

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

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

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



0218749

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 Rother Bomhoff f/k/a Shirley A. Rother

Shirley Rother Bomhoff Acknowledgement

STATE OF OKLAHOMA)
COUNTY OF Canadian) ss.

On September 29, 2011, before me, Darla Buck, a duly commissioned Notary Public for said State, personally appeared 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.

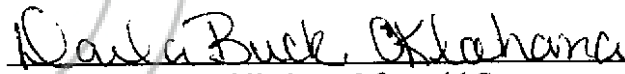

Notary Public in and for said State
Residing at: 323 W Toronto, Kingfisher
My Commission Expires: March 25, 2012



EXHIBIT A

SEE ATTACHED NEXT PAGE

COPY



Basin	App	Change App.	Cert	File Date	Status	Source	POD QQ	POD Qtr	POD Sec	POD Twn	POD Rng	Div Rate (CFS)	Type of Use	Sup	Annual Duty	Units	County	Owner of Record
53	10954		3418	5/10/1943	CER	SPR	NE	SE	21	29N	52E	0.003	DOM		2.025474	AFA	EU	SHIRLEY A. ROTHER
53	18868		6770	5/24/1960	CER	UG	NW	SW	16	29N	52E	3.3	IRR		1099.29	AFA	EU	SHIRLEY A. ROTHER
53	27914		8970	11/20/1973	CER	SPR	SW	NW	2	29N	52E	0.023	STK		18.597534	AFA	EU	SHIRLEY A. ROTHER
53	34944		12563	2/7/1978	CER	UG	NE	NE	17	29N	52E	2.684	IRR		974	AFA	EU	SHIRLEY A. ROTHER
53	54153		13772	11/9/1989	CER	UG	NE	SW	4	29N	52E	0.015	STK		11.201485	AFA	EU	SHIRLEY A. ROTHER



218749

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13788871.5

DOC# DV-218749

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STEWART TITLE ELKO

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Page: 1 of 1

Fee: \$42.00

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STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s)

- a) 005-570-16
 b) _____
 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 ONLY

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 real property Deed
simultaneously recorded as document

b. Explain Reason for Exemption:

#

218747

5. Partial Interest: Percentage being transferred: 100%

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.080 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 375.031, the parties shall be jointly and severally liable for any additional amount owed.

Signature: _____

Shirley Rother Bomhoff

Capacity: _____

Grantor

Signature: _____

Barrick Cortez Inc.

Capacity: _____

VP's Gen Counsel, NA
Grantee

SELLER (GRANTOR) INFORMATION

Print Name: Shirley Rother BomhoffAddress: P.O. Box 472City/State/Zip Okarche, OK 73762

BUYER (GRANTEE) INFORMATION

Print Name: Barrick Cortez Inc.Address: 136 E. South Temple, Suite 1800City/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 DivisionEscrow No 1042544-21Address: 810 Idaho StreetCity ElkoState: NVZip 89801

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


 DV-218749
 10/06/2011
 1 of 1

**STATE OF NEVADA
 DECLARATION OF VALUE**
1. Assessor Parcel Number(s)

- a) 006-670-15
 b) _____
 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/Townhouse d) ☐ 2-4 Plex
 e) ☐ Apartment Bldg. f) ☐ Commercial/Industrial
 g) ☐ Agricultural h) ☐ Mobile Home
 i) ☒ Other Water Rights ONLY

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 376.090, Section: _____

All RPTT's paid on real property Deed
 simultaneously recorded as document

- b. Explain Reason for Exemption: # 218747

5. Partial Interest: Percentage being transferred: 100%

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 376.060 and NRS 376.110 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 376.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature:

Shirley Rother Bomhoff
 Shirley Rother Bomhoff

Capacity:

Grantor

Signature:

Barrick Cortez Inc.
 Barrick Cortez Inc.

Capacity:

Grantee

SELLER (GRANTOR) INFORMATION

Print Name: Shirley Rother Bomhoff
 Address: P.O. Box 472
 City/State/Zip: Okarche, OK 73762

BUYER (GRANTEE) INFORMATION

Print Name: Barrick Cortez Inc.
 Address: 136 E. South Temple, Suite 1800
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COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)

Company Name: Stewart Title of Nevada - Northeastern Division Escrow No 1042544-21
 Address: 810 Idaho Street
 City Elko State: NV Zip 89801

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

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