January 8, 2013

✓ FILED
___ ENTERED
___ RECEIVED
___ SERVED ON
COUNSEL/PARTIES OF RECORD
JAN 1 0 2013
CLERK US DISTRICT COURT
DISTRICT OF NEVADA
BY: _____ DEPUTY

Susan L. Schneider, Trial Attorney
US Department of Justice
999 18th Street
South Terrace - Suite 370
Denver, CO 80202
(303) 844-1348

RE: Disclaimer of Interest
United States v Walker River Irrigation Dist., et al., in Equity No. C-125;
Subfile C-125-B

Ms. Schneider,

I am the owner of property addressed at 933 North River Lane, Walker CA 96107 (APN 002-290-027-000). On December 12, 2013, I received your information package, detailing the referenced court case. Upon review of the case documents, It is my contention that the subject property lies outside the scope of this case. My reasons are as follows:

1. The subject property is not riparian to the West Walker River.
2. The subject property is not subject to any of the nine water right categories identified in paragraph 3 of the Case Management Order (Apr. 18, 2000).

I ask that you review the location of this specific property as it relates to the case, and provide confirmation of inclusion or dismissal. In the event you determine the property shall remain a part of this case, I have included an executed Waiver of Service of Notice in Lieu of Summons for your file.

Sincerely,

Sandee F. Finch-Wills

Sandee F. Finch-Wills
Sandee Finch Revocable Trust
37778 Villa Balboa Drive
Temecula, CA 92592
760-220-9194

cc. Linda Lea Shaver
Chief Deputy Clerk
United States District court
for the District of Nevada

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**

Not on the river

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~~

Susan L. Schneider
United States Department of Justice
999 18th Street
South Terrace - Suite 370
Denver, CO 80202

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

not included
1/2013

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:

Not on the Walker River

Sandler Jerich Wells 1/8/2013

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 _____ day of _____ 20__

Not on Walker River
Sandee Truchwell
1/8/2013

[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]

Not on walker River

Sandee Jinch Wills 1/8/2013

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. Sandee Finch Trustee

Date: 1/8/2013

Sandee Finch Wilk
Signature

SANDEE F. FINCH Trust
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: _____ ___of
(Title)

_____
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.