

DOC # 0224836

09/05/2013

12:59 PM

Official Record

Recording requested By
JOHN E. MARVEL

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$19.00

Page 1 of 6

RPTT:

Recorded By: FES

Book- 554 Page- 0362



0224836

When recorded, return to:

John E. Marvel
P.O. Box 2645
Elko, Nevada 89801

Mail tax statements to:

John E. Marvel
P.O. Box 2645
Elko, Nevada 89803

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE is made and entered into this 1 day of August, 2013, by and between **DUNPHY RANCH**, a Nevada general partnership, by and through its sole remaining partner, **JOHN E. MARVEL**, Trustee of **THE JOHN E. MARVEL FAMILY TRUST**, and **JOHN E. MARVEL** and **WARNER WHIPPLE**, Co-Trustees of **THE JOHN W. MARVEL FAMILY TRUST**, established December 1, 1989 by that Trust Agreement of said date, on behalf of said Trust and as partners of, or to the extent of any interest in, Dunphy Ranch, a Nevada general partnership, collectively, First Party, "Grantor"; and **SHARON M. ANDREASEN**, a married woman, as her sole and separate property, **JOHN E. MARVEL**, Trustee of **THE JOHN E. MARVEL FAMILY TRUST**, and **MICHELLE M. SLAGLE**, a married woman, as her sole and separate property, collectively, Second Party, and, **JOHN E. MARVEL**, Trustee of **THE JOHN E. MARVEL FAMILY TRUST**, Third Party. Said Second Party and Third Party being "Grantees" herein.

This Deed is further being made to clarify and correct, to the extent inconsistent herewith, that Mineral Deed recorded in the Office of the Recorder of Eureka County, Nevada on the 24th day of January, 2013, in Book 547, Page 36, as Document No. 0223738; and, that Mineral Deed recorded in the Office of the Recorder of Humboldt County, Nevada on the 31st day of January, 2013, as Document No. 2013571.

WITNESSETH:

That the said Grantor, for good and valuable consideration given by the Grantees, the receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell, assign and convey unto the said Second Party, each of them as tenants in common in equal shares, and their respective heirs, executors, administrators, successors, and assigns, forever, an undivided EIGHTY-THREE PERCENT (83%) interest, and to said Third Party, and his successors and assigns, forever, the remaining SEVENTEEN PERCENT (17%) interest (Second Party and Third Party being tenants in common as Grantees herein), of Grantor's right, title, interest and estate, in and to those certain lots, pieces, or parcels of land situate, lying, and being in the Counties of Eureka and Humboldt, State of Nevada, and more particularly described on Exhibit "A" attached hereto, made a part hereof and incorporated herein by this reference:

TOGETHER WITH all of Grantor's right, title and interest in and to all oil, gas, mineral, petroleum, and geothermal resources, and all other minerals and mineral rights of whatever nature existing as a part of, upon, beneath the surface of or within said lands, including any mineral leases thereon, and all rentals, royalties and/or other consideration payable to Grantor therefor.

TOGETHER WITH the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantees, as tenants in common as aforesaid, and to their respective heirs, executors, administrators, successors, and assigns, forever.

IN WITNESS WHEREOF, the said Grantor has executed this Deed as of the day and year first hereinabove written.

GRANTOR:

DUNPHY RANCH,
a Nevada general partnership

THE JOHN E. MARVEL FAMILY TRUST

By: *John E. Marvel*
JOHN E. MARVEL, Trustee
Sole Remaining Partner

THE JOHN W. MARVEL FAMILY TRUST

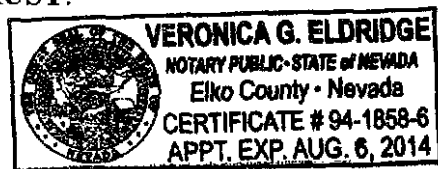
By: *John E. Marvel*
JOHN E. MARVEL,
Successor Co-Trustee

By: *Warner Whipple*
WARNER WHIPPLE,
Successor Co-Trustee

STATE OF NEVADA)
)SS.
COUNTY OF ELKO)

On Aug 2, 2013, personally appeared before me, a Notary Public, **JOHN E. MARVEL**, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed said instrument for and on behalf of **THE JOHN E. MARVEL FAMILY TRUST**, as the sole remaining partner of said partnership, and for and on behalf of **THE JOHN W. MARVEL FAMILY TRUST**.

Veronica G. Eldridge
NOTARY PUBLIC



STATE OF NEVADA)
)SS.
COUNTY OF ELKO)

On August 5th, 2013, personally appeared before me, a Notary Public, **WARNER WHIPPLE**, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed said instrument for and on behalf of said Trust.

Sally Kaiser
NOTARY PUBLIC



COPY

EXHIBIT "A"

All that certain property situate, lying, and being in the Counties of Eureka and Humboldt, State of Nevada, more particularly described as follows:

PARCEL 1

TOWNSHIP 33 NORTH, RANGE 48 EAST, MDB&M

- Section 13: All
- Section 14: All
- Section 23: All
- Section 24: All
- Section 25: All
- Section 26: All, except a portion lying and being in the NE $\frac{1}{4}$ of said Section 26, containing 3.424 acres, more or less, 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.

FURTHER EXCEPTING FROM the SW $\frac{1}{4}$ of Section 23 and N $\frac{1}{2}$ of Section 26, Township 33 North, Range 48 East, MDB&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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 33 North, Range 48 East, MDB&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.
- Section 33: All that portion of the W $\frac{1}{2}$ situate, lying and being on the Southerly side of the Southern Pacific Railroad Company's right of way, as the same now crosses said Section 33.
- Section 35: E $\frac{1}{2}$

Section 36: E½NE¼ and that portion of the NW¼NE¼ 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, and Southerly of the 180 foot right or Southerly highway right of way line of Nevada State Route 1 (U.S. 40), containing approximately 4.33 acres, conveyed to Tony Miller, et ux, by Deed recorded in Book 27, Page 24 of Deeds.

There is specifically excepted from the foregoing, those portions of Sections 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 No. 36887; Book 27, Page 27, File No. 38803; and in Book 27, Page 30, File No. 38804 of Deeds.

TOWNSHIP 33 NORTH, RANGE 49 EAST, MDB&M

Section 31: Portions of Lots 1 and 2; E½NW¼; SW¼NE¼; NE¼SW¼; N½SE¼ and SE¼SE¼ 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), said above described parcel contains an area of approximately 50.99 acres, as conveyed to Tony Miller, et ux, by Deed recorded in Book 27, Page 24 of Deeds.

PARCEL 2

All of Grantor's right, title, interest and estate in and to those certain lands, mineral rights and rights to certain proceeds and/or other consideration as provided by and pursuant to the Quitclaim Deed by and between John W. Marvel and Wilburta S. Marvel, husband and wife, as Grantors, and Elko Land and Livestock Company, a Nevada corporation, as Grantee, recorded in the Office of the Recorder of Eureka County, Nevada, on the 15th day of December, 2006, as Document No. 0207318.

AS TO BOTH PARCELS 1 & 2 ABOVE:

TOGETHER WITH all of Grantor's right, title and interest in and to all oil, oil shales, gas and other hydrocarbons, geothermal resources, geothermal energy, and minerals and mineral deposits of every kind and nature whatsoever pursuant to the reservation set forth in the Grant, Bargain and Sale Deed recorded in the Office of the Recorder of Eureka County, Nevada, on the 4th day of January, 1991, in Book 219, Page 329, as Document No. 135682.

TOGETHER WITH all of Grantor's right to receive FIFTY PERCENT (50%) of all net proceeds or other consideration payable in connection with the sale, transfer or exchange of any sand and/or gravel pursuant to the reservation set forth in the Grant, Bargain and Sale Deed recorded in the Office of the Recorder of Eureka County, Nevada, on the 4th day of January, 1991, in Book 219, Page 329, as Document No. 135682.



PARCEL 3

TOWNSHIP 34 NORTH, RANGE 43 EAST, MDB&M

Section 13: SE $\frac{1}{4}$ SE $\frac{1}{4}$, except a strip of land 100 feet in width being 50 feet on each side of and parallel with the located center line of the Western Pacific Railway Company's line of railroad as the same is staked out and located over and across Section 13, as set forth in Deed recorded in Book 41, Page 221, Deed Records of Humboldt County, Nevada.

Section 24: E $\frac{1}{2}$ E $\frac{1}{2}$

TOWNSHIP 34 NORTH, RANGE 44 EAST, MDB&M

Section 18: Lot 4 of the SW $\frac{1}{4}$

Section 19: All

Section 20: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 29: All

Section 30: E $\frac{1}{2}$ SW $\frac{1}{4}$; Lot 3 SW $\frac{1}{4}$; E $\frac{1}{2}$; NW $\frac{1}{4}$

TOGETHER WITH all of Grantor's right, title and interest in and to the NET PROFIT royalty payable in connection with the production of all oil, oil shales, gas and other hydrocarbons, geothermal resources and geothermal energy, and any of their byproducts pursuant to the reservation set forth in the Grant Deed recorded in the Office of the Recorder of Humboldt County, Nevada on the 2nd Day of April, 1993, in Book 321, Page 369, as Document No. 340729.

PARCEL 4

All other property located in the Counties of Eureka and Humboldt, State of Nevada, in which Grantor now has any right, title, interest or estate, but which has been omitted herefrom, including all minerals and mineral deposits of whatever kind and nature and all oil, gas and geothermal resources in any and every form, located within, on or beneath the surface of said land or any portion thereof, is intended to be included herein, and Grantor further hereby grants and conveys the same to Grantees.



STATE OF NEVADA
DECLARATION OF VALUE

DOC # DV-224836

09/05/2013

12:59 PM

Official Record

- 1. Assessors Parcel Number(s)
 - a) Mineral rights
 - b) only
 - c) _____
 - d) _____

Recording requested By
JOHN E MARVEL

Eureka County - NV
Mike Rebaleati - Recorder

Page 1 of 1 Fee: \$19.00
Recorded By: FES RPTT:
Book- 554 Page- 0362

- 2. Type of Property:
 - a) Vacant Land
 - b) Single Fam. Res.
 - c) Condo/Twnhse
 - d) 2-4 Plex
 - e) Apt. Bldg
 - f) Comm'/Ind'l
 - g) Agricultural
 - h) Mobile Home
 - i) Other Mineral

FOR RECORDERS OPTIONAL USE ONLY

DOCUMENT/INSTRUMENT #: _____

BOOK _____ PAGE _____

DATE OF RECORDING: _____

NOTES: _____

- 3. Total Value/Sales Price of Property: \$ _____
- Deed in Lieu of Foreclosure Only (value of property) (_____
- Transfer Tax Value: \$ _____
- Real Property Transfer Tax Due: \$ _____

- 4. If Exemption Claimed:
 - a. Transfer Tax Exemption per NRS 375.090, Section # 5
 - b. Explain Reason for Exemption: from mother and father to children

- 5. Partial Interest: Percentage being transferred: _____ %

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 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 John E. Marvel Capacity on behalf of Marvel & Marvel
 Signature John E. Marvel Capacity on behalf of Marvel & Marvel

SELLER (GRANTOR) INFORMATION
(REQUIRED)

Print Name: John E. Marvel
 Address: P.O. Box 1285
 City: Eiko
 State: NV Zip: 89803

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: John E. Marvel
 Address: P.O. Box 1285
 City: Eiko
 State: NV Zip: 89803

COMPANY/PERSON REQUESTING RECORDING

(required if not the seller or buyer)

Print Name: Marvel & Marvel, LTD. Escrow # _____
 Address: 217 Idaho Street
 City: Eiko State: NV Zip: 89801

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