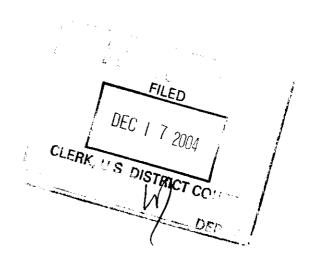
Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 1 of 316



Exhibits in support of dicument # 497.

498

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 2 of 316

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.

	Oh Chris	_
Date: 8-4-04	Signature	
	Gregory B. Adams	-
	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 ummons 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 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 rought 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 Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 3 of 316

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.

Date: 6-22-04	Signature Estelle Aidrai	
	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 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 rought 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 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 Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1	-		
. 2	-	IN THE UNITED STATES D FOR THE DISTRICT (
3	UNITED :	STATES OF AMERICA,)
4		Plaintiff,) }
5		. RIVER PAIUTE TRIBE.)) IN EQUITY NO. C-125
6		Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.))
8 9	WALKER	RIVER IRRIGATION DISTRICT.)))
10		NOTICE OF APPEARANCE AND INT	ΓΕΝΤ ΤΟ PARTICIPATE
11		I horahu auta-	
12	1.	I hereby enter my appearance in this sub	_
13	2.	I am filing this document with the Distri	ct Court at the following address:
14		Chief Deputy Clerk United States District Court for the	
15		District of Nevada 400 South Virginia Street, Suite 301	
16		Reno, Nevada 89501	
17	3.	In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of
18			
19		Susan L. Schneider Attorney for the United States of Americ	a
20		United States Department of Justice Environment & Natural Resources Divis	
21		P.O. Box 756 Littleton, Colorado 80160	
22	4.	I (or the entity on whose behalf I am actin	ng) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notic	e in Lieu of Summons or in the service of the	e Notice in Lieu of Summons.
25	5.	If I (or the entity on whose behalf I am actin	g) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		along with his or her mailing address,
27	telephone number, and facsimile number:		
28			
	NOTICE	E OF APPEARANCE AND INTENT TO PARTIC	IPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 5 of 316

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		Estelle Chazze
9		(Signature)
10		
11	·	Estelle Aiazzi
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		
17		
18		(Address)
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		
27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 6 of 316

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.

Date: 6-12-04

Signature

Pete A1A171

Frinted/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 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 he 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 rought 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 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 Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1.1			
2		IN THE UNITED STATES FOR THE DISTRICT	DISTRICT COURT OF NEVADA
3	UNITED STATES	OF AMERICA,)
4	Plai	ntiff,)
5	WALKER RIVER	PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plai	ntiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.)
8 9	WALKER RIVER a corporation, et al.	IRRIGATION DISTRICT,)))
10	NOTI	CE OF APPEARANCE AND I	NTENT TO PARTICIPATE
11	l I. I her	eby enter my appearance in this s	sub-proceeding in this case.
12		•	strict Court at the following address:
13	Chie	f Deputy Clerk	
14	Di	ed States District Court for the strict of Nevada	
15		South Virginia Street, Suite 301 o, Nevada 89501	
16 17	3. In th	e envelope provided for return of	my Waiver of Service of Notice in Lieu of
18	Summons. I am mailing a copy of this document to:		
19	Susan L. Schneider		
20	United States Department of Justice Environment & Natural Resources Division		
21	P.O.	Box 756 ston, Colorado 80160	•
22	4. I (or	the entity on whose behalf I am a	cting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
28			•

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 8 of 316

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	11/1
8	·	fet leave
9		(Signature)
10		
11		pole Ainzi
12		(Printed or typed Name)
13		
14		
15	·	(Entity, if any, on whose behalf you are appearing)
16		
17		
18		(Address)
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		
27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 9 of 316

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.
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- 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.
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Date: June 11, 2004

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>Irrustie</u> of

(Corporate /Trust Partnership of 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 he cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case \$:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 11 of 31 Mordon De Pasli Attorney: Attorney: 00 Boy 2311 Address: Reno, nevada 1550 775-688-3000 Phone Number: (775-688-3000) Fax Number: (Signature) Cheryle Albright (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) C.O. Boy 62 We higton, No 89444 (Address) 775-465-2423 (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 12 of 31

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.
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- 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.
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- 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.

Date: 6-20-04

Rose M Alonzo

Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as: ______ of

(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 ummons 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 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.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 13 of 31

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.
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- 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.
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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.

Date: 1404-04

170-

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Vice President of

Annett's Mono Village, Inc.

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.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 14 of 31

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.
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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.

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTEE

(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 ummons 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 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 ne cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 15 of 31

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.
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- 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.

Date: 7-26-64

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Thustee.

acting as. 114

Anstruct Franky Trust

(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 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 he 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 unforcing the in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or pro

Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summon

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 arrange S. Schneider with

notice of appearance and intent to participate.

ANTICE WAS NOT IN PACKET. SUF CANAL FURNISH, JULY 4

to fley S. Schneider with

EXHIBIT 8

1		
2	IN THE UNITE FOR THE	D STATES DISTRICT COURT DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA,)
4	Plaintiff,	}
5	WALKER RIVER PAIUTE TRIBE.)) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.) SOBFILE NO. C-125-B
8 9	WALKER RIVER IRRIGATION DIST	TRICT,
10	NOTICE OF APPEARA	NCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appear	rance in this sub-proceeding in this case.
12		t with the District Court at the following address:
13	Chief Deputy Clerk	with the District Court at the following address:
14	United States District Co District of Nevada	ourt for the
15	400 South Virginia Stree Reno, Nevada 89501	t, Suite 301
16	3. In the envelope provided	for return of my Waiver of Service of Notice in Lieu of
17	Summons. I am mailing a copy of this d	
18	Susan L. Schneider	
19	Attorney for the United S United States Departmen	
20	Environment & Natural I P.O. Box 756	Resources Division
21	Littleton, Colorado 8016	
22	4. I (or the entity on whose	pehalf I am acting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect	
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
25	5. If I (or the entity on whose b	ehalf I am acting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,	
27	telephone number, and facsimile number	:
28		

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 17 of 31

1	Attorney:	
2		
3	Address:	
4		
5	-	
6	Phone Number:	_
7	Fax Number:	
8		show clant
9		(Signature)
10		i.d.
11		House Armit &
12		(Printed or typed Name)
13		
14		Sometimes Family Trust
15		(Entity, if any, on whose
16		behalf you are appearing) Suff N 89 130
17		Casth, NV 88 130
18		(Address)
19		(Telephone number)
20		(Telephone namber)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 18 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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 lawsui
or to the jur	risdiction or venue of the Court except for objections based on a defect in the Notice in Lieu o
Summons o	or in the service of the Notice in Lieu of Summons.

Date: 6/22/04

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTER

(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 prought 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 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 ... 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 notice of appearance and intent to participate.

EXHIBIT 9

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 20 of 31

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8	·	eng R Many
9		(Signature)
10		1
11	,	Jerry R. HTTOWRY
12		(Printed or typed Name)
13		$A + \lambda = A$
14		CE ATTOWNY Trust
15		(Entity, if any, on whose behalf you are appearing)
16		3172 Kawalker lane
17		Sandose CA 75127
18		(Address) (408) 251-2466
19		(Telephone number)
20		
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 21 of 31

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.

Date: 7-04-07

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: ITUSISME BACK ITUST 19736

Tamily Tals

(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 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 he cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 22 of 31

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.

Date: JULY 5TH 2004.	MARY PARKER BACON. Signature MARY PARKER BACON.	
	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 ummons 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 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 second of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 23 of 31

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.
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- 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 No	otice in Lieu of Summons. / /	
6-9-01	Louglas Alak	// ke~
Date: 6-9-04	Signature	
	Joughts 11 SAMER	-
	Printed/Typed Name	
	If you are acting on behalf of any entity,	identify that you are
	acting as:	of
	(Title)	

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

(Corporate, Trust, Partnership or other entity)

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.

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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.

EXHIBIT 11

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 24 of 31

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.

Date: June 1, 2004

Signature

ORA L. BAKKER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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.

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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 notice of appearance and intent to participate.

EXHIBIT 12

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 25 of 31

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

Printed/Typed Name If you are acting on behalf of any entity, identify that you acting as: Compare C	
acting as:	
	are
(TC: (1)	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.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 26 of 31

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.
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- 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.
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- 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.

Date: 12 / Jug 04

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: ____ (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.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 27 of 31

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.
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5. I (or the entity on whose behalf I am acting) will retain all defe	enses 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.	7

Date: 11 Aug 2004

Signature CHRISTINIA

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(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 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 he 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 rought 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 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 Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 28 of 31 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.

Date: 1011, 2004

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>Trustee</u> of

Cameron M. Batjer Family Trust

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 mmons 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 laintiff (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 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 ought 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 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 action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 29 of 31

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.

	Katula Beckeus	
Date: 10/17/04	Signature Kathleen Beckius	
	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 eu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 30 of 31

1		
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT F NEVADA
3	UNITED STATES OF AMERICA.	
4	Plaintiff.))
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	VS.)
8	WALKER RIVER IRRIGATION DISTRICT.))
9	a corporation, et al., NOTICE OF APPEARANCE AND INT	PENT TO DADTICIDATE
10	NOTICE OF APPEARANCE AND IN	ENTIOTARTICITALE
11	 I hereby enter my appearance in this sub 	p-proceeding in this case.
12	 I am filing this document with the Distri 	ict Court at the following address:
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu o
17	Summons. I am mailing a copy of this document to:	
18	Susan L. Schneider	-
19	Attorney for the United States of Ameri United States Department of Justice	ca
20	Environment & Natural Resources Divi P.O. Box 756	sion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cou	rt except for objections based on a defec:
24	in the Notice in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am act	
26	me in these proceedings. I identify that attorney below	v, along with his or her mailing address.
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PART	ICIPATE, page 1 of 2

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 31 of 31

1	Attorney:	
2		•
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		Kathen Beduus
9		(Signature)
10		
11		Kathleen Beckius
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing) Wild Ranch Ro
17		Wellington NV 89-14
18		(Address) -776 - 465-2385
19		(Telephone number)
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22		
23		
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26		
2 7		
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 32 of 31

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.

Date: June 8, 2004	Signature C. ELLEN BEIN	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify the acting as:	at you are 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 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 33 of 31

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.
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- 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.
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Date: 1 me 8, 2004

Alle Dil	
Signature Richard H. Bein	
Printed/Typed Name	
If you are acting on behalf of any entity, identify that acting as:	it you are of
(Title)	
(Corporate, Trust, Partnership or other entity)	

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

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 34 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.
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- 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.
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- 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.

Date: 6/17/04	Robert W. March
Date6/17/04_	Signature
/	ROBERT W. BLAKELY
•	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as: OWNETZ of
	(Title)
	TRUST
	(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 he cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 35 of 31

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.
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- 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.

Date: 6/24/04

Signature :

STEPHEN P. BLANCHARD

[BAM

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Agent for Trustees

(Title)

1988 BLANCHARD LIVING TRUST

(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.

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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.

EXHIBIT 21

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 36 of 31

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.
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- 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.

Date: Oto -O'17-OH

Signature

Do lore J Bob ZIEN

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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.

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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.

EXHIBIT 22

1	**************************************	
2	IN THE UNITED STATES FOR THE DISTRICT	
3	UNITED STATES OF AMERICA,)
4	Plaintiff,)
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.	
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	
10	NOTICE OF APPEARANCE AND I	NTENT TO PARTICIPATE
11		
12	I hereby enter my appearance in this s	
13	2. I am filing this document with the Dis	trict Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16 	3. In the envelope provided for return of	my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18 19	Susan L. Schneider Attornev for the United States of Ame	пса
20	United States Department of Justice Environment & Natural Resources Div	
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am a	cting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the co	urt except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am ac	ting) have retained an attorney to represent
26	me in these proceedings, I identify that attomey belo	w, along with his or her mailing address,
27	telephone number, and facsimile number:	
28		
- 1		

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 38 of 31

1	Attorney:	
2		
3	Address:	
4		·
5		
6	Phone Number:	
7	Fax Number:	
8	,	Doloren Bobyen
9		(Signature)
10		
11		Doborus J. Bobzien
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		
17		
18		(Address)
19		(Telephone number)
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498 Filed 12/17/2004 Page 39 of 31

Card #:						YERING	YERINGTON, NEVADA						
	4315										:		
Nате:	J. Kirk & J	J. Kirk & Irene M. Bodenstein	Istein		<u> </u>						Index No.	125-B	
					1						Lyon County No.	14-291-06	
Address:	1095 Amarillo	riffo									Claim No.		Ca
	Gardnondillo MM	Ho MIV 90450			1						User#	182	as
	Caluitery				1	o. 8	O. & M. Local No. 2				Ditch	Campbell	se
Court Decree:	;												3
													:7
PRIORITY	C.F.S.	ACRES	_TUQ	DAYS	ACRE FEE	ACRE FEET REQUIRED	ACRE PEET	TOPAZ RES.	BRIDGEPORT RES.				73
				201010	PER ACRE	TOTAL	APPORTIONED	ACRE FEET	ACRE FEET	CLAIM #	TOTAL ACRES		5 5 5 7
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 40 of 31

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.

Date: 10-5-04

Signature 🖊

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(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 eu 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 41 of 31

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.
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- 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.

Date: 6-13-04

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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.

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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.

EXHIBIT 25

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 42 of 31

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.
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- 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.

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.

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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.

EXHIBIT 26

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 43 of 31

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.
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- 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.

Date: Clucy 29, 2004

Signature

VERA

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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.

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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.

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 44 of 31

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.
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- 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.
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- 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.

O 45 4//	William B Boklen	
Date: 8 - 29 - 04	Signature William B Bohlin	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you ar	
	acting as:o	f
	(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 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 Eu 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.

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.
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- 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 who or to the jurisdiction or venue of	se behalf I am acting) will retain all defenses or objections to the lawsuit 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.
Date: 7/28/64	Signature Botton TI
	CHARLES V. ROLTON III
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are

(Corporate, Trust, Partnership or other entity)

(Title)

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 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.

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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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 47 of 31

1	Attorney:	
2		
3	Address:	•
4		
5		
6	Phone Number:	late to the
7	Fax Number:	- Chyllanh III
8		CHARGES V. BUGON IN
9		(Signature)
LO		
11		CHARLES V. BUTON TIT
.2		(Printed or typed Name)
.3		
4		
.5		(Entity, if any, on whose
.6		behalf you are appearing)
.7	·	
.8		(Address)
9		(Telephone number)
0		(
1		
2		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 48 of 31

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.
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- 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.

Date: July 08-04

Signature

Primed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 he cost of such service unless good cause be shown for its failure to sign and return the waiver.

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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 notice of appearance and intent to participate.

1			
2	: :	IN THE UNITED STATES D FOR THE DISTRICT (
3	UNITED S	TATES OF AMERICA,)
4		Plaintiff,	
5	WAIKER	RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125
6	WILKER	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7		Tiament-med venot,) .
8	vs.)
9	a corporation	RIVER IRRIGATION DISTRICT, on, et al.,)
10		NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1.	I hereby enter my appearance in this su	b-proceeding in this case.
12	2.	I am filing this document with the Distr	
13		Chief Deputy Clerk	
14		United States District Court for the District of Nevada	
15		400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3.	In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu of
17	Summons.	I am mailing a copy of this document to:	
18		Susan L. Schneider Attorney for the United States of Ameri	
19		United States Department of Justice Environment & Natural Resources Divi	
20		P.O. Box 756	Sion
21		Littleton, Colorado 80160	
22	4.	•	ting) will retain all defenses or objections
23	to the lawsu	nit or to the jurisdiction or venue of the cou	rt except for objections based on a defect
24	in the Notic	e in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.
25	5.	If I (or the entity on whose behalf I am acti	ing) have retained an attorney to represent
26	me in these	proceedings, I identify that attorney below	v, along with his or her mailing address,
27	telephone n	umber, and facsimile number:	
28			

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 50 of 31

1	Attomey:	
2		
3	Address:	
4		
5		
6	Phone Number:	·
7	Fax Number:	$\frac{1}{2}$
8		Belly Bollo
9		(Signature)
10		1/
11		Kelly J. Baton
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		
18		(Address)
19		(Telephone number)
20		
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24		
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27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 51 of 31

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	I retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for obje	ctions based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summ	ane

Date: 10028 2004

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: | RUSTEE

(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 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 he 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 rought 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 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 A 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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 53 of 31

.1	Attorney: NONE	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	Ring h
8		Soton Trancis Misus Fer
9		(Signature)
10		BOUTON FRANCIS MINISTER
11		
12		(Printed or typed Name)
13		THE POLTON-ROSE SURVIVING TRUST
14		
15		(Entity, if any, on whose behalf you are appearing)
16		55 E. TOGNOLILN
17		YERINGTON, NV 89447
18		(Address) (715) 463-2833
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		
27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 54 of 31

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 lawsui
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.

Date: Aug. 4, 2004

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

_____0

(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 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 he 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 rought 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 f 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 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 notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 56 of 31

ĺ	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	2/ 12.1
8		Jaren A. Divita
9		(Signature)
10		21/12/11
11		Karen A. Rekoth
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing) 139 N. Havy, 95A
17		Perington, NV 88447
18		(Address)
19		775-463-3037
20		(Telephone number)
21		• •
22		
23		
24		
25		
26		
27		•

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 57 of 31

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.

Date: 6-15-04

Signature
NORMA
Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as:

(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 prought 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 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 f 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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 58 of 31

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,)		
4	Plaintiff,)		
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125		
6) Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
7	vs.)		
8	WALKER RIVER IRRIGATION DISTRICT,)		
9	a corporation, et al.,		
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	1. I hereby enter my appearance in this sub-proceeding in this case.		
12	2. I am filing this document with the District Court at the following address:		
1,3	Chief Deputy Clerk		
14	United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16			
17			
18	Summons. I am mailing a copy of this document to:		
19	Susan L. Schneider Attorney for the United States of America		
20	United States Department of Justice Environment & Natural Resources Division		
21	P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
2 8 0			

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 59 of 31

1	Attorney:	
2		
3	Address:	
4		•
5		
6	Phone Number:	
7	Fax Number:	Ç
8		Norma Borsini
. 9		(Signature)
10		
11		NORMA BORSINI
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		——————————————————————————————————————
17		
18		(Address)
19		(Telephone number)
20		
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28		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 60 of 31

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.

Date: 8-5-0c/

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 62 of 31

1	Attorney:		
2			
3	Address:		
4			
5			
6	Phone Number:		
7	Fax Number:		
8			Jacquelyn J. Kotekko
9			(Signature)
10			
11			JACQULYN T. Borelha
12		·	(Printed or typed Name)
13			
14			
15			(Entity, if any, on whose
16			behalf you are appearing) Po. Rox 45
17			Smith, NV 89430
18			(Address)
19			775-465-2316 (Telephone number)
20			•
21			
22			
23			
24			
25			
26		•	
27			
28			

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 63 of 31

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.

Date: 8-5-2004

Signature

Will, 4M D. Bote Lho

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 immons 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 claimtiff (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 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 bught 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 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 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 otice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 64 of 31

1				
2		IN THE UNITED STAT FOR THE DISTRI		
3	UNITED STATES OF AMERICA,)			
4		Plaintiff,)	·
5	WALKER RIV	'ER PAIUTE TRIBE,)	IN EQUITY NO. C-125
6	<u> </u>	Plaintiff-Intervenor,	Ś	SUBFILE NO. C-125-B
7	vs.	,	Ź	5051155110.01255
8		ED EDIC ATION DISTRICT	{	
9	a corporation, o	ER IRRIGATION DISTRICT, et al.,	}	
10	N	OTICE OF APPEARANCE AN	D INTE	NT TO PARTICIPATE
11	1.	I harabu antar a i- ti		
12		I hereby enter my appearance in the		·
13				
14				
15		District of Nevada 400 South Virginia Street, Suite 3 Reno, Nevada 89501	01	
16	3. 1	n the envelope provided for retun	n of my \	Waiver of Service of Notice in Lieu of
17	Summons. I am mailing a copy of this document to:			
18	Susan L. Schneider			
19	Į.	Attorney for the United States of A		
20	E	Jnited States Department of Justic Environment & Natural Resources	e Division	ו
21	1	7.O. Box 756 Littleton, Colorado 80160		
22	4. I	(or the entity on whose behalf I as	m acting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I	(or the entity on whose behalf I ar	n acting)	have retained an attorney to represent
26	me in these proc	eedings, I identify that attorney b	oelow, al	ong with his or her mailing address,
27	telephone number, and facsimile number:			
28				

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 65 of 31

1	Attorney:	
2		
3	Address:	
4		•
5		
6	Phone Number:	• •
7	Fax Number:	1/1/1 27/20
8		WILL D. Boll
9		(Signature)
10		1/11/2011
11		William D. Botelho
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		P.O. Box 45
17		Smith Neuh 89430
18		(Address) 775-465-2316
19		(Telephone number)
20		
21		
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И		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 66 of 31

1 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, 5 6 Plaintiff,) In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE. DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor.) WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 V. DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT, a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

EXHIBIT 36

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 67 of 31

	ı ∥	·	
	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		
. 4	additional information:		
		address of the next or next or all and	
6	; 	l address of the party or parties who sold or otherwise conveyed	
7	ownership: Janice and Janice E. Tamas	E. Banta, Trustee of the "Raymond E. Tamagni gni Family Trust, Survivor's Trust" and the	
8	Raymond'\T': Tamagni	and Janice E. Tamagni Family Trust. Decedent's	
9	RMATV Koseanne Fili	West, Elva Renee Menesini, Risa Elizabeth Boyle ott (now Mary Roseanne Phillips)	
	Street or P.O. Box:		
10		2550 N. Pioneer Drive	
11	1		
12	Town or City:	Mesa	
13			
14	State:	Arizona	
15			
16	Zip Code:	85203	
17	2. The name and	address of each person or entity who acquired ownership	
18	David Little,	Jr. and Bonnie Little, Husband and Wife	
19	Name(s):		
20			
21	-		
22	Street or P.O. Box:	350 Densmore Lane	
23			
24	Town or City:	Yerington, Nevada	
25		1511ng ton, Nevada	
26	State:	Novada	
1		Nevada	
27	Zip Code:		
28	, 332.	89447	

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 68 of 31

2	3 Attached to or included with this notice is a conversable (about
3	hox(es)).
4	
- 5	
6	☐ Court Order
7	Other Document.
8	Subjective.
9	by which the change in ownership was accomplished.
10	4. The undersigned acknowledges that any person or entity who files a Disclaimer
11	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
12	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
13	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
14	this litigation.
15	
16	Executed this 5th day of August 2004.
_ε	
19	
20	
21	XKisa Elizabeth Boyle
22	[signature of counter-defendant]
23	
24	
25	Risa Elizabeth Boyle
26	[name of counter-defendant]
27	
28	

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 69 of 31

[name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] [address] _7 [telephone number]

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 71 of 31

Oat	9 0.70 Charlet Million COD Document 4301 ilea kari 17200 41 ag
:	Mesa Arizona 85203 Town or City State ZipCode
. 3	2. The name and address of each person or entity who acquired ownership
4	David Little, Jr. and Bonnie Little, Husband and Wife
. 4	Name(s)
	330 Behamore hane
6	Street or P.O. Box Yerington, Nevada 89447
7	Town or City State ZipCode
· 8	
9	₹ 1
10	box(es)):
11	Deed Deed
	☐ Court Order
12	Other Document.
13	by which the change in ownership was accomplished.
14	4. The undersigned acknowledges that any person or entity who files a Notice of
15	Change of Ownership of Water Right using this form is ultimately responsible for the accuracy
16	of this filing. Consequently, the undersigned acknowledges that any person or entity who files
17	
18	· · · · · · · · · · · · · · · · · · ·
19	* This notice shall be sent to the following two persons:
20	Linda Lea Sharer, Chief Deputy Clerk
21	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301
22	Reno, NV 89501
23	<u>And</u>
24	Susan L. Schneider
	United States Department of Justice P.O. Box 756
25	Littleton, CO 80160
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r.	
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Cas	3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Pag such a notice, but retains such water rights, shall nevertheless, be bound by the results of this	e 72 of 31
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4	Executed this 5th day of August 2004.	
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7	xtroat lizabeth Bou	
8	[signature of counter-defendant]	
9	Risa Elizabeth Boyle	
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. 11	[name of counter-defendant]	
12		
13	[signature, if applicable, of person acting on behalf of counter-defendant]	
14	behalf of counter-defendant,	
15		
16	[name, if applicable, of person acting on	
17	behalf of counter-defendant]	
18		<u> </u>
19		
20	[address]	
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22	[telephone number]	
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28	NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3	

478

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 73 of 31

APN 14-321-04 and 14-321-05 Order No. TSL-25524

RECORD REQUESTED BY
Title Service & Escrow Co.

LYEN COUNTY, NEV.

03 SEP 24 PH 12: 32

MARY C. MILLIGAN COUNTY RECORDER

FEE 16 DEP. DW

SPACE ABOVE FOR RECORDER'S USE ONLY

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

This Deed of Trust, made this 19 day of SEPTEMBER 2003 , between DAVID LITTLE, JR. and BONNIE LITTLE, husband and wife as Joint Tenants with the Right of Survivorship, herein called TRUSTOR, whose address is 350 DENSMORE LANE, YERINGTON, NV 89447 TITLE SERVICE AND ESCROW COMPANY, a corporation, herein called TRUSTEE, and JANICE E. BANTA, Trustee of "The Raymond E. Tamagni and Janice E. Tamagni Family Trust, Survivor's Trust, " as to an undivided 1/4 interest, as to Parcel 1 and JANICE E. BANTA, Trustee of "The Raymond E. Tamagni and Janice E. Tamagni Family Trust, Deceased's Trust," as to an undivided 1/4 interest, as to Parcel 1 and JANICE E. BANTA, Trustee of "The Raymond E. Tamagni and Janice E. Tamagni Family Trust, Survivor's Trust," as to an undivided 7/24ths interest, as to Parcel 2 and JANICE E. BANTA, Trustee of "The Raymond E. Tamagni and Janice E. Tamagni Family Trust, Deceased's Trust, " as to an undivided 7/24ths interest as to Parcel 2, and REGINA RAE WEST, as to an undivided 1/8 interest in Parcel 1 and an undivided 5/48 interest in Parcel 2, ELVA RENEE MENESINI, as to an undivided 1/8 interest in Parcel 1 and an undivided 5/48 interest in Parcel 2, RISA ELIZABETH BOYLE, as to an undivided 1/8 interest in Parcel 1 and an undivided 5/48 interest in Parcel 2 and MARY ROSEANNE ELLIOTT, as to an undivided 1/8 interest in Parcel 1 and an undivided 5/48 interest in Parcel 2, herein called BENEFICIARY, whose address is P.O. BOX 693, YERINGTON, NV 89447.

, Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 74 of 31

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS, AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Lyon County, Nevada, described as:

Parcel 1:

Township 14 North, Range 26 East, M.D.B.&M.,

The SE 1/4 and the East 1/2 of the SW 1/4 of Section 20.

The West 1/2 of the SW 1/4 of Section 21.

The NE 1/4 and the East 1/2 of the NW 1/4 of Section 29.

Parcel 2:

Township 14 North, Range 26 East, M.D.B.&M.,

The East 1/2 and the East 1/2 of the West 1/2 of Section 21.

The West 1/2 of the West 1/2 of Section 22.

TOGETHER WITH the rents, issues and profits thereof, reserving the right to collect and use the same except during continuance of some default hereunder and during continuance of such default authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party hereto.

Trustor agrees that Trustor shall not assign or transfer this Deed of Trust, the Promissory Note secured hereby, or any obligation or interest hereunder or the property, or any part thereof, which is described in this Deed of Trust, without written consent of Beneficiary. Any attempted Assignment or Transfer by Trustor in violation of the foregoing provision may, at Beneficiary's option, be deemed a default by the Trustor, and Beneficiary may pursue such remedy or remedies as may be available to it for such a material breach.

FOR THE PURPOSE OF SECURING: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of \$700,000.00 executed by Trustor in favor of Beneficiary or order. 3. Payment of such additional sums as may hereafter be advanced for the account of Trustor or Assigns by Beneficiary with interest thereon.

TO PROTECT THE SECURITY OF THIS DEED OF TRUST, TRUSTOR AGREES: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (16) inclusive of the Deed

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 75 of 31

of Trust recorded in the Book and at the page, or Document No. of Official Records in the Office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:

Lyon, OCT. 30, 1997, as No. 211663 Mineral, NOV. 4, 1997, in Book 173, pages 267 - 269 as No. 11785

(which provisions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provision; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.

The parties agree that with respect to provision 16, the amount of fire insurance required by covenant 2 shall be reasonable and with respect to attorneys' fees provided for by covenant 7 the percentage shall be reasonable.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

STATE OF NEVADA

SS.

COUNTY OF LYON

On SEPTEMBER 19, 2003 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), DAVID LITTLE, JR. and BONNIE LITTLE, who acknowledged to me that they executed the within instrument.

STEPHANIE L. JACKSON Notary Public - State of Nevada Appointmen, despreed in Lyon County

No: 97-3155-19 - Capires August 25, 2005

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 76 of 31

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.
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5. I (or the entity on whose behalf I am acting) will ret	ain all defenses or objections to the lawsui
or to the jurisdiction or venue of the Court except for objection	ns based on a defeat in the Notice in Lieu o
Summons or in the service of the Notice in Lieu of Summons.	_ /

Date: 7-1-64

Signature 1 1 5 Boas

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _______(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 lotice 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 77 of 31

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 78 of 31

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- 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.
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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.

Date: 7-1-04

Signature (

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: ____ (Title)

(Corporate, Trust, Partnership or other entity)

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

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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.

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 79 of 31 Attorney: Address: Phone Number: Fax Number: (Signature) Olivia UBozs (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 80 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 10-7-04	Signature Signature	
John Brackett 2804 Dominici Dr. Fremont, CA 94536-2552	Printed/Typed Name If you are acting on behalf of any entity, identify that you acting as: (Title)	ou are of
	(Corporate, Trust, Partnership or other entity)	

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

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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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 81 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 1004

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 83 of 31

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16		behalf you are appearing)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 85 of 31

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or to the jurisdiction or venue of the Court	except for objections based on a defect in the Notice in Lieu o	·
Summons or in the service of the Notice in	Lieu of Summons	1
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,	Claneuce Brethoven	
	Printed/Typed Name	
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	acting as: of	
	(Title)	
	(Corporate, Trust, Partnership or other entity)	
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 86 of 31

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Date: Signature

Signature

Printed/Typed Name

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(Title)

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 87 of 31

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

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- 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.

Date: July 22 2004

Tom J Bronn's Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 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 he 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 rought 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 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 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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 88 of 31

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.
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- 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.
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- 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.

Date: 11 720 04

Signature Property Tours

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: <u>Trustee</u> of

Samuel P. Brönneke Family Trust

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 mmons 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 laintiff (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 ar 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 en 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 vice 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 tice 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 otice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 89 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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- 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.
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- 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.

Date: <u>8-9-2004</u>	Signature Signature Beverly E. Brown Printed/Typed Name If you are acting on behalf of any entity, identify that acting as: (Title)	it you are
w e	(Corporate, Trust, Partnership or other entity)	

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

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notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 90 of 31

1 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk 14 United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 4 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number: 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 8:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 91 of 31

	4	
1	Attorney:	
2		
3	Address:	
4		
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6	Phone Number:	
7	Fax Number:	
8		Benerly E. Brown
. 9		(Signature)
10		
11		Bererly E. Brown (Printed or typed Name)
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		100, Boy 167 Yoren g Ton, YW, 89447
18		(Address)
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20	•	(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 92 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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Date: S-/5-04

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

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

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 93 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: <u>\$ -15-0</u> 4	Signature ROSS BROWN	
	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

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 94 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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Date: 7/15/04

Signature

Robert E Bryan

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

| President of (Title) | Vernon F Bryan Inc. |

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

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 96 of 31

1	Attorney:	
2		
3	Address:	
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6	Phone Number:	
7	Fax Number:	D le Les
8		Robert Byon
.9		(Signature)
10		
11		Robert E Bryan
12		(Printed or typed Name)
13	·	
14		Vernon F Bryan Inc
15		(Entity, if any, on whose behalf you are appearing)
16		539 Lower Colony Rd Wellington NV 89444
17		
18		· (Address) - 775 465 2207
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 97 of 31

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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Date: $8/2/04$	Signature Seseph Burchell 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

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons. I'am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 25 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, 26 27 telephone number, and facsimile number: 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 99 of 31

1	Attomey:	
2		
3	Address:	• .
. 4	_	
5	·	
6	Phone Number:	
7	Fax Number:	
8	Sec. ,	Joseph Junhell
9		(Signature)
10		
11		JOSEPH BURCHETT
12	- La - C	(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		P.O. Box 288
17	9	Wellington, DK B9444
18		(Address) 1 775-465-2507
19	ather were the second of the s	(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 100 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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- 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.

Date: 6 7 / 0 4	But Bach Signature	
, ,	Brett Alec Busch	
	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 he 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 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 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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 101 of 3

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.
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- 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.

Date: Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 he 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 prought 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 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 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 notice of appearance and intent to participate.

1 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., 10 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 22 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. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 27 telephone number, and facsimile number: 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 103 of 3

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
. 7	Fax Number:	
8		Jack & Short
.9		(Signature)
10		$A = \sum_{i=1}^{n} A_i$
11		Jack E Bush
12		(Printed or typed Name)
13	·	
14		
15		(Entity, if any, on whose behalf you are appearing)
16		99 US HWY 95 A North
17		Gerington NY 89447
18		(Address) (175) 463-4567
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 104 of 3

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.
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- 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.

Date: July 9-04

Signature
RICHARD NI FULSTONE

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

Of

(Title)

(C. S. AS. Co., I.c.

(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 he 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 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 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 notice of appearance and intent to participate.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA, 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 15 400 South Virginia Street, Suite 301 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 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 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 27 telephone number, and facsimile number: 28

Case 3	:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 10
1	Attorney: Wordbun i Wedge Address: Livo Neil Ra Suife Soo
	Grandhus i Wedse
3	Address:
4	6100 Neil Ra Just Soo
5	Reno. NU 89511
6	
7	Phone Number: 775 - 688 -3000 Fax Number:
8	- Richard Myslaton
.9	(Signature)
10	Bichard N. Fu/Shone, Me C.E.A.S. Co., Inc.
11	C.E.A.S. Co., Inc.
12	(Printed or typed Name)
13	
14	
15	(Entity, if any, on whose
16	behalf you are appearing)
17	Smith NU 8943c
18	(Address)
19	(Telephone number)
20	
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28

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 107 of 3

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.
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- 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.

Date: 11-12-04

Lura Balje

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>Trustee</u> of

Charles S. & Lura Batjer Caldwell Trust

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 rumons 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 aintiff (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 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 aght 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 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 Lord 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 of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 108 of 3

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.
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- 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.

Date: JUNE 29, 2004	Signature 216 JOHNSON
	Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as:president for
	(Title) CALVEST ASSOCIATES
	(Corporate, Trust, Partnership or other entity)

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

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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 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 Leu 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.

1		
2	FOR THE DISTRICT OF	
3	UNITED STATES OF AMERICA,	
4	Plaintiff,	
5 6	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
7	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
	vs.	
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,	
10	NOTICE OF APPEARANCE AND INTE	NT TO PARTICIPATE
11		
12	1. I hereby enter my appearance in this sub-pr	_
13	2. I am filing this document with the District	Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16 17	3. In the envelope provided for return of my \	Waiver of Service of Notice in Lieu o:
18.	Summons, I am mailing a copy of this document to:	
19	Susan L. Schneider Attorney for the United States of America	
20	United States Department of Justice Environment & Natural Resources Division	1
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting)	will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court ex	ccept for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of the N	Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting)	have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, al	ong with his or her mailing address,
7	telephone number, and facsimile number:	
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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 110 of 3

1	Attorney:	
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3	Address:	
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6	Phone Number:	
7	Fax Number:	
8		108
9		(Signature)
10		7 T
11		Ric Johnson
12		(Printed or typed Name)
13		Carvest Associates
14		
15		(Entity, if any, on whose behalf you are appearing)
16		1295 ie7th Street
17		Emeryville (A 94608
18		(Address) <u>5106557305</u> ↓206
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 111 of 3

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.
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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.

Date: 1/10/04

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: __Trustee___ of

N. I. O.N. G. I. U.D. II. T. .

Nolan & Nancy Cantrall Family Trust Agreement

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

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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 of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 112 of 3

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

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Trustee

(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.

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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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 114 of 3

1	Attorney:	
2		
3	Address:	
4		
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6	Phone Number:	
7	Fax Number:	
8		
9		(Signature)
10		$\Omega \rightarrow C \Omega$
11		Robert S. Capumo
12		(Printed or typed Name)
13		(Printed or typed Name) Trustee for The Lauce E. Caporro Trust
14		
15		(Entity, if any, on whose behalf you are appearing)
16		455 Sunry Side Dr.
17		Reus, N. 87503
18		(Address) / 775 - 747-4208
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 115 of 3

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 Living Summons

Date: 7-29-04

Signatur*of*

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTEES

_____ of

(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 ummons 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 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 e 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 rought 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 tice 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 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 notice of appearance and intent to participate.

EXHIBIT 57

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 117 of 3

	1	
1	Attorney:	
2	2	
3	Address:	
4	1	
5	5	
6	Phone Number:	
7	Fax Number:	20/
8		Janna M. Aur
9		(Signature)
10		Robert S. Capurro
11		Swanne M. Caporro
12		(Printed or typed Name)
13		Robert S. & Suzame W.
14		Caporro Family Trust
15		(Entity, if any, on whose / behalf you are appearing),
16		455 Sunneside D.
17		
18		775-747-4208
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		
27		

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 118 of 3

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.

Date: 6/28/04

Paul X. Carlin

Signature
Paul K. Carlin

Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as:

(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 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 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 notice of appearance and intent to participate.

EXHIBIT 58

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. 2	IN THE UNITED STATE FOR THE DISTRIC			
3	UNITED STATES OF AMERICA,)		
4	Plaintiff,)		
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
7	vs.)		
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))		
10	NOTICE OF APPEARANCE AND	INTENT TO PARTICIPATE		
11				
12	1. I hereby enter my appearance in thi			
13	_	District Court at the following address:		
14	Chief Deputy Clerk United States District Court for the			
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16	·	-6 Waissa -68i6N-4i i- 1 i-s -6		
17		of my Waiver of Service of Notice in Lieu of		
18	Summons, I am mailing a copy of this document to: Susan L. Schneider			
19	Attorney for the United States of America			
20	United States Department of Justice Environment & Natural Resources Division			
21	P.O. Box 756 Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am	acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the	court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am	acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney be	elow, along with his or her mailing address,		
27	telephone number, and facsimile number:			
28				

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 120 of 3

1	Attomey: DA
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	Paul X Pauli
9	(Signature)
10	
11	Paul K. Carlin
12	(Printed or typed Name)
13	
14	
15	(Entity, if any, on whose
16	behalf you are appearing) 33 Mackey te land
17	Yerington, NV 8944)
18	(Address) (725) 463-5375
19	$\frac{(7/5)463-5375}{(\text{Telephone number})}$
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 121 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.

Date: 28 June 2004	Shelly Carh	Shelly Carh		
Date: 28 JUNE 2004	Signature Shelley Carlin Printed/Typed Name			
	If you are acting on behalf of any entity, identify that you acting as:			
	(Title)	_ of		
	(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 unumons 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 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 e 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 The 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 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 eu 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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 122 of 3

1				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA,)			
4	Plaintiff,)		
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
7	vs.)		
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))		
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE		
11	I hereby enter my appearance in this sub	-proceeding in this case.		
12	2. I am filing this document with the Distri	ct Court at the following address:		
14	Chief Deputy Clerk United States District Court for the District of Nevada			
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of		
17	Summons. I am mailing a copy of this document to:			
18	Susan L. Schneider Attorney for the United States of America			
19	United States Of America United States Department of Justice Environment & Natural Resources Division			
20	Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160			
21	,	ng) will retain all defenses or chiestions		
22	4. I (or the entity on whose behalf I am acti			
	to the lawsuit or to the jurisdiction or venue of the court	•		
	in the Notice in Lieu of Summons or in the service of th			
25	5. If I (or the entity on whose behalf I am actir			
11	me in these proceedings, I identify that attorney below,	, along with his or her mailing address,		
	telephone number, and facsimile number:			
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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 123 of 3

	Attomey:		
			•
	Address:		
	-		
	Phone Number:		
	Fax Number:		(
i 			Shelley Carker
			(Signature)
			Shelley Carlin
			(Printed or typed Name)
			(Entity, if any, on whose
			behalf you are appearing)
			(Address)
			(Telephone number)
			•
		Fax Number:	Address: Phone Number: Fax Number:

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 124 of 3

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.

Date: 8/4/04

Signature

Ron Mac Bound

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Attender of

(Title)

Carpenger Living Third

(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 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 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 125 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.
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- 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.

Date: 8/4/04

KON WHE DONALD OSBA 67083

Row WAL DOWNER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: ATTOLIKY of

(Title)

LUC (RAPSWER NEVALULLC

(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 ummons 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 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 e cost of such service unless good cause be shown for its failure to sign and return the waiver.

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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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 126 of 3

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.

Date: 10/28/04

Signature

Elizabeth K. Carras CO

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(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.

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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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 127 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.
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- 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.

Date: 6/16/04 If you are acting on behalf of any entity, identify that you are acting as: (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 ummons 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 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 e cost of such service unless good cause be shown for its failure to sign and return the waiver.

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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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 128 of 3

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.

	The state of the s
Date: 6/16/04_	Signature Signature JUDITH A. CEFALU Printed/Typed Name
	i imea i ypea Maine
	If you are acting on behalf of any entity, identify that you are acting as:
w.	(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 dummons 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 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 ne 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 rought 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 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 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 notice of appearance and intent to participate.

EXHIBIT 64

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 129 of 3

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.
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- 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.
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- 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.

Date: As a Signature

Signature

Signature

Shoda Shiches Tev

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 130 of 3

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.
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- 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.

Date: 10/3/04

Signature

Signature

The Control of the Start 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 warve 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 131 of 3

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.
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- 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 lawsui
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.

Date: 6/8/02/

Signature Tin

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: OWNEC 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.

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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.

EXHIBIT 67

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 132 of 3

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.
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- 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.

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Date: 10/17/04	Signature CHRISTOF	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	u 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.

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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.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu c 3. Summons. I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objection 4. 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec-23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 25 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen me in these proceedings. I identify that attorney below, along with his or her mailing address 26 27 telephone number, and facsimile number: 28

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 134 of 3

1	Attorney:	
2		
3	Address:	•
4		
5		
6	Phone Number:	
7	Fax Number:	44
8		3 tx/
9		(Signature)
10		
11		BRIAN CHRISTON
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		
18		(Address) - 775-465-2385
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 135 of 3

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.
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Date: 10/4/04

Signature

Park.cia D clark

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 136 of 3

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.
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Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: OUNER of

(Title)

CARK Franily TRUST

(Corporate, Trust, Partnership or other entity)

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

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number: 27 28

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 138 of 3

1	Attorney:	
2		
3	Address:	
4	-	
5	·	
6	Phone Number:	
7	Fax Number:	10 0011-
8		allegh Our
9		(Signature)
10		Alex A CLARK
11		(Printed or typed Name)
12		(Timed of typed Name)
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16	·	
17		(Address)
18		775-463-2090
19		(Telephone number)
20		
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26		·
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 139 of 3

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.
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Date: 6-21-2004	Donald a. Cliff Signature DONALD A. CLIFF	-
	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 the 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 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.

EXHIBIT 71

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 vs. 8 WALKER RIVER IRRIGATION DISTRICT. 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. 25 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, 26 telephone number, and facsimile number: 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 141 of 3

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number: Donald G. Cliff
8	Donald G. Cup
9	(Signature)
10	
11	POHALO A. CLIFF
12	(Printed or typed Name)
13	
14	
15	(Entity, if any, on whose
15 16	behalf you are appearing)
	behalf you are appearing) 5545 FRANKTOWN ROAD
16 17	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address)
16 17 18	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address) (775) 882-1214
16 17 18 19	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address)
16 17 18 19 20	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address) (775) 882-1214
16 17 18 19 20 21	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address) (775) 882-1214
16 17 18 19 20	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address) (775) 882-1214
16 17 18 19 20 21	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address) (775) 882-1214
16 17 18 19 20 21	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address) (775) 882-1214
16 17 18 19 20 21 22 23	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address) (775) 882-1214
16 17 18 19 20 21 22 23 24	behalf you are appearing) 5545 FRANKTOWN ROAD WASHOW VALLEY, NV 89704 (Address) (775) 882-1214

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 142 of 3

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.

1 .	norman & loly	
Date: 6/21/04	Signature NORHAN E. CUFF	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify the	hat 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 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.

EXHIBIT 72

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 143 of 3

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,)		
4	Plaintiff,)		
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125		
6) Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
7)		
8	VS.))		
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)		
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	 I hereby enter my appearance in this sub-proceeding in this case. 		
12			
13	2. I am filing this document with the District Court at the following address:		
14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
17	Summons, I am mailing a copy of this document to:		
18	Susan L. Schneider		
19	Attorney for the United States of America United States Department of Justice		
20	Environment & Natural Resources Division P.O. Box 756		
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
28			

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 8:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 144 of 3

1	Attomey:	•
2		
3	Address:	
4		· · · · · · · · · · · · · · · · · · ·
5		
6	Phone Number:	
7	Fax Number:	m a linil
8		norman & Cliff
و		(Signature)
10		
11		NORMAN E. CLIFF
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
		behalf you are appearing)
16		5545 FRANKTOWN ROAT
17		WASHOE VALLEY, NV 89704
18	·	(Address) (775) 882-1214
19		(Telephone number)
20		(Telephone number)
21		
22		
23		
24		
25		
26	•	

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 145 of 3

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.

Date: June 12, 2004

Total Langhston

ROBERT J. COMPSTON

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: ___

CUSTEE

(Title)

COMPSTON JOINT REVOCABLE INTERVIVOS TRUST

(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 ht 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.



Case 3:73-cv-00127-MMD-GSD Document 498 Filed 12/17/2004 Page 146 of 3

1	+ · · · · · · · · · · · · · · · · · · ·	
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT 4 AHII: 26 F NEVADA LANCE S. MILSON CLERK
3	UNITED STATES OF AMERICA,	BY
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7) vs.	
8	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,	
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11	 I hereby enter my appearance in this sub- 	proceeding in this case.
12	2. I am filing this document with the Distric	ct Court at the following address:
13	Chief Deputy Clerk United States District Court for the	
14 15	District of Nevada 400 South Virginia Street, Suite 301	
	Reno, Nevada 89501	
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of
17	Summons. I am mailing a copy of this document to:	
18	Susan L. Schneider Attorney for the United States of America	ea.
19	United States Department of Justice Environment & Natural Resources Divis	
20	P.O. Box 756 Littleton, Colorado 80160	
21	in a whose hehalf I am acti	ng) will retain all defenses or objections
22	to the lawsuit or to the jurisdiction or venue of the cour	
23		
24	in the Notice in Lieu of Summons or in the service of th	
25	5. If I (or the entity on whose behalf I am actin	
2.6	me in these proceedings, I identify that attorney below	, along with his or her manning address,
27	telephone number, and facsimile number:	•
28		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 147 of 3

1	Attorney:	
2	Gordon H. DePaoli Dale E. Ferguson	
3	Address: Woodburn and Wedge	· ·
4	P.O. Box 2311 Reno, NV 89505	
5		
6	Phone Number: 775/688–3000	
7	Fax Number: 775/688-3088	11-41/11-1
8		Moderly Completion
9		(Signature)
10		DODEDT I COMBETON TRUCTE
11		ROBERT J. COMPSTON, TRUSTEE
12		(Printed or typed Name)
13		COMPSTON JOINT REVOCABLE INTERVIVOS TRUST
14		(Entity, if any, on whose
15		behalf you are appearing)
16		P.O. Box 9
17		Smith, NV 89430
18		(Address)
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		
27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 148 of 3

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.

Date: 6/16/04

Signature

1ETER CONGDONS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(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 that 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 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.

EXHIBIT 74

•	- ∥		
:	2	IN THE UNITED STATES FOR THE DISTRICT	
-		STATES OF AMERICA,)
4	1	Plaintiff,	
5		RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125
Έ	5	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.	·)
9	WALKER	RIVER IRRIGATION DISTRICT,	
10	 	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	11		
12		I hereby enter my appearance in this su	-
13	2.	I am filing this document with the Distr	rict Court at the following address:
14		Chief Deputy Clerk United States District Court for the	
15		District of Nevada 400 South Virginia Street, Suite 301	×
16		Reno, Nevada 89501	
17	3.		ny Waiver of Service of Notice in Lieu of
18	Summons.	I am mailing a copy of this document to:	
19		Susan L. Schneider Attorney for the United States of Ameri	√ ca
20		United States Department of Justice Environment & Natural Resources Division	
21		P.O. Box 756 Littleton, Colorado 80160	
22	4.	I (or the entity on whose behalf I am acti	ing) will retain all defenses or objections
23	to the lawsu	it or to the jurisdiction or venue of the cour	t except for objections based on a defect
24	in the Notice	e in Lieu of Summons or in the service of th	ne Notice in Lieu of Summons.
25	5.	If I (or the entity on whose behalf I am actin	ng) have retained an attorney to represent
26	me in these	proceedings, I identify that attorney below,	, along with his or her mailing address,
27	telephone nu	imber, and facsimile number:	
28			
	NOTICE	OF APPEARANCE AND INTENT TO PARTIC	CIPATE, page 1 of 2

Case \$:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 150 of 3 Attorney: GORDON DePAOLI DALE FERGUSON WOODBORN & WEDGE Address: 6100 Neil ROAD, SUITE 500 Reno, NV. 89511 Phone Number: Fax Number: (Signature) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 151 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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
- 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.

Date: 19-04	Signature	
	Printed Translation	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you acting as:	
	(Title)	of
	(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 ammons 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 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 e 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 ought 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 otice 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 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 iotice of appearance and intent to participate.

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,)	
4	Plaintiff,		
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125	
6	· ·) SUBFILE NO. C-125-B	
7)	
8	VS.)	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)	
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE	
11	1. I hereby enter my appearance in this su	h-proceeding in this case	
12	2. I am filing this document with the Dist		
13		rict Court at the following address:	
14	Chief Deputy Clerk United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16 17	3. In the envelope provided for return of r	ny Waiver of Service of Notice in Lieu o	
18	Summons, I am mailing a copy of this document to:		
19	Susan L. Schneider Attorney for the United States of Amer	ica	
20	United States Department of Justice Environment & Natural Resources Divi	sion	
21	P.O. Box 756 Littleton, Colorado 80160	•	
22	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the cou	rt except for objections based on a defect	
24	in the Notice in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am acti	ng) have retained an attorney to represent	
26	me in these proceedings, I identify that attorney below	, along with his or her mailing address,	
7	telephone number, and facsimile number:		
8			
- 1			

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 153 of 3 Attorney: Gordon De Proli Dale Ferguson Woodborn & Wenge 400 NEIL ROSD, SUITE 500 Address: RENO, NV. 89511 Phone Number: Fax Number: (Signature) (Printed or typed Name)

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 154 of 3

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.

Date: 7-22-04	Signature Gary A. Cook	-
	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 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 L. 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.

EXHIBIT 76

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA,)
4	Plaintiff,
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6) Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.
8	j
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	
12	1. I hereby enter my appearance in this sub-proceeding in this case.
13	2. I am filing this document with the District Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:
18	Susan L. Schneider
19	Attorney for the United States of America United States Department of Justice
20	Environment & Natural Resources Division P.O. Box 756
21	Littleton, Colorado 80160
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,
27	telephone number, and facsimile number:
28	

Case 8:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 156 of 3

1	Attomey:	
2		
3	Address:	
4		
5		
6	Phone Number:	•
7	Fax Number:	
8		Dany Cook
9		(Signature)
10		
11		Gary A. Cook
12		(Printed or typed Name)
13		
14		Self
15		(Entity, if any, on whose
16		behalf you are appearing) 30 Green Acres lane
17		yerington, No 89447
18		(Address)
19	·	775 463 2439 (Telephone number)
20		· ·
21		
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 157 of 3

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.
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- 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.

	Magant R Cook	
Date: // &4 04	Signature Margaret R. Ook	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify th	at 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 prought 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 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 f 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.

EXHIBIT 77

. 1		
2	IN THE UNITED STATES D	DISTRICT COURT
3	FOR THE DISTRICT O	
•	UNITED STATES OF AMERICA,)
4 5	Plaintiff,)
	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.))
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11.	I. I hereby enter my appearance in this sub-	n-proceeding in this case
12	2. I am filing this document with the Distr	•
1,3		ict Court at the following address.
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16		ny Waiver of Service of Notice in Lieu of
17	Summons. I am mailing a copy of this document to:	y waiver of betwice of Notice in Lieu of
18	· · ·	
19	Susan L. Schneider Attorney for the United States of Americ	ca
20	United States Department of Justice Environment & Natural Resources Divis	sion
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acti	ing) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cour	t except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of th	ne Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am actin	ng) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	, along with his or her mailing address,
27	telephone number, and facsimile number:	
28		

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 159 of 3

1		Attorney:	
2			
3		Address:	
4			
5			
6		Phone Number:	
7		Fax Number:	M. WAR
8 9			(Signature)
10			
11			MARGARET R. COOK.
12		•	(Printed or typed Name)
13			
14			
15			(Entity, if any, on whose
16			behalf you are appearing) 30 Green ACRES
17			yerington NV8444)
18			(Address) 775 463-2439.
19			(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 160 of 3

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.

Date: 8 / 6 /04	Signature OHN COOPER	
	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 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 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.

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,)	
4	Plaintiff,		
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7	vs.)	
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,) }	
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE	
11			
12	1. I hereby enter my appearance in this sul		
13	 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 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 		
14			
15			
16 17			
18	Summons. I am mailing a copy of this document to:		
19	Susan L. Schneider Attorney for the United States of Americ	ca	
20	United States Department of Justice Environment & Natural Resources Division		
21	P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections	
23	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	5. If I (or the entity on whose behalf I am actin	ng) have retained an attorney to represent	
6	me in these proceedings, I identify that attorney below,	along with his or her mailing address,	
7	telephone number. and facsimile number:		
8			

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 162 of 3

1	Attomey:	·
2		
3	Address:	
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6	Phone Number:	
7	Fax Number:	
8		John Caxor
9		(Signature)
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11		JOHN COPER
12		(Printed or typed Name)
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14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		19519 26-11/16 Rd Oaksala (2-95361-920)
18		(Address)
L9		209-605-1216 (Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 163 of 3

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.

Date: 1/9/04/
Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 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 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.

EXHIBIT 79

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,)		
4	Plaintiff,)		
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125		
6) Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
7	vs.)		
8)		
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)		
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	I hereby enter my appearance in this sub-proceeding in this case.		
12			
1,3	2. I am filing this document with the District Court at the following address: Chief Deputy Clerk		
14	United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
17	Summons. I am mailing a copy of this document to:		
18	Susan L. Schneider		
19	Attorney for the United States of America United States Department of Justice		
20	Environment & Natural Resources Division P.O. Box 756		
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
28			

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 165 of 3

1	Attorney:	
. 2		
3	Address:	· · ·
4		
5		
6	Phone Number:	
7	Fax Number:	O(1/2)
8		Solar Com
9		(Signature)
10		2 2
11		Robert Copa
12	·	(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing) 984 Huy 208
17		16RINATON NV 89447
18		(Address)
19		<u>463-3040</u> (Telephone number)
20		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 166 of 3

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.
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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.

Date: 6-30-04

ames P. Costa

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: <u>Teneral Partner</u> of

(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.

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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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 167 of 3

ast			iniciti 400 i lica 12/11/2004 i agi
1	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
2	2 Challet 16 FM		67 JUL 16 FM 3: 40
3	UNITED ST	TATES OF AMERICA,	LANCES WILSON
4		Plaintiff,	5Y
5	 WALKER I	RIVER PAIUTE TRIBE,)) IN EQUITY NO. C-125-ECR
6		Plaintiff-Intervenor,)) SUBFILE NO. C-125-B
7		V.)
8		,) }
9	WALKER I a corporatio	RIVER IRRIGATION DISTRICT, on, et al.,))
10		Defendants.))
11	AME	NDED NOTICE OF APPEARAN) ICE AND INTENT TO PARTICIPATE
12	1.	I hereby enter my appearance in	
13	2.		ne District Court at the following address:
14		Chief Deputy Clerk	
15		United States District Court for t 400 South Virginia Street, Suite	
16		Reno, Nevada 89501	401
17	3.	In the envelope provided for retu	ırn of my Waiver of Service of Notice in Lieu of
18	Summons, I	am mailing a copy of this documen	t to:
20		Susan L. Schneider	2. marian
21		Attorney for the United States of United States Department of Just	rice
22		Environment & Natural Resource P.O. Box 756	es Division
23		Littleton, Colorado 80160	
24	4.	I (or the entity on whose behalf I	am acting) will retain all defenses or objections
25	to the lawsui	it or to the jurisdiction or venue of t	he court except for objections based on a defect
26	in the Notice	e in Lieu of Summons or in the servi	ice of the Notice in Lieu of Summons.
27	5. If I (or the entity on whose behalf I am acting) have retained an attorney to		half I am acting) have retained an attorney to
28	represent me	e in these proceedings, I identify that	nt attorney below, along with his or her mailing
	address, tele-	phone number and facsimile numbe	r.

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 168 of 3

1	Attorney:	Gordon H. DePaoli, Dale E. Ferguson
2 3	Address:	Woodburn and Wedge P.O. Box 2311 Reno, NV 89505
4		Relio, IVV 69303
5	Phone Numbe	er: 775/688-3000
6	Fax Number:	775/688-3088
7	Dated this <u>/4</u>	day of July, 2004.
8		James G. Costa
10		(Signature)
11		I D. Conto
12		<u>James P. Costa</u> (Printed or typed name)
13		
14		Costa Ranch, L.P.
15		(Entity, if any, on whose behalf you are appearing)
16		
17		7 Marlette Dr.
18 19		Carson City, NV 89703
20		(Address)
21		775/882-5691 (Telephone number)
22		
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 169 of 3

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.

Signature

Date: <u>6964</u>

Drint ad/Tarand Na

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(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 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 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 170 of 3

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.

Date: <u>6 - 16 - 04</u>	Signature Sill Crandall	
•	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	vou 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 he 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 prought 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 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 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 notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 171 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

- "O: 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.

Date:	Signature
	Fred Crosby Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are acting as: One 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 or long and 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 the finant 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.

EXHIBIT 83

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 172 of 3

1	IN THE UNITED STATES DISTRICT COURT		er FILED	
2		FOR THE DISTRICT OF NEVADA 04 JUN 30 PM 3: 1		
3	UNITED ST	TATES OF AMERICA,	1	LANCE S. WILSON CLERK
4) Plaintiff,)) 	DEPUTY
5	WALKER F) RIVER PAIUTE TRIBE,	IN EQUITY NO. C-1	125-ECR
6) Plaintiff-Intervenor,	SUBFILE NO. C-12:	5-B
7		v.)) 	
8		·,	i	
9	WALKER I	RIVER IRRIGATION DISTRICT,) n, et al.,) }	:
10	:	Defendants.)	• •	
11		NOTICE OF APPEARANCE AN	ND INTENT TO PAR'	ГІСІРАТЕ
12				
13	1.	I hereby enter my appearance in t		
14	2.	I am filing this document with the	e District Court at the to	ollowing address:
15 16	Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 401 Reno, Nevada 89501			
17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu			vice of Notice in Lieu of
18	Summons, I	am mailing a copy of this documen	t to:	
19		Susan L. Schneider		
20	} 	Attorney for the United States of		,
21		United States Department of Just Environment & Natural Resource		
22		P.O. Box 756 Littleton, Colorado 80160		
23			om acting) will retain a	Il defences or objections
24	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection			
25	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect			
26	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
27	5.	If I (or the entity on whose bel	nalf I am acting) have	retained an attorney to
28	represent me	in these proceedings, I identify that	it attorney below, along	with his or her mailing
	address, telephone number and facsimile number. NOTICE OF APPEARANCE AND INTENT TO PARTICHPATE, page 1 of 2			

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 173 of 3

i	Attorney:	Gordon H. DePaoli, D	ale E. Ferguson
3	Address:	Woodburn and Wedge P.O. Box 2311 Reno, NV 89505	
4			
5	Phone Numbe	er: 775/688-3000	
6	Fax Number:	775/688-3088	
7	Dated this	day of June, 2004.	
8			Lett. hoby
10			(Signature)
11			- 10 1
12	·		Fred Crosby (Printed or typed name)
13			
14			
15 16			(Entity, if any, on whose behalf you are appearing)
17			Sutcliff Star Route
18			Reno, NV 89510
19			(Address)
20			(Telephone number)
21			
22			
23			
1			
25			
26			
27			
28			

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 174 of 3 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

O: 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.

Date: fine 28, 2004

Judy Crosby

Signature

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 or less 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 ght 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.

EXHIBIT 84

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 175 of 3 IN THE UNITED STATES DISTRICT COURT i FOR THE DISTRICT OF NEVADA 04 JUN 30 PM B: 10 2 3 **UNITED STATES OF AMERICA,** 4 Plaintiff, 5 IN EQUITY NO. C-125-ECR WALKER RIVER PAIUTE TRIBE. 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 8 WALKER RIVER IRRIGATION DISTRICT.) 9 a corporation, et al., 10 Defendants. 11 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 12 I hereby enter my appearance in this sub-proceeding in this case. 1. 13 I am filing this document with the District Court at the following address: 2. 14 Chief Deputy Clerk 15 United States District Court for the District of Nevada 400 South Virginia Street, Suite 401 16 Reno, Nevada 89501 17 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 18 Summons, I am mailing a copy of this document to: 19 Susan L. Schneider 20 Attorney for the United States of America United States Department of Justice 21 Environment & Natural Resources Division P.O. Box 756 22 Littleton, Colorado 80160 23 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 24 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 25 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 26 If I (or the entity on whose behalf I am acting) have retained an attorney to 5. 27 represent me in these proceedings, I identify that attorney below, along with his or her mailing 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

address, telephone number and facsimile number.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 176 of 3

1	Attorney:	Gordon H. DePaoli, D	Pale E. Ferguson
2	Address:	Woodburn and Wedge P.O. Box 2311	· •
4		Reno, NV 89505	
5	Phone Numbe	er: 775/688-3000	
6	Fax Number:	775/688-3088	
7	Dated this	day of June, 2004.	
8			
9			(Signature)
10			
11			Judy Crosby
12 13			(Printed or typed name)
14			
15			(Entity, if any, on whose behalf you are appearing)
16			(Entity, if any, on whose behalf you are appearing)
17			
18			Sutcliff Star Route
19			Reno, NV 89510 (Address)
20			
21	·		(Telephone number)
22			
23			
24			
25			
26			
27			
28			

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 177 of 3

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	e behalf I am actin	g) will retain all	l defenses or ob	jections to the la	wsuit
or to the jurisd	iction or venue of th	ne Court except for	r objections bas	ed on a defect i	n the Notice in L	ieu of
Summons or in	the service of the N	Notice in Lieu of S	ummans of	,		

Date: 6/28/04

Signature

BRENT Wat S

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTEE of

(Title).

CURTIS FAMILY TRUST

(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 heavight 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 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 178 of 3

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.

Date: 10/17/04

Signàture

DUANA LOMPA

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: managing member of

(Title) D+SLILLC

(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.

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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.

EXHIBIT 86

1						
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA					
3	UNITED STATES OF AMERICA,)					
4	Plaintiff,)				
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125				
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B				
7	vs.))				
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))				
10	NOTICE OF APPEARANCE AND IN	FENT TO PARTICIPATE				
11	I hereby enter my appearance in this sub-	o-proceeding in this case.				
12	2. I am filing this document with the Distr	ict Court at the following address:				
13	Chief Deputy Clerk					
14	United States District Court for the District of Nevada					
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501					
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lie					
17	Summons, I am mailing a copy of this document to:					
18	Susan L. Schneider					
19	Attorney for the United States of Ameri United States Department of Justice					
20	Environment & Natural Resources Divi P.O. Box 756	sion				
21	Littleton, Colorado 80160					
22	-4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objections				
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect					
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.					
25	5. If I (or the entity on whose behalf I am acti	ng) have retained an attorney to represent				
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,					
27	telephone number, and facsimile number:					
28						
	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2				

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 180 of 3

1	Attorney:	
2		
3	Address:	
4	-	
5		
6	Phone Number:	
7	Fax Number:	Λ
8		Luana Tompa
9		(Signature) member
10		
11		DUANA LOMPA
12		(Printed or typed Name) member
13		
14		DASLILLC
15		(Entity, if any, on whose behalf you are appearing)
16		1840 E. 5 ⁴⁴ St.
17		Carson Crty, NV 89701 (Address)
18		(Address) (725) 882 - 6048
19		(Telephone number)
20		
21		
22		
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24		
25		
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27		
- 11		

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 181 of 3

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:

Date: 6-7-04

GARRY E. MAJIS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: OWNER

YE & DIANNE M FAMILY TRUCT (Corporate, Trust, Partnership or other entity)

(Title)

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 : 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 . 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.

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.

Date: 7-29-64

Signature

Suspinnell J. Jameser

Signature

Suspinnell J. Deliamber

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 ummons 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 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 e cost of such service unless good cause be shown for its failure to sign and return the waiver.

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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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 183 of 3

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.
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- 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.
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- 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.

Date: 06/16/04	Signature CYNTHIA L. DIEKWANNS	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	ou 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 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 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 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 notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 184 of 3 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.
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- 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.

Date: 11-5-04

Signature

rinted/Typed Name

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: <u>Trustee</u> of

Diekmann Trust Agreement dated 11/29/91

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 mmons 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 laintiff (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 cost of such service unless good cause be shown for its failure to sign and return the waiver.

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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 of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 185 of 3

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.

Date: 8-9-04

Signature

DANIEL E. DINNEEN TRUS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: DINIEL E. DINNEEN TRUSTER 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 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 ne 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 rought 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 lotice 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 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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 186 of 3

1			
2	FOR THE DISTRICT OF NEVADA		
.3	UNITED STATES OF AMERICA,		
4 5	Plaintiff,		
6	WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125		
	Plaintiff-Intervenor, SUBFILE NO. C-125-B		
7	vs.		
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,		
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	1. I hereby enter my appearance in this sub-proceeding in this case		
12	appearance in this bas proceeding in this case.		
13	2. I am filing this document with the District Court at the following address:		
14	Chief Deputy Clerk United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16 17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
18	Summons, I am mailing a copy of this document to:		
19	Susan L. Schneider Attornev for the United States of America		
20 i	United States Department of Justice Environment & Natural Resources Division		
21	P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
2,5	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
28			
- {			

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 8:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 187 of 3

1	Attorney:	
2		
3	Address:	
4		
5		•
6	Phone Number:	
7	Fax Number:	
8		Daniel E. Dinner, TRUTTEE
9		(Signature)
10		
11		DANIEL F. DINNEEN, TRUSTEE
12		(Printed or typed Name)
13		DANIEL E. DINNEEN, TRUSTER DINNEEN FAMILY 1997 TRUST
14		DINNEEN FAMILY 1997 TRUST
15		(Entity, if any, on whose
16		behalf you are appearing) P. o. Bok 1104
17		YERINSTON NV. 89447
18		(Address)
19		775-463-3921 (Telephone number)
20		• •
21		DATE 08-09-04
22		
23	•	
24		
25		
26		
27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 188 of 3

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.

Date: 6-14-2004

Signatur 0

George N. Benesch

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Attorney for

(Title) Lona M. Domenici

(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.

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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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 190 of 3

1		Attorney:	George N. Benesch
2	!		
3		Address:	9432 Double R Blvd., Suite B
4	∦ .		Reno, NV 89521
5		•	
6		Phone Number:	775-827-3100
. 7		Fax Number:	775-827-3020
8		•	Just and
9			(Signature)
10		•	
11			George N. Benesch
12			(Printed or typed Name)
13			
14			Lona M. Domenici
15			(Entity, if any, on whose
16			behalf you are appearing)
17			
18	·		(Address)
19			(Telephone number)
20			(reseptione number)
21	. •		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 191 of 3

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.
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- 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.
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- 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.

Date: 8/23/04	Signature Debra Traper Douglas Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y acting as: (Title)	ou are of
	(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.

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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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 192 of 3

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

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 193 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.

Date: 1/1/04	Signature TOAN F. DREYER Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you acting as: (Title)	ou are of
	(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 he 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 rought 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 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 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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 194 of 3

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.
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parmitted of the the convice of the monet	e in Lieu of Summons.	
Date: 7/1/04	Signature ROLAND DREYER	
·	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you ar	e
	acting as:o	f
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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

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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.

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 195 of 3

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.
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Date: 10-5-04

Signature

70/AL Dykes

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Lykin family timet of (Title)

(Corporate, Trust, Partnership or other entity)

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

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Case 3: 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 196 of 3

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED ST	ATES OF AMERICA.)
4		Plaintiff.))
5	WAIKERR	IVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	WALKER	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7		Flammit-likervenot,)
8	VS.		}
9	WALKER R a corporation	IVER IRRIGATION DISTRICT, 1. et al.,))
10		NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	1.	I hereby enter my appearance in this sub	p-proceeding in this case.
12	2.	I am filing this document with the Distri	ict Court at the following address:
13		Chief Deputy Clerk	
14	United States District Court for the District of Nevada		
15		400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3.	In the envelope provided for return of m	ny Waiver of Service of Notice in Lieu ϵ
17	Summons. I am mailing a copy of this document to:		
13		Susan L. Schneider	<u>.</u> -
19 20		Attorney for the United States of American United States Department of Justice Environment & Natural Resources Division.	
ĺ		P.O. Box 756 Littleton, Colorado 80160	
21			' 'Ilin all defenses on chiestion
22	4.	I (or the entity on whose behalf I am act	
23		t or to the jurisdiction or venue of the cou	
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
-26	me in these proceedings, I identify that attorney below, along with his or her mailing address		
27	telephone nu	mber, and facsimile number:	
28			
	NOTICE	OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 197 of 3 Attorney: Address: Phone Number: Fax Number: 3 da L'Aykra tunti (Signature) ZUIAL DYKES (Printed or typed Name) Wykin family Trust (Entity, if any, on whose behalf you are appearing) yggw Goldfield our yeus-ton ni 89447 (Address) 775 463-2949 (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 198 of 3

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.
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- 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.

Date: Aug 13. 3004

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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

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

Т			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,)	
4	Plaintiff,))	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7	vs.		
· 8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	·))	
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
11			
12	I hereby enter my appearance in this sub	-proceeding in this case.	
13	2. I am filing this document with the Distri	ct Court at the following address:	
14	Chief Deputy Clerk United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16 17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
18	Summons. I am mailing a copy of this document to:		
	Susan L. Schneider		
19 20	Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division		
21	P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below,	along with his or her mailing address,	
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	CIPATE, page 1 of 2	

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 200 of 3

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	.2
8		Joine Cofa
9		(Signature)
10		
11		JOAN C. EATON
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing) P.D. Box 609
17		Running Springs, CA.
18		(Address) 92382
		909-867-9525
19 20	·	(Telephone number)
- 1		
21		
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27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 201 of 3

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.
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- 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.
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Date: Aug 13, 3204

Signature

| Kenneth A Entan |
| 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.

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EXHIBIT 99

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 203 of 3

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		Kenneth A Coston
, 9		(Signature)
10		<i>1)</i>
11.		KENNETH A EATEN
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		P.O. Box 609
17		RUNNING SPRINGS CA
18		(Address) 92382 959-867-9535
19		(Telephone number)
20		•
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11	ii	

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 204 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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EXHIBIT 100

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 205 of 3

1				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF A	MERICA,) }	
4	Plaintiff,	• • • • • • • • • • • • • • • • • • •	,))	
5	WALKER RIVER PAIU	TE TRIBE,) IN EQUITY NO. C-125	
6	Plaintiff-L	ntervenor,	SUBFILE NO. C-125-B	
7	vs.		,	
8	WALKER RIVER IRRIG	GATION DISTRICT,))) .	
10		F APPEARANCE AND IN	TENT TO PARTICIPATE	
11	1. I hereby e	enter my appearance in this su	b-proceeding in this case.	
1.2	2. I am filin	g this document with the Dist	rict Court at the following address:	
13	Chief Deputy Clerk			
14	United States District Court for the District of Nevada			
15	400 South Reno, Ne	h Virginia Street, Suite 301 wada 89501		
16	3. In the env	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
17	Summons, I am mailing a copy of this document to:			
18	Susan L.	Schneider		
19	United St	for the United States of Americates Department of Justice nent & Natural Resources Div		
20 21	P.O. Box			
22	11		cting) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent			
26	11		ow, along with his or her mailing address,	
27	telephone number, and	facsimile number:		
28				
	NOTICE OF APPEA	ARANCE AND INTENT TO PAR	TICIPATE, page 1 of 2	

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 206 of 3

1	Attorney:	
2		
3	Address:	
4		·
5		
6	Phone Number:	
7	Fax Number:	Juningo. Chrhait
8 9		(Signature)
10		JANICE O. FHRHART
11		(Printed or typed Name)
12	`	
1.3		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		
17		(Address)
18		
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 207 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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- 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.

Date 6-4-224

Signature

Thomas A- Ehrhart

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 209 of 3

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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 FILED

04 JUL -2 PH 2: 41

LANCE S. WILSON

OFFUTY

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT

VS.

WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants.

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

ase 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 211 of 3

	li .	
1	3. Attached to or included with this notice is a copy of the (check appropriate box(es)):	
2	■ Deed	
3	☐ Court Order	
4	☐ Other Document	
5	4. The undersigned acknowledges that any person or entity who files a Notice of Change	
6	of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing.	
7	Consequently, the undersigned acknowledges that any person or entity who files such a notice, but	
8	retains such water rights, shall nevertheless, be bound by the results of this litigation	
9	∂	
10	DATED: This day of July, 2003.	
11	HAMILTON & McMAHON, LTD.	
12	The state of the s	
3 13	By: WWW. / / W.C. THOMAS MIRCZAK, ESQ.	
14	Attorneys for Defendant	
15	ELAINE EISENHAUER	
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 212 of 3

1	CERTIFICATE OF SERVICE		
2	Pursuant to N.R.C.P. 5(b), I hereby certify that I am an employee of Hamilton & McMahon,		
3	Ltd., and that on the And day of July, 2004, I served a true and correct copy of the foregoing		
4	NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT by:		
5	X Depositing for mailing, in a sealed enveloped, U.S. Postage prepaid, at Reno, Nevada		
6	Personal Delivery		
7	Facsimile		
8	Federal Express/Airborne Express/Other Overnight Delivery		
9	Hand Delivery		
10	addressed as follows:		
11	Susan L. Schneider United States Department of justice		
12	P.O. Box 756 Littleton, CO 80160		
13			
14	DATED this 2nd day of July, 2004		
15			
16	Muly Jugarden		
17	MARTHA E SPIRINGMANN		
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EXHIBIT A

Case No. PE 6087 Dept. No. I

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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

DISTRIBUTEE'S RECEIPT

KATHERINE FRANCES EISENHAUER, Deceased,

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

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29 DAY OF MI 2008 BY CLAINE GUSTON HAVEN



Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 215 of 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 Att Mate of Um, 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: Jarya Dewine

SE SE

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 216 of 3

STATE OF NEVADA)
COUNTY OF LYON)
On the 24th day of 1, 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.

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

382

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., MDR&M., and running tence 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 SEL 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 SEL of Sec. 11 a distance of 2389.31 feet more or less to the northeast corner of the said SEL; thence 2nd course south along the east line of said SEL 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; thence north along the east line of the Green Acres Subdivision; Containing 36.20 acres, more or less.

unto the Grantess, their heirs and assigns forever.

TOCETHER 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 NEVIDA) SS.

On this 26th day of December, 1963 personally appeared before me a Notary Public, in and for the above county, DEMENICHINA SCIARANI, known to me to be the person described in and who executed the forego my 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 Boal) 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 G. Sanford Dec. 30, 1963 at 25 min. past 9 a.m.

Jas. F. Barton, County Recorder

By Mary med anfan Deputy

FILE NO. 87803

EN

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 218 of 3

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

TO HAVE AND TO HOLD the said premises, together with the amountenances, unto the said parties of the second part, as joint temants and not as temants in common, and to the servivor thereof, and to the heirs and as I ms of such survivor forever.

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

Francic J. Collington Mildred Coldington

STATE OF NEVADA,

SS.

COUNTY OF IYON.

On this 19th day of January, 1964 personally appeared before me, the underlighed a Nothry Public in and for the said County of Leon, Francis J. Coddington and Eildred Coddington, hurband 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 Luon, State of Neva a.

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

10189 423 Ho189 423

Jan. F. Barton, County Recorder

By (iniu/ Self

Deruty

FILE NC. 87970 -

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

WITNESSETH: For and in consideration of the love and affection for the Crantees, the Grantor nereby 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, nore 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.39°53'44"E:, 589.59 feet to a 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.39°53'44"E:, 589.59 feet to a 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.39°53'44"E:, 589.59 feet to a 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.39°53'44"E:, 589.59 feet to a 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.39°53'44"E:, 589.59 feet to a section 11, T 13 N, R 25 E., MDB&M., and running thence N.27°51'05"E 1481'85 feet; thence N.39°53'44"E:, 589.59 feet to a section 11, T 13 N, R 25 E., MDB&M., and running thence N.27°51'05"E 1481'85 feet; thence N.39°53'44"E:, 589.59 feet to a section 11, T 13 N, R 25 E., MDB&M., and running thence N.27°51'05"E 1481'85 feet; thence N.39°53'44"E:, 589.59 feet to a section 11, T 13 N, R 25 E., MDB&M., and running thence N.27°51'05"E 1481'85 feet; thence N.39°53'44"E:, 589.59 feet to a section 11, T 13 N, R 25 E., MDB&M., and running thence N.27°51'05"E 1481'85 feet; thence N.39°53'44"E:, 589.59 feet to a section 11, T 13 N, R 25 E., MDB&M., and R 25

point on the north line of the SE2 of Section II 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 2339.31 feet more or less to the east line of the said SE2 of Section II; thence 2nd course south along the east line of the said SE2 of Section II a distance of 660 feet more or less to the southeast corner of the N2 of SE2 of Section II; thence 3rd course west along the south line of the N2 of SE2 of Section II a distance of 2349.31 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.

TOCETHER 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 appurtemnces, unto the Grantees, share and share alike, their heirs and assigns forever.

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

Domenichina Sciarani

STATE OF NEVADA,

COUNTY OF WASHOE

On this 20th day of January, 1963, before me a Notary Public in and for said County and State, personally appeared DCMENICHINA 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, S. ate 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 22 report (infang Depu

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 Lvon, 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 sala Townsite on file with the County Recorder of Lyon County, Nevada. 278702

Qase 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 220 of 3 FILED 1 HAMILTON & McMAHON, LTD. 04 JUL -2 PM 2:41 Thomas Mirczak, Esq. 2 Nevada State Bar #2126 3 577 California Avenue Reno, Nevada 89504 Telephone: 775-348-2700 Attorneys for Counter-Defendant ELAINE EISENHAUER 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF NEVADA 8 UNITED STATES OF AMERICA, In Equity No. C-125-ECR Plaintiff, Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT VS. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants. 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: Elaine Eisenhauer 115 14th Street, #302 Santa Monica, California 90403 2. The name and address of each person or entity who acquired ownership Twin Properties LLC

20 North Mountain View

Yerington, NV 89447

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(775) 348-2745

PFICE BOX 40638

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 221 of 3

1	3. Attached t	o or included with this notice is a copy of the (check appropriate box(es)):
2		Deed
3		Court Order
4		Other Document
5	4. The unders	signed acknowledges that any person or entity who files a Notice of Change
6	of Ownership of Water R	right using this form is ultimately responsible for the accuracy of this filing.
7	Consequently, the undersi	igned acknowledges that any person or entity who files such a notice, but
8	i _	shall nevertheless, be bound by the results of this litigation
9	DATED: This <u>2</u>	day of July, 2004 HAMILTON & McMAHON, LTD.
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11		By: Hows Myd
12		THOMAS MIRCZAK, ESQ.
13		Attorneys for Defendant ELAINE EISENHAUER
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 222 of 3

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Pursuant to N.R.C.P. 5(b), I hereby certify that I am an employee of Hamilton & McMahon,			
Ltd., and that on the 2 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

.21

ALLFUNNIA AVE.
)FFICE BOX 40538
....NO, NV 89504-4638
(775) 348-2700 FAX (775) 348-2745

EXHIBIT A

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 224 of 3

CONTRACT FOR THE SALE OF LAND

THIS AGREEMENT is made on the ___ day of April, 2003, by and among LELA S. TERRY, ELVETIA S. MIRCZAK, and ELAINE EISENHAUER, (hereinafter referred to as "Sellers"), and TWIN PROPERTIES, LLC, (hereinafter referred to as "Purchaser").

RECITALS

Sellers are the owners of the lot or parcel of real property situated in Lyon County, Nevada, and more particularly described in Exhibit "A" attached hereto and made a part hereof.

The real property consists of agricultural acreage abutting Tucker Lane in Yerington, Lyon County, Nevada.

Sellers desire to sell and Purchaser desires to buy property for the purchase price and on the terms and conditions set forth below.

IN CONSIDERATION of the mutual and reciprocal promises of the parties, the parties agree:

SECTION ONE

PURCHASE PRICE AND TERMS OF PAYMENT

The purchase price for the property is One Hundred Seventy-Five Thousand Dollars (\$175,000.00), which shall be paid as follows:

- By cash on the signing of this Agreement, receipt of which is acknowledged by Sellers: Forty Thousand Dollars (\$40,000.00);
- By payment in equal monthly installments from May 15, 2003, of One Thousand Two Hundred Dollars (\$1,200.00), or more, including interest, commencing on the 15th day of May, 2003. Interest: Five and Three Quarters percent (5 3/4%) per year;
- Additional cash balloon payment of Ninety Seven Thousand One Hundred Eighteen Dollars and Fifty Cents (\$97,118.50), due on May 15, 2008;
- By Purchaser's payment of all real property taxes due and accruing after April 15, 2003; and
- All payments shall be made payable to the Thomas Mirczak, Esq., Land Trust Account. Any payment received more than fifteen (15) days after the due date (15th day of each month) is subject to a Fifty-One Dollar (\$51.00) late fee.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 225 of 3

SECTION TWO

TITLE

Title to property to be conveyed by Sellers shall be good and marketable title, clear of all liens, encumbrances, defects, and burdens.

Title as required by this Agreement shall be evidenced by a Quitclaim Deed.

Sellers shall convey title either individually, or through Thomas Mirczak, Esq., on May 15, 2008, providing all payments as described in Section One above have been made by Purchaser and cleared through Sellers' bank.

SECTION THREE

COSTS

The following costs shall be borne equally by the parties: None.

The following costs shall be paid by the Sellers: None.

The following costs shall be paid by Purchaser:

Recording of this Contract, title insurance, and liability insurance.

The following costs shall be prorated to the date of closing: None.

SECTION FOUR

INSURANCE

Risk of loss or damage to property by fire, storm, burglary, vandalism, or other casualty, and risk of loss to persons, between the date of this Agreement and the transfer of title on May 15, 2008, shall be and is assumed by Purchaser. No such loss or damage shall void this Agreement.

SECTION FIVE

TRANSFER OF PROPERTY

Sellers shall transfer possession and use of the property upon execution of this Agreement.

Property shall be transferred to Purchaser, as provided in this Agreement, "As Is."

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 226 of 3

SECTION SIX

TIME OF ESSENCE; CLOSING

Time is expressly declared to be of the essence of this Agreement. The Agreement shall be executed on or before the 15th day of April, 2003, or such other date as the parties may in writing agree. Each party shall fully perform all the party's obligations under this Agreement at such times as to insure that the closing and transfer of Title occurs on May 15, 2008.

SECTION SEVEN

REMEDIES OF PARTIES

- 1. If Purchaser fails or refuses to comply with the conditions assumed by Purchaser, or to perform all of Purchaser's obligations under this Agreement, Sellers may at Sellers' option: (a) hold and retain the initial deposit money and any additional funds paid or deposited by Purchaser, as liquidated damages for breach of this Agreement, and rescind and terminate the Agreement, whereupon all rights and obligations under the Agreement shall cease and determine; or (b) enforce this Agreement by appropriate action, including an action for specific performance, or for damages for breach, and retain all monies paid or deposited by Purchaser pending the determination of the action. Sellers shall give Purchaser written notice of election with respect to Sellers' exercise of either of these options.
- 2. If Sellers fail or refuse to perform Sellers' obligations under this Agreement, including the furnishing of good title and transfer of possession, Purchaser may either: (a) rescind the Agreement and recover all deposits and other amounts paid by Purchaser under this Agreement, and all expenses paid or incurred by Purchaser; or (b) pursue any remedy available to Purchaser, in law or equity, including an action to compel specific performance of this Agreement, or one for damages for breach, separately or alternatively.

SECTION EIGHT

WATER RIGHTS

The transfer and conveyance of property shall include all Sellers' water rights appurtenant to the herein described real property. Sellers will assist Purchaser to the most reasonable extent possible by executing any necessary documents relating to the sale of water rights in a particular year prior to the transfer of Title.

Case 3:73-cy-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 227 of 3

SECTION NINE

TAXES

Purchaser shall assume responsibility for payment of all land taxes applicable to the subject property. Purchaser shall record this Contract in Lyon County, Nevada, and shall provide Sellers with a file-stamped copy of said recorded Contract.

SECTION TEN

ASSIGNMENT; MODIFICATION; ENTIRE AGREEMENT OF PARTIES EXPRESSED

No right or interest of Purchaser under this Agreement shall be assigned without the prior written consent of Sellers, which consent shall not be unreasonably withheld.

No modification of this Agreement shall be valid or binding unless such modification is in writing, duly dated and signed by both parties.

This instrument constitutes the entire Agreement between the parties. Neither party shall be bound by any terms, conditions, statements, or representations, oral or written, not contained in this Agreement. Each party acknowledges that in executing this Agreement the party has not been induced, persuaded, or motivated by any promise or representation made by the other party, unless expressly set forth in this Agreement. All previous negotiations, statements, and preliminary instruments by the parties or their representatives are merged in this instrument.

SECTION ELEVEN

NOTICE

All notice required by this Agreement shall be in writing and shall be served on the parties at their addresses, as indicated below, or on their attorneys at their business addresses. The mailing of a notice by registered or certified mail, return receipt requested, shall serve as sufficient notice. Notices may also be served by personal delivery, by mail-o-gram, telegram, or by the use of a facsimile machine with proof of transmission and a copy of the notice with proof of transmission being sent by regular mail on the date of transmission.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 228 of 3

SECTION TWELVE

SIGNATURE AND EFFECTIVE DATE

This instrument shall not be effective as an Agreement until duly signed by both parties. The date of execution and the effective date of the Agreement is the date first above set forth. The date of signature by each party is the date set forth unless otherwise indicated after the party's signature.

IN WITNESS OF THE ABOVE, the parties have executed this instrument, in duplicate, on the 15th day of April, 2003.

Lela S. Terry

(Seller)

ELVETIA S. MIRCZAK

(Seller)

ELAINE EISENHAUER

(Seller)

Address of Sellers:

c/o Thomas Mirczak 2581 Range View Lane Reno, Nevada 89509 JOAN SCIARANI-BLAKE TWIN PROPERTIES, LLC (Member)

BARBARA SCIARANI TWIN PROPERTIES, LLC (Member)

Address of Purchaser

c/o Joan Sciarani-Blake 20 North Mountain View Yerington, Nevada 89447

EXHIBIT A

THIS DEAD appropried this 26th day of December, 1963 by and bothcon December Belleraul, bespinatest inferred to as the grantor, and ELVINA MINUTAL, LEIA TEAM AND NATHABLES RISTISHAUES, chare and chare elike, hereinsfter referred to no the grantees,

A WITHDESSEINE For and in consideration of the love and affection for the grantees, the granter hereby grants and conveys the real property situate in the county of Lyon, State of Mevala, more particularly described as follows:

Storting at the SM corner of Section 11, T. 13 K., R. 25 E., MDMM., and running tence W. 50-02-479 B. 2077.41 feet; thence N. 27-51+05 B., 1481.85 feet; thence N. 89-53-44 mg., 589.59 fact to a point on the north line of the SEL 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 lat course east along the north line of the said SE, of SEc. 11 a distance of 2369.31 feet pore or less to the northeast corner of the said SEt; thence 2nd course south along the east link of said SEL a distance of 660 feet; thence 3rd course west at right angles a distance of 2389. 1 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, pore or less.

unto the Grantees, their heirs and assigns forever.

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

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

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

STATE OF NEVIDA

COUNTY OF WASHOE

on this 26th day of December, 1963 personally appeared before me a Notary Public, in and for the above county, ECMENICHINA SCIARANI, known to me to be the person described in and who executed the forego ng instrument, who acknowledged to me that she executed the same freely and volugarily ; 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

Deputy پر

FILE NO. 67803

THIS INDERTURE made this 26th day of December, 1963 between JULIA S. PRAY, MARY KATHRINE ESTES AND RUTH MARGARST PRAY, parties of the first part, grantors, and JAMES R. JOHNSON AND ELAINS POFMSON, his wife and MARCO BOSCOVICH AND JEANNE ROSCOVICH, his wife, pareles of the second

year IN WI THESS in this instrument , स्टाइसम the first above written. parties O.F. the first part have hereumto ថe t their hands; eqt.

STATE F) NE VADA

> Francis Mildred Coddingt

COUNTY OF LYON,

ф Д Public this 19th i n and for day of the January, sald County of Lyon, Francis 1964 personally permedda_ before me, e ith undersigned Mota

husband a nd wife, both personally known to mе to ь ө the same person described Coddington Ħ. and W.D.

J. Goddington

and

Mildred

exécuted the foregring instrument, who acknowledged to me that they executed the sa me,

and voluntarily and for the sėsn and pur poses therein mentioned.

Notarial commission expires Seal May 1,1965

Recorded

at

request

Walter Whitacre, Notary Public in County of Lyon, State and for of Neva ் ஹ்

the

0 Francis Goddington Jan. 22, 1964 at 30 min. pa st N

ปัลธ. F. Barton, County Recorder

FILE NO. 87970

hereinafter THIS DEED EXECUTED this 20th day O.F. January, 1964 by and between DOMENICHINA "SCIARANI

snare and share referred alike, ct O hereinafter က က the Grantor, referred and Ċ ELVIZIA MIRCZAK, LENA ខ្ល the Grantees, TERRY AND KATHARINE

forever, the here by WITNESSETH: grants following For and conveys and real H, consideration of unto property situate the Grantees, the in share love the and ω County of nd affection sha 3 Lyon, alike, Tor

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498 Fited 12/17/2004 fore or Pageoint **Pocument** 20 acres, south 04 Subdivision Subdivision; distance the line. S course Green to 皍 to morth t he F C, th e O. i O þ Acres the Na sout h thence true line 2389.31 distance southeast. less. along Subdivision; point O.F. south feet more the SEt O.F. the of corner SE# 660 0 along.the beginning; ea s6 Section ieet, thence 0 01 Section line less the Hore e ಷ ಬರ ٢ 4th О Нэ 본 thence ct O \mathfrak{w} line the 9 О. Нъ course the distance ယ less, SEL of nd pres from east O.f. ტ ტ north the. to SEA OF said ri en 0 line Section the Green . 2389.31 along true 0 point Section northeast 11; the Acres point the feet thence 0 said east Subdivisi beginning. O.F more ∞rner SE 十 ES ø beginning line 3rdവ istance 9 015 course 0,0 O.T. 0 H ⊨ e Section S മ Contai ct 0,5 he <u></u>18t di st he to **₹**0 St Gre £ and e cdurse feet llong 9

\$736cv-00127-MMO-CSD wes No HA TOGETHER in anywise HAVE and AND with profits TO appertaining TIOH thereof and wi th singular and the the reversion tenements, and hereditaments reversions, remainder മ nd appurtenances and remainders, thereunto 7 口 elonging Î,

WITNESS heirs and WHEREOF, assigns fore ver. all the appurtenances, unto the Grantees, share and sha re മ

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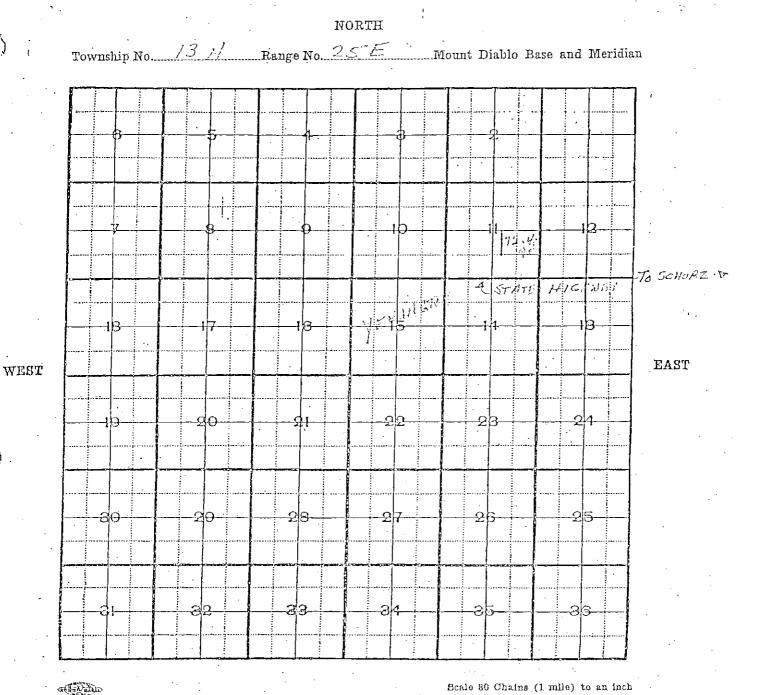
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 235 of 3



BOUTH

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

EXHIBIT 103

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 237 of 3 Henderson Town or City 89014 Nevada Siate ZipCode 2 2. The name and address of each person or entity who acquired ownership 3 David Little, Jr. and Bonnie Little, Husband and Wife 4 Name(s) 5 350 Densmore Lane Street or P.O. Box 6 Yerington, Nevada, 89447 7 Town or City State ZipCode 8 3. Attached to or included with this notice is a copy of the (check appropriate 9 box(es)): 10 닺 Deed 11 Court Order 12 Other Document. by which the change in ownership was accomplished. 13 The undersigned acknowledges that any person or entity who files a Notice of 14 Change of Ownership of Water Right using this form is ultimately responsible for the accuracy 15 of this filing. Consequently, the undersigned acknowledges that any person or entity who files 16 1-18 19 This notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 21 400 South Virginia Street, Suite 301 Reno, NV 89501 22 .And 23 Susan L. Schneider 24 United States Department of Justice P.O. Box 756 25 Littleton, CO 80160

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 2 of 3

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Cas	ase 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 238 of				
	such a notice, but retains such water rights, shall nevertheless, be bound by the results of this				
	litigation.				
	The state of the s				
:					
(IMany Daspara Phillips				
7	[signature of counter-defendant]				
. 8	(signature of counter-defendant)				
9					
10	Mary Roseanne Phillips (formerly Mary Roseanne Elliott				
11	(formerly Mary Roseanne Elliott [name of counter-defendant]				
12					
13	[signature, if applicable, of person acting on behalf of counter-defendant]				
14	behan of counter-defendants				
15					
. 16	[name, if applicable, of person acting on				
17	behalf of counter-defendant]				
18					
` 19					
20	[address]				
21					
22	[telephone number]				
23					
24					
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28	NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP Date 3 of 3				

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 239 of 3

] 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, 5 Plaintiff,) 6 In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor,) WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 ٧. DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT, a corporation, et al., 12 13 Defendants.) 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 240 of 3

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: Janice E. Banta, Trustee of the "Raymond E. Tamagni and Janice E. Tamagni Family Trust, Survivor's Trust" and the Name(s): "Raymond E. Tamagni and Janice E. Tamagni Family			
Trust, Decedent's Trust", Regina Rae West, Elva Renee Menesini,			
Risa Elizabeth Boyle, Mary Roseanne Elliott (now Mary Roseanne Phillips Street or P.O. Box: 903 Crowfoot Circle			
Street or P.O. Box: 903 Crowfoot Circle			
Town or City: Henderson			
State: Nevada			
Zip Code: 89014			
2. The name and address of each person or entity who acquired ownership			
Name(s):			
David Little, Jr. and Bonnie Little, Husband and Wife			
Street or P.O. Box: 350 Densmore Lane			
Town or Ciry: Yerington			
State: Nevada			
7:- 6-2-			
Zip Code: 89447			
,			

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

1 2 Attached to or included with this notice is a copy of the (check appropriate 3. 3 box(es)): 4 5 Deed 6 Court Order 7 Other Document. 8 9 by which the change in ownership was accomplished. 10 The undersigned acknowledges that any person or entity who files a Disclaimer 11 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, 12 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, 13 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of 14 this litigation. 15 16 Executed this 5th day of August 2004. 18 19 20 x Mary Roseanethelles 21 [signature of counter-defendant] 22 23 24 Mary Roseanne Philli 25 (formerly Mary Roseanne Elliott) 26 [name of counter-defendant] 2.7 28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 241 of 3

Case \$:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 242 of 3

[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]

214789

Case 3:73-cy-00127-MMD-CSD Document 498 File 12/17/2004 Page 243 of 3

APN 14-321-04 and 14-321-05 Order No. TSL-25524

RECORD REQUESTED BY
Title Service & Escrow Co.
03 SEP 24 PH I2: 32

HARY C. MILLIGAN COUNTY RECORDER

SPACE ABOVE FOR RECORDER'S USE ONLY

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

This Deed of Trust, made this 19 day of SEPTEMBER , between DAVID LITTLE, JR. and BONNIE LITTLE, husband and wife as Joint Tenants with the Right of Survivorship, herein called TRUSTOR, whose address is 350 DENSMORE LANE, YERINGTON, NV 89447 TITLE SERVICE AND ESCROW COMPANY, corporation, herein called TRUSTEE, and JANICE E. BANTA, Trustee of "The Raymond E. Tamagni and Janice E. Tamagni Family Trust, Survivor's Trust," as to an undivided 1/4 interest, as to Parcel 1 and JANICE E. BANTA, Trustee of "The Raymond E. Tamagni and Janice E. Tamagni Family Trust, Deceased's Trust, " as to an undivided 1/4 interest, as to Parcel 1 and JANICE E. BANTA, Trustee of "The Raymond E. Tamagni and Janice E. Tamagni Family Trust, Survivor's Trust, " as to an undivided 7/24ths interest, as to Parcel 2 and JANICE E. BANTA, Trustee of "The Raymond E. Tamagni and Janice E. Tamagni Family Trust, Deceased's Trust," as to an undivided 7/24ths interest as to Parcel 2, and REGINA RAE WEST, as to an undivided 1/8 interest in Parcel 1 and an undivided 5/48 interest in Parcel 2, ELVA RENEE MENESINI, as to an undivided 1/8 interest in Parcel 1 and an undivided 5/48 interest in Parcel 2, RISA ELIZABETH BOYLE, as to an undivided 1/8 interest in Parcel 1 and an undivided 5/48 interest in Parcel 2 and MARY ROSEANNE ELLIOTT, as to an undivided 1/8 interest in Parcel 1 and an undivided 5/48 interest in Parcel 2, herein called BENEFICIARY, whose address is P.O. BOX 693, YERINGTON, NV 89447.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 244 of 3

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS, AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Lyon County, Nevada, described as:

Parcel 1:

Township 14 North, Range 26 East, M.D.B.&M.,

The SE 1/4 and the East 1/2 of the SW 1/4 of Section 20.

The West 1/2 of the SW 1/4 of Section 21.

The NE 1/4 and the East 1/2 of the NW 1/4 of Section 29.

Parcel 2:

Township 14 North, Range 26 East, M.D.B.&M.,

The East 1/2 and the East 1/2 of the West 1/2 of Section 21.

The West 1/2 of the West 1/2 of Section 22.

TOGETHER WITH the rents, issues and profits thereof, reserving the right to collect and use the same except during continuance of some default hereunder and during continuance of such default authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party hereto.

Trustor agrees that Trustor shall not assign or transfer this Deed of Trust, the Promissory Note secured hereby, or any obligation or interest hereunder or the property, or any part thereof, which is described in this Deed of Trust, without written consent of Beneficiary. Any attempted Assignment or Transfer by Trustor in violation of the foregoing provision may, at Beneficiary's option, be deemed a default by the Trustor, and Beneficiary may pursue such remedy or remedies as may be available to it for such a material breach.

FOR THE PURPOSE OF SECURING: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of \$700,000.00 executed by Trustor in favor of Beneficiary or order. 3. Payment of such additional sums as may hereafter be advanced for the account of Trustor or Assigns by Beneficiary with interest thereon.

TO PROTECT THE SECURITY OF THIS DEED OF TRUST, TRUSTOR AGREES: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (16) inclusive of the Deed

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 245 of 3

of Trust recorded in the Book and at the page, or Document No. of Official Records in the Office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:

Lyon, OCT. 30, 1997, as No. 211663 Mineral, NOV. 4, 1997, in Book 173, pages 267 - 269 as No. 11785

(which provisions, identical in all counties, are printed on the reverse hereof) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provision; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.

The parties agree that with respect to provision 16, the amount of fire insurance required by covenant 2 shall be reasonable and with respect to attorneys' fees provided for by covenant 7 the percentage shall be reasonable.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

DAVID LITTLE, JR.

BONNIE LITTLE

STATE OF NEVADA).
) ss.
COUNTY OF LYON)

On SEPTEMBER 19, 2003 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), DAVID LITTLE, JR. and BONNIE LITTLE, who acknowledged to me that they executed the within instrument.

Notary Public

STEPHANIE L. JACKSON
Notary Public - State of Nevada
Appointment of price in Lyon County
No: 97-3155-12 - Cripites August 25, 2005

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 246 of 3

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.

	Deca Francis -	
Date: 16-18-64	Signature Sevice Elandi	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y	
	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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 247 of 3

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.
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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
Summans or in the service of the Notice in Lieu of Summans

Date: 11/1/3004

16 6/9-1

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(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.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 248 of 3

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.

Date: 7/19/04

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(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 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 249 of 3

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED S	STATES OF AMERICA,)
4		Plaintiff,)
5	WALKER	RIVER PAIUTE TRIBE,)) IN EQUITY NO. C-125
6		Plaintiff-Intervenor,)) SUBFILE NO. C-125-B
7		rammin-mai venor,) SUBFILE NO. C-125-B
8	WALKER a corporati	RIVER IRRIGATION DISTRICT, on, et al.,))))
10	77777	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	1.	I hereby enter my appearance in this sub	o-proceeding in this case
12	2.	I am filing this document with the Distri	
13	 	Chief Deputy Clerk	ter court at the following address.
14		United States District Court for the	
15		District of Nevada 400 South Virginia Street, Suite 301	
16		Reno, Nevada 89501	,
17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
18	Summons. I am mailing a copy of this document to:		
19		Susan L. Schneider Attorney for the United States of Americ	•
20		United States Department of Justice Environment & Natural Resources Divis	
21		P.O. Box 756	non
	4	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
8			
	NOTIC	E OF APPEARANCE AND INTENT TO PARTIC	CIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 250 of 3

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		Draw colt.
9		(Signature)
10		
11		(Jerardo Ovance listo
12		(Printed or typed Name)
1.3		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
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18		(Address)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 251 of 3

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.

Date: 7-19

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 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 of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 252 of 3

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,)	
4	Plaintiff,))	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7	vs.)	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))	
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	1. I hereby enter my appearance in this sub	p-proceeding in this case.	
12	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		
13			
14			
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu o		
17	Summons. I am mailing a copy of this document to:		
18	Susan L. Schneider Attorney for the United States of America		
19	Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division		
20 ° 21	P.O. Box 756 Littleton, Colorado 80160		
22		ting) will retain all defenses or objections	
23	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		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
28			
	I SECURED OF SPORTS STATE SAME TARRESON NO DADM'	TOTOMOR DOGA (OI /	

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 253 of 3

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3	Address:	
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6	Phone Number:	
7	Fax Number:	Chi Evenlat
. 8		Cha (vogit zh
9		(Signature)
10		
11		(Printed or typed Name)
12		(Printed or typed Name)
1.3		
14		(T)
15		(Entity, if any, on whose behalf you are appearing)
16		214 Artesia Rd.
17		Gellington AN
18		(Address) 53444
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 254 of 3

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.

Date: 6-23-04

Signature

Beverly J. Ewert

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>Co-Trustee</u>

(Title)

The Ewert Family 1995 Trust

(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 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 he 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 only 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 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 notice of appearance and intent to participate.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 256 of 3

	i			
1		Attorney:	MARVIN W. MURPHY,	, ESQ.
2			•	:
3		Address:	3740 Lakeside Dri Reno, NV 89509	ive, Suite 200
4			-	
5				
6		Phone Number:	775-348-5000	
7		Fax Number:	7.75-348-7370	\mathcal{A} $1 \rightarrow \mathcal{A}$
8				Jewerly Kowers
9				(Signature)
10				
11				Beverly J. Ewert, Trustee
12				(Printed or typed Name)
1.3				The French Family 1005
14				The Ewert Family 1995 Trust
15				(Entity, if any, on whose
16				behalf you are appearing)
				2345 Greensboro Drive
17				Reno, Nevada 89509
18				(Address)
19				775-825-9166
20				(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 257 of 3

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.
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- 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 lawsui
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu o
Summons or in the service of the Notice in Lieu of Summons.

Date: 6-23-04

Signature

<u> Lewis A. Ewert</u>

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Co-Trustee of

(Title)

The Ewert Family 1995 Trust

(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.

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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.

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 258 of 3

1		
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	NEVADA
3	UNITED STATES OF AMERICA,)	PH III
4	Plaintiff,	0
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	000111111100001111111111111111111111111
8	j j	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	
10	NOTICE OF APPEARANCE AND INTE	NT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-p	roceeding in this case.
12	2. I am filing this document with the District	
13		count at the following address.
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of my	Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of America United States Department of Justice	
20	Environment & Natural Resources Divisio P.O. Box 756	n
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting	g) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court e	except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of the	Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, a	long with his or her mailing address,
27	telephone number, and facsimile number:	
28		

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 259 of 3

	1			
1		Attorney: MA	RVIN W. MURPHY, E	ESQ.
2				:
3		Address: 37	40 Lakeside Drive no, NV 89509	e, Suite 200
4			-	
5				
6		Phone Number:	775-348-5000	
7		Fax Number:	775-348-7370	
8			_	Jews 4- livery
9				/(Signature)
10				
11				Lewis A. Ewert, Co-Trustee
12				(Printed or typed Name)
13 14				The Ewert Family 1995 Trust
15				(Entity, if any, on whose
16				behalf you are appearing) 2340 Greensboro Drive
17				Reno, NV 89509
18				(Address) 775-825-9166
19				(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 260 of 3

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.

Date: August 16, 2004

Signature

Louis S. Test

Printed/Typed Name

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

F. I. M.

(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 ght 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 one 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.

EXHIBIT 109

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 261 of 3

		FILED		
1		COURT AMII: 18		
2	IN THE UNITED STATES DISTRICT FOR THE DISTRICT OF NEVA			
3	15	DYOLERK		
4	li i	DEPUTY		
5	5	EOLETY NO. C 126		
6	6	EQUITY NO. C-125		
7	n i	BFILE NO. C-125-B		
8				
9	WALKER RIVER IRRIGATION DISTRICT, 9 a corporation, et al.,)			
10	NOTICE OF APPEARANCE AND INTENT TO	PARTICIPATE		
11	i l			
12				
13		the following address:		
14	1			
15	District of Nevada 400 South Virginia Street, Suite 301			
16	Reno, Nevada 89501			
17	3. XINKINEX BUX REPORT OF THE STATE OF THE S	\$&\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		
18	Sunnincuts: I am mailing a copy of this document to:			
19	Susan L. Schneider			
	United States Department of Justice			
20	Environment & Natural Resources Division P.O. Box 756 Littleton Colorade SON O			
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22	,	-		
23				
24	4 in the Notice in Lieu of Summons or in the service of the Notice ir	Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have ret	ained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with	h his or her mailing address,		
27	telephone number, and facsimile number:			
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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

se 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 262 of 3

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Louis S. Test, Esq. Attorney:

Nevada State Bar No. 435 HOFFMAN, TEST, GUINAN and COLLIER 429 West Plumb Lane

Address:

P. O. Box 187 Reno, Nevada 89504

Phone Number: (775) 322-4081

Fax Number: (775) 322-3841

(Signature)

Attorneys for Defendant, F.I.M. Corporation

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 263 of 3

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.

	Edwin F. Faria	
Date: 7-26-04	Signature Edwin F. FARIA	
	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 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 I 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.

EXHIBIT 110

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 265 of 3

Attorney: Address: Phone Number: Fax Number: (Signature) Edwin F. FARIA (Printed or typed Name) 1.3 (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 266 of 3

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.

7/21/44	Marty R. Jana	_
Date: 7/26/04	Signature MARTY L. Faria	
	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 ummons 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 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 ht 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 lotice 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 ieu 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 notice of appearance and intent to participate.

EXHIBIT 111

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 268 of 3

1	Attorney:	
2		
3	Address:	
4	·	
5		
6	Phone Number:	
7	Fax Number:	
8		Marty R. Jana
9		(Signature)
10		
11		Marty L. Faria
12		(Printed or typed Name)
1.3		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		benan you are appearing)
17		
18		(Address)
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		
27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 269 of 3

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.
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- 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.

Date: July 4, 2004	Signature Lawrence E. Fawcet Printed/Typed Name	
	If you are acting on behalf of any entity, identify acting as:	
	(Title)	of
	(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 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 he 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 if 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 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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 270 of 3

3				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA,)		
4	Plaintiff,			
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125		
6 7	Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
	vs.)		
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))		
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE		
11 12	1. I hereby enter my appearance in this su	ib-proceeding in this case.		
13	2. I am filing this document with the Dist	rrict Court at the following address:		
14	Chief Deputy Clerk United States District Court for the			
15	Reno, Nevada 89501			
16 17	3. In the envelope provided for return of r	ny Waiver of Service of Notice in Lieu of		
18				
19	I STATE OF THE STA			
20	United States Department of Justice Environment & Natural Resources Division			
21	P.O. Box 756 Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am act	ting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent			
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,			
Ħ	telephone number, and facsimile number:			
28				
-				

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 271 of 3

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		Saurence & Jawan
9		(Signature)
10		1
11		Lawrence E. Fawcett
12		(Printed or typed Name)
1.3		
14		
15	\ \	(Entity, if any, on whose
16	<i>\</i>	behalf you are appearing) 29 Canabell Lane
17		Yerington, Nevada 89447
18		(Address) 775-463-3756
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		
27		
- C		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 272 of 3 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.

Date: <u>June</u>	16, 2004	Peter A. Fanili Signature
		Peter A. Fenili Printed/Typed Name
	,	If you are acting on behalf of any entity, identify that you are acting as: Output O
	,	(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 no will be required to bear the cost of such service ····less 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 ight 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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 273 of 3

1	IN THE UNITED STAT FOR THE DISTR	ES DISTRICT COURT	
2	FOR THE DISTIC	04 JUN 30 PM 3: 09	
3	UNITED STATES OF AMERICA,	LANCE S. WILSON OLEAK	
4	Plaintiff,	DEPUTY DEPUTY	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125-ECR	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7 8	ν.		
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,		
10	Defendants.)	
11	NOTICE OF APPEARANCE A) ND INTENT TO PARTICIPATE	
12	1. I hereby enter my appearance in		
13 14	: L	e District Court at the following address:	
15 16	Chief Deputy Clerk United States District Court for t 400 South Virginia Street, Suite Reno, Nevada 89501	he District of Nevada 401	
17 18	 In the envelope provided for return 	nn of my Waiver of Service of Notice in Lieu of	
19	Summons, I am mailing a copy of this documer	et to:	
20	Susan L. Schneider Attorney for the United States of	America	
21	United States Department of Jus Environment & Natural Resource	tice	
22	P.O. Box 756		
23	Littleton, Colorado 80160	() will retain all defences or objections	
24	11	(ann acting) will retain all defenses or objections	
25	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.		
26	11		
27	 	half I am acting) have retained an attorney to	
28	represent me in these proceedings. I identify that attorney below, along with his or her mailing		
	address, telephone number and facsimile number. NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 274 of 3 Gordon H. DePaoli, Dale E. Ferguson Attorney: 1 Woodburn and Wedge 2 Address: P.O. Box 2311 3 Reno, NV 89505 4 775/688-3000 Phone Number: 5 775/688-3088 Fax Number: 6 Dated this 16th day of June, 2004. 7 8 9 10 11 Veronica Jean Fenili (Printed or typed name) 12 13 14 (Entity, if any, on whose behalf you are appearing) 15 16 17 P.O. Box <u>3</u> 18 Smith, NV 89430 (Address) 19 20 (Telephone number) 21 22 23 24 25 26 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 275 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

- O: 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 ay 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.

Date: June 16, 2004	Verenice Jerno Denele Signature
	Veronica Jean Fenili Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are acting as: (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 so 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.

EXHIBIT 114

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 276 of 3

1		IN THE UNITED STAT	TES DISTRICT COURT FILED
2		FOR THE DISTR	OF AND SEA STATE OF THE
3	UNITED ST	TATES OF AMERICA,	LANCE S. WILSON CLERK
4		Plaintiff,	BY
5	WALKER F	RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125-ECR
6		Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7		v.	
8	MAINED I	RIVER IRRIGATION DISTRICT,	
9	a corporatio		
10		Defendants.	
11		NOTICE OF APPEARANCE AT	ND INTENT TO PARTICIPATE
13	1.	I hereby enter my appearance in	this sub-proceeding in this case.
14	2.	I am filing this document with th	e District Court at the following address:
15 16		Chief Deputy Clerk United States District Court for t 400 South Virginia Street, Suite Reno, Nevada 89501	
17	3.	In the envelope provided for retu	m of my Waiver of Service of Notice in Lieu of
19	Summons, I	am mailing a copy of this documen	t to:
20	 	Susan L. Schneider Attorney for the United States of	America
21		United States Department of Just Environment & Natural Resource	ice
22		P.O. Box 756 Littléton, Colorado 80160	
23			am acting) will retain all defenses or objections
24	4.		he court except for objections based on a defect
25	1		ce of the Notice in Lieu of Summons.
26	5.		nalf I am acting) have retained an attorney to
27			at attorney below, along with his or her mailing
28		phone number and facsimile numbe	
	acicicos, tere	NOTICE OF APPEARANCE AND IN	FENT TO PARTICHPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 277 of 3

1	Attorney:	Gordon H. DePaol	i, Dale E. Ferguson
2	Address:	Woodburn and We P.O. Box 2311	dge
3 4		Reno, NV 89505	
5	Phone Numbe	er: 775/688-30	00
6	Fax Number:	775/688-30	
7		th day of June, 2004.	
8	Dated this 100	in day of varie, 200 ii	_
9			Signature)
10			
11			Peter A. Fenili
12			(Printed or typed name)
13			
14			
15			(Entity, if any, on whose behalf you are appearing)
16			
17			P.O. Box 3
18			Smith, NV_89430
19			(Address)
20		·	
21			(Telephone number)
22			
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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 278 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.
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- 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.
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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.

Signature

Date: 8/15/04

4. FESICO MARY

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTER

(Title)

FESKO FAMILY TRUST UDT 010693

(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 he 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 prought 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 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 notice of appearance and intent to participate.

1 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA. 5 Plaintiff,) б In Equity No. C-125-ECR Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor.) WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 ٧. DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT, a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 280 of 3

	water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
	owned before the undersigned was spread with a William S.S.
	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:
	5 1
	1. The name and address of the party or parties who sold or otherwise conveyed
	ownership:
	Name(s): MANY & RESKO
	9
1	Street or P.O. Box: 110437 Huy 395
1:	. ·
12	Town or City: COLEVILLE
1.3	
14	Samuel C. A
15	
16	71. Carlos 9/0167
17	
18	
19	
20	Name(s): FESICO FAMILY TRUST UDT 010693
21	
	Street or P.O. Box: 110437 Hwy 395
22	
23	Town or City: COLEVILLE
24	
25	State: CA
26	
27	Zip Code: 9610 ⁻⁷
28	Sup code. 7010 /

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 281 of 3

	1
	2
	3. Attached to or included with this notice is a copy of the (check appropriate
	$\frac{1}{2}$ box(es)):
į	
ϵ	Deed Deed
7	☐ Court Order
8	Other Document.
9	M .
10	by which the change in ownership was accomplished.
3.1	4. The undersigned acknowledges that any person or entity who files a Disclaimer
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
15	this litigation.
15	
 	Executed this 15 day of AV6UST 2004.
1.6	
19	
20	MIHERIS
21	MITCH
22	[signature of counter-defendant]
23	
24	,
25	MARY G. FESKO
26	[name of counter-defendant]
27	
28	

Case 3:78-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 282 of 3

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

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

110437 Huy 395 COLEVILLE CA 96107 [address]

530 495 2255 [telephone number]

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

ante Street Address TIMOTHY E, FESKO MARY G. FESKO

City 8 State

985 DESERT DRIVE CARSON CITY, NV 89705

____ Escrow No. 103841 Title Order No. ____

CCULTY DALLATERANIA

INY 003 (5-94)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

		M. A. W. W. W. W.
THE UNDERSIGNED GRANTOI	R(s) DECLARE(s)	
	DOCUMENTARY TRANSFER unincorporated area Parcel No. computed on full value of int	City of

Grant Deed

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 PLACER November 4, 1997 a Notary Public in and for said County and State, personally appeared Jane Mervice personally known to me (or proved to me on the basis of satisfactory DONAY LOUIS evidence) to be the person(s) whose name(s) is/are subscribed to the oromásion # 1153490 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 rary Public - California signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Unis area thriothcial notorial seati

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

Mame

WITNESS my hand and official sea

Street Address

Carl & Some

2 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE DISTRICT OF NEVADA 7 UNITED STATES OF AMERICA, 8 Plaintiff, In Equity No. C-125-ECR 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE, 10 NOTICE OF CHANGE OF Plaintiff-Intervenor, OWNERSHIP OF WATER RIGHT 11 ٧. 12 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., 14 Defendants. 15 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 21 22 The name and address of the party or parties who sold or otherwise conveyed 1. ownership: 23 24 25 26 Street or P.O. Box 27

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

Case	3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 285 of			
	Town or City State ZipCode			
	2. The name and address of each person or entity who acquired ownership			
4				
	1104-37 Hwy 395			
6	Street or P.O. Box			
. 7	COLEVILLE CA 96107 Town or City State ZipCode			
. 8	3. Attached to or included with the control of the			
9	to of included with this notice is a copy of the (check appropriate			
10	box(es)):			
11	Deed			
	Court Order			
12	Other Document.			
13	by which the change in ownership was accomplished.			
14	4. The undersigned acknowledges that any person or entity who files a Notice of			
15	Change of Ownership of Water Right using this form is ultimately responsible for the accuracy			
16	of this filing. Consequently, the undersigned acknowledges that any person or entity who files			
;-				
18				
19				
	* This notice shall be sent to the following two persons:			
20	Linda Lea Sharer, Chief Deputy Clerk			
21	United States District Court for the District of Nevada 400 South Virginia Street. Suite 301			
22	Reno, NV 89501			
23	<u>And</u> .			
24	Susan L. Schneider			
25	United States Department of Justice P.O. Box 756			
	Littleton, CO 80160			
26				
27				
28 N	OTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 2 of 3			

Case 8	73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 286 such a notice, but retains such water rights, shall nevertheless, be bound by the results of this	of 3
2	litigation.	
3		
4	Executed this 15 day of A6057 2004.	
5		
6	M. Fesh	
7	()	
8	[signature of counter-defendant]	
9		
10		
11	[name of counter-defendant]	
12		
13	[signature, if applicable, of person acting on	
14	behalf of counter-defendant]	
15		
16	[name, if applicable, of person acting on	
1-	behalf of counter-defendant]	
18		
19	110437 Hwy 265	
20	110437 Hmy 395 COLEVICLE CA 96107 [address]	
21	530 495 2255	
22	[telephone number]	
23		
24		
25		
26		
27		
28 NO	FICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3	

су<u>-09127-MMD C5D Doctare</u>nt 498 Filed 12/17**/2004 Ра**ge 287 of 3

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

TIMOTHY E. FESKO MARY G. FESKO

Street

985 DESERT DRIVE

CARSON CITY, NV 89705

City & Zip

Escrow No. 103841

COULTY OF STORNIA

USE.

Title Order NoEscrow No. 103841	// === -
INY 003 (5-94)	SPACE ABOVE THIS LINE FOR RECORDER'S Grant Deed
Parcel No.	Y TRANSFER TAX IS \$520.85 corporated area
X combated on 1	uit value less value of liens or encumbrances remaining at time of sale, and
FOR A VALUABLE CON	SIDERATION, receipt of which is hereby acknowledged, PORATED, A CALIFORNIA CORPORATION
TIMOTHY ERIC FESKO AND M FAMILY TRUST UDT 1-6-93	ARY GRACE FESKO, TRUSTEES OF THE FESKO
the following described real property in the	
County of MONO	. State of California:
STATE OF CALIFORNIA PLACER On November 4, 1997 befa Notary Public in and for said County and State, personally and State of Meryine	
personally known to me (or proved to me on the basis of satistic vidence) to be the person(s) whose name(s) is/are subscribed in instrument and acknowledged to me that he/she/they experson in his/he/their authorized capacity(ies), and that by his/he which the person(s) acted, executed the instrument. TNESS my hand and official seal.	stactory DONSA L. CLUS To the Commission = 1153490 No any Public - California
ature alonna & Ellis	(This area for official notorial seat)

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

Case 3: 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 289 of 3

	il de la companya de	
5	1 Attorney:	
2	2	
-	Address:	
4	4	
5	5	
. б	6 Phone Number:	
7	7 Fax Number:	A
8		MANETES LOW
9	9	(Signature)
10	0	
11	1	MARY G. FESKO TRUSTE
12	2	(Printed or typed Name)
13	3	
14		FESKU FAMILY TRUST UDT AN
15		(Entity, if any, on whose 010693
16		behalf you are appearing) 110437 Hwy 395
- 17		COLEVILLE & 96107
18		(Address)
19		530 495 2255
20		(Telephone number)
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24	1	
25		
26		
27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 290 of 3

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.

Date: 8/15/04

Signature

Timo THY & FESKO

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

TEUSTEE

of

(Title)

FESKO FAMILY TRUSTE UDT 010693

(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 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

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.

1 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, 5 Plaintiff,) 6 In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE. DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor,) WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 v. DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT. a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 292 of 3

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 additional information: 5 The name and address of the party or parties who sold or otherwise conveyed 1. ownership: 7 Name(s): Timo Thy E PESKO 8 9 Street or P.O. Box: 110 4-37 Hwy 395 10 11 Town or City: COLEVILLE 12 13 State: 14 15 96107 Zip Code: 16 The name and address of each person or entity who acquired ownership 1.7 -18 Name(s): FESKO FAMILY 19 TRUST UDT 010693 20 21 Street or P.O. Box: 110437 HWY 395 22 23 Town or City: COLEVILLE 24 25 State: 26 27 96107 Zip Code: 28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 293 of 3

-	⁻
2	
3	•
4	box(es)):
- 5	
. 6	Deed
7	☐ Court Order
8	Other Document.
9	
10	by which the change in ownership was accomplished.
11	4. The undersigned acknowledges that any person or entity who files a Disclaimer
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
,13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
15	this litigation.
16	
17	Executed this 15 day of AU6057 200 4
18	
19	
20	
21	Tout 27
22	[signature of counter-defendant]
23	
24	
25	TIMOTHY & FESKO
26	[name of counter-defendant]
27	
28	

2

Case 3: 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 294 of 3

[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 Z255 [telephone number]

Case ที่ 12/1**7) 20**0 27-MMD-CSD Document 498 Filed 12/1**7) 20**04 Page 295 of 3

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

Address

TIMOTHY E. FESKO MARY G. FESKO 985 DESERT DRIVE CARSON CITY, NV 89705

State

OUT. TO LICANIA 197 NOT 26 PM 3 35 A mo un

ISE

Title Order No Escrow N	. 103841	#30,00
INY 303 (5-94)		SPACE ABOVE THIS LINE FOR RECORDER'S U
i i	Ris) DECLARE(s) DOCUMENTARY TRANSF unincorporated at Parcel No. Computed on full value of a computed on full value less	TER TAX IS \$520.85 rea
GRANITE PROPERT hereby GRANT(S) to TIMOTHY ERIC FE FAMILY TRUST UD	TIES INCORPORATE ESKO AND MARY GRA DT 1-6-93	D, A CALIFORNIA CORPORATION ACE FESKO, TRUSTEES OF THE FESKO
the following described real prop County of MONO	· ·	€alifornia:
STATE OF CALIFORNIA PLACER COUNTY OF PLACER On November 4, w a Notary Public in and for said County and Dersonally known to me for proved to me of evidence) to be the person(s) whose name within instrument and acknowledged to me the same in his/her/their authorized capacity(is signature(s) on the instrument the person(s) of which the person(s) acted, executed the MITNESS my hand and official seal.	before me, State, personally appeared. On the basis of satisfactory of soil state subscribed to the athat he/she/they executed lies), and that by his/ner/their	BY COMMISSION TIONS OF STREET
ature Norvna	^f elis	(Yhis erea for afficial notorial seath

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

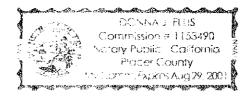
Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 296 of 3 2 3 4 IN THE UNITED STATES DISTRICT COURT 5 FOR THE DISTRICT OF NEVADA 6 7 UNITED STATES OF AMERICA, 8 Plaintiff, In Equity No. C-125-ECR 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE. 10 NOTICE OF CHANGE OF Plaintiff-Intervenor, OWNERSHIP OF WATER RIGHT 11 12 WALKER RIVER IRRIGATION DISTRICT, 13 a corporation, et al., 14 Defendants. 15 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 21 22 1. The name and address of the party or parties who sold or otherwise conveyed ownership: 23 24 25 395 COLLVILLE CA 96107 26 27

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

Case	8:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page				
2	such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation.				
3					
4	Executed this 15 day of AUGUST 2004				
5					
6					
7	Junt 27				
8	[signature of counter-defendant]				
9					
10	Timothy & FESKO				
11	[name of counter-defendant]				
12					
13	[signature, if applicable, of person acting on behalf of counter-defendant]				
14	determine)				
15					
16	[name, if applicable, of person acting on behalf of counter-defendant]				
18					
19	1104-37 Huy 395				
20	COLEVILLE CA 96107				
21	[address]				
22	530 495 Z2-55 [telephone number]				
23					
24					
25					
26					
27					
28 NO	28 NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3				

Case-2073-ev-00427-MMD-CSBDactiflent 498 Filed 12/17/2004 Page 298 of 3 INYO-MONO TITLE COMPANY AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO OCULLY OF STORMA TIMOTHY E. FESKO MARY G. FESKO 97 NOV 26 PM 3 35 985 DESERT DRIVE CARSON CITY, NV ____ Escrow No. 103841 SPACE ABOVE THIS LINE FOR RECORDER'S USE INY 003 (5-94) **Grant Deed** THE UNDERSIGNED GRANTOR(s) DECLARE(s) DOCUMENTARY TRANSFER TAX IS \$ __520.85 unincorporated area City of _____ Parcel No. ... a computed on full value of interest or property conveyed, or 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 . State of California: MONO LEGAL ATTACHED Dated ____OCTOBER 31, 1997 GRANITE PROPERTIES INCORPORATED

STATE OF CALIFORNIA PLACEC on November 4, 1997 a Notary Public in and for said County and State, personally appeared same 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



(This area for official notorial seaty

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

Nanie

TNESS my hand and official seal

Name

Street

City &

State

Address

Street Address

City & State

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 300 of 3

Attorney: Address: Phone Number: Fax Number: (Signature) Timothy & Pesko (Printed or typed Name) FUSICO FAMILY TRUST UDT (Entity, if any, on whose behalf you are appearing) 110437 Huy 395 COLEVILLE OA 96107 (Address) 530 495 2255 (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 301 of 3

August 15, 2004

TO WHOM IT MAY CONCERN -

Back in 1997 when we originally purchased the real property located at 110437 Hwy 395 Coleville CA 96107, the property deed was taken into a family trust, *Fesko Family Trust UDT 010693*. All water rights to said property is also in said trust.

Please find enclosed copies for myself, Timothy E Fesko, and my wife, Mary G Fesko, for the following documents -

- Disclaimer of Interests in Water Rights and Notice of Related Information and Documentation Supporting Disclaimer
- Notice of Change of Ownership of Water Right

In order to save the courts time and the costs of resending out complete information packets back out to the trust, we have enclosed signed copies of the following documents signed as Trustees.

- Notice of Appearance and Intent to Participate
- Waiver of Service of Notice in Lieu of Summons

If you have any questions or concerns please do not hesitate to contact us at 530-495-2255.

Sincerely.

Timothy E Fesko, Trustee

Fesko Family Trust UDT 010693

Total 27 TRUSTIGE

110437 Highway 395 Coleville, CA 96107 530-495-2255

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 302 of 3

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.

Date: 9 Oct 2004

Signature Chains Lociglas L CHAMPIN

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: MANAGETE of

(Title)

FIVE (5) C'3 Coffenious Paris, LAC

(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 f 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.

1	1	
2	IN THE UNITED STATES FOR THE DISTRICT	DISTRICT COURT OF NEVADA
3	UNITED STATES OF AMERICA.)
4	Plaintiff.	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	VS.)
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))
10	NOTICE OF APPEARANCE AND IN	NTENT TO PARTICIPATE
11	 I hereby enter my appearance in this st 	ib-proceeding in this case.
12	2. I am filing this document with the Dist	
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15 16	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
17	3. In the envelope provided for return of	my Waiver of Service of Notice in Lieu o
13	Summons, I am mailing a copy of this document to:	
19	Susan L. Schneider Attorney for the United States of Amer	⁻
20	United States Department of Justice Environment & Natural Resources Div	
21.	P.O. Box 756 Littleton, Colorado 80160	
22		ting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cou	•
4	in the Notice in Lieu of Summons or in the service of	
5		ing) have retained an attorney to represent
6	me in these proceedings, I identify that attorney below	
7	telephone number, and facsimile number:	, areng man mo or mor manning address,
8		
	NOTICE OF APPEADANCE AND INTERNET TO DARK	7077177 page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 304 of 3 Attomey: ROSS E de LIPKAU Address: PC Box 2790 RENO, NL 84525-2796 Phone Number: 775 323 1601 Fax Number: 775 348 7250 Vaudant Champlin (Signature) DouglAS L CHAMALIN (Printed or typed Name) FILE (5) (3 Cottonwood Par (Entity, if any, on whose behalf you are appearing) 242 HANSEN LN (Address) 775 265 7895 (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 305 of 3

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.

	or tottee in Broad of Buillions.	
Date: 07/19/04	Signature Signature BRENCE Frinted/Typed Name If you are acting on help 16 a few size at 15 a few size a	
	If you are acting on behalf of any entity, identify that yo	
	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 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 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.

EXHIBIT 118

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 306 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.
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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. Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: (Title) (Corporate, Trust, Partnership or other entity)

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

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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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 307 of 3

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.
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- 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.
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- 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.

Date: 6-23-04

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(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 he cost of such service unless good cause be shown for its failure to sign and return the waiver.

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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 notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 308 of 3

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.
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Date: <u>6 - 23 - 64</u>	Signature Michael 5. Meteber	
	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

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 309 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.
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- 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.
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- 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.

Date: 6/8/04	Signature Teri L. Fletcher
	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.

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 310 of 3

	1			
	2	A TAL UNITED STATES DISTRICT COURT		
	FOR THE DISTRICT OF NEVADA UNITED STATES OF AMERICA.			
	4	Plaintiff,)	
	5 WALKE	R RIVER PAIUTE TRIBE.)	
: -	6) IN EQUITY NO. C-125	
	7 vs	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
	9 ∦	R RIVER IRRIGATION DISTRICT,)	
	a corporat	tion, et al.,))	
1		NOTICE OF APPEARANCE AND	INTENT TO PARTICIPATE	
1	- 1.	I hereby enter my appearance in this	mate or it is	
1:	2.		istrict Court at the following address:	
1,		Chief Deputy Clerk	istrict Court at the following address:	
14	#	United States District Court for the District of Nevada		
15		400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3.	In the envelope provided for return or	Smy Waiver of Service of Notice in Lieu of	
18	Summers.	I am mailing a copy of this document to:	The state of the s	
19		Susan L. Schneider		
20		Attorney for the United States of Ame United States Department of Justice		
21		Environment & Natural Resources Di P.O. Box 756	vision	
22	4.	Littleton, Colorado 80160		
23		if or to the jurisdiction	cting) will retain all defenses or objections	
24	in the Notice	e in Lieu of Summons as it al	urt except for objections based on a defect	
25	5.	e in Lieu of Summons or in the service of		
26		proceedings. Lidentify the are	ting) have retained an attorney to represent	
27	telephone nu	ne in these proceedings, I identify that attorney below, along with his or her mailing address, elephone number, and facsimile number:		
28	,	orthand racsimile number:		
	NOTE OF	CO ADDRAGA		
-	HOTTUE	OF APPEARANCE AND INTENT TO PART	ICIPATE, page 1 of 2	

Case 3 73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 311 of 3

1	1 Attorney: None	
2	2	
3	3 Address:	•
4	4	
5	5	
6	6 Phone Number:	
7	7 Fax Number:	,
8	8	Dury . Dem
. 9	9	(Signature)
10	0	
11	1.	Teri L. Fletcher
12	2	(Printed or typed Name)
1.3	3	
14		
15		(Entity, if any, on whose
16		behalf you are appearing) 1225 Reminoton Rd.
17		Reno NV 89506
18		(Address)
19		(775) 972 - 1777 (Telephone number)
20		(Telephone number)
21		
22		
23		
24		
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26		
27		

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 312 of 3

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.
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- 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.
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- 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.

Date: 6/6/04	Wesley L. Fletcher	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y	ou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 314 of 3

	· ·	
1.	Attorney: none	
2		
3	Address:	
4		
5	_	
6	Phone Number:	
7	Fax Number:	1
8		Wesley S. Fletche
. 9		(Signature)
10		
11		Wesley L. Fletcher
12		(Printed or typed Name)
1.3		
14		
15		(Entity, if any, on whose
16		behalf you are appearing) 7225 Remington Rd.
17		Reno NV 89506
18		(Address)
19		(775) 972 -1777
20		(Telephone number)
21		
22		
23		
24		
25		
26		

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Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 315 of 3

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

- 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.
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- 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.

Date: 16-18-01/ If you are acting on behalf of any entity, identify that you are acting as: (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.

Case 3:73-cv-00127-MMD-CSD Document 498 Filed 12/17/2004 Page 316 of 3

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.

Date: 10-18-04

Signature

Frank Floyo

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)

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EXHIBIT 125