

137999

APPLICATION FOR AGRICULTURAL USE ASSESSMENT
THIS PROPERTY MAY BE SUBJECT TO LIENS FOR UNDETERMINED AMOUNTS
(PLEASE READ CAREFULLY THE ATTACHED INFORMATION AND INSTRUCTION SHEET)

RECEIVED
JUL 30 1991

EUREKA COUNTY
J. P. THURGOOD, ASSESSOR

Note: If necessary, attach extra pages.

Pursuant to Nevada Revised Statutes, Chapter 361.A (I) (We),

Julian Tomera Ranches, Inc.

(Please print or type the name of each owner of record or his representative)
hereby make application to be granted, on the below described agricultural land, an assessment based upon the agricultural use of this land.

(I) (We) understand that if this application is approved, it will be recorded and become a public record.
This agricultural land consists of 14,931.72 acres, is located in Eureka County, Nevada and is described as 05-150-03, 05-150-04, 05-160-08, 05-360-05, 04-390-11, 04-390-12, 05-160-02, 05-140-05, 05-160- (Assessor's Parcel Number's) 06, 05-390-06, 05-380-10, 04-390-18
Legal description See Attached

(I) (We) certify that the gross income from agricultural use of the land during the preceding calendar year was \$5,000 or more. Yes ___ No ___ If yes, attach proof of income.

(I) (We) have owned the land since 1989

(I) (We) have used it for agricultural purposes since 1989. The agricultural use of the land presently is (i.e. grazing, pasture, cultivated, dairy, etc.) Ranching

Was the property previously assessed as agricultural yes. If so, when _____

(I) (We) hereby certify that the foregoing information submitted is true, accurate and complete to the best of (my) (our) knowledge. (I) (We) understand that if this application is approved, this property may be subject to liens for undetermined amounts. (I) (We) understand that if any portion of this land is converted to a higher use, it is our responsibility to notify the assessor in writing within 30 days. (Each owner of record or his authorized representative must sign. Representative must indicate for whom he is signing, in what capacity and under what authority.) Please print name under each signature.

X Julian Tomera
Signature of Applicant or Agent Date July 29-91

Address Phone Number

Signature of Applicant or Agent Date

Address Phone Number

Signature of Applicant or Agent Date

Address Phone Number

EXHIBIT A

PARCEL 1:

TOWNSHIP 30 NORTH, RANGE 51 EAST, M.D.B. & M.

Section 1: A11 (Fractional)
Section 3: A11
Section 11: A11
Section 13: A11
Section 15: A11

TOWNSHIP 31 NORTH, RANGE 51 EAST, M.D.B. & M.

Section 33: A11
Section 35: A11

TOWNSHIP 30 NORTH, RANGE 52 EAST, M.D.B. & M.

Section 5: SW1/4: That portion of the N1/2 lying westerly of Nevada State Highway No. 51.
Section 7: A11
Section 9: That portion of the W1/2 lying westerly of Nevada State Highway No. 51. RESERVING THEREFROM the stockwatering rights of BATTISTA TOMERA, JR. and GEORGE TOMERA as provided in a license in their favor executed by Grantors herein and recorded of even date herewith.

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B. & M.

Section 31: A11

TOWNSHIP 30 NORTH, RANGE 52 EAST, M.D.B. & M.

A parcel of land in the NE1/4 NE1/4, Section 8 and the W1/2, Section 9, T. 30 N., R. 52 E., M.D.M., Eureka County, Nevada, more particularly described as follows:

Beginning at the northwesterly corner of said parcel, a point on the easterly right-of-way line of that public highway described in Book 24, Pages 307-309, Eureka County Deeds (Parcel No. 4), a 6-inch redwood fence post set in right-of-way fence from which the NW corner of Section 4, T. 30 N., R. 52 E., M.D.M., bears N. 0°19'53" E., 5961.71 feet as Corner No. 1, the Point of Beginning,

thence S. 80°36'01" E., 1504.64 feet to Corner No. 2, a 6-inch redwood fence post,

thence S. 1°44'13" E., 973.27 feet to Corner No. 3, a 6-inch steel fence post,

thence S. 31°30'33" W., 2530.71 feet to Corner No. 4, a point on the easterly right-of-way line of the above-referred highway, a 6-foot steel fence post,

ALTA
M.D.M. 5/24/00

thence along said right-of-way, from a tangent bearing N. 3°20'48" W., on a curve to the right, with a radius of 1900 feet, through a central angle of 10°53'10", an arc distance of 740.99 feet to Corner No. 5,

thence continuing along said right-of-way N. 7°32'22" E., 515.24 feet to Corner No. 6,

thence continuing along said right-of-way, from a tangent bearing of the last described course, on a curve to the left with a radius of 3100 feet, through a central angle of 20°24'10", an arc distance of 1103.99 feet to Corner No. 7,

thence continuing along said right-of-way N. 12°51'48" W., 1055.56 feet to Corner No. 1, the Point of Beginning.

EXCEPTING THEREFROM all petroleum, oil, natural gas, and products derived therefrom reserved in deed from Southern Pacific Land Company, recorded March 9, 1950, in Book 24, Page 42, Deed Records, Eureka County Nevada.

FURTHER EXCEPTING THEREFROM an undivided 1/2 interest in and to all other minerals reserved in deed from Eureka Livestock Company, a co-partnership, et al, recorded November 4, 1955 in Book 24, Page 478, Deed Records, Eureka County, Nevada.

PARCEL 2:

TOWNSHIP 30 NORTH, RANGE 51 EAST, M.D.B. & M.

Section 2: All (Fractional)
Section 4: Lots 1, 2, 3; SE1/4 NW1/4; SE1/4
Section 10: All
Section 12: All
Section 14: N1/2; SW1/4; N1/2 SE1/4

TOWNSHIP 30 NORTH, RANGE 52 EAST, M.D.B. & M.

Section 5: That portion of the SE1/4 lying westerly of Nevada State Highway No. 51.
Section 6: All
Section 8: All that portion lying westerly of Nevada State Highway No. 51.
Section 16: That portion of the W1/2 NW1/4 lying westerly of Nevada State Highway No. 51.
Section 17: All
Section 18: E1/2

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B. & M.

Section 32: W1/2; W1/2 SE1/4; That portion of the SE1/4 SE1/4 lying westerly of Nevada State Highway No. 51.

PARCEL 3:

TOWNSHIP 30 NORTH, RANGE 51 EAST, M.D.B. & M.

Section 4: S1/2 NE1/4

LAST OFFICE
RECORDED 05/17/55
RECORDED 05/17/55
SAC, STVAD, 1955

thence North $89^{\circ}47'00''$ West 1340.01 feet along the north line of said Section 4 to Corner No. 1, the point of beginning.

PARCEL 7: (ELKO COUNTY)

TOWNSHIP 33 NORTH, RANGE 52 EAST, M.D.B.6M.

Section 33: A parcel of land located in the S 1/2 SW 1/4, more particularly described as follows:

Commencing at the SW corner of said Section 33, thence S. $89^{\circ}47'00''$ E., 1094.97 feet along the southerly line of said Section 33 to corner No. 1, the true point of beginning, being on the southeasterly right-of-way of the Southern Pacific Railroad,

thence N. $62^{\circ}23'41''$ E., 1561.10 feet along said Southern Pacific right-of-way to Corner No. 2,

thence from a tangent bearing N. $62^{\circ}23'41''$ E., on a curve to the left, with a radius of 2552.49 feet through a central angle of $9^{\circ}58'23''$, for an arc length of 513.92 feet along the said southeasterly right-of-way of the Southern Pacific Railroad to Corner No. 3, being a point in the existing Humboldt River,

thence S. $14^{\circ}22'44''$ W., 1038.27 feet along the existing Humboldt River to Corner No. 4, being on the said southerly line of said Section 33,

thence N. $89^{\circ}47'00''$ W., 1558.00 feet along the southerly line of said Section 33 to Corner No. 1, the point of beginning.

EXCEPTING THEREFROM all oil, oil rights, mineral rights, natural gas rights and other hydrocarbons, by whatsoever name known, together with all geothermal steam and steam power in and under said land reserved by Occidental Land, Inc., formerly known as Occidental Petroleum Land and Development Corporation, in deed recorded January 20, 1976, in Book 224, Page 526, Official Records, Elko County, Nevada.

PARCEL 8: (ELKO AND EUREKA COUNTIES)

TOWNSHIP 32 NORTH, RANGE 52 EAST, M.D.B.6M.

Section 17: All that portion lying easterly of the

LAND OFFICER
BATES AND HATHINGS
COUNTY CLERK
PROFESSIONAL SURVEYOR
ELKO, NEVADA 89601

easterly boundary line of the Western Pacific Railway Company's right-of-way.
Section 20: That portion of W 1/2 NW 1/4; NW 1/4 SW 1/4 lying easterly of the easterly boundary line of the Western Pacific Railway Company's right-of-way.

EXCEPTING THEREFROM that portion of said land conveyed to the State of Nevada by deed recorded October 21, 1954, in Book 66, Page 449, Deed Records, Elko County, Nevada, and November 12, 1954, in Book 24, Page 378, Deed Records, Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM an undivided one-half interest in and to all coal, oil, gas and other minerals of every kind and nature whatsoever existing upon, beneath the surface of, or within said land, reserved by Allen T. Griffin, et al, in deed recorded April 29, 1969, in Book 109, Page 68, Official Records, Elko County, Nevada, and in Book 28, Page 537, Official Records, Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM all of the Grantors interest in and to all mineral interest, coal, oil, gas and other minerals of every kind and nature whatsoever including geothermal, in and under said land reserved by Melvin R. Jones and Rachel S. Jones, husband wife, in deeds recorded February 22, 1982, in Book 383, Page 312, Official Records, Elko County, Nevada, and recorded March 10, 1982, in Book 101, Page 44, Official Records, Eureka County, Nevada.

PARCEL 9: (EUREKA COUNTY)

TOWNSHIP 31 NORTH, RANGE 51 EAST, M.D.B.1M.

Section 1: That portion lying easterly and northerly of the center line of Nevada State Highway 51, as the same is now constructed.

EXCEPTING THEREFROM all petroleum, oil, natural gas, and products derived therefrom reserved by Southern Pacific Land Company in deed recorded March 9, 1950, in Book 24, Page 42, Deed Records, Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM an undivided one-half interest in and to any and all other mineral rights reserved by Eureka Livestock Company, a co-partnership, et al, in deed recorded November 20, 1963, in Book 27, Page 76, Deed Records, Eureka County, Nevada.

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B.1M.

Section 6: That portion of the SE 1/4 SW 1/4 lying northerly of the center line of Nevada State

LAND OFFICE
BUTTE AND BUTTE
COUNTY
PLAT NUMBER 226
S.A. NEVADA 226

- Section 7: Highway 51 as the same is now constructed. That portion lying easterly and northerly of the center line of Nevada State Highway 51 as the same is now constructed.
- Section 17: That portion of the W 1/2 lying easterly and northerly of the center line of Nevada State Highway 51 as the same is constructed.
- Section 18: That portion of the E 1/2 NE 1/4 and NE 1/4 SE 1/4 lying easterly and northerly of the center line of Nevada State Highway 51 as the same is now constructed.

FURTHER EXCEPTING FROM all of Parcel 9 an undivided one-half of Grantors right, title and interest of all mineral rights in and under said land reserved by Melvin R. Jones and Rachel S. Jones, husband and wife, in deed recorded March 31, 1979, in Book 70, Page 331, Official Records, Eureka County, Nevada.

PARCEL 10: (EUREKA COUNTY)

TOWNSHIP 30 NORTH, RANGE 52 EAST, M.D.B.&M.

- Section 5: All
Section 8: All
Section 9: All
Section 16: W 1/2 NW 1/4

EXCEPTING THEREFROM those portions of said land conveyed to Roy Shurtz and Lisa Shurtz, husband and wife, by deed recorded March 14, 1979, in Book 69, Page 259, Official Records, Eureka County, Nevada, more particularly described as follows:

The SW 1/4 of Section 5, and those portions of the N 1/2 and the SE 1/4 of Section 5, Section 8, the W 1/2 of Section 9, and the W 1/2 NW 1/4 of Section 16, all in Township 30 North, Range 52 East, lying westerly of the Nevada State Highway No. 51.

Also a portion of land in the NE 1/4 NE 1/4 of Section 8 and the W 1/2, Section 9, T. 30 N., R. 52 E., M.D.B.&M., Eureka County, Nevada, more particularly described as follows.

Beginning at the northwesterly corner of said parcel, a point on the easterly right-of-way line of that public highway described in Book 24, Pages 307-309, Eureka County Deeds (Parcel No. 4), a 6-inch reduced fence post set in right-of-way fence from which the NW corner of Section 4 T. 30 N., R. 52 E., M.D.B.&M. bears N 0°19'53" E., 5961.71 feet as Corner No. 1, the point of beginning.

LAW OFFICE
BUTTE AND HATTING
COURTROOM
PROBATION DEPT
Rm. 204, RENO NV 89501

thence S. $80^{\circ}36'01''$ E., 1504.64 feet to Corner No. 2,
a 6-inch redwood fence post,

thence S. $1^{\circ}44'13''$ E., 971.27 feet to Corner No. 3, a
6-foot steel fence post,

thence S. $31^{\circ}30'33''$ W., 2530.71 feet to Corner No. 4, a
point on the easterly right-of-way line of the above-
referred highway, a 6-foot steel fence post,

thence along said right-of-way, from a tangent bearing N.
 $3^{\circ}20'48''$ W., on a curve to the right, with a radius of 3900
feet, through a central angle of $10^{\circ}53'10''$, an arc distance
of 740.99 feet to Corner No. 5,

thence continuing along said right-of-way N. $7^{\circ}32'22''$ E.,
515.24 feet to Corner No. 6,

thence continuing along said right-of-way from a tangent
bearing on the last described course, on a curve to the
left, with a radius of 3100 feet, through a central angle
of $20^{\circ}24'10''$ an arc distance of 1103.98 feet to Corner
No. 7,

thence continuing along said right-of-way N. $12^{\circ}51'48''$ W.,
1055.56 feet to Corner No. 1, the point of beginning.

Section 27: W 1/2

EXCEPTING FROM all of Parcel 10 except Section 8 and the W 1/2
NW 1/4 of Section 16, Township 30 North, Range 52 East, all
petroleum, oil, natural gas and products derived therefrom in
and under said land, reserved by Southern Pacific Land Company
in deed recorded March 9, 1950, in Book 24, Page 42, Deed
Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM all of Parcel 10 except Section 8 and the
W 1/2 of Section 16, Township 30 North, Range 52 East, an
undivided one-half interest of all of the Grantors right, title
and interest in and to all mineral rights in and under said land
reserved by Oscar Rudnick, et al, in deed recorded November 4,
1955, in Book 24, Page 478, Deed Records, Eureka County, Nevada.

PARCEL 11: (EUREKA COUNTY)

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 5: W 1/2 NW 1/4

TOWNSHIP 32 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 29: All

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BULLO AND RUFFNER
CRANFORD
PERMISSION, STATE
LAND, OFFICE 88801

Section 31: M 1/2

EXCEPTING THEREFROM an undivided one-half interest of all of the Grantors, right, title and interest in and to coal, oil and other minerals of every kind and nature whatsoever in and under said land reserved by Pete Elia and Leonie Elia, husband and wife, in deed recorded October 24, 1956, in Book 25, Page 66, Deed Records, Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM an undivided one-half interest in and to all oil, gas, mineral, gravel or diatomaceous earth rights in and under said land reserved by Julian Tomera and Malfisa Tomera, husband and wife, in deed recorded February 22, 1972, in Book 41, Page 402, Official Records, Eureka County, Nevada.

EXCEPTING FROM all of the above described parcels, all lands lying within the boundaries of the Southern Pacific Railroad and the Western Pacific Railroad rights-of-way.

TOGETHER with all buildings, fences, and other improvements thereon;

TOGETHER with all and singular the tenements, hereditaments, easements and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof;

TOGETHER with all springs, wells, water, water rights and stockwater rights applied for, appropriated for, appurtenant to or decreed to said lands, or any portion thereof; all such water and water rights; all dams, ditches, diversions, headgates, easements, pipelines and reservoirs; all measuring devices, headgates, culverts, ponds and reservoirs; all easements, devices and controls used to apply such water and water rights to beneficial use and for the repair, cleaning, replacement and maintenance of any or all of such facilities and improvements by the use of modern equipment, facilities, troughs, tanks, pump reservoirs, ponds and other stockwater improvements on said lands.

TOGETHER with all water rights decreed to said lands or any portion thereof pursuant to the Decree entered in Case Number 2804 in the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt entitled "In the Matter of the Determination of the Relative Rights of Claimants and Appropriates of the Waters of the Humboldt River System and Tributaries", Proof Number 00223, Proof Number 00225 and Proof Number 00226 as set out in the Blue Book edition of "The Humboldt River Adjudication - 1923-1938".

TOGETHER with all springs, wells, water rights and stockwater rights used in conjunction with the public lands.

LAW OFFICE
BATES AND MATTHEWS
CORPORATE
PLANNING GROUP
614A, NORTH 2000

BOOK 226 PAGE 423
OFFICIAL RECORDS
RECORDED

Eureka Co. Abstract
91 OCT -8 P2:43

EUREKA COUNTY, NEVADA
M.N. RESALIATE RECORDS
FILE NO. FEE \$70

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BOOK 226 PAGE 430