

178956

1 CASE NO. PR-PR 02-90

2 DEPT NO. II

FILED

2 OCT 21 P2:41

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6 IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF ELKO  
8  
9

ELKO CO. DISTRICT COURT  
CLERK DEPUTY

10 IN THE MATTER OF THE ESTATE OF  
11 WALTER E. BAUMANN,

ORDER SETTING ASIDE ESTATE  
WITHOUT ADMINISTRATION  
PURSUANT TO N.R.S. 146.070

12 Deceased.  
13  
14

15 IT APPEARING to the satisfaction of the Court that a verified Petition has been filed  
16 in the above-entitled matter and notice of the hearing thereof has been duly given as required by law;  
17 the Court finds that the allegations of the Petition are true and correct; that the gross value of the  
18 whole estate of said Deceased does not exceed the sum of \$50,000.00; that the nature of the real  
19 property, being an interest in the mineral estate, has an uncertain and speculative value, and such  
20 value is therefore nominal; that Petitioner is the son of the Decedent; that Decedent was a resident  
21 of the City of Elko, County of Elko, State of Nevada; that the Decedent died on the 9<sup>th</sup> day of  
22 August, 1998, in the City of Elko, County of Elko, State of Nevada; that Decedent left a Last Will  
23 and Testament dated March 11, 1974; that Decedent left a community property interest in certain  
24 real property located in Eureka County, Nevada; that so far as is known to the Petitioner there are  
25 no liens or encumbrances of record against Decedent's Estate; that there are no unpaid debts and no  
26 obligation owing to the Department of Human Resources of the State of Nevada; and the expenses  
27 of last illness, funeral expenses, and expenses of administration have been paid in full.

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1           **NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that the  
2 whole of the property and estate of said **WALTER E. BAUMANN**, Deceased, and all of the  
3 Deceased's right, title, interest and estate therein, be and the same hereby is set aside to Decedent's  
4 spouse, **JEANETTE L. BAUMANN**, pursuant to N.R.S. 146.070 and Decedent's Last Will and  
5 Testament.

6           That the attached Exhibit "A" is a specific description of all the Decedent's property  
7 subject to this proceeding.

8           **IT IS FURTHER ORDERED** that all other property and estate of said Decedent  
9 within the State of Nevada, whether now known or hereafter discovered, is hereby set over to  
10 Decedent's spouse, **JEANETTE L. BAUMANN**, as set forth above.

11           **IT IS FURTHER ORDERED** that filing fees be waived.

12           **IT IS FURTHER ORDERED** that a certified copy of this Order be recorded in the  
13 Office of the County Recorder of the County of Eureka, State of Nevada.

14           **DATED** this 21st day of October, 2002.

15  
16           /s/ Norman C. Robison  
17           DISTRICT JUDGE

18           **CERTIFICATION OF COPY**

19           STATE OF NEVADA )  
20           COUNTY OF ELKO )SS  
21           I, WIN SMITH, COUNTY CLERK AND EX-  
22           OFFICIAL CLERK OF THE DISTRICT  
23           COURT OF THE FOURTH DISTRICT OF  
24           THE STATE OF NEVADA, IN AND FOR THE  
25           COUNTY OF ELKO, DO HEREBY CERTIFY  
26           THAT THE ANNEXED IS A FULL AND  
27           CORRECT COPY OF THE INSTRUMENT  
28           AS THE SAME APPEARS ON FILE OF  
                RECORD IN MY OFFICE

                Witness my hand and The Seal of Said Court  
                affixed  
                this 22 day of October, 2002

                WIN SMITH - County Clerk  
                By W. Smith Deputy Clerk



EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada County of EUREKA,, described as follows:

PARCEL 1:

TOWNSHIP 26 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 13: Lot 4; SW1/4 SE1/4; SW1/4 NW1/4;  
N1/2 SW1/4; SE1/4 SW1/4;

EXCEPTING THEREFROM all the oil and gas in and under said land, reserved by THE UNITED STATES OF AMERICA, in Patent recorded March 7, 1967, in Book 18, Page 245, Official Records, Eureka County, Nevada.

PARCEL 2:

TOWNSHIP 24 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 13: W1/2 SW1/4; SE1/4 SW1/4;  
Section 14: NE1/4 SE1/4;  
Section 15: N1/2 NW1/4; SE1/4 NW1/4;  
SW1/4 NE1/4;

TOWNSHIP 25 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 24: SE1/4; E1/2 SW1/4;

TOWNSHIP 24 NORTH, RANGE 48 1/2 EAST, M.D.B.&M.

Section 13: SE1/4 NW1/4; S1/2 NE1/4; SE1/4;  
Section 24: N1/2 NE1/4;

TOWNSHIP 25 NORTH, RANGE 48 1/2 EAST, M.D.B.&M.

Section 25: E1/2 SW1/4; SE1/4; Lots 3 and 4;  
Section 36: N1/2 NE1/4;

TOWNSHIP 24 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 18: Lots 2, 3, 4; E1/2 SW1/4;  
Section 19: NE1/4 NW1/4; Lot 1;

TOWNSHIP 26 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 6: Lots 6, 7 and 8;  
Section 7: Lots 1, 2, 3 and 4;  
Section 18: Lots 1, 2, 3 and 4;  
Section 19: Lots 1, 2, 3 and 4;

EXCEPTING FROM SE1/4 NW1/4; S1/2 NE1/4; SE1/4; Section 13; N1/2 NE1/4; Section 24, TOWNSHIP 24 NORTH, RANGE 48 1/2 EAST, and ~~Lots~~

SCHEDULE A

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2, 3 and 4; E1/2 SW1/4, Section 18; NE1/4 NW1/4; Lot 1, Section 19, TOWNSHIP 24 NORTH, RANGE 49 EAST; SE1/4; E1/2 SW1/4, Section 24, TOWNSHIP 25 NORTH, RANGE 48 EAST; and E1/2 SW1/4; SE1/4; Lots 3 and 4, Section 25; N1/2 NE1/4, Section 36, TOWNSHIP 25 NORTH, RANGE 48 1/2 EAST, all coal and other minerals in and under said land, reserved by the United States of America, in Patents recorded in Book 20, Page 400, and Book 21, Page 307, Deed Records, Eureka County, Nevada.

PARCEL 3:

TOWNSHIP 24 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 10; W1/2 NE1/4;

PARCEL 4:

TOWNSHIP 24 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 13: S1/2 SW1/4 SE1/4;

Section 24: N1/2 NW1/4 NE1/4;

TOWNSHIP 26 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 13: SW1/4 NW1/4 SE1/4;

TOWNSHIP 26 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 30: Lot 1; N1/2 of Lot 6;

EXCEPTING FROM SW1/4 NW1/4 SE1/4, Section 13, TOWNSHIP 26 NORTH, RANGE 48 EAST; and Lot 1; N1/2 of Lot 6, Section 30, TOWNSHIP 26 NORTH, RANGE 49 EAST, all oil and gas in and under said land, reserved by the United States of America, in Patent recorded November 7, 1974, in Book 50, Page 246, Official Records, Eureka County, Nevada.

EXCEPTING FROM S1/2 SW1/4 SE1/4, Section 13; N1/2 NW1/4 NE1/4, Section 24, TOWNSHIP 24 NORTH, RANGE 48 EAST, all the geothermal steam and associated resources in and under said land, reserved by the United States of America, in Patent recorded November 7, 1974, in Book 50, Page 246, Official Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM Parcels 1, 2 and 3, an undivided 50% interest into any and all mineral rights, oil or gas owned by the Seller, in and under said land, reserved by Walter E.

Baumann and Jeanette Baumann, in Deed recorded May 5, 1977, in Book 59, Page 60, Official Records, Eureka County, Nevada.

FURTHER EXCEPTING FROM Parcels 1, 2, 3 and 4 an undivided one-half interest in and to all of Walter E. Baumann's right, title and interest in and to all coal, oil, gas, and minerals of every kind and nature whatsoever and geothermal rights, lying in and under said land as reserved in Deed recorded August 9, 1988, in Book 182, Page 150, Official Records, Eureka County, Nevada.

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OFFICIAL RECORDS  
*John E. Marvel, atty*  
02 OCT 24 AM 10:06

EUREKA COUNTY, NEVADA  
JUL REBALEATI, RECORDER  
FILE NO. FEES 18<sup>00</sup>-

178956

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