

GRANT, BARGAIN AND SALE DEED

X3

R.P.T.T. 2821.50

THIS INDENTURE, made and entered into this 13th day of April, 1979, by and between DAY CATTLE CO., a corporation organized and existing under and by virtue of the laws of the State of Nevada, party of the first part, and ZEDA CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of Nevada, the address of which is One East First Street, Room 1507, Reno, Nevada, 89501, party of the second part,

W I T N E S S E T H:

That the first party, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to it in hand paid by the second party, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto the said second party, its successors and assigns, all that certain lot, piece or parcel of land, situate, lying and being in the County of Eureka, State of Nevada, and more particularly described as follows, to-wit:

TOWNSHIP 31 NORTH, RANGE 49 EAST, MDB&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

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VAUGHAN, HULL, MARFISI & COPENHAVER, LTD.
ATTORNEYS AND COUNSELORS
330 IDAHO STREET
ELKO, NEVADA 89801

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, MDB&M

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

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- 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, MDB&M

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

TOWNSHIP 32 NORTH, RANGE 48 EAST, MDB&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

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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, MDB&M

Section 5: All, excepting therefrom that
portion lying Northeasterly 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 South-
west quarter) Southeast
quarter of the Southwest
quarter; Southwest quarter of
the Southeast quarter

Section 7: All, Excepting all those
portions lying within the

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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 Northeast 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-ofway 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.
- 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, MDB&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, MDB&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, MDB&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 30 feet 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°28'16" East a distance of 7098.59 feet from the Southwest corner of Section 6, Township 31 North, Range 49 East, MDB&M; thence North 49°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°17'12" an arc distance of 1,053.45 feet to end of said curve; thence South 12°53'41" West along said right-of-way boundary a distance of 130.82 feet; thence North 40°48' West a distance of 966.99 feet to the point of beginning.

Reserving and excepting from the foregoing the following four parcels of land together with the buildings and improvements thereon, which parcels are more particularly described as follows, to-wit:

PARCEL #1: A parcel of land located in Sections 32 and 33, T 32 N, R 49 E, MDB&M, in Eureka County, Nevada, being more particularly described as follows: Beginning at Corner #1, a point in said Section 32 which bears S 37°15'50" W, 9642.52 feet from the NE corner of Section 28, T 32 N, R 49 E, MDM, (and which said Point of Beginning also bears S 59°00' E 151.35 feet from Corner #1 of Parcel #2 hereinafter described), thence N. 47°34' E 669.25 feet to Corner #2, thence N 19°49' E 259.50 feet to Corner #3, thence N 40°15' W 799.25 feet to Corner #4, thence S 49°45' W 893.64 feet to Corner #5, thence S 40° 15' E 954.22 feet to Corner #1, the Point of Beginning containing 16.947 acres more or less.

PARCEL #2: A parcel of land located in Section 32, T 32 N, R 49 E, MDM, in Eureka County, Nevada, being more particularly described as follows: Beginning at Corner #1, a point in said Section 32 which bears S 36°54'51" W, 9500.63 feet from the NE corner of Section 28, T 32 N, R 49 E, MDM (and which said Point of Beginning also bears N 59°00' E 151.35 feet from Corner #1 of Parcel #1 herebefore described), thence S 47°35' W 203.20 feet to Corner #2, thence S 40°21' W 852.30 feet to Corner #3, a point in the northerly Right-of-way line of Nevada State Highway #21, thence N 77°39'41" E along said right-of-way 926.31 feet to Corner #4, thence N 19°02' W 622.70 feet to Corner #1, the Point of Beginning, containing 6.826 acres more or less.

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PARCEL #3: A parcel of land located in Section 32, T 32 N, R 49 E, MDB&M, in Eureka County, Nevada, being more particularly described as follows: Beginning at Corner #1, a point in said Section 32 which bears S 36°50'49" W 9447.77 feet from the NE corner of Section 28, T 32 N, R 49 E, MDB&M, (and which said Point of Beginning also bears N 47°35' E 55.00 feet from the most northerly corner of Parcel #2, herebefore described), thence N 51°48'36" E 260.00 feet to Corner #2, thence S 38°11'24" E 150.00 feet to Corner #3, thence S 51°48'36" W 312.11 feet to Corner #4, thence N 19°02'00" W 158.79 feet to Corner #1, the Point of Beginning, containing 0.985 acres more or less.

PARCEL #4: A parcel of land located in Sections 32 and 33, T 32 N, R 49 E, MDM, in Eureka County, Nevada, being more particularly described as follows: Beginning at Corner #1 from which the NE corner of Section 28, T 32 N, R 49 E, MDM, bears N 33°45'35" E 9388.84 feet, thence N 53°17'10" E 851.00 feet to Corner #2, thence S 36°42' 50" E 292.92 feet to Corner #3, which lies on the northerly Right-of-Way of Nevada State Highway #21, thence from a tangent bearing S 44°29'06" W on a curve to the right with a radius of 2425.00 feet through an angle of 21°49'16", a distance of 923.57 feet along the northerly right-of-way of said Highway #21 to Corner #4 which bears N 71°05'30" E 402.50 feet from Corner #4 of Parcel #2 herebefore described, thence N 22°20'42" W 267.50 feet to Corner #1, the Point of Beginning, containing 6.233 acres more or less.

EXCEPTING AND RESERVING to Party of the First Part all geothermal resources and by-products in said lands as now defined either in Nevada Revised Statutes, Section 361.027 or in 30 United States Code, Section 1001, together with

(1) The right to enter and make such use of said lands as may be reasonably necessary or or convenient for the purpose of exploring for, developing, producing, treating, transporting, and marketing such geothermal resources and by-products (including the right to erect and maintain one or more plats for the generation of electric engery utilizing geothermal resources produced from said lands and from other lands in the vicinity of said lands);

(2) The Lessors' and Royalty Owners' interests in that certain Geothermal Lease dated July 7, 1978, executed by Day Cattle Company, as Lessor, and Chevron U.S.A., Inc., and Anadarko Production Company as Lessee, recorded October 26, 1978 in Book 66 of Office of Official Records at page 525, Eureka County, Nevada; and,

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(3) Any interest of the Party of the First Part in and to an option of exclusive right to lease and let real property for the purpose of exploring and for drilling and producing geothermal energy and all related resources, executed by Day Cattle Co. in favor of The Dow Chemical Company, dated August 6, 1976 and recorded November 30, 1976 in Book 57 of Official Records at page 523, Eureka County, Nevada.

(4) Any interest of the Party of the First Part in and to a Lease and Agreement, Geothermal Steam, dated November 11, 1974, executed by Day Cattle Company and Willametta K. Day as Lessors, and Magma Energy, Inc., as Lessee, recorded September 2, 1975 in Book 52 of Official Records at page 160, Eureka County, Nevada, and modified by document recorded September 9, 1976, in Book 56 of Official Records at Page 427, Eureka County, Nevada.

(5) The right to take and use water in any geothermal operations pursuant to any water rights appertaining to said lands, and as well as the right of access to and the use of surface and groundwater resources in said lands and the right to apply for and obtain appropriate water rights under Nevada law for use in such operations.

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:

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<u>Priority</u>	<u>3/15-9/15</u> <u>3/Ac. Ft.</u> <u>Harvest</u>	<u>3/15 - 6/13</u> <u>1½ Ac. Ft.</u> <u>Meadow Pasture</u>	<u>3/15 - 4/28</u> <u>¾ Ac. Ft.</u> <u>Diversified</u> <u>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
TOTALS	1,507.38	2,835.19	5,121.63

TOGETHER WITH the right of first refusal regarding Lots 6, 7, and 8, Block 11, Town of Beowawe, as shown on the plat filed in the office of the County Recorder of Eureka County, Nevada.

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.

SUBJECT TO:

1. All rights-of-way, easements, roadway leases, licenses, waivers, and privileges affecting the property or any portion thereof, and all highways, roads, trails, canals, ditches, flumes, pipe, pipelines, pole and transmission lines, telephone lines and cables, reservoirs, dams and diversions on, under, over, through or across the land or any portion thereof.

12.

2. All patent reservations, covenants, conditions, restrictions and reservations.

3. All prior reservations and royalty agreements of oil, gas, petroleum, minerals, mineral rights, coal and geothermal resources, substances and processes.

4. Any existing mining claims, mill sites and tunnel locations.

5. Any existing fence encroachments or misalignment.

6. Any application for Agricultural Use Assessment and Agricultural Use Assessment pursuant thereto under the laws of the State of Nevada.

7. All laws, ordinances, planning, zoning, codes, rules and regulations affecting the property.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said second party, its successors and assigns, forever.

IN WITNESS WHEREOF, the said first party has hereunto caused these presents to be executed in its corporate name.

DAY CATTLE CO., A Nevada corporation

By: Robert A. Day, Jr.
ROBERT A. DAY, JR., President

ATTEST:

Howard M. Day
HOWARD M. DAY, Secretary

STATE OF NEVADA)
) SS.
COUNTY OF Washoe)

On April 13th, 1979, personally appeared before me, a Notary Public, ROBERT A. DAY, JR., and HOWARD M. DAY, the duly qualified and acting President and Secretary of DAY CATTLE CO., a Nevada corporation, who acknowledged that they executed the above instrument.

68046

RECORDED AT THE REQUEST OF First American Title Co. of Nevada
on Apr 16, 1979, at 4:23 mins. past 11 A.M. In
Book 69 of OFFICIAL RECORDS, page 519-531, RECORDS OF
EUREKA COUNTY, NEVADA. WILLIS A. DePAOLI Recorder
File No. 68046 Fee \$ 15.00

Mary A. Clark
NOTARY PUBLIC
MARY A. CLARK
Notary Public - State of Nevada
Washoe County
My Appointment Expires Mar. 29, 1983

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13.

VAUGHAN, HULL, MARFISI & COPENHAVER, LTD.
ATTORNEYS AND COUNSELORS
830 IDAHO STREET
ELKO, NEVADA 89801