.
- Section 17: All except that portion lying Northeasterly of U.S. Highway 40.
- Section 19: All
- Section 21: All
- Section 23: All
- Section 25: All
- Section 27: All
- Section 29: All
- Section 31: All
- Section 33: All
- Section 35: All

EXCEPTING FROM Section 7, 15 and 17 those parcels conveyed to the State of Nevada by Deed recorded August 10, 1964 in Book 5 of Official Records, at page 38, Eureka County, Nevada.

FURTHER EXCEPTING FROM Section 13, that parcel conveyed to State of Nevada by deed recorded September 10, 1965 in Book 5 of Official Records, at page 38, Eureka County, Nevada.

TOWNSHIP 33 NORTH, RANGE 48 EAST, M.D.B.&M.

- Section 36: Southeast quarter; West half of the Northeast quarter; East half of the Northwest quarter; Northeast quarter of the Southwest quarter Excepting all those portions lying within the rights-of-way of the Southern Pacific Railroad Company (or Central Pacific Railway Company) and Western Pacific Railroad Company.

Further excepting therefrom those parcels conveyed to State of Nevada by deeds recorded September 24, 1963 in Book 27 of Deeds, at page 22 and 25, Eureka County, Nevada, records.

TOWNSHIP 33 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 31: All excepting therefrom that portion lying Northeasterly of U. S. Highway 40. Excepting therefrom those parcels conveyed to State of Nevada by deeds recorded September 14, 1963 in Book 27 of Deeds, at pages 23, 25 and 31.

All those parcels lying within the townsite of Beowawe as shown on the plat filed in the office of the County Recorder of Eureka County, Nevada on June 15, 1908 described as follows:

- Block 1: Lots 1 thru 12 inclusive
 Block 2: Lots 1 thru 12 inclusive
 Block 3: Lots 1 thru 12 inclusive
 Block 4: Lots 1, 2, 3, 10, 11 and 12
 Block 5: Lots 1 thru 6 inclusive
 Block 6: Lots 1 thru 6 inclusive
 Block 7: Lots 1 thru 6 inclusive
 Block 8: Lots 1, 2, 3, 7 thru 18 inclusive
 Block 9: Lots 7 thru 12 inclusive and Lots 15 thru 18 inclusive
 Block 10: Lots 5, 6 and 18
 Block 11: Lots 1 thru 6, Lots 8, 9, 10, 16, 17 and 18
 Block 12: Lots 1 thru 15 inclusive
 Block 13: Lots 1 thru 18 inclusive
 Block 14: Lots 1 thru 18 inclusive
 Block 15: Lots 1 thru 18 inclusive
 Block 16: Lots 1 thru 12 inclusive
 Block 17: Lots 6 thru 12 inclusive
 Block 18: Lots 1 thru 6 inclusive except the Northwesterly 13 feet of Lot 6
 Block 19: Lots 1 thru 18 inclusive
 Block 20: Lots 1, 2, 9, 10, 11, 12, 13, 14 and 18
 Lots 3, 4, 5, 6, 7, 8, 15, 16, 17 excepting therefrom that parcel conveyed by R. H. Hadley et ux to Roman Catholic Bishop of Reno by deed recorded April 2, 1958 in Book 25 of Deeds at page 214, Eureka County, Nevada, records.
 Block 21: Lots 4 thru 18 inclusive
 Block 22: Lots 13, 14, 15, 16, 17 and 18
 Block 23: Lots 1 thru 18 inclusive
 Block 24: Lots 1 thru 18 inclusive
 Block 25: Lots 1 thru 12 inclusive
 Block 26: Lots 1 thru 12 inclusive
 Block 27: Lots 1 thru 12 inclusive
 Block 28: Lots 1 thru 12 inclusive
 Block 29: Lots 1 thru 12 inclusive

Excepting from Townsite of Beowawe a plot of ground upon which the jail building of the County of Eureka State of Nevada is situate, together with 30 feet in each direction from the outer wall thereof and surrounding said jail as conveyed to County of Eureka by deed recorded June 6, 1904 in Book 14 of Deeds at page 583, Eureka County, Nevada, records.

Further excepting therefrom those portions of Lot 1, 2 and 18, Block 20; Lots 9 thru 18, Block 21; Lots 13 and 14, Block 22; Lots 1 and 12, Block 29; Lots 1 thru 12, Block 28; Lots 1 thru 12, Block 27; and Lots 7 and 8, Block 26 conveyed to Eureka County School District by deed recorded November 14, 1967 in Book 21 of Official Records, at page 87, Eureka County, Nevada, and described as follows:

Commencing at the Northwest corner of parcel, which point bears North $63^{\circ} 28' 16''$ East a distance of 7098.59 feet from the Southwest corner of Section 6, Township, 31 North, Range 49 East, M.D.B.&M.; thence North $49^{\circ} 12'$ East a distance of 609.75 feet to the intersection of the West right-of-way boundary of Nevada State Route 21; thence along the West right-of-way boundary of said highway on a 1,250.00 foot radius, curving to the right, through a central angle of $48^{\circ} 17' 12''$, an arc distance of 1,053.45 feet to end of said curve; thence South $12^{\circ} 53' 41''$ West along said right-of-way boundary a distance of 130.82 feet; thence North $40^{\circ} 48'$ West a distance of 966.99 feet to the point of beginning.

TOGETHER with all improvements situate thereon or used in connection therewith.

TOGETHER with all water rights, including but without limitation thereto, all water rights decreed to Humboldt Land & Cattle Co. in the Bartlett Decree of Civil Action No. 2804 in 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 the Claimants and Appropriators of the Waters of the Humboldt River Stream System and Tributaries, all of which rights have a source of the Humboldt River, which ditches are referred to as Rose Dam, High Line Canal, Over Flow, Dwyer Dam, Beowawe No. 1, Merchant Canal, Beowawe No. 2, (appearing on pages 94, 95, 96, 97, 98 and 99 of the Bartlett Decree in the Blue Book) and Pump (appearing on page 234 of the Bartlett Decree in the Blue Book), as the same is amended by that certain Order Amending Decree, made and entered by Judge Edwards, the 1st day of October, 1934 and filed in the above-referred to matter on the 3rd day of October, 1934 (appearing at pages 15 and 16 of the Intervening Orders in the Blue Book), which rights reflect the following amounts, priorities, seasons of use and types of use, to-wit:

<u>Priority</u>	<u>3/15 - 9/15 3/Ac. Ft. Harvest</u>	<u>3/15 - 6/13 1½ Ac. Ft. Meadow Pasture</u>	<u>3/15 - 4/28 3/4 Ac. Ft. Diversified Pasture</u>
1873	0.00	0.00	700.82
1874	883.44	1,805.84	1,165.07
1877	0.00	0.00	78.56
1880	40.00	460.24	820.05
1882	0.00	61.06	17.06
1883	282.03	76.30	163.17
1884	0.00	34.28	5.72
1885	0.00	6.13	2.60
1886	54.07	71.34	515.02
1888	160.00	280.00	0.00
1897	0.00	0.00	1,133.46
1898	0.00	40.00	520.10
1918	87.84	0.00	0.00
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TOTALS	1,507.38	2,835.19	5,121.63

TOGETHER with all waters, water rights, rights to the use of water, dams, ditches, canals, pipelines, reservoirs and all other means for the diversion or use of waters appurtenant to the said property, or any part thereof, or used or enjoyed in connection therewith; and together with all stockwatering rights used or enjoyed in connection with the use of any of said lands, including those on the public domain.

TOGETHER with all range, rights and grazing rights, and in particular, but without limitation thereto, all rights to graze livestock on the public domain under what is known as the Taylor Grazing Act, used or enjoyed in connection with any of said property or premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

It being the intention of the first parties to sell and convey to second party all of the real property comprising the Horseshoe Ranch, situated in the County of Eureka, State of Nevada, whether the same is hereinabove accurately described or not, save and except for that portion of the ranch known as the Geyser Area, more particularly described as follows:

TOWNSHIP 31 NORTH, RANGE 48 EAST, M.D.B.&M.

- Section 8: S½SE½
- Section 17: NW½
- Section 18: E½NE½

TO HAVE AND TO HOLD said premises, together with the appurtenances unto the said second party, her heirs, executors, administrators, and assigns, forever.

IN WITNESS WHEREOF, the first parties have hereunto set their hands the day and year in this instrument first above written.

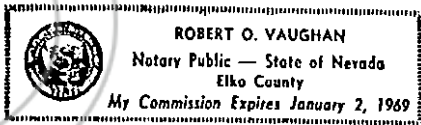
Gordon Macmillan
GORDON MacMILLAN

Dorothe Macmillan
DOROTHE MacMILLAN

STATE OF NEVADA)
) SS.
COUNTY OF ELKO)

On this 31st day of May, 1968, personally appeared before me, a Notary Public, GORDON MacMILLAN and DOROTHE MacMILLAN, his wife, who executed the foregoing instrument.

Robert O. Vaughan
NOTARY PUBLIC



RECORDED AT THE REQUEST OF Jack E. Hull
on June 3, 1968 at 15 mins. past 10 A. M. in
Book 24 of OFFICIAL RECORDS, page 197-205 RECORDS OF
EUREKA COUNTY, NEVADA. *Shelley C. Nelson* Recorder.
File No. 46990 Fee \$11.00