STEPHEN R. WASSNER, ESQUIRE
Nevada State Bar No. 2506
206 South Division Street – Suite 2
Carson City, Nevada 89703-4276
E-mail: swassner@AOL.com
(775) 887-0773
Attorney for Estate of Mildred Kathryn McWhirter

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LANCE S. WILSON
CLERK
BY DEPUTY

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, v. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants.	In Equity No. C-125 ECR Subfile No. 125-B NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHTS Hearing: Date: Time: Estimated Time:

The undersigned counter-defendant in the above action hereby notifies the Court and the United States of America that the Estate of Mildred Kathryn McWhirter 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:

Donna K. Clark

Personal Representative of the Estate of Mildred Kathryn McWhirter

2473 Pinebrook Drive

Carson City, Nevada 89701

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

Donna K. Clark and Diane L. Smith

517

2473 Pinebrook Drive

Carson City, Nevada 89701

3. Attached to or included with this notice is a copy of the

☒ Deed

☒ Court Order

☐ Other Document

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person who files a Notice Of Change Of Ownership Of Water Rights using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation.

Executed this 1ST day of March 2005.

Donna Kay Clark

Donna K. Clark
2473 Pinebrook Drive
Carson City, Nevada 89701
775-687-4702

CERTIFICATE OF SERVICE

I, Stephen R. Wassner, hereby certify that a copy of the Notice Of Change Of Water Rights Ownership, in the above-entitled case was mailed by me on March 1st, 2005, by depositing a copy thereof, first class postage prepaid, in the United States United States Mail, addressed as follows,

Susan L. Schneider
United States Department of Justice
Post Office Box 756
Littleton, Colorado 80160

and by depositing a copy thereof with Reno/Carson Messenger Service, Inc., addressed as follows,

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

Dated: March 1st, 2005

Stephen R. Wassner

APN 014-301-02

RECORDED AT THE REQUEST OF; and
WHEN RECORDED RETURN TO:
Stephen R. Wassner
Attorney at Law
206 South Division Street – Suite 2
Carson City, Nevada 89703-4276
SEND TAX STATEMENTS TO:
Donna K. Clark
2473 Pinebrook Drive
Carson City, Nevada 89701

Personal Representative's Deed

THIS INDENTURE WITNESSETH: that Donna K. Clark, as the Personal Representative of the Estate of Mildred Kathryn McWhirter, Deceased, does hereby grant and convey to Donna K. Clark, a single woman, whose address is 2473 Pinebrook Drive, Carson City, Nevada 89701, and Diane L. Smith, a married woman, whose address is 2302 Bluehaven Lane, Carson City, Nevada 89701, as tenants in common, all that real property located at 83 North Highway 95-A, Yerington, in the County of Lyon, State of Nevada, more fully described as follows:

A parcel of land being a portion of the North half of the Northeast quarter of the Southeast quarter (N 1/2 NE 1/4 SE 1/4) of Section Thirty-three (33), Township Fourteen (14) North, Range Twenty-five (25) East, M.D.B. & M., as described as follows:

BEGINNING at a point on the West right of way line of U. S. Highway 95A, which is located South 0°17'30" West, 2988.50 feet and North 89°42'30" West 60.06 feet from the Northeast corner of said Section Thirty-three (33) and further described as being South 1°26'50" West 2980.10 feet from said Section corner; thence along the West right of way line of said highway, South 0°18'00" West 331.45 feet; thence North 89°40'00" West, 406.71 feet; thence North 3°58'00" East, 288.24 feet; thence North 78°25'20" East, 212.67 feet; thence South 89°38'00" East 180.16 feet to the point of beginning.

The Assessor's Parcel Number is 014-301-02.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

This conveyance is made pursuant to Order Settling First and Final Account; For Attorney's Fees; And For Decree Of Final Distribution of the First Judicial District Court of the State of Nevada, in and for Carson City, dated February 22, 2005, Case number 04-00999P, a certified copy of which is recorded concurrently herewith.

Donna Kay Clark

Donna K. Clark, Personal Representative

STATE OF NEVADA)
) ss.
CARSON CITY)

This instrument was acknowledged before me on _____, 2005, by Donna K. Clark as the Personal Representative of the Estate of Mildred Kathryn McWhirter.

PAULA J. RUDOLPH
NOTARY PUBLIC - NEVADA
Appt. Recorded in CARSON CITY
No.01-70664-3 My Appt. Exp. Sept. 20, 2005

Paula J. Rudolph

Notary Public

CASE No. 04-00999P

Dept. No. II

REC'D & FILED

'05 FEB 22 A8:37

ALAN GLOVER
C. FRANZ CLERK
BY _____ DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR CARSON CITY

IN THE MATTER OF THE ESTATE OF,

MILDRED KATHRYN MCWHIRTER,

Deceased.

_____/

ORDER SETTLING FIRST AND FINAL ACCOUNT; FOR ATTORNEY'S FEES; AND FOR DECREE OF FINAL DISTRIBUTION

Donna K. Clark, Administratrix of the Estate of Mildred Kathryn McWhirter, Deceased, having filed a Petition For Settlement Of First And Final Account; For Approval Of Attorney's Fees; And For Decree Of Distribution, the Petition having come on regularly for hearing this day, and no person having appeared to contest the Petition, the Court now finds as follows:

1. That Notice of the Hearing of the Petition has been regularly given as prescribed by law.

2. All acts and transactions of the Administratrix of the Estate of Mildred Kathryn McWhirter, Deceased, during the period of the account, are accurately shown and should be approved, and all of the allegations of the Petition are true. The Account is complete and correct and should be approved as filed.

3. Mildred Kathryn McWhirter died in testate on May 30, 2004, in Carson City, County of Carson City, State of Nevada,

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and was at the time of death a resident of County of Carson City, State of Nevada.

4. On August 10, 2004, Donna K. Clark was appointed Administratrix of the Decedent's estate and qualified on August 10, 2004. Donna K. Clark has been the Administratrix of the Decedent's estate since that time.

5. Notice to creditors has been given as required by law, the time for filing or presenting claims has expired, and the estate is now in a condition to be closed. No claims have been filed or presented against the estate. All debts of the Decedent and of the estate, and all expenses of administration, except for attorney's fees, future estate taxes, costs and closing expenses, have been paid.

6. Petitioner will prepare the 2004 Individual Income Tax Return of the Decedent, if required, once all of the tax documentation is received. All tax liability has been accounted for by the Administratrix. Neither a Federal Fiduciary Income Tax Return or Federal Estate Tax Return are required to be filed by the Estate.

7. Petitioner is entitled to a statutory Executor's commission. Donna K. Clark has filed a Waiver Of Executor's Statutory Compensation on January 27, 2005.

8. Distribution of the assets of the estate should be ordered as specified below.

BASED UPON THE FOREGOING, the Court hereby orders the following:

1. The administration of the assets of the Estate of Mildred Kathryn McWhirter, Decedent, is settled, allowed and approved as filed, without any further accounting;

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2. The First And Final Account of the Executor is settled, allowed and approved as filed;

3. All of the acts and transactions of the Administratrix as disclosed in the First and Final Account are confirmed and approved;

4. The Administratrix of the Estate have waived her statutory compensation and the Court confirms and approves this waiver of fees by the Administratrix;

5. The Administratrix is authorized and directed to pay Stephen R. Wassner, the attorney for the Administratrix, the sum of one thousand-two hundred and thirty-six dollars ($1,236.53) and fifty-three cents as reasonable compensation for the legal services rendered during the administration of the estate, together with the sum of one thousand-two hundred and ninety dollars ($1,290.36) and thirty-six cents for costs advanced to date by Stephen R. Wassner in the administration of the estate, plus any additional services or costs advanced by Stephen R. Wassner on behalf of the estate.

6. The Decedent leaving no Last Will And Testament the assets of the estate, consisting of improved real property located at 3109 Chubasco Way, Carson City, Nevada, more particularly described as

PARCEL NO. 1

An undivided 1/36 interest in and to that portion of Stafford Greens Unit No. 4, described as follow:

Commencing at the Northwest corner of Lot 10 of Stafford Greens No. 1, as shown on the Official Plat thereof which is duly

recorded as Map No. 748 of Official Records of Carson City; thence North 89 degrees 51'28" West, a distance of 230 feet; thence South 0 degrees 08'32" West, a distance of 294 feet to the point of beginning; thence South 0 degrees 03'32" West, a distance of 206.00 feet; thence South 89 degrees 51'28" East, a distance of 276.52 feet; thence North 0 degrees 08'32" East, a distance of 41.72 feet; thence North 30 degrees 35'42" East, a distance of 108.00 feet; thence North 59 degrees 24'18" West, a distance of 152.27 feet; thence South 0 degrees 08'32" West, a distance of 6.00 feet; thence North 89 degrees 51'28" West, a distance of 200.00 feet to the point of beginning.

EXCEPTING THEREFROM Units 21 thru 38 inclusive, as shown on the Fourth Amended Plat for Stafford Greens Unit No. 4, recorded August 18, 1980, in Book 6, Page 1579, Official Records of Carson City, Nevada, as File No. 74805.

PARCEL NO. 2

An undivided 1/36 interest in and to that portion of Stafford Greens Unit No. 4, described as follows:

Commencing at the Northwest corner of Lot 10 of Stafford Greens No. 1, as shown and located on the Official Plat thereof which is duly recorded as Map No. 748 of the Official Records of Carson City; thence North 89 degrees 51'28" West, a distance of 30.00 feet to the true, point of beginning; thence North 89 degrees 51'28" West, a distance of 200 feet; thence South 0 degrees 08'32" West, a distance of 294 feet; thence South 89 degrees 51'28" East, a distance of 200 feet; thence North 0 degrees 08'32" East, a distance of 294 feet to the true point of beginning.

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EXCEPTING THEREFROM Units 39 thru 50 inclusive, as shown and defined on the Third Amended Plat for Stafford Greens Unit No. 4, recorded May 20, 1987, in Book 5, Page 1458, Official Records of Carson City, Nevada, as File No. 58555.

ALSO EXCEPTING THEREFROM Units 55 thru 60 inclusive, as shown and defined on the Second Amended Plat for Stafford Greens No. 4, recorded March 11, 1986, in Book 4, Page 1228, Official Records of Carson City, Nevada, as File No. 43605.

PARCEL NO. 3

Unit 27, A PLANED UNIT DEVELOPMENT, as shown on the Fourth Amended Plat of Stafford Greens Unit No. 4, referred to above, Recorded August 18, 1988, in Book 6 of Maps, Page 1579, as File No. 74805.", Assessor's Parcel No. 9-592-44; improved real property located at 83 North Highway 95-A, Yerington, Nevada, more particularly describes as "A parcel of land being a portion of the North half of the Northeast quarter of the Southeast quarter (N 1/2 NE 1/4 SE 1/4) of Section Thirty-three (33), Township Fourteen (14) North, Range Twenty-five (25) East, M.D.B. & M., as described as follows:

BEGINNING at a point on the West right of way line of U. S. Highway 95A, which is located South 0°17'30" West, 2988.50 feet and North 89°42'30" West 60.06 feet from the Northeast corner of said Section Thirty-three (33) and further described as being South 1°26'50" West 2980.10 feet from said Section corner; thence along the West right of way line of said highway, South 0°18'00" West 331.45 feet; thence North 89°40'00" West, 406.71 feet; thence North 3°58'00" East, 288.24

feet; thence North 78°25'20" East, 212.67 feet; thence South 89°38'00" East 180.16 feet to the point of beginning.", Assessors Parcel Number 014-301-02; Wells Fargo Portfolio Management Account, The Members Own Federal Credit Union account, Verizon Communications Direct Invest account, Grater Nevada Credit Union account, Citibank account, Valley View Cemetery burial lots 251, 252, 253, & 254 and various items of personal property shall be distributed pursuant to NRS 134.090 to the statutory beneficiaries Donna K. Clark and Diane L. Smith in equal shares.

7. The Administratrix shall prepare and execute any document necessary and proper to distribute or transfer title to any personal or real property subject to distribution pursuant to this Order.

8. Any property interest of the Decedent or of the estate in any other property not now known or discovered shall be distributed shall be distributed to the statutory beneficiaries Donna K. Clark and Diane L. Smith in equal shares.

Dated this 22nd day of February 2005.

William G. Meddon

District Court Judge