IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>WALKER RIVER PAIUTE TRIBE,<br><br>Plaintiff-Intervenor,<br><br>v.<br><br>WALKER RIVER IRRIGATION DISTRICT,<br>a corporation, et al.,<br><br>Defendants. | In Equity No. C-125-ECR<br>Subfile No. C-125-B<br><br>**DISCLAIMER OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER** |

U.S. DISTRICT COURT
DISTRICT OF NEVADA
FILED
AUG 27 2004
CLERK, U.S. DISTRICT COURT
BY _____ DEPUTY

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

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



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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): TIMOTHY E FESKO

Street or P.O. Box: 110437 HWY 395

Town or City: COLEVILLE

State: CA

Zip Code: 96107

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

Name(s): FESKO FAMILY TRUST UDT 010693

Street or P.O. Box: 110437 HWY 395

Town or City: COLEVILLE

State: CA

Zip Code: 96107

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

- [x] 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 15 day of AUGUST 2004.

[signature of counter-defendant]

TIMOTHY E FESKO
[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]

110 437 Hwy 395
COLEVILLE CA 96107
[address]

530 495 2255
[telephone number]

RECORDING REQUESTED BY
INYO-MONO TITLE COMPANY

0782 110

006319

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

Name TIMOTHY E. FESKO
Street Address MARY G. FESKO
985 DESERT DRIVE
City & State Zip CARSON CITY, NV 89705

Title Order No. _____ Escrow No. 103841

'97 NOV 26 PM 3 35

$30.00

INY 003 (5-94)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# Grant Deed

THE UNDERSIGNED GRANTOR(s) DECLARE(s)

DOCUMENTARY TRANSFER TAX IS $ 520.85

_____ unincorporated area _____ City of _____

Parcel No. _____

_____ computed on full value of interest or property conveyed, or

X computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

GRANITE PROPERTIES INCORPORATED, A CALIFORNIA CORPORATION

hereby GRANT(S) to

TIMOTHY ERIC FESKO AND MARY GRACE FESKO, TRUSTEES OF THE FESKO FAMILY TRUST UDT 1-6-93

the following described real property in the

County of MONO, State of California.

LEGAL ATTACHED

Dated OCTOBER 31, 1997

STATE OF CALIFORNIA
COUNTY OF Placer } S.S.

On November 4, 1997 before me,

a Notary Public in and for said County and State, personally appeared

Jane Mervine

personally known to me (or proved to me on the basis of satisfactory evidence) 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 in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Donna G. Ellis

GRANITE PROPERTIES INCORPORATED

BY: Jane Mervine
Vice President

BY:

DONNA G. ELLIS
Commission # 1165490
Notary Public - California
Placer County
My Comm. Expires Aug 29, 2001

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Name _____ Street Address _____ City & State _____