#### GRANT OF EASEMENT

## TO CONSTRUCT AND MAINTAIN

#### AN IRRIGATION DITCH

We, HARRY F. WENNHOLD and ANNE WENNHOLD of Route 3, Box 61, Gardnerville, Nevada, 89410, and IDA F. WENNHOLD, P O Box 904, Minden, Nevada 89423, both in County of Douglas, in consideration of the below consideration and covenants, do hereby convey an easement for an irrigation ditch over and across lands owned by us situated in the NW 1/4 of Sec 10 and the NE 1/4 of Sec 9, T12N, R20E, M.D.M., County of Douglas, State of Nevada, hereinafter more particularly designated and described as follows:

A strip of land 50 feet in width lying 30 feet to the right and 20 feet to the left, looking in the direction of the traverse, of the following described line and with the sidelines of the strip being extended or shortened as required to intersect the point of diversion and terminus of the ditch:

Beginning at the SE corner of the SW 1/4 of the SW 1/4 of Sec 33, T13N, R20E, M.D.M. Thence S 33° 57' 55" E 8043.65 to the true point of beginning of the conveyed easement and which point is situate at the upstream edge of the West abutment of the Cottonwood Diversion Dam on the East Fork of the Carson River. From the true point of beginning thence downstream along the conveyed easement: N 80° 16' 15" W 67.42, thence N 49° 11' 45" W 129.91 thence N 46° 57' 10" W 429.74, thence N 55° 01' 45" W 261.90, thence N 41° 57' 04" W 234.40, thence N 69° 58' 20" W 74.66' to the termination of the conveyed easement.

The easement hereby conveyed is for the purpose of locating, establishing, constructing and maintaining over and across the above-described land a certain irrigation ditch and the easement is hereby conveyed to the below listed grantees and it is for the benefit of and appurtenant to those lands described following said grantees' names:

# GRANTEES AND DESCRIPTION OF THE BENEFITED LANDS

1. Douglas Sorensen and Milton Sorensen

All that portion of the West half of the Southwest quarter of Section 4, and all that portion of the East half of the Southeast quarter of Section 5, Township 12 North,

2 3 John C. Henningsen and Virginia S. Henningsen An undivided one-half of the SW 1/4 of Section 5, and 4 the W 1/4 of the SW 1/4 of Section 5, Township 12 North, Range 20 East, M.D.B. & M., Douglas County, Nevada. 5 6 3. Chris Gansberg, Sr.: All that portion of the West half of the Southwest quarter 7 of Section 4, and all that portion of the East half of the Southeast quarter of Section 5, Township 12 North, Range 8 20 East, M.D.B. & M., lying southerly and westerly of the Carson River, containing 145 acres more or less. 9 The Southeast quarter of Section 6, Township 10 12 North, Range 20 East, Mount Diablo Base and Meridian, 11 containing 160 acres, more or less. EXCEPTING AND RESERVING THEREFROM a tract of land in the Northwest corner thereof containing 6 acres, more or less, 12 described as follows: Commencing at a point on the county road at the North-13 west corner of the Southeast quarter of Section 6, Township 12 North, Range 20 East, Mount Diablo Base and Meridian, 14 running thence Southerly 330 feet, thence Easterly 792 feet, thence Northerly 330 feet, thence Westerly 792 feet to the 15 point of beginning. 16 The North half of the Northeast quarter of Section 7, Township 12 North, Range 20 East, Mount Diablo Base 17 and Meridian, containing 80 acres more or less. EXCEPTING AND RESERVING THEREFROM the East 16 feet heretofor 18 conveyed to Fritz Heise by deed recorded in Book "L" of Deeds, at page 91, Douglas County Records. 19 EXCEPTING from the above described land the following: Portions of the Northwest quarter of the Southeast 20 quarter, the Southwest quarter of the Southeast quarter of Section 6 and the Northwest quarter of the Northeast 21 quarter of Section 7, Township 12 North, Range 20 East, Mount Diablo Base and Meridian. 22 A parcel or strip 40 feet wide which lies and is within the lands of George C. Henningsen lying and being 40 feet 23 on the Easterly side of the center line of the proposed highway said center line being more particularly described 24 as follows: Beginning at the intersection of the center line of the State Highway at approximately Engineer's 25 Station "L" 107 plus 68 P. O. T. and the North property line of the property of George C. Henningsen located in the 26 Northwest quarter of the Southeast quarter of Section 6, Township 12 North, Range 20 East, Mount Diablo Base and 27 Meridian, said point of beginning further described as bearing South 17° 35' West 8629.52 feet from the Southeast 28 corner of Section 30, Township 13 North, Range 20 East, Mount Diablo Base and Meridian, thence South 0° 35' East 29 along the North and South quarter section line of Sections 6 and 7 a distance of 3659 feet to the point of ending at 30 the intersection of the center line of the proposed highway at approximately Engineer's Station "L" 144 plus 27.00 31 P. O. T. and the South boundary of the Northwest quarter of the Northeast quarter of Section 7, Township 12 North, Range JOHN P. DAVIS 32

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Range 20 East, M.D.B. & M., lying southerly and westerly

of the Carson River, containing 145 acres more or less.

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20 East, Mount Diablo Base and Meridian, said point of ending being further described as bearing South 12° 12' West a distance of 12,159.70 feet from the Southeast corner of Section 30, Township 13 North, Range 20 East, Mount Diablo Base and Meridian. Contains 3.36 acres, more or less.

State State

TOGETHER with water rights allotted to George Henningsen for 236.4 acres of the above described land, from the East Fork of the Carson River through the C. M. Henningsen Ditch and Frevert Ditch as more fully described in the Proposed Findings of Fact, Conclusions of Law and Decree, in the U.S.A. vs. Apline Land and Reservoir Company, No. D-183, in the District Court of the United States in and for the District of Nevada.

Containing 230 acres, more or less.

Subject to existing rights of way.

## 4. Roy F. Heise:

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The SW 1/4 of the SW 1/4 of Lot 2 and the NW 1/4 of the SW 1/4 of Lot 2 situate in the SW 1/4 of Section 6 containing 74.65 acres, more or less, the N 1/2 of the SE 1/4 of Section 1, the S 1/2 of the SE 1/4 of Section 1, 76.6 acres in the NE 1/4 of Section 12, all the above situate in T12N, R20E, M.D.M., Douglas County, Nevada and containing 311.25 acres, more or less.

### 5. Heise Land and Cattle Co.:

The NW 1/4 Section 7, T12N, R20E, M.D.M; the E 1/2 of the NE 1/4 of Section 12, the NW 1/4 of the NE 1/4 of Section 12, T12N, R19E, M.D.M., all the above in Douglas County, Nevada and containing 280 acres, more or less.

# 6. James A. Hussman and Kathryn Hussman:

Parcel 1: All that portion of the NW 1/4 of the NE 1/4 of Section 9, T12N, R20E, M.D.M., Douglas County, Nevada, lying North of the Heitman Company Ditch. Said parcel contains 10 acres, more or less.

Parcel 2: All that portion of the E 1/2 of the SW 1/4 and the SE 1/4 of Section 4, T 12 N, R20E, M.D.M., lying West and South of the East Fork of the Carson River. Said parcel contains 54 Acres, more or less.

#### 7. Walter J. Schultz:

The North 1/2 of Section 1, Township 12 North, Range 19 East, M.D.B. & M., excepting therefrom a strip of land along the North line of said property containing one acre, more or less, lying within the enclosure of the H. F. Dangberg Land and Live Stock Company Home Ranch.

EXCEPTING THEREFROM, all that certain lot, piece or parcel of land situated in the County of Douglas, State of Nevada; being a portion of the North 1/2 of Section 1, Township 12 North, Range 19 East, M.D.B. & M. which bears S 00-03-00 E 2646.60' from the Northeast corner of said Section 1 as

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marked by a brass cap monument set by the U.S. General Land Office in 1939 during a dependent resurvey; thence N 00-03-00 W 41.76' along the East line of said Section 1 to a 3/4" iron pipe set in the East West fence, which delineates the North boundary of Waterloo Lane at this date, the true point of beginning; thence S 89-18-00 W 720.00' along the fence delineating the North boundary of Waterloo Lane to a 3/4" iron pipe; thence N 00-03-00 W 605.00' to a 2" iron pipe set in concrete; thence N 89-18-00 E 720.00' to a 2" iron pipe set on the East line of Section 1, Township 12 North, Range 19 East, M.D.B. & M.; thence S 00-02-00 E 605.00' along the East side of said Section 1 to the true point of beginning. Containing ten (10) acres more or less. All iron pipe monuments are stamped RLS 2447. Jeanette Cowden: A piece of land located in the NE 1/4 of Section 5, T12N, R20E, M.D.B. & M., lying South and West of the centerline

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of the East Carson River in Douglas County, Nevada, and described as follows:

Beginning at the fence corner which is located in the center of said Section 5, and which is located S 0° 26' 22" E., 2581.00 feet from the North one quarter corner of said Section 5, T12N, R20E; thence along the fence marking the one quarter line.

N 89° 50' 00" E., 2490.00 feet to the approximate centerline of the East Carson River; thence along the

approximate centerline of the river. N 25° 48' 32" W, 393.09 feet; thence N 36° 32' 00" W, 366.00 feet; thence N 42° 43' 00" W, 150.00 feet; thence N 60° 30' 28" W, 149.93 feet; thence

N 60° 14' 14" W, 612.24 feet to the approximate quarter line; thence

0° 26' 22" E. 1881.00 feet to the point of beginning. Containing 62.50 acres more or less.

9. Edward F. W. Berning and Erna Berning:

> All that certain lot, piece or parcel of land situated in the County of Douglas, State of Nevada; being a portion of the North 1/2 of Section 1, Township 12 North, Range 19 East, M.D.B. & M. More particularly described as follows:

Beginning at the Southeast corner of the North 1/2 of Section 1, Township 12 North, Range 19 East M.D.B. & M. which bears S 00-03-00 E 2646.60' from the Northeast corner of said Section 1 as marked by a brass cap monument set by the U.S. General Land Office in 1939 during a dependent resurvey; thence N 00-03-00 W 41.76' along the East line of said Section 1 to a 3/4" iron pipe set in the East West fence, which delineates the North boundary of Waterloo Lane at this date, the true point of beginning; thence S 89-18-00 W 720.00' along the fence delineating the North boundary of Waterloo Lane to a 3/4" iron pipe; thence N 00-03-00 W 605.00' to a 2" iron pipe set in concrete; thence N 89-18-00 E 720.00' to a 2" iron pipe set on the East line of Section 1 Township 12 North, Range 19 East, M.D.B. & M; thence S 00-03-00 E 605.00 along the East side of said Section 1 to the true point of beginning, containing ten (10) acres

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more or less. All iron pipe monuments are stamped RLS 2447.

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10. Frank Edward Reed and Paula M. Reed:

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That certain tract or parcel of land situate, lying and being in the NE corner of the N 1/2 of Lot 1 of SW 1/4 (NE 1/4 of SW 1/4) of Section 6, T 12N, R20E, M.D.B. & M., and having a frontage of 1056 feet, more or less, on Mottsville Lane, (so called), and frontage of 334 feet, more or less, on Frevert Road (so called), and containing eight (8) acres, more or less.

Together with all improvements and water and water rights thereto.

EXCEPTING, HOWEVER, the following described property:

Commencing at a point 376-1/2 feet W of where the County Road, known as Mottsville County Road, intersects with the road known as the Frevert Road, and on the W boundary of said Frevert Road; thence in a Southerly direction 276-3/4 feet; thence Westerly 315 feet; thence Northerly 276-3/4 feet to the S side of said Mottsville Road; thence along the S side of said Mottsville Road 315 feet E to the place of beginning; and containing 2 acres, more or less.

This land lies in Section 6, Township 12 N, Range 20 E, M.D.B. & M.

EXCEPTING FURTHER, the following described Right of Way conveyed by deed from Theresa N. Springmeyer to the State of Nevada for a State Highway:

Being a portion of the NE 1/4 of the SW 1/4 of Section 6, Township 12 N, Range 20 E, M.D.B. & M., more fully described by metes and bounds as follows, to-wit:

Beginning at a point on the Center Line of the State Highway at a point known as Engineers' Station "L" 104 / 45.00 P.O.T. said point of beginning being further described as bearing N 4° 55' 40" E a distance of 29,196.13 feet from the ŠW corner of Section 31, Township 12 N, Range 20 E, M.D.B. & M.; thence S 0° 35' E along siad Center Line a distance of 328 feet to an intersection with a property line fence at approximately Engineers' Station "L" 107 / 73.00 P.O.T.; thence N 89° 25' W, a distance of 50.00 feet to the Easterly 50 foot Right of Way Line; thence N 0° 35' W, a distance of 328.00 feet to an intersection with a property line fence; thence S 89° 25' E, a distance of 50.00 feet to Engineer's Station "L" 104 / 45.00 P.O.T. to the point of beginning.

Said Right of Way for public highway containing 0.38 acres, more or less.

In consideration of the above grant, the owners of the benefited parcels agree to pay to the grantors, their heirs and

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assigns, the total sum of Five Thousand Dollars (\$5,000.00) on or before December 31, 1974. The Grantees shall make payment in accordance with the below schedule:

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5		GRANTEE	ACREAGE	% OF PROJECT TOTAL ACREAGE	PAYMENT
6	1.	Douglas Sorensen & Milton Sorensen	145	8.77	\$ 438.50
7	2.	John C. Henningser	ı		_ \ \
8		& Virginia S. Henningsen	240	14.52	726.00
9	3.	Chris Gansberg Sr.	230	13.91	695.50
10	4.	Roy F. Heise	311.25	18.82	941.00
11	5.	Heise Land and Cattle Company	280	16.94	847.00
12	6.	James A. Hussman & Kathryn Hussma	n 64	3.87	193.50
13	7.	Walter J. Schulz	304.96	18.45	922.50
14	8.	Jeanette Cowden	62.5	3.78	189.00
15	9.	Edward F. W. Berni	ng		
16	1.0	& Erna Berning	10	0.60	30.00
17	10.	Frank Edward Reed & Paula M. Reed	5.62	0.34	17.00
18			1,653.33	100.00	\$ 5,000.00

It is intended that the grant of this easement shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, their heirs, successors or assigns.

The Grantees agree to see that the existing Henningsen ditch, crossing the Grantors' lands, will be filled in and leveled to the existing ground grade after the use of the ditch is abandoned. Grantees further agree to leave the lands affected by the construction of the proposed ditch in a neat manner by seeing that all trash and debris from any construction is removed from the Grantors' premises or along the granted easement. In the event of a dispute as to what is neat, the Grantor and Grantees shall each select an arbitrator and these arbitrators will in turn select a third arbitrator. Both parties to this agreement agree that the decision of the arbitrators will be binding on both parties.

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Grantees additionally and in consideration of this agreement agree not to use as access the present access leading through the Grantor's yard but instead to establish and limit their access to the conveyed ditch easement along the South river embankment and in such a manner as to reasonably minimize the interference with the Grantors' ranching and farming activities. GRANTORS lee hot GRANTEES **GANS BERG** HEISE LAND AND LIVESTOCK COMPANY Attest: 

JOHN P. DAVIS 32
ATTORNEY AT LAW
P.O. BOX 985
MINDEN, NEVADA 89423
OFF. (702) 782-4622

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·	
1	STATE OF NEVADA )
2	: SS COUNTY OF DOUGLAS )
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4	On this 14 day of March, 1974, personally
5	appeared before me, a notary public, the following persons:
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7	Olen V. Lansburg
8	BARBARA J. COOK
9	NOTARY PUBLIC - STATE OF NEVADA DOUGLAS COUNTY
10	My Commission Expires May 1, 1978
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STATE OF CA.	LIFORNIA On this 12th day of March in the year one thousand nine
COUNTY OF	Amador   Ss. hundred and before me, Celesta M. Delaney
COUNTY OF	a Notary Public, State of California, duly commissioned and sworn, personally appeared Chris H. Gansberg, Sr. and Fred H. Gansberg
	known to me to be the person. S. whose names. are subscribed to the within
	OFFICIAL SEAL instrument and acknowledged to me thathe
CI CI	IN WITNESS WHEREOF I have hereunto set my hand and affixed my
	ARY PUBLIC - CALIFORNIA OFFICE IN Official seal in the County of Amador the day and year
My Commission	AMADOR COUNTY in this certificate first above written.  Expires February 6, 1979
	Expires February 6, 1979  Notary Public, State of California

My commission expires .....

**Printed 12/72** 

1	STATE OF NEVADA ) : SS
2	COUNTY OF DOUGLAS )
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4	On this day of, 1974, personally
<sub>.</sub> 5	appeared before me, a notary public, the following persons:
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7	Douglas Sorenson Oct 21,1974 SPD Edural F.W. Benny GPD
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9	Harry F Wennhold Oct 21, 177+ Spo Erna Berning Deez, 1974 Spo
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11	Idu Wennhold Oct 21,177-1990 Jeonethe Conden Dec 5,1974 9PD
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13	Ann Wennhold Oct 21,1979 S.C. Heise Dec 6,1974 JPD
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15	John C. Henningsen Oct 21,1974 gps Anna Heise Dea 6,1971 JpD
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17	Million Sorensen Nov 19, 1974 9PD Ray F. Heise Dec 6, 1974 8PD
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19	Virginia S. Henningsen Nov 27, 1974 9FD PAULA M. Reed Pec VZ, 1974 9FD
20	
21	JAMES A. HUSSMAN DEC 3, 1974 GPD Frank Edward Reed Dec 12, 1974 grd
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23	KAthryn Hussman Da 2,197+ SPD Chris H. Gamsbery Jr March 13,1975 SpD
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25	who acknowledged that they executed the above instrument.
26	
27	JOHN P. DAVIS
28	Notary Public—State of Nevada  Carson
29	My Commission En De 26 1977  Jakn Sauces
30	n MAR 18 1975 At 5 Min. Past 2M
31 (	fficial Records of Douglas County, Nevada. Fee 1.0000
,32 ,	atricia J. Stanley, Recorder By males 1788

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