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:

John M. Stitt and Julia T. Stitt, Trustees under the John & Julia Stitt Living Trust

Name(s)

3165 Palisades Dr.

Street or P.O. Box

Corona CA 92880-9432

Town or City State ZipCode

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

Craig Miller and Beverly Jo Yuke-Miller, Trustees of the Craig Miller and Beverly Jo Yuke-Miller Trust

Name(s)

146 E. Walker Rd.

Street or P.O. Box

Yerington NV 89447

Town or City State ZipCode

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

- ☒ Deed
- ☐ Court Order
- ☐ Other Document.

by which the change in ownership was accomplished.

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

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

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

And

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

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

Executed this 8th day of February 2010.

John M. Stitt Trustee

John M. Stitt, Trustee

Julia T. Stitt Trustee

Julia T. Stitt, Trustee

[signature of counter-defendant]

John M. Stitt & Julia T. Stitt, Trustees of the John & Julia Stitt Living Trust

[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]

3165 Palisades Dr.
Corona, CA 92880-9432

[address]

[telephone number]

(714) 745-0667 cell
(951) 271-3440 work
(951) 739-7467 home

*** THIS IS AN UNOFFICIAL COPY ***

DOC# 451912
12/04/2009 04:00PM
Official Record
Requested By
FIRST AMERICAN TITLE MIND
Lyon County - NV
Mary C. Milligan - Recorder
Page: 1 of 3 Fee: $41.00
Recorded By MCM RPTT: $1,950.00
0451912

A.P.N.: 012-471-81

File No: 143-2389469 (Rt)

R.P.T.T.: $1,950.00

UNOFFICIAL COPY

When Recorded Mail To: Mail Tax Statements To:
Craig Miller & Beverly Jo Yuke-Miller Tr
146 East Walker Road
Yerington, NV 89447

GRANT, BARGAIN and SALE DEED

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

John M. Stitt and Julia T. Stitt, Trustees or their successors in trust, under the John and Julia Stitt Living Trust, dated September 10, 2002, dated September 10, 2002

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

Craig Miller & Beverly Jo Yuke-Miller Trustees of the Craig Miller and Beverly Jo Yuke-Miller Trust dated 3-27-00

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

SEE ATTACHED LEGAL DESCRIPTION

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: 11/03/2009

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451912 12/04/2009 2 of 3

John M. Stitt and Julia T. Stitt, Trustees or their successors in trust, under the John and Julia Stitt Living Trust, dated September 10, 2002

John M. Stitt, Trustee

John M. Stitt, Trustee

Julia T. Stitt, Trustee

Julia T. Stitt, Trustee

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STATE OF ~~NEVADA~~ California)
: ss.
COUNTY OF ~~DOUGLAS~~ Riverside)

This instrument was acknowledged before me on 11/25/09 by **John M. Stitt and Julia T. Stitt.**

Notary Public

(My commission expires: 6/25/12)

This Notary Acknowledgement is attached to that certain Grant, Bargain Sale Deed dated **November 03, 2009** under Escrow No. **143-2389469.**

KATIE MC CORKLE
Commission # 1803909
Notary Public - California
Riverside County
My Comm. Expires Jun 25, 2012

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LEGAL DESCRIPTION

The land referred to herein is situate in the State of Nevada, County of Lyon, described as follows:

That portion of the Southwest 1/4 of Section 25 and that portion of the Southeast 1/4 of Section 26, Township 11 North, Range 26 East, M.D.B.&M., in the County of Lyon, State of Nevada, being more particularly described as follows:

Beginning at the 1/4 corner common to Section 25, 26 as shown on Record of Survey No. 223861, thence through the following courses;

1. South 89°49'18" East, 1303.55 feet;
2. South 00° 41'41" West, 1089.17 feet;
3. North 89°58'21" West, 2645.12 feet;
4. North 00°43'26" East, 1104.49 feet;
5. South 89°27'54" East, 1340.89 feet to the True Point of Beginning.

TOGETHER WITH the appurtenant easements as granted in that certain Deed recorded in Lyon County, Nevada, on Nov 8, 1999, as No. 241166.

Legal Description appeared previously in Document No. 286040, Official Records of Lyon County, Nevada.

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DOC# 451913
12/04/2009 04:00PM
Official Record
Requested By
FIRST AMERICAN TITLE MIND
Lyon County - NV
Mary C. Milligan - Recorder
Page: 1 of 6 Fee: $19.00
Recorded By MCM RPTT: $0.00
0451913

APN: 12-471-81

When Recorded, Mail to:

Craig Miller
1464 Waller Rd
Yerington NV 89447

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

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CORRECTION WATER RIGHTS DEED

Reference is made to that certain Water Rights Deed (the "Deed") recorded on November 18, 2002 in the office of the County Recorder of Lyon County, Nevada, as document no. 286039, official records. This Correction Water Rights Deed is executed for the purpose of correcting the reference to the Permit Number contained in paragraph 4 of Exhibit "A" to the Deed.

NOW, THEREFORE, John M. Stitt and Julia T. Stitt, husband and wife, as grantor, and John M. Stitt and Julia T. Stitt, as trustees under the John and Julia Stitt Living Trust, dated 9/10/02, as grantee, hereby correct the Deed as follows:

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, John M. Stitt and Julia T. Stitt, husband and wife as joint tenants ("Grantor"), do hereby GRANT, BARGAIN and SELL to John M. Stitt and Julia T. Stitt, Trustees, or their successors in trust, under the John and Julia Stitt Living Trust, dated 9/10/02 and any amendments thereto ("Grantee") (whose address is: 2025 Ranch Hill, La Habra Heights, California 90631), those certain waters and water rights described in **Exhibit "A"** attached hereto and incorporated herein by this reference and appurtenant to the real property described in **Exhibit "B"** attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the said water and water rights, unto the Grantee, and to its successors and assigns forever.

This instrument is being recorded as an "Accommodation Only" by First American Title Insurance Company and has not been examined as to its validity, execution or its effect upon title, if any.

4670868_2.DOC

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DATED this 2nd day of December, 2009.

"UNOFFICIAL COPY"

Grantor:

John M. Stitt

Julia T. Stitt

Grantee:

John M. Stitt, as trustee under the John and Julia Stitt Living Trust, dated 9/10/02 TRUSTEE

Julia T. Stitt, as trustee under the John and Julia Stitt Living Trust, dated 9/10/02 TRUSTEE

4670868_2.DOC

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STATE OF California)
County of Riverside)

This instrument was acknowledged before me on 12/02/09, 2009, by John M. Stitt.

Katie McCorkle
Notary Public
My Commission Expires: 6/25/12

KATIE MC CORKLE
Commission # 1803909
Notary Public - California
Riverside County
My Comm. Expires Jun 25, 2012

"UNOFFICIAL COPY"

STATE OF California)
County of Riverside)

This instrument was acknowledged before me on 12/02/09, 2009, by Julia T. Stitt.

Katie McCorkle
Notary Public
My Commission Expires: 6/25/12

KATIE MC CORKLE
Commission # 1803909
Notary Public - California
Riverside County
My Comm. Expires Jun 25, 2012

4670868_2 DOC

*** THIS IS AN UNOFFICIAL COPY ***

STATE OF California)
County of Riverside)

This instrument was acknowledged before me on 12/02/09, 2009, by John M. Stitt, as trustee under the John and Julia Stitt Living Trust, dated 9/10/02.

Notary Public
My Commission Expires: 6/25/12

KATIE MC CORKLE
Commission # 1803909
Notary Public - California
Riverside County
My Comm. Expires Jun 25, 2012

UNOFFICIAL COPY

STATE OF California)
County of Riverside)

This instrument was acknowledged before me on 12/02/09, 2009, by Julia T. Stitt, as trustee under the John and Julia Stitt Living Trust, dated 9/10/02.

Notary Public
My Commission Expires: 6/25/12

KATIE MC CORKLE
Commission # 1803909
Notary Public - California
Riverside County
My Comm. Expires Jun 25, 2012

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Exhibit "A"
Water Rights to Be Conveyed

THOSE CERTAIN surface water rights from the East Walker River which are appurtenant to the real property described in **Exhibit "B"** attached hereto ("Property") pursuant to Claim 17 of that certain decree entitled "United States of America, Plaintiff, vs. Walker River Irrigation District, a corporation, et al., Defendants, Case in Equity C-125", as follows:

1. A portion of Claim 17 as follows:

Priority	Acreage
1867	0.30 acres
1875	1.00 acres
1879	1.30 acres
1885	6.40 acres
1890	1.60 acres
1895	2.20 acres
	12.80 acres

The above described water rights may be utilized as historically placed to beneficial use on the Property.

2. The right to irrigate 17.2 acres of the Property from the East Walker River designated as "NEWLAND" as administered by the Walker River Irrigation District.

3. Use of a portion of Permit 25017, Certificate 8860 issued to the Walker River Irrigation District for flood and excess waters to the extent it is appurtenant to such 30 acres.

4. Use of a portion of the supplemental underground rights under Permit 67362 (formerly Permit 49278) consisting of a diversion rate of 0.2827 cfs and having a duty of 120.0 acre feet per season. Said portion being appurtenant to that same 30 acres of the land irrigated from the East Walker River by decreed water rights and NEWLAND water rights above described.

THE TOTAL LAND AREA of the Property to be irrigated by surface water rights from the East Walker River under portions of Claim 17, "NEWLAND" rights and permit 25017, Certificate 8860 is 30 acres, more or less.

EXPRESSLY EXCLUDING THEREFROM, any and all water and water rights from any and all sources over and above those specifically described above.

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"UNOFFICIAL COPY"

Exhibit "B"
Legal Description

The land referred to herein is situated in the State of Nevada, County of Lyon, described as follows:

That portion of the Southwest 1/4 of Section 25 and that portion of the Southeast 1/4 of Section 26, Township 11 North, Range 26 East, M.D.B. & M., in the County of Lyon, State of Nevada, being more particularly described as follows:

Beginning at the 1/4 corner common to Section 25, 26 as shown on Record of Survey No. 223861, thence through the following courses:

1. South 89° 49' 18" East, 1303.55 feet;
2. South 00° 41' 41" West, 1089.17 feet;
3. North 89° 58' 21" West, 2645.12 feet;
4. North 00° 43' 26" East, 1104.49 feet;
5. South 89° 27' 54" East, 1340.89 feet to the TRUE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 12-471-81

Per NRS 111.312, the legal description appeared previously in deed #241167 recorded on November 8, 1999 in Lyon County Records.