

NO. _____
FILED

JUN 18 1992

JOAN SHANGLE, CLERK
BY Barbara Bailey DEPUTY

No. 1058

141254

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

In the Matter of the Estate of

JAMES ITHURRALDE, also known as
J. ITHURRALDE,

Deceased.

**ORDER APPROVING APPLICATION
FOR ALLOWANCE OF
ATTORNEY'S FEES, FIRST AND
FINAL ACCOUNT AND PETITION
FOR FINAL
DISTRIBUTION**

ROBERT ITHURRALDE and JAMES P. ITHURRALDE, Co-Executors of the above
Estate, filed their Application for Allowance of Attorney's Fees, First and Final Account and
Petition for Final Distribution herein on May 26, 1992. The same came on regularly to be heard
on June 17, 1992, at 9:30 A.M. No person appeared in opposition. Evidence was introduced and
arguments presented in support of the Petition and the matter was submitted. ACCORDINGLY,

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ATTORNEYS AT LAW
P.O. BOX 389
ELKO, NEVADA 89801-0389

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1 THE COURT HEREBY FINDS AND CONCLUDES:

2 1. Due and legal notice of the filing and hearing of the Application and First and
3 Final Account and Petition for Final Distribution has been given as required by law.

4 2. All averments in the Application and First and Final Account and Petition for
5 Distribution are true and correct.

6 3. Decedent died on the 12th day of September, 1991, and was a resident of the
7 Town of Eureka, leaving a separate property estate in the County of Eureka.

8 4. Petitioners were appointed Co-Executors of this Estate on December 9, 1991,
9 and qualified on that day.

10 5. Since appointment and qualification, Petitioners have continued to administer
11 the above entitled Estate.

12 6. Petitioners have filed an Inventory and Appraisalment of the assets of the
13 Estate showing a total value of \$259,500.00 as of Decedent's date of death.

14 7. As shown by the Affidavit of Publication filed herein, the Notice to Creditors
15 and of appointment was given as provided by NRS 147.010.

16 8. The law firm of WILSON AND BARROWS, LTD. has filed its Application
17 for Approval of Agreement on Attorney's Fees and For Allowance of Same, and for payment of
18 costs of administration advanced by said firm.

19 WILSON AND BARROWS, LTD. waives the payment of the costs of administration
20 advanced by them and the payment of fees allowed by the Court from the properties of the Estate
21 since there are no monies of the Estate on hand. The firm agrees to receive payment from personal
22 funds of the Co-Executors in the sum of \$1,457.50.

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1 Applicant has advanced costs totaling \$228.78, and should be reimbursed therefor,
2 together with \$20.00 for future costs to be incurred in closing the Estate:

3 9. Petitioners hereby waive the allowance of a statutory commission for their
4 services as personal representatives.

5 10. There are no unpaid debts of the Estate or expenses and charges of
6 administration, other than the payment of costs of administration as allowed by the Court.

7 11. Petitioners have done all things necessary to the proper administration of the
8 Estate, and the same is in a condition to be finally settled and closed.

9 12. The property comprising the Estate and available for distribution was
10 Decedent's sole and separate property as follows:

11 (See Exhibit A attached hereto and made a part hereof.)

12 13. Pursuant to Decedent's Last Will and Testament dated August 26, 1987, and
13 admitted to probate herein on December 9, 1991, all of Decedent's estate should be distributed as
14 follows:

15 A. An undivided one-half unto ROBERT ITHURRALDE; and

16 B. The remaining undivided one-half unto JAMES P. ITHURRALDE.

17 14. The Order Appointing Co-Executors did not require the filing of a bond;
18 AND GOOD CAUSE APPEARING THEREFOR,

19 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

20 1. The Inventory and Appraisement be, and the same hereby is, approved as
21 rendered.

1 2. The First and Final Account be, and the same hereby is, settled and approved
2 as rendered.

3 3. The Co-Executors shall pay forthwith from personal funds the agreed fees of
4 WILSON AND BARROWS, LTD. in the sum of \$1,475.50, together with costs advanced by them
5 in the sum of \$228.78 and \$20.00 for closing.

6 4. That all of the property comprising the Estate described in Exhibit A be, and
7 the same hereby is, distributed as follows:

8 A. An undivided one-half unto ROBERT ITHURRALDE; and

9 B. The remaining undivided one-half unto JAMES P. ITHURRALDE.

10 5. That any and all other real and personal property of any name or nature not
11 herein described, or misdescribed, but within the State of Nevada, and in which the Estate has any
12 right, title or interest, whether known or unknown, be, and the same hereby is, distributed to the
13 persons legally entitled thereto in the manner provided in the proceeding paragraph.

14 6. That upon distributing the Estate assets in accordance with this Decree, the
15 Co-Executors obtain receipts, and apply by *ex parte* Affidavit for discharge and closure of the
16 Estate.

17 DONE IN OPEN COURT this 17th day of June, 1992.

18
19 15/ Meryn H. Hoyt
20 DISTRICT JUDGE
21
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EXHIBIT A

(Separate Property of JAMES ITHURRALDE)

**Ithurralde Ranch
Real Property**

Parcel No. 1:

Lots, pieces or parcels of land situate in the County of Eureka,
State of Nevada, described as follows:

Township 20 North, Range 53 East, MDB&M

Section 30: Lots 5, 6, 12, 13, 14, 19 and 20

APN: 07-340-15

TOGETHER WITH water rights appurtenant thereto under Permit
Nos. 18908 and 18909, issued by the Office of the State
Engineer of the State of Nevada; and other appurtenances or
privileges appertaining, and subject to any restrictions
reserved against the same by the United States of America, or
otherwise applicable at this time. This parcel of land contains
296.81 acres, more or less.

TOGETHER WITH all water rights of every name and nature and
grazing rights.

TOGETHER WITH any improvements situate thereon.

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.

Parcel No. 2:

All those certain springs and water rights in Eureka County,
Nevada, all of which are more particularly bounded and
described as follows:

Secret Canyon Spring, also known as Murry Spring
Dave Smith Spring
Zunino Spring

1 Snow Ravine Spring
2 Lamb Canyon Spring
3 Hole in Ground Spring
4 Rock Spring at Top of Summit
5 Summit Reservoir Spring
6 Mountain Boy Spring
7 Spanish Spring
8 Gibellini Spring No. 1
9 Gibellini Spring No. 2
10 Gibellini Spring No. 3
11 Leonard Spring No. 1
12 Leonard Spring No. 2
13 Alponso Alfrankino Spring
14 Baby Alice Spring
15 Pinto Summit No. 1
16 Pinto Summit No. 2 (said Pinto Summit No. 1 and 2
17 being sometimes known as Mud Springs)
18 China Canyon Spring
19 Goodwin Canyon (better known as Diamond Mine Road Spring)
20 Clover Spring
21

22 Parcels 1 and 2 are subject to a two year lease entered
23 into on the 1st day of January, 1992 by and between
24 JAMES P. ITHURRALDE and ROBERT ITHURRALDE, Lessors, and
25 MARTIN LARRALDE, doing business as LARRALDE SHEEP CO.
26

27 28 **Personal Property**

29
30 TOGETHER WITH two electric pumps, and all other farm
31 equipment of any name and nature used in connection with
32 the operations of the above described real property.
33

34 35 **Brands**

36
37 "Quarter Circle 2J, thus: _____
38 Horses, left thigh; cattle, left hip
39

40 "JU", thus: _____
41
42

1 Parcel No. 3:

2
3 **Eureka Town Property**
4 **Real Property**
5

6 Lots 11, 12 and 13 in Block 7, according to the
7 official survey of said townsite of Eureka, approved
8 by the United States General Land Office on
9 November 19, 1937.
10

11 APN: 1-136-05
12

13 SUBJECT HOWEVER, to that certain right-of-way granted to the
14 Bell Telephone Company of Nevada for a strip of land 10 feet
15 in width, through Lots 11 and 12 in Block 7. Said right-of-way being recorded in
16 Book 23 of Deeds, Page 235, Records of Eureka County, Nevada.
17 Reference to said deed is hereby referred to and made a part hereof.
18

19 TOGETHER WITH any improvements situate thereon.
20

21 TOGETHER WITH the tenements, hereditaments and appurtenances
22 thereunto belonging or in anywise appertaining, and the reversion and
23 reversions, remainder and remainders, rents, issues and profits thereof.
24

25 TOGETHER WITH all buildings and improvements situate on any or all of said lots.
26

27 **Personal Property**

28 TOGETHER WITH personal property, furnishings and fixtures of any
29 name and nature located in and out of the above described property,
30 including the following vehicles:
31

32 1966 Cadillac, Model No. 68339
33 Identification No. B 6245470
34

35 1977 GMC, Model No. 10903
36 Identification No. TKL147ZS11107
37

38 1984 GMC, Model No. 10903
39 Identification No. 1GTEK14H4EJ516160
40

41 1963 Chevrolet, Model No. C6303
42

43 Identification No. 53C633S11971
44
45

92060131.jas

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P.O. BOX 389
ELKO, NEVADA 89601-0389

SEAL
Affixed

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

I, the Undersigned COUNTY CLERK, and Ex-Officio
CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby CERTIFY
that the foregoing is a full, true and correct copy of the original on file in
my office and that I have carefully compared the same with the
original.

DISTRICT COURT, this 19th day of June 19 92
Joan Shangle
County Clerk and Ex-Officio Court Clerk
Barbara Rulley Deputy Clerk

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Wilson & Barrows
'92 JUN 19 P1:49

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEE \$ 12 -

141254

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