

Eureka - Return to: Washoe Title, Box 3498,
Reno, Nev. 89505

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86374

FILED

DEC 22 1982

Valiant Farms, Inc.
David C. Hinkle, Bankruptcy Judge
Central District of California
BY: [Signature]

10 UNITED STATES BANKRUPTCY COURT
11 FOR THE DISTRICT OF NEVADA

12 In re:

CHAPTER 11 (REORGANIZATION)

13 VALIANT FARMS-EUREKA, INC.,
14 a Nevada Corporation,
15 formerly known as VALIANT
16 FARMS, a general partnership
17 and dba THE NEVADA CATTLE
18 COMPANY (TNCC); FISH CREEK
19 RANCH; COLD CREEK RANCH;
20 EUREKA CATTLE COMPANY; and
21 also dba HOT CREEK RANCH,

BK. NO. 82-206

Debtor.

22 ORDER AUTHORIZING SALE OF REAL
23 AND PERSONAL PROPERTY AT PUBLIC SALE FREE AND
24 CLEAR OF LIENS AND OTHER INTERESTS

25 The Application of VALIANT FARMS-EUREKA, INC., Debtor in possession
26 (hereinafter "Debtor"), for an Order to sell property at public sale free and clear of liens
27 and other interests came on regularly for hearing before the HONORABLE WILLIAM H.
28 HYER, specially assigned, and was heard on November 19, 1982, in Reno, Nevada. The
Debtor was represented by W. AUSTIN COOPER, ESQ. and LAUREL BENNETT KIRBY,
ESQ. of COOPER, BRIEFMAN & COCHRANE; CASEY VLAUTEN, ESQ. of WOODBURN,
WEDGE, BLAKEY & JEPSON represented the BANK OF AMERICA; and STEVEN
NOVACEK, ESQ. represented TRAVELER'S INSURANCE COMPANY OF AMERICA. The

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1 opposition to the Debtor's application to sell property at public sale free and clear of
2 liens and other interests filed by TRAVELER'S INSURANCE COMPANY OF AMERICA
3 (hereinafter "TRAVELER'S") was withdrawn by TRAVELER'S. No other objections in
4 response to the Order to Show Cause why property should not be sold at public sale free
5 and clear of liens and other interests, set for hearing at the same time and place of the
6 sale, were submitted. Notice of more than ten (10) days having been given by UNITED
7 STATES mail to all parties in interest pursuant to the Order Shortening Time of record
8 herein, and further notice having been given by all interested parties and prospective
9 bidders by mail and publication in a Nevada newspaper of general circulation, and the
10 Court having considered the evidence, both oral and documentary, presented at the
11 hearing on this application, the records and pleadings in this case, and the arguments and
12 representations of counsel, and the oral motions of counsel for the Debtor to amend its
13 application for public sale, and it having been determined that:

14 1. Adequate notice of the time and place of hearing and of public sale was
15 given as required by law, and that such notice was appropriate in the circumstances and
16 complies with the applicable Interim Bankruptcy Rules, and a separate mailing of notice
17 to all who had expressed significant interest in the subject property was given to the
18 satisfaction of the Court; and

19 2. The Bankruptcy Court has jurisdiction to hear and determine the
20 application; and

21 3. The "fair market value" of the Debtor's livestock as of the date of sale are
22 those prices shown on the attached schedule entitled ESTIMATED INVENTORY:
23 VALIANT FARMS, less 8%, and

24 4. The highest bid received at the public sale from a qualifying bidder was
25 the bid submitted by DANIEL RUSSELL, copies of which are of record herein
26 (hereinafter referred to as the "RUSSELL BID").

27 5. The RUSSELL BID was submitted upon the condition that RUSSELL be
28 given assurances regarding active BLM and FOREST SERVICE permits within thirty (30)

1 days of the award of the bid which are satisfactory to RUSSELL, provided that RUSSELL
2 will use his best efforts to obtain such assurances within said time period.

3 The Court being fully advised, good cause appearing therefor, it is hereby
4 ORDERED that the Debtor's application is granted and the terms and
5 conditions thereof are approved and authorized; and

6 ORDERED that the Debtor is authorized and directed to sell, transfer and
7 convey all its right, title and interest in and to the property generally described in
8 Exhibits "A", "B", "C" and "D" attached hereto, (hereinafter referred to as the
9 "PROPERTY"), excluding all mineral rights, by grant deed executed by an officer of the
10 Debtor to DANIEL RUSSELL and/or his nominee upon the terms and conditions set forth
11 in the application, the Exhibits and this Order, free and clear of all liens, claims,
12 encumbrances and adverse title claims, except those said purchaser may assume or take
13 subject to; all such liens, claims, encumbrances and adverse title claims shall attach to
14 the proceeds of sale with full force and effect and in the same order of priority as such
15 liens, claims encumbrances and adverse title claims attached to such property prior to
16 sale; and

17 ORDERED that the PROPERTY shall be sold through escrow at WASHOE
18 TITLE GUARANTY CO., 401 Ryland Street, Reno, Nevada, for a gross sales price of
19 THREE MILLION SEVEN HUNDRED FIFTY THOUSAND NINETY-SIX DOLLARS
20 (\$3,750,096.00) for the real property and equipment (Lot 1), SIXTY DOLLARS (\$60.00)
21 per ton for the harvested hay (Lot 2) and "fair market value" for the livestock, less 8%
22 (Lot 3). The property shall be sold "as is where is" on the terms and conditions set forth
23 in the application, the Exhibits, and this order and shall be sold for cash, unless a
24 comparable and satisfactory arrangement is reached by and between said purchaser and
25 any party already secured by the PROPERTY; and

26 ORDERED that upon close of escrow, the sales proceeds, shall be paid to
27 WASHOE TITLE GUARANTY CO., and held by the same in a special account, in trust, at
28 interest, subject to any liens, claims and encumbrances which have attached thereto as

1 provided herein, pending a determination of the rights and interests of the parties
2 therein or any order directing distribution of the same; and

3 ORDERED that, upon stipulation of the parties, TRAVELER'S and the BANK
4 OF AMERICA (hereinafter "BANK") have agreed to allow a surcharge not to exceed
5 FIFTEEN THOUSAND DOLLARS (\$15,000.00) for attorney's fees and expenses as allowed
6 by the Court. TRAVELER'S and BANK are hereby directed to immediately pay into and
7 set aside in a special account at WASHOE TITLE GUARANTY CO. said amount, in such
8 proportion as agreed upon by them, or pro rata based upon the proportion that the sales
9 price for each respective lender bears to the total sales price of the PROPERTY, and out
10 of which shall be disbursed and paid any present order for attorney's fees and expenses
11 and such further attorney's fees and expenses as allowed by the Court. The balance of
12 any sums remaining in such special account after one (1) year shall be returned to
13 TRAVELER'S and the BANK in the same proportion in which such sums were deposited;
14 and

15 ORDERED that notice given herein is appropriate in the particular
16 circumstances.

17
18 DATED: DEC 22, 1982

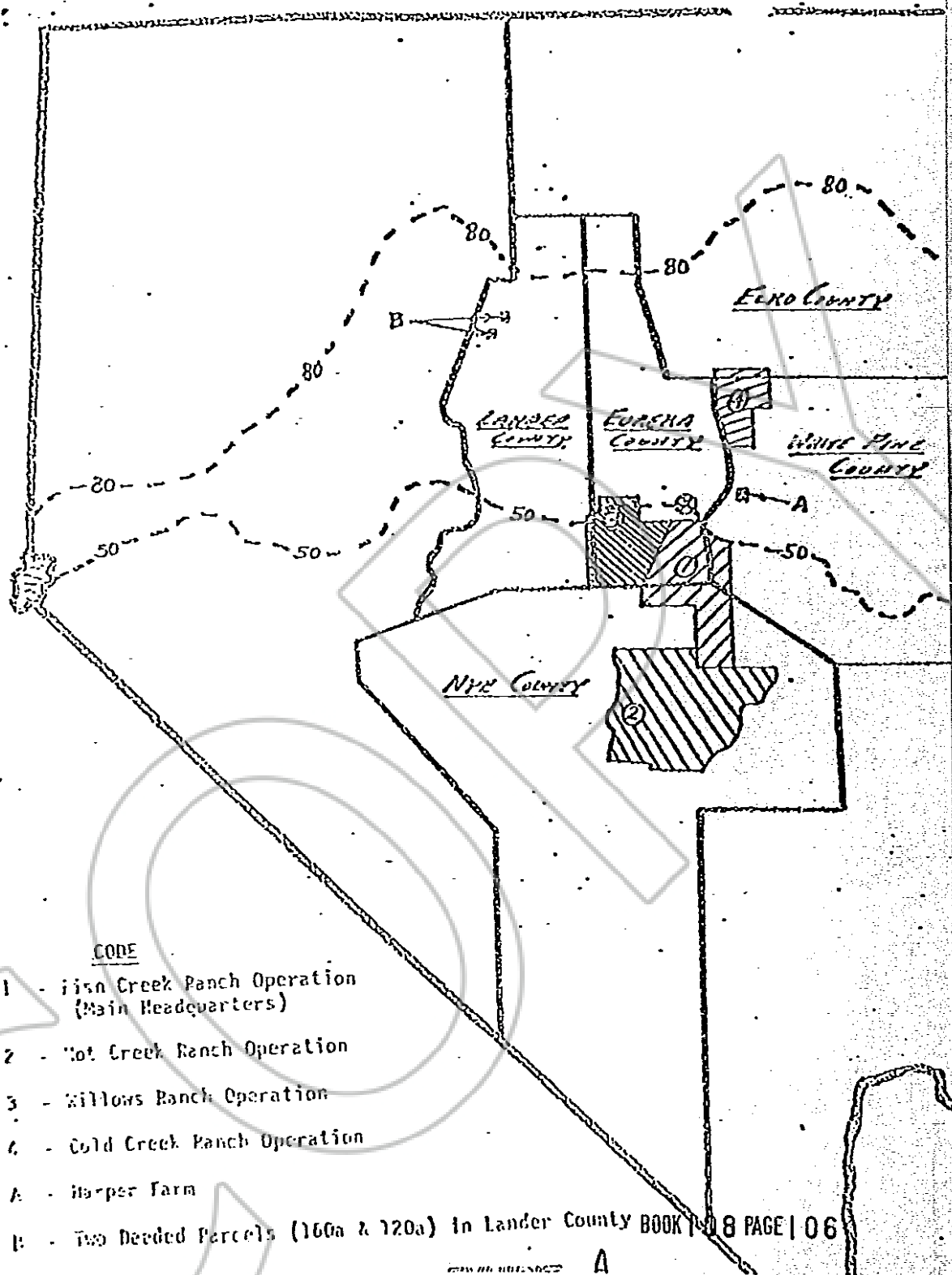
William H. Hays
U.S. BANKRUPTCY JUDGE

21 I hereby certify that the attached
22 instrument is a true and correct
23 copy of the original on file in
24 the office of the Bankruptcy Judge.
Dated 2-10-83 *S. Peretti*
Authorized Clerk to Bankruptcy Judge

25
26 SEAL
27 Affixed
28

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VALIANT FARMS - EUREKA - NEVADA



BOOK 108 PAGE 06

The land referred to in this Guarantee is situated in the State of Nevada, ~~Counties~~ Counties of Elko, Lander, Eureka, Nye and White Pine and is described as follows

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

TOWNSHIP 22 NORTH, RANGE 55 EAST, M.D.B.&M.

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

TOWNSHIP 23 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 23: SE $\frac{1}{4}$
Section 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; E $\frac{1}{4}$
Section 25: All
Section 26: E $\frac{1}{4}$
Section 35: E $\frac{1}{4}$
Section 36: All

TOWNSHIP 25 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 3: Lots 1 & 2; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 11: SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 14: E $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 23: E $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ E $\frac{1}{4}$
Section 26: W $\frac{1}{2}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 34: SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 35: NW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 26 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 27: SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 34: W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 22 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 6: SE $\frac{1}{4}$ NW $\frac{1}{4}$; Lots 3, 4 & 5

TOWNSHIP 23 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 19: E $\frac{1}{4}$ SW $\frac{1}{4}$; Lots 3 & 4
Section 30: E $\frac{1}{4}$ W $\frac{1}{2}$; Lots 1, 2, 3 & 4
Section 31: E $\frac{1}{4}$ W $\frac{1}{2}$; Lots 1, 2, 3 & 4

TOWNSHIP 25 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 5: SW $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 26 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 28: S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$; Lots 5 & 6
Section 29: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32: N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 33: N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; Lots 1 & 2

EXCEPTING THEREFROM an undivided one-half interest in and to all oil, gas and mineral rights, as reserved in deed from Katherine Frandsen and the Estate of Frank M. Frandsen, Deceased, recorded in Book 169, Page 352, Real Estate Records, White Pine County, Nevada.

TOWNSHIP 26 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 22: W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 27: E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM an undivided one-half interest in and to all oil, gas and mineral rights, as reserved in deed from Katherine Frandsen and the Estate of Frank M. Frandsen, Deceased, recorded in Book 169, Page 352, Real Estate Records, White Pine County, Nevada.

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

Section 1: NW $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 19 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 15: W $\frac{1}{2}$
Section 22: All

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

TOWNSHIP 26 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 15: SW $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 27 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 35: SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM, an undivided one-half interest in and to all oil, gas and mineral rights conveyed by JEFF HUNT, et ux, to KATHERINE M. FRANDSEN, et al, by Deed recorded May 29, 1952, in Book 168 of Official Records at page 37 and reserved in Deed executed by KATHERINE M. FRANDSEN, et al, in Deed recorded May 29, 1952, in Book 168 of Real Estate Records at page 22, White Pine County, Nevada, and in Book 61 of Deeds at page 296, Elko County, Nevada records.

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

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

Section 23: W $\frac{1}{2}$ SE $\frac{1}{4}$

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

Section 10: N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 11: N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 24: W $\frac{1}{2}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

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

Section 23: SW $\frac{1}{4}$ NE $\frac{1}{4}$

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

EXCEPTING from the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23, Township 14 North, Range 48 East, M.D.B.&M., and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 15 North, Range 53 East, M.D.B.&M., an undivided 1/6 of all minerals, oil, gas, and hydrocarbon substances, as granted to JOHN I. BROWN by Deed recorded February 20, 1954, in Book 55 of Deeds, page 70.

ALSO EXCEPTING from the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23, Township 14 North, Range 48 East, M.D.B.&M., and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 15 North, Range 53 East, M.D.B.&M., an undivided 23 1/3 interest in and to all oil, gas, hydrocarbon substances within said land, as granted to SAM RUDNICK by Deed recorded March 11, 1957, in Book 18 of Official Records at Page 190.

ALSO EXCEPTING from the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23, Township 14 North, Range 48 East, M.D.B.&M., and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28 in Township 15 North, Range 53 East, M.D.B.&M., an undivided 40% interest in and to all mineral rights, including but not limited to 'crude oil,' petroleum, gas brea, asphaltum, or any kindred substance with and underlying as reserved in the deed executed by EUREKA LIVESTOCK COMPANY, recorded June 2, 1958, in Book 25 of Official Records, page 482.

TOWNSHIP 7 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 3: Lots 3 and 4 (N $\frac{1}{2}$ NW $\frac{1}{4}$)

Section 4: Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)

TOWNSHIP 8 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 33: NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 34: W $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$;
SE $\frac{1}{4}$ SW $\frac{1}{4}$; Lot 1

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TOWNSHIP 6 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 5: SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 9: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 16: NW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 8 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 14: S $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 15: SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada for highway and incidental purposes by deed recorded June 18, 1936, in Book 45, Page 356 of Deeds, Nye County, Nevada records.

FURTHER EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada for highway and incidental purposes by Deed recorded November 9, 1940, in Book 48 of Deeds, Page 53, under File No. 12440, Nye County, Nevada, records.

FURTHER EXCEPTING an undivided 3 $\frac{1}{8}$ interest in the mineral rights in and to the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, and the E $\frac{1}{2}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15, Township 8 North, Range 55 East, M.D.B.&M., as granted to J. P. Johansen and Lola H. Johansen, Husband and Wife, by deed dated August 25, 1958, recorded in Book 35, Page 481, Official Records of Nye County, Nevada.

TOWNSHIP 10 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 36: N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 8 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 15: SE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM that portion described as follows:

Beginning at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 15, from which the North quarter corner of said Section 15 bears North 10° 28' 10" East, a distance of 1600.76 feet; thence South 38° 57' East, a distance of 464.46 feet; thence South 0° 02' East, a distance of 239.98 feet; thence South 51° 63' West, a distance of 390.20 feet; thence North 38° 57' West, a distance of 651.18 feet; thence North 51° 03' East, a distance of 540.95 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada for highway and incidental purposes by deed recorded June 18, 1936 in Book 45 Page 356, Deed Records, Nye County, Nevada.

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FURTHER EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada for highway and incidental purposes by deed recorded November 9, 1940 in Book 48 of Deeds, page 53, under File No. 12440, Nye County, Nevada records.

TOWNSHIP 10 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 25: SE $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 11 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 19: E $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

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

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

Section 7: SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 8: E $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{4}$ NW $\frac{1}{4}$;
N $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$;
S $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{4}$

Section 10: N $\frac{1}{4}$; N $\frac{1}{4}$ S $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{4}$ SW $\frac{1}{4}$

Section 11: S $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$

Section 12: N $\frac{1}{4}$

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

Section 6: S $\frac{1}{4}$ SW $\frac{1}{4}$

Section 7: Lots 1 & 2 of the NW $\frac{1}{4}$

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

Section 24: Homestead Entry No. 174, comprising Tracts "A" and "B"; embracing a portion of, approximately Section 24 in Township 17 North of Range 49 East of the Mount Diablo Meridian, Nevada, 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 in Township 17 North, Range 50 East of the Mount Diablo Meridian; thence, North 87° West 43.66 chains to Corner No. 2; thence, North 2°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 0°4' 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 2°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 said land, returned to the General Land Office by the Surveyor-General.

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

Sections 7 & 8: Described more particularly as follows:

Beginning at Corner No. 1 from which the quarter corner to Sections 8 and 9 in Township 17 North of Range 50 East of the Mount Diablo Meridian 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 27.40 chains to Corner No. 3; thence South 65°29' West 3.30 chains to Corner No. 4; thence North 76°43' West 30.88 chains to Corner No. 5; thence North 56°9' East 5.40 chains to Corner No. 6; thence South 79°52' East 55.00 chains to Corner No. 7; thence North 76°59' East 15.21 chains to Corner No. 8; thence South 37°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 said land, returned to the General Land Office by the Surveyor-General.

Section 19: Lot 4; SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 29: NE $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$
 Section 30: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 31: W $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$

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

Section 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$

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

Section 28: SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 30: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

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

Section 18: W $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$
Section 19: NW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$; W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 30: N $\frac{1}{2}$; N $\frac{1}{2}$ SE $\frac{1}{4}$

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

Section 18: SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$; Lot 2
Section 19: NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 20: W $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; Lot 1

EXCEPTING from all of those parcels shown in Township 18 North, Range 54 East, M.D.B.&M., except the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 1, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, all the coal and other minerals as reserved in Patent executed by the UNITED STATES OF AMERICA recorded August 17, 1932, in Book 21 of Deeds at page 89, Eureka County, Nevada records.

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

Section 16: W $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 17: SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

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

Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 23: N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$;
NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$;

AND a parcel of land described as:

Beginning at Corner No. 1; from which U. S. Location Monument No. 253 bears South 26°42' East 1.55 chains distant, thence North 26°42' West 69.97 chains to Corner No. 2; thence North 9°13' West 17.37 chains to Corner No. 3; thence North 87°44' East 7.72 chains to Corner No. 4; thence South 22°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 and recorded in Book 18 of Deeds at page 195, Eureka County, Nevada, records.

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TOWNSHIP 18 NORTH, RANGE 49 EAST, M.D.B. 1M.

Section 5: NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 6: NE $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8: NW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$. . .

TOWNSHIP 19 NORTH, RANGE 49 EAST, M.D.B. 5M.

Section 5: W $\frac{1}{2}$ E $\frac{1}{2}$; E $\frac{1}{2}$ W $\frac{1}{2}$; W $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 6: SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$

EXCEPTING THEREFROM all coal and other valuable minerals as reserved in Patent executed by UNITED STATES OF AMERICA recorded July 6, 1950, in Book 24 of Deeds at page 79, Eureka County, Nevada records.

.. Section 18: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19: E $\frac{1}{2}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$

EXCEPTING from all of the subject property in Section 18 and the N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, all the oil and gas as reserved in Patent executed by UNITED STATES OF AMERICA recorded October 5, 1966, in Book 12 of Official Records at page 209, Eureka County, Nevada.

Section 20: W $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING from the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20 all minerals as reserved in Patent executed by UNITED STATES OF AMERICA recorded January 2, 1969, in Book 26 of Official Records at page 534, Eureka County, Nevada.

Section 29: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING from all of the subject property in Sections 29 and 30 all of the oil and gas as reserved in Patent executed by UNITED STATES OF AMERICA recorded February 21, 1969, in Book 28 of Official Records at page 12, Eureka County, Nevada. .

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

TOWNSHIP 18 NORTH, RANGE 48 EAST, M.D.B. 6M.

Section 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 18: NW $\frac{1}{4}$ NE $\frac{1}{4}$

EXCEPTING an undivided one-half of all oil, petroleum, gas and minerals as reserved in Deed executed by CONLAN LAND & LIVESTOCK, INC., recorded November 7, 1962, in Book 26 of Deeds at page 300, Eureka County, Nevada, and recorded November 13, 1962 in Book 69 of Deeds at page 250, Lander County, Nevada.

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

Section 35: N½NE¼, SW½NE¼

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

Section 36: SE¼

Excepting and reserving, also, to the United States, pursuant to the provisions of the Act of August 1, 1946 (60 Stat 755), all uranium, thorium, or any other material which is or may be determined to be peculiarly essential to the production of fissionable material, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, remove the same.

EXCEPTING THEREFROM, all of the above described parcels all mineral rights and interest, including coal, oil, gas and other hydrocarbons, and all other metallic and non-metallic mineral ores and substances, and geothermal steam, hot water, hot brines, thermal energy and gasses as conveyed by VALIANT FARMS-EUREKA, INC. to APAL, a limited partnership, by various documents of record.

EQUIPMENT INVENTORY - VALIANT FARMS-EUREKA, INC.

Tractors

966 International 1974 - cab, 3 pt. PTO, diesel
Hydro-100 International 1974 - dual wheel, 3 pt. PTO, cab, diesel
Hydro-100 International 1974 - front end loader, 3 pt. PTO, diesel
3010 John Deere 1963 - PTO, diesel
275 Massey 1980 - 3 pt. PTO, diesel
G series John Deere 1940's - irrigation use, gas

Swathers

910 New Holland 1973 - 12 foot, with trailer
6610 Hesston 1979 - 12 foot hydrostatic

Miscellaneous Equipment

1048 New Holland Stack Cruiser 1974 - 2 wire bales
760 International Disc 1970 - 14 foot, hydraulic
International Plow 1970's - 4 bottom roll over, hydraulics
John Deere grain drill 1960's - fair condition
TD7 International crawler, backhoe and blade 1974 - diesel,
good condition
1010 John Deere Backhoe 1962 - diesel, good condition
Riding lawn mower, 675 New Holland manure spreader

Balers

78 New Holland 1960's - 2 wire
285 New Holland 1973 - 2 wire
330 Freeman 1981 - 3 wire

Generators

Fish Creek-

Eight mile - 12 HP Kohler
#1 - 5000 KW Kohler
#4 - 12 HP Kohler
Eldorado - 8 HP Kohler
shop - 5000 KW Kohler
12 HP Kohler
Teel 2 inch pump, B&S 3 HP engine

Antelope & Willows -

Sagura - 8 HP Kohler
Antelope - 12 HP Kohler
rest area - 12 HP Kohler
Grimes - 12 HP Kohler

Hot Creek-

Sand Springs - 12 HP Kohler
Keystone - 12 HP Kohler
6 mile - 8 HP Kohler

EXHIBIT B

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EQUIPMENT INVENTORY - VALIANT FARMS-EUREKA, INC.

Trucks - working condition

2 - 1979 Dodge 3/4 T. 4WD
1976 Chevy 3/4 T. 4WD
1977 GMC 3/4 T, 4WD
1978 Chevy 1 T, 2WD Flat Bed
1947 Chevy 1 T, 2WD Flat Bed
1977 GMC Stock Truck, 2 T with stock racks
1970 Chevy Stock Truck, 2 T with stock racks
1970 Ford 3/4 T, 2WD
1975 Ford Courier 2WD
1976 Ford Courier 2WD
1969 Peterbilt with 1966 Brown Flat Bed
1969 Keystone cattle van
water tanker - bad wheel bearing

Trucks - need repair

1975 Chevy 1 T, flat bed - needs engine
1978 Chevy 1/2 T, 4WD - needs engine and transmission work
1940's Dodge Power Wagon with Boom
1971 International Fuel Tanker - needs transmission
1966 Mack Truck - needs major engine overhaul

Trailers

3 stock trailers
2 heavy duty goose neck, flat bed trailers

Misc. Shop Equipment

Lincoln portable DC welder
3 sets oxy/acet. gauges with hoses
Miller AC welder - 220 volt
Lincoln AC welder - 220 volt
1 air compressor - stationary
2 air compressors - portable
2 battery chargers
bench grinder
drill press
1/2 inch B&D drill
20 T hydraulic press
Engine hoist
steam cleaner
pressure washer
cement mixer - PTO take-off
post hold digger - PTO takeoff
centrifugal irrigation pump - PTO - take-off
CD Witte power plant - 120 to 240 volt - Hot Creek
Witte power plant - 2 cylinder, 120-140 volt - Willows
CB Witte power plant - 120-240 volt - Ardans

HARVESTED HAY

Total harvested hay as of September 19, 1982 = 1395 tons

EXHIBIT C

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LIVESTOCK

CATTLE COUNT

Pairs (Cow with Calf): 100 - 200 lbs. = 200
250 - 400 lbs. = 1000
400 - 500 lbs. = 761

(Note: lbs. = weight of calf)

Dry Cows = 654

Bulls (Breed = Chianina 75%, Brangus 20%, Herford 5%) = 210

Heifers (Bangs vaccinated) 700 lbs. = 247

Heifers (yearlings) = 279

HORSE COUNT

Breed: Quarter Horses

Saddle = 17

Registered Mares with Foals = 13

Colts & Fillies (yearlings) = 9

Dry Mares = 9

Killer Horses = 3

Stallion = 1

Cattle and Horse count done by Steve & Patty Smith on September 19, 1982.

EXHIBIT D

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ESTIMATED INVENTORY

VALIANT FARMS

<u>Estimated Price</u>	<u>Estimated Number</u>	<u>Catagories and Fair Market Value</u>
\$ 100,000	200	pairs - calves 100-250# mixed ages \$500.00
704,000	1,760	bred cows - 900# \$400.00 each
206,325	655	open cows - 900# @ .35
110,500	500	steer calves - 250 - 325# @ .68
109,440	380	steer calves - 400-500# - 450# @ .64
91,000	500	heifer calves - 250-400# - 325# @ .56
92,340	380	heifer calves - 500-500# - 450# @ .54
6,210	18	yearling steers - 575# @ .60
76,725	279	yearling heifers - 550# @ .50
82,313	247	replacement heifers - 775# @ .43
144,900	210	bulls - 1500# @ .46
17,000	17	saddle horses @ 1000 ea.
840	3	killer horses @ 3000# x .28
2,000	1	stallion - 2000
13,000	13	registered mares w/foal @ 1,000 ea.
7,200	9	reg. dry mares @ 800
3,600	9	yearling colts and fillies @ 400
<u>\$1,767.393</u>		

This sale is an "as is where is" sale. The weights and numbers of livestock are estimates only. Costs of gathering and shipping livestock are at Buyer's expense. The above prices reflect sales at established markets and will be discounted by 8%. Total purchase price to be determined by actual counts and weights where applicable.

ESTIMATED HAY INVENTORY:

Estimated 1200 tons baled alfalfa @ \$70/ton

84,000
= \$708,000

Estimated 195 tons meadow hay loaves @ \$40.00 ton

7,800
= 7,800

Hay sold in stacks. Total price to be determined by actual weight.

RECORDED AT REQUEST OF
Washoe Title Guaranty Co.
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OFFICIAL RECORDS
JEFFERSON COUNTY, NEVADA
H.N. REBALEATI, RECORDER
FILE NO. 86374
FEE \$ 22.00

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