GRANT, BARGAIN AND SALE DEED

THIS INDEWTURE, made and entered into as of the 2.2 day of November, A.D., 1968, by and between McKINLEY CATTLE CO., INC., a Nevada corporation, party of the First Pert ("GRANTOR") and BULLHEAD LAND AND CATTLE CO., INC., a Nevada corporation, party of the Second Part ("GRANTEE") located at 1401 Granite Drive, Reno, Nevada.

WITNESSETH:

That the said party of the First Part, for and in consideration of the sum of TEN and NO/100 (\$10.00) DOLLARS, lawful money of the United States of America, and other good and valuable considerations, to it in hand paid by the party of the Second Part, receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell and convey unto the said party of the Second Part, and to its successors and assigns, all the real property described in Exhibit "A" attached hereto and incorporated by reference thereto, situate in the Counties of Elko and Eureka, State of Nevada, together with all buildings and improvements of every name or nature situate thereon; together with all waters, water rights, rights to the use of water, dams, ditches, canals, pipe lines, 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 any of said lands; 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, owned by First Party, or used or enjoyed in connection with any of said property; together with the tenements,









hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

Subject to easements, exceptions, reservations, conditions, deeds of trust, supplemental deeds of trust, chattel mortgages, leases, assignments, and mineral deed, now of record.

There is reserved and excepted from this conveyance for a period of 15 years from the date hereofan undivided onehalf interest in and to all the oil, gas and minerals and ores now owned or in which GRANTOR has a reversionary right or reversionary interest on, in or under the above described lands; provided that this reservation shall be null and void after 15 years from the date hereof, and GRANTOR's interest in the oil, gas, ores and other minerals shall thereupon vest in the GRANTEE its successors and assigns; provided, however, that in the event during the 15 year period herein referred to, GRANTOR should desire to sell, or lease, any of its rights or reversionary rights thus retained by it, (which GRANTOR may do subject to the conditions as to reversion in favor of GRANTEE, as hereinabove provided) that GRANTOR shall give GRANTEE the option for a period of fifteen (15) days from delivery of written notice to GRANTEE by GRANTOR of such intent by GRANTOR to sell, or lease, such mineral or reversionary rights within which to elect to undertake such purchase or lease on the same terms and conditions as received by GRANTOR from third persons. Should GRANTEE elect to meet such terms GRANTOR specifically agrees to sell or lease to GRANTEE. Should GRANTEE fail to give written notice within fifteen (15) days of its intent to meet such terms then GRANTOR shall be free to deal with any third

party with which it has theretofore contracted; provided, however, that any agreement with such third party shall be under the same terms and conditions theretofore submitted to GRANTEE for GRANTEE's acceptance. GRANTOR further agrees during said fifteen (15) year term that it will not mortgage or encumber the rights hereby retained by GRANTOR without the consent of GRANTEE.

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 its successors and assigns forever.

IN WITNESS WHEREOF, the party of the First Part, by and through its officers thereunto duly authorized, has set its hand as of the day and year first hereinabove written.

McKINLEY CATTLE CO., INC., a Nevada corporation

toward Ligget

NOTARY PUBLIC

SEAL Affixed

ATTEST:

y fel

JOHN M. McKINLEY, President

By Sta WMuh
IRA UNROH, Secretary

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

On November 22, 1968, personally appeared before me, a Notary Public, JOHN M. McKINLEY and IRA UNRUH, the President and Secretary respectively of McKINLEY CATTLE CO., INC., who acknowledged that they executed the above instrument.

OFFICIAL SEAL
HOWARD LIGGETT
NOTARY PUBLIC CALIFORNIA
PRINCIPAL OFFICE IN
LOS ANGELES COUNTY

My Commission Expires Sept. 14, 1971

PARCEL 1

DESCRIPTION:

The land referred to herein is situate in the County of Elko, State of Nevada, and described as follows:

Township 33 North, Range 53 East, MDB&M

Section 1: All

11: A11

13: A11

19: S½S½ which lies between the Southerly right of way line of U. S. Highway Interstate 80 and the Northerly right

of way line of the Southern Pacific Railroad.

Township 34 North, Range 53 East, MDB&M

Section 1:

1: A11 3: A11

5: A11

9: A11

10: NW\nw\;

11: All

13: A11

16: Nonwe; Swenwe

17: All

19: A11

20: NEY; NYSEY; SEYSWY;

23: A11

25: A11

30: None; Swane; Ease; Wa;

31: All

35: All

Township 35 North, Range 53 East, MDB&M

Section 1: All

2: EZNEZ; NZNWZ;

3: A11

4: N½S½;

5: A11

7: A11

9: All

11: A11

13: All

17: A11

19: A11

20: NE氧NE氧;

23: E½;

EXHIBIT "A"

أ التأمط

(continued) Township 35 North, Range 53 East, MDB&M

Section 25: All

29: A11

31: All

35: A11

Township 36 North, Range 53 East, MDB&M

Section 7: A11

> 9: A11

11: A11

Nanet; NWt; Waswe; 15:

17: **A11**

26: SW\SE\; S½; 29:

30: ESSW:;

31: A11

33: A11 35: A11

SWENEE; NWESEE; EEWE; 36:

Township 33 North, Range 54 East, MDB&M

Lots 3 and 4; S½SW½; W½SW½SE½; excepting a strip of land Section 3: containing 2.94 acres, and being 400 feet in width lying equally on each side of the centerline of the railroad of the Central Pacific Railway as now constructed, over, upon and across said Section 3;

4: A11 Section

Section

All, excepting a strip of land containing 10.84 acres, 5: and being 400 feet in width lying equally on each side of the centerline of the railroad of the Central Pacific Railway Company as now constructed, over, upon and across

said Section 5; A11

7: **A11** 8:

 $\mathbf{M}\mathbf{1}$ 9:

10: NENEE; SWENEE; NWE; SE; NWENWE; 11:

14: NW大; NE戈SE氡;

15: A11

16: Ny; SWY; NySEY;

17: All.

18: **A11**

Township 33 North, Range 54 East, MDB&M (continued)

ENEZ; SEZ; SEZSWZ; SEZSWZNEZ; Section 19: That portion of the East, Northeast and North part of the NWINE's of said Section 19 lying Northeast of the boundary line fence between the land of Tomera and Hunter-Banks Company, also, that certain portion of said Section 19, more particularly bounded and described as follows: Beginning at a point on the North line of Section 19, Township 33 North, Range 54 East, MDB&M, 2777 feet East of the Northwest corner of said Section 19; thence first course South 62° East, 1308 feet to the fence on the West side of the NEZNEZ of Section 19; thence second course along the fence South 1058 feet to the right of way of the Western Pacific Railroad; thence third course along the Western Pacific Railroad right of way South 52°35' West, 2550 feet; thence fourth course along the Western Pacific Railroad right of way South 59°05' West, 650 feet; thence fifth course along the Western Pacific Railroad right of way South 64°05 West, 1500 feet, more or less, to the West line of Section 19; thence sixth course South along the West line of Section 19, 1070 feet, more or less, to the Southwest corner of Section 19; thence seventh course East along the South line of Section 19, 5255 feet, more or less, to the Southeast corner of Section 19; thence eighth course North along the East line of Section 19, 5280, more or less, to the Northeast corner of Section 19; thence ninth course West along the North line of Section 19, 2475 feet, more or less, to the place of beginning. EXCEPTING THEREFROM the right of way of the Western Pacific Railway across said lands.

Section 20: WaNWa;

Township 34 North, Range 54 East, MDB&M

Section 5: $W_2^1E_2^1$; W_2^1 ;

7: A11.

17: W_{2}^{1} ;

19: All

25: SE\SE\; Excepting a strip of land being 400 feet in width lying equally on each side of the centerline of the rail-road of the Central Pacific Railway Company as now constructed, over, upon and across said Section 25;

29: All

31: All

33: Whineh; NWh; Sh;

1000

Township 35 North, Range 54 East, MDB&M

Section 7: WaNWa; SWa;

19: W날;

31: All

34: All that portion of NE\(\frac{1}{2} \)SW\(\frac{1}{2} \) lying West of the Elko to Mountain City Highway

Township 36 North, Range 54 East, MDR&M

Section 9: That portion lying Westerly of a fence line more particularly described as follows: Beginning at Corner No. 1, which is also the Northwest corner of said Section 9; thence S. 24°45' E., 1800 feet to Corner No. 2; thence S. 11°35' E., 1260.00 feet to Corner No. 3; thence S. 47°55' E., 1425 feet to Corner No. 4; thence S. 7°00' W., 1433.12 feet to Corner No. 5; the end which is also a point in the South line of Section 9, EXCEPTING FROM THE ABOVE the SW\(^2\)SW\(^2\);

Section 21: A portion thereof, more particularly described as follows:
Beginning at Corner No. 1, which is also the Northwest
corner of said Section 21, running thence South 5280 feet
to Corner No. 2, which is also the Southwest corner of said
Section 21; thence East 1132.53 feet to Corner No. 3, at
which point the drift fence is intersected;
thence N. 36°20' W., 696.66 feet to Corner No. 4;
thence N 8°50' E., 4775.42 feet to Corner No. 5;
a point in the North line of said Section 21;
thence West 1453.10 feet to Corner No. 1, the place
of beginning, containing 129.6 acres, more or less.

Township 36 North, Range 53 East, MDB&M

Section 19: All

20: SEŁNWŁ; SEŁSEŁ;

21: A11

23: All

25: All

27: All

28: NW\(\frac{1}{2}\)N\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\)\(\frac{1}{2}\

29: N날;

Township 36 North, Range 54 East, MDB&M

Section 19: All 31: All

EXCEPTIONS TO PARCEL 1:

Excepting from the foregoing, those certain tracts of land deeded out by Central Pacific Railway Company, Southern Pacific Land Company and Southern Pacific Company, as evidenced by but not limited to the following:

Book		Page
30 Deeds		345
31 Deeds		7
as follows:	_	

EXCEPTING and RESERVING, however, for railroad purposes, a strip of land 400 feet wide, lying equally on each side of the track of the Railroad of said Company or any branch Railroad now or hereafter constructed on said lands, and the right to use all water needed for the operating and repairing of said Railroad which rises on said land, and the right of way to conduct water rising on other lands across said land in pipes or aqueducts for said purposes; and subject also to the reservation and condition that the said purchaser, his heirs and assigns shall erect and maintain good and sufficient fences on both sides of said strip or strips of land.

RESERVING, however, all claim of the United States to the same as mineral lands.

There is excepted from the foregoing certain strips of land heretofore deeded to the Central Pacific Railway Company, as evidenced by but not limited to the following:

Boo	ok		<u>Page</u>
27	Deeds		353
27	11		356
51	11	/ /	545

Excepting from the foregoing those strips of land heretofore deeded to Western Pacific Railway Company, as shown in but not limited to Book 31 of Deeds, page 71 and Book 30 of Deeds, page 35.

Also excepting those certain tracts of land heretofore deeded to the State of Nevada, Department of Highways, as shown in Book 68, page 624 and Book 71, page 593, of Official Records.

PARCEL 2

DESCRIPTION: Situate in the Counties of Eureka and Elko, State of Nevada, as follows:

HADLEY RANCH PARCEL 1:

Township 34 North, Range 51 East, MDB&M

- Section 1: That portion Southeast of 1946 drift fence and East of present North Simon's also known as Simond's, Pasture fence.
- Section 2: That portion of the E½SE½ to the East and outside of Simon's field fence as now constructed.
- Section 10: S2SE4, save and except that portion lying Northwesterly of and outside Simon's fence as now constructed.
- Section 11: All East of Simon's field fence as now constructed.
- Section 15: E½, save and except that portion of the W½E½ lying Westerly of and outside of Simon's field fence as now constructed.
- Section 22: That portion of the NaNE Northeasterly of the drift fence constructed in 1946.
- Section 23: All; except that portion of the W2SW2 lying Southwesterly of the Northeasterly rim of Maggie Creek Canyon.
- Section 25: That portion Northeasterly of the drift fence constructed in 1946.
- Section 26: That portion of the Shek, NWhek and Neknwk to the North and East of the Northeasterly rim of Maggie Creek Canyon, containing 73 acres, more or less.

Township 34 North, Range 51 East, MDB&M continued

Section 36: EinEi and that portion of NWinEi to the North and East of new drift fence constructed in 1946.

> EXCEPTING from the SWZSEZ and SEZSWZ of Section 25 and NaNE and NE NW of Section 36 Township 34 North, Range 51 East, MDE&M, those parcels conveyed by deed dated January 10, 1966 executed by Matilda Hadley, et al, to the State of Nevada, recorded November 22, 1966 in Book 76, page 144 of Official Records, Elko County, Nevada

Township 35 North, Range 51 East, MDB&M

Section 25: That portion of the SEZSEZ East of new drift fence constructed in 1946

That portion of the NE', NW'SE', SE'SW', Section 36: East of new drift fence constructed in 1946.

Township 36 North, Range 51 East, MDB&M

Section 1: All

> 2: EZEZ; (Lot 1, SEZNEZ & EZSEZ;)

12: That portion of the N1 lying Northeasterly of a line beginning at the quarter corner on the East boundary of Section 12, running thence N.63°26'W., to the Northwest corner of said Section.

Township 37 North, Range 51 East, MDB&M

Section 25: St; Stnt; NEtnet;

> SEZSEZ; NEZSEZ; 35:

36: All

Township 33 North, Range 52 East, MDB&M

Section 4:

Lot 3; SE\nw\dag{\text{N}}; Lots 1,2 & 3; SE\nw\dag{\text{N}}; S\dag{\text{N}}\nE\dag{\text{2}}; N\dag{\text{2}}\sed{\text{5}}; 5:

9: Ez; Ezwz: Swznwz;

10: Stswt; Nwtswt; Stset;

14: WZSWZ;

15: All

Nanet; Setnet; 16:

Township 33 North, Range 52 East, MDB&M continued

Section 22: Ninel; Seinel;

23: A11 24: ₩żSWż;

> EXCEPTING, however, from Sections 23 and 24, above, the following described parcel of land; Beginning at Corner No. 1, the corner common to Sections 23, 24, 25 and 26 Township 33 North, Range 52 East, thence N.31°32'40"W., 3104.20 feet to Corner No.2; thence East 3274.00 feet to Corner No. 3; thence South 1322.75 feet to Corner No. 4; thence South 14°00'30" W.,1363.30 feet to Corner No. 5; thence South 1320.00 feet to Corner No. 1, the place of beginning.

EXCEPTING from NWZSEZ; SWZNEZ; SEZNWZ and Lot 3 of Section 5; StSEt, NWtSEt, NEtSWt and StNWt of Section 9; WtSWt of Section 15; SEINER, NINER of Section 16, Township 33 North Range 52 East, MDB&M, those parcels conveyed by deed dated January 10, 1966 executed by Matilda Hadley, et al, to the State of Nevada, recorded November 22, 1966, in Book 76 page 144, Elko County Nevada Records.

Township 34 North, Range 52 East,

Section 1: **All**

3: A11

5: All

Lot 6; 6:

7: **A11**

9: All

11: All

15: A11

17: A11

19: A11

21: A11

23: All

27: A11

29: All

30:

Lot 4; SE\(\frac{1}{5}\)SE\(\frac{1}{5}\); S\(\frac{1}{5}\)SE\(\frac{1}{5}\); N\(\frac{1}{5}\); N\(\frac{1}{5}\)SE\(\frac{1}{5}\); N\(\frac{1}{5}\)SE\(\frac{1}{5}\); 31:

32: Wanwa; Swa; Swasea;

33: A11

Township 34 North, Range 52 East, MDB&M continued

Section 35: W2; NWZNEZ;

EXCEPTING from the E½SE½, NW½SE½, NE½SW½, SW½NE½, SE½NW½, and Lots 1 and 2, Section 31 and SW½SW½ of Section 32, Township 34 North, Range 52 East, MDB&M, those parcels conveyed to the State of Nevada, by deed recorded in Book 76, page144 of Official Records, Elko County, Nevada, records.

Township 35 North, Range 52 East, MDB&M

Section 1: All

- 2: Lots 1 & 2; SW\(\frac{1}{2}\) SE\(\frac{1}{2}\)NW\(\frac{1}{2}\); S\(\frac{1}{2}\)SE\(\frac{1}{2}\);
- 3: All
- 4: Lot 4; SENWE; SWENEE; NESEE; SEESEE;
- 5: All lying East of Coyote Field Fence as now constructed.
- 6: That portion of the SEZSEZ lying East of Coyote Field Fence as now constructed.
- 7: That portion of the E½; SE¼SW¼; lying East of and outside of Coyote Field fence as now constructed; that portion of the S½SW¼ lying Northeasterly of drift fence constructed in 1946.

Section

- 8: Winwi; Neinwi;
- 9: A11
- 10: Nonz; Sonez;
- 11: A11
- 12: NENWY; NEESWE;
- 13: All
- 15: M1
- 17: A11
- 18: That portion of Lot 1 and NE\(^1\)SW\(^1\) lying

 East of new drift fence constructed in 1946.
- 19: That portion of the E_2^1 lying East of new drift fence constructed in 1946.
- 21: A11
- 23: A11 24: SE½NW½;
- AC 411
- 25: All
- 26: SE\SW\\;
- 27: A11
- 28: Ninet; Swinet; Einwh;
- 29: All
- 30: That portion of the NW4, N\(\frac{1}{2}\)SW\(\frac{1}{4}\) and Lot 4 lying Easterly of new drift fence constructed in 1946.
- 31: A11
- $32: N_{2}^{1}N_{2}^{1};$
- 33: All
- 34: NW\nw\;
- 35: A11

45 33

Township 36 North, Range 52 East, MDB&M

33:

25:

36:

All.

A11

E\SE\;

SEz; Section 1: Lots 3 and 4; StNWt; SWt; 3: 4: All 9: ٨11 10: $W_2^1 W_2^1$; 13: A11 nnfnnf: 14: 15: All Wz; Nznez; Swznez; Swzsez; 16: 17: All Lots 1,2,3,4; EzEz; Wzneł; EzWz; NWZSEZ; 18: 19: 20: Wz; WzEz; 21: A11 23: A11 24: WINWE; 25: A11 26: NW&SW&; 27: A11 29: A11 30: A11 All, except that portion of the SWZ 31: lying in the Coyote Field and Southwesterly of a fence now constructed, and more particularly described as follows: Beginning at a point in the South boundary of Section 31, Township 36 North, Range 51 East, MDB&M, whence a corner marked for the closing corner of Section 1, Township 35 North, Range 51 East, and Section 6, Township 35 North, Range 52 East, MDB&M bears West 1044.00 feet. thence N.50°54' W.,3677.60 feet to its intersection with the West line of Section 31, the end. SINEL; NWINEL; NELNWL; WIWE; NISEL; SELSEL; 32:

Township 37 North, Range 52 East, MDB&M

```
Section
         1:
              NWYNWY
         2:
              Ezez; (Lot 1; Seznez; Ezsez)
              SWk; S\SEk;
        13:
        14:
              ENWY; NEY; SY;
        15:
              SZSZ;
        16:
              SWINWI; NWISEI; SISEI; NISWI;
        17:
              SZNZ;
        19:
              SW\SW\;
                       (Lot 4)
        20:
             NEŻNEŻ; SŻNEŻ; SEŻNWŻ; SŻ;
        21:
              A11
         22:
              A11
        23:
             A11
        24:
              A11
        25:
              A11
              A11
        26:
        27:
              A11
        28:
              A11
        29:
              A11
        30:
              A11
        31:
              A11
        32:
              A11
        33:
              A11
        34:
              A11
        35:
              A11
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Township 35 North, Range 53 East, MDB&M

Section 6: Lots 4 and 5;

36:

18: Lot 2;

A11

NOTE: The boundaries of the said Coyote Field Fence and the boundaries of the Simon's Field Fences, referred to in the foregoing description are delineated upon cultural maps on file with the County Clerk of the County of Humboldt, State of Nevada, in that certain action No. 2804, in the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, and 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 Tributries.

The said drift fence referred to in the foregoing description and referred to as drift fence constructed in 1946 therein consists of three segments of fence, the locations of which are more particularly described

as follows: description of fence Simon's, also known as Simond's field to Coyote Field. Beginning at point where new fence joins north end of Simon's Field, whence the corner common to Sections 1 and 2, Township 34 North, Range 51 East, and Sections 35 and 36 of Township 35 North, Range 51 East, MDB&M, bears North 2°55'E., 676.83 feet; thence North 29°46'E., 692.27 feet; thence S.69°07'E., 755.48 feet; thence N.86°58'E., 957.67 feet; thence N.25°12'E.,8588.20 feet; thence N.8°44'W., 522.62 feet; thence N.38°43'E., 1707.80 feet; thence N.63°02'E., 972.75 feet; thence N.20°37'E., 1916.50 feet; thence N.5°37'E., 1944.15 feet; thence N.7°44'W., 2508.08 feet; thence N.14°09'W., 1283.30 feet; thence N.20°54'W., 3143.30 feet; thence N.19°42'W., 1327.40 feet; thence N.28°06'E., 363.06 feet; the South end of Coyote Field fence also the point of ending.

Fence at South end of Simon's Field:

Beginning at a point where fence crosses Section line between Sections 15 and 22, Township 34 North, Range 51 East, MDB&M, whence the corner common to Sections 14, 15, 22 and 23, Township 34 North, Range 51 East, MDB&M, bears East 1573.00 feet; thence S.20°06'E., 394.60 feet; thence S.69°02'E., 1475.84 feet; thence S.62°07'E.,65.36 feet to the end, a point on a rocky bluff.

Fence in Sections 25 and 36, Township 34 North, Range 51 East,

Beginning at point where new drift fence intersects the east line of the NW4NE4 of Section 36, whence the quarter corner between Sections 25 and 36, Township 34 North, Range 51 East, MDB&M, bears N.65°40'W., 1447.32 feet; thence N.65°04'W., 2129.57 feet; thence N.20°11'E., 581.60 feet; thence N.57°17'W., 2624.80 feet, a point on the west line of Section 25, whence the quarter corner between Sections 25 and 26, Township 34 North, Range 51 East, MDB&M bears N.0°21'E., 425.80 feet.

URIE RANCH PARCEL 2:

A tract of land in the NE $\frac{1}{2}$ and the W $\frac{1}{2}$ of Section 34 Township 33 North, Range 52 East, MDB&M, more particularly described as follows:

Commencing at the Southwest corner of said Section 34 thence North along the West section line of said Section 34 to a point in said section line where the Westerly boundary line of the Western Pacific Railroad right of way intersects said section line, the point of beginning; thence Northeasterly through said Section 34 along the Westerly boundary line of the Western Pacific Railroad right of way to a point in the North section line of said Section 34 where said Westerly boundary line of said Section 34 where said Westerly boundary line of said Western Pacific Railroad right of way intersects said North line of said Section 34; thence West to the Northwest corner of said Section 34; thence South along the West line of said Section 34 to the place of beginning.

Said Western Pacific Railroad Company right of way described as follows, in Deed recorded in Book 29 page 604 of Deeds, Elko County, Nevada, records:

A strip or tract of land 175 feet in width, being all the land included between the West and North boundaries of the property next herein described and line drawn parallel with and $87\frac{1}{2}$ feet distant of the center line described as follows:

Beginning at a point on the West line of said Section 34 which said point is North measured along said West line a distance of 155 feet from the Southwest corner of said Section; thence N.38°32'E., a distance of 5721.9 feet to a point; thence on a curve to the right with a radius of 5730 feet a distance of 843.1 feet to a point on the North line of said Section 34; said point being West along said North line a distance of 1115 feet from the Northeast corner of said Section 34.

THERE IS EXCEPTED FROM PARCEL 2 the following parcels A thru E:

Parcel A:

A parcel in the West half of Section 34, Township 33 North, Range 52 East, MDB&M conveyed to the Central Pacific Railway Company in Deed recorded in Book 37 page 396 of Deeds, Elko County, Nevada, records, described as follows:

Beginning at a point on the Southeasterly right of way line of the Central Pacific Railway Company's Railroad, whence the Northeast corner of Section 34, Township 33 North, Range 52 East, MDB&M, bears N.75°22'E., 4474.0 feet; said point of beginning is also 200.0 feet Southeasterly measured at right angles from the center line of the constructed mainline of the Central Pacific Railway Company at engineer survey station 919 plus 62.4; thence S.47°24'W., along said right of way line 330.1 feet to a point; thence Southerly on a curve concave to the East with radius of 1246.01 feet, (the tangent at the beginning of said curve bears S.7°53'W) a distance of 712.6 feet to a point; thence Southerly compounding on a curve to left with radius of 1373.32 feet a distance of 32.35 feet, thence Southerly compounding on curve to left with a radius of 1532.47 feet a distance of 32.09 feet; thence Southerly compounding on a curve to left with radius of 1737.09 feet a distance of 31.83 feet; thence Southerly compounding on curve to left with radius of 2009.91 feet a distance of 31.56 feet; thence Southerly compounding on curve to left with radius of 2391.88 feet a distance of 31.30 feet; thence Southerly compounding on curve to left with radius of 2964.84 feet a distance of 31.04 feet; thence Southerly compounding on curve to left with radius of 3919.74 feet a distance of 30.78 feet; thence Southerly compounding on curve to left with radius of 5829.61 feet a distance of 30.52 feet; thence Southerly compounding on curve to left with radius of 11559.17 feet a distance of 30.26 feet; thence S.31°07'E., tangent to last described curve 398.5 feet; thenceSoutherly on curve to right tangent to last described course, with radius of 5629.61 feet a distance of 29.48 feet; thence Southerly compounding on curve to right with radius of 2764.84 feet a distance of 28.96 feet; thence Southerly compounding on curve to right with radius of 1809.91 feet a distance of 28.44 feet; thence Southerly compounding on curve to right with radius of 1332.47 feet a distance of 27.91 feet; thence Southerly compounding on curve to right with radius of 1046.01 feet a distance of 27.39 feet; thence Southerly and Southwesterly compounding on curve to right with radius of 855.04 feet a distance of 901.56 feet; thence Southwesterly compounding on curve to right with radius of 1046.01 feet a distance of 27.39 feet; thence Southwesterly compounding on curve to right with radius of 1332.47 feet a distance of 27.91 feet; thence Southwesterly compounding on curve to right with radius of 1809.91 feet a distance of 28.44 feet; thence Southwesterly compounding on curve to right with radius of 2764.84 feet a distance of 28.96 feet; thence Southwesterly compounding on curve to right with radius

of 5629.61 feet a distance of 29.48 feet to a point on the Northwesterly right of way line of the Western Pacific Railroad Company's railroad; thence along said right of way line N.38°19'E, 691.0 feet; thence Northerly on curve concave to the West and tangent to line bearing N.2°35'E., with radius of 1055.04 feet and concentric with said last described curve having a radius of 855.04 feet, a distance of 544.9 feet; thence Northerly compounding on curve to left with radius of 1246.01 feet a distance of 32.61 feet; thence Northerly compounding on curve to left with radius of 1532.47 feet a distance of 32.09 feet; thence Northerly compounding on curve to left with radius of 2009.91 feet a distance of 31.56 feet; thence Northerly compounding on curve to left with radius of 2964.84 feet a distance of 31.04 feet; thence Northerly compounding on curve to left with radius of 5829.61 feet a distance of 30.52 feet; thence tangent to last described curve N.31°07'W., 398.5 feet; thence Northerly on curve to right tangent to last described line, with raduis of 11359.17 feet a distance of 29.74 feet; thence Northerly compounding on curve to right with radius of 5629.61 feet a distance of 29.48 feet; thence Northerly compounding on curve to right with radius of 3719.74 feet a distance of 29.22 feet; thence Northerly compounding on curve to right with radius of 2764.84 feet a distance of 28.96 fest; thence Northerly compounding on curve to right with radius of 2191.88 feet a distance of 28.70 feet; thence Northerly compounding on curve to right with radius of 1809.91 feet a distance of 28.44 feet; thence Northerly compounding on curve to right with radius of 1537.09 feet a distance of 28.17 feet; thence Northerly compounding on curve to right with radius of 1332.47 feet a distance of 27.91 feet; thence Northerly compounding on curve to right with radius of 1173.32 feet a distance of 27.65 feet; thence Northerly compounding on curve to right with radius of 1046.01 feet a distance of 866.4 feet, more or less, to the point of beginning, in the W_2^1 of Section 34 Township 33 North, Range 52 East, MDB&M.

Parcel B:

A parcel of land in the $N_2^4 NE_4^4$ of Section 34 Township 33 North, Range 52 East, MDB&M, more particularly described as follows:

-11-

Beginning at the Northeast corner, a stake on the North line of Section 34, Township 33 North, Range 52 East, MDB&M, 1802 feet West of the Northeast corner of said section; thence South a distance of 35 feet; thence West a distance of 25 feet; thence North a distance of 35 feet; thence East a distance of 25 feet to the place of beginning, being the parcel conveyed by Deed recorded in Book 47, page 116, of Deeds, Elko County, Nevada, records.

Parcel C:

A parcel of land in the N2NE2 of Section 34, Township 33 North, Range 52 East, MDB&M, more particularly described as follows:

Commencing at the Northeast corner of Section 34, Township 33 North, Range 52 East, MDB&M; thence N.89°35'15"W., 1802.00 feet, more or less, to Corner No. 1 of parcel heretofore sold by Deed recorded in Book 47, page 116, aforesaid; thence South 35 feet to Corner No. 2; thence West 2.50 feet to Corner No. 3; thence South 24°30'E., 470.00 feet, more or less, to Corner No. 4, a point in the Northwesterly right of way line of the Western Pacific Railroad; thence Northeasterly along said right of way line, 600.00 feet more or less, to Corner No. 5, being the intersection of said Western Pacific Railroad right of way line with the North line of Section 34 Township 33 North, Range 52 East, MDB&M; thence N.89°35'15"W., 590.00 feet, more or less, to Corner No. 1, the place of beginning.

Parcel D:

A parcel of land in the $N_2^1NW_4^1$ of Section 34, Township 33 North, Range 52 East, MDB&M, more particularly described as follows:

Beginning at Corner No. 1, from which the Northwest corner of the NE%NW% and the Northeast corner of the NW%NW% of said Section 34, bears S.89°43'15"E., 40.3 feet; thence S.27°54'E., 295.00 feet, more or less toCorner No. 2, a point in the Northerly right of way of the Southern Pacific Company; thence Northeasterly along said right of way 480.00 feet more or less, to Corner No. 3, a point where said Southern Pacific right of way line intersects the North line of Section 34, Township 33 North, Range 52 East, MDB&M, thence N.89°43.15"W.,540.00 feet, more or less, to Corner No. 1, the point of beginning.

Parcel E:

All other railroad rights of way previously conveyed to

the Central Pacific Railroad Company and now owned, used and occupied by the Southern Pacific Railroad.

All that part of Section 33, Township 33 North, Range 52 East, MDB&M lying South of the right of way of the Southern Pacific Railroad Company.

Excepting, therefrom a parcel conveyed by Central Pacific Railway Company in Deed recorded February 19, 1909, in Book 31, page 71 of Deeds, Elko County, Nevada, records, described as follows:

A triangular piece of land in the Southeast corner of the SEZSEZ of Section 33 Township 33 North, Range 52 East, MDB&M.

Being that portion of the said SE\SE\Z of said Section 33, which lies between the South and East boundaries of said $SE\Z SE\Z$ and a line drawn between said boundary lines parallel with said center line and distant 100 feet northwesterly therefrom.

The said center line of said Western Pacific Railway, insofar as the same extends across the above described property, is particularly described as follows: Begiming at a point in the East line of the SE\(\frac{1}{2}\)SE\(\frac{1}{2}\) of Section 33 Township 33 North, Range 52 East, MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}{2}\)MDB\(\frac{1}2\)MDB\(\frac{1}\)MDB\(\frac{1}2\)MDB\(\frac{1}2\)MDB\(\frac{1}2\)MDB\(\frac{1

ALSO EXCEPTING, therefrom, a parcel conveyed by Lena Trousdale, et al to State of Nevada, in Deed recorded in Book 65, page 173, of Deeds, Elko County, Nevada, described as follows:

described as follows:
A portion of the Wase's of Section 33 Township 33 North,
Range 52 East, MDB&M, being a strip or parcel of land
100 feet in width or 50 feet wide on both sides of the
centerline of State Highway Route 20A, said centerline
described as follows:

Beginning at the intersection of the centerline of said State Route 20A at Highway Engineer's Station H 32 +32.87 P.O.T. with the south boundary of said Section 33; said point of beginning further described as bearing S.89°49'42"E., a distance of 3891.93 feet from the Southwest corner of said Section 33; thence N.3°45'30"W., along said

centerline, a distance of 476.93 feet to a point; thence from a tangent which bears the last described course, curving to the left along said centerline with a radius of 2000 feet, through an angle of 17°53'30", an arc distance of 624.83 feet to a point; thence N.21°39'W., along said centerline, a distance of 515.47 feet to the point of ending at Highway Engineer's Station C 48 + 49.81, P.O.T. on the Northerly boundary of the property of the undersigned and the Southerly right of way line of the Southern Pacific Railroad Company. Said point of ending further described as bearing N.66°18'51"E., a distance of 3858.73 feet from the aforesaid Southwest corner of Section 33.

All of that portion of Section 33, Township 33 North, Range 52 East, NDB&M lying Northerly of the Southern Pacific Railroad Company right of way line and Southerly of the State Highway No. 20 right of way line. Said State Highway No. 20 right of way line described as follows:

Beginning at the intersection of the centerline of the State Route 20-A, at Highway Engineer's Station C 52 + 82.24 P.O.C. with the North boundary of the Southern Pacific Railroad right of way; said point of beginning further described as bearing S.30°40'01"W., a distance of 3837.33 feet from the Northeast corner of the aforesaid Section 33; thence S.47°18'W., along said railroad right of way line a distance of 67.83 feet to a point on the proposed left or Northerly 60 foot right of way line of said State Route 20-A; thence from a tangent which bears N.15°44'52"W., curving to the right along said right of way line with a radius of 1050 feet through an angle of 38°19'52" an arc distance of 709.14 feet to a point; thence N.22°35'E., along said right of way line, a distance of 1795.72 feet to a point; thence from a tangent which bears the last described course, curving to the right along said right of way line with a radius of 2060 feet, through an angle of 37°28'16", an arc distance of 1347.23 feet to a point on the north boundary of said Section 33; thence East, along said North boundary, a distance of 253.25 feet to a point on the proposed right or Southerly 60 foot right of way line of said State Route 20-A; thence S.62°02'W., along said right of way line, a distance of 152.55 feet to a point; thence from a tangent which bears the last described course, curving to the left along said right of way line with a radius of 1940 feet,

through an angle of 39°27', an arc distance of 1335.75 feet to a point; thence S.22°35'W., along said right of way line, a distance of 1795.72 feet to a point; thence from a tangent which bears the last described course, curving to the left along said right of way line with a radius of 940 feet, through an angle of 34°32'44", an arc distance of 566.76 feet to a point on the aforesaid North railroad right of way line; thence S.47°18'W., along said railroad right of way line, a distance of 69.08 feet to the point of beginning.

Township 33 North, Range 52 East, MDB&M

Section 28: That portion of the Southeast quarter of the Northwest quarter, lying Southerly of U.S. Highway 40, said Highway described in Deed recorded in Book 49 of Deeds, page 564, Elko County, Nevada, records.

FURTHER EXCEPTING, thereform, a parcel in the $S_2^2NW_2^2$ of said Section 28 conveyed to the State of Nevada in Deed recorded in Book 63, page 495, of Official Records, Elko County, Nevada.

EXCEPTIONS TO PARCEL 2

There is specifically excepted from the foregoing those certain tracts of land deeded out of the Central Pacific Railway Company, Southern Pacific Land Company and Southern Pacific Company as as evidenced by but not limited to the following:

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	19	Deeds		<u>Page</u> 600	\E1ko	County
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which show as follows:

EXCEPTING and RESERVING, however, for railroad purposes, a strip

BOOK 26 PAGE 406

of land 400 feet wide, lying equally on each side of the track of the Railroad of said Company or any branch Railroad now or hereafter constructed on said lands, and the right to use all water needed for the operating and repairing of said Railroad which rises on said land, and the right of way to conduct water rising on other lands across said land in pipes or aqueducts for said purposes; and subject also to the reservation and condition that the said purchaser, his heirs and assigns shall erect and maintain good and sufficient fences on both sides of said strip or strips of land.

RESERVING, however, all claim of the United States to the same as mineral lands.

There is specifically excepted from the foregoing Parcel 2, those certain tracts of land heretofore deeded to the State of Nevada, Department of Highways, as evidenced by but not limited to the following:

Book	Page
76 Official Records	144 Elko County
63 " "	. 495 " " "
65 " "	407 " "
18 Official Records	335 Eureka County.

26

McKINLEY NEW PATENTED LANDS:

Township 33 North, Range 53 East, MDB&M

Section 2: All

12: A11

14: All

Township 34 North, Range 53 East, MDB&M

Section 2: All

4: All

6: Lots 1, 2, 3, 4, 5; SINEL; SELNWL;

10: Et; Etnwt; Swtnwt; Swt;

12: A11

14: A11

24: A11

26: A11 36: A11

Township 35 North, Range 53 East, MDB&M

Section 2: Lot 2, SWanEa; Slanwa; Sla;

10: A11

12: Eżneż; nwineż; wżnwi; nwiswi; neżseż; sisz;

14: All

20: Sine; nwine; wi; sei;

22: A11

24: All

26: A11

28: All

30: All

32: A11 34: A11

36: A11

Township 36 North, Range 53 East, MDB&M

Section 30: Lots 1, 2, 3, 4, $NE_4^{\frac{1}{4}}$; $E_2^{\frac{1}{4}}NW_4^{\frac{1}{4}}$; $SE_4^{\frac{1}{4}}$;

34: All

36: WEWE;

Township 33 North, Range 54 East, MDB&M

Section 6: All

Township 34 North, Range 54 East, MDB&M

Section 20: A11

30: A11

32: A11

Township 35 North, Range 54 East, MDB&M

Lots 1, 2, 3, 4; W2E2; E2W2; Lots 1, 2, 3, 4; E2W2; Section 18:

30:

EXCEPTING AND RESERVING TO THE UNITED STATES: All mineral deposits in the lands so patented, and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law.



PARCEL 4

HADLEY GOVERNMENT PURCHASE:

Township 37 North, Range 51 East, MDB&M

Section 25: NWZNEZ;

35: E½NE½;

Township 34 North, Range 52 East, MDB&M

Section 32: NE's; E'NW's; N'SE's; SE'sSE's;

Township 35 North, Range 52 East, MDB&M

Section 2: SEZNEZ; NZSEZ;

4: Lots 1,2,3; SE\nE\;

Township 36 North, Range 52 East, MDB&M

Section 5: All

-6: All

7: All

8: All

16: SEKNEK; NESEK; SEKSEK;

18: SW\SE\;

20: E½E½;

22: A11

26: N\(\frac{1}{2}\); SW\(\frac{1}{2}\)SW\(\frac{1}{2}\); E\(\frac{1}{2}\)SW\(\frac{1}{2}\); SE\(\frac{1}{2}\);

28: A11

32: NEZNEZ; SEZNWZ; EZSWZ; SWZSEZ;

34: A11

Township 37 North, Range 52 East, MDB&M

Section 13: NaSE4;

15: N¹₂S¹₂;

17: S½;

19: SE\\$SW\\$;

20: NWINEY; NINWY; SWINWY;

EXCEPTING AND RESERVING TO THE UNITED STATES: All mineral deposits in the lands so patented, and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law.

EL-3474

McKINLEY CATTLE CO., a Nevada corporation.

There is excepted from the foregoing, a tract of land of approximately 26.69 acres, situate in Township 33 North, Range 52 East, MDB&M, S½S½ Section 23 and SE½SW½SW½ of Section 24, Hadlev kanch Description page 3, deeded to State of Nevada, Department of Highways, recorded May 28, 1968, in Book 96, page 482, file No. 37231, of Official Records.

Also, excepted from the foregoing, a tract of land of approximately 2.86 acres, situate in Township 33 North, Range 52 East, NDBcM, S½NW½ and NE½SW½ of Section 28, Urie Ranch Description page 14, deeded to State of Nevada, Department of Highways, recorded May 28, 1968, in Book 96, page 486, file No. 37232, of Official Records.

RECORDED AT THE REQUEST OF Title Insurance & Trust Co.
on Dec. 5 19 68 of 00 mins, past 4 P. M. in
Book 26 of OFFICIAL RECORDS, page 384-410 RECORDS OF
EUREKA CQUATA, NEVADA ALLLE, C. L. Recorder.
File No. Fee \$29.00