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:

The Rolene Pitt Guild Living Trust
Monica Viola Berhman, Successor Trustee

Name(s)

1209 Canyon Ridge Lane

Street or P.O. Box

Escondido	CA	92025
Town or City	State	ZipCode

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

Monica Berhman and John Berhman

Name(s)

1209 Canyon Ridge Lane

Street or P.O. Box

Escondido	CA	92025
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. – Affidavit of Death

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 11th day of February 2011.

Monica Berhman
Successor Trustee of the
Rolene Pitt Guild Living Trust

[signature of counter-defendant]

Monica Viola Berhman,
Successor Trustee of the
Rolene Pitt Guild 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]

1209 Canyon Ridge Lane
Escondido, CA 92025

[address]

760-803-1577
[telephone number]

DOC # 470944
Conformed Copy
(Not Compared to Original)
01/20/2011 03:39 PM
Official Record
Requested By
MONICA BERHMAN
Lyon County - NV
Mary C. Milligan - Recorder

THE UNDERSIGNED HEREBY AFFIRMS THAT THIS DOCUMENT DOES NOT CONTAIN A SOCIAL SECURITY NUMBER.

APN: 14-401-11

RPTT:

When Recorded mail to:
Monica Berhman
1209 Canyon Ridge Lane,
Grantees Address: Escondido, CA 92025
(same)

Date 1/20/2011

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Monica Viola Berhman successor Trustee of the Rolene Pitt Guild Living Trust dated 3-10-98
do(es) hereby GRANT TO
Monica Berhman and John Berhman husband and wife as joint tenants
the real property situate in the County of Lyon, State of Nevada, described as follows:
See Exibit A

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

STATE OF NEVADA
COUNTY OF Lyon

On January 20th, 20 11, before me, the undersigned, a Notary Public in and for said County and State, personally appeared
Monica Berhman

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same
WITNESS my hand and official seal.

Lorna Thomas
(Notary Public)

Monica Berhman
(Signature)
Monica Berhman
(Type or Print Name)

(Signature)

(Type or Print Name)

Notary Seal
LORNA THOMAS
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 05-93618-12 - Expires December 17, 2012

Exhibit A

The East one-half (E1/2) of the Northwest one-quarter of Section Thirteen (13) in Township Thirteen (13) North, Range Twenty-five (25) East, M.D.B.&M.; together with all ditches and ditch rights, water and water rights belonging to said lands and also Three (3) shares of the capital stock of the Fox Ditch Company, Inc., and our interest in the so-called Fox back ditch and all of the water represented by said shares; together with all improvements upon said ranch situated.
The Southwest quarter of the Northwest quarter of Section 13 in Township 13 North, Range 25 East, M.D.B.&M., together with all water and water rights, ditches and ditch rights appurtenant to or used in connection therewith, records of the County Recorder of Mason Valley, Lyon County, State of Nevada.
SUBJECT TO AND TOGETHER WITH rights of way, all gas, oil, metals, water and mineral rights, reservations, restrictions, exceptions, easements, covenants, conditions record, encumbrances and current taxes.
APN: 14-401-11

Legal description taken from deed # 217306 recorded on April 10, 1998 in the Lyon County records.

This document includes a certified death certificate as required by NRS 40.525. It will not contain a social security number as required by NRS 440.380(1)(a).

Signature: Monica Berhman

Print name & title: Monica Berhman successor Trustee

A.P.N. 14-401-11

DOC # 470943
Conformed Copy
(Not Compared to Original)
01/20/2011 03:38 PM
Official Record
Requested By
MONICA BERHMAN
Lyon County - NV
Mary C. Milligan - Recorder

For Recorders Use Only

AFFIDAVIT – DEATH OF Trustee

GRANTEE ADDRESS:
1209 Canyon Ridge Lane
Escondido, CA 92025

I, Monica Berhman, of legal age, being first duly sworn, depose and say: Rolene Pitt Guild Trustee of Rolene Pitt Guild Living Trust

That dated 3-10-98 is the decedent mentioned in the attached certified copy of the Certificate of Death, is the same person as Rolene Viola Guild named as one of the parties in that certain deed dated March 10, 1998, executed by Rolene Pitt Guild to Rolene Pitt Guild as trustee under the Rolene Pitt Guild Living Trust dated 3-10-98, recorded as Instrument No. 217306 on April 10, 1998, in the Official Records of Lyon County, Nevada, covering the real property situate in the County of Lyon, State of Nevada, described as follows: See Exibit A

* I, Monica Viola Berhman am appointed within the aforementioned trust agreement to servie as the sole successor Trustee of the Rolene Pitt Guild Living Trust.

STATE OF Nevada
COUNTY OF Lyon

Signed: Monica Berhman
Monica Berhman
(Print name above)

Signed and sworn to before me on January 20th, 2011, by monica Berhman

Lorna Thomas
(Signature of Notary)

LORNA THOMAS
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 05-93618-12 - Expires December 17, 2012

Notary Seal

Exhibit A

The East one-half (E1/2) of the Northwest one-quarter of Section Thirteen (13) in Township Thirteen (13) North, Range Twenty-five (25) East, M.D.B.&M.; together with all ditches and ditch rights, water and water rights belonging to said lands and also Three (3) shares of the capital stock of the Fox Ditch Company, Inc., and our interest in the so-called Fox back ditch and all of the water represented by said shares; together with all improvements upon said ranch situated.
The Southwest quarter of the Northwest quarter of Section 13 in Township 13 North, Range 25 East, M.D.B.&M., together with all water and water rights, ditches and ditch rights appurtenant to or used in connection therewith, records of the County Recorder of Mason Valley, Lyon County, State of Nevada.
SUBJECT TO AND TOGETHER WITH rights of way, all gas, oil, metals, water and mineral rights, reservations, restrictions, exceptions, easements, covenants, conditions record, encumbrances and current taxes.
APN: 14-401-11

Legal description taken from deed # 217306 recorded on April 10, 1998 in the Lyon County records.

STATE OF CALIFORNIA

MEDICAL CERTIFICATE OF DEATH RECORD

COUNTY OF SAN DIEGO

3052010209382 — STATE FILE NUMBER

CERTIFICATE OF DEATH

STATE OF CALIFORNIA
USE BLACK INK ONLY / NO ERASURES, WHITEOUTS OR ALTERATIONS
IS-THREE (A08)

3201037018293 — LOCAL REGISTRATION NUMBER

DECEDENT'S PERSONAL DATA

1. NAME OF DECEDENT - FIRST (Given): ROLENE
2. MIDDLE: VIOLA
3. LAST (Family): GUILD
AKA. ALSO KNOWN AS – Include full AKA (FIRST, MIDDLE, LAST):
4. DATE OF BIRTH mm/dd/ccyy: 07/29/1921
5. AGE Yrs.: 89
If UNDER ONE YEAR: Months / Days — If UNDER 24 HOURS: Hours / Minutes
6. SEX: F
8. BIRTH STATE/FOREIGN COUNTRY: UTAH
10. SOCIAL SECURITY NUMBER: 528-20-5400
11. EVER IN U.S. ARMED FORCES? [ ] YES [X] NO [ ] UNK
12. MARITAL STATUS/RDP* (at time of Death): WIDOWED
7. DATE OF DEATH mm/dd/ccyy: 12/03/2010
6. HOUR (24 Hours): 1517
13. EDUCATION – Highest Level/Degree (see worksheet on back): SOME COLLEGE
14/15. WAS DECEDENT HISPANIC/ATI/KX/A/SPANISH? (If yes, see worksheet on back) [ ] YES [X] NO
16. DECEDENT'S RACE – Up to 3 races may be listed (see worksheet on back): CAUCASIAN
17. USUAL OCCUPATION – Type of work for most of life. DO NOT USE RETIRED: POSTMASTER
18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.): U.S. POSTAL SERVICE
19. YEARS IN OCCUPATION: 38

USUAL RESIDENCE

20. DECEDENT'S RESIDENCE (Street and number, or location): 105 EAST HIGHWAY 95A
21. CITY: YERINGTON
22. COUNTY/PROVINCE: LYON
23. ZIP CODE: 89447
24. YEARS IN COUNTY: 65
25. STATE/FOREIGN COUNTRY: CA

INFORMANT

26. INFORMANT'S NAME, RELATIONSHIP: MONICA BERHMAN, DAUGHTER
27. INFORMANT'S MAILING ADDRESS (Street and number, or rural route number, city or town, state and zip): 1209 CANYON RIDGE LANE, ESCONDIDO, CA 92025

SPOUSE/SRDP AND PARENT INFORMATION

28. NAME OF SURVIVING SPOUSE/SRDP* - FIRST: -
29. MIDDLE: -
30. LAST (BIRTH NAME): -
31. NAME OF FATHER/PARENT - FIRST: EARL
32. MIDDLE:
33. LAST: PITT
34. BIRTH STATE: UTAH
35. NAME OF MOTHER/PARENT - FIRST: STELLA
36. MIDDLE: VIOLA
37. LAST (BIRTH NAME): GLEDHILL
38. BIRTH STATE: UTAH

FUNERAL DIRECTOR/ LOCAL REGISTRAR

39. DISPOSITION DATE mm/dd/ccyy: 12/09/2010
40. PLACE OF FINAL DISPOSITION: VALLEY VIEW CEMETERY, 1 CEMETERY ROAD, YERINGTON, NV 89447
41. TYPE OF DISPOSITION(S): TR/BU
42. SIGNATURE OF EMBALMER: ▶ THEODORE NILSEN
43. LICENSE NUMBER: EMB6408
44. NAME OF FUNERAL ESTABLISHMENT: POWAY-BERNARDO MORTUARY
45. LICENSE NUMBER: FD1195
46. SIGNATURE OF LOCAL REGISTRAR: ▶ WILMA WOOTEN, MD
47. DATE mm/dd/ccyy: 12/08/2010

PLACE OF DEATH

101. PLACE OF DEATH: SCRIPPS GREEN HOSPITAL
102. IF HOSPITAL, SPECIFY ONE: [X] IP [ ] RHDP [ ] DOA
103. IF OTHER THAN HOSPITAL, SPECIFY ONE: [ ] Hospice [ ] Nursing Home/ALTC [ ] Decedent's Home [ ] Other
104. COUNTY: SAN DIEGO
105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location): 10666 N TORREY PINES ROAD
106. CITY: LA JOLLA

CAUSE OF DEATH

107. CAUSE OF DEATH — Enter the chain of events — diseases, injuries, or complications — that directly caused death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE.

IMMEDIATE CAUSE (Final disease or condition resulting in death) → (A) CARDIOGENIC SHOCK

Sequentially, list conditions, if any, leading to cause on Line A. Enter UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST

(B) CRITICAL AORTIC STENOSIS
(C)
(D)

Time Interval Between Onset and Death: (A) HOURS (B) YEARS (C) (D)

108. DEATH REPORTED TO CORONER? [ ] YES [X] NO — REFERRAL NUMBER
109. BIOPSY PERFORMED? [ ] YES [X] NO
110. AUTOPSY PERFORMED? [ ] YES [X] NO
111. USED IN DETERMINING CAUSE? [ ] YES [ ] NO

112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107: CORONARY ARTERY DISEASE

113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? (If yes, list type of operation and date): BALLOON AORTIC VALVULOPLASTY & CORONARY STENT (URGENT) 12/03/2010

113A. IF FEMALE, PREGNANT IN LAST YEAR? [ ] YES [X] NO [ ] UNK

PHYSICIAN'S CERTIFICATION

114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED.
(A) Decedent Attended Since: mm/dd/ccyy 12/03/2010
(B) Decedent Last Seen Alive: mm/dd/ccyy 12/03/2010
115. SIGNATURE AND TITLE OF CERTIFIER: ▶ CURTISS TYLER STINIS M.D.
116. LICENSE NUMBER: A77186
117. DATE mm/dd/ccyy: 12/07/2010
118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE: CURTISS TYLER STINIS M.D. 10666 N. TORREY PINES ROAD, LA JOLLA, CA 92037

CORONER'S USE ONLY

119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED.
MANNER OF DEATH: [ ] Natural [ ] Accident [ ] Homicide [ ] Suicide [ ] Pending Investigation [ ] Could not be determined
120. INJURED AT WORK? [ ] YES [ ] NO [ ] UNK
121. INJURY DATE mm/dd/ccyy
122. HOUR (24 Hours)
123. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.)
124. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury)
125. LOCATION OF INJURY (Street and number, or location, and city, and zip)
126. SIGNATURE OF CORONER / DEPUTY CORONER ▶
127. DATE mm/dd/ccyy
128. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER

STATE REGISTRAR

A | B | C | D | E | *010001001653217* | FAX AUTH.# | CENSUS TRACT

A002201014

County of San Diego – Department of Health Services – 3851 Rosecrans Street. This is to certify that, if bearing the OFFICIAL SEAL OF THE STATE OF CALIFORNIA, the OFFICIAL SEAL OF SAN DIEGO COUNTY AND THEIR DEPARTMENT OF HEALTH SERVICES EMBOSSED SEAL, this is a true copy of the ORIGINAL DOCUMENT FILED. Required fee paid.

DATE ISSUED: December 13, 2010

Wilma J. Wooten, M.D.
WILMA J. WOOTEN, MD
REGISTRAR OF VITAL RECORDS
County of San Diego

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar