

APN: 006-116-01
When recorded mail to:

Barrick Cortez Inc.
Attn: Jamie L. Jeter
136 E. South Temple, Suite 1800
Salt Lake City, UT 84111

The undersigned hereby affirms that this document submitted for recording does not contain the social security number of any person or persons pursuant to NRS 239B.030

1041391-21

DOC# 218586

09/13/2011

09:48AM

Official Record

Requested By
STEWART TITLE ELKO

Eureka County - NV

Mike Rebaleati - Recorder

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Fee: \$23.00

Recorded By FS

RPTT: \$0.00

Book- 0521 Page- 0116



0218586

WATER RIGHTS DEED

THIS WATER RIGHTS DEED is made this 12th day of September, 2011, by and between Kenneth R. Buckingham, Trustee of the Kenneth R. Buckingham Trust dated June 24, 2010 and Kenneth R. Buckingham, an unmarried man, individually, having the principle place of business at P.O. Box 10, Paradise Valley, Nevada 89426 (collectively "Seller") and BARRICK CORTEZ INC. a Delaware corporation having a place of business at 136 East South Temple Suite 1800, Salt Lake City, UT 84111 ("Purchaser").

WITNESSETH

THAT Seller for good and valuable consideration, the receipt and sufficiency of which is hereby confessed and acknowledged, hereby grants, bargains, sells and conveys unto Purchaser, its successors and assigns forever, all of their right, title and interest in those certain water rights pertaining to or appurtenant to the Tonkin Ranch, Willow Creek Ranch and JD Ranch all located in Eureka County Nevada and further described in the attached Exhibit A ("Water Rights").

TO HAVE AND TO HOLD the Water Rights, unto Purchaser, its successors and assigns forever. Seller, for itself, its heirs, successors and assigns, does hereby covenant, warrant and represent to Purchaser, its successors and assigns, that Seller owns an undivided 100% interest in the Water Rights and possesses good, absolute, and indefeasible title to the same, in fee simple, and has the full right, power, and lawful authority to grant, bargain, sell and convey the Water Rights by this Water Rights Deed, and that the Water Rights free and clear from all liens, claims, taxes, assessments and encumbrances of whatever kind or nature whatsoever and that Seller shall and will WARRANT AND FOREVER DEFEND that title and quiet and peaceable possession of the Water Rights to Purchaser, its successors and assigns, against every person or persons claiming or to claim any interest in the whole or any part thereof.

IN WITNESS WHEREOF, Seller has executed this Water Rights Deed as of the date first written above.

KENNETH R. BUCKINGHAM AS TRUSTEE OF THE
KENNETH R. BUCKINGHAM TRUST DATED JUNE 24, 2010

Kenneth R. Buckingham
Kenneth R. Buckingham, Trustee

Kenneth R. Buckingham
Kenneth R. Buckingham



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STATE OF Nevada)
COUNTY OF Elko) ss.

On September 12, 2011, before me, Pamela J. Aguirre, a duly commissioned Notary Public for said State, personally appeared Kenneth R. Buckingham, personally known to me to be the Trustee of The Kenneth R. Buckingham Trust dated June 24, 2010, and personally known to me to be the person who executed the within instrument and on said oath stated that he was authorized to do so on behalf of said trust.

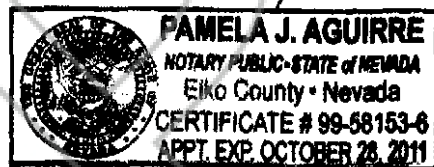
IN WITNESS WHEREOF, I have signed my name and affixed my official seal.

(Notarial Seal)

Pamela J. Aguirre
Notary Public in and for said State

Residing at: Elko, NV

My Commission Expires: 10/28/11



STATE OF Nevada)
COUNTY OF Elko) ss.

On September 12, 2011, before me, Pamela J. Aguirre, a duly commissioned Notary Public for said State, personally appeared Kenneth R. Buckingham, an unmarried man, personally known to me and personally known to me to be the person who executed the within instrument.

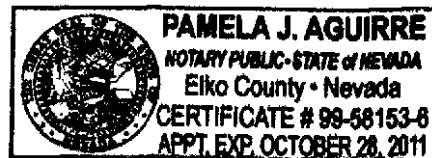
IN WITNESS WHEREOF, I have signed my name and affixed my official seal.

(Notarial Seal)

Pamela J. Aguirre
Notary Public in and for said State

Residing at: Elko, NV

My Commission Expires: 10/28/11



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Exhibit A

Water Rights

The Water Rights are more particularly described as follows:

**Application 2179: Owner of Record – Kenneth R. Buckingham
(Certificate 1172)**

The source of water is Big Springs, Dena Wash in the SW1/4 NE1/4 Section 28, T.25N., R.50E., MDB&M. The date of priority is August 18, 1911 and the amount of water is 0.124 cfs., 37.2 ac. ft. per season (April 15 to September 1) to be used on 12.4 acres within the NE1/4 of Section 28, T.25N., R.50E., for irrigation and domestic purposes.

**Application 3209: Owner of Record - Kenneth R. Buckingham
(Certificate 1120)**

The Source of Water is Indian Spring in the SE1/4 NE1/4 Section 16, T.24N., R.49 E., MDB&M. The date of priority is December 21, 1914 and the amount of water is 0.315 cfs., 94.50 ac. ft. per season (April 1 - August 1) to be used on 31.5 acres within Section 15, T.24N., R.49E., for irrigation and domestic purposes.

**Application 13966: Owner of Record - Kenneth R. Buckingham
(Certificate 5147) (See Application 78895 to change)**

The source of water is Underground (Irrigation Well No. 1) in Lot 7 (SW1/4 SW1/4) Section 6, T.25N., R.51E., MDB&M. The date of priority is January 3, 1952 and the amount of water is 3.0 cfs., not to exceed 1149.6 ac. ft. per season (April 1 - October 31) to be used on 287.40 acres within Section 6, T.25N., R.51E., and Section 31, T.26N., R.51E., for irrigation and domestic purposes.

This right is supplemental to Proof 01800.

**Application 33304: Owner of Record - Kenneth R. Buckingham
(Certificate 10249)**

The source of water is Tonkin Well Spring #2 in SW1/4 SW1/4 Section 1, T.23.5N., R.49E., MDB&M. The date of priority is August 23, 1977 and the amount of water is 0.10 cfs., but not to exceed 72.39 ac. ft. per annum to be used on 80.5 acres within Sections 23 and 26, T.24N., R.49E., for irrigation purposes.

Application 38642: Owner of Record - Kenneth R. Buckingham

The source of water is J.D. Ranch Spring in Lot 3 (NE1/4 NW1/4) Section 6, T.25N., R.51E., MDB&M. The date of priority is July 23, 1979 and the amount of water is 1.0 cfs., to be used for irrigation purposes on 320 acres within Section 1, T.25N., R.50E., Sec. 6, T.25N., R.51E., and Secs. 30 and 31 T.26N., R.51E.

Action on this application is pending.

Application 40290: Owner of Record - Kenneth R. Buckingham

The source of water is J.D. Ranch Springs No. 3 in SE1/4 SW1/4 Section 31, T.26N.,



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R.51E., MDB&M. The date of priority is January 11, 1980 and the amount of water is 1.0 cfs., to be used for irrigation purposes on 38.0 acres within Sections 30 and 31 T.26N., R.51 E.

Action on this application is pending.

Application 40292: Owner of Record - Kenneth R. Buckingham

The source of water is J.D. Ranch Spring No. 2 in NW1/4 SW1/4 Section 31, T.26N., R51E., MDB&M. The date of priority is January 11, 1980 and the amount of water is 1.0 cfs., to be used for irrigation on 38.0 acres in Sections 30 and 31, T.26N., R.51E.

Action on this application is pending.

Application 78894: Owner of Record - Kenneth R. Buckingham

The source of water is Underground in Lot 1 Section 30, T.26N., R51E., MDB&M. The date of priority is September 15, 2009 and the amount of water is 3.0 cfs., to be used for irrigation on 220 acres within Lots 1-4 Sec. 19, Lot 1 Sec. 30, T.26N., R50E., and E1/4 SE1/4 Sec. 24, T.26N., R.50E.

Action on this application is pending.

Application 78895: Owner of Record - Kenneth R. Buckingham

(This is to change Application 13966) (A portion)

The source of water is Underground. It is proposed to change the point of diversion and place of use of 2.0 cfs., under Permit 13966 (Cert 5147). A well would be drilled in SE1/4 SW1/4 Section 31, T.26N., R.51E., and application indicates the place of use is "slightly modified." The priority is January 3, 1952.

If approved, this application would not increase the appropriation under Application 13966.

Action on this application is pending.

01202: Owner of Record - Kenneth R. Buckingham

This proof of appropriation is a claim of vested right for waters of Denay and Tonkin Creeks at NW1/4 SE1/4 Sec. 26, T.24N., R.49E., MDB&M. The date of priority is 1895. The amount of appropriation is not indicated. Maximum acreage irrigated is 157 acres in Secs. 23 and 26, T.24N., R.49E.

This claim has not been adjudicated.

01203: Owner of Record - Kenneth R. Buckingham

This proof of appropriation is a claim of vested right for waters of Indian Springs Creek on unsurveyed land. The date of priority is 1890. The amount of appropriation is not indicated; the maximum acreage irrigated is 38.8 acres.

This claim has not been adjudicated.

The following are included in the Decree which determined the rights to waters of Pete Hanson Creek and its Tributaries:

01201: Owner of Record - Kenneth R. Buckingham

The source of water is Willow Creek, Birch Creek and Kelley Creek, Tributaries of Pete Hanson Creek. Four points of diversion are located within Sections 22, 23, 27, 28, T.24N., R.50E., MDB&M. The date of priority is 1884 and the amount of water is 3.748 cfs., 449.70 ac. ft. per season (March 14 - November 1) to be used on 149.90 acres of Harvest in Section 24, T.24N., R.50E. There are no other rights on the place of use.

01800: Owners of Record - Kenneth R. Buckingham and Slagowski Ranches, Inc.

The Buckingham portion is as follows: The source of water is Pete Hanson Creek and Tributaries. Four points of diversion are within Section 7, T.25N., R.51E., and Secs. 19, 30, 31, T.26N., R.51E. The date of priority is 1876 and the amount of water is 10.669 cfs., 1061.94 ac. ft. per season (March 14 - November 1) to be used on 281.18 acres of Harvest and 145.60 acres of Meadow Pasture in Sec. 6, T.25N., R.51E., Sec. 1, T.25N., R.50E.; Sec. 19, 30 and 31, T.26N., R.51E.; Sec. 24 and Sec. 25, T.26N., R.50E.

01801: Owner of Record - Kenneth R. Buckingham

The source of water is Pete Hanson Creek and Tributaries. Two points of diversion are located within NW1/4 NE1/4 Section 2, T.24N., R.50E., and SE1/4 NE1/4 Section 25, T.25 N., R.50E., MDB&M. The date of priority is 1876 and the amount of water is 3.060 cfs, 183.60 ac. ft. per season (March 14 - November 1) to be used on 122.40 acres of Meadow Pasture within Sec. 2, T.24N., R.50E., and Sec. 25, Sec. 35 and 36, T.25N., R.50E., and Sec. 30, T.25N., R.51E.



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App	Change App.	Cert	File Date	Status	POD	QQ	POD	Qtr	POD	Sec	Twn	POD	Rng	Div Rate (CFS)	Type of Use	Sup	Annual Duty	County
13966		5147	1/3/1952	CER	SW	SW	6	25N	51E	3	IRR						1149.6	EU
13966	CHANGED BY:	78895		RFA														
15473		4560	1/22/1954	CER	SE	SE	22	26N	51E	0.007	STK						2.946144	EU
2179		1172	8/18/1911	CER	SW	NE	28	25N	50E	0.124	IRR						37.2	EU
3209		1120	12/21/1914	CER	SE	NE	16	24N	49E	0.315	IRR						94.5	EU
33295		10240	8/23/1977	CER	NW	SW	24	25N	50E	0.006	STK						4.480594	EU
33296		10241	8/23/1977	CER	NE	NW	6	25N	51E	0.019	STK						13.441782	EU
33297		10242	8/23/1977	CER	NE	NE	36	25N	50E	0.013	STK						8.961188	EU
33298		10243	8/23/1977	CER	SE	SW	35	25N	50E	0.013	STK						8.961188	EU
33299		10244	8/23/1977	CER	SE	NE	22	24N	50E	0.047	STK						33.604455	EU
33300		10245	8/23/1977	CER	NW	NE	28	25N	50E	0.006	STK						4.480594	EU
33301		10246	8/23/1977	CER	SE	NW	28	25N	50E	0.006	STK						4.480594	EU
33302		10247	8/23/1977	CER	NW	NW	9	24N	49E	0.006	STK						4.480594	EU
33303		10248	8/23/1977	CER	SW	NE	26	24N	49E	0.025	STK						17.922376	EU
33304		10249	8/23/1977	CER	SW	SW	1	23NH	49E	0.1	IRR						72.39	EU
38638		17826	7/23/1979	CER	NW	NW	31	25N	51E	0.0045	STK						3.278	EU
38640			7/23/1979	DEN	NW	NW	9	24N	49E	1	IRD						723.97	EU
38641			7/23/1979	DEN	SW	NE	16	24N	49E	0.2	IRD						126	EU
38642			7/23/1979	WDR	NE	NW	6	25N	51E	1	IRR						723.97	EU
38644			7/23/1979	DEN	NW	SW	17	23N	50E	0.1	STK						11.201485	EU
40290			1/11/1980	WDR	SE	SW	31	26N	51E	1	IRR						152	EU
40291			1/11/1980	WDR	SE	SW	31	26N	51E	0.1	STK						44.80594	EU



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40292	1/11/1980	WDR	NW	SW	31	26N	51E	1	IRR	152	EU
40293	1/11/1980	WDR	NW	SW	31	26N	51E	0.1	STK	44.80594	EU
40294	1/11/1980	WDR	NW	NW	20	23N	50E	0.1	STK	11.201485	EU
40295	1/11/1980	WDR	NE	NE	19	23N	50E	0.1	STK	11.201485	EU
40296	1/11/1980	CER	NW	NE	2	23N	49E	0.0045	STK	3.258	EU
40297	1/11/1980	CER	NE	NE	2	23N	49E	0.0022	STK	1.593	EU
40298	1/11/1980	CER	SW	SW	21	24N	49E	0.033	STK	8.961	EU
40299	1/11/1980	CER	SE	SW	21	24N	49E	0.0022	STK	1.593	EU
40300	1/11/1980	WDR	NE	NW	28	24N	49E	0.1	STK	22.40297	EU
43027	12/31/1980	CER	NW	SE	32	25N	51E	0.016	STK	11.201485	EU
43959	6/29/1981	CER	NW	SE	3	23NH	49E	0.031	STK	22.40297	EU
43960	6/29/1981	CER	SW	SW	32	24N	51E	0.031	STK	22.40297	EU
43961	6/29/1981	CER	SW	NE	36	24N	50E	0.031	STK	22.40297	EU
43962	6/29/1981	CER	NE	SW	6	23N	51E	0.031	STK	22.40297	EU
43963	6/29/1981	CER	LT16	6	23N	51E	0.031	STK	22.40297	EU	
43964	6/29/1981	CER	SE	SW	6	23N	51E	0.031	STK	22.40297	EU
43965	6/29/1981	CER	LT22	6	23N	51E	0.031	STK	22.40297	EU	
43966	6/29/1981	CER	SW	NE	28	24N	49E	0.031	STK	22.40297	EU
45118	12/10/1981	CER	SE	SW	28	24N	49E	0.047	STK	33.604455	EU
45119	12/10/1981	CER	NW	NW	3	23NH	49E	0.031	STK	22.40297	EU
45122	12/10/1981	CER	NW	SW	4	24N	49E	0.00625	STK	4.511283	EU
45123	12/10/1981	CER	NE	SW	9	24N	49E	0.00625	STK	4.511283	EU
45124	12/10/1981	CER	NE	SW	5	24N	49E	0.031	STK	22.40297	EU



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45125	13712	12/10/1981	CER	SW	NE	8	24N	49E	0.031	STK	22.40297	EU
45126	13713	12/10/1981	CER	SE	NW	8	24N	49E	0.031	STK	22.40297	EU
45127	13714	12/10/1981	CER	SW	SW	8	24N	49E	0.031	STK	22.40297	EU
45128	13715	12/10/1981	CER	NW	SE	11	25N	49E	0.031	STK	22.40297	EU
4530	1121	7/26/1917	CER	NW	SW	26	25N	49E	0.008	STK		EU
4531	1122	7/30/1917	CER	NE	NW	26	25N	49E	0.008	STK	0	EU
46565		1/24/1983	PER	SW	NE	12	23N	49E	0.1	STK	0	EU
46566	13716	1/24/1983	CER	NE	SW	24	25N	50E	0.031	STK	22.40297	EU
46801	11812	4/11/1983	CER	SW	NE	33	26N	49E	0.031	STK	22.40297	EU
49858	12638	5/1/1986	CER	NE	NW	34	26N	50E	0.00899999	STK	6.506068	EU
75154		12/4/2006	DEN	NE	NE	7	25N	49E	0.03	STK	0	EU
78894		9/15/2009	PER		LT1	30	26N	51E	3	IRR	660	EU
78895	13966	9/15/2009	RFA		LT07	6	25N	51E	3	IRR	1149.6	EU
80196		10/12/2010	RFA	SE	SW	31	26N	51E	3	IRR	0	EU
V01199		1/18/1913	VST	SW	NE	36	24N	50E	0.012	STK	0	EU
V01200		1/18/1913	DEC	SE	SW	25	24N	50E	0.00899999	STK	0	EU
V01201		1/18/1913	DEC	SE	NW	28	24N	50E	3.748	IRR	449.7	EU
V01202		1/18/1913	VST	NW	SE	26	24N	49E	0.5	IRR		EU
V01203		1/18/1913	VST	NE	NE	18	24N	49E	0	IRR		EU
V01204		1/18/1913	VST	NE	NW	31	24N	50E	0.01	STK	0	EU
V01800		7/10/1922	VST	NW	NW	7	25N	51E	25.197	IRR	2348.64	EU
V01801		7/10/1922	DEC	NE	NW	2	24N	50E	3.06	IRR	183.6	EU



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V04013	1/24/1983	VST	NW	SW	26	25N	49E	0	STK	0	EU
V04014	1/24/1983	VST	NE	NW	26	25N	49E	0	STK	0	EU
47173	11997	8/22/1983	CER	NW	SE	31	24N	49E	0.016	STK	11.569753 EU
38639	18021	7/23/1979	CER	NW	NW	3	23N	49E	0.005	STK	3.62 EU
45120	16392	12/10/1981	CER	NW	NE	4	23NH	49E	0.0125	STK	9.05 EU
45121	16393	12/10/1981	CER	SE	NE	5	23N	49E	0.00625	STK	4.52 EU



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Official Record

Requested By
STEWART TITLE ELKOEureka County - NV
Mike Rebaleati - Recorder

Page: 1 of 1

Fee: \$23.00

Recorded By FS

PRTT: \$0.00

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s)

- a) Various APN#'s
b) Master APN# 008-110-01
c)
d)

FOR RECORDER'S OPTIONAL USE ONLY

Document/Instrument No.

Book Page

Date of Recording:

Notes:

2. Type of Property

- a) ☐ Vacant Land b) ☐ Single Family Residence
c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
e) ☐ Apartment Bldg. f) ☐ Commercial/Industrial
g) ☐ Agricultural h) ☐ Mobile Home
i) ☒ Other Water Rights

3. a. Total Value/Sales Price of Property

\$0.00

b. Deed in Lieu of Foreclosure Only (Value of Property)

()

c. Transfer Tax Value

\$0.00

d. REAL PROPERTY TRANSFER TAX DUE:

\$0.00

4. If Exemption Claimed:

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

ALL RPTT'S PAID ON SIMULTANEOUSLY
RECORDED REAL PROPERTY DEED RECORDED
AS DOCUMENT NO. 218584

b. Explain Reason for Exemption:

5. Partial Interest: Percentage being transferred:

100%

The undersigned 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 the disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature:

Kenneth R. Buckingham, Trustee of The
Kenneth R. Buckingham Trust

Capacity:

Grantor

Signature:

Barrick Cortez Inc.

Capacity:

Grantee

SELLER (GRANTOR) INFORMATION

Print Name: Kenneth R. Buckingham,
Trustee
Address: P.O. Box 10
City/State/Zip: Paradise Valley, NV 89426

BUYER (GRANTEE) INFORMATION

Print Name: Barrick Cortez Inc.
Address: 136 E. South Temple, Suite 1800
City/State/Zip: Salt Lake City, UT 84111

COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)

Company Name: Stewart Title of Nevada
Northeastern Division
Address: 810 Idaho Street
City: Elko

Escrow No 1041391-21

State: NV Zip 89801

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