

177125

After Recordation Return:

SIERRA PACIFIC POWER COMPANY

Land Operations – S4B2

P. O. Box 10100

Reno, NV 89520

A.P.N.

04-160-01; 04-240-06

04-250-11; 04-150-01

SPPCo. Project #: 18212E

**GRANT OF EASEMENT
FOR ELECTRIC TRANSMISSION AND COMMUNICATION**

THIS INDENTURE made and entered into this 18 day of September, 2001, by and between **ELKO LAND AND LIVESTOCK COMPANY**, a Nevada corporation, whose address is P.O. Box 669 Arlin, Nevada 89822-0669 (hereinafter referred to as "Grantor"), and **SIERRA PACIFIC POWER COMPANY**, a Nevada corporation, (hereinafter referred to as "Grantee"),

WITNESSETH:

GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to Grantee, its successors, assigns and agents, non-exclusive easements and rights of way to construct, alter, maintain, inspect, repair, reconstruct and operate one or more electric transmission and communication facilities, consisting of one or more circuits, together with the appropriate poles, towers, necessary guys and anchors, supporting structures, insulators and cross-arm underground foundations, markers, fixtures, and other necessary or convenient appurtenances connected therewith (hereinafter called "Utility Facilities"), across, over, upon, under, and through the following described property situate in the County of **Eureka**, State of **NEVADA**, to-wit:

**AS DESCRIBED ON EXHIBIT "A" AND DEPICTED ON EXHIBIT "B"
ATTACHED HERETO AND MADE A PART HEREOF.**

IT IS FURTHER AGREED:

1. Grantee shall have at all times ingress and egress to the above-described land for the purpose of constructing, erecting, maintaining, inspecting, repairing, reconstructing and operating said Utility Facilities.

2. Grantee shall be responsible for any damage to personal property or improvements, suffered by Grantor by reason of constructing, altering, maintaining, inspecting, repairing, reconstructing and operating said Utility Facilities by Grantee.

3. Grantee will at all times save and hold harmless Grantor with respect to any and all loss, damage or liability suffered or sustained by reason of any injury or damage to any person or property, caused by the constructing, altering, maintaining, inspecting, repairing, reconstructing and operating of said Utility Facilities by Grantee.

4. Grantor shall not erect or construct, nor permit to be erected or constructed any buildings, fences or structures, nor permit any activity which in the reasonable judgment of Grantee is inconsistent with Grantee's use of said easement.

5. Grantee shall have the right to remove or clear any and all buildings, fences, structures, combustible materials, trees, brush, debris, or any other obstruction from said easement, which in the reasonable judgment of Grantee may interfere with or endanger the constructing, altering, maintaining, inspecting, repairing, reconstructing and operating of said Utility Facilities.

6. Grantee, with reasonable written notice, shall relocate the facilities constructed pursuant to this easement to a suitable location upon the Grantor's property, provided Grantor furnishes the necessary Right-of-Way at no cost to the Grantee and Grantor shall bear all costs of relocation.

7. Grantee shall have the right to cut down or trim all trees within, adjacent to and outside said easement which may in the reasonable judgment of Grantee endanger the constructing, altering, maintaining, inspecting, repairing, reconstructing and operating of said Utility Facilities.

8. Grantee shall have and hold the rights granted herein for so long as it uses and maintains the Utility Facilities on the lands described above, and the rights herein granted shall terminate upon Grantee's discontinuance of such use and maintenance for a period of one (1) year and all such shall revert to Grantor, its successors or assigns.

9. Grantee shall coordinate its construction activities with Dan Galian, TS Ranch Manager, Elko Land and Livestock Company, P.O. Box 669, Carlin, Nevada 89822 (775-778-2855) and Bill Malone, Manager of Utilities, Newmont Mining Corporation, P.O. Box 669, Carlin, Nevada 89822 (778-4734).

THIS GRANT DEED and the terms contained herein shall be binding upon the successors, agents and assigns of Grantor and Grantee, and all rights herein granted may be assigned.

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

IN WITNESS WHEREOF, Grantor has caused these presents duly to be executed the day and year first above writ.

GRANTOR:

ELKO LAND AND LIVESTOCK COMPANY
a Nevada corporation

By: [Signature]

Print Name: Leland W Krugnerud

Title: President

ACCEPTED and agreed by Sierra Pacific Power Company, a Nevada corporation, on this
13th day of September, 2001.

By: [Signature]

Print Name: WILLIAM ROULLIER

Title: MANAGER, LAND OPERATIONS

Page 3 of 4

Elko L&L Doc #1
DGM

BOOK 344 PAGE 328

STATE OF NEVADA)
COUNTY OF ELKO)

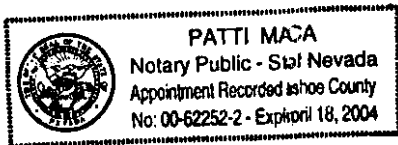
On SEPTEMBER 18, 2001, this instrument was acknowledged before me, a Notary Public, by LELAND KRUGERUD as PRESIDENT of ELKO LAND AND LIVESTOCK COMPANY, a Nevada corporation.



Andrea Rin Der Dussen
Notary Signature

STATE OF NEVADA
COUNTY OF WASHOE)

On September 12, 2001, this instrument was acknowledged before me, a Notary Public, by William Roullier as Manager of Land Operations of SIERRA PACIFIC POWER COMPANY, a Nevada corporation.



Patti Maca
Notary Signature

EXHIBIT "A"
PROPERTY DESCRIPTION

August 29, 2001
Project No. 804000

Legal Description
SIERRA PACIFIC POWER COMPANY

OWNER: ELKLAND & LIVESTOCK
APNs: 04-160-014-240-06, 04-250-11, 04-150-01

The following describes the centerline of a one hundred and sixty (160) foot wide parcel of land, situate within portions of Sections 18, 19, 30 and 31, T34N, R49E, MDM, and portions of Sections 6, 7, 18 and 19, T33N, R49E, MDM, County of Eureka, State of Nevada, lying eighty (80) feet on each side of the following described centerline:

BEGINNING a point on the southerly line of Parcel 2 as shown on that "Map of Division into Land Parcels for Elko Land and Livestock Company," recorded on August 15, 1994, as File No. 154663, Official Records of Eureka County, Nevada, from which a 5/8" rebar capped PLS 7007, marking the northeast corner of said Parcel 2, bears North 33°29'23" East, 92.39 feet distant;

Thence departing said southerly line of Parcel 2, South 01°01'44" East, 404.51 feet to a point hereinafter referred to as Point "A";

Thence South 58°52" West, 1,123.88 feet to a point hereinafter referred to as Point "B";

Thence South 00°38" West, 33,126.80 feet to a point hereinafter referred to as Point "C";

Thence South 40°51" West, 538.89 feet to the westerly line of Section 19, T33N, R49E, MDM and the Point of Terminus for this description, from which a 5/8" rebar capped PLS 527 marking the west one-quarter corner of said Section 19, bears South 00°32'02" West, 91 feet distant.

CONTINUED

BOOK 344 PAGE 330

EXHIBIT "A" CONTINUED

TOGETHER WITH the area up to 160.00 feet from the aforementioned Point "A", lying southeasterly of and adjacent to the above described 160.00 foot wide parcel.

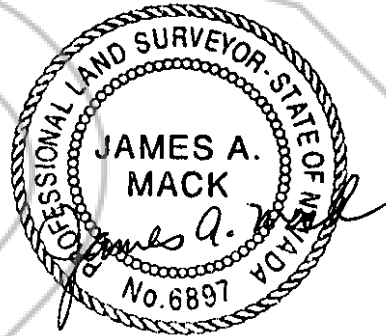
TOGETHER WITH the area up to 160.00 feet from the aforementioned Point "B", lying northwesterly of and adjacent to the above described 160.00 foot wide parcel.

TOGETHER WITH the area up to 160.00 feet from the aforementioned Point "C", lying southeasterly of and adjacent to the above described 160.00 foot wide parcel.

The sidelines of the above described easements shall be lengthened or shortened so as to terminate upon tendlines.

Containing an area of 130.95 acres of land, more or less.

Basis Of Bearing: NAD 1983 (94 Harn Adjustment), UTM Zone 11.



8-29-01

Stantec Consulting Inc.
6980 Sierra Center Parkway, Suite 100
Reno, NV 89511

\\Reno\serv07\Data-7\GIS\6300400400A\WPDOCS\LEGALS\ELKO-L&L.doc

BOOK 344 PAGE 331

SCALE: 1" = 5000'

04-150-01

PARCEL "2" E) LAND & LIVESTOCK
MAP No. 154663

FND. 5/8" REBAR
CAPPED PLS 7007

18

N33°29'23"E
1,592.39' (TIE)

SEE DETAIL A

SECTION LINE PER
MAP No. 154663

S01°01'44"E
404.51'

19

S58°35'52"W
1,123.88'

30

04-160-01
EO LAND & LIVESTOCK

CENTERLINE OF A 160' WIDE
PARCEL OF LAND

31

T34N, R49E, MDM

T33N, R49E, MDM

6

04-240-06
EO LAND & LIVESTOCK

7

S00°02'38"W

18

FND. POST
FOR SECTION COR.

SEE DETAIL B

19

04-250-11
EO LAND & LIVESTOCK

19

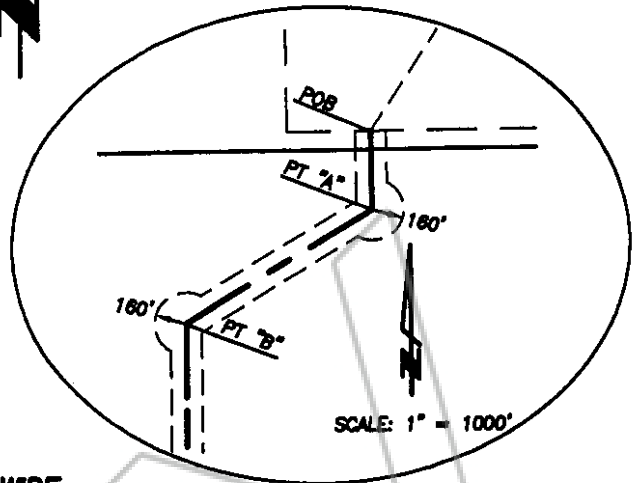
S40°41'17"W
538.89'

FND. 5/8" REBAR
CAPPED PLS 5271

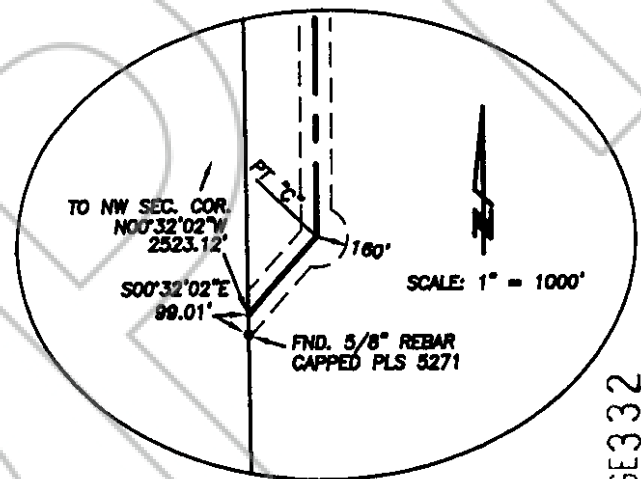
BASIS OF BEARINGS

NAD 1983 (94 HARN ADJUSTMENT)
UTM, ZONE 11

AREA = 130.95 ACRES±



DETAIL A



DETAIL B

REFERENCES:

1. "MAP OF DIVISION INTO LARGE PARCELS
FOR ELKO LAND AND LIVESTOCK COMPANY,"
RECORDED ON AUGUST 15, 1994, AS
FILE No. 154663, OFFICIAL RECORDS
OF EUREKA COUNTY, NEVADA

2. GRANT OF EASEMENT, RECORDED ON OCT. 14,
1999, IN BK. 330, PG. 72, OFFICIAL RECORDS
OF EUREKA COUNTY, NEVADA

EXHIBIT "B"



Stantec Consulting Inc.
930 Industrial Way
Sparks, Nevada 89431 USA
Tel: (775) 358-6931
Fax: (775) 358-6954
www.stantec.com

MAP OF EASEMENT PARCEL
SIERRA PACIFIC POWER COMPANY

POR. T34N, R49E. AND T33N, R49E, MDM
EUREKA COUNTY

NEVADA

PROJECT NO.
80400400
AUGUST 2001

T:\GIS\6300400-1\DWG\LEGALS\ELKO-L&L.DWG 8/29/01

BOOK 344 PAGE 332

BOOK 344 PAGE 326
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Serra Pacific
01 OCT 25 PM 1:20

EUREKA COUNTY NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 21⁰⁰

177125

COPY

BOOK 344 PAGE 333