

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

This Deed of Trust, made this 29th day of July, 1974, between DIAMOND LAND & CATTLE, A Partnership consisting of THOMAS H. GALLAGHER and DOROTHY S. GALLAGHER, his wife, CHARLES N. DAMELE, and PATRICIA S. DAMELE, his wife, R. D. DAMELE and ARLENE W. DAMELE, his wife, G. W. GARRETT and CHRISTINE F. GARRETT, his wife, herein called TRUSTOR, whose address is 627 Court Street Elko Nevada, 89801 (number and street) (city) (zone) (state)

Title Insurance and Trust Company, a California corporation, herein called TRUSTEE, and

PRODUCERS LIVESTOCK LOAN COMPANY, Salt Lake City, Utah, herein called BENEFICIARY,

Witnesseth: That TRUSTOR IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Eureka County, Nevada, described as:

SEE ATTACHED EXHIBIT "A" FOR DESCRIPTION

TOGETHER WITH the rents, issues and profits thereof, reserving the right to collect and use the same except during continuance of some default hereunder and during continuance of such default authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party hereto.

For the Purpose of Securing: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of \$36,670.02 executed by Trustor in favor of Beneficiary or order. 3. Payment of such additional sums as may hereafter be advanced for the account of Trustor or Assigns by Beneficiary with interest thereon.

To Protect the Security of This Deed of Trust, Trustor Agrees: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (16) inclusive of the Deed of Trust recorded in the Book and at the page, or document No. of Official Records in the Office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:

Table with 3 columns: COUNTY, DOCUMENT No., BOOK PAGE. Lists various counties including Clark, Churchill, Douglas, Elko, Emerald, Eureka, Humboldt, Lander, Lincoln, Washoe, Lyon, Mineral, Nye, Ormsby, Pershing, Storey, and White Pine with their respective document numbers, book numbers, and page ranges.

(which provisions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length: that he will observe and perform said provisions, and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.

The parties agree that with respect to provision 16, the amount of fire insurance required by covenant 2 shall be \$ and with respect to attorneys fees provided for by covenant 7 the percentage shall be reasonable %.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

Notary section with signatures of G. W. Garrett, Christine F. Garrett, Thomas H. Gallagher, Dorothy S. Gallagher, Charles N. Damele, Patricia S. Damele, R. D. Damele, and Arlene W. Damele. Includes text: STATE OF NEVADA, COUNTY OF, On before me, the undersigned, a Notary Public in and for said County and State, personally appeared...

NEVADA PARTNERSHIP ACKNOWLEDGMENT

STATE OF NEVADA, COUNTY OF ELKO. On this 15th day of August, A. D. 1974, personally appeared before me CHARLES B. EVANS, JR. a Notary Public in and for ELKO County, State of Nevada, Thomas H. Gallagher, Dorothy S. Gallagher, Charles N. Damele, Patricia S. Damele, R. D. Damele, Arlene W. Damele, G. W. Garrett, Christine F. Garrett known to me to be the sole members of Diamond Land & Cattle a co-partnership and the persons described in and who executed the foregoing instrument, who acknowledged to me that they executed the same freely and voluntarily for and on behalf of said co-partnership and for the uses and purposes therein mentioned.

CHARLES B. EVANS, JR. Notary Public - State of Nevada Elko County, Nevada Commission Expires Aug. 10, 1975

My Commission Expires:

Residing in ELKO, NEVADA

(SEAL)

D E S C R I P T I O N

All those certain lots, pieces or parcels of land situate in the County of Eureka, State of Nevada, particularly described as follows, to wit:

PARCEL I

TOWNSHIP 23½ NORTH, RANGE 49 EAST, M.D.B.&M.

Section 1: Lot 3

TOWNSHIP 24 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 9: N½NW¼; SE½NW¼; SW½NE¼.
Section 10: SE½SW¼; SW½SE¼;
Section 12: SW½SE¼; NE½SE¼.
Section 13: NE½NW¼; SW½NW¼; NW½SW¼.
Section 14: SE½SE¼.
Section 15: N½NW¼.
Section 23: NE½NE¼; SW½NE¼; W½SE¼.
Section 26: W½E½; NE½NW¼.
Section 35: E½W½.

TOWNSHIP 24 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 2: Lot 3, SE½NW¼.
Section 7: Lot 2,

TOWNSHIP 25 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 24: SE½NW¼; NW½SW¼.
Section 25: S½SW¼; SE½.
Section 28: W½NE¼; SE½NW¼; S½SW¼.
Section 32: SE½NE¼.
Section 33: NW½NW¼.
Section 35: E½NE¼; SW½NE¼; E½SW¼; SE¼.
Section 36: NW½NE¼; NW¼; NW½SW¼.

TOWNSHIP 26 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 1: SE½NE¼; W½SW¼; E½SE¼.
Section 11: NE½NE¼.
Section 12: E½NE¼; NE½SE¼.
Section 24: E½SE¼.

PARCEL NO. I CONTINUED:

TOWNSHIP 25 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 6: Lots 3, 4, 5, 6 and 7; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$.
Section 7: E $\frac{1}{2}$ NW $\frac{1}{4}$.
Section 19: SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 30: NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; Lots 2 and 3.
Section 35: N $\frac{1}{2}$ NW $\frac{1}{4}$.

TOWNSHIP 26 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 6: Lots 3, 4, 5, 6 and 7; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$.
Section 7: Lots 1, 2, 3 and 4.
Section 18: Lots 1, 2, 3 and 4.
Section 19: Lots 1, 2, 3 and 4.
Section 30: Lots 1, 2, 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$.
Section 31: NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; Lot 4; SW $\frac{1}{4}$ SE $\frac{1}{4}$.

TOWNSHIP 27 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 30: S $\frac{1}{2}$ NE $\frac{1}{4}$; Lot 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$.
Section 31: Lot 1.

PARCEL NO. II

TOWNSHIP 24 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 20: W $\frac{1}{2}$ SW $\frac{1}{4}$.
Section 30: N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$).

TOWNSHIP 25 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 32: NE $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$.

EXCEPTING, THEREFROM, all mines of gold, silver, copper, lead, cinnabar and other valuable minerals which may exist in said tract, including all gas, coal, oil and oil shales as reserved in Deeds conveying above parcels to, TESSIE DAMELE, et al., executed by RUBY LAND CORPORATION, as recorded August 24, 1951 in Book 24 of Deeds at page 157; by HOMER D. TUTTLE and GLENDORA TUTTLE, as recorded August 22, 1951 in Book 24 of Deeds at page 158; and by FRANK D. CARROLL and HINA J. CARROLL, as recorded August 24, 1951 in Book 24 of Deeds at page 161, all Eureka County, Nevada, Records

PARCEL NO. III

TOWNSHIP 24 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 14: SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$.
Section 22: NE $\frac{1}{4}$.
Section 23: NW $\frac{1}{4}$.

49

BOOK PAGE 246

PARCEL NO. III CONTINUED:

EXCEPTING THEREFROM, a one-fourth interest in all minerals, as reserved in Deed dated October 20, 1960, executed by JEAN SALLABERRY, et al, to CHARLES DAMELE, et al, recorded October 26, 1960 in Book 25 of Deeds at page 467, Eureka County, Nevada, Records.

PARCEL IV

TOWNSHIP 21 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 20: $\frac{1}{2}$.
Section 29: $\frac{1}{2}$.

PARCEL V

TOWNSHIP 21 NORTH, RANGE 53, EAST, M.D.B.&M.

Section 20: $E\frac{1}{2}$.

EXCEPTING THEREFROM, all potassium, oil and gas as reserved in Patent dated March 13, 1963 executed by UNITED STATES OF AMERICA to JAMES J. KAHLE recorded May 3, 1963 in Book 26 of Deeds at page 426, Eureka County, Nevada, Records.

PARCEL VI

TOWNSHIP 21 NORTH, RANGE 53, EAST, M.D.B.&M.

Section 22: $E\frac{1}{2}$
Section 27: $E\frac{1}{2}$

EXCEPTING THEREFROM, all the oil, gas, potash and sodium as reserved in Patents executed by UNITED STATES OF AMERICA to THOMAS H. GALLAGHER and JOHN B. BONDS recorded April 9, 1964 in Book 3 of Official Records at page 555 and December 30, 1964 in Book 6 of Official Records at page 348, Eureka County, Nevada, Records.

PARCEL VII

TOWNSHIP 21 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 28: All

EXCEPTING THEREFROM, all the oil and gas as reserved in Patents executed by UNITED STATES OF AMERICA to DOROTHY S. GALLAGHER and MOLLIE S. SEWELL recorded December 30, 1964 in Book 6 of Official Records at pages 349 and 350, Eureka County, Nevada, Records.

PARCEL VIII

TOWNSHIP 25 NORTH, RANGE 50 EAST, M.D.B. & M.

Section 1: SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$;
E $\frac{1}{2}$ NE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$; NE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$

Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 26 NORTH, RANGE 51 EAST, M.D.B. & M.

Section 30: SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{2}$ NW $\frac{1}{2}$;
SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$;
SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 31: NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{2}$

EXCEPTING, THEREFROM, all oil and gas as reserved in Patent executed by UNITED STATES OF AMERICA to LIBERTY LIVESTOCK recorded August 29, 1972 in Book 43 of Official Records at page 46, Eureka County, Nevada.

FURTHER EXCEPTING from PARCELS I, II and III one-half of all minerals, oil or gas owned by CHARLES J. DAMELE, et al as reserved in Deed to LIBERTY LIVESTOCK recorded January 20, 1972 in Book 41 of Official Records at page 318, Eureka County, Nevada.

PARCEL IX

TOWNSHIP 27 NORTH, RANGE 51 EAST, M. D. B. & M.

Section 30: Lots 9 & 10; SW 1/4 SE 1/4 SE 1/4 NW 1/4;
E 1/2 SE 1/4 SE 1/4 NW 1/4

Section 31: N 1/2 NW 1/4 NE 1/4 NW 1/4; SW 1/4 NW 1/4
NE 1/4 NW 1/4

RECORDED AT THE REQUEST OF Producers Livestock Loan Co.
on August 21, 1974, at 51 mins. past 10 A. M. in
Book 49 of OFFICIAL RECORDS, page 244-248 RECORDS OF
EUREKA COUNTY, NEVADA. Shelley A. McPaul Recorder
File No. 59065 Fee \$ 7.00

FILE NO. 59065

49 248
BOOK PAGE