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DEC 22 2008  
CLERK OF DISTRICT COURT  
CLARA  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

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5 UNITED STATES OF AMERICA, )  
6 )  
7 ) Plaintiff, )  
8 )  
9 ) WALKER RIVER PAIUTE TRIBE, )  
10 )  
11 ) Plaintiff-Intervenor, )  
12 )  
13 ) v. )  
14 )  
15 ) WALKER RIVER IRRIGATION )  
16 ) DISTRICT, )  
17 ) a corporation, et al., )  
18 )  
19 ) 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**

15  
16 The undersigned counter-defendant in the above action hereby notifies the Court and the  
17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has  
18 no interest in any water right within the categories set forth in Paragraph 3 of the *Case*  
19 *Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

20 This disclaimer and notice shall be sent to the following two persons:

21 Linda Lea Sharer, Chief Deputy Clerk  
22 United States District Court for the District of Nevada  
23 400 South Virginia Street, Suite 301  
Reno, NV 89501

24 And

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

28 In addition, because the undersigned sold or otherwise conveyed ownership of all of the

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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):

Street or P.O. Box:

Town or City:

State:

Zip Code:

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

Name(s):

Street or P.O. Box:

Town or City:

State:

Zip Code:

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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 19<sup>th</sup> day of December 2008.

*Dorothy Allen*  
[signature of counter-defendant]  
*Legal Counsel for*

*Tusighe Indian Health Project*  
[name of counter-defendant]

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Dorothy Aither  
[name, if applicable, of person acting on  
behalf of counter-defendant]

Dorothy Aither  
[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]  
609 S. Escondido Blvd  
Escondido, CA 92025  
[telephone number]  
760-744-8941

# CALIFORNIA INDIAN LEGAL SERVICES

## Escondido Office

609 South Escondido Boulevard, Escondido, CA 92025 ♦ Phone 760/746-8941 ♦ Fax 760/746-1815  
www.calindian.org ♦ contactCILS@calindian.org

BISHOP  
EUREKA

**Dorothy Alther, Senior Staff Attorney**  
760/746-8941, Ext. 122  
dalther@calindian.org

SACRAMENTO  
ESCONDIDO

December 19, 2008

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

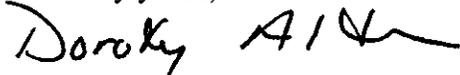
Ms. Susan Schneider, Attorney  
U.S. Department of Justice  
1961 Stout Street, 8<sup>th</sup> Floor  
Denver, CO 80294

RE: *United States of America et al. v. Walker River Irrigation District*  
In Equity No. C-125-ECR

Dear Ms. Sharer and Ms. Schneider:

I am legal counsel for the Toiyabe Indian Health Project (“Toiyabe”), who has been listed as a Counter-Defendant in the above captioned case. I am enclosing a signed “DISCLAIMER OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER.” My client does not have water rights within any of the categories set forth in Paragraph 3 of the Case Management Order of April 18, 2000.

Sincerely yours,



DOROTHY ALTHER

cc: David Lent, Executive Director of Toiyabe

ENCLOSURE

California Indian Legal Services  
609 S. Escondido Boulevard  
Escondido, CA 92025



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