U.S. DISTRICT COURT
DISTRICT OF NEVADA
FILED
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CLERK, U.S. DISTRICT COURT
BY
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants.	IN EQUITY NO. C-125-ECR Subproceeding: C-125-B EIGHTH REPORT OF THE UNITED STATES OF AMERICA CONCERNING STATUS OF SERVICE ON CERTAIN PERSONS AND ENTITIES

The United States of America ("United States"), on behalf of itself and the Walker River Paiute Tribe ("Tribe"), submits the following information related to its service efforts on persons and entities subject to service under the *Case Management Order* (Apr. 18, 2000) ("CMO"). As set forth in this pleading, the United States asks the Court to approve certain service efforts, to amend the caption related to this phase of service, to make corrections and additions, and, in some instances, to take no action at this point as service efforts are continuing. The instant filing focuses on a portion of those persons and entities subject to service under Paragraph 3 of the CMO.

This is the eighth such filing that the United States has made in this action. The United States and the Tribe ask the parties to direct any comments or corrections regarding this report to the United States so that any corrections might be made promptly. In addition, the United States

will include this report in the proposed agenda for the status conference with the Magistrate Judge, scheduled for March 7, 2006, and will suggest that the Court address the report and relief requested at that time.

As with the previous Service Reports, this pleading includes a set of exhibits. We have served the exhibits to this filing in the same manner in which we handled the previous filings. Individuals and entities addressed in this filing have received copies of only those exhibits that concern their service issues, and we will provide any of them with copies of any additional exhibits that they wish to obtain. In addition, we have provided materials to the mediating parties in a similar fashion, except that we have again provided a copy of all exhibits to counsel for the Walker River Irrigation District, and will provide the other mediating parties with copies of any exhibits they request.

We will be submitting a separate filing of the original Waivers of Service, Notices of Appearance, Disclaimers, and Notices of Change of Ownership of Water Right, arranged in alphabetical order.

We have organized this pleading numerically, according to the alphabetical listing of names included on the caption in the United States' and Tribe's respective First Amended Counterclaims. Exhibits are numbered to correlate to the overall numerical organization (*i.e.*, Exhibit 1 relates to the discussion of Defendant #1). For each Defendant addressed, we have attempted to identify all service categories relevant to that Defendant, but we are not representing these identifications as necessarily complete or asserting that any Defendant subject to service under CMO categories not specifically identified would need to be served a second time. To the extent that corrections or additional or changed parties appear appropriate, those are discussed in

connection with the listing as originally identified in the case caption.

We have not yet provided the Court with a proposed amended Caption, but are prepared to do so after the Court addresses the requests stated herein. We are also providing a copy of this pleading and the certificate of service to the Court and the Clerk's Office on a computer disk in Word Perfect format and would be pleased to provide this information in any other format to assist the Court and Clerk's Office.

In an effort to assist with the development of the Certificate of Service for this case, we have included in this pleading addresses for counsel, and if there is no counsel, addresses for service upon the individual or entity served. This filing also includes (Section III) several address changes that we have received from various persons or entities. To the extent that the person or entity is not identified clearly in the address indicated for service, we have included that information in brackets. We recognize that if the Court dismisses certain individuals and entities from the case, as we have requested, the Certificate of Service attached to this document will change as well.

1. Acme Leasing, LLC:

   a. Basis for inclusion: CMO 3.c.

   b. Status of service: A Waiver of Service has been returned, signed by Mile Gilbert, Manager of Acme Leasing, LLC. *See* Exhibit 1.

   c. Counsel: None indicated.

   d. Address for service: Acme Leasing, LLC
   Mike Gilbert, Manager
   861 Mahogany Drive
   Minden, NV 89423

e. Requested action(s): We request a finding that service is complete.

2. Adriane J. Antonelli: *see* Robert E. Antonelli, below.

3. Robert E. Antonelli:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Adriane J. and Robert E. Antonelli have each returned a signed Waiver of Service form. *See* Exhibits 2 and 3.

c. Counsel: None indicated.

d. Address for service: Adriane J. and Robert E. Antonelli
239 Artesia Road
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Andriane J. Antonelli and Robert E. Antonelli.

4. Anthony Aquila: *see* Shelly Aquila, below.

5. Shelly Aquila:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Anthony and Shelly Aquila have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 4 and 5.

c. Counsel: None indicated.

d. Address for service: Anthony and Shelly Aquila
10215 Black Hawk Drive
Reno, NV 89506

e. Requested action(s): We request a finding that service is complete as to Anthony Aquila and Shelly Aquila.

6. David & Kari Beronio Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the correct name of this trust is the Beronio Family 1995 Trust. *See* Exhibit 6. The trust was served again, under its correct name, on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the caption be amended to read Beronio Family 1995 Trust.

7. George N. Bloise:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Signed Waiver of Service and Notice of Appearance forms have been returned. *See* Exhibit 7.

c. Counsel: None indicated.

d. Address for service: George N. Bloise
P. O. Box 187
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete.

8. Robert and Doris Brewer Living Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed by Robert Lee Brewer and Doris D. Brewer, trustees. *See* Exhibit 8.

c. Counsel: None indicated.

d. Address for service: Robert and Doris Brewer Trust

Robert L. and Doris D. Brewer, trustees
P. O. Box 1306
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

9. Karen D. Brondel: *see* Kathy L. Brondel, below.

10. Kathy L. Brondel:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Karen D. and Kathy L. Brondel have each returned a signed Waiver of Service form. *See* Exhibits 9 and 10.

c. Counsel: None indicated.

d. Address for service: Karen D. Brondel
Kathy L. Brondel
1426 Leonard Road
Gardnerville, NV 89410

e. Requested action(s): We request a finding that service is complete as to Karen D. Brondel and Kathy L. Brondel.

11. Kristine L. Brown:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Signed Waiver of Service and Notice of Appearance forms have been returned. *See* Exhibit 11.

c. Counsel: None indicated.

d. Address for service: Kristine L. Brown
P. O. Box 2787
Minden, NV 89423

e. Requested action(s): We request a finding that service is complete.

12. Haskell & Cheri L. Brown Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown the correct name of the trust is the Brown Joint Living Trust. *See* Exhibit 12. The trust was served again, under its correct name, on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the caption be amended to read Brown Joint Living Trust.

13. Oswald A. Brown: *see* Sandra Brown, below.

14. Sandra Brown:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Oswald and Sandra Brown have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 13 and 14.

c. Counsel: None indicated.

d. Address for service: Oswald A. and Sandra Brown
35 Yermo Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Oswald A. Brown and Sandra Brown.

15. Betty Sue Buell Trust Agreement:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service has been returned, signed by trustee Betty

Sue Buell. *See* Exhibit 15.

c. Counsel: None indicated.

d. Address for service: Betty Sue Buell Trust Agreement
Betty Sue Buell, trustee
11 Hazel Lane
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete.

16. Frank M. Buell Trust Agreement:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service has been returned, signed by trustee Frank M. Buell. *See* Exhibit 16.

c. Counsel: None indicated.

d. Address for service: Frank M. Buell Trust Agreement
Frank M. Buell, trustee
11 Hazel Lane
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete.

17. Dianne Borsini Burr Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Waiver of Service and Notice of Appearance forms have been returned, signed by trustee Dianne Borsini Burr. *See* Exhibit 17.

c. Counsel: None indicated.

d. Address for service: Dianne Borsini Burr Trust
Dianne Borsini-Burr, trustee
P. O. Box 3290
Half Moon Bay, CA 94019

e. Requested action(s): We request a finding that service is complete.

18. Cindy Capurro: *see* Michael L. Capurro, below.

19. Michael L. Capurro:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Cindy and Michael Capurro have each returned signed Waiver of Service forms. *See* Exhibits 18 and 19.

c. Counsel: None indicated.

d. Address for service: Cindy and Michael L. Capurro
Sutcliff Star Route
Reno, NV 89510

e. Requested action(s): We request a finding that service is complete as to Cindy Capurro and Michael L. Capurro.

20. Cris Converse:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Signed Waiver of Service and Notice of Appearance forms have been returned. *See* Exhibit 20.

c. Counsel: None indicated.

d. Address for service: Cris Converse
P. O. Box 10524
Zephyr Cove, NV 89448

e. Requested action(s): We request a finding that service is complete.

21. Gilbert E. & Linda L. Cook Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the correct

name of this trust is the Cook 1994 Revocable Living Trust. *See* Exhibit 21. The trust was served again, under its correct name, on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the caption be amended to read Cook 1994 Revocable Living Trust.

22. Kevin D. Cooper:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Cooper has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 22.

c. Counsel: None indicated.

d. Address for service: Kevin D. Cooper
3630 Falcon Way
Reno, NV 89509

e. Requested action(s): We request a finding that service is complete.

23. Betty M. Dobosh: *see* Michael D. Dobosh, Sr. below.

24. Michael D. Dobosh, Sr.:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Betty and Michael Dobosh have each returned a signed Waiver of Service form. *See* Exhibits 23 and 24.

c. Counsel: None indicated.

d. Address for service: Betty M. and Michael D. Dobosh, Sr.
77 Sharon Drive
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Betty M. Dobosh and Michael D. Dobosh, Sr.

25. Andrea Ellington-Peyerl:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 25.

c. Counsel: None indicated.

d. Address for service: Andrea Ellington-Peyerl
46 Yermo Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete. We also request that the caption be amended, adding Peyerl as an extension to Ellington.

26. Lee Faiferek: *see* Roland Faiferek, below.

27. Roland Faiferek:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The Faifereks have each returned a signed Waiver of Service. In addition, a Disclaimer of Interest has been filed which concerns a portion of the water rights at issue. *See* Exhibits 26 and 27. Of those persons and entities who acquired these water rights, the Zwarts and Rightway Investments are already parties to this action. The Sewards and Pinion Ranch Estates, LLC, have yet to be served.

c. Counsel: None indicated.

d. Address for service: Lee Ann and Roland Faiferek
P. O. Box 115
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete as to Lee Ann Faiferek and Roland Faiferek.

28. Dolores M. Farrar: *see* Richard Farrar, below.

29. Richard Farrar:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the water right at issue has been transferred to the Farrar Family Trust. *See* Exhibit 28 / 29. The trust was served on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Dolores M. and Richard Farrar and substitute the Farrar Family Trust.

30. Michael P. Flood:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Flood has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 30.

c. Counsel: None indicated.

d. Address for service: Michael P. Flood
2 Knudson Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

31. Levane Forsythe: *see* Nancy Forsythe, below.

32. Nancy Forsythe:

a. Basis for inclusion: CMO 3.c.

b. Status of service: We have learned that the water right at issues has been conveyed to Murl E. Williams, Jr. Mr. Williams has submitted signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 31 and 32.

c. Counsel: None indicated.

d. Address for service: Murl E. Williams, Jr.
1425 Highway 208
Yerington, NV 89447

e. Requested action(s): We request that the Court dismiss Levane and Nancy Forsythe; substitute Murl E. Williams, Jr.; and find that service is complete as to Mr. Williams.

33. Gary J. Garms: *see* Toni J. Garms, below.

34. Toni J. Garms:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Gary J. and Toni J. Garms have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 33 and 34.

c. Counsel: Gordon H. DePaoli
Dale E. Ferguson
Woodburn and Wedge
P. O. Box 2311
Reno, NV 89505

d. Address for service: *See* Counsel's address, above.

e. Requested action(s): We request a finding that service is complete as to Gary J. Garms and Toni J. Garms.

35. Garmsland Limited, LLC:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Waiver of Service and Notice of Appearance forms have been returned, signed by Gary J. Garms, president of GDA Degree, Inc., manager of Garmsland Limited. *See* Exhibit 35.

c. Counsel: Gordon H. DePaoli
Dale E. Ferguson
Woodburn and Wedge
P. O. Box 2311
Reno, NV 89505

d. Address for service: *See* Counsel's address, above.

e. Requested action(s): We request a finding that service is complete.

36. Betti June George: *see* Carl S. George, Sr., below.

37. Carl S. George, Sr.:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Betti and Carl George have each returned a signed Waiver of Service form. *See* Exhibits 36 and 37.

c. Counsel: None indicated.

d. Address for service: Betti June and Carl S. George, Sr.
201 Artesia Road
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Betti June George and Carl S. George, Sr. We further request that the caption be amended to read Carl S. George, Sr.

38. Jerry Gideon: *see* LaVerne Gideon, below.

39. LaVerne Gideon:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The Gideons have each returned a signed Waiver of Service form. *See* Exhibits 38 and 39.

c. Counsel: None indicated.

d. Address for service: Jerry and LaVerne Gideon
5 Yermo Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Jerry Gideon and LaVerne Gideon.

40. Joseph E. Giomi Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the correct name of this trust is the Joseph E. Giomi Family Trust. *See* Exhibit 40. The trust was served again, under its correct name on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the caption be amended to read Joseph E. Giomi Family Trust.

41. Joseph Mathieu Giraud Estate:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the estate has been disbursed and that the water right at issue is now held by Louis J. Giraud and Marie Giraud. *See* Exhibit 41. Louis J. and Marie Giraud were served on

January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Joseph Mathieu Giraud Estate be dismissed, and that Louis J. Giraud and Marie Giraud be substituted.

42. Gerard Gregoris: *see* LorAnne Gregoris, below.

43. LorAnne Gregoris:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Gerard and LorAnne Gregoris have each returned a signed Waiver of Service form. *See* Exhibits 42 and 43.

c. Counsel: None indicated.

d. Address for service: Gerard and LorAnne Gregoris
P. O. Box 102
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete as to Gerard Gregoris and LorAnne Gregoris.

44. Martha Ann Griffin:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Ms. Griffin has returned a signed Waiver of Service form. *See* Exhibit 44.

c. Counsel: None indicated.

d. Address for service: Martha A. Griffin
P. O. Box 100
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete.

45. Rex A. & Sandra J. Hartwick Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the correct name of this trust is the Rex A. & Sandra J. Hartwick Family Trust. *See* Exhibit 45. The trust was served again, under its correct name, on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the caption be amended to read Rex A. & Sandra J. Hartwick Family Trust.

46. Carrol Richard and Alice June Haskins Joint Living Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Trustee Carrol Richard Haskins has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 46.

c. Counsel: None indicated.

d. Address for service: Carrol R. & Alice June Haskins Joint Living Trust
Carrol R. & Alice June Haskins, trustees
406 Leona
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

47. Carl E. Hill:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Hill has returned a signed Waiver of Service form. *See*

Exhibit 47.

c. Counsel: None indicated.

d. Address for service: Carl E. Hill
P. O. Box 332
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete.

48. Patricia G. Hinton:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the water right at issue is now held by Carl E. Hill. *See* Exhibit 48.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Patricia G. Hinton and substitute Carl E. Hill. Mr. Hill is already a party to this action. *See* No. 47 above.

49. David R. Hoover: *see* Tammy L. Hoover, below.

50. Tammy L. Hoover:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The Hoovers have each returned a signed Waiver of Service form. *See* Exhibits 49 and 50.

c. Counsel: None indicated.

d. Address for service: David R. and Tammy L. Hoover
95 Penrose Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to David R. Hoover and Tammy L. Hoover.

51. Bruce A. Horstmanshoff:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Horstmanshoff has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 51.

c. Counsel: None indicated.

d. Address for service: Bruce Horstmanshoff
3630 Falcon Way
Reno, NV 89509

e. Requested action(s): We request a finding that service is complete.

52. Dorothy A. Huckins:

a. Basis for inclusion: CMO 3.c

b. Status of service: No response. Mrs. Huckins was served in error.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal..

53. LaCinda Johnson:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Ms. Johnson has returned a signed Waiver of Service form. *See* Exhibit 53.

c. Counsel: None indicated.

d. Address for service: LaCinda E. Johnson

e. Requested action(s): We request a finding that service is complete as to David R. Hoover and Tammy L. Hoover.

51. Bruce A. Horstmanshoff:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Horstmanshoff has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 51.

c. Counsel: None indicated.

d. Address for service: Bruce Horstmanshoff
3630 Falcon Way
Reno, NV 89509

e. Requested action(s): We request a finding that service is complete.

52. Dorothy A. Huckins:

a. Basis for inclusion: CMO 3.c

b. Status of service: No response. Mrs. Huckins was served in error.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

53. LaCinda Johnson:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Ms. Johnson has returned a signed Waiver of Service form. *See* Exhibit 53.

c. Counsel: None indicated.

d. Address for service: LaCinda E. Johnson

P. O. Box 51
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete.

54. Hal B. Johnston:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Johnston has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 54.

c. Counsel: None indicated.

d. Address for service: Hal B. Johnston
264 Sunset Hills Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

55. Charles Russell & Linda C. Jones Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form, signed on behalf of the trust by trustees Charles R. and Linda C. Jones, has been returned. *See* Exhibit 55.

c. Counsel: None indicated.

d. Address for service: Charles Russell & Linda C. Jones Trust
Charles Russell and Linda C. Jones, trustees
2552 Drowdis Lane
Rescue, CA 95672

e. Requested action(s): We request a finding that service is complete.

56. Betty Joplin:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Ms. Joplin has returned signed Waiver of Service and Notice

of Appearance forms. *See* Exhibit 56.

c. Counsel: None indicated.

d. Address for service: Betty Joplin
22 Yermo Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

57. Clyde W. and Sandra D. Jurey Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed by Clyde W. Jurey and Sandra D. Jurey, co-trustees. *See* Exhibit 57.

c. Counsel: None indicated.

d. Address for service: Clyde W. and Sandra D. Jurey Trust
Clyde W. and Sandra D. Jurey, trustees
10 Sharon Lane
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to the Clyde W. and Sandra D. Jurey Trust.

58. Loretta J. Kalata: *see* Theodore E. Kalata, below.

59. Theodore E. Kalata:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Loretta and Ted Kalata have each returned a signed Waiver of Service form. *See* Exhibits 58 and 59.

c. Counsel: None indicated.

d. Address for service: Loretta J. and Theodore E. Kalata
P. O. Box 122

Smith, NV 89430

e. Requested action(s): We request a finding that service is complete as to Theodore E. Kalata and Loretta J. Kalata.

60. Geraldine Sophia Keeley Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed on behalf of the trust by Geraldine S. Keeley. *See* Exhibit 60.

c. Counsel: None indicated.

d. Address for service: Geraldine Sophia Keeley Trust
Geraldine S. Keeley, trustee
244 Lower Colony Road
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete.

61. Martha C. Kienbaum:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Ms. Kienbaum has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 61.

c. Counsel: None indicated.

d. Address for service: Martha C. Kienbaum
47 Penrose Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

62. Terrance W. Kleve:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the water right at issue is now held by the 14 Sara Circle Land Trust. *See* Exhibit 62. The trust was served on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Terrance W. Kleve and substitute 14 Sara Circle Land Trust.

63. Karen A. Klock:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Ms. Klock responded by indicating that there were no water rights on the property in question, although the County Assessors Office indicates that there is a domestic well. Further investigation has shown that Janet E. Thompson Nakamura now holds title to the property and its domestic well. See Exhibit 63.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Karen A. Klock and substitute Janet E. Thompson Nakamura. Ms. Nakamura was served January 26, 2006.

64. Madeleine M. Knight:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Signed Waiver of Service and Notice of Appearance forms

have been returned. *See* Exhibit 64

c. Counsel: None indicated.

d. Address for service: Madeleine M. Knight
2 Knudson Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

65. James and Cherryl Kreamer Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the water right at issue was removed from the trust and conveyed to James and Cherryl Kreamer as individuals in joint tenancy. *See* Exhibit 65.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss the James and Cherryl Kreamer Trust and substitute James P. Kreamer and Cherryl L. Kreamer. The Kreamers were served January 26, 2006.

66. Dale C. & Beth M. Lackore Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the correct name of this trust is the Lackore Revocable Family Trust. *See* Exhibit 66. The trust was served again, under its correct name, on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the caption be amended to read Lackore Revocable Family Trust.

67. Charles S. Lang: *see* Debra Layne Lang, below.

68. Debra Layne Lang:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Charles and Debra Lang have each returned a signed Waiver of Service form. *See* Exhibits 67 and 68.

c. Counsel: None indicated.

d. Address for service: Charles M. and Debra S. Lang
1718 Bougainvillea Drive
Minden, NV 89423

e. Requested action(s): We request a finding that service is complete as to Charles S. Lang and Debra S. Lang. We also request that the caption be amended to read Debra S. Lang.

69. Michael D. Ledsinger:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mike Ledsinger has signed and returned a Waiver of Service form. *See* Exhibit 69.

c. Counsel: None indicated.

d. Address for service: Michael D. Ledsinger
24011 Edloe
Hayward, CA 94541

e. Requested action(s): We request a finding that service is complete.

70. Deborah Mae Lerg: *see* Roy D. Lerg, below.

71. Roy D. Lerg:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Deborah Mae and Roy D. Lerg have each returned a signed Waiver of Service form. *See* Exhibits 70 and 71.

c. Counsel: None indicated.

d. Address for service: Deborah Mae and Roy D. Lerg
P. O. Box 290
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete as to Deborah Mae Lerg and Roy D. Lerg

72. Roy D. & Deborah Mae Lerg Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed on behalf of the trust by trustees Roy D. and Deborah Mae Lerg. *See* Exhibit 72.

c. Counsel: None indicated.

d. Address for service: Roy D. & Deborah Mae Lerg Trust
Roy D. and Deborah Mae Lerg, trustees
P. O. Box 290
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete.

73. Jeff Lewis Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the correct name of the trust is "A" Enterprise. *See* Exhibit 73.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss the Jeff Lewis Trust and substitute "A" Enterprise which was served on January 26, 2006.

74. Carol June Little Estate:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the water right at issue has been conveyed to Linda Kathleen Leiter, personal representative for the estate. *See* Exhibit 74. Ms. Leiter was served on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss the Carol June Little Estate and substitute Linda Kathleen Leiter.

75. Arnold J. and Lysi Locklear Family Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service has been returned, signed by trustee A.J. Locklear. *See* Exhibit 75.

c. Counsel: None indicated.

d. Address for service: Arnold J. and Lysi V. Locklear Family Trust
Arnold J. and Lysi V. Locklear, trustees
339 Artist View
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete.

76. Mario Lommori:

a. Basis for inclusion: CMO 3.a

b. Status of service: We have learned that the water right at issue has been conveyed to the Lommori Family Trust. A Notice of Appearance has been submitted, signed by Clarice Elizabeth and Mario M. Lommori, trustees. *See* Exhibit 76.

c. Counsel: None indicated.

d. Address for service: Lommori Family Trust
Mario M. Lommori and Clarice E. Lommori, trustees
20 South West Street
Yerington, NV 89447

e. Requested action(s): We request that the Court dismiss Mario Lommori in his individual capacity; substitute the Lommori Family Trust; and find service complete as to the trust.

77. Lunsford Family Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed on behalf of the trust by trustee Paul E. Lunsford. *See* Exhibit 77.

c. Counsel: None indicated.

d. Address for service: Lunsford Family Trust
Paul E. and Nancy E. Lunsford, trustees
11 Arden Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

78. Marianne J. Masterson 2000 Revocable Trust:

a. Basis for inclusion: CMO 3.a

b. Status of service: Ms. Masterson has returned a Notice of Appearance signed on behalf of the Marianne J. Masterson 2000 Revocable Trust. *See* Exhibit 78.

c. Counsel: None indicated.

d. Address for service: Marianne J. Masterson 2000 Revocable Trust
Marianne J. Masterson, trustee
5918 Redondo Drive
Bonsall, CA 92003

e. Requested action(s): We request a finding that service is complete.

79. Dorothy Matheson Trust:

a. Basis for inclusion: CMO 3.a and c

b. Status of service: A Notice of Change of Ownership, signed by Jeff Matheson who is Dorothy Matheson's legal guardian, has been returned. The water rights at issue have been conveyed to Grace and James Pepple. *See* Exhibit 79.

c. Counsel: None indicated.

d. Address for service: Dorothy Matheson Trust
Jeffery L. Matheson, legal guardian
P. O. Box 149
Yerington, NV 89447

e. Requested action(s): We request that the Court dismiss the Dorothy Matheson Trust and substitute James L. and Grace Pepple. The Pepples were previously served regarding another water right and were subsequently dismissed by the Court, *see* Fifth Report, Nos. 121 and 122. They will be served again at a later date.

80. Ralph C. Mathews Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the correct name of this trust is the Myrtle Alberta Mathews Family Trust. *See* Exhibit 80. The trust was served again, under its correct name, on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the caption be amended to read Myrtle Alberta Mathews Family Trust.

81. Gayle Mattice: *see* Lewis W. Mattice, below.

82. Lewis W. Mattice:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Gayle and Lewis W. Mattice have each returned a signed Waiver of Service. In addition, Mr. Mattice has submitted a Notice of Appearance. *See* Exhibits 81 and 82.

c. Counsel: None indicated.

d. Address for service: Gayle and Lewis W. Mattice
755 Highway 339
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Gayle Mattice and Lewis W. Mattice.

83. Robert R. and Frances L. McCandless Family Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Waiver of Service and Notice of Appearance forms have been

returned, signed by Frances L. McCandless, trustee.

c. Counsel: None indicated.

d. Address for service: Robert R. and Frances L. McCandless Family Trust
Robert R. and Frances L. McCandless, trustees
325 S. Main Street
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

84. Lewis & Judith McKay Family Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed by trustees Lewis McKay and Judith McKay. *See* Exhibit 84.

c. Counsel: None indicated.

d. Address for service: Lewis & Judith McKay Family Trust
Lewis and Judith McKay, trustees
63 Sharon Drive
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete.

85. Barbara A. McMurray: *see* Norman H. McMurray, below.

86. Norman H. McMurray:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The McMurrays have each returned signed Waiver of Service forms and annotated Notice of Appearance forms. *See* Exhibits 85 and 86.

c. Counsel: None indicated.

d. Address for service: Barbara A. and Norman H McMurray
16 Meadowlark Lane
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Barbara A. McMurray and Norman H. McMurray.

87. James G. Metternich: *see* Margaret H. Metternich, below.

88. Margaret H. Metternich:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The service packet mailed to the Metternichs was returned by the postal service as undeliverable. They were, therefore, never served. Further investigation has shown that the Metternichs conveyed the last of their water rights to Leo H. and Betty J. Sommer. *See* Exhibit 87 / 88.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Metternichs be dismissed. The Sommers are already parties to this action, and the Court has deemed service to them complete. *See Order Concerning Fourth Report of the United States of America Concerning Status of Service on Certain Persons and Entities* (May 25, 2005) ("Fourth Service Order").

89. Carole A. Michelsen: *see* Ronald J. Michelsen, below.

90. Ronald J. Michelsen:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The Michelsens have each returned a signed Waiver of Service form. *See* Exhibits 89 and 90.

c. Counsel: None indicated.

d. Address for service: Carole A. and Ronald J. Michelsen
P. O. Box 2088
Stateline, NV 89449

e. Requested action(s): We request a finding that service is complete as to Carole A. Michelsen and Ronald J. Michelsen.

91. Caroline S. Miller: *see* Vernon L. Miller, below.

92. Owen J. Miller:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 91.

c. Counsel: None indicated.

d. Address for service: Owen Miller
46 Yermo Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

93. Vernon L. Miller:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that the water right at issue has been conveyed to the Vernon L. and Caroline S. Miller Family Trust. *See* Exhibit 91 / 93. The trust was served on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Vernon L. Miller in his individual capacity and substitute the Vernon L. and Caroline S. Miller Family Trust.

94. Marcia B. Moffitt:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Ms. Moffitt has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 94.

c. Counsel: None indicated.

d. Address for service: Marcia Moffitt
P. O. Box 956
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

95. Daniel J. Monahan:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Monahan has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 95.

c. Counsel: None indicated.

d. Address for service: Daniel J. Monahan
20 Spence Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

96. Senorino Montes:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Montes has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 96.

c. Counsel: None indicated.

d. Address for service: Senorino Montes

8 Green Acres
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

97. Jimmy R. Mottin: *see* Nelda R. Mottin, below.

98. Nelda R. Mottin:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The Mottins have each returned a signed Waiver of Service form. *See* Exhibits 97 and 98.

c. Counsel: None indicated.

d. Address for service: Jimmy R. and Nelda R. Mottin
2 Herman Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Jimmy R. Mottin and Nelda R. Mottin.

99. Barbara J. Mouchou Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed on behalf of the trust by Barbara J. Mouchou. *See* Exhibit 99.

c. Counsel: None indicated.

d. Address for service: Barbara J. Mouchou Trust
Barbara J. Mouchou, trustee
655 Emerson Way
Sparks, NV 89433

e. Requested action(s): We request a finding that service is complete.

100. Karen L. Nathanson:

a. Basis for inclusion: CMO 3.c.

b. Status of service: No response. Further investigation has shown that Ms. Nathanson is now deceased and that the water right at issue has been conveyed to Edward P. Hayes. *See* Exhibit 100. Mr. Hayes was served on January 26, 2006.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Karen L. Nathanson and substitute Edward P. Hayes.

101. John E. O'Connor 1996 Separate Property Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed on behalf of the trust by John E. O'Connor. *See* Exhibit 101.

c. Counsel: None indicated.

d. Address for service: John E. O'Connor 1996 Separate Property Trust
John E. O'Connor, trustee
9 Wyatt Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

102. Marlene A. O'Connor 1996 Separate Property Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: A Waiver of Service form has been returned, signed on behalf of the trust by Marlene A. O'Connor. *See* Exhibit 102.

c. Counsel: None indicated.

d. Address for service: Marlene A. O'Connor 1996 Separate Property Trust
Marlene A. O'Connor, trustee
9 Wyatt Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

103. Lawrence F. O'Hanlon: *see* Leslie D. O'Hanlon, below.

104. Leslie D. O'Hanlon:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The O'Hanlons have written that they no longer own any property in the Walker River Basin. Further investigation has shown that the water right at issue has been conveyed to Doris S. and Samuel Julian Sanchez as joint tenants. *See* Exhibit 103 / 104.

c. Counsel: None indicated.

d. Address for service: Lawrence F. and Leslie H. O'Hanlon
217 Camino de las Huertas
Placitas, NM 87043

e. Requested action(s): We request that the Court dismiss Lawrence F. O'Hanlon and Leslie H. O'Hanlon and substitute Doris S. and Samuel Julian Sanchez.

105. Nancy A. Oxsen: *see* Peter K. Oxsen, below.

106. Peter K. Oxsen:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Nancy and Peter Oxsen have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 105 and 106.

c. Counsel: None indicated.

d. Address for service: Nancy A. and Peter K. Oxsen
P. O. Box 326
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Nancy A. Oxsen and Peter K. Oxsen.

107. Dan H. Pedersen: *see* Karen P. Pedersen, below.

108. Karen P. Pedersen:

a. Basis for inclusion: CMO 3.c.

b. Status of service: The Pedersens have each returned a signed Waiver of Service form. *See* Exhibits 107 and 108.

c. Counsel: None indicated.

d. Address for service: Dan H. and Karen P. Pedersen
30 Panavista Circle
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Dan H. Pedersen and Karen P. Pedersen.

109. Clark N. Postal:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Mr. Postal has returned a signed Waiver of Service form. *See* Exhibit 109.

c. Counsel: None indicated.

d. Address for service: Clark N. Postal
P. O. Box 18940
South Lake Tahoe, CA 96151

e. Requested action(s): We request a finding that service is complete.

110. Lynda C. Reese:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Ms. Reese has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 110.

c. Counsel: None indicated.

d. Address for service: Lynda C. Reese
7 Highway 95A East
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

111. Schendel Family Living Trust:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Waiver of Service and Notice of Appearance forms have been returned, signed by trustee Andrew R. Schendel. *See* Exhibit 111.

c. Counsel: None indicated.

d. Address for service: Schendel Family Living Trust
Andrew R. and Sally L. Schendel, trustees
5 Brown Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete.

112. Steven D. Schultz: *see* Theresa C. Schultz, below.

113. Theresa C. Schultz:

a. Basis for inclusion: CMO 3.c.

b. Status of service: Steven D. and Theresa Schultz have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 112 and 113.