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: Nov 14, 05

Signature: Betty M. Dobosh

Printed/Typed Name: Betty M. Dobosh

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

_____
(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 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 23

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-E, 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: 10 Nov 05

Michael Dobash
Signature

Michael Dobash
Printed/Typed Name

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

_____
(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 24

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: Nov. 25, 2005

Andrea Ellington-Peyerl
Signature

ANDREA ELLINGTON-PEYERL
Printed/Typed Name

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

_____
(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 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 25

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: 10-20-05

Lee Faiferek
Signature

LEE FAIFEREK
Printed/Typed Name

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

_____
(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.

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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 26

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: 10-20-05

Signature

Roland Faidenek

Printed/Typed Name

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

_____
(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.

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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 27

U.S. DISTRICT COURT
DISTRICT OF NEVADA
FILED
DEC 8 2005
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, 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

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

☒ Deed SEE ATTACHED LIST

☐ 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 20 day of Oct 2005

[signature of counter-defendant]

ROLAND Faifekek

[name of counter-defendant]

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

- [x] Deed — SEE ATTACHED LIST
- [ ] 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 20 day of Oct 2005.

[signature of counter-defendant]

LEE FAIFEREK

[name of counter-defendant]

Mr J. Seward / Mrs Joyce Seward
P.O. Box 125 Wellington 89444

Mr I. Swart / Mrs V. Swart
2570 Gravenstein Hwy So
Sebastopol, CA 95472

Mr Devere Barker
Rightway Investments LLC
1955 Baring Blvd
Sparks, NV 89434

Pinion Ranch Estates LLC
423 Claire Court
Gardnerville NV. 89460

*** THIS IS AN UNOFFICIAL COPY ***

318232

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY
STEWART TITLE OF C.C.

MARY C. HILLIGAN
COUNTY RECORDER
FEE 16.00 DEP. KV

A.P.N.# 009-042-03

R.P.T.T.$ 429.00

STEWART TITLE COMPANY
MAIL TAX STATEMENTS TO:
SAME AS BELOW

WHEN RECORDED MAIL TO:
GRANTEE
423 CT[illegible] COURT
GARDNERVILLE, NV 89460

(Space Above for Recorder's Use Only)

UNOFFICIAL COPY

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That ROLAND FAIFEREK AND LEE FAIFEREK, HUSBAND AND WIFE

in consideration of $10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to PINION RANCH ESTATES, LLC. A NEVADA LIMITED LIABILITY COMPANY

and to the heirs and assigns of such Grantee forever, all the real property situated in the unincorporated area County of LYON State of Nevada, bounded and described as:

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.

DATE: March 26, 2004

ROLAND FAIFEREK

LEE FAIFEREK

L. HENDRICK
Notary Public - State of Nevada
Appointment Recorded in Douglas County
No. 93-0704 - EXPIRES APRIL 30, 1995

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on 3-30-04
by ROLAND FAIFEREK and LEE FAIFEREK

Signature L. Hendrick
Notary Public (One inch margin on all sides of document for Recorder's Use Only)

318232

*** THIS IS AN UNOFFICIAL COPY ***

LEGAL DESCRIPTION

Order No.: 0401067MM

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

All that real property in the County of Lyon, State of Nevada, specifically described as:

That certain Parcel of land known as "THE GREEN AREA", as shown on the Final Map of Bluebird Estates Unit One, recorded in the Official Records of Lyon County, Nevada, on June 19, 1981, as Document No. 61050.

ASSESSOR'S PARCEL NO. 9[illegible]-03

"UNOFFICIAL COPY"

*** THIS IS AN UNOFFICIAL COPY ***

ESCROW NO.: 040700711

"Together with all water rights, surface or ground, permitted, certificated, adjudicated, or vested, as well as all wells, springs, and other rights to water, of any nature whatsoever, appurtenant to or historically used on the property.

"UNOFFICIAL COPY"

Case 3:73-cv-00127-ECR-RAM Document 798 Filed 12/08/2005 Page 7 of 25

*** THIS IS AN UNOFFICIAL COPY ***

DOC # 348432
04/19/2005 08:47 AM
Official Record
Requested By
JOHN SEWARD
Lyon County - NV
Recorded By: RCB

RPTT. $48.75

0348432

"UNOFFICIAL COPY"

WATER RIGHTS GRANT DEED

THIS INDENTURE, made and entered into this 15 day of April, 2005, by and between ROLAND and LEE FAIFEREK, husband and wife, party of the first part, and JOHN and JOYCE SEWARD, party of the second part; P.O. Box 125 Wellington NV 89444

WITNESSETH:

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the said party of the first part hereby grants, transfers and conveys unto the said party of the second part, all right, title and interest in 3.03 acre-feet of those water rights evidenced in Nevada Permit Number 36524, see application to change 72180, and 3.03 acre feet of those water rights evidenced in Nevada Permit 68043, see application to change 72181, to be utilized only on the described property: That certain piece and parcel of real property known as Lyon County Assessor's Parcel No.10-761-44, and more particularly described as follows.

All that certain property situate in the County of Lyon, State of Nevada, within the West portion of Section 5, T. 9N., R. 24E., M.D.B.&M.

Case 3:73-cv-00127-ECR-RAM Document 798 Filed 12/08/2005 Page 8 of 25

*** THIS IS AN UNOFFICIAL COPY ***

348432 04/15/2005 002 of 2

IN WITNESS WHEREOF, the party of the first part has executed this conveyance the day and year first above written.

ROLAND FAIFEREK LEE FAIFEREK

ACKNOWLEDGMENT

STATE OF NEVADA }
ss.
COUNTY OF Cons

On 4-15 2005 before me, Kathryn L Amee

Notary Public, personally appeared ROLAND FAIFEREK and LEE FAIFEREK, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument

WITNESS my hand and official seal.

Kathryn L Amee
Notary Public, State of Nevada
Appointment No. 03-63020-5
My Appt. Expires July 24, 2007

NOTARY PUBLIC

"UNOFFICIAL COPY"

*** THIS IS AN UNOFFICIAL COPY ***

DOC # DV-348432
04/19/2005 09:47 AM
Official Record
Requested By
JOHN [illegible]
MARY L. [illegible] - Recorder
Page 1 of 1 Fee: $15.00
Recorded By: RCR RPTT: $40.75

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessors Parcel Number(s)
   b)
   c) # 40-Hola-9-4
   d)

2. Type of Property:
   a) ☐ Vacant Land b) ☐ Single Fam. Res.
   c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
   e) ☐ Apt. Bldg f) ☐ Comm'l/Ind'l
   g) ☐ Agricultural h) ☐ Mobile Home
   i) ☐ Other [illegible] Rights

FOR RECORDERS OPTIONAL USE ONLY
DOCUMENT/INSTRUMENT #:
BOOK PAGE
DATE OF RECORDING:
NOTES: Not a sale price transfer

3. Total Value/Sales Price of Property: $ 67,120.00
   Deed in Lieu of Foreclosure Only (value of property) ( )
   Transfer Tax Value: $
   Real Property Transfer Tax Due: $ 48.75

4. If Exemption Claimed:
   a. Transfer Tax Exemption per NRS 375.090, Section #
   b. Explain Reason for Exemption:

5. Partial Interest: Percentage being transferred: %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [signature] Capacity Buyer
Signature Capacity

SELLER (GRANTOR) INFORMATION (REQUIRED)	BUYER (GRANTEE) INFORMATION (REQUIRED)
Print Name: Roland Lee Fairfield	Print Name: Josh F. Jensen
Address: P.O. Box 115	Address: P.O. Box 125
City: Smith	City: Wellington
State: Nevada Zip: 89430	State: Nevada Zip: 89444
State: NV Zip: 89430	State: NV Zip: 89444

COMPANY/PERSON REQUESTING RECORDING
(required if not the seller or buyer)
Print Name: Escrow #
Address:
City: State: Zip:

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

UNOFFICIAL COPY

*** THIS IS AN UNOFFICIAL COPY ***

John Seward
PO Box 125
89444
APN 10-761-43

DOC # 356506
07/15/2005 08:44 AM
Official Record
Requested By
JOHN SEWARD
Lyon County - NV
Recorded By: KR RPTT: $79.95
8356506

"UNOFFICIAL COPY"

WATER RIGHTS GRANT DEED

THIS INDENTURE, made and entered into this 14 day of JULY, 2005, by and between ROLAND and LEE PAIFEREK, husband and wife, party of the first part, and JOHN and JOYCE SEWARD, party of the second part;

WITNESSETH:

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the said party of the first part hereby grants, transfers and conveys unto the said party of the second part, all right, title and interest in 5.11 acre-feet of those water rights evidenced in Nevada Application/Permit Number 36524 Certificate 72180, and 5.11 acre-feet of those water rights evidenced in Nevada Application/Permit 38043 Certificate 72181, to be utilized on the following described property: That certain piece and parcel of real property known as Lyon County Assessor's Parcel No. 10-761-43, and more particularly described as follows:

All that certain property situate in the County of Lyon, State of Nevada, within the West portion of Section 5, T. 9N., R. 24E. M.D.B.&M.

This transfer is bound by a promissory note and the above water rights may not be sold, transferred, or otherwise encumbered until said note is satisfied.

Page 1 of 2

*** THIS IS AN UNOFFICIAL COPY ***

356546 07/15/2005 002 of 2

IN WITNESS WHEREOF, the party of the first part has executed this conveyance the day and year first above written.

ROLAND FAIFEREK LEE FAIFEREK

ACKNOWLEDGEMENT

STATE OF NEVADA)
) ss
COUNTY OF Lyon)

ON July 21, 2005 before me, Lorna Quisenberry

Notary Public, personally appeared ROLAND FAIFEREK and LEE FAIFEREK, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons executed the instrument.

WITNESS my hand and official seal.

LORNA QUISENBERRY
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 05-93116-12 - Expires December 17, 2008

Lorna Quisenberry
NOTARY PUBLIC

"UNOFFICIAL COPY"

*** THIS IS AN UNOFFICIAL COPY ***

DOC # DV-356506
07/15/2005 09:44 AM
Official Record

Requested By
JOHN SEWARD

Mary C. Milligan - Recorder

Page 1 of 1 Fee: $15.00
Recorded By: KR RPTT: $79.95

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessors Parcel Number(s)
   b) _____
   c) _____
   d) _____

2. Type of Property:
   a) ☐ Vacant Land b) ☐ Single Fam. Res.
   c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
   e) ☐ Apt. Bldg f) ☐ Comm'l/Ind'l
   g) ☐ Agricultural h) ☐ Mobile Home
   i) ☐ Other [illegible]

FOR RECORDERS OPTIONAL USE ONLY
DOCUMENT/INSTRUMENT #: _____
BOOK _____ PAGE _____
DATE OF RECORDING: _____
NOTES: _____

3. Total Value/Sales Price of Property: $ 20,440.00
   Deed in Lieu of Foreclosure Only (value of property) (_____
   Transfer Tax Value: $ _____
   Real Property Transfer Tax Due: $ 79.95

4. If Exemption Claimed:
   a. Transfer Tax Exemption per NRS 375.090, Section # _____
   b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature Lee Faiferek Capacity Grantor
Signature _____ Capacity _____

SELLER (GRANTOR) INFORMATION (REQUIRED)		BUYER (GRANTEE) INFORMATION (REQUIRED)	
Print Name: Lee & Roland Faiferek		Print Name: John Sewgen	
Address: PO Box 115		Address: PO Box 125	
City: Smith		City: Wellington	
State: NV	Zip: 89430	State: NV	Zip: 89444
State: NV	Zip: 89430	State: NV	Zip: 89444

COMPANY/PERSON REQUESTING RECORDING
(required if not the seller or buyer)
Print Name: _____ Escrow # _____
Address: _____
City: _____ State: _____ Zip: _____

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

"UNOFFICIAL COPY"

*** THIS IS AN UNOFFICIAL COPY ***

DOC # 356468
07/14/2005 03:31 PM
Official Record
Requested By
JOHN SEWARD
Lyon County - NV
Recorded By: DLH RPTT: $200.00
0356468

John Seward
P. O. Box 125
Wellington NV.
89444

WATER RIGHTS GRANT DEED

"UNOFFICIAL COPY"

THIS INDENTURE, made and entered into this 14 day of JULY, 2005, by and between ROLAND and LEE MAIFEREK, husband and wife, party of the first part, and JOHN and JOYCE SEWARD, party of the second part;

WITNESSETH;

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the said party of the first part hereby grants, transfers and conveys unto the said party of the second part, all right, title and interest in 25 acre-feet of those water rights evidenced in Nevada Application/Permit Number 36524 Certificate 72180, and 25 acre-feet of those water rights evidenced in Nevada Application/Permit 38043 Certificate 72181, to be utilized on the following described property: That certain piece and parcel of real property known as Lyon County Assessor's Parcel No. 10-761-43, and more particularly described as follows:

All that certain property situate in the County of Lyon, State of Nevada, within the West portion of Section 5, T. 9N., R. 24E. M.D.B.& M.

*** THIS IS AN UNOFFICIAL COPY ***

DOC # DV-356468
07/14/2005 03:31 PM
Official Record
Requested By
JOHN SEDARD
Mary C. Milligan - Recorder
Page 1 of 1 Fee: $15.00
Recorded By: DLW RPTT: $200.00

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessors Parcel Number(s)
   b)_____
   c)_____
   d)_____

2. Type of Property:
   a) ☐ Vacant Land b) ☐ Single Fam. Res.
   c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
   e) ☐ Apt. Bldg f) ☐ Comm'l/Ind'l
   g) ☒ Agricultural h) ☐ Mobile Home
   i) ☐ Other_____

FOR RECORDERS OPTIONAL USE ONLY
DOCUMENT/INSTRUMENT #:_____
BOOK_____ PAGE_____
DATE OF RECORDING:_____
NOTES: Proof Provided

3. Total Value/Sales Price of Property: $ 100,000.00
   Deed in Lieu of Foreclosure Only (value of property) (_____
   Transfer Tax Value: $_____
   Real Property Transfer Tax Due: $ 390.00

4. If Exemption Claimed:
   a. Transfer Tax Exemption per NRS 375.090, Section #_____
   b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____%

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.
Signature_____ **Capacity** Buyer
Signature_____ **Capacity**_____

SELLER (GRANTOR) INFORMATION (REQUIRED)	BUYER (GRANTEE) INFORMATION (REQUIRED)
Print Name: Ronald Faiferek	Print Name: John Sedard
Address: Smith	Address: P.O. Box 155
City: Smith	City: Wellington
State: Nevada Zip: 89403	State: Nevada Zip: 89444
State: NV Zip: 89403	State: NV Zip: 89444

COMPANY/PERSON REQUESTING RECORDING
(required if not the seller or buyer)
Print Name:_____ Escrow #_____
Address:_____
City:_____ State:_____ Zip:_____
(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

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*** THIS IS AN UNOFFICIAL COPY ***

DOC # 338092
12/14/2004 11:02 PM
Official Record
Requested By
JOHN ZWART
Lyon County - NV
Rex G. Williams - Recorder
338092

APN: 10-301-10
Recording Requested;
when recorded, mail to:
John J. and Veronica L. Zwart
1570 Grisenstein Hwy. So.
Sebastopol, CA 95472

Mail Tax Statements to:
John J. and Veronica L. Zwart
1570 Grisenstein Hwy. So.
Sebastopol, CA 95472

20 of

UNOFFICIAL COPY

WATER RIGHTS GRANT DEED

THIS INDENTURE, made and entered into this 13th day of December, 2004, by and between ROLAND and LEE FAIFER, husband and wife, party of the first part, and JOHN J. and VERONICA L. ZWART, husband and wife as joint tenants, party of the second part;

WITNESSETH:

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the said party of the first part hereby grants, transfers, and conveys unto the said party of the second part, all right, title and interest in twenty (20) acre-feet of those water rights evidenced in Nevada Application/Permit Number 36524, Certificate 12481, to be utilized only on the following described real property: That certain piece and parcel of real property known as Lyon County Assessor's Parcel No. 10-301-10 and more particularly described as follows:

> All that certain real property situate in the County of Lyon, State of Nevada, within the West portion of Section 23, T. 11 N., R. 22 E. M.D.B.&M., described as follows:
>
> Parcel 1 as shown on that certain Parcel Map for Finn R., William B., & Judith A. Jacobsen, filed in the office of the Lyon County Recorded on August 7, 1995 as document No. 184676.
>
> Excepting therefrom that certain Parcel conveyed to Sierra Pacific Power Company by Deed recorded March 10, 1945 in Book 35, page 512, Deed Records of Lyon County, Nevada.
>
> page 512, Deed Records of Lyon County, Nevada.

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338092 12/14/2004
002 of 2

day and year first above written.

ROLAND FAIFEREK

LEE FAIFEREK

"UNOFFICIAL COPY"

ACKNOWLEDGMENT

STATE OF NEVADA)
:ss.
COUNTY OF Lyon)

On 13th December 2004 before me, _____
Notary Public, personally appeared ROLAND FAIFEREK and LEE FAIFEREK, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Seal

LYSI V. LOCKLEAR
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 99-30017-12 - Expires February 9, 2008

NOTARY PUBLIC

*** THIS IS AN UNOFFICIAL COPY ***

DOC # DV-338092
12/14/2004 11:52 AM
Official Record

Requested By
JOHN ZABRT

Mary C. Milligan – Recorder

Page 1 of 1 Fee: $15.00
Recorded By: RCH RPTT: $156.00

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s) _____
   b) _____
   c) _____
   d) _____

2. Type of Property:
   a) ☐ Vacant Land b) ☐ Single Fam. Res.
   c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
   e) ☐ Apt. Bldg f) ☐ Comm'l/Ind'l
   g) ☐ Agricultural h) ☐ Mobile Home
   i) ☒ Other [illegible]

FOR RECORDERS OPTIONAL USE ONLY
DOCUMENT/INSTRUMENT #: _____
BOOK _____ PAGE _____
DATE OF RECORDING: _____
NOTES: Purchase Agreement provided

3. Total Value/Sales Price of Property: $ 40,000
   Deed in Lieu of Foreclosure Only (value of property) (—
   Transfer Tax Value: $ _____
   Real Property Transfer Tax Due: $ 156.00

4. If Exemption Claimed:
   a. Transfer Tax Exemption per NRS 375.090, Section # —
   b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature _____ Capacity Grantor
Signature _____ Capacity _____

SELLER (GRANTOR) INFORMATION (REQUIRED)	BUYER (GRANTEE) INFORMATION (REQUIRED)
Print Name: Jeremiah Fabrick	Print Name: Veronica & Sonia Zanor
Address: PO Box 115	Address: 2370 Commercial Way E
City: Spring Valley	City: Spanish Springs
City: Spring Valley	City: Spanish Springs
State: NV Zip: 89420	State: CA Zip: 89436

COMPANY/PERSON REQUESTING RECORDING
(required if not the seller or buyer)
Print Name: _____ Escrow # _____
Address: _____
City: _____ State: _____ Zip: _____

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

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*** THIS IS AN UNOFFICIAL COPY ***

DOC # 360216
08/23/2005 04:12 PM
Official Record
Requested By
STEWART TITLE NORTHERN
Lyon County - NV
Mary C. Milligan - Recorder
0360216

A.P.N.# 010-181-13
R.P.T.T. $
Recording Requested By:

Stewart Title of Northern Nevada

Mail Tax Statements To:
Same As Below
When Recorded Mail To:
Grantee
1955 Baring Blvd.
Sparks, NV 89431

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That Roland Falferek and Lee Falferek, husband and wife for valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to HIGHWAY INVESTMENTS SMITH VALLEY, LLC, a Nevada limited liability company

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

See Exhibit "A" attached hereto and by reference made a part hereof for complete legal description
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.

Dated: 8/20/05

Roland Falferek

Lee Falferek

State of Nevada }
} ss.
County of Lyon }
This instrument was acknowledged before me on Aug. 20, 2005
by: Roland Falferek and Lee Falferek
Signature:
Notary Public

UNOFFICIAL COPY

(One inch Margin on all sides of Document for Recorder's use Only) Page 1 of 2

THIS IS AN UNOFFICIAL COPY

EXHIBIT "A"
LEGAL DESCRIPTION

Order No.: 05012583MM

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

OF A PORTION OF THE LAND SITUATED IN THE E 1/2, SECTION 31, T 12N., R 24E., M.D.B & M., IN LYON COUNTY, NEVADA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 31, T. 12 N., R 24 E., M.D.B.&M. MARKED WITH A 5/8" REBAR AND BRASS TAG STAMPED PLS 4248 SAID POINT ALSO BEING THE POINT OF BEGINNING. THENCE RUNNING ALONG THE WEST LINE OF THE NE 1/4 OF SAID SECTION 31, N 00°48'17" W, 656.11 FEET TO A POINT MARKED WITH A 5/8" REBAR AND ALUM CAP STAMPED PLS 12468; THENCE, N 89° 28'32" E, 1246.45 FEET TO A POINT MARKED WITH A 5/8" REBAR AND ALUM CAP STAMPED PLS 12468; THENCE, S 00°54'17" E, 553.58 FEET, TO A POINT MARKED WITH A 5/8" REBAR AND ALUM CAP STAMPED PLS 12468; THENCE, N 87°59'10" E, 1412.75 FEET, TO A POINT MARKED WITH A 5/8"REBAR AND BRASS TAG STAMPED PLS 12468; THENCE, S 00°59'56" E. 147.28 FEET, TO THE E 1/4 COR. OF SAID SECTION 31, MARKED WITH A 5/8" REBAR AND ALUM CAP STAMPED PLS 12468; THENCE, S 00°58'51" E, 2680.67 FEET TO THE SE COR. OF SAID SECTION 31, MARKED WITH A STEEL FENCE POST AND BRASS TAG STAMPED RLS 4248; THENCE, S 89°52'36" W, 2668.74 FEET TO THE S 1/4 COR. OF SAID SECTION 31 MARKED WITH A 5/8' REBAR AND BRASS TAG STAMPED RLS 4248; THENCE, N 00°48'17" W, 2667.95 FEET TO THE POINT OF BEGINNING.

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312 THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED JUNE 14, 2002, AS FILE NO. 278340, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

ASSESSOR'S PARCEL NO. 16-181-13

"UNOFFICIAL COPY"

Case 3:73-cv-00127-ECR-RAM Document 798 Filed 12/08/2005 Page 20 of 25

*** THIS IS AN UNOFFICIAL COPY ***

DOC # DV-360216
08/21/2005 04:12 PM
Official Record

Requested by
STEWART TITLE NORTHERN

Page 1 of 2 Fee: $15.00
Recorded By: RCH RPTT: $9,946.90

STATE OF NEVADA

1. Assessor Parcel Number(s)
   a) 10-181-13
   b)
   c)
   d)

FOR RECORD
Document/In
Book
Date of Reco
Notes:

2. Type of Property
   a) [ ] Vacant Land b) [ ] Single Family Residence
   c) [ ] Condo/Twnhse d) [ ] 2-4 Plex
   e) [ ] Apartment Bldg. f) [X] Commercial/Industrial
   g) [ ] Agricultural h) [ ] Mobile Home
   i) [X] Other AGRICULTURAL WITH RESIDENCE

3. Total Value/Sales Price of Property $2,551,000.00
   Deed in Lieu of Foreclosure Only (Value of Property) ( )
   Transfer Tax Value $2,551,000.00
   Real Property Transfer Tax Due ~~$9,946.90~~ 9748.40

4. If Exemption Claimed:
   a. Transfer Tax Exemption, per NRS 375.090, Section:
   b. Explain Reason for Exemption:

5. Partial Interest: Percentage being transferred: 100% %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.
Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: [signature] Capacity: GRANTOR
Signature: [signature] Capacity: GRANTOR

SELLER (GRANTOR) INFORMATION		BUYER (GRANTEE) INFORMATION	
Print Name:	Roland Faiferek	Print Name:	Devere Barker
Address:	PO BOX 115	Address:	
City/State/Zip	SMITH NV 89430	City/State/Zip	

COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)
Company Name: Stewart Title of Northern Nevada Escrow No 505444-25
Address: 5355 Kietzke Lane, Suite 103
Address: 5355 Kietzke Lane, Suite 103 State: NV Zip 89511
City Reno State: NV Zip 89511
(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

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DV-366215
08/23/2005
002 of 2

STATE OF NEVADA

1. Assessor Parcel Number(s)
   a) 10-181-13010
   b)
   c)
   d)

FOR RECORDER'S OPTIONAL USE ONLY	
Document/Instrument No.	
Book	Page
Date of Recording:	
Notes:	

2. Type of Property
   a) [ ] Vacant Land b) [ ] Single Family Residence
   c) [ ] Condo/Twnhse d) [ ] 2-4 Plex
   e) [ ] Apartment Bldg. f) [ ] Commercial/Industrial
   g) [ ] Agricultural h) [ ] Mobile Home
   i) [ ] Other

3. Total Value/Sales Price of Property $2,551,000.00
   Deed in Lieu of Foreclosure Only (Value of Property) ( )
   Transfer Tax Value $2,551,000.00
   Real Property Transfer Tax Due: ~~$9,945.00~~ 9948.90

4. If Exemption Claimed:
   a. Transfer Tax Exemption, per NRS 375.090, Section:
   b. Explain Reason for Exemption:

5. Partial Interest: Percentage being transferred: 100%

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.
Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: Capacity: Grantor
Signature: Donna Barker Capacity: Grantee

SELLER (GRANTOR) INFORMATION		BUYER (GRANTEE) INFORMATION	
Print Name:	Roland Fallerek	Print Name:	RIGHTWAY INVESTMENTS SMITH VALLEY, L.C.
Address:	P.O. Box 115	Address:	1955 Baring Blvd
City/State/Zip	Smith, NV 89430	City/State/Zip	Sparks, NV 89434

COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)
Company Name: Stewart Title of Northern Nevada Escrow No 505444-25
Company Name: Stewart Title of Northern Nevada Escrow No 505444-25
Address: 5355 Kietzke Lane, Suite 103
City Reno State: NV Zip 89511
(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

UNOFFICIAL COPY

Case 3:73-cv-00127-ECR-RAM Document 798 Filed 12/08/2005 Page 22 of 25

*** THIS IS AN UNOFFICIAL COPY ***

DOC # 360217
08/23/2005 04:14 PM
Official Record
Requested By
STEWART TITLE NORTHERN
Lyon County - NV
Mary C. Milligan - Recorder
0360217

A.P.N. # 010-181-15 & 16
R.P.T.T. $5,661.10
Recording Requested By:

Stewart Title of Northern Nevada

Mail Tax Statements To:
Same As Below
When Recorded Mail To:
Grantee
1955 Baring Blvd
Sparks, NV 89437

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That Roland Fallerek and Lee Fallerek, husband and wife for valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to RIGHTWAY INVESTMENTS SMITH VALLEY, LLC, a Nevada limited liability company

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

See Exhibit "A" attached hereto and by reference made a part hereof for complete legal description.
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.

Dated: 8/20/05

Roland Fallerek

Lee Fallerek

State of Nevada)
) ss.
County of Lyon)
This instrument was acknowledged before me on Aug. 20, 2005
by: Roland Fallerek and Lee Fallerek
Signature:
Notary Public

JUDY G. [illegible]
Notary Public, State of Nevada
Appointment No. 99-[illegible]-1[illegible]
My Appt. Expires Jun 14, [illegible]

"UNOFFICIAL COPY"

(One Inch Margin on all sides of Document for Recorder's use Only) Page 1 of 2

** THIS IS AN UNOFFICIAL COPY **

360217 04/23/2005 002 of 2

EXHIBIT "A"
LEGAL DESCRIPTION

Order No.: 05012584MM

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

BEING A PORTION OF SECTION 31, T12N, R24E, MDB&M, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCELS A AND B AS SHOWN ON THAT CERTAIN MAP OF DIVISION INTO LARGE PARCELS MADE BY HOLLAND AND LEE FAIRBANK, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON JUNE 30, 2004 AS DOCUMENT NO. 324655.

ASSESSOR'S PARCEL NO.'S 101181-15 AND 16

"UNOFFICIAL COPY"

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DOC # DV-360217
06/29/2005 04:14 PM
Official Record

Requested By
STEWART TITLE NORTHERN

Douglas County, NV
Page 1 of 2 Fee: $15.00
Recorded By: RCH RPTT: $5,851.10

1. Assessor Parcel Number(s)
   10-181-15 & 10-181-10
   a)
   b)
   c)
   d)

FOR RECORDER'S
Document/Instrument #
Book
Date of Recording:
Notes:

2. Type of Property
   a) [ ] Vacant Land
   b) [ ] Single Family Residence
   c) [ ] Condo/Twnhse
   d) [ ] 2-4 Plex
   e) [ ] Apartment Bldg
   f) [ ] Commercial/Industrial
   g) [X] Agricultural
   h) [ ] Mobile Home
   i) [ ] Other

3. Total Value/Sales Price of Property $1,449,000.00
   Deed in Lieu of Foreclosure Only (Value of Property) ( )
   Transfer Tax Value $1,449,000.00
   Real Property Transfer Tax Due: $5,851.10

4. If Exemption Claimed:
   a. Transfer Tax Exemption, per NRS 375.090, Section:
   b. Explain Reason for Exemption:

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.
Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: [signature] Capacity: Grantor
Signature: Capacity: Grantee

SELLER (GRANTOR) INFORMATION		BUYER (GRANTEE) INFORMATION	
Print Name:	Roland Failerek	Print Name:	RIGHTWAY INVESTMENTS SMITH VALLEY, LLC
Address:	P.O. Box 115	Address:	1955 Baring Blvd
City/State/Zip	Smith Valley, NV 89430	City/State/Zip	Sparks, NV 89434

COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)

COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)

Company Name: Stewart Title of Northern Nevada Escrow No 505447-25
Address: 5355 Kietzke Lane, Suite 103
City Reno State: NV Zip 89511

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

"UNOFFICIAL COPY"

Case 3:73-cv-00127-ECR-RAM Document 798 Filed 12/08/2005 Page 45 of 25

*** THIS IS AN UNOFFICIAL COPY ***

DV-368217
08/23/2005
002 of 2

DECLARATION OF VALUE

1. Assessor Parcel Number(s)
   10-161-15 & 10-161-16
   a) _____
   b) _____
   c) _____
   d) _____

FOR RECORDER'S OPTIONAL USE ONLY
Document/Instrument No. _____
Book _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property
   a) ☐ Vacant Land b) ☐ Single Family Residence
   c) ☐ Condo/Tamiste d) ☐ 2-4 Plex
   e) ☐ Apartment Bldg f) ☐ Commercial/Industrial
   g) ☐ Agricultural h) ☐ Mobile Home
   i) ☐ Other _____

3. Total Value/Sales Price of Property: $1,449,000.00
   Deed in Lieu of Foreclosure Only (Value of Property) (_____)
   Transfer Tax Value: $1,449,000.00
   Real Property Transfer Tax Due: $5,651.10

4. If Exemption Claimed:
   a. Transfer Tax Exemption, per NRS 375.090, Section: _____
   b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.
Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: [signature] Capacity: [illegible]
Signature: _____ Capacity: _____

SELLER (GRANTOR) INFORMATION		BUYER (GRANTEE) INFORMATION	
Print Name:	Roland Faiferek	Print Name:	RIGHTWAY INVESTMENTS SMITH VALLEY, LLC
Address:	P.O. Box 115	Address:	1955 Baring Blvd
City/State/Zip	Smith Valley, NV 89430	City/State/Zip	Sparks, NV 89434

COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)

COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)

Company Name: Stewart Title of Northern Nevada Escrow No: 505447-25
Address: 5355 Kietzke Lane, Suite 103
City: Reno State: NV Zip: 89511

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

"UNOFFICIAL COPY"

DOC # 363296
09/26/2005 02:07 PM
Official Record
Requested By
BENEFITS COMMUNICATION
Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 2 Fee: $15.00
Recorded By: KR RPTT:
0363296

RECORDING REQUESTED BY:)
RICHARD FARRAR)
DOLORES M. FARRAR)
P. O. Box 211)
Smith, Nevada 89430-)
WHEN RECORDED MAIL TO:)
SAME AS ABOVE)
)
MAIL TAX STATEMENTS TO:)
SAME AS ABOVE)
)

909 Marina Village Pkwy
PMB 245
Alameda, CA 94501

Space above for Recorder's use only.

WARRANTY DEED

NOTICE: **THIS CONVEYANCE IS TO A TRUST NOT PURSUANT TO A SALE AND IS EXEMPT FROM TAX AND THE UNDERSIGNED ARE THE DECLARANTS AND TRUSTEES ON THE EFFECTIVE DATE OF THIS INSTRUMENT.**

DOCUMENTARY TRANSFER TAX $ NONE
___ Computed on full value of property conveyed
___ or computed on full value less liens and encumbrances remaining at time of sale
X Richard Farrar

APN: 9-152-02

We, **RICHARD FARRAR** and **DOLORES M. FARRAR**, Husband and Wife, as joint tenants,

do hereby grant to **RICHARD FARRAR** and **DOLORES M. FARRAR**, trustees of **THE FARRAR FAMILY TRUST**, dated **FEBRUARY 2, 2005**,

all that real property situated in the County of Lyon, State of Nevada, described as follows:

See EXHIBIT "A" (LEGAL DESCRIPTION),
Attached hereto and made a part hereof.

Address: 115 Mt. Grant Drive, Smith, NV 89430

9-15-05
Dated

Richard Farrar
RICHARD FARRAR

State of California) ss
County of San Mateo)

Dolores M. Farrar
DOLORES M. FARRAR

On 9-16-05, before me, David Hildebrand, a Notary Public for the State of California, personally appeared **RICHARD FARRAR** and **DOLORES M. FARRAR**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity on behalf of which the persons acted, executed the instrument.

DAVID HILDEBRAND
Commission # 1463516
Notary Public - California
Alameda County
My Comm. Expires Feb 4, 2008

WITNESS my hand and official seal.

[Seal]

Notary Public, State of California

Exhibit 28

Exhibit 29

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.

X

Date: 11-14-05

X M. P. Flood
Signature

Michael P. Flood
Printed/Typed Name

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

_____
(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 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 30

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:

Address:

Phone Number:

Fax Number:

M. P. Flood

(Signature)

Michael P. Flood

(Printed or typed Name)

with rights of survership

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

(Address)

(Telephone number)

NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO:

Levane Forsythe
1425 Highway 208
Yerington, NV 89447

NEW OWNER: Murl E. Williams, Jr.

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case.

You should note that on May 27, 2003, the Court stayed all proceedings in this matter, except for service-related matters, to allow the United States, the State of Nevada, the State of California, the Walker River Paiute Tribe, the Walker River Irrigation District, Mono County, California, Lyon County, Nevada, Mineral County, Nevada, and the Walker Lake Working Group ("Mediating Parties") to attempt to mediate a settlement. *Order Governing Mediation Process* (May 27, 2003). Although the Mediation Process is confidential, the Mediation Process Agreement signed by the Mediating Parties recognizes that all parties to this case, among others, will need to be informed at appropriate times about the Mediation Process.

Rule 4 of the Federal Rules of Civil Procedure provides that under certain circumstances you can avoid being assessed the cost of being personally served if you do not sign a waiver and accept service by mail. The materials that have been sent you in this package include a waiver form, instructions, and a self-addressed, stamped envelope for returning the waiver form. There are also other documents enclosed that address the sale or other conveyance of your water rights or if you believe that you should not be a party to this lawsuit. **Please read these materials carefully, as they are important to your legal rights.** Please note that some of these papers are single-sided and others are double-sided.

Enclosed are the following [8] documents:

1. ***Notice of Lawsuit and Request for Waiver of Service of Notice in Lieu of Summons:*** ***That is the title of this document (see the title at the top of this page). Please begin your review with this 5-page document. (This document is double-sided, except page 1.)***

2. ***Waiver of Service of Notice in Lieu of Summons:*** ***Two copies of this document are enclosed, one for your records and one that you may send in the enclosed envelope to SUSAN L. SCHNEIDER of the United States Department of Justice, if you choose to execute the document. (This document is single-sided.)***

3. ***Notice of Appearance and Intent to Participate:*** ***(This document is single-sided.) If you choose to sign this document, you must file the original with the District Court and you***

Exhibit 31

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: DECEMBER 21, 2005

Signature

Murl E. Williams, Jr.

Printed/Typed Name

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

(Title)

_____

(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 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 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 32

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:

Address:

Phone Number:

Fax Number:

(Signature)

Murl E. Williams, Jr.

(Printed or typed Name)

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

1425 Hwy 208

Yerington, NV 89447

(Address)

775-463-7624

(Telephone number)

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.

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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: October 26, 2005

Signature: Gary J. Garms

Printed/Typed Name

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

_____
(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 33

FILED
OCT 27 PM 3:22
LANCE S. WILSON
CLERK
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.,	IN EQUITY NO. ~~C-125~~ SUBFILE NO. C-125-B

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: