

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

FILED COURT	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
JAN - 9 2009	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 WALKER RIVER PAIUTE TRIBE, )  
 )  
 Plaintiff-Intervenor, )  
 )  
 vs. )  
 )  
 WALKER RIVER IRRIGATION DISTRICT, )  
 a corporation, et al., )

IN EQUITY NO. C-125  
SUBFILE NO. C-125-B

**NOTICE IN LIEU OF  
SUMMONS**

TO: Victor M & Annette L Cota Trust Agmt dtd 12-13-95  
Victor M & Annette Cota, Trustees  
24 Pinon Dr.  
Wellington, NV 89444

**You have been named as a Defendant in a civil action** filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case. Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.

**You are hereby summoned and required to file with the United States District Court for the District of Nevada, a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE within 60 days after the service of the FIRST AMENDED COUNTERCLAIM of the United States of America and the FIRST AMENDED COUNTERCLAIM of the Walker River Paiute Tribe, which are herewith served upon you.**

Under the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case, you are not obligated to answer either the FIRST AMENDED COUNTERCLAIM filed by the United States of America or the FIRST AMENDED COUNTERCLAIM filed by the Walker River Paiute Tribe except upon further order of the Court.

3

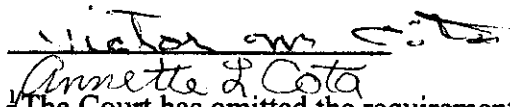
Copies of your NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE shall also be mailed to<sup>v</sup>:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
1961 Stout Street, 8th Floor  
Denver, Colorado 80294

The plaintiff, the United States of America, has filed a FIRST AMENDED COUNTERCLAIM in the United States District Court for the District of Nevada, in an action entitled *United States v. Walker River Irrigation District*. The plaintiff-intervenor, Walker River Paiute Tribe, has also filed a FIRST AMENDED COUNTERCLAIM in the same case. A copy of each FIRST AMENDED COUNTERCLAIM is attached to this notice. The documents have been filed in the District Court and have been assigned docket number In Equity C-125, Subfile C-125-B. Also attached is the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case.

The materials in this package include seven [7] documents that you should review; please note that two of these documents address the sale or other conveyance of your water rights or if you believe that you should not be a party to this lawsuit. These documents are listed in Attachment A to this Notice in Lieu of Summons, and are explained below. **Please read these materials carefully, as they are important to your legal rights and legal obligations.**

There are also two Orders included herein that require you to provide certain information to the Court and the United States in two different circumstances. First, the Court anticipates use of the form attached to the ORDER – DISCLAIMER OF INTEREST in connection with the initial service upon you of the documents in this package if you have no interest in any water right within any of the nine categories of PARAGRAPH 3 of the CASE MANAGEMENT ORDER (Apr. 18, 2000). If you contend that you have been included in this litigation in error because you have no such interest, you should follow the directions in the ORDER – DISCLAIMER OF INTEREST and provide the information and documents requested. Following receipt of any DISCLAIMERS OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER and the accompanying information and documents, plaintiffs will review the materials received and, if appropriate, seek the Court's concurrence in omitting you from this

  
Annette L. Cota

The Court has omitted the requirement in the Case Management Order to Mail copies to the Walker River Paiute Tribe, the Walker River Irrigation District, and the States of Nevada and California.



RENO NV 895  
08 JAN 2009 PM 2 T

Victor Cota  
24 Pinon Dr  
Wellington NV 89444-9508

Chief Deputy Clerk  
District of Nevada  
400 South Virginia St  
Suite 301  
Reno Nevada. 89501

(District Court)

89501+2195

