

176482

Master APN: 005-570-

**GRANT, BARGAIN AND SALE DEED  
TO JOINT TENANTS**

**THIS INDENTURE**, made and entered into this 18<sup>th</sup> day of May, 2001, by and between **DOMINEK J. PIERE**, also known as **DOMINICK PIERETTI**, an unmarried man, and **TOSCA SULLIVAN**, a known as **TOSCA P. SULLIVAN**, a widow, Grantors; and **HAROLD V. ROTHER** and **SHIRY A. ROTHER**, husband and wife, Grantees;

WITNESSETH

That the Grantor and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to them in hand paid by the Grantees, and other good and valuable consideration, receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey to the said Grantees, as joint tenants with right of survivorship and not as tenants in common, and their assigns, and the heirs, executors, administrators, successors and assigns of the survivor, over, all of the Grantors' right, title and interest in that certain lot, piece, or parcel of land situate and being in the County of Eureka, State of Nevada, and more particularly described on exhibit "A" attached hereto and made a part hereof by this reference.

**SUBJECTO** all covenants, conditions, restrictions, exceptions, easement rights of way, reservations and rights, and other matters evidenced by documents of record.

**SUBJECTO** any and all oil, gas, geothermal or mineral interests, mining claims, rights, or reservations on the property which may be owned by third parties.

**SUBJECTO** Agricultural Use Assessment pursuant to Chapter 361A of Nevada Revised Statutes.

**TOGETHER WITH** fifty percent (50%) of Grantors' right, title and interest in and to all oil, gas and mineral rights of whatever nature existing apart of, upon, beneath the surface of or within said lands, including any oil and gas leases, rentals and/or royalties thereon, **RESERVE UNTO** the Grantors the remaining fifty percent (50%) in and to right, title and interest in all oil, gas and mineral rights of whatever nature existing as a part of, upon, beneath the surface of or within said lands, including any oil and gas leases, rentals and/or royalties thereon.

**TOGETHER WITH** all fences, corrals, buildings and other improvements thereon including but not limited to gates, panels and propane fuel tanks.

GOICOECHEA & DI GRAZIA, LTD.  
ATTORNEYS AT LAW  
530 IDAHO STREET - P.O. BOX 1358  
ELKO, NEVADA 89801  
(775) 738-8091

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12-82001910

**TOGETHER WITH** all right, title and interest in and to all rights, privileges, preferences, permits and licenses to graze livestock upon the federal domain administered by the Bureau of Land Management in the Ino Springs and South Buckhorn Allotments, together with all cooperative agreements and range improvements used in connection with said grazing permits.

**TOGETHER WITH** all water, water rights, dams, ditches, canals, pipelines, ad gates, diversions, reservoirs, springs, wells, pumps, pumping stations, rights of way, easements and all other means for the diversion or use of water appurtenant to the said property or any part thereof or now or hereafter used or enjoyed in connection therewith for irrigation, stock watering, domestic or any other use, or drainage of all or any part of said lands, including vested water rights, pitted water rights, decreed water rights and certificated water rights arising under the laws of the State of Nevada, together with all certificates of appropriation, applications, proofs, permits and maps relating to such water and water rights which are 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. Said water rights include, without limitation, those water rights which are more particularly described on Exhibit "B" attached hereto, made a part hereof and incorporated herein by reference.

**TOGETHER WITH** the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversions and reversions, remainder and remainders, rents, issues, and profits thereof.

**TO HAVE AND TO HOLD** the said premises unto the said Grantees, as joint tenants with right of survivorship and not as tenants in common, and to their assigns, and the heirs, executors, administrators, successors and assigns of the survivor, forever.

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**EXHIBIT "A"**  
**Legal Description**

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

TOWNSHIP 29 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 4: SW ¼; S¼ NW ¼  
Section 5: SE ¼; S¼ NE ¼; Lot 2;  
Section 8: E ½;  
Section 9: W ½;

EXCEPTING from Lot 2 of Section 5; TOWNSHIP 29 NORTH, RANGE 52 EAST, M.D.B.&M., all petroleum, oil, natural gas, and products derived therefrom lying in and under said land as 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 Lot 2 of Section 5; TOWNSHIP 29 NORTH, RANGE 52 EAST, M.D.B.&M., an undivided one-half (½) interest in and to any and all other mineral rights owned or possessed by grantor as created by Eureka Livestock Company, et al, in Deed recorded November 4, 1955, in Book 24, Page 480, Deed Records, Eureka County, Nevada.

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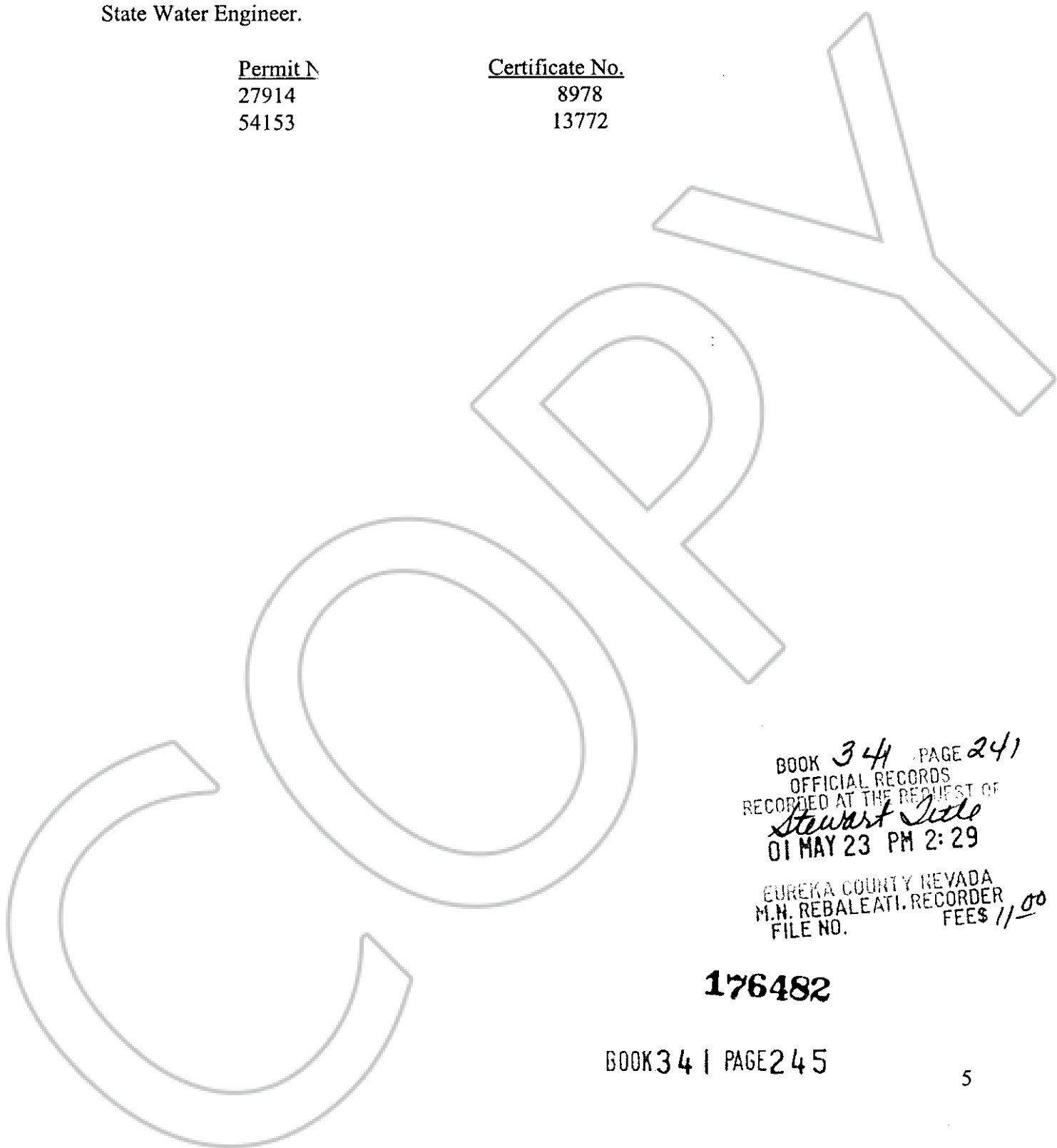
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**EXHIBIT "B"**

That portion appenant to the lands described herein of proof 00304 as set out in the Blue Book compilation of "Humboldt River adjudication - 1923-1938" pursuant to Decree entered in the Sixth Judicial Dis: Court of the state of Nevada in and for the County of Humboldt entitled "In the Matter of the Demination of the Relative Rights of Claimants and Appropriators of the Waters of the Humboldt River System and Tributaries."

The following wrs represented by those permits and certificates issued by the Nevada State Water Engineer.

<u>Permit N</u>	<u>Certificate No.</u>
27914	8978
54153	13772



BOOK 34 PAGE 241  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Stewart Jelle*  
01 MAY 23 PM 2:29  
EUREKA COUNTY NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 11.00

**176482**

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STATE OF NEVADA  
DECLARATION OF VALUE

- 1. Assessor Parcel Number(s):
  - a) 005-570-13 Portic of
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_

- 2. Type of Property:
 

a) _____ Vacant Land	b) _____ Single Family Res.
c) _____ Condo/Townhouse	d) _____ 2-4 Plex
e) _____ Apartment Bldg.	f) _____ Comm'l/Ind'l
g) <u>XX</u> Agricultural	h) _____ Mobile Home
i) Other: _____	

FOR RECORDERS OPTIONAL USE ONLY	
Document/Instrument No.:	<u>176482</u>
Book:	<u>341</u> Page: <u>241</u>
Date of Recording:	<u>5/23/01</u>
Notes:	_____

3. Total Value/Sales Price of Property: \$ 820,500.00

Deduct Assumed Liens and/or Encumbrances: \$( \_\_\_\_\_ )

Provide recording information: c/Instrument No.: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

Transfer Tax Value per NRS 3710, Section 2: \$ 820,500.00

Real Property Transfer Tax Due: \$ 1066.65

4. If Exemption Claimed:

a. Transfer Tax Exemption, per NRS 375.090, Section: \_\_\_\_\_

b. Explain Reason for Exemption: \_\_\_\_\_

5. Partial Interest: Percentage being transferred: \_\_\_\_\_ %

The undersigned Seller (Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claim exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest of 1/2% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

**SELLER (GRANTOR) INFORMATION**

**BUYER (GRANTEE) INFORMATION**

Seller Signature: [Signature]

Print Name: Dominek J. Pretti

Address: P.O. Box 667

City/State/Zip: Carlin, NV 89822

Telephone: \_\_\_\_\_

Capacity: \_\_\_\_\_

Buyer Signature: \_\_\_\_\_

Print Name: Harold V. Rother

Address: P.O. Box 489

City/State/Zip: Cheyenne Wells, CO 80810

Telephone: \_\_\_\_\_

Capacity: \_\_\_\_\_

**COMPANY REQUESTING RECORDING**

Company Name: STEWART TITLE OF NORTHEASTERN NEVADA Escrow No.: 01010028A

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

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 g) XX Agricultural                          h) \_\_\_\_\_ Mobile Home  
 i) Other: \_\_\_\_\_

FOR RECORDERS OPTIONAL USE ONLY	
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Notes:	_____

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 Deduct Assumed Liens and/or Encumbrances: \$( \_\_\_\_\_ )  
 Provide recording information: Instrument No.: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_  
 Transfer Tax Value per NRS 371.0, Section 2: \$ 820,500.00  
 Real Property Transfer Tax Due \$ 1066.65
4. If Exemption Claimed:  
 a. Transfer Tax Exemption, per NRS 375.090, Section: \_\_\_\_\_  
 b. Explain Reason for Exemption: \_\_\_\_\_  
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