

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

No. 752  
 In the Matter of the Estate of  
 GORDON MACMILLAN,  
 Deceased.

NO. 752  
**FILED**  
 JAN 20 1970  
 JOAN SHANGLE,  
 CLERK

DECREE OF DISTRIBUTION

DOROTHE K. MACMILLAN, Executrix of the Estate of GORDON MACMILLAN, Deceased, having on the 8th day of December, 1969, filed herein a Petition for Distribution and Waiver of First and Final Account, and hearing on said Petition having been set for the 19th day of December, 1969, at the hour of 10:00 A.M., in the Courtroom of the above-entitled Court in Eureka, Nevada, and having been carried forward to the 15th day of January, 1970, at the hour of 10:00 A.M., and having come on duly and regularly to be heard at said time, and proof having been made to the satisfaction of the Court that due and legal notice of the hearing of said Petition for Distribution had been given as required by law,

THE COURT HEREBY FINDS:

1. That DOROTHE K. MACMILLAN has waived a first and final account since she is the sole devisee and legatee named in the Will of the above-named Decedent and also the sole heir at law of Decedent, and said waiver is entitled to be accepted.
2. That no bond was required of said Executrix.
3. That due and legal Notice to Creditors of said Estate was given in the manner and for the time required by law.
4. That two Creditor's Claims filed in said Estate, but they have been withdrawn.

1           5. That all taxes of every name or nature required to  
2 be paid by Decedent's Estate to date have been paid. That the  
3 Federal Estate Tax Return has been filed with the Internal  
4 Revenue Service, but it has not been audited to date. That  
5 DOROTHE K. MACMILLAN has personally assumed to pay the tax  
6 deficiency, if any, which might be a charge against Decedent's  
7 Estate.

8           6. That the firm of HILSON and WILSON, Attorneys for  
9 said Estate, is entitled to the allowance of a reasonable fee  
10 for services to said estate in the sum of \$2,520.98, and that  
11 such fee is a reasonable sum to be paid.

12           7. That the firm of WILSON and WILSON, as said  
13 Attorneys, has advanced for said Estate the sum of \$132.49 as  
14 costs of administration, and will advance for closing costs the  
15 sum of \$15.00, and said firm is entitled to be reimbursed  
16 therefor.

17           8. That DOROTHE K. MACMILLAN, Executrix, has waived  
18 the allowance and payment of statutory fees and commissions for  
19 her services as Executrix of said Estate.

20           9. That FRED B. HARRIS, HUGH D. McMULLEN and JAMES M.  
21 OLIN were duly appointed Appraisers of said Estate, and they  
22 are entitled to a reasonable fee in the sum of \$ 50.00 each  
23 for their services to said Estate.

24           10. That all of the property of every name or nature  
25 possessed by Decedent as of his death and described herein was  
26 the community property of Decedent and DOROTHE K. MACMILLAN,  
27 surviving wife.

28           11. That pursuant to the terms of Decedent's Will,  
29 DOROTHE K. MACMILLAN is entitled to distribution of all of the  
30 properties comprising said Estate, and to have confirmed in her  
31 the remaining undivided one-half interest as and for her share  
32 of the community property.

12. That the case of GORDON MACMILLAN et al v. JEFF HUNT, doing business as HUNT CONSTRUCTION COMPANY, No. 10930, in the Fourth Judicial District Court, Elko County, Nevada, as referred to in the Petition for Distribution, has now been closed with the payment to DOROTHE K. MACMILLAN, Executrix of the Estate of Decedent, of the sum of \$1,232.29.

13. That the property comprising the Estate and available for distribution, after the payment of costs of administration including Attorneys' fees and Appraisers' fees, is the following:

T. 31 N., R. 43 E., MDB&M

Section 8: SUREX  
17: N.E.  
19: E.W.E.

TOGETHER WITH all improvements situate thereon.

TOGETHER WITH all waters, water rights, rights to the use of water, dams, ditches, canals, pipe lines, reservoirs and all other means for the diversion or use of waters appurtenant to the said property or any part thereof, or used or enjoyed in connection therewith, and together with all stockwatering rights used or enjoyed in connection with the use of any of said lands.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO Lease and Agreement dated June 17, 1959, between GORDON MACMILLAN and DOROTHE MACMILLAN, husband and wife, and MAGMA POWER COMPANY, as amended by various instruments.

1 Freeman 25 AW Baler S/N 99377. on consignment at A-D Machinery Co.

Bank account in First National Bank of Nevada, Main Branch, Reno, Nevada - \$22,437.74

7,053 shares of stock of Macmillan Petroleum (now called Macmillan Ring Free Oil Co.)

All of Decedent's right, title and interest and chose in action in and to the cause of action evidenced by that certain case, GORDON MACMILLAN et al v. THE STATE OF NEVADA, No. 2769, in the Third Judicial District Court, Eureka County, Nevada, for a claim for damages for the wrongful taking and transfer by the State of Nevada, and others under the authority of said State, of gravel from the alleged property of Decedent and DOROTHE MACMILLAN, without payment therefor, said action being to recover the sum of \$40,000.00.



1 All of Decedent's interest as Lessor in and to that certain  
2 Lease and Agreement dated June 17, 1959, between GORDON  
3 MACMILLAN and DOROTHE MACMILLAN, husband and wife, and  
4 MACMA POWER COMPANY, as amended by various instruments,  
5 to thermal power and minerals as specifically defined  
6 in said Lease and amendments, to the above-described  
7 real property, together with the rentals accrued and  
8 accruing therefrom.

9 14. That said Estate is in all respects ready to be  
10 closed.

11 WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

12 A. That the First and Final Account was properly  
13 waived and notice of hearing of the Petition for Distribution was  
14 given as required by law.

15 B. That there be allowed and paid unto the firm of  
16 WILSON and WILSON, Attorneys for said Estate, the sum of  
17 \$2,520.00 for services to said Estate.

18 C. That there be allowed and paid unto the firm of  
19 WILSON and WILSON, as said Attorneys, the sum of \$142.24 for  
20 costs advanced by said firm and the necessary closing costs.

21 D. That no statutory fees or commissions be allowed  
22 unto DOROTHE K. MACMILLAN, Executrix, for the reason that she  
23 has waived payment of same.

24 E. That there be allowed and paid unto FRED B. HARRIS,  
25 RICH D. McMULLEN and JAMES M. OLIN, as Appraisers for said  
26 Estate, the sum of \$ 50.00 each.

27 F. That after the payment of costs of administration,  
28 including Attorneys' fees and Appraisers' fees, and it appearing  
29 that DOROTHE K. MACMILLAN has personally assumed to pay the  
30 Federal Estate Tax deficiency, if any, that all of Decedent's  
31 interest in the community property hereinabove specifically  
32 described, to-wit, an undivided one-half interest, be, and the  
same hereby is distributed unto DOROTHE K. MACMILLAN, and that  
the community assets of DOROTHE K. MACMILLAN in said community

1 property, to-wit, the remaining undivided one-half interest, be,  
2 and the same hereby is confirmed in her.

3 G. That all of Decedent's right, title and interest  
4 and chose in action in and to the cause of action evidenced by  
5 that certain case, GORDON MACMILLAN et al v. THE STATE OF NEVADA,  
6 No. 2769, in the Third Judicial District Court, Eureka County,  
7 Nevada, as aforesaid, be and the same hereby is distributed unto  
8 DOROTHY K. MACMILLAN.

9 H. That any and all other real and personal property  
10 of any name or nature not hereinabove described and within the  
11 jurisdiction of the above-entitled Court, in which said Estate  
12 shall have an interest and whether now known or not, be, and  
13 the same hereby is distributed unto DOROTHE K. MACMILLAN.

14 I. That upon filing receipts showing distribution in  
15 accordance herewith, said Executrix be discharged from her trust.

16 DATED: January 15th, 1970.

17  
STATE OF NEVADA, }  
COUNTY OF EUREKA. }

JOHN F. SEXTON  
DISTRICT JUDGE.

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 Decree of Distribution - Macmillan Estate #752 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 20th day of January, A. D. 1970



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

By \_\_\_\_\_, Deputy.

RECORDED AT THE REQUEST OF Wilson & Wilson  
on Jan. 21, 1970 at 05 mins. past 1 P. M. in  
Book 34 of OFFICIAL RECORDS, page 214-218 RECORDS OF  
EUREKA COUNTY, NEVADA. *Willis A. R. Park* Recorder.  
FEB 2 1970 Fee \$ 7.00

Wilson and Wilson  
Attorneys At Law  
Elko, Nevada

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