

165905

Recording Requested By:  
JD RANCH PARTNERSHIP

Return Tax Statements To:

KENNETH R. BUCKINGHAM  
Post Office Box 10  
Paradise Valley, Nevada 89426

Assessor Parcel Nos: 6-110-01

### GRANT, BARGAIN AND SALE DEED

THIS INDENTURE, made this 15<sup>th</sup> day of January 1997 between JD RANCH PARTNERSHIP, a California General Partnership, Grantor, and KENNETH R. BUCKINGHAM, an unmarried man Grantee.

### WITNESSETH:

Grantor, for valuable consideration, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell and convey unto Grantee, and to its successors and assigns forever, all that certain real property situate in the County of Eureka, State of Nevada, more particularly bounded and described on Exhibit "A" attached hereto and by this reference incorporated herein. Said property is hereinafter referred to as the Real Property.

TOGETHER WITH all water, water rights or rights to use water, if any, which are associated with or appurtenant to the above-described real property, or any part thereof, or used or enjoyed in connection therewith or with federal domain grazing lands appurtenant or attached thereto.

TOGETHER WITH all BLM National Forest range and grazing rights, permits and privileges, and range water and range watering rights of every name, nature, kind and description appurtenant to and used in connection with the above-described property, if any.

RESERVING HOWEVER, to Grantor, its heirs and assigns, forever, and excepting from this conveyance, the following:

All right, title, interest and estate Grantor has in and to all coal, oil, oil shales, gas,

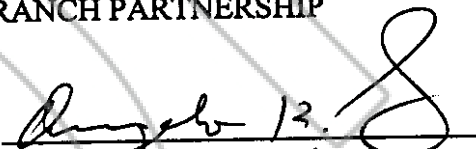
minerals and geothermal resources, of every kind, nature and description and their by-products, existing upon, beneath or within the above-described Real Property or any portion thereof, with all royalties, rents and other consideration for such right, title, interest and estate reserved and all leases and other disposal thereof, including the right to use so much of the surface thereof and the subsurface thereof as may be reasonably required to prospect for, locate, develop, mine, drill, extract, produce, process, utilize, unitize, sell, market, remove and transport the same, and including the right to use all subsurface water and/or water percolating to the subsurface as may reasonably be required to prospect for, locate, develop, mine, drill, extract, produce, process and utilize the coal, oil, oil shales, gas, minerals and geothermal resources of every kind, nature and description and their by-products, existing upon, beneath or within the above-described Real Property or any portion thereof. In the event that Grantor requires additional water, Grantor and Grantee agree to enter into good faith negotiations for the purchase of same, at prevailing market rates. In the event Grantor utilizes its surface entry rights reserved to recover any minerals, etc. from the property, Grantor agrees to enter into a customary damages agreement with Grantee in accordance with industry practice.

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

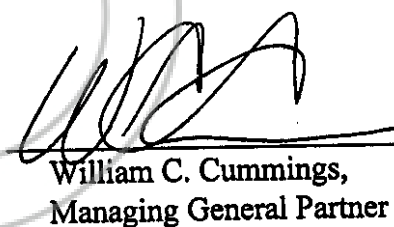
IN WITNESS WHEREOF, Grantor has hereunto set its hand the day and year first above written.

JD RANCH PARTNERSHIP

By:

  
Angelo K. Tsakopoulos,  
Managing General Partner

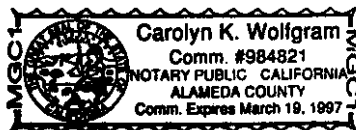
By:

  
William C. Cummings,  
Managing General Partner

STATE OF CALIFORNIA     )  
                                      ) ss.  
COUNTY OF SACRAMENTO )

On this 15<sup>th</sup> day of January, 1997 before me, Carolyn K. Wolfgram, a Notary Public in and for the State of California, personally appeared Angelo K. Tsakopoulos, personally known to me (or proved on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

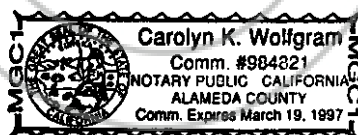


Carolyn K. Wolfgram  
Notary Public

STATE OF CALIFORNIA     )  
                                      ) ss.  
COUNTY OF SACRAMENTO )

On this 15<sup>th</sup> day of January 1997, before me, Carolyn K. Wolfgram, a Notary Public in and for the State of California, personally appeared William C. Cummings, personally known to me (or proved on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Carolyn K. Wolfgram  
Notary Public

LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada,  
County of EUREKA, described as follows:

PARCEL 1:

TOWNSHIP 23 1/2 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 1: Lot 3

TOWNSHIP 24 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 9: N1/2NW1/4; SE1/4NW1/4; SW1/4NE1/4;  
Section 10: SE1/4SW1/4; SW1/4SE1/4;  
Section 12: SW1/4SE1/4; NE1/4SE1/4;  
Section 13: NE1/4NW1/4; SW1/4NW1/4NW1/4SW1/4;  
Section 14: SE1/4SE1/4;  
Section 15: N1/2NW1/4;  
Section 23: NE1/4NE1/4; SW1/4NE1/4; W1/2SE1/4;  
Section 26: W1/2E1/2; NE1/4NW1/4;  
Section 35: E1/2W1/2;

TOWNSHIP 24 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 2: Lot 3; SE1/4NW1/4;  
Section 7: Lot 2;

TOWNSHIP 25 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 24: SE1/4NW1/4; NW1/4SW1/4;  
Section 25: S1/2SW1/4; SE1/4;  
Section 28: W1/2NE1/4; SE1/4NW1/4;  
Section 32: SE1/4NE1/4; SW1/4SE1/4;  
Section 33: NW1/4NW1/4;  
Section 35: E1/2NE1/4; SW1/4NE1/4; E1/2SW1/4SE1/4;  
Section 36: NW1/4NE1/4; NW1/4; NW1/4SW1/4;

TOWNSHIP 26 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 24: E1/2SE1/4;

TOWNSHIP 25 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 6: Lots 3, 4, 5, 6 and 7; SE1/4NW1/4; E1/2SW1/4;  
Section 7: E1/2NW1/4;

Continued on next page

Section 19: SE1/4SW1/4;  
Section 30: NW1/4NE1/4; E1/2NW1/4; Lots 2 and 3

TOWNSHIP 26 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 19: Lots 1, 2, 3 and 4;  
Section 30: Lots 1, 2, 3 and 4; E1/2SW1/4;  
Section 31: NW1/4NE1/4; E1/2W1/2; Lot 4; SW1/4SE1/4;

PARCEL 2:

TOWNSHIP 24 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 20: W1/2SW1/4;  
Section 30: N1/2NE1/4; NE1/4NW1/4; Lot 1;

TOWNSHIP 25 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 28: S1/2SW1/4;  
Section 32: NE1/4SE1/4;

PARCEL 3:

TOWNSHIP 24 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 14: SW1/4NE1/4; SE1/4NW1/4; SW1/4; W1/2SE1/4;  
Section 22: NE1/4;  
Section 23: NW1/4;

EXCEPTING FROM Parcel 3 an undivided one-fourth (1/4) interest in all minerals in and under said land, reserved by JEAN SALLABERRY, et al, in Deed recorded October 26, 1960 in Book 25, Page 467, Deed Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM Parcels 1, 2 and 3 one-half (1/2) interest in and to all minerals, oil and gas owned by Grantors in and under said land reserved by CHARLES J. DAMELE, et al, in Deed recorded January 20, 1972 in Book 41, Page 318, Official Records, Eureka County, Nevada.

PARCEL 4:

TOWNSHIP 25 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 1: SE1/4SE1/4SE1/4NE1/4; E1/2E1/2NE1/4SE1/4;  
Continued on next page

Section 28: E1/2NE1/4SE1/4SE1/4; NE1/4SE1/4SE1/4SE1/4;  
SE1/4NE1/4NW1/4;

TOWNSHIP 26 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 30: SW1/4SW1/4NE1/4NW1/4; W1/2SE1/4NW1/4;  
SW1/4SE1/4SE1/4NW1/4; W1/2SW1/4NW1/4SE1/4;  
NW1/4NW1/4SW1/4SE1/4; S1/2NW1/4SW1/4SE1/4;  
SW1/4SW1/4SE1/4;

Section 31: NW1/4SW1/4NE1/4; W1/2SW1/4SW1/4NE1/4;

EXCEPTING THEREFROM all oil and gas in and under said land,  
reserved by the UNITED STATES OF AMERICA in Patents recorded  
August 29, 1972, in Book 43, Page 46, Official Records, Eureka  
County, Nevada.

PARCEL 5:

TOWNSHIP 24 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 36: NW1/4SE1/4;

EXCEPTING THEREFROM an undivided one-sixth interest in and to  
all minerals, oil, gas and hydrocarbon substances within and  
underlying said land, as conveyed to JOHN L. BROWN, in deed  
recorded December 28, 1950, in Book 24, Page 109, Deed Records,  
Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM an undivided 33 1/3% interest in  
and to all oil, gas hydrocarbon substances and minerals within  
and underlying said land, as conveyed to SAM RUDNICK, in deed  
recorded March 4, 1957, in Book 25, Page 112, Deed Records,  
Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM an undivided one-third interest in  
and to all oil, gas, hydrocarbon substances and other minerals  
and mineral rights owned by EUREKA LIVESTOCK COMPANY as of  
September 22, 1959, as reserved by the Estate of OSCAR RUDNICK,  
deceased, in Administrator's deed recorded August 1, 1973, in  
Book 46, Page 27, Official Records, Eureka County, Nevada.

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BOOK 305 PAGE 45  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Stewart Title Co*  
97 JAN 17 PM 2:52  
EUREKA COUNTY NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 2.00

165905

BOOK 305 PAGE 50

# DECLARATION OF VALUE

Recording Date 11/17/97 Book 305 Page 45 Instrument # 165905

Full Value of Property Interest Conveyed

\$ 592,282<sup>00</sup>

Less Assumed Liens & Encumbrances

\_\_\_\_\_

Taxable Value (NRS 375.010, Section 2)

\$ 592,282<sup>00</sup>

Real Property Transfer Tax Due

\$ 384.98

If exempt, state reason. NRS 375.090, Section \_\_\_\_\_ Explain: \_\_\_\_\_

APN#:

## INDIVIDUAL

Under penalty of perjury, I hereby declare that the above statements are correct.

Signature of Declarant

Name (Please Print)

Address

City

State

Zip

## ESCROW HOLDER

Under penalty of perjury, I hereby declare that the above statements are correct to the best of my knowledge based upon the information available to me in the documents contained in the escrow file.

Signature of Declarant

Delores Orton

Name (Please Print)

96220743

Escrow Number

Stewart Title of Northeastern Nevada

Firm Name

810 Idaho St.

Address

Elko,

Nevada

89801

City

State

Zip