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.,	)	IN EQUITY NO. C-125 SUBFILE NO. C-125-B **NOTICE IN LIEU OF SUMMONS**

TO:

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. 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.

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.

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.,	)	IN EQUITY NO. C-125 SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

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

3. 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.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

Phone Number:

Fax Number:

E-mail Address:

PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

(Signature)

_____

(Printed or typed Name)

_____

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

_____

_____

(Address)

_____

(Telephone number)

Copies of your NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE shall also be mailed to[1]:

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

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

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[1]The Court has omitted the requirement in the Case Management Order to Mail copies to the Walker River Paiute Tribe, the Walker River Irrigation District, and the States of Nevada and California.

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: _____

[Seal of District 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.)

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Environment and Natural Resources Division

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Hank Meshorer
Special Litigation Counsel
United States Department of Justice
Environment & Natural Resources Division
P. O. Box 7397
Ben Franklin Station
Washington, D.C. 20044-7397
Telephone: 202-616-9643

Attorneys for the United States of America

FILED
97 JUL 31 PM 2:07
LANCE S. WILSON
CLERK
BY _____
DEPUTY

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants.	In Equity C-125-ECR Subfile C-125-B
WALKER RIVER PAIUTE TRIBE, Counterclaimant, UNITED STATES OF AMERICA, Counterclaimant,	

vs.

WALKER RIVER IRRIGATION DISTRICT,

Counterdefendant,

STATE OF NEVADA,

Intervenor-Counterdefendant,

Acciari, Dennis; Acciari, Linda; Acciari Ranch Supply, Inc.; Acosta, Alexis R; Acosta, Joe W; Adams, Gregory B; Adams, Richard T; Ag Heritage Development; Aguiar, George B; Aguiar, Janiel M; Aiazzi, Cynthia J; Aiazzi, Estelle M; Aiazzi, Gary R; Aiazzi, Pete A; Albee, Florence M; Albee, William E; Albright, Samuel & Cheryle Family Trust Agreement; Allen, Catherine M; Allen, Doris J; Allred, Evan L; Alonzo, Rose M; Anaconda Minerals Co.; Anderson, Brian D; Anker, Alton; Anker, Susan; Annett's Mono Village; Antelope Valley Mutual Water Co.; Arcularius, Lorna Trust Agreement; Arimetco, Inc. (International); Armstrong Family Trust; Arrache 1990 Family Trust; Arrighi, Deborah F; Arrighi, Mark N; Arsenio Family Trust; Ash, Kimberly L; Atlantic Richfield Co. [ARCO]; Attaway, C & J Family Trust; Bacon, Milton E, Jr. 1992 Trust; Bacon, Milton E; Bakker, Douglas A; Bakker, Lora L; Balaam, Donald A; Balaam, Olga M; Baptist 1999 Family Trust; Bar Keystone Ranch, a General Partnership; Barber, Harriet Revocable Trust; Bartlett, Linda Lodato; Batchelder, Josephine Shipley and Fred C 1983 Family Trust; Bath, Barbara C; Bath, Ronald J; Batjer, Cameron M Family Trust; Batjer, Christina; Batjer, Marybel; Bauer, Clyne P. Trust, 1995; Beach, Donna Costa; Beckius, Kathleen M; Bein, C Ellen; Bein, Richard H; Bell, Brian William; Bently Family Limited Partnership; Berrington, Gary M; Berrington, Susan P; Bitler, Ken & Peggy Family Trust; Blackford, Kathy S; Blair, Ellen C; Blakely Family Living Trust; Blanchard 1988 Living Trust; Blasco, James M; Blasco, James M Family Ltd. Partnership; Blasco, Pamela A; Bledsoe, Alan A; Bledsoe, Carol A; Bobrick, Ruth E; Bobrick, Thomas Trust; Bobzien, Dolores J; Bodenstein, Irene M; Bodenstein, J. Kirk; Boggs, Pamela S; Boggs, Williams S; Bohlin, Eleanor M; Bohlin, Vera J; Bohlin, William B; Bohlin, William L; Bolt, Billy F;

Bolton, Charles V, III; Bolton, Kelly; Bolton-Rose Surviving Trust; Booth, Karen; Borsini, Dale; Borsini, Norma J; Borsini Ranch, Inc.; Botelho, Jacqulyn J; Botelho, William D; Bozsik, Albert S, Jr.; Bozsik, Olivia V; Bracken, Vincent S; Brackett, John J; Bradshaw, Leslie; Bradshaw, Pauline; Break-A-Heart, LLC; Brethauer, Clarence D; Brethauer, Janet R; Bromley Family Trust; Brönneke, Samuel P Family Trust; Brown, Beverly E; Brown, Darrol J; Brown, Joel Wesley; Brown, Lois L; Brown, Norman D, Inc.; Brown, Ross; Brown, Sandra Gail; Bryan, Elizabeth J; Bryan, John L; Bryan, Vernon F, Inc.; Burchett, Joseph L; Burnett, Kenneth R; Burnett, Sharon L; Busch, Brett Alec; Bush, Jack E; Buster, David C; Buster, Gayle L; Butterly, Ellen; Buttler, Jeri; Bye, Jean Leslie; C.E.A.S. Co., Inc.; Cabral, Joseph P & Norma J 2002 Revoc. Lvg. Trust Agreement; Caldwell, Charles S & Lura Batjer Trust; California Dept. of Fish & Game; Callaham, Sandra J; Calvest Associates; Cantrall, Nolan and Nancy Family Trust Agreement; Capurro, Janice E Trust; Capurro, Robert S & Suzanne Family Trust; Carey, Diane; Carey, John L; Carlin, Paul Kent; Carlin, Shelley; Carlini, Tod F Trust; Carlson, Bill Eric & Sharon Marie Trust Agreement; Carlson, Bill Eric; Carlson, Sharon Marie; Carpenter Living Trust; Carpenter Nevada, LLC; Carrasco, Elizabeth; Carrasco, Ray W; Casey, Claudia C; Casey, Michael A; Cashell Investments, LLC; Casino West, Inc.; Cavell, Richard J; Cefalu John N; Cefalu,Judith A; Centennial Livestock; Chase, Helen B; Chase, Irving Maxon Living Trust; Chase, Russell E; Chevron Resources; Chichester, Dwain; Chichester, et al.; Chichester Ranches; Chichester, Rhoda J; Chichester, Robert L., Jr.; Chichester, Ross J; Chico, James V, Jr.; Chico, Jennifer; Chilcote, David G; Chisum, Inc.; Christensen 1989 Trust; Christof, Brian S; Cid, Elaine C; Circle Bar N Ranch, LLC; Circle Bar N Ranch, A Nevada Partnership; Clark Family Trust; Clark, Donna K; Clark, Patricia D; Clements Family Trust; Cliff, Donald A; Cliff, Norman E; Cline, Caroline K; Cline, Jack R; Collins, Judy; Compston Family 1982 Trust; Compston Joint Revocable Inter Vios Trust; Congdon, Peter F; Congdon, Stacy Loretz-; Cook, Gary; Cook, Margaret; Cooper, John; Cooper, Robert; Costa Ranch, LP; Cox, Kim K.; Crandall, Susan Jill; Cremetti, William G Trust; Crosby, Fred; Crosby, Judy; Crystal Clear Water Co., Inc.; Cummings, Marvin O; Cummings, Milena; Curtis Family Trust; D & S L I, LLC ; D & S Waste Removal, Inc.; Dane, Frank R; Dane, Susan M; Davis, Diana; Davis Family Trust; Davis, Garry E & Dianne M Family Trust; Day, Sandra K; Day, Stephen R; Day's Desert Creek Ltd.; DeChambeau, Susannah W; Dechambeau, Scott I; Del Porto, Daniel E; Del Porto, Cherryl Ann; Del Porto, Julie A; Denton, Joseph W; Denton, Linda M; Desert Lake Campground; Desert Pearl Farms; Diehl Family 1999 Revocable Living Trust; Diekmann Trust Agreement; Dinneen Family 1997 Trust; Dockum, Don M. & Cheryl F; Domenici, Joseph & Gladys Family Trust; Domenici-Reese, Lona Marie; Donovan, Dwight; Donovan, Heather; Douglas County:Topaz Lake Park, Topaz Ranch Estates Park, Topaz Ranch Estates GID; Douglas,
Debra A Draper-; Douglas, Steven M; Dressler, DeVere; Dressler, Milton; Dressler, Roxanne; Dressler, Tonja; Dreyer, Joan; Dreyer, Roland; Dunn, Daniel D; Dykes Family Trust; E.L.W. Ranches, Inc.; Eaton, Joan C; Eaton, Kenneth A; Edwards, Shelley; Ehly, Desiree; Ehly, George; Ehrhart, Janice O; Ehrhart, Thomas A; Eller, Colby D; Eller, Julia C; Elordi, Deva; Emens, Annette M; Emens, Theodore A; Englert, Stephen; Estrada Family Trust; Evangelista, Gerardo; Evangelista, Laurie; Everett, Virginia M; Ewert Family 1995 Trust; F & B Trust; F.I.M. Corporation; Fairbanks, Robert L. [Duffer]; Fannin, Glenn D; Fannin, Tracey L; Faria, Edwin F;

Faria, Marty L; Farias, Carmen; Farias, Harold W; Farias, LLC; Farias Wheel Ranch, Inc.; Fawcett, Lawrence Edward; Fenili, Peter A; Fenili, Veronica Jean; Fesko Family Trust; Fine, James Samuel; Fine, Jill Marie; First Union National Bank; Fitzpatrick, Debra; Fitzpatrick, Ted; Five (5) C's Cottonwood Ranch, LLC; Fleck, Brenda L; Fleck, Dewey A; Fletcher, Marie L; Fletcher, Michael S; Fletcher, Ruth; Fletcher, Teri L; Fletcher, Wesley L; Floyd, Betty; Floyd, Frank; Flying A Ranch, a Nevada Limited Partnership; Flying A Limited Partnership; Forrester, Pamela A; Forrester, Wendell B; Foss, Thomas A; Four G Corporation; Fousekis,James; Fousekis, Susana; Frade Ranch, Inc.; Franklin, Carl; Franklin, D Camille; Fraser, Betty; Fraser Family Trust; Fraser, George; Freitas, Barbara L; Freitas, Elizabeth; Freitas, Maurice H; Frey, Kerry M; Fry, Deborah; Fry, Jill Christine; Fry, Michael; Fry, Paul J III; Fulstone, David H Co.; Fulstone, F. M., Inc.; Fulstone, James H; Fulstone, R. N. Co.; Fulstone, Steven A 1989 Trust; Funk Trust; G Lazy B Partnership; Gable, Don Ray; Gansberg, Chris H, Jr.; Gansberg, Faye E; Garcia, Jeffrey M; Garcia, Kealoha; Garms Estate; Garms, Gary J. & Toni J. Revocable Community Property Trust; Garrett, Robert A; Gattuso, Kim I; Gerbig, Arden; Gerbig, Evilo J; Gerrard, John R Trust; Gill, Joseph P; Giodo, Joseph A Revocable Trust; Giorgi, Donald; Giorgi, Lynda Hunewill; Giorgi, Ugo & Florence A Family Trust; Gisler, Otto A Trust; Glasner, Grover F; Glass, Daniel G; Glass, Patricia J; Glassburn, Ted; Glassburn Theresa; Gleason, James G; Gleason, Marla D; Glock, Audrey; Glock, Ernest; Godde, Forest G. Trust; Goffinet, Cheryl L; Goffinet, Lonnie K; Gordon Revocable Trust; Goss, Ronald W; Goss, Sandra A; Graham, Gene G; Graham, Margaret F; Granata, Helen C Estate; Gray, Mary Family Trust Agreement; Grayot, Margaret R; Greenfield Mobile Home Park, NV LLC; Greggersen, Marlene J; Greggersen, Paul A; Gregory Family Trust; Groso, Angelo; Groso, David; Groso, Ernest & Maxine Jo 2000 Family Trust; Groso, Nancy; Guild, Rolene Pitt Living Trust; Gutierrez, Teresa M; Guy, Willis H; Haas, Pamela J; Hall, Craig & Kris J Family Revocable Living Trust; Hall Family Trust Agreement; Hall, Herbert; Hall, Rachele M; Hammack, Raymond B; Hammack, Sonya; Hammond, Judith Revocable Living Trust; Hanson, Leona; Hardrock Mining Co.; Hardy, Karen Lund; Hargus, John and Blinn, Adah M. Trust; Harrison, Ben & Linda Trust; Harrison, John W; Harrison, Sandra L; Hawkins, Margaret; Hawkins, Terry; Hawkins, Patricia L, MD; Hawthorne, Town of; Hawthorne Utilities; Hawthorne Water System; Hayes, Deborah A ; Hayes, Jonathan C; Hefner, Marcia E; Hefner, Tommy M; Heimerman, John/Leona Family Trust; Helmuth, George; Helmuth, Pamela ; Hemsath, Richard Scott; Henderson, Robert B; Henderson, Rose M; Henker Family Trust Agreement; Hernandez, Audelia; Hernandez, Isidro V; Hervin, Kurt W; Hervin, Patricia; Hervin, Reiko; Hill, B Roxann; Hill, Jon A; Hilton Family Trust; Hiskett, Carl William; Hiskett, Phyllis Ann; Hitchcock, Cindy L; Hitchcock, Gerald; Holbrook, Constance Y;Holbrook, Richard H Sr.; Holbrook, Richard H & Constance Y Trust; Holbrook Station RV and Mobile Home Park; Holmes, Doris Trust; Homestretch Geothermal, LLC; Huggans, Jan K; Hume, Jayne E; Hume, Michael T; Hunewill Enterprises, LLC; Hunewill, Harvey E & Phyllis P Trust; Hunewill, Janet Bliss; Hunewill Land & Livestock Co.; Hunewill, Phyllis; Hunewill, Stanley L; Huntley, Mark A; Hutchins, Karen; Hutchins, Leland; Hutchison Family Revocable Living Trust; Huuha, Paul A; Hyne, Frances L; Hyne, Marshall; Ingerson, Larry; Ingerson, Trudy; Ireland, Mariann; Ireland, Ward W; Ithurburu, John; Ithurburu, Marilyn; Jacobus, Samantha S; Jakobson Investment Corp.; Jason Corporation; Jenkins, Joyce; Jenkins, Larry D; Jensen, Chris; Jensen, Jack E;

Jensen, M O; Jesch Family Trust; Johnson, Joseph W; Jones, Casey M; Jones, Mary C; Jones Family Foundation, Inc.; Julian, Jay & Darlene Family Trust; Jurica, Mary E; K & K Water, Inc.; Kahn Family Trust of 1993; Kelley, Dr. Donald; Kennedy, Dale & Cleo Family Trust; King, James Allen; King, Judith R; Knoche, Anne Tweet; Knoche, Craig F; Kottke Living Trust; Kraft Family Trust; Kraft, Kevin; L & M Family Limited Partnership; Lamoreaux, Frances Trust; Landolt, Beverly J; Landolt, Joseph G; Landolt, Joseph G & Beverly J.Trust; Langner, Donald H; Langner, Lorraine; Langner Family Trust; Lantana Ranch Family Limited Partnership; Lapham, Joanna M; Lapham, Willis H; Lawson, Nettie E; Lawson, Ronnie D, Sr.; Lazy S Lodge; Lee Ivey Ranch, Inc.; Lee, James; Lee, Linda P; Lee, Thomas W; Lee, Wallace J; Lehmer, Debra S; Lehmer, Steven M; Leinassar, Alan S; Leinassar, Marianne; LekumberryFamily 2001 Trust; Leland, Anne M; Leland, Britt M; Lewis, Rob Edward; Ligtenberg Family Trust; Lind, Craig R; Lind, Sandra; Linscott, Marjorie M.; Linsenmier, Jack L; Linsenmier, Wilma H; Little, David M Family Trust Agreement; Little, Bonnie; Little, David Jr.; Lloyd, Thomas L; Loll, Daniel T; Loll, Harry S; Loll, John C; Loll, Margaret M; Loll, Phillip G; Loll, Raymond C; Lommori, Joseph J and Bessie J Trust; Lommori, Julio & Delia Family Trust; Lommori, Karen I; Lommori, Kenny D; Lommori, Natale, Jr.; Lommori, Scott D & Leslie Family Trust; Ludel, Donna Lee; Ludel, Samuel Moses; Lund, Hans N & Marie N Trust; Lyon County School District; Lyon County Courthouse; Lyon County Public Works; Lyon County, Elm Tree Cemetery; Lyon, County of; Lyon County Fairgrounds; Lyon County Cemetery II; Mabe, James A; Mabe, Sandra R; MacBride, John; MacBride, Pam A; Madden Family Trust; Madden, Gerald; Madden, Lois; Magee, Ruth J Revocable Trust; Mahan, Mark S; Malek, John; Manha, Lorraine N; Manha, William D; Mann, Charles F; Mann, Luetta A; Marraccini, Darrell; Marraccini, Lisa; Marriott, Jack D; Marriott, Jane C; Marriott, Larry W; Marriott, Lonnie E; Marriott Nancy; Marriott, Sandra J; Marriott, Sandra K; Masini, Carroll G & Maria O Trust; Masini Investments; Masini, Lawrence B; Mason Valley Loyal Order of Moose; Masterson 2000 Trust; Mathas, John A; Mathas, Nancy J; Mathewson, Charles N. Trust; Mattice, Crystal Lindsey; Mattice, Duane; Mattice, James L; Mattice, Mary L; Mattice, Dena L; Mattice, John E; Mayne, Georganna P; Mayne, Larry A; McBee, Cheryl E; McBee, Michael P; McCargar, Doris; McCargar, Edward James, Jr.; McClain, Terry Lee; McClain, William T; McCoy, Cheryl; McCoy, Lee A Jr.; McNamara, Carolyn K; McNamara, Roger B; McWhirter, Mildred K Estate; Menesini, Cynthia L [Mrs. Donald]; Menesini, Cynthia L [Mrs. Ronald]; Menesini, Donald G; Menesini, Edward L; Menesini, Grace; Menesini, Kristie L; Menesini, Orlando; Menesini, Ronald D; Menesini, Randy Ellis; Menesini, Reema Marie; Merrill, Bradford C; Merrill, Lana Galyean; Merritt, David L; Merritt, Teresa C; Merriwether, Sherri A; Merriwether, William A; MICA Farms, LLC; Miller, Christie A; Miller, Dennis R; Miller, Edmund; Miller, John M; Miller, Linda; Miller, Robert J, Jr.; Mineral County Commissioners; Mineral County School District; Mineral County; Mitchell, Ginger; Mitchell, Ronald; Moline,David; Moline, Laura; Mono County; Montgomery, Mary Louise; Moore, Harold; Moore, Harold Trust; Moore, Micki J; Moore, Rosetta M; Moore, Steven H; Moreda, Clarence J Family Trust Agreement; Moreda Dairy; Morgan Family 1996 Trust; Morose, Dan C; Morose, Tara L; Moss, Jimmy A; Motley Living Trust [12/23/70]; Motley, Patricia A; Motley, Philippa; Motley, Robert III; Muir, Marjorie R; Muir, Thomas K; Munson, Dolores N; Nagel, Robert R; Nagel, Shirley J; Nannini, Anna Revocable Trust; Neibauer, John J;

Neibauer, Winifred A; Nesmith Family Trust Agreement; Neuhauser, Geneva Ruth; Neuhauser, Larry D; State of Nevada (Nevada Dept of Transportation; Nevada Div. of Wildlife); Nevada-Utah Assoc. of Seventh Day Adventists; Nevin, Melba; Nichols, William H; Nuti Brothers; Nuti, Cynthia; Nuti, Lawrence M; Nuti, Leslie J; Nuti, Mary E; Nuti, Mary R; Nuti, Michael A; Nuti, Nancy J; Nuti, Ralph E; Nuti, Ralph C; Nuti Richard B; O'Banion, James R; O'Sullivan Plastics Corp.; Osborne, Drew A; Osborne, Genevia L; Osborne, Roy E; Oxsen Enterprises, LLC; P & V Wilkinson Family Trust; Page, Jeffrey A; Page, Marilee J; Palmer, Alfred W;Palmer, Joy L; Park, David Wallace; Park, Mary Kathleen; Park, W B & Sons, LLC; Parraguire, David Estate; Patterson, Jana L; Patterson, Robert M; Peavine Leasing, LLC; Peel, Michael W; Peeples, Deann; Peeples, Frank T; Penrose G.I.D.; Peri & Peri; Peri & Sons Farms, Inc.; Peri, David J & Pamel A Family Trust Agreement; Peri, David J; Peri, James J., Jr. [Butch]; Perrin, Clarence H Testamentary Trust; Perrin Dynasty Trust; Perrin Trust; Perry, Randolph E; Perry, Victor A; Perumean, Mary Ann; Perumean, Pete Jr.; Perumean, Phillip; Peters, Glen & Darlene Living Trust; Peterson, Jeffrey; Peterson, Marion W; Peterson, Sheri; Pinenut Ranch Corporation; Pitchfork Ranch, Inc.; Plattner, Nancy Jo; Plett, Pauline; Plett, Walter; Poli, Nancy; Polizzi, Carmen Apodaca-; Polizzi, Robert J; Poulsen, Gayle S [Herman]; Prouty, Wayne M & Debra Lynn Revocable Living Trust; Pruett Ranches, Inc.; Pumpkin Hollow Farms, Inc.; Purrell, James E; Purrell, Karen M; Pursel, Delbert; Pursel Farms; Pursel, James; Pursel, Melvin E 1998 Trust; Pursel, Norma; Pursel, Norman; Pursel Ranch, a Partnership; Pursel, Vicki; Quilici, Basil & Pauline Leveille Revocable Living Trust; Quilici, James D; Quilici, Kathrynn A; Quiroga, Carlos G & Ofelia R Revocable Trust; Quiroga, Hector; Rader, Krys; Rader, Scott D; Raisbeck, Nancy L; Raisbeck, Peter D; Rasmussen, Kathleen; Rasmussen, Steven; Reams, Christopher; Reams, Denise; Regan, Ruby C Trust; Reich, Diana; Reich, Martin; Renegade Corporation; Renner, Thomas R; Renner, Tosca M; Reviglio, Thomas; Rhea, Dale; Richardson, Elizabeth; Richardson, James; Rife, Deborah K; Rife, Jeffrey J; Rinasz, Myron M; Ritter Family Trust; Ritter, John Gustave, III; Roach, Heidi D. and Roy B. 2002 Trust; Roach, Ruby; Roberts, Larry W; Roberts, Mary A; Robertson, Elmer C; Robertson, Geneva K; Robinson, Helen; Roderick, Douglas Ray & S Joann Living Trust; Roderick, Douglas Ray; Roderick, S Joann; Rogers, Carole J; Rogers, Jeffrey A; Rogers, Ralph S; Rogers, Sharon M; Rolston, Kenneth J; Rolston, Linda; Romero Family Trust; Roots, David H; Roots, Kathleen A; Rosaschi, Angelo J; Rosaschi, Lester & Connie Family Trust Agreement; Rosaschi, Romeo Jr., Inc.; Rosse, Debra D; Rosse, Jerry R; Rowe, Lillian Baker-; Rowe, Thomas M; Rubert, Lotus R ; Rubert, Peggy J; Rudd, Marie J; Runnerstrom, Rheta M; Runnerstrom, Warren G; Rupe Family Trust Agreement; Rye, Cherie C; Rye, Stephen B; Sandoval Albert R; Sandoval, Cecelia L; Sans, Paul P; Sans, Sandra Jo; Santos, Christena M; Santos, Paul J; Sario Livestock; Savage, Keith A; Savage, Virginia; Sayce, Michael R & Shannon L; Scatena, Louis V; Sceirine, Beverley; Sceirine, David A; Sceirine Fredericks Ranch; Sceirine, Herbert; Sceirine, Herbert L & Susan L Revocable Trust; Sceirine, Joseph E; Sceirine, Susan L; Schendel, Madge E; Schendel, Robert J; Schirmeister Lisa A; Schram, Madeline; Schrock, H. Jean Survivors Trust; Schurz Elementary; Schuster, Donna R Family Trust; Sciarani, Arnold Jr. & Pauline Trust Agreement; Sciarani, Donna; Sciarani, Eugo Trust Agreement; Sciarani Family Trust; Sciarani, James; Sciarani, John Trust Agreement; Sciarani, John; Sciarani, Linda Ann; Sciarani, Paul; Sciotto, Arthur P; Sciotto, Cortland O; Sciotto, Frank T; Scribner,

Cynthia; Scribner, Vance C; Seibold, Belinda A; Seifert, Judy A; Seifert, Stanley D; Settelmeyer Ranches, Inc.; Sharkey, Mike & Carol Family Trust; Sheerin, Christopher; Sheerin, Keri A; Shehady, Daniel P; Shehady, Donald & Teresa Trust; Sherlock, Michael C; Shively, E Duane & Russelle B 1991 Revocable Trust;Shoemaker, Janice; Shoemaker, Janice K Trust Agreement; Sierra Pacific Power Company; Silva, Edward B; Silva, Gary Sr.; Silverado, Inc.; Simmons, Leia H; Simmons, Stanley C; Simpson, Allan R; Six N Ranch, Inc.; Sjolin, Eunice; Skinner, Albert Carlos LLC; Smith Ann M; Smith, Daniel G; Smith, Diana Lee; Smith, Ermon Wilson & Mary Lee Family Trust; Smith, Eva L; Smith, Gaila M; Smith, Grant B; Smith, Harry E; Smith, Indra; Smith Living Trust; Smith, Mark A & Irene B Family Trust; Smith, Michael A; Smith, Patricia Ann; Smith Ranch Partnership; Smith, Shawna S; Smith Valley Cattle Feeders; Smith Valley Baptist Church; Smith Valley Park & Recreation Board; Smith, Wesley & Beverly Trust; Smith, Angela M; Smith, Diane L; Smith, Scott M; Snook, Jean T; Snyder, Eddie R & Theresa Trust; Snyder, Frances; Snyder Livestock Co., Inc.; Snyder, Lucy A; Soderstrom, Dave Jr.; Soderstrom, Joan; Soilfume, Inc.; Sommer, Betty J; Sommer, Leo H; Souza, Julie M; Spence 1990 Family Trust; Spinuzzi, Peter J Jr.; Spinuzzi, Theresa D; Spradlin, Everett J; Spradlin, N Jeannie; Sprague, Leland; Stacey, Kristine A; Stacey, Roc A; Stanley, John D; Stanley, Marlyse R; Stanton, Christy DeLong; Stanton, Kirk Andrew; Stark, Glenn M; Stauffer, Keith H; Stauffer, Patricia L; Steele, Charles R; Steele, Karen R; Steven & Susan Bohner Family Trust; Stevens, Judie A; Stevens, Michael D; Stevenson, Daniel R; Stevenson, Sharon; Stewart, Eileen F; Stewart, Kim & Kathleen Family Trust Agreement; Stillfield, Donna J; Stitt, John & Julia Living Trust; Stockton, Edward; Stockton, Linda A; Stout, Jack F; Stout, Nancy; Stovall, Judith Lee; Strong, Charles; Strosnider Family Trust; Strosnider, Inc.; Strudwick Living Trust; Sturge Family 2001 Trust; Sturtevant, Helen M; Sullivan, Kevin Patrick; Sundance Feedlot; Sunrise Ranch, LLC; Sutter Ranch Corporation; Swainston, George W; Swainston, Harry W; Swainston, John W; Swenson, Michelle T; Swenson, Timothy D' Taliaferro, Daniel R; Taliaferro, Jill K; Tamagni Janice E; Tamagni, Raymond E Family Trusts; Taylor, Dola F; Taylor, Lloyd T; Tazaki, Musaschi Taka; Terry, Denise L; Terry, Sean C; Terschluse Family Trust; Thacher, Caroline H; Thacher, John H; Tholke, Rachel Smith Trust; Thomas, Ami; Thomas, Katherine L; Thomas, Terry A; Thomas, Tracy Glaze; Thompson Family Trust; Tibbals, Carol Joyce; Tibbals, Don H; Tibbals Family Trust Agreement; Tibbals, Joseph William; Tijsseling, Dick G; Tijsseling, Judith A; Tilley, Jerry E Trust; Tiscareno, Anne M; Tiscareno, Carlos J; Titus, Robin L; Tomac, Laura; Tomac, Steven; Topaz Lake Water, Inc.; Topaz Lodge, Inc.; Treasure, Malcolm; Treasure, Michelle R; Turf Company, LLC; Turner, Dolores V; Turner, Howard D; Turner, Joan C; Turner, Ross D; Turria, Linda R Trust Agreement; Turria, Linda; Turria, Randy; Twelves Family Partnership, LLC; Twin Properties, LLC; Vandebrake, Debra A; Vandebrake, Jerry L; Vaughan, Julie M; Vaughan, Richard D; Vawter Tierney Living Trust; Veil, Kelly A; Veil, Timothy C; Verdugo, Juan; Verdugo, Maria; VGR Limited Partnership; Vick, David W; Vick, Shelly; Villa, Alan N; Villa, Shirley J; Virdin, Virginia Sue; Virdin, William Michael; Vogel, Bruce G; Vogel Family Trust; Vorhies, Victoria E; Vorhies, William L Jr.; W and L Trust; Walker Lake Water District; Walker Lake Working Group, Inc.; Walker Lake Apartments; Walker River Paiute Tribe; Walker River Land Corporation; Walker River Ranch Limited Partnership; Walker River Irrigation District; Walsh, Janine Y; Walsh, Stephen L; Warburton Family Trust; Ward, Lauren; Ward,

Mary Margaret; Warr, David T; Warr, John; Wass Investments, A Nevada Limited Partnership; Wasser, Debi I; Wasser, Robert E, Jr.; Weaver Properties, LLC; Weaver, John R & Lura K Family Trust; Weed Heights Development; Weiser Living Trust; Wells Fargo Home Mortgage, Inc.; West, Regina Rae; Wheat, Robin; Wheeler, Earnest C; White, Douglas M; White, Julie Ann; Whitney, John W; Whittier Trust Co., TTEE for George L'Abbe; Wiegand Resources, Inc.; Wiggins, Alice S; Wilder, Joan; Wilens Family Trust; Wilkinson, Philip; Wilkinson, Vivien; Williams, John Leonard; Williams, Joni Fay; Williams, Phillip A; Williford, Michael C; Williford, Virginia M; Willis, Marlene D; Willis, Randall D; Willowcreek G.I.D.; Wipfli, Candyce; Wipfli, Tom; Wright Living Trust; Wright, Mary M; Wright, Sandra L; Wright, Weston L; Yeager, Eloise; Yeager, F Kirk; Yerington Associates; Yerington Church of Christ; Yerington, City of; Yerington Public Utilities; Yerington Water Co.; Zieman, Gene G; Zlendick, Don R; Zlendick, Gayle K; Zwart, John J; Zwart, Veronica L; Abilla, Vicki Lynn; Acme Leasing, LLC; Airoso, Joseph M, Sr.; Ammons, James T.; Anderson, Royce W. Family Trust; Artesani Family Trust; Ayres, Harriet E.; Bartels, Gladys; Bartels, William J., Sr.; Bawden, J. F.; Bemis, Jack L; Borealis Mining Company; Brandstetter Family Trust; Brueggemann, Bruce; Brueggemann, Sherilyn E.; Bryan, Nikki A.; Bryan, Richard H.; Butler, Gary R.; Butler, Theresa A.; Chilton, Michael J.; Clemens Family Trust; Cochran, Donald R.; Cochran, Susan J.; Cook, Gilbert E.; Cook, Linda L.; Copper Hills Bible Church, Inc.; Crist, Arlien R.; Crist, Charles J.; Day, Kelli A; Day, Robert H., Jr.; Debrick, Verna N.; Draper, Steven M.; Dunham, Dane Eileen Family Trust; Easterby, Carmaletta; Easterby, David D.; Eierman, Conrad R.; Faiferek, Lee Ann; Faiferek, Roland; Faretto, Michael 1996 Family Trust; Fielding, Shirley A.; Fietta, Patricia; Fulstone, Ed; Fulstone, Fred, Jr.; Gagne, John L.; Gagne, Monica V.; Garms, Gary; Garms, Toni; Garmsland Limited; Giacomini, Carole A.; Giacomini, Joseph T.; Giorgi, Ugo, Jr.; GR8DEAL, LLC; Gregoris, Michel; Gregoris, Yvette P.; Guild, Clark J., III; Guild, Catherine L.; Gussenhoven, Joyce L.; Hanson, Gary & Beverly Trust; Harris, Mark Alan; Harris, Valeria; Hartwick, Rex A.; Hartwick, Sandy J.; Haskins, Carrol Richard & Alice June Joint Living Trust; Hawkins, Patricia L., MD; Hayden, Leland D.; Helm, Connie Parkinson-; Helm, Daniel B.; Hern, Carla Sue; Hern, Michael J; Hunewill, Frank E.; Hunewill, Randi Jo; Huntsberger, Linda M.; Huntsberger, Richard C.; Jackson, Robert E.; Johns, Debra L.; Johns, Michael P.; Johnson, Richard D.; Johnson, Sharlene M.; Johnston, Carol A.; Johnston, John; Jones, Arthur L., Jr.; Jones, Debra L.; Keegan, James; Kelly, Quirt; Kirk, Donna B.; LaFleur, Debra C.; LaFleur, Gary P.; Lemaitre, George E.; Lemos, C. JoEllen; Lemos, Danny; Lemos, Milton J.; Lindberg, Donald H., Sr.; Lindberg, Janice M.; Lockwood, Melvin L.; Lockwood, Sylvia M.; Lombard, Michael; Lombard, Shelley; MacKenzie, Lee Ann; Maddock, Douglas W.; Maddock, Stacey L.; Martin, Cheryl Lynne Revocable Living Trust; Masini, Lawrence C. Ranch; Mathis, Joe Robinson and Eleanor Margherite Trust; McCormick, Hilda T.; McCormick, Robert J.; McMinn Family Trust; Megenity, Patricia Sue; Melton, Mattie J.; Miller, Mary Ann; Morehouse, Linda; Morehouse, Wayne; Muniain, Mary K.; Muniain, Raymond O.; Myers, Francine; Myers, Travis; Nevada Onion, Inc.; Noles Trust dated 11/08/89; O'Banion, Todd J.; Oxsen, Nancy; Oxsen, Peter; Pellegrini, Debra I.; Pellegrini, Steven W.; Perrin, Frances L.; Petersen, Martin W.; Petersen, Norma D.; Price, Charles R.; Proud, Andrew S.; Proud, Wendy E.; RGGS Land & Minerals, Ltd., LP; Rauber, William S. & Inlow, Patricia A. Trust; Renner, Donald W.; Renner, LaShele M.;

Rightway Investments Smith Valley, LLC; Rink, Ruth E. 2002 Trust; Ritter, John G., Jr.; Ritter, Lucille C.; Roark, Gladys R.; Michael G. & Paula L. Rosaschi Trust; Ruf, Kyle A.; Ruf, Ross C.; Allen, Judy B; Allen, Roger; Ambrosia, Elaine L; Antonelli, Adriane J; Antonelli, Robert E; Aquila, Anthony; Aquila, Shelly; Aquila, Teresa; Ashdown, Darlene M; Awbrey, Connie M; Awbrey, James M; Babcock, Geraldine; Babcock, Richard E; Bales, Nona K; Bales, Richard B; Baptist, Joseph M; Baptist, Wendy R; Bartels, Kimberly A; Bartels, Rick S; Batting, Jennifer Lee; Berryhill, Nita M; Bertolin, Bruce H; Bertolin, Judith N; Bloise, George Nickolas; Boyd, Betsy J; Boyd, John L; Boydston, Kimberlee L; Boydston, Monte F; Bradley, Kay M; Brewer, Robert & Doris Trust; Brewer, Robert C; Brewer, Sandra L; Brondel, Karen D; Brondel, Kathy L; Brown, Haskell & Cheri L Trust; Brown, Kristine L; Brown, Oswald A; Brown, Sandra; Buchanan, Betty; Buell, Betty Sue Trust Agreement; Buell, Frank M Trust Agreement; Buettner, Madeline K; Buettner, Wilhelm F; Buford, Rick A; Buford, Vel; Bukoskey, John J; Bukoskey, Linda S; Bull Family Trust; Burr, Dianne Borsini Trust; Capurro, Cindy; Capurro, Michael L; Cartwright, Joan E; Cartwright, Roxanne Jones-; Cartwright, Tommy W; Chambers, Robert M; Cirone, Allen W; Cirone, Amanda J; Clay, Susan A; Converse, Cris; Cook, Gilbert E & Linda L Trust; Cooper, Kevin D; Cornish, Diane L; Crabtree, Antoinette Damon; Crabtree, Philip W; Criqui, Peter C; Daugherty, Michael; Daugherty, Susan C; Davis, Carol A; DeVolld, Zoe A; Dobosh, Betty M; Dobosh, Michael D, Sr.; Ellington-Peyerl, Andrea; Elliott, Patricia A; Elliott, Robert L; Elmer, Margaret D; Elmer, Richard G; Emery, Steven M; Emery, Terri L; Fabian, Norman R; Fell, Bud S; Flood, Michael P; Foley, Peggy; Foley, Richard; Foley Trust dated 04/05/04; Garcia, Carmen; Garcia, Rogelio M; George, Betti June; George, Carl S, Sr.; Giannotta, Lori Linn; Giannotta, Robert Paul; Gideon, Jerry; Gideon, Laverne; Gilmore, Debra A; Gilmore, Patrick A; Giomi, Joseph E Family Trust; Goodwill, Becky; Goodwill, Richard K; Gordon, Kathleen J; Gordon, Robert B; Greene, Vincent N; Gregoris, Gerard; Gregoris, Loranne; Gregory, Eric C; Griffin, Floyd W; Griffin, Heidi A Hess-; Griffin, Martha Ann; Grosvenor, Elaine L; Gullett, Eva C; Gutierrez, Maria J; Gutierrez, Patrick; Haeckel, Carolyn A; Haeckel, Michael B; Hart, Dublin J; Hartley, Shirley A; Hatala, Albert F; Hatala, Mary Sue; Herman, Fair M; Herrand, David; Herrand, Diane M; Hill, Carl E; Holloway, Ted J; Homan, Kristina Fay; Hoover, David R; Hoover, Tammy L; Horner Personal Residence Irrevocable Trust Agreement; Horstmanshoff, Bruce; Howry, Michael; Hronesh, Mark E; Hughes Family Trust UDT 9-7-95; Ichord, Richard A; Ichord, Shirley M; Jaquay, Michelle K; Johnson, Edward D; Johnson, LaCinda E; Johnson, Michael L; Johnson, William Lay-Faytte and Joan T Johnson Family Trust; Johnston, Hal B; Johnston, Michael W; Johnston, Rosann M; Jones Family Trust; Jones, Charles Russell & Linda C Trust; Jones, Colleen M; Jones, Martha J; Jones, Michael L; Jones, Paul F; Jones, Willie A Trust; Joplin, Betty; Joy, Donald; Joy, Lori; Jurey, Clyde W and Sandra D Trust; Kalata, Loretta J; Kalata, Theodore E; Kaltenbach, Lawrence J; Kaltenbach, Viola; Kay, Carlene D; Kay, Frank E; Kay, Leroy C; Kay, Paul G; Kelley, Francis A; Kelley, Geraldine S Trust; Kelley, Rita J; Kienbaum, Martha C; Kilgore, James B; Kilgore, Violet D; King, Robert F, Jr.; Kinsey, Peggy Leigh; Kirk, Jerri Mae; Kleve, Jerome H; Kleve, Verna Lee; Klose, Lyle E; Knight, Madeliene M; Knisley, Richard D; Knisley, Rosanna M; Knox, Logan & Madge Trust; Knudson, James A; Kostenbader, Steven G; Kotler, Gary I & Cathryn A Trust; Kraft, Ricardo M Trust; Kraus, Arthur; Kraus, June; Krejci, Bill F; Kretschmer, Constance M; Kretschmer, Edward

L; Kropelnicki, Alexander; Kropelnicki, Marlene R; Kuzia, Joanna; Kuzia, Leslaw; Kuzmicki, Constantine T; Kuzmicki, Nicolee; Kuzmicki, Russell; Labelle, Edith M; Labelle, Gary L; Lacey, Jonathan A; Lamb, Grace R; Lamb, Robert W; Lamkin, Helen; Lance, Lita Jean; Lance, Mattie; Lance, Richard Dean; Landers, Jim G; Lang, Charles M; Lang, Debra S; Langford, John R; Lantto, Ernest R; Lanzino, Andrew E; Lanzino, Lisa A; Lasater, James M & Betty L Trust; Lawrence, Danny L; Lawrence, Diane L; Ledsinger, Michael D; Lee, Jerry W; Lee, Robert E; Leffler, Glen A; Leffler, Nadine V; Lemos, Frankie L; Lemos, Guy F; Lemos, Jodi L; Lemos, Rodney J; Lerg, Deborah Mae; Lerg, Roy D; Lerg, Roy D & Deborah Mae Trust; Levay, James; Leveille, Helen; Leveille, William E; Lewis, Arena F; Lewis, Cameron J; Lewis-Ellis, Katherine L; Locklear, Arnold J & Lysi V Family Trust; Loori, Catherine; Lopez, Baudelio; Lopez, Fredrick; Lopez, Maria S; Loveberg, Robert G; Luers, Dale E; Luers, Devon S; Lumbard, Robert A; Luning, Eugene T; Luning, Michelle S; Lunsford Family Trust; Lyman, Stanley and Bonnie Revocable Trust; Lynch, Charlene F; Lynch, Daniel B; Lyons, Della M; Lyons, Rolland R; Madera-Ramirez, Otoniel; Madrid, Joseph I; Madrid, Maria E; Madsen, Russell G Trust; Mainarick, Richard M; Mainarick, Susan L; Maldonado, Efren E; Maldonado, Sylvia; Mamolen, Ellen M; Mamolen, Samuel F; Mandeville, Margaret; Mandeville, Walter F; Manus, Dwayne T; Marshall, Carrie A; Marshall, Theran L; Mason, Jon E; Mason, Norene E; Massin, Michael R; Massin, Nancy L; Mata, Nereo C; Mata, Onecimo; Matlean, Barbara C; Matlean, Milton; Mattice, Gayle; Mattice, Lewis W; May, Georgia A; Mayne, Gary F; Mayne, Kathy L; McAviney, Christopher A; McAviney, John N, Jr.; McCandless, Robert R and Frances L Family Trust; McDermott, Shirley J 2000 Trust; McGuire, Bettie M; McGuire, Melanie; McGuire, Michael S; McKay, Gary G; McKay, Lewis & Judith Family Trust; McLaughlin, Doris; McMinn, Barbara Ruth; McMurray, Barbara A; McMurray, Norman H; Medaris, Joan M; Medaris, Leland H; Meerly, Richard O; Mendoza, Jorge Negrete; Menesini, Joseph, Jr.; Menesini, Wanda M; Mestressat, Cynthia; Mestressat, George J; Meyer, Lucinda A; Michelsen, Carole A; Michelsen, Ronald J; Micheo, Louis R; Midyett, Patti A; Mikonis Family Trust; Milam, Bruce; Milam, Sylvia; Miller, Kris C; Miller, Owen; Miser Family Trust; Moffitt, Lance; Moffitt, Marcia; Mollart, Cathy S; Mollart, George W, III; Mominee, Bernard; Mominee, Diana; Monahan, Daniel J; Monahan, Eleanor L; Monahan, Wayne R; Montanaro, Edward C; Montanaro, Mary M; Montero, John R; Montero, Sharon A; Montes, Benito; Montes, Felicittas; Montes, Maria B; Montes, Oscar Ramos; Montes, Senorino; Montes, Taurino R; Moody, John W; Moody, Kristine R; Moore, Diana B; Moore, Jeffrey H; Moore, Mark A; Moore, Robbin Rose; Moore, Ronald W; Moore, Sandra H; Moore, Vickie L; Moreda, Edward J; Moreda, Gretta E; Moreda, Janet M; Mottin, Jimmy R; Mottin, Nelda R; Mouchou, Barbara A Trust; Mouchou, John D; Mousseau, Janet; Muniain Family Trust; Murphy, Donna P; Nagy, Linda L; Nagy, Michael E; Nakamua, Janet E. Thompson; Newman, Jon M; Nigos, Cynthia; Nish, Jesse; O'Connor, John E 1996 Separate Property Trust; O'Connor, Marlene A 1996 Separate Property Trust; Olson, Gerald F; Olson, Rochelle; Pedersen, Dan H; Pedersen, Karen P; Penaloza, Oralia; Perry, Darla Clarke; Perry, Gayle A; Perry, Janet C; Perry, L James; Petersen, Rosemary E; Pierman, Lenda Lou; Pinion Mountain Trust; Pipkin, Jimmy D; Pipkin, Rose M; Poseley, John Trust; Postal, Clark N; Prouty, Wayne M, Jr.; Pugh, Gordon; Rauber, Julie M; Rauber, Spencer N, Jr.; Raymond, Alice A; Raymond, Gary K; Reed, Barbara J; Reed, Sandra M; Reese, Lynda C; Rienstra, Ardenna K;

Rienstra, Paul E; Roberts, Christina A; Roberts, William P; Robinson, George F; Robinson, Kimberly J; Robison, Howard R; Rodriguez-Madera, Maria Raquel; Rogers, Sherrie D; Roseberry, Connie Jo; Roseberry, Kevin D; Ruble, James H; Ruble, Pauline H; Sallaberry, JoAnn; Schendel Family Living Trust; Schmidt, Eddie Mae; Schultz, Steven D; Schultz, Theresa C; Seal, Lois A; Sebald, Frederick C; Sebald, Leona L; Seitz, Pamela G Sterling-; Seitz, Paul R; Seldomridge, Jeffry S; Silva, Jeanne E; Silva, William J; Simmons, Larry A; Simmons, Richelene; Singleton, Michael R; Sipes, Alden Henry; Sipes, Nancy Jean; Slater, Dennis R; Slater, Kimberly Ann; Lindsey, Twyla M.; Smith, Barbara L; Smith, Thomas H; Spencer, Michele; Stanton, Thomas J; Stevens, Bryan T; Stevens, Pamela M; Stewart, Robert L; Stewart, Terrie L; Stoddard, Cheryl A; Sullivan, Alice J; Survera, Bertrand J; Survera, Lois C; Taylor, Adrian G; Taylor, Maria D; Theiss, Dale A; Theiss, Sharon F; Thomas, Fannie M; Thomasson, Phillip W; Tornesello, Michael J; Towery, Cary E; Towery, Cheryl A; Tucker, Dona C; Tucker, Phillip E; Valladao Trust; Van Winkle, Raymond, Sr.; Verdugo, Eva; Verdugo, Jose; Walker, Summer N; Walker, Travis L; Wallin, Diana R; Warren, Robert James; Weaver, Yvette; Weeks, Mike L; Westerman, Paula S; Westerman, Theodore N, Jr.; Whitesides, Joella J; Whitesides, Todd K; Wilder, John J; Wilder, Lin C; Wilders, Maudy E; Wilders, Robert; Willingham, Ada L; Willingham, Lawrence O; Wirthwein Family Trust; Zahradnik, Catherine M; Zahradnik, David V; Zarazua-Mata, Abel; Zarazua-Mata, Rafaela; Zarazua-Montes, Liboria; Zippwald, Darlene S; Zippwald, Jack C.; "A" Enterprise; Baltrusch, Sabrina; Bell, Carl D.; Beronio Family 1995 Trust; Brown Joint Living Trust; Cook 1994 Revocable Living Trust; Farrar Family Trust; Giraud, Louis J; Giraud, Marie; Rex A. & Sandra J. Hartwick Family Trust; Hayes, Edward P.; Klose, Carrie; Kreamer, Cherryl L.; Kreamer, James P.; Lackore Revocable Family Trust; Leiter, Linda Kathleen; Lommori Family Trust; Mathews, Myrtle Alberta Family Trust; Miller, Vernon L. and Caroline S. Family Trust; Nakamura, Janet E. Thompson; Sanchez, Doris S.; Sanchez, Samuel Julian; Valladao Trust; Verna, Nancy A; Verna, Steven E.; Williams, Murl E., Jr.; Abrott, John E; Abrott, Maralyn; Acciari, Catherine M; Acciari, Joseph R; Acosta, Carole F; Acosta, Rudolph E; Adams, Hazen R; Adams, Mary A; Adams, Melody A; Adrian Family Trust; Aiazzi, Denise N; Aiazzi, Pete A. and Estelle M. Trust; Aiazzi, Stephen E; Aiken, Susan Sedgwick; Algeo Family Revocable Trust; Altman, Carol E; Altman, Mary I; Alvarez Family Revocable Living Trust; Andersen, F Elaine; Andersen, Morries Jr.; Anderson, Darrell E; Andrews, Horton R Trust; Angeles, Ernie A; Arentz, Sam S, III; Arentz, Trudie C; Armstrong, David E; Armstrong, Marge A; Atchison, Dennis W; Atwood, John G, Jr.; Ausmus, John A; Balbini, Arthur Ronald Trust; Baran, James J; Barcellos, Vicki L; Barr, Sharron; Bartels, Marvin E; Bartlett, Darlene; Bartlett, Donald L; Bauhofer, William L; Baumgartner,Beverly; Baumgartner, John G; Beal, Donna J; Beal, Linda; Beal, Steven; Bean, Kenneth R. and Ethel R. Bean Family Trust; Beaton, Christopher S; Beaton, Darci L. Mundello-; Bell, Brian William; Bentley, Don and Patty S. Bentley Family Trust; Bergin, Leo P, III; Bernard, Adrian L; Bernard, Donald J; Berrington Custom Hay Hauling, Stacking and Transportation, Inc; Berrington, Jean M; Berry, Alta E; Berry, Barbara L; Berry, Robert J; Berry, Stephen F; Bertrand, Linville F; Berumen, Juan Luis Reyes; Bettencourt, Lawrence; Bettencourt, Mary J; Bezayiff, Julia; Bezayiff, Roger; Biggs, Edward W; Biggs, Robin A; Bilbao, David A; Bilbao, Patricia E; Bingeman, Gene Family Trust; Birk, Ronald G; Blackburn, Dale G; Blackburn, Eve L; Blanks, Gerald D; Blanks,

Sharon E; Bohler, Steven A; Boileau, Gerial; Bonnet, Laurie A; Bonnet, Mason L; Boucher, Christine; Boucher, Michael D; Bradley, Darrell D; Bray, William J, Sr.; Brownell, Camella M; Brownell, Dean G; Bruhn, Eugene L; Bruhn, Nickels Lewis; Bryan, Gordon D; Bryan, Helen M; Chappell, Dana; Cline, Carolyn K. Zieszler-; Cline, Jack R; Crawford, Larry D; Crowley, Jon D; Crowley, Teresa G; Crumé, Gail Herrera; Crumé, Henry Haskell; Davis, Gregory A; Davis, Terri L; DeChambeau, Jack; DeChambeau, Susan J; Delucca 2004 Rev. Trust; Diaz, Jessica Bettencourt; Dickey, Cinda; Diekmann, David C; Diekmann, Greg E; Diekmann, Richard J; Dockum, Cheryl F; Dockum, Don M; Dressler, Estate of Milton N, Sr.; Dunn, Leo Patrick 2004 Trust; Echard, Deborah Lynn; Echard, James Edward; Eller, Colby D; Eller, Julia C; Espitia, Angel; Espitia, Margarita; Eversult, Robert A; Eversult, Shirley A; Far West Construction; Fowler, Penelope; Fowler, Terry G; Fuller, Robert B; Fuller, Vera N; Fullerton, Carolyn J; Fulstone, R N Inc. Ranches; Gardner, Ken & Dorothy Trust; Garman, William W; Golden Honey Bear Trust; Gourley, Patricia Lynn; Greenberg, Barbara Carol; Greenberg, Raymond John; Grooms Family Trust; Hagen, Cheryl S; Hagen, Mike; Haight, Sonnie L; Haight, Theodore David; Hakin, Carl E; Hakin, Joyce Lynn; Hall, James B; Halstead, Judy; Ham, Dana C; Ham, Franklin C; Hamlett, Robert A, II; Hana, Bob E; Hana, Carmela R; Hansston, Anna J. Family Trust; Hardesty, Gary W; Hardesty, Karen K; Hardison, James L; Hardison, Marlene; Harker Family Trust; Harper, George R; Harper, Patricia C; Harrell, Dennis E; Harrell, Linda J; Harrington, Jean M; Harrington, Roger A; Hawkins, Michael James; Hefner, Marcia E; Hefner, Tommy M; Hicks Family Trust; Hodges, Carol Lee; Hodges, Donald Lee; Hughes, Kathleen; Hughes, Richard W; Hughes, Ted O and Marian Trust; Hughes, Tony and Sharon Family Trust; Incopero, Frank Vincent; Jones, Arthur L., Sr.; Jones, Barbara A; Jones, Debra L; Kates, Carolyn M; Kirchner, Michael & Karen Family Trust; Knapp, Dennis R; Kutschenreuter, Herman J; Kutschenreuter, Sue; Laumer Living Trust; Leavitt, Brian B; Leavitt, Kim S; Lee, Blair H; Lenning, Grace A; Lenning, James L; Litterer, Jeffrey S; Litterer, Therese A; Lynch, Betty L; Lynch, Donald B; MacBlane, Gary R; Mack, Eugenie H; Mack, Luther; MacMannus, Leslie J; Mason, Bernadine K; Mason, Evered J; Mathias, John A; Mathias, Nancy J; McCarthy, Michael R; McCarthy, Michaele Ann Campoy; McGarity, David Hoyt; McGarity, Mary Colleen; Me-Too, Inc.; Mosby, Jack L; Mosby, Rena A; Murphy Revocable Trust u/d/t 7-22-98; Nall, Lucille G; Nesbit, Edwin E; Nesbit, Pamella H; Neubauer, Nancy M; Nickum, Kelly L; Norman, Ruth A 1991 Trust; Oliver, Jo M; Oreb Trust; Parker, Emily Grace; Parker, Susan Emily; Parrott, Cherylin K; Parrott, Harold T; Peck, Michael; Pepple, Grace; Pepple, James L; Perkins, Carol Louise Family Trust; Petersen, Martin W; Petersen, Natalie; Petersen, Norma D; Petrak, Jack R; Pinion Ranch Estates, LLC; Pitt, Sharlet L. 1993 Trust; Pulido, Jesse H; Pulido, Margaret G; Riley, Patricia; Roseberry, Jacob E; Roseberry, Kimberly R; SV Development; Savage, John A; Savidge, Dale A; Savidge, Maureen P; Schmidt, Leonard L; Schwake, Frederick W; Schwake, Patricia R; Schwandt, Rudolph A; Scodak, Judy; Scodak, Stephen; Scott, Dorothy L; Seldomridge, Patricia D; Sellers, Brenda; Sellers, Carol Jean; Sellers, Frederick E; Sellers, Larry W; Seubert, Donald R and Sophia Trust; Severinsen, Darrell R; Severinsen, Sheryl A; Seward, John F, Sr.; Seward, Joyce A; Shaffer, Timothy M; Shaw, Lee; Singleton, Charles M; Singleton, Rose M; Sipple, Anthony Joseph; Sipple, Cathryn A; Skaggs Family Trust; Smith, Anthony K; Smith, Christine R; Smith, Kenneth M; Smith, Richard R, Sr.; Smith, Shirley K; Smith, William

S; Solway, Nancy L; Solway, Walter T, Jr.; Soukup, Andrew J; Soukup, Lee; Soukup, Lisa; South Lyon County Hospital District; Sovereign Enterprises, LLC; Spahn, Donna J; Spezzi, Donna M; Spezzi, Stanley R; Spooner, Kenneth C; Spooner, Margaret M; Springs, Carol L; Springs, Louis D; Spurgeon, Elbert C 2004 Family Trust; Spurlock, Melvin R; St. Jean, Wilfred and Roma Trust; Stanley Family Trust dtd 12/11/97; Stanton, Michael J; Steele, Gary P; Steele, Helen L; Stephens, Kathleen E; Stephens, Ronald L; Stewart, Kathleen L; Stewart, Kim K; Stiles, Nancy A; Stokes, Albert E; Stokes, Susan M; Storey, Arthur L; Stutts, Cheryl; Stutts, Larry; TPKW Family, LP; Tanaka, Cindy; Teodorski, Tanya M; Testa, Anthony J; Testa, Judith K; Tibbals, Joseph W; Tibbals, Margaret F; Tiscareno, Hope E; Tiscareno, Juan P; Towne, Catherine L; Tucker, Richard Allan; Tucker, Sandra Kaye; Turner, Jo Anne; Uhland Family Trust; Urrea, Marjorie L; Valentino Family Trust; Van Norman, Charles V; Van Norman, Linda Dianne; Van Winkle, Raymond W; Vial, Sandy Marie; VonSeeburg, John A and Lorraine E Revocable Trust; Wade/Fernley, LP; Washington, Bonnie; Wawers, Sylvia C; Welle, Patricia C; Weller, Bessie A; Weller, William H; Whitaker, Richard S; White, Kirk Family Trust; Wiant Living Trust; Wilcox, Eric Kenneth Trust; Wilkerson, Dennis L; Wilkerson, Elouise M; Williams, Gypsy; Williams, Phyllis; Willis, Marlene D; Willis, Randall D; Wilson, Martha; Wilson, Wylie; Wirthwein Survivor's Trust; Yerington Ventures, LLC; Young, Daniel & Shelby Revocable Living Trust; Zumpft, Charles W and Karen M Family Trust; Arellano, Noel; Arellano, Rosalba; Baker, Kenneth E; Baker, Linda M; Berrington, Phyllis; Blandin, Nancy L; Bobula Living Trust dtd 12/03/97; Borden, Donn T; Boudreau, Hilary H; Boudreau, Michael P; Bowden Family Trust dtd 3/23/00; Bowen, Mary Lisa; Bowen, Wallice; Bowman, Ann M; Bowman, Wayne D; Bowman, William R; Brigham, Jeanne Diane; Brown, David A; Brown, Rose L; Brown, Wesley W and Clara A Living Trust; Brusse, Janet Q; Brusse, Larry A; Bump, Delbert W; Bunch, Suzanne E; Burchell, Clyde E; Burchell, Teresa J; Burton, Robert A; Bush, Lota Trust; Buskirk, Diane; Butler, Arlene J; Butler, Donald L; Butler, Lee G; Butler, Shannel C; Butcher, Terry E; Clyde, Shawn M; Clyde, Vicki A; Cooper, Leon L; Cooper, Mary Ann; Cummings, Dianna L; Cummings, Edward M; Curtis, Launa; Curtis, Steve; Cutright, Ginger L; Cutright, Maxwell K; Dalrymple, Donald D; Damron, Eunice M. Trust; Dane, Albert J; Dane, Judy H; Daniels, Jessica Barlow; Daniels, John E; Darling, Jim S; Darling, Sheena G; Davidson, Dennis; Davidson, Joni S; Davidson, Nathan S; Davis Family Trust dtd 2/11/93; Survivor's Trust of the Day Family Trust; Day, Bobby R; Debusk, Annette G; Debusk, W Michael; Decorte, Samuel; Decorte, Tony; DeForest, Kent; DeForest, Lisa A; DeGeorgis, Diane; Deines, Jerry V; Deines, Virginia M; Deitrick, April Christine; Deitrick, Kirt Allen; Del Porto, Christi Linn; Del Porto, Frank M; Demello, Jody; Denny, Douglas M; Denny, Martha D; DeWitt, Herman Sr.; DeWitt, Susan M; DeWitt, Wanda J; Dibble, Deborah L; Dibble, John K; Diehl, Anna; Diehl, Francis K; Dieneman, David P; Dieneman, Sandi P; Disbrow, Carolyn L; Disbrow, Peter H; Doering, Jeanette; Doering, Robert E; Douglas, Barbara A; Douglas, Michael A; Doyle Family Trust dtd 12/30/04; Dunlap, James T; Dunlap, Vicki L; Easton, Katheryn B; Easton, Robert L; Eberhart, Elmer L; Eckstein, Clemencia C; ECT Family Trust; Edney, Lorrie; Edney, Rick W; Edwards, Scott Lee; Eernisse, Janet B; Eernisse, Richard F; Erbin, Don; Espinoza, Jerry M; Espinoza, Wanda L; Euler, James Crookham; Evasovic, Les T; Evasovic, Michelle; Faacks, Billie Jean; Faacks, Kenneth D; Falkenstein, A Jerry; Faulkner, Angel Renae; Faulkner, Mark R; Favor, Ida Lee; Fawcett, Herbert

J; Fawcett, Kathy M; Fawcett, Roger L; Fentiman, Brenda G; Fentiman, Donald H; Fesenmaier, Mary; Fesenmaier, Michael; Fields, Roy O; Florio, Michael P; Focha, Judith C; Focha, Peter A; Foss, James Edward; Fowler, Marlene A; Fowler, Walter C; Frame, Charles R; Frechette, Bruce; Freeland, Matthew J; Freeland, Rebecca S; Frishman, Steve; Frishman, Sue; Frugoli, Walter L; Fuller, Jack R; Fuller, Reba J; Fulton, Danny L; Gable Living Trust; Galantuomini, Steven J; Galvin, Kaylyn; Galvin, Matthew J; Gaminiam, Jeanne Trust; Gansberg, Ellen C; Gansberg, Leroy D; Gant, Desiree D; Gant, Kent E; Garafano, George; Garcia, Stephen C and Cheryl A Family Trust; Garmong, Gregoroy; Gates, Edward A, Sr.; Gates, Susanne; Gauldin, R Jackson and Kathryn B Trust dtd 3/14/97; Geissinger, Mitchell J; Geissinger, Terri; Gutierrez, Alvara; Gutierrez, Guadalupe; Guy, Hazel L; Guy, Lillie S; Hakansson, Margaret; Hakansson, Michael; Hernandez, Juan P; Hernandez, Obdulia A; Holcomb, Ronald J; Holcomb, Shauna L; Jaquay, Michael Vincent; Johns, Daniel C; Johnson, Christine; Johnson, Eric M; Johnson, John R; Johnson, Suzanne F; Jordon, Jeannette; Jordon, John E; Kimball, Johnnie F; LaFleur, Lawrence V; LaFleur, Nicole; Mason, Margaret; McDonald, Bill A; McDonald, Donna G; Merrill, Robert H; Moore, Harold Trust; Morgan, Dawn S; Morgan, Jacquelyn; Morgan, Kenneth L, Sr.; Morgan, Mark L; Neville Sandra F; Parmar, Inder J; Parmar, Kathy L; Petcar Family 1997 Trust; Pierson, Norman E; Pierson, Roxana J; Pike, Sharon L; Pinkstaff, David M; Ramirez, Antonio; Ramirez, Maria A; Riley, Tom; Rose, George W; Rose, Winnie O; Sanderson, Janet A; Scandrett, Janice Ann; Scandrett, Rondal R; Schroeder, Fritz H; Schroeder, Janna A; Shafer Family Trust u/d/t/ 4-20-95; Shirk, Neil; Shultz, Frank D; Shultz, Kirk D; Sidener Cora M; Simkins, Edward A, Jr.; Simkins, Kristina L; Sinclair, Dawn M; Sinclair, Robert K; Singley, Erin M; Smith, Clint D; Smith, Loretta B; Soderquist, Dan; Soderquist, Kitti; Stockwell, Robert T; Stout, Amelia M; Stout, Earl D; Street, Dan S; Street, Diane J; Sturgeon, Cheryl L; Sturgeon, Ronald L; Sturtevant, Floyd M; Sturtevant, Georgia C; Swain, David F; Swain, Mary Alice; Swirsky, Charley A; Swirsky, Paula; Taylor, Brian L; Taylor, Jenifer A; Taylor, Randall L; Tenbrook, Thomas; Thieme, Marsha A; Thieme, Michael D; Thomas, Charles S; Thomas, Janet A; Thompson, Jeanne M; Thompson, Lawrence D; Thran, Linda D; Thran, Richard W; Tola, Jean E; Tola, Paul S; Townsend, Leigh M; Tran, Laurill; Tran, Thomas M; Triplett, Edna J; Triplett, Everett M; Urrea, Robert J; Urrea, Susan T; Urschel, Ninetta M; Urschel, Victor P; Valentine, Keith; Vaught, John L; Vaught, Veronica T; Vawter, Deborah K; Vawter, Eric James; Walter, Beverly J; Walter, John L; Warr, Dawna L; Watters, Glenn; Watters, Helen P; Weller, Harold E; Weller, Patricia; Williams, Mary L; Williams, Stanley E; Wolf, Mark A; Wolf, Paulette; Woodward, Arthur R; Woodward, Bonnie L; Wright, George L; Wright, Gerald J; Wright, Laura P; Wright, Mary Lee; Adams, Lisa Ann; Adams, Steven William; Allerman, LaDell; Andersen, Peter C Trust; Arellano, Cruz Maria; Arellano, Miguel; Arlit, Michael; Arlit, Sherri; Beckham, Carolee B; Bell, Mark R; Benigno, Dhana; Benigno, Joe; Benton, J.R. Co., LLC; Calka, William G; Capra, Ginger; Capra, Lloyd; Carter, Charles H; Carter, Mary K; Chavez, Jamie D; Chavez, Robert W; Christine, Lauri; Clark, Bruce A Estate; Clark, Freddie G; Clark, Gloria M; Clarke, Kimlana E; Claverie, John M; Cleary, John J Trust; Corbit, June K; D & G Investments; Davis, Catherine Louise; Davis, John Nicholas; Del Porto, Donna; Del Porto, Robert; Demeza, Rosa Sanchez; Diekmann, Richard J; Elder, Delvin L; Elder, Donna Carol; Enders, Nancy Lee; Epstein, Kim B; Epstein, Nancy L; Fenton, Jessey C; Fernandez, Janet;

Foster, Stephanie S; Gangwish, Phillip W and Karen L Trust; Ganimian, Jeanne; Garretson, Christopher P; Grimes, Helen M; Grimes, James G; Hammond 1995 Family Trust; Hana Family Trust; Harris, Jerry F; Harris, Royal J; Hernandez, Elsie Douglas; Hernandez, Feliciano; Hines, Laura LaPierre-; Hines, Timothy C; Hiskett, Darlene M; Horton, Alice G; Horton, Joseph S; Hustace, Donna K; Hustace, Thomas E; Inderbieten, Linda J; Inderbieten, Robert M; Ingersoll, Allene; Ingersoll, Kim; Ingle, Janet L; Ingersoll, Robert; Johnson, Charles Richard; Johnson, Larry P; Johnson, Lois Florence; Johnson, Stephonie J; Kahn, Richard and Joan Trust; Kern, Carol M; Kirby, Jeff Homes, Inc.; Kirkpatrick, Melvin Trust; Klock, Karen; Knight, Cynthia; Knight, Martin; Lerg, Roy F Family Trust; Lewis, Kenneth; Linebarger, Neal S; Linebarger, Patricia A; Long, James M; Long, Rhonda L; Mason, Edward L; Mason, Jo-An P; McCammond, Wade Brian; McCammond, Crystal R; McClure, Daniel M; McClure, Rachel M Holbrook-; McGaughey, Kenneth L; McGaughey, Lois Y; McNeil, Alvin H; Meza, Bernardino; Meza, Ignacio; Miller, Suzanne; Mills, Robert Clifford; Mizer, Matthew C; Moon, Victoria; Oelschlager, Dorothy Trust; Ogden, Larry Jr.; Olson, Alan R; Olson, Diane G; Pangburn, Linda J; Pannozzo, Joy M; Pannozzo, Stephen C; Pederson, Wayne A; Perez, Daniel E; Perez, Melinda; Post, Delores; Rees Trust dtd 4-14-03; Reese, Oscar N Family Trust; Reiland, Rex W Trust; Reneau, Jack; Roberts, J & S Trust dtd 2-26-96; Roeder Family Trust dtd March 5, 2004; Rogers, Douglas H; Rogers, Julie A; Rycroft, George E; Rycroft, Patricia A; Sanford, Bruce K; Sanford, Lynda L; Savage, Henry L, Jr.; Savage, Laura; Shorter Jerry W; Shorter, Judith L; Singleton, James M; Singleton, Leah; Smith, 2003 DN Family Trust; Smith Valley Enterprises, Ltd.; Smith Valley Methodist Church; Stearns, Martin D; Stearns, Monique; Sterling Trust Company; Talbott, Larry F; Talbott, Sherry L; TAM Properties, Inc.; Taplin, James E; Taplin, Michele; Thomas, Robert C and Janice 2004 Trust Agreement; Thompson, Andrew E; Thompson, Dale W; Thompson, Edith O; Thompson, Priscilla J; Tibbals, Brock; Tibbals, Lisa; Tippets, Ruth A; Tippets, Thomas D; Tran, James R; Trute, M Kathy; Turnage, Robert; Tyson, Kim E; Upton, Russell Wayne, Sr.; Upton, Sherry Manring; Valim, Catherine M; Van Dusen, Denise C; Veil, Bryan R; Veil, Leila C; Venables, Charles N; Veterans, Tammy Jean; Vidal, Frances R; Vidal, T Michael; Voss, Audrey J; Wachtel, Emil Joseph; Walsh, Helena M Smith-; Walsh, James J; Walter Living Trust; Warzynski, Deborah A; Warzynski, Robert R; Watson, Troy Allen; Wellock, Tammy L; Wellock, William S; Welsh, Barton W; Welsh, Olivia W; Wenzel, Agnes M; Wertz, Anna L; Wertz, Donald R, Sr.; West, Cheryle A; West, Robert W, Jr.; Whipple Family 2001 Trust; Whitlock 2002 Trust; Wilkins, Colin; Wilkins, Gale; Wilkinson, Gary and Roni Living Trust; Williams, A Harvey; Williams, John Cameron; Wilson, Patricia Ann; Wilson, Woodrow G; Wood, Aloha; Wood, Marty Dale; Wood, Vince; Abilla, Vicki Lynn; Adams, Barbara L.; Adams, Daniel P.; Allen, Emma; Allen, Raymond; Allen, Stanley J.; Allen, Willes E.; Aziz, Carol E.; Aziz, George A.; Banta, Bridget; Banta Darrell; Bellizzi, Paul A.; Bellizzi, Sandra B.; J. R. Benton Co., LLC; Berry, Matthew P.; Berry, Yvette R.; Bluff, John W. and Margaret A. Bluff Living Trust; Bonnet, Archie L. Sr.; Boyanich, Lila L.; Boyanich, William S.; Bradford, Nathaniel; Bradford, Suzanne; Bromps, Ronald W.; Bromps, Tedra-Kay; Brondel, Kathy L.; Brondel, Karen; Butterfield, Barbara L.; Butterfield, Robert B.; Button, James A.; Cain, Connie L.; Cain, Robert E.; Campi 1983 Family Trust; Capps Trust of 1996; Carlos, Clarence; Carlos, Rose; Carter, Korene; Carter, Victor; Carsey, Jo A.; Janet M. Cassidy Living Trust; Chacon Trust;

Chelone, Bonnie D.; Chelone, Louis J. Sr.; Chisum, James W.; Christensen, Patrick; Christensen, Shirley; Christie, Cecelia M.; Clark, Michael L.; Clark, Roberta Lea; Clark, Trisha C.; Clayton, Sheila; Baker, Lois Allen; Cole, Edward F.; Cole, Marilyn E.; Cole, Robert L.; Cole, Patricia D.; Cook, Linda K.; Corbit Living Trust; Victor M. Cota and Annette L. Cota Trust Agreement dtd 12-13-95; Cowee, Lorraine M; Cox, Wilfred L.; Cox, William M.; Crabtree, Gary I.; Crabtree, Jeannine C.; Cramer, Robert L.; Cramer, Candy L.; Gareth A. R. Craner Trust; Croker Family Trust; Annett L. Crow Trust; Desert Hills Dairy, LLC; DeVault, Joseph L.; Dane and Eileen Dunham Family Trust; Eckart, Catherine L.; Elmer, Caroline; Frank H. & Dorothy H. Elwell Trust; Anne W. Erkkila Trust; Evans, Richard D.; Faacks, Billie J.; Faacks, Kenneth; Fisher, Kenneth W.; Focha, Judith C.; Focha, Peter A.; Frediani, Verna M.; Raymond and Carol Fuller Family Trust; Garland, Marcellus A.; Garland, Rosalie H.; Tedrow James and Marilynn Ruth Gates 2002 Family Trust; Gonzalez, Nancy J.; Gonzalez, Ruben; Grant, Charles N., Jr.; Grant, Kerri H.; Griggs, Ian W.; Frances Helen Hedlund Trust; The Herbst Living Trust; Herbst, George L.; Herbst, J. Maxine; Herman, Tracy David; Hern, Carla Sue; Hill, James M.; Hill, Sheila A.; Hiskett, Michael; Hoffman, Doris M.; Hoffman, Melvin L.; Holden, Anna L.; Holden, Kirk L.; Holderman, Mark S.; Holderman, Robyn L.; Homan, Frank W.; Homan, Glenda J.; Honker Ranch, Inc; Hoover, Caroline; The Hoover Family Trust; The Hoverson 1994 Trust; Howell, Merlin; Walter H. And Laura J. Hubmer Family Trust; Hunewill, Claude D.; Hunewill, Florence M.; Hunewill, Frank E.; Hunt, Gerald; Huss, Willard F.; Hussey, Robert L.; Hussman, Loring W.; Hussman, Mary Kathleen; Jardine, Jeffrey E.; Johnston, Carol A.; Johnston, John; Jones, Marjorie Ann; Kadush, Katheryn; Kadush, Michael; Keen, Vivian D.; Keen, William; Kilby Family Trust; Kirk, Donna B.; Kuhl, Michele R.; Kuhl, Ronald H.; LaFleur, Felicia; LaFleur, Justin; Langdon, Dwight; Langdon, Jerilyn; Lail Family Revocable Trust Agreement; LaSalle Bank N A Trust; Lewis, Leo J.; Libscomb, Paul G.; Long, Heidi K.; Long, Joshua T.; Lumen, Fred A.; Lumen, Susan K.; Marcom Family Trust dtd 11-20-2000; Matlean, Milton; Morris, Daryl B., Sr.; Munn, Adele B.; Munn, Chester D.; Munoz, Oscar; John H. Neil Living Trust; Neiswonger, April J.; Neiswonger, Keith L.; Gary R. Nelson and Donna S. Nelson Revocable Trust; Nelson, Melisa L.; Christine G. Neusbaum Trust; Newman, Albert W., Jr.; Nielsen Family Trust dtd 7-12-04; Nimmo, Deborah; Nimmo, Gregg; Nolan, Virginia; Northey, Kathryn; Oakley Family Trust; Oehlerking, Jerry W.; Oehlerking, Kathryn J.; Ogan, Charlette F.; Ogan, John V., Jr.; Ogden, Billy A.; Ogden, Kathy D.; Ogden, Marlin H.; Ohl, Birdella; Ohl, Robert; Olmedo, Faustino; Pardick, Harry William, Jr. 1998 Revocable Living Trust Agreement; Payne, Lissa Lee Herman; Pechtel, William A., Jr.; Howard B. Penney & Karen A. Penney Family Trust Agreement; Martin W. and Norma D. Petersen Trust; Petersen, Roy D.; Pfaffle, Dale F.; Pfaffle, Kathryn Dianne; Pillow Family Trust; Donald J. Pokorni Trust; Pommerening, Dan; Pommerening, Keri; Pope Family 1999 Trust; Power, Judith K.; Power, Kent L.; Presley, Barbara L.; Presley, Windel D.; Prevost, Charles A.; Prevost, Dana E.; Price Family Revocable Trust of Nov. 1998; Price Living Trust; Prince, Melvin F.; Ron and Judith Remington Trust dtd 7-13-04; Richardson, Velma J.; Sharlene E. Riehle Living Trust; Marilyn D. Rilling Trust; Ritter, Harold N.; Ritter, Katie J.; Robertson, Ellen A.; Robertson, Michael E.; Rosaschi, Gary A.; Rupert, Lotus R.; Rupert, Peggy J.; Sam, Mayany; Sampson, Cynthia M.; Sampson, Keith A.; Sanders, Eleanora R.; Scarpello, Frederick V.; Saunders, Eva; Savage, Anne L.; Scatena, Lorraine Borba; Shattock, Mildred E.;

Shipley, Alice N.; Shipley, John H.; Shipman Family Trust Agreement; Shope Family Trust; Shreve Family Trust dated 2/23/95; Simmons Living Trust dtd 3-3-98; Smith, Jennifer Ann; Smithson, Elizabeth F.; Smithson, William E.; Marlyse Reed Stanley Revocable Trust; Stinson, Barxdal W.; Stinson, Dawn N.; Stitt, John M.; Stitt, Julia T.; Stottlemeyer, Charles E.; Stottlemeyer, Edna G.; Swirsky, Mary K.; Swirsky, William A.; Szeredy, Gayle A.; Szeredy, Walter; Talbott, Amos; Talbott, Jennifer; Taylor, Janet C.; Taylor, Jerry; Terrini, David E.; Thayer, Janet; Thompson, Grant; Thompson, Margaret; Tilden, Bruce A.; Townsend, Fredrick; Vogel, Beverly K.; Vogel, Bruce G.; Wagoner, Larry; Wagner, David L.; Wagner, Victoria; Wagoner, Starla; Walker, Orllyene D.; Walker, Ron; Wass, Chesley E.; Wass, Janet A.; Richard and Joy Weber Family Trust; Weiser Living Trust; Kurt M. and Nancy J. Werner dba Greene Valley Rentals; Wilson, Larry; Wilson, Linda Marie; Winans Family Trust; Winkler Family Living Trust; Wipfli, Colleen M.; Withers, Brett; Withers, Lacy; Womack, Gregory; Womack, Roy C.; June F. Woods Trust; Wright, Bonnie; Wright, Greg; Wright, Larry D.; Young, Ardell; Clyne P. Bauer Trust; Morris and Winifred M. Kahn Family Trust; Fairfield Ranch, LLC; Darlene G. Moss; Stoughton, Candace; Pinion Pines MHC, LLC; Eisenhauer, Katherine Francis; Phillips, Mary Roseanne; Lubbe, Gregg E.; Lubbe, Shelly M.; Criqui, Sherrie D.; Kozerski, Russell; J.P. & N.A. Costa Family Trust; Sterling Trust Company, fbo Kevin R. Weiss IRA; Diekmann, Cynthia Tanaka; Thom Family Trust; Diane J. Walter Trust; Roman Catholic Church; Allen, Stanley J.; Allen, Willes E.; Eagle Valley Mobile Home Estates; Arthur, Marsha K.; Arthur, Paul E.; Barlow, Holman F.; Bellew, Salley; Bellew, Daniel; Bradley, Audrey M.; Tri-State Motor Transit Co.; Tri-State Properties, LLC; Robert H. and Lydia R. Calderon Family Trust; Campbell, Nancy A.; Campbell, John A.; Canterbury, Sr., William M.; Canterbury, Kathleen R.; Cassano, Charles F.; No Worries, LLC; Chichester, Daniel; Christof, Brian S.; Clifford, Stephen M.; Cloutier, Lois Allen; Corkern, Aubrey; Coverstone, Lois A.; Coverstone, Kenneth W.; Cronan, Patricia; Yerington Enterprises; Doyle , Robert L.; Drake, Carol; Draper, Steven M.; Dreyer, Estate of Herman L; Dumas, Paula K.; Dumas, Troy J.; Edgerle, Jean; Erbin, Guy; Farias, Ellias; Farias, Dianne; Fletcher, Shirley Ann; Foster, Stephanie; Hoye Plaza, LLC; Giovacchini, Lloyd P.; Grover F. Glasner Trust; Goede, Mary J.; Goede, Donald H.; Goldsworthy, James H.; Goldsworthy, Myron J.; Gonzalez, Maria Camargo; Gorrindo, Lorolyn; Grant, Kathy; Griffin, Kathleen D.; Griffin, Patrick H.; Hansen, Cheryl; Hansen, Roger H.; Francis W. Hanson Family Trust; Harpster, James E.; Harpster, M. Eve; Hartman, Charles J.; Hartman, Mary A.; Haugen, Jeffery R.; Haugen, Katherine-Helene; Haworth, Norman C.; Hayden, Claudia K.; Hayden, Timothy L.; Hazen, Jaqueline V.; Heath, Barbara; Heath, Richard Lee; Hendricks, William R.; Hendricks, Patricia M.; Hermance, Leslie D.; Hernandez, Guadalupe; Joel Dean Herzog and Patricia Ann Herzog 2003 Family Trust; Higgins, Oyd H.; Higgins, Iris Y.; Hurley, Candyce A.; Hurley, Jerry R.; Johnston, Hal; King, Shelia E.; King , Samuel H.; Kraske, Sandra L.; Kraske, Jack; Landeros, Armando; Lommori, Jeffrey J.; Lommori, Wendy B.; Lummus, Raymond H.; McGraw, Lenn D.; McGraw, Leslie M.; Mehlschau, Carol A.; Mehlschau, John H.; Iveson, Kathleen R.; Iveson, William J.; Micke, Rhonda J.; Milligan, Billie D.; Milligan, Jason R.; Mizer, Matthew C.; Montes, Delia; Moon, Arron; Mulderick, Hazel; Munro, Delores; Neilson, Michael W.; Nellis, Janice; Nelson, Laurie L.; Nelson, Michael H.; Ontiveros, Elizabeth D.; Ontiveros, Craig S.; Patrick, V, Paul E.; Patrick, Roberta L.; Palya Family Trust; Payne, Lisa Lee Herman

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2/20/1998; Emery, Brett A.; Fulstone, Estate of Ed; Northern Nevada Urgent Care LP; The Mary A. Hartman Family Trust; Elephant, LLC; Hoferer Sr., Robert L.; Hoferer, Arlene M; Hulstrom, Donna J.; Hulstrom, Gene E.: Kassebaum, Rita; Kassebaum, Darold; King, Kuniko; King, Roy A.; Luning, Estate of Eugene T.; Manha, Lorraine N; Manha, William D; Murphy, Dana; Murphy, Patrick; Quail Run, LTD; Norman, Tim; Parraguire, Estate of David; William H. Pennebaker 2007 Trust Agreement; GRP Loan LLC; Reed, Richard Ross; Riva, Estate of Herbert R.; Saunders, Estate of Eva; Simpson, Gerald M.; Vaccaro, Lori C.; Wescott, Donald C.; Wescott, Patricia J.; Wood, Wanda L.; Wood, Kenneth B.; Virginia Lake Mutual Water Co.; Park Livestock Company; State of California Water Resources Control Board; Baker, Christina; Topaz Lake Mobile Home Park, LLC; Berinati, Donald J.; Christiansen, Jeffrey L .; Christiansen, Jill; The Spring Valley Trust; Courtney, Jean; Courtney, Gordon; Courtney, Debra Marie; Curry, Robert R.; Dunn, Tammy M.; Robert S. Dunn and Tammy M. Dunn 1997 Revocable Family Trust; Dunn, Robert S.; Eitel-Marti, Loretta Beth; Brett A. Emery 1999 Revocable Trust dtd 12/27/1999; Eastern Sierra Unified School District; Johnson, Donald M.; Katusich, Michael; Katusich, Mary Lynne; The Trust for Public Land; California Department of Parks & Recreation; Marti, Steve; Mausbach, Judith; Reasoner, Martha; Reasoner, Gary; Schmidt, Reinhard E.; Smith, Donna; Smith, Richard; Rockhound Family 1991 Trust dtd 4/11/199; Sommers, Michael C.; Sommers, Linda; The Stevens Family trust udt 11/18/03; Swauger Ranch Inc.; Valdez, Ramon V.; Valdez, Myrna E.; Ramon V. and Myrna E. Valdez 2003 Revocable Trust uta Dated April 8, 2003; Watkins, Louis H.; Wooldridge Family Trust dtd 9/13/1988; Toiyabe Indian Health Project, Inc.; Bridgeport Reservoir Recreation Area, Inc.; Annett, Estate of Alpha; Annett, Norman W.; Cal-Coast Marine, Inc.; Gilleland, Avery C.; Gilleland Theresa; The L.A. and C.R. Harlander Trust; Hinds, Jeffery H.; Hinds, Michele C.; Nearpass, Lynn; Nearpass, Lois; The Fesko Family Trust UDT 1-6-93; Alpine Propert Management, Inc.; Twin Lakes Enterprises, Inc.; Little, James Edgar; Little, Brinn Ellen; Napier Family Trust; American Land & Leisure, Inc.; The Charles A. Baker, Jr. Family trust dtd 6/20/2008; Maynard M. Enos and Anne L. Enos Revocable Trust Under Trust Agreement Dated March 16, 1995; Walker General, Inc.; Sandra Marshall Living Trust; Webb, John S.; Webb, Carolyn J.; Smith, Daniel; Cramer, Robert; Granata, Gary L.; Granata, Dennis W.; City of Los Angeles Dept. of Water & Power; Mominee, Estate of Bernard; Simmons Living Trust dtd 8/16/2006; Moline Family Revocable Trust dtd 3/15/06; Smalling, Karl D.; Lubbe Family Trust dtd 4/10/08; DF Miles dba Tri-State Mineral Exploration; Martens, James S.; Martens, Pearl V.; Neville, James K.; Redcher, Gary; Owenbey, Joyce; DG-HP, Inc.; DeCambra, George T.; DeCambra, Judith A.; Lloyd Enterprises, Inc.; Bobrick, Bonnie J.; Bobrick, Mike T.; Bauschinger, Justus; Tortolani, Gilbert; Tortolani, Victoria; Metzler, Jacqueline Ann; Norman W. & Kellie J. Annett Family Trust.

Counterdefendants,

All known Claimants to Groundwater and Water of the Walker River and its Tributaries in the State of Nevada and the State of California.

Complete Caption to be Served at a Later Date

FIRST AMENDED COUNTERCLAIM OF THE
UNITED STATES OF AMERICA

COMES NOW, the United States of America, at the request of the Secretary of Defense, the Secretary of Agriculture, and the Secretary of the Interior, by and through its undersigned attorneys, on its own behalf and for the benefit of the Walker River Paiute Tribe, the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony, and several individual Indians who are owners of allotments, either held in trust by the United States or held in restricted status by the United States, and herewith asserts the following claims:

INTRODUCTION

1. This first amended counterclaim is made for the confirmation and declaration of certain rights in the United States to the use and storage of water in, on, under and otherwise appurtenant to certain lands in the Walker River basin owned by the United States that are under the jurisdiction of the Department of Defense, the Department of Agriculture and the Department of the Interior, or, held in trust or restricted status by the United States for the benefit of individual Indians, and certain Indian Tribes. The rights set forth in this first amended counterclaim are in addition to the right to divert the natural flow of the Walker River and its tributaries, awarded to the United States in the Decree entered in this action on April 15, 1936, as amended on April 24, 1940 in United States v. Walker River Irrigation Dist., In Equity No. C-125, hereinafter, the "Decree."

JURISDICTION

2. Jurisdiction over this first amended counterclaim is pursuant to (i) the continuing jurisdiction of this Court, by virtue of the Decree entered herein, over the waters of the Walker River and its tributaries in California and Nevada; (ii) 28 U.S.C. §1345 in that the proceedings are brought by the United States; (iii) 28 U.S.C. §1367 which vests the court with supplemental jurisdiction; (iv)

28 U.S.C. §1651 which authorizes the court to issue all writs necessary or appropriate in aid of its jurisdiction; (v) 28 U.S.C. §1331, in that this first amended counterclaim is brought by the United States of America, on its own behalf and for the benefit of individual Indians, and Indian Tribes, and the matter in controversy arises under the Constitution, laws or treaties of the United States.

PARTIES

3. Counterclaimant, the United States of America, appears in this case on its own behalf and for the benefit of specified individual Indians, and certain Indian Tribes.

4. Counterdefendants are all claimants to water of the Walker River and its tributaries, including groundwater.

GENERAL ALLEGATIONS

5. The United States of America, under the Decree, currently has the right to use the natural flow of the waters of the Walker River and its tributaries in the amount of 26.25 cubic feet per second with a priority date of November 29, 1859, to irrigate 2,100 acres of land on the Walker River Reservation.

6. The suit commenced by the United States in 1924, under Docket Number C-125, was brought to quiet title and only concerned the water rights for use on the Walker River Indian Reservation as those boundaries existed at the time the suit was commenced. The suit did not adjudicate the groundwater rights of any of the parties in the litigation.

7. Paragraph XII of the 1936 Decree, entered on April 15, 1936, was amended on April 24, 1940, to reflect that the Decree determined water rights "as of the 14th day of April, 1936." Paragraph XIV of the Decree provides that this Court retains jurisdiction for a number of purposes, including modification of the Decree.

8. Subsequent to April 14, 1936, numerous persons and other entities, including the United States, have appropriated additional waters from the Walker River Basin and its tributaries. In many instances such claims to the use of water have not been subject to any adjudicative process.

9. In addition to the Walker River Indian Reservation, there are other lands within the Walker

River Basin owned by the United States that are under the jurisdiction of the Department of Defense, the Department of Agriculture and the Department of the Interior. There are also lands in the Walker River Basin, in addition to the Walker River Indian Reservation, owned by the United States and held in trust or restricted status for the benefit of specified individual Indians, the Bridgeport Paiute Indian Colony and the Yerington Pauite Tribe.

These lands and their appurtenant water rights and claims for water are more particularly described below.

FIRST CLAIM FOR RELIEF

WEBER RESERVOIR

10. Weber Reservoir is a federally-constructed reservoir located on the Walker River Indian Reservation with a storage capacity of approximately 13,000 acre feet. The reservoir was practically completed in 1935, although floodgates were added in 1937. The United States, for the benefit of the Walker River Paiute Tribe, is entitled to store water from the Walker River and its tributaries in Weber Reservoir for all purposes recognized under federal law including but not limited to irrigation, stock watering, fish and wildlife, and domestic uses.

11. By the use of Weber Reservoir to store water, the Walker River Paiute Tribe can irrigate more than the 2,100 acres which it presently is entitled to irrigate under the terms of the Decree.

12. The right to store water in Weber Reservoir has a priority date of April 15, 1936. The amount claimed is 13,000 acre-feet plus evaporation and seepage.

SECOND CLAIM FOR RELIEF

LANDS RESTORED TO WALKER RIVER RESERVATION

13. Paragraphs 1-12 are incorporated herein as if fully set forth in this paragraph 13.

14. The Walker River Indian Reservation was established in 1859 with a land base of approximately 320,000 acres. Under the Act of May 27, 1902, 32 Stat. 260-261, the Reservation land base substantially reduced. A substantial part of these original Reservation lands, however, were restored to the Reservation on September 25, 1936, pursuant to the Act of June 22, 1936. The Act of June 22, 1936, 49 Stat. 1806-07, authorized the Secretary of the Interior to set aside certain lands as

an addition to the Walker River Indian Reservation. In accordance with the legislation, by Order dated September 25, 1936, the Secretary restored to the Walker River Indian Reservation approximately 167,460 acres.

15. The United States, for the benefit of the Walker River Paiute Tribe, is entitled to use water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the restored lands of the Reservation for all purposes recognized under federal law. The restored lands of the Reservation are entitled to a federal reserved water right as of the date of restoration.

16. The United States, for the benefit of the Walker River Paiute Tribe, is entitled to water rights for the restored lands in addition to the rights now recognized for use on the lands of the Reservation under the Decree.

THIRD CLAIM FOR RELIEF

GROUNDWATER FOR ALL LANDS WITHIN WALKER RIVER RESERVATION

17. The United States, for the benefit of the Walker River Paiute Tribe, is entitled to use the groundwater of the Walker River basin located in, under, adjacent or otherwise appurtenant to all lands of the Walker River Indian Reservation not otherwise claimed in this First Amended Counterclaim.

18. The amount claimed is the amount necessary to fulfill the purposes of the Reservation.

19. The priority date claimed is November 29, 1859, or, in the alternative, April 15, 1936.

FOURTH CLAIM FOR RELIEF

YERINGTON PAIUTE TRIBE

20. Paragraphs 1-19 are incorporated herein as if fully set forth again in this paragraph 20.

21. The United States, at the request of the Secretary of the Interior, and for the benefit of the Yerington Paiute Tribe, makes the following claim for water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands hereinafter described.

22. The Yerington Reservation is located in Lyon County, Nevada, approximately eighty (80)

miles southeast of Reno, Nevada. The Reservation contains 1,636.24 acres, of which approximately 22.9 acres are located within the City of Yerington, Nevada. The majority of these lands were acquired pursuant to the Indian Reorganization Act, §§ 5, 7, 48 Stat. 984; 25 U.S.C. §§ 465, 467.

23. The United States claims federal reserved water rights for these lands with the following priority dates:

A. Parcel 1:

Parcel 1 is 9.456 acres located in Section 22, T. 13 N., R. 25 E., MDM. The priority date claimed is May 25, 1917, which is based on the Act of May 18, 1916, 39 Stat. 143. In the alternative, the priority date claimed is April 15, 1936.

B. Parcel 2:

Parcel 2, which is sometimes referred to as Campbell Ranch, is 1,036.24 acres located in portions of Sections 7,17,18, and 20. MDM. The priority date claimed is December 10, 1936, the date of purchase, which purchase as made pursuant to the Indian Reorganization Act of 1934, §§ 5,7, 48 Stat. 984, and the Act of May 9, 1935, 49 Stat. 176.

C. Parcel 3:

Parcel 3 is 120 acres located on the N1/2 of the NE1/4 OF Section 18, and the NE1/4 of the NW1/4 of Section 20, T. 14 N., R. 25 E., MDM. The priority date claimed is June 18, 1940, which is based on the Act of June 18, 1940, 54 Stat. 414-415. In the alternative, the priority date claimed is November 15, 1941.

D. Parcel 4:

Parcel 4 is 12.91 acres in or near the Town of Yerington located within the NW1/4 of Section 22, T. 14 N., R. 25 E., MDM. The priority date claimed is the date of purchase, January 20, 1978.

E. Parcel 5:

Parcel 5, which is sometimes referred to as Arrowhead Ranch, is approximately 480 acres located in the W1/2 and the W1/2 of the E1/2 of Section 16, T. 14 N., R. 25 E., MDM. The priority date claimed is April 9, 1979.

24. The federal reserved water claimed for the benefit of the Yerington Paiute Tribe is claimed in order to fulfill the purposes of the Reservation. In addition to the claims set forth

above for federal reserved rights, the United States also seeks a declaration and confirmation of the water rights held under state law which have been acquired in connection with the above described parcels.

FIFTH CLAIM FOR RELIEF

BRIDGEPORT PAIUTE INDIAN COLONY

25. Paragraphs 1-24 are incorporated herein as if fully set forth again in this paragraph 25.

26. The United States, at the request of the Secretary of the Interior, and for the benefit of the Bridgeport Paiute Indian Colony makes the following claim for water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands hereinafter described.

27. The Bridgeport Paiute Indian Colony consists of 40 acres and is located in the SE1/4NE1/4, Section 28, T. 5 N., R. 25 E., MDB&M.

28. The United States claims federal reserved water rights for the Bridgeport Paiute Indian Colony, made pursuant to an Act of Congress, 88 Stat. 1368, with a priority date of no later than October 18, 1974, the date of creation of the Colony.

29. In addition, for the Bridgeport Paiute Indian Colony, the United States also claims water rights based on California law, including but not limited to riparian, overlying and prescriptive rights, if any.

30. The water claimed for the benefit of Bridgeport Paiute Indian Colony is claimed in order to fulfill the purposes of the Colony.

SIXTH CLAIM FOR RELIEF

GARRISON AND CLUETTE ALLOTMENTS

31. Paragraphs 1-30 are incorporated herein as if fully set forth again in this paragraph 31.

32. The United States, at the request of the Secretary of the Interior, and for the benefit of the Garrison and Cluette allottees makes the following claim for water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands

hereinafter described.

33. The Garrison and Cluette Allotments are both located in S. 17, T. 8 N., R. 23 E., MDB&M. The Garrison Allotment consists of 30.18 acres; the Cluette Allotment consists of 20.02 acres.

34. The United States claims federal reserved water rights for the Garrison and Cluette allotments, made pursuant to the Act of June 30, 1932, 47 Stat. 474, with the following priority dates:

A. Garrison Allotment:

The priority date claimed is no later than November 10, 1933. In the alternative, the priority date claimed is April 15, 1936.

B. Cluette Allotment:

The priority date claimed is no later than May 8, 1933. In the alternative, the priority date claimed is April 15, 1936.

35. In addition, for both allotments, the United States also claims water rights based on California law, including but not limited to riparian, overlying and prescriptive rights.

36. The water claimed for the benefit of the Garrison and Cluette Allottees is claimed in order to fulfill the purposes of the allotments, above and beyond any water rights already acquired under State law for these allotments.

SEVENTH CLAIM FOR RELIEF

INDIVIDUAL ALLOTMENTS

37. Paragraphs 1-36 are incorporated herein as if fully set forth in this paragraph 37.

38. The United States, at the request of the Secretary of the Interior, and for the benefit of the individual Indians, makes the following claim for water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands hereinafter described:

	Allotment #	Township	Range	Section	Portion	Area (acres)	Walker R. Basin
1	402	10N	21E	1	NW1/4	119.43	Yes
2	212	10N	21E	1	SW1/4	160	Yes

3	403	10N	21E	2	NE1/4	159.50	Yes
4	404	10N	21E	2	NW1/4	159.05	1% [illegible]de
5	405	10N	21E	2	SW1/4	160	Partial
6	719	10N	21E	2	SE1/4	160	Yes
7	406	10N	21E	11	NW1/4	160	Partial
8	723	10N	21E	14	NE1/4	160	Partial
9	721	10N	21E	12	NW1/4	160	Yes
10	735	10N	21E	14	SE1/4	160	1% outside
11	699	10N	21E	12	SW1/4	160	Yes
12	698	10N	21E	12	SE1/4	160	Yes
13	725	10N	21E	13	NE1/4	160	Yes
14	726	10N	21E	13	NW1/4	160	Yes
15	727	10N	21E	13	SW1/4	160	Yes
16	718	10N	21E	13	SE1/4	160	Yes
17	715	10N	21E	24	NE1/4	160	Yes
18	716	10N	21E	24	NW1/4	160	Partial
19	717	10N	21E	24	SE1/4	160	Yes
20	682	10N	22E	1	S1/2NE1/4	80	Yes
		10N	22E	1	SE1/4NW1/4	40	Yes
		10N	22E	1	NE1/4NE1/4	32.69	Yes
21	304	10N	22E	3	S1/2NW1/4	80.01	Yes
		10N	22E	3	NW1/4NW1/4	38.88	Yes
		10N	22E	3	NE1/4NW1/4	38.71	Yes
22	303	10N	22E	4	S1/2NE1/4	80	Yes
		10N	22E	4	NE1/4NE1/4	39.01	Yes
		10N	22E	4	NW1/4NE1/4	39.12	Yes
23	289	10N	22E	4	NW1/4	158.59	Yes
24	288	10N	22E	4	SW1/4	160	Yes
25	290	10N	22E	4	SE1/4	160	Yes
26	236	10N	22E	6	NE1/4	160	Yes
27	235	10N	22E	6	NW1/4	160	Yes
28	237	10N	22E	6	SE1/4	160	Yes

29	238	10N	22E	7	NE1/4	160	Yes
30	276	10N	22E	7	E1/2SE1/4	80	Yes
		10N	22E	8	S1/2SW1/4	80	Yes
31	277	10N	22E	8	S1/2SE1/4	80	Yes
		10N	22E	17	N1/2NE1/4	80	Yes
32	260	11N	21E	36	NE1/4	160	Yes
33	259	11N	21E	36	NW1/4	160	Yes
34	399	11N	21E	36	N1/2SE1/4	80	Yes
		11N	21E	36	SE1/4SE1/4	40	Yes
35	257	11N	21E	25	SW1/4	160	Partial
36	258	11N	21E	25	W1/2SE1/4	80	Yes
		11N	21E	25	SE1/4SE1/4	40	Yes
37	215	11N	21E	25	NE1/4NE1/4	39.95	No
		11N	22E	30	NW1/4NW1/4	39.48	Partial
		11N	22E	30	SW1/4NW1/4	39.48	Yes
38	216	11N	22E	30	W1/2NE1/4	80	Partial
		11N	22E	30	E1/2NW1/4	80	Partial
39	217	11N	22E	30	E1/2NE1/4	80	Partial
		11N	22E	29	W1/2NW1/4	80	Partial
40	218	11N	22E	29	W1/2NE1/4	80	Partial
		11N	22E	29	E1/2NW1/4	80	Partial
41	285	11N	22E	30	E1/2SW1/4	80	Yes
		11N	22E	30	NW1/4SW1/4	39.54	Yes
		11N	22E	30	SW1/4SW1/4	39.59	Yes
42	286	11N	22E	30	SE1/4	160	Yes
43	287	11N	22E	29	SW1/4	160	Yes
44	344	11N	22E	29	SE1/4	160	Yes
45	305	11N	22E	31	E1/2NW1/4	78.02	Yes
		11N	22E	31	NW1/4NW1/4	39.67	Yes
		11N	22E	31	SW1/4NW1/4	39.76	Yes
46	306	11N	22E	31	NE1/4	160	Yes
47	400	11N	22E	31	SW1/4	159.81	Yes

48	401	11N	22E	31	SE1/4	160	Yes
49	702	12N	22E	24	NE1/4	160	Yes
50	700	12N	22E	24	NW1/4	160	Yes
51	701	12N	22E	24	SW1/4	160	Yes
52	705	12N	22E	24	SE1/4	160	Yes
53	703	12N	22E	25	NW1/4	160	Yes
54	704	12N	22E	25	SW1/4	160	Yes
55	706	12N	22E	25	SE1/4	160	Yes

39. The United States claims federal reserved water rights for 55 allotments, made pursuant to the General Allotment Act of 1887, with the following priority dates:

A. Trust Allotments 1 through 5, 7 and 21 through 48:

The priority date claimed is no later than December 31, 1895. In the alternative, the priority date claimed is April 15, 1936.

B. Trust Allotments 6 and 8 through 20:

The priority date claimed is no later than May 26, 1908. In the alternative, the priority date claimed is April 15, 1936.

C. Trust Allotments 49 through 55:

The priority date claimed is no later than December 9, 1907. In the alternative, the priority date claimed is April 15, 1936.

40. The water claimed for the benefit of individual Indian allottees is claimed in order to fulfill the purposes of the allotments.

EIGHTH CLAIM FOR RELIEF

HAWTHORNE ARMY AMMUNITION PLANT

41. Paragraphs 1-40 are incorporated herein as if fully set forth in this paragraph 41.

42. The Hawthorne Army Ammunition Plant (hereinafter "Hawthorne Reservation") was originally withdrawn and reserved from the public domain by Executive Order 4531 on October 27,

1926. Additional contiguous lands were withdrawn and reserved from the public domain to become a part of the Hawthorne Reservation pursuant to Executive Order 5664 on July 2, 1931, Executive Order 5828 on March 30, 1932 and Executive Order 6958 on February 4, 1935.

43. Said lands were reserved for the Hawthorne Ammunition Plant for the exclusive use and benefit of the United States Navy for the development and use as an ammunition depot. In 1979, the management of the Reservation was transferred to the Department of the Army.

44. Pursuant to 10 U.S.C. § 3062, Hawthorne's mission includes:

(1) preserving the peace and security, and providing for the defense, of the United States, the Territories, Commonwealths, and possessions, and any areas occupied by the United States;

(2) supporting the national policies;

(3) implementing the national objectives; and

(4) overcoming any nations responsible for aggressive acts that imperil the peace and security of the United States.

45. The Hawthorne Reservation is located in Mineral County, Nevada adjacent to the town of Hawthorne on the eastern slope of the Wassuk mountain range and the south shore of Walker Lake, and contains approximately 147,000 acres of land dedicated to the above-stated mission.

46. The United States is entitled to the use of all of the waters located in, on, under, or otherwise appurtenant to the lands of the Hawthorne Reservation necessary to fulfill all of the purposes for which the reservation was created as recognized under federal or state law. Such lands are entitled to a federal water right with a date of priority date as of the date of the withdrawal and reservation from the public domain.

47. The United States of America has and is also entitled to state-based appropriative rights as well as federally reserved water rights in both surface and underground waters, including, but not limited to, aquifers, springs, seeps, rivers, streams and lakes wholly or partly on or otherwise appurtenant to the Hawthorne Reservation including Walker Lake in quantities of water necessary for present and future use and development of the Hawthorne Reservation and in the accomplishment of its mission. This includes, but is not limited to: providing water in amounts necessary for

commercial, municipal and industrial operations (eg. storage, maintenance, inspection, modification, testing and demilitarization of munitions); fire-fighting; administration and operation; training; domestic; recreation; wildlife and livestock management; irrigation; mobilization; deployment; and tactical applications. Additionally, the United States is entitled to reserved water rights for any and all other purposes for which the Hawthorne Reservation was withdrawn and reserved.

48. The priority date of the reserved water rights for the Hawthorne Reservation, for present and future use and development and the accomplishment of its mission, is October 27, 1926, the date Hawthorne was originally withdrawn and reserved from the public domain.

49. The reserved and state water rights for the Hawthorne, Reservation for present and future use and development and the accomplishment of its mission, for the purposes described in paragraphs 44 and 47, supra, include, but are not necessarily limited, to the following water sources, diversions, storage reservoirs, and amounts:

(a) Cottonwood Creek/Black Beauty Reservoir: Water is diverted from the following four diversion points in Cottonwood Canyon, west and south of the Town of Walker Lake and stored in Black Beauty Reservoir.

Weir #1 - up to 220 GPM

Weir #2 - up to 200 GPM

Weir #3 - up to 400 GPM

Little Catch - up to 50 GPM

(b) Squaw Creek/Black Beauty Reservoir: Water is diverted from Squaw Creek up to 75 GPM and is stored in Black Beauty Reservoir.

(c) Rose Creek/Rose Reservoir: Water is diverted from Rose Creek up to 200 GPM and stored in Rose Reservoir. Rose Reservoir has a storage capacity of 39,000,000 gallons (120 acre feet (af)). Water is drawn from Rose Reservoir via a pipe line to Black Beauty Reservoir.

(d) Middle Rose Creek/Rose Reservoir: Water is diverted from Middle Rose Creek up to 75 GPM and is stored in Black Beauty Reservoir.

(e) House Creek/Black Beauty Reservoir: Water is diverted from House Creek up to 25 GPM and is stored in Black Beauty Reservoir.

(f) Cat Creek Dam and Reservoir: Water from Cat Creek is stored behind Cat Creek Dam up to 50,000,000 gallons (153 af). Water from Cat Creek is also stored in Black Beauty Reservoir.

(g) Dutch Creek: Water may be diverted from Dutch Creek in amounts necessary for the future use and development of the Hawthorne Reservation and in the accomplishment of its mission.

(h) Black Beauty Reservoir: A 48,000,000 gallon (147 af) storage reservoir which receives, or may in the future receive, its water from the sources listed in (a) through (g) above.

(i) Walker Lake: Sufficient water for the purposes described in paragraphs 44 and 47, supra.

50. The reserved water rights for the Hawthorne Reservation, for present and future use and development and the accomplishment of its mission, for the purposes described in paragraphs 44 and 47, supra, include, but is not limited to, the following groundwater sources and amounts:

(a) Well #1 - 950 gpm: Located north of the Industrial Area and south of HWY 95 and used to supply water to the Industrial Area. This water is pumped into a storage tank to be used on demand.

(b) Well #2 - 250 gpm: Located east of the town of Hawthorne and just south of HWY 95 at the entrance to the South Magazine Area.

(c) Well #3 - 250 gpm: Located east of the town of Hawthorne and south of HWY 95 and in the Southern Magazine Area.

(d) Well #4 - 250 gpm: Located in the southern storage area of the installation and used to supply water to the South Magazine area via a pipeline to 3 above-ground tanks.

(e) Well #5 - 800 gpm: Located west of Schwear Housing Area and sometimes stored in Black Beauty Reservoir.

(f) Well #6 - 640 gpm: Supplies Babbitt and the North and Central Magazine areas. The water is pumped into a 1,000,000 gallon (3 af) storage tank for use on demand.

(g) Well #7 - 250 gpm: Located between tank 5 and building 108-20.

(h) Well #8 - (total available capacity): Located on the west side of tank 6.

(i) Well #9 - (total available capacity): Located on the southwest side of Babbitt Housing Area.

51. In addition to the above-listed federal reserved water rights for the Hawthorne

Reservation, the United States has numerous appropriative water rights some of which were acquired when land was purchased by the United States of America and which subsequently became a part of the Hawthorne Reservation.

52. In the event of a mobilization the increase in Hawthorne activities will rise to an as yet unknown amount, but at a minimum of approximately 80% (European crisis) to 150% (Pacific crisis) of current usage along with an attendant need for water.

NINTH CLAIM FOR RELIEF

UNITED STATES DEPARTMENT OF AGRICULTURE

TOIYABE NATIONAL FOREST

53. Paragraphs 1-52 are incorporated herein as if fully set forth in this paragraph 53.

54. The Toiyabe National Forest extends from the crest of the Sierra Nevada range in California east to the Cambridge Hills in western Nevada. The Forest was created from several forest reserves which were withdrawn from the public domain beginning in 1907.

55. The Toiyabe National Forest is managed under several acts of Congress (hereinafter "Acts") beginning with the Organic Administration Act of 1897, ch. 2, 30 Stat. 34, 16 U.S.C. § 475 (1988) which provides that the purposes of the national forests are, inter alia, to "improve and protect the forest within the boundaries, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States. . . ." The national forests are also managed under the principles of the Multiple-Use Sustained-Yield Act of 1960, Pub. L. No. 86-517, §§ 1 - 4, 74 Stat. 215, 16 U.S.C. §§ 528-531 (1988) (hereinafter "MUSYA"), which provides that the national forests shall be administered for outdoor recreation, range, timber, watershed and wildlife and fish purposes. Portions of the Toiyabe National Forest are administered pursuant to the Wilderness Act (September 3, 1964) Pub. L. No. 88-577, 78 Stat. 890, as amended, 16 U.S.C. §§ 1131-1136 (1988). Additionally, the National Forests and Public Lands of Nevada Enhancement Act of 1988, Pub. L. No. 100-550, § 5, 102 Stat. 2749, 16 U.S.C. § 460ccc-3 (1988) which transferred lands between the Forest Service and the Bureau of Land Management, "expressly reserves the minimum quantity of water necessary to achieve the primary

purposes for which the lands transferred . . . are withdrawn."

56. The United States is entitled to use the waters from the Walker River, its tributaries, and all other waters located in, on, under, or otherwise appurtenant to the lands comprising the Toiyabe National Forest in the amounts of water necessary to fulfill all purposes for which the reservation was created as recognized under federal or state law. Such lands are entitled to a federally reserved water right with a date of priority as of the date said lands were withdrawn and reserved from the public domain.

57. In connection with paragraph 56, supra, the United States is entitled to an instream flow reserved water rights in the amounts necessary to fulfill the purposes for which the Toiyabe National Forest was established under the Organic Administration Act of 1897. This includes, but is not necessarily limited to, reserved water rights in amounts necessary for the maintenance of the entire reach of each stream channel and all its named and unnamed tributaries lying within the Toiyabe National Forest.

58. The United States also has and is also entitled to both reserved water rights pursuant to the Organic Administration Act and the above noted subsequent Acts as well as water rights under state law, both surface and underground water, both consumptive and non-consumptive, which include but are not necessarily limited to, all aquifers, springs, seeps, rivers, streams, lakes and waters otherwise appurtenant to the Toiyabe National Forest in the amounts necessary to fulfill all present and future administrative purposes on the Toiyabe National Forest as stated in the Acts. The use of these waters include or will include, but is not necessarily limited to: fire management activities, erosion control, revegetation, irrigation, domestic, stockwatering and timber production, which includes but is not limited to, reforestation, road construction and maintenance and silvicultural treatments.

59. The United States also has and is also entitled to reserved water rights pursuant to the Organic Administration Act and its successor Acts in both surface and groundwater which includes, but is not necessarily limited to, all aquifers, springs, seeps, rivers, streams, lakes and waters otherwise appurtenant to Toiyabe National Forest in the amounts necessary for fighting fires in said National Forest.

60. The United States also has and is also entitled to instream flow water rights in the Toiyabe National Forest within the boundaries of the State of Nevada in the amounts of water necessary to fulfill the purpose of providing habitat for fish and wildlife and for recreational opportunities for the public. To the extent these instream flow claims are not available under state law, the United States has federal reserved water rights for the purposes set forth in the MUSYA, supra. In such instance, the priority date is the date of the enactment of the MUSYA, June 12, 1960.

61. The United States also has and is also entitled to riparian rights in the Toiyabe National Forest within the boundaries of the State of California for riparian Forest Service land in the amounts of water necessary to fulfill the purpose of providing watershed management, habitat for fish and wildlife and for recreational opportunities for the public. The priority date for these riparian water rights is the date the United States took title from Mexico under the Treaty of Guadalupe Hidalgo; February 2, 1848. To the extent the above instream flow claims are not available under state law, the United States has federal reserved water rights for the purposes set forth in the MUSYA, supra, with a priority date of June 12, 1960.

62. The United States also has and is also entitled to certain appropriative water rights, including rights that either have been permitted and certificated pursuant to Nevada or California state law, or have applications pending for appropriation before the Nevada State Engineer and before the California Water Resources Control Board. In addition, the United States of America has riparian rights pursuant to California state law.

TENTH CLAIM FOR RELIEF

UNITED STATES MARINE CORPS

MOUNTAIN WARFARE TRAINING CENTER

63. Paragraphs 1-62 are incorporated herein as if fully set forth in this paragraph 63.

64. The United States Marine Corps, Department of the Navy (Marine Corps) operates a training base known as the Mountain Warfare Training Center (hereinafter "MWTC") within the Toiyabe National Forest. The Marine Corps presence in this National Forest dates back to 1951. Pursuant to an agreement with the Forest Service, the Marine Corps uses approximately 45,635 acres of the National Forest for cold weather and mountaineering training and evaluation of prototype

equipment. This training area is the only site available to the Marine Corps for these activities. To support these training operations, the Marine Corps uses a 405-acre tract for a Base Camp, located at the confluence of Silver Creek and the West Walker River. Additionally, the Navy owns a family housing area 25 miles from the Base Camp.

65. The United States is entitled to use waters from the Walker River, its tributaries, and all other waters located in, on, under, or otherwise appurtenant to the lands of the MWTC in the amounts necessary to fulfill all purposes recognized under the federal and state law. Such lands are entitled to a priority date as of the date of the reservation.

66. The Marine Corps is diverting and is also entitled to certain waters pursuant to federal reserved, riparian, overlying, and appropriative water rights, including surface and groundwater sources, which are identified below:

a. Silver Creek:

Water needs of the Base Camp are supplied by surface diversions from Silver Creek and two groundwater wells, noted below. The Marine Corps uses water from Silver Creek based upon a pre-existing Forest Service claim and statement of diversion (USFS No. 9839), which is based on a riparian right, and has a priority date of 1951. Silver Creek surface water, up to 150 gpm, is diverted via a spillway located upstream of the Base Camp.

Silver Creek surface water is used for purposes that include, but are not limited to, training, domestic, industrial, fire protection, irrigation, construction, base hygiene, dust control, equipment and road washing, and future regulatory requirements for fire sprinkler system cross-connection control.

b. Base Camp Wells:

The Marine Corps' Base Camp domestic water demand is served by two groundwater wells, which are located in the Lower Base Camp up-gradient from all the buildings. Water is diverted from these wells up to the following amount:

Well No. 1 - 125 GPM.

Well No. 2 - 127 GPM.

An application for a Base Camp permit for both wells was submitted on May 26, 1993 to the

State of California, Department of Health Services.

c. Family Housing, Coleville, CA:

The Marine Corps also operates a family housing area on a tract approximately 40 acres in size and about 25 miles from the Base Camp. The facility, owned in fee by the U.S. Navy, is located within the West Walker River watershed on the eastern slope of the Sierra Nevada Mountains between the towns of Topaz, Nevada and Coleville, California. More specifically, the housing facility is located on the west side of highway 395, approximately 1.5 miles north of Coleville and about a quarter mile from the river. The housing area's domestic water demand, including domestic irrigation (lawn-watering of family gardens), is served by five wells. Water is diverted from these wells up to the following amount:

Well No. 1 - 21 GPM

Well No. 2 - 27 GPM

Well No. 3 - 14 GPM

Well No. 4 - 21 GPM

Well No. 5 - 200 GPM

The State of California, Department of Health Services, granted a permit for Well Nos. 1 - 4 on December 15, 1986, as water permit # 86-048, and amended that permit on February 11, 1994, to add Well No. 5 to the system.

ELEVENTH CLAIM FOR RELIEF

BUREAU OF LAND MANAGEMENT

67. Paragraphs 1-66 are incorporated herein as if fully set forth in this paragraph 67.

68. Certain lands were reserved from the public domain to establish Public Water Reserves No. 29, No. 70, and No. 107 (hereinafter "PWR"). These reservations were made pursuant to Executive Orders dated June 1, 1915, March 8, 1920 and April 17, 1926, respectively, and are administered by the Department of the Interior through the Bureau of Land Management ("BLM"), except as noted below.

69. The United States is entitled to the use of all of the waters located in, on, under, or

otherwise appurtenant to the lands of the PWRs necessary to fulfill all of the purposes recognized under federal or state law. Such lands, except as noted below, are entitled to a federal reserved water right with a date of priority as of the date of each individual PWR.

70. The United States has and is also entitled to reserved water rights for public springs and water holes in amounts necessary to fulfill the purposes of the PWRs described in paragraph 78. above. The priority dates are the dates the lands were withdrawn from the public domain. These reserved rights include, but are not limited to, the following:

Executive Order 6/1/15 - PWR #29	Reserved Acres	Flow
T. 9 N., R. 28 E., Sec. 17, SW1/4NW1/4, NW1/4SW1/4	80 ac.	1 GPM
T. 11 N., R. 28 E., Sec. 7, (unsurveyed)	125.60 ac.	1 GPM
Executive Order 3/8/20 - PWR #70	**Reserved Acres**	**Flow**
T. 5 N., R. 28 E., Sec. 11, SW1/4NE1/4, SE1/4NW1/4	40 ac.	All
T. 5 N., R. 28 E., Sec. 30, N1/2 of lot 5	approx. 25 ac.	All

The above two PWRs are now located on land administered by the U.S. Forest Service pursuant to the National Forests and Public Lands of Nevada Enhancement Act of 1988, Pub. L. No. 100-550, § 5, 102Stat. 2749, 16 U.S.C. § 460ccc-3 (1988).

Executive Order 4/17/26 - PWR #107	Reserved Acres	Flow
T. 7 N., R. 28 E., Sec. 10, E1/2SE1/4	80 ac.	5 GPM
T. 7 N., R. 28 E., Sec. 11, NW1/4SW1/4	40 ac.	5 GPM
T. 7 N., R. 28 E., Sec. 15, N1/2NE1/4, SW1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, S1/2SW1/4	280 ac.	3 GPM
T. 7 N., R.28 E., Sec. 21, NE1/4	160 ac.	2 GPM
T. 7 N., R. 28E., Sec. 22, NW1/4NW1/4	40 ac.	2 GPM
T. 9 N., R. 28 E., Sec. 20, N1/2NE1/4	80 ac.	1 GPM

71. The United States has acquired and is therefore entitled to certain water rights which were previously adjudicated and decreed in the C-125 Walker River Decree. These lands were acquired by the United States and are identified as follows:

Legal Description	Water Right Acres
SW1/4SE1/4, Sec. 14; NW1/4 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4, Sec. 23, T 3 N, R 25 E (C-125 Assessment, Roll # 63, Card # 105750)	160.00
Part of Claim #210 SE1/4NE1/4, E1/2SE1/4, NE1/4 SW1/4, S1/2 SW1/4, Section 23; NE1/4NE1/4, NW1/4NW1/4, Sec. 26; SW1/4SW1/4, Section 20; NW1/4 NW1/4, Section 29, T 3 N, R 25 E. (C-125 Assessment, Roll # 64, Card # 105751)	400.00

72. The United States also has and is also entitled to riparian water rights under California state law for riparian lands managed by the BLM. The priority date for lands which the United States has held continuously since taking title from Mexico under the Treaty of Guadalupe Hidalgo is February 2, 1848. In the case of acquired land, the priority date is the date the land was patented out of the public domain. The water is used for the purpose of sustaining the existing riparian vegetation and providing habitat for fish and wildlife. The above rights are appurtenant to the following stream reaches:

Virginia Creek and tributaries

Public Land
T 3 N., R 25 E.: Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15

T 4 N, R 25 E: Sections 35, 34, 27, 26, 25

Acquired land: T 3 N, R 25 E: Sections 21, 22, 23, 24, 25, 26, 27, 34, 35

Clear Water Creek and tributaries

Acquired Land
T 3 N, R 25 E: Section 12; T 4 N, R 26 E: Section 33

T 3 N, R 26 E: Sections 5, 6, 7, 18

Public Land
T 3 N, R 25 E: Section 1, 12

T 4 N, R 25 E: Section 24

T 4 N, R 26 E: Sections 31, 32, 34, 35, 30, 28, 27, 10, 14, 16, 19, 21, 22, 23

Aurora Canyon and tributaries - Rock Creek and other unnamed creeks

Public Land
T 4 N, R 25 E: Sections 1, 12, 10, 11

T 4 N, R 26 E: Sections 4, 3

T 5 N, R 25 E: Sections 35, 27, 26, 25, 24, 23, 14, 15, 12, 11, 10, 2

T 5 N, R 26 E: Sections 31, 32, 33, 29, 22, 21, 20, 19, 18, 17, 7, 8

Rough Creek and tributaries

Public Land
T 4 N, R 26 E: Sections 1, 2, 3

T 4 N, R 27 E: Section 6

T 5 N, R 26 E: Sections 35, 34, 26, 25, 24, 23, 22, 12, 13, 14

T 5 N, R 26 E: Sections 12, 11, 10, 9, 1, 2, 3, 4

T 5 N, R 27 E: Sections 31, 32, 33, 30, 29, 28, 19, 20, 18, 17, 7, 8, 9, 6

T 6 N, R 26 E: Sections 32, 33, 34, 35, 36

Including Portions of Bodie, Matastra and Rough Creeks that originate in California and flow into Nevada.

Bodie Creek tributaries
T 4 N, R 26 E: Section 12
T 4 N, R 27 E: Sections 1, 2, 3, 4, 7, 8, 9, 10, 11,12, 15, 16 and 17
T 5 N, R 27 E: Sections 25, 26 and 35.

Green Creek

T 4 N, R 25 E: Section 33

Topaz Lake Area

Slinkard Creek and tributaries

T 9 N, R 22 E: Sections 4, 5, 6, 7, 8, 9, 10, 11, 14, 18, 19, 22, 23, 26 and 30

Mail Creek and tributaries

T 8 N, R 23 E: Sections 29, 31 and 32
T 8 N, R 22 E: Sections 1, 12, 14, 23 and 26.

73. The United States is also entitled to certain appropriative water rights, including rights

that either have been permitted and certificated pursuant to Nevada or California state law, or have applications pending for appropriation before the Nevada State Engineer and before the California Water Resources Control Board. In addition, the United States has riparian rights pursuant to California state law.

WHEREFORE, the United States of America, in its first amended counterclaim on its own behalf and for the use and benefit of the Walker River Paiute Tribe, the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony and individual Indians owning allotments in the Walker River Basin prays that this court enter judgment and decree as follows:

(1) Quieting the title of the United States to the use in proper priority of the above-claimed waters rights on its own behalf and for the use and benefit of the Walker River Paiute Tribe, the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony and individual Indians owning allotments in the Walker River Basin.

(2) Declaring that the United States, on its own behalf and for the use and benefit of the Walker River Paiute Tribe, the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony and individual Indians owning allotments in the Walker River Basin, are entitled to the exclusive use, occupancy and right to the quiet enjoyment of such water rights in their proper priority.

(3) Declaring that the defendants and counterdefendants have no right, title or other interest in or to the use of such water rights.

(4) Preliminarily and permanently enjoining the defendants and counterdefendants from asserting any adverse rights, title or other interest in or to such water rights.

(5) Grant such other and further relief as the Court deems proper.

DONE this day of 30th day of July, 1997.

Respectfully submitted,

LOIS SCHIFFER

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CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of July, 1997, served a true copy of the foregoing **FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA**, by placing same in the U. S. mails, postage prepaid, addressed as follows:

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