

DOC # 0224865

09/16/2013

10:25 AM

Official Record

Recording requested By
OWEN MILLER

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$17.00

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RPTT:

Recorded By: FES

Book- 555 Page- 0031



0224865

RECORDING REQUESTED BY:

Owen and Cheryl Owen

P.O. Box 62195

Eureka, NV 89316

07-370-46

DECLARATION OF HOMESTEAD

KNOW ALL MEN BY THESE PRESENTS: That we, *Owen and Cheryl Miller*, do hereby declare that we are a married couple.

I am filing this Declaration of Homestead declaring my intention to claim in writing as a homestead the hereinafter described property.

I am as of the date hereof, residing on the premises hereinafter described in Eureka County, State of Nevada,, as follows:

Parcel 2 as shown on that certain Division of Land into the Large Map filed in the Office of the City Recorder of Eureka County, State of Nevada, on November 20, 2000, as filed M75607, being a portion of Section 21 and 28, Township 20 North, Range 53 East, MD B&M.

EXCEPTING THEREFROM all the oil and gas lying in and under said land as reserved by the United States of America in patents recorded September 21, 1964, in Book 5, Page 82, and December 30, 1965, in Book 9, Page 422, Official Records, Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM one half of mineral rights, oil or gas as reserved by EDWIN C. BISHOP and LETA B. BISHOP, his wife, in Deed recorded August 23, 1964, in Book 65, Page 317, Official Records, Eureka Nevada.

FURTHER EXCEPTING THEREFROM an undivided 25% interest in and to all minerals of every kind, nature and description lying in and under said land as conveyed to Ivan L. Smart, an unmarried man, In Deed recorded May 2, 1994, in Book 268, Page 463, and recorded May 5, 1994, in Book 269, Page 12, Official Records, Eureka County, Nevada.

TOGETHER with all buildings and improvements.

TOGETHER with the following rights appurtenant to said property:

- A. 566.16 ac feet from Permit No. 23739 (Certificate No. 6723) as issued by the State Engineer, Department of Water Resources, State of Nevada.**
- B. 387.20 ac feet from Permit N. 19218 (Certificate N. 6713) as issued by the State Engineer, Department of Water Resources, State of Nevada.**

TOGETHER with all mineral rights owned by the first party, if any.

AND

Parcel 4 as shown on that certain Division of Land into Large Parcels Map filed in the Office of the County Recorder of Eureka County, State of Nevada, on November 20, 2000, File No. 175607, being a portion of Sections 21 and 28, Township 20 North, Range 53 East, MDB&M.

EXCEPTING FROM that portion lying within the NW1/4NW1/4 of Section 28 an undivided one-half (½) interest in and to all oil and gas lying in and under said land as reserved by ANGEL CAROL FLORIO BERVILER in Deed recorded August 20, 1964, in Book 5, Page 339, Official Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM that portion lying within Lots 3,4,5,6,12,13,14 and 15 of Section 21, all the oil and gas lying in and under said land as reserved by the United States of America in patents recorded September 21, 1964, in Book 5, Page 582 , and December 30, 1965, in Book 9, Page 422, Official Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM that portion lying within Lots 3,4,5,6,12,13,14 and 15 of Section 21, on-half- of minerals rights, oil and gas as reserved by EDWIN C. BISHOP and LETA B. BISHOP, his wife, in Deed Recorded August 23, 1978, in Book 65, Page 317, Official Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM all of the above described land an undivided 25% interest in and to all minerals of every kind, nature and description lying in and under said land as conveyed to IVAN L. SMART, an unmarried man, in Deed recorded May 2, 1994, in Book 268, Page 463, and recorded May 5, 1994, in Book 269, Page 12, Official Records, Eureka County, Nevada.

SUBJECT to all taxes and assessments, reservations, exceptions, easements, rights of way , limitations, covenants, conditions, restrictions, terms, liens, charges, and licenses affecting the property of record.

TOGETHER with all buildings and improvements thereon, including the water well pump and motor and pivot system on said property.

TOGETHER with the following water rights appurtenant to said property: 371.22 acre feet from Well No. 5, Permit No. 23738, as issued by the State Engineer, Department of Water Resources , State of Nevada.

AND

A Parcel of land located in Section 28, T.20 N, R.53 E., M.D.B. & M., Eureka County, Nevada, being a portion that Parcel shown on a Boundary Line Adjustment , Record of Survey, for Owen and Cheryl Miller, Jerry R. Martin, John T. Flaherty, Becky O' Flaherty and Curtis P. Hayward, on file in the Office of the Eureka County Recorder, Eureka, Nevada, as file No. Book 196151, more particularly described as follows:

Commencing at the Northwest Corner of Parcel No., 4, as shown on Parcel Map for Jerry R. Martin, John T. & Becky O' Flaherty and Curtis P. Hayward, on file in the Office of the Eureka County Recorder, Eureka, Nevada, as file No. 163256, thence N 88 12' 50" E, 118.47 feet, along the Northerly Line of said Parcel No. 4, to Corner No. 1 the True Point of Beginning.

Thence continuing N 88 12" 50" E, 86.46 feet, along said Northerly Line of Parcel No. 4, to Corner No. 2;

Thence South, 27.48 feet, to Corner No. 3;

Thence East, 30.00 feet, to Corner No.4;

Thence North 28.42 feet, to Corner No. 5, a point being on the Northerly Line of said Parcel No. 4;

Thence N 88 12' 50" E, 89.61 feet, along said Northerly line of Parcel N.4, to Corner No. 5, a point being the Northwest Corner of said Parcel No. 4;

Thence S 00 13' 02" E, 100.28 feet, along the Easterly Line of said Parcel No.4, to Corner No. 6;

Thence S 88 24' 43" W, 206.43 feet, to Corner No. 7;

Thence N 00 00' 44" W, 99.57 feet, to Corner No.1, the point of beginning containing 0.454 acres, more or less.

And that I am occupying the improvements situate on said above described premises as a home and residence.

It is the further intention of the undersigned to use and claim all of the aforesaid premises, together with all improvements situate thereon, as a homestead.

The value of the above described property does not exceed \$ 200,000.

DATED this 16th day of September, 2013

Owen Miller
Owen Miller

Cheryl Miller
Cheryl Miller

STATE OF NEVADA)
)ss.
County of Eureka)

On this 16th day of September, 2013, personally before me, a Notary Public in and for said County and State, Owen and Cheryl Miller, known to me to be the persons described in and who executed the foregoing Declaration of Homestead, who acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]

NOTARY PUBLIC

