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303/844-1348

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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 THIRTEENTH 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 thirteenth 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 April 15, 2008, 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:

Part One:

1. Stanley J. Allen:

   a. Basis for inclusion: CMO 3.c

   b. Status of service: Stanley J. Allen returned Waiver of Service and Notice of Appearance forms. *See* Exhibit 1.

   c. Counsel: None indicated.

   d. Address for service:

      Stanley J. Allen
      4737 W. Laurie Lane
      Glendale, AZ 85302

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

2. Arnold L. Anderson:

   a. Basis for inclusion: CMO 3.c

   b. Status of service: Further research has shown that Arnold L. Anderson is deceased and the property is currently owned by William J Bray, who is already a party to this action. *See* Ninth Report of the United States Concerning Status of Service. *See* Exhibit 2.

   c. Counsel: None indicated.

   d. Address for service:

      Arnold L. Anderson

   e. Requested action(s): We request the Arnold L. Anderson be dismissed.

3. Lois Allen Baker, nee Cloutier:

   a. Basis for inclusion: CMO 3.c

   b. Status of service: Lois Allen Baker, nee Cloutier, returned a signed Waiver of Service form. *See* Exhibit 3.

   c. Counsel: None indicated.

   d. Address for service:

      Lois Allen Baker
      PO Box 475
      Wellington, NV 89444

   e. Requested action(s): We request that Lois A. Baker be substituted for Lois Allen Cloutier in the caption and that a finding that service is complete as to Lois A. Baker.

4. Joshua Barnes: *See* Kimberly Barnes

5. Kimberly Barnes:

   a. Basis for inclusion: CMO 3.c

   b. Status of service: Further research on this property shows Joshua R. and Kimberly Barnes are no longer on the title. Hal Johnson was served by mail on January 25, 2008. *See* Exhibit 4/5.

c. Counsel: None indicated.

d. Address for service:

Joshua Barnes
Kimberly Barnes

e. Requested action(s): We request that Kimberly and Joshua R. Barnes be dismissed.

6. Jennifer Batting:

a. Basis for inclusion: CMO 3.c

b. Status of service: Jennifer Batting returned a Notice of Appearance form. *See* Exhibit 6.

c. Counsel: None indicated.

d. Address for service:

Jennifer Batting
PO Box 300
Wellington, NV 89444

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

7. Mark R. Bell: *See* Janet Fernandez

8. Jeni [Jeannine] E. Bradley:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further research shows that Jeni Bradley is no longer on the title of the subject property. The current owners are Darrell D. Bradley, who was Personally Served on June 7, 2006, and Audrey Bradley who was served by mail on January 25, 2008. *See* Exhibit 8.

c. Counsel: None indicated.

d. Address for service:

Jeni [Jeannine] E. Bradley
PO Box 152

Moose Pass, AK 99631

e. Requested action(s): We request that Jeni [Jeannine] Bradley be dismissed.

9. 2000 Richard E. & Ronee L. Bybee Revocable Living Trust Agreement:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation determined that the Bybee Trust subdivided their parcel and sold the parcels with wells and ground water rights. The current owners are already parties to this action. The remaining parcels currently have no wells.

c. Counsel: None indicated.

d. Address for service:

2000 Richard E. & Ronee L. Bybee Revocable Living Trust Agreement
Richard E. and Ronee L. Bybee, Trustees
226 Comstock Street
Yerington, NV 89447

e. Requested action(s): We request dismissal of the 2000 Richard E. & Ronee L. Bybee Revocable Living Trust Agreement.

10. Joan E. Cartwright:

a. Basis for inclusion: CMO 3.c

b. Status of service: Joan Cartwright returned a Notice of Change of Ownership of Water Right. The notice has no information with it as to an ownership change. Lyon County records show Ms. Cartwright as the current owner and that the property has a well. *See* Exhibit 10.

c. Counsel: None indicated.

d. Address for service:

Joan E. Cartwright
23 Willhoyt Lane
Yerington, NV 89447

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

11. Tonia D. Cates:

a. Basis for inclusion: CMO 3.c

b. Status of service: Our records indicate that the property has been sold to William and Kathleen Iveson. William and Kathleen Iveson are discussed later in this report. *See* Exhibit 11.

c. Counsel: None indicated.

d. Address for service:

Tonia D. Cates
31 Amanette Way
Yerington, NV 89447

e. Requested action(s): We request dismissal of Tonia D. Cates.

12. Keith Dean Clugage 1985 Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further research shows that his property is now owned by Sherry Scott and Daniel Chichester who were served by mail on January 25, 2008. *See* Exhibit 12.

c. Counsel: None indicated.

d. Address for service:

Keith Dean Clugage 1985 Trust
c/o Wells Fargo Bank
PO Box 40908
Reno, NV 89504

e. Requested action(s): We request dismissal of the Keith Dean Clugage 1985 Trust.

13. Julie A Day:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation determined that Julie A. Day has transferred her interests. The property is currently owned by Carole J. and Ralph S. Rogers, who are already parties in this action.

c. Counsel: None indicated.

d. Address for service:

Julie A Day
PO Box 144
Yerington, NV 89447

e. Requested action(s): We request dismissal of Julie A. Day.

14. Estate of Lyle J. Dillon:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further research show that the property owned by the Estate of Lyle J. Dillon has transferred to Senorino and Delia Montes. Senorino Montes has appeared in this action, *See* Eighth Report on Service. Delia Montes was served by mail on January 25, 2008. *See* Exhibit 14.

c. Counsel: None indicated.

d. Address for service:

Estate of Lyle J. Dillon
C/O Frankie Lemos
7 ½ Green Acres Lane
Yerington, NV 89447

e. Requested action(s): We request that the Estate of Lyle J. Dillon be dismissed.

15. Dinsmore Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation determined that the Dinsmore Trust transferred their interests. All parties involved are currently parties to this proceeding.

c. Counsel: None indicated.

d. Address for service:

Dinsmore Family Trust
Robert H. and Delphine Dinsmore, Trustees
2760 Lamoille Hwy.
Spring Creek, NV 89815

e. Requested action(s): We request that the Dinsmore Family Trust be dismissed.

16. The Leo Patrick Dunn - 2004 Trust

a. Basis for inclusion: CMO 3.c

b. Status of service: Leo Dunn returned a Notice of Appearance form and a Disclaimer of Interest form stating no water rights were transferred when he bought his property. Mr. Dunn's property has a domestic well. A copy of county records is included with Exhibit 16. *See* Exhibit 16.

c. Counsel: None indicated.

d. Address for service:

The Leo Patrick Dunn - 2004 Trust
Leo Dunn, Trustee
PO Box 230
Smith NV 89430

e. Requested action(s): We request a finding that service is complete as to the Leo Patrick Dunn - 2004 Trust.

17. Lorrie K. Edney: *See* Rick W. Edney

18. Rick W. Edney:

a. Basis for inclusion: CMO 3.c

b. Status of service: Rick and Lorrie Edney returned Notice of Appearance forms. *See* Exhibits 17 and 18.

c. Counsel: None indicated.

d. Address for service:

Lorrie K. and Rick W. Edney
20 Miller Ridge Rd.
Wellington, NV 80444

e. Requested action(s): We request a finding that service is complete as to Rick W. and Lorrie K. Edney.

19. Richard D. Evans:

a. Basis for inclusion: CMO 3.c

b. Status of service: Richard D. Evans returned a Waiver of Service form. *See* Exhibit 19.

c. Counsel: None indicated.

d. Address for service:

Richard D. Evans
1332 Sherwood Drive
Concord, CA 94521

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

20. Janet Fernandez:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mark R. Bell and Janet Fernandez each returned Disclaimer of Water Rights Notices. Included with the disclaimers are a Well Drillers Report, Building Permit and Resolution for the Dayton Water Authority. We believe they are referring to the ditch on their property and not their well. *See* Exhibits 7 and 20.

c. Counsel: None indicated.

d. Address for service:

Mark Bell and Janet Fernandez
4609 Downing Court
Granite Bay, CA 95746

e. Requested action(s): We request a finding that service is complete as to Mark R. Bell and Janet Fernandez.

21. Estate of Helen Friedhoff:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further research shows that the estate of Helen Friedhoff distributed the property to Ruth E. Bobrick, a party to this proceeding by Personal Service on 5/15/2005, and Lynn Frances Humphries, who has yet to be served. *See* Exhibit 21.

c. Counsel: None indicated.

d. Address for service: Estate of Helen Friedhoff
c/o Ruth E. Bobrick
8 E. Tognoli, Lane
Yerington, NV 89447

e. Requested action(s): We request that George W. Friedhoff, Jr., who predeceased Helen Friedhoff, and Helen Friedhoff be dismissed and Lynn Frances Humphries be substituted into this proceeding.

22. Tedrow James and Marilynn Ruth Gates 2002 Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Tedrow and Marilynn Gates each returned signed Waiver of Service forms as trustees. *See* Exhibit 22.

c. Counsel: None indicated.

d. Address for service: Tedrow James and Marilynn Ruth Gates 2002 Family Trust
Tedrow and Marilynn Gates, Trustees
PO Box 1407
Valley Springs, CA 95252

e. Requested action(s): We request a finding that service is complete as to the Tedrow James and Marilynn Ruth Gates 2002 Family Trust.

23. Lloyd P. Giovacchini:

a. Basis for inclusion: CMO 3.c

b. Status of service: Lloyd P. Giovacchini returned signed Waver of Service and Notice of Appearance forms. *See* Exhibit 23.

c. Counsel: None indicated.

d. Address for service:
Lloyd P. Giovacchini
154 Hudson Aurora Rd.
Smith, NV 89430

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

24. Grover S. Glasner Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Grover S. Glasner returned signed Waiver of Service and Notice of Appearance forms for the trust. *See* Exhibit 24.

c. Counsel: None indicated.

d. Address for service:

Grover S. Glasner Trust
Grover F. Glasner, Trustee
50 Amber Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to the Grover S. Glasner Trust.

25. Donald H. Goede: *See* Mary J. Goede

26. Mary J. Goede :

a. Basis for inclusion: CMO 3.c

b. Status of service: Donald H. and Mary J. Goede returned Waiver of Service forms. *See* Exhibits 25 and 26.

c. Counsel: None indicated.

d. Address for service:

Donald H. and Mary J. Goede
32 HWY. 208
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Donald H. and Mary J. Goede.

27. Lorolyn A. Gorrindo:

a. Basis for inclusion: CMO 3.c

b. Status of service: Lorolyn A. Gorrindo returned a signed Waiver of Service form. *See* Exhibit 27.

c. Counsel: None indicated.

d. Address for service:

Lorolyn A. Gorrindo
PO Box 2773
Minden, NV 89423

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

28. John R. Gourley:

a. Basis for inclusion: CMO 3.c

b. Status of service: John Gourley returned Waiver of Service, Notice of Appearance and Notice of Change of Ownership forms. *See* Exhibit 28.

c. Counsel: None indicated.

d. Address for service:

John R. Gourley
6421 Crystal Blvd.
El Dorado, CA 95623

e. Requested action(s): We request dismissal of John R. Gourley based on the evidence provided that he quitclaimed all of his Nevada property rights to Patricia L. Gourley who is already a party to this action.

29. Norman C. Haworth :

a. Basis for inclusion: CMO 3.c

b. Status of service: Norman Haworth returned Waiver of Service and Notice of Appearance forms. *See* Exhibit 29.

c. Counsel: None indicated.

d. Address for service:

Norman C. Haworth
PO Box 148

Smith, NV 89430

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

30. Iris Higgins: *See* Oyd Higgins

31. Oyd Higgins:

a. Basis for inclusion: CMO 3.

b. Status of service: Oyd Higgins returned signed waiver of Service forms for herself and as legal guardian for Iris Higgins. A note was also attached stating that they are not interested in joining in this lawsuit. *See* Exhibit 30/31.

c. Counsel: None indicated.

d. Address for service:

Oyd Higgins
16 Circle Dr.
Wellington, NV 89444

e. Requested action(s): We request the a finding that service is complete as to Oyd Higgins and Iris Higgins.

32. Michael L. Hill:

a. Basis for inclusion: CMO 3.c

b. Status of service: Continuing research shows that the parcel owned by Mr. Hill has transferred to Patrick H. and Kathleen D. Griffin. The Griffins were served by mail on January 25, 2008. *See* Exhibit 32.

c. Counsel: None indicated.

d. Address for service:

Michael L. Hill
PO Box 19985
Carson City, NV 89721

e. Requested action(s): We request dismissal of Michael L. Hill.

33. Mark S. Holderman: *See* Robyn Holderman

34. Robyn Holderman:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mark S. and Robyn Holderman returned signed Waiver of Service forms. *See* Exhibits 33 and 34.

c. Counsel: None indicated.

d. Address for service:

Mark S. and Robyn Holderman
204 N. Hwy 95A
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Mark S. and Robyn Holderman.

35. Kathleen R. Iveson: *See* William J. Iveson

36. William J. Iveson:

a. Basis for inclusion: CMO 3.c

b. Status of service: Kathleen R. and William J. Iveson returned signed Waiver of Service forms. *See* Exhibit 35 and 36.

c. Counsel: None indicated.

d. Address for service:

William J. Iveson
21797 Joyce Ct.
Sonora, CA 95370

e. Requested action(s): We request a finding that service is complete as to Kathleen R. and William J. Iveson.

37. James A. Knudson:

a. Basis for inclusion: CMO 3.c

b. Status of service: James A. Knudson returned a Disclaimer of Water Rights form. On it he states that a well was installed for personal use. *See* Exhibit 37.

c. Counsel: None indicated.

d. Address for service:

James A. Knudson
PO Box 996
Yerington, NV 89447

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

38. Michele R. Kuhl: *See* Ronald Kuhl

39. Ronald H. Kuhl:

a. Basis for inclusion: CMO 3.c

b. Status of service: Michele and Ronald Kuhl returned signed Waiver of Service forms. *See* Exhibits 38 and 39.

c. Counsel: None indicated.

d. Address for service:

Michele R. and Ronald H. Kuhl
4635 Fircroft Avenue
Covino, CA 91722

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

40. Barbara C. Matlean: *See* Milton Matlean

41. Milton Matlean:

a. Basis for inclusion: CMO 3.c

b. Status of service: Barbara and Milton Matlean returned Notice of Appearance forms. *See* Exhibits 40 and 41.

c. Counsel: None indicated.

d. Address for service:

Barbara and Milton Matlean
PO Box 21531

Carson City, NV 89721

e. Requested action(s): We request a finding that service is complete as to Barbara and Milton Matlean.

42. Carol A. Mehlschau: *See* John H. Mehlschau

43. John H. Mehlschau:

a. Basis for inclusion: CMO 3.c

b. Status of service: John H. and Carol A. Mehlschau returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 42 and 43.

c. Counsel: None indicated.

d. Address for service:

Carol A. and John H. Mehlschau
271 Angelina Ct.
Wellington, NV 89444

e. Requested action(s): We request a finding that service is complete as to John H. and Carol A. Mehlschau.

44. Suzanne Miller:

a. Basis for inclusion: CMO 3.c

b. Status of service: John P. Schlegelmilch, Esq. returned a Notice of Appearance form for Suzanne Miller. *See* Exhibit 44.

c. Counsel: John P. Schlegelmilch, Esq.

d. Address for service:

Suzanne Miller
C/O John P. Schlegelmilch, Esq.
30 Broadway Ave.
Yerington, NV 89447

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

45. Renee Mouchou:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further research has shown that Renee Mouchou was named in error.

c. Counsel: None indicated.

d. Address for service:

Renee Mouchou
1970 W. 6th Street
Reno, NV 89503

e. Requested action(s): We request dismissal of Renee Mouchou.

46. Delores A. Munro:

a. Basis for inclusion: CMO 3.c

b. Status of service: Delores A. Munro returned a Notice of Appearance form. *See* Exhibit 46.

c. Counsel: None indicated.

d. Address for service:

Delores A. Munro
185 Sunset Hills Drive
Yerington, NV 89447

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

47. Henry P. Nelson, Jr.: *See* Joan G. Nelson

48. Joan G. Nelson:

a. Basis for inclusion: CMO 3.c

b. Status of service: Recent research on the property shows that the parcel is now owned by William J. Bray, Sr., who is already a party to this action. *See* Ninth Report on Service. *See* Exhibit 47/48.

c. Counsel: None indicated.

d. Address for service:

Henry P. and Joan G. Nelson
2387 Old Alturas Road
Redding, CA 96003

e. Requested action(s): We request dismissal of Henry P. Nelson, Jr. and Joan G. Nelson.

49. Birdella Ohl: *See* Robert Ohl

50. Robert Ohl:

a. Basis for inclusion: CMO 3.c

b. Status of service: John P. Schlegelmilch, Esq. returned a Notice of Appearance form for Robert Ohl and Birdella Ohl. *See* Exhibits 49 and 50.

c. Counsel: John P. Schlegelmilch, Esq.

d. Address for service:

Robert and Birdella Ohl
C/O John P. Schlegelmilch, Esq.
30 Broadway Ave.
Yerington, NV 89447

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

51. Palya Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Jimmie and Thomas Palya returned a signed Waiver of Service form. *See* Exhibit 51.

c. Counsel: None indicated.

d. Address for service:

Palya Family Trust
Jimmie Palya and Thomas Palya, Trustees
PO Box 1344
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to the Palya Family Trust.

52. David Wallace Park: *See* Mary Park

53. Mary Park:

a. Basis for inclusion: CMO 3.c

b. Status of service: Brad M. Johnson returned a Notice of Appearance form for David Wallace and Mary Park. *See* Exhibit 52/53.

c. Counsel: Brad M. Johnson, Esq.

d. Address for service: Mary and David Wallace Park
C/O Brad M. Johnson, Esq.,
Hale Lake Peek Dennison and Howard
5441 Kietzke Lane, 2nd Floor
Reno, NV 89511

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

54. Paul E. Patrick, V.: *See* Roberta L. Patrick

55. Roberta L. Patrick:

a. Basis for inclusion: CMO 3.c

b. Status of service: Paul and Roberta Patrick each returned Waiver of Service and Notice of Appearance forms. *See* Exhibits 54 and 55.

c. Counsel: None indicated.

d. Address for service:
Roberta L. and Paul E. Patrick, V
9 Knudson Lane
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Roberta L. and Paul E. Patrick, V.

56. Darlene Peters: *See* Glen Peters

57. Glen Peters:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further investigation determined that the Peters transferred their water rights to the Glen and Darlene Peters Living Trust. The Trust was Personally Served on November 2, 2005.

c. Counsel: None indicated.

d. Address for service:

Glen and Darlene Peters
2315 Old Lake Road
Merced, CA 95340

e. Requested action(s): We request the dismissal of Glen A. and Darlene F. Peters and the substitution with the Glen and Darlene Peters Living Trust.

58. Pillow Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Charlotte Pillow returned a Waiver of Service form for the Trust. *See* Exhibit 58.

c. Counsel: None indicated.

d. Address for service:

Pillow Family Trust
Charlotte Pillow, Trustee
4841 Cedar Drive
Camino, CA 95709

e. Requested action(s): We request a finding that service is complete as to the Pillow Family Trust.

59. Donald J. Pokorni Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Donald J. Pokorni, returned a Notice of Appearance form for the Trust. *See* Exhibit 59.

c. Counsel: None indicated.

d. Address for service: Donald J. Pokorni Trust
Donald J. Pokorni, Trustee
23 Garms Circle
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete as to the Donald J. Pokorni Trust.

60. Mike Powell: *See* Tana Powell

61. Tana Powell:

a. Basis for inclusion: CMO 3.c

b. Status of service: Mike and Tana Powell each returned signed Waiver of Service and Notice of Appearance forms. *See* Exhibits 60 and 61.

c. Counsel: None indicated.

d. Address for service:
Mike and Tana Powell
531 Hugo Street
San Francisco, CA 94127

e. Requested action(s): We request a finding that service is complete as to Mike and Tana Powell.

62. Dennis Roe: *See* Shannon Roe

63. Shannon Roe:

a. Basis for inclusion: CMO 3.a

b. Status of service: Thomas Balbo filed a Notice of Change of Ownership form showing Dennis and Shannon Roe as the new owners. The property in question was served by mail on 6/4/2004 to Andrew Rosaschi. We have no record that Thomas Balbo or Andrew Rosaschi acknowledged service prior to transfer to the Roes. *See* Exhibit 62/63.

c. Counsel: None indicated.

d. Address for service:

Dennis and Shannon Roe
PO Box 774
Yerington, NV 89447

e. Requested action(s): We request that Andrew Rosaschi be dismissed and Dennis and Shannon Roe be substituted. We request a finding that service is complete as to Dennis and Shannon Roe.

64. Frederick E. Sellers:

a. Basis for inclusion: CMO 3.c

b. Status of service: John P. Schlegelmilch, Esq., returned a Notice of Appearance form for Frederick E. Sellers. *See* Exhibit 64.

c. Counsel: John P. Schlegelmilch

d. Address for service:

Frederick E. Sellers
C/O John P. Schlegelmilch
30 Broadway Ave.
Yerington, NV 89447

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

65. Helen L. Sherwood: *See* Stephanie L. Steele

66. Chris A. Sorensen: *See* Louise M. Sorensen

67. Louise M. Sorensen:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further research shows that the property is no longer owned by the Sorensens. The current owner, Katherine Vaughan was served by mail on January 25, 2008.

c. Counsel: None indicated.

d. Address for service:

Chris A. and Louise M. Sorensen
8 Santa Sophia, Apt 91
Wellington, NV 89444

e. Requested action(s): We request dismissal of Chris A. and Louise M. Sorensen.

68. Stephanie L. Steele:

a. Basis for inclusion: CMO 3.c

b. Status of service: This property has been transferred to Roger H. and Cheryl Hansen who were served by mail on January 25, 2008.

c. Counsel: None indicated.

d. Address for service:

Stephanie L. Steele
PO Box 737
Dolan Springs, AZ 86441

e. Requested action(s): We request that Stephanie Steele and Helen Sherwood be dismissed.

69. Charles Stottlemeyer: *See* Edne Stottlemeyer

70. Edne Stottlemeyer:

a. Basis for inclusion: CMO 3.c

b. Status of service: Charles and Edna Stottlemeyer each returned a Notice of Appearance form. Charles Stottlemeyer also returned a Notice of Change of Ownership of Water Right form with Charles and Edna Stottlemeyer as the buyers. Edna Stottlemeyer returned a Disclaimer of Interest in Water Right form with the Stottlemeyer's deed as an attachment. We have included in the exhibits a copy of the improvement page from the Lyon County Assessors Office showing the property having a well. *See* Exhibits 69 and 70.

c. Counsel: None indicated.

d. Address for service:

Edne and Charles Stottlemeyer
2 Panavista Circle
Yerington, NV 89447

e. Requested action(s): We request a finding that service is complete as to Edna and Charles Stottlemeyer.

71. Gayle A. Szeredy:

a. Basis for inclusion: CMO 3.c

b. Status of service: Gayle A. Szeredy returned a Waiver of Service form. *See* Exhibit 71.

c. Counsel: None indicated.

d. Address for service:

Gayle A. Szeredy
108 CR 240A
Cameron, TX 76520

e. Requested action(s): Re request a finding that service is complete as to Gayle A. Szeredy.

72. Michael J. Tornesello:

a. Basis for inclusion: CMO 3.c

b. Status of service: Michael J. Tornesello returned a Notice of Appearance form. *See* Exhibit 72.

c. Counsel: None indicated.

d. Address for service:

Michael J. Tornesello
29 Marney Lane
Wellington, NV 89444

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

73. David J. Tyndall:

a. Basis for inclusion: CMO 3.c

b. Status of service: David James Tyndall returned a signed Waiver of Service form. *See* Exhibit 73.

c. Counsel: None indicated.

d. Address for service:

David J. Tyndall
PO Box 2773
Minden, NV 89423

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

74. Weir Family Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Verona Weir returned a note on the Notice in Lieu of Summons stating that they were on city water. We rechecked the records on this property and find that the Weir Family Trust was served in error. *See* Exhibit 74.

c. Counsel: None indicated.

d. Address for service:

Weir Family Trust
Curtis A. and Verona L. Weir, Trustees
244 HWY. 339
Yerington, NV 89447

e. Requested action(s): We request dismissal of the Weir Family Trust.

75. Camille G. Wray Revocable Trust:

a. Basis for inclusion: CMO 3.c

b. Status of service: Further research shows that the property interests are now owned by Craig and Elizabeth Ontiveros, who were served by mail on January 25, 2008. *See* Exhibit 75.

c. Counsel: None indicated.

d. Address for service: No current address available

e. Requested action(s): We request dismissal of the Camille G. Wray Revocable Trust.

76. Yerington Enterprises, LLC.:

a. Basis for inclusion: CMO 3.c

b. Status of service: William Donnelly, manager for Yerington Enterprises, LLC returned a Waiver of Service form. *See* Exhibit 76.

c. Counsel: None indicated.

d. Address for service: Yerington Enterprises, LLC.
William Donnelly, Manager
654 County Drive
Fernley, NV 89408

e. Requested action(s): We request a finding that service is complete as to Yerington Enterprises, LLC.

77. Darlene S. Zippwald: *See* Jack C. Zippwald

78. Jack C. Zippwald:

a. Basis for inclusion: CMO 3.c

b. Status of service: Darlene S. and Jack C. Zippwald returned a Notice of Change of Ownership of Water Right form with no information on it. County records show that the Zippwalds are the current owners and that there is a well on site. *See* Exhibit 77/78.

c. Counsel: None indicated.

d. Address for service:
Darlene S. and Jack C. Zippwald
65 Garms Circle
Smith, NV 89430

e. Requested action(s): We request a finding that service is complete as to Darlene S. and Jack C. Zippwald.

Part Two:

79. Joseph Kircher:

a. Basis for inclusion: CMO 3.c

b. Status of service: Kurt and Nancy Werner filed a Notice of Change showing transfer of property to Joseph Kircher. Service on this property was completed to John H. and Susan Davenport. *See* Seventh Report on Service. The Werners

continue to own property and water rights related to this action, they were served by mail on Jan. 25, 2008. *See* Exhibit 79/88/89.

c. Counsel: None indicated.

d. Address for service:

Joseph Kircher
1331 Antelope Valley Road
Reno, NV 89506

e. Requested action(s): We request dismissal of John H. and Susan Davenport and substitution of Joseph Kircher.

80. Jack Kraske: *See* Sandra L. Kraske

81. Sandra L. Kraske:

a. Basis for inclusion: CMO 3.c

b. Status of service: John C. Warr filed a notice of Change of Ownership form. The transfer to Jack and Sandra Kraske is for only a portion of Mr. Warr's overall properties. Mr. Warr continues to own water rights affected by this proceeding. *See* Exhibit 80/81.

c. Counsel: None indicated.

d. Address for service:

Jack and Sandra L. Kraske
2391 57th Street West
Rosamond, CA 93560

e. Requested action(s): We request the addition of Jack and Sandra L. Kraske to this proceeding. No further service is required.

82. Diane Suzan Nagel: *See* Rodney Lee Stephens

83. Nordyke Properties, LLC:

a. Basis for inclusion: CMO 3.c

b. Status of service: The Seubert Family Limited Partnership filed a Notice of Change of Ownership of Water Right form showing transfer of water rights to Nordyke Properties, LLC. *See* Exhibit 83.

c. Counsel: None indicated.

d. Address for service: Nordyke Properties, LLC
291 Osborne Lane
Yerington, NV 89447

e. Requested action(s): We request dismissal of The Seubert Family Limited Partnership and substitution of Nordyke Properties, LLC.

84. Guadalupe V. Quiroga:

a. Basis for inclusion: CMO 3.c

b. Status of service: Guadalupe V. Quiroga filed a Notice of Change of Ownership of Water Right. Rights were transferred to Hector Quiroga, who is a party to this proceeding. *See* Exhibit 84.

c. Counsel: None indicated.

d. Address for service:
Guadalupe V. Quiroga
1336 Leonard Rd.
Gardnerville, NV 89460

e. Requested action(s): We request dismissal of Guadalupe V. Quiroga.

85. Eldon L. Riddle:

a. Basis for inclusion: CMO 3.c

b. Status of service: A Notice of Change of Ownership of Water Rights was filed showing property transfer to Eldon L. Riddle. Service for this property was originally to LaJune F. Kyler. *See* Exhibit 85.

c. Counsel: None indicated.

d. Address for service:
Eldon L. Riddle
20 S. Main Street
Yerington, NV 89447

e. Requested action(s): We request dismissal of LaJune F. Kyler with substitution of Eldon L. Riddle.

86. Rodney Lee Stephens:

a. Basis for inclusion: CMO 3.c

b. Status of service: William L. and Dianne P. Hawhee submitted a Notice of Change of Ownership of Water Right. Rights were transferred to Rodney Lee Stephens and Diane Suzan Nagel. *See* Exhibit 86/82.

c. Counsel: None indicated.

d. Address for service: Diane Suzan Nagel
Rodney Lee Stephens
PO Box 599
Yerington, NV 89447

e. Requested action(s): We request dismissal of William L. and Dianne P. Hawhee and substitution of Diane Suzan Nagel and Rodney Lee Stephens.

87. Westfork:

a. Basis for inclusion: CMO 3.c

b. Status of service: Kirk C. Johnson, Esq. Submitted a Notice of Change of Ownership of Water Rights for transfer from the Cal Neva Cattle Company to Westfork. *See* Exhibit 87.

c. Counsel: Kirk C. Johnson, Esq., of Robertson & Benevento

d. Address for service: Westfork
C/O Robertson & Benevento
50 West Liberty Street, Suite 600
Reno, NV 89501

e. Requested action(s): We request dismissal of Cal Neva Cattle Company and substitution of Westfork in this proceeding.

88. Kurt Werner: *See* Joseph Kircher and Nancy Werner

89. Nancy Werner: also *See* Joseph Kicher

a. Basis for inclusion: CMO 3.c

b. Status of service: Kurt and Nancy Werner filed a Notice of Change showing

transfer of property to Joseph Kircher. Service on this property was completed to John H. and Susan Davenport. *See* Seventh Report on Service. The Werners continue to own property and water rights related to this action. *See* Exhibit 80/87/88.

c. Counsel: None indicated.

d. Address for service:

Kurt and Nancy Werner
538 Pete Hendricks Road
Yerington, NV 89447

e. Requested action(s): We request and a finding that service is complete as to Kurt and Nancy Werner.

CONCLUSION

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

Dated: March 24, 2008

Respectfully submitted,

Greg Addington, Assistant United States Attorney

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