

**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: 9-9-06



Signature

Bruce R. Frechette

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.

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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

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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

Bruce R. Frechette

(Printed or typed Name)

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

23 Wild Peach Ln  
Wellington NV 89444

(Address)

775 465-2696

(Telephone number)



RECYCLED PAPER MADE FROM 20% POST CONSUMER CONTENT

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

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Date: Sept 9, 2006

Steve Freshman

Signature

Steve Freshman

Printed/Typed Name

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(Title)

\_\_\_\_\_  
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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 lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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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.,	)	

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Attorney:

Address:

Phone Number:

Fax Number:

Steve Frishman

(Signature)

Steve Frishman

(Printed or typed Name)

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

208 North Hwy 95A  
Yerington, NV 89447

(Address)

775-463-4947

(Telephone number)



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Date: Sept. 9, 2006

Sue Frishman

Signature

Sue Frishman

Printed/Typed Name

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(Title)

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FOR THE DISTRICT OF NEVADA

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	)	
Plaintiff,	)	
	)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
	)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
	)	
vs.	)	
	)	
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Environment & Natural Resources Division  
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Attorney:

Address:

Phone Number:

Fax Number:

Sue Fishman

(Signature)

Sue Fishman

(Printed or typed Name)

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

208 North Hwy 95A  
Yerington, NV 89447

(Address)

775-483-4947

(Telephone number)



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Attorney:

Address:

Phone Number:

Fax Number:

*Walter Frugoli*  
(Signature)

Walter Frugoli  
(Printed or typed Name)

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

30 Fox Ln  
Yerington Nv. 89449  
(Address)

775 463-5779  
(Telephone number)



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Frugoli, Guy  
30 Fox Lane  
Yerington, NV 89447

*See 10-17-06*

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

8016040756 8008

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

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Date: 9-23-06



Signature

Jack Fuller

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)

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Date: 9-23-06

Reba Fuller

Signature

Reba Fuller

Printed/Typed Name

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Date: 10 Aug 06

Robert B. Fuller

Signature

Fuller, Robert B.

Printed/Typed Name

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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: 10/10/06

Vera Fuller

Signature

Vera Fuller

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**

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**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

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

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Date: Sept 12, 2006



Signature  
DAN FULTON

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)

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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:

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Attorney:

Address:

Phone Number:

Fax Number:

Dan Fulton

(Signature)

DAN FULTON

(Printed or typed Name)

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

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone number)



EXHIBIT "A"

Situate in the County of Lyon, State of Nevada and more particularly described as follows:

Beginning at a point 660 feet West of the 1/4 corner common to Sections 9 and 16, Township 13 North, Range 26 East, M.D.B.&M., running thence first course West along the South line of said Section 9, a distance of 330 feet; thence second course North 660 feet; thence third course East 330 feet; thence fourth course South 660 feet to the place of beginning and being in Section 9, Township 13 North, Range 26 East, M.D.B.&M., SUBJECT to a right of way for existing roads and roadways. RL

PER NRS 111.312, THE LEGAL DESCRIPTION APPEARED  
PREVIOUSLY IN DEED # 202298 RECORDED ON  
2-10-97 IN LYON COUNTY RECORDS.

285159

OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY

*Jeanne Sabirian*  
02 NOV -1 AM 10: 25

MARY C. MILLIGAN  
COUNTY RECORDER

FEE 15<sup>00</sup> DEP. ML

**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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Date: Sept. 29, 2006

Ellen C. Gansberg  
Signature  
Ellen C. Gansberg  
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)

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Date: 8-29-06

Le Roy D. Gansberg  
Signature

Printed/Typed Name

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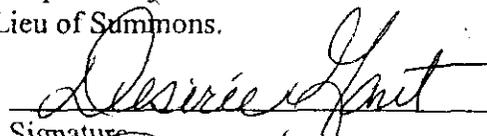
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Date Sept. 4, 2006



Signature DESIREE GRANT

Printed/Typed Name

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

\_\_\_\_\_  
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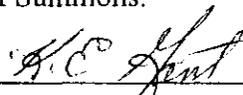
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Date: 9-14-06

  
\_\_\_\_\_  
Signature

KENT E. GRANT  
\_\_\_\_\_  
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)

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Date: 9-12-06

George Garafano  
Signature

George Garafano  
Printed/Typed Name

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

\_\_\_\_\_  
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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,	)	
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Reno, Nevada 89501
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Susan L. Schneider  
Attorney for the United States of America  
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P.O. Box 756  
Littleton, Colorado 80160

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Attorney:

Address:

Phone Number:

Fax Number:

*Stephen C Garcia Trustee*  
\* *Cheryl A Garcia*

(Signature)

*Stephen C. Garcia*  
*Cheryl A. Garcia*

*233 Lower Colony Rd*  
*Wellington NU*  
*89444*

(Printed or typed Name)

*Stephen C Garcia*  
*Cheryl A. Garcia*  
*Family trust*

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

(Address)

(Telephone number)

Susan L. Schneider, Attorney  
U.S. Department of Justice  
P.O. Box 756  
Littleton, CO 80160-0756

*Susan L. Schneider  
November 19, 2006*



RECEIVED  
06 NOV 2006

US OFFICIAL MAIL  
\$300 Penalty For Private Use  
\$0.399  
046863225  
Mailed From 80294

Susan L. Schneider, Attorney  
U.S. Department of Justice  
P.O. Box 756  
Littleton, CO 80160-0756

80160-0756



GRANT DEED

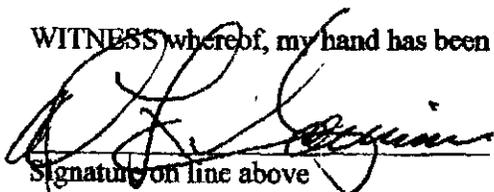
FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Donald L. Garrison, a married man, and Annett Garrison, a married woman do hereby Grant Bargain and Sell unto Michael Peck, all of the real property situated in the County of Lyon, State of Nevada, described as follows:

Parcel 4-A approximately 5 acres as shown on that certain Parcel Map recorded on December 28, 1993 as Document No 167341, Lyon County Official Records A.P.N. 010-193-07.

Including a portion of water rights contained in State of Nevada Permit #5474 and 7482 Application numbers 20351 and 23521 being a total combined duty of 4 acre feet/acre for the approximately 5 acres total.

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

WITNESS whereof, my hand has been set on June 15, 2005.

  
Signature on line above

Donald L. Garrison  
Printed Name

  
Signature on line above

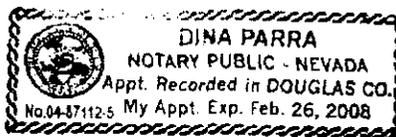
Annett Garrison  
Printed Name

State of Nevada )  
County of Lyon )ss  
Douglas

On this 15 day of June, in the year Two Thousand and five, before me, Dina Parra, a Notary Public, State of Nevada, duly commissioned and sworn, personally appeared Donald L. Garrison and Annett Garrison personally known to me (or proved to on the basis of satisfactory evidence) to be the person whose names are subscribed in the within instrument and acknowledged that they executed it.

WITNESS my hand and official seal.

Dina Parra, Notary Public



GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Donald L. Garrison, a married man, and Annett Garrison, a married woman do hereby Grant Bargain and Sell unto Michael James Hawkins, all of the real property situated in the County of Lyon, State of Nevada, described as follows:

Parcel 4-B approximately 10 acres as shown on that certain Parcel Map recorded on December 28, 1993 as Document No 167341, Lyon County Official Records A.P.N. 010-193-08.

Including a portion of water rights contained in State of Nevada Permit #5474 and 7482 Application numbers 20351 and 23521 being a total combined duty of 4 acre feet/acre for the approximately 10 acres total.

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

WITNESS whereof, my hand has been set on June 15, 2005.

*[Handwritten Signature of Donald L. Garrison]*  
Signature on line above

*[Handwritten Signature of Annett Garrison]*  
Signature on line above

Donald L. Garrison  
Printed Name

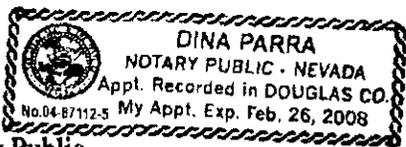
Annett Garrison  
Printed Name

State of Nevada )  
County of Lyon )ss  
*Douglas*

On this 15 day of June, in the year Two Thousand and five, before me, Dina Parra, a Notary Public, State of Nevada, duly commissioned and sworn, personally appeared Donald L. Garrison and Annett Garrison personally known to me (or proved to on the basis of satisfactory evidence) to be the person whose names are subscribed in the within instrument and acknowledged that they executed it.

WITNESS my hand and official seal.

*[Handwritten Signature of Dina Parra]*  
Notary Public



**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: 14 Oct 2006

Kathryn B Gaudin  
Signature  
KATHRYN B GAULDIN  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Successor Trustee of surviving spouse

RJ Jackson Gaudin + Kathryn B Gaudin Trust  
(Corporate, Trust, Partnership or other entity) Dkt 3-14-97

**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 notice of appearance and intent to participate.

The undersigned grantor(s) declare(s):  
Documentary transfer tax is \$ -0-, Exempt #7

GRANT, BARGAIN, SALE DEED

CATHERINE LEE GEISSINGER, an unmarried woman in consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey to MITCHELL J. GEISSINGER, an unmarried man all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

All that certain real property situate in the Northwest 1/4 of the Southwest 1/4 of Section 28, Township 12 North, Range 23 East, M.D.B.&M., described as follows:

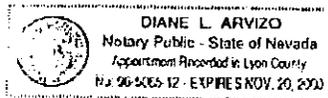
Parcel B of that certain Parcel Map for Thomas J. Wipfli, recorded in the Official Records of Lyon County, Nevada on May 9, 1994 as File No. 171340.

Together with all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Dated: MARCH 22, 1999

  
CATHERINE LEE GEISSINGER

STATE OF NEVADA )  
COUNTY OF LYON )



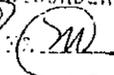
On March 22, 1999 personally appeared before me, a Notary Public, Catherine Lee Geissinger who acknowledged that she executed the above instrument.

Signature   
(Notary Public)

WHEN RECORDED MAIL TO:  
MITCHELL J. GEISSINGER  
P.O. BOX 112  
WELLINGTON, NV 89444

231611

RECORDED  
COUNTY, NEV.  
INDEXED BY  
NORTHERN NEVADA TITLE CO.  
99 MAR 29 PM 12:04

CLERK  
COUNTY CLERK  
FEE 7.00  


**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: 8/24/06

Debra D. Grooms  
Signature

Debra D. Grooms  
Printed/Typed Name

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

Grooms Family Trust dated 2/17/06  
(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 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 notice of appearance and intent to participate.



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Attorney:

Address:

Phone Number:

Fax Number:

*D. H. Grooms*  
(Signature)

*Debra A. Grooms, Trustee*  
(Printed or typed Name)

*Grooms Family Trust*  
(Entity, if any, on whose <sup>*debra*</sup> behalf you are appearing *2/17/06*)

\_\_\_\_\_  
\_\_\_\_\_  
(Address)

*(530) 448-1316*  
(Telephone number)

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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: