ABSTRACT OF TITLE

Permit/Proof No. 47318

Page 1 of 1 pages

DEED NO.	GRANTOR	GRANTEE	CFS	AFA/AFS MGA/MGS (circle one)	ACRES or Units (circle one)	This column for office use only FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/ REMARKS
1	JOE J. GAUDREAULT and WENDE J. GAUDREAULT	ALBERT L. GRIM & WANDA E. GRIM, Trustees of the ALBERT L. and WANDA E. GRIM 2001 TRUST, Dated March 15, 2001	0.25	1.64			0567611 02/20/03	GRANT, BARGAIN & SALE DEED
2								
3								
4								
5								
6								
7								
8								

Type or print in black ink

Case 3:03-cv-00127-MMD-WGC Document 261 Filed 05/27/04 Page 1 of

A.P. No. 1022-18-001-043 and 1022-18-001-044
Escrow No. 142--2030082-KM/JEJ
R.P.T.T. $260.00

WHEN RECORDED MAIL TO:
Grantee
1717 Burgandy Rd.
Leucadia, CA 92024

MAIL TAX STATEMENT TO:
Al Grim
1717 Burgandy Rd.
Leucadia, CA 92024

This document is being re-recorded to include APN 1022-18-001-044 that erroneously was left out however was included in original purchase price. See attached legal description attached hereto.

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Joe J. Gaudreault and Wende J. Gaudreault

do(es) hereby *GRANT, BARGAIN and SELL* to

Albert L. Grim, Trustee and Wanda E. Grim, Trustee of the Albert L. and Wanda E. Grim 2001 Trust dated _____

the real property situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land being a portion of the Southeast 1/4 of the Nrotheast 1/4 of Section 18, Township 10 North, Range 22 East, M.D.B.&M., and being more particularly described as follows:

PARCEL 1:

Parcel A as set forth on that certain Parcel Map for Raymond L. Tester, filed for record in the office of the County recorder of Douglas County, Nevada, on March 12, 1984 as Document No. 98010.

PARCEL 2:

An appurtenant 10 foot waterline easement for water from the existing well on Parcel B as appropriated under State Permit No. 47318, as set forth on that certain Parcel Map for Raymond L. Tester, recorded on March 12, 1984 as Document No. 98010, Douglas County, Nevada Records.

PARCEL 3:

That portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1997 in Book 892, at Page 3271 as Document No. 286408.

Reference is made to Record of Survey #27 for Douglas County, recorded August 18, 1992 in Book 892, Page 2703 as Document No. 285179.

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 10/01/2002

_____
Joe J. Gaudreault

_____
Wende J. Gaudreault

0567611 0554209

BK0203PG07894 BK1002PG03158

Case 3:73-cv-00127-MMD-WGC Document 2610550 Filed 05/27/04 Page 3 of 4

STATE OF **NEVADA**)
: **ss.**
COUNTY OF)
DOUGLAS

KATHY MERRILL
Notary Public State of Nevada
Appointment Recorded in County of Douglas
My Appointment Expires Oct 19 2003

This instrument was acknowledged before me on
_____ by
Joe J. Gaudreault and Wende J. Gaudreault.

_____
Notary Public
(My commission expires: _____)

REQUESTED BY
FIRST AMERICAN TITLE CO.
IN OFFICIAL RECORDS OF
DOUGLAS CO. NEVADA

2002 OCT -8 PM 4:08

LINDA SLATER
RECORDER

$ ___ PAID ___ DEPUTY

0567611 0554209

BK0203PG07895 BK1002PG03159

Case 3:73-cv-00127-MMD-WGC Document 2610550 Filed 05/27/04 Page 4 of 4

DESCRIPTION

All that real property situated in the County of Douglas, State of Nevada, bounded and described as follows:

A parcel of land being a portion of the Southeast 1/4 of the Northeast 1/4 of Section 18, Township 10 North, Range 22 East M.D.B.&M., and being more particularly described as follows

PARCEL 1

Parcel A as set forth on that certain Parcel Map for Raymond L. Tester, filed for record in the office of the County recorder of Douglas County, Nevada, on March 12, 1984 as Document No. 98010

PARCEL 2

An appurtenant 10 foot waterline easement for water from the existing well on Parcel B as appropriated under State Permit No. 47318, as set forth on that certain Parcel Map for Raymond L. Tester, recorded on March 12, 1984 as Document No. 98010, Douglas County, Nevada Records

PARCEL 3

That portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1992 in Book 892, at Page 3271 as Document No. 286408

PARCEL 4

Parcel B as set forth on that certain Parcel Map for Raymond L. Tester, filed for record in the office of the County Recorder of Douglas County, Nevada, on March 12, 1984 as Document No. 98010

PARCEL 5

That portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1992 in Book 892, at Page 3271 as Document No. 286408

Reference is made to Record of Survey #27 for Douglas County, recorded August 18, 1992 in Book 892, Page 2703 as Document No. 286179

* * * * * * * * * *

REQUESTED BY
FIRST AMERICAN TITLE CO.
IN OFFICIAL RECORDS OF
DOUGLAS COUNTY, NEVADA

2003 FEB 20 PM 12: 17

RECORDER

PAID A. 2. DEPUTY

0567611

BK0203PG07896

WESTERN ENGINEERING & SURVEYING SERVICES
CIVIL ENGINEERING • LAND SURVEYING • WASTEWATER • WATER SYSTEMS • LAND USE PLANNING • SUBDIVISIONS

February 11, 2002

Hugh Ricci, P.E.
State Engineer
Division of Water Resources
123 W. Nye Lane, Suite 246
Carson City, Nevada 89706-0818

Re: Permit #47318

Dear Mr. Ricci:

Enclosed please find the Abstract of Title and the Report of Conveyance for the transfer and assignment of a portion of the above noted permit to Joe J. Gaudreault and Wende J. Gaudreault from Garry Den Heyer and Carol June Den Heyer and Earl V. Kessler and Pat L. Kessler, Joint Tenancy Deed, Document #392601.

Also enclosed is Western Engineering & Surveying Services' check # 5222, in the amount of $35.00, to cover the required statutory filing fees.

If you should have any questions or require any additional information, please do not hesitate to call this office.

Thank you for your attention in this matter.

Sincerely,

Robert H. Cantley
Water Rights Specialist

cc: Joe Gaudreault

3032 SILVER SAGE DRIVE • CARSON CITY, NEVADA 89701 • (775) 884-3200 • (FAX 884-3211)

State of Nevada

May-01

REPORT OF CONVEYANCE

Department of Conservation and Natural Resources, Division of Water Resources, Office of the State Engineer

ITEM

1 APPLICATION/ PERMIT No. 47318 PROOF, or CLAIM No.: STATUS: Permit USE: Comm.

2 CURRENT HOLDER(S) SHOWN BY THE STATE ENGINEER: Garry Den Heyer and Carol June Den Heyer - 62.1% Undivided Interest in Parcel "A" and all of Parcel "B", and Earl V. Kessler and Pat L. Kessler - 37.9% Undivided Interest in Parcel "A"

If any item requires additional space, please use Item 13 Remarks or attach 8 1/2" X 11" sheets referencing appropriate item number

3 NEW HOLDER(S): Joe J. Gaudreault and Wende J. Gaudreault

ADDRESS: 1513 Mill Creek Way
CITY: Gardnerville STATE: Nevada ZIP CODE: 89410 PHONE:

4 INVENTORY DOCUMENTS BY CATEGORY AND NUMBER OF EACH IN CHAIN OF TITLE. *See Guidelines Page 2*

DEED(S)	1	CORRECTION DEED(S)		OTHER:			
DEED(S) OF TRUST		RECONVEYANCE at no charge		TOTAL NUMBER OF $$ DOCUMENTS = > 1			
NOTICE(S) OF PLEDGE		MAP(S) at no charge		TOTAL # X $10 each =	$	10	.00
DEATH CERTIFICATES		AFF OF ID at no charge		Report filing fee = $25.00	$	25	.00
DECREE(S) OF DISTR		OTHER:		FEES SUBMITTED	$	35	.00

5 ONE, ONE-TIME $25 FILING FEE MUST ACCOMPANY THESE REPORT(S) + $10 PER CONVEYANCE DOCUMENT LISTED ABOVE.

6 This REPORT requires an ABSTRACT OF TITLE listing the above documents in chronological order, from the current holder(s) of record (ITEM 2) with the Division of Water Resources, Office of the State Engineer, to the proposed, new holder(s) of record (ITEM 3). Document(s) must be recorded in the Office(s) of the respective County Recorder(s).

If the legal description on any deed(s) refer(s) to a subdivision lot or parcel or assessor's parcel number, or lists any deviation(s) different than the place of use in a Quarter/Quarter/Section/Township/Range format, a copy of the map referred to in said deed(s) *is required.* Copies of maps should be 8 1/2" x 11" or 11" x 17". Please refer to instruction sheet for details.

7 LIST SUPPLEMENTAL RIGHTS

8 COUNTY: POINT OF DIVERSION Douglas COUNTY: PLACE(S) OF USE Douglas

9 PLACE(S) OF USE: QTR SE QTR NE SEC 18 TWN 10 RNG 22 APN 37-123-13 & 14

10 AMOUNT (DUTIES) TO BE ASSIGNED: 0.250 CFS 1.64 Acre Feet or (MG) Acres or Units

11 DOES THE CURRENT HOLDER INTEND TO RETAIN ANY PORTION OF THE WATER RIGHT? YES ____ NO X

12 List any other water rights relating to this Report of Conveyance that has been filed using this same abstract and chain of title.

13 Additional Space/Remarks: #2 - Parcel "A" - APN 37-123-13, parcel "B" - APN 37-123-14

14 *"I swear, under penalty of perjury, that this represents a complete and thorough search of the records of the county recorder of each county in which the water is placed to beneficial use or diverted from its natural source and the records on file in the office of the state engineer."*

SUBSCRIBED AND SWORN TO BEFORE ME THIS 24 DAY OF Mo. Feb. Yr. 2002

Sandra L. Winchell
Notary Signature

NOTARY PUBLIC IN AND FOR THE COUNTY OF Douglas
STATE OF Nevada
MY COMMISSION EXPIRES 11-4-02

SIGNATURE: [signature]
PRINT NAME: ROBERT H. CANTLEY
MAILING ADDRESS: 3032 Silver Sage Drive
FIRM NAME: WESTERN ENGINEERING
CITY: Carson City STATE: Nevada ZIP CODE: 89701
PHONE: 884-3200
OWNER?: ____
AGENT?: X

SANDRA L. WINCHELL
Notary Public - State of Nevada
Appointment Recorded in County of Douglas
My Appointment Expires Nov. 4, 2002
94-0354-5

NOTARY STAMP

THIS DOUBLE SIDED FORM CAN BE COPIED ONTO GREEN PAPER ONLY.

RECEIPT

STATE OF NEVADA
DIVISION OF WATER RESOURCES
123 W. Nye Lane, Room 246
Carson City, Nevada 89706-0818

Duplicate
154173

FEBRUARY 11 2002

WESTERN ENGINEERING & SURVEYING SERVICES
3032 SILVER SAGE DRIVE
CARSON CITY NV 89701

	TO FILING DEEDS OF TRANSFER UNDER PERMIT 47318	35	00

Remittance by CHECK NO. 5222

Received payment in the office of the State Engineer

By s/Charlene M. Fumarol CMF

(Rev. 9-00)

(O) 410

ABSTRACT OF TITLE

Permit/Proof No. 47318

Page 1 of 1 pages

DEED NO.	GRANTOR	GRANTEE	CFS	(circle one) AFA/AFS MGA/MGS	(circle one) ACRES or Units	This column for office use only FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/ REMARKS
1	GARRY DEN HEYER and CAROL JUNE DEN HEYER an Undivided 62.1%		0.202	1.322			392601 07/10/96	Joint Tenancy De 62.1% Undivided Interest in Parc "A" & all of Par
2	and EARL V. KESSLER and PAT L. KESSLER an Undivided 37.9%	JOE J. GAUDREAULT and WENDE J. GAUDREAULT	0.048	0.318			392601 07/10/96	37.9% Undivided Interest in Parc "A" (APN 37-123-
3								
4								
5								
6								
7								
8								

Type or print in black ink

ORDER NO: 960106126

JOINT TENANCY DEED

THIS INDENTURE WITNESSETH: That

GARRY DEN HEYER AND CAROL JUNE DEN HEYER, husband and wife, as Joint Tenants as to an undivided 62.1% interest AND EARL V. KESSLER AND PAT L. KESSLER, husband and wife, husband and wife as Community Property as to an undivided 37.9% interest (As to Parcel 1) and GARY DEN HEYER AND CAROL JUNE DEN HEYER, husband and wife as joint tenants (As to Parcel 2):

in consideration of the sum of TEN DOLLARS ($10.00) lawful money of the United States, and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to

JOE J. GAUDREAULT AND WENDE J. GAUDREAULT, husband and wife, as joint tenants with right of survivorship, and not as tenants in common,

and to the heirs and assigns of such Grantee forever, all that real property situated in the County of DOUGLAS, State of Nevada, bounded and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness our hands this 20TH day of JUNE, 1996.

GARRY DEN HEYER

CAROL JUNE DEN HEYER

EARL V. KESSLER

PAT L. KESSLER

STATE OF NEVADA)
) SS.
COUNTY OF WASHOE

On JULY 10, 1996, personally appeared before me, a Notary Public, EARL V. KESSLER AND PAT L. KESSLER

personally known or proved to me to be the persons whose names are subscribed to the above instrument who acknowledged that they executed the same for the purposes therein stated.

Karen L. McCormick
Notary Public

KAREN L. McCORMICK
Notary Public - State of Nevada
Appointment Recorded in Clark County
MY APPOINTMENT EXPIRES APR. 12, 1998

WHEN RECORDED, MAIL TO:

SEE 2ND NOTARY JURAT ATTACHED HERETO!

JOE GAUDREAULT
1513 MILL CREEK WAY
GARDNERVILLE, NV 89410

The Grantor(s) declare(s):
Document Transfer Tax is $195.00
(X) computed on full value of property conveyed

MAIL TAX STATEMENTS TO:

392601
BK0796PG3553

Order No.: 96010612

EXHIBIT "A"

LEGAL DESCRIPTION

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

PARCEL 1:

A parcel of land being a portion of the Southeast 1/4 of the Northeast 1/4 of Section 18, Township 10 North, Range 22 East, M..D.B.&M., and being more particularly described as follows:

PARCEL A, as set forth on that certain Parcel Map for RAYMOND L. TESTER, filed for record in the Office of the County, Recorder of Douglas County, Nevada, on March 12, 1984, as Document No. 98010.

TOGETHER WITH an appurtenant 10 foot waterline easement for water from the existing well on Parcel B, as appropriated under State Permit No. 47318, as set forth on that certain Parcel Map for RAYMOND L. TESTER, recorded on March 12, 1984, as Document No. 98010, Douglas County, Nevada Records.

Also together with that portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1992, in Book 892, at Page 3271, as Document No. 286408.

Reference is made to Record of Survey #27 for Douglas County recorded August 18, 1992, in Book 892, Page 2703, as Document No. 286179.

Assessors Parcel No. 37-123-13

PARCEL 2:

A parcel of land being a portion of the Southeast 1/4 of the Northeast 1/4 of Section 18, Township 10 North, Range 22 East, M.D.B.&M., and being more particularly described as follows:

PARCEL B, as set forth on that certain Parcel Map for RAYMOND L. TESTER, filed for record in the office of the County Recorder of Douglas County, Nevada on March 12, 1984 as Document No. 98010.

Also together with that portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1992, in Book 892, at Page 3271, as Document No. 286408.

Continued on next page

Case 3:73-cv-00127-MMD-WGC Document 2610550 Filed 05/27/04 Page 11 of

Order No. 96010612

Reference is made to Record of Survey #27 for Douglas County recorded August 18, 1992, in Book 892, Page 2703, as Document No. 286179.

Assessors Parcel No. 37-123-14

STATE OF NEVADA)
) SS.
COUNTY OF Douglas)

On 7-19-96 personally appeared before me, a notary public, Gorry Dee Hayes & Carol Jane Dentinger personally known (or proved) to me to be the person whose name is subscribed to the above instrument, who acknowledged that she executed the above instrument.

Gayle Sarratea
Notary Public

OFFICIAL SEAL
GAYLE SARRATEA
NOTARY PUBLIC - NEVADA
DOUGLAS COUNTY

REQUESTED BY
STEWART TITLE of DOUGLAS COUNTY
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

'96 JUL 23 P3:58

LINDA SLATER
RECORDER
$ 9.00 PAID DEPUTY

392601
BK0796PG3555

ABSTRACT OF TITLE

Permit/Proof No. 47316

Page 1 of 1 pages

DEED NO.	GRANTOR	GRANTEE	CFS	AFA/AFS MGA/MGS (circle one)	ACRES or Units (circle one)	This column for office use only FILED UNDER DATE	DOC # DATE	DOCUMENT DESCRIPTION/ REMARKS
1	JOE J. GAUDREAULT and WENDE J. GAUDREAULT	ALBERT L. GRIM & WANDA E. GRIM, Trustees of the ALBERT L. and WANDA E. GRIM 2001 TRUST, Dated March 15, 2001	0.25	1.64			0567611 02/20/03	GRANT, BARGAIN & SALE DEED
2								
3								
4								
5								
6								
7								
8								

Type or print in black ink

Case 3:73-cv-00127-MMD-WGC Document 2610550 Filed 05/27/04 Page 13 of

A.P. No. 1022-18-001-043 and 1022-18-001-044
Escrow No. 142--2030082-KM/JEJ
R.P.T.T. $260.00

WHEN RECORDED MAIL TO:
Grantee
1717 Burgandy Rd.
Leucadia, CA 92024

MAIL TAX STATEMENT TO:
Al Grim
1717 Burgandy Rd.
Leucadia, CA 92024

This document is being re-recorded to include APN 1022-18-001-044 that erroneously was left out however was included in original purchase price. See attached legal description attached hereto.

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Joe J. Gaudreault and Wende J. Gaudreault

do(es) hereby *GRANT, BARGAIN and SELL* to

Albert L. Grim, Trustee and Wanda E. Grim, Trustee of the Albert L. and Wanda E. Grim 2001 Trust dated [illegible]

the real property situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land being a portion of the Southeast 1/4 of the Nrotheast 1/4 of Section 18, Township 10 North, Range 22 East, M.D.B.&M., and being more particularly described as follows:

PARCEL 1:

Parcel A as set forth on that certain Parcel Map for Raymond L. Tester, filed for record in the office of the County recorder of Douglas County, Nevada, on March 12, 1984 as Document No. 98010.

PARCEL 2:

An appurtenant 10 foot waterline easement for water from the existing well on Parcel B as appropriated under State Permit No. 47318, as set forth on that certain Parcel Map for Raymond L. Tester, recorded on March 12, 1984 as Document No. 98010, Douglas County, Nevada Records.

PARCEL 3:

That portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1992 in Book 892, at Page 3271 as Document No. 286408.

Reference is made to Record of Survey #27 for Douglas County, recorded August 18, 1992 in Book 892, Page 2703 as Document No. 285179.

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 10/01/2002

Joe J. Gaudreault

Wende J. Gaudreault

0567611 0554209

BK0203PG07894 BK1002PG03158

Case 3:73-cv-00127-MMD-WGC Document 2610550 Filed 05/27/04 Page 14 of

STATE OF NEVADA)
: ss.
COUNTY OF)
DOUGLAS

KATHY MERRILL
Notary Public State of Nevada
Appointment Recorded in County of Douglas
My Appointment Expires Oct 19 2003

This instrument was acknowledged before me on
_____ by
Joe J. Gaudreault and Wende J. Gaudreault.

_____
Notary Public
(My commission expires: _____)

REQUESTED BY
FIRST AMERICAN TITLE CO.
IN OFFICIAL RECORDS OF
DOUGLAS CO. NEVADA

2002 OCT -8 PM 4:08

LINDA SLATER
RECORDER

$ ___ PAID ___ DEPUTY

0567611 0554209

BK0203PG07895 BK1002PG03159

DESCRIPTION

All that real property situated in the County of Douglas, State of Nevada, bounded and described as follows:

A parcel of land being a portion of the Southeast 1/4 of the Northeast 1/4 of Section 18, Township 10 North, Range 22 East MDB&M., and being more particularly described as follows

PARCEL 1

Parcel A as set forth on that certain Parcel Map for Raymond L. Tester, filed for record in the office of the County recorder of Douglas County, Nevada, on March 12, 1984 as Document No 98010

PARCEL 2

An appurtenant 10 foot waterline easement for water from the existing well on Parcel B as appropriated under State Permit No 47318, as set forth on that certain Parcel Map for Raymond L. Tester, recorded on March 12, 1984 as Document No 98010, Douglas County, Nevada Records

PARCEL 3

That portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1992 in Book 892, at Page 3271 as Document No 286408

PARCEL 4

Parcel B as set forth on that certain Parcel Map for Raymond L. Tester, filed for record in the office of the County Recorder of Douglas County, Nevada, on March 12, 1984 as Document No 98010

PARCEL 5

That portion of said Land as abandoned by Douglas County, in Abandonment recorded August 21 1992 in Book 892, at Page 3271 as Document No 286408

Reference is made to Record of Survey #27 for Douglas County, recorded August 18 1992 in Book 892 Page 2703 as Document No 286179

• • • • • • • • • •

REQUESTED BY
FIRST AMERICAN TITLE CO.
IN OFFICIAL RECORDS OF
DOUGLAS COUNTY, NEVADA

2003 FEB 20 PM 12: 17

RECORDER

PAID DEPUTY

0567611

BK0203PG07896

Exhibit 52B

REQUESTED BY
WESTERN TITLE COMPANY, INC.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 FEB 19 PM 3:12

WERNER CHRISTEN
RECORDER
$ 16.00 PAID BC DEPUTY

APN: 1022-18-001-043 1022-18-043-044
RPTT $975.00 X Full Value ☐ Full Value less liens

	WHEN RECORDED MAIL TO:
Name	HEIDI D. ROACH TRUSTEE
Street Address	360 CANYON CREEK CT.
City,State Zip	GARDNERVILLE, NV 89460
	MAIL TAX STATEMENTS TO:
Name	HEIDI D. ROACH TRUSTEE
Street Address	360 CANYON CREEK CT.
City,State Zip	GARDNERVILLE, NV 89460
Order No.	00089465-201- JWG

(SPACE ABOVE THIS LINE FOR RECORDERS USE)

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE WITNESSETH: That

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, ALBERT L. GRIM, TRUSTEE and WANDA E. GRIM, TRUSTEE, OF THE ALBERT L. AND WANDA E. GRIM TRUST DATED MARCH 15, 2001, do(es) hereby GRANT(s) BARGAIN SELL and CONVEY to HEIDI D. ROACH and ROY B. ROACH, TRUSTEES OF THE HEIDI D. AND ROY B. ROACH 2002 TRUST, and to the heirs and assigns of such Grantee forever, all the following real property situated in the City of Gardnerville, County of Douglas, State of Nevada bounded and described as follows:

See Exhibit A attached hereto and made a part hereof.

TOGETHER with all tenements, hereditaments and appurtenances, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: February 2, 2004

Exhibit 52B

0605089
BK0204PG7888

Grant, Bargain and Sale Deed – Page 2

Albert L. Grim, Trustee
ALBERT L. GRIM, TRUSTEE

Wanda E. Grim Trustee
WANDA E. GRIM, TRUSTEE

STATE OF ~~NEVADA~~ California } ss

COUNTY OF San Diego

This instrument was acknowledged before me on

February 5, 2004

by Albert L. Grim and Wanda E. Grim.

Judith A Jungk
Notary Public

JUDITH A. JUNGK
Commission # 1401159
Notary Public - California
San Diego County
My Comm. Expires Feb 18, 2007

0605089

BK0204PG7889

Exhibit A

The land referred to in this policy is situated in the State of Nevada, County of Douglas, and is described as follows:

PARCEL 1:

Parcel A as set forth on that certain Parcel Map for Raymond L. Tester, filed in the office of the County of Douglas County, Nevada, on March 12, 1984 as Document No. 98010.

PARCEL 2:

An appurtenant 10 foot waterline easement for water from the existing well on Parcel b as appropriated under State Permit No. 47318, as set forth on that certain Parcel Map for Raymond L. Tester, recorded on March 12, 1984 as Document No. 98010, Douglas County, Nevada Records.

PARCEL 3:

That portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1992 in Book 892, at Page 3271 as Document No. 286408.

PARCEL 4:

Parcel B as set forth on that certain Parcel Map for Raymond L. Tester, filed for record in the office of the County Recorder of Douglas County, Nevada, on March 12, 1984 as Document No. 98010.

PARCEL 5:

That portion of said land as abandoned by Douglas County, in Abandonment recorded August 21, 1992 in Book 892, at Page 3271 as Document No. 286408.

Reference is made to Record of Survey #27 for Douglas County, recorded August 18, 1992 in Book 892, Page 2703 as Document No. 286179.

Exhibit 33A

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8/12/03

Signature

JAMES LEE MARCUERQUIAGA

Printed Typed Name

If you are acting on behalf of any entity, identify that you are acting as: President of

(Title)

Economics Inc.

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Exhibit 53A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, v. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants.	In Equity No. C-125-ECR Subfile No. C-125-B **DISCLAIMER OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER**

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of Summons or by a Notice in Lieu of Summons, the undersigned provides the following additional information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s):

Street or P.O. Box:

Town or City:

State:

Zip Code:

2. The name and address of each person or entity who acquired ownership

Name(s):

Street or P.O. Box:

Town or City:

State:

Zip Code:

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☐ Deed
- ☐ Court Order
- ☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 12th day of August 2003

[signature of counter-defendant]

JAMES LEE MARCUERQUIAGA

[name of counter-defendant]

[name, if applicable, of person acting on behalf of counter-defendant]

[signature, if applicable, of person acting on behalf of Counter-Defendant]

[address]

[telephone number]

Exhibit 53B

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Nevada Division of Water Resources

Well Log Database

All test wells pre '70s

Query Results

Basin	County	Qtr-Qtr	Section	Twp	Rng	Owner	Date Complete	Well Log #	Driller Lic#	Total Depth	Static Water Level	Casing Diameter	APN	Work Type	Proposed Use	App #
108	32019	NE NE	02	10N	25E	GEONOMICS INC	10/17/1976	21753	875	105				G	X	
108	32019	SW NW	02	10N	25E	GEONOMICS INC	10/29/1976	21733	853	500				G	X	
108	32019	SW NW	02	10N	25E	GEONOMICS INC	12/2/1976	21734	875	1000		1		D	X	
108	32019	NE NW	03	10N	25E	GEONOMICS INC	10/23/1976	21736	875	105				N	X	
108	32019	NE SW	03	10N	25E	GEONOMICS INC	10/19/1976	21737	875	40				N	X	
108	32019	SE SW	03	10N	25E	GEONOMICS INC	10/18/1976	21738	875	105				N	X	
108	32019	NW SW SE	06	10N	26E	CUTLER RANCH	4/17/1986	26668	870	83	12	8.62		N	H	
108	32019	NW SE	06	10N	27E	IVEY, JOHN	8/14/1978	18670	581	185		16		N	I	31022
108	32005	NW NW	18	10N	27E	BANNER, ROBERT & MARY	11/20/1993	43062	718	200	110	6.62	37-501-05	N	H	
108	32019	NE NW	28	10N	27E	RAFTER 7 RANCH	8/22/2000	81033	1713	505	20			N	X	49275
108	32019		13	11N	24E	OHANLON, LARRY	10/26/2000	82101	1958	207	58	6	10-471-12	N	H	
108	32019	NW NE	01	11N	25E	CHURCHILL CARMALT	6/30/1960	5363	8	400	52	16		N	I	18715
108	32019	SE NE	01	11N	25E	MINISTER, BOLTON	6/17/1960	5362	8	484	40	18		N	I	18707
108	32019	SW NE	01	11N	25E	LEE IVEY RANCH INC	5/27/1992	39250	1540	526	92	16		N	I	56020
108	32019	SW NW	01	11N	25E	MINISTER, BOLTON	7/31/1948	5124	55	228	30	10		N	H	
108	32019	SW SW	01	11N	25E	STENERI, DONALD R	5/18/1977	16452	581	460	77	16		N	I	30517
108	32019	SE NW	02	11N	25E	STENERI, DON	8/15/1979	20277	718	162	30	8		N	H	
108	32019	SW SE	02	11N	25E	STENERI, DONALD R	5/14/1977	16451	581	560	52	16		N	I	30518
108	32019		03	11N	25E	MORGAN, J	3/11/1999	75012	1877	140	10	6.62	12-431-09	N	H	
108	32019	NW NE	03	11N	25E	HARDESY, GARY	12/2/2002	88739	718	130	25	8.62	12-401-11	N	H	
108	32019	SE NE	03	11N	25E	WILSON, ROY	5/26/1956	3489	10	75	26	6		N	H	
108	32019	SW SW	03	11N	25E	HUCKINS, HARRY	8/25/1979	20278	718	150	15	8		N	H	
108	32019	SE SE	04	11N	25E	STEWART, MIKE	1/26/1982	23584	718	200	8	8		N	H	
108	32019	NE NE	09	11N	25E	SHERLOCK, BOB	1/16/1991	35164	722	98	12	6.62		N	H	

Exhibit 53B

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Nevada Division of Water Resources

Well Log Database

Query Results

Basin	County	Qtr-Qtr	Section	Twp	Rng	Owner	Date Complete	Well Log #	Driller Lic#	Total Depth	Static Water Level	Casing Diameter	APN	Work Type	Proposed Use	App #
108	32019	SW SE	11	11N	25E	DAVIS, JOHN P	3/4/1980	20907	718	180	120	8		N	H	-
108	32019	SW SW	11	11N	25E	JOHNSON, CALMER J	11/30/1957	4055	0	150	108	12		N	I	15356
108	32019	SW SW	11	11N	25E	JACOBS, GEORGE	5/16/1969	10575	287	200	100	16		N	I	21931
108	32019	NW NW	12	11N	25E	ROOKER, JAY	8/20/1978	18761	634	310	2	12.75		S	I	17756
108	32019	NW NW	14	11N	25E	U S FOREST SERVICE	11/17/1997	77226	634	220	136	6.62	12-401-26	N	S	61894
108	32019	SE SW	15	11N	25E	CHEVRON RESOURCES	6/4/1977	21742	853	500				G	X	
108	32019	NE NE	16	11N	25E	CHEVRON RESOURCES	6/15/1977	21743	853	465				G	X	
108	32019	NE NW	22	11N	25E	CHEVRON RESOURCES	6/2/1977	21741	853	430				G	X	
108	32019	SE SE	22	11N	25E	CHEVRON RESOURCES	6/5/1977	21745	853	487				G	X	
108	32019	SE SW	22	11N	25E	CHEVRON RESOURCES	5/24/1977	21744	853	500				G	X	
108	32019	SE NW	26	11N	25E	GEONOMICS INC	10/12/1976	21748	875	57		1		G	X	
108	32019	SW SE	26	11N	25E	GEONOMICS INC	10/13/1976	21747	875	127		1		G	X	
108	32019	NE NW	27	11N	25E	CHEVRON RESOURCES	5/21/1977	21750	853	500				G	X	
108	32019	NW SW SE	27	11N	25E	GEONOMICS INC	10/23/1976	21749	875	100		1		G	X	
108	32019	NE NE	34	11N	25E	GEONOMICS INC	10/22/1976	21755	875	105		1		G	X	
108	32019	NE NW	34	11N	25E	GEONOMICS INC	10/22/1976	21754	875	100		1		G	X	
108	32019	NE SW	34	11N	25E	GEONOMICS INC	10/31/1976	75669	853	500		1		G	X	
108	32019	SE SW	34	11N	25E	CHEVRON RESOURCES	11/15/1981	23461	1084	1100		2		G	X	
108	32019	SW SW	35	11N	25E	GEONOMICS INC	10/21/1976	21756	875	105		1		G	X	
108	32019	NE SW	36	11N	25E	GEONOMICS INC	10/17/1976	21757	875	105		1		G	X	
108	32019	SE SE	36	11N	25E	GEONOMICS INC	10/17/1976	21758	875	105		1		G	X	
108	32019	SW NW	36	11N	25E	GEONOMICS INC	10/16/1976	21759	875	105		1		G	X	
108	32019	SW SE	9	11N	25E	PRICE, DAVE	12/20/2001	85066	1877	200	94	6.62	04-402-01	N	H	
108	32019	NW	04	11N	26E	PITCHFORK RANCH INC	3/15/1987	46237	718	530	20	12	12-391-01	N	I	
108	32019	NW	04	11N	26E	PITCHFORK	2/12/1982	23561	718	280	25	10		N	H	

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Nevada Division of Water Resources

Well Log Database

Query Results

Basin	County	Qtr-Qtr	Section	Twp	Rng	Owner	Date Complete	Well Log #	Driller Lic#	Total Depth	Static Water Level	Casing Diameter	APN	Work Type	Proposed Use	App #
108	32019	SE NW	09	11N	26E	NGLE JR, HUGH	10/21/1980	22071	718	165	92	8		N	H	
108	32019	NW NW	13	11N	26E	MATHIS, JOE	11/3/1968	10339	272	293				N	I	23191
108	32019	NE	23	11N	26E	LABOE, GEORGE	7/25/2000	82216	1876	160	26	6.62	12-471-74	N	H	
108	32019	NW SW	23	11N	26E	POWELL, MILLE	10/19/2001	85073	1877	240	35	6.62	12-471-76	S	H	
108	32019	SE SE	23	11N	26E	POWELL, MIKE	3/25/2000	79934	718	100	35	6.62	12-471-76	N	H	
108	32019	SW SE	23	11N	26E	POWELL, MIKE	10/17/2001	85046	1877	240	33	6.62	012-471-77	N	H	
108	32019	NW NE	25	11N	26E	JM STITT CONSTRUCTION	3/24/2000	79566	1876	190	13	6.625	12-471-81	N	H	
108	32019	NE SW	31	11N	26E	GEONOMICS INC	10/15/1976	21751	875	105		1		G	X	
108	32019	NW NW	31	11N	26E	GEONOMICS INC	10/16/1976	21752	875	105		1		G	X	
108	32019	NE NE	36	11N	26E	IVEY, O H	5/15/1971	11528	645	80	48	6		N	H	
108	32019	SE NE	36	11N	26E	IVEY, O H	7/28/1971	11719	645	86	20	6		N	H	
108	32019	NE SE	01	12N	25E	RODERICK, DOUG	7/3/1996	67343	634	199	67	6.62	12-191-25	N	H	
108	32019	NE SW	01	12N	25E	DURSEL, DARRELL	5/9/1987	28472	1221	185	25	6		N	H	
108	32019	SE NE	01	12N	25E	SALZ, JOSEPH	8/8/1988	30464	870	124	64.5	6.62	12-191-11	N	H	
108	32019	NE SE	02	12N	25E	MENESINI, GENE	8/11/1990	34382	1448	180	35	6		N	H	
108	32019	NW NE	02	12N	25E	PURSEL, NORMAN	9/8/1992	42081	634	160	62	6.62	12-141-07	N	H	
108	32019	NW NE	02	12N	25E	PURSEL, NORMAN	9/24/1992	42082	634	60	52	6	12-141-07	P	H	
108	32019	NW NE	02	12N	25E	SMITH, WILBUR	7/18/1991	37379	634	158	40	6.62	12-141-04	N	H	
108	32019	NW SW SE	02	12N	25E	FULSTONE, R N	3/1/1988	36073	0	250				P	I	
108	32019	NW SW SE	02	12N	25E	R. N. FULSTONE CO.	3/6/1988	29911	1448	430		16		O	I	
108	32019	SW SW	02	12N	25E	BATCHELDER, FRED	10/31/1992	42086	634	146	32	6.62	12-261-08	N	H	

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 08-15-03

Forrest G Godde
Signature

FORREST G. GODDE
Printed Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Trustee of
(Title)

Forrest G. Godde 1998 Trust
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Exhibit 54

Exhibits 55-57

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9-04-03

Marjorie E Gregory
Signature

MARJORIE E. GREGORY
Printed Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Trustee of
(Title)

The Gregory Family Trust
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Exhibit 58

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/27/03

Marilou Maness
Signature

Marylou Maness
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Secretary/Treasurer of
(Title)

Hardrock Mining Company, Inc.
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Exhibit 58

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
vs.	)	
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

Attorney: Woodburn & Wedge

Address: Sierra Plaza
6100 Neil Road, Suite 500
Reno, Nevada 89511-1149

Phone Number: (775) 688-3000

Fax Number: (775) 688-3088

Marylou Maness, Sec./Treas
(Signature)

MARYLOU MANESS
(Printed or typed Name)

Hardrock Mining Co., Inc.
(Entity, if any, on whose behalf you are appearing)

P.O. Box 125
Reserve, New Mexico 87830-0125
(Address)

(505) 533-6747
(Telephone number)

Exhibit 59

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-25-04

Signature

Cheri Emm-Smith

Printed Typed Name

If you are acting on behalf of any entity, identify that you are acting as: ~~Hawthorne Utilities~~ Attorney of

(Title)

Hawthorne Utilities

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Exhibit 59

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
vs.	)	
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

Attorney: Mineral County District Attorney
CHERI EMM-SMITH

Address: P.O. Box 1210
Hawthorne NV 89415

Phone Number: 775-945-3636

Fax Number: 775-945-0740

Cheri Emm Smith

(Signature)

Cheri Emm-Smith

(Printed or typed Name)

Hawthorne Utilities

(Entity, if any, on whose behalf you are appearing)

P.O. Box 1448
Hawthorne, NV 89415

(Address)

775-945-2486

(Telephone number)