



57342

United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
2800 Cottage Way, Rm. E-2740
Sacramento, California 95825

IN REPLY REFER TO:
PROBATE
IDENTIFICATION Nos.

IP SA 48N 72

EXAMINERS NOTICE
TO ALL PERSONS HAVING AN INTEREST IN THE
SUBJECT MATTER OF THIS PROCEEDING

NOTICE IS GIVEN That on January 18, 1973 a decision was entered
in the estate of TOM ALLISON, Shoshone Allottee No. N-1709.
A copy is attached to this notice.

THIS DECISION BECOMES FINAL SIXTY (60) DAYS FROM THE DATE OF MAILING OF THIS NOTICE UNLESS
WITHIN SUCH PERIOD A WRITTEN PETITION FOR REHEARING SHALL HAVE BEEN FILED WITH THE SUPERINTENDENT BY
AN AGGRIEVED PARTY IN ACCORDANCE WITH THE PROVISIONS OF 43 CFR 4.241.

THE PETITION FOR REHEARING MUST BE UNDER OATH AND MUST GIVE A CONCISE BUT COMPLETE STATEMENT
OF THE GROUNDS UPON WHICH IT IS BASED. IF IT IS BASED UPON NEWLY DISCOVERED EVIDENCE, IT SHALL BE
ACCOMPANIED BY THE AFFIDAVITS OF WITNESSES STATING FULLY WHAT THE NEW TESTIMONY IS TO BE. THE
PETITION SHALL INCLUDE THE PETITIONER'S JUSTIFIABLE REASONS FOR THE FAILURE TO DISCOVER AND PRESENT
THAT EVIDENCE, TENDERED AS NEW, AT THE HEARINGS HELD PRIOR TO THE ISSUANCE OF THE DECISION.

NO CLAIMS SHALL BE PAID AND NO DISTRIBUTION SHALL BE MADE DURING THE PENDENCY OF PROCEEDINGS
FOLLOWING THE FILING OF A PETITION FOR REHEARING, EXCEPT AS SPECIFICALLY AUTHORIZED BY THE EXAMINER.

The probate fee of \$ 30.00 is to be collected and distribution of the
estate and payment of claims will be made by the Superintendent of the
Nevada Indian Agency, Stewart, Nevada. For
information thereon consult the Superintendent.

PARTICULAR NOTICE IS GIVEN TO PARTIES IN INTEREST HERE NAMED:

Mrs. Madelynn Hesselgesser, Box 63, Baker, Nevada 89311
Mrs. Lucille Allison Estella, Box 62, Eureka, Nevada 89316
Mrs. Bernice Allison Kern, Box 1067, Elko, Nevada 89801
Mr. Albert Allison, Duckwater, Nevada 89314
Miss Sophie Allison, Duckwater, Nevada 89314
Miss Irene Allison, Duckwater, Nevada 89314
Mr. Andrew Allison, Duckwater, Nevada 89314

Southwest Title Plant, BIA, Albuquerque, New Mexico 87108
Superintendent, Nevada Agency, BIA, Stewart, Nevada 89437
Attention: Realty
Area Director, Phoenix Area Office, BIA, Phoenix, ARizona 85011
Attention: Realty

Dated and mailed: January 18, 1973

By: Jane A. Hagan
(signature)

(Signed) Alexander H. Wilson

Alexander H. Wilson, ~~Nebraska Examiner~~
Administrative Law Judge

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UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
HEARINGS DIVISION

ESTATE OF TOM ALLISON)
Shoshone Allottee No. N-1709)
Deceased,)

ORDER DETERMINING HEIRS

This is a proceeding to determine the heirs and to settle the estate of Tom Allison
of the Shoshone Indian Tribe, a deceased Indian, No. N-1709.

Upon receipt of the notice of death, a hearing was duly held/concluded at Elko, Nevada
on November 29, 1972.

FINDINGS AND CONCLUSIONS based upon the evidence adduced are as follows:

The said Tom Allison whose last residence was in the State
of Nevada was born June 3, 1890 and died intestate at Ely, Nevada
on July 19, 1971.

At the date of death the decedent was possessed of that trust or restricted property, real and personal, located
in the State of Nevada ~~XXXXXXX~~ listed on the inventory/~~XXXX~~ attached, and other
reporting documents; and

At death the decedent was survived by certain persons whose respective names, relationships, birth dates, and
interests in the estate under the statutes of descent of the State(s) of Nevada Revised Statutes §134.090(1968)
are as follows:

Bernice Allison Kern (born 10-4-29)	Daughter	1/7
Lucille Allison Estella (born 10-22-31)	Daughter	1/7
Madelynn Hesselgesser (born 7-25-33)	Daughter	1/7
Sophie Allison	Daughter	1/7
Irene Allison	Daughter	1/7
Albert Allison	Son	1/7
Andrew Allison	Son	1/7

(Findings and Conclusions, continued)

THE VALUE SHOWN IN THIS ORDER MAY BE AN ESTIMATE

It is made for the purpose of fixing the probate fee required by law to be collected and it may not necessarily represent the present market value of the property. Further investigation of values should be made before entering into any negotiations involving this property.

The Superintendent or other officer in charge is to collect a probate fee of \$ 30.00 pursuant to the Act of January 24, 1923, 25 USC 372 (1970), assessed on the estimated value of \$ 3,000.00 of the land ~~xxx~~ ~~xxxx~~ ~~xxxxxx~~ subject to the jurisdiction of this Department.

ORDER

NOW, THEREFORE, by virtue of the power and authority vested in the Secretary of the Interior under section 1 of the Act of June 25, 1910, as amended, 25 USC 372 (1970) and other applicable statutes, as delegated (211 DM 13.7; 35 F.R. 12081), **IT IS HEREBY ORDERED**, that the Superintendent or other officer in charge distribute the estate to the decedent's heirs named in the findings and conclusions herein. The distribution of interests remaining in trust or in restricted status is to be made subject to the burden of payment of the probate fee and to the payment of allowed claims. Those rights of (homestead) (dower) (curtesy) included in the findings and conclusions are recognized, and the interests to be distributed shall be and are subject to the burden thereof.

This decision is final for the Department unless a petition for rehearing is timely filed in accordance with 43 CFR §4.241 within 60 days from the date hereof as set forth in the notice attached hereto.

Done at Sacramento, California, on January 18, 1973.

(Signed) Alexander H. Wilson
Alexander H. Wilson, ~~Assistant Secretary~~
Administrative Law Judge

Address Office of Hearings and Appeals
2800 Cottage Way, Rm. E-2740
Sacramento, California 95825

INVENTORY AND APPRAISEMENT OF INDIAN TRUST
LANDS OF TOM ALLISON, DECEASED ALLOTTEE
NO. N-1709 OF THE NEVADA AGENCY, STEWART, NEVADA.

According to the records of the Nevada Agency, Stewart, Nevada, Tom Allison, deceased Allottee No. N-1709, at the time of his death on July 19, 1971 was possessed of the following Indian trust lands in the State of Nevada.

HIS OWN ALLOTMENT:

N-1709

Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 4;
Lot 1, Sec. 5, T. 26 N.,
R. 49 E., Mount Diablo
Meridian, Nevada, containing
162.01 acres

ESTIMATED AT ----- \$3,000.00

TOTAL ESTIMATED VALUE DECEDENT'S ESTATE \$3,000.00

I certify that the foregoing is an accurate inventory, according to the records of the Nevada Agency of the trust or restricted property, or interests therein, owned by Tom Allison, allottee #N-1709, at the time of his death. The value shown in the inventory may be an estimate. It is made for the purpose of fixing the probate fees required by law to be collected and it may not necessarily represent the present market value of the property. Further investigation of values should be made before entering into any negotiations involving this property.

Date: NOV 30 1971

Ned Mitchell
Ned Mitchell, Realty Officer

RECORDED AT THE REQUEST OF Gregory Chachas
on May 25 1973 at 10 mins. past 10 A. M. in
Book 45 of OFFICIAL RECORDS, page 417-420 RECORDS OF
EUREKA COUNTY, NEVADA Thelma A. Betts Recorder
File No. 57342 Fee \$ No Fee
FILE NO. 57342

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