

FILED
CLARENCE B. FROST, JR.
CLARENCE B. FROST, JR.
[Signature]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

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

Defendants.

IN EQUITY NO. C-125-ECR
Subproceeding: C-125-B

FIFTH REPORT OF THE UNITED
STATES OF AMERICA CONCERNING
STATUS OF SERVICE ON CERTAIN
PERSONS AND ENTITIES

The United States of America ("United States"), on behalf of itself and the Walker River Paiute Tribe ("Tribe"), submits the following information related to its service efforts on persons and entities subject to service under the *Case Management Order* (Apr. 13, 2000) ("CMO"). As set forth in this pleading, the United States asks the Court to approve certain service efforts, to amend the caption related to this phase of service, to make corrections and additions, and, in some instances, to take no action at this point as service efforts are continuing. The instant filing focuses on a portion of those persons and entities subject to service under Paragraph 3.1. of the CMO.

This is the fifth such filing that the United States has made in this action. The United States also filed its *Fourth Report of the United States of America Concerning Status of Service*

D- 125-B: Fifth Service Report

PLACED UNDER SEPARATE COVER
DUE TO SIZE (# 651)



651

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.

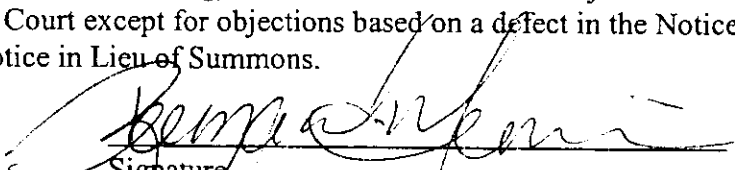
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF 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: 12/7/04


Signature
Beema M. Menesini
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 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.

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: 3/21/05

Ronald D. Menesini

Signature

Ronald D. Menesini

Printed/Typed Name

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

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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1
2
3 UNITED STATES OF AMERICA.)

4 Plaintiff.)

5 WALKER RIVER PAIUTE TRIBE.)

6 Plaintiff-Intervenor,)

7 vs.)

8 WALKER RIVER IRRIGATION DISTRICT,)
9 a corporation. et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

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:
- 13 Chief Deputy Clerk
- 14 United States District Court for the
- 15 District of Nevada
- 16 400 South Virginia Street, Suite 301
- 17 Reno, Nevada 89501
- 18 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu

19 Summons. I am mailing a copy of this document to:

20 Susan L. Schneider
21 Attorney for the United States of America
22 United States Department of Justice
23 Environment & Natural Resources Division
24 P.O. Box 756
25 Littleton, Colorado 80160

26 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
27 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defense
28 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

29 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
30 me in these proceedings, I identify that attorney below, along with his or her mailing address,
31 telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

Ronald D Merzini

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

PO Box 817
Yorkston, NC 28447

(Address)

775 463 3901

(Telephone number)

322341

A.P.N. # 10-331-34
R.P.T.T.S. -0- #8
ESCROW NO. 04040146
RECORDING REQUESTED BY:
STEWART TITLE COMPANY
MAIL TAX STATEMENTS TO:
SAME AS BELOW

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

STEWART TITLE OF C.C.

04 JUN -4 AM 8:11

MARY C. HILLIGAN
COUNTY RECORDER

FEE 15.00 DEP [Signature]

WHEN RECORDED MAIL TO:
JADE MILLER
4150 Longknife Rd.
Reno, NV 89509

(Space Above for Recorder's Use Only)

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That **JADE MILLER AND TENLEY V. MILLER, HUSBAND AND WIFE AS JOINT TENANTS AS TO AN UNDIVIDED 1/2 INTEREST**

in consideration of \$10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to **J & M PI, LLC, a Nevada Limited Liability Company**

and to the heirs and assigns of such Grantee forever, all that real property situated in the County of **LYON** State of Nevada, bounded and described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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

DATE: May 27, 2004

BY: [Signature]
JADE MILLER

BY: [Signature]
TENLEY V. MILLER

STATE OF Nevada
COUNTY OF Carson City



This instrument was acknowledged before me on 6-1-04
by, Jade Miller
Tenley V. Miller

Signature [Signature]

Notary Public (One Inch Margin on all sides of Document for Recorders Use Only)

322341

**EXHIBIT "A"
LEGAL DESCRIPTION**

Order No.: 04040146MM

The land referred to herein is situated in the State of Nevada,
County of LYON, described as follows:

ALL THAT CERTAIN REAL PROPERTY BEING A PORTION OF SOUTH 1/2 OF
SOUTHEAST 1/4 OF SECTION 22, AND NORTHEAST 1/4 AND NORTHWEST
1/4 OF SOUTHEAST 1/4 OF SECTION 27, T 11 N, R 23 E, M.D.B.&M.,
LYON COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

PARCEL 1-A, AS SHOWN ON THE PARCEL MAP PREPARED FOR WEAVER
PROPERTIES, L.L.C., RECORDED IN THE OFFICIAL RECORDS OF LYON
COUNTY, NEVADA ON APRIL 23, 1999, AS DOCUMENT NO. 232837.

ASSESSOR'S PARCEL NO. 10-331-34

322341

Division #: 19776
 Card #: Michael C. & Angei Kerr Gilbert
 Name: J & M Pl, LLC
 Address: 861 Mahogany
 Minden, NV 89423

WALKER RIVER IRRIGATION DISTRICT
 YERINGTON, NEVADA

Index No. 297-A
 Lyon County No. 10-331-34
 Claim No. 844
 User # Colony
 Ditch

O. & M. Local No. 1

Court Decree:

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET PER ACRE	ACRE FEET TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES
NEWL		106.280	4.2768	55	2.0592	218.852					106.280
TOTAL		106.280				218.852	218.86	218.86	.00		106.280

LEGAL DESCRIPTION:
 Pr. NE 1/4, Sec. 27;
 T 11 N, R 23 E.
 Parcel 1-A of PM 232837

COMMENTS:
 10/16/02 - Transferred from card #56136 - Weaver Properties
 02/11/04 - Assigned new APN by County
 08/17/04 - Transferred from card #19776, Gilbert & Miller

DOCUMENT #	DATE	DESCRIPTION
#46-289	11/09/62	Joint Tenant
#109226	07/30/87	Cora G. Sayre to Cora Sayre Trust.
#201099	12/27/86	Andrew G. Sayre, Jr. & Mark Arrighi, Successor Trustees to Cora Sayre, deceased, to William M. Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement.
#203640	03/27/87	Parcel Map of Portions of Sec. 22, & 27; T 11 N - R 23 E.
#209100	08/22/87	Parcel Map of Portion of Sec. 22, & 27; T 11 N - R 23 E. for William M. Weaver & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Trust.
#212988	12/09/87	Boundary Line Adjustment for William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Trust.
#212989	12/09/87	William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to William M. Weaver & Rosemary F. Weaver, Trustees of the William Weaver, Jr. Trust (18).
#213378	12/18/87	William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to William M. Weaver & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Trust (18).
#215183	02/11/98	Weaver Properties, L.L.C., a Nevada Limited Liability Company to Weston L. Wright, an unmarried man & Sandra Lynn McCombs, an unmarried woman (15).
#232837	04/23/99	Parcel Map for Weaver Properties, L.L.C.
#282766	09/18/02	Weaver Properties L.L.C., a Nevada Limited Liability Company to Michael C. & Angei Kerr Gilbert, husband and wife as Joint Tenants as to an undivided 1/2 interest and Jade & Tenley V. Miller, husband and wife as Joint Tenants, an undivided 1/2 interest
#222341	06/04/04	Jade and Tenley V. Miller, husband and wife as Joint Tenants (an und. 1/2 int.) to J & M Pl, L.L.C. a Nevada limited liability company

Exhibit 119

WALKER RIVER IRRIGATION DISTRICT
YERINGTON, NEVADA

Division #: 20770
 Card #: GR8DEAL, LLC
 Name: 1320 Highway 395N
 Address: Gardnerville, NV 89410

Index No. 287-A
 Lyon County No. 10-331-34
 Claim No. 2556
 User # Colony
 Ditch

O. & M. Local No. 1

Court Decree:

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET PER ACRE	ACRE FEET TOTAL	ACRE FEET APPORTIONED	TOPAZ ACRES	BRIDGE REPORT RES.	ACRE FEET	CLAIM #	TOTAL ACRES
NEWL		106.280	4.2768	65	2.0692	218.862	218.86			218.86		106.280
TOTAL		106.280				218.862	218.86			218.86	.00	106.280

Water Rt. Acres 106.280
 Non Wtr Rt. Acres .000

Acra Feet Storage 218.860

COMMENTS:

10/16/02 - Transferred from card #66136 - Weaver Properties
 02/11/04 - Assigned new APN by County
 06/17/04 - Transferred from card #19776, Gilbert & Miller
 06/17/04 - Transferred from card #19776 - Gilbert & J&M PI, LLC

PROVISIONAL

LEGAL DESCRIPTION:
 Pr. NE 1/4, Sec. 27;
 T 11 N, R 23 E.

Parcel 1-A of PM 232837

DOCUMENT HISTORY:

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#46-289	11/09/62	Joint Tenant
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#201099	12/27/96	Andrew G. Sayre, Jr. & Mark Arrighi, Successor Trustees to Cora Sayre, deceased, to William M. Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement.
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#213378	12/19/97	William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to William M. Weaver & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Trust (19).
#215183	02/11/98	Nevada Limited Liability Company.
#232837	04/23/99	Weaver Properties, L.L.C., a Nevada Limited Liability Company to Weston L. Wright, an unmarried man & Sandra Lynn McCombs, an unmarried woman (15).
#282766	09/18/02	Parcel Map for Weaver Properties, L.L.C.
#322341	06/04/04	Weaver Properties L.L.C., a Nevada Limited Liability Company to Michael C. & Angel Kerr Gilbert, husband and wife as Joint Tenants as to an undivided 1/2 interest and Jade & Tenley V. Miller, husband and wife as Joint Tenants, an undivided 1/2 interest
#322342	06/04/04	Jade and Tenley V. Miller, husband and wife as Joint Tenants (an und. 1/2 int.) to J & M PI, LLC, a Nevada limited liability company Michael C. & Angel Kerr Gilbert, husband and wife and J & M PI, LLC, a Nevada limited company to GR8DEAL, LLC, a Nevada limited liability company

3 62
OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

APN: 14-231-02
When recorded, mail original
and Tax Statements to Grantee:
Jean Leslie Bye
3210 Kessaris Way
Reno, Nevada 89511
RPTT #3

David Reese, Esq.
03 SEP 16 PM 12: 33

MARY C. MULLIGAN
COUNTY RECORDER
FEE 15⁰⁰ DEP. *SW*
Box 2229
Reno, NV 89505

EXECUTOR'S DEED

THIS DEED is made on the 8th day of September 2003, by Jean Leslie Bye, as Executor of the estate of HENRY SIGMOND OSBORN, deceased, Grantor, conveying to Jean Leslie Bye, 3210 Kessaris Way, Reno, NV 89511, as tenant in common an undivided one-half (1/2) interest and conveying to Gayle Sidney (Herman) Poulsen, 3684 West Spruce Creek Meridian, Idaho 83642, as tenant in common an undivided one-half (1/2) interest, as tenants in common, Grantees.

Grantor is the qualified Executor of the above-stated estate, filed as Probate Case Number PE 6244, in the Third Judicial District Court of the State of Nevada, County of Lyon.

Grantees are entitled to distribution of one-half each of the real property described below.

FOR VALUABLE CONSIDERATION RECEIVED, Grantor conveys and releases to each of the above said Grantees an undivided one-half (1/2) interest of the following described real property located at 149 Hwy 95A North, Mason Valley, Yerington, NV in the County of Lyon, State of Nevada, with all appurtenances, more particularly described as follows:


Commencing at the Section Corner common to Sections 15, 16, 21 and 22, T.14N. R.25 E., M.D.B.&M. and running thence N 00°18'10" W 3602.53 feet; thence N 00°10'15" E. 621.30 feet to the true point of beginning; thence 1st course S 89°42'40" W 662.58 feet; thence 2nd course N 00°14'00" W 621.27 feet; thence 3rd course N 89°42'46" E

666.96 feet; thence 4th course S 00°10'15" W 621.27 feet to the place of beginning and being 9.48 Acres in the NE 1/4 of NE1/4 Section 16, T. 14 N. R. 25E., M.D.B.&M.

Together with all water and water rights, ditches and ditch rights appurtenant thereto or used in connection therewith.

APN 14-231-02

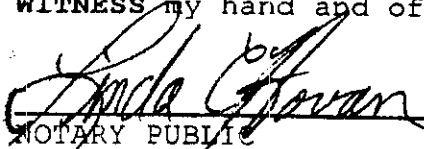
The Executor of the Estate of HENRY SIGMOND OSBORN, has executed this Deed at Reno, Nevada, on this 8th day of September 2003.

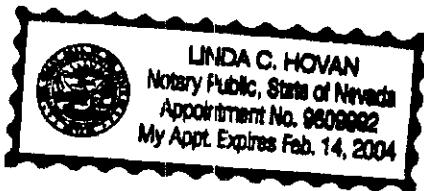

JEAN LESLIE BYE, Executor of the Estate of Henry Sigmond Osborn, deceased

STATE OF NEVADA }
) SS
COUNTY OF WASHOE }

On this 8th day of September, 2003, before me the undersigned, a Notary Public in and for said County and State, personally appeared JEAN LESLIE BYE known to me, based on satisfactory evidence, to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal


NOTARY PUBLIC



318753
OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

A.P.N. 12-261-07-12
Escrow No.: LY-303145-DA
303145

NORTHERN NEVADA TITLE CO.

04 APR 21 AM 11:13

RECORDING REQUESTED BY:

MARY D. HILLIGAN
COUNTY RECORDER
FEE 16⁰⁰ DEP. KV

MAIL TAX STATEMENTS AND WHEN
RECORDED, MAIL TO:

Raymond B. Hammack
P.O. BOX 196

Smith, NV 89430-0196

THIS SPACE FOR RECORDER'S USE ONLY

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 438.75, computed on full value of property conveyed.

GRANT, BARGAIN, SALE DEED

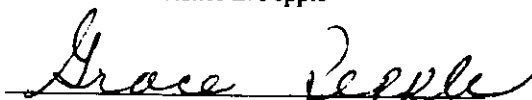
That **James L. Pepple and Grace Pepple, Husband and Wife as Joint Tenants with Right of Survivorship** in consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to **Raymond B. Hammack and Sonya Hammack, Husband and Wife as Joint Tenants** all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

See Exhibit "A" attached hereto and made a part hereof

Together with all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Dated: April 20, 2004


James L. Pepple


Grace Pepple

318753

STATE OF NEVADA)

COUNTY OF LYON)

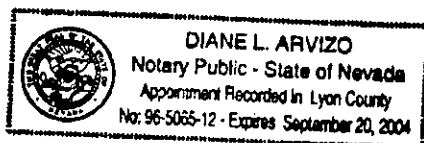
On 4-20-04 personally appeared before me, a Notary Public,

James L. Pepple and
Grace Pepple

who acknowledged that he executed the above instrument.

Signature
(Notary Public)

Diane L. Arvizo



LY-303145-DA
303145

EXHIBIT "A"

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

Of a portion of land situated in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, T. 12 N., R. 25 E., M.D.B.&M., located in the County of Lyon, State of Nevada. More particularly described as follows:

Commencing at the SW corner of Section 2, T. 12 N., R. 25., M.D.B.&M., marked with a 1 $\frac{1}{2}$ " iron pin; Thence running along the South line of the SW $\frac{1}{4}$ of said Section 2 S. 89°28'13" E. 585.34 feet to a point on the Easterly right of way of State Route 208, said point also being the point of beginning; Thence S. 89°28'13" E. 250.04 feet; Thence N. 0°31'47" E. 166.88 feet; Thence N. 89°28'13" W. 175.90 feet; Thence S. 86°22'51" W. 139.42 feet to a point on the Easterly right of way of State Route 208; Thence along the Easterly right of way S. 21°57'35" E. 169.70 feet to the point of beginning.

Said Parcel is further shown as Adjusted Parcel 1 on that certain Boundary Line Adjustment Map recorded in the Official Records of Lyon County, Nevada on April 6, 2004 as Document No. 317616.

NOTE: Legal description previously contained in Document No. 317617 recorded on April 6, 2004.

318753

WALKER R IRRIGATION DISTRICT
YERINGTON, NEVADA

Card #: 22410
 Name: Raymond B. & Sonya Hammack
 Address: P. O. Box 1391
 Yerington, NV 89447

Index No. Fm 16B
 Lyon County No. 12-261-13
 Claim No. 923
 User # Greenwood
 Ditch

O. & M. Local No. 3

Court Decree:

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES	
NEWL		1.850	3.2076	65	1.5444	2.857				1.850	
TOTAL		1.850				2.857	.00	2.86		1.850	
										Water RL Acres	.000
										Non Wtr RL Acres	2.860
										Acres Feet Storage	

LEGAL DESCRIPTION:

Fr. SW 1/4 of SW 1/4, Sec. 2;
T 12 N, R 25 E.

COMMENTS:

Also APN #12-261-07
 5/9/01 - Transferred from card #1500 - Aylor
 5/28/04 - Transferred from card #39888 - Pepple
 6/03/04 - Transferred from Pepple - user #1551, card #39880
 6/10/04 - Changed Address

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#09152	12/20/71	Fred & Josephine Batchelder to Alfred & Yvonne Ratzlaff.
#14550	05/29/73	Alfred & Yvonne Ratzlaff to Luther & Eva Jo Kanning.
#44449	03/28/79	Luther & Eva Jo Kanning to Elmo E. & Margot A. Aylor.
#108077	05/30/87	Round the World Aircraft (E. Edison Aylor, Pres.) to Elmo Edison Aylor. Included non-water righted ground in acreage.
#259255	04/03/01	Elmo Edison Aylor and Margot Ann Aylor, husband and wife as Joint Tenants to James L. & Grace Pepple, husband and wife
#317616	04/06/04	Boundary Line Adjustment for James L. & Grace Pepple
#317617	04/06/04	James L. & Grace Pepple, husband and wife as Joint Tenants to James L. & Grace Pepple, husband and wife as Joint Tenants with Right of Survivorship
#318754	04/21/04	James L. & Grace Pepple, husband and wife as Joint Tenants with Right of Survivorship to Raymond B. & Sonya Hammack, husband and wife as Joint Tenants

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.

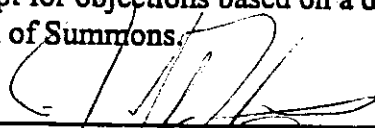
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAJUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF 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 PAJUTE 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: 3-25-05



Signature

JEFF PETERSON

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 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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1 UNITED STATES OF AMERICA,)

2 Plaintiff.)

3 WALKER RIVER PAIUTE TRIBE,)

4 Plaintiff-Intervenor,)

5 vs.)

6 WALKER RIVER IRRIGATION DISTRICT,)
7 a corporation, et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

8
9
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:

13 Chief Deputy Clerk
14 United States District Court for the
15 District of Nevada
16 400 South Virginia Street, Suite 301
17 Reno, Nevada 89501

18 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
19 Summons, I am mailing a copy of this document to:

20 Susan L. Schneider
21 Attorney for the United States of America
22 United States Department of Justice
23 Environment & Natural Resources Division
24 P.O. Box 756
25 Littleton, Colorado 80160

26 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
27 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
28 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
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

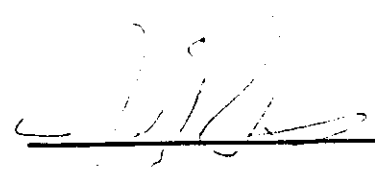
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Attorney:

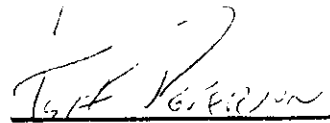
Address:

Phone Number:

Fax Number:



(Signature)



(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

129 Lower Colony Rd
Wilmington N.C. 28414

(Address)

775-465-2079

(Telephone number)


309839

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

Title Service & Escrow Co.

03 DEC -8 PM 4: 38

MARY C. HILLIGAN
COUNTY RECORDER

FEE 42.⁰⁰ / DDP. 

APN 14-541-03
Document Transfer Tax \$2,106.00
Order No. TSL-25707-KG
Mail Tax Bill to Grantee:
60 PETE HENDRICKS ROAD
YERINGTON, NEVADA 89447

UNOFFICIAL COPY

SPACE ABOVE FOR RECORDER'S USE ONLY

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

KENNETH BITLER and PEGGY L. BITLER, as Trustees of the KEN and PEGGY BITLER FAMILY TRUST, dated May 13, 1992, as to an undivided one-half (1/2) interest, and MARVIN F. PETERSON and LYNN M. PETERSON, as Trustees of the MARVIN AND LYNN PETERSON TRUST, dated September 25, 1990, as to an undivided one-half (1/2) interest

do (es) hereby GRANT, BARGAIN and SELL TO

WILLIAM A. MERRIWETHER and SHERRI A. MERRIWETHER, husband and wife as Joint Tenants with the Right of Survivorship

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

Parcel 1:

That portion of the W 1/2 of the SW 1/4 and the SW 1/4 of the NW 1/4 of Section 7, Township 13 North, Range 26 East, M.D.B.&M., lying East of the Highway 95 Alternate, in Lyon County, Nevada, more particularly described as follows, to-wit:

Beginning at a point on the South boundary of said Section 7 at a point from which the Southeast corner of Section 7 bears South 89°29'20" East, 4040.50 feet; thence running North 0°21' East, 3979.55 feet; thence South 89°46' West 260.80 feet to the easterly right-of-way line of the highway; thence along the highway South 2°12' West 3977.39 feet; thence South 89°20'20" East 389.60 feet to the point of beginning.

309839

Exhibit 124

Parcel 2:

A parcel of land located in the SW 1/4 of SW 1/4 of Section 7, Township 13 North, Range 26 East, M.D.B.&M., in Lyon County, Nevada, being that area lying outside of the curve in the Highway 95 Alternate, South and East of the highway and West of the fence line, more particularly described as follows:

Beginning at the Southwest corner of the said SW 1/4 of SW 1/4, Section 7, from which the Southeast corner of said Section 7 bears South 89°29'20" East, 5318.00 feet; thence running South 89°29'20" East, 888.50 feet; thence North 2°12'00" East, 1021.14 feet to the point of tangency of the East right-of-way line of said highway; thence following the curve to the right from a back tangent bearing of North 2°12' East, with a radius of 1040 feet; through an angle of 81°38' for a distance of 1481.76 feet; thence South 0°21'00" West, 26.31 feet to the point of beginning.

Excepting from both parcels all of the following described property which lies within the boundaries of Parcels 1 & 2:

Being a piece or parcel of land 80 feet in width, or parcels or strips of land 40 feet in width on each side of the surveyed highway centerline of Nevada State Route 3 (U.S. 95 Alt.) between Highway Engineer's Stations "D" 80+20.83 P.O.T. and "D" 93+56.05 P.O.T.; and being a piece or parcel of land 100 feet in width or parcels or strips of land 50 feet in width on each side of the surveyed highway centerline of Nevada State Route 3 (U.S. 95 Alt.)

between Highway Engineer's Station "D" 93+56.05 P.O.T. and "D" 119+98.00 P.C. which centerline is more fully described as follow, to-wit:

Beginning at an intersection of said centerline with the West boundary of the SE 1/4 of the SE 1/4 of said Section 12 at Highway Engineer's Station "D" 80+20.83 P.O.T. said point of beginning further described as bearing North 89°52'23" West a distance of 6547.22 feet from the Southeast corner of said Section 7; thence North 89°35'31" East along said centerline a distance of 1844.02 feet to a point; thence South 87°39'57" East continuing along said centerline a distance of 2133.15 feet to the point of ending at Highway Engineer's Station "D" 119+98.00 P.C.; said point of ending further described as bearing South 88°40'51" West a distance of 2572.53 feet from the Southeast corner of said Section 7.

Parcel 3:

Township 13 North, Range 26 East, M.D.B.&M.

Section 7: Southeast 1/4 of Northwest 1/4; East 1/2 of Southwest 1/4.

Legal Description appeared previously in Document No. 185717, recorded on September 12, 1995, Official Records of Lyon County, Nevada.

TOGETHER WITH all water and water rights, ditches and ditch rights, well and well rights.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

DATED 12-3-03

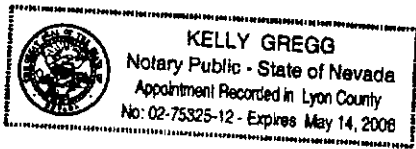
Kenneth Bitler
KENNETH BITLER, Trustee

Peggy L. Bitler
PEGGY L. BITLER, Trustee

STATE OF NEVADA)
) ss.
COUNTY OF LYON)

On Dec. 3, 2003 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), KENNETH BITLER and PEGGY L. BITLER, as Trustees of the KEN and PEGGY BITLER FAMILY TRUST, dated May 13, 1992 who acknowledged to me that they executed the within instrument.

Kelly Gregg
Notary Public



"UNOFFICIAL COPY"


Marvin F. Peterson
 MARVIN F. PETERSON, Trustee

Lynn M. Peterson
 LYNN M. PETERSON, Trustee

STATE OF ~~CALIFORNIA~~ Nevada
 COUNTY OF Douglas

On 12/3/03 before me Jill A. Johnson
 personally appeared MARVIN F. PETERSON and LYNN M. PETERSON,
 as Trustees of the MARVIN AND LYNN PETERSON TRUST, dated
September 25, 1990 personally known to me OR
 proved to me on the basis of satisfactory evidence to be the
 persons whose names are subscribed to the within instrument and
 acknowledged to me that they executed the same in their
 authorized capacities and that by their signatures on the
 instrument the persons, or the entity upon behalf of which the
 persons acted, executed the instrument.

WITNESS my hand and official seal

 JILL A. JOHNSON
 Notary Public - State of Nevada
 Appointment Recorded in Douglas County
 No: 93-0504-5 - Expires June 10, 2006

Jill A. Johnson
 Signature of Notary

UNOFFICIAL COPY

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.

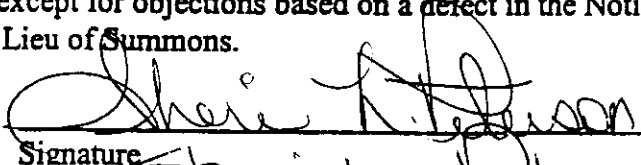
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF 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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Date: 3-25-05


Signature

Sheri Peterson
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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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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1
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3 UNITED STATES OF AMERICA.)

4 Plaintiff.)

5 WALKER RIVER PAIUTE TRIBE.)

6 Plaintiff-Intervenor,)

7 vs.)

8 WALKER RIVER IRRIGATION DISTRICT,)
9 a corporation. et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

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:

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 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 objection
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:

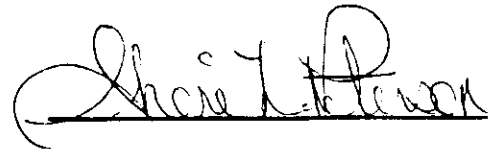
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Attorney:

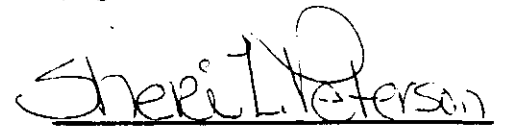
Address:

Phone Number:

Fax Number:

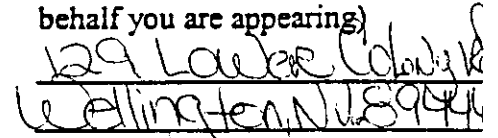


(Signature)



(Printed or typed Name)

(Entry, if any, on whose behalf you are appearing)



(Address)



(Telephone number)

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: 3/10/05

Mark N. Arrighi
Signature

MARK N. ARRIGHI
Printed/Typed Name

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

RUBY C. REGAN TRUST
(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.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 3-20-05

Elmer C Robertson
Signature

ELMER C ROBERTSON
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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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
vs.)	
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

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 Susan L. Schneider
 Attorney for the United States of America
 United States Department of Justice
 Environment & Natural Resources Division
 P.O. Box 756
 Littleton, Colorado 80160
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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,
 telephone number, and facsimile number:

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Attorney:

Address:

Phone Number: 7

Fax Number:

Elmer C Robertson

(Signature)

ELMER C ROBERTSON

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

199 PETE HENDRICH, RD
YERINGTON, NV 89447

(Address)

775-463-4617

(Telephone number)

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: 3-20-05

Geneva K Robertson

Signature

GENEVA K. ROBERTSON

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 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

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

)
)
) IN EQUITY NO. C-125
) SUBFILE NO. C-125-B
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)
)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
 400 South Virginia Street, Suite 301
 Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
 Summons, I am mailing a copy of this document to:
 Susan L. Schneider
 Attorney for the United States of America
 United States Department of Justice
 Environment & Natural Resources Division
 P.O. Box 756
 Littleton, Colorado 80160
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.
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,
 telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Geneva K. Robertson

(Signature)

GENEVA K. ROBERTSON

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

199 Pete Hendrickson Rd
Yerington, NV 89447

(Address)

775-463-4617

(Telephone number)

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: 3/23/05

Carole J. Rogers
Signature
Carole J. Rogers
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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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

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Date: 3/23/05

Ralph S. Rogers

Signature

RAUPH S. ROGERS

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

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Date: 3-19-05



Signature

DAVID H. ROOTS

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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

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United States District Court for the
District of Nevada
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Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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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, telephone number, and facsimile number:

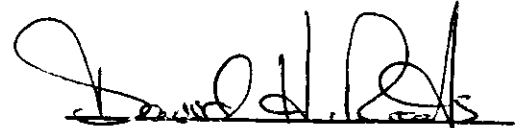
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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

DAVID H. ROOTS

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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: 3/18/05

Kathleen Roots

Signature

Kathleen Roots

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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
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Plaintiff,)
)
WALKER RIVER PAIUTE TRIBE,)
)
Plaintiff-Intervenor,)
)
vs.)
)
WALKER RIVER IRRIGATION DISTRICT,)
a corporation, et al.,)

IN EQUITY NO. C-125
SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

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District of Nevada
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3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
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Attorney:

Address:

Phone Number:

Fax Number:

Kathleen Roots

(Signature)

Kathleen ROOTS

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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: 2-17-05

Romeo Rosaschi, Jr.
Signature

Romeo Rosaschi, Jr.
Printed/Typed Name

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

Romeo Rosaschi, Jr., Inc.

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

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2. I am filing this document with the District Court at the following address:

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United States District Court for the
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Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
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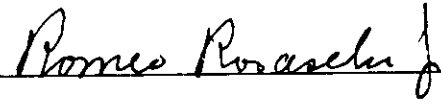
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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

Romeo Rosaschi, Jr.

(Printed or typed Name)

Romeo Rosaschi, Jr., Inc.

Romeo Rosaschi, Jr., owner

702 South Main St.

Yerington, NV 89447

(775) 463-3777

A.P.N. 04-391-04
RPTT: #9

RECORDING REQUESTED BY:

MAIL TAX STATEMENTS AND WHEN
RECORDED, MAIL TO:
Elaine M. Cid
1403 Hwy 208
Yerington, NV 89447

307671
OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY
Elaine Cid
03 NOV -4 PM 2:34
MARY C. MILLIGAN
COUNTY RECORDER
FEE 39 DEP. KR

THIS SPACE FOR RECORDER'S USE ONLY

UNOFFICIAL COPY

GRANT, BARGAIN, SALE DEED

That Christina Lynn Roseberry, a Married Woman as Her Sole and Separate Property in consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Elaine M. Cid, a Married Woman as Her Sole and Separate Property, all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

Lot No. 3 as shown on the Official Map of Walker River Ranch Subdivision, recorded in the Official Records of Lyon County, Nevada on June 5, 1972 as Document No. 10568.

Together with all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Dated: September 23, 2003

Christina Lynn Roseberry
Christina Lynn Roseberry

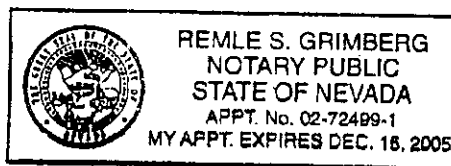
STATE OF Nevada)

COUNTY OF Clark)

On 10-20-03 personally appeared before me, a Notary Public, Christina Lynn Roseberry who acknowledged that she executed the above instrument.

Signature
(Notary Public)

Remle S. Grimberg



307671

Exhibit 134

WALKER RIVER DIVISION DISTRICT
YERINGTON, NEVADA

PROVISIONAL

Index No. Fm 376
Lyon County No. 4-391-04
Claim No. 2370
User # Lee Sanders
Ditch

Division #: 8800
Card #: Elaine M. Cid
Name: 1403 Highway 208
Address: Yerington, NV 89447
Court Decree:

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES
NEWL		2.560	4.2768	65	2.0592	5.272	5.27				2.560
TOTAL		2.560				5.272	5.27				2.560

COMMENTS:
01/05/04 - Removed C. Roseberry

LEGAL DESCRIPTION:
Lot #3, Walker River Ranch Subdivision, Sections 9 & 10;
T 11 N, R 25 E.

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#46-5	06/29/69	Hilda Mollart to George & Beverly Mollart.
#49-230	04/26/66	Domenchina Sciarani to George & Beverly Mollart.
#05511	06/15/70	George & Beverly Mollart to Clarence & Patricia Smith.
#31436	02/10/77	Beverly Mollart Deceased.
#34569	08/11/77	George Blinney III to Fred M & Alysmae N. Schultz.
#40823	08/28/78	Fred M. & Alysmae N. Schultz to James D. & Elaine M. Cid.
#121317	12/30/88	Elizabeth Mollart to George Mollart.
#121318	12/30/88	George Mollart to Circle Bar-N Ranch. (See Notes in File).
#253953	10/26/00	James D. Cid to Elaine M. Cid
#278228	06/12/02	Elaine M. Cid, a married woman to Elaine M. Cid, a married woman as her sole and separate property and Christina Lynn Roseberry, a married woman as her sole and separate property together as Joint Tenants with rights of survivorship
#278229	06/12/02	Christofer Roseberry, spouse of the Grantee to Christina Lynn Roseberry, a married woman as her sole and separate property
#307671	11/04/03	Christina Lynn Roseberry, a married woman as her sole and separate property to Elaine M. Cid, a married woman as her sole and separate property

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.

x Date: 3/21/05

x Madelina Schram
Signature

x Madelina Schram
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 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)

Plaintiff.)

WALKER RIVER PAIUTE TRIBE,)

Plaintiff-Intervenor,)

vs.)

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

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Madelina Schram
(Signature)

Madelina Schram
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)
18 Pit Rd
Wellington, NJ 08444
(Address)

775-465-9612
(Telephone number)

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: 3-20-05

Donald R. Seubert
Signature

DONALD R. SEUBERT
Printed/Typed Name Partner

If you are acting on behalf of any entity, identify that you are acting as: Seubert Family Lmt'd. Partnership
(Title)

Partnership
(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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1 UNITED STATES OF AMERICA.)

2 Plaintiff.)

3 WALKER RIVER PAIUTE TRIBE.)

4 Plaintiff-Intervenor,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

5 vs.)

6 WALKER RIVER IRRIGATION DISTRICT,)
7 a corporation. et al.,)

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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:

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 Lieu
 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 defe
 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 represe
 26 me in these proceedings. I identify that attorney below, along with his or her mailing addres
 27 telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Donald R. Seibert

(Signature)

Donald R. Seibert

(Printed or typed Name)

Partner

Seibert Family Lmtd Partners

(Entity, if any, on whose
behalf you are appearing)

P.O. Box 43
Smith, W. 89430

(Address)

775-465-2319

(Telephone number)

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: 3-20-05

Sophia A. Seubert
Signature

SOPHIA A. SEUBERT
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Partner
Seubert Family Lmtd Part of
Partnership
(Title)
(Corporate, Trust, Partnership or other entity)

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

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3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 WALKER RIVER PAIUTE TRIBE,

6 Plaintiff-Intervenor,

7 vs.

8 WALKER RIVER IRRIGATION DISTRICT,
9 a corporation, et al.,

)
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) IN EQUITY NO. C-125

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) SUBFILE NO. C-125-B
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14 United States District Court for the
15 District of Nevada
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17 Reno, Nevada 89501

18 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu

19 Summons, I am mailing a copy of this document to:

20 Susan L. Schneider
21 Attorney for the United States of America
22 United States Department of Justice
23 Environment & Natural Resources Division
24 P.O. Box 756
25 Littleton, Colorado 80160

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29 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represe
30 me in these proceedings, I identify that attorney below, along with his or her mailing address,
31 telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Sophia A. Seubert
(Signature)

Sophia A. Seubert
(Printed or typed Name)
Partner

Seubert Family Lmtd. Partners
(Entity, if any, on whose
behalf you are appearing)

P.O. Box 43
Smith, W. 89430
(Address)

775-465-2319
(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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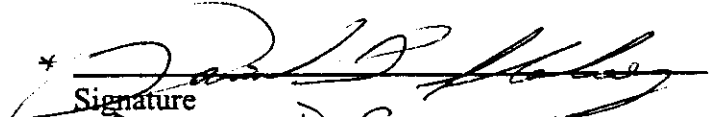
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* Date: April 4, 05


Signature
DANIEL P. SHEHADY
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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
Plaintiff,)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
vs.)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation. et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of

Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

* 

(Signature)

DANIEL P. SHEEHY

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

* PO 271
Wellington, N. 8944

(Address)

* 745-465-9187

(Telephone number)

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: April 4 2005

* Teresa Shehady
Signature
TERESA SHEHADY
Printed/Typed Name

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

DONALD + TERESA SHEHADY 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 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 notice of appearance and intent to participate.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation. et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of

Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objection 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. 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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Teresa Shehady Trust
* *Donald Shehady*
Trustee
(Signature)

TERESA SHEHADY, TRUSTEE
(Printed or typed Name)

DONALD + TERESA SHEHADY TRUST
(Entity, if any, on whose
behalf you are appearing)

* *2651 Kyles 908*
Smith, NV
89430
(Address)

* *1-775-465-2278*
(Telephone number)

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.

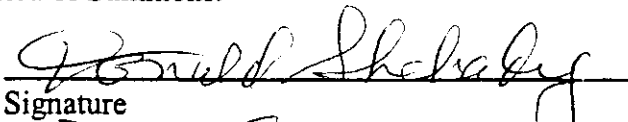
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit 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: ~~April~~ April - 4, 05

* 
Signature

DONALD SHEHADY
Printed/Typed Name

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

DONALD + TERESA SHEHADY 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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,)	IN EQUITY NO. C-125
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Plaintiff-Intervenor,)	SUBFILE NO. C-125-B
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vs.)	
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WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

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400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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Attorney:

Address:

Phone Number:

Fax Number:

* Donald Shehady
Shehady
(Signature)

DONALD SHEHADY, TRUST
(Printed or typed Name)

DONALD + TERESA SHEHADY TRU
(Entity, if any, on whose
behalf you are appearing)

* 2651 Highway
908
(Address)

* 50117 h NV -
(Telephone number)
1 754 65-2 278

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: 3/17/05

Edward B. Silva
Signature

Edward B. Silva
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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Attorney:

Address:

Phone Number:

Fax Number:

Edward B. Silva

(Signature)

Edward B. Silva

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

5B West Pursell
Verington, NV 8944

(Address)

775-463-2121

(Telephone number)

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: 4/1/05

B.A. Smith Hee

Signature

Beverly A. Smith, Trustee

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: ~~The Walker River Irrigation District~~ of

(Title)

Wesley A. Smith and Beverly A. Smith
(Corporate, Trust, Partnership or other entity) Family Trust

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1 UNITED STATES OF AMERICA.)

2 Plaintiff.)

3 WALKER RIVER PAIUTE TRIBE.)

4 Plaintiff-Intervenor,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

5 vs.)

6 WALKER RIVER IRRIGATION DISTRICT,)

7 a corporation. et al..)

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10 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

11 1. I hereby enter my appearance in this sub-proceeding in this case.

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13 Chief Deputy Clerk
14 United States District Court for the
15 District of Nevada
16 400 South Virginia Street, Suite 301
17 Reno, Nevada 89501

18 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of

19 Summons. I am mailing a copy of this document to:

20 Susan L. Schneider
21 Attorney for the United States of America
22 United States Department of Justice
23 Environment & Natural Resources Division
24 P.O. Box 756
25 Littleton, Colorado 80160

26 4. I (or the entity on whose behalf I am acting) will retain all defenses or objection
27 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
28 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

29 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
30 me in these proceedings. I identify that attorney below, along with his or her mailing address
31 telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

W. A. Smith III
(Signature)

Beverly A. Smith
(Printed or typed Name) Trustee

The Wesley A. Smith &
Beverly A. Smith Family
(Entity, if any, on whose Trust
behalf you are appearing)

300 East Walker Rd.
Verington, NV 89447
(Address)

775-463-3491
(Telephone number)

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: 4/1/05

Wesley A. Smith TTEE

Signature
Wesley A. Smith, Trustee
Printed/Typed Name

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

(Title)
The Wesley A. Smith and Beverly A. Smith
(Corporate, Trust, Partnership or other entity) Family Trust

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

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3 UNITED STATES OF AMERICA.)

4 Plaintiff.)

5 WALKER RIVER PAIUTE TRIBE.)

6 Plaintiff-Intervenor.)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

7 vs.)

8 WALKER RIVER IRRIGATION DISTRICT,)
9 a corporation. et al.,)

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20 Susan L. Schneider
21 Attorney for the United States of America
22 United States Department of Justice
23 Environment & Natural Resources Division
24 P.O. Box 756
25 Littleton, Colorado 80160

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Attorney:

Address:

Phone Number:

Fax Number:

Wesley A Smith TTE
(Signature)

Wesley A. Smith, Trustee
(Printed or typed Name)

The Wesley A Smith and
Beverly A Smith Family
(Entry, if any, on whose Trust
behalf you are appearing)

300 East Walker Rd.
Verington, NV 89447
(Address)

775-463-3491
(Telephone number)

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OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

Wm Carpenter, Esq.
03 AUG 19 AM 10:45

APN: 12-361-11
RPTT \$0.00
No. 8a

Mail Tax Statement to:
Wesley A. & Beverly A. Smith
16 Almond Drive
Yerington, NV 89447

MARY C. HILLIGAN
COUNTY RECORDER

FEE 15⁰⁰ DEP. *She*

QUITCLAIM DEED

THIS INSTRUMENT, made this 19th day of August, 2003, between WESLEY A. SMITH and BEVERLY A. SMITH, Husband and Wife, parties of the first part, and WESLEY A. SMITH and BEVERLY A. SMITH, Trustees, under the terms of the WESLEY A. SMITH AND BEVERLY A. SMITH FAMILY TRUST, dated this day written above, the parties of the second part.

WITNESSETH:

That the said parties of the first part, in conformity with the terms of the aforesaid Declaration of Trust, do by these presents remise, release and forever quitclaim unto the said parties of the second part, their successors and assigns forever, all their right, title and interest in and to the certain lot, piece or parcel of land situate, the County of Lyon, State of Nevada, more particularly bounded and described as follows, to wit:

Township 12 N. Range 25 E., M.D.B.&M.
Section 24: SW 1/4 of SE 1/4
Section 25: NW 1/4 of NE 1/4

Per NRS 111.312, the legal description appeared previously in deed 289058, recorded on January 16, 2003, Lyon County Records.

With all water and water rights, ditches and ditch rights, wells and well rights

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances, including easements and water rights, if any, thereunto belonging or in anyway appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said parties of the second part and their successors and assigns forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hand the day and year first above written.

302419

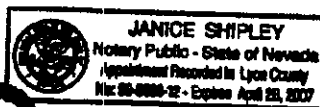
Wesley A. Smith
WESLEY A. SMITH

Beverly A. Smith
BEVERLY A. SMITH

STATE OF NEVADA)
COUNTY OF LYON) ss.

This instrument was acknowledged before me on this 19th day of August, 2003,
by Wesley A. Smith and Beverly A. Smith.

Janice Shipley
Notary Public



After Recording Mail to:
William L. Carpenter
215 W. Bridge St., Suite 3
Yerington, NV. 89447

UNOFFICIAL COPY

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.

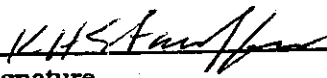
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit 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: 3/17/05


Signature

KEITH H. STAUFFER
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 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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

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3 UNITED STATES OF AMERICA,)

4 Plaintiff.)

5 WALKER RIVER PAIUTE TRIBE.)

6 Plaintiff-Intervenor,)

7 vs.)

8 WALKER RIVER IRRIGATION DISTRICT,)
9 a corporation, et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

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:
- 13 Chief Deputy Clerk
- 14 United States District Court for the
- 15 District of Nevada
- 16 400 South Virginia Street, Suite 301
- 17 Reno, Nevada 89501
- 18 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of

19 Summons, I am mailing a copy of this document to:

20 Susan L. Schneider
 21 Attorney for the United States of America
 22 United States Department of Justice
 23 Environment & Natural Resources Division
 24 P.O. Box 756
 25 Littleton, Colorado 80160

26 4. I (or the entity on whose behalf I am acting) will retain all defenses or objection
 27 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
 28 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
 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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Attorney:

Address:

Phone Number:

Fax Number:

Keith H. Stauffer
(Signature)

KEITH H. STAUFFER
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

7 PINTO DR
YERINGTON NV 8944
(Address)

462-2021
(Telephone number)

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.

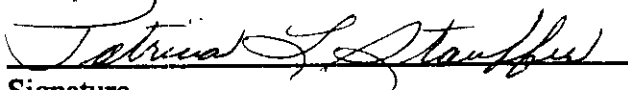
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF 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: 3-17-05



Signature

PATRICIA L. STAUFFER

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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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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1
2
3 UNITED STATES OF AMERICA.)

4 Plaintiff.)

5 WALKER RIVER PAIUTE TRIBE.)

6 Plaintiff-Intervenor.)

7 vs.)

8 WALKER RIVER IRRIGATION DISTRICT,)
9 a corporation. et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

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:

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 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 objection
 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:

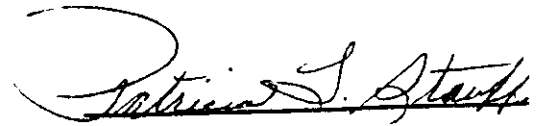
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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

PATRICIA L. STAUFFER

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

7 PINTO DR
VERMONT, NY 99447

(Address)

775-463-2021

(Telephone number)

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: 3-16-05

Helen M. Sturtevant
Signature
Helen M. Sturtevant
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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
Plaintiff,)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
vs.)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Helen M. Stuart

(Signature)

Helen M. Stuart

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

484 Day Ln
Wellington, NV 89444

(Address)

775-465-2152

(Telephone number)

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: JULY 1, 2004

Harry W. Swainston
Signature

HARRY W. SWAINSTON
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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney: HARRY W. SWAINSTON

Address: 4040 HOBART RD.
CARSON CITY, NV 89703

Phone Number: (775) 883-2494

Fax Number: (775) 883-1719

Harry W. Swainston
(Signature)

HARRY W. SWAINSTON
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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.

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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: July 3, 04

John W. Swainston
Signature

John W. Swainston
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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Attorney: *Harry W. Swainston*

Address: *4040 Holebart Rd
Carson City 89703*

Phone Number: *1 775 883 2494*

Fax Number: *883 - 1719*

John W. Swainston
(Signature)

John W. Swainsto
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)
67 River Rd
Wellington, Nev 89444
(Address)

1-775-465-2349
(Telephone number)

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: 7-29-04

Danny Taliaferro

Signature

Danny Taliaferro

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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Danny Taliaferro
(Signature)

Danny Taliaferro
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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.

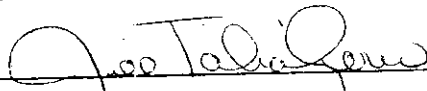
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF 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: 7/29/04


Signature

Bill Taliaferro
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 a 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

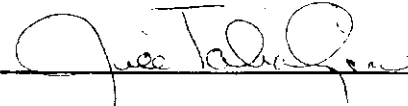
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Attorney:

Address:

Phone Number:

Fax Number:


(Signature)

Jill Taliaferro
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

FILED

04 JUL -2 PM 2:42

LANCE S. WILSON
CLERK

BY _____
DEPUTY

1 HAMILTON & McMAHON, LTD.
2 Thomas Mirczak, Esq.
3 Nevada State Bar #2126
4 577 California Avenue
5 Reno, Nevada 89504
6 Telephone: 775-348-2700
7 Attorneys for Counter-Defendant
8 LELA TERRY

9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,
13
14 Plaintiff,

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

15 WALKER RIVER PAIUTE TRIBE,
16
17 Plaintiff-Intervenor,

NOTICE OF CHANGE OF
OWNERSHIP OF WATER RIGHT

18 vs.

19 WALKER RIVER IRRIGATION
20 DISTRICT, a corporation, et al.,
21 Defendants.

577 CALIFORNIA AVE.
OFFICE BOX 4638
RENO, NV 89504-4638
(775) 348-2700 FAX (775) 348-2745

22 The undersigned counter-defendant in the above action hereby notifies the Court and the
23 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold
24 or otherwise conveyed ownership of all or a portion of a water right within one or more of the
25 categories set forth in Paragraph 3 of the Case Management Order and provides the following
26 information:

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

Lela Terry
1360 Gordon Avenue
Reno, NV 89509

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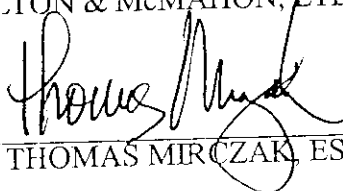
3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- Deed
- Court Order
- Other Document

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

DATED: This 2^d day of July, 2004

HAMILTON & McMAHON, LTD.

By: 
THOMAS MIRCZAK, ESQ.

Attorneys for Defendant
LELA TERRY

CALIFORNIA AVE.
OFFICE BOX 40638
...NO. NV 89504-4638
(775) 348-2700 FAX (775) 348-2745

CERTIFICATE OF SERVICE

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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 2nd day of July, 2004, I served a true and correct copy of the foregoing

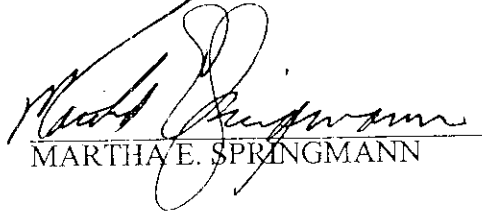
NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT by:

- 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

577 CALIFORNIA AVE.
T. OFFICE BOX 40638
JNO, NV 89504-4638
(775) 348-2700 FAX (775) 348-2745

EXHIBIT A

*Yonkers
Inc*

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

1. 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.

2. 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:

1. By cash on the signing of this Agreement, receipt of which is acknowledged by Sellers: Forty Thousand Dollars (\$40,000.00);

2. 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;

3. Additional cash balloon payment of Ninety Seven Thousand One Hundred Eighteen Dollars and Fifty Cents (\$97,118.50), due on May 15, 2008;

4. By Purchaser's payment of all real property taxes due and accruing after April 15, 2003; and

5. 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.

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."

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.

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.

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 Apr.l, 2003.

Lela S. Terry
LELA S. TERRY
(Seller)

Joan Sciarani-Blake
JOAN SCIARANI-BLAKE
TWIN PROPERTIES, LLC
(Member)

Elvetia S. Mirczak
ELVETIA S. MIRCAK
(Seller)

Barbara Sciarani
BARBARA SCIARANI
TWIN PROPERTIES, LLC
(Member)

Elaine Eisenhauer
ELAINE EISENHAUER
(Seller)

Address of Sellers:

c/o Thomas Mirczak
2581 Range View Lane
Reno, Nevada 89509

Address of Purchaser

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

EXHIBIT A

FILE NO. 67798

THIS DEED executed this 26th day of December, 1963 by and between DOMENICHINA SCIARANI, hereinafter referred to as the grantor, and ELVIZIA MUÑOZAL, LILA TRANI 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., MDBLM., and running thence N. 50°02'47" E., 2077.11 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 SE 1/4 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 SE 1/4 of Sec. 11 a distance of 2389.31 feet more or less to the northeast corner of the said SE 1/4; thence 2nd course south along the east line of said SE 1/4 a distance of 660 feet; thence 3rd course west at right angles a distance of 2389.31 feet, more or less, to the east line of the Green Acres Subdivision; thence north along the east line of the Green Acres Subdivision 660 feet to the point of beginning. Containing 36.20 acres, more or less.

unto the Grantees, their heirs and assigns forever.

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

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

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

Domenichina Sciarani

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

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

(Notarial Seal)
My commission expires July 18, 1969

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

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

Jas. F. Barton, County Recorder
By Margaret Simpson Deputy

FILE NO. 87803

THIS INDENTURE made this 26th day of December, 1963 between JULIA S. PRAY, MARY KATHARINE ESTES AND RUTH MARGARET PRAY, parties of the first part, grantors, and JAMES R. JOHNSON AND BLAINE JOHNSON, his wife and MARCO BOSCOVICH AND JEANNE BOSCOVICH, his wife, parties of the second

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

Francis J. Coddington
Mildred Coddington

STATE OF NEVADA,
COUNTY OF LYON. }
SS.

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

(Notarial Seal)
Walter Whitacre, Notary Public in and for the
My commission expires May 1, 1965 County of Lyon, State of Nevada.

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

Jan. F. Barton, County Recorder

By *Cecil Bell* Deputy
Book 46

FILE NO. 87970

Page 423

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

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

Starting at the SW corner of Sec n 11, T 13 N, R 25 E, MDB&M, and running thence

point on the north line of the SE $\frac{1}{4}$ of Section 11 and being the northeast corner of the Green Acres Subdivision; thence south along the east line of the Green Acres Subdivision a distance of 660 feet to the true point of beginning; thence from said true point of beginning 1st course east a distance of 2389.31 feet more or less to the east line of the said SE $\frac{1}{4}$ of Section 11; thence 2nd course south along the east line of the said SE $\frac{1}{4}$ of Section 11 a distance of 660 feet more or less to the southeast corner of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11; thence 3rd course west along the south line of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 a distance of 2389.31 feet more or less to the east line of the Green Acres Subdivision; thence 4th course north along the east line of the Green Acres Subdivision a distance of 660 feet, more or less, to the point of beginning. Containing 36620 acres, more or less.

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

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

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

Domenichina Sciarani

STATE OF NEVADA,
COUNTY OF WASHOE
} SS.

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

uses and purposes therein mentioned. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(Notarial Seal)

My commission expires August 22, 1965

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

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

Jas. F. Barton, County Recorder

By *[Signature]* Deputy

FILE NO. 87980

GRANT DEED (Joint Tenancy)

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

Lots one and two of Block Thirty-eight of Mason Townsite as they appear on the Official Map of said Townsite on file with the County Recorder of Lyon County, Nevada.
WITNESS my hand this 11 th day of October, 1961.

W.H.Pruitt

STATE OF CALIFORNIA,
COUNTY OF BUTTE } SS.

On Oct. 11, 1961 before me Dorothy A. Wise a Notary Public in and for said County and State personally appeared W.H.Pruitt known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

(Notarial Seal)
My commission expires July 31, 1964

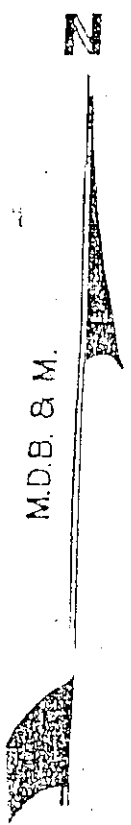
Dorothy A. Wise, Notary Public, 1960 Bird St. Oroville, Calif.

Recorded at request of Don Wertz Jan. 23, 1964 at 25 min. past 1 p.m.

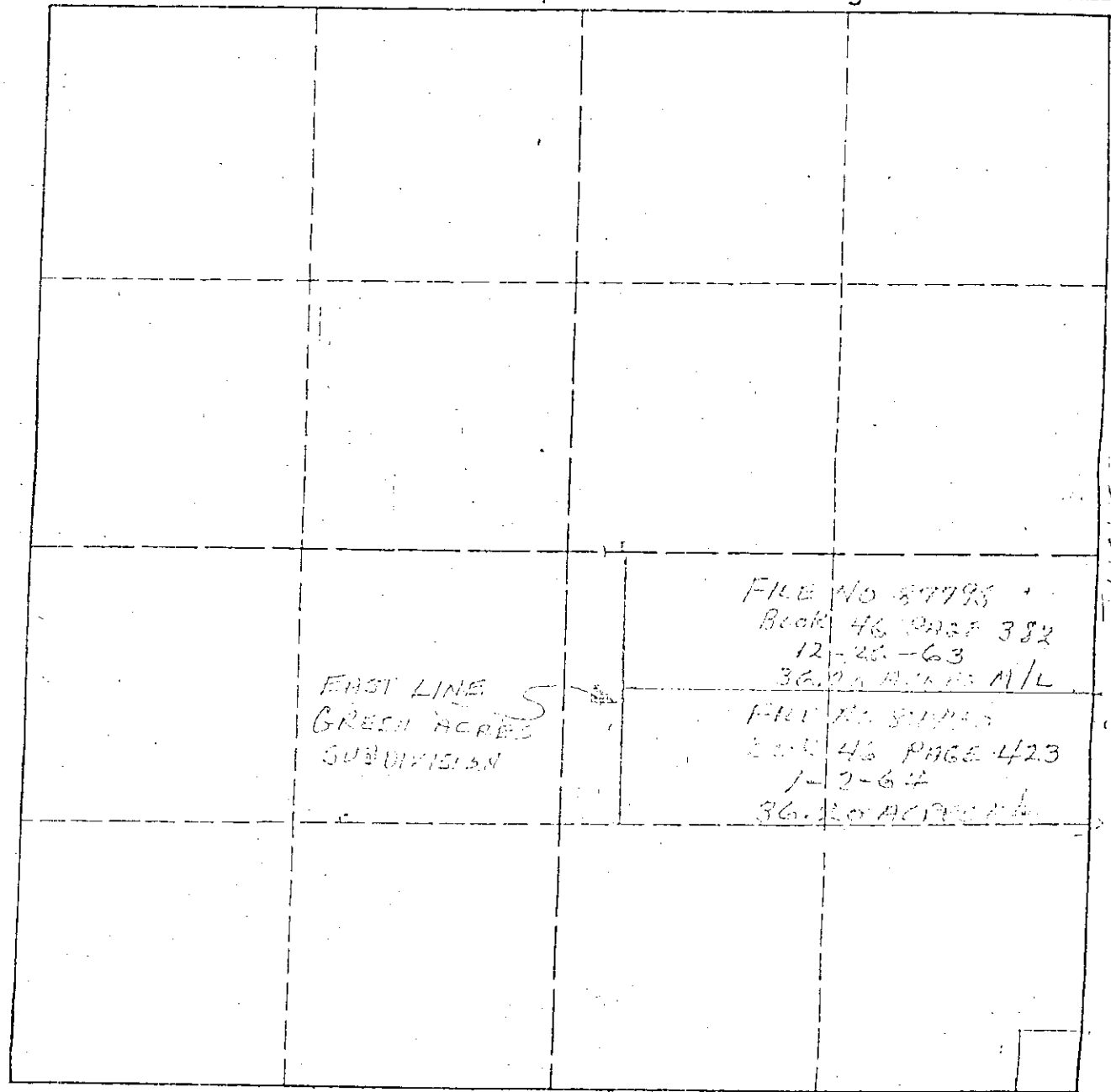
Jas. F. Barton, County Recorder

By *[Signature]*

Section 17 Township No. 13N Range No. 25E



M.D.B. & M.



TUCKER LANE

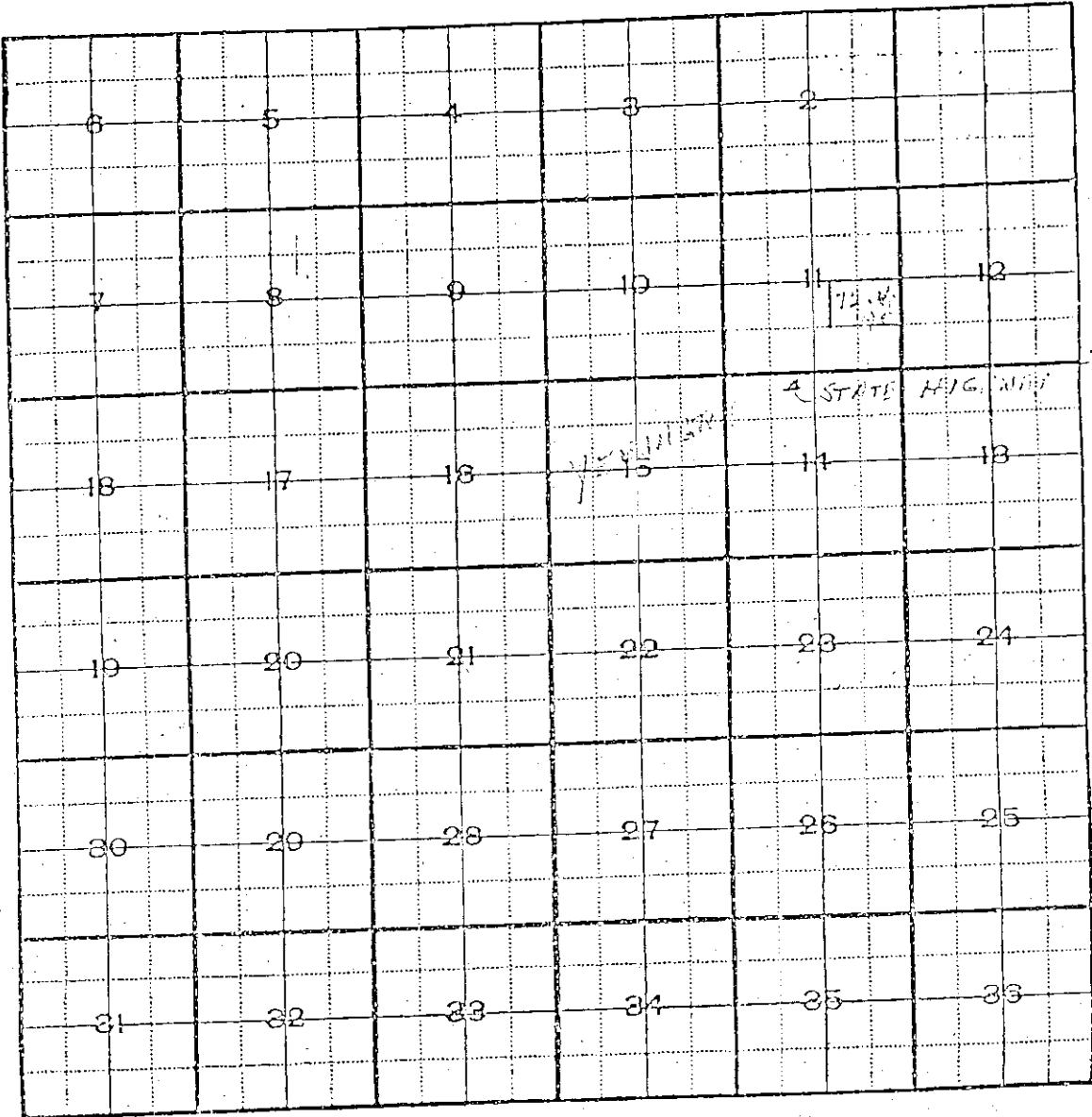
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← TAYLOR ST. STATE HIGHWAY → TO SCHURZ

Handwritten notes and lines at the bottom of the page, including a large '1-2-64' and several horizontal lines.

NORTH

Township No. 13 N Range No. 25 E Mount Diablo Base and Meridian



WEST

EAST

Scale 80 Chains (1 mile) to an inch

SOUTH



WALKER RIVER JUNCTION DISTRICT
 YERING TOWN, NEVADA

Index No. 297-A
 Lyon County No. 10-331-33
 Claim No.
 User # 2018
 Ditch Colony

Division
 Card #: 53557
 Name: Sean C. & Denise L. Terry
 Address: P. O. Box 173
 Wellington, NV 89444
 O. & M. Local No. 1

Court Decree:

PRIORITY	C.F.S.	ACRES	DUTY	DAYS SLUICAGE	ACRE FEET PER ACRE	ACRE FEET TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES
NEWL		1.740	4.2768	65	2.0592	3.583	3.58				Water R/L Acres 1.740
TOTAL		1.740			3.583	3.583	3.58	3.58	.00		Non Wtr R/L Acres 1.740
											Acres Feet Storage 3.580

LEGAL DESCRIPTION:

Fr. NE 1/4 of NE 1/4, Sec. 27,
 T 11 N, R 23 E.

Parcel 1-D of PM 232837

COMMENTS:

1/17/02 - Transferred from card #56133 - Weaver Properties
 2/11/04 - Assigned New APN by County

RECEIVED

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#45-289	11/09/62	Joint Tenant
#109226	07/30/87	Cora G. Sayre to Cora Sayre Trust.
#201099	12/27/96	Andrew G. Sayre, Jr. & Mark Arrighi, Successor Trustees to Cora Sayre, deceased, to William M. Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement.
#203640	03/27/97	Parcel Map of Portions of Sec. 22, & 27, T 11 N - R 23 E.
#209100	08/22/97	Parcel Map of Portion of Sec. 22, & 27, T 11 N - R 23 E. for William M. Weaver & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Trust.
#212988	12/09/97	Boundary Line Adjustment for William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Trust.
#212989	12/09/97	William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to William M. Weaver & Rosemary Weaver, Trustees of the William Weaver, Jr. Trust (18).
#213378	12/19/97	William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to Weaver Properties, L.L.C. a Nevada Limited Liability Company.
#215183	02/11/98	Weaver Properties, L.L.C., a Nevada Limited Liability Company to Weston L. Wright, an unmarried man & Sandra Lynn McCombs, an unmarried woman (15).
#232837	04/23/99	Parcel Map for Weaver Properties, L.L.C.
#270026	12/21/01	Weaver Properties LLC to Sean C. & Denise L. Terry, husband and wife as Joint Tenants

Exhibit 151

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.

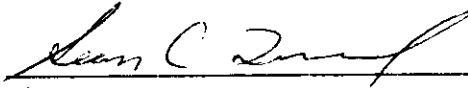
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF 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: 3-31-05


Signature

Sean C. Terry
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 a 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.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

SEAN C. TERRY

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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.

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Date: 8/10/4



Signature

ROBERT W. TERSCHLUSE
Printed/Typed Name

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

(Title)

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
Plaintiff,)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
Plaintiff-Intervenor,)	SUBFILE NO. C-125-B
vs.)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

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400 South Virginia Street, Suite 301
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3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

ROBERT W. TERSCHLUSE

(Printed or typed Name) TRUSTEE

TERSCHLUSE FAMILY TRUST

(Entity, if any, on whose
behalf you are appearing)

845 GLENMERE WAY
LOS ANGELES, CA 90049

(Address)

(310) 476-2856

(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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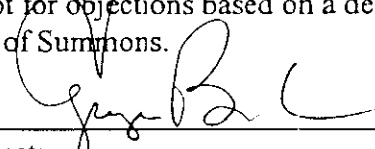
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Date: 8-12-04



Signature
George N. Benesch

Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as: Attorney for of
(Title)
John and Caroline Thacher
(Corporate, Trust, Partnership or other entity)

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

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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.,)	

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 Environment & Natural Resources Division
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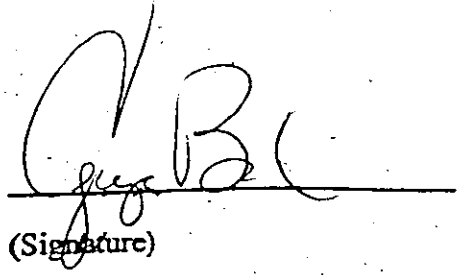
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Attorney: George N. Benesch

Address: 9432 Double R Blvd., Suite B
Reno, NV 89521

Phone Number: 775-827-3100

Fax Number: 775-827-3020


(Signature)

George N. Benesch
(Printed or typed Name)

John & Caroline Thacher
(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: Aug 23, 2004

Dawn Rae Cooper
Signature

DAWN RAE COOPER
Printed/Typed Name

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

(Title)
RACHEL SMITH THOLKE TRUST
(Corporate, Trust, Partnership or other entity)

PLEASE NOTE CHANGE OF ADDRESS
P.O. BOX 1343
YERINGTON, NV 89447

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

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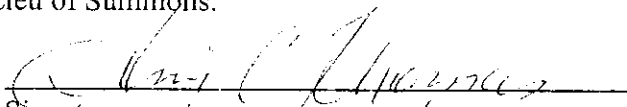
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Date: 6/10/04


Signature

Ami C. Thomas
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: U/A 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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Date: 7/30/04

Katherine L. Thomas
Signature

Katherine L. Thomas
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 a 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.

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: 7/30/04

Teery Thomas
Signature

Teery Thomas
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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Date: 6-10-04

Tracy Thomas
Signature

TRACY THOMAS
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: N/A 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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Signature

Don H. Tibbals

Printed/Typed Name

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

(Title)

(Corporate, Trust, Partnership or other entity)

Date: 8/16/04

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

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

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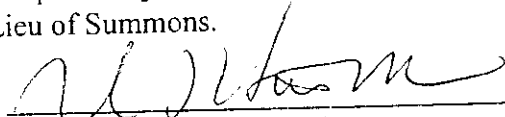
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Date: 6/17/04



Signature
Robin L Titus MD.

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Q 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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAJUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

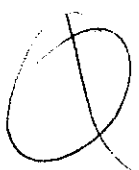
1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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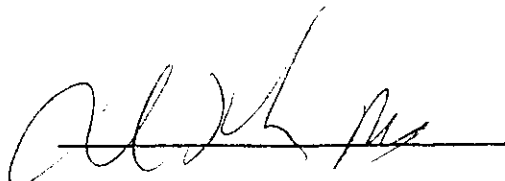
Attorney:




Address:

Phone Number:

Fax Number:


(Signature)

Robin L Titus MD
(Printed or typed Name)


(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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.

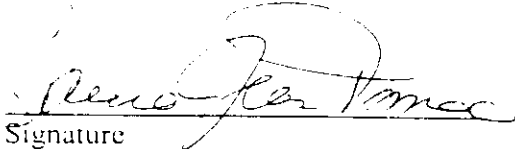
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit 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: 8 20, 2004


Signature

Laura Jean Tomac
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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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125-ECR
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
v.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	
)	
Defendants.)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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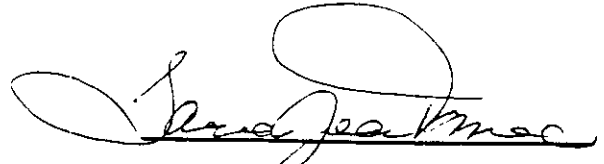
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Attorney:

Address:

Phone Number:

Fax Number:


(Signature)

Laura Jean Tomac
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

39 Panavista Circle
Yerington NV 89447
(Address)

775-463-5531
(Telephone number)

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: 8-20, 2004

Steven B. Tomac
Signature

Steven B. Tomac
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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation. et al.,)	

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Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
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Attorney: Gordon H. DePaoli, Dale E. Ferguson

Address: Woodburn and Wedge
P.O. Box 2311
Reno, NV 89505

Phone Number: 775/688-3000

Fax Number: 775/688-3088

Dated this ____ day of June, 2004.

Steven B. Tomac
(Signature)

Steven B. Tomac
(Printed or typed name)

(Entity, if any, on whose behalf you are appearing)

Steve Tomac
39 Panavista Circle
(Address) Yerington NV 89447
775-463-5531
(Telephone number)

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: 8/18/04

Malcolm C. Treasure

Signature

MALCOLM C. TREASURE

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 e 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.

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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: 8/17/04

Michelle R. Treasure
Signature Michelle R. Treasure

Printed/Typed Name

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

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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 6-12-04

Dobres V. Turner

Signature

Dobres V. Turner

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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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: 6-14-04

Howard H. Turner
Signature

HOWARD D. TURNER
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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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: 7-26-04

Joan C. Turner
Signature

JOAN C. TURNER
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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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 7-26-04

ROSS D. TURNER

Signature

ROSS D. TURNER

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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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

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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: 6/14/04

Linda Turra
Signature
Linda Turra
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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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

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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: 6/14/04

Linda Turria
Signature

Linda Turria
Printed/Typed Name

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

(Title)
Linda Turria Trust Agreement
(Corporate, Trust, Partnership or other entity)

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

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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: 6/14/04

Linda Turria Randy Turria
Signature
Linda Turria Randy Turria
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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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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

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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: 8-3-04

Roy A. Snyder
Signature

Roy A. Snyder
Printed/Typed Name

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

Twelmas Family Partnership LLC
(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 a 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.

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Attorney:

Address:

Phone Number:

Fax Number:

Ray Snyder
(Signature)

Ray A. Snyder
(Printed or typed Name)

Twelvees Family Partnership
LLC

(Entity, if any, on whose
behalf you are appearing)

4645 Syracuse St
Denver CO 80237

(Address)

303 770 3630

(Telephone number)

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: 12/21/04

Waiver as to Walker River Paiute Tribes Counterclaim only

David Negri
Signature

David Negri
Printed/Typed Name

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

(Title)
United States Forest Service
(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.

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: 8-16-04

Debra A. VandBrake

Signature

Debra A. VandBrake

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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Debra Vand Brake

(Signature)

Debra Vand Brake

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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: 8-8-04

Jerry VanDeBrake
Signature
JERRY VANDE BRAKE
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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

8-8-04 Jerry VanDeBrake
(Signature)

JERRY VANDEBRAKE
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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: 3/17/05

Richard D. Vaughan Julie M. Vaughan
Signature
Richard D. Vaughan Julie M. Vaughan
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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff.)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

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United States District Court for the
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400 South Virginia Street, Suite 301
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3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

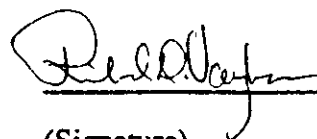
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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

Richard D. Vaughn

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)
1184 Hwy 208
Yerington, NV 89447

(Address)

(775) 463-4867

(Telephone number)

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: 3-17-2005

Richard D. Vaughan Julie M. Vaughan
Signature

Richard D. Vaughan, Julie M. Vaughan
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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

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United States District Court for the
District of Nevada
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Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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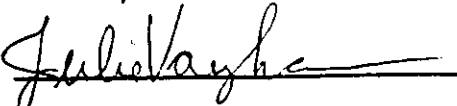
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Attorney:

Address:

Phone Number:

Fax Number:

^{M.}

(Signature)

Julie M. Vaughan
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

1184 Hwy 208
Verunifon, NV 89447
(Address)

(775) 463-4867
(Telephone number)

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

Kelly A. Veil
Signature

Kelly A. Veil
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 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.

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.

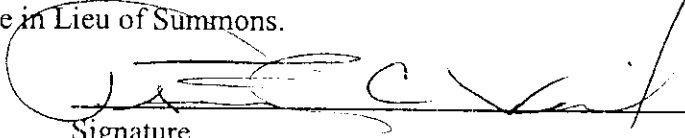
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF 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: 6-14-04



Signature

Timothy C. Veil
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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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 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.

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: 11-24-2004

[Handwritten Signature]

Signature

[Handwritten Name]

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
 400 South Virginia Street, Suite 301
 Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:
 Susan L. Schneider
 Attorney for the United States of America
 United States Department of Justice
 Environment & Natural Resources Division
 P.O. Box 756
 Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Alan N Villa

(Signature)

ALAN N VILLA

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

951-926-6390

(Telephone number)

PO BOX 10026
COSTA MESA, CA
92627

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: 11-24-2004

Shirley S. Villa
Signature

Shirley S. Villa
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 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Shirley J. Villa

(Signature)

Shirley J. Villa

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

951-926-6390

(Telephone number)

*Po Box 10026
COSTA MESA, CA
92627*

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: 6/8/04

Virginia Sue Virdin

Signature

VIRGINIA SUE VIRDIN

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 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.

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

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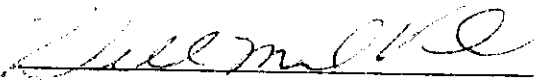
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit 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
WILLIAM MICHAEL VIRDIN
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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Date: 7-24-04

Victoria E. Vorhies

Signature

VICTORIA E. VORHIES

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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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: 03-24-2004

William L. Voornes, JR
Signature

WILLIAM L. VOORNES, JR
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 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.

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: 7/27/04

Wayne E Bennett
Signature

WAYNE E BENNETT
Printed/Typed Name

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

W&L Trust
(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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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.

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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

W. E. Bennett

(Signature)

WAYNE E BENNETT

(Printed or typed Name)

WEL Trust

(Entity, if any, on whose
behalf you are appearing)

1199 Midway ST

El Cajon, Ca

(Address) 92020

619 442 8500

(Telephone number)

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: 06/14/2004



Signature

Louis D. Thompson

Printed/Typed Name

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

(Title)
Walker Lake Working Group

(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.

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: 6/7/04

Leo Begin
Signature
Walker River Ranch
Printed/Typed Name

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

Walker River Ranch, a Nevada limited partnership
(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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number: 775-788-2000

Fax Number: 775-788-2020

Leo P. Bergin
(Signature)

Leo P. Bergin
(Printed or typed Name)

Walker River Ranch
(Entity, if any, on whose
behalf you are appearing)
PO BOX 2670
PRN Nevada 89505
(Address)

775-788-2000
(Telephone number)

313414

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

WESTERN TITLE CO. INC.

04 FEB -5 PM 2: 37

MARY C. MULLIGAN
COUNTY RECORDER

FEE 15.00 DEP. ke

APN: 12-361-06
RPTT 682.50

WHEN RECORDED MAIL TO:
Name PAUL P SANS
Street 45610 AIRLINE HIGHWAY
Address
City, State KING CITY, CA 93930
Zip

MAIL TAX STATEMENTS TO:
Name PAUL P SANS
Street 45610 AIRLINE HIGHWAY
Address
City, State KING CITY, CA 93930
Zip
Order 00089482-201-SLG 7935 UO
No.

(SPACE ABOVE THIS LINE FOR RECORDERS USE)

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE WITNESSETH: That

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, DEIRDRE WALLACE, an unmarried woman, do(es) hereby GRANT(s) BARGAIN SELL and CONVEY to PAUL P SANS and SANDRA J. ROBISON SANS, husband and wife as community property and to the heirs and assigns of such Grantee forever, all the following real property situated in the City of N/A, County of Lyon, State of Nevada bounded and described as follows:

TOWNSHIP 12 NORTH, RANGE 25 EAST, M.D.B. & M.

SECTION 26: THE SOUTH 1/4 OF THE SOUTH 1/4 OF NORTHEAST 1/4.

NOTE(NRS 111.312) The above metes and bounds description appeared previously in that certain Quitclaim Deed, recorded in the office of the County Recorder of Lyon County, Nevada on March 21, 2001 as Document No. 258744 of Official Records.

TOGETHER with all tenements, hereditaments and appurtenances, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof. INCLUDING ANY AND ALL WATER RIGHTS TO SUBJECT PROPERTY

Dated: February 2, 2004

313414

Grant, Bargain and Sale Deed - Page 2

Deirdre Wallace
DEIRDRE WALLACE

STATE OF NEVADA

COUNTY OF douglas

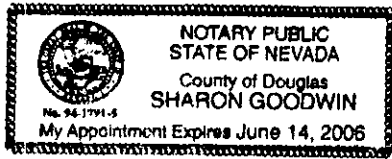
This instrument was acknowledged before me on

2/3/04

by DEIRDRE WALLACE

[Signature]
Notary Public

UNOFFICIAL COPY



WALKER RIVER DIVISION DISTRICT
YERIN, NEVADA

Division
Card #: 44540
Name: Paul P. Sans and Sandra J. Robison Sans
Address: 45610 Airline Highway
King City, CA 93930

Index No. 159
Lyon County No. 12-361-06
Claim No. 71
User # 2548
Ditch Hilbun

Court Decree: C-125, P.30; Hilbun, James

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET APPORTIONED	TOPAZ RES.		BRIDGEPORT RES.		CLAIM #	TOTAL ACRES
					PER ACRE	TOTAL		ACRE FEET	ACRE FEET	ACRE FEET	ACRE FEET		
1873	.060	5.000	3.2076			.000						71	40.000
1902	.060	5.000	3.2076	34		4.040						71	40.000
NEWL		30.000	3.2076	65		46.330							0.000
TOTAL	.120	40.000				50.370	50.38	.00					50.389

LEGAL DESCRIPTION:

Fr. S 1/2 of S 1/2 of NE 1/4, Sec. 26;
T 12 N - R 25 E

COMMENTS:

3/22/04 - Transferred from Wallace, Deirdre - Card #55985

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#34-500	01/02/48	State of Nevada to Asburn C. Ross (Pat).
#102972	10/17/86	Katherine M. Hamer Deceased to John M. Hamer.
#103556	11/18/86	John M. Hamer to John M. & Maryanna Hamer.
#134327	07/05/90	John & Maryanna Hamer to John & Maryanna Hamer Trust
#196502	08/20/96	John Murray & Maryanna Hamer, Trustees of the John Murray Hamer & Maryanna Hamer Trust to William M. Weaver, Jr. & Rosemary F. Weaver
#205111	05/07/97	Trustees of the William M. Weaver, Jr. Revocable Trust Agreement dated 10/15/86.
#258744	03/21/01	William M. Weaver & Rosemary Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to Deirdre Wallace & Dennis Boardman, Wife & Husband as Joint tenants.
#313414	02/05/04	Deirdre Wallace & Arthur Dennis Boardman to Deirdre Wallace, an unmarried woman as her sole and separate property
		Deirdre Wallace, an unmarried woman to Paul P. Sans and Sandra J. Robison Sans, husband and wife as community property

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.

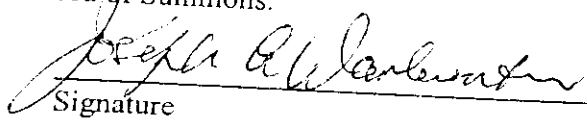
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF 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



Signature

JOSEPH A. WARBURTON
Printed/Typed Name

Printed/Typed Name

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

WARBURTON FAMILY TRUST

(Corporate, Trust, Partnership or other entity)

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

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

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

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
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

FILED
JUN 29 PM 12:33
LANCE S. WILSON
CLERK
DEPUTY

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.

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, telephone number, and facsimile number:


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Attorney:

Address:

Phone Number:

Fax Number:


(Signature)

JOSEPH A. WARBURTON
(Printed or typed Name)

WARBURTON
FAMILY TRUST
(Entity, if any, on whose
behalf you are appearing)
20 MOORE LN
RENO, NV 89509
(Address)
(775)-825-7814
(Telephone number)

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: 5/15/04

Louven S. Conrad

Signature

Louven S. Conrad

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 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
WALKER RIVER PAIUTE TRIBE,)
)
Plaintiff-Intervenor,)
)
vs.)
)
WALKER RIVER IRRIGATION DISTRICT,)
a corporation, et al.,)

IN EQUITY NO. C-125
SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

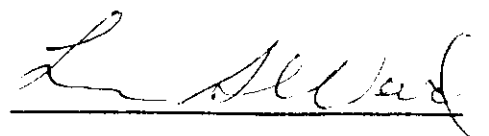
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Attorney: Dale Ferguson
Woodburn & Wedge

Address: P O Box 2311
Reno, NV 89505

Phone Number:

Fax Number:



(Signature)

Lauren Steward

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

900 North Point
Chocolate Bldg Ste 200

(Address)

San Francisco, CA

(Telephone number) 91708

415-202-8501

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.

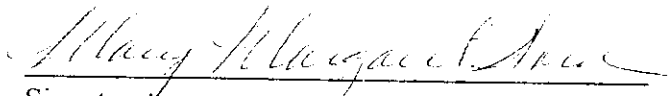
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit 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: 15 June 2004



Signature

Mary Margaret WARD

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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAJUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

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
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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.

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, telephone number, and facsimile number:

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Attorney: Dale Ferguson
Woodburn + Wedge

Address: PO Box 2311
Reno, NV 89505

Phone Number:

Fax Number:

Mary Margaret Ward
(Signature)

Mary Margaret Ward
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

2214 Clay St
SAN FRANCISCO CA 94115
(Address)

415-921-4909
(Telephone number)

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: 3-18-05

David Warr

Signature

DAVID WARR

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 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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1
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3 UNITED STATES OF AMERICA,)

4 Plaintiff.)

5 WALKER RIVER PAIUTE TRIBE,)

6 Plaintiff-Intervenor,)

7 vs.)

8 WALKER RIVER IRRIGATION DISTRICT,)
9 a corporation, et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

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:

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 Lieu
 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:

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Attorney:

Address:

Phone Number:

Fax Number:

David Warr

(Signature)

DAVID WARR

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

1 Farrell LN
Yerington, NV 89447

(Address)

775-463-4706

(Telephone number)

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: 3/21/05

John C. Warr
Signature
John C. Warr
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 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.

3 Farrell Lane, Yerington, NV 89447

Exhibit 197

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff.)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

- I hereby enter my appearance in this sub-proceeding in this case.
- 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 Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

- I (or the entity on whose behalf I am acting) will retain all defenses or objection 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.

- 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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

* John C. Warr
(Signature)

* John C. Warr
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)
* 3 Fairrell Lane
Yerington, NV 89447
(Address)

* 727-561-0570
(Telephone number)

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: 6-23-04

Chesley E. Wass
Signature

Chesley E. Wass
Printed/Typed Name

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

WASS Investments
(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.

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: 8/26/04

Debi L. Wasser

Signature

Debi L. Wasser

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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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.

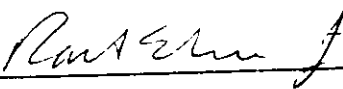
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF 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: 8-26-04


Signature

ROBERT E. WASSER JR.
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 a 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.

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.

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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: June 19, 2004

John R. Weaver
Signature

John R. Weaver
Printed/Typed Name

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

John Weaver family trust
(Corporate, Trust, Partnership or other entity)

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff.

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

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

IN EQUITY NO. C-125
SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

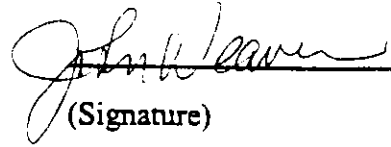
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Attorney:

Address:

Phone Number:

Fax Number:


(Signature)

John Weaver
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

59 Rowntree Ln
Smith NJ 089430
(Address)

(775) 465-2328
(Telephone number)

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: June 19, 2004

Lura K. Weaver

Signature

Lura K. Weaver

Printed/Typed Name

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

(Title)

John Weaver 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Lura K. Weaver

(Signature)

Lura K Weaver

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

59 Rowntree Lane
Smith, NV 89430

(Address)

775-465-2328

(Telephone number)

WALKER RIVER DIVISION DISTRICT
YERING NEVADA

Division #

Index No. 273
Lyon County No. 10-731-01
Claim No. 157
User # 2180
Saroni
Ditch

Card #: 66100
Name: John & Lura Weaver Family Trust
John R. & Lura K. Weaver, Trustees
Address: 59 Rowntree Lane
Smith, NV 89430

O. & M. Local No. 4

Court Decree: "PROVISIONAL" C-125, P.46; Van Fleet, A.J.

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET APPORTIONED	TOPAZ RES.		BRIDGEPORT RES.		CLAIM #	TOTAL ACRES
					PER ACRE	TOTAL		ACRE FEET	ACRE FEET	ACRE FEET	ACRE FEET		
1880	.700	58.000	3.2076	25	.594	34.450						157	176.000
1891	.960	80.000	3.2076	31	.7366	58.930						157	176.000
NEWL		37.000	4.2768	65	2.0692	76.190							360.360
SUPP. STG.		.000	4.2768	65	2.0692	190.790							360.360
TOTAL	1.660	175.000				360.360	360.36						360.360

LEGAL DESCRIPTION:
W 1/2 of SW 1/4 of NW 1/4, E 1/2 of NE 1/4, Sec. 4;
W 1/2 of NE 1/4, Sec. 6;
T 10 N, R 24 E.

COMMENTS:
Also APN 10-731-03
06/10/87 - PROVISIONAL water card until Claim #167 amended as to place of use.
06/10/87 - Index card 273A & 561 combined.
01/20/04 - Changed to Trust

DOCUMENT #	DATE	DESCRIPTION
#36-268	09/27/60	Rowntree, Herb & Elsie as Joint Tenants.
#30986	01/04/77	Lomatori, Julio & Della to Weaver, John & Lura.
#106769	03/02/87	Rowntree, Herb & Elsie to Weaver, John & Lura. 6/10/87 - Provisional water card until Claim #167, amended as to place of use. Index card 273A & 561, combined.
#303542	09/04/03	John R. & Lura K. Weaver, husband and wife a Joint Tenants to John R. & Lura K. Weaver, Trustees of the John & Lura Weaver Family Trust dated 7/28/03
#303543	09/04/03	John R. & Lura K. Weaver, husband and wife as Joint Tenants to John R. & Lura K. Weaver, Trustees of the John & Lura Weaver Family Trust dated 7/28/03

APN: 10-731-01

WHEN RECORDED RETURN TO:

John & Lura Weaver, Trustees
59 Rowntree Lane
Smith, NV 89430

3543
OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY
Lura Weaver
03 SEP -4 PM 2: 59
MARY C. MILLIGAN
COUNTY RECORDER
FEE 16.00 DEP. SM

GRANTEE-Mail Tax Statements To:

John & Lura Weaver, Trustees
59 Rowntree Lane
Smith, NV 89430

R.P.T.T. #8(a) = 0

DEED

THIS INDENTURE made and entered into this 4th day of Sept., 2003, by and between JOHN R. WEAVER and LURA K. WEAVER, husband and wife, party of the first part, and JOHN R. WEAVER and LURA K. WEAVER, as Grantors and Trustees of the JOHN and LURA WEAVER FAMILY TRUST, dated July 28, 2003, party of the second part.

WITNESSETH:

That the party of the first part, without consideration to them paid by the party of the second part, do by these presents grant, bargain, sell and convey unto the party of the second part, and to its successors and assigns forever, all that certain real property situate in the County of Lyon, State of Nevada, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with all and singular the tenements, hereditaments and

appurtenances, including easements and water rights, if any, thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said presents, together with the appurtenances, unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part have set their hands the day and year first above written.

John R. Weaver

JOHN R. WEAVER
Lura K. Weaver

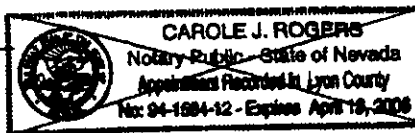
LURA K. WEAVER

STATE OF NEVADA)
) ss.
COUNTY OF LYON)

On this 4th day of September, 2003, personally appeared before me, a Notary Public, JOHN R. WEAVER and LURA K. WEAVER, personally known to me to be the persons whose names are subscribed to the above instrument who acknowledged that they executed the above instrument.

Carole J. Rogers

Notary Public



Excepting therefrom:

All that certain lot, piece or parcel of real property located in the NE 1/4 of Section 5, T. 10 N., R. 24 E., M.D.B.&M., Lyon County, Nevada, described as follows:

Beginning at a point which bears N. 89° 48' 25" W., 1,324.89 feet from the east 1/4 corner of said Section 5. Thence N. 0° 43' 24" W., 670.11 feet, thence S. 89° 48' 25" E., 329 feet, thence S. 0° 43' 42" E., 670.11 feet, thence N. 89° 48' 25" W., 329 feet to the point of beginning.

30986

303543

36 42

JOHN R. & LURA K. WEAVER
LYON COUNTY, NEV.

RECORD REQUESTED BY

Lara Weaver

03 SEP -4 PM 2: 58

MARY C. MILLIGAN
COUNTY RECORDER

FEE *B.77* DEP. *SM*

APN: 10-731-03

WHEN RECORDED RETURN TO:

John & Lura Weaver, Trustees
59 Rowntree Lane
Smith, NV 89430

GRANTEE-Mail Tax Statements To:

John & Lura Weaver, Trustees
59 Rowntree Lane
Smith, NV 89430

R.P.T.T. #8(a) = 0

DEED

THIS INDENTURE made and entered into this 4th day of Sept., 2003, by and between JOHN R. WEAVER and LURA K. WEAVER, husband and wife as joint tenants with right of survivorship, party of the first part, and JOHN R. WEAVER and LURA K. WEAVER, as Grantors and Trustees of the JOHN and LURA WEAVER FAMILY TRUST, dated July 28, 2003, party of the second part.

WITNESSETH:

That the party of the first part, without consideration to them paid by the party of the second part, do by these presents grant, bargain, sell and convey unto the party of the second part, and to its successors and assigns forever, all that certain real property situate in the County of Lyon, State of Nevada, described as follows:

Township 10 North, Range 24 East, M.D.B.&M.

Section 5: The West half (W 1/2) of the Northeast Quarter (NE 1/4)

TOGETHER WITH the water rights appurtenant thereto and the personal

property located thereon and described in EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with all and singular the tenements, hereditaments and appurtenances, including easements and water rights, if any, thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said presents, together with the appurtenances, unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part have set their hands the day and year first above written.

John R. Weaver

JOHN R. WEAVER

Lura K. Weaver

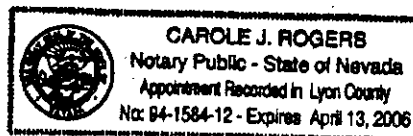
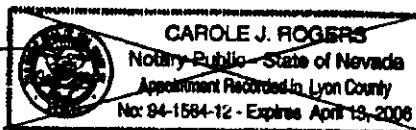
LURA K. WEAVER

STATE OF NEVADA)
) ss.
COUNTY OF LYON)

On this 4th day of Sept., 2003, personally appeared before me, a Notary Public, JOHN R. WEAVER and LURA K. WEAVER, personally known to me to be the persons whose names are subscribed to the above instrument who acknowledged that they executed the above instrument.

Carole J. Rogers

Notary Public



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.

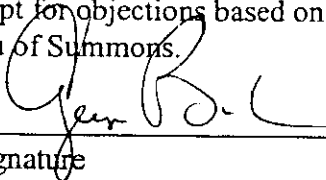
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Date: 8-26-04



Signature

George N. Benesch

Printed/Typed Name

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

Janet Huggans & Gilbert C. Wedertz
(Corporate, Trust, Partnership or other entity)

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

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1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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,
telephone number, and facsimile number:

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Attorney: George N. Benesch

Address: 9432 Double R Blvd., Suite B
Reno, Nevada 89521

Phone Number: 775-827-3100

Fax Number: 775-827-3020



(Signature)

George N. Benesch

(Printed or typed Name)

Janet Huggans
Gilbert C. Wedertz

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

Index No. _____
Lyon County No. _____
CL 211
CA 219

Page 58, Decree C-125
Trumble Lake (Trib. to Virginia Creek)
Pearl Kirkwood

Name: WEDERTZ, Gilbert C.
Address: P.O. Box 271
Bridgeport, CA 93517
c/o Jim Hudams
P.O. Box 597
17 N 8944

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET APPORTIONED	TOPAZ RES.		BRIDGEPORT RES.		TOTAL ACRES: 52
					PER ACRE	TOTAL		ACRE FEET	ACRE FEET	ACRE FEET	ACRE FEET	
1893	.64	40.00	Pearl Kirkwood		71-3/4							
1890	.12	7.38	Chas. W. Fulton									
1910	.07	4.62	Chas. W. Fulton									
	.83	52.00										
TOTAL												

Water Rt. Acres 52
Non Wtr. Rt. Acres _____
Acres Feet Storage _____

SE 1/4 of NE 1/4, Sec. 7;
SW 1/4 of NE 1/4, S 1/4 of NW 1/4, Sec. 8;
T 2 N, R 25 E.
Frac. in SW 1/4 of SE 1/4, Sec. 33; 12 acres
T 5 N, R 25 E.

Book 22, Page 83 - 8/30/46 - Charles W. Fulton to
Gilbert C. Wedertz et al.

Westlaw.

DEATH RECORD

Information Current Through: 04/15/2005
Database Last Updated: 04/18/2005
Updated Frequency: Weekly
Current Date: 04/20/2005
Source: Social Security Administration Death Index
Name: **GILBERT WEDERTZ**
SSN: 557-52-XXXX
State Where SSN Issued: CALIFORNIA
Date of Birth: 01/20/1904
Date of Death: 06/1977
Age at Death: 73
Last Residence: BURLINGAME, CA 94010
TO ORDER ORIGINAL FILINGS OR OTHER RELATED DOCUMENTS,
CALL WEST DOCUMENT RETRIEVAL AT 1-877-DOC-RETR (1-877-362-7387).
ADDITIONAL CHARGES APPLY.

END OF DOCUMENT

* 2005 Thomson/West. No Claim to Orig. U.S. Govt. Works.

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: 5.13.04

Robert G. Weiser
Signature

ROBERT G. WEISER
Printed/Typed Name

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

WEISER LIVING TRUST
(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 partic pate.

A.P.N. # 012-351-10

R.P.T.T. \$ 370.50

ESCROW NO. 040100203

RECORDING REQUESTED BY:
STEWART TITLE COMPANY

MAIL TAX STATEMENTS TO:
SAME AS BELOW

WHEN RECORDED MAIL TO:
GRANTEE
P.O. BOX 10026
COSTA MESA, CA 92627

313025
OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY
STEWART TITLE OF Dennis
04 JAN 30 PM 3:08
MARY D. HULLIGAN
COUNTY RECORDER
FEE 40 - DEP. KK

(Space Above for Recorder's Use Only)

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That **MICHAEL E. WELLINGTON, SR.** and **CHERYL ANN WELLINGTON,** husband and wife

in consideration of \$10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to **ALAN N. VILLA and SHIRLEY J. VILLA, husband and wife,** as joint tenants

and to the heirs and assigns of such Grantee forever, all that real property situated in the County of **Lyon** State of Nevada, bounded and described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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

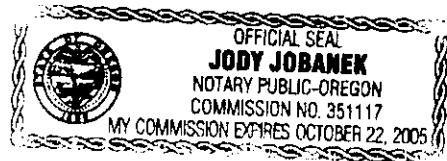
DATE: **January 26, 2004**

Michael E. Wellington, Sr.
MICHAEL E. WELLINGTON, SR.
Cheryl Ann Wellington
CHERYL ANN WELLINGTON

STATE OF Oregon }
COUNTY OF Lane } ss.

This instrument was acknowledged before me on Jody Jobanek
by **MICHAEL E. WELLINGTON, SR. and**
CHERYL ANN WELLINGTON

Signature Jody Jobanek
Notary Public (One inch margin on all sides of document for Recorder's Use Only)



my commission expires October 22, 2005

313025

EXHIBIT "A"

LEGAL DESCRIPTION

ESCROW NO.: 040100203

The land referred to herein is situated in the State of Nevada, County of LYON COUNTY, described as follows:

A PARCEL OF LAND ADJOINING THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE 3, AND BEING A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 25 EAST, M.D.&M., LYON COUNTY, NEVADA; FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SAID EAST RIGHT-OF-WAY LINE OF STATE ROUTE 3, AND BEING THE SOUTHWEST CORNER OF THIS DESCRIBED PARCEL, FROM WHICH THE SOUTHWEST CORNER OF THE SAID SECTION 24, BEARS SOUTH 0°45'27" WEST, 2268.84 FEET, THENCE ALONG THE SAID RIGHT-OF-WAY LINE NORTH 150.00 FEET; THENCE LEAVING THE SAID RIGHT-OF-WAY LINE SOUTH 82°49' EAST, 292.70 FEET; THENCE SOUTH 150.00 FEET; THENCE NORTH 82°49' WEST, 292.70 FEET TO THE SOUTHWEST CORNER OF THIS PARCEL AND PLACE OF BEGINNING.

REFERENCE IS HEREBY MADE TO THAT CERTAIN PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF LYON COUNTY ON OCTOBER 11, 1977 AS FILE NO. 34288.

ASSESSOR'S PARCEL NO. 12-351-10

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED FEBRUARY 22, 1999, AS FILE NO. 230080, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

"Together with all water rights, surface or ground, permitted, certificated, adjudicated, or vested, as well as all seeps, springs, and other rights to water, of any nature whatsoever, appurtenant to or historically used on the property."

Division

WALKER RIVE ATION DISTRICT
YERING, NEVADA

Card #: 66981

Name: Alan N. & Shirley J. Villa

Address: P. O. Box 10026
Costa Mesa, CA 92627

Court Decree:

O. & M. Local No. 3

Index No. Fm 271-A
Lyon County No. 12-381-10
Claim #
User # 2147
Ditch Hilbun



PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES
					PER ACRE	TOTAL					
NEWL		1.000	4.2768	55	2.0662	2.066					1.000
TOTAL		1.000			2.0662	2.066	2.06	.00	2.06		1.000

LEGAL DESCRIPTION:
NW 1/4 of SW 1/4, Sec. 24;
T 12 N, R 25 E.

DOCUMENT HISTORY:

DOCUMENT #	DATE	DESCRIPTION
#33537	08/19/77	John & Maryanna Hamer to Paul & Myrtle Redfield.
#118131	08/10/88	Paul & Myrtle Redfield to John K. Richards & Susan B. Hart.
#125597	07/06/89	John K. Richards & Susan B. Hart to Harold S. & Doris M. Williams.
#210541	09/29/97	Harold S. & Doris M. Williams to Cheryl Ann & Michael E. Wellington, Sr., husband & wife as Joint Tenants.
#230080	02/22/99	Michael E. Wellington Sr. & Cheryl Ann Wellington, husband and wife, who acquired title as Cheryl Ann Wellington & Michael E. Wellington, Sr., husband and wife as Joint Tenants
#313026	01/30/04	Michael E. Wellington, Sr. & Cheryl Ann Wellington, husband and wife to Alan N. & Shirley J. Villa, husband and wife as joint Tenants

COMMENTS:
Transferred from card #66450 - Williams
03/02/04 - Transferred from card 66201 - Wellington

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: 5/20/04

Ernest C Wheeler
Signature

Ernest C Wheeler
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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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

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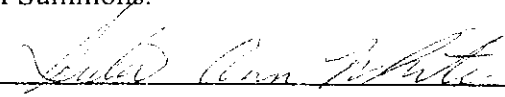
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice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

Date: 6/7/04


Signature

JULIE ANN WHITE
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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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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
Plaintiff,)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
vs.)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
 400 South Virginia Street, Suite 301
 Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:
 Susan L. Schneider
 Attorney for the United States of America
 United States Department of Justice
 Environment & Natural Resources Division
 P.O. Box 756
 Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Julie White
(Signature)

JULIE WHITE
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)
E BORSINI LN.
FERRINGTON, NV 89447
(Address)

775-463-3200
(Telephone number)

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: 8/16/04

[Handwritten Signature]

Harold J. DePoali

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Vice President-Client Admin. of (Title)

The Whittier Trust Co. of Nevada, Trustee for the (Corporate, Trust, Partnership or other entity) George A. L'Abbe Revocable Living Trust Agreement

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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:

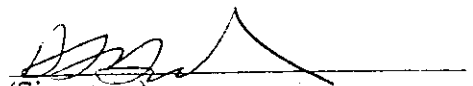
Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction 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.
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, telephone number, and facsimile number:

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Attorney: Sylvia L. Harrison
Michael A.T. Pagni
Debbie A. Shosteck
McDONALD CARANO WILSON LLP
Address: 100 West Liberty St., 10th Floor
Reno, NV 89501
Mailing Address: P.O. Box 2670
Reno, NV 89505

Phone Number: 775-788-2000

Fax Number: 775-788-2020


(Signature)

Harold J. Depoali, V.P.
on behalf of the Whittier Trust
Company of Nevada, Trustee for
George A. L'Abbe Revocable
Living Trust Agreement

(Entity, if any, on whose
behalf you are appearing)
100 W. Liberty St., Suite 890
Reno, NV 89501

(Address)
775-686-5400

(Telephone number)

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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,)	
	)	NOTICE OF CHANGE OF
Plaintiff-Intervenor,	)	OWNERSHIP OF WATER RIGHT
)	
v.)	
)	
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:

- The name and address of the party or parties who sold or otherwise conveyed ownership

Bank of America, N. A., as Trustee for George A. L'Abbe
Revocable Living Trust Agreement

Name(s)

P.O. Box 34029

Street or P.O. Box

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Seattle WA 98104
Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership
Whittier Trust Company of Nevada, as Trustee for George A.L'Abbe
Revocable Living Trust Agreement
Name(s)
100 West Liberty Street, Suite 890
Street or P.O. Box
Reno NV 89501-1954
Town or City State ZipCode

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

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of
Change of Ownership of Water Right using this form is ultimately responsible for the accuracy
of this filing. Consequently, the undersigned acknowledges that any person or entity who files

* This notice shall be sent to the following two persons:

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

And

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

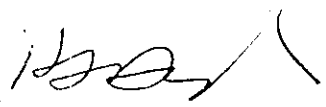
such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation.

Executed this 5th day of August 2004.

[signature of counter-defendant]

[name of counter-defendant]

The Whittier Trust Company of Nevada, Inc.,
as Trustee for George A. L'Abbe
Revocable Living Trust Agreement
[signature, if applicable, of person acting on
behalf of counter-defendant]



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

Harold J. Depoali, Vice President for
The Whittier Trust Company of Nevada, Inc.,
as Trustee for George A. L'Abbe
Revocable Living Trust Agreement
100 West Liberty Street, Suite 890
Reno, NV 89501

[address]

775-686-5400

[telephone number]

Attorneys: Sylvia Harrison
Michael A.T. Pagni
Debbie A. Shosteck
McDONALD CARANO WILSON LLP
Address: 100 W. Liberty St., 10th Floor
Reno, NV 89501
Mailing Address: P.O. Box 2670
Reno, NV 89505
Phone Number: 775-788-2000
Fax Number: 775-788-2020

When recorded, return to:
JAMES W. MINORCHIO
RIDDELL WILLIAMS P.S.
1001 4TH AVENUE PLAZA, SUITE 4500
SEATTLE, WA 98154-1065

RPT # 8
APN 12-471-74

QUIT CLAIM DEED

The GRANTOR, BANK OF AMERICA, N.A., as Trustee for GEORGE A. L'ABBE, for and in consideration of transfer into trust, conveys and quit-claims to THE WHITTIER TRUST COMPANY OF NEVADA, as Trustee for GEORGE A. L'ABBE (whose address is: P.O. Box 961, Yerington, Nevada 89447), the following described real estate, situated in the County of Lyon, State of Nevada, together with all after acquired title of the grantor therein:

That portion of the Northeast ¼ of Section 23, Township 11 North, Range 26 East, M.D.B. & M., in the County of Lyon, State of Nevada, being more particularly described as follows:

Beginning at the Section corner common to 13, 14, 23, 24 as shown on Record of Survey No. 223861, thence through the following courses;

1. South 01°00'38" East, 1958.07 feet;
2. North 88°46'47" West, 2687.84 feet;
3. North 00°00'03" West, 638.78 feet;
4. North 45°42'44" East, 1852.85 feet;
5. South 88°36'59" East, 1326.75 feet to the True Point of Beginning

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

ALSO those certain waters and water rights described in Exhibit "A" attached hereto and incorporated herein by this reference.

SUBJECT, HOWEVER, to those certain Covenants, Conditions, and Restrictions for Walker River Ranch Irrigation Association recorded July 21, 1999, as document No. 236752, Official Records, Lyon County, Nevada.

261936

ALSO SUBJECT TO: Easements, restrictions, and reservations of record.

Tax parcel #12-471-74

Dated April 3, 2001

Bank of America, N.A., as Trustee

By: James E. Stroch
James E. Stroch, Vice President

By: Debra S. Thomas
Debra S. Thomas, AVP

STATE OF WASHINGTON)

County of KING) ss.
)

On this 3rd day of April, A.D. 2001, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **James E. Stroch** and **Debra S. Thomas** to me known or proven on the basis of satisfactory evidence to be the Vice-President and Assistant Vice President, respectively of **BANK OF AMERICA, N. A.**, that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act of said bank and that they were authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Pat A. Wood
Notary Public in and for the State of
Washington
Residing at Everett
Name Printed PAT A WOOD
My appointment expires: 5/1/01

EXHIBIT "A"

WATER RIGHTS TO BE CONVEYED

THOSE CERTAIN surface water rights from the East Walker River which are appurtenant to the real property described on Page 1 of document ("Property") pursuant to Claim 17 of that certain decree entitled "United States of America, Plaintiff, vs. Walker River Irrigation District, a corporation, et al, Defendants, Case in Equity C-125" consisting of the following:

- 1. The right to irrigate 25.5 acres of land with the following priorities:

Priority	Acres
1867	0.57 acres
1875	1.98 acres
1879	2.55 acres
1885	12.75 acres
1890	3.19 acres
1895	4.46 acres
	25.50 acres

- 2. The right to irrigate 34.5 acres of the Property from the East Walker River designated as "NEWLAND" as administered by the Walker River Irrigation District.

The location of the above 60 acres of irrigated land is illustrated in the map attached hereto as Exhibit "A-1".

TOGETHER with a portion of Permit 25017, Certificate 8860 issued to the Walker River Irrigation District for flood and excess waters to the extent it is appurtenant to such 60 acres.

THE TOTAL LAND AREA of the Property to be irrigated by surface water rights from the East Walker River under portions of Claim 17, "NEWLAND" rights and permit 25017, Certificate 8860 is 60 acres, more or less.

The total quantity of water is 240 acre feet annually.

TOGETHER WITH a portion of the supplemental underground water rights under Permit 49274, 49276, 49277 and 49278 consisting of a diversion rate of 0.1149 cfs from each permit and having a total combined annual duty of 240.0 acre feet which are appurtenant to that same 60 acres of the land irrigated from the East Walker River by decreed water rights and NEWLAND water rights above described.

TOGETHER with the right to change the point of diversion and place and manner of use of said water rights.

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

EXCLUDING THEREFROM, any and all water and water rights from any and all sources over and above those specifically described above.

261936
OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY
RIDDELL WILLIAMS
01 JUN -7 PM 12:16
HARY C. MULLIGAN
COUNTY RECORDER
FEE 10.00 DEP. E8

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

APN 12-471-74

04 AUG -6 PM 1:58

When recorded mail to:

MARY C. MILLIGAN
COUNTY RECORDER

Whittier Trust Company of Nevada
100 West Liberty Street, Suite 890
Reno, NV 89501-1954
Attn: Lori Houston

FEE _____ DEP. _____

*Not Compared with
Original
Lyon County Recorder*

327831

DEED OF CORRECTION

WHEREAS, on April 3, 2001, BANK OF AMERICA, N.A., as Trustee for GEORGE A. L'ABBE, Grantor, executed a Quitclaim Deed to THE WHITTIER TRUST COMPANY OF NEVADA, as Trustee for GEORGE A. L'ABBE, Grantee; and

WHEREAS, said Quitclaim Deed was recorded June 7, 2001, as Document No. 261936, Official Records of Lyon County, Nevada; and

WHEREAS, through inadvertence the Grantor was incorrectly listed as BANK OF AMERICA, N.A., as Trustee for GEORGE A. L'ABBE, when it should have been BANK OF AMERICA, N.A., as Trustee for GEORGE A. L'ABBE REVOCABLE LIVING TRUST AGREEMENT; and

WHEREAS, through inadvertence the Grantee was incorrectly listed as THE WHITTIER TRUST COMPANY OF NEVADA, as Trustee for GEORGE A. L'ABBE, when it should have been THE WHITTIER TRUST COMPANY OF NEVADA, as Trustee for GEORGE A. L'ABBE REVOCABLE LIVING TRUST; and

WHEREAS, to prevent difficulties hereafter, it is expedient to correct this error.

IT IS HEREINAFTER ACKNOWLEDGED AND AGREED:

THIS INDENTURE is made and entered into this _____ day of _____, 2004, by and between BANK OF AMERICA, N.A., as Trustee for GEORGE A. L'ABBE REVOCABLE LIVING TRUST AGREEMENT, Grantor, and THE WHITTIER TRUST COMPANY OF NEVADA, as Trustee for GEORGE A. L'ABBE REVOCABLE LIVING TRUST AGREEMENT, Grantee,

WITNESSETH:

That the Grantor, in consideration of the premises and of One Dollar (\$1.00) to them paid by the Grantee, hereby remise, release and forever quitclaim

unto the Grantee, its successors and assigns forever, all the right, title, estate, interest, claim and demand, both at law and in equity, as well in possession as in expectancy of the Grantor, of, in and to all that certain real property situate in the County of Lyon, State of Nevada, being Assessor's Parcel No. 12-471-74, and more particularly described as follows:

That portion of the Northeast ¼ of Section 23, Township 11 North, Range 26 East, M.D.B.&M., in the County of Lyon, State of Nevada, being more particularly described as follows:

Beginning at the Section corner common to 13, 14, 23, 24 as shown on Record of Survey No. 223861, thence through the following courses:

1. South 01°00'38 East, 1958.07 feet;
2. North 88°46'47" West, 2687.84 feet;
3. North 00°00'03" West, 638.78 feet;
4. North 45°42'44" East, 1852.85 feet;
5. South 88°36'59" East, 1326.75 feet to the True Point of Beginning.

ALSO those certain waters and water rights described in Exhibit "A" attached hereto and incorporated herein by this reference.

SUBJECT, HOWEVER, to those certain Covenants, Conditions, and Restrictions fro Walker River Ranch Irrigation Association recorded July 21, 1999, as Document No. 236752, Official Records, Lyon County, Nevada.

ALSO SUBJECT TO: Easements, restrictions, and reservations of record.

TOGETHER WITH, all and singular, the tenements, the 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, all and singular, the said premises together with the appurtenances, unto the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed the day and year first above written.

BANK OF AMERICA, N.A., as Trustee for George A. L'Abbe Revocable Living Trust Agreement

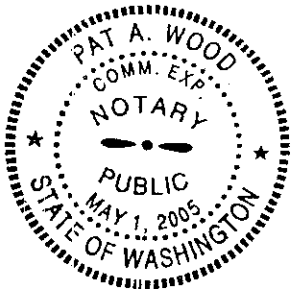
By John T. Margeson
John T. Margeson, Vice President

By Debra S. Thomas
Debra S. Thomas, Vice President

STATE OF WASHINGTON)
COUNTY OF KING) : ss.

On this 4th day of August, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOHN T. MARGESON and DEBRA S. THOMAS, to me known or proven on the basis of satisfactory evidence to each be a Vice President of BANK OF AMERICA, N.A., as Trustee for George A. L'Abbe Revocable Living Trust Agreement; that they executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of said bank and that they were authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Pat A. Wood
Notary Public in and for the State of Washington
Residing at Everett
Name Printed PAT A. WOOD
My appointment expires: 5/1/05

EXHIBIT "A"

WATER RIGHTS TO BE CONVEYED

THOSE CERTAIN surface water rights from the East Walker River which are appurtenant to the real property described on Page 1 of document ("Property") pursuant to Claim 17 of that certain decree entitled "United States of America, Plaintiff, vs. Walker River Irrigation District, a corporation, et al, Defendants, Case in Equity C-125" consisting of the following:

1. The right to irrigate 25.5 acres of land with the following priorities:

<u>Priority</u>	<u>Acreage</u>
1867	0.57 acres
1875	1.98 acres
1879	2.55 acres
1885	12.75 acres
1890	3.19 acres
1895	<u>4.46 acres</u>
	25.50 acres

2. The right to irrigate 34.5 acres of the Property from the East Walker River designated as "NEWLAND" as administered by the Walker River Irrigation District.

The location of the above 60 acres of irrigated land is illustrated in the map attached hereto as Exhibit "A-1".

TOGETHER with a portion of Permit 25017, Certificate 8860 issued to the Walker River Irrigation District for flood and excess waters to the extent it is appurtenant to such acres.

THE TOTAL LAND AREA of the Property to be irrigated by surface water rights from the East Walker River under portions of Claim 17, "NEWLAND" rights and permit 25017, Certificate 8860 is 60 acres, more or less.

The total quantity of water is 240 acre feet annually.

TOGETHER WITH a portion of the supplemental underground water rights under Permit 49274, 49276, 49277 and 49278 consisting of a diversion rate of 0.1149 cfs from each permit and having a total combined annual duty of 240.0 acre feet which are appurtenant to that same 60 acres of the land irrigated from the East Walker River by decreed water rights and NEWLAND water rights above described.

TOGETHER WITH the right to change the point of diversion and place and manner of use of said water rights.

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

EXCLUDING THEREFROM, any and all water and water rights from any and all sources over and above the specifically described above.



MCDONALD·CARANO·WILSON^{PC}

Debbie A. Shosteck, Esq.
dshosteck@mcdonaldcarano.com

Reply to: Reno

August 16, 2004

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

Re: Walker River litigation (In Equity No. C-125, Subfile No. C-125-B)—Whittier Trust Company of Nevada on behalf of the George A. L'Abbe Revocable Living Trust Agreement

Dear Ms. Schneider:

Enclosed you will find copies of the (1) Waiver of Service of Notice in Lieu of Summons; (2) Notice of Appearance and Intent to Participate; and (3) Notice of Change of Ownership of Water Right in the above entitle matter. We will be representing the Whittier Trust Company of Nevada, Trustee for the George A. L'Abbe Revocable Living Trust Agreement, in the Walker River litigation. It is my understanding that Mr. L'Abbe has already sent to you a Waiver of Service of Notice in Lieu of Summons. Because the property to which the water rights at issue are appurtenant is owned by the Whittier Trust Company as Trustee for the George A. L'Abbe Revocable Living Trust Agreement, Mr. L'Abbe did not have legal authority to sign the waiver. Accordingly, I have provided another waiver signed by Harold J. DePaoli, Vice President-Client Administrator of the Whittier Trust Company of Nevada.

In addition, when Bank of America, N.A. originally conveyed the pertinent parcel to the Whittier Trust Company of Nevada, the quitclaim deed did not correctly indicate that each entity acted as Trustee for the George A. L'Abbe Revocable Living Trust Agreement. We have since recorded a correction deed with the Lyon County Recorder's Office to rectify this error, a copy of which is attached to the Notice of Change of Ownership.

100 WEST LIBERTY ST., 10TH FLOOR
RENO, NEVADA 89501

PO. BOX 2670, RENO, NEVADA 89505
775-788-2000 • FAX 775-788-2020

ATTORNEYS AT LAW



www.mcdonaldcarano.com

2300 WEST SAHARA AVENUE
NO. 10, SUITE 1000
LAS VEGAS, NEVADA 89102
702-873-4100
FAX 702-873-9966

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: 7-1-04

Alice S. Wiggins
Signature

Alice S. Wiggins
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 Li 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

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

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

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
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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.

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,
telephone number, and facsimile number:

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Attorney: *Harry W. Swainston*

Address: *4040 Hobart Road
Carson City, NV 89703*

Phone Number: *775-883-2494*

Fax Number: *775-883-1719*

Alice S. Wiggins
(Signature)

Alice S. Wiggins
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

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: 6-26-04

Robert Wilens
Signature

ROBERT WILENS
Printed/Typed Name

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

THE WILENS 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 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

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

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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.

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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Robert Z Wilens

(Signature)

ROBERT WILENS
(Printed or typed Name) ^{TRUSTEE}

THE WILENS FAMILY TRUST
(Entity, if any, on whose
behalf you are appearing)

11 NORBYKE ROAD
YERINGTON, NV 89447
(Address)

775 463-3560
(Telephone number)

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

John L. Williams
Signature

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

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

JOHN L. WILLIAMS

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

25 E. PURSIEL LN.
YERINGTON, NV 89447

(Address)

775-463-4048

(Telephone number)

307696

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

NORTHERN NEVADA TITLE CO.

03 NOV -4 PM 3:41

MARY C. MILLIGAN
COUNTY RECORDER

FEE 15.00 REP. 

A.P.N. 04-401-04
Escrow No.: LY-302849-DA
RPTT: \$81.90, based on full value

RECORDING REQUESTED BY:

Northern Nevada Title Company
MAIL TAX STATEMENTS AND WHEN
RECORDED, MAIL TO:
Kim K. Cox
P.O. Box 234
Yerington, NV 89447

THIS SPACE FOR RECORDER'S USE ONLY

GRANT, BARGAIN, SALE DEED

That Bruce W. Stephenson, Successor Trustee of the Williams Revocable Living Trust dated March 2, 1989, amended and restated June 18, 2002 and further amended December 31, 2002 in consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Kim K. Cox, an Unmarried Woman and Gene G. Zieman, an Unmarried Man as Joint Tenants with Right of Survivorship all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

Lot 10 as shown on the map for WALKER RIVER RANCH, recorded in the Official Records of Lyon County, Nevada on June 5, 1972 as Document No. 10568. *or 2*

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

Together with all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Dated: October 29, 2003

Williams Revocable Living Trust dated March 2, 1989, amended and restated June 18, 2002 and further amended December 31, 2002

By: 
Bruce W. Stephenson, Successor Trustee

307696

Exhibit 213

UNOFFICIAL COPY

STATE OF California)

COUNTY OF Placer)

On November 3, 2003 personally appeared before me, a Notary Public, Bruce W. Stephenson, Successor Trustee who acknowledged that he executed the above instrument.

Signature *[Handwritten Signature]*
(Notary Public)



UNOFFICIAL COPY

WALKER RIVER: ATION DISTRICT
YERINGTON, NEVADA

Index No. 4-401-04
Lyon County No. 4-401-04
Claim No. 464
User # Lee Sanders
Ditch

Division # 10799
Card #: Kim K. Cox and Gene G. Zleman
Name: P. O. Box 234
Address: Yerington, NV 89447

PROVISIONAL

Court Decree:

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET APPORTIONED	TOPAZES		BRIDGEPORT LRES		TOTAL ACRES
					PER ACRE	TOTAL		ACRE FEET	ACRE FEET	ACRE FEET	ACRE FEET	
NEWL		3.340	4.2768	66	2.0592	6.880	6.88	6.88				3.340
TOTAL		3.340				6.880	6.88	6.88	.00			6.880

COMMENTS:
01/06/04 - Transferred from card #56600 - Williams Trust

LEGAL DESCRIPTION:
Lot No. 10, Walker River Ranch Subdivision

DOCUMENT #	DATE	DESCRIPTION
#23986, 24190, #28634	06/10/76	From the Walker River Ranch to Cartledge.
#33407	08/06/77	Lot #8 to L.E. & V.L. Heselton.
#36323	12/09/79	A.E. Catelidge to J. & E. Williams, Lots #9 & 10.
#54176	07/09/80	J. & E. Williams to D. & R. Pelayo, Lot #9.
#123298	04/03/89	Jack H. & Evangeline A. Williams, husband and wife to Jack H. & Evangeline A. Williams, Trustees for the Williams Revocable Living Trust
#307696	11/04/03	Bruce W. Stephenson, Successor Trustee of the Williams Revocable Living Trust dated 3/2/89, amended and restated 6/18/02 and further amended 12/31/02 to Kim K. Cox, an unmarried woman and Gene G. Zleman, an unmarried man as Joint Tenants with rights of survivorship

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: June 12, 2004

Michael C. Williford
Signature
Michael C Williford
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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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.

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Date: June 09, 2004

Virginia M. Williford
Signature

VIRGINIA M. WILLIFORD
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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Date: 7-17-04

Candyce Wipfli
Signature

Candyce Wipfli
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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,

WALKER RIVER PAIUTE TRIBE,
Plaintiff-Intervenor,

vs.

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

)
)
) IN EQUITY NO. C-125
) SUBFILE NO. C-125-B
)
)
)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
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Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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,
telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Candace Wipfli
(Signature)

Candace Wipfli
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

P.O. Box 79
Wellington, NV 89444
(Address)

775-465-2107
(Telephone number)

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: 7/17/04

Signature Tom Wipfler

Printed/Typed Name TOM WIPFLER

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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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

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Susan L. Schneider
Attorney for the United States of America
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Environment & Natural Resources Division
P.O. Box 756
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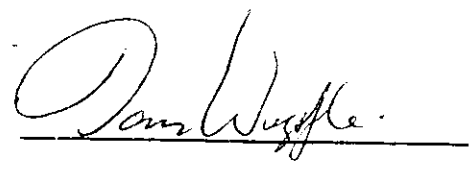
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Attorney:

Address:

Phone Number: 775 465 2107

Fax Number:



(Signature)

TOM WIPFLI

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

P.O. Box 79
Wellington, NV 89444

(Address)

775-465-2107

(Telephone number)

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: July 2 2004

Nadia T. Wright
Signature

NADIA T. WRIGHT
Printed/Typed Name

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

(Title)
WRIGHT 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 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 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.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
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
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
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.
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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Nadia T. Wright
(Signature)

NADIA T. WRIGHT
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

73 Powers Rd
Wellington NV 89444
(Address)

775 465 2372
(Telephone number)

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: 3.29.05

Sandra Wright
Signature

SANDRA WRIGHT
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 to appear, 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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

1 UNITED STATES OF AMERICA,)
2)
3)
4 Plaintiff.)

5 WALKER RIVER PAIUTE TRIBE,)
6)
7 Plaintiff-Intervenor,)

IN EQUITY NO. C-125
SUBFILE NO. C-125-B

8 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 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
15 400 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

Summons. I am mailing a copy of this document to:

18 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 defense
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:

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Attorney:

Address:

Phone Number:

Fax Number:

Sandy Wright
(Signature)

SANDY Wright
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

30 Circle Dr Wellington NV
(Address) ₈₉₄₄

775-465-2015
(Telephone number)

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.

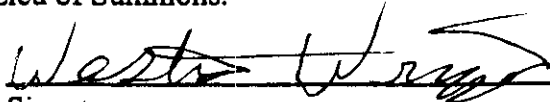
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF 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: 3-29-05



Signature

Weston Wright

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 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.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

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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

1. I hereby enter my appearance in this sub-proceeding in this case.
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
 400 South Virginia Street, Suite 301
 Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
 Attorney for the United States of America
 United States Department of Justice
 Environment & Natural Resources Division
 P.O. Box 756
 Littleton, Colorado 80160

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.

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, telephone number, and facsimile number:

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Attorney:

Address:

Phone Number:

Fax Number:

Weston Wright
(Signature)

Weston Wright
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

30 Circle Drive - Wellington
(Address) NV 89444
775-465-2015
(Telephone number)

Chaw - a address to.

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: 6/10/04

[Handwritten Signature]

Signature

[Handwritten Name]

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 L 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.

Change address to:

Walker River Irrigation District, RW 89447

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 10, 2004
Signature: [Handwritten Signature]
Printed/Typed Name: Kirk Yeager
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 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.

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: 8/9/2004

Gene Ziemann
Signature

Gene Ziemann
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 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 notice of appearance and intent to participate.