

71038

Case No. 3131

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO  
IN THE MATTER OF THE ESTATE OF  
HENRY CORTA, also known as  
HENRY J. CORTA,  
Deceased.

FILED

1979 OCT -4 PM 2:17

CLERK *R. Kane*DEPUTY *Wm. Budge*

DECREE SETTling FIRST AND FINAL  
ACCOUNT AND PETITION FOR DISTRIBUTION

RAY CORTA, Administrator of the Estate of the above-named Decedent, having on the 21st day of September, 1979, rendered and filed herein his First and Final Account and Petition for Distribution, and hearing on said Account and Petition having been set for the 3rd day of October, 1979, at the hour of 2:00 p.m., and proof having been made to the satisfaction of the Court that due and legal notice of the settlement of said Account and the hearing on said Petition for Distribution having been given as required by law, the Court hereby finds:

1. That the Administrator filed no statement of money received or money disbursed, for the reason that the only heir, ALICE CORTA, surviving wife of the Decedent herein, waived her right to an account by written waiver on file herein, and therefore, the rendition and settlement of a detailed account as such Administrator is not necessary or required, other than to show the payments of all debts and any expenses of administration, and by the filing of the Petition, the Petitioner in his individual capacity, waived any accounting or the filing of any detailed

1 statement of money received and disbrused.

2 2. That due and legal Notice to Creditors of said  
3 Estate has been given in the manner and for the time required  
4 by law.

5 3. That there was one Creditor's Claim filed against  
6 the Estate by the Elko General Hospital in the sum of \$6,400.00,  
7 which Creditor's Claim has been paid by the Administrator.

8 4. That all taxes of every name and nature required  
9 to be paid by Decedent's Estate have been paid. That the Estate  
10 tax return has been filed and paid to the Internal Revenue Service.

11 5. That the Administrator engaged Roy Young and Roy  
12 Shurtz to appraise the Estate. The payment of the appraiser's fee  
13 has been paid out of the Estate account and settled.

14 6. That all of the property and property interests of  
15 every name and nature in which Decedent had an interest at the  
16 date of his death was community property of which one-half should  
17 be confirmed to ALICE CORTA, surviving wife of the Decedent as  
18 her community share and that the remaining one-half interest in  
19 said property is Decedent's share of the community.

20 7. That there will be closing costs not to exceed the  
21 sum of \$100.00.

22 8. That the Administrator having waived his right to  
23 the allowance for any payment of statutory fees and commissions  
24 for services as Administrator none be allowed.

25 9. That the heirs-at-law of the Decedent are as  
26 follows:

27 <u>Name and Residence</u>	<u>Relationship</u>	<u>Age</u>
28 ALICE CORTA	Wife	Adult
29 Jiggs, Nevada 89827		
30 RAY CORTA	Son	Adult
31 Jiggs, Nevada 89827		

32 10. That the property in the hands of your Administra-

1 tor for distribution unto the party entitled thereto is as more  
2 fully hereinafter set forth.

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

4 A. That due and legal notice of the hearing of said  
5 First and Final Account and Petition for Distribution was given  
6 as required by law. That the First and Final Account of said  
7 Administrator be, and the same hereby is, finally settled, allowed  
8 and approved.

9 B. That due and legal Notice to Creditors of said  
10 Estate was given in the manner and for the time required by law.

11 C. That the Administrator having waived his statutory  
12 fees and commissions none be allowed.

13 D. That the sum of \$100.00 be, and hereby is, set  
14 aside for closing costs.

15 E. That all of the property and property interest of  
16 every name and nature in which Decedent had an interest at the  
17 date of his death was community property of which one-half is  
18 confirmed to ALICE CORTA, surviving wife of the Decedent, as her  
19 community share, and the remaining one-half interest in said  
20 property is Decedent's share of the community. That the Decedent  
21 and his wife owned an undivided 75% interest in the hereinafter  
22 described real and personal property. That the interest of the  
23 Decedent to be distributed to ALICE CORTA is as follows:

24 An undivided thirty seven and one-half percent interest  
25 in and to that certain real and personal property situate, lying  
26 and being in the Counties of Elko, Eureka and White Pine, State  
27 of Nevada, and more particularly described as follows:

28 Parcel 1:

29 Elko County

30 TOWNSHIP 32 NORTH, RANGE 54 EAST, M.D.B.&M.

31 Section 13: All

32

TOWNSHIP 31 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 1: All  
 Section 3: All  
 Section 5: All  
 Section 9: All  
 Section 13: All  
 Section 15: All

TOWNSHIP 32 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 23: That portion of the NE1/4 more particularly described as follows:

Commencing at the N.E. corner of said Section 23 as Corner No. 1, thence S. 0°10' W. 2643.79 feet to Corner No. 2, a point on the South line of said N.E. 1/4, thence N. 89°51' W. 1134.16 feet to Corner No. 3, thence N. 19°17' W. 2266.46 feet to Corner No. 4, thence N. 25°04' W. 400.00 feet to Corner No. 5, thence N. 30°42' W. 180.47 feet to Corner No. 6, thence S. 89° 50' E. 2150.74 feet to Corner No. 1, the place of beginning.

That portion of the SE1/4 more particularly described as follows:

Commencing at the NE corner of said Section 23, thence S. 0°10' W. 2643.79 feet to Corner No. 1, the point of beginning; thence N. 89°51' W. 1134.16 feet to Corner No. 2, thence S. 19°17' E. 1871.54 feet to Corner No. 3, thence S. 12°00' E. 899.00 feet to Corner No. 4; thence S. 89°52' E. 322.27 feet to Corner No. 5, the SE corner of said Section 23, thence N. 0° 10' E. 2643.79 feet to Corner No. 1, the point of beginning.

Section 27: All  
 Section 29: All  
 Section 33: All

EXCEPTING THEREFROM, all petroleum, oil, natural gas and products derived therefrom, in or under said land, reserved by SOUTHERN PACIFIC COMPANY in Deed recorded June 15, 1959, in Book 76, Page 355, Official Records, Elko County, Nevada.

TOWNSHIP 28 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 1: SW1/4NW1/4; SW1/4  
 Section 12: W1/2  
 Section 18: SW1/4SW1/4  
 Section 19: Lot 1 (NW1/4NW1/4)

----

TOWNSHIP 29 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 19: Lots 1 and 2 (W1/2NW1/4)  
 Section 34: SW1/4SE1/4; SE1/4SE1/4  
 Section 35: SE1/4NE1/4; SW1/4SW1/4

Parcel 2:Elko CountyTOWNSHIP 27 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 10: SE1/4SW1/4  
 Section 15: NW1/4NE1/4; SW1/4; SW1/4NW1/4;  
 SW1/4SE1/4  
 Section 25: NE1/4SW1/4

TOWNSHIP 28 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 19: Lot 2 (SW1/4NW1/4)

Parcel 3:Elko CountyTOWNSHIP 32 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 36: NE1/4; E1/2W1/2

Parcel 4:White Pine CountyTOWNSHIP 17 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 6: NW1/4NW1/4; (Silver Spot Springs)

TOWNSHIP 18 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 33: NE1/4SW1/4; (Jauregite Well #1)

TOWNSHIP 19 NORTH, RANGE 57 EAST, M.D.B.&M.

Section 19: SW1/4SW1/4; (Goyeneche Well)

Parcel 5:White Pine CountyTOWNSHIP 18 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 28: SW1/4SW1/4

Parcel 6:White Pine CountyTOWNSHIP 16 NORTH, RANGE 57 EAST, M.D.B.&M.

Section 15: NE1/4NW1/4; NW1/4NW1/4



TOWNSHIP 16 NORTH, RANGE 58 EAST, M.D.B.&M.

Section 3: NW1/4SE1/4

Section 15: SW1/4SE1/4

Section 22: NE1/4NW1/4; NW1/4NE1/4

Parcel 7:

Bureka County

TOWNSHIP 20 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 17: SW1/4NW1/4; NW1/4SE1/4

TOWNSHIP 24 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 13: NE1/4SE1/4

TOWNSHIP 29 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 16: SE1/4SW1/4; NE1/4SW1/4

TOWNSHIP 31 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 18: NW1/4NE1/4

TOWNSHIP 16 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 7: NE1/4NE1/4

TOGETHER WITH all buildings and improvements situate thereon.

TOGETHER WITH all water, water rights, right to the use of water, dams, ditches, canals, pipelines, reservoirs, wells, and all other means for the diversion or use of water appurtenant to the said property, or any part thereof.

TOGETHER WITH all mineral rights, oil or gas lying on, in or over the above-described real property.

TOGETHER WITH all existing easements and rights of way benefiting the above-described real property, including, but not limited, to all easements and rights of way for ingress and egress to said property.

TOGETHER WITH all range rights and grazing rights, and in particular, but without limitation thereto, all rights to graze livestock upon the Public Domain under what is known as the Taylor Grazing Act, used or enjoyed in connection with said property and all rights to graze livestock upon the National Forest.

TOGETHER WITH any and all rights in any range improvement project or cooperative agreements constructed on the public domain in cooperation with the Bureau of Land Management, and all of the Decedent's right in and to any and all other corrals, improvements or structures located on the public domain.

1 TOGETHER WITH the tenements, hereditaments and  
 2 appurtenances thereunto belonging or in anywise  
 3 appertaining, the reversion and reversions, re-  
 4 mainder and remainders, rents, issues and profits  
 5 thereof.

6 TOGETHER WITH an undivided thirty seven and one-  
 7 half percent interest in and to all livestock,  
 8 farm equipment and machinery, operating supplies  
 9 and ranch vehicles.

10 Thirty seven and one-half percent interest in  
 11 and to Corta Livestock Company's cash and bank  
 12 accounts.

13 Thirty seven and one-half percent interest in  
 14 and to Corta Livestock Company's Federal Land  
 15 Bank stock.

16 That Decedent and his surviving wife, ALICE CORTA,  
 17 owned as community property a Savings Account at First National  
 18 Bank of Nevada and a Checking Account at Security National Bank  
 19 of Nevada. That the one-half interest of the Decedent in said  
 20 bank accounts be distributed to ALICE CORTA, and the community  
 21 one-half interest of ALICE CORTA in said bank accounts be con-  
 22 firmed to her.

23 F. That any and all other property, both real and  
 24 personal, of any kind or nature, not hereinabove described, but  
 25 within the jurisdiction of the above-entitled Court in which  
 26 said Estate may have an interest, whether now known or not, be  
 27 distributed to ALICE CORTA.

28 G. That upon filing receipts showing payments and  
 29 distributions as herein set forth and receipt showing a payment  
 30 of fees and costs having been duly made, all in accordance with  
 31 this Decree, said Administrator be discharged.

32 DATED this 3rd day of October, 1979.

s/ Jos. O. McDaniel  
 DISTRICT JUDGE



STATE OF NEVADA,  
COUNTY OF ELKO.

ss.

I, R. L. KANE, County Clerk and ex-officio Clerk of the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko, do hereby certify that the annexed is a full, true and correct copy of DECREE SETTling FIRST AND FINAL ACCOUNT AND PETITION FOR DISTRIBUTION IN THE MATTER OF THE ESTATE OF HENRY CORTA, No. 3131 as the same appears on file and of record in my office.



WITNESS my hand and the seal of said court affixed  
the 3rd day of October, A.D. 19 79.

R. L. KANE

Clerk

By Wm. Budget Deputy Clerk

FILED INDEPENDENT PRINT

202128

#202128

RECORDED AT REQUEST OF  
Evans and Bilyeu

DATE: Oct. 22, 1979 TIME: 9:17AM

BOOK NO. 9 PAGE NO. 169 TO 176

**OFFICIAL RECORDS**

BY: [Signature] RECORDER

WHITE PINE COUNTY, STATE OF NEVADA  
FERREL D. HANSEN, COUNTY RECORDER  
FEE: \$10.00

T.T.

T.T.

rb

<sup>410.00</sup>  
FEE 127021  
FILED FOR RECORD  
AT REQUEST OF

Evans & Bilyeu

79 OCT 4 P 2: 41

INDEXED

RECORDED BY 303 PG 416  
JERRY D. REYNOLDS  
ELKO CO. RECORDER

71038

RECORDED AT THE REQUEST OF Evans and Bilyeu  
on November 8, 19 79, at 46 mins. past 10 A. M. Ir.  
Book 76 of OFFICIAL RECORDS, page 93-100, RECORDS OF  
EUREKA COUNTY, NEVADA. WILLIS A. DePAOLI Recorder  
File No. 71038 Fee \$ 10.00

BOOK 76 PAGE 100

BOOK 303 PAGE 423

127021