

No. 2783

Dept. 1

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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  
IRA E. UNRUH, aka  
IRA EDWARD UNRUH,

ORDER APPROVING AND SETTLING  
FIRST AND FINAL ACCOUNT  
AND  
DECREE OF DISTRIBUTION

DECEASED.

WILLIAM S. MCKINLEY, Executor of the Estate of IRA  
E. UNRUH, aka IRA EDWARD UNRUH, Deceased, having on the  
23rd day of December, 1988, rendered and filed herein his  
First and Final Account and Petition for Distribution, and the  
hearing on said Account and Petition having been set for the  
9th day of January, 1988, at the hour of 9:30 o'clock A.M. of  
said day, 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 First and Final Account is in all  
respects true and correct as rendered; that the property in  
the hands of the Executor of the Estate, at the time of said  
hearing of said Account was, and is as set forth in Exhibit A,  
attached hereto.

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BOOK 194 PAGE 276

BOOK 661 PAGE 273

1           2. That the above-named Decedent died testate in  
2           Annie's Peak Rural Charleston, County of Elko, State of Nevada,  
3           on October 29, 1970, that at the time of Decedent's death, he  
4           was a resident of the City of Elko, County of Elko, State of  
5           Nevada, and left estate consisting of property within the  
6           County of Elko, State of Nevada, and within the jurisdiction  
7           of this Court.

8           3. That the above-named WILLIAM S. MCKINLEY was  
9           appointed Executor of the above-entitled Estate on December  
10          21, 1972, and duly qualified as such on the same date.

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

14          5. That all taxes of every name and nature required  
15          to be paid by Decedent's Estate have been paid.

16          6. That there have been no Creditor's Claims  
17          presented against said Estate.

18          7. That the Executor of said Estate, having waived  
19          statutory fees and commissions, none be paid to him.

20          8. That the heirs-at-law of the Decedent are as  
21          follows:

22	<u>NAME AND ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
23	Olive M. Unruh	Adult	Wife
24	350 W. Fir		
25	Elko, NV 89801		
26	Kenneth Ronald Unruh	Adult	Son
27	1138 Seventh Place		
28	Wasco, CA 93280		
	Donald W. Unruh	Adult	Son
	350 W. Fir		
	Elko, NV 89801		

BOOK 184 PAGE 277

BOOK 661 PAGE 274 - 2 -

1 That the devisees and legatees named in Decedent's  
2 Will are the heirs-at-law as named above.

3 9. That the property in the possession of the  
4 Executor for Distribution unto the parties entitled thereto is  
5 as more fully hereinafter set forth in the Decree of  
6 Distribution.

7 10. That Paragraph FOURTH (b) of Decedent's Last  
8 Will and Testament states as follows:

9 (b) If the said IRA E. UNRUH is the first of  
10 us to die, then all of his community interest in all  
11 of the rest, residue and remainder of our Estate  
12 shall go equally to our two sons, KENNETH RONALD  
13 UNRUH and DONALD WAYNE UNRUH, with the understanding  
14 that as to the share herewith intended for KENNETH  
15 RONALD UNRUH, such shall be subject to the Trust as  
16 hereinafter provided in Paragraph SIXTH, and with  
17 the further specific understanding and proviso that  
18 the voting power of any and all capital stock of  
19 MCKINLEY CATTLE CO., INC. a Nevada corporation,  
20 passing under the provisions hereof, shall go to and  
21 remain in the said DONALD WAYNE UNRUH, for the  
22 remainder of his life, unless he shall sooner  
23 voluntarily relinquish said voting power.

24 That Paragraph SIXTH of Decedent's Last Will and  
25 Testament states as follows:

26 SIXTH: Wherever we have hereinabove provided  
27 for distribution of any assets to our said Son,  
28 KENNETH RONALD UNRUH, all such bequests and devises  
for the said KENNETH RONALD UNRUH, shall be to our  
said Son, DONALD WAYNE UNRUH, if he is then the age  
of majority and otherwise capable and able, in  
Trust, without bond, and if he is not of age or if,  
for any reason, he is not able to so act, then to  
WILLIAM S. MCKINLEY, in Trust, without bond, subject  
to the following uses, terms and conditions:

(a) During the continuance of this Trust,  
either of our nominees as Trustee, shall pay to the  
said KENNETH RONALD UNRUH, all of the net income  
derived from said Trust Estate, or so much of the  
net income derived from said Trust Estate as the  
Trustee deems necessary in his absolute discretion.  
In the event that said income shall at any time be  
deemed insufficient, in the absolute discretion of



1 either of our nominees as Trustee, for the proper  
2 care, maintenance and support of the said KENNETH  
3 RONALD UNRUH, then the said Trustee shall pay such  
4 further sums from the principal of the Trust as he  
5 shall deem necessary and advisable for such purpose.

6 (b) It is expressly understood that the net  
7 income derived or arising from this Trust Estate,  
8 and the principal thereof, are intended for the sole  
9 and individual use and enjoyment of the said KENNETH  
10 RONALD UNRUH, subject to the terms and conditions  
11 hereof, and said Beneficiary shall not, in any  
12 event, sell, assign, transfer, convey, pledge,  
13 hypothecate or otherwise encumber his interest under  
14 this Trust, nor shall the principal of the Trust  
15 Estate hereunder, nor any part thereof, nor any  
16 portion at all of the income arising therefrom, be  
17 liable for any debt to any Judgment rendered against  
18 said Beneficiary, nor the the possession of any  
19 Court in aid of execution of any Judgment so  
20 rendered.

21 (c) It is our intent and desire that our  
22 Trustee, as hereinabove named, provide sufficient  
23 funds with which our Son, KENNETH RONALD UNRUH, may  
24 be properly cared and provided for in the same  
25 standard of life attained by him immediately prior  
26 to our demise.

27 That Decedent's community property interest in  
28 community assets with which the above-named Decedent died  
seized, is distributable in equal shares to DONALD WAYNE  
UNRUH, and DONALD W. UNRUH, as Trustee, in trust for the  
use and benefit of KENNETH RONALD UNRUH, all in accordance  
with Paragraphs FOURTH and SIXTH of Decedent's Last Will and  
Testament, subject only to the payment of attorney fees, costs  
of administration, and costs of closing, all as hereinabove  
set forth.

10. That the Law Firm of PUCCINELLI & PUCCINELLI,  
P.C. has rendered to the Executor services in connection with  
the administration of said Estate, together with costs of  
administration heretofore advanced by said attorneys on behalf  
of said Estate.

BOOK 194 PAGE 279

BOOK 661 PAGE 276

- 4 -

1 11. That the Estate is in all respects ready to be  
2 closed.

3 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that  
4 said Account be, and is, in all respects, approved, allowed,  
5 and settled.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that  
7 the statutory fees to the Executor having been waived, that  
8 none be paid to him.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that  
10 the property remaining in the hands of the Executor of said  
11 Estate, more particularly described in Exhibit A, after the  
12 payment of all costs of administration, including attorney  
13 fees, costs, and closing costs, be distributed in equal  
14 portions to DONALD WAYNE UNRUH, individually, and to DONALD W.  
15 UNRUH, in trust for the benefit of KENNETH RONALD UNRUH, in  
16 accordance with Paragraph SIXTH of the Last Will and Testament  
17 of the above-named Decedent, said property to be distributed  
18 being the separate property of the above-named Decedent.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that  
20 any property, either real or personal, not now known or  
21 discovered, which may belong to the estate of the above-named  
22 Decedent, or in which the estate of the above-named Decedent  
23 may have any interest, or which may be hereafter discovered,  
24 be distributed to the above-named devisees and legatees in  
25 accordance with the terms of the Last Will and Testament of  
26 the Decedent.

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that  
28 the Executor file for record in the office of the County

BOOK 194 PAGE 280

BOOK 661 PAGE 277

- 5 -

1 Recorder of the County of Elko, State of Nevada, a certified  
2 copy of this Decree; that, upon the delivery of the property  
3 to the person entitled thereto, as hereinabove ordered, and  
4 upon filing true and proper vouchers and receipts in this  
5 Court, the said Executor be fully and finally discharged from  
6 his trust as such Executor.

7 DATED this 9th day of January, 1989.

8 /s/ Joe A. McDaniel  
9 DISTRICT JUDGE

10 CERTIFICATION OF COPY

11 STATE OF NEVADA  
12 COUNTY OF ELKO, SS.

13 I, the undersigned, County Clerk and Ex-Officio Clerk of the  
14 District Court of the County of Elko, State of Nevada, do hereby  
15 certify that the foregoing is a true and correct copy of the  
16 original of the same as the same appears from the records of the  
17 District Court of the County of Elko, State of Nevada.

18 Witness my hand and the seal of said court at Elko,  
19 the 9 day of Jan. A.D. 1989.

20 WALTER VANDER County Clerk  
21 By Indy S. H. Deputy Clerk



BOOK 184 PAGE 281

BOOK 661 PAGE 278

- 6 -



EXHIBIT A

1. Ownership of the mineral rights in and under the hereinafter described real property, in the percentages indicated:

TOWNSHIP 33 NORTH, RANGE 53 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

Section 3: All  
Section 9: All  
Section 15: All  
Section 17: All  
Section 19:

All -- Excepting a strip of land containing 45.20 acres, and being 400.00 feet in width lying equally on each side of the centerline of the railroad of the Central Pacific Railway Company as now constructed, over, upon and across said Section 19; also excepting a strip or tract of land 60.00 feet wide lying 30 feet on each side of the centerline of each of those certain abandoned portions of the original Central Pacific Railroad, enumerated and severally described as follows: That portion of said abandoned railroad extending from the North boundary line of the right of way of the new, relocated Central Pacific Railway in Section 19, Township 33 North, Range 53 East, MDB&M, to the North boundary line of the right of way of said railway in Section 21 of said Township and Range, a length of 6800 feet, more or less, as described in deed from Central Pacific Railway Company to State of Nevada, dated May 11, 1904, recorded July 5, 1905 in Book 28 of Deeds, page 468, also excepting an irregular piece of land in the South half of the South half of Section 19, Township 33 North, Range 53 East, MDB&M, being all that part of the Said South half of the South half of said Section 19 which lies South of the South boundary of the 400 foot right of way of the Central Pacific Railway Company containing 5.08 acres, more or less, as granted in deed from Central Pacific Railway Company, et al, to Western Pacific Railway Company, dated November 27, 1908, recorded February 19, 1909 in Book 31 of Deeds, page 71; also excepting therefrom the S½S½ which lies between the Southerly right of way line of U. S. Highway Interstate 80 and the Northerly right of way line of the Southern Pacific Railroad.

Section 21: All -- excepting a strip of land containing 16.53 acres and being 400.00 feet wide lying equally on each side of the centerline of the railroad of the Central Pacific Railway Company as now constructed over, upon and across said Section 21; also excepting a strip or tract of land 60.00 feet in width lying 30.00 feet on each side of the centerline of each of those certain

1 abandoned portions of the original Central Pacific  
2 Railroad, enumerated and severally described as fol-  
3 lows: That portion of said abandoned railroad extend-  
4 ing from the North boundary line of the right of way  
5 of the new, relocated Central Pacific Railway in  
6 Section 19, Township 33 North, Range 53 East, MDB&M to  
7 the North boundary line of the right of way of said  
8 railway in Section 21 of said Township and Range, a  
9 length of 6800 feet, more or less; that portion of  
10 said abandoned railroad extending from the northeast  
11 boundary line of the right of way of said new relo-  
12 cated railway in Section 21, Township 33 North, Range  
13 53 East MDB&M, in the Northeast boundary line of said  
14 railway in Section 28 of said Township and Range, a  
15 length of 10,030.00 feet, more or less, as described  
16 in deed from Central Pacific Railway Company, a corpo-  
17 ration, to State of Nevada, dated May 11, 1904,  
18 recorded July 5, 1905 in Book 28 of Deeds, page 468.

11 Section 27:

11 All -- excepting a strip of land containing 52.16  
12 acres and being 400.00 feet wide lying equally on each  
13 side of the Center line of the railroad of the Central  
14 Pacific Railway Company as now constructed over, upon  
15 and across said Section 27; also excepting a strip or  
16 tract of land 60.00 feet wide lying 30.00 feet on each  
17 side of the centerline of each of those certain aban-  
18 doned portions of the original Central Pacific  
19 Railroad, enumerated and severally described as fol-  
20 lows: That portion of said abandoned railroad extend-  
21 ing from the North boundary line of the right of way  
22 of said new, relocated railway in Section 27, Township  
23 33 North, Range 53 East, MDB&M, to the North boundary  
24 line of the right of way of said railway in Section 26  
25 of said Township and Range, a length of 2950 feet more  
26 or less; as described in deed from Central Pacific  
27 Railway Company, a corporation, to State of Nevada,  
28 dated May 11, 1904, recorded July 5, 1905, in Book 28  
of Deeds, page 468; also excepting an irregular strip  
or tract of land, being all the land included between  
the West and East Boundaries of the property next  
herein described and bounded on the south by a line  
drawn parallel with and 100.00 feet distant measured  
at right angles southerly from the centerline of the  
Western Pacific Railway Company's line of railroad as  
now located upon and across the property of the  
Southern Pacific Land Company, and on the North by a  
line drawn parallel with and 200 feet distant measured  
at right angles southerly from the present centerline  
of the Central Pacific Railway Company's railroad,  
which said property of the Southern Pacific Land  
Company is described as follows: Section 27, Township  
33 North, Range 53 East, MDB&M; the said centerline of  
said Western Pacific Railway, insofar as the same  
extends across the above-described property is particu-  
larly described as follows:



1 Beginning at a point in the East line of Section 27,  
2 Township 33 North, Range 53 East, MDB&M, said point  
3 being distant North, along said East line 1035.00  
4 feet, more or less, from the southeast corner of said  
5 Section 27; thence running North 76° 52' West, 1203.20  
6 feet, more or less, to a point; thence by a 4° curve  
7 to the left with a radius of 1432.00 feet, 490.00 feet  
8 to a point; thence South 83° 32' West, 543.10 feet to  
9 a point; thence on a 4° curve to the right with a  
10 radius of 1432.00 feet, 677.10 feet to a point; thence  
11 North 69° 23' West, 2127.10 feet to a point; thence by  
12 a 2° curve to the right with a radius of 2864.93 feet,  
13 589.50 feet, more or less; to a point in the West line  
14 of said Section 27, said point being distant North,  
15 along said West line, 2290.00 feet, more or less, from  
16 the southwest corner of said Section 27, containing  
17 36.22 acres, more or less; as granted by Central  
18 Pacific Railway Company, a corporation, et al, to  
19 Western Pacific Railway Company, a corporation, by  
20 deed dated November 27, 1908, recorded February 19,  
21 1909, in Book 31 of Deeds, page 71;

22 Also excepting from Sections 19, 21, and 27 the following deeded to  
23 the State of Nevada March 14, 1967:

24 Parcel 1: Portions of the Highway right of way,  
25 formerly the old Central Pacific Railroad right of  
26 way, lying northerly of the northern right of way line  
27 of Interstate Route 80, over and across the following  
28 described lands: E½SW¼, SE½NW¼, S½NE¼, N½SE¼; and  
SE½SE¼ of Section 21; W½NW¼ of Section 27, all in T.  
33 N., R. 53 E., MDB&M.

SUBJECT TO a highway right of way being a piece or  
parcel of land 200 feet in width, or parcels or strips  
of land 100 feet wide on each side of the centerline  
of the Carlin Canyon Loop Frontage Road, a portion of  
the Interstate Route 80 highway system, as it passes  
over and across the above-described lands. Said  
centerline being described as follows, to-wit:

Beginning at a point on the centerline of  
the Carlin Canyon Loop Frontage Road, at  
Highway Engineer's State Equation "F" 188 +  
50.00 P.O.T. equals "L" 117 + 70.72 P.O.T.;  
said point further described as bearing N.  
64° 20' 45" E. a distance of 2582.69 feet  
from the southwest corner of Section 21, T.  
33 N., R. 53 E., MDB&M; thence N. 20° 03'  
12" W. a distance of 554.04 feet to a point;  
thence from a tangent which bears the last  
described course, curving to the right with  
a radius of 1050 feet, through an angle of  
9° 34' 12", an arc distance of 175.38 feet  
to Highway Engineer's Station Equation "L"

1 125 + 00.14 P.O.C. equals "A" 124 + 26.13  
2 P.C.; thence from a tangent which bears N.  
3 10° 29' 00" W.; curving to the right with a  
4 radius of 1050 feet, through an angle of 66°  
5 24' 00" an arc distance of 1216.84 feet to  
6 a point; thence from a tangent which bears  
7 N. 55° 55' 00" E.; curving to the right with  
8 a radius of 901.76 feet, through an angle of  
9 61° 44' 00" an arc distance of 971.60 feet  
10 to a point; thence S. 62° 21' 00" E., a  
11 distance of 548.94 feet to a point; thence  
12 from a tangent which bears the last  
13 described course, curving to the right with  
14 a radius of 800 feet, through an angle of  
15 28° 06' 00", an arc distance of 392.35 feet to  
16 a point; thence S. 34° 15' 00" E., a distance  
17 of 1740.55 feet to Highway Engineer's  
18 Identity "A" 172 + 96.41 P.O.T. equals "L"  
19 172 + 96.41 P.C.; thence from a tangent  
20 which bears the last described course,  
21 curving to the right with a radius of 1850  
22 feet, through an angle of 45° 46' 00", an arc  
23 distance of 1477.74 feet to Highway  
24 Engineer's Station Equation "L" 187 + 74.15  
25 P.T. equals "A" 187 + 80.93 P.O.T.; thence S.  
26 11° 31' 00" W., a distance of 882.07 feet to a  
27 point; thence from a tangent which bears the  
28 last described course, curving to the left  
with a radius of 1200 feet, through an angle  
of 72° 16' 00", an arc distance of 1513.55  
feet to the point of ending at Highway  
Engineer's Station "A" 211 + 76.55 P.T.; said  
parcel pertinent to but not limited to the  
above-described centerline.

EXCEPTING from the above-described lands  
that certain deed from McKinley Cattle  
Company to the State of Nevada recorded in  
the office of the County Recorder, Elko  
County, State of Nevada, at Book 70 of  
Official Records on Pages 593-600.

Parcel 2: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of  
Section 19, T. 33 N., R. 53 E., MDB&M, lying  
north of the northerly right of way line of the  
Southern Pacific Railroad Company and south of  
the southerly right of way line of Interstate  
Route 80.

Parcel 3: All that portion of the N $\frac{1}{4}$ SE $\frac{1}{4}$  of  
Section 27, T. 33 N., R. 53 E., MDB&M, lying  
north of the northerly right of way line of  
Interstate Route 80.

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BOOK 104 PAGE 285

BOOK 661 PAGE 282

- 10 -

1 TOWNSHIP 37 NORTH, RANGE 56 EAST, MDB&M  
2 Fifteen Percent (15%) of a 20% interest in the following:

3 Section 1: All  
4 Section 3: All  
5 Section 5: Lots 1 and 2; South one-half of the Northeast  
6 one-fourth (S $\frac{1}{2}$ NE $\frac{1}{4}$ )  
7 Section 9: Northeast one-fourth (NE $\frac{1}{4}$ )  
8 Section 11: All  
9 Section 13: All  
10 Section 15: Northeast one-fourth (NE $\frac{1}{4}$ )  
11 Section 23: North one-half (N $\frac{1}{2}$ ); Southeast one-fourth (SE $\frac{1}{4}$ )  
12 Section 25: North one-half (N $\frac{1}{2}$ ); Southeast one-fourth (SE $\frac{1}{4}$ )

13 TOWNSHIP 34 NORTH, RANGE 53 EAST, MDB&M  
14 Fifteen Percent (15%) of a 45% interest in the following:

15 Section 7: All  
16 Section 15: All  
17 Section 21: All  
18 Section 27: All  
19 Section 29: All  
20 Section 33: All

21 TOWNSHIP 37 NORTH, RANGE 57 EAST, MDB&M  
22 Fifteen Percent (15%) of a 20% interest in the following:

23 Section 3: All  
24 Section 5: All  
25 Section 9: All  
26 Section 11: Northwest one-fourth (NW $\frac{1}{4}$ )  
27 Section 7: All  
28 Section 15: North half (N $\frac{1}{2}$ ); Southwest Quarter (SW $\frac{1}{4}$ ); West  
half of Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$ )  
Section 17: All  
Section 19: All  
Section 21: All  
Section 27: Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ );  
West half (W $\frac{1}{2}$ )  
Section 29: All  
Section 31: Lots 1, 2; Northeast Quarter (NE $\frac{1}{4}$ ); East half of  
Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ ); Southeast Quarter  
(SE $\frac{1}{4}$ )  
Section 33: All

29 TOWNSHIP 38 NORTH, RANGE 56 EAST, MDB&M  
30 Fifteen Percent (15%) of a 20% interest in the following:

31 Section 1: All  
32 Section 11: All  
33 Section 13: All  
34 Section 15: All  
35 Section 21: All  
36 Section 23: All



1 Section 25: All  
2 Section 27: All  
3 Section 29: All  
4 Section 31: Northeast one-fourth (NE $\frac{1}{4}$ )  
5 Section 33: All  
6 Section 35: All

TOWNSHIP 38 NORTH, RANGE 57 EAST, MDB&M

Fifteen Percent (15%) of a 20% interest in the following:

7 Section 7: All  
8 Section 17: All  
9 Section 19: All  
10 Section 27: All  
11 Section 29: All  
12 Section 31: All  
13 Section 33: All

TOWNSHIP 35 NORTH, RANGE 56 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

14 Section 1: South one-half of the South one-half (S $\frac{1}{2}$ S $\frac{1}{2}$ );  
15 except 3.21 acres conveyed to Western Pacific  
16 Railway Company by deed dated November 27, 1908,  
17 and except a strip of land Four Hundred (400)  
18 feet wide, containing Twenty-seven and 645/1000  
19 (27.645) acres, lying equally on each side of  
20 Central Pacific Railway Company's railroad as now  
21 constructed.

22 Section 3: All  
23 Section 5: All  
24 Section 7: All

Fifteen Percent (15%) of a 20% interest in the following:

25 Section 17: North one-half (N $\frac{1}{2}$ ); Southwest one-fourth (SW $\frac{1}{4}$ );  
26 West one-half of the Southeast one-fourth  
27 (W $\frac{1}{2}$ SE $\frac{1}{4}$ ), except a strip of land Four Hundred  
28 (400) feet wide containing Seventeen and 41/100  
(17.41) acres lying equally on each side of  
Central Pacific Railway Company's railroad as now  
constructed.

Fifteen Percent (15%) of a 45% interest in the following:

Section 19: All except One and 00/100 (1.00) acres in south-  
west corner conveyed to Fred Fernald January 15,  
1927.

1 TOWNSHIP 36 NORTH, RANGE 53 EAST, MDB&M

2 Fifteen Percent (15%) of a 45% interest in the following:

3 Section 18: Southeast one-fourth of the Southeast one-fourth  
4 (SE $\frac{1}{4}$ SE $\frac{1}{4}$ )

5 Section 24: Northeast one-fourth of the Northeast one-fourth  
6 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ); West one-half of the East one-half  
7 (W $\frac{1}{2}$ E $\frac{1}{2}$ )

8 Section 28: Northwest one-fourth of the Northwest one-fourth  
9 (NW $\frac{1}{4}$ NW $\frac{1}{4}$ ); South one-half of the South one-half  
10 (S $\frac{1}{2}$ S $\frac{1}{2}$ )

11 TOWNSHIP 37 NORTH, RANGE 53 EAST, MDB&M

12 Fifteen Percent (15%) of a 45% interest in the following:

13 Section 12: Southeast one-fourth of the Northwest one-fourth  
14 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ); Southwest one-fourth of the Southeast  
15 one-fourth (SW $\frac{1}{4}$ SE $\frac{1}{4}$ )

16 Section 21: South one-half (S $\frac{1}{2}$ )

17 Section 36: North one-half of the Northeast one-fourth  
18 (N $\frac{1}{2}$ NE $\frac{1}{4}$ )

19 TOWNSHIP 34 NORTH, RANGE 54 EAST, MDB&M

20 Fifteen Percent (15%) of a 45% interest in the following:

21 Section 5: East one-half of the East one-half (E $\frac{1}{2}$ E $\frac{1}{2}$ )

22 Section 17: East one-half (E $\frac{1}{2}$ )

23 Section 25: All excepting a strip of land containing 24.79  
24 acres and being 400.00 feet wide lying equally on  
25 each side of the centerline of the railroad of  
26 the Central Pacific Railway Company as now  
27 constructed over, upon and across said section 25

28 Section 27: All

29 Section 33: All

30 TOWNSHIP 35 NORTH, RANGE 54 EAST, MDB&M

31 Fifteen Percent (15%) of a 45% interest in the following:

32 Section 28: North one-half of the Northwest one-fourth  
33 (N $\frac{1}{2}$ NW $\frac{1}{4}$ );

34 Section 34: Northwest one-fourth of the Southeast one-fourth  
35 (NW $\frac{1}{4}$ SE $\frac{1}{4}$ )

36 TOWNSHIP 36 NORTH, RANGE 57 EAST, MDB&M

37 Fifteen Percent (15%) of a 20% interest in the following:

38 Section 3: Lot 4; Southwest one-fourth of the Northwest  
39 one-fourth (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ); West one-half of the South-  
40 west one-fourth (W $\frac{1}{2}$ SW $\frac{1}{4}$ )

41 Section 5: Lots 1, 2, 3, 4; South one-half of the North  
42 one-half (S $\frac{1}{2}$ N $\frac{1}{2}$ ); Southeast one-fourth (SE $\frac{1}{4}$ )

43 Section 7: Lots 1, 2, 3, and 4; East one-half of the West  
44 one-half (E $\frac{1}{2}$ W $\frac{1}{2}$ ); and Southeast one-fourth (SE $\frac{1}{4}$ )

1 Section 9: North one-half (N $\frac{1}{2}$ ); and Southeast one-fourth  
2 (SE $\frac{1}{4}$ )  
3 Section 15: West one-half of the West one-half (W $\frac{1}{2}$ W $\frac{1}{2}$ )  
4 Section 17: Northwest one-fourth (NW $\frac{1}{4}$ ); and South one-half  
5 (S $\frac{1}{2}$ )

6 Fifteen Percent (15%) of a 45% interest in the following:

7 Section 19: All  
8 Section 29: All  
9 Section 31: All

10 TOWNSHIP 36 NORTH, RANGE 56 EAST, MDB&M

11 Fifteen Percent (15%) of a 20% interest in the following:

12 Section 1: Lots 3 and 4; South one-half of the Northwest  
13 one-fourth (S $\frac{1}{2}$ NW $\frac{1}{4}$ ); South half (S $\frac{1}{2}$ )

14 Section 3: All  
15 Section 5: All

16 Fifteen Percent (15%) of a 45% interest in the following:

17 Section 7: All

18 Fifteen Percent (15%) of a 20% interest in the following:

19 Section 9: All  
20 Section 11: All

21 Fifteen Percent (15%) of a 45% interest in the following:

22 Section 13: All  
23 Section 15: All  
24 Section 17: All  
25 Section 23: All  
26 Section 25: All  
27 Section 27: All  
28 Section 33: All  
Section 35: All

TOWNSHIP 35 NORTH, RANGE 57 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

Section 5: All  
Section 9:

All, less Right of Way except a strip of land Two Hundred (200) feet wide, containing Eighteen and 60/100 (18.60) acres, conveyed to Western Pacific Railway Company by deed dated November 27, 1908, and except a strip of land Four Hundred (400) feet wide, containing Fifty and 633/1000 (50.633) acres, lying equally on each side of Central Pacific Railway Company's railroad as now constructed.



TOWNSHIP 35 NORTH, RANGE 54 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

Section 1: All

TOWNSHIP 36 NORTH, RANGE 54 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

Section 3: All

Section 4: Lot 4;

Section 5: All

Section 6: Lot 2; Southeast one-fourth of the Northeast one-fourth (SE $\frac{1}{4}$ NE $\frac{1}{4}$ );

Section 8: Northwest one-fourth of the Northeast one-fourth (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ); East one-half of the Northwest one-fourth (E $\frac{1}{2}$ NW $\frac{1}{4}$ ); Northeast one-fourth of the Southwest one-fourth (NE $\frac{1}{4}$ SW $\frac{1}{4}$ ); Southwest one-fourth of the Southwest one-fourth (SW $\frac{1}{4}$ SW $\frac{1}{4}$ );

Section 9: All - EXCEPTING THEREFROM that portion lying Westerly of a fence line more particularly described as follows: Beginning at Corner No. 1, which is also the Northwest corner of said Section 9; thence S. 24°45' E., 1800 feet to Corner No. 2; thence S. 11°35' E., 1260 feet to Corner No. 3; thence S. 47°55' E., 1425 feet to Corner No. 4; thence S. 7°00' W., 1433.12 feet to Corner No. 5; the end of which is also a point in the South line of Section 9.

Section 11: All

Section 18: Southwest one-fourth of the Northeast one-fourth (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ); East one-half of the Southwest one-fourth (E $\frac{1}{2}$ SW $\frac{1}{4}$ )

TOWNSHIP 35 NORTH, RANGE 55 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

Section 1: All

Section 3: All

Section 5: All

Section 7: Northeast one-fourth (NE $\frac{1}{4}$ ); East one-half of Northwest one-fourth (E $\frac{1}{2}$ NW $\frac{1}{4}$ ); Lots 1 and 2; Southeast one-fourth (SE $\frac{1}{4}$ )

Section 9: All

Section 11: All

Section 13: All

Section 15: All

Section 19: All - less 2.07 acres

Section 29: All

Section 31: All

TOWNSHIP 36 NORTH, RANGE 55 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

Section 3: All

BOOK 194 PAGE 280

- 15 -

BOOK 661 PAGE 287

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TOWNSHIP 34 NORTH, RANGE 55 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

Section 1: Lots 3 and 4; South one-half of the Northwest one-fourth (S $\frac{1}{2}$ NW $\frac{1}{4}$ ); that portion of Lot 2 and Southwest one-fourth of the Northeast one-fourth (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) lying northwesterly of a line parallel with and distant 200 feet northwesterly of the centerline of the Central Pacific Railway Company's railroad as now constructed.

Section 3: All

Section 7: All --

EXCEPTING THEREFROM

that portion lying northerly of Nevada Highway No. 11; and

Fifteen Percent (15%) of a 20% interest

in that portion lying southerly of Nevada Highway No. 11, containing 223.6 acres, more or less

Section 17: All

TOWNSHIP 37 NORTH, RANGE 54 EAST, MDB&M

Fifteen Percent (15%) of a 45% interest in the following:

Section 6: Northeast one-fourth of the Southwest one-fourth (NE $\frac{1}{4}$ SW $\frac{1}{4}$ );

Section 11: All

Section 23: All

Section 28: West one-half of the Southeast one-fourth (W $\frac{1}{2}$ SE $\frac{1}{4}$ )

Section 35: All

TOWNSHIP 37 NORTH, RANGE 51 EAST, MDB&M

Fifteen Percent (15%) of a 95% interest in the following:

Section 26: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; W $\frac{1}{2}$ NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 27: N $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 25: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 33 NORTH, RANGE 52 EAST, MDB&M

Fifteen Percent (15%) of a 95% interest in the following:

Section 1: All

Section 5: Lot 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 12: E $\frac{1}{2}$

Section 13: All

Section 21: N $\frac{1}{2}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$

Section 24: E $\frac{1}{2}$ W $\frac{1}{2}$

Section 28: NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$  -- EXCEPTING THEREFROM that portion of SW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 28 conveyed by Deed to the STATE OF NEVADA, recorded in Book 49 of Deeds at page 564, Elko County, Nevada Records, contained within the following described parcel:

1 Beginning at the point of intersection of the  
2 centerline of the proposed State Highway at  
3 Highway Engineer's Station "0" 171+50.18 P.O.C.  
4 with the West boundary of said Section 28; said  
5 point of beginning being further described as  
6 bearing S. 0°29' E., a distance of 2642.60 feet  
7 from the northwest corner of said Section 28;  
8 thence N. 0°29' W., along the west boundary of  
9 said Section 28, a distance of 109.08 feet to a  
10 point on the proposed left or northerly one  
11 hundred foot highway right of way line; thence  
12 from a tangent which bears N. 66°20'20" E.,  
13 curving to the right along said right of way line  
14 with a radius of 4100 feet, through an angle of  
15 39°18'20", a distance of 2811.45 feet to a point  
16 on the East boundary of the S½NW¼ of said Section  
17 28; thence S. 0°07' W., along said boundary line,  
18 a distance of 208.01 feet to a point on the right  
19 or southerly one hundred foot highway right of  
20 way line; thence from a tangent which bears N.  
21 73°32'30" W., curving to the left along said  
22 right of way line with a radius of 3900 feet  
23 through an angle of 37°38'30", a distance of  
24 2551.22 feet to a point on the South boundary of  
25 the S½NW¼ of said Section 28; thence N. 89°45'40"  
26 W., along said boundary line, a distance of  
27 245.86 feet to the West Quarter corner of said  
28 Section 28; thence N. 0°29' W., along the West  
boundary of said Section 28, a distance of 4.60  
feet to the point of beginning.

EXCEPTING THEREFROM that portion of the  
Southeast quarter of the Northwest quarter  
(SE¼NW¼) lying Southerly of U.S. Highway 40,  
said Highway described in Deed recorded in  
Book 49 of Deeds, page 564, Elko County,  
Nevada records.

FURTHER EXCEPTING THEREFROM a parcel in the  
S½NW¼ of said Section 28 conveyed to the  
State of Nevada in Deed recorded in Book 63,  
page 495, of Official Records, Elko County,  
Nevada.

TOWNSHIP 34 NORTH, RANGE 52 EAST, MDB&M

Fifteen Percent (15%) of a 95% interest in the following:

Section 13: All  
Section 25: All

EXCEPTING from Sections 13 and 25 above, all  
petroleum, oil, natural gas, and products derived  
therefrom within or underlying said lands or that  
may be produced therefrom, all rights thereto,  
together with the exclusive right at all times to

BOOK 184 PAGE 292

BOOK 661 PAGE 289 - 17 -



enter on or in said land to prospect for and to  
drill, bore, recover and remove the same as  
reserved by the Southern Pacific Company.  
Section 31: Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 35: E $\frac{1}{2}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$

TOWNSHIP 37 NORTH, RANGE 52 EAST, MDB&M

Fifteen Percent (15%) of a 95% interest in the following:

Section 2: SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 11: NE $\frac{1}{4}$ ; E $\frac{1}{2}$ W $\frac{1}{2}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 14: W $\frac{1}{2}$ NW $\frac{1}{4}$   
Section 17: NW $\frac{1}{4}$ NW $\frac{1}{4}$   
Section 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 33 NORTH, RANGE 53 EAST, MDB&M

Fifteen Percent (15%) of a 95% interest in the following:

Section 5: All  
Section 6: Lots 4, 5, 6, and 7. (W $\frac{1}{2}$ W $\frac{1}{2}$ )  
Section 7: All  
Section 8: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 34 NORTH, RANGE 53 EAST, MDB&M

Fifteen Percent (15%) of a 95% interest in the following:

Section 16: SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 20: NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 30: SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$

TOWNSHIP 33 NORTH, RANGE 52 EAST, MDB&M

Fifteen Percent (15%) of a 95% interest in the following:

Section 4: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 24: E $\frac{1}{2}$ NW $\frac{1}{4}$

The above-described properties represent a net total of approximately  
30,333.797 acres. Decedent's interest as set forth equals approxi-  
mately 4,550 acres.

The value of Decedent's estate, therefore, is computed as follows: --  
4,550 acres @ \$5.00 per acre = \$22,750.00.

2. The above-described mineral rights have been under lease to  
various entities during the years since Decedent's death, and  
presently are under lease to Foreland Corporation, 2668 Grant  
Avenue, Suite 105, Ogden, Utah; that rental payments have  
accumulated pending distribution of this estate which total the  
sum of \$19,641.06 at the present time.

- 1 3. Oil and Gas Lease dated July 13, 1982, by and between WILLIAM S.  
2 McKINLEY, Executor of the Estate of Ira E. Unruh, deceased, et  
3 al, and GULF OIL CORPORATION, a copy of which is attached hereto  
4 as Exhibit A.  
5 4. Oil and Gas Lease dated November 17, 1987, by and between  
6 WILLIAM S. McKINLEY, Executor of the Estate of Ira E. Unruh,  
7 deceased, and FORELAND CORPORATION, a copy of which is attached  
8 hereto as Exhibit B.  
9 5. Agreement dated January 7, 1985, by and between WILLIAM S.  
10 McKINLEY, as Executor of the Estate of Ira E. Unruh, deceased,  
11 et al, and BUD BARROWS, attached hereto as Exhibit C.  
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BOOK 194 PAGE 276

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89 FEB 23 AM 12:23

OFFICIAL RECORDS  
EUREKA COUNTY, NEVADA  
H.N. REBALLA, RECORDER  
FILE NO. 1115 2300

126481

FEE \$23.00 FILE # 264509

FILED FOR RECORD  
AT REQUEST OF

*Puccinelli & Puccinelli*

89 JAN -9 AM 10:17

RECORDED BY 661 272  
JERRY D. REYNOLDS  
ELKO CO. RECORDER

BOOK 194 PAGE 276  
294

BOOK 661 PAGE 291

- 19 -