IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

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

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

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

James L. Kinninger and Georgia V. Kinninger

Name(s)

87 Pinion Dr.

Street or P.O. Box

Wellington	NV	89444
Town or City	State	ZipCode

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

Cary E. Towery and Cheryl Towery

Name(s)

P. O. Box 68

Street or P.O. Box

Wellington	NV	89444
Town or City	State	ZipCode

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

- [XX] Deed
- [ ] Court Order
- [ ] Other Document.

by which the change in ownership was accomplished.

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

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

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

And

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

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

Executed this 10 day of April 2006

James L. Kinninger
Georgia V. Kinninger
775-465-2383
[signature of counter-defendant]

James L. Kinninger
Georgia V. Kinninger

[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]

87 Pinion Dr.
Wellington, NV 89444

[address]

775-465-2383
[telephone number]

DOC 0374300
02/02/2006 01:08 PM
Official Record
Requested By
NORTHERN NEVADA TITLE
Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 3 Fee: $16.00
Recorded By: CDL RPTT: $2,125.50
0374300

A.P.N. 010-351-51
Escrow No.: LY-304790-DA
304790

RECORDING REQUESTED BY:

MAIL TAX STATEMENTS AND WHEN RECORDED, MAIL TO:

Cary E. Towery
P.O. Box 68
Wellington,NV 89444

THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s):

Documentary transfer tax is **$2,125.50, computed on full value of property conveyed.**

GRANT, BARGAIN, SALE DEED

That **James L. Kinninger and Georgia V. Kinninger, Husband and Wife** in consideration of $10.00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to **Cary E. Towery and Cheryl Towery, 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 WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

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

Dated: December 22, 2005

James L. Kinninger

Georgia V. Kinninger

STATE OF NEVADA)

COUNTY OF LYON)

On 1-4-06 personally appeared before me, a Notary Public, **JAMES L. KINNINGER AND GEORGIA V. KINNINGER** who acknowledged that they executed the above instrument.

Signature Diane L Arvizo
(Notary Public)

DIANE L. ARVIZO
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 96-5065-12 - Expires September 20, 2008

374300 02/28/2006
003 of 3

LY-304790-DA
304790

EXHIBIT "A"

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

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a ¾" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a ¾" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a ¾" pipe with plug stamped PLS 3519; thence N32°41'44"E a distance of 98.48 feet to a ¾" pipe with plug stamped PLS 3519; thence S88°07'40"E a distance of 85.82 feet to a ¾" pipe with plug stamped PLS 3519; thence S88°09'35"E a distance of 446.03 feet to a ¾" pipe with plug stamped PLS 3519; thence S85°48'38"E a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a ¾" pipe with plug stamped PLS 3519; thence N00°53'36"W along said west line a distance of 151.32 feet to a ¾" pipe with plug stamped RLS 4045; thence N00°44'06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045; thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393; thence along a curve to the left, having a radial bearing of S15°04'19"E, with a radius of 432.36 feet, through a deflection angle of 13°11'51", an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point; thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19", an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING.

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY. ne