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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants,	IN EQUITY NO. C-125-ECR Subproceeding C-125-B FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE

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; Aldridge, C Fred; 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 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.; Bunkowski, Terry L; Burchett, Joseph L;

Burnett, Kenneth R; Burnett, Sharon L; Busch, Brett Alex; Bush, Jack E; Buster, David C; Buster, Gayle L; Butterly, Ellen; Buttler, Jeri; Bybee Richard E. and Ronee L. 2000 Revocable Trust Agreement; 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, David D; Callaham, Sandra J; CalNeva Cattle Co.; 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; Clugage, Keith Dean 1985 Trust; 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, James P; Costa, Norma Annett; Costa Ranch, LP; Cox, Kim K.; Crandall, Susan Jill; Crevetti, 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, Cynthia L; 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; Friedhoff, George W, Jr.; Friedhoff Helen; 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;

Good Deed, LLC; 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; Hanks, Lawrence G; Hanson, Leona; Hardrock Mining Co.; Hardy, Karen Lund; Hargus, John and Blinn, Adah M. Trust; Harig, Laurie A; Harrison, Ben & Linda Trust; Harrison, John W; Harrison, Sandra L; Hawhee, Dianne P; Hawhee, William 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; Kyler, LaJune F; 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; Lekumberry Family 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 Family Trust; 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; Malck, 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;)
Pederson, Alenzo; 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, Guadalupe V; 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, Andrew Gene; Rosaschi, Angelo J; Rosaschi, Lester & Connie Family Trust Agreement; Rosaschi, Romeo Jr., Inc.; Rosaschi, Stanley Thomas Estate; 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; Sepulveda, Mariana; Settelmeyer Ranches, Inc.; Seubert Family Limited Partnership; 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, Patricia; 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; Stoneburner, Viola; 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; Thom, Douglas; Thom, May; 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; United States Forest Service; 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, Walker Lake Water District; Walker Lake Working Group, Inc.; Walker Lake Apartments; 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; Bergstrom, Cynthia K.; Bergstrom, Raymond D.; Berry, Matthew P.; Berry, Yvette R.; Borealis Mining Company; Brandstetter Family Trust u/d/t 10-20-2004; Brueggemann, Bruce; Brueggemann, Sherilyn E.; Bryan, Nikki A.; Bryan, Richard H.; Butler, Gary R.; Butler, Theresa A.; Chidwick, Norma Jean Trust; Chilton, Michael J.; Clemens Family Trust; Cochran, Donald R.; Cochran, Susan J.; Cook, Gilbert E.; Cook, Linda L.; Copper Hills Bible Church, Inc.; Cotè, Carol R.; Cotè, Louis J.; Crist, Arlien R.; Crist, Charles J.; Davenport, John H.; Davenport, Susan (Ammons); Day, Julie; Day, Kelli A; Day, Robert H., Jr.; Debrick, Verna N.; Dinsmore Family Trust; Draper, Steven M.; Dunham, Arliss D.; Dunham, Eileen A.; 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; 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; Herner, Elizabeth A.; Herner, James P.; 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, Barbara A. and Arthur L., Sr. Trust; 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.; Peters, Darlene F.; Peters, Glen A.; Petersen, Martin W.; Petersen, Norma D.; Price, Charles R.; Proud, Andrew S.; Proud, Wendy E.; RGGS Land & Minerals, Ltd., LP; Ragan, Leslie A.; Ragan, Steven H.; Ralston, Richard M., Jr.; 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; Beronio Family 1995 Trust; 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 Joint Living 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; Cairns, Richard J; 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 1994 Revocable Living 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; Giraud, Louis J; Giraud, Marie)
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; Hall, David Allen; Hart,)
Dublin J; Hartley, Shirley A)
Hatala, Albert F; Hatala, Mary Sue; Herman, David L; Herman,)
Fair M; Herrand, David; Herrand, Diane M; Hill, Carl E;)
Hill, Michael L; 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; Lague, Catherine R; Lake, Elaine L; Lamb, Grace R; Lamb, Robert W; Lambert, James C; Lambert, Patricia M; 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; Lindsey, Claude O; 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; McClellan, Frank; 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; Merrithew, Monty C; 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, Caroline S; 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; Rogaczewski, David; Rogaczewski, Heather Sue; 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; Simons, Donn; Simons, Jeanne; Singleton, Michael R; Sipes, Alden Henry; Sipes, Nancy Jean; Slater, Dennis R;

Slater, Kimberly Ann; Slippey, Twyla; 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; Tennant, Mary Catherine; Tennant, Michael; Thiess, Dale A; Thiess, Sharon F; Thomas, Fannie M; Thomasson, Phillip W; Tornesello, Michael J; Towery, Cary E; Towery, Cheryl A; Tucker, Dona C; Tucker, Phillip E; Van Winkle, Raymond, Sr.; Verdugo, Eva; Verdugo, Jose; Walker, Summer N; Walker, Travis L; Wallin, Diana R; Warren, Robert James; Weaver, Yvette; Weeks, Arlene Joy; 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; Cates, Tonia D. Cook 1994 Revocable Living Trust; Farrar Family Trust; 14 Sara Circle Land 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; Mathews, Myrtle Alberta Family Trust; Miller, Vernon L. and Caroline S. Family Trust; Mouchou, Renee; 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, Arnold L; 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; Baran, Susan M;)
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, Jessica M; 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; Bradley, Jeni; Bray, William J, Sr.; Brownell,)
Camella M; Brownell, Dean G; Bruhn, Eugene L; Bruhn,)
Nickels Lewis; Bryan, Gordon D; Bryan, Helen M; Chappell,)
Dana; Clark, Bruce A; 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; Dickey, Cinda; Diekmann, David C;)
Diekmann, Greg E; 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, Margarita; Eversult, Robert A; Eversult,)
Shirley A; Far West Construction; Flores, Angel Espitia;)
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;)
Garrison, Annett; Garrison, Donald L; Golden Honey)
Bear Trust; Gourley, John R; 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; Hanusiak, Greg; Hardesty,)

Gary W; Hardesty, Karen K; Hardison, James L; Hardison, Marlene; Harker Family Trust; Harper, George R; Harper, Patricia C; Harrell, Dennis E; Harrell, Joy; Harrington, Jean M; Harrington, Roger A; Hawkins, Michael James; Hefner, Marcia E; Hefner, Tommy M; Hicks Family Trust; Hipple 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; Maineline Vinyl Sheeting Corp.; Mason, Bernadine K; Mason, Evered J; Mathas, John A; Mathas, 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; Norby, Daniel A; Norman, Ruth A 1991 Trust; Oliver, Alan W; 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; Remick, Frank W; Remick, Janice I; 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; Sherwood, Helen L; 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; Steele, Stephanie 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 Wray, Camille G 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; Dahlin, Patricia L Trust; 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; Day, Helen M; 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; Dillon, Lyle J; 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, Michael L; 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; Fulstone, R N Co.; 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, Catherine L; 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; Nelson, Henry P, Jr.; Nelson, Joan G; 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; Swanson, Kenneth J; 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; Townsend, Pauline H; 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, Diane J; Walter, John L; Warr, Dawna L; Watters, Glenn; Watters, Helen P; Weaver, Dayleen; Weaver, Vince; Weller, Harold E; Weller, Patricia; Williams, Mary L; Williams, Stanley E; Wolf, Mark A; Wolf, Paulette; Wood, Judith Lee; 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; 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; Dillon, Lyle J Estate; Eckstein, Clemencia C; 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; Hutchison, James C and Florence M Trust; 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, Joan M; Kahn, Richard H; 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; Sarkisian, Joanne; Sarkisian, John G; 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.

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 WALKER RIVER PAIUTE TRIBE

In its order of October 30, 1992, (document #15) the Court found that the counterclaim filed by the Walker River Paiute Tribe ("Tribe") (document #1) on March 18, 1992, against the Walker River Irrigation District ("WRID") should have been filed as a cross-claim since the Tribe and the WRID were co-plaintiffs with regard to their assertions against the California State Water Resources Control Board. However, the Court also determined that the designation given by the Tribe would remain. In light of the Court's order, the Tribe files this first amended counterclaim as follows:

INTRODUCTION

1. This first amended counterclaim is for the recognition of a right to store water in Weber Reservoir for use on the lands of the Walker River Indian Reservation ("Reservation"), including the lands restored to the Reservation in 1936. Such rights are in addition to the rights to use water from the Walker River awarded to the United States for the benefit of the Tribe in United States v. Walker River Irrigation Dist., In Equity No. C-125 (D. Nev. 1936), as amended by, *Stipulation and Agreement for Entry of Amended Final Decree Pursuant to Writ of Mandate of the Circuit Court of Appeals - Ninth Circuit - and also Amended Decree entered herein on April 15, 1936 to Clarify Certain Provisions Thereof*, approved by, *Order for Entry of Amended Final Decree to Conform to Writ of Mandate, etc.*, United States v. Walker River Irrigation Dist., In Equity No. C-125 (D. Nev. 1940) ("Final Decree").

2. This first amended counterclaim is also for recognition of a right reserved under federal law to use surface water from the Walker River on the lands restored to the

Reservation in 1936. Such rights are in addition to the rights to use water from the Walker River awarded to the United States for the benefit of the Tribe in the Final Decree.

3. This first amended counterclaim is also for recognition of a right reserved under federal law to use groundwater underlying and adjacent to the lands of the Reservation, including groundwater underlying and adjacent to the lands restored to the Reservation in 1936, on the lands of the Reservation, including the lands restored to the Reservation in 1936. Such rights are in addition to the rights to use water from the Walker River awarded to the United States for the benefit of the Tribe in the Final Decree.

JURISDICTION

4. Jurisdiction over this first amended counterclaim is pursuant to: a) the continuing jurisdiction of the Court over the waters of Walker River and its tributaries in California and Nevada, Final Decree ¶ XIV; b) 28 U.S.C. § 1331, in that this counterclaim arises under the Constitution, laws or treaties of the United States; c) 28 U.S.C. § 1362, in that this counterclaim is brought by the Tribe and arises under the Constitution, laws or treaties of the United States; d) 28 U.S.C. § 1367 which vests the Court with supplemental jurisdiction; and e) 28 U.S.C. § 1651 which authorizes the Court to issue all writs necessary or appropriate in aid of its jurisdiction.

PARTIES

5. The Tribe is a federally-recognized Indian Tribe organized under the Indian Reorganization Act, 25 U.S.C. §§ 461, 462, 463, 464, 465, 466-470, 471, 472, 473, 474, 475, 476-478, 479. The Reservation was established in 1859 with a land base of approximately 320,000 acres. Certain lands which were originally a part of the Reservation

were restored to the Reservation on September 25, 1936, pursuant to the Act of June 22, 1936, 49 Stat. 1806-07.

6. Counterdefendants are the WRID, the State of Nevada, and all claimants to the waters of the Walker River and its tributaries, including groundwater.

GENERAL ALLEGATIONS

7. The Tribe currently is entitled to use 26.25 cubic feet per second from the Walker River and its tributaries, with a priority date of November 29, 1859, to irrigate 2,100 acres of land on the Reservation as it existed before September 25, 1936. Final Decree ¶ 1.

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

10. By the use of Weber Reservoir to store water, the Tribe can irrigate more than the 2,100 acres which it is entitled to irrigate under the terms of the Final Decree.

11. The Tribe's priority date for storage in Weber Reservoir is April 15, 1936. The Tribe claims 13,000 acre feet plus evaporation and seepage.

12. 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 Reservation for the benefit of the Tribe.

In accordance with that legislation, by Order dated September 25, 1936, the Secretary restored to the Reservation approximately 167,460 acres.

13. The Tribe is entitled to use water from the Walker River on the lands restored to the Reservation in 1936 for all purposes recognized under federal law including but not limited to irrigation, stock watering, fish and wildlife, recreation and domestic uses.

14. The instant suit, commenced by the United States in 1924, was brought to quiet title and only concerned the water rights for use on the Reservation as the 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.

15. The Tribe is entitled to use groundwater underlying and adjacent to the lands within the Reservation, including groundwater underlying and adjacent to the lands restored to the Reservation in 1936, for all purposes recognized under federal law including but not limited to irrigation, stock watering, fish and wildlife, recreation and domestic uses.

16. Paragraph XIV of the Final Decree provides that this Court retains jurisdiction for modification of this decree.

FIRST CLAIM FOR RELIEF

17. Paragraphs 1-16 are incorporated herein by reference.

18. The Tribe is entitled to store water from the Walker River in Weber Reservoir for all purposes recognized under federal law. The Tribe's right to store water in Weber Reservoir has a priority date of April 15, 1936.

SECOND CLAIM FOR RELIEF

19. Paragraphs 1-16 are incorporated herein by reference.

20. The Tribe is entitled to use water from the Walker River on the lands restored to the Reservation in 1936 for all purposes recognized under federal law.

THIRD CLAIM FOR RELIEF

21. Paragraphs 1-16 are incorporated herein by reference.

22. The Tribe is entitled to use groundwater underlying and adjacent to the lands of the Reservation, including groundwater underlying and adjacent to the lands restored to the Reservation in 1936, for all purposes recognized under federal law with a priority date of November 29, 1859, on the lands of the Reservation including the lands restored to the Reservation in 1936.

WHEREFORE, the Tribe prays that the Court:

1. Pursuant to the jurisdictional bases set forth in Paragraph 4 hereof, reopen and modify the Final Decree to recognize, and declare and quiet title to:

A. The right of the Tribe to store water in Weber Reservoir for use on the Reservation including the lands restored to the Reservation in 1936;

B. The right of the Tribe to use water on the lands restored to the Reservation in 1936;

C. The right of the Tribe to use groundwater underlying and adjacent to the Reservation on the lands of the Reservation including the lands restored to the Reservation in 1936;

D. The right of the Tribe to use groundwater underlying and adjacent to the lands restored to the Reservation in 1936 on the lands of the Reservation including the lands restored to the Reservation in 1936.

2. Declare that the defendants and counterdefendants have no right, title or other interest in or to the use of such water rights.

3. Preliminarily and permanently enjoin the defendants and counterdefendants from asserting any adverse rights, title or other interest in or to such water rights.

4. Grant such other and further relief as it deems proper.

Dated: 30 July 1997

Respectfully submitted,

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Alice E. Walker
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303/442-2021

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Alice E. Walker

Attorneys for the WALKER RIVER PAIUTE TRIBE

CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and correct copy of the foregoing First Amended Counterclaim of the Walker River Paiute Tribe, via U.S. Mail or Overnight Carrier (if so indicated), all charges prepaid thereon, this 30th day of July 1997, addressed to:

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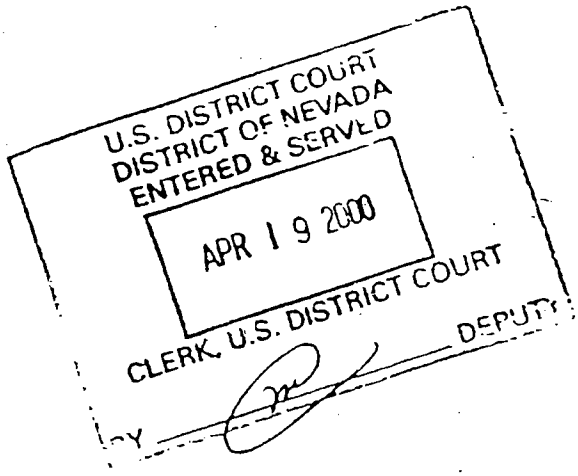

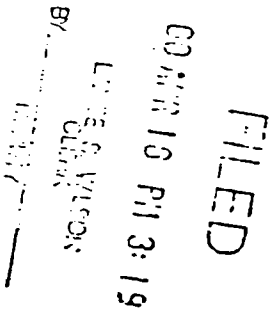

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,
Plaintiff-Intervenor,

vs.

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

Defendants.
_____/

In Equity No. C-125-ECR
Subfile No. C-125-B -

CASE MANAGEMENT ORDER

UNITED STATES OF AMERICA,
WALKER RIVER PAIUTE TRIBE,

Counterclaimants,

v.

WALKER RIVER IRRIGATION DISTRICT,
et al.,

Counterdefendants.
_____/

The enormity and complexity of the issues pending with respect to the First Amended counterclaims filed by the United States and the Walker River Paiute Tribe certainly suggest that

some sort of bifurcation would be helpful in processing the action. Any such bifurcation may involve some duplication of work in relation to subsequent phases of the case. There does not seem to be any way to entirely avoid duplication, but we should endeavor to do so to the extent that we can. Another major concern is whether persons litigating in later phases of the case may find themselves prejudiced by being bound by decisions and adjudications in earlier phases where they did not participate. This, too, we should endeavor to avoid.

Without bifurcation of some sort, the case may simply be too big and too complex to process on a reasonable basis.

Having determined that some sort of bifurcation is desirable and necessary, we conclude that, in general terms, the proposal of the U.S./Tribe to bifurcate the "Tribal Claims" is as good and logical a basis for dividing the case as has been suggested or can be devised.

While many of the defenses to the claims of the U.S./Tribe claims for the Walker River Paiute Indian Reservation may be the same or similar to the defenses that may be offered with respect to the remaining claims of the U.S. for other Indian reservations and lands and federal enclaves and federal lands, each of the remaining claims appears to require development of a distinctly different factual scenario, as well as specific legal basis. This presents one good reason to bifurcate as suggested by the U.S./Tribe. Exactly how the defenses which overlap the claims for the Walker River Paiute Indian Reservation will play out as to

each of the other separate claims is uncertain and adds justification for the proposed bifurcation.

In the order that follows, we have expanded the categories of water rights holders to be served with process somewhat beyond the categories suggested by the U.S./Tribe in their proposed case management order, but have not included all such categories as have been suggested by the Walker River Irrigation District and States of Nevada and California.

The categories to be served with process may be subject to adjustment and modification by order of the Magistrate Judge as he may find to be appropriate. However, we note that we have limited domestic users to be served with process to those whom, it appears, might be affected by pumping of underground water on the Walker River Paiute Indian Reservation. If it is shown that other domestic users could be affected by such pumping or that the underground and surface water constitute a single hydrological system where an earlier priority for the tribe for surface or underground waters could affect the rights of other domestic users, the Magistrate Judge should make an order expanding the category of domestic users who are required to be served with process.

We have also expanded the categories of water rights holders who have permits to pump groundwater issued by the State of Nevada and who are required to be served with process to additional Sub Basins in Nevada. This has been done because of the claim that underground and surface waters constitute a single source.

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DISTRICT OF

These additional categories are also subject to modification by the Magistrate Judge on the same basis as noted above.

With the conclusion that the Tribal claims should be bifurcated in mind, we then endeavor to devise a case management order to provide for such bifurcation, taking into account the companion considerations noted above.

IT IS, THEREFORE, HEREBY ORDERED that:

(1) The claims of the Tribe contained in the First Amended Counterclaim of the Tribe and the claims of the U.S. on behalf of the Tribe (First, Second, and Third Claims for Relief) set forth in the First Amended Counterclaim of the U.S. are hereby bifurcated from all other claims raised by the U.S. in its pleading. The bifurcated claims are sometimes referred to herein as the "Tribal Claims." Reference to the U.S./Tribe below refers separately to the United States and its said claims, set forth in its First Amended Counterclaim in behalf of the Tribe and to the Walker River Paiute Tribe and its claims set forth in its First Amended counterclaim.

(2) The Tribal Claims shall proceed as described in this Case Management Order. All discovery and all other proceedings in this action included in or in connection with the said First Amended Counterclaims are stayed, until the further order of the court, and except as provided in this order.

SERVICE OF PROCESS AND FILING OF LIS PENDENS

(3) Prior to the resolution of the Threshold issues identified below, the U.S./Tribe shall effect service of their respective First Amended Counterclaims, notices in lieu of summons, requests for waiver of service, and the within Case Management Order on all of the members of the categories of water rights holders described below. Each of the members of each said category shall be named as a Counterdefendant in this case.

(a) The successors in interest to all water rights holders under the Decree (April 14, 1936), modified, Order for Entry of Amended Final Decree to Conform to Writ of Mandate, Etc. (April 24, 1940) ("1936" Decree).

(b) All holders of surface water rights under the laws of the States of Nevada and California in the Walker River Basis who are not presently parties to this adjudication.

(c) All holders of permits or certificates to pump groundwater issued by the State of Nevada and domestic users of groundwater within Sub Basins 107 (Smith Valley), 108 (Mason Valley), 110A (Schurz Subarea of the Walker Lake Valley), and 110B (Walker Lake Subarea of the Walker Lake Valley).

(d) All holders of permits or certificates to pump groundwater issued by the State of Nevada within Sub Basins 106 (Antelope Valley), 109 (East Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).

(e) All users of groundwater for irrigation in California. IN THE WALKER RIVER BASIN.

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DISTRICT OF

(f) All holders of "vested rights" to the use of groundwater under the laws of the State of Nevada within the Walker River Basin.

(g) All municipal providers in Nevada within the Walker River Basin who currently use groundwater.

(h) All municipal providers in California within the Walker River Basin who currently use groundwater.

(i) All industrial users in Nevada within the Walker River Basin who currently use groundwater.

(4) Subject to the requirements of this order, within 60 days of entry of this Case Management Order the parties shall file an agreed-upon Notice in Lieu of Summons for the Tribal Claims and agreement upon procedures for recording Lis Pendens to the Magistrate Judge for his consideration and approval. To the extent the parties cannot agree on any of these issues they shall, within said period of time, file their own proposals regarding such issues for consideration and decision by the Magistrate Judge. Procedures for recording of Notices of Lis Pendens will be determined by the Magistrate Judge by order.

(5) To the extent the U.S. and the Tribe cannot effect service or obtain a waiver of service from all the individual members of the categories of water rights holders and users listed above, and all other claimants to surface and groundwater rights not identified or who are unknown, the U.S./Tribe may move for publication of summons consistent with Fed. R. Civ. P. 4 and the laws and rules applicable for Nevada and California respectively to

the extent they are to be used according to Fed. R. Civ. P. 4. The Magistrate Judge shall consider any such motion and rule on the same so as to grant or deny such motion for publication in whole or in part.

(6) The Magistrate Judge shall establish a schedule for completion of service of process which may be modified by further order from time to time as appropriate.

The Magistrate Judge is authorized to consider and decide all issues which may arise pertaining to service of process.

(7) The Magistrate Judge shall conduct all necessary proceedings and shall decide how the information shall be obtained by the U.S./Tribe to enable them to identify the individuals and entities with claims to surface water and/or groundwater in the Walker River Basin who are the appropriate counterdefendants to the U.S./Tribe said counterclaims. The Magistrate Judge shall determine the responsibilities of the respective parties to provide such information and at whose cost. Such information may be ordered obtained through orders devised by the court or discovery or other processes, so that the litigation may proceed in a reasonable manner.

In this connection, the Magistrate Judge shall also consider and determine how, when, and at whose cost information regarding changes or modification in the individuals or entities with such water rights claims shall be provided as between the parties and the entities which receive information respecting any

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such changes, until service of process is complete on the counterclaims.

(8) The U.S./Tribe may seek costs of service pursuant to the requirement of Fed. R. Civ. P. 4(d) during their service efforts under this Case Management Order.

(9) After the U.S./Tribe have received the information and compiled the list of parties whom they intend to serve, that list and a description of the procedures by which it was compiled shall be filed and provided to the parties who shall have such period of time as the Magistrate Judge shall determine to file objections indicating whether the list is complete and includes all such water rights claimants within the categories described in paragraph (3) above who can reasonably be identified. The Magistrate Judge shall consider and rule on all such objections. Corrections to the list of intended parties may be made during the period of the service of process upon appropriate notice and approval of the Magistrate Judge.

Scheduling, Case Management

(10) Following completion of service of process on the said counterclaims, the Magistrate Judge shall receive recommendations of the parties for procedures for scheduling and for the efficient management of the litigation given the number of parties to the case. Such procedures may include the use of common counsel, special procedures for service of pleadings, or any other mechanisms deemed likely to reduce the burdens on the parties and the court in a case of this magnitude. The Magistrate Judge shall

consider and make all appropriate rulings with respect to these matters.

Threshold Issues Relative to Tribal Claims

(11) As soon as convenient after the entry of this order, and upon appropriate notice to the parties presently appearing in the case, the Magistrate Judge shall consider and make a preliminary determination of the threshold issues to be addressed at the outset of the litigation on the U.S./Tribe said counterclaims. Scheduling of such consideration shall go forward notwithstanding other proceedings provided for in this order. The list of threshold issues regarding said claims will not be finally resolved and settled by the Magistrate Judge until all appropriate parties are joined. Nevertheless, the parties are directed to identify all potential threshold issues promptly and to submit them to the Magistrate Judge for consideration, as he shall direct, so that action may proceed as promptly as possible upon conclusion of service of process. In general, threshold issues, among others, shall address jurisdiction, claim, preclusion, applicable law, equitable and other defenses which may be raised by any party.

Among others, the Magistrate Judge shall consider inclusion in the list of threshold issues to the resolution of the said Tribal Claims to be addressed at the outset of the litigation:

(a) Whether this court has jurisdiction to adjudicate the said Tribal Claims. If so, to what extent should the court exercise its jurisdiction in these matters. In this connection, what is the scope of this court's subject matter

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jurisdiction to adjudicate the Tribal Claims to groundwater, as well as to additional surface waters?

(b) Does federal law govern the pumping of groundwater on the Walker Lake Paiute Indian Reservation by the Tribe or the U.S. on its behalf?

(c) If the Tribe has the right to pump groundwater under federal law, are such rights, as a matter of federal law, subject to different protections than those provided by State law?

(d) Whether the court has jurisdiction over groundwater used pursuant to State law outside the exterior boundaries of the Walker River Paiute Indian Reservation if such use interferes with the Tribe's rights under federal law to use water from the Walker River system. If so, should the court exercise that jurisdiction?

(e) Whether equitable defenses bar some or all of the said Tribal Claims. Within such time as shall be fixed by the Magistrate Judge the parties now or hereafter appearing in the case shall file for consideration by the Magistrate Judge a statement as to any defenses or issues they intend to assert.

(f) Whether, regardless of the extent of hydrologic connection between surface and groundwater, this court is required to accept the distinction drawn between surface water rights and groundwater rights provided by California and Nevada law.

(g) Are the holders of surface water rights established under federal law entitled to protection from the use of groundwater beyond the protection provided to holders of surface water rights established under state law.

(h) If the only jurisdiction of this court with respect to groundwater issues is to protect surface water rights established under federal law from interference by junior groundwater users, must the issues of interference be decided as a part of the adjudication of federal surface water claims.

Phasing of Proceedings

(12) Pretrial proceedings in this case with respect to the Tribal Claims shall be conducted in multiple phases as follows:

(a) Phase I of the proceedings shall consist of the threshold issues as identified and determined by the Magistrate Judge.

(b) Phase II will involve completion and determination on the merits of all matters relating to the said Tribal Claims.

A Scheduling Order shall be entered by the Magistrate Judge, in accordance with this order, and such other appropriate matters as he shall consider necessary to provide for completion of consideration of Phases I, II, and subsequent phases in the case.

(c) Additional phases of the proceedings shall encompass all remaining issues in the case. Such phases shall be

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determined and scheduled by the Magistrate Judge and may, to the extent he determines, overlap Phases I and II as appropriate. We do anticipate, however, that the additional phases will not be scheduled by the Magistrate Judge at least until the threshold issues as set forth above have been decided on the merits. The additional phases shall include, but not be limited to:

(a) All other claims, crossclaims, counterclaims, defenses and issues raised by the pleadings of the parties that are not included in the threshold issues.

(b) All other issues related to the Tribal Claims.

(c) All issues related to the other Federal Claims.

Responses to Process

(13) The notices in lieu of summons shall notify the persons or entities served concerning how and when they must respond. They shall be directed to file and serve upon the U.S., [~~the Tribe, the Walker River Irrigation District, the States of Nevada and California,~~] DELETED PER ORDER 11/27/2007 within 60 days after completion of service of process (or where service is by publication within 60 days after the last day of publication of such service), a notice of appearance and intent to participate. No Answers or other pleading will be required except upon further order of the Magistrate Judge entered thereafter. No default shall be taken for failure to appear.

(14) Upon completion of Phase I it may be necessary to join additional parties.

Discovery, Motions and Further Proceedings

(15) Once the Magistrate Judge has finally determined the threshold issues, discovery shall be allowed to all parties on the threshold issues. Discovery shall also be permitted during that same time period concerning the basis for the Tribal Claims; such discovery shall be limited to propounding of interrogatories and requests for production of documents relating to the contentions of the U.S./Tribe with respect to the basis for the Tribal Claims.

The discovery provided for in this paragraph (15) shall be conducted for such period and according to such terms, conditions, modifications and extensions to this order as shall be determined to be appropriate by the Magistrate Judge.

As provided above, all other discovery is stayed.

(16) Motions which may be dispositive or partially dispositive of any threshold issue shall be deferred until completion of discovery as permitted by this order and shall be filed thereafter within such time period and schedules for answers and replies as shall be determined by the Magistrate Judge. Such dispositive motions, however, will be decided by the undersigned judge.

(17) To the extent the threshold issues are not resolved by motions, an evidentiary hearing shall be held before the undersigned judge at such time and according to such conditions

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(including, as appropriate, the filing of joint prehearing orders as shall be determined by the Magistrate Judge.

(18) If a party wishes to perpetuate testimony relevant to this matter, that party shall comply with Fed. R. Civ. P. 27 and any applicable Local Rule. The Magistrate Judge will consider and determine all issues pertaining to perpetuation of testimony.

(19) Any party may move for modification of this Case Management Order for good cause shown. The Magistrate Judge shall have authority to change, modify and adjust this order. The Magistrate Judge shall hold regular periodic status conferences at times he shall determine, so that he and the parties may be advise as to the progress of the case and problems encountered, so that appropriate changes, modifications, and adjustments may be made in this order and such problems addressed.

IT IS FURTHER ORDERED that the Joint Motion For Leave to Serve First Amended Counterclaim filed by U.S./Tribe (#62) is GRANTED on the basis and to the extent set forth in this order.

The motions (#67), (#90), (#96), and (#98) are all considered ruled upon and decided as provided in the within order.

DATED: April 18, 2000.

Edward C. Reed

UNITED STATES DISTRICT JUDGE

FILED
JULY 9, 2003
PM 3:03
LORRIE 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.,

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

ORDER – DISCLAIMER OF INTEREST

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

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

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

2. It is possible that some of the specific persons or entities who are served with a Waiver of Service of Notice in Lieu of Summons, Notice of Lawsuit, or a Notice in Lieu of Summons do not belong in this action, because, for example, they may have sold or otherwise conveyed the ownership of all water rights subject to this action prior to being served.

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

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ways in which a change in ownership may occur.

4. It is important that the Court and the Plaintiffs be notified if a person or entity who receives service by mail or personal service does not, in fact, have any ownership interest in a water right in any of the nine categories set forth in Paragraph 3 of the Court's April 18, 2000 Case Management Order. In addition, that person or entity need not be burdened with this litigation and, if there was a change in ownership, a new party may need to be added to the action. Before any such person may be omitted from this action, certain information and documents will have to be provided to the Plaintiffs and the Court.

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

1. If any person or entity receiving service by mail or personal service has 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)[1/], that person or entity shall notify the Court and the

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

1. Category 3.a.: The successors in interest to all water rights holders under the Decree (April 14, 1936), modified, Order of Entry of Amended Final Decree to Conform to Writ of Mandate, Etc. (April 24, 1940) ("Decree").

2. Category 3.b.: All holders of surface water rights under the laws of the States of Nevada and California in the Walker River Basin who are not presently parties to this adjudication.

3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by the State of Nevada and domestic users of groundwater within Sub Basins 107 (Smith Valley), 108 (Mason Valley), 110A (Schurz Subarea of the Walker Lake Valley), and 110B (Walker Lake Subarea of the Walker Lake Valley).

4. Category 3.d.: All holders of permits or certificates to pump groundwater issued by the State of Nevada within Sub Basins 106 (Antelope Valley), 109 (East Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).

5. Category 3.e.: All users of groundwater for irrigation in California in the Walker River Basin.

United States in writing of that fact.

2. If such person or entity sold or otherwise conveyed ownership of all of the water rights that the person or entity once owned before they were served or otherwise brought into this action, in addition to disclaiming any interest in this action, they shall include a notice providing the following information:

A. The name and address of the person or entity who sold or otherwise conveyed ownership;

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

C. A copy of the deed, court order or other document by which the change in ownership was accomplished.

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

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 895501

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

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

5. Following their receipt from any person or entity disclaiming any interest in any

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6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws of the State of Nevada within the Walker River Basin.

7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin who currently use groundwater.

8. Category 3.h.: All municipal providers in California within the Walker River Basin who currently use groundwater.

9. Category 3.i.: All industrial users in Nevada within the Walker River Basin who currently use groundwater.

of the water rights at issue in this case of a Waiver of Service of Notice in Lieu of Summons and any Disclaimers of Interest and accompanying information and documents sought by this Order, Plaintiffs will review the materials received and, if appropriate, seek the Court's concurrence in omitting that person or entity filing such materials from this case.

6. If Plaintiffs do not receive a Waiver of Service of Notice in Lieu of Summons and must personally serve a person or entity that subsequently files a Disclaimer of Interest pursuant to this Order, Plaintiffs will also review the materials received and, if appropriate, seek the Court's concurrence in omitting the person or entity from this case, but that person or entity may be subject to paying the costs related to formal personal service on them.

7. Despite the above provisions, any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

8. Any person or entity subject to service under the Federal Rules of Civil Procedure who receives notice of this action in the manner provided by Federal Rule of Civil Procedure 4(d) remains subject to the duty to avoid unnecessary costs of serving the summons, even if that person or entity ultimately disclaims any ownership interest in any of the water rights described by Paragraph 3 of the Court's April 18, 2000 Case Management Order.

IT IS SO ORDERED:

Dated: July 9, 2003.

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

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, v. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants.	In Equity No. C-125-ECR Subfile No. C-125-B **DISCLAIMER OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER**

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

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

And

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

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of Summons or by a Notice in Lieu of Summons, the undersigned provides the following additional information:

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

Name(s):

Street or P.O. Box:

Town or City:

State:

Zip Code:

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

Name(s):

Street or P.O. Box:

Town or City:

State:

Zip Code:

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

☐ Deed

☐ Court Order

☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this _____ day of _____ 200__.

[signature of counter-defendant]

[name of counter-defendant]

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

[signature, if applicable, of person acting on behalf of Counter-Defendant]

[address]

[telephone number]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

FILED
03 JUL -9 PM 3:03
LANCE S. WILSON
CLERK
BY
DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

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

Defendants.

IN EQUITY NO. CV-125-ECR

SUBFILE NO. C-125-B

ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS

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

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

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

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

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

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

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

Based upon the foregoing it is hereby ORDERED as follows:

1. If a party to this action sells or otherwise conveys 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)[1/], that party shall, within sixty days after any such change in

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

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

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

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

A. The name and address of the party who sold or otherwise conveyed ownership;

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

C. A copy of the deed, court order or other document by which the change in ownership was accomplished.

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

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

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

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

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

IT IS SO ORDERED:

Dated: July 9, 2003.

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

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

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

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

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

Name(s)

Street or P.O. Box

Town or City State ZipCode

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

Name(s)

Street or P.O. Box

Town or City State ZipCode

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

☐ Deed

☐ Court Order

☐ Other Document.

by which the change in ownership was accomplished.

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

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

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

And

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

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

Executed this _____ day of _____ 200__.

[signature of counter-defendant]

[name of counter-defendant]

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

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

[address]

[telephone number]