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LANCE S. WILSON
CLERK
BY _____ DEPUTY

HAMILTON & McMAHON, LTD.
Thomas Mirczak, Esq.
Nevada State Bar #2126
577 California Avenue
Reno, Nevada 89504
Telephone: 775-348-2700
Attorneys for Counter-Defendant
ELAINE EISENHAUER

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.,

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:

Katherine Francis Eisenhouer (sic) Eisenhauer
Deceased

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

Elaine Eisenhauer
115 14th Street, #302
Santa Monica, California 90403

324.

Hamilton & McMahon, LTD.
577 CALIFORNIA AVE.
POST OFFICE BOX 40638
RENO, NV 89504-4638
(775) 348-2700 FAX (775) 348-2745

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed
- ☐ Court Order
- ☐ Other Document

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 such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation

DATED: This 29 day of July, 2003.

HAMILTON & McMAHON, LTD.

By: Thomas Mirczak
THOMAS MIRCZAK, ESQ.

Attorneys for Defendant
ELAINE EISENHAUER

Hamilton & McMahon, LTD.
577 CALIFORNIA AVE.
POST OFFICE BOX 40638
RENO, NV 89504-4638
(775) 348-2700 FAX (775) 348-2745

CERTIFICATE OF SERVICE

Pursuant to N.R.C.P. 5(b), I hereby certify that I am an employee of Hamilton & McMahon, Ltd., and that on the 2nd day of July, 2004, I served a true and correct copy of the foregoing **NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT** by:

X Depositing for mailing, in a sealed enveloped, U.S. Postage prepaid, at Reno, Nevada

___ Personal Delivery

___ Facsimile

___ Federal Express/Airborne Express/Other Overnight Delivery

___ Hand Delivery

addressed as follows:

Susan L. Schneider
United States Department of justice
P.O. Box 756
Littleton, CO 80160

DATED this 2nd day of July, 2004

MARTHA E. SPRINGMANN

Hamilton & McMahon, LTD.
577 CALIFORNIA AVE.
POST OFFICE BOX 40638
RENO, NV 89504-4638
(775) 348-2700 FAX (775) 348-2745

EXHIBIT A

Case No. PE 6087
Dept. No. I

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF LYON

IN THE MATTER OF THE ESTATE OF

KATHERINE FRANCES EISENHAUER,
Deceased,
_____/

DISTRIBUTEE'S RECEIPT

Comes now Elaine Eisenhauer, beneficiary under the Estate of Katherine Frances Eisenhauer Deceased, and hereby acknowledges receipt of the Clerk's Deed conveying to Elaine Eisenhauer an undivided one-third interest in the unimproved realty, located in Yerington, Lyon County, Nevada pursuant to the Order and Decree Approving First and Final Accounting, Petition for Fees and for Final Distribution, filed on the 24rd day of June, 2002 in the above entitled matter.

Dated this 29 day of July, 2002.

Elaine Eisenhauer
Elaine Eisenhauer

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 29 DAY OF July, 2002
BY ELAINE EISENHAUER
NOTARY PUBLIC

SHERYL A. QUAY
Commission # 1297600
Notary Public - California
Los Angeles County
My Comm. Expires Apr 14, 2005

RPTT-3

MAIL TAX STATEMENTS TO:

WHEN RECORDED RETURN TO:
Thomas Mirczak Esq.
2581 Range View Lane
Reno, Nevada 89509

APN: 14-511-01

CLERK'S DEED

This deed is made and executed this 24th date of June, 2002 upon the Order of the Honorable David A. Huff, District Court Judge, Third Judicial District Court of the State of Nevada in and for the County of Lyon on behalf of Katherine Frances Eisenhauer, Deceased, referred to as Grantor, and Elaine Eisenhauer, a single woman, as Grantee.

WITNESSETH:

WHEREAS, pursuant to the Decree Settling First and Final Accounting, Distribution and Waiver of Attorney Fees entered on the 24th day of June, 2002 in the Third Judicial District Court of the State of Nevada, County of Lyon, in Case Number PE 6087, Dept. I, the Court ordered, that all of Grantor's right, title and interest in the real property commonly known as the unimproved real property on Tucker Lane, Yerington, Lyon County, Nevada, an undivided one third interest [hereinafter legally described] be awarded to Grantee.

NOW THEREFORE, Nikki A. Bryan, the Clerk of the Court, pursuant to said order, does hereby convey, remise, release, and forever set over to Grantee, as her sole and separate property, and to her heirs and assigns forever all of Grantee's right, title and interest, and undivided one-third interest, in the real property commonly known as unimproved real property on Tucker Lane, Yerington, Lyon County, Nevada, legally described as:

See Exhibit "A" attached herewith

TO HAVE AND TO HOLD the said premises together with the appurtenances, unto Grantee as her sole and separate property, and to their heirs and assigns, forever.

IN WITNESS WHEREOF, Nikki A. Bryan, Lyon County Clerk, on behalf of Grantor and pursuant to Order of the Court has hereunto set his hand the day and year first above mentioned.

NIKKI A. BRYAN
LYON COUNTY CLERK

By: Tanya Scurine

SEAL AFFIXED

278702

STATE OF NEVADA)
) ss:
COUNTY OF LYON)

On the 24th day of June, 2002, personally appeared before me the undersigned, a Notary Public in and for the County of Lyon, Nikki A. Bryan, known to me to be the Clerk of the Court of the Third Judicial District Court of the State of Nevada in and for the County of Lyon who executed the foregoing instrument on behalf of the Estate of Katherine Frances Eisenhauer, Deceased, pursuant to the Order of the Court, who acknowledged to me that she executed the same freely and voluntarily and for the used and purposed therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the County of Lyon, the day and year in this certificate first above written.

Vickey S. Borsini

NOTARY PUBLIC in and for the County of Lyon,
State of Nevada

VICKEY S. BORSINI
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 99-12015-12 - Expires December 14, 2003

FILE NO. 87798

THIS DEED executed this 26th day of December, 1963 by and between DOMENICHINA SCIARANI, hereinafter referred to as the grantor, and ELVIZIA MIRCZAK, LELA TERRY AND KATHARINE EISENHAUER, share and share alike, hereinafter referred to as the grantees,

WITNESSETH: For and in consideration of the love and affection for the grantees, the grantor hereby grants and conveys the real property situate in the county of Lyon, State of Nevada, more particularly described as follows:

Starting at the SW corner of Section 11, T. 13 N., R. 25 E., MDB&M., and running thence N. 50°02'47" E., 2077.41 feet; thence N. 27°51'05"E., 1481.85 feet; thence N. 89°53'44"E., 589.59 feet to a point on the north line of the SE¼ of Sec. 11 and being the northeast corner of the Green Acres Subdivision and the true point of beginning; thence from said true point of beginning 1st course east along the north line of the said SE¼ of Sec. 11 a distance of 2389.31 feet more or less to the northeast corner of the said SE¼; thence 2nd course south along the east line of said SE¼ a distance of 660 feet; thence 3rd course west at right angles a distance of 2389.31 feet, more or less, to the east line of the Green Acres Subdivision; thence north along the east line of the Green Acres Subdivision 660 feet to the point of beginning. Containing 36.20 acres, more or less.

unto the Grantees, their heirs and assigns forever.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD with all the appurtenances unto the grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, the grantor has hereunto set her hand the day and year first above written.

Domenichina Sciarani

STATE OF NEVADA)
) SS.
COUNTY OF WASHOE)

On this 26th day of December, 1963 personally appeared before me a Notary Public, in and for the above county, DOMENICHINA SCIARANI, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office the day and year first above written.

(Notarial Seal)
My commission expires July 18,1969

William C. Sanford, Notary Public in and for the County of Washoe, State of Nevada

Recorded at request of William C. Sanford Dec. 30, 1963 at 25 min. past 9 a.m.

Jas. F. Barton, County Recorder

By Margaret Gafney Deputy

End.

FILE NO. 87803

THIS INDENTURE made this 26th day of December, 1963 between JULIA S. PRAY, MARY KATHRINE ESTES

belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said parties of the second part, as joint tenants and not as tenants in common, and to the survivor thereof, and to the heirs and assigns of such survivor forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands, the day and year in this instrument first above written.

Francis J. Coddington
Mildred Coddington

STATE OF NEVADA, }
} SS.
COUNTY OF LYON. }

On this 19th day of January, 1964 personally appeared before me, the undersigned a Notary Public in and for the said County of Lyon, Francis J. Coddington and Mildred Coddington, husband and wife, both personally known to me to be the same person described in and who executed the foregoing instrument, who acknowledged to me that they executed the same, freely and voluntarily and for the uses and purposes therein mentioned.

(Notarial Seal)
My commission expires May 1,1965

Walter Whitacre, Notary Public in and for the County of Lyon, State of Nevada.

Recorded at request of Francis J. Coddington Jan. 22, 1964 at 30 min. past 2 p.m.

Jas. F. Barton, County Recorder
By [illegible] Deputy

Deeds
BK. 46, Pg. 423

FILE NO. 87970

THIS DEED EXECUTED this 20th day of January, 1964 by and between DOMENICHINA SCIARANI, hereinafter referred to as the Grantor, and ELVIZIA MIRCZAK, LENA TERRY AND KATHARINE EISENHAUER share and share alike, hereinafter referred to as the Grantees,

WITNESSETH: For and in consideration of the love and affection for the Grantees, the Grantor hereby grants and conveys unto the Grantees, share and share alike, their heirs and assigns forever, the following real property situate in the County of Lyon, State of Nevada, more particularly described as follows:

Starting at the SW corner of Section 11, T 13 N, R 25 E., MDB&M., and running thence N.50°02'47"E., 2077.41 feet; thence N.27°51'05"E 1481.85 feet; thence N.89°53'44"E., 589.59 feet to a

point on the north line of the SE¼ of Section 11 and being the northeast corner of the Green Acres Subdivision; thence south along the east line of the Green Acres Subdivision a distance of 660 feet to the true point of beginning; thence from said true point of beginning 1st course east a distance of 2389.31 feet more or less to the east line of the said SE¼ of Section 11; thence 2nd course south along the east line of the said SE¼ of Section 11 a distance of 660 feet more or less to the southeast corner of the N½ of SE¼ of Section 11; thence 3rd course west along the south line of the N½ of SE¼ of Section 11 a distance of 2389.31 feet more or less to the east line of the Green Acres Subdivision; thence 4th course north along the east line of the Green Acres Subdivision a distance of 660 feet, more or less, to the point of beginning. Containing 36.20 acres, more or less.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD with all the appurtenances, unto the Grantees, share and share alike, their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand the day and year first above written.

Domenichina Sciarani

STATE OF NEVADA, }
COUNTY OF WASHOE } SS.

On this 20th day of January, 1963, before me a Notary Public in and for said County and State, personally appeared DOMENICHINA SCIARANI, known to me to be the person whose name is subscribed to the within instrument, who acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(Notarial Seal)
My commission expires August 22, 1965

Elaine Nishiguchi, Notary Public in and for the County of Washoe, State of Nevada.

Recorded at request of Sanford and Sanford Jan. 23,1964 at 1 min. past 9 a.m.

Jas. F. Barton, County Recorder

By Margaret Gingery Deputy

End

FILE NO. 87980

GRANT DEED (Joint Tenancy)

For value received W.H.PRUITT GRANTS TO DON WERTZ AND ANNA WERTZ, husband and wife, as Joint Tenants, all that real property situate in the County of Lyon, State of Nevada, described as follows:

Lots one and two of Block Thirty-eight of Mason Townsite as they appear on the Official Map of said Townsite on file with the County Recorder of Lyon County, Nevada.

278702

278702

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY
Thomas Murcizak, Esq.
02 JUN 24 AM 9:45

MARY C. MILLIGAN
COUNTY RECORDER
FEE 19.00 DEP.