IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

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

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

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

will include this report in the proposed agenda for the status conference with the Magistrate Judge, scheduled for August 20, 2007, and will suggest that the Court address the report and relief requested at that time.

As with the previous Service Reports, this pleading includes a set of exhibits. The entire pleading will be served on persons and entities receiving E-service. Otherwise, we have served the exhibits to this filing in the same manner in which we handled the previous filings. Individuals and entities addressed in this filing have received copies of only those exhibits that concern their service issues, and we will provide any of them with copies of any additional exhibits that they wish to obtain.

Except as otherwise directed by the Court, we will be submitting a separate filing of the original Waivers of Service, Notices of Appearance, Disclaimers, and Notices of Change of Ownership of Water Right, arranged in alphabetical order.

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

We have not yet provided the Court with a proposed amended Caption, but are prepared

to do so after the Court addresses the requests stated herein.

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

Service:

1. Lisa Ann Adams: *see* Steven William Adams, below.

2. Steven William Adams:

   a. Basis for inclusion: CMO 3.c

   b. Status of service: Mr. and Mrs. Adams have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 1 and 2.

   c. Counsel: None indicated.

   d. Address for service: Lisa Ann and Steven William Adams
   60 Yellow Sage Drive
   Wellington, NV 89444

   e. Requested action(s): We request a finding that service is complete as to Lisa Ann Adams and Steven William Adams.

3. Michael Arlit: *see* Sherri Arlit, below.

4. Sherri Arlit:

   a. Basis for inclusion: CMO 3.c

   b. Status of service: The Arlits have each returned a signed Waiver of Service.

See Exhibits 3 and 4.

c. Counsel: None indicated.

d. Address for service: n/a

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

5. Arthur Ronald Balbini Revocable Living Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service and a note indicating the intent to participate were returned, signed on behalf of the trust by Art Balbini. *See* Exhibit 5.

c. Counsel: None indicated.

d. Address for service: Arthur Ronald Balbini Revocable Living Trust
Art Balbini, trustee
P. O. Box 1021
Yerington, NV 89447

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

6. Carolee B. Beckham:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms.. Beckham has signed and returned a Waiver of Service. *See* Exhibit 6.

c. Counsel: None indicated.

d. Address for service: n/a

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

7. Dhana Benigno: *see* Joe Benigno, below.

8. Joe Benigno:

   a. Basis for inclusion: CMO 3.c

   b. Status of service: The Benignos have each returned a signed Waiver of Service. *See* Exhibits 7 and 8.

   c. Counsel: None indicated.

   d. Address for service: n/a

   e. Requested action(s): We request a finding that service is complete as to Dhana Benigno and Joe Benigno.

9. Phyllis S. Berrington:

   a. Basis for inclusion: CMO 3.c

   b. Status of service: Ms. Berrington has returned a signed Notice of Appearance. *See* Exhibit 9. The document was also filed with the Court forty-eight days after personal Service of Process. *See* Document No. 1092.

   c. Counsel: None indicated.

   d. Address for service: n/a

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

10. Alta E. Berry: *see* Stephen F. Berry, below.

11. Stephen F. Berry

   a. Basis for inclusion: CMO 3.c

   b. Status of service: The Berrys have each returned a signed Waiver of Service. *See* Exhibits 10 and 11.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Alta E. Berry and Stephen F. Berry.

12. Wesley W. and Clara A. Brown Living Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Notice of Appearance was returned, signed on behalf of the Trust by trustees Wesley W. Brown and Clara A. Brown. The return was postmarked subsequent to personal Service of Process. *See* Exhibit 12.

c. Counsel: None indicated.

d. Address for service: Wesley W. and Clara A. Brown Living Trust
Wesley W. and Clara A. Brown, trustees
15 Almond Drive
Yerington, NV 89447

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

13. John J. Bukoskey: *see* Linda S. Bukoskey, below.

14. Linda S. Bukoskey:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Bukoskeys have each returned a signed Notice of Appearance. The envelope bearing these documents was postmarked six days after their receipt of personal Service of Process. *See* Exhibits 13 and 14.

c. Counsel: None indicated.

d. Address for service: John J. and Linda S. Bukoskey
P. O. Box 120

Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to John J. Bukoskey and Linda S. Bukoskey.

15. Clyde E. Burchell: *see* Teresa Burchell, below.

16. Teresa Burchell:

a. Basis for inclusion: CMO 3.c

b. Status of service: Teresa Burchell has returned a signed Waiver of Service. Both Clyde and Teresa Burchell have returned signed Notices of Appearance. The dates and/or postmarks relating to these documents is subsequent to personal Service of Process which occurred on October 19, 2006. *See* Exhibits 15 and 16.

c. Counsel: None indicated.

d. Address for service: Clyde E. and Teresa J. Burchell
P. O. Box 264
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete as to Clyde E. Burchell and Teresa Burchell.

17. Dianna Buskirk:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Buskirk has returned a signed Waiver of Service, dated fifty-seven days after she received personal Service of Process. *See* Exhibit 17.

c. Counsel: None indicated.

d. Address for service: n/a

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

18. Charles H. Carter: *see* Mary K. Carter, below.

19. Mary K. Carter:

    a. Basis for inclusion: CMO 3.c

    b. Status of service: The Carters have each returned a signed Waiver of Service. *See* Exhibits 18 and 19.

    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 H. Carter and Mary K. Carter.

20. Lauri Christine:

    a. Basis for inclusion: CMO 3.c

    b. Status of service: Ms. Christine has returned a signed Waiver of Service. *See* Exhibit 20.

    c. Counsel: None indicated.

    d. Address for service: n/a

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

21. Freddie G. Clark: *see* Gloria M. Clark, below.

22. Gloria M. Clark:

    a. Basis for inclusion: CMO 3.c

    b. Status of service: Subsequent to personal Service of Process, Ms. Clark returned a signed Notice of Appearance. *See* Exhibit 21/22. Both Freddie and Gloria Clark filed Notices of Appearance with the Court. *See* Documents Nos. 1143 and

1144.

c. Counsel: None indicated.

d. Address for service: Freddie G. and Gloria M. Clark
197 Sunset Hills Drive
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Freddie G. Clark and Gloria M. Clark.

23. John J. Cleary Revocable Family Trust 12/10/98:

a. Basis for inclusion: CMO 3.c

b. Status of service: Waiver of Service and Notice of Appearance forms were returned, signed by trustee John J. Cleary. *See* Exhibit 23.

c. Counsel: None indicated.

d. Address for service: John J. Cleary Revocable Family Trust 12/10/98
John J. Cleary, trustee
P. O. Box 533
Wellington, NV 89444

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

24. Carolyn K. Zeiszler-Cline: *see* Jack R. Cline, below:

25. Jack R. Cline:

a. Basis for inclusion: CMO 3.a

b. Status of service: Subsequent to personal Service of Process, the Clines each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 24 and 25.

c. Counsel: None indicated.

d. Address for service: Carolyn K. Zeiszler-Cline and Jack R. Cline
426 Pearl Street
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Carolyn K. Zeiszler-Cline and Jack R. Cline.

26. Cook 1994 Revocable Living Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Notice of Appearance has been received, signed by trustee Linda L. Cook. This response was returned subsequent to personal Service of Process on January 16, 2007. *See* Exhibit 26.

c. Counsel: None indicated.

d. Address for service: Cook 1994 Revocable Living Trust
Gilbert E and Linda L. Cook, trustees
129 Artist View
Wellington, NV 89444

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

27. June K. Corbit:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Corbit has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 27.

c. Counsel: None indicated.

d. Address for service: June K. Corbit
1343 Cathy Lane
Minden, NV 89423

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

28. James P. Costa: *see* Norma Annett Costa, below.

29. Norma Annett Costa:

a. Basis for inclusion: CMO 3.a

b. Status of service: We have learned that the water rights at issues were conveyed to the J.P. & N.A. Costa Family Trust (1996). Waiver of Service, Notice of Appearance and Amended Notice of Appearance forms have been returned, all signed by trustee James P. Costa. *See* Exhibits 28 and 29.

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

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

e. Requested action(s): We request that the Court dismiss James P. Costa and Norma Annett Costa as individuals; substitute the J.P. & N.A. Costa Family Trust (1996); and find that service is complete as to the Trust.

30. Donald D. Dalrymple:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. Dalrymple has returned a signed Waiver of Service dated fifty-seven days after he received personal Service of Process. *See* Exhibit 30.

c. Counsel: None indicated.

d. Address for service: n/a

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

31. Eunice M. Damron Family Trust:

a. Basis for inclusion:. CMO 3.c

b. Status of service: A Notice of Appearance has been returned, signed on behalf of the Trust by trustee Eunice M. Damron. The envelope bore a postmark subsequent to personal service of process. *See* Exhibit 31.

c. Counsel: None indicated.

d. Address for service: Eunice M. Damron Family Trust
Eunice M. Damron, trustee
11 Muller Road
Yerington, NV 89447

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

32. Catherine L. Davis: *see* John N. Davis, below.

33. John N. Davis:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Davises have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 32 and 33.

c. Counsel: None indicated.

d. Address for service: Catherine L. and John N. Davis
551 Upper Colony Road
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Catherine L. Davis and John N. Davis.

34. Donna Del Porto: *see* Robert Del Porto, below.

35. Robert Del Porto

a. Basis for inclusion: CMO 3.c

b. Status of service: The Del Portos have returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 34 and 35.

c. Counsel: None indicated.

d. Address for service: Donna Del Porto and Robert Del Porto
P. O. Box 227
Hawthorne, NV 89415

e. Requested action(s): We request a finding that service is complete as to Donna DelPorto and Robert DelPorto.

36. Frank J. DeLucca 2004 Revocable Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, a Waiver of Service was returned, signed by Frank J. DeLucca on behalf of the Trust. *See* Exhibit 36.

c. Counsel: None indicated.

d. Address for service: n/a

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

37. Douglas M. Denny: *see* Martha D. Denny, below.

38. Martha D. Denny:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Dennys have each returned a signed Notice of Appearance form. Mrs. Denny also included a signed Waiver of Service. The water right is owned jointly. *See* Exhibits 37 and 38.

c. Counsel: None indicated.

d. Address for service: Douglas M. and Martha D. Denny
19869 N. Highway 99
Acampo, CA 95220

e. Requested action(s): We request a finding that service is complete as Douglas M. Denny and Martha D. Denny.

39. Deborah L. Dibble: *see* John K. Dibble, below.

40. John K. Dibble:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Dibbles have each signed and returned a Notice of Appearance form. The postmark indicates that the forms were mailed subsequent to personal Service of Process. *See* Exhibits 39 and 40.

c. Counsel: None indicated.

d. Address for service: Deborah L. and John K. Dibble
69 Tucker Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Deborah L. Dibble and John K. Dibble.

41. David Diekmann:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 41.

c. Counsel: None indicated.

d. Address for service: n/a

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

42. Greg E. Diekmann:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 42.

c. Counsel: None indicated.

d. Address for service: n/a

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

43. Dwight C. Donovan:

a. Basis for inclusion: CMO 3.a

b. Status of service: Mr. Donovan has returned a signed Notice of Appearance. *See* Exhibit 43.

c. Counsel: MBV Law, LLP
855 Front Street
San Francisco, CA 94111

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

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

44. Arliss Dane Dunham: *see* Eileen A. Dunham, below.

45. Eileen A. Dunham:

a. Basis for inclusion: CMO 3.c

b. Status of service: No response. Further investigation has shown that the water right at issue has been conveyed to the Dane and Eileen Dunham Family Trust. *See* Exhibit 44/45. The trust has yet to be served.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Arliss Dane Dunham and Eileen A. Dunham and substitute the Dane and Eileen Dunham Family Trust.

46. Scott Lee Edwards:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. Edwards has returned a signed Waiver of Service. *See* Exhibit 46.

c. Counsel: None indicated.

d. Address for service: n/a

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

47. 14 Sara Circle Land Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: No response. Further investigation has shown that the water right at issue has been conveyed to Brett and Lacy Withers. *See* Exhibit 47.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss 14 Sara Circle Land Trust and substitute Brett and Lacy Withers. The Withers have yet to be served.

48. Phillip W. & Karen L. Gangwish 2002 Revocable 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 Phillip Gangwish on behalf of the trust. *See* Exhibit 48.

c. Counsel: None indicated.

d. Address for service: Phillip W. & Karen L. Gangwish 2002 Revocable Trust
Phillip W. and Karen L. Gangwish, trustees
23 Yellow Sage Road
Wellington, NV 89444

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

49. Gregory Garmong:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Mr. Garmong returned a signed Notice of Appearance. *See* Exhibit 49.

c. Counsel: None indicated.

d. Address for service: Gregory Garmong
P. O. Box 310
Smith, NV 89430

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

50. Christopher Garretson:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 50.

c. Counsel: None indicated.

d. Address for service: n/a

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

51. Good Deed, LLC:

a. Basis for inclusion: CMO 3.a

b. Status of service: Further investigation has shown that the water right at issue

has been conveyed to Garmsland Limited, LLC. *See* Exhibit 51.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that Good Deed, LLC be dismissed; and Garmsland Limited, LLC be substituted. Garmsland Limited, LLC is already a party to this action. *See* Order re: Eighth Report, Attachment B at No. 28.

52. Helen M. Grimes: *see* James G. Grimes, below.

53. James G. Grimes:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr and Mrs. Grimes have each signed and returned a Waiver of Service. *See* Exhibits 52 and 53.

c. Counsel: None indicated.

d. Address for service: n/a

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

54. David Allen Hall:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that this property is on the city water system. Mr. Hall, therefore, was served in error. *See* Exhibit 54.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

55. Franklin R. Hammond and Bonnie R. Hammond 1995 Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Waiver of Service has been returned, signed on behalf of the trust by trustee Franklin R. Hammond. *See* Exhibit 55.

c. Counsel: None indicated.

d. Address for service: n/a

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

56. Hana Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Waiver of Service has been returned, signed by trustee Geraldean Hana. *See* Exhibit 56.

c. Counsel: None indicated.

d. Address for service: n/a

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

57. Anna Jean Hansston Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Hansston has returned a Waiver of Service signed on behalf of the Trust. *See* Exhibit 57.

c. Counsel: None indicated.

d. Address for service: n/a

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

58. Greg Hanusiak:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that Mr. Hanusiak's property is on the city water system. He was served in error. *See* Exhibit 58.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

59. Harker Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Waiver of Service and Notice of Appearance forms were returned, signed by trustee Alan B. Harker. *See* Exhibit 59.

c. Counsel: None indicated.

d. Address for service: Harker Family Trust
Alan B. and Judith O. Harker, trustees
1213 La Brea Drive
Thousand Oaks, CA 91362

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

60. Jerry F. Harris, *see* Royal J. Harris, below.

61. Royal J. Harris:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. and Mrs. Harris have each returned a signed Waiver of Service. *See* Exhibits 60 and 61. Mr. Harris notes on his Waiver that he would like to be kept informed. We have deemed this to be a form of Notice of

Appearance and are, therefore, adding his name to the service list.

c. Counsel: None indicated.

d. Address for service: Royal J. Harris
100 N. Bybee Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Jerry F. Harris and Royal J. Harris.

62. David L. Herman:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that Mr. Herman is now deceased. The water right at issue was held in joint tenancy with Fair M. Herman who has yet to respond to service. *See* Exhibit 62.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

63. Horner Personal Residence Irrevocable Trust Agreement:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, a Notice of Appearance has been returned, signed by trustees Lonnie Horner and Jeannie Horner. *See* Exhibit 63.

c. Counsel: None indicated.

d. Address for service: Horner Personal Residence Irrevocable Trust Agreement
Lonnie Horner and Jeannie Horner, trustees
2873 Highway 208

Wellington, NV 89444

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

64. Donna K. Hustace: *see* Thomas E. Hustace, below.

65. Thomas E. Hustace:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. and Mrs. Hustace have each returned a signed Waiver of Service. *See* Exhibits 64 and 65.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Donna K. Hustace and Thomas E. Hustace.

66. James C. and Florence M. Hutchison Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that the water right at issue has been conveyed to Herbert J. and Rachele M. Hall. *See* Exhibit 66. The Halls are already parties to this action. *See* Order re: Fourth Status Report, Attachment B at Nos. 7 and 8.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

67. Janet L. Ingle:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Ingle has signed and returned Waiver of Service and Notice of Appearance forms. *See* Exhibit 67.

c. Counsel: None indicated.

d. Address for service: Janet L. Ingle
1161 State Route 339, #339
Yerington, NV 89447

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

68. Charles R. Johnson: *see* Lois F. Johnson, below.

69. Larry P. Johnson: *see* Stephonie J. Johnson, below.

70. Lois F. Johnson:

a. Basis for inclusion: CMO 3.c

b. Status of service: Charles and Lois Johnson have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 68 and 70.

c. Counsel: None indicated.

d. Address for service: Charles Richard and Lois Florence Johnson
193 N. Highway 95A
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Charles R. Johnson and Lois F. Johnson.

71. Stephonie J. Johnson:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. Johnson has returned a signed Waiver of Service. The water right at issue is held jointly by Larry P. and Stephonie J. Johnson. *See* Exhibits 69 and 71. Ms. Johnson filed a Disclaimer of Interest with the Court.

See Document No. 1091. However, as their property has a domestic well, they qualify under 3(c) of the Case Management Order as domestic users.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Larry P. Johnson and Stephonie J. Johnson.

72. Cynthia R. Knight: *see* Martin E. Knight, below.

73. Martin E. Knight:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Knights have each signed and returned at Waiver of Service. *See* Exhibits 72 and 73.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Cynthia R. Knight and Martin E. Knight.

74. Ricardo M. Kraft Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, a Notice of Appearance was returned, signed by trustee Ricardo M. Kraft. *See* Exhibit 74.

c. Counsel: None indicated.

d. Address for service: Ricardo M. Kraft Trust
Ricardo M. Kraft, trustee
91 Sharon Drive

Wellington, NV 89444

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

75. Catherine R. Lague:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Ms. Lague has returned a signed Notice of Appearance. *See* Exhibit 75.

c. Counsel: None indicated.

d. Address for service: Catherine R. Lague
67 W. Tucker Lane
Yerington, NV 89447

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

76. James C. Lambert: *see* Patricia M. Lambert, below.

77. Patricia M. Lambert:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that the Lamberts' property is on the city water system. They were served in error. *See* Exhibit 76 / 77.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss James C. Lambert and Patricia M. Lambert.

78. George LeMaitre:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Notice of Appearance has been received, postmarked forty

days after personal Service of Process. *See* Exhibit 78.

c. Counsel: None indicated.

d. Address for service: George LeMaitre
1255 Highway 208
Yerington, NV 89447

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

79. Roy F. Lerg, Jr. Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Waiver of Service and Notice of Appearance forms were returned, signed by surviving trustee Lola Lerg. *See* Exhibit 79.

c. Counsel: None indicated.

d. Address for service: Roy F. Lerg, Jr. Family Trust
Lola Lerg, surviving trustee
P. O. Box 137
Smith, NV 89430

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

80. Kenneth Dale Lewis:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 80.

c. Counsel: None indicated.

d. Address for service: n/a

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

81. Claude O. Lindsey: *see also* Twyla Slippey, below.

a. Basis for inclusion: CMO 3.c

b. Status of service: We have learned that Mr. Lindsey is now deceased. *See* Exhibit 81. The water right at issue was held in joint tenancy with his wife, Twyla Slippey Lindsey.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

82. Neal S. Linebarger: *see* Patricia A. Linebarger, below.

83. Patricia A. Linebarger:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Linebargers have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 82 and 83.

c. Counsel: None indicated.

d. Address for service: Neal S. and Patricia A. Linebarger
2356 Daytona Avenue
Lake Havasu City, AZ 86403

e. Requested action(s): We request a finding that service is complete as to Neal S. Linebarger and Patricia A. Linebarger.

84. Jeffrey S. Litterer: *see* Therese A. Litterer, below.

85. Therese A. Litterer:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Litterers each returned a signed Notice of Appearance. *See* Exhibits 84 and 85.

c. Counsel: None indicated.

d. Address for service: Jeffrey S. and Therese A. Litterer
P. O. Box 295
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Jeffrey S. Litterer and Therese A. Litterer.

86. James M. Long: *see* Rhonda L. Long, below.

87. Rhonda L. Long:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Longs each returned a signed Waiver of Service. *See* Exhibits 86 and 87. They also filed their Notices of Appearance with the Court. *See* Document Nos. 1104 and 1105.

c. Counsel: None indicated.

d. Address for service: James M. and Rhonda L. Long
56 Hawk View Drive
Wellington, NV 89444

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

88. Della Lyons: *see* Rolland R. Lyons, below.

89. Rolland R. Lyons:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Lyons have each returned a signed Notice of Appearance. *See* Exhibits 88 and 89.

c. Counsel: None indicated.

d. Address for service: Della and Rolland R. Lyons
29 North Star Drive
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Della Lyons and Rolland R. Lyons.

90. Joseph I. Madrid: *see* Maria E. Madrid, below.

91. Maria E. Madrid:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Madrids each returned a signed Notice of Appearance. *See* Exhibits 90 and 91.

c. Counsel: None indicated.

d. Address for service: Joseph I. and Maria E. Madrid
595 Highway 339
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Joseph I. Madrid and Maria E. Madrid.

92. Crystal R. McCammond: *see* Wade Brian McCammond, below.

93. Wade Brian McCammond:

a. Basis for inclusion: CMO 3.c

b. Status of service: The McCammonds have each returned a signed Waiver of Service. *See* Exhibits 92 and 93.

c. Counsel: None indicated.

d. Address for service: n/a

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

R. McCammond and Wade Brian McCammond.

94. Frank McClellan:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that Mr. McClellan is now deceased. *See* Exhibit 94.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Frank McClellan and substitute the Estate of Frank McClellan. The Estate has yet to be served.

95. Kenneth L. McGaughey: *see* Lois Y. McGaughey, below.

96. Lois Y. McGaughey:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. and Mrs. McGaughey have each returned a signed Waiver of Service. *See* Exhibits 95 and 96.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Kenneth L. McGaughey and Lois Y. McGaughey.

97. Monty C. Merrithew:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that the water right at issue has been conveyed to LaSalle Bank N A Trust. *See* Exhibit 97.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Mr. Merrithew and substitute LaSalle Bank N A Trust which has yet to be served.

98. Lance Moffitt:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Mr. Moffitt returned a signed Notice of Appearance. *See* Exhibit 98.

c. Counsel: None indicated.

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

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

99. Victoria S. Moon:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Ms. Moon returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 99.

c. Counsel: None indicated.

d. Address for service: Victoria S. Moon
1390 Centerville Road, Ste. D
Gardnerville, NV 89460

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

100. Harold Moore Trust:

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

b. Status of service: Subsequent to personal Service of Process, trustee Harold E. Moore signed and returned Waiver of Service and Notice of Appearance forms. *See* Exhibit 100.

c. Counsel: None indicated.

d. Address for service: Harold Moore Trust
Harold E. Moore, trustee
P. O. Box 987
Yerington, NV 89447

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

101. Murphy Revocable Trust dated 7/22/98:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, a Notice of Appearance has been returned, signed on behalf of the trust by Douglas C. Murphy. *See* Exhibit 101.

c. Counsel: None indicated.

d. Address for service: Murphy Revocable Trust dated 7/22/98
Douglas C. Murphy, trustee
17 Grand View Lane
Wellington, NV 89444

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

102. Ruth A. Norman 1991 Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Waiver of Service was returned, signed by trustee Ruth A. Norman. *See* Exhibit 102.

c. Counsel: None indicated.

d. Address for service: n/a

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

103. Linda J. Pangburn:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Pangburn has returned a signed Waiver of Service. *See* Exhibit 103.

c. Counsel: None indicated.

d. Address for service: n/a

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

104. Joy M. Pannozzo: *see* Stephen C. Pannozzo, below.

105. Stephen C. Pannozzo

a. Basis for inclusion: CMO 3.c

b. Status of service: The Pannozzos have each returned a signed Waiver of Service. *See* Exhibits 104 and 105.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Joy M. Pannozzo and Stephen C. Pannozzo.

106. Michael P. Peck:

a. Basis for inclusion: CMO 3.c

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

106.

c. Counsel: None indicated.

d. Address for service: n/a

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

107. Wayne A. Pederson:

a. Basis for inclusion: CMO 3.c

b. Status of service: Signed Waiver of Service and Notice of Appearance forms were returned. *See* Exhibit 107.

c. Counsel: None indicated.

d. Address for service: Wayne A. Pederson
107 N. Main St.
Yerington, NV 89447

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

108. Carol Louise Perkins Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Perkins has returned a Waiver of Service signed on behalf of the Trust. *See* Exhibit 108.

c. Counsel: None indicated.

d. Address for service: n/a

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

109. Natalie Petersen:

a. Basis for inclusion: CMO 3.c

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

109.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

110. Rosemary E. Petersen:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Ms. Petersen returned a signed Notice of Appearance. *See* Exhibit 110.

c. Counsel: None indicated.

d. Address for service: Rosemary E. Petersen
19 Andes Lane
Yerington, NV 89447

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

111. Gordon M. Pugh:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Mr. Pugh returned, *inter alia,* a signed Notice of Appearance. See Exhibit 111.

c. Counsel: None indicated.

d. Address for service: Gordon M. Pugh
35 Locust Drive
Yerington, NV 89447April 30, 2007

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

112. Leslie A. Ragan: *see* Steven H. Ragan, below.

113. Steven H. Ragan:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Ragans returned a Notice of Change of Ownership signed by both. Supporting documentation accompanied this Notice. *See* Exhibits 112 and 113.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Leslie A. Ragan and Steven H. Ragan; and substitute Dhana and Joe Benigno and Phillip and Karen Gangwish, all of whom are already parties to this action.

114. J & S Roberts Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, a Notice of Appearance was returned, signed on behalf of the trust by trustee Jesse P. Roberts. *See* Exhibit 114.

c. Counsel:

John W. Howard
625 Broadway, Ste. 1206
San Diego, CA 92101

and

William E. Schaeffer
P. O. Box 936
Battle Mountain, NV 89820

d. Address for service: *See* counsels' addresses above.

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

115. Kyle A. Ruf:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Ms. Ruf's attorney returned a Notice of Appearance signed on her behalf. *See* Exhibit 115.

c. Counsel: Thomas J. Hall, Esq.
305 South Arlington Avenue
P. O. Box 3948
Reno, NV 89505

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

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

116. George E. Rycroft: *see* Patricia A. Rycroft, below.

117. Patricia A. Rycroft:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Rycrofts have each returned a signed Waiver of Service. *See* Exhibits 116 and 117. They have also returned signed Disclaimers of Interest, indicating that their Disclaimers are founded on a Court Order. No copy of such an order was returned, and the United States has no means of ascertaining the validity of their assertion.

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 E. Rycroft and Patricia A. Rycroft.

118. John F. Seward, Sr.: *see* Joyce A Seward, below.

119. Joyce A. Seward:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Sewards have each responded with a Notice of Appearance, signed and returned subsequent to personal Service of Process. *See* Exhibits 118 and 119.

c. Counsel: None indicated.

d. Address for service: Joyce A. and John F. Seward, Sr.
P. O. Box 125
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to John F. Seward, Sr. and Joyce A. Seward.

120. Donn Simons: *see* Jeanne Simons, below.

121. Jeanne Simons:

a. Basis for inclusion: CMO 3.c

b. Status of service: No response. Further investigation has shown that the water right at issue has been conveyed to Harold N. and Katie J. Ritter. *See* Exhibit 120 / 121.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Donn Simons and Jeanne Simons; and substitute Harold N. and Katie J. Ritter. The Ritters have yet to be served.

122. Dawn Sinclair: *see* Robert Sinclair, below.

123. Robert Sinclair:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Sinclairs have each returned a signed Waiver of Service. The envelope bearing these Waivers is postmarked twenty-three days after they received personal Service of Process. *See* Exhibits 122 and 123.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Dawn Sinclair and Robert Sinclair.

124. Skaggs Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, a Waiver of Service was returned, signed by Paul M. Skaggs, trustee. *See* Exhibit 124.

c. Counsel: None indicated.

d. Address for service: n/a

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

125. Twyla Slippey:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Slippey is now known by her married name, Twyla M. Lindsey. She has filed a Notice of Appearance with the Court. *See* Exhibit 125.

c. Counsel: None indicated.

d. Address for service: Twyla M. Lindsey
85 Luzier Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete and that the caption be amended to read Twyla M. Lindsey.

126. 2003 DN Smith Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Waiver of Service and Notice of Appearance forms have been returned, signed by trustee Donald L. Smith *See* Exhibit 126.

c. Counsel: None indicated.

d. Address for service: 2003 DN Smith Family Trust
Donald L. and Nancy Darlene Smith, trustees
P. O. Box 306
Smith, NV 89430

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

127. Smith Valley Community United Methodist Church:

a. Basis for inclusion: CMO 3.c

b. Status of service: Waiver of Service and Notice of Appearance forms have been returned, signed by Jerry E. Nansel, Chairman of Trustees. *See* Exhibit 127.

c. Counsel: None indicated.

d. Address for service: Smith Valley United Methodist Church
Jerry E. Nansel, Chairman of Trustees
P. O. Box 100
Smith, NV 89430

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

128. Elbert C. Spurgeon 2004 Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Notice of Appearance has been returned, signed by trustee Elbert C. Spurgeon. *See* Exhibit 128.

c. Counsel: None indicated.

d. Address for service: Elbert C. Spurgeon 2004 Family Trust
Elbert C. Spurgeon, trustee
465 Upper Colony Road
Wellington, NV 89444

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

129. Martin D. Stearns: *see* Monique Stearns, below.

130. Monique Stearns:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Stearns have each returned a signed Waiver of Service. *See* Exhibits 129 and 130.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Martin D. Stearns and Monique Stearns.

131. Sterling Trust Company:

a. Basis for inclusion: CMO 3.c

b. Status of service: Sterling Trust Company, f/b/o Kevin R. Weiss IRA, has returned a signed Waiver of Service *See* Exhibit 131.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete. We also request that the caption be amended to read Sterling Trust Company, f/b/o Kevin R. Weiss IRA.

132. Kenneth J. Swanson:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that Mr. Swanson is deceased and that the water right at issue, which had been held in joint tenancy with Della Swanson (also deceased), has been conveyed to Ronald H. and Michele R. Kuhl. *See* Exhibit 132.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Kenneth J. Swanson and substitute Ronald H. and Michele R. Kuhl. The Kuhls have yet to be served.

133. Larry F. Talbott: *see* Sherry L. Talbott, below.

134. Sherry L. Talbott:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Talbotts have each returned a signed Waiver of Service. *See* Exhibits 133 and 134.

c. Counsel: None indicated.

d. Address for service: n/a

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

Talbott and Sherry L. Talbott.

135. Cynthia Tanaka:

a. Basis for inclusion: CMO 3.c

b. Status of service: A signed Waiver of Service has been returned. *See* Exhibit 135.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete and that the caption be amended to read Cynthia Tanaka Diekmann.

136. Mary Catherine Tennant:: *see* Michael Tennant, below.

137. Michael Tennant:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that the water right at issue has been conveyed to Nancy J. and Ruben Gonzalez. *See* Exhibits 136 and 137.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that the Court dismiss Mary Catherine and Michael Tennant; and substitute Nancy J. and Ruben Gonzalez, who have yet to be served.

138. Tanya Teodorski:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Ms. Teodorski

returned a signed Notice of Appearance. *See* Exhibit 138.

c. Counsel: None indicated.

d. Address for service: Tanya M. Teodorski
2180 Chipmunk Drive
Carson City, NV 89704

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

139. Douglas Thom: *see* May Thom, below.

140. May Thom:

a. Basis for inclusion: CMO 3.a

b. Status of service: We have learned that the water right at issue has been conveyed to the Thom Family Trust. Mr. and Mrs. Thomas have each returned Waiver of Service and Notice of Appearance forms, signed on behalf of the trust. *See* Exhibits 139 and 140.

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

d. Address for service: *See* Counsels' address above

e. Requested action(s): We request that the Court dismiss Douglas Thom and May Thom in their individual capacities; substitute the Thom Family Trust; and find that service is complete as to the Trust.

141. Robert C. and Janice M. Thomas 2004 Revocable Living Trust Agreement:

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 Robert C. Thomas. *See* Exhibit 141.

c. Counsel: None indicated.

d. Address for service: Robert C. and Janice M. Thomas 2004 Revocable Living Trust Agreement
Robert C. and Janice M. Thomas, trustees
21 Van Fleet Lane
Yerington, NV 89447

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

142. Andrew E. Thompson: *see* Edith O. Thompson, below.

143. Edith O. Thompson:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Thompsons signed and returned Waivers of Service. *See* Exhibits 142 and 143.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Andrew E. Thompson and Edith O. Thompson.

144. Leigh M. Townsend:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Mr. Townsend returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 144.

c. Counsel: None indicated.

d. Address for service: Leigh M. Townsend

135 Artist View Road
Wellington, NV 89444

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

145. Pauline H. Townsend:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Townsend has returned a Disclaimer of Interest, documenting the award of the water right at issue to her former husband, Leigh M. Townsend. *See* Exhibit 145.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

146. Marjorie L. Urrea:

a. Basis for inclusion: CMO 3.c

b. Status of service: Signed Waiver of Service and Notice of Appearance forms have been returned. *See* Exhibit 146.

c. Counsel: Julian C. Smith, Jr.
Smith and Harmer, Ltd.
502 North Division St.
Carson City, NV 89703

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

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

147. Robert J. Urrea: *see* Susan T. Urrea, below.

148. Susan T. Urrea:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, a signed Notice of Appearance was returned by counsel on behalf of both Robert and Susan Urrea. *See* Exhibits 147 and 148.

c. Counsel: Julian C. Smith, Jr.
Smith and Harmer, Ltd.
502 North Division St.
Carson City, NV 89703

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

e. Requested action(s): We request a finding that service is complete as to Robert J. Urrea and Susan T. Urrea.

149. Ninetta M. Urschel: *see* Victor Urschel, below

150. Victor Urschel:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Urschels each returned a signed Notice of Appearance subsequent to personal Service of Process which occurred November 16, 2006. *See* Exhibits 149 and 150.

c. Counsel: None indicated.

d. Address for service: Ninetta M. Urschel and Victor Urschel
741 Craighton Avenue
Elverta, CA 95626

e. Requested action(s): We request a finding that service is complete as to Ninetta M. Urschel and Victor Urschel.

151. Catherine M. Valim:

a. Basis for inclusion: CMO 3.c

b. Status of service: Ms. Valim has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 151.

c. Counsel: None indicated.

d. Address for service: Catherine M. Valim
17 E. Ward Lane
Yerington, NV 89447

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

152. Denise Van Dusen:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, Ms. Van Dusen returned a signed Notice of Appearance. *See* Exhibit 152.

c. Counsel: None indicated.

d. Address for service: Denise Van Dusen
197 Sunset Hills Drive
Yerington, NV 89447

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

153. Frances R. Vidal: *see* T. Michael Vidal, below.

154. T. Michael Vidal:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Vidals have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 153 and 154.

c. Counsel: None indicated.

d. Address for service: Frances R. and T. Mike Vidal
25 Linda Way
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to Frances R. Vidal and T. Michael Vidal.

155. Audrey J. Voss:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mrs. Voss has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 155.

c. Counsel: None indicated.

d. Address for service: Audrey J. Voss
9 W. Mesa Drive
Yerington, NV 89447

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

156. Emil Joseph Wachtel:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. Wachtel has returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibit 156.

c. Counsel: None indicated.

d. Address for service: Emil Joseph Wachtel
24261 Barnes Lane
Covelo, CA 95428

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

157. Helena M. Smith-Walsh: *see* James J. Walsh, below.

158. James J. Walsh:

a. Basis for inclusion: CMO 3.c

b. Status of service: Helena and James have each returned a signed Waiver of

Service. *See* Exhibits 157 and 158. They have also filed Notices of Appearance with the Court. *See* document Nos. 1081 and 1090.

c. Counsel: None indicated.

d. Address for service: Helena M. Smith-Walsh
James J. Walsh
620 Lester Avenue
Reno, NV 89502

e. Requested action(s): We request a finding that service is complete as to Helena M. Smith-Walsh and James J. Walsh.

159. Diane J. Walter:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that Ms. Walter has quitclaimed the water right at issue to the Diane J. Walter Trust. A Waiver of Service has been returned, signed on behalf of the trust by trustee Diane J. Walter. *See* Exhibit 159.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request that Diane J. Walter as an individual be dismissed; the Diane J. Walter Trust be substituted; and a finding that service is complete as to the Trust.

160. Deborah A. Warzynski: *see* Robert R. Warzynski, below.

161. Robert R. Warzynski:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Warzynskis have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 160 and 161.

c. Counsel: None indicated.

d. Address for service: Deborah A. and Robert R. Warzynski
1533 Alba Vista
Gardnerville, NV 89410

e. Requested action(s): We request a finding that service is complete as to Deborah A. Warzynski and Robert R. Warzynski.

162. Glenn E. Watters: *see* Helen P. Watters, below.

163. Helen P. Watters:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Watters each returned a signed Notice of Appearance. *See* Exhibits 162 and 163.

c. Counsel: None indicated.

d. Address for service: Glenn E. and Helen P. Watters
9 W. Lemos Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Glenn E. Watters and Helen P. Watters.

164. Arlene Joy Weeks:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation has shown that Ms. Weeks conveyed her portion of the water right at issue to Mike L. Weeks, who has yet to respond. *See* Exhibit 164.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): Dismissal.

165. Barton W. Welsh: *see* Olivia W. Welsh, below.

166. Olivia W. Welsh:

a. Basis for inclusion: CMO 3.c

b. Status of service: Barton Welsh has returned a signed Waiver of Service for himself. Another, unsigned, form has been returned on behalf of Olivia Welsh. *See* Exhibits 165 and 166. The water right at issue is held jointly by the Welshes.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to both Barton W. Welsh and Olivia W. Welsh.

167. Anna L. Wertz: *see* Donald R. Wertz, Sr., below.

168. Donald R. Wertz, Sr.:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mr. and Mrs. Wertz have each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 167 and 168.

c. Counsel: None indicated.

d. Address for service: Anna L. and Donald R. Wertz, Sr.
24 Fox Lane
Yerington, NV 89447

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

Wertz and Donald R. Wertz, Sr.

169. Cheryle A. West: *see* Robert W. West, Jr. below.

170. Robert W. West, Jr.:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Wests have each returned a signed Waiver of Service. We believe that these Waivers were mailed subsequent to personal Service of Process. *See* Exhibits 169 and 170.

c. Counsel: None indicated.

d. Address for service: n/a

e. Requested action(s): We request a finding that service is complete as to Cheryle A. West and Robert West.

171. Paula S. Westerman: *see* Theodore N. Westerman, Jr., below.

172. Theodore N. Westerman, Jr.:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Westermans have each returned a signed Notice of Appearance. *See* Exhibits 171 and 172.

c. Counsel: None indicated.

d. Address for service: Paula S. and Theodore N. Westerman, Jr.
P. O. Box 1550
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Paula S. Westerman and Theodore N. Westerman, Jr.

173. Robin L. Wheat:

a. Basis for inclusion: CMO 3.a

b. Status of service: Subsequent to personal Service of Process, Ms. Wheat returned a signed Notice of Appearance. *See* Exhibit 173.

c. Counsel: None indicated.

d. Address for service: Robin L. Wheat
7075 Dover Way
Arvada, CO 80004

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

174. Martha Wilson: *see* Wylie Wilson, below.

175. Wylie Wilson:

a. Basis for inclusion: CMO 3.c

b. Status of service: Subsequent to personal Service of Process, the Wilsons have signed and returned Notices of Appearances. *See* Exhibits 174 and 175.

c. Counsel: None indicated.

d. Address for service: Martha and Wylie Wilson
1317 Raeline Lane
Minden, NV 89423

e. Requested action(s): We request a finding that service is complete as to Martha Wilson and Wylie Wilson.

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
1961 Stout Street, 8th Floor
Denver, CO 80294
303-844-1348

By: Susan L. Schneider
Susan L. Schneider

Date: 21 June 2007

Attorney for the United States of America

CERTIFICATE OF SERVICE

I hereby certify that on this 21st[th] day of June 2007, I electronically filed the foregoing ELEVENTH REPORT OF THE UNITED STATES OF AMERICA CONCERNING STATUS OF SERVICE ON CERTAIN PERSONS AND ENTITIES with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following via their email address:

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and I further certify that I served a copy of the foregoing to the following non CM/ECF participants by U.S. Mail, postage prepaid, this 21st day of June 2007:

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