

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

APN# 012-361-16  
**Recording Requested by:**  
Name: Wendell Forrester  
Address: 69 Quail Lane  
City/State/Zip: Yerington, NV 89447

**When Recorded Mail to:**  
Name: Same Address as above  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

**Mail Tax Statement to:**  
Name: Same Address as Above  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

**DOC # 432848**  
18/06/2008 03 31 PM  
**Official Record**  
Requested By  
WHITE LAW CHARTERED  
Lyon County - NV  
Mary C. Milligan - Recorder  
Page 1 of 5 Fee \$18.00  
Recorded By AT RPTT



432848  
335 West First St  
Reno NV 89503

( for Recorder's use only )

**AFFIDAVIT OF DEATH OF JOINT TENANT**  
**( Title of Document )**

**Please complete Affirmation Statement below:**

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons (Per NRS 239B 030)

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law \_\_\_\_\_  
(State specific law)

Signature \_\_\_\_\_ Attorney \_\_\_\_\_  
Title \_\_\_\_\_

John White, Esq.  
Printed Name

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B 030 Section 4

This cover page must be typed or printed in black ink ( Additional recording fee applies)

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



432848

10/06/2008  
002 of 5

A P N 012-361-16

**Recording Requested By and  
When Recorded, Mail To:**

Wendell Forrester  
69 Quail Lane  
Yerington, Nevada 89447

**Mail Tax Statements To:**

Same Address as above

UNOFFICIAL COPY

**AFFIDAVIT OF DEATH OF JOINT TENANT**

STATE OF NEVADA )

COUNTY OF Washoe )

Comes Now, WENDELL FORRESTER, Affiant herein, of legal age, being first duly sworn, deposes and says

That he was married to PAMELA ARMENT FORRESTER, the Decedent herein, that Affiant owned certain real property with the Decedents as Joint Tenants, said property being described further as

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

That the above described property is also commonly known as 69 Quail Lane, Yerington, Nevada 89447.

Affiant states further that he obtained his interest in the above described property by Grant, Bargain, Sale Deed from JOSEPH WILLIAM TIBBALS to WENDELL B FORRESTER and PAMELA A FORRESTER, said instrument being dated February 15, 1994 and recorded on February 16, 1994 in as Document No. 168801 of the land records located in the Office of the Lyon County Recorder, Clerk of Lyon County, State of Nevada

Affiant states further that the Decedent departed this life at 69 Quail Lane, in Lyon County, State of Nevada, on or about June 19, 2008, being 66 years of age at the date of death.

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



432848

10/06/2008  
003 of 5

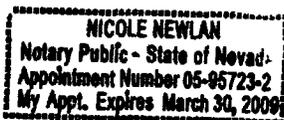
These statements are true and correct and are based upon the personal knowledge of Affiant.

Dated this 15 day of September, 2008

  
Wendell Forrester, Affiant

SWORN TO AND SUBSCRIBED BEFORE  
ME this 5 day of September, 2008.

  
Notary Public



UNOFFICIAL COPY



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

STATE OF NEVADA CERTIFICATION OF VITAL RECORD										
DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF HEALTH VITAL STATISTICS CERTIFICATE OF DEATH							2008009852 STATE FILE NUMBER			
TYPE OR PRINT IN PERMANENT BLACK INK	1a DECEASED-NAME (FIRST,MIDDLE,LAST SUFFIX) Pamela Arment FORRESTER					2 DATE OF DEATH (Mo/Day/Year) June 19, 2008		3a COUNTY OF DEATH Lyon		
	3b CITY, TOWN, OR LOCATION OF DEATH (If not either give street and number) Yerington 69 Quail Lane					3c If Hosp or Inst. Indicate DOA Or Emer Rm (Inpatient/Specify)		4 SEX Female		
DECEDENT	5 RACE White (Specify)		6 Hispanic Origin? Specify No - Non-Hispanic		7a AGE-Last birthday (Years) 66		7b UNDER 1 YEAR / 7c UNDER 1 DAY MOS DAYS HOURS MINS		8 DATE OF BIRTH (Mo/Day/Yr) June 19, 1942	
	9a STATE OF BIRTH (if not U.S.A., name country) Washington		9b CITIZEN OF WHAT COUNTRY United States		10 EDUCATION 12		11 MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) Married		12 SURVIVING SPOUSE (if wife, give maiden name) Wendell FORRESTER	
IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS	13 SOCIAL SECURITY NUMBER 0864		14a USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even if Retired) Homemaker			14b KIND OF BUSINESS OR INDUSTRY Home		15 Ever in US Armed Forces? No		
	15a RESIDENCE - STATE Nevada		15b COUNTY Lyon		15c CITY, TOWN OR LOCATION Yerington		15d STREET AND NUMBER 69 Quail Lane		15e INSIDE CITY LIMITS (Specify Yes or No) No	
PARENTS	16 FATHER - NAME (First Middle Last Suffix) Paulson DEAUPRE				17 MOTHER - NAME (First Middle Last Suffix) Sylvia Mary MERRILL					
	18a INFORMANT NAME (Type or Print) Wendell FORRESTER				18b MAILING ADDRESS (Street or R F D No City or Town, State, Zip) 69 Quail Lane Yerington, Nevada 89447					
DISPOSITION	19a BURIAL CREMATION REMOVAL OTHER (Specify) 19b CEMETERY OR CREMATORY - NAME Cremation Walton's Carson Gardens				19c LOCATION City or Town State Carson City Nevada 89701					
	20a FUNERAL DIRECTOR SIGNATURE (Or Person Acting in Such Capacity) GERALD HITCHCOCK SIGNATURE AUTHENTICATED				20b FUNERAL DIRECTOR LICENSE 014		20c NAME AND ADDRESS OF FACILITY Fretas Ruppracht Funeral Home PO BOX 1271 Yerington NV 89447			
TRADE CALL	TRADE CALL NAME AND ADDRESS									
CERTIFIER	21a To the best of my knowledge death occurred at the time, date and place and due to the cause(s) stated (Signature & Title) STEPHEN J HEWITT DO SIGNATURE AUTHENTICATED					22a On the basis of examination and/or investigation in my opinion death occurred at the time, date and place and due to the cause(s) stated (Signature & Title)				
	21b DATE SIGNED (Mo/Day/Yr) June 25, 2008		21c HOUR OF DEATH 12 45			22b DATE SIGNED (Mo/Day/Yr)		22c HOUR OF DEATH		
REGISTRAR	21d NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)					22d PRONOUNCED DEAD (Mo/Day/Yr)		22e PRONOUNCED DEAD AT (Hour)		
	23a NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER OR CORONER) (Type or Print) Dr Stephen J Hewitt DO 1090 3rd Street #1 South Lake Tahoe, CA 89449					23b LICENSE NUMBER 1107				
CAUSE OF DEATH	24a REGISTRAR (Signature) GERALD HITCHCOCK SIGNATURE AUTHENTICATED					24b DATE RECEIVED BY REGISTRAR (Mo/Day/Yr) June 25, 2008		24c DEATH DUE TO COMMUNICABLE DISEASE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
	25 IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c))									
CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE STATING THE UNDERLYING CAUSE LAST	PART I (a) Lung Cancer					Interval between onset and death Years				
	(b) DUE TO OR AS A CONSEQUENCE OF					Interval between onset and death				
(c) DUE TO OR AS A CONSEQUENCE OF					Interval between onset and death					
(d) DUE TO OR AS A CONSEQUENCE OF					Interval between onset and death					
PART II					26 INJURY AT WORK (Specify Yes or No)		27 WAS CASE REFERRED TO CORONER (Specify Yes or No) No			
28a ACC SUICIDE HOMICIDE OR PENDING INVEST (Specify)		28b DATE OF INJURY (Mo/Day/Yr)		28c HOUR OF INJURY		28d DESCRIBE HOW INJURY OCCURRED				
28e INJURY AT WORK (Specify Yes or No)		28f PLACE OF INJURY- At home farm, street, factory, office building, etc (Specify)			28g LOCATION STREET OR R F D No CITY OR TOWN STATE					
STATE REGISTRAR										



219875 CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records

DATE ISSUED: JUN 30 2008

STATE REGISTRAR



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

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

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

1. The name and address of the party or parties who sold or otherwise conveyed ownership:  
Craig A. Hall and Kristian J. Hall, as Co-Trustees of The Craig & Kris Hall Family Revocable Living Trust and VGR Limited Partnership, a Nevada limited partnership

Name(s)  
P. O. Box 2193  
Street or P.O. Box

Minden NV 89423  
Town or City State ZipCode

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

Name(s)  
P. O. Box 231  
Street or P.O. Box

Smith NV 89430  
Town or City State ZipCode

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

- Deed
- Court Order
- Other Document.

by which the change in ownership was accomplished.

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

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

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

And

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

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

Executed this 4 day of April 2011

VGR Limited Partnership

Craig A. Hall, Trustee

By: *[Signature]*

Kristian J. Hall, Trustee

Its: \_\_\_\_\_

[signature of counter-defendant]

VGR Limited Partnership

The Craig & Kris Hall Family Revocable Living Trust  
Craig A. Hall and Kristian J. Hall, Co-Trustees

By: *[Signature]*  
(Print Name)

Its: \_\_\_\_\_

[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]

P. O. Box 2193  
Minden, NV 89423

[address]

[telephone number]

\_\_\_\_\_

DOC# 462168

07/13/2010

04:47PM

Official Record

Requested By  
FIRST AMERICAN TITLE MIND

Lyon County - NV

Mary C. Milligan - Recorder

Page: 1 of 6

Fee: \$19.00

Recorded By DLW

RPTT: \$1,950.00

A.P.N.: 010-193-09 and 010-193-28 and 010-193-29

File No: 143-2393012 (Rt)

R.P.T.T.: \$: 1950<sup>00</sup>



0462168

When Recorded Mail To: Mail Tax Statements To:  
Jeffrey Lommori and Wendy Lommori  
Post Office Box 231  
Smith Valley, NV 89430

**GRANT, BARGAIN and SALE DEED \*\***

\*\*This document is being signed in counterpart and shall be deemed original FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, on both\*\*

Craig A. Hall and Kristian J. Hall, as Co-Trustees of The Craig & Kris Hall Family Revocable Living Trust dated 10-21-02 and VGR Limited Partnership, a Nevada limited partnership

do(es) hereby GRANT, BARGAIN and SELL to

Jeffrey Lommori and Wendy Lommori ,husband and Wife, as joint tenants

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

**PARCEL I:**

**PARCEL 3, AS SHOWN ON THE PARCEL MAP #3 FOR BRUCE A. AND PATRICIA D. CLARK, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON AUGUST 12, 1994 AS DOCUMENT NO. 174229.**

**ALL THAT CERTAIN REAL PROPERTY BEING A PORTION OF THE SE 1/4 OF SECTION 10, T 11 N, R 23 E, M.D.B. &M., LYON COUNTY, NEVADA, DESCRIBED AS FOLLOWS:**

**PARCEL II:**

**PARCEL 4B, AS SHOWN ON THE PARCEL MAP FOR VGR LIMITED PARTNERSHIP, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON JUNE 30, 2003, AS DOCUMENT NO. 299475.**

**PARCEL III:**

**PARCEL 4A, AS SHOWN ON THE PARCEL MAP FOR VGR LIMITED PARTNERSHIP RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON JUNE 30, 2003, AS DOCUMENT NO. 299475.**

Subject to



462168

07/13/2010  
2 of 6

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

Date: 02/22/2010

"UNOFFICIAL COPY"



462168

07/13/2010  
3 of 6

Craig A. Hall and Kristian J. Hall, as Co-Trustees of The Craig & Kris Hall Family Revocable Living Trust dated 10.21.02

[Signature]  
Craig A. Hall, Co-Trustee

[Signature]  
Kristian J. Hall, Co-Trustee

VGR Limited Partnership, a Nevada limited partnership

By: Patricia Clark, .



STATE OF **NEVADA** )  
 : **ss.**  
COUNTY OF **DOUGLAS** )

This instrument was acknowledged before me on JUNE 28th, 2010 by **Craig A. Hall and Kristian J. Hall.**

[Signature]  
Notary Public  
(My commission expires: 10/10/2011)

This Notary Acknowledgement is attached to that certain Grant, Bargain Sale Deed dated **February 22, 2010** under Escrow No. **143-2393012.**



A.P.N.: 010-193-09 and 010-193-28 and 010-193-29  
File No: 143-2393012 (Rt)  
R.P.T.T.: \$1950<sup>00</sup>

When Recorded Mail To: Mail Tax Statements To:  
Jeffrey Lommori and Wendy Lommori  
Post Office Box 231  
Smith Valley, NV 89430

**GRANT, BARGAIN and SALE DEED \*\***

**\*\*This document is being signed in counterpart and shall be deemed original FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, on both\*\***

Craig A. Hall and Kristian J. Hall, as Co-Trustees of The Craig & Kris Hall Family Revocable Living Trust dated 10.21.02 and VGR Limited Partnership, a Nevada limited partnership

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

Jeffrey Lommori and Wendy Lommori ,husband and Wife, as joint tenants

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

**PARCEL I:**

**PARCEL 3, AS SHOWN ON THE PARCEL MAP #3 FOR BRUCE A. AND PATRICIA D. CLARK, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON AUGUST 12, 1994 AS DOCUMENT NO. 174229.**

**ALL THAT CERTAIN REAL PROPERTY BEING A PORTION OF THE SE 1/4 OF SECTION 10, T 11 N, R 23 E, M.D.B. &M., LYON COUNTY, NEVADA, DESCRIBED AS FOLLOWS**

**PARCEL II:**

**PARCEL 4B, AS SHOWN ON THE PARCEL MAP FOR VGR LIMITED PARTNERSHIP, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON JUNE 30, 2003, AS DOCUMENT NO. 299475.**

**PARCEL III:**

**PARCEL 4A, AS SHOWN ON THE PARCEL MAP FOR VGR LIMITED PARTNERSHIP RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON JUNE 30, 2003, AS DOCUMENT NO. 299475.**

Subject to



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

Date: 02/22/2010

"UNOFFICIAL COPY"



Craig A. Hall and Kristian J. Hall, as Co-Trustees of The Craig & Kris Hall Family Revocable Living Trust dated 10.21.02

\_\_\_\_\_  
Craig A. Hall, Co-Trustee

\_\_\_\_\_  
Kristian J. Hall, Co-Trustee

VGR Limited Partnership, a Nevada limited partnership

*Patricia Clark*

By: Patricia Clark, .

STATE OF **NEVADA** )  
 ) : ss.  
COUNTY OF **DOUGLAS** )

This instrument was acknowledged before me on JUNE 28<sup>TH</sup>, 2010 by Patricia Clark

*Cynthia Failor*  
\_\_\_\_\_  
Notary Public  
(My commission expires: 10/10/2011)



This Notary Acknowledgement is attached to that certain Grant, Bargain Sale Deed dated **February 22, 2010** under Escrow No. **143-2393012**.

Conformed Copy

APN 10-591-02  
Document Transfer Tax \$7,546.50  
Order No. TSL-32290  
Mail Tax Bill to Grantee:  
P.O. Box 61  
Smith, NV 89430

(Not Compared to Original)

08/16/2007 12:56 PM

Official Record

Requested By  
TITLE SERVICE & ESCROW

Lyon County - NV  
Mary C. Milligan - Recorder

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

SPACE ABOVE FOR RECORDER'S USE ONLY

**GRANT, BARGAIN and SALE DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

GEORGE HELMUTH and PAMELA HELMUTH, husband and wife

do (es) hereby GRANT, BARGAIN and SELL TO

R.N. FULSTONE COMPANY, INC., a Nevada Corporation

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

All that certain real property being a portion of the W 1/2 of Section 31, the SW 1/4 of SW 1/4 of Section 30, T 11 N, R 24 E, and the SE 1/4 of NE 1/4 of Section 36, T 11 N, R 23 E, M.D.B.&M., Lyon County, Nevada, described as follows:

Commencing at the West 1/4 corner of Section 31, T 11 N, R 24 E, M.D.B.&M., thence running South along the Section line 2644.2 feet to the SW corner of said Section 31, thence S 89°54' East, 1320.0 feet to the SE corner of the SW 1/4 of the SW 1/4 of Section 31, crossing the Plymouth Company Canal at 1210 feet, thence North 118.6 feet to the Southeast bank of the above canal, thence following the East side of the canal 10 feet from and parallel to the said canal as follows:

North 38°49' East, 38.8 feet, thence North 36°09' East, 318.0 feet, thence, North 35°15' East, 350.0 feet, thence North 45°44' East, 295.9 feet, thence North 61°33' East, 289.7 feet, thence North 51°30' East, 224.6 feet, thence North 27°55' East, 160.4 feet, thence North 0°18' East, 94.6 feet, thence North 24°24' West, 212.5 feet, thence North 0°20' West, 93.9 feet, thence North 38°32' East, 280.5 feet, thence North 4°53' East, 98.9 feet, thence North 6°3' West, 552.0 feet, thence North 1°23' East, 213.6 feet, thence North 16°28' West, 71.6 feet, thence North 24°33' West, 131.0 feet, thence North 4°36' East, 113.3 feet, thence North 12°46' East, 99.7 feet, thence North 30°22' East, 91.3 feet, thence North 53°54' East, 180.6 feet, thence North 13°40' West, 76.4 feet, thence North 88°17' West, 185.2 feet, thence North 78°53' West, 122.9 feet, thence North 57°40' West, 138.7 feet, thence North 33°15' West, 125.6 feet, thence North 16°16' West, 256.5 feet, thence North 43°47' West, 140.1 feet, thence North 77°20' West, 195.7 feet, thence North 57°54' West, 90.2 feet, thence North 28°6' West, 106.9 feet, thence North 1°0' West, 136.6 feet, thence North 9°49' West, 357.0 feet, thence North 73°56' West, 133.5 feet, thence North 36°43' West, 123.8 feet, thence North 75°19' West, 121.4 feet, thence North 18°18' West, 128.0 feet, thence North 9°31' East, 255.0 feet, thence North 30°45' West, 72.0 feet, thence North 33°20' West, 101.5 feet, thence North 4°18' East, 81.6 feet, thence across the Plymouth Canal West 22.95 feet, thence North 8°46' West, 622.22 feet to a point on the highway right of way line, thence along the highway on a curve to the left form a tangent bearing of South 16°37'08" West, on a radius of 2000 feet, through an angle of 2°27'08" for a length of 85.60 feet, thence along the Mencarini property east line South 8°46' East, 1193.5 feet, thence South 43°46' East, 364.0 feet, thence South 18°00 East, 221.0 feet, thence South 67°11' West, 288.6 feet, thence South 22°55' East, 255.1 feet, thence South 56°44' West, 1746.0 feet, thence South 18°42' East, 423.7 feet to the point of beginning.

Legal Description appeared previously in Document No. 307001, recorded on October 24, 2003, Official Records of Lyon County, Nevada.

TOGETHER WITH all water and water rights, ditches and ditch rights, wells and well rights, including but not limited to all that portion of State of Nevada Water Application No. 19602, Certificate No. 6009 which are appurtenant to and historically used in connection with the herein described property

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

DATED Aug 14, 2007

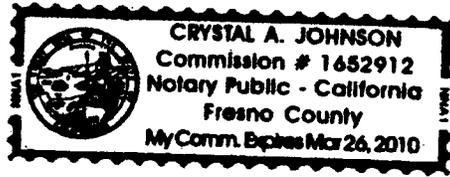
George Helmuth  
GEORGE HELMUTH

Pamela Helmuth  
PAMELA HELMUTH

STATE OF ~~NEVADA~~ )  
*California* ) ) ss.  
COUNTY OF Fresno )

On Aug. 14, 2007 personally appeared before me, a Notary Public ~~(or Judge or other authorized person, as the case may be)~~, GEORGE HELMUTH and PAMELA HELMUTH, who acknowledged to me that they executed the within instrument.

*[Signature]*  
Notary Public



10-6-2-86  
C. Susan

U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES.  
DENVER, CO

2010 JUL -6 AM 11:34

July 1, 2010

Ms. Susan Schneider  
U.S. Dept of Justice  
1961 Stout Street  
8<sup>th</sup> Floor  
Denver, CO 80294

Re: US vs Walker River Irrigation District – **Permit # 21582, Certificate # 5813 and Permit # 30218 and Certificate # 9432**

Dear Ms. Schneider:

Please be advised the above Permit's and Certificates were sold by me:

Joe Kircher  
1331 Antelope Valley Rd  
Reno, NV 89506

To:

Nevada Copper Inc. (Pumpkin Copper Inc.)  
61 E. Pursel Lane  
P.O. Box 1640  
Yerington, Nevada 89447

These were transferred on March 23<sup>rd</sup>, 2006. The Grant, Bargain and Sale Water Rights Deed is attached herewith. Please change your records accordingly and remove my name from your action.

I would appreciate you confirming by mail your receipt of this notice and appropriate changes to your records.

Sincerely,



Joe Kircher  
1331 Antelope Valley Rd  
Reno, NV 89506

775 813-6452



404304

06/13/2007  
002 of 2

WHEN RECORDED MAIL TO  
MAIL TAX STATEMENTS TO  
Pumpkin Copper Inc  
290 Gentry Way Suite 7  
Reno, NV 89502  
APN:

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

**THIS GRANT, BARGAIN AND SALE WATER RIGHTS DEED** is made and entered into this 23<sup>rd</sup> day of March, 2006, between JOSEPH KIRCHER (Grantor) and PUMPKIN COPPER INC. (Grantee).

**WITNESSETH:**

That the said Grantors, for and in consideration of the sum on One Dollar (\$1 00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto Grantee and to its heirs, successors and assigns forever, all of the following water right, on file with the Nevada State Engineer:

Located in Lyon County, Nevada to wit

41 84 ACRE FEET OF WATER RIGHTS UNDER THE State of Nevada, Division of Water Resources Permit 21582, Certificate No 5813 and Permit No. 30218, Certificate No 9432

**IN WITNESS WHEREOF**, the said Grantor have hereunto executed this Grant, Bargain and Sale Deed the day and year first above written.

GRANTOR:

JOSEPH KIRCHER

By:

STATE OF NEVADA     )  
                                          : ss.  
COUNTY OF WASHOE    )

This instrument was acknowledged before me on the 23<sup>rd</sup> day of MARCH, 2007,

by Joseph Glen Kircher  
  
Notary Public



DOC # 404304  
04/13/2007 01:30 PM

**Official Record**

Requested By  
JOSEPH KIRCHER

Lyon County - NV

Mary C. Milligan - Recorder

Page 1 of 2 Fee \$40 00

Recorded By CDL RPTT \$273 00



APN# \_\_\_\_\_

**Recording Requested by:**

Name Joseph Kircher

Address 1331 Antelope Valley Rd

City/State/Zip Reno, NV 89508

**Mail Tax Statements to:**

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Deed

**Title of Document**  
(Required Field)

**FILL IN ALL THAT APPLY.**

The Undersigned Hereby Affirms That This Document Submitted For Recording Contains A Social Security Number As Required By Law

Specify Law\* \_\_\_\_\_ Signature \_\_\_\_\_

Specify Law\* \_\_\_\_\_ Print Name \_\_\_\_\_ Title \_\_\_\_\_

\*If there is no applicable State or Federal Law, Social Security Number must be removed prior to recording

If this document is a re-record or correction, fill out below:

Correcting Document# \_\_\_\_\_ Amending \_\_\_\_\_

Reason for re-record \_\_\_\_\_

(For Re-records, all pages from original document must be included, \$25 Non-conforming Fee Applies)

If legal description is in metes & bounds, indicate where it was obtained:

\_\_\_\_\_ (Document Title), Book \_\_\_\_\_ Page \_\_\_\_\_ or

Document # \_\_\_\_\_ recorded \_\_\_\_\_ (date) in the

Lyon County Recorder's Office

**-OR-**

If prepared by a surveyor, provide name and address

\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

This page added to provide additional information required by NRS 111 312 Sections 1-4  
(\$1 00 Additional Recording Fee Applies)  
This document is available on our website www.lyon-county.org Recorder Department, Forms

DOC # 453186

01/11/2010 11 56 AM

Official Record

Requested By  
LITA JEAN LANCE

Lyon County - NV

Mary C Milligan - Recorder

Page 1 of 5 Fee \$18.00

Recorded By DLH RPTT

APN: 014-541-10

WHEN RECORDED MAIL TO  
GRANTEE'S ADDRESS

LITA JEAN LANCE  
PO BOX 216  
GABBS, NV 89409

MAIL TAX STATEMENTS TO:

LITA JEAN LANCE  
PO BOX 216  
GABBS, NV 89409



0453186

UNOFFICIAL COPY!

AFIDAVIT TERMINATING JOINT TENANCY

STATE OF NEVADA )

ss.

COUNTY OF WASHOE

LITA JEAN LANCE, being first duly sworn, deposes and says:

1. That I am the surviving sister of EDNA MICHELLE SPENCER, deceased; and that said EDNA MICHELLE SPENCER died in Churchill County, Nevada on or about January 14, 2002; that I am the surviving daughter of MATTIE GERTRUDE LANCE,\* deceased; and that said MATTIE GERTRUDE LANCE died in Lyon County, Nevada on December 6, 2000; that I am the surviving daughter of RICHARD DEAN LANCE, deceased; and that said RICHARD DEAN LANCE died in Lyon County, Nevada on August 9, 2009;

\* AKA MATTIE LANCE & MATTIE B GERTRUDE LANCE

2. That RICHARD DEAN LANCE, MATTIE LANCE, LITA JEAN LANCE, DIANE L. CORNISH and EDNA MICHELLE SPENCER, acquired certain property as joint tenants with right of survivorship by a Deed dated November 8, 2000; AS DOCUMENT # 25436

3. That the legal description of said property is as follows:

Section 2, Township 13 North, Range 26 East, M.D.B.&M.  
Lot 1.

More commonly know as 650 Hwy. 95A East, Yerington,  
Nevada.

4. That a certified copy of the death certificates of said joint tenants are attached hereto and incorporated herein by reference.



453186

01/11/2010  
002 of 5

5 That this affidavit is made in accordance with the provisions of NRS 40.525(5);

6. That I do hereby swear under penalty of perjury that the assertions of this affidavit are true.

7. Pursuant to NRS 239B.030 the undersigned does hereby affirm that the preceding document DOES NOT contain the social security number of any person.

DATED this 20 day of Nov., 2009.

*Lita Jean Lance*  
\_\_\_\_\_  
LITA JEAN LANCE

*State of Nevada, County of Nye*

SUBSCRIBED and SWORN to before me  
this 20 day of November, 2009.

*Willow A Timbrel*  
\_\_\_\_\_  
NOTARY PUBLIC



UNOFFICIAL COPY

CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH  
VITAL STATISTICS

CERTIFICATE OF DEATH

2009011740

STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT BLACK INK

DECEDENT

IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS

PARENTS

DISPOSITION

TRADE CALL

CERTIFIER

REGISTRAR

CAUSE OF DEATH

CONDITIONS IF ANY WOULD GIVE RISE TO IMMEDIATE CAUSE STATING THE UNDERLYING CAUSE LAST

1a DECEASED-NAME (FIRST MIDDLE LAST, SUFFIX) Richard Dean LANCE		2 DATE OF DEATH (Mo/Day/Year) August 09, 2009		3a COUNTY OF DEATH Lyon	
3b CITY TOWN, OR LOCATION OF DEATH Yerrington		3c HOSPITAL OR OTHER INSTITUTION -Name (if not enter give street and number) 650 Hwy 95A East		3d SEX Male	
5 RACE White (Specify)		6 HISPANIC ORIGIN? Specify No - Non-Hispanic		7a AGE-Last birthday (Years) 81	
8a STATE OF BIRTH (If not name country) Oklahoma		9b CITIZEN OF WHAT COUNTRY United States		10 EDUCATION 12	
11 MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) Widowed		12 SURVIVING SPOUSE (if wife, give maiden name)		13 DATE OF BIRTH (Mo/Day/Yr) July 08, 1928	
13 SOCIAL SECURITY NUMBER 3814		14a USUAL OCCUPATION (Give kind of work done during most of working life, even if retired) Oiler		14b KIND OF BUSINESS OR INDUSTRY Mining	
15a RESIDENCE - STATE Nevada		15c CITY TOWN OR LOCATION Yerrington		15d STREET AND NUMBER 650 Hwy 95A East	
16 FATHER - NAME (First Middle Last) Gordon A. LANCE		17 MOTHER - NAME (First Middle Last Suffix) Edna HIMES		18a INSIDE CITY LIMITS (Specify Yes or No) No	
18b INFORMANT - NAME (Type or Print) Lisa LANCE		18c MAILING ADDRESS (Street or R F D No, City or Town, State Zip) P O Box 216 Gabbs, Nevada 89409		19a BURIAL, CREMATION REMOVAL OTHER (Specify) Cremation	
19b CEMETERY OR CREMATORY - NAME Masonic Memorial Gardens		19c LOCATION City or Town State Reno Nevada 89503		20a FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Director) GERALD HITCHCOCK SIGNATURE AUTHENTICATED	
20b FUNERAL DIRECTOR LICENSE 114		20c NAME AND ADDRESS OF FACILITY Freritas Ruprecht Funeral Home PO BOX 1271 Yerrington NV 89447		21 TRADE CALL - NAME AND ADDRESS	
21a To the best of my knowledge, death occurred at the time, date and place as due to the cause(s) stated (Signature & Title) KATHY HESTON SIGNATURE AUTHENTICATED		21b DATE SIGNED (Mo/Day/Yr) August 11, 2009		21c HOUR OF DEATH 07 58	
21d NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)		22a PRONOUNCED DEAD (Mo/Day/Yr) August 09, 2009		22b PRONOUNCED DEAD AT (Hour) 07 58	
23a NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print) Deputy Coroner KATHY HESTON 30 Nevin Way Yerrington NV 89447		23b LICENSE NUMBER 89447		24a REGISTRAR (Signature) GERALD HITCHCOCK SIGNATURE AUTHENTICATED	
24b DATE RECEIVED BY REGISTRAR (Mo/Day/Yr) August 11, 2009		24c DEATH DUE TO COMMUNICABLE DISEASE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		25 IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) PART I (a) Chronic Obstructive Pulmonary Disease DUE TO, OR AS A CONSEQUENCE OF (b) DUE TO, OR AS A CONSEQUENCE OF (c) DUE TO, OR AS A CONSEQUENCE OF (d) PART II Coronary Artery Disease with atrial fibrillations	
26 ACC SUICIDE HOMICIDE OR PENDING INVEST (Specify)		27a DATE OF INJURY (Mo/Day/Yr)		27b HOUR OF INJURY	
27c DESCRIBE HOW INJURY OCCURRED		28a INJURY AT WORK (Specify Yes or No)		28b PLACE OF INJURY - At home, farm, street, factory, office building etc (Specify)	
28c LOCATION STREET OR R F D No		28d CITY OR TOWN		28e STATE	

STATE REGISTRAR



453186

01/11/2010  
005 of 5

VSS-Rev-2009082

287762

CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records

DATE ISSUED 08/17/2009

The copy is not valid unless prepared on engraved border displaying date seal and signature of Registrar

*Rudolph*  
STATE REGISTRAR  
SIGNATURE AUTHENTICATED



ANY ALTERATION OR ERASURE VOID THIS CERTIFICATE

STATE OF NEVADA  
DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH  
VITAL STATISTICS  
STATE OF NEVADA - DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH - SECTION OF VITAL STATISTICS  
CERTIFICATE OF DEATH

LOCAL FILE NUMBER		STATE FILE NUMBER	
1 DECEASED—NAME First Middle Last <b>Edna Michelle SPENCER</b>		2 DATE OF DEATH (Month Day Year) <b>January 14, 2002</b>	
3a CITY TOWN OR LOCATION OF DEATH <b>Highway</b>		3b HOSPITAL OR OTHER INSTITUTION—Name (If not other give street and number) <b>Highway 361 Mile Marker #9</b>	
4 SEX <b>Female</b>		5 RACE—(e.g. White Black American Indian etc.) (Specify) <b>White</b>	
6 Was Decedent of Hispanic Origin? Specify <input type="checkbox"/> yes <input checked="" type="checkbox"/> no If yes specify Mexican Cuban Puerto Rican etc. <b>No</b>		7a AGE—Last Birthday (Years) <b>38</b>	
8 DATE OF BIRTH (Mo Day Yr) <b>October 30, 1963</b>		9a STATE OF BIRTH (If not U.S.A. name country) <b>Nevada</b>	
9b CITIZEN OF WHAT COUNTRY <b>USA</b>		9c Decedent's Education grade completed <b>14</b>	
10 SOCIAL SECURITY NUMBER <b>-9029</b>		11 MARRIED NEVER MARRIED WIDOWED DIVORCED (Specify) <b>Married</b>	
12 SURVIVING SPOUSE (If wife give maiden name) <b>Lenzy L. Spencer</b>		13 RESIDENCE—STATE <b>Nevada</b>	
14a CITY TOWN OR LOCATION <b>Gabbs</b>		14b KIND OF BUSINESS OR INDUSTRY <b>Homemaking</b>	
15a STREET AND NUMBER <b>103 "A" Avenue</b>		15b INSIDE CITY LIMITS (Specify Yes or No) <b>No</b>	
16 FATHER—NAME First Middle Last <b>Richard Dean Lance</b>		17 MOTHER—MAIDEN NAME First Middle Last <b>Mattie B. Booth</b>	
18a INFORMANT—NAME (Type or Print) <b>Lita Lance - Sister</b>		18b MAILING ADDRESS (Street or R.F.D. No. City or Town State Zip) <b>P.O. Box 216, Gabbs, Nevada 89409</b>	
19a BURIAL CREMATION REMOVAL OTHER (Specify) <b>Cremation</b>		19b CEMETERY OR CREMATORY—NAME <b>Smith Family Crematory</b>	
19c LOCATION City or Town State <b>Fallon Nevada</b>		20a FUNERAL DIRECTOR—SIGNATURE (Or Person Acting as Such) <i>[Signature]</i>	
20b FUNERAL DIRECTOR LICENSE NUMBER <b>47</b>		20c NAME AND ADDRESS OF FACILITY <b>Smith Family F.H. Box 1545 Fallon, NV 89406</b>	
21a To the best of my knowledge death occurred at the time date and place due to the cause(s) stated (Signature and Title) <i>[Signature]</i>		21b DATE SIGNED (Mo Day Yr)	
21c HOUR OF DEATH <b>1-16-02</b>		21d NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) <b>Dale Keller Dep. Cor. 73 N. Maine St. Fallon, NV 89406</b>	
22a On the basis of examination and/or investigation in my opinion death occurred at the time date and place due to the cause(s) as certifier stated (Signature and Title) <i>[Signature]</i>		22b DATE SIGNED (Mo Day Yr) <b>1-14-02</b>	
22c HOUR OF DEATH <b>1:02 pm</b>		22d PRONOUNCED DEAD (Hour) <b>1:02 pm</b>	
22e NAME AND ADDRESS OF CERTIFIER (PHYSICIAN ATTENDING PHYSICIAN, MEDICAL EXAMINER OR LICENSED CORONER) (Type or Print) <b>Dale Keller Dep. Cor. 73 N. Maine St. Fallon, NV 89406</b>		22f LICENSE NUMBER	
23a REGISTRAR <i>[Signature]</i>		23b DATE RECEIVED BY REGISTRAR (Mo Day Yr) <b>1-16-02</b>	
24a IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a) (b) AND (c)) <b>Blunt Force Trauma</b> DUE TO OR AS A CONSEQUENCE OF		24b YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
PART I (a) <b>Blunt Force Trauma</b> DUE TO OR AS A CONSEQUENCE OF		24c INTERVAL BETWEEN ONSET AND DEATH	
(b) <b>Automobile Accident</b> DUE TO OR AS A CONSEQUENCE OF		24d INTERVAL BETWEEN ONSET AND DEATH	
PART II OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause given in Part I		24e INTERVAL BETWEEN ONSET AND DEATH	
25a ACC SUICIDE HOM UNDET OR PENDING INVEST (Specify) <b>Accident</b>		25b DATE OF INJURY (Mo Day Yr) <b>1-14-02</b>	
25c INJURY AT WORK (Specify Yes or No) <b>No</b>		25d HOUR OF INJURY <b>Approx. 11:23 am</b>	
25e PLACE OF INJURY—At home farm street factory office building, etc. (Specify) <b>State Highway</b>		25f DESCRIBE HOW INJURY OCCURRED <b>Decedent was driver in single vehicle accident</b>	
25g LOCATION STREET OR R.F.D. No CITY OR TOWN STATE <b>Highway 361 ml mkr #9 Rural Nevada</b>		26 AUTOPSY (Specify Yes or No) <b>NO</b>	
26 WAS COFFIN REFERRED TO (Specify Yes or No) <b>NO</b>		27	

STATE REGISTRAR

No. 210065



453186

01/11/2010  
004 of 5

This is to certify that the above is a true and correct copy of the certificate on file in this office.

Date issued

JAN 23 2002

State Registrar

WARNING IT IS ILLEGAL TO ALTER OR COPY THIS DOCUMENT

STATE OF NEVADA

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH
VITAL STATISTICS



453186

01/11/2010
003 of 5

STATE OF NEVADA - DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH - SECTION OF VITAL STATISTICS
CERTIFICATE OF DEATH

20000014527

TYPE FOR PRINT IN PERMANENT BLACK INK
RECEIPT
IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK FOR COMPLETION OF CERTIFICATE ITEMS

Form with fields for DECEASED NAME (Mattie Gertrude LANCE), DATE OF DEATH (December 6, 2000), COUNTY OF DEATH (Lyon), HOSPITAL OR OTHER INSTITUTION (South Lyon Medical Center), RACE (White), STATE OF BIRTH (Texas), SOCIAL SECURITY NUMBER (-3817), RESIDENCE (Nevada, Lyon), FATHER (Claud L. Boon), MOTHER (Nora Butcher), INFORMANT (R. Dean Lance), BURIAL (Cremation, Carson Sierra Crematory), CERTIFYING PHYSICIAN (Manual Olivares, MD), REGISTERAR (Lina Astudillo), IMMEDIATE CAUSE (CARDIO PULMONARY FAILURE, ASPIRATION PNEUMONIA, CEREBRO VASCULAR ACCIDENT), and PLACE OF INJURY.

299676

CERTIFIED COPY OF VITAL RECORDS

No.168734

STATE REGISTRAR

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records

DATE ISSUED NOV 05 2009

Rid White
STATE REGISTRAR

This copy is not valid unless prepared on engraved border displaying date seal and signature of Registrar



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

1 CARMEN A. TRUTANICH, City Attorney  
RICHARD M. BROWN, General Counsel  
2 for Water and Power  
JOSEPH A. BRAJEVICH, Asst. General Counsel  
3 for Water and Power  
S. DAVID HOTCHKISS (Bar No. 076821)  
4 Assistant City Attorney  
111 North Hope Street, Suite 340  
5 P. O. Box 51111  
Los Angeles, California 90051-0100  
6 Telephone: (213)367-4579  
Attorneys for Counter-Defendant  
7 City of Los Angeles

8  
9  
10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE DISTRICT OF NEVADA

13  
14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 WALKER RIVER PAIUTE TRIBE,  
17 Plaintiff-Intervenor,  
18

19 vs.

20 WALKER RIVER IRRIGATION  
DISTRICT,  
21 a corporation, et al.  
22 Defendants.  
23

Case No. 3:73-CV-00127-ECR-LRL  
In Equity No. C-125-ECR  
Subfile No. C-125-B

PROOF OF SERVICE OF DISCLAIMER  
OF INTEREST IN WATER RIGHTS BY  
CITY OF LOS ANGELES AND NOTICE  
OF RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

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**PROOF OF SERVICE**

I am employed in the County of Los Angeles; I am over the age of eighteen years and am not a party to the within entitled action; my business address is 111 North Hope Street, Suite 340, Los Angeles, California 90012-2694. On February 1, 2010, I served the within documents:

**PROOF OF SERVICE OF DISCLAIMER OF INTEREST IN WATER RIGHTS BY CITY OF LOS ANGELES AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Linda Lea Sharer, Chief Deputy Clerk  
U.S. District Court for the District of Nevada  
400 S. Virginia Street, Ste. 301  
Reno, NV 89501

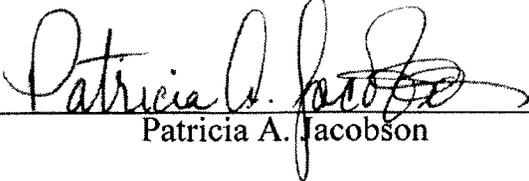
Susan L. Schneider  
U.S. Department of Justice  
P.O. Box 756  
Littleton, CO 80160

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 1, 2010, at Los Angeles, California].

  
\_\_\_\_\_  
Patricia A. Jacobson

1 CARMEN A. TRUTANICH, City Attorney  
2 RICHARD M. BROWN, General Counsel  
3 for Water and Power  
4 JOSEPH A. BRAJEVICH, Asst. General Counsel  
5 for Water and Power  
6 S. DAVID HOTCHKISS (Bar No. 076821)  
7 Assistant City Attorney  
111 North Hope Street, Suite 340  
P. O. Box 51111  
Los Angeles, California 90051-0100  
Telephone: (213)367-4579  
Attorneys for Counter-Defendant  
City of Los Angeles

FILED  RECEIVED  
ENTERED \_\_\_\_\_ SERVED ON \_\_\_\_\_  
COUNSEL PARTIES OF RECORD  
FEB - 8 2010  
CLERK US DISTRICT COURT  
DISTRICT OF NEVADA  
BY: \_\_\_\_\_ DEPUTY

8  
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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE DISTRICT OF NEVADA

13  
14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 WALKER RIVER PAIUTE TRIBE,  
17 Plaintiff-Intervenor,  
18  
19 vs.  
20 WALKER RIVER IRRIGATION  
21 DISTRICT,  
a corporation, et al.  
22 Defendants.

Case No. 3:73-CV-00127-ECR-LRL  
In Equity No. C-125-ECR  
Subfile No. C-125-B

DISCLAIMER OF INTEREST IN WATER  
RIGHTS BY CITY OF LOS ANGELES  
AND NOTICE OF RELATED  
INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

23  
24 TO THE COURT, PARTIES AND THEIR COUNSEL OF RECORD:  
25 PLEASE TAKE NOTICE that the City of Los Angeles, acting by and through the  
26 Los Angeles Department of Water and Power (LADWP), counter-defendant in the above  
27

1 action, hereby notifies the Court and the United States that the LADWP has no interest  
2 and has never had any interest in any water right within the categories set forth in  
3 Paragraph 3 of the *Case Management Order* (April 18, 2000) and, therefore, disclaims  
4 all interest in this action.

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

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DATED: January 29, 2010

Respectfully submitted,

CARMEN A. TRUTANICH, City Attorney  
RICHARD M. BROWN, Senior Assistant  
City Attorney for Water and Power

By:   
S. DAVID HOTCHKISS,  
Assistant City Attorney  
Attorneys for Counter-Defendant  
City of Los Angeles

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

THE UNDERSIGNED HEREBY AFFIRMS THAT THIS DOCUMENT DOES NOT CONTAIN A SOCIAL SECURITY NUMBER

APN 14-511-07

RPTT: # 5

When Recorded mail to:

Jack D. or Sandra K. Marriott  
2 MARCIETT WAY  
Yerington, NV 89447  
Grantees Address:  
SAME AS ABOVE

DOC # 429714

07/31/2008 10:50 AM

Official Record

Requested By  
SANDRA MARRIOTT

Lyon County - NV

Mary C. Milligan - Recorder

Page 1 of 2 Fee \$40.00

Recorded By COL RPTT



0429714

Date 07/08 **GRANT DEED**  
FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
Nancy Lynn Marriott  
do(es) hereby GRANT TO  
Jack D. or Sandra K. Marriott  
the real property situate in the County of Lyon, State of Nevada, described as follows

see exhibit A

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

STATE OF NEVADA  
COUNTY OF Lyon

On July 1, 2008 before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Nancy Marriott

Nancy L Marriott  
(Type or Print Name)

(Signature)

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same  
WITNESS my hand and official seal

(Type or Print Name)

Notary Seal

Jessie H. [Signature]  
Notary Seal - State of Nevada  
Notary Public - State of Nevada  
Commission Expires 01/31/2011

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

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

429714

07/31/2008  
002 of 2

Exhibit A

County of LYON, State of Nevada, bounded and described as follows.

SITUATE IN THE SW 1/4 OF THE NE 1/4 SECTION 11, TOWNSHIP 13 N., R. 25 E.,  
M.D.B. & M. DESCRIBED AS FOLLOWS:

BEGINNING at the southwest corner of the Parcel from which the Southwest  
corner of said Section 11, T.13 N., R. 25 E., bears S.44°49'00" W., 3,793.93  
feet. THENCE S.89°56'30" E., 208.00 feet; THENCE N. 0°05'00" E., 208.00  
feet; THENCE S. 89°56'30" E., 353.28 feet; THENCE N. 24°03'53" W., 227.90

Per NRS 111.312, the legal description  
previously appeared in deed #266454  
recorded on 09/26/01 in the  
Lyon County records.

**DOC N 386882**  
07/21/2006 10:50 AM  
**Official Record**

Requested By  
EDWARD MCCARGAR  
Lyon County - NV  
Mary C. Milligan - Recorder  
Page 1 of 4 Fee: \$17.00  
Recorded By: BB RPTT:

APN: 012-321-09

**RECORDING REQUESTED BY:**  
Western Title Company, Inc.

**WHEN RECORDED MAIL TO:**

Name EDWARD MCCARGAR  
Street 689 HWY 208  
Address  
City,State YERINGTON, NV 89447  
Zip

Order No. 00012626-112- LJI



(SPACE ABOVE THIS LINE FOR RECORDERS USE)

**AFFIDAVIT - DEATH OF JOINT TENANT**

EDWARD JAMES MCCARGAR, of legal age, being first duly sworn, deposes and says:

That \_\_\_\_\_, the decedent mentioned in the attached certified copy of Certificate of Death, is the same person as DORIS MCCARGAR, A Widow named as one of the parties in that certain DEED dated OCTOBER 13, 2004 executed by DORIS MCCARGAR, a widow and EDWARD JAMES MCCARGAR JR. a married man as joint tenants to DORIS MCCARGAR, a widow and EDWARD JAMES MCCARGAR JR., a married man, as joint tenants, recorded as instrument No. 333421, on OCTOBER 15, 2004 \_\_\_\_\_, of Official Records of Lyon County, Nevada, covering the following described property situated in the County of Lyon, State of Nevada:

See Exhibit A attached hereto and made a part hereof.

Affidavit – Death of Joint Tenant – Page 2

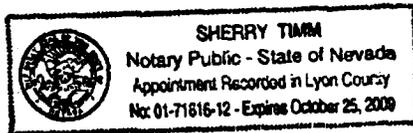
*Edward James McCargar Jr.*  
EDWARD JAMES MCCARGAR JR.

STATE OF NEVADA }  
COUNTY OF LYON } SS

This instrument was acknowledged before me on \_\_\_\_\_

by EDWARD JAMES MCCARGAR JR.

*Sherry Timm*  
Notary Public



**Exhibit A**

All that real property being that portion of the Southwest ¼ of the Southeast ¼ of Section 14, Township 12 North, Range 25 East, M.D.B.&M. lying South of State Route 208, being described as follows:

BEGINNING at the South ¼ corner of said Section 14; thence from said point of beginning and along the North, South center of Section line, North 0°10'09" West a distance of 931.59 feet to a point of intersection with the Southerly right of way of State Route 208; thence along the Southerly right of way, South 23°42'51" East a distance of 215.40 feet to the beginning of a curve to the left, having a radius of 1330.00 feet, subtended by a central angle of 52°43'27"; thence along the arc of said curve a distance of 1223.88 feet, having a chord of South 50°04'34" East and a distance of 1181.15 feet to a point of intersection with the South line of said Section 14; thence leaving said Southerly right of way and along said Southerly line of Section 14, North 88°37'51" West a distance of 989.98 feet to the point of beginning.

Also shown on that Record of Survey Map, for EDWARD JAMES MCCARGAR, JR. and DORIS MCCARGAR, filed for record in the Office of the Recorder of Lyon County, on September 30, 2004, Official Records, Document No. 332207.

NOTE (NRS 111.312): The above metes and bounds description appeared previously in that certain Deed, recorded in the office of the County Recorder of Lyon County, Nevada on October 15, 2004, as Document No. 333421, of Official Records.

STATE OF NEVADA  
CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH  
VITAL STATISTICS

STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS  
CERTIFICATE OF DEATH

LOCAL FILE NUMBER		DECEASED—NAME First Middle Last		DATE OF DEATH (Month, Day, Year)		STATE FILE NUMBER	
1. Doris Marie McCARGAR		2. December 29, 2005		COUNTY OF DEATH		3a. Lyon	
CITY, TOWN OR LOCATION OF DEATH		HOSPITAL OR OTHER INSTITUTION—Name (If not either, give street and number)		If Hosp. or Inst. Indicate DOA, OP/Emar. Res. Incident (Specify)		SEX	
3b. Yerington		3c. At Home; 689 Hwy 208		3a. —		4. Female	
RACE—(e.g., White, Black, American Indian, etc.) (Specify)		Was Decedent of Hispanic Origin? Specify <input type="checkbox"/> yes <input checked="" type="checkbox"/> no (If yes, specify Mexican, Cuban, Puerto Rican, etc.)		AGE—Last Birthday (Years)		DATE OF BIRTH (Mo., Day, Yr.)	
5. White		6. —		7a. 95		8. April 16, 1910	
STATE OF BIRTH (If not U.S.A., name country)		CITIZEN OF WHAT COUNTRY		Decedent's Education. Specify highest grade completed.		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)	
9a. Colorado		9b. USA		10. 12		11. Widowed	
SOCIAL SECURITY NUMBER		USUAL OCCUPATION (Give kind of Work Done During Most of Working Life, Even if Retired)		KIND OF BUSINESS OR INDUSTRY		SURVIVING SPOUSE (If wife, give maiden name)	
12. 564-18-3687		14a. Homemaker		14b. Own Home		12. —	
RESIDENCE—STATE		COUNTY		CITY, TOWN, OR LOCATION		STREET AND NUMBER	
15a. Nevada		15b. Lyon		15c. Yerington		15d. 689 Hwy 208	
INSIDE CITY LIMITS (Specify Yes or No)		FATHER—NAME First Middle Last		MOTHER—MAIDEN NAME First Middle Last		16. NO	
		16. Lawrence Carter		17. Pearl			
INFORMANT—NAME (Type or Print)		MAILING ADDRESS (Street or R.F.D. No., City or Town, State, Zip)					
18a. Edward McCargar		18b. 689 Hwy 208		Yerington, Nevada 89447			
BURIAL, CREMATION, REMOVAL, OTHER (Specify)		CEMETERY OR CREMATORY—NAME		LOCATION City or Town State			
19a. Cremation/Burial		19b. Valley View Cemetery		19c. Yerington, Nevada			
FUNERAL DIRECTOR—SIGNATURE (Or Print, as Bearer)		FUNERAL DIRECTOR LICENSE NUMBER		NAME AND ADDRESS OF FACILITY			
20a. [Signature]		20b. 614		20c. 25 Hwy 208		Yerington, Nevada 89447	
21a. For the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature and Title)		HOUR OF DEATH		22a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) and manner stated. (Signature and Title)		HOUR OF DEATH	
21b. DATE SIGNED (Mo., Day, Yr.)		21c. —		22b. 01/04/2006		22c. 0935	
21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)				22d. ON		22e. AT	
21d. —				22d. ON		22e. AT	
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER). (Type or Print)		LICENSE NUMBER					
23a. Lyon County Sheriff 30 Nevin Way Yerington, Nevada 89447		23b. —					
REGISTRAR		DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.)		DEATH DUE TO COMMUNICABLE DISEASE			
24a. [Signature]		24b. 01/05/2006		24c. YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c))				Interval between onset and death			
PART 1 (a) Congestive Heart Failure				Interval between onset and death			
(b) Hypertension				Interval between onset and death			
(c) OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause given in Part 1.		AUTOPSY (Specify Yes or No)		WAS CASE REFERRED TO CORONER (Specify Yes or No)			
Diabetes; history of stroke & Heart Dis		26. NO		27. YES			
ACC., SUICIDE, HOMICIDE, UNDET., OR PENDING INVEST. (Specify)		DATE OF INJURY (Mo., Day, Yr.)		HOUR OF INJURY		DESCRIBE HOW INJURY OCCURRED	
28a. —		28b. —		28c. —		28d. —	
INJURY AT WORK (Specify Yes or No)		PLACE OF INJURY—At home, farm, street, factory, office building, etc. (Specify)		LOCATION		STREET OR R.F.D. No. CITY OR TOWN STATE	
29a. —		29b. —		29c. —		29d. —	

STATE REGISTRAR



386882

No. 329112

07/21/2006  
004 of 4

097550

CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records.

DATE ISSUED: JAN 05 2006

This copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar.

[Signature of State Registrar]

STATE REGISTRAR



ANY ALTERATION OR TAMPERING INVALIDATES THIS CERTIFICATE

M

1 APPLICATION / PERMIT No.: 28042 PROOF or CLAIM No.: \_\_\_\_\_ STATUS: Cert. USE: Irr.

2 CURRENT HOLDER(S) SHOWN BY THE STATE ENGINEER.: Robert E. Jackson, an unmarried man & Mattie J. Melton, an unmarried woman.

If any item requires additional space, please use Item 13 Remarks: or attach 8 1/2" X 11" sheets referencing appropriate item number.

3 NEW HOLDER(S) or BENEFICIARY(S): Mike Powell and Tana Powell, husband & wife, as joint tenants

ADDRESS: 531 Hugo Street

CITY: San Francisco STATE: CA ZIP CODE: 94122 PHONE: (415) 228-3387

If any item requires additional space, please use Item 13 Remarks: or attach 8 1/2" X 11" sheets referencing appropriate item number.

4 INVENTORY DOCUMENTS BY CATEGORY AND NUMBER OF EACH IN CHAIN OF TITLE. See Guidelines Page 2

DEED(S).....	<input checked="" type="checkbox"/>	CORRECTION DEED(S).....	<input type="checkbox"/>	OTHER:	<input type="checkbox"/>		
DEED(S) OF TRUST.....	<input type="checkbox"/>	RECONVEYANCE at no charge	<input type="checkbox"/>	TOTAL ## OF \$\$ Documents =>			2
NOTICE(S) OF PLEDGE.....	<input type="checkbox"/>	MAP(S) at no charge.....	<input type="checkbox"/>	TOTAL # x \$20 each =	2	\$	40.00
DEATH CERTIFICATES.....	<input type="checkbox"/>	AFF OF ID at no charge.....	<input type="checkbox"/>	Report filing fee = \$100.00		\$	100.00
DECREE(S) OF DISTR.....	<input type="checkbox"/>	OTHER: <u>Aff. Death of Jt. Tenant</u>	<input checked="" type="checkbox"/>	TOTAL FEES SUBMITTED* \$		\$	140.00

5 ONE, ONE-TIME \$100 FILING FEE MUST ACCOMPANY THESE REPORTS + \$20 PER CONVEYANCE DOCUMENT LISTED ABOVE.

6 This REPORT may require an ABSTRACT OF TITLE listing the above documents in chronological order. A copy of the map referred to in said deed(s) may be required. Copies of maps should be letter or legal size. Refer to Guidelines sheet for details.

7 LIST SUPPLEMENTAL RIGHTS: None

8 COUNTY: POINT OF DIVERSION: Lyon COUNTY: PLACE(S) OF USE: Lyon

9 PLACE(S) OF USE: Qtr. \_\_\_\_\_ Qtr. \_\_\_\_\_ Sec. \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_ APN: 012-401-20

10 AMOUNT (DUTIES) TO BE ASSIGNED: 0.33 CFS 73.6 ACRE-FEET 18.4 ACRES or UNITS

11 DOES THE CURRENT HOLDER INTEND TO RETAIN ANY PORTION OF THE WATER RIGHT? YES  NO

12 IS AN APPLICATION TO CHANGE THE P.O.D., P.O.U., OR M.O.U. OF THIS RIGHT TO BE FILED? YES  NO

13 IF AN APPLICATION TO CHANGE THE P.O.D., P.O.U., OR M.O.U. IS ALREADY FILED, INDICATE THE NUMBER: \_\_\_\_\_

14 List any other water rights relating to this Report of Conveyance that has been filed using the same abstract and chain of title.  
None

15 Additional Space/Remarks: This submittal transfers the remaining portion of water under Permit 28042 held by Robert E. Jackson & Mattie J. Melton (aka Mattie Melton)

16 "I swear under penalty of perjury, that this represents a complete and thorough search of the records of the county recorder of each county in which the water is placed to beneficial use or diverted from its natural source and the records on file in the office of the state engineer."

SUBSCRIBED AND SWORN TO  
BEFORE ME THIS 4 DAY OF  
Mo. September yr. 2009  
(ss) [Signature]

NOTARY PUBLIC IN AND FOR THE  
COUNTY OF Washoe  
STATE OF Nevada  
MY COMMISSION EXPIRES 2/8/2012

SIGNATURE: [Signature]  
PRINT NAME: Gregory M. Bilyeu  
MAILING ADDRESS: 9480 Double Diamond Parkway  
FIRM NAME: TEC Civil Engineering Consultants  
CITY: Reno STATE: NV ZIP: 89521

ANTONETTE K. MORRISON  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 04-98271-2 - Expires February 8, 2012  
Notary Stamp

OWNER?  
 AGENT?

PLEASE PRINT THIS AS A DOUBLE-SIDED FORM

**ABSTRACT CHAIN OF TITLE**

This Column  
Office Use  
Only

Permit 28042  
Cert. 9855  
(APN 12-401-20)

Deed No	GRANTOR	GRANTEE	CFS	AFA	ACRES	Filed under	Doc. No.	Document Description and REMARKS
						Date	Date	
1	Robert Ervin Jackson, aka Robert E. Jackson	Mattie J. Melton	0.33	73.6	18.4		394864 11/8/2006	Affidavit - Death of Joint Tenant
2	Mattie Melton, aka Mattie J. Melton	Mike Powell and Tana Powell, Husband and Wife as joint tenants	0.33	73.6	18.4		447808 9/2/2009	Grant, Bargain & Sale Deed

DOC # 394864

Official Record

Requested By  
WESTERN TITLE COMPANY

Lyon County - NV

Mary C. Milligan - Recorder

Page 1 of 3 Fee: \$16.00

Recorded By: BB RPTT:

APN: 12-401-20

RECORDING REQUESTED BY:  
Western Title Company, Inc.

WHEN RECORDED MAIL TO:

Name Mattie Melton  
Street 1243 Hwy 208  
Address  
City, State Yerington, Nevada  
Zip 89447

Order No. Ycr accom06



(SPACE ABOVE THIS LINE FOR RECORDERS USE)

**AFFIDAVIT - DEATH OF JOINT TENANT**

Mattie Melton, of legal age, being first duly sworn, deposes and says:

That Robert Ervin Jackson, the decedent mentioned in the attached certified copy of Certificate of Death, is the same person as Robert E. Jackson, named as one of the parties in that certain Grant, Bargain, Sale Deed dated 05/06/93 executed by John C. Vernarecci and Joanna Vernarecci, Husband and Wife to Robert E. Jackson, an unmarried man and Mattie J. Melton, An unmarried woman, as Joint Tenants, recorded as instrument No.161109, on May 10, 1993 of Official Records of Lyon County, Nevada, covering the following described property situated in the County of, State of Nevada:

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

Being a division of Parcel 2-A of Parcel Map No. 134619, filed for record in the office of the County Recorder, Lyon County, Nevada described as follows:

Parcel 1.

Parcel A of that certain Parcel Map filed for record in the Office of the County Recorder, Lyon County, Nevada on July 31, 1991, under File No. 143182, Lyon county Official Records.

Parcel 2.

Together with an easement for roadway 25 feet in width along the Northerly portion of Parcel B of Parcel Map No. 143182, Lyon County Records.



394864

11/08/2006  
002 of 3

Affidavit – Death of Joint Tenant – Page 2

Dated November 8, 2006

*Mattie J. Melton*

Mattie J. Melton  
Surviving Joint Tenant

STATE OF NEVADA }SS

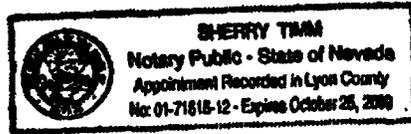
COUNTY OF Lyon \_\_\_\_\_

This instrument was acknowledged before me on,  
November 8, 2006

by Mattie J. Melton \_\_\_\_\_

*Sherry Tamm*

Notary Public





**Exhibit A  
LEGAL DESCRIPTION**

File Number: 1021573DR

**PARCEL 1:**

Parcel A of that certain Parcel Map filed for record in the office of the County Recorder of Lyon County, Nevada on July 31, 1991 under File No. 143182, Official Records.

**PARCEL 2:**

Together with an easement for roadway 25 feet in width along the Northerly portion of Parcel B of Parcel Map No. 143182, Lyon County Records.

**DOC# 447808**  
**Official Record**

Requested By  
 STEWART TITLE - DOUGLAS  
 Lyon County - NV  
 Mary C. Milligan - Recorder  
 Page: 1 of 3 Fee: \$16.00  
 Recorded By BKS RPTT: \$1,170.00



0447808

A.P.N. #	012-401-20
Escrow No.	1021573DR
Recording Requested By:	
Stewart Title	
When Recorded Mail To:	
Lanyana Raack FLP	
531 Hugo St.	
SAN FRANCISCO, CA 94122-2558	

(for recorders use only)

Grant, Bargain & Sale Deed  
 (Title of Document)

**Please complete Affirmation Statement below:**

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the social security number of a person or persons as required by law: \_\_\_\_\_  
 (State specific law)

Kris Thorson  
 Signature

Escrow Assistant  
 Title

KRIS THORSON  
 Print Signature

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink. (Additional recording fee applies)





RECEIVED  
2009 SEP 15 PM 4:22  
STATE ENGINEERS OFFICE

Civil Engineering  
Water Rights/Resources  
Land Use Planning  
Surveying

September 14, 2009

Mr. Tracy Taylor, P.E.  
State Engineer  
Division of Water Resources  
901 S. Stewart Street, 2<sup>nd</sup> Floor  
Carson City, Nevada 89701

**Re: Permit 28042 (Cert 9855)**

Dear Mr. Taylor:

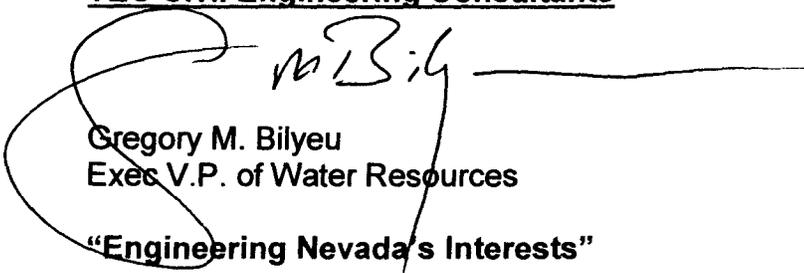
On behalf of the Mike Powell & Tana Powell, enclosed please find the Report of Conveyance, Abstract of Title and supporting documents transferring ownership of a portion of the above referenced water right permit.

Also enclosed is a TEC check in the amount of \$140.00 in payment of the statutory filing fees.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

**TEC Civil Engineering Consultants**



Gregory M. Bilyeu  
Exec V.P. of Water Resources

**"Engineering Nevada's Interests"**

cc w/enc: Mike Powell

Division #: 1

WALKER RIVER IRRIGATION DISTRICT  
YERINGTON, NEVADA

Card #: 24435  
Name: John D. & H. Elise Huldt  
Address: 109 N. Hwy 95A  
Yerington, NV 89447

Index No.  
Lyon County No. 14-291-05  
Claim No.  
User # 1004  
Ditch Campbell

O. & M. Local No. 2

Court Decree:

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET	TOPAZ RES.	BRIDGEPORT RES.	CLAIM #	TOTAL ACRES	
					PER ACRE	TOTAL	APPORTIONED	ACRE FEET	ACRE FEET			
NEWL		1.010	3.2076	65	1.5444	1.560					1.010	
TOTAL		1.010				1.560	1.56	1.07	.49			
											Water Rt. Acres	1.010
											Non Wtr Rt. Acres	.000
											Acre Feet Storage	1.560

**PROVISIONAL**

LEGAL DESCRIPTION:  
Fr. SE 1/4 of NE 1/4, Sec. 28;  
T 14 N, R 25 E.

COMMENTS:  
10/06/04 - Transferred from card #34305 - E. Menesini  
03/23/06 - Changed Address

DOCUMENT HISTORY:		
DOCUMENT #	DATE	DESCRIPTION
#52-484	04/01/69	Lloyd F. & Eva C. Hughes to R.L. & Mabel Facer.
#194164	06/07/96	R.L. & Mabel Facer to Edward L. & Kristie L. Menesini.
#326284	07/20/04	Edward L. Menesini & Cindy Menesini, husband and wife and Kristie L. Menesini, an unmarried woman, who acquired title as Edward L. Menesini and Kristie L. Menesini, as Joint Tenants to John D. & H. Elise Huld, husband and wife as Joint Tenants with Right of Survivorship

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

APN# 14-231-12

Recording Requested by:

Name J Douglas Clark

Address 510 W Plumb Lane, Ste B

City/State/Zip Reno, Nevada 89509

Mail Tax Statements to:

Name Harold E Moore

Address PO Box 987

City/State/Zip Ferriington, Nevada 89447

DOC # 418488

12/26/2007 10:23 AM

Official Record

Requested By  
J DOUGLAS CLARK

Lyon County - NV  
Mary C. Milligan - Recorder

Page 1 of 4 Fee \$17.00

Recorded By BB RPTT



0418488

Affidavit Terminating Joint Tenancy  
Title of Document  
(Required Field)

FILL IN ALL THAT APPLY:

The Undersigned Hereby Affirms That This Document Submitted For Recording Contains Personal Information As Required By Law\*

NRS 40.525 (5)

Specify Law\*

*J Douglas Clark*  
\_\_\_\_\_  
J Douglas Clark, Attorney

Specify Law\*

Print Name Title

\*If there is no applicable State or Federal Law, Personal Information must be removed prior to recording

If this document is a re-record or correction, fill out below:

Correcting Document# \_\_\_\_\_ Amending \_\_\_\_\_

Reason for re-record:

(For Re-records, all pages from original document must be included, \$25 Non-conformity Fee Applies)

If legal description is in metes & bounds, indicate where it was obtained:

\_\_\_\_\_ (Document Title), Book \_\_\_\_\_ Page \_\_\_\_\_ or

Document # \_\_\_\_\_ recorded \_\_\_\_\_ (date) in the

Lyon County Recorder's Office

-OR-

If prepared by a surveyor, provide name and address

\_\_\_\_\_  
\_\_\_\_\_

\*Personal information\* means a natural person's first name or first initial and last name in combination with any one or more of the following data elements:

1. Social security number
2. Driver's license number or identification card number
3. Account number, credit card number or debit card number in combination with any required security code, access code or password

This page added to provide additional information required by NRS 111.312 Sections 1-4  
(\$1.00 Additional Recording Fee Applies)

UNOFFICIAL COPY

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



418488

12/26/2007  
002 of 4

Assessor's Parcel No. 14-231-12

After Recording Mail To:

Harold E Moore  
P O Box 987  
Yerington, Nevada 89447

GRANTEES' ADDRESS:

Harold E. Moore  
P.O Box 987  
Yerington, Nevada 89447

Mail Future Tax Statements To

Harold E Moore  
P O Box 987  
Yerington, Nevada 89447

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

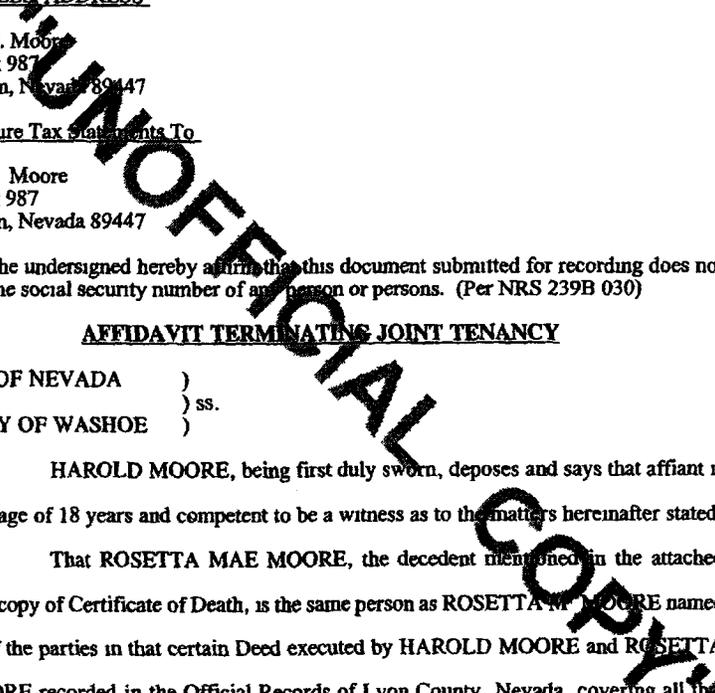
AFFIDAVIT TERMINATING JOINT TENANCY

STATE OF NEVADA        )  
                                  ) ss.  
COUNTY OF WASHOE    )

HAROLD MOORE, being first duly sworn, deposes and says that affiant is over the age of 18 years and competent to be a witness as to the matters hereinafter stated

That ROSETTA MAE MOORE, the decedent mentioned in the attached certified copy of Certificate of Death, is the same person as ROSETTA M MOORE named as one of the parties in that certain Deed executed by HAROLD MOORE and ROSETTA M MOORE recorded in the Official Records of Lyon County, Nevada, covering all that real property situate in the County of Lyon, State of Nevada, bounded and described as follows:

All that certain real property being a portion of the SE 1/4 of SE 1/4 of Section 16, T 14 N, R 25 E, M D B & M., Lyon County, Nevada, being Parcel 1, 2, 3, and 4 as shown on Lyon County Record of Survey No 14850, described as follows.



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



418488

12/26/2007  
003 of 4

PARCEL 4

Beginning at the Southeast corner of the parcel which is located North 0°20' East 968.11 feet and North 88°19' West 499.26 feet from the Southeast corner of Section 16, Township 14, North Range 25 East, thence North 0°20' East 305.00 feet, thence North 88°19' West 159.80 feet, thence South 0°02' West 305.04 feet, thence South 88°19' East 158.21 feet to the point of beginning

Said parcels are further shown on that certain Record of Survey, recorded June 19, 1973, as file No 14850, Lyon County, Nevada map records

REFERENCE DOCUMENT 244557

Affiant states that this affidavit is made for the purpose of terminating said joint tenancy and conveying the interest of the deceased, ROSETTA M. MOORE to HAROLD MOORE, an unmarried man, as his sole and separate property

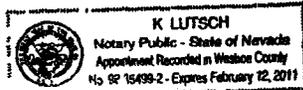
UNOFFICIAL COPY

*Harold Moore*  
HAROLD MOORE

STATE OF NEVADA     )  
                                  )SS  
COUNTY OF WASHOE    )

On this 18<sup>th</sup> day of December, 2007, personally appeared before me a Notary Public in and for said County and State, HAROLD MOORE, personally known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument

WITNESS my hand and official seal.



*K Lutsch*  
NOTARY PUBLIC

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

**STATE OF NEVADA**  
**CERTIFICATION OF VITAL RECORD**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**DIVISION OF HEALTH**  
**VITAL STATISTICS**

**STATE OF NEVADA - DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**DIVISION OF HEALTH - SECTION OF VITAL STATISTICS**  
**CERTIFICATE OF DEATH**

TYPE OR PRINT IN PERMANENT BLACK INK	1. DECEASED NAME FIRST MIDDLE LAST Rosebta Mae MOORE			2. DATE OF DEATH (Mo/Day/Year) September 27, 2007		3. COUNTY OF DEATH Lyon		
	4. CITY, TOWN, OR LOCATION OF DEATH: HOSPITAL OR OTHER INSTITUTION (Name if not other, give street, hall, home, or care facility DOA, unless item 4a. SEX (Specify) Yerington 135 N Hwy 95A			5. SEX Female				
IF STATE OCCURRED IN INSTITUTION OR SPECIFIC RESIDENCE COMPLETION OF NUMBER	6. RACE or U. S. White, Black, American Indian (Specify) or Other		7. AGE-Last birthday (Years) MO DAYS HOURS MINS 65		8. UNDER 1 YEAR (S. UNDER 1 DAY) MO DAYS HOURS MINS		9. DATE OF BIRTH (Mo/Day/yr) May 01, 1941	
	10. STATE OF BIRTH (if not U.S. name country) California		11. CITIZEN OF UNITED STATES (Specify) 12		13. MARRIAGE STATUS (Specify) Married		14. SURVIVING SPOUSE (Name, give maiden name) Harold MOORE	
COMPLETION OF NUMBER	15. SOCIAL SECURITY NUMBER			16. KIND OF BUSINESS OR INDUSTRY Homemaker				
	17. RESIDENCE - STATE Nevada		18. COUNTY Lyon		19. CITY, TOWN OR LOCATION Yerington		20. HOME CITY (List if applicable) No	
PARENTS	21. FATHER - NAME (First Middle Last, Suffix) Vance THOMPSON			22. MOTHER - NAME (First Middle Last, Suffix) Maddie Mae BISHOP				
	23. INFORMANT - NAME (Type of Fall) Harold MOORE			24. HOME AND ADDRESS (Street or R.F.D. No./Box or Post, State, Zip) 135 N. Hwy 95A Yerington, Nevada 89447				
DISPOSITION	25. BURIAL, CREMATION, BURIAL, OTHER (Specify) Burial		26. CEMETERY OR CREMATION - NAME View View Cemetery		27. LOCATION City or Town State Yerington Nevada 89447			
	28. FUNERAL DIRECTOR - SIGNATURE (Of Person Acting as Such) <i>[Signature]</i>			29. FUNERAL DIRECTOR LICENSE NO. [Blank]		30. NAME AND ADDRESS OF FACILITY Friedla Rymacht Funeral Home PO BOX 1271 Yerington NV 89447		
TRADE CALL	31. TRADE CALL - NAME AND ADDRESS							
CERTIFIER	32. To the best of my knowledge, death occurred as shown, date with place and date of the cause(s) stated. (Signature & Title) <i>[Signature]</i>			33. To the best of my knowledge, death occurred as shown, date with place and date of the cause(s) stated. (Signature & Title) <i>[Signature]</i>				
	34. DATE SIGNED (Mo/Day/yr) 10/01/2007		35. HOUR OF SIGNATURE 15:22		36. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) Lyon County Sheriff Coroner 30 Nevada Hwy Yerington NV 89447		37. HOUR OF DEATH 15:22	
REGISTRAR	38. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print) Lyon County Sheriff Coroner 30 Nevada Hwy Yerington NV 89447			39. DATE RECEIVED BY REGISTRAR (Mo/Day/yr) 10/01/2007		40. DEATH DUE TO COMMUNICABLE DISEASE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
	41. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) PART 1 (a) Chronic Obstructive Pulmonary Disease DUE TO, OR AS A CONSEQUENCE OF			42. INTERVAL BETWEEN CAUSE AND DEATH Interval between cause and death				
CAUSE OF DEATH	43. OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not resulting in the underlying cause given in Part 1 Anemia			44. AUTOPSY (Specify Yes or No) No		45. WERE CASE REFERRED TO CORONER (Specify Yes or No) No		
	46. ACC. SUBJECT, HOME, STREET OR FARMING INJURY (Specify)		47. DATE OF INJURY (Mo/Day/yr)		48. HOUR OF INJURY		49. DESCRIBE HOW INJURY OCCURRED	
CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE STATING THE UNDERLYING CAUSE LAST	50. INJURY AT WORK (Specify Yes or No)		51. PLACE OF INJURY - As home, farm, street, factory, office building, etc. (Specify)		52. LOCATION STREET OR R.F.D. No.		53. CITY OR TOWN STATE	

STATE REGISTRAR

170291      418488      12/26/2007  
CERTIFIED COPY OF VITAL RECORDS      004 of 4

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records

DATE ISSUED      **OCT 03 2007**

The copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar

ANY ALTERATION OR ERASURE VOID THIS CERTIFICATE

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

DOC # 435706  
12/16/2008 03:54 PM  
Official Record  
Requested By  
JOHN SCHLEGELMILCH LTD  
Lyon County - NV  
Mary C Milligan - Recorder  
Page 1 of 3 Fee \$16.00  
Recorded By AT RPTT

APN 12-271-09

WHEN RECORDED MAIL TO

Law Office of John P Schlegelmilch, Ltd  
30 Broadway Avenue  
Yerrington, Nevada 89447



Mail Tax Bill To:

Current Recipient

Affirmation Statement:

I, the undersigned, hereby affirm that this document submitted for recording contains the personal of a person or persons as required by law. NRS 440.380(1)(a) (Death Certificate)  
(State specific law)

John Paul Schlegelmilch Attorney  
Signature (Print name) Title

**AFFIDAVIT OF DEATH OF JOINT TENANT**

STATE OF NEVADA )  
                          ) SS  
COUNTY OF LYON )

The undersigned being first duly sworn and under penalties of perjury deposes and says

- 1 That I am the Widow of Leland C Peterson
- 2 The title to the property referenced herein should be placed in the name of Marion W Peterson.
- 3 The Joint Tenancy interest herein was created by a Grant Bargain and Sale Deed dated the 18th day of June, 1980, and recorded on June 20, 1980 as Document No 53825 in the Lyon County Recorder's Office
- 4 The property subject to the Joint Tenancy Interest is described as 41 Black Mountain Circle, formerly known as 526 South Highway 208, Yerrington, Lyon County, State of Nevada and is more particularly described as follows

ALL THAT REAL PROPERTY SITUATE IN THE COUNTY OF LYON, STATE OF NEVADA, DESCRIBED AS FOLLOWS

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4 NW 1/4) OF SECTION 11, TOWNSHIP 12 NORTH, RANGE 25 EAST, M D B & M, MORE PARTICULARLY DESCRIBED AS FOLLOWS

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435706

12/16/2008  
002 of 3

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 11, THENCE SOUTH 0 39' 15" WEST ALONG THE 1/4 SECTION LINE 529.00 FEET TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING SOUTH 0 39' 15" WEST ALONG THE AFORESAID LINE 264 50 FEET, THENCE NORTH 89 44' 33" WEST, 1366 89 FEET TO THE 1/16TH LINE, THENCE NORTH 0 12' 32" WEST ALONG SAID LINE 263 48 FEET, THENCE SOUTH 89 47' 06" EAST, 1370 87 FEET TO THE POINT OF BEGINNING

TOGETHER WITH AN EASEMENT FOR ROAD AND UTILITY PURPOSES OVER THE SOUTH 25 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 12 NORTH, RANGE 25 EAST, M.D.B & M., LYING ON THE EAST SIDE OF NEVADA STATE HIGHWAY ROUTE 3, LYON COUNTY, NEVADA, DESCRIBED AS FOLLOWS.

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTHWEST QUARTER; NORTHWEST QUARTER, AND THE EAST RIGHT -OF -WAY OF SAID HIGHWAY, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 11 BEARS NORTH 31 46'25" WEST, 1550 69 FEET, THENCE ALONG THE EAST ROWLINE OF SAID HWY, SOUTH 0 21' EAST 115 00 FT, THENCE SOUTH 89 55' EAST, 512 50 FEET, THENCE NORTH 0 21' WEST, 115 00 FEET, THENCE NORTH 89 55' WEST, 512.50 FEET TO THE TRUE POINT OF BEGINNING

APN #12-271-09

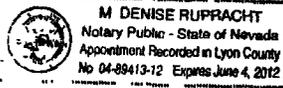
5 That LELAND C. PETERSON, predeceased the remaining Joint Tenant to the property when he died in Yerington, Nevada, on April 16, 2004. A certified copy of the Death Certificate is attached hereto as Exhibit A

FURTHER YOUR AFFIANT SAYETH NAUGHT

*Marion W Peterson*  
MARION W PETERSON

SIGNED and SWORN to before me this 12<sup>th</sup> day of November, 2008, by MARION W PETERSON

*M Denise Ruppracht*  
NOTARY PUBLIC (SEAL)



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**STATE OF NEVADA**  
**CERTIFICATION OF VITAL RECORD**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**DIVISION OF HEALTH**  
**VITAL STATISTICS**

**STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES**  
**DIVISION OF HEALTH — SECTION OF VITAL STATISTICS**  
**CERTIFICATE OF DEATH**

2004 0005511

LOCAL FILE NUMBER		STATE FILE NUMBER	
DECEASED—NAME: First Middle Last 1 Leland Charles PETERSON		DATE OF DEATH (Month, Day, Year) 2 April 16, 2004	
CITY, TOWN OR LOCATION OF DEATH 3d Yerington		COUNTY OF DEATH 4a Lyon	
HOSPITAL OR OTHER INSTITUTION—Name (If not other, give street and number) 3c South Lyon Medical Center		If Hosp or Inst. indicate DOA, Officer Fun. Director (Specify) 3e Enter. Room 2 Male	
RACE—(e.g., White, Black, American Indian, etc.) (Specify) 5 White		DATE OF BIRTH (Mo., Day, Yr.) 7c December 12, 1921	
STATE OF BIRTH (If not U.S.A., name country) 6a IOWA		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) Married 12 Marion Dudley	
SOCIAL SECURITY NUMBER 13 [REDACTED]-5707		INDUSTRY OR BUSINESS 14a Federal Government	
RESIDENCE—STATE 15a Nevada		CITY, TOWN, OR LOCATION 16 Yerington	
FATHER—NAME First Middle Last 16 Luzearn Peterson		MOTHER—Maiden Name First Middle Last 17 Alma Brown	
INFORMANT—NAME (Type or Print) 18a Marion Peterson		ADDRESS (Street or R.F.D. No., City or Town, State, Zip) 18b 526 Hwy 208 Yerington, Nevada 89447	
BURIAL, CREMATION, REMOVAL, OTHER (Specify) 19a Cremation		CREMATORY OR ORNAMENTAL HOME 19b Sierra Crematory	
FUNERAL DIRECTOR—SIGNATURE (If Present) 20a [Signature]		NAME AND ADDRESS OF FUNERAL HOME 20b Yerington, Nevada 89447	
21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature and Title) 21b DATE SIGNED (Mo., Day, Yr.)		On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place stated (Do not check cause(s) and manner stated) (Signature and Title) 21c [Signature] Captain	
21d. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type and Print) 21e [Signature] Lyon County Sheriff 30 New Way Yerington		21c HOUR OF DEATH 21d [Signature] 1936	
REGISTRAR 24a (Signature) [Signature]		DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.) 24b 04/20/2004	
25. IMMEDIATE CAUSE PART I (a) <u>Gastrointestinal Hemorrhage</u>		26. YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
PART II (b) <u>C.O.P.D. Chronic Ethanolism</u>		27. YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
28a ACCIDENT, SUICIDE, HOMICIDE, OR PENDING INVESTIGATION (Specify) 28b DATE OF INJURY (Mo., Day, Yr.) 28c HOUR OF INJURY		28d DESCRIBE HOW INJURY OCCURRED	
29a INJURY AT WORK (Specify Yes or No) 29b PLACE OF INJURY—(at home, farm, street, factory, office, building, etc.) (Specify)		29c LOCATION 29d STREET OR R.F.D. No. 29e CITY OR TOWN 29f STATE	

STATE REGISTRAR  
No. 262168

246128 CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records

DATE ISSUED **DEC 09 2008** STATE REGISTRAR

This copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

40-4-2-Elc  
C: Susan  
Eilich

2010 JUL -6 AM 11:36

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

5	UNITED STATES OF AMERICA,	)	
6		)	
6		)	Plaintiff, ) In Equity No. C-125-ECR
7	WALKER RIVER PAIUTE TRIBE,	)	Subfile No. C-125-B
8		)	<b>DISCLAIMER OF INTEREST IN</b>
8	Plaintiff-Intervenor,	)	<b>WATER RIGHTS AND NOTICE OF</b>
9		)	<b>RELATED INFORMATION AND</b>
9	v.	)	<b>DOCUMENTATION SUPPORTING</b>
10		)	<b>DISCLAIMER</b>
11	WALKER RIVER IRRIGATION	)	
11	DISTRICT,	)	
12	a corporation, et al.,	)	
13		)	
13	Defendants.	)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 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

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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:

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

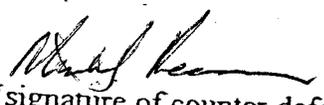
- Deed
- Court Order
- Other Document.

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 30th day of JUNE 2000.

*To whom it may concern,  
I HAVE NEVER OR CURRENTLY OWNED  
ANY WATER RIGHTS OR WELL PERMIT.  
THE FIVE ACRES MY NAME IS ON ~~HAD~~  
THE WATER RIGHTS RESERVED BY THE  
ORIGINAL OWNER, WHICH WAS BEFORE  
THE PEOPLE I BOUGHT THE PROPERTY FROM.  
I HAVE NEVER CONVEYED ANY WATER RIGHT  
TO ANYONE OR PURCHASED A WATER RIGHT AND  
AM ON CITY WATER NOT A WELL.*

  
[signature of counter-defendant]

*Michael Perumian*  
[name of counter-defendant]

Requested By  
TITLE SERVICE & ESCROW

Lyon County - NV  
Mary C. Milligan - Recorder

Page 1 of 2 Fee: \$15.00  
Recorded By: MFK RPTT: \$464.10

APN 14-521-22

Document Transfer Tax \$464.10

Order No. TSF-19585 KO

Mail Tax Bill to Grantee:

424 Abbey way  
Sparks, NV 89431



SPACE ABOVE FOR RECORDER'S USE ONLY

**GRANT, BARGAIN and SALE DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

LINDA K. AMEN, an unmarried woman

does hereby GRANT, BARGAIN and SELL TO

PETER PERUMEAN JR. and MARY ANN PERUMEAN, husband and wife and  
MICHAEL PERUMEAN, a single man, all as Joint Tenants with the  
Right of Survivorship

All that certain real property being a portion of SE 1/4 of NE  
1/4 of Section 11, T 13 N, R 25 E, M.D.B.&M., Lyon County,  
Nevada, described as follows:

Parcel 3, as shown on the Parcel Map for Circle Bar N Ranch,  
recorded in the Official Records of Lyon County, Nevada on  
February 11, 2003, as Document No. 290673.

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



DATED 12-01-05

Linda K. Amen  
LINDA K. AMEN

STATE OF NEVADA        )  
                                  )    ss.  
COUNTY OF LYON        )

On 12-1-05 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), LINDA K. AMEN who acknowledged to me that she executed the within instrument.

L. Burchett  
Notary Public



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**DOC # 358391**  
06/04/2005 11:58 AM  
**Official Record**  
Requested By  
W R I D  
Lyon County - NV  
Mary C. Milligan - Recorder

RECORDING REQUESTED BY  
RETURN TO:

Walker River Irrigation District  
P. O. Box 820  
Yerington, NV 89447  
01-124-06



This document is being re-recorded to correct the legal description.

WATER RIGHTS QUITCLAIM DEED

**"UNOFFICIAL COPY"**

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358391

08/04/2005  
002 of 3

DOC # 348457

04/19/2005 12:04 PM

Official Record

Requested By  
MRID

Lyon County - NV  
Mary C. Hilligan - Recorder



RPTT-#2

RECORDING REQUESTED BY  
RETURN TO:

Walker River Irrigation District  
P.O. Box 820  
Yerington, NV 89447  
01-124-08

**UNOFFICIAL COPY**

WATER RIGHTS QUITCLAIM DEED

THIS INDENTURE, made and entered into this 24 day of March, 2005, by and between VALER AND PAULINE PLETT, hereinafter referred to as "Grantor," and the WALKER RIVER IRRIGATION DISTRICT, hereinafter referred to as "Grantee";

WITNESSETH:

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, does by these presents convey, transfer and quitclaim unto the Grantee, and to its successors and assigns forever, all of the rights of the Grantor to receive stored waters from Bridgeport and Topaz Reservoirs and to draw water from the Walker River and its tributaries, all such water rights being appurtenant to the land situate in the County of Lyon, State of Nevada, that is described in Exhibit "A" attached hereto and made a part hereof.

To have and to hold the said water rights together with the tenements, hereditaments and appurtenances thereunto belonging or appertaining and the

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358391

08/04/2005  
003 of 5

348457

04/19/2005  
002 of 4

reversion and reversions, remainder and remainders, rents, issues and profits thereof unto the Grantee, its successors and assigns, forever.

Grantee does hereby agree to assume the payment of all fees and charges that may hereafter become due and payable in respect to said water rights referred to herein.

IN WITNESS WHEREOF, the parties have executed this instrument on the day and year first above written.

GRANTOR:

GRANTEE:

WALTER PLETT

WALKER RIVER IRRIGATION  
DISTRICT

PAULINE PLETT

By: Walter Plett

By: Roberts Byrnes

By: Pauline Plett

By: Chairman

Date: 3-24-05

Date: 4-7-05

SUBSCRIBED and SWORN to before me this 24<sup>th</sup> day of March 2005. By Walter Plett and Pauline Plett.

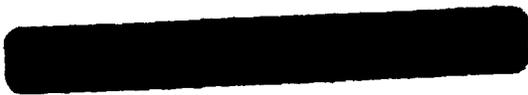
SUBSCRIBED and SWORN to before me this 7<sup>th</sup> day of April 2005.

Leah Compston  
NOTARY PUBLIC

Leah Compston  
NOTARY PUBLIC



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358391

08/04/2005  
004 of 5

**EXHIBIT "A"**

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

All that certain real property situate in the Northeast ¼ of the Southwest ¼ of Section 14, Township 13 North, Range 25 East, M.D.B.&M., described as follows:

Commencing at a point on the southerly line of Pearl Street a distance South 89°26'54" East 1730.40 feet from the Northwest corner of the Southwest ¼ of Section 14, Township 13 North, Range 25 East, M.D.B. &M., to the point of beginning; thence South 89°26'54" East a distance of 137.02 feet; thence South 00°35'58" West a distance of 115.00 feet; thence North 89°26'54" West a distance of 137.02 feet; thence North 00°35'58" East a distance of 115.00 feet to the true point of beginning.

PER NRS 111.312, THE LEGAL DESCRIPTION APPEARED PREVIOUSLY IN DEED #0108424 RECORDED ON JUNE 11, 2007 IN LYON COUNTY RECORDS.

UNOFFICIAL COPY



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APN. 012-141-03  
012-141-07

After recording mail to  
William L Carpenter, Esq  
215 W Bridge Street, #3  
Yerington, NV 89447

**DOC # 427851**  
06/24/2008 09:43 AM  
**Official Record**  
Requested By  
WILLIAM CARPENTER ESQ  
Lyon County - NV  
Mary C. Milligan - Recorder  
Page 1 of 4 Fee \$17.00  
Recorded By BB RPTT



The undersigned affirms that this document  
contains a social security number, per NRS  
40 525(5).

*William L Carpenter*  
\_\_\_\_\_  
William L Carpenter, Attorney

**AFFIDAVIT**  
**DEATH OF JOINT TENANT**

STATE OF NEVADA )  
 )ss.  
COUNTY OF LYON )

NORMAN G PURSEL, hereby swears under penalty of perjury that the following  
assertions are true of his own knowledge:

1. I am over the age of twenty-one (21) years and competent to be a witness as to the matters hereinafter stated, that I am the surviving spouse of the Decedent.
2. That NORMA MARIE PURSEL is the Decedent named in the attached certified copy of Certificate of Death.
3. That the Decedent is the same person as NORMA PURSEL named as one of the parties in that certain Quitclaim Deed, dated November 2, 1989, executed by NORMAN GENE PURSEL, a married man, to NORMAN GENE PURSEL and NORMA PURSEL, husband and wife, et al, as joint tenants, recorded as Document No 128538 in the Official Records of Lyon County, Nevada, on November 2, 1989
4. That the Decedent is the same person as NORMA PURSEL named as one of the parties in that certain Deed, dated May 4, 1964, executed by EMMET PURSEL and MARIE

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427851

06/24/2008  
002 of 4

PURSEL, to NORMAN PURSEL and NORMA PURSEL, husband and wife, as joint tenants, recorded as File No 88836, in Deeds Book 47, Page 78 in the Official Records of Lyon County, Nevada, May 14, 1964

5 The property which is the subject of the above-described deed is located in the County of Lyon, State of Nevada, and is more particularly described as follows

Parcel No 1

Per NRS 111.312, the legal description of the following property appeared previously in Deed 128538, recorded on November 2, 1989, Lyon County Records

Lot Number two (2) of the Northeast quarter (NE 1/4) and Lot Number three (3) of the Northwest quarter (NW 1/4) of Section Two (2), Township Twelve (12) North, Range Twenty-five (25) East, M D B.&M., containing 83.05 acres, more or less, with the improvements thereon situate. Together with all ditch rights and water rights appurtenant to and used in the irrigation of said lands Together with all personal property thereon located

EXCEPTING THEREFROM Parcel A as shown on the Parcel Map for Norman G. & Norma Purse, etal, recorded in the Official Records of Lyon County, Nevada, on April 26, 1991, as No 14107

Parcel 2:

Per NRS 111 312, the legal description of the following property appeared previously in Deeds, Book 47, Page 78, File No 88836, recorded on May 14, 1964, Lyon County Records

Beginning at a point 1786 78 feet N 90 deg 00'00" W., and 13 50 feet S 0 deg. 05' 00" E From the Northeast corner of Sec 2, T 12 N., R 25 E, M D B. &M , said corner being common to Sections 1 and 2, T. 12 N R. 25 E, and Sections 35 and 36, T 13 N , R 25 E , M.D B.&M , thence from said point of beginning, 1<sup>st</sup> course S. 0 deg 05" 00" E., a distance of 281 51 feet, thence 2<sup>nd</sup> course S 89 deg 55' 00" W , a distance of 245.79 feet, thence 3<sup>rd</sup> course N 14 deg. 16' 00" E, a distance of 289 96 feet, thence 4<sup>th</sup> course N 89 deg 55' 00" E, a distance of 163 92 feet, to the point of beginning and containing 1 31 acres, more or less.

And further being described as being that certain parcel of land situated in the Northeast area of the farm of the parties of the first part, and fronting 163 92 feet on the county road running east and west along the north boundary of said farm Also further being described as being bounded on the west side of the main Fox Ditch, and that the south boundary property line as being that line which is coincident with the north property line of Joe Menesini, Jr.

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427851

06/24/2008  
003 of 4

6 As recited in the above-described Certificate of Death, NORMA MARIE PURSEL  
died on March 14, 2008, in Yerington, Nevada.

*Norma Marie Pursef*  
\_\_\_\_\_  
NORMA G. PURSEL

SUBSCRIBED and SWORN to before me this

19<sup>th</sup> day of June, 2008,

by Norman G Pursef.

*Janice Shipley*  
\_\_\_\_\_  
Notary Public



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**STATE OF NEVADA**  
**CERTIFICATION OF VITAL RECORD**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**DIVISION OF HEALTH**  
**VITAL STATISTICS**  
**CERTIFICATE OF DEATH**

2008004479  
STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT BLACK INK  IF DEATH OCCURRED IN INSTITUTION USE HANDBOOK FOR COMPLETION OF RESIDENCE ITEMS  PARENTS  DISPOSITION  TRADE CALL  CERTIFIER  REGISTRAR  CAUSE OF DEATH  CONDITIONS IF ANY WHICH HAVE BORN TO IMMEDIATE CAUSE BETWEEN THE MOMENT WHEN CAUSE LAST	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">1a DECEASED-NAME (FIRST,MIDDLE,LAST,SUFFIX) Norma Marie PURSEL</td> <td colspan="2">2 DATE OF DEATH (Mo/Day/Year) March 14, 2008</td> <td colspan="2">3a COUNTY OF DEATH Lyon</td> </tr> <tr> <td colspan="2">3b CITY, TOWN OR LOCATION OF DEATH Yerington</td> <td colspan="2">3c HOSPITAL OR OTHER INSTITUTION -Name (if not either, give street and number) South Lyon Medical Center</td> <td colspan="2">4 SEX Female</td> </tr> <tr> <td colspan="2">5 RACE White (Specify)</td> <td colspan="2">7a AGE-Last birthday (Years) 84</td> <td colspan="2">7b UNDER 1 YEAR / 7c UNDER 1 DAY / 8 DATE OF BIRTH (Mo/Day/Year) April 08, 1923</td> </tr> <tr> <td colspan="2">9a STATE OF BIRTH (if not U.S.A., issue country) Nevada</td> <td colspan="2">9b CITIZEN OF WHAT COUNTRY United States</td> <td colspan="2">10 EDUCATION 12</td> </tr> <tr> <td colspan="2">11 SOCIAL SECURITY NUMBER [REDACTED]-1732</td> <td colspan="2">14a USUAL OCCUPATION (Give Kind of Work Done during Most of Working Life, Even if Retired) Homemaker</td> <td colspan="2">14b KIND OF BUSINESS OR INDUSTRY Home</td> </tr> <tr> <td colspan="2">15a RESIDENCE - STATE Nevada</td> <td colspan="2">15b COUNTY Lyon</td> <td colspan="2">15c CITY TOWN OR LOCATION Yerington</td> </tr> <tr> <td colspan="2">16 FATHER - NAME (First Middle Last Suffix) Leo GIORDI</td> <td colspan="2">17 MOTHER - NAME (First Middle Last Suffix) Dina GALANTUOMINI</td> <td colspan="2">12 SURVIVING SPOUSE (If wife, give maiden name) Norman Gene PURSEL</td> </tr> <tr> <td colspan="2">18a INFORMANT - NAME (Type or Print) Norman PURSEL</td> <td colspan="2">18b MAILING ADDRESS (Street or R.F.D. 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STATE REGISTRAR

427851      06/24/2008  
004 of 4

201154      CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records

DATE ISSUED      **MAR 24 2008**

This copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar

R. J. Whitey  
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

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

DOC # 396546  
12/05/2006 12:43 PM  
Official Record

Requested By  
EILEEN DUNHAM  
Lyon County - NV  
Recorded By: Millington, Recorder

A.P.N. 010-642-02, 03 & 09

MAIL TAX STATEMENTS AND WHEN  
RECORDED, MAIL TO:  
Jeffrey Litterer  
PO Box 295  
Wellington, NV 89444



THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s):

Documental transfer tax is \$1,111.50, computed on full value of property conveyed.

**CORPORATION GRANT, BARGAIN, SALE DEED**

**The Renegade Corp.**

a corporation organized and existing under the laws of the State of Nevada, and having its principal place of business at PO Box 74, Wellington, NV 89444, in consideration of \$10.00 Dollars, does hereby Grant, Bargain, Sell and Convey to Jeffrey Litterer and Therese Litterer, Husband and Wife as Joint Tenants with Right of Survivorship all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

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

**IN WITNESS WHEREOF** said Grantor has caused its corporate name to be hereto affixed by its President and Secretary thereunto duly authorized pursuant to a Corporate Resolution of its Board of Directors

Dated: 12-4-06

The Renegade Corp.

By: [Signature]  
Jeffrey Litterer, President

By: [Signature]  
Eileen Dunham, Secretary

UNOFFICIAL COPY

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



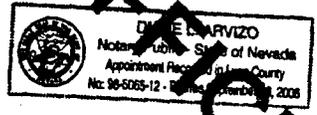
396546

12/05/2006  
002 of 3

STATE OF NEVADA )  
COUNTY OF LYON )

ON 12-4-06 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jeffrey Litterer and Eileen Duham known to me to be the persons who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its By-laws and Resolution of its Board of Directors.

*Diana L. Arvizu*  
NOTARY PUBLIC



UNOFFICIAL COPY

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



396546

12/05/2006  
003 of 3

**Parcel 1:**

All that certain real property being a portion of the Northwest ¼ of the Southeast ¼ of Section 2, Township 10 North, Range 23 East, M.D.B.&M., Lyon County, Nevada, being further described as follows:

Beginning at the South ¼ corner of Section 2, Township 10 North, Range 23 East, M.D.B.&M. said point being a 1" O.D. Brass Cap marked G.L.O. 1941; thence North 1319.90 feet to a ½" O.D. Galv. Iron Pipe with a tag marked RLS 4044 and being the Northwest corner of the Southwest ¼ of the Southeast ¼ of said Section 2; thence continuing North 669.0 feet to a point in the existing state highway right of way; thence South 41°44' East 113.67 feet; thence North 48°05' East 239.88 feet more or less to a 2" iron pipe in a Northeast fence line approximately 5 feet from the Northwest fence corner and being the true point of beginning of the parcel described; from the true point of beginning South 74°29'41" East 200.44 feet to a ½" diam. Rebar set in a corner; thence South 46°07'36" West 319.32 feet to a ¼" O.D. rebar at a fence corner; thence North 41°38'09" West 67.8 feet; thence South 48°06' West 29.04 feet; thence North 41°54' West 72.00 feet; thence North 48°05' East 100.00 feet; thence North 41°54' West 40 feet; thence North 48°05' East 139.88 feet to the true point of beginning. All the above as delineated on RSM Document No. 77630 recorded June 16, 1983, Lyon County Records.

**Parcel 2:**

All that certain real property being a portion of the Northwest ¼ of the Southeast ¼ of Section 2, Township 10 North, Range 23 East, M.D.B.&M., Lyon County, Nevada being further described as follows:

Commencing at the Southerly corner of a parcel shown on a Record of Survey Map filed in the Office of the Lyon County Recorder as Document No. 17513 (said corner being North 02°00'24" West, a distance of 755.75 feet from the Southeast corner of the Northeast ¼ Southwest ¼ of Section 2, Township 10 North, Range 23 East, M.D.B.&M., as per said Record of Survey Map); thence South 44°47'01" East (along the North line of Nevada State Highway 3) a distance of 176.25 feet to the true point of beginning (said distance as per the Deed between William E. Werner and Bette A. Werner, husband and wife, Robert H. Griffin and Martha A. Griffin, husband and wife, Donald Askins and Ardine Askins, husband and wife, and Benjamin C. Barton and Ann Barton, husband and wife, the parties of the first part and Ernest Groso and Genevieve Groso, husband and wife, the parties of the second part as recorded in Book 45, Page 433 of Lyon County, Deeds); thence North 45°11'59" East a distance of 100 feet; thence South 44°47'01" East a distance of 42 feet; thence South 45°11'59" West a distance of 100 feet; thence North 44°47'01" West (along the North line of Nevada State Highway 3) a distance of 42 feet to the true point of beginning.

**Parcel 3:**

All that certain real property being a portion of the Northwest ¼ of the Southeast ¼ of Section 2, Township 20 North, Range 23 East, M.D.B.&M., Lyon County, Nevada described as follows:

Parcel A, as shown on the Parcel Map for The Compston Family 1982 Trust, recorded in the Official Records of Lyon County, Nevada on February 7, 1996 as Document No. 190035.

RECORDS OF LYON COUNTY, NEVADA ON FEBRUARY 7, 1996 AS DOCUMENT NO. 190035.

NOTE: Legal description previously contained in Deed recorded December 16, 1999 as Document No. 242362.

U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

2008 DEC 29 PM 12: 44

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

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

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

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

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

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

Date: 12.12.08

Don Smith  
Signature

Don Smith  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of (Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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

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

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

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

DOC # 0378554

03/30/2006

04:37 PM

**Official Record**

Requested By  
TITLE SERVICE & ESCROW

Lyon County - NV

Mary C. Milligan - Recorder

Page 1 of 2 Fee: \$40.00  
Recorded By: DLW RPTT: \$2,730.00

APN 14-241-03  
Document Transfer Tax \$2,730.00  
Order No. TSL-30389  
Mail Tax Bill to Grantee:  
P.O. Box 128  
Yerington, NV 89447



**"UNOFFICIAL COPY"**

SPACE ABOVE FOR RECORDER'S USE ONLY

**GRANT, BARGAIN and SALE DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

JEAN T. SNOOK, or her successor(s) in trust, as Trustee of the JEAN TWOMBLY SNOOK TRUST, dated December 12, 2005, including any amendments thereto

do (es) hereby GRANT, BARGAIN and SALE DEED

DAVID M. LITTLE and SHERRY L. LITTLE, as Trustees of THE DAVID M. LITTLE FAMILY TRUST, dated May 2, 1996

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

T 14 N, R 25 E, M.D.B. & M.;

Section 22: The NW 1/4, SW 1/4 of the NE 1/4, NE 1/4 of the SW 1/4, N 1/2 of the NW 1/4 of the SW 1/4, W 1/2 of the SE 1/4 and SE 1/4 of the SE 1/4.

Also, all that certain real property, as described in a Deed executed by Mrs. Lena Brisson (widow) to John B. Gallagher by deed dated April 6th, 1904, recorded in Book N at Page 656 of Lyon County Records, being a portion of the NE 1/4 of the SE 1/4 and the SE 1/4 of the NE 1/4 of Section 22, and that portion of the SW 1/4 of the SW 1/4 of Section 23 T 14 N, R 25 E, lying on the West side of a line or lines described as follows to wit:

Beginning at the Southeast corner of said Section 22; thence first course East forty feet (40); thence second course North thirteen hundred and twenty (1320) feet thence West four hundred and sixty one (461) feet; thence fourth course North 26° West sixteen hundred and twenty seven (1627) feet; thence fifth course North 11 1/2° West to the Northwest corner of the Southeast quarter (1/4) of the Northeast quarter (1/4) of said Section twenty two (22).

TOGETHER WITH all water and water rights, ditches and ditch rights, wells and well rights which are appurtenant to and historically used in connection with the herein described property, including but not limited to Permit No. 57865 Certificate No. 3423 and Permit No. 57867.

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

DATED 3/22/06

THE JEAN TWOMBLY SNOOK TRUST

Jean T. Snook, Trustee  
JEAN T. SNOOK, Trustee

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF VENTURA )

On MARCH 22, 2006 personally appeared before me, a Notary Public (~~or Judge or other authorized person, as the case may be~~), JEAN T. SNOOK, or ~~her successor(s)~~ in trust, as Trustee of the JEAN TWOMBLY SNOOK TRUST, dated December 12, 2005, including any amendments thereto, who acknowledged to me that she executed the within instrument.

Leon Tanner Eddy  
Notary Public



Official Record

Requested By  
TITLE SERVICE & ESCROW

Lyon County - NV  
Mary C. Milligan - Recorder

Page 1 of 1 Fee: \$40.00  
Recorded By: DLM RPTT: \$2,730.00

FOR RECORDERS OPTIONAL  
DOCUMENT/INSTRUMENT NO

BOOK: \_\_\_\_\_

DATE OF RECORDING: \_\_\_\_\_

NOTES: \_\_\_\_\_

1. Assessor Parcel Number(s)

a) 14-241-03

2. Type of Property:

- a)  Vacant
- b)  Single Fam. Res.
- c)  Condo/Twnhs
- d)  2 - 4 Plex
- e)  Apt. Bld.
- f)  Comm'l/Ind.
- g)  Agri.
- h)  Mobile Hm.
- i)  Other \_\_\_\_\_

3. Total Value/Sales Price of Property	\$700,000.00
Deed in Lieu of Foreclosure Only (Value of Property)	\$
Transfer Tax Value	\$700,000.00
Real Property Transfer Tax Due	\$2,730.00

4. If Exemption Claimed:

- a. Transfer Tax Exemption, per NRS 375.090, Section \_\_\_\_\_
- b. Explain Reason for Exemption: \_\_\_\_\_

5. Partial Interest: Percentage being transferred: %

The undersigned declares and acknowledges under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature Jean T. Snook Capacity Seller

Signature David M. Little Capacity Buyer

**SELLER (GRANTOR) INFORMATION**  
(REQUIRED)

Print Name: JEAN T. SNOOK  
Address: 5351 SPRING VALLEY  
City: LONDON State: OH Zip: 43410

**BUYER (GRANTEE) INFORMATION**  
(REQUIRED)

Print Name: DAVID M. LITTLE  
Address: P.O. BOX 128  
City: YERINGTON State: NV Zip: 89447

**COMPANY/PERSON REQUESTING RECORDING**  
(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: TITLE SERVICE AND ESCROW CO. Escrow No. TSL-30389  
Address: 215 W. Bridge St.  
City: Yerington State: NV Zip: 89447

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

THE UNDERSIGNED HEREBY AFFIRMS THAT THIS DOCUMENT DOES NOT CONTAIN A SOCIAL SECURITY NUMBER

DOC# 0443489  
06/04/2009 04:28 PM  
Official Record

APN. 12-331-03

Requested By  
CHRISTY STANTON  
Lyon County - NV  
Mary C Milligan - Recorder  
Page 1 of 2 Fee \$15.00  
Recorded By AT RPTT

RPTT: #6

When Recorded mail to:

CHRISTY DELONG STANTON  
Grantees Address: 87 BOBBI LN, YERINGTON, NV  
89447



Date 05/22/09

### GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

KIRK ANDREW STANTON

do(es) hereby GRANT TO

CHRISTY DELONG STANTON

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

SEE EXHIBIT A

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

STATE OF NEVADA

COUNTY OF Lyon

On May 22, 2009, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Kirk Andrew Stanton

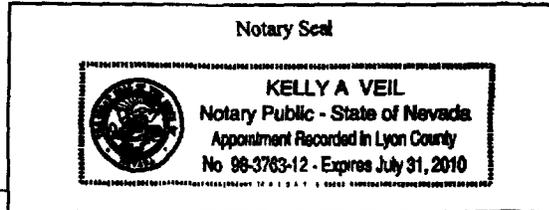
Kirk Andrew Stanton  
(Signature)

Kirk Andrew Stanton  
(Type or Print Name)

(Signature)

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same  
WITNESS my hand and official seal

Kelly A Veil  
(Notary Public)



**Exhibit A  
Legal Description  
APN 12-321-03**

**All that certain real property situate in the County of Lyon, State of Nevada described as follows:**

**All that certain real property being a portion of the NE ¼ of NE ¼ section of Section 15, T12N, R25E, M.D.B.&M., Lyon County, Nevada, described as follows:**

**Commencing the NE corner of the NE ¼ of the NE ¼ of Section 15, T12N R25E, M.D.B.&M., thence South 519 feet along the East boundary of said NE ¼ of the NE ¼ of said Section 15, to the point of beginning, thence 278 feet West, thence 771 feet South, thence 278 feet East, thence 771 feet North to the point beginning.**

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

**Per NRS 111.312, the legal description previously appeared in deed # 228408 recorded on January 11, 1999 in the Lyon County Records.**

U.S. District Court  
ENV. & NAT. RES. DIV.  
DENVER, CO

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 DEC 11 AM 11:06

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

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

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

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

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

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

Date: 12/8/2008

Ross J. Stevens & Gail E. Stevens

Signature  
ROSS J. STEVENS & GAIL E. STEVENS

Printed/Typed Name

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

(Title)  
STEVENS FAMILY TRUST  
(Corporate, Trust, Partnership or other entity)

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

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

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

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

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

Document Transfer Tax 6 \$-0-  
APN 14-291-13

When recorded Mail this Deed to.  
DANIEL R. STEVENSON  
99A HWY 95A N  
YERINGTON, NV 89447

**DOC # 435203**  
12/02/2008 04 33 PM  
**Official Record**

Requested By  
DANIEL STEVENSON  
Lyon County - NV  
Mary C Milligan - Recorder  
Page 1 of 3 Fee \$16 00  
Recorded By AT RPTT



"UNOFFICIAL COPY"

SPACE ABOVE FOR RECORDER'S USE

**GRANT, BARGAIN and SALE DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

DANIEL R. STEVENSON, an unmarried man and SHARON L. STEVENSON, an unmarried woman who acquired title as DANIEL R. STEVENSON AND SHARON L. STEVENSON, husband and wife as joint tenants with right of survivorship

does hereby Grant, Bargain and Sell to

DANIEL R. STEVENSON, an unmarried man

the following described real property situated in the County of Lyon, State of Nevada:

Parcel 1:

A parcel of land located in the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 14 North Range 25 East, M.B.M., in Lyon County, Nevada, described as follows:

Beginning at the Southeast corner of the parcel on the East-West 1/4 line North 89°51'29" West, 532.55 feet from the East 1/4 corner of said Section 28; thence along the 1/4 line North 89°51'29" West, 202.00 feet; thence North 0°19'27" East, 215.57 feet; thence South 89°51'29" East, 202.00 feet, thence South 0°19'27" West, 215.57 feet to the point of beginning.

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



435203

12/02/2008  
002 of 3

Parcel 2:

Together with the use of a 25 foot wide right-of-way along the South boundary of the Southeast 1/4 of the Northeast 1/4 of Section 28 from this property to Highway 95 Alt.

Parcel 3:

A parcel of land located in the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 14 North, Range 25 East, M.D.B.M., in Lyon County, Nevada, described as follows:

Beginning at the Southeast corner of the parcel on the East-West 1/4 line North 89°51'29" West, 734.55 feet from the East 1/4 corner of said Section 28; thence along the 1/4 line North 89°51'29" West, 631.67 feet; thence North 2°31'20" East, 215.76 feet; thence South 89°51'29" East, 623.40 feet; thence South 0°19'27" West, 215.57 feet to the point of beginning

Except any portion of the above described property which lies West of the West line of the Southeast 1/4 of the Northeast 1/4.

Legal Description appeared previously in Document No. 274103, recorded on March 22, 2000, Official Records of Lyon County, Nevada.

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

DATED Nov 24, 2008

  
DANIEL R. STEVENSON

  
SHARON L. STEVENSON

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



435203

12/02/2008  
003 of 3

STATE OF Arkansas )  
 )  
COUNTY OF Sheridan ) SS.

On November 26th, 2008 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), Marian Stevenson who acknowledged to me that she executed the within instrument.

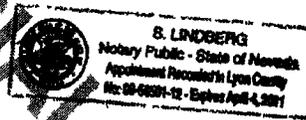
[Signature]  
Notary Public



STATE OF Nevada )  
 )  
COUNTY OF Lyon ) SS.

On 10-2-08 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), Daniel A. Stevenson who acknowledged to me that he executed the within instrument.

[Signature]  
Notary Public



"UNOFFICIAL COPY"

# CALIFORNIA INDIAN LEGAL SERVICES

## Escondido Office

609 South Escondido Boulevard, Escondido, CA 92025 ♦ Phone 760/746-8941 ♦ Fax 760/746-1815  
www.calindian.org ♦ contactCILS@calindian.org

BISHOP  
EUREKA

Dorothy Alther, Senior Staff Attorney  
760/746-8941, Ext. 122  
dalther@calindian.org

90 Le-2-61  
C: Susan

SACRAMENTO  
ESCONDIDO

December 19, 2008

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

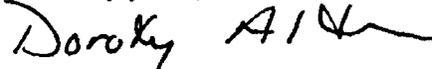
Ms. Susan Schneider, Attorney  
U.S. Department of Justice  
1961 Stout Street, 8<sup>th</sup> Floor  
Denver, CO 80294

RE: *United States of America et al. v. Walker River Irrigation District*  
In Equity No. C-125-ECR

Dear Ms. Sharer and Ms. Schneider:

I am legal counsel for the Toiyabe Indian Health Project ("Toiyabe"), who has been listed as a Counter-Defendant in the above captioned case. I am enclosing a signed "DISCLAIMER OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER." My client does not have water rights within any of the categories set forth in Paragraph 3 of the Case Management Order of April 18, 2000.

Sincerely yours,



DOROTHY ALTHER

cc: David Lent, Executive Director of Toiyabe

ENCLOSURE

2008 DEC 23 PM 12:33  
U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

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

---

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 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

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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:

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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 19<sup>th</sup> day of December 2008.

*Dorothy Ailb*  
[signature of counter-defendant]  
*Legal Counsel for*

*Toiyabo Indian Health Project*  
[name of counter-defendant]

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

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

[address]

609 S. Escondido Blvd  
Escondido, CA 92025

[telephone number]

760-744-8941

90-6-2-86

FILE

U.S. DISTRICT COURT  
DENVER, CO

2009 MAR 30 PM 12: 07

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

1	UNITED STATES OF AMERICA,	)	
2		)	
3	Plaintiff,	)	
4		)	
5	WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
6		)	
7	Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
8	vs.	)	
9	WALKER RIVER IRRIGATION DISTRICT,	)	
	a corporation, et al.,	)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

- I hereby enter my appearance in this sub-proceeding in this case.
- I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

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

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

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

Attorney:

Address:

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Phone Number:

Fax Number:

E-mail Address:

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

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

  
(Signature)

Linda Beekhof, Manager  
(Printed or typed Name)

Topaz Lake Mobile  
Home Park, LLC

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

1480 Hanslope Way  
Gardnerville, NV 89410  
(Address)

(775) 783-4042  
(Telephone number)

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

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

**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

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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:

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

- Deed
- Court Order
- Other Document.

*No Documents / no water rights have been issued*

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 7<sup>th</sup> day of May 2009.

*Cora L. Towe*

[signature of counter-defendant]

*and Cora L. Towe for  
Estate of Wilford L. Towe*

*CORA L. TOWE*

*Estate of Wilford L. Towe*  
[name of counter-defendant]

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

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

P.O. Box 703  
Hawthorne, NV  
89415  
[address]

775-945-2291  
[telephone number]

U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

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

2008 DEC 15 PM 1:43

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

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

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

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

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

Date: 12/11/08

*Tily Shue*  
Signature

TILY SHUE  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: REGIONAL COUNSEL of (Title)

THE TRUST FOR PUBLIC LAND  
(Corporate, Trust, Partnership or other entity)

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

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

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

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

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

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

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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

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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): THE TRUST FOR PUBLIC LAND  
Street or P.O. Box: 116 New Montgomery Street  
Town or City: SAN FRANCISCO  
State: California  
Zip Code: 94105

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

Name(s): STATE OF CALIFORNIA WILDLIFE CONSERVATION BOARD  
Street or P.O. Box: 801 K Street, Suite 806  
Town or City: Sacramento  
State: CA  
Zip Code: 95814

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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 11th day of December 2008.

**THE TRUST FOR PUBLIC LAND,**  
a California nonprofit public benefit corporation

By: shuetily  
Name: Tily Shue  
Title: Regional Counsel  
Date: Dec. 12, 2008  
Address:

The Trust for Public Land  
116 New Montgomery, Third Floor  
San Francisco, CA 94105  
Phone: 415-495-5660 ext. 460

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[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]





109182A-EB vs 0597ms108

001938

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:  
County of Mono  
Board of Supervisors  
P.O. Box 715  
Bridgeport, CA 93517  
Attn: Chairperson  
Mail Tax Statements to: above

RECORDED IN MONO  
COUNTY OF CALIFORNIA  
'08 MAR 30 PM 2 31  
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THIS CONVEYANCE IS EXEMPT FROM ANY DOCUMENTARY TRANSFER  
TAX PER CALIFORNIA REVENUE AND TAX CODE SECTION 11922

GRANT DEED

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, THE TRUST FOR PUBLIC LAND, a California nonprofit public benefit corporation ("Grantor") does hereby grant and convey to COUNTY OF MONO, a political subdivision of the State of California ("Grantee") that contain real property located in Mono County, California, more particularly described as Exhibit A attached hereto and incorporated herein by this reference (the "Property").

TOGETHER WITH all right, title and interest to a portion of the water rights appurtenant to the Property as follows: a total of 12 cubic feet per second ("cfs") (the "Mill Creek Conveyed Water Rights") of the 18 cfs of water annually that is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated pursuant to the Mono County Superior Court in *Idaho Electric Company v. J.A. Conway, et al.*, Judgment and Decree No. 2088 rendered by said Superior Court on June 17, 1915, but entered *nunc pro tunc* as of November 20, 1914 (the "Mill Creek Decree") which awarded John A. Conway 14 cfs and F.D. Mautz 4 cfs, to water flowing in Mill Creek for reasonable and beneficial purposes on the land referred to in the Mill Creek Decree. A summary of the water rights adjudicated by the Mill Creek Decree is attached hereto and incorporated herein as Exhibit B.

The Mill Creek Conveyed Water Rights are more particularly the following:

- (A) a total of 7 cfs of the 12 cfs decreed to be owned by J.A. Conway under the Mill Creek Decree, which are "Priority 2" rights, which are further agreed to be the first (1<sup>st</sup>), second (2<sup>nd</sup>), fifth (5<sup>th</sup>), ninth (9<sup>th</sup>), tenth (10<sup>th</sup>), eleventh (11<sup>th</sup>) and twelfth (12<sup>th</sup>) of said 12 cfs as identified in Exhibit B attached hereto;

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(B) a total of 3 cfs of the 3 cfs decreed to be owned by F.D. Matty under the Mill Creek Decree, which are "Priority 8" rights as identified in Exhibit B attached hereto;

(C) a total of 1 cfs of the 2 cfs decreed to be owned by J.A. Conway under the Mill Creek Decree, which are "Priority 9" rights as identified on Exhibit B attached hereto, which are further agreed to be the second (2<sup>nd</sup>) of said 2 cfs; and

(D) a total 1 cfs of the 1 cfs decreed to be owned by F.D. Matty under the Mill Creek Decree, which is "Priority 12" rights as identified on Exhibit B attached hereto.

TOGETHER WITH all right, title and interest in and to a portion of the water rights appurtenant to the Property as follows: a total of 3 cfs (the "Virginia Creek Conveyed Water Rights") of the 6 cfs of water annually that is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated in *United States v. Walker River Irrigation, et al*, Case in Equity, C-125 ("Walker River Decree"), which final decree was entered April 14, 1936 and amended April 24, 1940, to waters flowing in Virginia Creek for reasonable and beneficial purposes on the lands referred to in said decree.

The Virginia Creek Conveyed Water Rights are more particularly the following: a total of 3 cfs of the 6 cfs of water from Virginia Creek decreed to J.A. and R.P. Conway under the Walker River Decree, which consists of the first (1<sup>st</sup>), third (3<sup>rd</sup>), and fifth (5<sup>th</sup>) cfs of said 6 cfs. As provided in the Walker River Decree, of the 3 cfs of the Virginia Creek Conveyed Water Rights, 1.36 cfs has a relative priority date of 1860 and 1.44 has a relative priority date of 1863.

TOGETHER WITH any and all rights of Grantor herein, in and to all buildings, improvements and fixtures thereon, minerals, timber, grazing and other surface and subsurface rights, permits, easements, ditches, ditch rights-of-way and ditch rights as located on the Property and used in connection therewith.

EXCEPTING AND RESERVING unto Grantor nonexclusive, perpetual, easements for ingress and egress for the benefit of and appurtenant to Grantor's retained property, which easements shall be on, over and across existing and future roads.

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TOGETHER WITH all covenants, hereditaments, and appurtenances therunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues, and profits thereof.

IN WITNESS WHEREOF, Grantor has executed this instrument this 15<sup>th</sup> day of MARCH, 2000.

GRANTOR:

THE TRUST FOR PUBLIC LAND, a California nonprofit public benefit corporation

By: Reed Halderman  
Reed Halderman

Title: Vice President

By: Tamela J. Assalmer  
Tamela J. Assalmer

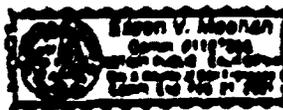
Title: Assistant Secretary

ACKNOWLEDGMENT

State of California,  
County of San Francisco

On this 15<sup>th</sup> day of March, 2000, before me, Eileen V. Meehan, a notary public, personally appeared Reed Halderman and Tamela J. Assalmer, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she they executed the same in his/her their authorized capacity and that by his/her their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Eileen V. Meehan  
Notary Public



My commission expires 2-21-01

0897111

EXHIBIT A

LEGAL DESCRIPTION

That certain real property situate in Mono County, California described as follows:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER, THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, ALL IN SECTION 12, TOWNSHIP 2 NORTH, RANGE 28 EAST, MON. IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, EXCEPT THEREFROM THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED MARCH 28, 1951 IN BOOK 80 PAGE 224 OF OFFICIAL RECORDS.

THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ALL IN SECTION 12, TOWNSHIP 2 NORTH, RANGE 28 EAST, MON. IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 28 EAST, MON. IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 28 EAST, MON. IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, EXCEPT THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED MARCH 28, 1951 IN BOOK 80 PAGE 224 OF OFFICIAL RECORDS.

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 NORTH, RANGE 28 EAST, MON. IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, EXCEPT THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED MARCH 28, 1951 IN BOOK 80 PAGE 224 OF OFFICIAL RECORDS.

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 28 EAST, MON. IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER, THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 12, TOWNSHIP 2 NORTH, RANGE 28 EAST, MON. IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXHIBIT A

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**SUMMARY OF WATER RIGHTS  
FOR MILL CREEK**

Based on: Case 62048  
Hydro Electric Co. v. John A. Conway et al  
(November 30, 1914)

<u>Priority</u>	<u>Recorded Owner</u>	<u>AMOUNT (cfs)</u>	<u>TOTAL</u>
1	N.C.P.C.	1	1
2	J.A. Conway	12	13
3	Hydro Electric Co.	6	19
4	Mary Folesina	2.4	21.4
4	A.G. Allen	1	22.4
4	Thomas Sylvester	1.6	24
7	Hydro Electric Co.	14	38
8	F.D. Matty	3	41
8	J.A. Conway	2	43
10	L.W. Decharmeau	12.6	55.6
11	Mary Folesina	3	58.6
12	F.D. Matty	1	59.6
12	J.S. Cain	0	59.6
14	Hydro Electric Co.	2	61.6
Other	Pacific Power Co.	600	Sewer irrigation (all surplus for sewer)
	Pacific Power Co.	100	
	Pacific Power Co.	100	

**EXHIBIT B**  
*to Grant Deed*

vol 0597 <sup>7609325285</sup> 113

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest in real property conveyed by the deed dated 3-13-2000 from Public Land to the County of Mono, a political subdivision of the State of California, a copy of which is attached hereto, is hereby accepted on behalf of the Mono County Board of Supervisors by Daniel L. Lyster pursuant to authority conferred by Minute Order No. MOO-042 and that the grantee (County of Mono) consents to recordation thereof by its duly-authorized agent, Inyo-Mono Title Company.

Date: March 17, 2000 COUNTY OF MONO

By: Dan Lyster

TOGETHER WITH all right, title and interest in and to a portion of the water rights appurtenant to the Property as follows: a total of 3 cfs (the "Virginia Creek Conveyed Water Rights") of the 6 cfs of water annually that is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated in *United States v. Walker River Irrigation, et al*, Case in Equity, C-125 ("Walker River Decree"), which final decree was entered April 14, 1936 and amended April 24, 1940, to waters flowing in Virginia Creek for reasonable and beneficial purposes on the lands referred to in said decree. The Virginia Creek Conveyed Water Rights are more particularly the following: a total of 3 cfs of the 6 cfs from Virginia Creek decreed to J.A. and R.P. Conway under the Walker River Decree, which consists of the second (2nd), the fourth (4th), and the sixth (6th) cfs of said 6 cfs. As provided in the Walker River Decree, of the 3 cfs of the Virginia Creek Conveyed Water Rights, the second (2nd) cfs has a priority date of 1860 and the fourth (4th) and the sixth (6th) cfs have a priority date of 1863.

SUBJECT to existing rights-of-way or easements, of record or in use, for roads, railroads, telegraph, telephone and electrical transmission lines, canals, laterals, ditches, flumes, siphons and pipelines, on, over and across the Property.

TO HAVE AND TO HOLD, the above granted and described premises, together with all tenements, hereditaments, and appurtenances, including minerals and mineral rights, buildings, structures, improvements, easements and those certain water rights described herein above only, thereto belonging or appertaining, and any reversions, remainders, rents, issues, or profits thereof, unto the UNITED STATES OF AMERICA, and its assigns.

IN WITNESS WHEREOF, Grantor has executed this instrument this 23 day of MARCH, 2000.

APN(s): \_\_\_\_\_

Legal description certified correct:

The Trust for Public Land, a California non-profit public benefit corporation

By: [Signature]  
Bureau of Land Management

By: [Signature]  
Janette Gerard  
Its: [Signature]  
Senior Vice President

This is to certify that the interest in real property conveyed by this Grant Deed is accepted by the United States of America, a governmental agency, subject to approval of title by the Department of Justice. The United States of America hereby consents to recordation of this document, by order of its duly authorized officer shown below.

[Signature]  
Field Manager,  
United States Department of Interior,  
Bureau of Land Management

Date: April 15, 2000



LEGAL DESCRIPTION

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 26 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THE WEST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 26 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THAT PORTION OF SAID LAND LYING WITHIN TRACT NO. 34-13, AS PER MAP RECORDED IN BOOK 9 PAGES 53 TO 53H OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO EXCEPT THAT PORTION CONVEYED TO JOHN R. FREDERICKSON, ET UX, BY DEED RECORDED MARCH 28, 1994, IN BOOK 678 PAGE 478 OF OFFICIAL RECORDS.

EXHIBIT A

SUMMARY OF WATER RIGHTS  
FOR MILL CREEK

Eased on: Case #2088  
Hydro Electric Co. v. John A. Conway et al  
(November 30, 1914)

<u>Priority</u>	<u>Decreed Owner</u>	<u>Amount (cfs)</u>	<u>Total</u>
1	N.C.P.C.	1	1
2	J.A. Conway	12	13
3	Hydro Electric Co.	6	19
4	Mary Felosina	2.4	21.4
4	A.G. Allen	1	22.4
4	Thomas Sylvester	1.6	24
7	Hydro Electric Co.	14	38
8	F.D. Mattly	3	41
9	J.A. Conway	2	43
10	L.W. Dechambeau	12.6	55.6
11	Mary Felosina	3	58.6
12	F.D. Mattly	1	59.6
13	J.S. Cain	6	65.6
14	Hydro Electric Co.	2	67.6
other	Pacific Power Co.	600	Power irrigation (all surplus for power)
	Pacific Power Co.	300	
	Pacific Power Co.	300	

EXHIBIT B  
*to Grant Deed*

08327003

09-016

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO

County of Mono  
Board of Supervisors  
P O Box 215  
Bridgeport, CA 93617  
Attn: Chairperson  
Mail Tax Statements

**THIS CONVEYANCE IS EXEMPT FROM ANY DOCUMENTARY TRANSFER  
TAX PER CALIFORNIA REVENUE AND TAX CODE SECTION 11022**

**GRANT DEED**

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, THE TRUST FOR PUBLIC LAND, a California nonprofit public benefit corporation ("Grantor") does hereby grant, convey and donate to COUNTY OF MONO, a political subdivision of the State of California ("Grantee") that certain real property located in Mono County, California, more particularly described at Exhibit A attached hereto and incorporated herein by this reference (the "Property").

TOGETHER WITH all right, title and interest in a portion of the water rights appurtenant to the Property as follows: a total of 4.0 cubic feet per second ("cfs") (the "Conveyed Water Rights") of the 14 cfs of water annually which is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated pursuant to the Mono County Superior Court in Hydro Electric Company vs. J.A. Conway, et al., Judgment and Decree No. 2088 rendered by said Superior Court on June 17, 1915, but entered *non pro tunc* as of November 30, 1914 (the "Decree") which awarded John A. Conway 14 cfs to waters flowing in Mill Creek for reasonable and beneficial purposes on the land referred to in the Decree. A summary of the water rights adjudicated by the Decree is attached hereto and incorporated herein at Exhibit B. The Conveyed Water Rights are more particularly the following:

- (A) a total of 3 cfs of the 12 cfs decreed to be owned by J.A. Conway under the Decree, which are "Priority 3" rights, which are further agreed to be the sixth (6th) cfs, the seventh (7th) cfs and the eighth (8th) cfs of said 12 cfs; and
- (B) a total of 1 cfs of the 2 cfs decreed to be owned by J.A. Conway under the Decree, which are "Priority 4" rights, which is further agreed to be the first (1st) of said 2 cfs.



0532:004

TOGETHER WITH any and all rights of Grantor herein, in and to all buildings, improvements and fixtures thereon, minerals, timber, grazing and other surface and subsurface rights, permits, easements, ditches, ditch rights-of-way and ditch rights as located on the Property and used in connection therewith

EXCEPTING AND RESERVING unto Grantor nonexclusive, perpetual, easements for ingress and egress for the benefit of and appurtenant to Grantor's retained property, which easements shall be on, over and across existing and future roads

TOGETHER WITH all tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues, and profits thereof

IN WITNESS WHEREOF, Grantor has executed this instrument this 21<sup>st</sup> day of JUNE 2012

**GRANTOR:**

**THE TRUST FOR PUBLIC LAND,**  
California nonprofit public benefit corporation

By: Helson Jo Lee  
Title: Senior Vice President

By: Walter J. Assalrofer  
Title: Assistant Secretary

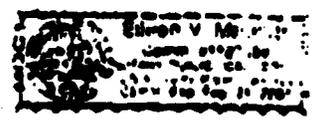
05327005

ACKNOWLEDGMENT

State of California )  
County of San Bernardino )

On this 21st day of June, 1976 before me, Edison V. Moore, a notary public, personally appeared Robert J. Moore and Edison V. Moore, personally known to me for several years on the basis of satisfactory evidence to be the persons whose names were subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Edison V. Moore  
Notary Public



My commission expires 2-21-1978

05327006

That certain real property situate in the County of Mono, State of California, described as follows:

**PARCEL 1:**

The northeast quarter of the northeast quarter and the south half of the southeast quarter of the southeast quarter of the northeast quarter and the south half of the southwest quarter of the southeast quarter of the northeast quarter of Section 1, Township 2 North, Range 25 East MDM, in the County of Mono, State of California, according to the official plat of said land filed in the District Land Office.

**PARCEL 2:**

The south half of the southwest quarter of the southwest quarter of the northwest quarter of Section 6, Township 2 North, Range 26 East MDM, in the County of Mono, State of California, according to the official plat thereof.

**PARCEL 3:**

The south half of the southeast quarter of the southwest quarter of the northwest quarter of Section 6, Township 2 North, Range 26 East MDM, in the County of Mono, State of California, according to the official plat thereof filed in the District Land Office on December 17, 1937.

**PARCEL 4:**

~~The northwest quarter of the southwest quarter and the southwest quarter of the southwest quarter and the west half of the southwest quarter of the northeast quarter of southwest quarter and the southwest quarter of the northwest quarter of the northeast quarter of the southwest quarter and the northwest quarter of the southeast quarter of the southwest quarter and the south half of the southeast quarter of the southwest quarter of Section 6, Township 2 North, Range 26 East MDM, in the County of Mono, State of California, according to the official plat thereof.~~

Except that portion lying within Tract No. 34-13 as per map recorded in Book 9 pages 53 to 5311 of maps in the office of the County Recorder of said county.

Also, except that portion conveyed to John R. Frederickson, et ux by deed recorded March 28, 1994 in Book 676 page 476 of official records.

**PARCEL 5:**

Lots A, B, 5 through 14, inclusive, 17 through 21, inclusive, and Lots 24 through 108, inclusive, in Tract No. 34-13, in Book 9, pages 53 to 5311, inclusive, of maps, in the office of the County Recorder of said County.

EXHIBIT A

0832-007

SUMMARY OF WATER RIGHTS  
FOR MILL CREEK

Based on: Case #2088  
Hydro Electric Co. v. John A. Conway et al  
(November 30, 1912)

<u>Priority</u>	<u>Decreed Owner</u>	<u>Amount (cfs)</u>	<u>Total</u>
1	N.C.P.C.	1	1
2	J.A. Conway	12	13
3	Hydro Electric Co.	6	19
4	Mary Felosina	2.4	21.4
4	A.G. Allen	1	22.4
4	Thomas Sylvester	1.6	24
7	Hydro Electric Co.	14	38
8	F.D. Mattly	3	41
9	J.A. Conway	2	43
10	L.W. Dechambeau	12.5	55.5
11	Mary Felosina	1	56.5
12	F.D. Mattly	1	57.5
13	J.S. Cain	1	58.5
14	Hydro Electric Co.	1	59.5
Other	Pacific Power Co.	300	Power
	Pacific Power Co.	300	Irrigation
	Pacific Power Co.	300	all 300 cfs (for power)

05327008

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest in real property conveyed by the deed dated October 21, 1958, from The Trust For Public Land to the County of Mono, a political subdivision of the State of California, a copy of which is attached hereto, is hereby accepted by order of the Mono County Board of Supervisors (Minute Order No. 98-316), and that the grantee (County of Mono) consents to recordation thereof by its duly-authorized agent, Inyo-Mono Title Company.

Dated: 11/6/196

COUNTY OF MONO

By: Paul Rowan

Paul Rowan, Chairman  
Mono County Board of Supervisors

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
DEC 18 2008	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

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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, )  
 )  
 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

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

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

7 Name(s): N/A

8  
9 Street or P.O. Box:

10  
11 Town or City:

12  
13 State:

14  
15 Zip Code:

16  
17 2. The name and address of each person or entity who acquired ownership

18  
19 Name(s): N/A

20  
21 Street or P.O. Box:

22  
23 Town or City:

24  
25 State:

26  
27 Zip Code:

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

*N/A*

- 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 16 day of DEC 2008

*Carleen C. Herbig* PRESIDENT  
[signature of counter-defendant]

WALKER GENERAL INC.  
1066~~24~~ Hwy 395 [name of counter-defendant]  
Coleville, CA 96107

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Arden O. Gerbig President

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

Arden O. Gerbig

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

106629 Hwy 395  
Coleville, CA. 96107

[address]

(530) 495-2975

[telephone number]

RECEIVED  
FILED  
COUNSEL, PARTIES OF RECORD  
DEC 18 2008  
CLERK US DISTRICT COURT  
DISTRICT OF NEVADA  
DEPUTY

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

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

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

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

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

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

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

Date: 16 Dec - 2008

Arden O. Gerbig  
Signature

Arden O. Gerbig  
Printed/Typed Name

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

(Title)  
WALKER GENERAL INC.  
(Corporate, Trust, Partnership or other entity)

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

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

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

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

90-6-2-86  
C: Susan  
Eileen  
U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

2009 JAN 12 AM 11:42

Carolyn J. Webb  
HC 62 Box 1065  
Bridgeport CA 93517-9602  
760.647.6484 Tel/Fax

January 7, 2009

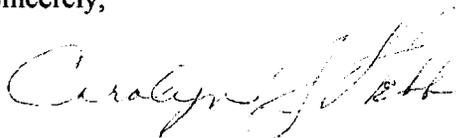
RE: WALKER RIVER IRRIGATION DISTRICT vs. WALKER RIVER PAIUTE TRIBE

Susan Schneider, Attorney  
US Department of Justice  
1961 Stout Street, 8<sup>th</sup> Floor  
Denver CO 80294

Dear Ms. Schneider:

We do not feel our water rights interfere with the plaintiffs and affectively we do not use enough water to be included in this law suit.

Sincerely,



Carolyn J. Webb

EXHIBIT 107/108

Exhibit 41

90-6-2-86  
E. S. S. Eileen

U.S. DEPT. OF JUSTICE  
ENV. & NAT. RES. DIV.  
DENVER, CO

**John S. Webb**  
HC 62 Box 1065  
Bridgeport CA 93517-9602  
760.647.6484 Tel/Fax

2009 JAN 12 AM 11:42

January 7, 2009

RE: WALKER RIVER IRRIGATION DISTRICT vs. WALKER RIVER PAIUTE TRIBE

Susan Schneider, Attorney  
US Department of Justice  
1961 Stout Street, 8<sup>th</sup> Floor  
Denver CO 80294

Dear Ms. Schneider:

We do not feel our water rights interfere with the plaintiffs and affectively we do not use enough water to be included in this law suit.

Sincerely,



John Scott Webb

EXHIBIT 107/108

Exhibit 42

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

DOC # 362042  
09/12/2005 12:08 PM  
Official Record  
Requested By  
W R I D  
Lyon County - NV  
Mary C. Milligan - Recorder

RECORDING REQUESTED BY  
RETURN TO:

Walker River Irrigation District  
P.O. Box 820  
Yerington, NV 89447  
04-284-04



UNOFFICIAL COPY

**WATER RIGHTS QUITCLAIM DEED**

THIS INDENTURE, made and entered into this 6 day of August 2005, by and between MICHAEL C. WILLIFORD and VIRGINIA M. WILLIFORD, hereinafter referred to as "Grantor" and the WALKER RIVER IRRIGATION DISTRICT, hereinafter referred to as "Grantee";

**WITNESSETH:**

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, does by these presents convey, transfer and quitclaim unto the Grantee, and to its successors and assigns forever, all of the rights of the Grantor to receive stored waters from Bridgeport Reservoir and to divert water from the Walker River and its tributaries, all such water rights being appurtenant to the lands situate in the County of Lyon, State of Nevada, that is described in Exhibit "A" attached hereto and made a part hereof.

To have and to hold the said water rights together with the tenements, hereditaments and appurtenances thereunto belonging or appertaining and the necessaries and appurtenances thereunto belonging or appertaining and use

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



362042

09/12/2005  
002 of 4

reversion and reversions, remainder and remainders, rents, issues and profits thereof unto the Grantee, its successors and assigns, forever.

Grantee does hereby agree to assume the payment of all fees and charges that may hereafter become due and payable in respect to said water rights referred to herein.

IN WITNESS WHEREOF, the parties have executed this instrument on the day and year first above written.

GRANTOR:

GRANTEE:

MICHAEL C. WILLIFORD

WALKER RIVER IRRIGATION DISTRICT

VIRGINIA M. WILLIFORD

By: M.C. Williford

By: Robert E. Bryan

By: Virginia Williford

Chairman

Date: 08-06-05

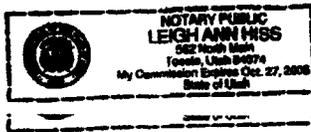
Date: 9-07-05

SUBSCRIBED and SWORN to before me this 14th day of August, 2005.

SUBSCRIBED and SWORN to before me this 7th day of September, 2005. by Robert E. Bryan.

Leigh Ann Hiss  
NOTARY PUBLIC

Leah Compston  
NOTARY PUBLIC



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



362042

09/12/2005  
003 of 4

**EXHIBIT "A"**

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

All that certain real property situate in the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 27, Township 13 North, Range 25 East, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel 4, as shown on the Parcel Map for Daniel and Doreen Dinneen, recorded in the Official Records of Lyon County, Nevada on August 3, 1988, as Document No. 117948.

**"UNOFFICIAL COPY"**



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

**DOC # 431455**  
 09/08/2008 03:54 PM  
**Official Record**  
 Requested By  
 JOHN ZWART  
 Lyon County - NV  
 Mary C. Milligan - Recorder  
 Page 1 of 2 Fee \$40.00  
 Recorded By MCN RPTT



A.P.N. #	10-301-10
R.P.T.T.	\$0.00 <i>ES</i>
Escrow No	
Recording Requested By:	
The Undersigned	
Mail Tax Statements To:	
Same As Below	
When Recorded Mail To:	
John J Zwart	
<i>2570 Grand Central Way S</i>	
<i>SEASIDE CA 95972</i>	

**GRANT, BARGAIN, SALE DEED**

THIS INDENTURE WITNESSETH That Veronica L. Zwart, a married woman in consideration of \$10,000, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to John J. Zwart a married man as his sole & separate property, all that real property situated in the County of Lyon, State of Nevada, bounded and described as follows

See Exhibit "A" attached hereto and by reference made a part hereof for complete legal description

IT IS THE EXPRESS INTENT OF THE GRANTOR, BEING THE SPOUSE OF THE GRANTEE, TO CONVEY ALL RIGHT, TITLE AND INTEREST OF THE GRANTOR, COMMUNITY OR OTHERWISE, IN AND TO THE HEREIN DESCRIBED PROPERTY TO THE GRANTEE AS GRANTEE'S SOLE AND SEPARATE PROPERTY

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof

Dated 7/2/08

*[Signature]*  
 Veronica L. Zwart

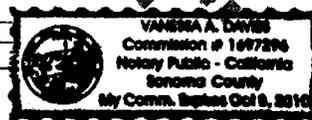
State of California

County of Sonoma

This instrument was acknowledged before me on July 2 2008

by Veronica L. Zwart  
 Signature Vanessa A. Davies  
 Notary Public

COPY





May 5, 2010

Change of address:

This is notice of Change of Address:

Carl Hiskett

Phyllis Hiskett

2207 Scenicpark St.

Thousand Oaks, CA 91362

805-492-5257

Carl Hiskett 5-6-10

Carl Hiskett

Phyllis A. Hiskett 5-6-10

Phyllis Hiskett