

File No. 29626

JUDGMENT AND DECREEFiled August 6th, 1947Amos P. Dickey, Clerk

No. 371

By O. F. Pratt, DeputySpringmeyer & Thompson  
Attorneys for Plaintiff.IN THE DISTRICT COURT OF THE UNITED STATE OF AMERICA,  
IN AND FOR THE DISTRICT OF NEVADA.

CLARENCE T. SADLER,

Plaintiff,

-vs-

EDGAR A. SADLER,

Defendant.

JUDGMENT AND DECREE

This action duly and regularly came on for trial before the Court entitled above, sitting without a jury, upon the amended complaint of Clarence T. Sadler, plaintiff, and the answer of Edgar A. Sadler, defendant, plaintiff being present in person and with his attorneys, Springmeyer & Thompson, and defendant being present in person and with his attorneys, H. R. Cooke and John D. Furrh, Jr.;

And evidence, both oral and documentary, having been adduced on behalf of the respective parties and the Court having duly considered the same and the arguments and written briefs made and filed on behalf of the respective parties;

And the Court, being fully advised in the premises, having on June 19, 1947 made and filed herein its Opinion and Findings of Fact and Conclusions of Law, and having ordered that judgment be entered accordingly;

NOW, THEREFORE, IT HEREBY IS ORDERED, ADJUDGED AND DECREED:

1. That defendant Edgar A. Sadler holds and possesses the Diamond Valley Ranch, and appurtenances, livestock equipment and other personal property upon said ranch March 2, 1918, and the increase and proceeds thereof, in trust for plaintiff Clarence Sadler, the heirs of

Alfred R. Sadler, deceased, Edgar L. Plummer and for defendant Edgar A. Sadler, in the amount and shares to which each of the above named individuals may be entitled by the terms of the last will and testament of Reinhold Sadler, deceased, and the Statutes of Descent of the State of Nevada; that said Diamond Valley Ranch is situated in Eureka County, Nevada, and is particularly described as follows:

The East half of the Northeast quarter ( $E\frac{1}{2}$  of  $NE\frac{1}{4}$ ) of Section Twelve (12); the Northeast quarter ( $NE\frac{1}{4}$ ); the South half ( $S\frac{1}{2}$ ); and the Southwest quarter of the Northwest quarter ( $SW\frac{1}{4}$  of  $NW\frac{1}{4}$ ) of Section Thirteen (13); the East half of the East half ( $E\frac{1}{2}$  of  $E\frac{1}{2}$ ) of Section Twenty-three (23); all of Section Twenty-four (24); the North half ( $N\frac{1}{2}$ ); and the North half of the South half ( $N\frac{1}{2}$  of  $S\frac{1}{2}$ ) of Section Twenty-five (25); and the East half of the Northeast quarter ( $E\frac{1}{2}$  of  $NE\frac{1}{4}$ ) of Section Twenty-six (26); all in Township Twenty-four (24) North, Range Fifty-two (52) East, Mount Diablo Base and Meridian; also the Southwest quarter of the Southwest quarter ( $SW\frac{1}{4}$  of  $SW\frac{1}{4}$ ) of Section Seventeen (17); and the Southwest quarter ( $SW\frac{1}{4}$ ); the West half of the Southeast quarter ( $W\frac{1}{2}$  of  $SE\frac{1}{4}$ ), and the Southeast quarter of the Southeast quarter ( $SE\frac{1}{4}$  of the  $SE\frac{1}{4}$ ) of Section Eighteen (18); the West half ( $W\frac{1}{2}$ ); and the West half of the East half ( $W\frac{1}{2}$  of  $E\frac{1}{2}$ ) of Section Nineteen (19); the Southwest quarter of the Northwest quarter ( $SW\frac{1}{4}$  of  $NW\frac{1}{4}$ ) of Section Twenty-nine (29); and the North half ( $N\frac{1}{2}$ ) of Section Thirty (30); all in Township Twenty-four (24) North, Range Fifty-three (53) East, Mount Diablo Base and Meridian; containing approximately Three Thousand One Hundred Twenty (3120) acres, and constituting what is commonly known as the Diamond Valley Ranch.

Together with all the waters of the Big Shipley Springs flowing, or to flow to, over or through said lands hereinbefore described, together with all water, water rights, dams, ditches, flumes, water-ways and privileges used for the irrigation of said lands from said springs, and also with all of the water of those certain Springs situate in the Northeast quarter ( $NE\frac{1}{4}$ ) of Section Twenty-six (26) Township Twenty-four (24) North, Range Fifty-two (52) East, Mount Diablo Base and Meridian, flowing or to flow to, over or through said lands hereinbefore described, together with all the water, water rights, dams, ditches, flumes, waterways and privileges used for the irrigation of said lands from said springs;

Together with all and singular the tenements hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

2. That within six months from the date of the filing and entry of this decree the defendant Edgar A. Sadler shall sell the real property known and referred to herein as the Diamond Valley Ranch for the best price obtainable, but not less than the appraised value thereof unless authorized by the Court, said appraisement to be made by three appraisers; one to be appointed by defendant Edgar A. Sadler, one to be appointed by plaintiff, and the third to be appointed by the Court. And that within said period of six months said defendant Edgar A. Sadler shall account for the cattle on the ranch March 2, 1918, and for all properties, real and personal, received by him from, on account of, or through said Agreement, Exhibit "L"; and that he give an account of all his disbursements in connection with the said properties, and the Court hereby retains jurisdiction of this action for the making of such order or orders as may be necessary to provide for the time, place and manner of such accounting.

3. The Court retains jurisdiction of this action to hear, consider and determine applications on the part of beneficiaries other than the plaintiff to share in the trust property. Jurisdiction is retained for such other and further orders as may be required to enforce all of the provisions of the trust hereby found to exist.

4. That plaintiff Clarence T. Sadler have judgment against defendant Edgar A. Sadler, for his costs and disbursements taxed herein at the sum of \$72.60.

DATED: June 19th, 1947.

Roger T. Foley  
District Judge

UNITED STATES OF AMERICA )  
  ) ss.  
DISTRICT OF Nevada      )

I, Amos P. Dickey, Clerk of the United States District Court in and for the District of Nevada, do hereby certify that the annexed and foregoing is a true and full copy of the

original JUDGMENT AND DECREE, in the case of Clarence T. Sadler vs. Edgar A. Sadler, No. 371, now remaining among the records of said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at Carson City, Nevada this 16th day of September, A.D. 1952

Amos P. Dickey

Clerk.

(SEAL U.S. DISTRICT COURT)

By J. P. Fodrin

Deputy Clerk.

Recorded at the Request of Washoe Title Insurance Co. Nov. 18 A.D. 1952 At 41 min. past 1 P.M.

R. W. Gibson--Recorder.