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130918

**GRANT, BARGAIN AND SALE DEED**

THIS INDENTURE made and entered into this 1st day of December, 1989, by and between JOHN W. MARVEL and WILBURTA S. MARVEL, husband and wife, individually and as partners of, or to the extent of any interest in, Marvel-Jenkins Ranches, a Nevada general partnership, and Dunphy Ranch, a Nevada general partnership, Grantors; and JOHN W. MARVEL and WILBURTA S. MARVEL, as Co-Trustees of THE JOHN W. MARVEL FAMILY TRUST, established December 1, 1989 by that Trust Agreement of said date, whose address is P.O. Box 1270, Battle Mountain, NV 89820, Grantees;

It is not intended by this Deed to transfer or convey any of the subject property from either partnership which may now hold title thereto or to otherwise affect the title of the partnership therein; this Deed is only intended to evidence that the interest of either or both of the Grantors in said partnerships is hereafter to be held by said Grantors in their respective partnership capacities as Trustees of said Trust.

**WITNESSETH:**


That the said Grantors, for good and valuable consideration given by the Grantees, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell, and convey unto the said Grantees, and to their successors and assigns, all of Grantors' right, title, interest and estate in and to those certain lots, pieces, or parcels of land situate, lying, and being in the Counties of Lander, Eureka and Humboldt, State of Nevada, and more particularly described on Exhibit A attached hereto, made a part hereof and incorporated herein by this reference.


TOGETHER WITH all buildings and improvements situate thereon.

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.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantees, and to their successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantors have executed this Deed as of the day and year first hereinabove written.

  
JOHN W. MARVEL, individually and as a partner of Dunphy Ranch, a Nevada general partnership and Marvel-Jenkins Ranches, a Nevada general partnership

  
WILBURTA S. MARVEL, individually and as a partner of Dunphy Ranch, a Nevada general partnership and Marvel-Jenkins Ranches, a Nevada general partnership

MARVEL & HANSEN  
ATTORNEYS AT LAW  
670 COMMERCIAL STREET  
P. O. BOX 2048  
ELKO, NV 89601-2048  
(702) 736-8001

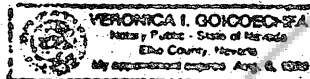
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STATE OF NEVADA )  
                          ) SS.  
COUNTY OF ELKO )

On December 1, 1989, personally appeared before me, a Notary Public,  
JOHN W. MARVEL and WILBURTA S. MARVEL, who acknowledged that they  
executed said instrument.

Veronica I. Gomoec-FA  
NOTARY PUBLIC



MARVEL & HANSEN  
ATTORNEYS AT LAW  
970 COMMERCIAL STREET  
P. O. BOX 2649  
ELKO, NV 89601-2649  
(702) 736-0601

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**EXHIBIT A**

All that certain property, including all of Grantors' right, title interest and estate in and to all minerals and mineral deposits of whatever kind and nature and all oil, gas and geothermal resources in any and every form, located within, on or beneath the surface of said land or any portion thereof, situate in the Counties of Lander, Eureka and Humboldt, State of Nevada, more particularly described as follows:

**PARCEL 1 APN - 2-143-01**

Lots 9, 10, 11 and 12, in Block "Q" of Scott's Addition to the Town of Battle Mountain, County of Lander, State of Nevada.

**PARCEL 2 04-210-02, 04-220-05, 04-220-11, 04-250-04, 04-400-01**

**TOWNSHIP 33 NORTH, RANGE 48 EAST, MDB&M**

Section 13: All  
Section 14: All  
Section 23: All  
Section 24: All  
Section 25: All

Section 26: All, except a portion lying and being in the NE $\frac{1}{4}$  of said Section 26, containing 3.423 acres, more or less, conveyed by Joe Filippini and wife, to the Western Pacific Railroad Company by Deed dated June 14, 1947, recorded in Book 23, Page 176 of Deeds.

ALSO, excepting therefrom a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 26, containing 4.279 acres, more or less, (said 4.279 acres covers land in Section 27 also), conveyed by Joe Filippini and wife, to National Lead Company, by Deed dated November 19, 1946, and recorded in Book 23, Page 135 of Deeds.

FURTHER EXCEPTING FROM the SW $\frac{1}{4}$  of Section 23 and N $\frac{1}{4}$  of Section 26, Township 33 North, Range 48 East, MDB&M, that portion of land conveyed to NL Baroid Division of NL Industries, Inc., by Deed dated December 17, 1978, recorded December 28, 1978, in Book 68, Page 244, Official Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 26, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25, Township 33 North, Range 48 East, MDB&M, that portion of land conveyed to John Davis and Joanna Davis, husband and wife, by Deed dated February 14, 1981, recorded March 4, 1981, in Book 92, Page 24, Official Records, Eureka County, Nevada, and by Quitclaim Deed dated April 24, 1986, recorded May 1, 1986, in Book 144, Page 142, Official Records, Eureka County, Nevada.

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Section 27: All that portion thereof situate, lying and being on the Southerly side of the Western Pacific Railroad Company's right of way as the same now crosses said Section 27; EXCEPT a portion of the SE1SE1 of said section, containing 4.279 acres, more or less, (said 4.279 acres covers land in Section 26 also), conveyed by Joe Filippini and wife, to National Lead Company, by Deed dated November 19, 1946, recorded in Book 23, Page 135 of Deeds.

Section 33: All that portion of the W1 situate, lying and being on the Southerly side of the Southern Pacific Railroad Company's right of way, as the same now crosses said Section 33.

Section 35: E1

Section 36: E1NE1 and that portion of the NW1NE1 of Section 36 lying Northerly of the proposed 200 foot left or Northerly right of way line of Nevada Interstate Route 80, Federal Aid Project I-080-4(6)254, and Southerly of the 180 foot right or Southerly highway right of way line of Nevada State Route 1 (U.S. 40), containing approximately 4.33 acres, conveyed to Tony Miller, et ux, by Deed recorded in Book 27, Page 24 of Deeds.

There is specifically excepted from the foregoing, those portions of Sections 25, 26, 27, 33 and 36, heretofore deeded to the State of Nevada on relation of its Department of Highways, in Deeds recorded in Book 26, Page 282, File No. 36887; Book 27, Page 27, File No. 38803; and in Book 27, Page 30, File No. 38804 of Deeds.

**TOWNSHIP 33 NORTH, RANGE 49 EAST, MDB&M**

Section 31: Portions of Lots 1 and 2; E1NW1; SW1NE1; NE1SW1; N1SE1 and SE1SE1 lying Northerly of the proposed 200 foot left or Northerly highway right of way line of Nevada Interstate Route 80, Federal Aid Project I-080-4(6)254, and Southerly of the 180 foot right or Southerly highway right of way line of Nevada State Route 1 (U.S. 40), said above described parcel contains an area of approximately 50.99 acres, as conveyed to Tony Miller, et ux, by Deed recorded in Book 27, Page 24 of Deeds.

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PARCEL 3 (Humboldt County)

TOWNSHIP 34 NORTH, RANGE 43 EAST, MDB&M

Section 13: SE1SE1, except a strip of land 100 feet in width being 50 feet on each side of and parallel with the located center line of the Western Pacific Railway Company's line of railroad as the same is staked out and located over and across Section 13, as set forth in Deed recorded in Book 41, Page 221, Deed Records of Humboldt County, Nevada.

Section 24: E1E1

TOWNSHIP 34 NORTH, RANGE 44 EAST, MDB&M

Section 18: Lot 4 of the SW1  
Section 19: All  
Section 20: SW1SW1  
Section 29: All  
Section 30: E1SW1; Lot 3 SW1; E1; NW1

PARCEL 4

TOWNSHIP 29 NORTH, RANGE 44 EAST, MDB&M

Section 6: Lots 6 and 7 of SW1; SE1SW1; SE1SE1; W1SE1; NE1SW1  
Section 8: NE1SW1; NW1; N1SE1; SW1SE1  
Section 10: S1SE1  
Section 12: SW1SE1; S1SW1  
Section 16: N1NE1  
Section 18: Lots 1, 2, 3 and 4; S1SE1; SE1SW1  
Section 20: W1NE1; N1NW1  
Section 22: SW1SE1; NE1SW1

TOWNSHIP 28 NORTH, RANGE 46 EAST, MDB&M

Section 3: SE1SW1; NW1SE1

TOWNSHIP 30 NORTH, RANGE 45 EAST, MDB&M

Section 4: Lot 4; S1NW1; W1SE1; NE1SW1  
Section 5: Lots 1, 2, 3 and 4; S1N1, S1 (All)  
Section 6: Lots 1, 2, 3, 4, 5, 6, and 7; S1NE1; SE1NW1; E1SW1; SE1 (All)  
Section 7: Lots 1, 2, 3, and 4; E1W1; E1 (All)  
Section 8: All  
Section 10: S1NW1; NE1SW1  
Section 18: W1E1; W1 (Lots 1, 2, 3, and 4, E1W1)  
Section 28: NE1NW1; N1NE1

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TOWNSHIP 31 NORTH, RANGE 45 EAST, MDB&M

Section 32: W1; W1E1; NE1E1

TOWNSHIP 31 NORTH, RANGE 46 EAST, MDB&M

Section 34: NW1E1

TOWNSHIP 27 NORTH, RANGE 45 EAST, MDB&M

Section 2: W1W1 (Lot 4; SW1NW1; W1SW1)

Section 3: Lot 1 (NE1NE1)

Section 5: W1E1; NW1SW1; SE1SW1; NE1SW1; NW1 (Lots 3 & 4, S1NW1)

Section 6: Lots 1 and 2 (N1NE1)

Section 8: NW1NE1; S1NE1; SE1

Section 11: W1W1

Section 14: NW1SW1; W1NW1

Section 15: NE1SE1

Section 16: SW1NW1; SE1SE1; N1S1

Section 17: N1NE1; SE1NE1

Section 21: SE1NW1; NE1SW1; NE1NE1; S1NE1

Section 22: SE1NW1

Section 25: S1NE1; N1S1

Section 26: NE1SE1; N1SW1

Section 27: S1NE1

Section 28: W1NE1

TOWNSHIP 28 NORTH, RANGE 45 EAST, MDB&M

Section 1: N1SW1; SW1SW1

Section 2: S1SE1; SE1SW1

Section 3: SW1SW1

Section 4: SW1NW1; SE1NE1; NE1SW1; NW1SE1; E1SE1

Section 5: NE1SE1

Section 10: NE1SW1; SW1SE1; SE1NW1; N1N1

Section 11: N1SW1; N1NW1; S1NE1; NW1SE1

Section 15: SW1SW1; W1SE1

Section 16: E1NW1; E1SE1

Section 18: SW1SE1; S1NW1; NE1SW1

Section 19: SW1NE1

Section 20: S1NE1; N1SE1

Section 21: SW1; S1SE1

Section 22: SW1NW1; N1NW1; SW1

Section 27: SE1NW1; W1W1; E1SW1

Section 28: NW1NW1

Section 29: N1NE1

Section 31: SE1NW1; S1NE1; E1SE1; NE1NE1

Section 32: SW1SW1; W1NW1; SW1NE1; N1SE1

Section 33: W1SW1; NE1SW1; W1SE1; SE1SE1

Section 34: SW1SW1; N1NW1; W1NE1; E1SE1; NW1SE1

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TOWNSHIP 28 NORTH, RANGE 46 EAST, MDB&M

Section 2: N1SE1; E1SW1; SW1SW1  
Section 3: S1SE1; SW1SW1  
Section 4: S1SE1; SE1SW1  
Section 5: NW1SW1  
Section 7: W1NE1; NE1NE1; SW1SE1; E1W1  
Section 18: E1  
Section 19: NE1NE1; W1NE1; W1SE1; NE1SW1; Lot 4; Lot 2; SE1NW1  
Section 29: NW1SW1  
Section 30: E1NW1; N1SE1; NE1SW1; NW1NE1

TOWNSHIP 28 NORTH, RANGE 44 EAST, MDB&M

Section 2: SE1SE1  
Section 12: NE1SW1; SE1NW1

TOWNSHIP 29 NORTH, RANGE 44 EAST, MDB&M

Section 26: SW1NE1; S1NW1; NE1SW1; W1SE1; SE1SE1

TOWNSHIP 29 NORTH, RANGE 44 EAST, MDB&M

Section 8: SE1SE1

TOWNSHIP 29 NORTH, RANGE 44 EAST, MDB&M

Section 6: S1NW1

PARCELS

TOWNSHIP 27 NORTH, RANGE 41 EAST, MDB&M

Section 16: S1SW1  
Section 17: SE1SE1; SE1SW1  
Section 20: E1; N1SW1; E1NW1  
Section 21: N1NW1  
Section 28: SW1NW1; W1SW1  
Section 29: E1; E1SW1; SE1NW1

TOWNSHIP 25 NORTH, RANGE 41 EAST, MDB&M

Section 15: N1SW1; W1NW1

TOWNSHIP 24 NORTH, RANGE 40 EAST, MDB&M

Section 5: SW1NE1; E1NW1; N1SW1

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PARCEL 6

TOWNSHIP 30 NORTH, RANGE 45 EAST, MDB&M

Section 23: That portion of the NW1 described as follows:

Commencing at a point on the section line between Sections 22 and 23, which said point is distant South 1310 feet from the corner common to Sections 14, 15, 22 and 23, thence East 1,098 feet to a point and which point is the intersection of the southwest boundary of the lands herein described, thence North 28° 21' West, 717 feet to a point, which said point is the Northwest corner of the lands herein described, thence North 61° 40' East 300 feet to a point, thence South 28° 20' East 770 feet to a point, thence South 61° 40' East 20 feet to a point, thence West 120' to the place of beginning.

PARCEL 7

All other property located in the Counties of Lander, Eureka and Humboldt in which Grantors now have any right, title, interest or estate but which has been omitted herefrom, including all minerals and mineral deposits of whatever kind and nature and all oil, gas and geothermal resources in any and every form, located within, on or beneath the surface of said land or any portion thereof, is intended to be included herein, and Grantors further hereby grant and convey the same to Grantees.

TO THE EXTENT that title to the surface estate of any of the foregoing described property is presently held in the name of Dunphy Ranch or Marvel-Jenkins Ranches, partnerships in which the Grantors herein were formerly partners and the Grantees herein are presently partners, the parties hereto intend that this conveyance shall not in any way affect the right, title, interest and estate of Dunphy Ranch or Marvel-Jenkins Ranches in and to said property, but said right, title, interest and estate of said partnerships therein is hereby confirmed.

RECORDED AT THE REQUEST OF

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Marvel & Hansen  
89 Jan 2 04:30

OFFICIAL RECORDS  
EUREKA COUNTY, CALIF.  
M.M. RECALCATRONE  
FILE NO. 162886  
FEE \$12.00

130918

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OFFICIAL RECORDS  
LANDER COUNTY, IDAHO  
RECORDED BY  
Marvel & Hansen  
89 DEC 21 PM 2:44

RAYE K. FAGG  
RECORDER

FEE 12.00 DEP. SP