

When recorded, return to:

Susan W. Burns
KIRTON, McCONKIE & BUSHNELL
330 South Third East
Salt Lake City, UT 84111

AFFIDAVIT

I, LESTER A. PERRY, having been first duly sworn upon oath, hereby depose and state as follows:

1. During all times relevant hereto, the law firm of KIRTON, McCONKIE & BUSHNELL, 330 South Third East, Salt Lake City, Utah, has represented the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints. During all times relevant hereto, I have been a member of said law firm. By virtue of my position, I have knowledge of the following facts.

2. On June 25, 1979, a trust deed was executed between Meadow Valley Land and Cattle Company, as trustor, the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, as beneficiary, and Land Title of Nevada, Inc., as trustee, which trust deed was recorded on June 29, 1979, as Entry No. 64610, in Book 30, at Page 471, of the Records of the County Recorder of Lincoln County, Nevada. This trust deed secured a promissory note in the amount of \$750,000. The beneficiary sold the trust deed and the promissory note to Harmsen Family Limited Partnership on or about May 31, 1984, and took back a collateral assignment of the trust deed as security for payment from Harmsen Family Limited Partnership. Attached hereto and incorporated herein is a copy of the collateral assignment of trust deed, which is a true and correct copy of the original of said document.

3. Notice is hereby given of the security interest of the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints in the below described property pursuant to the collateral assignment of trust deed.

4. This affidavit and collateral assignment of trust deed affects that certain real property located in Lincoln County, Nevada, and described on Exhibits "A" and "B" attached hereto and incorporated herein.

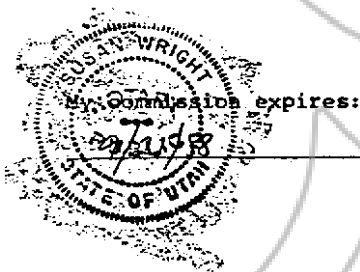
DATED this 17th day of June, 1986.

KIRTON, McCONKIE & BUSHNELL

Lester A. Perry
Lester A. Perry

On the 17th day of June, 1986, personally appeared before me, LESTER A. PERRY, the signer of the above instrument, who duly acknowledged to me that he executed the same.

Susan Wright (Burns)
Notary Public, in and for the
State of Utah



Lincoln County

COLLATERAL
ASSIGNMENT OF TRUST DEED

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, STEPHEN M. HARMSEN, General Partner, HARMSEN FAMILY LTD. PARTNERSHIP, hereby collaterally assigns as security for payment of Promissory Note dated May 31, 1984 in the amount of \$750,000.00, to CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A Utah corporation sole, all the beneficial interest and rights accrued or to accrue under that certain Trust Deed, together with the indebtedness secured thereby, which Trust Deed is dated June 25, 1979, was executed by Meadow Valley Land and Cattle Company as Trustor, to Land Title of Nevada, Inc., a Nevada Corporation, as Trustee, was recorded on June 29, 1979, as Entry No. 64610, in Book 30, Page 471 of the records of the County Recorder of Lincoln County, Nevada, and covers real property situated in said county described as follows:

See attached Exhibits "A" and "B"

DATED this 7 day of Aug, 1984.

HARMSEN FAMILY LTD. PARTNERSHIP

By [Signature]
Stephen M. Harsmen, General Partner

STATE OF UTAH)
COUNTY OF SALT LAKE) ss.

On the 7 day of Aug, 1984, personally appeared before me STEPHEN M. HARMSEN, who being by me duly sworn, did say that he is a General Partner of HARMSEN FAMILY LTD. PARTNERSHIP, and that he signed the foregoing instrument in behalf of said partnership.

My Commission Expires:

8/12/85

ROGER J. SANDERS
NOTARY PUBLIC
STATE OF UTAH

[Signature]
Notary Public in and for the State of Utah

Lincoln County

EXHIBIT "A"

The East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 13, Township 4 South, Range 66 East, M. D. B. & M., and all that portion of the West Half (W $\frac{1}{2}$) of Section 18, Township 4 South, Range 67 East, M. D. B. & M., lying West of State Highway No. 55 and all that portion of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 19, Township 4 South, Range 67 East, lying West of State Highway No. 55 and the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 24, Township 4 South, Range 66 East, M. D. B. & M., and that portion of the Southeast Quarter (SE $\frac{1}{4}$) of Section 24, Township 4 South, Range 66 East, M. D. B. & M., lying West of State Highway No. 55 and all that portion of the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 25, Township 4 South, Range 66 East, M. D. B. & M., lying West of the Union Pacific Railroad right of way.

Excepting therefrom that portion of the above described land heretofore conveyed to the incorporated City of Caliente by Deed recorded in Book "L-1" of R.E. Deeds, page 345.

Also excepting therefrom that portion of the above described land heretofore conveyed to Lincoln County Post No. 23 American Legion, the Hugh Jacobson Post No. 7114 V.F.W and Barracks No. 2287 Veterans of World War I of U.S.A., by Deed recorded in Book "L-1" of R.E. Deeds at page 346.

Also excepting that portion of the above described land heretofore conveyed to Ronal Young and Betty Young, husband and wife by Deed recorded in Book "K-1" of Real Estate Deeds at page 356.

Also, except that portion conveyed to the United States of America by Deed recorded July 26, 1963 in Book "N-1" of Real Estate Deeds at page 163.

Also except that portion conveyed to Ronal Young et ux by Deed recorded September 3, 1969 in Book "N-1" of R.E. Deeds at page 440.

Also except those portions conveyed to the Board of Co. Commissioners by Deed recorded May 27, 1936 in Book "E-1" of R.E. Deeds at page 91 and recorded May 27, 1936 in Book "E-1" of R.E. Deeds at page 90.

Also except an undivided 1/2 interest in that portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 7 lying within the Meadow Valley Wash.

Also except that portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 7 lying South of U.S. Highway 93.

Also except that portion of Section 7 beginning at a point on the East boundary of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 7, Township 4 South, Range 67 East, M.D.B. & M., a point common with the Southwest corner of the Holt Addition to the City of Caliente, Nevada thence South 44°29' West 208.71 feet; thence North 45°31' East 208.71 feet; thence North 44°29' East 422.10 feet; thence South 00°07' West 298.49 feet to the Point of Beginning.

Except the interest in that portion of said land conveyed to County of Lincoln State of Nevada by Deed recorded January 6, 1975 in Book "12" of Official Records at page 61.

Excepting from the entire of the above described any and all rights of way heretofore granted by the Grantors herein or their predecessors in interest to the Union Pacific Railroad Co., and its predecessors in interest and to the State of Nevada for Highway purposes, which said rights of way are on file and of record in the Office of the County Recorder of said Lincoln County, Nevada.

EXHIBIT A

BOOK 71 PAGE 35

DEED 30 PAGE 472

Lincoln County

EXHIBIT "A" CONTINUED

MEADOW VALLEY LAND & CATTLE COMPANY

WATER RIGHTS

	<u>Name of Water</u>	<u>Identification</u>	
1	Indian Spring No. 1	Proof 01022	Cert. 61
2	Indian Spring No. 2	Proof 01022	Cert. 62
3	George Blythe Spring	Proof 01022	Cert. 57
4	Oak and Grassy Spring	Proof 01027	Cert. 5
5	Meadow Valley Creek	Proof 01284	
6	Robinson Seeps	Proof 01398	
7	Rabbit Spring	Proof 01549	
8	South Willow Spring	Proof 02321	
9	Nelson Well	Proof 02350	
10	Cliff Spring	Permit 780	Cert. 566
11	Cyclone & Redrock Spring	Permit 780	Cert. 566
12	Meadow Valley Creek	Permit 2873	Cert. 237
13	Cottonwood Spring	Permit 3270	Cert. 269
14	Bristol Lake Reservoir #1	Permit 3875	Cert. 724
15	Bristol Lake Reservoir	Permit 3876	Cert. 725
16	Bristol Lake Reservoir #2	Permit 3878	Cert. 726
17	Point of Rock Spring	Permit 3879	Cert. 1090
18	Delamar Flat Reservoir (also known as Mackie Reservoir)	Permit 4462 (Amended Cert. 3186)	Cert. 1759
19	Canyon Spring No. 2	Permit 4696	Cert. 732
20	Canyon Spring No. 1	Permit 4697	Cert. 733
21	Dana Spring	Permit 4972	Cert. 734
22	Point of Rock Reservoir	Permit 5316	Cert. 581
23	Theriot Reservoir (also known as Knoll Pond Reservoir and Watershed of Pahroc and Boulder Range)		
24	West Side Spring	Permit 5318	Cert. 582
25	Pace Spring (also known as Conaway Spring)	Permit 6094	Cert. 105(3)
26	Abandoned Spring	Permit 6095	Cert. 1054
27	Cliff Spring Reservoir	Permit 8921	Cert. 170(0)
28	Meadow Valley Wash	Permit 9618	Cert. 2107
29	Grassy Spring	Permit 9935	Cert. 2483
30	Seven Oaks Seep	Permit 10189	Cert. 2403
31	Mona Spring	Permit 10551	Cert. 259(5)
32	Buckboard Spring	Permit 10629	Cert. 259(6)
33	Willow Spring	Permit 10655	Cert. 261(1)
34	West Oak Spring	Permit 10656	Cert. 26(12)
35	Bishop Spring	Permit 10747	Cert. 280(5)
36	Horn Spring	Permit 10897	Cert. 2770
37	Tunnel Spring #1 (an undivided 1/4 interest)	Permit 11378	Cert. 404(7)
38	Underground Well	Permit 12388	Cert. 4085
39	Underground Well	Permit 18910	Cert. 7014
40	Underground Well	Permit 28558	Cert. 9055
41	Underground Well	Permit 28559	Cert. 9056
42	Underground Well	Permit 28560	Cert. 9057
43	Underground Well	Permit 29338	Cert. 9059
44	Underground Well	Permit 31044	
		Permit 31045	

STATE OF UTAH)
) : ss
 COUNTY OF SALT LAKE)

On this 29th day of June, 1979, personally appeared before me, a Notary Public in and for said Salt Lake County, KENT H. SWENSEN, known to me to be person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntarily and for uses and purposes herein mentioned.

WITNESS my hand and official seal.

Evelyn C. Pullar
 Notary Public in and for said County and State

Commission Expires:

October 9, 1982

BOOK 30 PAGE 473

BOOK 71 PAGE 36

Lincoln County

The Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 19, Township 4 South, Range 67 East, M.D.B. & M.; the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 24, Township 4 South, Range 66 East, M.D.B. & M.; the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section 25, Township 4 South, Range 66 East, M.D.B. & M.

The East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section 25, Township 4 South, Range 66 East, M.D.B. & M.; the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 26, the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$), the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 35, the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 36, all in Township 4 South, Range 66 East, M.D.B.

All of the Northwest Quarter (NW $\frac{1}{4}$), the North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$), the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) all in Section 18, Township 4 South, Range 67 East, M.D.B. & M.; the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 19, Township 4 South, Range 67 East, M.D.B. & M.; the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 13, Township 4 South, Range 66 East, M.D.B. & M.; the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 24, Township 4 South, Range 66 East, M.D.B. & M.; the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), the East Half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 7, Township 4 South, Range 67 East, M.D.B. & M.

Excepting therefrom that certain parcel of land described as follows:

The East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 13, Township 4 South, Range 66 East, M. D. B. & M., and all that portion of the West Half (W $\frac{1}{2}$) of Section 18, Township 4 South, Range 67 East, M. D. B. & M., lying West of State Highway No. 55 and all that portion of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 19, Township 4 South, Range 67 East, lying West of State Highway No. 55 and the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 24, Township 4 South, Range 66 East, M. D. B. & M., and that portion of the Southeast Quarter (SE $\frac{1}{4}$) of Section 24, Township 4 South, Range 66 East, M. D. B. & M., lying West of State Highway No. 55 and all that portion of the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 25, Township 4 South, Range 66 East, M. D. B. & M., lying West of the Union Pacific Railroad right of way.

Excepting therefrom that portion of the above described land heretofore conveyed to the incorporated City of Caliente by Deed recorded in Book "L-1" of R.E. Deeds, page 345.

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Also, except that portion conveyed to the United States of America by Deed recorded July 26, 1963 in Book "M-1" of Real Estate Deeds at page 161.

Also except that portion conveyed to Ronal Young et ux by Deed recorded September 3, 1969 in Book "N-1" of R.E. Deeds at page 440.

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Also except an undivided 1/2 interest in that portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 7 lying within the Meadow Valley Wash.

EXHIBIT B -1

EXHIBIT B

BOOK 30 PAGE 475

BOOK 71 PAGE 37

Lincoln County

Also except that portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 7 lying South of U.S. Highway 93.

Also except that portion of Section 7 beginning at a point on the East boundary of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 7, Township 4 South, Range 67 East, M.D.B. 5M., a point common with the Southwest corner of the Holt Addition to the City of Caliente, Nevada thence South 44°29' West 208.71 feet; thence North 45°31' West 208.71 feet; thence North 44°29' East 422.10 feet; thence South 00°07' West 298.49 feet to the Point of Beginning.

Except the interest in that portion of said land conveyed to County of Lincoln State of Nevada by Deed recorded January 6, 1975 in Book "12" of Official Records at page 441.

Excepting from the entire of the above described any and all rights of way heretofore granted by the Grantors herein or their predecessors in interest to the Union Pacific Railroad Co., and its predecessors in interest and to the State of Nevada for Highway purposes, which said rights of way are on file and of record in the Office of the County Recorder of said Lincoln County, Nevada.

EXHIBIT B-1

Lincoln County

MEADOW VALLEY PROPERTIES

WATER RIGHTS

Name of Water

Identification

- 1 Underground Well
- 2 Underground Well

Permit 10614 Cert. 3211
Permit 29834

COPY

85126
FILED AND RECORDED AT REQUEST OF
Kirtan, McConkie & Bushnell
June 20, 1986
AT 1 MINUTES PAST 1 O'CLOCK
P. M. IN BOOK 71 OF OFFICIAL
RECORDS, PAGE 32 LINCOLN
COUNTY, NEVADA

YURIKO SETZER
COUNTY RECORDER
By *Mara Cordie*, Deputy

EXHIBIT B -1