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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

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

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

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

Gary J. Garms, Executor of the Estate of Herbert Garms  
Name(s)

P.O. Box 170  
Street or P.O. Box

Smith NV 89430  
Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership  
Toni J. Garms, Gary J. Garms and Donna J. Cloud, Trustees  
The G3 Trust

Name(s)  
P. O. Box 170  
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

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litigation.

Executed this 19 day of Feb 2006



[signature of counter-defendant]

Gary J. Garms, Executor  
The Herbert Garms Estate

[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 170  
Smith, NV 89430

[address]

465-2466  
[telephone number]

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**DOC # 365921**  
10/24/2005 10:32 AM  
**Official Record**  
Requested By  
GARY GARMS  
Lyon County - NV  
Mary C. Milligan - Recorder  
Page 1 of 5 Fee: \$18.00  
Recorded By: DLW RPTT:



APN# 10-481-22

Recording Requested by:  
Name: GARY GARMS

Address: P. O. BOX 170

City/State/Zip: SMITH, NV 89430

**UNOFFICIAL COPY**

DEED  
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

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

10/24/2005 10:24:05 AM

365921

10/24/2005  
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After Recording, Return to:

Gary J. Garms  
P.O. Box 170  
Smith, Nevada 89430

Lyon County, Nevada A.P.N. 10-481-22

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**DEED**

THIS INDENTURE, made this 18 day of October, 2005, by and between GARY J. GARMS, Executor of the Estate of Herbert Garms, Deceased, hereinafter referred to as "Grantor", and TONI J. GARMS, GARY J. GARMS and DONNA J. CLOUD as Trustees of the G3 Trust, dated July 23, 2003, hereinafter referred to as "Grantee", the address of Grantee being P.O. Box 170, Smith, Nevada 89430.

**WITNESSETH:**

That on January 13, 2005, and on September 6, 2005, in the Second Judicial District Court of the State of Nevada, in and for the County of Washoe, In the Matter of The Estate of Herbert Garms, also known as Herbert Garms, Jr., Deceased, Case No. PR CV-93-01507, the Court entered its Nunc Pro Tunc Order for Final Distribution and its Order Amending Nunc Pro Tunc Order for Final Distribution, directing that a conveyance of all of said Estate's interest in and to the real property more particularly hereinafter described, be executed in favor of Grantee, certified copies of said Orders having been recorded in the Office of the Recorder of Lyon County, Nevada, the county in which real property is situated, on October 24, 2005, as Document No. 365919 and as Document No. 365920, respectively.

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PLS 9393

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NOW, THEREFORE, GARY J. GARMS, as the duly appointed, qualified and acting Executor of the Estate of Herbert Garms, also known as Herbert Garms, Jr., Deceased, Grantor, pursuant to said Orders, does by these presents, grant, bargain, sell and convey unto Grantee, and to the successors and assigns of Grantee, all the right, title and interest of the Estate of Herbert Garms, also known as Herbert Garms, Jr., Deceased, to that certain real property lying and being in the County of Lyon, State of Nevada, and more particularly described as follows:

A parcel of land situated within Sections 28 & 33 of Township 11 North, Range 24 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the Southeast corner of Section 28, Township 11 North, Range 24 East, M.D.B.&M., said corner being marked by a 1/2" rebar with tag marked LS 1553; thence North 89 Degrees 18 Minutes 50 Seconds West, a distance of 744.30 feet to a 5/8" rebar with cap marked PLS 9393, said corner marking the true POINT OF BEGINNING; thence North 89 Degrees 10 Minutes 00 Seconds West a distance of 575.84 feet to a 5/8" rebar with cap marked PLS 9393; thence North 89 Degrees 27 minutes 07 seconds West a distance of 1320.10 feet to a 5/8" rebar with cap marked PLS 9393; thence North 00 Degrees 13 minutes 01 seconds East a distance of 2655.54 feet to the Center one quarter corner of said Section 28, said corner being marked by a 5/8" rebar with cap marked PLS 3090; thence North 00 Degrees 13 Minutes 02 Seconds East a distance of 1324.47 feet to a point, said corner being marked by a 5/8" rebar with cap marked PLS 3090; thence North 89 Degrees 31 Minutes 47 Seconds West a distance of 1307.83 feet to a point, said corner being marked by a 5/8" rebar with cap marked PLS 3090; thence North 00 Degrees 23 Minutes 46 Seconds East a distance of 1321.67 feet to a point on the North line of said Section 28, said corner being marked by a 5/8" rebar with cap marked PLS 3090; thence along the North line of said Section 28 South 89 Degrees 39 Minutes 05 Seconds East a distance of 1303.75 feet to the North one quarter corner of said Section 28, said corner being marked by a 5/8" rebar with tag marked RE 235; thence continuing along the North line of said Section 28 South 89 Degrees 37 Minutes 35 Seconds East a distance of 881.66 feet to a point, said point being marked by a 5/8" rebar marked RLS 4045; thence South 00 Degrees 07 Minutes 50 Seconds East a distance of 2652.35 feet to a point on the center one quarter section line of said Section 28 to a point, said point being marked by a 5/8" rebar marked RLS 4045; thence along the

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North line of the Southeast one quarter of said Section 28, South 89 Degrees 24 Minutes 32 Seconds East a distance of 1745.81 feet to the East one quarter corner of said Section 28, said corner being marked by a pipe with cap marked RLS 1802; thence South 00 Degrees 08 Minutes 25 Seconds East along the East line of the Southeast one quarter of said Section 28 a distance of 858.39 feet to a 5/8" rebar with cap marked PLS 3090; thence South 89 Degrees 51 Minutes 35 Seconds West a distance of 725.00 feet to a 5/8" rebar with cap marked PLS 3090; thence South 01 Degrees 25 Minutes 14 Seconds West a distance of 315.09 feet to a 5/8" rebar with cap marked PLS 9393; thence South 00 Degrees 16 Minutes 24 Seconds West a distance of 1474.33 feet to the POINT OF BEGINNING. Containing 222.68 acres, more or less.

#### BASIS OF BEARINGS

The basis of bearings of this description is the north line of the NW 1/4 of Section 28, T. 11N, R. 24E., M.D.B.&M., which bears N89°39'05"W as per Record Map 46271 of Official Lyon County Records.

Together with the following easements and water rights:

A non-exclusive right for ingress and egress along the Northerly 25 feet of the Southwest 1/4 of the Northwest 1/4 of Section 28, Township 11 North, Range 28 East, M.D.B.&M. Said grant being the Southerly 25 feet of the road known as Carter Road.

An easement for the conveyance of waters across the Southerly 20 feet of the Northerly 45 feet of the Southwest 1/4 of the Northwest 1/4 of Section 28, Township 11 North, Range 28 East, M.D.B.&M. Together with the necessary ingress and egress across said strip for the maintenance of the ditches and canals crossing the same.

TOGETHER WITH the well and water rights identified under amended Application No. 23667, Certificate No. 8084, and all water and water rights, ditch and ditch rights appurtenant to said real property.

being A.P.N. 10-481-22.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

