

Filed February 27, 1968No. 7-17By James H. Chang, ClerkGRAY, HORTON AND HILL
ELY, NEVADA

By _____, Deputy

ATTORNEYS FOR PETITIONER

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

IN THE MATTER OF THE ESTATE
OF
VIRGINIA LIVINGSTON,
DECEASED.ORDER

The verified Petition of MERLE H. LIVINGSTON coming on regularly for hearing on this, the 27th day of February, 1968, pursuant to Notice given as by statute required, and the Court having considered said Petition and taken evidence in support thereof, and the Court having found that the value of the hereinafter described property does not exceed the gross sum of Three Thousand Dollars (\$3,000.00); and that Petitioner is the surviving spouse of the above named Decedent; and upon good cause appearing therefor;

IT IS HEREBY ORDERED that the following described property be, and the same is hereby, assigned, set apart and distributed to the said MERLE H. LIVINGSTON, the surviving spouse of the above named Decedent, and the only person entitled to all of the assets of said estate:

That certain Assignment Affecting Record Title to Oil and Gas Lease affecting those certain lands situate and being in Eureka County, State of Nevada, and particularly described as follows:

T. 27 N., R. 45 E., S. 34 N., Eureka County, Nevada

Section 36: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ (Lot 7) - 40.04 Acres

A copy of which said Assignment Affecting Record Title to Oil and Gas Lease, marked Exhibit "A" is attached hereto for all purposes.

Dated this 27th day of February, 1968.

James H. Chang
District Judge

No. 77
GRAY, HORTON AND HILL
ELY, NEVADA
ATTORNEYS FOR PETITIONER

Filed
1968
Clerk
Deputy

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

ORDER

IN THE MATTER OF THE ESTATE
OF
VIRGINIA LIVINGSTON,
DECEASED.

The verified petition of MERLE H. LIVINGSTON coming on
regularly for hearing on this, the 27th day of February, 1968, pursuant
to notice given as by statute required, and the Court having considered said
petition and taken evidence in support thereof, and the Court having found that
the value of the hereinafter described property does not exceed the gross sum
of Three Thousand Dollars (\$3,000.00); and that petitioner is the surviving

STATE OF NEVADA, } ss
COUNTY OF EUREKA.

I, Joan Shangle 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 - #747 Virginia Livingston Estate as appears
as 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 my office in the town of
Eureka, this 27th day of February, A. D. 1968

Joan Shangle, County Clerk,
And ex-officio Clerk of the District Court, Eureka County.

By _____, Deputy.

DISTRICT JUDGE

EXHIBIT "A"

Form 4-1172
(July 1961)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Rev-057738-M-1

Serial Number	Out of
057738-M	
Effective Date of Base Lease	
August 1, 1961	

ASSIGNMENT AFFECTING RECORD TITLE TO OIL AND GAS LEASE

The undersigned, as owner of record title in the above-designated oil and gas lease, does hereby transfer and assign to: VIRGINIA M. LIVINGSTON and MERLE H. LIVINGSTON
4637 Yosemite Blvd., Rt. 7, Modesto, California
(Name)
(Address)

the record title interest in and to such lease as specified below:

1. Lands affected by this assignment:

T 27 N, R 50 E, M.D.M., Eureka County, Nevada
Section 36: SE 1/4 of SE 1/4 (Lot 7)

~~40.04 Acres~~

40.04 Acres

- | | |
|---|------|
| 2. Interest of assignor in above-described lands | ALL |
| 3. Extent of interest conveyed to assignee | ALL |
| 4. Overriding royalty or production payments reserved herein to assignor (State percentage only) (See Item 4 of Instructions) | NONE |
| 5. Overriding royalties or production payments previously reserved (State percentage only) | NONE |

The undersigned agrees that the obligation to pay any overriding royalties or payments out of production of oil created herein, which, when added to overriding royalties or payments out of production previously created and to the royalty payable to the United States, aggregate in excess of 17 1/2 percent, shall be suspended when the average production of oil per well per day averaged on the monthly basis is 15 barrels or less.

It is hereby certified that the statements made herein are true, complete, and correct to the best of the undersigned's knowledge and belief.

Executed this 30 day of January, 1964.

Le Roy Bruce Nelson
(Assignor's signature)
315 Lenox Avenue
(Address)
Oakland 10, California

Assignment approved effective:

February 1, 1964.
(Date)

THE UNITED STATES OF AMERICA
By Ellis R. Ferguson
(Signing Officer)
Ellis R. Ferguson, Acting Chief
Minerals Adjudication Section Feb. 11, 1964
(Title)

REQUEST FOR APPROVAL OF ASSIGNMENT

The Assignee hereby requests approval of assignment and certifies as follows:

1. Assignee is 21 years of age or over, and is a citizen of the United States: ☒ Native Born ☐ Naturalized
2. Assignee is a corporation or other legal entity (specify kind)

NCNE

and is qualified to take this assignment as shown by statements attached hereto. (See Item 2 of Instructions)

3. Assignee's interest, direct and indirect, do not exceed 200,000 acres in oil and gas options or 246,080 chargeable acres in options and leases in the same State; or 300,000 chargeable acres in leases and options in each leasing district in Alaska.
4. Assignee ☒ is ☐ is not the sole party in interest in this assignment. (If assignee is not the sole party in interest, information as to interests of other parties in the assignment must be furnished as prescribed in Item 3 of the Instructions.)

5. Amount remitted: Filing fee, \$10

The assignee agrees to be bound by the terms and provisions of the lease described herein, provided the assignment is approved by the signing officer of the Bureau of Land Management.

IT IS HEREBY CERTIFIED That the statements made herein are true, complete, and correct to the best of the undersigned's knowledge and belief.

Executed this 20 day of January, 1964.

RECORDED AT THE REQUEST OF
Gray, Horton & Hill

on March 7, 1968

at 50 mins. past 10 A.

in Book 23 of O.F.C.M.

RECORDS, page 27-30

OF EUREKA COUNTY, CALIF.

Recorded 46312

File No. 46312 Fee \$ 5.00

Mark H. Livingston
(Assignee's signature)

4637 Yosemite Blvd., R. 7

(Address)

Madison, California

INSTRUCTIONS

- Use of Form.** This form is to be used only for assignment of record title interests in oil and gas leases. It is not to be used for assignments of working or royalty interest, operating agreements, or subleases. The assignment, if approved, will take effect as of the first day of the lease month following the date of filing in the proper Land Office of three (3) original executed counterparts thereof, together with any required bond and proof of the qualification of the assignee to take and hold the interest assigned. Assignments must be filed within ninety (90) days from date of final execution and each must be accompanied by a filing fee of \$10. Any assignment not accompanied by the required fee will not be accepted for filing. An assignment of record title may cover lands in only one lease. Where more than one assignment is made out of a lease, a separate instrument of transfer must be filed for each assignment.
- Qualifications of Assignee.** Assignee must indicate whether a citizen by birth or naturalization. If assignee is an unincorporated association (including a partnership), the assignment must be accompanied by a statement giving the same showing as to citizenship and holdings of its members as required of an individual. If assignee is a corporation, it must submit a statement containing the following information: (a) the State in which it is incorporated; (b) that it is authorized to hold oil and gas leases; (c) that the officer executing the assignment is authorized to act on behalf of the corporation in such matters; and (d) the percentage of the voting stock and of all of the stock owned by aliens or those having addresses outside the United States. Where such ownership is over 10 percent, additional information may be required by the Bureau of Land Management prior to approval of the assignment. If 20 percent or more of the stock of any class is owned or controlled by or on behalf of any one stockholder, a separate showing of his citizenship and holdings must be furnished. Where evidence of the corporation's citizenship and stock ownership has previously been furnished, reference by serial number to the record in which it has been filed, together with a statement as to any amendments, will be sufficient. With respect to qualifications of the assignee, there must be full compliance with the regulations 43 CFR 192.42(e) and (f).
- Statement of Interests.** Assignee must indicate whether or not he is the sole party in interest in the assignment. If not the sole party in interest, the assignee must submit at the time the assignment is filed a signed statement setting forth the names of the other interested parties. If there are other parties interested in the assignment, a separate statement must be signed by each and the assignee setting forth the nature and extent of the interest of each, the nature of the agreement between them, if oral; and a copy of the agreement, if written. All interested parties must furnish evidence of their qualifications to hold such lease interests. Such separate statement and written agreement, if any, must be filed not later than fifteen (15) days after the filing of the assignment.
- Overriding Royalties or Payments out of Production.** Any overriding royalties or payments out of production created by the assignment but not set out therein must be described in an accompanying statement. If payments out of production are reserved by the assignor, outline in detail the amount, method of payment, and other pertinent terms.
- Effect of Assignment.** Upon approval of the assignment, the assignee becomes the lessee of the Government as to the assigned interest and will be responsible for compliance with all the lease terms and conditions, including timely payment of annual rentals and maintenance of bond, if required. The approval of an assignment of part of the leased lands creates separate leases out of the assigned portion and the retained portion, but there is no change in either the anniversary date or the term of such leases except as provided under the regulations 43 CFR 192.144(b). Oil and gas leases are governed by the regulations 43 CFR, Parts 191 and 192, of which Secs. 192.140-192.145 relate to assignments of such leases or interests therein.
- A copy of the executed lease out of which this assignment is made should be made available to the assignee by the assignor.