ORIGINAL

FILED

2004 JUN 24 PM 1:01

LANCE S. WILSON
CLERK
BY _____ DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

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 OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

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

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. 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.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

301

Attorney: MARVIN W. MURPHY, ESQ.

Address: 3740 Lakeside Drive, Suite 200
Reno, NV 89509

Phone Number: 775-348-5000

Fax Number: 775-348-7370

(Signature)

Lewis A. Ewert, Co-Trustee

(Printed or typed Name)

The Ewert Family 1995 Trust

(Entity, if any, on whose behalf you are appearing)

2340 Greensboro Drive

Reno, NV 89509

(Address)

775-825-9166

(Telephone number)