

DEED OF TRUST

THIS DEED OF TRUST, made and entered into this 1st day of December, 1976, by and between BURKE PETERSEN and YVONNE PETERSEN, his wife, hereinafter called Trustors; FIRST AMERICAN TITLE COMPANY OF NEVADA, hereinafter called Trustee; and DAKOTA COMPANY, INC., hereinafter called Beneficiary;

W I T N E S S E T H:

THAT WHEREAS, the Trustors are indebted to the said Beneficiary in the sum of ONE HUNDRED THIRTY FIVE THOUSAND and No/100 (\$135,000.00) DOLLARS, lawful money of the United States of America, and have agreed to pay the same according to the terms and tenor of a certain Promissory Note of even date herewith, and made, executed and delivered by the said Trustors to the said Beneficiary, which Note is in the principal sum of \$135,000.00, lawful money of the United States of America, together with interest thereon at the rate of nine (9%) percent per annum.

NOW, THEREFORE, the said Trustors, for the purpose of securing the payment of said Promissory Note, and also the payment of all monies herein agreed or provided to be paid by the said Trustors, or which may be paid out, or advanced by said Beneficiary or Trustee under the provisions of this instrument, with interest, and further in consideration of the sum of ONE DOLLAR, (\$1.00), lawful money of the United States of America, in hand paid by the said Trustee, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do hereby grant, bargain and sell unto the said Trustee, its successors and assigns, all that certain real property situate in the Counties of Eureka, Lander, Nye and White Pine, State of Nevada, more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said premises, together with

appurtenances, unto the said Trustee, and to its successors and assigns, for the uses and purposes herein mentioned.

Being in trust, nevertheless, for the benefit and security of the Beneficiary herein named, and the holder of said Promissory Note secured hereby, as well as security for the repayment of all sums of money which may hereafter become due and payable from the said Trustors to said Beneficiary, as well as security for the renewal or renewals of said Note, or the debt evidenced thereby.

The following covenants: One; Two, (\$_____); Three; Four, (9%); Five; Six; Seven, (a reasonable amount); Eight and Nine of Nevada Revised Statutes 107.030, are hereby adopted and made a part of this Deed of Trust.

The Trustors promise to properly care for and keep the property herein described in the same condition as the same now exists, subject to normal wear and tear, to care for, protect and repair all buildings and improvements situate, or to be constructed at or thereon; not to remove or demolish any buildings or other improvements situate thereon; and to otherwise protect and preserve the said premises and improvements thereon; and not to commit; or permit any waste or deterioration of said buildings and improvements, or of said premises; and to pay, when due, all claims for labor performed and materials furnished therefor.

This Deed of Trust shall also be security for such additional amounts as may be hereafter loaned by the said Beneficiary, or its successor and assigns, to the Trustors, or any successors in the interest of the Trustors, and any present or future demands of any kind or nature which the Beneficiary or its successors or assigns, may have against the Trustors, whether created directly or acquired by assignment; whether absolute or contingent; whether due or not; or whether otherwise secured or not; or whether existing at the time of the

execution of this instrument or arising thereafter; and also as security for the payment and performance of every obligation, covenant, promise and agreement herein or in said Note or Notes contained.

The rights and remedies granted hereby shall not exclude any other rights or remedies granted herein or by law, and all rights and remedies granted hereunder or permitted by law shall be concurrent and cumulative.

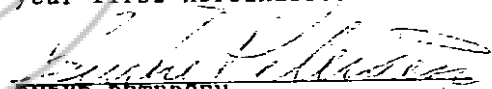
Said Trustors, in consideration of the premises, do hereby covenant and agree that neither the acceptance nor the existence, now or hereafter, of other security for the indebtedness secured hereby, nor the release thereof, shall operate as a waiver of the security of this Deed of Trust, nor shall this Deed of Trust, nor its satisfaction, nor a reconveyance made hereunder, operate as a waiver of any such other security now held or hereafter acquired.


All covenants and agreements herein contained, or by reference made a part hereof, shall be binding upon the heirs, executors, administrators and assigns of the said Trustors, and this indenture shall not be modified in any respect by the amendment or repeal of any law which has been by reference made a part hereof.

IT IS EXPRESSLY AGREED that the trusts created hereby are irrevocable by the said Trustors.

This Deed of Trust may be signed in counterpart.

IN WITNESS WHEREOF, the Trustors have hereunto set their hands as of the day and year first hereinabove written.

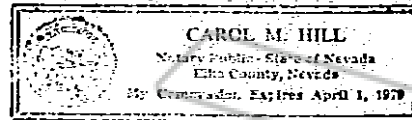

BURKE PETERSEN


YVONNE PETERSEN

STATE OF NEVADA)
) SS.
COUNTY OF)

On this 3rd day of December, 1976, personally appeared before me, a Notary Public, BURKE PETERSEN and YVONNE PETERSEN, his wife, who acknowledged that they executed the foregoing instrument.

Carol M. Hill
NOTARY PUBLIC



Situate in the County of Nye, State of Nevada, as follows, to-wit:

Parcel 1

TOWNSHIP 14 NORTH, RANGE 48 EAST, M. D. R. & M.

- Section 23: The West half of the Southeast quarter

TOWNSHIP 14 NORTH, RANGE 51 EAST, M. D. R. & M.

- Section 10: The North half of the Northeast quarter
- Section 11: The North half of the Northwest quarter
- Section 24: The West half of the Southwest quarter; the Northeast quarter of the Southwest quarter; the Northwest quarter of the Southeast quarter

TOWNSHIP 15 NORTH, RANGE 53 EAST, M. D. R. & M.

- Section 23: The Southwest quarter of the Northeast quarter
- Section 28: The Northeast quarter of the Northwest quarter

Situate in Eureka County, State of Nevada, as follows, to-wit:

TOWNSHIP 16 NORTH, RANGE 53 EAST, M. D. R. & M.

- Section 7: The Southeast quarter of the Northeast quarter
- Section 8: The East half; the Northwest quarter of the Northwest quarter; the South half of the Northwest quarter; the North half of the Southwest quarter; the Southeast quarter of the Southwest quarter
- Section 9: The Northeast quarter of the Northeast quarter; the South half of the Northeast quarter; the Northwest quarter of the Northwest quarter; the South half of the Northwest quarter; the South half
- Section 10: The North half; the North half of the South half; the Southwest quarter of the Southeast quarter; the South half of the Southwest quarter
- Section 11: The South half of the Northeast quarter; the Northwest quarter; the North half of the Southwest quarter
- Section 12: The North half

TOWNSHIP 16 NORTH, RANGE 54 EAST, M. D. R. & M.

- Section 6: The South half of the Southwest quarter

continued . . .

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✓ Section 7: Lots 1 and 2 of the Northwest quarter

TOWNSHIP 17 NORTH, RANGE 49 EAST, M. D. B. & M.

*Book 19
page 336*
3/3
Section 24: Homestead Entry No. 174, comprising Tracts "A" and "B", embracing a portion of, approximately Section 24 in Township 17 North, Range 49 East, M. D. B. & M., more particularly bounded and described as follows:

Beginning for the description of Tract "A" at corner No. 1, identical with the Southwest corner to Section 19, Township 17 North, Range 50 East, M. D. B. & M.; thence North 87° West 43.66 chains to corner No. 2; thence North 02°40' West 3.44 chains to corner No. 3; thence North 73°35' East 22.53 chains to corner No. 4; thence South 63°30' East 10.92 chains to corner No. 5; thence South 84°24' East 12.41 chains to corner No. 6; thence South 09°04' East 5.98 chains to corner No. 1; the place of beginning.

Beginning for the description of Tract "B" at corner No. 7, from which corner No. 2 of said Tract "A" bears South 87° East 50 links distant; thence North 87° West 27.75 chains to corner No. 8; thence North 39°12' East 12.76 chains to corner No. 9; thence North 39°29' West 16.96 chains to corner No. 10; thence North 47° East 4.48 chains to corner No. 11; thence South 33°44' East 4.99 chains to corner No. 12; thence South 48°30' East 30.75 chains to corner No. 13; thence North 73°35' East 1.24 chains to corner No. 14; thence South 02°40' East 3.28 chains to corner No. 7; the place of beginning, containing in the aggregate 61.83 acres, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor-General.

TOWNSHIP 17 NORTH, RANGE 50 EAST, M. D. B. & M.

Sections 7 and 8: Described more particularly as follows:

*30th 20
p. 201*
Beginning at corner No. 1 from which the quarter corner to Sections 8 and 9 in Township 17 North, Range 50 East, M. D. B. & M. bears North 82°35' East 57.53 chains distant; thence South 73°52' West 17.72 chains to corner No. 2; thence North 76°18' West 27.41 chains to corner No. 17.40 ?

continued . . .

3: thence South $66^{\circ}29'$ West 3.30 chains to corner No. 4;
thence North $76^{\circ}43'$ West 30.88 chains to corner No. 5;
thence North $56^{\circ}09'$ East 5.40 chains to corner No. 6;
thence South $79^{\circ}52'$ East 55.00 chains to corner No. 7;
thence North $79^{\circ}59'$ East 15.21 chains to corner No. 8;
thence South $37^{\circ}41'$ East 5.41 chains to corner No. 1; the
place of beginning; containing 35.65 acres, according to
the Official Plat of the Survey of the said land, returned
to the General Land Office by the Surveyor-General.

- ✓ Section 19: Lot 4; the Southeast quarter of the Southwest quarter
- Section 29: The North half of the Northwest quarter; the West half of the Northeast quarter
- Section 30: The Northeast quarter of the Northwest quarter; the North half of the Northeast quarter; the East half of the Southwest quarter; the North half of the Southeast quarter
- ✓ Section 31: The West half of the Northeast quarter; the Northeast quarter of the Northeast quarter

TOWNSHIP 18 NORTH, RANGE 48 EAST, M. D. B. & M.

- Section 14: The East half of the Southwest quarter of the Northwest quarter of the Southwest quarter; the West half of the Southeast quarter of the Northwest quarter of the Southwest quarter; the Southeast quarter of the Southwest quarter of the Northwest quarter of the Southwest quarter; the Southwest quarter of the Southeast quarter of the Southwest quarter; the Southwest quarter of the Southeast quarter of the Southwest quarter; the South half of the Northwest quarter of the Southwest quarter; the Northwest quarter of the Southwest quarter of the Southwest quarter; the Southeast quarter of the Southwest quarter of the Southwest quarter; the Northeast quarter of the Southwest quarter of the Southwest quarter; the Northeast quarter of the Northwest quarter of the Southwest quarter of the Southwest quarter; the North half of the Southeast quarter of the Southwest quarter of the Southwest quarter
- Section 23: The North half of the Northeast quarter of the Northwest quarter; the Northeast quarter of the Southwest quarter of the Northeast quarter of the Northwest quarter; the Northwest quarter of the Southeast quarter of the Northwest quarter; the Northwest quarter of the Northwest quarter

continued . . .

ALSO: Beginning at corner No. 1, from which U. S. location Monument No. 253 bears South $26^{\circ}42'$ East 1.55 chains distant; thence North $26^{\circ}42'$ West 69.97 chains to corner No. 2; thence North $09^{\circ}13'$ West 17.37 chains to corner No. 3; thence North $87^{\circ}44'$ East 7.72 chains to corner No. 4; thence South $22^{\circ}51'$ East 86.81 chains to corner No. 5; thence West 7.36 chains to corner No. 1; the place of beginning, containing 78.92 acres, and being the same parcel conveyed by the United States of America to George Williams by Land Patent dated May 19, 1916, recorded in Book 18, Page 195, Deed Records of Eureka County, Nevada.

TOWNSHIP 18 NORTH, RANGE 49 EAST, M. D. B. & M.

- ✓ Section 5: The Northwest quarter of the Southwest quarter; the Southwest quarter of the Southwest quarter
- ✓ Section 6: The Northeast quarter of the Southwest quarter; the Southeast quarter of the Southwest quarter
- ✓ Section 8: The Northwest quarter of the Northwest quarter; the South half of the Northwest quarter; the Northeast quarter of the Southwest quarter

TOWNSHIP 18 NORTH, RANGE 50 EAST, M. D. B. & M.

- ✓ Section 28: The Southwest quarter of the Northeast quarter; the Northwest quarter of the Southeast quarter
- Section 30: The Northwest quarter of the Northeast quarter; the Northeast quarter of the Northwest quarter

TOWNSHIP 18 NORTH, RANGE 51 EAST, M. D. B. & M.

- ✓ Section 18: The West half of the Northeast quarter; the East half of the Northwest quarter; the West half of the Southeast quarter; the Southwest quarter
- Section 19: The Northwest quarter of the Northeast quarter; the West half; the West half of the Southeast quarter
- ✓ Section 30: The North half; the North half of the South half

TOWNSHIP 18 NORTH, RANGE 54 EAST, M. D. B. & M.

- ✓ Section 18: The Southeast quarter of the Northwest quarter; the Northeast quarter of the Southwest quarter;

continued . . .

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the Northwest quarter of the Southeast quarter; the South half of the Southeast quarter; Lot 2

- ✓ Section 19: The Northeast quarter; the Southeast quarter of the Northwest quarter; the North half of the Southeast quarter
- ✓ Section 20: The West half of the Northwest quarter; the North half of the Southwest quarter; the Southeast quarter of the Northwest quarter; Lot 1

TOWNSHIP 19 NORTH, RANGE 49 EAST, M. D. B. & M.

- ✓ Section 5: The West half of the East half; the East half of the West half; the West half of the Southwest quarter; the Southwest quarter of the Northwest quarter
- ✓ Section 6: The Southeast quarter; the Southeast quarter of the Northeast quarter
- ✓ Section 18: The Northwest quarter of the Northeast quarter; the Northeast quarter of the Southwest quarter; the Southeast quarter of the Northwest quarter; the Southwest quarter of the Southeast quarter
- ✓ Section 19: The Northeast quarter of the Southeast quarter; the Northwest quarter of the Southeast quarter; the Northeast quarter
- ✓ Section 20: The Northwest quarter of the Southwest quarter; the Southwest quarter of the Northwest quarter

TOWNSHIP 19 NORTH, RANGE 50 EAST, M. D. B. & M.

- ✓ Section 16: The West half of the Northeast quarter; the East half of the Northwest quarter; the Southwest quarter of the Northwest quarter; the Northwest quarter of the Southwest quarter
- ✓ Section 17: The Southeast quarter of the Northeast quarter; the Northeast quarter of the Southeast quarter

Situate in the County of White Pine, State of Nevada, as follows, to-wit:

TOWNSHIP 17 NORTH, RANGE 54 EAST, M. D. B. & M.

- ✓ Section 1: The Northwest quarter of the Southwest quarter

TOWNSHIP 18 NORTH, RANGE 54 EAST, M. D. B. & M.

- ✓ Section 25: The Northeast quarter of the Northeast quarter;

continued . . .

the Northwest quarter of the Northeast quarter

Situate in the County of Lander, State of Nevada, as follows, to-wit:

TOWNSHIP 18 NORTH, RANGE 48 EAST, M. D. B. & M.

Section 7: The Southeast quarter of the Northwest quarter; the Southwest quarter of the Northeast quarter; the West half of the Southeast quarter

✓ Section 18: The Northwest quarter of the Northeast quarter

TOWNSHIP 29 NORTH, RANGE 43 EAST, M. D. B. & M.

✓ Section 35: The North half of the Northeast quarter; the Southwest quarter of the Northeast quarter

TOWNSHIP 30 NORTH, RANGE 43 EAST, M. D. B. & M.

✓ Section 36: The Southeast quarter

Parcel 2

Situate in the County of Eureka, State of Nevada, as follows, to-wit:

TOWNSHIP 19 NORTH, RANGE 49 EAST, M. D. B. & M.

✓ Section 19: The Southeast quarter of the Southeast quarter

✓ Section 20: The Southwest quarter of the Southwest quarter

Situate in the County of Eureka, State of Nevada, as follows, to-wit:

Parcel 3

TOWNSHIP 19 NORTH, RANGE 49 EAST, M. D. B. & M.

✓ Section 29: The Southwest quarter of the Northwest quarter; the Northwest quarter of the Southwest quarter; the Southwest quarter of the Southwest quarter

✓ Section 30: The East half of the Northeast quarter; the Northeast quarter of the Southeast quarter.

TOGETHER WITH all buildings and improvements situate thereon.

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

RECORDED AT THE REQUEST OF
EVANS & BILYEU

on DECEMBER 29 1976

at 20 min. past 11 A. M.

In Book 58 of OFFICIAL

RECORDS, page 69-78

OF EUREKA COUNTY, NEVADA

WILL A. USPAGLI

62597 Recorder Fee \$ 12.00

File No. 62597

TOGETHER WITH all water, water rights, right to the use of water, dams, ditches, canals, pipelines, reservoirs, wells and all other means for the diversion or use of water appurtenant to the said property, or any part thereof.

TOGETHER WITH all range rights and grazing rights, and in particular, but without limitation thereto, all rights to graze livestock upon the Public Domain under what is known as the Taylor Grazing Act used or enjoyed in connection with said property.