FILED

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

249.

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): Alexander Dawson, Inc.

Street or P.O. Box: 4045 South Spencer Street, Suite 312

Town or City: Las Vegas

State: Nevada

Zip Code: 89119

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

Name(s): BREAK_A_HEART, LLC

Street or P.O. Box: P. O. Box 234

Town or City: Carson City

State: Nevada

Zip Code: 89702

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 22nd day of September 2003

ALEXANDER DAWSON, INC.

By _____
OSWALD GUTSCHE
Its President
4045 S. Spencer St. #312
Las Vegas, NV 89119
(702) 733-7880
[signature of counter-defendant]

[name of counter-defendant]

[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]

Escrow No. LY-1000319-RT /30077-MMD-WGC Document 249 Filed 09/24/03 Page 5 of 11

A.P.N. APN 14-081-01 AND 15-051-01

The undersigned grantor(s) declare(s):

Documentary transfer tax is $ 884.00, computed on full value of property conveyed.

CORPORATION GRANT, BARGAIN, SALE DEED

Alexander Dawson, Inc.

corporation organized and existing under the laws of the State of Nevada, and having its principal place of business at **4045 S.** Suite 312 Spencer Street, Las Vegas, Nevada 89119 *in consideration of $10.00 Dollars, does hereby Grant, Bargain, Sell and Convey to* **Break-A-Heart, LLC, a Nevada Limited Liability Company** *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 AS OWNED BY THE GRANTOR UNDER PERMIT NO. 30867/CERTIFICATE NO. 11225; PERMIT NO. 30868/CERTIFICATE NO. 11226; PERMIT NO. 45184/CERTIFICATE NO. 11853; PERMIT NO. 45594/CERTIFICATE NO. 11914; PERMIT NO. 45595/CERTIFIATE NO. 11242; PERMIT NO. 49690 AND PERMIT NO. 51100.

FURTHER TOGETHER WITH ANY AND ALL MINERAL RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY AS OWNED BY THE GRANTOR HEREIN.

Together with all singular the tenements, hereditaments and appurtenances thereunto 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: 6-19-2000

Alexander Dawson, Inc.

By [signature]

Oswald Gutsche, President

STATE OF NEVADA)

COUNTY OF Clark)

ON 06-19-00 *before me, the undersigned, a Notary Public in and for said County and State, personally appeared* Oswald Gutsche *known to me to be the person 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.*

No.

Kimberley Johnston
NOTARY PUBLIC

Notary Public - State of Nevada
COUNTY OF CLARK
KIMBERLEY JOHNSTON
No. 98-49850-1 My Appointment Expires Nov. 12, 2002

Compared with Original Lyon County Recorder

'250367

WHEN RECORDED MAIL TO:

Break-A-Heart, LLC, a Nevada Limited Liability Company
P. O. Box 234
Carson City, NV 89702

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

00 JUL 19 AM 11:55

MARY C. HILLIGAN
COUNTY RECORDER

FEE _____ DEP. _____

LY-1000319-RT
301112

EXHIBIT "A" ATTACHED TO: GRANT DEED

EXHIBIT "A"
(Page 1 of 3)

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

PARCEL 1: TOWNSHIP 15 NORTH, RANGE 25 EAST, M.D.B.&M.

Section 15: Southwest one-quarter (SW ¼)

EXCEPTING THEREFROM the North one-half of the Northwest one-quarter of the Southwest one-quarter (N ½ of NW ¼ of SW ¼)

Section 16: Southwest one-quarter (SW ¼); North one-half of the Southeast one-quarter (N ½ of SE ¼); Southwest one-quarter of the Southeast one-quarter (SW ¼ of SE ¼)

EXCEPTING THEREFROM the North one-half of the North one-half of the Southeast one-quarter (N ½ of N ½ of SE ¼); and that portion of the North one-half of the North one-half of the Southwest one-quarter, which is located East of the right of way of Highway 95A.

Section 18: East one-half of the Southwest one-quarter (E ½ of SW ¼); South one-half of the Northwest one-quarter (S ½ of NW ¼)

Section 19: Northeast one-quarter (NE ¼); Southeast one-quarter of the Northwest one-quarter (SE ¼ of NW ¼); Northeast one-quarter of the Southeast one-quarter (NE ¼ of SE ¼)

Section 20: North one-half (N ½); North one-half of the Southwest one-quarter (N ½ of SW ¼)

Section 21: West one-half (W ½)

EXCEPTING THEREFROM all those portions deeded to Sierra Pacific Power Company in that certain deed filed in the office of the County Recorder of Lyon County, Nevada on January 3, 1967, in Book 49 of Deeds, Page 598, as File No. 97739, being further described as Parcel A and Parcel B as follows:

PARCEL A: All that real property wholly within the South one-half of the Southwest one-quarter (S ½ of SW ¼) of Section 21, Township 15 North, Range 25 East, M.D.B.&M., and lying Southerly of the following described boundary line:

A line whose bearing is North 74°05' West and being 950.00 feet Southerly of and parallel to the Southerly right of way boundary of the Southern Pacific Rail Road right of way

Continued...

EXHIBIT "A"
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PARCEL B: A portion of the North one-half of the Southwest one-quarter (N ½ of SW ¼) of Section 20 and a portion of the Northeast one-quarter of the Southeast one-quarter (NE ¼ of SE ¼) of Section 19, and all situate in Township 15 North, Range 25 East, M.D.B.&M.

A strip of Land 150.00 feet in width and being 75.0 feet on each side of the following described center line:

Commencing at the section corner common to Sections 21, 22, 27 and 28, Township 15 North, Range 25 East, M.D.B.&M., THENCE South 00°12'00" East, 820.0 feet; thence North 74°05' West parallel to and 1025.0 feet Southerly of the right of way boundary of the Southerly railroad right of way, a distance of 8230.92 feet, more or less, to the true point of beginning, said point of beginning being on the East boundary of the North one-half of the Southwest one-quarter (N ½ of SW ¼) of said Section 20; thence North 74°05' West, 3059.28 feet more or less to the North boundary of the Northeast one-quarter of the Southeast one-quarter (NE ¼ of SE ¼) of Section 19, Township 15 North, Range 25 East, M.D.B.&M.

Together with the privilege of ingress to and egress over two strips of land each 50.0 feet in width and running perpendicular to said Parcel B above excepted.

Centerline of said strips of land to be located 200.0 feet and 2600.0 feet measured along said center line of Parcel B from the East boundary of the North one-half of the Southwest one-quarter (N ½ of SW ¼) of Section 20, Township 15 North, Range 25 East, M.D.B.&M.

ALSO EXCEPTING THEREFROM all that real property deeded to the State of Nevada in that certain deed filed in the office of the County Recorder of Lyon County, Nevada on February 5, 1964, in Book 46 of Deeds, Page 452, as File No. 88074, being more particularly described as follows:

All that certain real property situate, lying and being in the County of Lyon, State of Nevada, further described as being a piece or parcel of land lying and being in portions of the Southwest one-quarter of the Southeast one-quarter (SW ¼ of SE ¼); the Southeast one-quarter of the Southwest one-quarter (SE ¼ of SW ¼); and North one-half of the Southwest one-quarter (N ½ of SW ¼), all in Section 16 and the Northeast one-quarter of the Northwest one-quarter (NE ¼ of NW ¼) of Section 21, all in Township 15 North, Range 25 East, M.D.B.&M., and more fully described by metes and bounds as follows, to wit:

Beginning at a point of intersection of the left or Westerly right of way line of S.R. 2B (U.S. 95 ALT.) and the North-South quarter section line of said Section 21; said point of beginning being 50 feet left of and at right angles to Highway Engineer's Station "L"544+95.99 P.O.T. and being further described as bearing South 89°02' 14" East a distance of 2637.31 feet from the Northwest corner of said Section 21; thence North 32°25'24" West along the left or Westerly highway right of way line of S.R. 2B (U.S. 95 ALT.) a distance of 1580.81 feet to a point; thence from a tangent which bears the last described course, curving to the left along said left or Westerly highway right of way line with a radius of 9,950 feet, through an angle of 9°47'10" an arc distance of 1699.46 feet to an intersection with the East-West quarter section line of said Section 16; thence East along said East-West quarter section line a distance of 134.46 feet to an intersection with the right or Easterly highway right of way line of S.R. 2B (U.S. 95 ALT.); thence from a tangent which bears South 41°41'40" East curving to the right

along said right or Easterly highway right of way line with a radius of 10,050 feet, through an angle of 9°16'16", an arc distance of 1636.29 feet to a point; th[illegible] South 22°25'24" East along said right or E[illegible]rly highway right of way line a distance of 1591.83 feet to an intersection with the South boundary of said Section 16, thence West along the South boundary of said Section 16 a distance of 90.24 feet to the South quarter corner of said Section 16; thence South 0°06'53" West along the East boundary of the Northeast one-quarter of the Northwest one-quarter (NE ¼ of NW ¼) of said Section 21 a distance of 44.32 feet to the point of beginning.

PARCEL 2:

TOGETHER WITH an easement and right of way for access, granted to Alexander Dawson, Inc., by Agri-Technology Corporation, across the Northwest one-quarter of the Southwest one-quarter of Section 15, Township 15 North, Range 25 East, M.D.B.&M., as set forth in Document No. 32993, Lyon County Official Records.

Continued...

EXHIBIT "A"
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PARCEL 3: TOWNSHIP 15 NORTH, RANGE 24 EAST, M.D.B.&M.

Section 1: Southwest one-quarter of the Southwest one-quarter (SW ¼ of SW ¼)

Section 2: East one-half of the West one-half (E ½ of W ½); Northwest one-quarter of the Northeast one-quarter (NW ¼ of NE ¼); South one-half of the Northeast one-quarter (S ½ of NE ¼); Southeast one-quarter (SE ¼)

Section 11: North one-half of the Northeast one-quarter (N ½ of NE ¼)

Section 12: Northwest one-quarter of the Northwest one-quarter (NW ¼ of NW ¼); Southeast one-quarter of the Northwest one-quarter (SE ¼ of NW ¼); North one-half of the Southeast one-quarter (N ½ of SE ¼); Southeast one-quarter of the Southeast quarter (SE ¼ of SE ¼)