

EUREKA COUNTY, NV

2022-248894

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MCCONNELL LAW OFFICE

KATHERINE J. BOWLING, CLERK RECORDER

**Pursuant to NRS 239B.030, this document
DOES NOT contain the Social Security number
of any person or persons.**

**Recording requested by:
McConnell Law Office
950 Idaho Street
Elko, NV 89801
(775) 738-1951**

ORDER

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CASE NO. CV-C-18-238

DEPT NO. 2

Pursuant to NRS 239B.030, this document
DOES NOT contain the Social Security number
of any person or persons.

FILED
2022 NOV -7 AM 11:18
ELKO CO DISTRICT COURT
CLERK _____ DEPUTY AM

IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF ELKO

PETE M. PETERS,
Plaintiff,

vs.

**MARCIA L. SCOTT, individually and
as Managing Member of JIGGS BAR,
LLC and DOES 1-10,**
Defendant.

ORDER

The Court, upon the stipulation and settlement of the parties, hereby enters this order regarding the division of property and mineral rights of the parties, **PETE M. PETERS and MARCIA L. SCOTT, individually and as Managing Member of JIGGS BAR, LLC,** hereby enters the following orders:

1. That the Settlement Agreement and Mutual Release entered into between the parties is hereby adopted by the Court.

2. That all causes of action in the Complaint and Counterclaim are hereby dismissed with prejudice.

4. That **PETE ELIA and LEONI ELIA,** husband and wife, owned as community property specific mineral rights located in White Pine County, Nye County, Eureka County and Elko County, Nevada (the "property").

1 5. That upon **PETE ELIA's** death, an undivided one-half interest in
2 and to the property and interests became the interest of the **ESTATE OF PETE**
3 **ELIA**, and an undivided one-half interest was confirmed in **LEONI ELIA** as the
4 surviving spouse, in accordance with that certain Decree filed March 27, 1981, recorded
5 with the Office of the County Recorder of the County of Elko, State of Nevada, as Doc.
6 No. 80038.

7 6. That by that Decree, the parties, **PETE M. PETERS** and
8 **MARCIA L. SCOTT**, were each the rightful owners the specific mineral rights which
9 were the located in White Pine County, Nye County, Eureka County and Elko County,
10 Nevada, as follows:

11 PETE M. PETERS	1/4 interest in and to ESTATE OF PETE ELIA
12 MARCIA L. SCOTT	1/4 interest in and to ESTATE OF PETE ELIA
13 ISABEL PETERS	1/2 interest in and to ESTATE OF PETE ELIA

14 7. That **LEONI ELIA** then conveyed her one-half interest, which was
15 her community property interest in and to the specific mineral rights located in White
16 Pine County, Nye County, Eureka County and Elko County, Nevada, to herself and
17 **ISABEL PETERS**, as joint tenants with right of survivorship, by that certain Deed
18 dated January 20, 1983, recorded with the Office of the County Recorder of the County
19 of Elko, State of Nevada, on January 21, 1983, as Doc. No. 172735.

20 8. That upon the death of **LEONI ELIA**, **ISABEL PETERS** became
21 the rightful owner of all of the interest (an undivided 1/2 interest) which had been held
22 by **ISABEL PETERS** as community property, which then merged with her one-half
23 interest in and to the specific mineral rights which had been held by the **ESTATE OF**
24 **PETE ELIA** (an undivided one-fourth interest), totaled an undivided three-fourths
25 interest in and to the specific mineral rights which had been once held by both **PETE**
26 **ELIA** and **LEONI ELIA**, as community property.

27 3. That any interests of the following decedents, **ISABEL PETERS** aka
28 **ISABEL FAY PETERS** and **HARRY W. PETERS** aka **HARRY WADSWORTH**

1 **PETERS**, which comprise an undivided three-fourths interest, in and to the following
2 property (mineral rights) is ordered distributed to **PETE M. PETERS** as to an
3 undivided 50% interest in the property and **MARCIA L. SCOTT** as to an undivided
4 50% interest in the following property, as tenants in common:

5 **PARCEL 1:**

6 An undivided three-fourths interest in the fee mineral estate of the
7 following described lands located in Elko, Eureka and Nye Counties, Nevada:

8 T. 31 N., R. 52 E., M.D.B.&M.

9 Section 3: E1/2 NE1/4 (aka Lot 1; SE1/4 NE1/4)

10 Section 5: All (aka Lots 1, 2, 3, and 4; S1/2 N1/2; S1/2)

11 Section 9: All

12 Section 16: W1/2 NW1/4; N1/2 SW1/4

13 Section 17: E1/2

14 Section 21: All

15 T. 32 N., R. 52 E., M.D.B.&M.

16 Section 1: W1/2 (aka lots 3 and 4; S1/2 NW1/4; SW1/4)

17 Section 9: All (Excepting therefrom that portion conveyed to Western
18 Pacific Railroad Company

19 Section 11: All

20 Section 13: All

21 Section 21: All

22 Section 23: All

23 Section 29: All

24 Section 31: N1/2 (aka Lots 1 and 2; E1/2 NW1/4; NE1/4) Excepting
25 Therefrom that portion conveyed to Western Pacific Railroad Company

26 Section 33: N1/2

27 Section 35: All (Aka lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; N1/2)

28

1 T. 32 N., R. 56 E., M.D.B.&M.

2 Section 5: All

3 Section 7: All

4 Section 9: All

5 Section 17: All

6 Section 19: All

7 Section 21: All

8 Section 29: All

9 Section 31: NE1/4; NE1/4NW1/4; Lot 1(NW1/4NW1/4)

10 Section 33: All

11 T. 31 N., R. 57 E., M.D.B.&M.

12 Section 10: W1/2NE1/4; SW1/4; NW1/4SE1/4

13 T. 13 N., R. 39 E., M.D.B.&M.

14 H.E. Survey No. 78 more particularly described in Patent from the
15 UNITED STATES OF AMERICA to OSCAR J. SMITH, recorded
16 December 11, 1935, in Book 45, Page 220, Deed Records, Nye County,
17 Nevada.

18 **PARCEL 2:**

19 An undivided three-eighths interest in and to all minerals except coal, oil,
20 gas and petroleum products in or under the following described lands located in Elko
21 County, Nevada:

22 T. 27 N., R. 56 E., M.D.B.&M.

23 Section 14: N1/2 SW1/4; N1/2 SE1/4

24 Section 15: LOT 3 (NE1/4 SE1/4)

25 Section 27: S1/2 SW1/4; NW1/4 SW1/4

26 Section 28: SE1/4 NE1/4

27 Section 35: S1/2 SE1/4; SE1/4 SW1/4

28 Section 36: SW1/4 SW1/4

1 T. 30 N., R. 57 E., M.D.B.&M.

2 Section 4: NW1/4 SE 1/4

3 Section 5: NE1/4 SE1/4

4 Section 7: SE1/4 NW1/4; NW1/4 SE1/4

5 Section 8: NE1/4 NW1/4; W1/2 SE1/4

6 Section 9: NE1/4 NE1/4; NW1/4 NW1/4; SE1/4 NW1/4 ;
7 NW1/4 SW1/4

8 Section 10: SW1/4 NW1/4

9 Section 16: SW1/4 NW1/4; SW1/4 SW1/4

10 Section 17: SW1/4 NW1/4; N1/2 SW1/4; W1/2 SE1/4; SE1/4 SE1/4

11 Section 18: E1/2 NE1/4; LOTS 3 & 4

12 Section 19: SE1/4 NE1/4

13 Section 20: ALL

14 Section 21: NW1/4 NW1/4; E1/2 SE1/4

15 Section 22: SW1/4 SW1/4

16 Section 26: NW1/4 SW1/4; NW1/4 SE1/4

17 Section 27: NW1/4 SE1/4; SE1/4 SE1/4

18 Section 28: NE1/4 SW1/4

19 Section 29: NE1/4 NE1/4; W1/2 NE1/4; NW1/4; N1/2 SW1/4

20 Section 33: SW1/4 SE1/4; SE1/4 SW1/4

21 Section 35: SE1/4 NE1/4

22 PARCEL 3:

23 An undivided three-sixteenths interest in and to all minerals including oil
24 and gas in or under the following described lands located in Elko County, Nevada:

25 T. 26 N., R. 56 E., M.D.B.&M.

26 Section 3: LOT 4; SW1/4 NW1/4

27 Section 4: LOTS 1 & 2

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1 T. 28 N., R. 56 E., M.D.B.&M.

2 Section 30: S1/2 SE1/4

3 Section 31: NW1/4 SE1/4

4 Section 32: NW1/4 NW1/4

5 **PARCEL 4:**

6 An undivided three-eighths interest in and to all minerals including oil and gas
7 in or under the following described lands located in Elko County, Nevada:

8 T. 27 N., R. 56 E., M.D.B.&M.

9 Section 11: N1/2SW1/4; SE1/4SW1/4; NW1/4 SE1/4; S1/2SE1/4

10 Section 12: S1/2SW1/4

11 **PARCEL 5:**

12 An undivided three-sixteenths interest in and to all coal, oil, gas and petroleum
13 products in or under the following described lands located in Elko County, Nevada:

14 ELKO COUNTY

15 T. 27 N., R. 56 E., M.D.B.&M..

16 Section 14: N1/2SW1/4; N1/2SE1/4

17 Section 15: LOT 3 (NE1/4 SE1/4)

18 Section 27: S1/2SW1/4; NW1/4SW1/4

19 Section 28: SE1/4 NE1/4

20 Section 35: S1/2SE1/4; SE1/4 SW1/4

21 Section 36: SW1/4 SW1/4

22 T. 30 N., R. 57 E., M.D.B.&M..

23 Section 4: NW1/4SE1/4

24 Section 5: NE1/4 SE1/4

25 Section 7: SE1/4 NW1/4 ; NW1/4 SE1/4

26 Section 8: NE1/4 NW1/4; W1/2SE1/4

27 Section 9: NE1/4 NE1/4; NW1/4 NW1/4; SE1/4NW1/4;

28 NW1/4 SW1/4

- 1 Section 10: SW1/4 NW1/4
- 2 Section 16: SW1/4 NW1/4 ; SW1/4 SW1/4
- 3 Section 17: SW1/4 NW1/4; N1/2SW1/4; W1/2SE1/4; SE1/4 SE1/4
- 4 Section 18: E1/2NE1/4; LOTS 3 & 4.
- 5 Section 19: SE1/4 NE1/4
- 6 Section 20: ALL
- 7 Section 21: NW1/4 NW1/4; E1/2SE1/4
- 8 Section 22: SW1/4 SW1/4
- 9 Section 26: NW1/4 SW1/4; NW1/4 SE1/4
- 10 Section 27: NW1/4 SE1/4; SE1/4 SE1/4
- 11 Section 28: NE1/4 SW1/4
- 12 Section 29: NE1/4 NE1/4; W1/2NE1/4; NW1/4; N1/2 SW1/4
- 13 Section 33: SW1/4 SE1/4; SE1/4 SW1/4
- 14 Section 35: SE1/4 NE1/4

15 **PARCEL 6:**

16 An undivided three-eighths interest in and to all coal, oil, gas and petroleum
17 products in or under the following described lands located in Elko, White Pine and Nye
18 Counties, Nevada:

19 **ELKO COUNTY**

20 **T. 33 N., R. 57 E., M.D.B.&M..**

21 Section 1: ALL

22 **T. 34 N., R. 57 E., M.D.B.&M..**

23 Section 1: SE1/4; LOTS 1 & 2; S1/2NE1/4

24 Section 3: ALL

25 Section 9: ALL

26 Section 11: ALL

27 Section 13: ALL

28 Section 15: ALL

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Section 17: ALL

Section 19: ALL

Section 21 : ALL

Section 23: ALL

Section 25: ALL

Section 27: ALL

Section 29: ALL

Section 33: ALL

Section 35: N1/2NE1/4; SW1/4 NE1/4; NW1/4

T. 34 N., R. 58 E., M.D.B.&M..

Section 5: ALL

Section 7: ALL

Section 9: ALL

Section 17: ALL

Section 19: ALL

Section 31: ALL

WHITE PINE COUNTY

T. 23 N., R. 58 E., M.D.B.&M..

Section 25: SW1/4 SW1/4

Section 36: NW1/4 SW1/4; W1/2 NW1/4

NYE COUNTY

T. 8 N., R. 57 E., M.D.B.&M..

Section 26: W1/2 SW1/4

PARCEL 7:

An undivided three-fourths interest in and to all minerals except coal, oil, gas and petroleum products in or under the following described lands located in White Pine and Nye Counties, Nevada:

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WHITE PINE COUNTY

T. 23 N., R. 58 E., M.D.B.&M..

Section 25: SW1/4 SW1/4

Section 36: NW1/4 SW1/4; W1/2 NW1/4

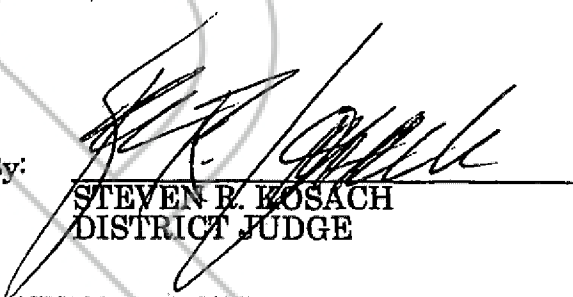
NYE COUNTY

T. 8 N., R. 57 E., M.D.B.&M..

Section 26: W1/2 SW1/4

IT IS SO ORDERED this 31 day of October, 2022.

By:


STEVEN E. KOSACH
DISTRICT JUDGE

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

8 day of Nov, 2022



CLERK

COPY

