

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.,

) We are not aware  
) of any water rights  
) on our property, since  
) we have been on  
) City Water since purchasing  
) in 2003. V.L. Weir  
) IN EQUITY NO. C-125 9-2-07  
) SUBFILE NO. C-125-B  
)  
)

NOTICE IN LIEU OF  
SUMMONS

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

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

**You are hereby summoned and required to file** with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Paiute Tribe, which are herewith served upon you.

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

Copies of your NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE shall

also be mailed to:

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

Wes Williams, Jr.  
Attorney for the Walker River Paiute Tribe  
Law Offices of Wes Williams, Jr.  
P. O. Box 100  
Schurz, NV 89427

Gordon DePaoli  
Attorney for the Walker River Irrigation  
District  
Woodburn and Wedge  
P.O. Box 2311  
Reno, NV 89505-2790

Marta Adams  
Attorney for the State of Nevada  
100 N. Carson St.  
Carson City, NV 89701

Michael W. Neville  
Deputy Attorney General  
California Attorney General's Office  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-3664

The plaintiff, the United States of America, has filed a FIRST AMENDED COUNTERCLAIM in the United States District Court for the District of Nevada, in an action entitled *United States v. Walker River Irrigation District*. The plaintiff-intervenor, Walker River Paiute Tribe, has also filed a FIRST AMENDED COUNTERCLAIM in the same case. A copy of each FIRST AMENDED COUNTERCLAIM is attached to this notice. The documents have been filed in the District Court and have been assigned docket number In Equity C-125, Subfile C-125-B. Also attached is the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case.

The materials in this package include seven [7] documents that you should review; please note that two of these documents address the sale or other conveyance of your water rights or if you believe that you should not be a party to this lawsuit. These documents are listed in Attachment A to this Notice in Lieu of Summons, and are explained below. **Please read these materials carefully, as they are important to your legal rights and legal obligations.**

There are also two Orders included herein that require you to provide certain information to the Court and the United States in two different circumstances. First, the Court anticipates use of the form attached to the ORDER – DISCLAIMER OF INTEREST in connection with the initial service upon you of the documents in this package if you have no interest in any water right within any of the nine categories of PARAGRAPH 3 of the CASE MANAGEMENT ORDER (Apr. 18, 2000). If you contend that you have been included in this litigation in error because you have no such interest, you should follow the directions in the

ORDER – DISCLAIMER OF INTEREST and provide the information and documents requested. Following receipt of any DISCLAIMERS OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER and the accompanying information and documents, plaintiffs will review the materials received and, if appropriate, seek the Court’s concurrence in omitting you from this case.

Second, the Court intends use of the form attached to the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS for each and every sale or other conveyance of the ownership of all or a portion of any water right within any of the nine categories set forth in PARAGRAPH 3 of the CASE MANAGEMENT ORDER (Apr. 18, 2000). This Order requires you to notify the Court if you transfer any portion of your water right to another person or entity. That notice must include identification of the water right subject to the transfer, the nature of the transfer, and the name and address of the recipient of the water right. You should review this Order carefully and retain copies of it and the attached form entitled NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT for your use.

Lance Wilson, Clerk of Court

Dated: AUG 24 2007.

  
Wayne Julian, Deputy Clerk of the Court



This Notice is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure and the CASE MANAGEMENT ORDER (Apr. 18, 2000).

Attachment A

Enclosed are the following seven [7] documents:

1. *Notice in Lieu of Summons: That is the title of this document (see title at the top of this page). Please begin your review with this 5-page double-sided document.*
2. *Notice of Appearance and Intent to Participate: (This document is single-sided.) You are hereby summoned and required to file this Notice of Appearance and Intent to Participate with the United States District Court for the District of Nevada within 60 days after service upon you of the enclosed First Amended Counterclaim of the United States of America and the First Amended Counterclaim of the Walker River Paiute Tribe. You must file the original with the District Court and send a copy of the document to each of the attorneys identified above. Please keep a copy of the document for your records.*
3. *First Amended Counterclaim of the United States of America (July 31, 1997). (This document is double-sided.)*
4. *First Amended Counterclaim of the Walker River Paiute Tribe (July 31, 1997). (This document is double-sided.)*
5. *Case Management Order (Apr. 18, 2000). (This document is double-sided.)*
6. *Order and Form -- Disclaimer of Interest: This Order requires you to notify the Court and the United States if you contend that you have been included in this litigation in error because you have no interest in any water right within any of the nine categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000). If you contend that you have been included in this litigation in error, the Order -- Disclaimer of Interest also requires you to provide certain information and documents related to the transfer of water rights that would be part of this litigation. If you disclaim any water right in this litigation, you must comply with the Order -- Disclaimer of Interest, and you may use the form entitled Disclaimer of Interest in Water Rights and Notice of Related Information and Documentation Supporting Disclaimer, which is attached to the Order -- Disclaimer of Interest, to provide this information. (The Order -- Disclaimer of Interest is double-sided. The form Disclaimer of Interest in Water Rights and Notice of Related Information and Documentation Supporting Disclaimer is single-sided.) Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.*
7. *Order and Form Regarding Changes in Ownership of Water Rights: This Order requires you to notify the Court and the United States whenever during the course of this litigation you sell or otherwise convey ownership of all or a portion of any water right within any of the nine categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000). If you sell or otherwise convey any water right in*

*this litigation, you must comply with the Order Regarding Changes in Ownership of Water Rights, and may use the form entitled Notice of Change of Ownership of Water Right, which is attached to the Order Regarding Changes in Ownership of Water Rights, to provide this information. You should retain this Order and the attached form for use whenever appropriate during the course of this litigation. You may also wish to make additional copies of the form attached to the Order for use if you sell or otherwise convey ownership of applicable water rights on more than one occasion during the course of this litigation. You should note that this Order also requires you to provide certain information and documents related to the transfer of water rights. (The Order Regarding Changes in Ownership of Water Rights is double-sided. The form Notice of Change of Ownership of Water Right is single-sided.)*

J Walk - Ownership History - Names Only

(This image has been scaled to fit the page.)

Additional Information



Assessor's Secured Property Roll

Note: will automatically disconnect if no activity for five minutes

Parcel # 009-085-02      11      NORTH STAR DR      SMITH VALLEY

Current Owners		Prior Owners		
Date	Name	From	To	Name
2007	ONTIVEROS, CRAIG S ET AL	2003	2007	WRAY, CAMILLE G TR
2007	ONTIVEROS, ELIZABETH D	2003	2003	WRAY, CAMILLE G
		1997	2003	DIEDRICHSSEN, MADELYN VEAGH
		2003	2002	LEWIS, HARDY D & MARILYN S
		2003	2002	LEWIS, MARILYN S
		1986	1997	DONOVAN, SUSAN
		1986	1997	DONOVAN, JAMES P & SUSAN

Show Names & Addresses

- Back
- Previous Parcel
- Next Parcel
- Clear Systems

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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

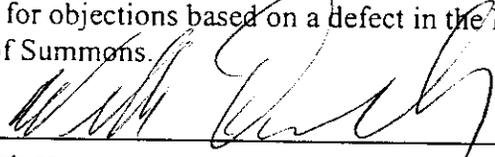
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF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

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

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

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

Date: 30 MAR 2008



Signature  
WILLIAM DONNELLY

Printed/Typed Name

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

(Title)  
YERINGTON ENTERPRISES, LLC  
(Corporate, Trust, Partnership or other entity)

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

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

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

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

FILED  
 RECEIVED  
 MAR 30 2008  
 CLERK US DISTRICT COURT  
 DISTRICT OF NEVADA  
 BY: \_\_\_\_\_ DEPUTY  
 COUNSEL/PARTIES OF RECORD

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEVADA

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 8 UNITED STATES OF AMERICA, )  
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 9 Plaintiff, ) In Equity No. C-125-ECR  
 ) Subfile No. C-125-B  
 10 WALKER RIVER PAIUTE TRIBE, )  
 )  
 11 Plaintiff-Intervenor, ) NOTICE OF CHANGE OF  
 ) OWNERSHIP OF WATER RIGHT  
 )  
 12 v. )  
 )  
 13 WALKER RIVER IRRIGATION DISTRICT, )  
 )  
 14 a corporation, et al., )  
 )  
 15 Defendants. )

16  
 17 The undersigned counter-defendant in the above action hereby notifies the Court and the  
 18 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has  
 19 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of  
 20 the categories set forth in Paragraph 3 of the Case Management Order and provides the  
 21 following information:

22 1. The name and address of the party or parties who sold or otherwise conveyed  
 23 ownership:

24 Name(s)

25 Street or P.O. Box

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Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

Name(s)

Street or P.O. Box

Town or City State ZipCode

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

- Deed
- Court Order
- Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

such a notice, but retains such water rights, shall nevertheless, be bound by the results of this

litigation.

Executed this 16 day of FEB 2007.

[signature of counter-defendant]

*Darlene Zippwald*  
*Jack C Zippwald*

[name of counter-defendant]

Darlene Zippwald  
JACK C ZIPPWALD

[signature, if applicable, of person acting on behalf of counter-defendant]

[name, if applicable, of person acting on behalf of counter-defendant]

656 Arms  
Smith NV 89430  
[address]

[telephone number]

775-465-0073

Jack and Darlene Zippwald  
65 Garms Circle  
Smith, NV 89430

Jinda Shaver, Chief Deputy Clerk  
400 S Virginia, Suite 301  
Reno, NV 89501



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

FILED

03 JUL -8 PM 3:03

1 UNITED STATES OF AMERICA,

2 Plaintiff,

3 WALKER RIVER PAIUTE TRIBE,

4 Plaintiff-Intervenor,

5 v.

6 WALKER RIVER IRRIGATION DISTRICT,  
7 a corporation, et al.,

8 Defendants.

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BY: [Signature] WILSON  
DEPUTY

IN EQUITY NO. CV-125-ECR  
SUBFILE NO. C-125-B

U.S. DISTRICT COURT  
DISTRICT OF NEVADA  
ENTERED & SERVED  
JUL 16 2003  
COURT CLERK  
BY: [Signature]

ORDER REGARDING  
CHANGES IN OWNERSHIP  
OF WATER RIGHTS

The following background information is provided to aid in understanding the reasons for and what is required by this Order:

1. The Court has ordered that certain persons and entities be included as parties to this action because they own water rights within one or more of the nine categories set forth in Paragraph 3 of the Court's *Case Management Order* (Apr. 18, 2000).

2. During the course of this action, it is possible that a party will sell or otherwise convey ownership of all or a portion of the water rights which that party owned when brought into this action by a Waiver of Service of Notice in Lieu of Summons or by service of a Notice in Lieu of Summons.

3. A change in ownership of a water right or a portion of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of some or all of the land on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions such as conveyance to an inter vivos trust or a limited liability company. Frequently changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding they may be accomplished by an order of a court. These examples are not

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1 a exclusive list of all of the ways in which a change in ownership may occur.

2 4. It is important that the Court and the Plaintiffs be notified of changes in the  
3 ownership of water rights while this action is pending because among other things, a change in  
4 ownership may require that a new party be included in the action, or that a present party be  
5 dismissed or both.

6 Based upon the foregoing it is hereby ORDERED as follows:

7 1. If a party to this action sells or otherwise conveys ownership of all or a portion of  
8 any water right within any of the nine categories set forth in Paragraph 3 of the *Case*  
9 *Management Order* (Apr. 18, 2000)<sup>1/</sup>, that party shall, within sixty days after any such change in  
10

11 <sup>2/</sup> You should review the *Case Management Order* and *First Amended Counterclaims* filed by  
12 the United States and by the Walker River Paiute Tribe, which are included in the materials served  
13 upon you. For convenience, the nine categories of persons and entities that the Court has ordered  
14 to be served and named are listed here:

- 14 1. Category 3.a.: The successors in interest to all water rights holders under the Decree  
15 (April 14, 1936), modified, Order of Entry of Amended Final Decree to Conform to  
16 Writ of Mandate, Etc. (April 24, 1940) ("Decree").
- 16 2. Category 3.b.: All holders of surface water rights under the laws of the States of  
17 Nevada and California in the Walker River Basin who are not presently parties to this  
18 adjudication.
- 18 3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by  
19 the State of Nevada and domestic users of groundwater within Sub Basins 107  
20 (Smith Valley), 108 (Mason Valley), 110A (Schurz Subarea of the Walker Lake  
21 Valley, and 110B (Walker Lake Subarea of the Walker Lake Valley).
- 20 4. Category 3.d.: All holders of permits or certificates to pump groundwater issued by  
21 the State of Nevada within Sub Basins 106 (Antelope Valley), and 109 (East  
22 Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater  
23 Basin).
- 22 5. Category 3.e.: All users of groundwater for irrigation in California in the Walker  
23 River Basin.
- 23 6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws  
24 of the State of Nevada within the Walker River Basin.
- 24 7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin who  
25 currently use groundwater.
- 25 8. Category 3.h.: All municipal providers in California within the Walker River Basin  
26 who currently use groundwater.
- 26 9. Category 3.i.: All industrial users in Nevada within the Walker River Basin who  
27 currently use groundwater.

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ownership, notify the Court and the United States of the change in ownership.

2. The notice required by this Order shall provide the following information:

- A. The name and address of the party who sold or otherwise conveyed ownership;
- B. The name and address of each person or entity who acquired ownership; and
- C. A copy of the deed, court order or other document by which the change in ownership was accomplished.

3. The notice shall be sent to the Court and counsel for the United States addressed as follows:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

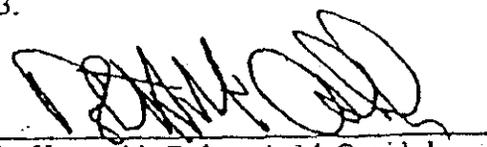
Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

4. The form and substance of the notice shall substantially conform to the form of notice attached to this order as Exhibit A.

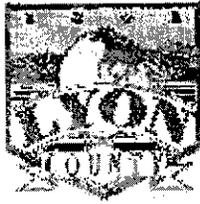
5. Any person or entity who files a Notice of Change of Ownership of Water Rights using the attached form or provides information for this purpose by other means is ultimately responsible for the accuracy of this filing. Consequently, any person or entity who files such a notice regarding water rights subject to this litigation, but retains such water rights, shall nevertheless be bound by the results of this litigation.

IT IS SO ORDERED:

Dated: July 9, 2003.

  
The Honorable Robert A. McQuaid, Jr.  
United States District Court Magistrate Judge

Additional Information



Assessor's Secured Property Roll

Note: will automatically disconnect if no activity for five minutes

Parcel Number  Prior Parcel #  Primary #

Last Updated  By  Changed

Ownership	Description	Sizes
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Legal Owner	<input type="text" value="ZIPPWALD, JACK C &amp; DARLENE S"/>	
Assessed Owner	<input type="text" value="ZIPPWALD, JACK C &amp;"/>	<input type="button" value="View available ownership detail and history for this parcel"/>
Mail Address	<input type="text" value="65 GARMS CIR"/>	
	<input type="text" value="SMITH, NV"/>	
	<input type="text" value="89430-0000"/>	
Vesting Doc #, Date	<input type="text" value="278884"/>	<input type="text" value="6/26/2002"/>
Year, Book, Page	<input type="text" value="00"/>	<input type="text" value="000"/>
Map Document #s	<input type="text" value="SM168473"/>	<input type="text"/>
Force Assmt Notice	<input type="checkbox"/>	

Your web browser must have JavaScript enabled to view this page correctly

Sngl-Fam Detached.	1	Non-Dwell Units..	0	Sq Ft Garage.	724	Att/Det	A
Sngl-Fam Attached.	0	MH Hookups....	0	# Bdrms..	3	#Baths..	2.50
Multi-Fam Units....	0	Wells.....	1	# of Stories.....			2.0
Mobile Homes.....	0	Septic Tanks....	1	Sq Ft Basement.....			0
Tot Dwell Units:	1	SqFt Bldgs	2,180	Sq Ft Fin Basement.....			0

Use/Appraisal Data

Current Land Use Code.:	200	(To change, go to Tax Year Data screen)	
Zoning Code(s).....	RR3		
Special Ownership.....		Special Prop.....	Class..... 3.50
Re-appraisal Group.....	02	Factoring Group... 00	Developer Discount.
Re-appraisal Year.....	2005	Orig Constr Year.. 1996	Weighted Year..... 0

User-defined Fields: 1st Set (F11=Show 2nd set of fields)

Mobile Home Sq Ft.....		Smaller Residence Sq Ft.	
Other Building Sq Ft....		Attached Garage Sq Ft...	724
Commercial Sq Ft.....		Detached Garage Sq Ft...	

F9=Scan >/< >    F10=Other Functions    F12=Cancel    F13=Ownership/Description  
 F15=Legal Description    F16=Misc Notes    F17=Factoring History    F20=Tax Years  
 F21=Personal Property    F22=Ag Land    F23=Exemptions    F24=Livestock Counts

FILED  
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RECEIVED  
SERVED ON  
COUNSEL/PARTIES OF RECORD

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2 AUG 29 2007

3 UNITED STATES OF AMERICA.  
CLERK US DISTRICT COURT  
DISTRICT OF NEVADA Plaintiff.  
4 DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

FILED  
23 JUL -9 PM 3:03

WILSON  
DEPUTY

5 WALKER RIVER PAIUTE TRIBE.  
6 Plaintiff-Intervenor,

IN EQUITY NO. CV-125-ECR  
SUBFILE NO. C-125-B

7 v.  
8 WALKER RIVER IRRIGATION DISTRICT  
a corporation, et al.,  
9 Defendants.

U.S. DISTRICT COURT  
DISTRICT OF NEVADA  
ENTERED & SERVED  
JUL 16 2003  
CLERK U.S. DISTRICT COURT  
DEPUTY

ORDER REGARDING  
CHANGES IN OWNERSHIP  
OF WATER RIGHTS

12 The following background information is provided to aid in understanding the reasons  
13 for and what is required by this Order:

14 1. The Court has ordered that certain persons and entities be included as parties to  
15 this action because they own water rights within one or more of the nine categories set forth in  
16 Paragraph 3 of the Court's *Case Management Order* (Apr. 18, 2000).

17 2. During the course of this action, it is possible that a party will sell or otherwise  
18 convey ownership of all or a portion of the water rights which that party owned when brought  
19 into this action by a Waiver of Service of Notice in Lieu of Summons or by service of a Notice  
20 in Lieu of Summons.

21 3. A change in ownership of a water right or a portion of a water right can occur in  
22 a number of ways and for a variety of reasons. Often a change in ownership of a water right  
23 occurs when ownership of some or all of the land on which the water is used changes. A change  
24 in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or  
25 business planning decisions such as conveyance to an intervivos trust or a limited liability  
26 company. Frequently changes in ownership are accomplished by a deed. However, in an estate  
27 or divorce proceeding they may be accomplished by an order of a court. These examples are not

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	In Equity No. C-125-ECR
	)	Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,	)	
	)	NOTICE OF CHANGE OF
Plaintiff-Intervenor,	)	OWNERSHIP OF WATER RIGHT
	)	
v.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	
	)	
Defendants.	)	
	)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

*Kurt M. Werner and Nancy J. Werner*  
 Name(s)  
*PO Box 1431*  
*Yerington, NV*  
 Street or P.O. Box  
*89447*

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Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

Name(s)  
*Joseph Kiroch*  
Street or P.O. Box  
*1331 Antelope Valley Road*  
Town or City State ZipCode  
*Reno NV 89506*

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

box(es)):

- Deed
- Court Order
- Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

**Linda Lea Sharer, Chief Deputy Clerk**  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

**Susan L. Schneider**  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

- 1 ownership, notify the Court and the United States of the change in ownership.
- 2
- 3 2. The notice required by this Order shall provide the following information:
- 4 A. The name and address of the party who sold or otherwise conveyed
- 5 ownership;
- 6 B. The name and address of each person or entity who acquired ownership;
- 7 and
- 8 C. A copy of the deed, court order or other document by which the change in
- 9 ownership was accomplished.

10 3. The notice shall be sent to the Court and counsel for the United States addressed  
as follows:

11 Linda Lea Sharer, Chief Deputy Clerk  
12 United States District Court for the District of Nevada  
13 400 South Virginia Street, Suite 301  
14 Reno, NV 89501

15 Susan L. Schneider  
16 United States Department of Justice  
17 P.O. Box 756  
18 Littleton, CO 80160

- 19 4. The form and substance of the notice shall substantially conform to the form of  
20 notice attached to this order as Exhibit A.
- 21 5. Any person or entity who files a Notice of Change of Ownership of Water Right  
22 using the attached form or provides information for this purpose by other means is ultimately  
23 responsible for the accuracy of this filing. Consequently, any person or entity who files such a  
24 notice regarding water rights subject to this litigation, but retains such water rights, shall  
25 nevertheless be bound by the results of this litigation.

26 IT IS SO ORDERED:

27 Dated: July 9, 2003.

  
The Honorable Robert A. McQuaid, Jr.  
United States District Court Magistrate Judge

1 such a notice, but retains such water rights, shall nevertheless, be bound by the results of this  
2 litigation.

3  
4 Executed this 27<sup>th</sup> day of August 2007.

5  
6 *Kurt M. Weener Nancy J. Weener*  
7 [signature of counter-defendant]

8  
9 *Kurt M. Weener Nancy J. Weener*  
10 [name of counter-defendant]

11  
12  
13 [signature, if applicable, of person acting on  
14 behalf of counter-defendant]

15  
16 [name, if applicable, of person acting on  
17 behalf of counter-defendant]

18  
19 *PO Box 1431*  
20 *Yerington NV 89447* [address]  
21 *(775) 483-7368* [telephone number]  
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**DOC # 399185**  
**Conformed Copy**

(Not Compared to Original)

01/22/2007 10:33 AM

**Official Record**

Requested By  
NORTHERN NEVADA TITLE  
Lyon County - NV  
Mary C. Milligan - Recorder

A.P.N. 14-381-34  
Esrow No.: EO-305321-DA  
Accommodation Only

RECORDING REQUESTED BY:

MAIL TAX STATEMENTS AND WHEN  
RECORDED, MAIL TO:

Joseph Kircher  
1331 Antelope Valley Road  
Reno, NV 89506

THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$265.20, computed on full value of property conveyed.

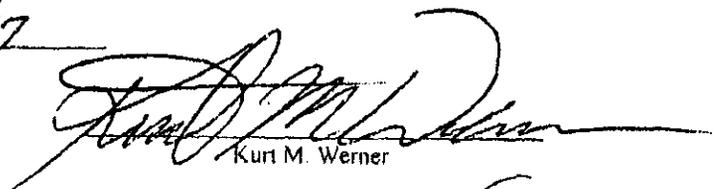
**WATER RIGHTS  
GRANT, BARGAIN, SALE DEED**

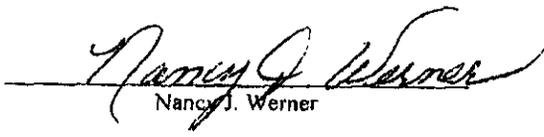
That **Kurt M. Werner and Nancy J. Werner, Husband and Wife as Joint Tenants with Right of Survivorship** in consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to **Joseph Kircher, a Married Man** all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

**41.84 acre feet of water rights under the State of Nevada, Division of Water Resources Permit No. 21582, Certificate No. 5813 and Permit No. 30218, Certificate No. 9432.**

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

Dated: 1/22/07

  
Kurt M. Werner

  
Nancy J. Werner

STATE OF NEVADA )

COUNTY OF LYON )

On 1-22-07 personally appeared before me, a Notary Public,

Kurt M. Werner and  
Nancy J. Werner

who acknowledged that they executed the above instrument.

Signature  
(Notary Public)

*Diane L. Arvizo*



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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	In Equity No. C-125-ECR
	)	Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,	)	
	)	<b>NOTICE OF CHANGE OF</b>
Plaintiff-Intervenor,	)	<b>OWNERSHIP OF WATER RIGHT</b>
	)	
v.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	
	)	
Defendants.	)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

John C. Warr  
Name(s)  
4358 Great Lakes Dr. N.  
Street or P.O. Box

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Clearwater FL 33762  
Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

Jack Kraske & Sandra L. Kraske  
Name(s)

2391 57th St. West  
Street or P.O. Box

Rosamond CA 93560  
Town or City State ZipCode

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

- Deed
- Court Order
- Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

\* This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

1 such a notice, but retains such water rights, shall nevertheless, be bound by the results of this  
2 litigation.

3  
4 Executed this 12 day of September 2007.

5  
6 *John C. Warr*

7 [signature of counter-defendant]

8  
9 John C. Warr

10 [name of counter-defendant]

11  
12  
13 [signature, if applicable, of person acting on  
14 behalf of counter-defendant]

15  
16 [name, if applicable, of person acting on  
17 behalf of counter-defendant]

18 4358 Great Lakes Dr. N.  
19 Clearwater, FL 33762

20 [address]

21 727-561-0570  
22 [telephone number]

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\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

DOC # 411113  
07/27/2007 11:36 AM  
Official Record  
Requested By  
TITLE SERVICE & ESCROW  
Lyon County - NV  
Mary C Milligan - Recorder  
Page 1 of 2 Fee \$40.00  
Recorded By DLW RPTT \$438.76

APN 14-191-12  
Document Transfer Tax \$438.75  
Order No. TSL-32329  
Mail Tax Bill to Grantee:  
2931 57th St West  
Reverend, Ca 93500



The undersigned hereby affirms that this document submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

SPACE ABOVE FOR RECORDER'S USE ONLY

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

JOHN C. WARR, a married man, as his sole and separate property

do (es) hereby GRANT, BARGAIN and SELL TO

JACK KRASKE and SANDRA L. KRASKE, Husband and wife as Joint Tenants with the Right of Survivorship

the real property situate in the County of Lyon, State of Nevada, described as follows:

All that certain real property being a portion of the NE 1/4 of the NE 1/4 of Section 9, Township 14 North, Range 25 East, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel A, as shown on the Parcel Map for John C. Warr and David T. Warr, recorded in the Official Records of Lyon County, Nevada, on November 16, 1992, as Document No. 156475.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

DATED 7/23/07

UNOFFICIAL COPY

\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*



411113

07/27/2007  
002 of 2

John C. Warr  
JOHN C. WARR

Ying Li  
YING LI (Spouse of Grantor who joins in  
the execution of this Deed to release  
all community interest)

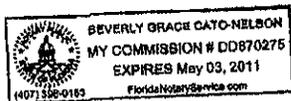
"UNOFFICIAL COPY"

STATE OF NEVADA Florida

COUNTY OF LYON Pinellas ss.

On July 23, 07 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), JOHN C. WARR and YING LI, who acknowledged to me that they executed the within instrument.

[Signature]  
Notary Public



Subscribed and sworn before me, this 23 day of July, 2007, Notary Public in and for Pinellas County, State of Florida.  
[Signature]  
(Signature)  
NOTARY PUBLIC  
My Commission expires 05/03/11

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	In Equity No. C-125-ECR
	)	Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,	)	
	)	<b>NOTICE OF CHANGE OF</b>
Plaintiff-Intervenor,	)	<b>OWNERSHIP OF WATER RIGHT</b>
	)	
V.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	
	)	
Defendants.	)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

The Seubert Family Limited Partnership  
Name(s)  
P. O. Box 43  
Street or P.O. Box

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Smith NV 89430  
Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

Nordyke Properties LLC  
Name(s)

291 Osborne Lane  
Street or P.O. Box

Yerington NV 89447  
Town or City State ZipCode

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

- Deed
- Court Order
- Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

\* This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

1 such a notice, but retains such water rights, shall nevertheless, be bound by the results of this  
2 litigation.

3  
4 Executed this 25 day of Sept. 2007

5 The Seubert Family Limited Partnership

6 X By: Sophia Seubert

7 [signature of counter-defendant]

8  
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10 [name of counter-defendant]

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13 [signature, if applicable, of person acting on  
14 behalf of counter-defendant]

15  
16 [name, if applicable, of person acting on  
17 behalf of counter-defendant]

18  
19 P. O. Box 43  
Smith, NV 89430

20 [address]

21 775-465-2319

22 [telephone number]

\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

**DOC # 411210**  
 07/27/2007 04:16 PM  
**Official Record**  
 Requested By  
 TITLE SERVICE & ESCROW  
 Lyon County - NV  
 Mary C Milligan - Recorder  
 Page 1 of 2 Fee \$15.00  
 Recorded By DLW RPTT \$7.215.00



0411210

A P N : 012-332-07 and 012-332-05  
 File No : 143-2295010 (MK)  
 R P T T : \$7,215.00  
 TSC - 31547

When Recorded Mail To: Mail Tax Statements To:  
 Nordyke Properties  
 291 Osborne Lane  
 Yerington, NV 89444

UNOFFICIAL COPY

**GRANT, BARGAIN and SALE DEED**

FOR A VALUABLE CONSIDERATION receipt of which is hereby acknowledged,

Seubert Family Limited Partnership, Nevada Limited Partnership

do(es) hereby GRANT, BARGAIN and SELL to

Nordyke Properties LLC, a Limited Liability Company

the real property situate in the County of Lyon, State of Nevada, described as follows:

**All that certain real property being a portion of Sections 21,22,27,and 28 Township 12 North, Range 25 East, M.D.B. & M., Lyon County, Nevada described as follows: Parcels b and c as shown on the Map of Division into large parcels for Nordyke Ranch Inc., recorded in the Official Records of Lyon County, Nevada on June 20, 1991 as No. 142247**

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

Date: 10/06/2006

"Together with all tenements, hereditaments and appurtenances, including easements and the decreed water rights for 271.70 acres and 154.64 acre feet of storage rights on file with the Walker River Irrigation District, Yerington, Nevada, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof."



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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	In Equity No. C-125-ECR
	)	Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,	)	
	)	NOTICE OF CHANGE OF
Plaintiff-Intervenor,	)	OWNERSHIP OF WATER RIGHT
	)	
v.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	
	)	
Defendants.	)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Guadalupe V. Quiroga (all of their 33% interest)  
Name(s)  
2 Hematite  
Street or P.O. Box

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2. The name and address of each person or entity who acquired ownership

Hector Quiroga (all of their 33% interest)  
Name(s)

2 Hematite

Street or P.O. Box

Carson City NV 89706  
Town or City State ZipCode

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

- Deed - Quitclaim
- Court Order
- Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

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litigation.

Executed this 5 day of Aug 2007.

*Guadalupe V. Quiroga*

[signature of counter-defendant]

Guadalupe V. Quiroga

[name of counter-defendant]

[signature, if applicable, of person acting on behalf of counter-defendant]

[name, if applicable, of person acting on behalf of counter-defendant]

1336 Leonard Rd  
Gardnerville NV  
89460

[address]

[telephone number]

265-2559



When recorded, mail to:  
Hector Quiroga  
2 Hematite  
Carson City, Nevada 89706  
A.P.N. 10-351-23

**DOC # 404266**  
**Conformed Copy**  
(Not Compared to Original)  
04/13/2007 10:49 AM  
**Official Record**  
Requested By  
HECTOR QUIROGA  
Lyon County - NV  
Mary C. Milligan - Recorder

**QUITCLAIM DEED**

THIS DEED, made this 31<sup>st</sup> day of May, 2005, by and between Guadalupe V. Quiroga, hereinafter referred to as "GRANTOR", and Hector Quiroga, an unmarried man, hereinafter referred to as "GRANTEE",

**WITNESSETH:**

That said Grantor, in and for valuable consideration and pursuant to the parties' Decree of Divorce, does hereby remise, release and forever quitclaim to Hector Quiroga, all of their 33% interest in that real property located in the County of Lyon, State of Nevada, described as follows:

All that certain real property being a portion of the West 1/2 of the Northeast 1/4 and the East 1/2 of Northwest 1/4 of Section 34 and Southwest 1/4 of Southeast 1/4 and Southeast 1/4 of Southwest 1/4 of Section 27, Township 11 North, Range 23 East, M.D.B.&M., Lyon County Nevada, being a portion of Parcel No. 2 as shown on the Lyon County Parcel Map as Document No. 63498, and a portion of Parcel B of Parcel Map No. 134618, described as follows:

Parcel B2 as shown on the Parcel Map for Daniel and Jennifer Pendleton, recorded in the Official Records of Lyon County, Nevada on February 12, 1991, as Document No. 139581.

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

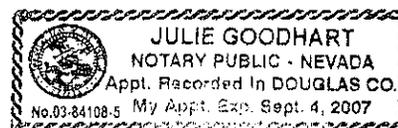
WITNESS my hand this 31 day of May, 2005.

*Guadalupe V. Quiroga*  
Guadalupe V. Quiroga

STATE OF NEVADA        )  
  ) ss.  
CARSON CITY             )

On this 31<sup>st</sup> day of May, 2005, personally appeared before me, a Notary Public, Guadalupe V. Quiroga, who acknowledged that he executed the foregoing instrument.

*Julie Goodhart*  
\_\_\_\_\_  
Notary Public



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Case No. 03-DI-0314  
Dept. No. II

RECEIVED  
APR 29 2005  
DOUGLAS COUNTY  
DISTRICT COURT CLERK

FILED  
2005 APR 29 PM 4:34  
BARBARA REED  
CLERK  
BY B. PHENIX JURY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF DOUGLAS

GUADALUPE V. QUIROGA,  
Plaintiff,

vs.

FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND DECREE OF DIVORCE

HECTOR QUIROGA,  
Defendant.

This matter came on for trial on October 7, 2004. Plaintiff appeared with her attorney, Nancy R. Jackson. The Defendant appeared with his attorney, Peter B. Jaquette. Prior to the commencement of trial, the parties announced to the Court that they had reached an agreement as to all pending issues. Said agreement was placed on the record in open court and ratified, approved, and confirmed by the parties. The Court finds the agreement to be fair, just and equitable. Accordingly, good cause appearing, the Court now enters its Findings of Fact, Conclusions of Law, and Decree of Divorce as follows:

I.

FINDINGS OF FACT

- 1. That the parties were married on May 11, 1973.
- 2. That the Plaintiff is a resident of the State of Nevada;

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- 3. That the parties should share legal custody of their minor child, Monica Quiroga, born January 14, 1987. Plaintiff shall have the primary physical care, custody and control of said child subject to reasonable visitation as can be arranged between Defendant and Monica, who is 17;
- 4. That as and for support of the minor child, the Defendant shall pay child support to Plaintiff in the amount of \$583.00 per month, which shall be due and payable in advance on the first of each month and shall continue through June 2005. This date shall be the presumptive termination date for child support, based on the parties' assumption that Monica is pursuing her home schooling on a full-time basis and will graduate in June 2005. This date can be reevaluated at the request of either party in the event that Monica's full-time progress in school does not result in graduation by June 2005 or in the event that she ceases to be pursuing her schooling full-time at any time after her eighteenth birthday in January 2005. The Defendant shall continue to provide health insurance for Monica's benefit until June 2005 or until the termination of her child support obligation and, during the same period of time, pursuant to NRS 125B.080(7), the parties shall share equally all unreimbursed medical, dental, orthodontic, surgical and ophthalmological expenses incurred on behalf of Monica.
- 5. That the residence and lot located at 1336 Leonard Road, Gardnerville, Nevada, will be set aside to Plaintiff as her sole and separate property. The Defendant will be responsible for the remaining balance owing on the underlying mortgage for said property and shall make the monthly installment payments as they fall due. The Plaintiff will be responsible for all routine maintenance and upkeep associated with the property. The Defendant shall execute a Quitclaim Deed conveying all of his right, title and interest in and to said property to the Plaintiff. The Plaintiff shall indemnify and hold Defendant harmless from any liability for said residence, with the sole exception of the mortgage payment.
- 6. That the parties' interest in the property located at 65 Lower Colony Road, Wellington, Nevada, will be set aside to Defendant as his sole and separate property. The Plaintiff

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will execute a Quitclaim Deed conveying all of her right, title and interest in and to said property to the Defendant. The Defendant shall be solely responsible for any costs associated with said property and shall indemnify and hold the Plaintiff harmless therefrom.

7. That Plaintiff's retirement benefits with the Nevada Public Employees Retirement System shall be set aside to her as her sole and separate property. The Defendant shall waive any interest he has in and to said benefits. The Defendant's benefits with the Nevada Public Employee Retirements System shall be divided pursuant to a Qualified Domestic Relations Order (QDRO) to be prepared by Defendant's attorney. This QDRO will require that the Plaintiff's marital portion of said retirement benefits shall be set over to her as alternate payee based on the mandatory selection by the Defendant of option 6 in an amount to be determined by PERS. Defendant's option 6 benefit shall be calculated by use of the following formula:

$$\text{Benefit equals } 50\% \times \frac{\text{Years of credited service earned during marriage (5/11/73-10/7/04)}}{\text{Total years of service credit earned}} \times \text{Monthly benefit}$$

Plaintiff shall also be named as beneficiary for any death benefits available through the Defendant's employment with PERS.

8. That Defendant currently has no vested civil service retirement benefits from his employment with the Federal Government. If he should return to work and receive benefits, Plaintiff shall be entitled to her marital share of those benefits.

9. That Plaintiff shall be solely responsible for her own health insurance and health care costs following the date of this Decree.

10. That to assist Plaintiff in obtaining a new vehicle, Defendant has paid to Plaintiff the sum of \$3,100.00 from his life insurance policy and waives any claim he may have in and to the life insurance policy of Plaintiff.

11. That the Dodge Durango automobile shall be set over to husband as his sole and separate property.

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12. That as and for the support of the Plaintiff, the Defendant shall pay alimony on the following terms:

A. That the Defendant shall continue to pay the mortgage payment owing on 1336 Leonard Road until it is paid in full. This payment is in the approximate amount of \$742.00 per month. The Defendant may claim any tax benefits associated with the payment of said mortgage;

B. That as long as the Plaintiff is paying the mortgage obligation on Leonard Road he shall pay an additional amount of \$600.00 per month directly to Plaintiff, which is intended to be tax deductible alimony;

C. That after the Defendant has made the last mortgage payment on Leonard Road, his spousal support obligation shall be set at a total monthly payment of \$800.00 per month directly to Plaintiff and shall continue until the Defendant's retirement from the State of Nevada.

D. The spousal support obligation set forth above shall be non-modifiable, but shall terminate on the death of either party. The parties and the Court intend that all direct cash payments made pursuant to this obligation shall be tax deductible to the Defendant and included as taxable income to the Plaintiff.

13. That to guarantee the payment of the spousal support obligation as set forth above, Defendant shall immediately provide a policy of life insurance on his life, naming the Plaintiff as irrevocable beneficiary in the face amount of \$120,000.00. The obligation to maintain this policy of insurance shall continue until the Defendant retires from his employment with the State of Nevada and the Defendant begins to receive her benefits through the QDRO referenced above. If the Defendant does not retire from his employment with the State of Nevada when first eligible to do so, he shall pay to Plaintiff, on a monthly basis, the share of his retirement to which she is entitled pursuant to paragraph 7 above.



1 for child support, based on the parties' assumption that Monica is pursuing her home schooling on a full-  
2 time basis and will graduate in June 2005. This date can be reevaluated at the request of either party in  
3 the event that Monica's full-time progress in school does not result in graduation by June 2005 or in the  
4 event that she ceases to be pursuing her schooling full-time at any time after her eighteenth birthday in  
5 January 2005. The Defendant shall continue to provide health insurance for Monica's benefit until June  
6 2005 or until the termination of her child support obligation and, during the same period of time,  
7 pursuant to NRS 125B.080(7), the parties shall share equally all unreimbursed medical, dental,  
8 orthodontic, surgical and ophthalmological expenses incurred on behalf of Monica.

9           6. That this Court confirms, approves and ratifies the agreement set forth in the Findings  
10 of Fact above, and specifically orders the parties to abide by the terms and conditions set forth therein  
11 and directs them to execute any documents necessary to complete the terms.

12           NOTICE REGARDING CHILD SUPPORT: If either party is obligated to pay support,  
13 the parties are hereby notified that his/her obligation may subject him/her to the child support  
14 enforcement collection provisions contained in Chapters 31A, 125.450(2) and 425 of the Nevada  
15 Revised Statutes.

16           The parties are reminded that NRS 125B.145 provides that an order issued by any court  
17 or expedited process for the support of a child that is being enforced in this State, must be reviewed by  
18 the court at least every three years pursuant to said section to determine whether the order should be  
19 modified.

20           NRS 125B.070 (3) mandates that the presumptive maximum amounts set forth in  
21 subsection 2 for the obligation for support must be adjusted on July 1 of each year for the fiscal year  
22 beginning that day and ending June 30 in a rounded dollar amount corresponding to the percentage of  
23 increase or decrease in the Consumer Price Index (All items) published by the United States Department  
24 of Labor for the preceding calendar year. On April 1 of each year, the Office of Court Administrator will  
25 determine the amount of the increase or decrease required and establish the adjusted amounts which will  
26 take effect on July 1 of that year. The Court Administrator will notify each district court of the adjusted  
27 amounts. To the extent that the child support set forth in this Decree is established pursuant to such  
28 presumptive maximum amounts, it shall be adjusted each year in accordance with the Court

1 administrator determinations.

2 The parties are further advised of the existence of NRS 125C.200 which requires that a  
3 parent wishing to move his/her residence outside of the State of Nevada and to take a child or children  
4 with him/her, must, as soon as possible and before the planned move, attempt to obtain the written  
5 consent of the other parent or permission of this Court.

6 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT  
7 OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A  
8 CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every person  
9 having a limited right of custody to a child or any parent having no right of custody to the child who  
10 willfully detains, conceals or removes the child from a parent, guardian or other person having lawful  
11 custody or a right of visitation of the child in violation of an order of this Court, or removes the child  
12 from the jurisdiction of the Court without the consent of either the Court or all persons who have the  
13 right to custody or visitation are subject to being punished as a Category D Felony as provided in NRS  
14 193.130.

15 The State of Nevada, United States of America, is the habitual residence of the minor  
16 child/children. The terms of the Hague Convention of October 25, 1980, adopted by the 14th Session  
17 of the Hague Conference on Private International Law, apply if a parent abducts or wrongfully retains  
18 a child in a foreign country.

19 **NRS 125B.055(3) also provides that within ten days after a child support order is**  
20 **issued, each party must file with the court and the Nevada State Welfare Division the following**  
21 **information: social security number; residential and mailing address; telephone number; driver's**  
22 **license number; and the name, address and telephone number of the party's employer. Each**  
23 **party has a continuing duty to update this information within ten days of any change.**

24 This Decree of Divorce is entered Nunc Pro Tunc to October 7, 2004, this 27 day of  
25 April, 2005.

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28 DISTRICT JUDGE

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	In Equity No. C-125-ECR
	)	Subfile No. C-125-B
WALKER RIVER PAJUTE TRIBE.	)	
	)	<b>NOTICE OF CHANGE OF</b>
Plaintiff-Intervenor,	)	<b>OWNERSHIP OF WATER RIGHT</b>
	)	
v.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	
	)	
Defendants.	)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Melannie Grimes, Linda Thomas, Colleen LeVar, Kirk Kyler,  
Tina Deese & York Kyler

Name(s)

1570 Banbury Loop South  
Street or P.O. Box

Lakeland, FL 33809  
Town or City State ZipCode

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2. The name and address of each person or entity who acquired ownership

Eldon L. Riddle

Name(s)

20 S. Main St.  
Street or P.O. Box

Yerington NV 89447  
Town or City State ZipCode

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

- Deed
- Court Order
- Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

\_\_\_\_\_

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

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litigation.

Executed this 15 day of September 2007.

*Melannie Grimes*

[signature of counter-defendant]

Melannie Grimes

[name of counter-defendant]

[signature, if applicable, of person acting on behalf of counter-defendant]

[name, if applicable, of person acting on behalf of counter-defendant]

1570 Banbury Loop South  
Lakeland, FL 33809

[address]

[telephone number]

(863) 815-9883

\_\_\_\_\_

\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

**DOC # 410360**  
07/16/2007 01 54 PM  
**Official Record**  
Requested By  
NORTHERN NEVADA TITLE  
Lyon County - NV  
Mary C. Milligan - Recorder  
Page 1 of 12 Fee \$50.00  
Recorded By MCM RPTT \$585.00

A.P.N. 004-262-03  
Escrow No.: LY-305613-DA  
305613

RECORDING REQUESTED BY

MAIL TAX STATEMENTS AND WHEN  
RECORDED, MAIL TO

Eldon L Riddle  
20 South Main Street  
Yerington, NV 89447



THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s)

Documentary transfer tax is \$ 585.00, computed on full value of property conveyed.

**GRANT, BARGAIN, SALE DEED**

That Linda Thomas, Colleen LeVar, Kirk Kyler, Melannie Grimes, Tina Deese and York Kyler in consideration of \$10 00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Eldon L. Riddle, a Married Man as His Sole and Separate Property all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

Lot 2 of Section 1 of FAIRWAY ESTATES SUBDIVISION, as per map on file in the Office of the County Recorder of Lyon County, Nevada on October 25, 1965 as Document No. 93895.

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

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\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

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410360

07/16/2007  
023 of 12

A.P.N. 004-262-03  
Escrow No.: LY-305613-DA  
305613

RECORDING REQUESTED BY

MAIL TAX STATEMENTS AND WHEN  
RECORDED, MAIL TO

Eldon L Riddle  
20 South Main Street  
Yerington, NV 89447

THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s)

Documentary transfer tax of \$85.00, computed on full value of property conveyed.

**GRANT, BARGAIN, SALE DEED**

That Linda Thomas, Colleen LeVar, Kirk Kyler, Melannie Gramas, Tina Deese and York Kyler in consideration of \$10 00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Eldon L. Riddle, a Married Man as His Sole and Separate Property all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

Lot 2 of Section 1 of FAIRWAY ESTATES SUBDIVISION, as per map on file in the Office of the County Recorder of Lyon County, Nevada on October 25, 1965 as Document No. 93805.

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

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\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

410360 07/16/2007 004 of 12

Dated June 14, 2007

SIGNED IN COUNTERPART  
Melannic Grimes

*Linda Thomas*  
Linda Thomas

SIGNED IN COUNTERPART  
Colleen L. Var

SIGNED IN COUNTERPART  
Kirk Kyle

SIGNED IN COUNTERPART  
Tina Deese

SIGNED IN COUNTERPART  
Mark Ryler

"UNOFFICIAL COPY"

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ personally appeared before me, a Notary Public, \_\_\_\_\_

who acknowledged that he executed the above instrument

Signature \_\_\_\_\_  
(Notary Public)

STATE OF Illinois )  
COUNTY OF Champaign )

On June 18, 2007 personally appeared before me, a Notary Public, Melissa L. Metzger

\*Linda Thomas\*  
who acknowledged that she executed the above instrument

Signature Melissa L. Metzger  
(Notary Public)



\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

RECORDING INFORMATION

410360

07/16/2007  
005 of 12

A.P.N. 004-262-03  
Escrow No.: LY-305613-DA  
305613

RECORDING REQUESTED BY

MAIL TAX STATEMENTS AND WHEN  
RECORDED, MAIL TO

Eldon L. Riddle  
20 South Main Street  
Yerington, NV 89447

THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s)

Documentary transfer tax is \$ 585.00, computed on full value of property conveyed.

**GRANT, BARGAIN, SALE DEED**

That Linda Thomas, Colleen LeVar, Kirk Kyler, Melannie Grimes, Tina Deese and York Kyler in consideration of \$10 00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Eldon L. Riddle, a Married Man as His Sole and Separate Property all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

Lot 2 of Section 1 of FAIRWAY ESTATES SUBDIVISION, as per map on file in the Office of the County Recorder of Lyon County, Nevada on October 25, 1965 as Document No. 93805.

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

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410360

07/15/2007  
007 of 12

A.P.N. 004-262-03  
Escrow No.: LY-305613-DA  
305613

RECORDING REQUESTED BY

MAIL TAX STATEMENTS AND WHEN  
RECORDED, MAIL TO

Eldon L. Riddle  
20 South Main Street  
Yerington, NV 89447

THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s)

Documentary transfer tax is \$ 585.00, computed on full value of property conveyed.

**GRANT, BARGAIN, SALE DEED**

That Linda Thomas, Colleen LeVar, Kirk Kyler, Melannie Grimes, Tina Deese and Yark Kyler in consideration of \$10 00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Eldon L. Riddle, a Married Man as his Sole and Separate Property all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

Lot 2 of Section 1 of FAIRWAY ESTATES SUBDIVISION, as per map on file in the Office of the County Recorder of Lyon County, Nevada on October 25, 1965 as Document No. 95805.

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

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410360

07/16/2007  
009 of 12

A.P.N. 004-262-03  
Escrow No.: LY-305613-DA  
305613

RECORDING REQUESTED BY

MAIL TAX STATEMENTS AND WHEN  
RECORDED, MAIL TO

Eldon L Riddle  
20 South Main Street  
Yerington, NV 89447

THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s)

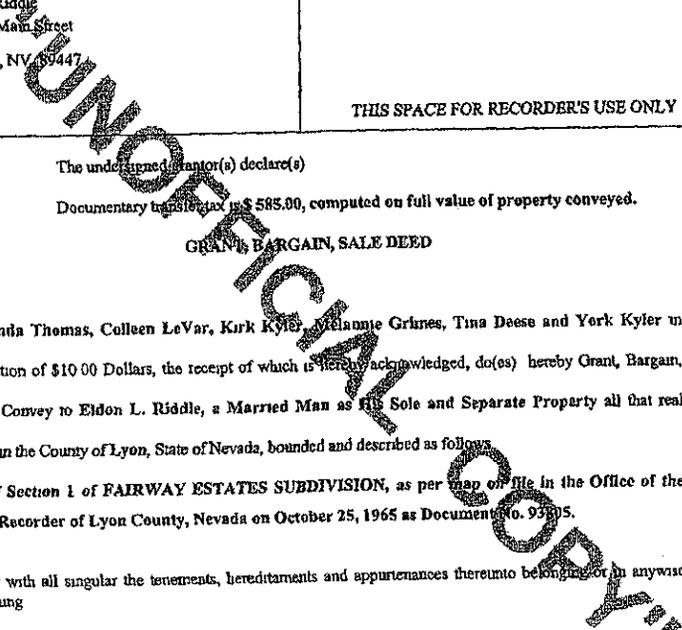
Documentary transfer taxes of \$ 585.00, computed on full value of property conveyed.

**GRANT, BARGAIN, SALE DEED**

That Linda Thomas, Colleen LeVar, Kirk Kyle, Melannie Grimes, Tina Deese and York Kyler in consideration of \$10 00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Eldon L. Riddle, a Married Man as His Sole and Separate Property all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

Lot 2 of Section 1 of FAIRWAY ESTATES SUBDIVISION, as per map on file in the Office of the County Recorder of Lyon County, Nevada on October 25, 1965 as Document No. 93805.

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



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12/14/2007 12:14:00 PM

410360

07/18/2007  
010 of 12

Dated June 14, 2007

**SIGNED IN COUNTERPART**

Melanie Grimes

**SIGNED IN COUNTERPART**

Linda Thomas

**SIGNED IN COUNTERPART**

Colleen Lavar

**SIGNED IN COUNTERPART**

Kirk Kyle

*Tina Deese*

Tina Deese

**SIGNED IN COUNTERPART**

Kirk Kyle

"UNOFFICIAL COPY"

STATE OF Alabama )  
COUNTY OF Lee )

On 28th of June Tina Deese personally appeared before me, a Notary Public,

who acknowledged that she executed the above instrument

Signature Victoria B. Moody  
(Notary Public)

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ personally appeared before me, a Notary Public,

who acknowledged that he executed the above instrument

Signature \_\_\_\_\_  
(Notary Public)







Yerington

NV

89447

2. The name and address of each person or entity who acquired ownership

Rodney Lee Stephens & Diane Suzan Nagel

Name(s)

P. O. -Box 599

Street or P.O. Box

Yerington  
Town or City

NV  
State

89447  
ZipCode

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

Deed

Court Order

Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

such a notice, but retains such water rights, shall nevertheless, be bound by the results of this

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Executed this 11 day of June 2007.

*William L. Hawhee*

*Dianne P. Hawhee*

[signature of counter-defendant]

William L. Hawhee

Dianne P. Hawhee

[name of counter-defendant]

[signature, if applicable, of person acting on behalf of counter-defendant]

[name, if applicable, of person acting on behalf of counter-defendant]

629 Appaloosa Ln  
Gardnerville, NV 89410

[address]

775-265-2692

[telephone number]

\_\_\_\_\_

\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

A.P.N.: 012-031-06  
File No: 142-2259120 (MK)  
R.P.T.T.: \$1,189.50  
  
TSL-30517

**DOC # 404249**  
04/12/2007 04:10 PM  
**Official Record**  
Requested By  
TITLE SERVICE & ESCROW  
Lyon County - NV  
Mary C. Halligan - Recorder  
Page 1 of 3 Fee \$16.00  
Recorded By NFK RPTT \$1,189.50



0404249

When Recorded Mail To: Mail Tax Statements To:  
Rodney Lee Stephens and Diane Suzan Nagle  
834 West Bridge Street PO Box 599  
Yerington, NV 894

**UNOFFICIAL COPY!**

**GRANT, BARGAIN and SALE DEED**

FOR A VALUABLE CONSIDERATION receipt of which is hereby acknowledged,

William L. Hawhee and Dianne M. Hawhee, husband and wife as joint tenants

do(es) hereby **GRANT, BARGAIN and SELL**

Rodney Lee Stephens and Diane Suzan Nagle, husband and wife as joint tenants

the real property situate in the County of Lyon, State of Nevada, described as follows:

**See exhibit "A" attached hereto and made a part hereof Together with water rights under number 22935.**

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

Date. 04/04/2007

\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*



494249

04/12/2007  
002 of 3

William L. Hawhee  
 William L. Hawhee  
Dianne P. Hawhee  
 Dianne P. Hawhee

STATE OF NEVADA )  
 ) ss.  
 COUNTY OF DOUGLAS )

This instrument was acknowledged before me on April 4, 2007 by  
 William L. Hawhee and Dianne P. Hawhee

Mary Kelsh  
 Notary Public  
 (My commission expires: 11-6-2010)



This Notary Acknowledgement is attached to that certain Grant, Bargain Sale Deed dated April  
 04, 2007 under Escrow No. 142-2259120.

"UNOFFICIAL COPY"

\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*



404249 04/12/2007 003 of 3

LEGAL DESCRIPTION

A parcel of land in the Northwest 1/4 of Section 22 and Northeast 1/4 of Section 21, Township 13 North, Range 25 East, Mount Diablo Meridian, bounded and described as follows:

Commencing at the NW corner of said Section 22, marked by a standard Bureau of Land Management pipe and brass cap, from which the North 1/4 corner of said Section 22 bears South 89°25'24" East; thence South 00°43'31" East, 1313.83 feet to the NW corner of the South 1/2 of the NW 1/4 of said Section 22, marked by a 5/8" rebar and cap marked PLS 10588, set per Map File No. 192614, Lyon County Official Records, Yerington, Nevada; thence South 00°44'56" West, 582.68 feet to a point on the Westerly line of said Section 22 marked by a 5/8" rebar with cap marked PLS 6200, per Map File No. 172217, Lyon County Official Records, the point of beginning; thence around the parcel as follows:

South 89°41'09" West, 17.46 feet; thence South 08°29'55" West, 125.44 feet; thence South 00°32'08" East, 121.26 feet; thence South 79°27'02" East, 32.12 feet to a point on the Westerly line of said Section 22; thence along said Westerly line, South 00°44'57" West, 433.92 feet; thence South 89°26'34" East, 354.64 feet; thence North 10°49'50" East, 86.64 feet; thence North 13°55'52" West, 118.08 feet; thence North 41°09'51" West, 265.61 feet; thence North 07°29'00" West 189.66 feet; thence North 05°18'41" East, 102.18 feet; thence South 89°41'09" West, 143.74 feet to the point of beginning.

Said parcel as further delineated on Lyon County Record of Survey Map, recorded on May 13, 2004 as Document No. 320472.

Legal Description appeared previously in Document No. 322036, recorded on June 2, 2004, Official Records of Lyon County, Nevada.

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Robertson, Esq., 1001  
Johnson, Esq., 4299  
ROBERTSON & BENEVENTO  
50 West Liberty Street, Suite 600  
Reno, Nevada 89501  
Telephone: (775) 329-5600  
Facsimile: (775) 348-8300  
[gdavid@nvlawyers.com](mailto:gdavid@nvlawyers.com)  
[kirk@nvlawyers.com](mailto:kirk@nvlawyers.com)  
Attorneys for Westfork

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
WALKER RIVER PAIUTE TRIBE,  
Plaintiff-Intervenor

CASE NO.: 3:73-cv-00127  
IN EQUITY NO. C-125  
SUBFILE NO. C-125-B

vs.  
WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,  
Defendants.

AND RELATED ACTIONS

**NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHTS**

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Cal Neva Cattle Company  
c/o Robertson & Benevento  
50 West Liberty Street, Suite 600  
Reno, Nevada 89501

Robertson & Benevento  
50 West Liberty Street,  
Suite 600  
Reno, Nevada 89501

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2. The name and address of each person or entity who acquired ownership:

Westfork  
c/o Robertson & Benevento  
50 West Liberty Street, Suite 600  
Reno, Nevada 89501

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

- Deed
- Court Order
- Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files such a notice, but retains such water rights, shall nevertheless be bound by the results of this litigation.

Executed this 22<sup>nd</sup> day of August, 2007.

Westfork, a Nevada corporation

By: Kirk C. Johnson

Digitally signed by Kirk C. Johnson  
DN: CN = Kirk C. Johnson, C = US  
Reason: I am the author of this document  
Date: 2007.08.22 16:16:00 -0700

Kirk C. Johnson, Esq.  
Robertson & Benevento  
50 West Liberty Street, Suite 600  
Reno, NV 89501

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b) and Local Rule 5-4, I hereby certify that I am an employee of Robertson & Benevento, over the age of eighteen, and not a party to the within action. I further certify that on the 22<sup>nd</sup> day of August, 2007, I electronically filed **NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHTS** and thus, pursuant to LR 5-4, caused same to be served by electronic mail on the following Filing Users:

- Brian Chally brian.chally@lvvwd.com
- Bryan L Stockton blstockt@ag.state.nv.us, payoung@ag.state.nv.us
- Charles S Zumpft zumpft@brooke-shaw.com
- Dale E Ferguson dferguson@woodburnandwedge.com, cmayhew@woodburnandwedge.com
- G. David Robertson gdavid@nvlawyers.com, chris@nvlawyers.com, kirk@nvlawyers.com
- George N. Benesch gbenesch@sbcglobal.net
- Gordon H. De Paoli gdepaoli@woodburnandwedge.com
- Gregory W. Addington greg.addington@usdoj.gov, joanie.silvershield@usdoj.gov, judy.farmer@usdoj.gov
- Harry W. Swainston hwsainston@earthlink.net
- J. D. Sullivan jd@mindenlaw.com, attyjoesullivan@hotmail.com, gene\_kaufmann@hotmail.com, shiela@mindenlaw.com
- JAMES SPOO spootoo@aol.com, jjrbau@hotmail.com
- John Paul Schlegelmilch jpslaw@netscape.com
- Julian C Smith, Jr joylyn@smithandharmer.com
- Karen A Peterson kpeterson@allisonmackenzie.com, egarrison@allisonmackenzie.com
- Laura A Schroeder counsel@water-law.com, Katherine@water-law.com, c.moore@water-law.com, tau@water-law.com
- Linda A. Bowman office@bowman.reno.nv.us, office@webmail.hotspotbroadband.com
- Louis S Test twallace@htag.reno.nv.us
- Marta A. Adams maadams@ag.state.nv.us, payoung@ag.state.nv.us
- Marvin W. Murphy marvinmurphy@sbcglobal.net
- Michael D Hoy mhoy@nevadalaw.com, cstewart@nevadalaw.com, service@nevadalaw.com, tchrissinger@nevadalaw.com
- Michael F. Mackedon falonlaw@phonewave.net
- Michael R. Montero mrm@eloreno.com, lwatson@eloreno.com
- Michael A. Pagni mpagni@mcdonaldcarano.com, dshosteck@mcdonaldcarano.com, spierallini@mcdonaldcarano.com
- Ross E. de Lipkau RdeLipkau@parsonsbehle.com, rtinnell@parsonsbehle.com
- Sylvia Harrison sharrison@mcdonaldcarano.com
- William E Schaeffer lander\_lawyer@yahoo.com
- Michael Neville michael.neville@doj.ca.gov, cory.marcelino@doj.ca.gov
- Stacey Simon ssimon@mono.ca.gov
- Susan L. Schneider susan.schneider@usdoj.gov, yvonne.marsh@usdoj.gov
- Debbie Leonard dshosteck@mcdonaldcarano.com, lfuller@mcdonaldcarano.com, smelendez@mcdonaldcarano.com
- Wes Williams wwilliams@stanfordalumni.org
- William J Duffy william.duffy@dgslaw.com
- Erin K.L. Mahaney emahaney@waterboards.ca.gov
- David L. Negri david.negri@usdoj.gov
- Simeon M Herskovits simeon@communityandenvironment.net
- John W Howard johnh@jwhowardattorneys.com, elisam@jwhowardattorneys.com
- Sheri M. Schwartz gassmann@lbbslaw.com, sschwartz@lbbslaw.com

1 Malissa Hathaway McKeith mckeith@lbbslaw.com  
2 ANDREW D GALVIN drew.galvin@americantower.com

3 **Notice has been served by U.S. Mail, prepaid postage, addressed to:**

4 Linda Lea Sharer, Chief Deputy Clerk  
5 United States District Court for the District of Nevada  
6 400 South Virginia Street, Suite 301  
7 Reno, NV 89501

8 Susan L. Schneider  
9 United States Department of Justice  
10 P.O. Box 756  
11 Littleton, CO 80160

12 Kelly R. Chase  
13 P.O. Box 2800  
14 Minden, NV 89423

15 Cheri K Emm-Smith  
16 PO Box 1210  
17 Hawthorne, NV 89415

18 James T. Fousekis  
19 2848 Garber Street  
20 Berkeley, CA 94705

21 Susan Fousekis  
22 2848 Garber Street  
23 Berkeley, CA 94705

24 Daniel N. Frink  
25 California Water Resources Control Board  
26 P.O. Box 100  
27 Sacramento, CA 94814

28 Nathan Goedde  
California Department of Fish and Game  
1416 9th Street Ste 1335  
Sacramento, CA 95814

Mary Hackenbracht  
California Attorney General's Office  
1300 I Street, Suite 1101  
PO Box 944255  
Sacramento, CA 94244-2550

Robert L. Hunter  
Western Nevada Agency  
311 East Washington Street  
Carson City, NV 78701-4065

- 1 George M. Keele  
George M. Keele, APC
- 2 1692 Country Road. Suite A  
Minden, NV 89423
- 3
- 4 John Kramer  
Department of Water Resources  
1416 Ninth Street
- 5 Sacramento, CA 95814
- 6 David Moser  
McCutchen, Doyle, Brown, Et Al.
- 7 Three Embarcadero Center, Suite 1800  
San Francisco, CA 94111
- 8
- 9 Stephen B Rye  
Lyon Count District Attorney  
31 South Main Street
- 10 Yerington, NV 89447
- 11 William J Shaw  
Brooke & Shaw, Ltd.
- 12 1590 Fourth Street  
P.O. Box 2860
- 13 Minden, NV 89423
- 14 Gary A Sheerin  
Gary A. Sheerin, Law Office of
- 15 177 W Proctor Street, Suite B  
Carson City, NV 89703
- 16
- 17 Garry Stone  
Water Master  
290 South Arlington Ave
- 18 Reno, NV 89501
- 19 Walker Lake Water Dist. G.I.D.  
175 Wassuk Way
- 20 Walker Lake, NV 89415

Christine  
Braun

Digitally signed by Christine Braun  
DN: CN = Christine Braun, C = US  
Reason: I agree to 'specified'  
portions of this document!  
Date: 2007.08.22 16:17:37 -0700'

---

An Employee of Robertson & Benevento

0745, 581

004784

Recording Requested by  
and Return to:

Don L. Ross, Esq.  
Woodburn and Wedge  
P.O. Box 2311  
Reno, NV 89511

RECORDED  
INDEXED  
COUNTY OF MONO

*A. H. Co*

GRANT DEED

THIS GRANT DEED is made this 23 day of Aug, 1996,  
by and between Calneva Cattle Co., a Nevada corporation,  
(hereinafter referred to as "Grantor") and Westfork, a Nevada  
corporation, (hereinafter referred to as "Grantee").

W I T N E S S E T H:

Grantor, for a valuable consideration, the receipt of which is  
hereby acknowledged, and subject to the reservations and exceptions  
stated herein, does hereby GRANT unto the Grantee, and to its  
successors and assigns forever, all the right, title and interest  
which the Grantor has or may hereafter acquire in the real property  
situated in the County of Mono, State of California, and more  
particularly described on Exhibit "A", attached hereto and by this  
reference made a part hereof;

TOGETHER WITH all and singular the tenements, hereditaments  
and appurtenances thereunto belonging or in anywise appertaining,  
and the reversion and reversions, remainder and remainders, rents,  
issues and profits thereof, and all water rights, oil, gas, other  
hydrocarbons, and minerals of whatsoever nature therein, and all  
right, title and interest of the Grantor therein or thereto, or  
which it may hereafter acquire;

SUBJECT TO taxes for the fiscal year 1996, and to encumbrances, covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any;

TO HAVE AND TO HOLD all and singular the premises, together with the appurtenances, unto the Grantee, its successors and assigns forever.

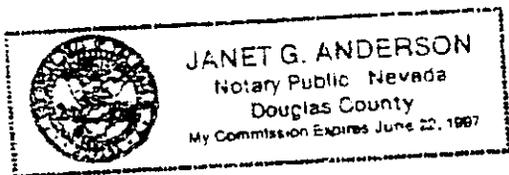
IN WITNESS WHEREOF, Grantor has executed this GRANT DEED the day and year first above written.

Grantor:  
Calneva Cattle Co.,  
a Nevada corporation

By: Melvin H. Schwake, Jr.  
Melvin Schwake, Jr., President

STATE OF NEVADA )  
                  DOUGLAS ) ss.  
COUNTY OF ~~WASHOE~~ )

This instrument was acknowledged before me on August 23, 1996, by Melvin Schwake, Jr. as President of Calneva Cattle Co., a Nevada corporation.



Janet G. Anderson  
NOTARY PUBLIC

My Commission Expires: JUNE 22, 1997.

Send Tax Statements To:  
Calneva Cattle Company  
Attn: Mel Schwake, Jr.  
P.O. Box A  
Minden, NV 89423

APN: 00-01-100-23-0000-00  
00-01-100-24-0000-00  
00-01-100-34-0000-00  
00-01-100-35-0000-00

All that real property situate in the County of Mono, State of California, described as follows:

Parcel 1:

The Northwest quarter of the Southeast quarter of Section 25, and the South half of the Northwest quarter of Section 25, and the Northeast quarter of the Southwest quarter of Section 25, Township 9 North, Range 22 East, M.D.M., according to the official plat thereof, filed for record.

Excepting that portion of the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter as deeded to Joseph Pitts, May 4, 1882, in Book J, Page 130 of Deeds, described as follows:

Commencing at the Northeast corner of the Southwest quarter of the Northeast quarter of Section 25, Township 9 North, Range 22 East, M.D.M., thence running West along the line of U.S. Government Survey, 10 rods, more or less, to the division fence at which point a stake marked "R & P" surrounded by a pile of stone is set in the ground as a monument; thence running southerly along the line of said fence, 160 rods, more or less, to the point where said fence intersects the U.S. Government Survey between the ranches or farms belonging to Morris Dick and said Joseph Pitts; thence northerly 160 rods, more or less, along the line of the U.S. Government Survey to the place of beginning.

Parcel 2:

The Northwest quarter of the Southwest quarter of Section 25, Township 9 North, Range 22 East, M.D.M., according to the official plat thereof.

Parcel 3:

That portion of Section 25, Township 9 North, Range 22 East, M.D.M., County of Mono, State of California, as per the official plat thereof, described as follows:

Commencing at the Southwesterly corner of said Section 25; thence along the westerly line thereof, North 1270.8 feet; thence South 89 50' East, 1320.00 feet to the True Point of Beginning; thence South 89 50' East 1320.00 feet; thence South 450.00 feet; thence North 89 50' West, 1320 feet; thence North 450 feet to the Point of Beginning.

Excepting from Parcels 2 and 3 all that property deeded to the State of California for Highway 395 right-of-way.

Parcel 4:

Those portions of the South half of the Northeast quarter and the Southeast quarter of Section 25, and the Northeast quarter of Section 36, all in Township 9 north, Range 22 East, Mount Diablo Base and Meridian, according to the official plat of survey filed in the District Land Office on December 30, 1874, and Lots 2, 3 and 4 (Southwest quarter of Northwest quarter and West half of Southwest quarter) and the Southeast quarter of Southwest quarter of Section 30, and a portion of the Northwest quarter of Section 31, all in Township 9 North, Range 23 East, Mount Diablo Base and Meridian, County of Mono, State of California, according to the official plat of survey filed in the District Land Office On January 2, 1875, more particularly described as follows:

Beginning at a fence corner at the Southeast corner of what was known as the "Morris Dick Field", from which point the quarter corner between Sections 30 and 31, Township 9 North, Range 23 East, Mount Diablo Base and Meridian, bears North 0 32' East, 1347.60 feet; running thence North 0 52' East, 2642.30 feet to a fence corner; thence North 89 20' West along the fence 1940.54 feet to the West line of the East half of the Southwest quarter of said Section 30; thence Northerly, along said West line of the East half of the Southwest quarter of Section 30 and the Northerly extension thereof (along the East lines of Lots 2 and 3) the Northeast corner of Lot 2 in the Northwest quarter of said Section 30; thence Westerly along the North line of said Lot 2, and continuing along the North line of the South half of the Northeast quarter of Section 25, Township 9 North, Range 22 East, Mount Diablo Base and Meridian, to a point in said North line which is 165 feet Westerly from the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 25 at which point a stake marked "R & P" surrounded by a pile of stones is set in the ground as a monument; thence Southerly, along the division fence between the farms of William Radley and Henry A. Pitts, 2650 feet, more or less, to the point where the fence intersects the U.S. Government Survey between the land of Henry A. Pitts and former "Morris Dick Ranch"; thence North 88 59' West along a fence line to the Northeast corner of the land conveyed by G.M. Terry by deed recorded in Book 13, Page 379 of Official Records; thence along the East line of said land conveyed by G.M. Terry as follows: South 5 42' West, 1739.55 feet; South 50 58' West 300.3 feet; South 33 39' West 244.6 feet; South 6 40' West 221.2 feet; South 23 54' East 81.1 feet; South 28 09 East to the division line established by the Contract and Agreement recorded September 4, 1952 as Instrument No. 201 in Book 29, Page 408 of Official Records of said County; thence East along said line to the point of beginning.

Containing 615 acres, more or less.

C:\WP\DLR\SCWAKE\CALNEVA\REORG\GRAFT.DED

VOL 0751 PAGE 294

006098

Recording Requested by  
and Return to:

WOODBURN AND WEDGE  
One East First Street  
Suite 1600  
Reno, Nevada 89501

Attention: Don L. Ross, Esq.

APN: 00-01-100-35-0000-00

RECORDED IN  
COUNTY OF MONO

1996 NOV 19 PM 1 04

**CORRECTION DEED**

THIS CORRECTION DEED is made this 13 day of Nov, 1996, by and between Calvea Cattle Co., a Nevada corporation, (hereinafter referred to as "Grantor") and Westfork, a Nevada corporation, (hereinafter referred to as "Grantee") for the sole purpose of correcting an error appearing in the real property description attached as Exhibit "A" to that certain Grant Deed between Grantor and Grantee dated August 23, 1996, and recorded in the Official Records of Mono County, State of California on September 16, 1996, as Document Number 004784, Volume 0745, Page 581, a copy of which is attached hereto as Exhibit "A".

WHEREAS, Grantor previously executed and delivered to Grantee the Grant Deed; and

WHEREAS, the Grant Deed contains an error in the real property description for "Parcel 1" as set forth on Exhibit "A" attached to the Grant Deed; and

WHEREAS, the Grantor and Grantee desire to correct this error by this Correction Deed;

NOW THEREFORE, for good and valuable consideration, Grantor and Grantee hereby agree that:

The description of Parcel 1 set forth in Exhibit "A" to the Grant Deed incorrectly referred to "and the South half of the Northwest quarter of Section 25" and should have correctly referred to "the Southeast quarter of the Northwest quarter of Section 25". The description of Parcel 1 in Exhibit "A" to the Grant Deed is hereby corrected and amended to read as follows:

PARCEL 1

The Northwest quarter of the Southeast quarter of Section 25, the Southeast quarter of the Northwest quarter of Section 25, and the Northeast quarter of the Southwest quarter of Section 25, Township 9 North, Range 22 East, M.D.M., according to the official plat thereof, filed for record.

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Excepting that portion of the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter as deeded to Joseph Pitts, May 4, 1882, in Book J, Page 130 of Deeds, described as follows:

Commencing at the Northeast corner of the Southwest quarter of the Northeast quarter of Section 25, Township 9 North, Range 22 East, M.D.M., thence running West along the line of U.S. Government Survey, 10 rods, more or less, to the division fence at which point a stake marked "R & P" surrounded by a pile of stone is set in the ground as a monument; thence running southerly along the line of said fence, 160 rods, more or less, to the point where said fence intersects the U.S. Government Survey between the ranches or farms belonging to Morris Dick and said Joseph Pitts; thence northerly 160 rods, more or less, along the line of the U.S. Government Survey to the place of beginning.

Grantor and Grantee hereby confirm that Grantee is, and since the date of the Grant Deed has been, fully vested of the real property described in the Grant Deed, as corrected.

Except as specifically provided herein, the Grant Deed shall not be altered or modified and shall remain valid.

The effective date of recording and the priority of the Grant Deed shall not be altered or modified by this Correction Deed, and this Correction Deed shall relate back, be effective and have priority as of the date of the Grant Deed.

Dated the day and year first written above.

Grantor:  
Calneva Cattle Co.,  
a Nevada corporation

By: Melvin H. Schwake, Jr.  
Melvin Schwake, Jr., President

Grantee:  
Westfork,  
a Nevada corporation

By: Melvin H. Schwake, Jr.  
Melvin Schwake, Jr., President

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STATE OF NEVADA )  
 ) ss.  
COUNTY OF WASHOE )

This instrument was acknowledged before me on \_\_\_\_\_, 1996, by Melvin Schwake, Jr. as President of Calveva Cattle Co., a Nevada corporation.

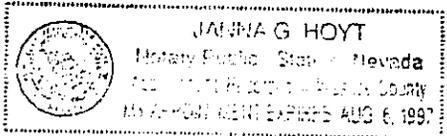
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

STATE OF NEVADA )  
 ) ss.  
COUNTY OF WASHOE )

This instrument was acknowledged before me on Nov. 13, 1996, by Melvin Schwake, Jr. as President of Westfork, a Nevada corporation.

*Janna G. Hoyt*  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: Aug 6, 1997

Send Tax Statements To:  
Westfork  
Attn: Mel Schwake, Jr.  
P.O. Box A  
Minden, NV 89423



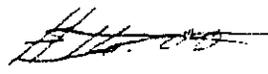
VOL 0751 PAGE 287

~~0745~~ ~~581~~

~~004784~~

Recording Requested by  
and Return to:  
Don L. Ross, Esq.  
Woodburn and Wedge  
P.O. Box 2311  
Reno, NV 89511

RECORDED IN MONO  
COUNTY CALIFORNIA  
06 SEP 16 AM 3:53  
RENTAL RECORDS  
COUNTY RECORDER



GRANT DEED

THIS GRANT DEED is made this 23 day of Aug, 1996,  
by and between Calneva Cattle Co., a Nevada corporation,  
(hereinafter referred to as "Grantor") and Westfork, a Nevada  
corporation, (hereinafter referred to as "Grantee").

WITNESSETH:

Grantor, for a valuable consideration, the receipt of which is hereby acknowledged, and subject to the reservations and exceptions stated herein, does hereby GRANT unto the Grantee, and to its successors and assigns forever, all the right, title and interest which the Grantor has or may hereafter acquire in the real property situated in the County of Mono, State of California, and more particularly described on Exhibit "A", attached hereto and by this reference made a part hereof;

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all water rights, oil, gas, other hydrocarbons, and minerals of whatsoever nature therein, and all right, title and interest of the Grantor therein or thereto, or which it may hereafter acquire;

EXHIBIT A

VOL 0751 PAGE 298 ~~0745-588~~

SUBJECT TO taxes for the fiscal year 1996, and to encumbrances, covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any;

TO HAVE AND TO HOLD all and singular the premises, together with the appurtenances, unto the Grantee, its successors and assigns forever.

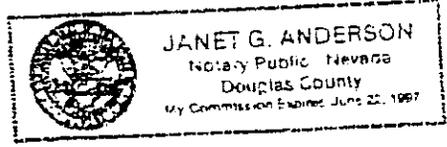
IN WITNESS WHEREOF, Grantor has executed this GRANT DEED the day and year first above written.

Grantor:  
Calneva Cattle Co.,  
a Nevada corporation

By: Melvin H. Schwake, Jr.  
Melvin Schwake, Jr., President

STATE OF NEVADA )  
                  DOUGLAS ) ss.  
COUNTY OF ~~WAGNER~~ )

This instrument was acknowledged before me on August 23, 1996, by Melvin Schwake, Jr. as President of Calneva Cattle Co., a Nevada corporation.



Janet G. Anderson  
NOTARY PUBLIC

My Commission Expires: JUNE 21, 1997

Send Tax Statements To:  
Calneva Cattle Company  
Attn: Mel Schwake, Jr.  
P.O. Box A  
Minden, NV 89423

APN: 00-01-100-23-0000-00  
00-01-100-24-0000-00  
00-01-100-34-0000-00  
00-01-100-35-0000-00

~~0751~~ 581  
VOL 0751 PAGE 209

Parcel 4:

Those portions of the South half of the Northeast quarter and the Southeast quarter of Section 25, and the Northeast quarter of Section 36, all in Township 9 north, Range 22 East, Mount Diablo Base and Meridian, according to the official plat of survey filed in the District Land Office on December 30, 1874, and Lots 2, 3 and 4 (Southwest quarter of Northwest quarter and West half of Southwest quarter) and the Southeast quarter of Southwest quarter of Section 30, and a portion of the Northwest quarter of Section 31, all in Township 9 North, Range 23 East, Mount Diablo Base and Meridian, County of Mono, State of California, according to the official plat of survey filed in the District Land Office On January 2, 1875, more particularly described as follows:

Beginning at a fence corner at the Southeast corner of what was known as the "Morris Dick Field", from which point the quarter corner between Sections 30 and 31, Township 9 North, Range 23 East, Mount Diablo Base and Meridian, bears North 0 32' East, 1347.60 feet; run thence North 0 52' East, 2642.30 feet to a fence corner; thence North 89 20' West along the fence 1940.54 feet to the West line of the East half of the Southwest quarter of said Section 30; thence Northerly, along said West line of the East half of the Southwest quarter of Section 30 and the Northerly extension thereof (along the East lines of Lots 2 and 3) the Northeast corner of Lot 2 in the Northwest quarter of said Section 30; thence Westerly along the North line of said Lot 2, and continuing along the North line of the South half of the Northeast quarter of Section 25, Township 9 North, Range 22 East, Mount Diablo Base and Meridian, to a point in said North line which is 165 feet Westerly from the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 25 at which point a stake marked "R & P" surrounded by a pile of stones is set in the ground as a monument; thence Southerly, along the division fence between the farms of William Radley and Henry A. Pitts, 2650 feet, more or less, to the point where the fence intersects the U.S. Government Survey between the land of Henry A. Pitts and former "Morris Dick Ranch"; thence North 88 59' West along a fence line to the Northeast corner of the land conveyed by G.M. Terry by deed recorded in Book 13, Page 379 of Official Records; thence along the East line of said land conveyed by G.M. Terry as follows: South 5 42' West, 1739.55 feet; South 50 58' West 300.3 feet; South 33 39' West 244.6 feet; South 6 40' West 221.2 feet; South 23 54' East 81.1 feet; South 29 09 East to the division line established by the Contract and Agreement recorded September 4, 1952 as Instrument No. 201 in Book 29, Page 408 of Official Records of said County; thence East along said line to the point of beginning.

Containing 615 acres, more or less.

01 ECF F 08

Exhibit "A"

~~0745~~ 583  
VOL 0751 PAGE 300

All that real property situate in the County of Mono, State of California, described as follows:

Parcel 1:

The Northwest quarter of the Southeast quarter of Section 25, and the South half of the Northwest quarter of Section 25, and the Northeast quarter of the Southwest quarter of Section 25, Township 9 North, Range 22 East, M.D.M., according to the official plat thereof, filed for record.

Excepting that portion of the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter as deeded to Joseph Pitts, May 4, 1882, in Book J, Page 130 of Deeds, described as follows:

Commencing at the Northeast corner of the Southwest quarter of the Northeast quarter of Section 25, Township 9 North, Range 22 East, M.D.M., thence running West along the line of U.S. Government Survey, 10 rods, more or less, to the division fence at which point a stake marked "R & P" surrounded by a pile of stone is set in the ground as a monument; thence running southerly along the line of said fence, 160 rods, more or less, to the point where said fence intersects the U.S. Government Survey between the ranches or farms belonging to Morris Dick and said Joseph Pitts; thence northerly 160 rods, more or less, along the line of the U.S. Government Survey to the place of beginning.

Parcel 2:

The Northwest quarter of the Southwest quarter of Section 25, Township 9 North, Range 22 East, M.D.M., according to the official plat thereof.

Parcel 3:

That portion of Section 25, Township 9 North, Range 22 East, M.D.M., County of Mono, State of California, as per the official plat thereof, described as follows:

Commencing at the Southwesterly corner of said Section 25; thence along the westerly line thereof, North 1270.8 feet; thence South 89 50' East, 1320.00 feet to the True Point of Beginning; thence South 89 50' East 1320.00 feet; thence South 450.00 feet; thence North 89 50' West, 1320 feet; thence North 450 feet to the Point of Beginning.

Excepting from Parcels 2 and 3 all that property deeded to the State of California for Highway 395 right-of-way.