005-570-15

When recorded mail to:

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

Mail tax statement to:

Barrick Cortez Inc.
Attn: Regional Land Department
136 E. South Temple, Suite 1800
Salt Lake City, UT 84111

Document prepared by: John O'Brien Snell & Wilmer L.L.P. 1200 Seventeenth St., Suite 1900 Denver, CO 80202-5854 DOC# 218749 10/06/2011 10:39AM

Official Record

Requested By STEWART TITLE ELKO

Eureka County - NV Mike Rebaleati - Recorder

Page: 1 of 4 Fee: \$42.00 Recorded By FS RPTT: \$0.00 Book- 0524 Page- 0049



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

1042544-21

# WATER GRANT, BARGAIN AND SALE DEED (Shirley Rother Bomhoff to Barrick Cortez Inc.)

THIS WATER GRANT, BARGAIN AND SALE DEED is made this 4th day of October, 2011, by and between SHIRLEY ROTHER BOMHOFF, formerly known as Shirley A. Rother and who acquired title as Shirley A. Rother, a married woman dealing with her sole and separate property, whose address is 503 Brandley Circle, P.O. Box 472, Okarche, Oklahoma 73762 (the "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 and sells unto Purchaser, its successors and assigns forever, all of their right, title and interest in the water rights described in Exhibit A attached hereto and incorporated herein by this reference (the "Property").

## THIS IS A DEED FOR WATER RIGHTS ONLY

TO HAVE AND TO HOLD the Property, unto Purchaser, its successors and assigns forever, subject to: (i) taxes for the current fiscal year, not due or delinquent, and any and all taxes and assessments levied or assessed after the recording date hereof, which includes the lien of supplemental taxes, if any; (ii) restrictions, conditions, reservations, rights of way, easements

and any other encumbrances affecting the Property as the same may now appear of record; and (iii) any loss of water rights or priority from Seller's non-use, if any.

Seller makes no warranty as to any diversion rates and duties and as to the yield in actual water that may be approved by the State of Nevada or any court for diversion or use pursuant to any transfer of place or period of use, point of diversion, or nature of use of any of the Property, or as to the effect on the Property of any priority administration or similar action by any court or agency.

IN WITNESS WHEREOF, Seller has executed this Water Grant, Bargain and Sale Deed as of the date first written above.

Shirley Kother Bomhoff f/k/a Shirley A. Rother

Shirley Rother Bomhoff Acknowledgement

STATE OF OKLAHOMA

COUNTY OF Canadean

On Statement, 2011, before me, Louis Shirley Rother Bomhoff, f/k/a Shirley A. Rother, 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.

) ss.

NotaState of Oklehome
DARLA BUCK
Commission #08003451

Notary Public in and for said State

Residing at: 323-11 Tor onto Kingfishin

My Commission Expires: March 25, 2013

Book: 524 10/06/2011 Page: 50 2 of 4

# EXHIBIT A SEE ATTACHED NEXT PAGE

13788871.5

Owner of Record	SHIRLEY A. Rother				
	SHIR	SHIRLEY ROTHER	SHIR	SHIR	SHIR
County	显	3	品	긆	EU
Units	AFA	AFA	AFA	AFA	AFA
Annual Duty	2.025474	1099.29	18.597534	974	11.201485
Sup					
Type of Use	MOQ	IRR	STK	RR	STK
Div Rate (CFS)	0.003	3.3	0.023	2.684	0.015
POD Rng	52E	52E	52E	52E	52E
POD	29N	29N	29N	29N	29N
POD Sec	53	16	2	17	4
PO Po	S	SW	Š	N	SW
POD QQ	N N	¥	SW	N N	Ä
Sourc	SPR	ng	SPR	ne	OG
Statu	CER	CER	CER	CER	CER
File Date	5/10/1943	5/24/1960	8970 11/20/1973	2/7/1978	11/9/1989
Cert	3418	6770	8970	12563	13772
Change App.				/	
Арр	10954	18868	27914	34944	54153
Basin	53	53	53	53	53

13788871.5

## $\begin{array}{c} \textbf{DOC\#DV-} 218749 \\ {}^{10/06/2011} \end{array}$

# Official Record Requested By STEWART TITLE ELKO

# Eureka County - NV Mike Rebaleati - Recorder

STATE OF NEVADA	Recorded By FS PRTT: \$0.00
DECLARATION OF VALUE	110001 1111 19
Assessor Parcel Number(s)	FOR RECORDER'S OPTIONAL USE ONLY
a) <u>005-570-16</u>	Document/Instrument No.
ь)	Book Page
o)	Date of Recording:
d)	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) X Other Water Rights ONL	
3. a. Total Value/Sales Price of Proper	
<ul> <li>b. Deed in Lieu of Foreclosure Only Property)</li> </ul>	(Aside of
c. Transfer Tex Value	\$0,00
d, REAL PROPERTY TRANSFER	The state of the s
4. If Exemption Claimed:	\ <del></del>
a. Transfer Tax Exemption, per N	RS 375.090, Section:
	All RPTT's paid on real property Deed
b. Explain Reason for Exemption	simultaneously recorded as document
Partial Interest: Percentage being tra	
or i citati imorosa i mostimgo politig sa	10070
	dges, under penalty of perjury, pursuant to NRS 375.060 and
IRS 375.110 that the information provide	d is correct to the best of their information and belief, and can ad upon to substantials the information provided herein.
	ad aport to substantiate the information provided herein. Isallowance of any claimed exemption or other determination
f additional tax due, may result in a penal	Ity of 10% of the tax due plus interest at 1% per month.
ursuant to NRS 375.03 C TO ENGINE	ACHED shall be jointly and severally liable for any
Signature: EOD CICN Shirley Rother Bolling	ATURES Capacity:
Shiney Rother Bomno	Grantor
Signature:	Capacity: UP Gru Grund 11
Bafrick Cortez Inc.	Grantee Capacity: UP Grantee
SELLER (GRANTOR) INFORMATIO	ON BUYER (GRANTEE) INFORMATION
Print Name: Shirley Rother Bornoff	Print Name: Barrick Cortez inc.
Address: P.O. Box 472	Address: 136 E. South Temple, Suite 1800
City/State/Zip Okarche, OK 73762	City/State/Zip Salt Lake City, UT 84111
COMPANY/PERSON REQUESTING	RECORDING (required if not the Seller or Buyer)
COMPANY/PERSON REQUESTING	RECORDING (required if not the Seller or Buyer) of Nevada -
COMPANY/PERSON REQUESTING Stewart Title	RECORDING (required if not the Seller or Buyer) of Nevada
COMPANY/PERSON REQUESTING Stewart Title Northesstern Division	RECORDING (required if not the Seller or Buyer) of Nevada



DV-218749 10/06/2011

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1. Assess	or Parcel Number(s	)	FOR RECORDER'S OPTIONAL USE ONLY
a) (X	05-570-15		Document/Instrument No.
b)			Book 12age
c)			Date of Recording:
d)	*		Notes:
2. Type of	Property		
a)	Vacent Land	b)	Single Family Residence
	Condo/Twnhse	d)	2-4 Plex
a) —	Apartment Bldg.	n	Commercial/industrial
·	4 ' ·	h)  -	Mobile Home
g)	Agricultural		
) <u>x</u>	Other Water Ri	ghts ONLY	The state of the s
	al Value/Sales Price		
	ed in Lieu of Foreck	sure Only	(Value of
· Prope	any) ansfer Tax Value		\$0.00
	AL PROPERTY TR	ANSEED T	The state of the s
	notion Claimed:	MINOR LUNCI	- VO.00
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E4.	HERMINI THE STATES	non, por	All RPTT's paid on real properly Dead
<b>L</b>	and the same of th		
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