

FILED  
01 SEP -7 PM 2:57

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

BY: [Signature] WILSON  
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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**

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

464

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s): Alfred J. Spigarelli  
8 Dorothy Spigarelli  
9 Theodore W. Beilke  
Ines Beilke

10 Street or P.O. Box: 2 Bodega Bay Drive

11 Town or City: Corona del Mar

12 State: California

13 Zip Code: 92625

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16  
17 2. The name and address of each person or entity who acquired ownership  
18 There are three (3) transactions

19 Name(s):	(2)	(3)
(1)		
Gerardo Evangelista	Leland Hutchins	Sovereign
Laurie L. Evangelista	Karen Hutchins	Enterprises LLC
21 Street or P.O. Box:		
22 214 Artesia Rd.	800 N. Carhart Ave.	1008 Georgia Ln.
23 Town or City:		
24 Wellington	Fullerton	Gardnerville
25 State:		
26 Nevada	California	Nevada
27 Zip Code:		
28 89444	92833	89460

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

- Deeds for all three transactions
- 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 31<sup>st</sup> day of AUGUST 2004.

*Alfred J. Spigarelli*  
*Dorothy A. Spigarelli*  
 [signature of counter-defendant]

Alfred J. Spigarelli  
 Dorothy Spigarelli  
 [name of counter-defendant]

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N/A

[name, if applicable, of person acting on  
behalf of counter-defendant]

N/A

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

21 Bodega Drive  
Corona del Mar, California 92625  
[address]

949.760.0559  
[telephone number]

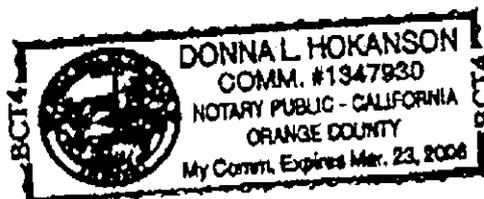


State of California }  
County of Orange } ss

On APRIL 3, 2003 before me DONNA L. HOKANSON a Notary Public, personally appeared ALEFED J. & DEBORAH S. PIGARELLI who 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 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

*Donna L. Hokanson*  
Notary Public



\_\_\_\_\_  
TITLE OR TYPE OF DOCUMENT

\_\_\_\_\_  
NUMBER OF PAGES

\_\_\_\_\_  
DATE OF DOCUMENT





**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of LOS Angeles } ss.

On March 27, 03 before me, Hamid Nessar.

personally appeared THEODORE W. BEILKE  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
Name(s) of Signer(s)

- personally known to me
- 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.  
Hamid Nessar  
Signature of Notary Public

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: GRANT DEED

Document Date: MARCH 24, 2003 Number of Pages: ONE

Signer(s) Other Than Named Above: (3) (NES BEILKE, ALFRED J. SPIGARELLI & DOROTHY SPIGARELLI)

**Capacity(ies) Claimed by Signer**

Signer's Name: SEE ABOVE

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: HIMSELF.

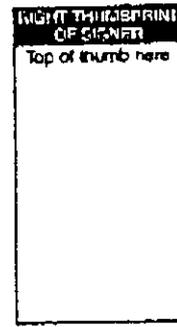


EXHIBIT 'A'  
LEGAL DESCRIPTION

That portion of the SW 1/4 of Section 28, Township 12 North, Range 23 East, M.D.B. & M., in the County of Lyon, State of Nevada, more particularly described as follows:

Commencing at a 3/4" IRON PIPE with washer stamped PLS 4248, said point is the West 1/4 of Section 28, thence South 89°44'04" East, 1326.59 feet; thence South 00°39'09" West, 6.86 feet to the TRUE POINT OF BEGINNING, thence through the following courses;

South 89°44'04" East, 1326.59 feet;

South 00°43'44" West, 656.96 feet;

North 89°44'04" West, 1325.71 feet;

North 00°39'09" East, 656.95 feet to the TRUE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 10-081-27

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED MARCH 9, 2000, AS FILE NO. 245410, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

"TOGETHER WITH 20 acre feet of water and water rights, ditch or ditch rights and other rights to water, of any nature whatsoever, appurtenant to the property".

5/27/03

*Charlene @ Stewart - Intent on purchase  
agreement for all appurtenant  
water to go w/ land.*

295085

*lc*

OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY  
STEWART TITLE OF *Douglas*

03 APR 24 PM 1:44

MARY C. HILLIGAN  
COUNTY RECORDER

FEE *19.00* DEP. *KL*



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of Orange } ss.

On July 26, 2002, before me, Laurie Ann Warszawski, notary  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Alfred J. Spigarelli and Dorothy Spigarelli  
Name(s) of Signer(s)

- personally known to me
- 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.



Place Notary Seal Above

WITNESS my hand and official seal.  
Laurie Ann Warszawski  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

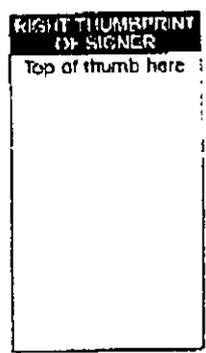
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

- Signer's Name: \_\_\_\_\_
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



285601



This instrument was acknowledged before me on July 25, 2002 by

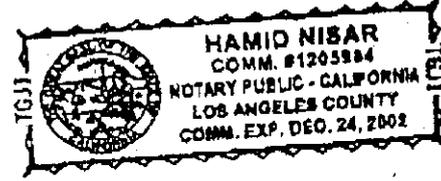
243

~~Theodore W. Beilke and [redacted]  
and Dorothy Feinacelli and Joan Beilke~~

*[Handwritten Signature]*

Notary Public

(My commission expires: Dec 24, 2002)



285601

A.P. No. 10-081-28  
Escrow No. 142-2020123-KM/  
R.P.T.T. \$153.40

\*\*This document is being recorded in counterpart  
and shall be considered one document.

WHEN RECORDED MAIL TO:  
Grantee  
800 N. Carhart Ave  
Fullerton, CA 92833

MAIL TAX STATEMENT TO:  
Mr & Mrs Hutchins  
800 N. Carhart Ave  
Fullerton, CA 92833

**GRANT, BARGAIN and SALE DEED**

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

Theodore W. Beilke, an unmarried man and Ines Beilke, an unmarried woman as to an undivided 50% interest (who acquired title as husband and wife as joint tenants) and Alfred J. Spigarelli and Dorothy Spigarelli, husband and wife as joint tenants as to an undivided 50% interest

do(es) hereby GRANT, BARGAIN and SELL to

Leland Hutchins and Karen Hutchins, husband and wife as joint tenants with right of survivorship

the real property situate in the County of Lyon, State of Nevada, described as follows:

see legal description attached hereto and made a part hereof

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 07/24/2002

Date: 7-30-02  
Signed

\_\_\_\_\_  
Theodore W. Beilke

\_\_\_\_\_  
Alfred J. Spigarelli

\_\_\_\_\_  
Dorothy Spigarelli

Ines Beilke  
\_\_\_\_\_  
Ines Beilke

STATE OF NEVADA )  
                          ) : ss.  
~~COUNTY OF~~ )  
~~DOUGLAS~~ )

see attached Acknowledgment

285601

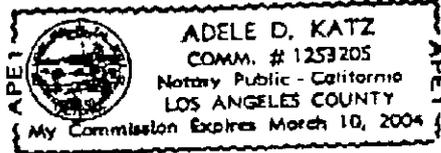
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California  
County of Los Angeles } ss.

On July 30, 2002 before me, Adele D. Katz, Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared Mrs. Beilke  
Name(s) of Signer(s)

personally known to me  
 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.

Adele D. Katz  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

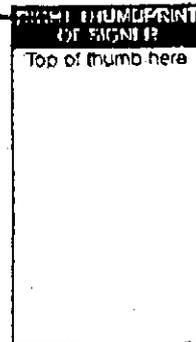
Title or Type of Document: Grant, Bargain & Sale Deed  
Document Date: 7/24/02 Number of Pages: 1

Signer(s) Other Than Named Above: Theodore W. Beilke, Alfred J. Spigarelli, + Dorothy Spigarelli

**Capacity(ies) Claimed by Signer**

Signer's Name: Mrs. Beilke  
 Individual  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Attorney in Fact  
 Trustee  
 Guardian or Conservator  
 Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_



285601

This instrument was acknowledged before me on \_\_\_\_\_

by

**Theodore W. Belke and Alfred J. Spigarelli  
and Dorothy Spigarelli and Ines Belke.**

Notary Public

(My commission expires: \_\_\_\_\_)

285601

LEGAL DESCRIPTION

That portion of the SW 1/4 of Section 28, Township 12 North, Range 23 East, M.D.B.&M., located in the County of Lyon, State of Nevada, more particularly described as follows:

Commencing at a 3/4" iron pipe with washer stamped PLS 4248, said point being the West 1/4 of Section 28, thence South 89°44'04" East, 1326.59 feet; thence South 00°39'09" West, 663.81 feet to the true point of beginning, thence through the following courses;

1. South 89°44'04" East, 1325.71 feet;
2. South 00°43'44" West, 995.43 feet to a non-tangent curve concave Northerly having a radius of 293.73 feet and a radial bearing of North 02°21'03" West;
3. Northwesterly along said curve an arc length of 163.20 feet and a central angle of 31°50'03";
4. North 60°35'49" West, 857.21 feet to the beginning of a non-tangent curve concave Northeasterly having a radius of 979.32 feet and a radial bearing of North 29°20'45" East;
5. Northwesterly along said curve having an arc length of 494.13 feet and a central angle of 28°54'33";
6. North 33°38'23" West, 104.88 feet;
7. North 00°39'10" East, 117.15 feet to the True Point of Beginning.

Legal Description appeared previously in Document No. 245410, recorded on March 9, 2000, Official Records of Lyon County, Nevada.

285601

OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY

Title Service & Escrow Co.  
02 NOV -8 PM 3: 26

MARY C. HILLIGAN  
COUNTY RECORDER

FEE 21<sup>00</sup> DEP. MU

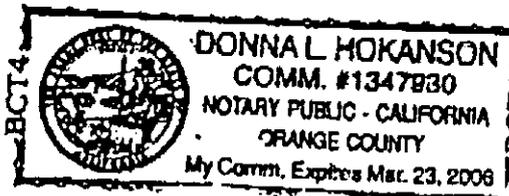


State of California }  
County of Orange } ss

On FEBRUARY 2, 2004 before me DONNA L HOKANSON a Notary Public, personally appeared ALFRED J & DOROTHY S PIGARELLI who 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 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

Donna L Hokanson  
Notary Public



GRANT, BARGAIN SALES DEED  
TITLE OR TYPE OF DOCUMENT

2  
NUMBER OF PAGES

1-23-04  
DATE OF DOCUMENT



### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of LA

ss.

Public

On 2/2/04

before me,

Hamid Nessar, Notary

Name and Title of Officer (e.g., Jane Doe, Notary Public)

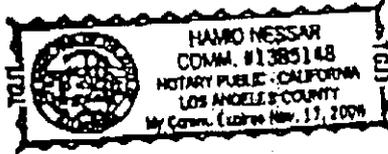
personally appeared

Theodore W. Beilke

Name(s) of Signer(s)

- personally known to me
- 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]  
Signature of Notary Public

#### OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

#### Description of Attached Document

Title or Type of Document:

Grant deed

Document Date:

1/23/04

Number of Pages:

2

Signer(s) Other Than Named Above:

Ines Beilke, Alfred Spigarella & Dorothy Spigarella

#### Capacity(ies) Claimed by Signer

Signer's Name:

see above

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing:

Himself





EXHIBIT 'A'  
LEGAL DESCRIPTION

That portion of the N 1/2 of Section 28, Township 12, North, Range 23 East, M.D.B. & M., in the County of Lyon, State of Nevada, more particularly described as follows:

Beginning at a 5/8" rebar and cap stamped PLS 8659, said point being the Section corner common to 21, 22, 27 and 28, thence through the following courses;

South 00°52'06" West along the Section line, 1319.96 feet;

North 89°34'25" West, 2657.19 feet;

South 00°43'44" West, 1334.26 feet;

North 89°44'04" West, 1326.59 feet;

North 00°39'02" East, 2669.10 feet to the North line of Section 28;

South 89°24'46" East, 3990.57 feet to the TRUE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 10-081-26

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED MARCH 9 2000, AS FILE NO. 245410, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

"TOGETHER WITH 313 acre feet of water rights per Walker River Irrigation District Card No. 3170."