a. Basis for inclusion: CMO 3.c

b. Status of service: Waiver of Service and Notice of Appearance forms have been returned, signed by trustees Esperanza Shafer and Clarence R. Shafer. *See* Exhibit 136.

c. Counsel: None indicated.

d. Address for service: Shafer Family Trust u/d/t/ 4-20-95
Clarence R. and Esperanza Shafer, trustees
72 Luzier Lane
Yerington, NV 89447

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

137. Neil Shirk:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 137.

c. Counsel: None indicated.

d. Address for service: n/a

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

138. Jerry W. Shorter: *see* Judith L. Shorter, below.

139. Judith L. Shorter:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Shorters have each returned a signed Waiver of Service. *See* Exhibits 138 and 139.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Jerry W. Shorter and Judith L. Shorter.

140. James M. Singleton: *see* Leah Singleton, below.

141. Leah Singleton:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Singletons have each returned a signed Waiver of Service. *See* Exhibits 140 and 141.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to James M. Singleton and Leah Singleton.

142. Christine R. Smith:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Smith has returned a signed Waiver of Service. However, the Waiver is dated fifty days following her receipt of personal Service of Process. *See* Exhibit 142.

c. Counsel: None indicated.

d. Address for service: n/a

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

143. Loretta B. Smith:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 143.

c. Counsel: None indicated.

d. Address for service: n/a

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

144. Robert T. Stockwell:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. Stockwell has returned a signed Waiver of Service. *See* Exhibit 144.

c. Counsel: None indicated.

d. Address for service: n/a

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

145. Dan S. Street: *see* Diane J. Street, below.

146. Diane J. Street:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Streets have each returned a signed Waiver of Service. *See* Exhibits 145 and 146.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Dan S. Street and Diane J. Street.

147. Cheryl L. Sturgeon: *see* Ronald L. Sturgeon, below.

148. Ronald L. Sturgeon:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Sturgeons have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 147 and 148.

c. Counsel: None indicated.

d. Address for service: Cheryl L. and Ronald L. Sturgeon
559 Highway 339
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Cheryl L. Sturgeon and Ronald L. Sturgeon.

149. Floyd M. Sturtevant: *see* Georgia Sturtevant, below.

150. Georgia Sturtevant:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Sturtevants have each returned a signed Notice of Appearance. However, the envelopes containing these forms are postmarked seven days after they had received personal Service of Process. *See* Exhibits 149 and 150.

c. Counsel: None indicated.

d. Address for service: Floyd M. and Georgia C. Sturtevant
P. O. Box 753
Yerington, NV 89447

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

151. David F. Swain: *see* Mary Alice Swain, below.

152. Mary Alice Swain:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Swains have each returned a signed Waiver of Service. *See* Exhibits 151 and 152.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to David F. Swain and Mary Alice Swain.

153. Charley A. Swirsky: *see* Paula Swirsky, below.

154. Paula Swirsky:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Swirskys have each returned a signed Waiver of Service. *See* Exhibits 153 and 154.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Charley A. Swirsky and Paula Swirsky.

155. Randall L. Taylor:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. Taylor has returned a signed Waiver of Service. *See* Exhibit 155.

c. Counsel: None indicated.

d. Address for service: n/a

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

156. Thomas Tenbrook:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 156.

c. Counsel: None indicated.

d. Address for service: n/a

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

157. Marsha A. Thieme: *see* Michael D. Thieme, below.

158. Michael D. Thieme:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Thiemes have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 157 and 158.

c. Counsel: None indicated.

d. Address for service: Marsha A. and Michael D. Thieme
160 Hudson Aurora
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete as to Marsha A. Thieme and Michael D. Thieme.

159. Charles S. Thomas: *see* Janet A. Thomas, below.

160. Janet A. Thomas:

a. Basis for inclusion: CMO 3.c

b. Status of service: Charles and Janet Thomas have each returned a signed Waiver

of Service. *See* Exhibits 159 and 160.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Charles S. Thomas and Janet A. Thomas.

161. Dale W. Thompson: *see* Priscilla Thompson, below.

162. Jeanne Thompson: *see* Lawrence D. Thompson, below.

163. Lawrence D. Thompson:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Thompsons have each returned a signed Waiver of Service. *See* Exhibits 162 and 163.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Jeanne Thompson and Lawrence D. Thompson.

164. Priscilla Thompson:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Waiver of Service has been returned, signed by Dale W. Thompson. The water right at issue is held jointly by Dale and Priscilla Thompson. *See* Exhibit 161 / 164.

c. Counsel: None indicated.

d. Address for service: n/a

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

165. Linda D. Thran: *see* Richard W. Thran, below.

166. Richard W. Thran:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Thrans have each returned a signed Waiver of Service. *See* Exhibits 165 and 166.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Linda D. Thran and Richard W. Thran.

167. Jean E. Tola: *see* Paul S. Tola, below.

168. Paul S. Tola:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Tolas have each returned a signed Notice of Appearance. However, the envelopes containing these documents were postmarked six days after they had received personal Service of Process. *See* Exhibits 167 and 168.

c. Counsel: None indicated.

d. Address for service: Jean E. and Paul S. Tola
23 N. Bybee Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Jean E. Tola and Paul S. Tola.

169. Keith Valentine:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. Valentine has returned a signed Waiver of Service. However, the Waiver is dated one day after he received personal Service of Process. *See* Exhibit 169.

c. Counsel: None indicated.

d. Address for service: n/a

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

170. Walter Living Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Waivers of Service have been returned, signed by A. S. Walter and M. Walter, trustees. *See* Exhibit 170.

c. Counsel: None indicated.

d. Address for service: n/a

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

171. Dawna L. Warr:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been submitted. *See* Exhibit 171.

c. Counsel: None indicated.

d. Address for service: n/a

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

172. Dayleen Weaver: *see* Vince Weaver, below.

173. Vince Weaver:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that the water right at issue has been transferred to the Oscar N. Reese Family Trust Agreement. *See* Exhibit 172 / 173.

c. Counsel: None indicated.

d. Address for service:

e. Requested action(s): We request that the Court dismiss Dayleen and Vince Weaver and substitute the Oscar N. Reese Family Trust Agreement which is already a party to this action. *See* No. 122 above.

174. Agnes M. Wenzel:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Wenzel has returned signed Waiver of Service and Notice of Appearance. *See* Exhibit 174.

c. Counsel: None indicated.

d. Address for service: Agnes M. Wenzel
31 Bonanza Street
Yerington, NV 89447

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

175. Whipple Family 2001 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 Dennis R. Whipple. *See* Exhibit 175.

c. Counsel: None indicated.

d. Address for service: Whipple Family 2001 Trust
Dennis R. and Helen L. Whipple, trustees
70 Piñon Drive
Wellington, NV 89444

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

176. Mary L. Williams: *see* Stanley E. Williams, below.

177. Stanley E. Williams:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Williams have each returned a signed Notice of Appearance. However, the envelope containing these documents is postmarked three days after they had received personal Service of Process. *See* Exhibits 176 and 177.

c. Counsel: None indicated.

d. Address for service: Mary L. and Stanley E. Williams
248 Upper Colony Road
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Mary L Williams and Stanley E. Williams.

178. Wirthwein Survivor's Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Waiver of Service was returned, signed by trustee Lynn C. Anderson. However, the Waiver is dated twenty-two days after Ms. Anderson's receipt of personal Service of Process. *See* Exhibit 178.

c. Counsel: None indicated.

d. Address for service: n/a

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

179. Judith Lee Wood:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Wood has submitted a signed Waiver of Service, a Disclaimer, and a copy of Decree of Divorce, awarding possession of the marital residence to her former husband, Thomas Tenbrook. *See* Exhibit 179.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

180. Arthur Woodward: *see* Bonnie Lee Woodward, below.

181. Bonnie Lee Woodward:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Woodwards have each returned a signed Waiver of Service. *See* Exhibits 180 and 181.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Arthur Woodward and Bonnie Lee Woodward.

182. George L. Wright: *see* Laura P. Wright, below.

183. Gerald J. Wright: *see* Mary L. Wright, below.

184. Laura P. Wright:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Wrights have each returned a signed Waiver of Service. *See* Exhibits 182 and 184.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to George L. Wright and Laura P. Wright.

185. Mary L. Wright:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Wrights have each returned a signed Waiver of Service. *See* Exhibits 183 and 185.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Gerald J. Wright and Mary L. Wright.

Address Changes:

Change of Address for James T. and Susana C. Fousekis

2848 Garber Street
Berkley, CA 94705
Telephone: (510) 655-2879

CONCLUSION

We ask the Court to approve the above service efforts and requested amendments, corrections and additions to the Caption as set forth herein.

Respectfully submitted,

Susan L. Schneider
U.S. Department of Justice
Environment and Natural Resources Div.
Indian Resources Section
999 18th Street, Suite 945
Denver, CO 80202
303-312-7308

By: Susan L. Schneider
Susan L. Schneider

Date: February 26, 2007

Attorney for the United States of America

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of February 2007, I served a true and correct copy of the foregoing TENTH REPORT OF THE UNITED STATES OF AMERICA CONCERNING STATUS OF SERVICE ON CERTAIN PERSONS AND ENTITIES by first-class mail, postage prepaid, addressed to the following persons:

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* * * *

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* * * *

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Lota Bush Trust Agreement dtd. 3/16/04
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Doyle Family Trust dated 12/30/04
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Catherine Lee Geissinger
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Lillie S. Guy
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Rex W. Reiland, trustee
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1 Farrell Lane
Yerington, NV 89447

Dayleen and Vince Weaver
P. O. Box 914
Gardnerville, NV 89410

Agnes M. Wenzel
31 Bonanza Street
Yerington, NV 89447

Whipple Family 2001 Trust
Dennis R. and Helen L. Whipple, trustees
70 Piñon Drive
Wellington, NV 89444

Mary L. and Stanley E. Williams
248 Upper Colony Road
Wellington, NV 89444

Wirthwein Survivor's Trust
Lynn C. Anderson, trustee
1102 Kimmerling Road
Gardnerville Ranches, NV 89460

Judith Lee Wood
40 Kari Lane
Smith, NV 89430

Arthur R. and Bonnie L. Woodward
11 N. Bybee Lane
Yerington, NV 89447

George L. and Laura P. Wright
21 Norris Lane
Yerington, NV 89447

Gerald J. and Mary Lee Wright
30 Falcon Way
Yerington, NV 89447

Sue Sherman

Sue Sherman
Senior Paralegal

UNITED STATES *et al.* v.
WALKER RIVER IRRIGATION DISTRICT
CV-N-73-0125-ECR
In Equity No. C-125-ERC
Subfile No. C-125-B

Tenth Report of the United States of America Concerning Status of Service on Certain Persons and Entities

EXHIBITS 1 through 185

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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

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

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

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

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

Date: 8-23-06

Amalia Alvarez
Signature

AMALIA ALVAREZ
Printed/Typed Name

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

ALVAREZ FAMILY REVOCABLE LIVING TRUST
(Corporate, Trust, Partnership or other entity)

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

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

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

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

Exhibit 1

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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

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

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

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

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

Date: 8/23/06

Enrique Alvarez
Signature

ENRIQUE ALVAREZ
Printed/Typed Name

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

ALVAREZ FAMILY REVOCABLE LIVING TRUST
(Corporate, Trust, Partnership or other entity)

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

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

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service 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.

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: 9-19-06

John A Ausmus
Signature

John A Ausmus
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 2

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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

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

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

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

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

Date: 9/20/06

Signature

KENNETH E. BAKER

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 3

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)

KENNETH E. BAKER

(Printed or typed Name)

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

21 Valley View Dr

(Address)

(775) 465-9031

(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.

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

Date: 9-20-06

Linda M. Baker
Signature

LINDA M. BAKER
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 4

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:

Linda M. Baker

(Signature)

LINDA M. BAKER

(Printed or typed Name)

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

(Address)

(Telephone number)

Westlaw.

SSA DEATH RECORD

Information Current Through:	01/12/2007
Database Last Updated:	01/13/2007
Update Frequency:	WEEKLY
Current Date:	01/18/2007
Source:	Social Security Administration Death Index

IDENTIFYING INFORMATION

Name:	**SUSAN M BARAN**
SSN:	**518-58-XXXX**
State Where SSN Issued:	IDAHO

INFORMATION REGARDING DECEASED

Date of Birth:	07/25/1950
Date of Death:	08/28/2000
Age at Death:	50
Verification of Death:	(V) Report verified with a family member of someone acting on behalf of the family.
Last Residence:	HENDERSON, NV 89015

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) to order copies of documents related to this or other matters. Additional charges apply.

END OF DOCUMENT

© 2007 Thomson/West. No Claim to Orig. U.S. Govt. Works.

Exhibit 5

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.

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

Date: 8/24/06

Signature

Debra D. Grooms

Printed/Typed Name

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

(Title)

Sharon Barr

(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 6

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)

(Printed or typed Name)

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

(Address)

(530) 448-1316

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

Date: 08-21-06

William L. Bauhofer
Signature

WILLIAM L. BAUHOFER
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 7

R ceved 6, 2006

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America 303, 844, 1348

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: 11-15-2006

Donn T Borden
Signature

Donn T. Borden
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: N/A 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 8

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:_____

Christine E. Boucher
Signature

Christine E. Boucher
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 9

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:_____

Signature

Michael D. Boycher

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 10