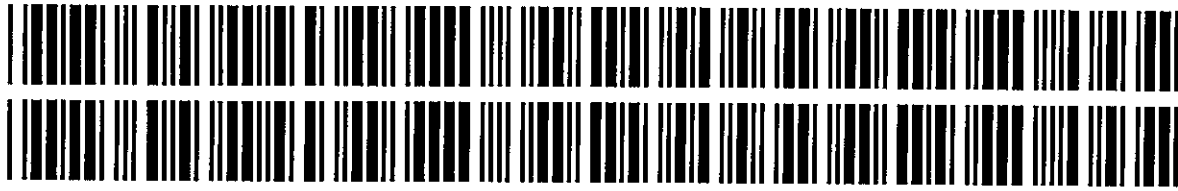


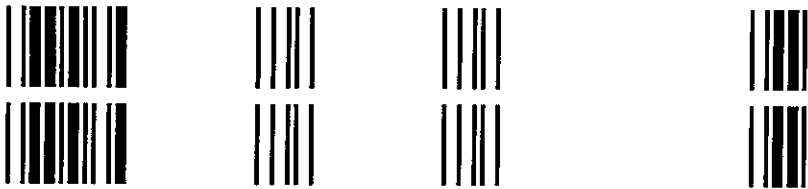
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CLERK, U.S. DISTRICT COURT  
DISTRICT OF NEVADA

1 GORDON H. DEPAOLI  
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7 WALKER RIVER IRRIGATION DISTRICT

U.S. DISTRICT COURT  
DISTRICT OF NEVADA  
FILED  
FEB 12 2001  
CLERK, U.S. DISTRICT COURT  
DEPUTY

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

11  
12 UNITED STATES OF AMERICA,  
13 Plaintiff,  
14 WALKER RIVER PAIUTE TRIBE,  
15 Plaintiff-Intervenor,  
16 v.  
17 WALKER RIVER IRRIGATION DISTRICT,  
18 a corporation, et al.,  
19 Defendants.

) In Equity No. C-125-ECR  
) Subfile No. C-125-B ✓  
) **MEMORANDUM OF WALKER RIVER**  
) **IRRIGATION DISTRICT**  
) **CONCERNING PROCEDURE FOR**  
) **RECORDING NOTICES OF LIS**  
) **PENDENS AND CONCERNING**  
) **IDENTIFICATION OF**  
) **COUNTERDEFENDANTS BY CASE**  
) **MANAGEMENT ORDER**  
) **CATEGORIES**

20  
21 UNITED STATES OF AMERICA, WALKER  
22 RIVER PAIUTE TRIBE,  
23 Counterclaimants,  
24 v.  
25 WALKER RIVER IRRIGATION DISTRICT,  
26 et al.,  
27 Counterdefendants.

132

1 **I. Introduction.**

2 On or about December 19, 2000, the Walker River Paiute Tribe (the "Tribe") and the  
3 United States filed a status report in this matter. Based upon review of the Status Report,  
4 counsel for the Walker River Irrigation District (the "District") concluded that there is no  
5 common understanding as to what information was required at this time in order to identify,  
6 name and serve the counter-defendants as required by the Case Management Order.

7 From the recent Status Report of the United States and the Tribe, it appears that the  
8 United States and the Tribe believe it is necessary to categorize the counter-defendants by the  
9 categories referenced in the Case Management Order and to presently determine the nature and  
10 extent of the water rights of each. In at least one place, they assert that the "identification of  
11 water rights claimed by each potential party is essential to be able to track changes in parties  
12 over time." Dec. 18, 2000 Status Report at 17. That statement suggested to the District that if  
13 the procedures for dealing with changes in ownership could be decided now, the parties, in  
14 particular the Tribe and the United States, could better determine whether it was necessary to  
15 categorize the counter-defendants by the categories referenced in the Case Management Order  
16 and to determine the nature and extent of each of their water rights.

17 As a result of the December 21, 2000 status conference the Court has directed the  
18 parties to address two issues: (1) the procedure for recording notices of lis pendens; and (2) the  
19 extent to which it is necessary to identify the counter-defendants by categories referred to in the  
20 Case Management Order and to determine the nature and extent of their water rights. Jan. 11,  
21 2001 Minute Order (Doc. 131).

22 **II. The Court Should Adopt The Procedures Of Nevada And California Law For**  
23 **Recording Notices Of Lis Pendens Here.**

24 **A. Introduction.**

25 The Case Management Order provides that "procedures for recording of Notices of Lis  
26 Pendens will be determined by the Magistrate Judge by order." Case Management Order (Doc.  
27 108) at pg. 6, lns. 17-19. In addition, 28 U.S.C. § 1964 provides:

28 Where the law of a State requires a notice of an action concerning real property  
pending in a court of the State to be registered, recorded, docketed, or indexed in

1 a particular manner, or in a certain office or county or parish in order to give  
2 constructive notice of the action as it relates to the real property, and such law  
3 authorizes a notice of an action concerning real property pending in a United  
4 States district court to be registered, recorded, docketed, or indexed in the same  
5 manner, or in the same place, those requirements of the State law must be  
6 complied with in order to give constructive notice of such an action pending in a  
7 United States district court as it relates to real property in such State.

8 Under that statute, parties in a federal court action concerning real property which is located in  
9 a state which has a lis pendens statute must comply with the state statute in order to give  
10 constructive notice of the federal court action. *Winkler v. Andrus*, 614 F.2d 707, 712 (10<sup>th</sup> Cir.  
11 1980); *Geiger v. Espy*, 885 F. Supp. 231, 233 (D.Ks. 1995).

12 Here both Nevada and California law authorize a notice of such an action pending in a  
13 United States District Court. *See*, NRS § 14.010(2); Cal. Code Civ. P. § 405.5. Under Nevada  
14 and California law a properly filed or recorded notice of lis pendens is constructive notice to a  
15 subsequent purchaser, encumbrancer or other transferee of the noticed action from the time of  
16 filing or recording. *See* NRS § 14.010(3); Cal. Code of Civ. P. § 405.24.

17 In other words such a purchaser, encumbrancer or transferee will be bound by a  
18 subsequent judgment in the action. *See Goldstein v. Ray*, 173 Cal. Rptr. 550, 552 (Cal. App.  
19 1981). Compliance with these procedures seems to obviate the need to track changes in  
20 ownership and to substitute new owners as parties.

21 **B. The Claims Of The Tribe And The United States Here Affect Title To Or**  
22 **The Right To Possession Of Real Property Within The Meaning Of The**  
23 **California And Nevada Statutes.**

24 The lis pendens statutes of Nevada and California apply to actions affecting the title to  
25 or possession of real property. *See* NRS § 14.010(1); Cal. Code Civ. P. § 405.4. Under both  
26 Nevada and California law water rights are considered appurtenances to real property and are  
27 treated as real property. *See* Cal. Civ. Code §§ 658; 662; *Standart v. Round Valley Water Co.*,  
28 *19 P. 689 (Cal. 1888)*; *Zolezzi v. Jackson*, 72 Nev. 150, 154, 297 P.2d 1081 (1956); *Dermody v.*  
*Reno*, 113 Nev. 207, 212, 931 P.2d 1354 (1997). The Tribal Claims in effect seek to establish  
rights to possess water from a common res, *i.e.* the Walker River, on the basis of

1 priority. Therefore, the Tribal Claims will affect the rights of counter-defendants to possess  
2 water from that common res and are actions affecting the right to possession of real property.

3 No Nevada or California case has been found which holds that the relevant statutes do  
4 apply to claims to water like the Tribal Claims here. However, the Nevada lis pendens  
5 procedure was followed in the action entitled "*United States of America and Pyramid Lake*  
6 *Paiute Tribe of Indians v. Truckee-Carson Irrigation District*," in the United States District  
7 Court for the District of Nevada, Civil No. R-2987 JBA (the "Truckee River Action"). That  
8 action involved over 17,000 named defendants. In that action the United States and the  
9 Pyramid Tribe sought water for the Pyramid Lake Indian Reservation in addition to water  
10 which had been awarded in an earlier action. There, like here, the defendants were parties who  
11 owned land with appurtenant water rights which had been previously adjudicated by a decree  
12 entered by this Court. There, like here, the effort was to establish a right to possess water from  
13 a common source.

14 **C. In Order To Comply With The Nevada And California Lis Pendens**  
15 **Statutes It Is Not Necessary To Categorize The Defendants By The Case**  
16 **Management Order Categories Or To Determine The Nature And Extent**  
**Of Their Water Rights.**

17 The Nevada and California statutes require that a notice of lis pendens include the  
18 names of the parties to the action and a description of the property affected. *See* NRS  
19 14.010(1); Cal. Code Civ. P. § 405.20. Nevada law also requires that the notice state the  
20 "object of the action." NRS § 14.010(1).

21 The Truckee River Action provides an example of how these three statutory  
22 requirements may be satisfied here. With respect to the object of the action, each lis pendens in  
23 the Truckee River Action stated:

24 The object of said action is to determine and adjudicate the rights of the United  
25 States of America and the Pyramid Lake Paiute Tribe of Indians to the use of the  
26 waters of the Truckee River and its tributaries in the State of Nevada. Included  
within the rights for which judicial recognition is sought is the right for the  
maintenance and preservation of Pyramid Lake.

27 *See* Excerpts from Truckee River Action Lis Pendens attached hereto as Exhibits 1 and 2. With  
28 respect to the names of the parties, each lis pendens stated:

1 NOTICE IS HEREBY GIVEN that the above-entitled action concerning and  
2 affecting title to real property was commenced on December 21, 1973 in the  
3 above-entitled court by the above-named plaintiff against the defendants named  
4 in Exhibit A, which is attached hereto and made a part hereof, and said action is  
5 now pending in said court.

6 Id.

7 The description of the property affected was handled in slightly different ways in  
8 Washoe and Storey Counties. In each county, each lis pendens had three exhibits. Exhibit A  
9 included the name of each defendant along with a description of real property owned by that  
10 defendant (Storey County), or in the alternative, the assessor's parcel number owned by that  
11 defendant (Washoe County). Exhibit B was a general description of all of the real property  
12 involved in the action. Finally, Exhibit C was a map depicting the real property affected by the  
13 action. See Exhibits 1 and 2 attached hereto. Admittedly, in the Truckee River Action, all of  
14 the defendants were holders of surface water rights. Groundwater was not an issue there.  
15 However, each lis pendens said nothing at all about the water rights of the defendants.

16 Here, to the extent anything is included about water rights, it seems that the introductory  
17 language to the notice could include the following or similar language:

18 Notice is hereby given that the above-entitled action concerning and affecting  
19 surface and/or underground water rights appurtenant to real property was  
20 commenced on March 18, 1992 and October 22, 1992.

21 The description of the real property portion of the notice could include the following or similar  
22 language:

23 The surface and/or underground water rights affected by said action are  
24 appurtenant to the part of Lyon County, Nevada, which is described in  
25 Exhibit B, which is attached hereto and made a part hereof, and which is  
26 depicted on the maps which accompany this instrument, dated \_\_\_\_\_,  
27 identified as Exhibit C, and made a part hereof.

28 There does not seem to be any need to categorize the defendants or to describe the  
nature and extent of their water rights for purposes of either the Nevada or California statute.  
The previous California statute, which was nearly identical to the present Nevada statute and  
which is not materially different from the present California statute, was construed to give  
constructive notice of all facts apparent on the face of the pleadings and of those other facts of

1 which the facts so stated necessarily put a purchaser on inquiry. *See, West Inv. Co. v.*  
2 *Moorhead*, 262 P.2d 322 (1953); *Harris v. Whittier Bldg. & Loan Ass'n*, 63 P.2d 840 (1937).  
3 The general statements suggested above should be sufficient to require a transferee to inquire  
4 about the nature of the water rights appurtenant to the land, if that information is material at all.  
5 In other words, the failure to specifically describe the nature and extent of a particular water  
6 right in a notice would not render the notice defective, because if that information is significant  
7 there is enough information in the notice to require a transferee to inquire about it.

8 **D. The Procedure To Be Followed In Recording And Serving The Notices Are**  
9 **Not Onerous In Light Of The Benefits Achieved.**

10 A properly filed notice of lis pendens, which is constructive notice from the time it is  
11 filed or recorded, serves two purposes here. First, once recorded it will be constructive notice  
12 to a transferee, even if the change in ownership occurs before the original transferor is served.  
13 It will eliminate the moving target problem which exists before service is complete. Second, it  
14 will insure that transferees are bound by the final judgment, even if they are not named or  
15 substituted as counter-defendants.

16 Under Nevada law, the notice must be recorded and indexed in the county where the  
17 real property is located. NRS § 14.010(1). There will be fees associated with that recording  
18 and indexing. At present those fees appear to include \$7.00 for the first page and \$1.00 for  
19 each additional page. In addition, each name will likely need to be separately indexed at a  
20 charge of \$3.00 each. *See* NRS 247.305. However, that indexing fee may be reduced by ½ if  
21 the document meets certain standards for indexing by a device which reads characters by an  
22 optical process. *See* NRS § 247.307.

23 Under California law the notice must also be recorded in the county where the property  
24 is located. Cal. Code Civ. P. § 405.20. However, before it may be recorded a copy of it must  
25 be sent by registered or certified mail to all known addresses of the adverse parties and owners  
26 of record of the affected real property as shown by the latest county assessment roll. Cal. Code  
27 Civ. P. § 405.22. Proof of that service must be recorded with the notice of pendency of action.  
28 Cal. Code of Civ. P. § 405.23.

1           There will also be fees associated with recording and indexing in California. Those fees  
2 seem to be \$4.00 for the first page and \$3.00 for each additional page. *See*, Cal. Govt. Code  
3 § 27361. In addition, to the extent that each name must be indexed, the charge appears to be  
4 \$1.00 for each group of 10 names. *See*, Cal Govt. Code § 27361.8.

5           In light of the provisions of 28 U.S.C § 1964 and the benefits to be obtained here, the  
6 existence of these fees cannot form a basis for not complying with the relevant Nevada and  
7 California law. 28 U.S.C. § 1964 is explicit and direct in saying that “in order to give  
8 constructive notice” of the Tribal Claims, the “requirements of State law must be complied  
9 with.”

10 **III. It Is Not Presently Necessary To Categorize Each Counter-Defendant By The**  
11 **Categories In The Case Management Order Or To Determine The Nature And**  
12 **Extent Of Their Water Rights.**

13           As has been established above, there is no need to categorize the counter-defendants or  
14 to determine the nature and extent of their water rights for purposes of complying with  
15 Nevada’s and California’s *lis pendens* procedure. The District knows of no other reason to  
16 obtain that information prior to service of process. If such information ever becomes important  
17 in connection with the Tribal Claims, it is likely that it will be after the threshold issue stage of  
18 the proceedings. At that time it could be obtained by appropriate discovery.

19           Because of the expansion of this litigation to include groundwater, the work of  
20 identifying the required counter-defendants may in some ways be more simple than when the  
21 litigation involved only surface water, particularly in Nevada. With the exception of the  
22 unexplained omission of domestic users of underground water within the East Walker sub basin  
23 in Nevada, the Case Management Order essentially requires joinder of every person or entity  
24 with a water right, surface or underground, within the Walker River Basin in Nevada. Because  
25 there is limited urban development within the Walker River Basin in Nevada and except  
26 possibly for persons residing within the cities of Yerington and Hawthorne and within Topaz  
27 Ranch Estates, logic suggests that most landowners with a residence on their property within  
28 the Walker River Basin in Nevada in Lyon, Douglas, Churchill and Mineral Counties are likely



1 to at least have a domestic well on that property. Many such landowners may also have rights  
2 to underground water for irrigation and rights to surface water.

3 If the object of the endeavor at this time is to name and serve the counter-defendants  
4 required to be named and served by the Case Management Order and to obtain sufficient  
5 information to satisfy applicable notice of pendency of action statutes, the effort might begin  
6 with an approach which produces the most inclusive identification of such counter-defendants.  
7 The Assessor's offices in Lyon, Douglas, Churchill and Mineral Counties might have the  
8 ability to indirectly provide such an inclusive list of owners of land within the Walker River  
9 Basin in Nevada. Although none of them will likely have a computer generated assessment roll  
10 which can sort by the "Walker River Basin", they may have a roll which can sort by tax district,  
11 which with some research can be limited to those tax district's within the Walker River Basin.  
12 Those offices may also be able to provide assistance in determining whether such property is or  
13 is not within the city of Yerington, the city of Hawthorne, or Topaz Ranch Estates *i.e.* areas  
14 which may receive domestic water service from sources other than domestic wells. In addition,  
15 those offices may be able to provide information on whether a parcel has improvements located  
16 thereon, including residences and wells. Those offices can provide assessor parcel numbers.

17 A process like this would produce an inclusive identification of potential counter-  
18 defendants. In Nevada at least, this identification could then be compared to the Assessment  
19 Roll of the District and to information obtained from the State of Nevada Division of Water  
20 Resources to ensure that persons or entities identified through those processes have not been  
21 excluded. To the extent that this process results in the inclusion of persons or entities who have  
22 no water rights, including no right to underground water for domestic use, such persons once  
23 served could file a disclaimer of any interest in the litigation and be promptly dismissed from it.

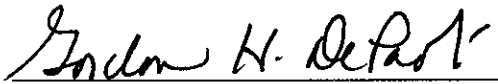
24 A process like this should also produce information sufficient to comply with applicable  
25 notice of pendency of action statutes. It will provide assessor parcel numbers. Someone within  
26 the Justice Department or the Department of Interior should be able to describe the Walker  
27 River Basin and produce a general map of the area.  
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Unless and until the Court addresses the procedures for recording notices of pendency of action, there will be no common understanding of what information is required at this time. Without that common understanding, the process of identifying, naming and serving the counter-defendants will be extended unnecessarily.

Dated this 12<sup>th</sup> day of February, 2001.

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Post Office Box 2311  
Reno, Nevada 89511

By: 

GORDON H. DEPAOLI  
Nevada State Bar 00195  
DALE E. FERGUSON  
Nevada State Bar 04986

Attorneys for WALKER RIVER IRRIGATION DISTRICT

# EXHIBIT NUMBER

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 6 U.S. Department of Justice  
 Washington, D.C. 20530  
 7 Telephone: (202) 739-2724  
 8 Attorneys for Plaintiff

U. S. DISTRICT COURT  
 DISTRICT OF NEVADA  
 FILED

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JOHN A. PORTER, Clerk  
 BY *John A. Porter* DEPUTY.

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

12  
 13 UNITED STATES OF AMERICA, )  
 14 Plaintiff, )  
 15 and )  
 16 PYRAMID LAKE PAIUTE TRIBE OF INDIANS, )  
 17 Plaintiff-Intervenor, )  
 18 v. )  
 19 TRUCKEE-CARSON IRRIGATION DISTRICT, et. al., )  
 20 Defendants. )

Civil No. R-2987 JBA

21  
 22 LIS PENDENS

23 NOTICE IS HEREBY GIVEN that the above-entitled action concerning  
 24 and affecting title to real property was commenced on December 21, 1973, in  
 25 the above-entitled court by the above-named plaintiff against the defendants  
 26 named in Exhibit A, which is attached hereto and made a part hereof, and  
 27 said action is now pending in said court.

28 The object of said action is to determine and adjudicate the  
 29 rights of the United States of America and the Pyramid Lake Paiute Tribe  
 30 of Indians to the use of the waters of the Truckee River and its tributaries  
 31 in the State of Nevada. Included within the rights for which judicial  
 32 recognition is sought is the right to water for the maintenance and

Exhibit 1

1 preservation of Pyramid Lake.

2 The real property affected by said action is situated in part in  
3 Storey County, Nevada, and is described in Exhibit B, which is attached  
4 hereto and made a part hereof, and is depicted on the maps which accompany  
5 this instrument, dated October 18, 1974, identified as Exhibit C, and made  
6 a part hereof.

7 Dated: December 2, 1974.

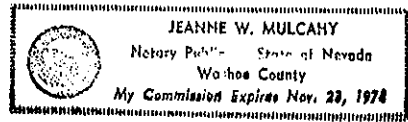
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V. DeVOE HEATON  
United States Attorney

By E. Pierre Gezeli  
E. PIERRE GEZELIN  
Assistant United States Attorney

Subscribed and sworn to before me this  
2nd day of December, 1974.

Jeanne W. Mulcahy  
Notary Public in and for the County  
of Washoe State of Nevada



Conforte, Joseph

Sec. 15 of T19 N,  
R21E; Fr. N $\frac{1}{2}$  of Ne  $\frac{1}{4}$ ;  
NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , ex RR R/W

Sec. 10 of T19N,  
R21E; NE $\frac{1}{4}$  pf SE $\frac{1}{4}$ ;  
S $\frac{1}{2}$  of SE $\frac{1}{4}$

Sec. 11, T19N,  
R21E; Fr. S $\frac{1}{2}$  of NW $\frac{1}{4}$ ;  
NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; NE $\frac{1}{4}$  of  
SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of SW $\frac{1}{4}$

Crosby, Janet

Sec. 3, T20N, R24E;  
Triangular Ptn.  
SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of  
SW $\frac{1}{4}$

Sec. 4, T20N, R24E:  
Triangular Ptn.  
SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of  
SE $\frac{1}{4}$

Sec. 9, T20N, R24E:  
Fr. N $\frac{1}{2}$  of NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of  
NW $\frac{1}{4}$

Crosby, Terry

Sec. 3, T20N, R24E;  
Triangular Ptn.  
SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of  
SW $\frac{1}{4}$

Sec. 4, T20N, R24E;  
Triangular Ptn.  
SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$

Sec. 9, T20N, R24E:  
Fr. N $\frac{1}{2}$  of NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of  
NW $\frac{1}{4}$

Ferretto, Lisa

Sec. 21, T20N, R23E:  
Ptn. in SE $\frac{1}{4}$  of NE $\frac{1}{4}$   
of SE $\frac{1}{4}$

Ferretto, Pete

Sec. 21, T20N, R23E:  
Ptn. in SE $\frac{1}{4}$  of NE $\frac{1}{4}$   
of SE $\frac{1}{4}$

Fisk, Robert

Sec. 3, T20N, R24E;  
ptn. NW $\frac{1}{4}$  of SW $\frac{1}{4}$

Fisk, Walter

Sec. 3, T20N, R24E:  
Ptn, NW $\frac{1}{4}$  of SW $\frac{1}{4}$

Fisk, Warren

Sec. 3, T20N, R24E:  
Ptn. NW $\frac{1}{4}$  of SW $\frac{1}{4}$

Hutton, Agnes

Sec. 21, T20N, R23E:  
Fr. in SW $\frac{1}{4}$  of NE $\frac{1}{4}$

Hutton, Ernest

Sec. 21, T20N, R23E:  
Fr. in SW $\frac{1}{4}$  of NE $\frac{1}{4}$

Manha, Fred G.

Sec. 16, T19N, R21E;  
Fr. NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; NE $\frac{1}{4}$  of SE $\frac{1}{4}$   
SW $\frac{1}{4}$  of SW $\frac{1}{4}$  ex 18.13 acres

Sec. 17, T19N, R21E;  
Fr. E $\frac{1}{2}$  of SE $\frac{1}{4}$ ; SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ;  
SE $\frac{1}{4}$  of SW $\frac{1}{4}$

Manha, Jose A.

Sec. 16, T19N, R21E;  
Fr. NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; NE $\frac{1}{4}$   
of SE $\frac{1}{4}$ ; SW $\frac{1}{4}$  of SW $\frac{1}{4}$  ex  
18.13 acres

Sec. 17, T19N, R21E;  
Fr. E $\frac{1}{2}$  of SE $\frac{1}{4}$ ; SW $\frac{1}{4}$   
of SE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of SW $\frac{1}{4}$

McCarren, Sister Mary Margaret

Sec. 1, T19N, R21E;  
Fr. NE $\frac{1}{4}$ ; S $\frac{1}{2}$  of NW $\frac{1}{4}$ ;  
NW $\frac{1}{4}$  of SW $\frac{1}{4}$

Sec. 6, T20N, R22E;  
Fr. S $\frac{1}{2}$  of NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of  
NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  of  
SW $\frac{1}{4}$ , Lots 1, 2, 3, 4, 6.

Peri, James

Sec. 16, T19N, R21E;  
SW $\frac{1}{4}$  of SE $\frac{1}{4}$

Sec. 15, T19N, R21E;  
SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of NE $\frac{1}{4}$   
and Ptn N $\frac{1}{2}$  of SW $\frac{1}{4}$  laying  
south of the Truckee River

Peri, Joseph

Sec. 16, T19N, R21E;  
SW $\frac{1}{4}$  of SE $\frac{1}{4}$

Sec. 15, T19N, R21E;  
SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of NE $\frac{1}{4}$   
and ptn N $\frac{1}{2}$  of SW $\frac{1}{4}$  laying  
south of the Truckee  
River

Slattery, Kathryn

Sec. 21, T20N, R23E;  
SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; S $\frac{1}{2}$  of NE $\frac{1}{4}$   
of SE $\frac{1}{4}$  ex 11 a. lying  
S and W of canal

Weaver, Henry O.

Sec. 14, T20N, R23E;  
S $\frac{1}{2}$  of SE $\frac{1}{4}$

Sec. 13, T20N, R23E;  
Ptn. Co. SE $\frac{1}{4}$ ; S $\frac{1}{2}$  of SW $\frac{1}{4}$

All those parcels of land in Storey County, State of Nevada the perimeters of which are depicted on the drawing labeled United States of America v. Truckee Carson Irrigation District et.al., Civil No. R-2987 JBA, U.S.D.C. Nevada, Washoe and Storey Counties attached hereto and made a part hereof, said parcels being more particularly described as follows:

T. 19 N., R. 21 E., Mount Diablo Base & Meridian

- Section 1: SE $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 10: S $\frac{1}{2}$ SE $\frac{1}{4}$
- Section 11: W $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 11: SW $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 15: NE $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 15: N $\frac{1}{2}$ NE $\frac{1}{4}$
- Section 15: N $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 15: SW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 16: S $\frac{1}{2}$
- Section 17: S $\frac{1}{2}$ S $\frac{1}{2}$

T. 19 N., R. 22 E., M.D.B. & M.

- Section 6: S $\frac{1}{2}$ N $\frac{1}{2}$
- Section 6: N $\frac{1}{2}$ NE $\frac{1}{4}$

T. 20 N., R. 22E., M.D.B. & M.

- Section 28: S $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 32: S $\frac{1}{2}$ N $\frac{1}{2}$
- Section 32: N $\frac{1}{2}$ NE $\frac{1}{4}$
- Section 32: NE $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 33: NW $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 33: S $\frac{1}{2}$ NE $\frac{1}{4}$

T. 20 N., R. 23 E., M.D.B. & M.

- Section 13: NW $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 13: S $\frac{1}{2}$ S $\frac{1}{2}$
- Section 14: S $\frac{1}{2}$ SE $\frac{1}{4}$
- Section 21: S $\frac{1}{2}$ N $\frac{1}{2}$
- Section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$

T. 20 N., R. 24 E., M.D.B. & M.

- Section 3: S $\frac{1}{2}$ NW $\frac{1}{4}$
- Section 3: N $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 9: N $\frac{1}{2}$ NE $\frac{1}{4}$
- Section 9: SW $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 9: S $\frac{1}{2}$ NW $\frac{1}{4}$

EXHIBIT B



UNITED STATES OF AMERICA  
Plaintiff

PYRAMID TRIBE OF INDIANS,  
Plaintiff-Intervenor

vs.

TRUCKEE-CARSON IRRIGATION DISTRICT, ET ALS,  
Defendants

---

EXHIBITS C

Map Attachment to LIS PENDENS - Storey County

FILED: December 2, 1974

# EXHIBIT NUMBER

# 2

1 V. DeVOE HEATON  
 United States Attorney  
 2 E. PIERRE GEZELIN  
 Assistant United States Attorney  
 3 Federal Building and Courthouse  
 300 Booth Street, Room 5011  
 4 Reno, Nevada 89502  
 Telephone: (702) 784-5439  
 5 DOUGLAS N. KING  
 Attorney, Land and Natural Resources Div.,  
 6 U.S. Department of Justice  
 Washington, D.C. 20530  
 7 Telephone: (202) 739-2724  
 8 Attorneys for Plaintiff

U.S. DISTRICT COURT  
 DISTRICT OF NEVADA  
 FILED  
 FEB 12 1974  
 JOHN A. PORTER, Clerk  
 DEPUTY

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

12  
 13 UNITED STATES OF AMERICA, )  
 14 Plaintiff, )  
 15 and )  
 16 PYRAMID LAKE PAIUTE TRIBE OF INDIANS, )  
 17 Plaintiff-Intervenor, ) Civil No. R-2987 JBA  
 18 v. )  
 19 TRUCKEE-CARSON IRRIGATION DISTRICT, et. al., )  
 20 Defendants. )  
 21

22 LIS PENDENS

23 NOTICE IS HEREBY GIVEN that the above-entitled action concerning  
 24 and affecting title to real property was commenced on December 21, 1973, in  
 25 the above-entitled court by the above-named plaintiff against the defendants  
 26 named in Exhibit A, which is attached hereto and made a part hereof, and  
 27 said action is now pending in said court.

28 The object of said action is to determine and adjudicate the  
 29 rights of the United States of America and the Pyramid Lake Paiute Tribe  
 30 of Indians to the use of the waters of the Truckee River and its tributaries  
 31 in the State of Nevada. Included within the rights for which judicial  
 32 recognition is sought is the right to water for the maintenance and

1 preservation of Pyramid Lake.

2 The real property affected by said action is situated in part in  
3 Washoe County, Nevada, and is described in Exhibit B, which is attached  
4 hereto and made a part hereof, and is depicted on the maps which accompany  
5 this instrument, dated October 18, 1974, identified as Exhibit C, and made  
6 a part hereof.

7 Dated: December, 1974.

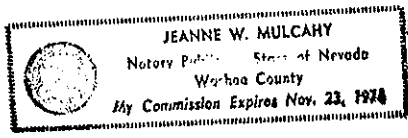
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V. DeVOE HEATON  
United States Attorney

By E. Pierre Gezelin  
E. PIERRE GEZELIN  
Assistant United States Attorney

14 Subscribed and sworn to before me this  
15 2nd day of December, 1974.

16  
17 Jeanne W. Mulcahy  
18 Notary Public in and for the County  
of Washoe State of Nevada



A. B. S. Land Company	054-093-02
	034-093-03
A. R. C. Mfg. Corp.	019-032-05
Aas, Leila L.	025-100-23
Aas, Oscar T.	025-100-23
Abbay, Laura A.	033-161-34
Abbey, Dewey W.	025-255-06
Abbey, Patsy J.	025-255-06
Abbott, Eleanor	
Abbott, Elizabeth M.	010-030-30
Abbott, S. F.	
Abbott, Thomas F.	010-030-30
Abernathy, Bobby Oscar	033-022-28
Abernathy, Sharon L.	033-022-28
Abernathy, Valerie F.	016-016-05
Aboud, Betty J.	009-040-07
Aboud, Michael	009-040-07
Ackerman, Bruce L.	016-050-03
Ackerman, Glen R.	013-121-28
Ackerman, La Donna D.	016-050-03
Ackerman, Margaret I.	033-121-28
Acres, Garvel	005-075-12
Acuna, Ruthellen	005-061-34
Adam, Kay F.	007-054-06
Adam, Robert E.	007-057-06
Adams, Alice M.	019-022-05
Adams, Ernest A.	007-031-04
Adams, Eva B.	019-131-12
Adams, Frank T.	019-091-01
Adams, Harrison G.	018-017-09
Adams, Irma	
Adams, J. C.	
Adams, John E.	021-422-03
Adams, La Prella J.	019-152-19
Adams, Marguerite S.	025-422-03
Adams, Martha B.	019-091-01
Adams, Mary Jane	019-052-18
Adams, Muriel S.	007-031-04
Adams, N. D.	019-052-18
Adams, Ola Mae	018-017-09
Adams, Patricia A.	025-295-07
Adams, Patricia C.	031-262-14
	031-262-15
	033-150-12
Adams, Quentin W.	031-262-14
	031-262-15
	033-150-12
Adams, Richard B.	
Adams, Robert E.	025-441-11
Adams, Robert T.	
Adams, Roy R.	025-295-07
Adams, Russell E.	019-152-19
Adams, Sally Patterson	030-250-62
Adams, Velma	
Adamson, Madeline H.	034-140-59
Adamson, Richard H.	034-140-59
Add Inc.	023-152-26
Addis, James et al	024-063-14
Addison, Charlene	009-232-26
Addison, Marshall S.	009-232-26
Adicks, Florence I.	013-142-04
Adicks, John H.	013-142-04

Adlish, John J.	040-532-09
Adlish, Pearl M.	040-532-09
Aerolite Chrome Corporation	040-303-03
Affleck, Benjamin	040-162-13
Affleck, Gloria P.	040-162-13
Africa, Pamela	033-201-17
Africa, Timothy	033-201-17
Agerton, Dorothy M.	038-110-03
	038-110-06
Agerton, James A.	038-110-03
	038-110-06
Agerton, Steven L.	003-061-10
Agerton, Trula E.	033-061-10
Agnew, Melvin T.	023-194-05
Ahlberg, Richard R.	025-030-55
Aiken, Fred C.	004-333-01
Aiken, Margaret R.	004-333-01
Ainsworth, Evelyn B.	028-060-07
Ainsworth, Thomas C.	028-060-07
Airoso, Emily	020-031-26
Airoso, Joe	020-031-26
Airport Properties, Inc.	020-182-10
Aitken, Mattie	050-234-06
Al-Air Inc.	024-020-05
Alastuey, Rene	040-302-02
Albares, Louis J.	010-252-19
Albares, Valerie	010-252-19
Albers, Alice C.	023-330-07
Alberti, John F.	010-263-17
Alberti, Nan L.	010-263-17
Albertson, Lorene	020-121-09
Albiniano, Barbara G.	004-193-15
Albiniano, Victor	004-193-15
Albright, Harold G.	010-282-25
Albright, Sherry K.	010-282-25
Alcorn, Albert A.	025-100-08
Alcorn, Glenda M.	025-100-08
Aldige, Eva M.	010-361-49
	010-361-50
Alexander, Clair H.	019-192-13
Alexander, Donald G.	025-243-02
Alexander, Fannie E.	025-243-02
Alexander, Lucille O.	019-192-13
Alford, Eleanore L.	007-033-08
Alger, Laurel J.	013-061-39
Alger, Norman S.	013-061-39
Allaback, Patricia J.	024-091-05
Allaback, W. Glenn	024-091-05
Allard, Dorothy R.	020-351-05
Allard, Fred	028-351-04
Allard, John	025-392-04
Allard, Lawrence V.	020-351-06
Allard, Louis Edmond	020-351-05
Allard, Mary E.	027-241-10
Allard, Mary E.	028-250-04
	028-250-10
Allard, Mary Lou	028-351-04
Allard, Pearl V.	025-392-04
Allard, Wanda J.	020-351-06
Allen, Betty L.	019-031-13
Allen C. M.	
Allen, Charles W.	014-243-03

Allen, Charlotte N.	033-201-15
Allen Company, Inc., The	019-303-25
Allen, Craig L.	016-231-03
Allen, Dorothy E.	019-181-01
Allen, Floyd Edward O.	010-253-18
Allen, Georgia G.	016-231-03
Allen, Grace D.	014-243-03
Allen, Hugh, Jr.	019-181-01
Allen, Jud	019-031-13
Allen, L. B.	
Allen, Marcelle D.	027-392-09
Allen, Margie N.	008-092-23
Allen, Patricia A.	010-253-18
Allen, Rex H. P.	
Allen, Robert B.	027-392-09
Allen, R. R.	
Allen, William I.	033-062-24
All Faith Spiritua Center	025-411-05
Home Gardens Church of Nazarene U/C	
Alley, Judith C.	020-292-18
Allingham, Thomas H.	010-321-21
Allingham, Wilma C.	010-321-21
Allison, Carole L.	024-093-08
Allison, David J.	024-093-08
Allison, Edward E.	019-162-20
Allison, Esther	024-091-01
Allison, Jack W.	024-093-13
Allison, Joann T.	018-162-20
Allison, Joseph M.	045-296-01
Allison, Martha	045-296-01
Allison, Okal M.	027-322-09
Allison, Robert E.	024-091-01
Allison, Samuel K.	027-322-09
Allport, P. William	025-030-07
Allport, Marie A.	025-030-07
Alonso, Alfredo	018-090-22
Alonso, Joseph M.	040-372-01
Alonso, Marie L.	018-090-22
Alonso, Nancy	040-372-01
Altenburg, Elaine M.	027-323-07
Altenburg, F. Giles	027-323-07
Altman, Alice J.	025-413-02
Altman, Richard A.	025-413-02
Alvarado, Joseph	015-112-05
Amaral, Anita N.	033-062-15
Amaral, Ann M.	
Ambrose, Elizabeth A.	009-263-04
American Investments, Ltd.	015-281-49
American Savings & Loan Assoc.	025-253-05
Ames, Esther L.	045-294-12
	045-295-08
Ames, Orval C.	045-294-12
	045-295-08
Amesbury Enterprises	015-111-05
Amesbury, Stephen C.	019-360-02
Amestoy, Alfred D.	033-121-31
Amestoy, Alfred L.	018-012-02
Amestoy, Ann A.	033-121-31
Amick, Bill	024-072-03
Ammon, Theodere J.	015-281-33

Ammon, Tommie L.	015-281-33
Anagnostou, John N.	006-075-13
Anagnostou, Malamo K.	006-075-13
Anctil, Elsbeth Ann	019-074-17
Anctil, Ralph J.	019-074-17
Andersen, Cruz M.	055-051-06
Andersen, Elaine M.	033-071-13
Andersen, Gordon R.	055-051-06
Andersen, Holger J.	033-061-25
Andersen, Julius T.	033-071-13
Andersen, Margaret A.	033-061-25
Anderson, Andrew E.	020-011-12
Fanning, Gerald U/C	
Anderson, Anne L.	023-152-04
Anderson, Arthur G.	025-090-29
Anderson, Arvie J.	028-294-06
Anderson, Audrey K.	025-090-29
Anderson, Barbara M.	014-226-14
	014-226-13
Anderson, Bernard A. W.	002-292-21
	002-292-22
Anderson, Birdie S.	018-012-14
Anderson, Blair V.	014-226-14
	014-226-13
Anderson, Carl J.	006-073-04
Anderson, Celia Rose	010-081-17
Anderson, Cera A.	025-090-22
Anderson, Dolores	018-017-02
Anderson, Donald D.	019-191-10
	019-191-11
Anderson, Donald J.	025-422-04
Anderson, Denna L.	025-391-01
Anderson, Dorothy D.	028-294-06
Anderson, Ella K. N.	014-192-14
Anderson, Fred M.	023-152-04
Anderson, Fred V.	018-017-02
Anderson, Fritz F.	023-193-15
Anderson, Gary M.	033-122-26
Anderson, Gilbert H.	040-350-42
	040-293-02
	040-293-01
Anderson, Glenn S.	004-191-08
Anderson, Grace A.	019-191-10
	019-191-11
Anderson, Grace E.	006-073-04
Anderson, Lois B.	025-432-02
Anderson, Mable A.	007-032-20
Anderson, Marcella M.	002-292-21
	002-292-22
Anderson, Margaret G.	040-350-42
	040-293-02
	040-293-01
	031-123-08
Anderson, Marie J.	
Anderson, Maxine	
Anderson, Opal	004-191-08
Anderson, Orville W.	007-032-20
Anderson, Pauline C.	024-062-08
Anderson, Raymond F.	024-062-08
Anderson, Rita	023-193-15



All those parcels of land in Washoe County, State of Nevada, the perimeters of which are depicted on the drawing labeled United States of America v. Truckee Carson Irrigation District et. al., Civil No. R-2987 JBA, U.S.D.C. Nevada, Washoe and Storey Counties attached hereto and made a part hereof, said parcels being more particularly described as follows:

T. 16N., R.19E., Mount Diablo Base & Meridian

Section 1: all	Section 19: E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 2: all	Section 20: W $\frac{1}{2}$
Section 3: all	Section 21: E $\frac{1}{2}$ E $\frac{1}{4}$
Section 4: S $\frac{1}{2}$ SE $\frac{1}{4}$	Section 22: all
Section 5: E $\frac{1}{2}$	Section 23: all
Section 5: E $\frac{1}{2}$ W $\frac{1}{2}$	Section 24: all
Section 7: SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 25: N $\frac{1}{2}$
Section 8: NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 25: SW $\frac{1}{4}$
Section 8: W $\frac{1}{2}$	Section 25: NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9: N $\frac{1}{2}$ NE $\frac{1}{4}$	Section 26: E $\frac{1}{2}$
Section 9: SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 26: N $\frac{1}{2}$ NW $\frac{1}{4}$
Section 10: all	Section 27: N $\frac{1}{2}$ N $\frac{1}{4}$
Section 11: all	Section 28: NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12: all	Section 29: all
Section 13: all	Section 30: E $\frac{1}{2}$ E $\frac{1}{4}$
Section 14: all	Section 31: E $\frac{1}{2}$ NE $\frac{1}{4}$
Section 15: all	Section 31: NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 16: E $\frac{1}{2}$ E $\frac{1}{2}$	Section 32: NW $\frac{1}{4}$
Section 17: W $\frac{1}{2}$	Section 32: N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 35: NE $\frac{1}{4}$
Section 18: S $\frac{1}{2}$ NE $\frac{1}{4}$	Section 36: N $\frac{1}{2}$ N W $\frac{1}{4}$
Section 18: SE $\frac{1}{4}$	Section 36: SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 19: NE $\frac{1}{4}$	

T. 16N., R.20E., M.D.B. & M.

Section 7: all	Section 19: N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 17: W $\frac{1}{2}$ W $\frac{1}{2}$	Section 19: SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 18: all	Section 20: W $\frac{1}{2}$ NW $\frac{1}{4}$
Section 19: N $\frac{1}{2}$	Section 20: NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 19: SW $\frac{1}{4}$	Section 30: NW $\frac{1}{4}$ NW $\frac{1}{4}$

T. 17N., R.18E., M.D.B. & M.

Section 25: NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 26: S $\frac{1}{2}$ S $\frac{1}{4}$
Section 25: S $\frac{1}{2}$ SW $\frac{1}{4}$	Section 35: E $\frac{1}{2}$ E $\frac{1}{4}$
Section 25: SE $\frac{1}{4}$	Section 36: N $\frac{1}{2}$

T. 17N., R.19E. M.D.B. & M.

Section 1: NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 13: SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 2: S $\frac{1}{2}$	Section 13: N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 11: N $\frac{1}{2}$ NE $\frac{1}{4}$	Section 14: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 11: SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 15: E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 12: W $\frac{1}{2}$ NW $\frac{1}{4}$	Section 23: all
Section 12: NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 24: all

EXHIBIT B

T. 17N., R. 19E., M.D.B. & M. (cont.)

Section 25: all	Section 32: N $\frac{1}{2}$ S $\frac{1}{2}$
Section 26: all	Section 33: NW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 27: E $\frac{1}{2}$	Section 34: E $\frac{1}{2}$
Section 31: N $\frac{1}{2}$	Section 34: E $\frac{1}{2}$ SW $\frac{1}{2}$
Section 32: SW $\frac{1}{2}$ NE $\frac{1}{2}$	Section 35: all
Section 32: S $\frac{1}{2}$ NW $\frac{1}{2}$	Section 36: all

T. 17N., R.20E., M.D.B. & M.

Section 3: W $\frac{1}{2}$ NW $\frac{1}{2}$	Section 7: S $\frac{1}{2}$
Section 3: NW $\frac{1}{2}$ SW $\frac{1}{2}$	Section 8: NE $\frac{1}{2}$ NW $\frac{1}{2}$
Section 4: all	Section 8: W $\frac{1}{2}$ NW $\frac{1}{2}$
Section 5: NE $\frac{1}{2}$ SE $\frac{1}{2}$	Section 8: NW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 5: S $\frac{1}{2}$ SE $\frac{1}{2}$	Section 9: N $\frac{1}{2}$ NW $\frac{1}{2}$
Section 7: NE $\frac{1}{2}$	Section 18: NW $\frac{1}{2}$ NE $\frac{1}{2}$
Section 7: E $\frac{1}{2}$ NW $\frac{1}{2}$	Section 18: N $\frac{1}{2}$ NW $\frac{1}{2}$

T. 18N., R. 19E., M.D.B. & M.

Section 1: all	Section 4: E $\frac{1}{2}$ NE $\frac{1}{2}$
Section 2: E $\frac{1}{2}$	Section 4: NE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 2: NE $\frac{1}{2}$ NW $\frac{1}{2}$	Section 10: NE $\frac{1}{2}$ NE $\frac{1}{2}$
Section 2: S $\frac{1}{2}$ SW $\frac{1}{2}$	Section 11: N $\frac{1}{2}$
Section 3: SW $\frac{1}{2}$ NE $\frac{1}{2}$	Section 11: N $\frac{1}{2}$ SE $\frac{1}{2}$
Section 3: NW $\frac{1}{2}$	Section 12: all
Section 3: NW $\frac{1}{2}$ SE $\frac{1}{2}$	Section 13: NE $\frac{1}{2}$
Section 3: SE $\frac{1}{2}$ SE $\frac{1}{2}$	Section 13: NE $\frac{1}{2}$ SE $\frac{1}{2}$

T. 18N., R.20E., M.D.B. & M.

Section 3: NW $\frac{1}{2}$ NE $\frac{1}{2}$	Section 18: E $\frac{1}{2}$ SE $\frac{1}{2}$
Section 3: W $\frac{1}{2}$	Section 19: E $\frac{1}{2}$ NE $\frac{1}{2}$
Section 3: NW $\frac{1}{2}$ SE $\frac{1}{2}$	Section 19: SW $\frac{1}{2}$ NE $\frac{1}{2}$
Section 3: S $\frac{1}{2}$ SE $\frac{1}{2}$	Section 19: N $\frac{1}{2}$ SE $\frac{1}{2}$
Section 4: NE $\frac{1}{2}$ NE $\frac{1}{2}$	Section 20: N $\frac{1}{2}$
Section 4: S $\frac{1}{2}$ NE $\frac{1}{2}$	Section 20: N $\frac{1}{2}$ S $\frac{1}{2}$
Section 4: E $\frac{1}{2}$ NW $\frac{1}{2}$	Section 20: SE $\frac{1}{2}$ SW $\frac{1}{2}$
Section 4: S $\frac{1}{2}$	Section 20: SW $\frac{1}{2}$ SE $\frac{1}{2}$
Section 5: S $\frac{1}{2}$ NE $\frac{1}{2}$	Section 21: N $\frac{1}{2}$
Section 5: NW $\frac{1}{2}$	Section 21: N $\frac{1}{2}$ SW $\frac{1}{2}$
Section 5: S $\frac{1}{2}$	Section 21: SW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 6: all	Section 21: SE $\frac{1}{2}$
Section 7: all	Section 22: NE $\frac{1}{2}$ NE $\frac{1}{2}$
Section 8: all	Section 22: W $\frac{1}{2}$ E $\frac{1}{2}$
Section 9: all	Section 22: W $\frac{1}{2}$
Section 10: all	Section 22: NE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 14: W $\frac{1}{2}$ SW $\frac{1}{2}$	Section 23: NW $\frac{1}{2}$ NW $\frac{1}{2}$
Section 15: all	Section 27: N $\frac{1}{2}$ NW $\frac{1}{2}$
Section 16: N $\frac{1}{2}$	Section 28: N $\frac{1}{2}$ NE $\frac{1}{2}$
Section 16: SW $\frac{1}{2}$	Section 28: SW $\frac{1}{2}$ NE $\frac{1}{2}$
Section 16: W $\frac{1}{2}$ SE $\frac{1}{2}$	Section 29: NW $\frac{1}{2}$ NE $\frac{1}{2}$
Section 17: all	Section 29: NW $\frac{1}{2}$
Section 18: N $\frac{1}{2}$	Section 33: SE $\frac{1}{2}$ SW $\frac{1}{2}$
Section 18: N $\frac{1}{2}$ SW $\frac{1}{2}$	Section 33: SE $\frac{1}{2}$
Section 18: SE $\frac{1}{2}$ SW $\frac{1}{2}$	

T. 19N., R. 18E., M.D.B. & M.

Section 7:	S $\frac{1}{2}$ NE $\frac{1}{4}$	Section 14:	W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 7:	SE $\frac{1}{4}$	Section 15:	SW $\frac{1}{4}$
Section 8:	S $\frac{1}{2}$ NW $\frac{1}{4}$	Section 15:	S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 8:	S $\frac{1}{2}$	Section 16:	W $\frac{1}{2}$ NE $\frac{1}{4}$
Section 9:	SW $\frac{1}{4}$	Section 16:	SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 9:	W $\frac{1}{2}$ SE $\frac{1}{4}$	Section 16:	NW $\frac{1}{4}$
Section 11:	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 16:	N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 11:	S $\frac{1}{2}$ SE $\frac{1}{4}$	Section 16:	SE $\frac{1}{4}$
Section 13:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 17:	NE $\frac{1}{4}$
Section 13:	S $\frac{1}{2}$ NW $\frac{1}{4}$	Section 17:	NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13:	E $\frac{1}{2}$ SW $\frac{1}{4}$	Section 17:	W $\frac{1}{2}$ NW $\frac{1}{4}$
Section 13:	SE $\frac{1}{4}$	Section 18:	E $\frac{1}{2}$
Section 14:	NE $\frac{1}{4}$	Section 19:	E $\frac{1}{2}$ E $\frac{1}{2}$
Section 14:	E $\frac{1}{2}$ NW $\frac{1}{4}$	Section 20:	W $\frac{1}{2}$ W $\frac{1}{2}$
Section 14:	SW $\frac{1}{4}$	Section 29:	NW $\frac{1}{4}$ NW $\frac{1}{4}$

T. 19N., R. 19E., M.D.B. & M.

Section 1:	all	Section 17:	SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 2:	N $\frac{1}{2}$	Section 17:	S $\frac{1}{2}$
Section 2:	N $\frac{1}{2}$ S $\frac{1}{2}$	Section 18:	S $\frac{1}{2}$
Section 2:	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 19:	N $\frac{1}{2}$ NW $\frac{1}{4}$
Section 2:	S $\frac{1}{2}$ SE $\frac{1}{4}$	Section 20:	NE $\frac{1}{4}$
Section 3:	NE $\frac{1}{4}$	Section 20:	E $\frac{1}{2}$ NW $\frac{1}{4}$
Section 3:	S $\frac{1}{2}$ NW $\frac{1}{4}$	Section 20:	NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 3:	S $\frac{1}{2}$	Section 21:	N $\frac{1}{2}$ N $\frac{1}{2}$
Section 4:	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 22:	N $\frac{1}{2}$ N $\frac{1}{2}$
Section 9:	E $\frac{1}{2}$ NE $\frac{1}{4}$	Section 22:	SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 9:	E $\frac{1}{2}$ SW $\frac{1}{4}$	Section 22:	SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 9:	SE $\frac{1}{4}$	Section 22:	SW $\frac{1}{4}$
Section 10:	all	Section 22:	E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 11:	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 23:	all
Section 12:	E $\frac{1}{2}$	Section 24:	all
Section 12:	E $\frac{1}{2}$ SW $\frac{1}{4}$	Section 25:	all
Section 12:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 26:	E $\frac{1}{2}$
Section 13:	NE $\frac{1}{4}$	Section 26:	E $\frac{1}{2}$ NW $\frac{1}{4}$
Section 13:	E $\frac{1}{2}$ NW $\frac{1}{4}$	Section 26:	NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 13:	S $\frac{1}{2}$	Section 26:	S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 14:	W $\frac{1}{2}$ E $\frac{1}{2}$	Section 27:	SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 14:	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 33:	SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 14:	W $\frac{1}{2}$	Section 34:	E $\frac{1}{2}$ NE $\frac{1}{4}$
Section 14:	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 34:	NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 15:	all	Section 34:	S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 16:	all	Section 34:	SE $\frac{1}{4}$
Section 17:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 35:	all
Section 17:	S $\frac{1}{2}$ NE $\frac{1}{4}$	Section 36:	all

T. 19N., R. 20E., M.D.B. & M.

Section 2:	NE $\frac{1}{4}$	Section 5:	SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 2:	W $\frac{1}{2}$	Section 6:	all
Section 2:	W $\frac{1}{2}$ SE $\frac{1}{4}$	Section 7:	all
Section 3:	all	Section 8:	S $\frac{1}{2}$ NE $\frac{1}{4}$
Section 4:	all	Section 8:	NW $\frac{1}{4}$
Section 5:	E $\frac{1}{2}$	Section 8:	S $\frac{1}{2}$
Section 5:	N $\frac{1}{2}$ NW $\frac{1}{4}$	Section 9:	NE $\frac{1}{4}$

T. 19N., R. 20E., M.D.B. & M. (Cont.)

Section 9:	S $\frac{1}{2}$ NW $\frac{1}{4}$	Section 20:	all
Section 9:	S $\frac{1}{2}$	Section 21:	all
Section 10:	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 22:	all
Section 10:	S $\frac{1}{2}$ NE $\frac{1}{4}$	Section 27:	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 10:	W $\frac{1}{2}$	Section 27:	W $\frac{1}{2}$ E $\frac{1}{4}$
Section 10:	SE $\frac{1}{4}$	Section 27:	W $\frac{1}{2}$
Section 11:	W $\frac{1}{2}$ NE $\frac{1}{4}$	Section 28:	all
Section 11:	W $\frac{1}{2}$	Section 29:	all
Section 11:	SE $\frac{1}{4}$	Section 30:	all
Section 12:	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 31:	all
Section 13:	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 32:	NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 14:	N $\frac{1}{2}$ NE $\frac{1}{4}$	Section 32:	W $\frac{1}{2}$
Section 14:	NW $\frac{1}{4}$	Section 32:	NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 14:	W $\frac{1}{2}$ SW $\frac{1}{4}$	Section 33:	N $\frac{1}{2}$
Section 15:	all	Section 33:	N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 16:	all	Section 34:	SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 17:	all	Section 34:	W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 18:	all	Section 34:	SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 19:	all		

T. 19N., R. 21E., M.D.B. & M.

Section 1:	N $\frac{1}{2}$ N $\frac{1}{2}$	Section 11:	SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 1:	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 11:	W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 1:	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 15:	NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 2:	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 15:	S $\frac{1}{2}$ NW $\frac{1}{4}$
Section 2:	N $\frac{1}{2}$ SE $\frac{1}{4}$	Section 15:	N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 2:	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 16:	NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10:	S $\frac{1}{2}$ SE $\frac{1}{4}$	Section 17:	S $\frac{1}{2}$
		Section 18:	SW $\frac{1}{4}$ NW $\frac{1}{4}$

T. 19N., R. 22E., M.D.B. & M.

Section 6:	W $\frac{1}{2}$ NE $\frac{1}{4}$	Section 6:	NW $\frac{1}{4}$
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T. 20N., R. 19E., M.D.B. & M.

Section 34:	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 35:	NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 34:	S $\frac{1}{2}$ SE $\frac{1}{4}$	Section 36:	NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 35:	S $\frac{1}{2}$ S $\frac{1}{2}$	Section 36:	S $\frac{1}{2}$ SE $\frac{1}{4}$

T. 20N., R. 20E., M.D.B. & M.

Section 1:	S $\frac{1}{2}$ SW $\frac{1}{4}$	Section 12:	NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 2:	W $\frac{1}{2}$ NE $\frac{1}{4}$	Section 15:	N $\frac{1}{2}$
Section 2:	NW $\frac{1}{4}$	Section 15:	N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 2:	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 15:	SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 2:	S $\frac{1}{2}$ SW $\frac{1}{4}$	Section 15:	SE $\frac{1}{4}$
Section 3:	SE $\frac{1}{4}$	Section 16:	NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10:	E $\frac{1}{2}$	Section 21:	SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 10:	E $\frac{1}{2}$ W $\frac{1}{2}$	Section 21:	SE $\frac{1}{4}$
Section 11:	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 22:	N $\frac{1}{2}$
Section 11:	SE $\frac{1}{4}$	Section 22:	N $\frac{1}{2}$ S $\frac{1}{2}$
Section 12:	NW $\frac{1}{4}$	Section 26:	S $\frac{1}{2}$ SW $\frac{1}{4}$

T. 20N., R. 20E., M.D.B. & M. (Cont.)

Section 27: W $\frac{1}{2}$	Section 31: S $\frac{1}{2}$ SW $\frac{1}{2}$
Section 27: NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 31: SE $\frac{1}{4}$
Section 27: S $\frac{1}{2}$ SE $\frac{1}{4}$	Section 32: all
Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 33: all
Section 28: SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 34: all
Section 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 35: S $\frac{1}{2}$ NE $\frac{1}{4}$
Section 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 35: NW $\frac{1}{4}$
Section 31: SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 35: S $\frac{1}{2}$
Section 31: NE $\frac{1}{4}$ SW $\frac{1}{4}$	

T. 20N., R. 22E., M.D.B. & M.

Section 26: S $\frac{1}{2}$ SW $\frac{1}{4}$	Section 31: W $\frac{1}{2}$ SF $\frac{1}{4}$
Section 27: S $\frac{1}{2}$ S $\frac{1}{2}$	Section 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 28: S $\frac{1}{2}$ S $\frac{1}{2}$	Section 34: N $\frac{1}{2}$ N $\frac{1}{2}$
Section 29: SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 35: N $\frac{1}{2}$ NW $\frac{1}{4}$

T. 20N., R. 23E., M.D.B. & M.

Section 22: SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 23: S $\frac{1}{2}$ NW $\frac{1}{4}$
Section 23: NE $\frac{1}{4}$ NW $\frac{1}{4}$	

T. 20N., R. 24E., M.D.B. & M.

Section 3: S $\frac{1}{2}$ NW $\frac{1}{4}$	Section 8: SW $\frac{1}{4}$
Section 3: N $\frac{1}{2}$ SW $\frac{1}{4}$	Section 8: NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4: SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 9: NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 4: S $\frac{1}{2}$ NW $\frac{1}{4}$	Section 9: NW $\frac{1}{4}$
Section 4: S $\frac{1}{2}$	Section 17: NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 8: S $\frac{1}{2}$ NW $\frac{1}{4}$	Section 18: E $\frac{1}{2}$ NE $\frac{1}{4}$

T. 21N., R. 24E., M.D.B. & M.

Section 9: SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 16: NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 15: SW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 22: SE $\frac{1}{4}$
Section 15: NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 16: NE $\frac{1}{4}$	Section 28: E $\frac{1}{2}$ SE $\frac{1}{4}$

EXHIBIT B

UNITED STATES OF AMERICA  
Plaintiff

PYRAMID LAKE PAIUTE TRIBE OF INDIANS  
Plaintiff-Intervenor

vs.

TRUCKEE-CARSON IRRIGATION DISTRICT, ET ALS,  
Defendants,

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LIS PENDENS

Washoe and Storey Counties - filed December 2, 1974

EXHIBIT C

CERTIFICATE OF MAILING

I certify that I am an employee of Woodburn and Wedge and that on this date, I deposited in the United States Mail, postage prepaid, a true and correct copy of the foregoing *MEMORANDUM OF WALKER RIVER IRRIGATION DISTRICT CONCERNING PROCEDURE FOR RECORDING NOTICES OF LIS PENDENS AND CONCERNING IDENTIFICATION OF COUNTERDEFENDANTS BY CASE MANAGEMENT ORDER CATEGORIES* in an envelope addressed to:

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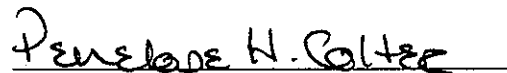
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25  
26 Dated this 12<sup>th</sup> day of February, 2001.

27   
28 Penelope H. Colter