

File No. 35136

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

IN THE MATTER OF THE PETITION OF

PIETRINA ETCHEGARAY, also known as

PIETRINA MARGARET ETCHEGARAY, and

LEROY WAYNE ETCHEGARAY, surviving

joint tenants, to terminate the

joint tenancy interest of FRED

ETCHEGARAY, Deceased.

No. 693

Filed: November 17th, 1960

J. D. Morrison, Clerk

Kenneth L. Mann
Attorney at Law
517 Idaho St
Elko, Nevada

Attorney for Petitioners

ORDER AND DECREE OF DETERMINATION OF TERMINATION OF
INTEREST OF A DECEASED JOINT TENANT

The verified Petition of PIETRINA ETCHEGARAY, also known as PIETRINA MARGARET ETCHEGARAY, and LEROY WAYNE ETCHEGARAY, of the County of Eureka, State of Nevada, as the surviving joint tenants, praying to have determined the termination of the interest of their deceased joint tenant in and to certain real property situate in the Eureka, State of Nevada, filed under and by virtue of the provisions of NRS 40.470, coming on regularly to be heard on the 10th day of October, 1960, at the hour of 10:30 A. M., and the Court being satisfied that due and legal notice of the hearing of said Petition has been given as required by the applicable laws of the State of Nevada, and under the order of this Court; and the Petitioners being represented by their attorney, KENNETH L. MANN, ESQ., and no person or persons appearing to contest or object to the Petition, or the matters therein set forth, the Court, after hearing the evidence submitted in support of said Petition, finds as follows:

That during the lifetime of FRED ETCHEGARAY, the said Petitioners, PIETRINA ETCHEGARAY, also known as PIETRINA MARGARET ETCHEGARAY, and LEROY WAYNE ETCHEGARAY, acquired in joint tenancy with right of survivorship with the said FRED ETCHEGARAY, the following described real property situate in the County of Eureka, State of Nevada:

PARCEL I

The North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Eight (8), the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9), and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Sixteen (16), all in Township Twenty (20) North, Range 49 East, M.D.B. & M., Nevada, containing 320 acres.

TOGETHER With all buildings and improvements situate thereon or connected therewith.

TOGETHER with all buildings and improvements situate thereon or connected therewith.

TOGETHER with all water, water rights, stock-watering rights, artesian wells, troughs, pumps, tanks, pipe, pipe lines, and reservoirs connected therewith.

TOGETHER with any and all range rights appurtenant thereto.

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.

PARCEL II

Lots one (1), two (2), and three (3), and the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section thirty-six (36) in Township Twenty-two (22) North, Range Forty-eight (48) East, M.D.B. & M., Nevada, containing one hundred sixty and eighty-six hundredths acres, being the same land described in Federal Patent Number 729845.

TOGETHER with all buildings and improvements located on said land and all furniture and fixtures contained in the buildings thereon, and also all farm machinery, implements and tools now located on said property.

TOGETHER with all water, water rights, stock-watering rights, artesian wells, troughs, pumps, tanks, pipe, pipe-lines and reservoirs connected therewith, and particularly the following named springs: Potato Canyon Spring located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26; Snow Water Canyon Spring located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28; Fagin Spring located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21; Cottonwood Spring No. 1 located in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10; Cottonwood Spring No. 2 located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, all in Township 22 North, Range 48 East, M. D. B. & M.

TOGETHER with any and all range rights appurtenant thereto.

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.

THE COURT FURTHER FINDS that the said joint tenant, FRED ETCHEGARAY, died on or about the 4th day of February, 1960, and that said decedent, at the time of his death, was a resident of the County of Eureka, State of Nevada, and that he was over the age of twenty-one years; and that Petitioner PIETRINA ETCHEGARAY is the surviving wife of the above-named Decedent, and Petitioner LeROY WAYNE ETCHEGARAY is the surviving son of the above-named Decedent.

IT IS, THEREFORE, HEREBY ORDERED AND DECREED:

That upon the death of the said FRED ETCHEGARAY, the Petitioners herein succeeded as survivors to all the right, title, interest and estate in and to said real property of said deceased joint tenant, FRED ETCHEGARAY, in and to said real property, and the whole thereof is now vested in said PIETRINA ETCHEGARAY and LeROY WAYNE ETCHEGARAY.

IT IS FURTHER ORDERED that the surviving joint tenants, PIETRINA ETCHEGARAY and LeROY WAYNE ETCHEGARAY, file for record in the office of the County Recorder of the County of Eureka, State of Nevada, a certified copy of this Order and Decree.

DONE IN OPEN COURT the 10th day of October, 1960, and this written Order signed the 10th day of November, 1960.

JOHN F. SEXTON
DISTRICT JUDGE

STATE OF NEVADA,)
) ss
COUNTY OF EUREKA.)

I, J. D. Morrison, County Clerk and ex-officio Clerk of the Third Judicial District Court of the State of Nevada, Eureka County, do hereby certify that the annexed is a full, true and correct copy of Order and Decree of Determination of Termination of Interest of a Deceased Joint Tenant, in re: Petition of Pietrina Etchegaray, et al, to terminated joint tenancy interest of FRED ETCHEGARAY, Deceased, No. 693, as appears of record and on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand officially and affixed the Seal of said Court, at office in the town of Eureka, this 17th day of November, A.D., 1960.

(Official Seal)

J. D. Morrison, County Clerk,
And ex-officio Clerk of the District Court, Eureka County.

Recorded at the request of Kenneth L. Mann November 17, A.D., 1960 At 22 minutes past 2 P. M.

Willis A. DePaoli - Recorder.