

1 Case No. 946

NO. FILED

2 JAN 5 1990

3
4 JOAN SHANGLE, CLERK
BY *M. Elliot* DEPUTY

5 **131068**

6 IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

8
9
10 IN THE MATTER OF THE ESTATE OF
11 ALLEN ALONZO RUSSELL,

12 Deceased.

13 ORDER SETTLING SECOND AND FINAL ACCOUNT, RATIFICATION OF
14 SETTLEMENT OF LEGAL ACTIONS, APPROVAL OF ATTORNEY FEES
15 AND DECREE OF FINAL DISTRIBUTION

16 First Interstate Bank of Nevada, N.A., Administrator C.T.A. of the Estate of
17 Allen Alonzo Russell, having filed herein on the 6th day of December, 1989, a Second and
18 Final Account, Ratification of Settlement of Legal Actions, Application for Attorney Fees
19 and Petition for Distribution, and the Court having considered the same and having
20 examined the evidence in this matter, finds that proper notice has been given in this
21 matter; that all allegations in said account and petition are true and correct; that except
22 for certain administrative expenses and other obligations to be paid as herein allowed all
23 creditors' claims and other obligations of this estate have been fully paid; that after
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1 allowance and payment of the aforesaid administration costs and expenses, this estate will
2 be in a condition to be finally settled and distributed to the beneficiary hereinafter named,

3 **THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

4 1. That the second and final account of First Interstate Bank of Nevada,
5 N.A., as Administrator C.T.A. of the Last Will and Testament of Allen Alonzo Russell,
6 deceased, be, and the same is, hereby finally settled, allowed and approved, and all actions
7 taken by the Administrator C.T.A. in connection with the administration of the estate as
8 set forth in the account and petition filed herein on December 6, 1989, are hereby ratified
9 and approved.
10

11 2. That the law firm of GOICOECHEA & DI GRAZIA, LTD. of Elko,
12 Nevada, has performed services for the estate by acting as attorneys for the previous
13 executrix and the Administrator C.T.A. of the estate. Since the Order Approving Interim
14 Attorney Fees filed November 4, 1988, the Administrator and attorneys have agreed that
15 a reasonable fee for such services would be the sum of FOUR THOUSAND EIGHT
16 HUNDRED NINETY-FIVE DOLLARS (\$4,895.00) (\$4,015.00 plus \$880.00) together with
17 costs in the amount of TWELVE DOLLARS AND TWENTY-FIVE CENTS (\$12.25).
18 The Court finds such fees and expenses reasonable and the Administrator is hereby
19 authorized and directed to pay the attorney fees due to GOICOECHEA & DI GRAZIA,
20 LTD. together with costs in the aforesaid amounts.
21

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1 3. That the Administrator is hereby authorized and directed to pay to
2 itself out of the funds of this estate the sum of ONE THOUSAND DOLLARS (\$1,000.00)
3 representing the commissions due the Administrator pursuant to this petition.

4 4. That the Administrator is hereby authorized to pay any and all
5 incidental and necessary costs of closing this estate not to exceed ONE HUNDRED
6 DOLLARS (\$100.00)
7

8 5. That the settlement of the legal actions and sole creditor's claim with
9 T. David Horton as described within the Request for Ratification filed herein involving the
10 cases of "Allen Russell and Helen Russell, husband and wife, Plaintiffs, vs. T. David
11 Horton, et al., Defendants", Case No. 3129, pending in the Seventh Judicial District Court
12 of the State of Nevada, in and for the County of Eureka and Ray Nelson, et al, vs. Allen
13 and Helen Russell, et al., Case No. 2794 of the Third Judicial District Court of the State
14 of Nevada, in and for the County of Eureka, is ratified and approved. The Administrator
15 is directed and ordered to execute all documents necessary to effectuate said settlement,
16 it being understood that payment will be made from funds in the Helen Russell Estate,
17 Case No. 985 in the Third Judicial District Court of the State of Nevada, in and for the
18 County of Eureka.
19
20

21 6. That the personal income taxes of the decedent due for 1986 and a
22 portion for 1987 be jointly filed and be paid through the Helen Russell Estate. The
23 Administrator is ordered and directed to execute all documents necessary to effectuate such
24 filings and payments.
25
26

1 7. That the Administrator is hereby authorized to pay and distribute all
2 of the rest and residue of the decedent's estate to decedent's wife, Helen Appolonia
3 Bednar Russell as follows:

4 (a) The balance of the monies in the estate account after all of the
5 debts and obligations described herein have been paid;

6 (b) Patented claims: Those claims in the Cortez Mining District,
7 County of Eureka, State of Nevada, more particularly described as follows:

- 8
9 (1) The Ventura Lode Mining Claim, designated by the
10 Surveyor General as Survey No. 47887, in the Cortez
11 Mining District, as described in Patent No. 16390,
12 executed by the United States of America.
13 (2) The Maid Queen Lode Mining Claim, designated by the
14 Surveyor General as Survey No. 52906, in the Cortez
15 Mining District, as described in Patent No. 19602,
16 executed by the United States of America.
17 (3) The May Flower, Comstock, Illinois, White Horse,
18 Jumbo, Aurora, Rhoda and Benjamin Harrison Lode
19 Mining Claims, designated by the Surveyor General as
20 Survey No. 3207, in the Cortez Mining District, as
21 described in Patent No. 110031, executed by the United
22 States of America, recorded March 5, 1914, in Book 17,
23 Page 551, Deed Records, Eureka County, Nevada.
24 (4) The Emma E. Lode Mining Claim, designated by the
25 Surveyor General as Survey No. 3635, in the Cortez
26 Mining District, as described in Patent No. 164355,
executed by the United States of America, recorded
February 15, 1911, in Book 17, Page 6, Deed Records,
Eureka County, Nevada.

(c) Unpatented Claims and Millsites: Those unpatented claims
located in Sections 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 32, 33, Township 27

1 North, Range 48 East, in the Cortez Mining District (Eureka and Lander County, Nevada),
2 more specifically described on Exhibit "A" attached hereto and incorporated herein.

3 (d) Oil and Gas Interest: A .00209041 working interest in the oil
4 produced from and in proceeds of gas sold from or used off the lease or unit known as
5 Powell FEE No. 4, which lease or unit covers and includes all of Section 19, T1S, R1W,
6 Uintah Special Meridian, Duchesne County, Utah.
7

8 8. That the First Interstate Bank of Nevada, N.A. be dismissed and
9 discharged as the Administrator with the Will Annexed as of the date that there has been
10 filed herein all of the necessary receipts showing payments as herein ordered, and
11 distribution undergone all in accordance herewith.
12

13 DATED this 5th day of January, 1990.

14
15 Merlyn H. Hoyt
16 DISTRICT JUDGE

Exhibit A
Eureka/Lander Counties, Nevada

No.	Claim Name	Recordation Date	Book	Page	BLM NMC#
1	Bruno	1/5/07	C	106	47024
2	Cavalier	7/7/04	B	143	47025
3	Eagle	11/12/35	H	506	47026
4	Erin	9/9/22	G	436	47027
5	Esther	8/10/23	G	482	47028
6	Glittering Galore	8/9/23	G	483	47029
7	Cortez	8/9/23	G	482	47030
8	Cortez #1	8/9/23	G	482	47031
9	Cortez #2	8/8/23	G	483	47032
10	Cortez #3	8/12/23	G	483	47033
11	Cortez #4	8/12/23	G	483	47034
12	Cortez #5	8/9/23	G	483	47035
13	Blue Bell	6/15/19	G	273	47036
14	Blue Jay	11/14/35	H	506	47037
15	London	8/21/30	K	274	47038
16	Majestic	10/18/28	H	139	47039
17	Majestic #1	10/20/28	H	139	47040
18	Mascot	9/29/03	B	119	47041
19	Oneonton	9/30/03	B	119	47042
20	Shamrock	9/10/22	C	438	47043
21	Tom Gillian	7/29/09	Z	54	47044
22	Valley View	7/20/19	H	179	47045
23	Highland Lassie	11/6/06	C	172	47046
24	Whitney	5/27/34	H	408	47047
25	Shiela	5/26/34	H	407	47048
26	Norman	5/27/34	H	409	47049
27	Esther B (Esther)	5/28/34	H	406	47050
28	Nora	5/28/34	H	495	47051
29	Buddy	4/15/68	H	406	47052
30	Amy	12/19/68	26	490	47053
31	Bruno #1	12/19/68	26	491	47054
32	Josephine	12/19/68	26	507	47055
33	#9	12/19/68	26	512	47056
34	#10	8/10/54	J	282	47057
35	#11	10/26/71	40	387	47058
36	#23	12/19/68	26	513	47059
37	#24	12/19/68	26	514	47060
38	Monterey	12/19/68	26	511	47061
39	Ida	12/19/68	26	502	47062
40	Ida #1	12/19/68	26	503	47063
41	Ida #2	12/19/68	26	504	47064
42	Ida #3	12/19/68	26	505	47065
43	Ida #4	12/19/68	26	506	47066
44	Victory	9/6/63	19	557(L)	47067

No.	Claim Name	Recordation Date	Book	Page	BLM NCS
45	Victory #1	8/15/71	107	548 (L)	47068
46	Lassie #1	12/19/68	26	508	47069
47	Lassie #2	12/19/68	26	509	47070
48	Long Shot	9/1/61	26	510	47071
49	Long Shot #1	12/5/68	26	25	47072
50	Helen	9/19/50	26	499	47073
51	Helen #1	9/19/50	26	500	47074
52	Helen #2	9/19/50	26	501	47075
53	Nora #1	5/3/76	55	494	47076
54	Nora #2	5/3/76	54	495	47077
55	Buddy #1	4/15/68	26	492	47078
56	Buddy #2	4/15/68	26	493	47079
57	Buddy #3	4/15/68	26	494	47080
58	Ion 1A	2/12/69	27	559	47242
59	Ion 2A	2/12/69	27	560	47243
60	Ion 1A	2/12/69	27	561	47244
61	Ion 4A	2/12/69	27	562	47245
62	Ion 5A	2/12/69	27	563	47246
63	Ion 6A	2/12/69	27	564	47247
64	Ion 7	3/12/64	3	814	47248
65	Ion 8	3/12/64	3	815	47249
66	Ion 9	3/12/64	3	816	47250
67	M - 18	4/8/69	28	352	47251
68	M - 19	4/8/69	28	353	47252
69	M - 20	4/8/69	28	354	47253
70	M - 21	4/8/69	28	355	47254
71	M - 22	4/8/69	28	356	47255
72	M - 23	4/8/69	28	357	47256
73	M - 24	4/8/69	28	358	47257
74	M - 25	4/8/69	28	359	47258
75	M - 26	4/8/69	28	360	47259
76	M - 27	4/8/69	28	361	47260
77	M - 28	4/8/69	28	362	47261
78	M - 29	4/8/69	28	363	47262
79	M - 30	4/21/69	28	431	47263
80	M - 31	4/21/69	28	432	47264
81	M - 32	4/21/69	28	433	47265
82	M - 33	4/21/69	28	434	47266
83	M - 34	4/8/69	28	364	47267
84	M - 35	4/21/69	28	435	47268
85	M - 36	4/21/69	28	436	47269
86	M - 37	4/21/69	28	437	47270
87	M - 38	4/21/69	28	438	47271
88	M - 39	4/21/69	28	439	47272
89	M - 40	4/21/69	28	440	47273
90	M - 41	5/7/69	29	26	47274
91	M - 42	4/8/69	28	365	47275
92	M - 43	4/8/69	28	366	47276
93	M - 44	4/8/69	28	367	47277

No.	Claim Name	Recordation Date	Book	Page	BLM NMCI
94	M - 45	7/24/69	30	134	47278
95	M - 46	8/29/69	31	323	47279
96	M - 47	4/30/69	28	571	47280
97	M - 48	4/30/69	28	572	47281
98	M - 49	4/21/69	28	441	47282
99	M - 50	4/21/69	28	442	47283
100	M - 51	4/8/69	28	368	47284
101	M - 52	4/8/69	28	369	47285
102	M - 53	4/8/69	28	370	47286
103	M - 54	4/8/69	28	371	47287
104	M - 55	4/8/69	28	372	47288
105	M - 56	4/8/69	28	373	47289
106	M - 57	4/30/69	28	573	47290
107	M - 58	4/30/69	28	574	47291
108	M - 59	4/21/69	28	443	47292
109	M - 60	4/8/69	28	374	47293
110	M - 61	4/8/69	28	375	47294
111	M - 62	4/8/69	28	376	47295
112	M - 63	4/8/69	28	377	47296
113	M - 64	4/8/69	28	378	47297
114	M - 65	4/8/69	28	379	47298
115	M - 66	4/8/69	28	380	47299
116	M - 67	8/29/69	31	324	47300
117	M - 68	8/29/69	31	325	47301
118	M - 69	8/29/69	31	326	47302
119	M - 70	7/24/69	30	135	47303
120	M - 71	8/29/69	31	327	47304
121	M - 72	8/29/69	31	328	47305
122	M - 73	8/29/69	31	329	47306
123	M - 74	8/29/69	31	330	47307
124	M - 75	8/29/69	31	331	47308
125	M - 76	8/29/69	31	332	47309
126	M - 77	8/29/69	31	333	47310
127	M - 78	8/29/69	31	334	47311
128	M - 79	8/29/69	31	335	47312
129	M - 80	8/29/69	31	336	47313
130	M - 81	8/29/69	31	337	47314
131	M - 82	8/29/69	31	338	47315
132	M - 101	4/21/69	28	444	47316
133	M - 102	4/21/69	28	445	47317
134	M - 103	4/21/69	28	446	47318
135	M - 104	4/21/69	28	447	47319
136	M - 105	4/21/69	28	448	47320
137	M - 106	4/21/69	28	449	47321
138	M - 107	4/21/69	28	450	47322
139	M - 108	4/21/69	28	451	47323
140	M - 109	4/21/69	28	452	47324
141	M - 110	4/21/69	28	453	47325

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No.	Claim Name	Recordation Date	Book	Page	BLN MNC!
142	M - 111	4/8/69	28	381	47326
143	M - 112	4/30/69	28	575	47327
144	M - 113	4/30/69	28	576	47328
145	M - 114	4/21/69	28	454	47329
146	M - 115	4/21/69	28	455	47330
147	M - 116	4/21/69	28	456	47331
148	M - 117	4/21/69	28	457	47332
149	C - 1	4/8/69	28	382	47333
150	C - 2	4/8/69	28	382A	47334
151	C - 3	4/8/69	28	383	47335
152	C - 4	4/8/69	28	384	47336
153	C - 5	4/8/69	28	385	47337
154	C - 6	4/8/69	28	386	47338
155	C - 7	3/19/69	28	235	47339
156	C - 8	3/19/69	28	236	47340
157	C - 9	3/19/69	28	237	47341
158	C - 10	3/19/69	28	238	47342
159	C - 11	3/19/69	28	239	47343
160	C - 12	3/19/69	28	240	47344
161	C - 13	3/19/69	28	241	47345
162	C - 14	3/19/69	28	242	47346
163	C - 15	4/30/69	28	577	47347
164	C - 16	4/30/69	28	578	47348
165	C - 17	4/30/69	28	579	47349
166	C - 18	4/21/69	28	424	47350
167	C - 19	4/30/69	28	580	47351
168	C - 20	4/21/69	28	425	47352
169	C - 21	4/30/69	28	581	47353
170	C - 22	4/21/69	28	426	47354
171	C - 23	4/21/69	28	427	47355
172	C - 24	4/21/69	28	428	47356
173	C - 25	4/30/69	28	582	47357
174	C - 26	4/30/69	28	583	47358
175	C - 27	4/30/69	28	584	47359
176	C - 28	4/30/69	28	585	47360
177	C - 29	4/30/69	28	586	47361
178	C - 30	4/30/69	28	587	47362
179	C - 31	4/30/69	28	588	47363
180	C - 34	4/30/69	28	589	47364
181	C - 35	4/30/69	28	590	47365
182	C - 36	4/30/69	28	591	47366
183	C - 37	4/21/69	28	429	47367
184	C - 38	4/21/69	28	430	47368
185	C - 40	5/7/69	29	27	47369
186	C - 41	5/7/69	29	28	47370
187	C - 42	5/7/69	29	29	47371
188	C - 43	5/7/69	29	30	47372
189	C - 44	5/7/69	29	31	47373

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No.	Claim Name	Recordation Date	Book	Page	BLM NMCI
190	C - 45	5/7/69	29	32	47374
191	C - 46	5/7/69	29	33	47375
192	C - 47	5/7/69	29	34	47376
193	C - 48	5/7/69	29	35	47377
194	C - 49	5/7/69	29	36	47378
195	Rus #1	12/06/78	69	47	50604
196	Rus #2	12/06/78	69	48	50605
197	Rus #3	12/06/78	69	49	50606
198	Rus #4	12/06/78	69	50	50607
199	Rus #5	12/07/78	69	51	50608
200	Rus #6	12/08/78	69	52	50609
201	Rus #7	12/15/78	69	53	50610
202	Rus #8	12/12/78	69	54	50611
203	Rus #9	12/12/78	69	55	50612
204	Rus #10	12/12/78	69	56	50613
205	Rus #11	12/13/78	69	57	50614
206	Rus #12	12/14/78	69	58	50615
207	Rus #13	12/14/78	69	59	50616
208	Rus #14	12/14/78	69	60	50617
209	Rus #15	12/22/78	69	61	50618
210	Rus #16	12/22/78	69	62	50619
211	Rus #17	12/22/78	69	63	50620
212	Rus #18	12/22/78	69	64	50621
213	Rus #19	12/22/78	69	65	50622
214	Rus #20	12/23/78	69	66	50623
215	Rus #21	12/23/78	69	67	50624
216	Rus #22	12/24/78	69	68	50625
217	Rus #23	12/24/78	69	69	50626
218	HOM #1	8/27/79	75	594	128014
219	HOM #2	"	75	595	128015
220	HOM #3	"	75	596	128016
221	HOM #4	"	75	597	128017
222	HOM #5	"	75	598	128018
223	HOM #7	"	75	599	128020
224	HOM #9	"	75	600	128022
225	HOM #11	"	76	4	128024
226	HOM #13 ✓	"	and 171	562	
227	HOM #15 ✓	"	171	564 (L)	-128026
228	HOM #17	"	171	566 (L)	-128028
229	HOM #19	"	76	6	128030
230	HOM #20	"	76	8	128032
231	HOM #21	"	76	9	128033
232	HOM #22	"	76	10	128034
233	HOM #23	"	76	12	128036
234	HOM #25	"	76	14	128038
235	HOM #27	"	76	16	128040
236	HOM #29	"	76	18	128042
236	HOM #31	"	76	20	128044

No.	Claim Name	Recordation Date	Book	Page	BLM MNC#
237	HOM #33	"	76	22	128046
238	HOM #35	"	76	24	128048
239	HOM #37	"	76	26	128050
240	HOM #39	"	76	28	128052
241	HOM #41	"	76	30	128054
242	CV 1	8/28/79	75	542	128073
243	CV 2	9/28/79	75	543	128074
244	CV 3	9/11/79	75	544	128075
245	CV 4	"	75	545	128076
246	CV 5	"	75	546	128077
247	CV 6	"	75	547	128078
248	CV 7	"	75	548	128079
249	CV 8	"	75	549	128080
250	CV 9	"	75	550	128081
251	CV 10	"	75	551	128082
			and 171	549	
252	CV 11	"	75	552	128083
			and 171	550	
253	CV 12	"	75	552	128084
			and 171	551	
254	CV 13	9/11/79	171	552	128085
255	CV 14	"	171	553	128086
256	CV 15	"	171	554	128087
257	CV 16	"	171	555	128088
258	CV 17	"	75	554	128089
259	CV 18	"	75	555	128090
260	CV 19	"	75	556	128091
261	CV 20	"	75	557	128092
262	CV 21	"	75	558	128093
263	CV 22	"	75	559	128094
264	CV 23	"	75	560	128095
265	CV 24	"	75	561	128096
266	CV 25	"	75	562	128097
267	CV 26	"	75	563	128098
268	CV 27	"	75	564	128099
269	CV 28	"	75	565	128100
270	CV 29	"	75	566	128101
271	CV 30	"	75	567	128102
272	CV 31	"	75	568	128103
273	CV 32	"	75	569	128104
274	CV 33	"	75	570	128105
275	CV 34	"	75	571	128106
276	CV 35	"	75	572	128107
277	CV 36	"	75	573	128108
278	CV 37	"	75	574	128109
279	CV 38	"	75	575	128110
280	CV 39	"	75	576	128111
281	CV 40	"	75	577	128112

No.	Claim Name	Recordation Date	Book	Page	BLM NMC#
282	CV 41	"	75	578	128113
283	CV 42	"	171	556	128114
284	CV 43	"	171	557	128115
285	CV 44	"	171	558	128116
286	CV 45	10/10/79	75	579	128117
			and	171	559
287	CV 46	"	75	580	128118
			and	171	560
288	CV 47	"	75	581	128119
289	CV 48	"	75	582	128120
290	CV 49	"	75	583	128121
291	CV 50	"	75	584	128122
292	CV 51	"	75	585	128123
293	CV 52	"	75	586	128124
294	CV 53	"	75	587	128125
295	CV 54	"	75	588	128126
296	CV 55	"	75	589	128127
297	CV 56	"	75	590	128128
298	CV 57	"	75	591	128129
299	CV 58	"	75	592	128130
300	CV 59	"	75	593	128131
301	AHR #1	10/05/79	76	285	133042
302	AHR #2	10/05/79	76	286	133043

MILLSITES

Claim

Mill 1 Canyon Millsites 1-161, inclusive

BLM NMC

47081 through 47241, inclusive

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

I, the undersigned COUNTY CLERK of the SEVENTH JUDICIAL DISTRICT COURT, do hereby CERTIFY that the foregoing is a full, true and correct copy of the original as filed in my office and that I have carefully compared the same with the original.

WITNESS, My hand and Seal of said DISTRICT COURT, this 5th day of JAN 19 80

Jean Stranell
County Clerk and Ex-Officio Court Clerk

Wm. Elliott Deputy Clerk

RECORDED AT THE REQUEST OF

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Barbara V. DeGrazia
90 JAN 10 PM 31

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OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
P.M. REGALELLI, RECORDER
FILE NO. 1125600

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