

DOC # 0210071

06/25/2007

08:45 AM

Official Record

Recording requested By
ELKO LAND & LIVESTOCK CO

Eureka County - NV

Mike Rebaleati - Recorder

Fee

Page 1 of 6

RPTT:

Recorded By FES

Book- 0459 Page- 0150

APN (Assessor's Parcel Number):

04-220-11

(DUNPHY RANCH)

Return this application to:

Eureka County Assessor

20 South Main Street

P.O. Box 88

Eureka, Nevada 89316

Phone (775)237-5270



0210071

This space for Recorder's Use Only

Agricultural Use Assessment Application

Return this application to the County Assessor's Office at the address shown above no later than June 1st. If this application is approved, it will be recorded and become a public record.

IF MORE SPACE IS NEEDED, PLEASE ATTACH ADDITIONAL SHEETS AS NECESSARY TO THIS APPLICATION.

1.) Please type in the following information for each owner of record or his representative. Attach additional sheets if necessary:

Owner: ELKO LAND & LIVESTOCK COMPANY

Address: 555 5th Street

City/State/Zip: Elko, NV 89801

Representative: _____

Address: _____

City/State/Zip: _____

2.) Describe all the uses of the land for which you are requesting an agricultural designation, such as agricultural, residential, commercial, or industrial use (For instance, if you farm and live on this parcel, the use would be both agricultural and residential). In addition, please describe the agricultural operation. (For instance, raising crops, livestock, poultry, fur-bearing animals, bees, aquatic agriculture, hydroponic gardens.)

Agricultural - Livestock

3.) What is the size of the land devoted to agricultural use? 4375 acres See lands at Exhibit A attached

4.) Is this parcel contiguous to other lands controlled by the owner and designated as agricultural? Yes x No _____

5.) What is the date the property was originally placed in service by the owners listed above for agricultural purposes? August 16, 2006

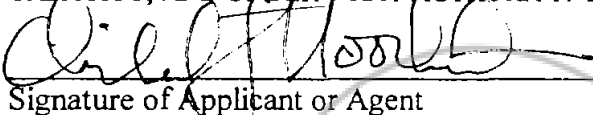
6.) Was this property previously assessed as agricultural? Yes If yes, when was it assessed as agricultural? for many years

7.) Was the gross income from agricultural use of the land during the preceding calendar year \$5,000 or more? Yes X No

8.) Please attach a statement of revenues and expenses related to the agricultural use of the land and include a copy of IRS Form F. Additional documentation may be requested by the county assessor.

The undersigned hereby certify the foregoing information submitted is true, accurate and complete to the best of (my) (our) knowledge. (I) (We) understand 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 of the conversion.

EACH OWNER OF RECORD OR HIS AUTHORIZED REPRESENTATIVE MUST SIGN BELOW. IF SIGNED BY A REPRESENTATIVE, THE REPRESENTATIVE MUST INDICATE FOR WHOM HE IS SIGNING, HIS CAPACITY, AND UNDER WHAT AUTHORITY. PLEASE TYPE THE NAME UNDER EACH SIGNATURE.


Signature of Applicant or Agent

Representative
Capacity (Owner, Representative, or Lessee)

Richard J. Moorhead Manager of Lands, U.S. June 21, 2007
Type or Print Name Authority (i.e. Power of Attorney) Date

555 Fifth Street, Elko, NV 89801 (775) 778-2550 778-2560
Address/City/State/Zip Phone Number FAX Number

FOR USE BY THE COUNTY ASSESSOR OR DEPARTMENT OF TAXATION		
<input checked="" type="checkbox"/> Application Received	<u>6/22/2007</u>	<u>D.B.</u>
	Date	Initial
<input type="checkbox"/> Property Inspected	_____	_____
	Date	Initial
<input type="checkbox"/> Income Records Inspected:	_____	_____
	Date	Initial
<input type="checkbox"/> Written Notice of Approval or Denial Sent to Applicant	_____	_____
	Date	Initial
<input type="checkbox"/> Application forwarded to Department of Taxation	_____	_____
	Date	Initial
<input type="checkbox"/> Department of Taxation returned application	_____	_____
	Date	Initial
Reasons for Approval or Denial and Other Pertinent Comments: _____ _____		
Signature of Official Processing Application	Title	Date

EXHIBIT A

All that certain real property situate in the County of Eureka, State of Nevada, more particularly described as follows:

TOWNSHIP 33 NORTH, RANGE 48 EAST, MDM

Section 13: All;

Section 23: All;

EXCEPTING FROM the SW1/4 of Section 23 and N1/2 of Section 26, TOWNSHIP 33 NORTH, RANGE 48 EAST, M.D.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.

Section 24: All;

Section 25: Parcel No. 1 on that certain Parcel Map for Newmont Gold Company, filed in the Office of the Eureka County Recorder, Eureka, Nevada, on August 20, 1992, as File Number 142001;

EXCEPTING FROM NE1/4NE1/4 of Section 26, and the NW1/4NW1/4 of Section 25, TOWNSHIP 33 NORTH, RANGE 48 EAST, M.D.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;

And a parcel of land being a portion of Parcel No. 2, as shown on a parcel map for Newmont Gold at File No. 142001, and as defined on that certain Boundary Line Adjustment Record of Survey at File No. 176386 and as conveyed to Newmont Mining Corporation by Quitclaim Deed at File No. 176385, at Book 340, Official Records, Page 532, all within the records of the Eureka County Recorder, more particularly described as follows:

Commencing at the southwest corner of said Section 25, as shown on said Newmont Gold Company Parcel Map, a point from which the southeast corner of said Section 25, bears N 88° 39' 04" E, 5313.58 feet, thence N 03° 27' 44" E, 4122.55 feet, to Corner No. 1, a point being the southeast corner of said Parcel No. 2, as shown on said Newmont Gold Company Parcel Map, a point also being on the northerly right of way of U.S. Highway 40, the True Point of Beginning;

BOOK 440 PAGE 276



0210071

Book 459 06/25/2007
Page 152 Page: 3 of 6

LWK

Thence N 20° 03' 56" W, 220.23 feet, to Corner No. 2, a point being on the northerly line of said Parcel No. 2;

Thence N 85° 55' 54" E, 67.50 feet along the said northerly line of Parcel No. 2, to Corner No. 3, a point being the northeast corner of said Parcel No. 2;

Thence S 02° 13' 38" E, 211.81 feet along the easterly line of said Parcel No. 2, to Corner No. 1, the Point of Beginning, containing 0.164 acres, more or less.

Section 26: All;

EXCEPT a portion lying and being in the NE1/4 of said Section 26, 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 NW1/4SW1/4SW1/4 of said Section 26, (said exception 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 SW1/4 of Section 23 and N1/2 of Section 26, TOWNSHIP 33 NORTH, RANGE 48 EAST, M.D.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 NE1/4NE1/4 of Section 26, and the NW1/4NW1/4 of Section 25, TOWNSHIP 33 NORTH, RANGE 48 EAST, M.D.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.

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 SE1/4SE1/4 of said section, (said exception 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.

BOOK 440 PAGE 277



0210071

Book 459 06/25/2007
Page 153 Page 4 of 6

lwk

Section 33: All that portion of the W1/2 situate, lying and being on the Southerly side of that parcel described in Quitclaim Deed between the State of Nevada, Department of Highways and T Lazy S Ranch, a general partnership, dated February 27, 1978, which is recorded in the official records of Eureka County, Nevada on March 13, 1978, in Book 63 at Page 50, and described as Parcel 28 in Grant, Bargain and Sale Deed from T Lazy S Ranch, a general partnership to Elko Land and Livestock Company, a Nevada corporation, dated August 20, 1982, which is recorded in the official records of Eureka County, Nevada on August 20, 1982, in Book 104 at Page 349, being all that certain real property situate, lying and being in the County of Eureka, State of Nevada, and further described as being portions of the N1/2 of the SW1/4, the N1/2 of the SE1/4 and the S1/2 of the NE1/4 of Section 32, and the NW1/4 of Section 33, all in T. 33 N., R. 48 E., M.D.B. & M., and more fully described by metes and bounds as follows, to wit:

BEGINNING at the intersection of the left or northerly right of way line of Interstate Route 80 and the southerly right of way line of the Southern Pacific Railroad, said point of intersection is further described as being 501.63 feet left of and at right angles to the westbound centerline of said IR-80, at Highway Engineer's Station "AW" 990 + 73.73 P.O.T., and further described as bearing N. 0° 15' 22" E., a distance of 1223.94 feet, from the southwest corner of Section 32, T. 33 N., R. 48 E., M.D.B. & M., thence N. 68° 09' 49" E., along the said railroad right of way, a distance of 7776.99 feet to a point; thence, continuing along said railroad right of way line, S. 58° 52' 34" W., a distance of 619.62 feet, to a point; thence, N. 68° 09' 49" E., a distance of 1066.08 feet, to an intersection with north-south quarter line of said Section 33; thence south, along said quarter line, a distance of 426.16 feet, to an intersection with the left right of way line of IR-80; thence, S. 69° 26' 24" W., a distance of 7240.59 feet, along said highway right of way line, to a point; thence continuing along said right of way line, west, a distance of 898.75 feet, to the point of beginning.

Section 35: E1/2;

Section 36: E1/2NE1/4; and that portion of the NW1/4NE1/4 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, conveyed to Tony Miller, et ux, by Deed recorded in Book 27, Page 24 of Deeds, said parcel contains an area of 4.33 acres, more or less.

There is specifically excepted from the foregoing, those portions of Section 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 Number 36887; Book 27, Page 27, File Number 38803; and in Book 27, Page 30, File Number 38804 of Deeds.

BOOK 440 PAGE 278



0210071

Book
Page

459
154

06/25/2007
Page 5 of 6

WJK

TOWNSHIP 33 NORTH, RANGE 49 EAST, M.D.M.

Section 31: Portions of Lots 1 and 2, E1/2NW1/4, SW1/4NE1/4, NE1/4SW1/4, N1/2SE1/4 and SE1/4SE1/4 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), as conveyed to Tony Miller, et ux, by Deed recorded in Book 27, Page 24 of Deeds, said above described parcel contains an area of 50.99 acres, more or less.

205729

BOOK 440 PAGE 279



0210071

Book 459 06/25/2007
Page 155 Page 6 of 6

LWK