Case 3: 73-cv-00127-MMD-CSD Document 653 Filed 05/10/2005 Page 1 of 9 RECEIVED IN DROP BOX 2 - MAY 10 PH 4: 37 4 CLERK, U.S. D.STHICT COURT DISTRICT OF NEVADA IN THE UNITED STATES DISTRICT COURT 5 FOR THE DISTRICT OF NEVADA 6 UNITED STATES OF AMERICA. 8 In Equity No. C-125-ECR Plaintiff. 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE. 10 NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT Plaintiff-Intervenor, 11 V. 1.2 WALKER RIVER IRRIGATION DISTRICT, 13 a corporation, et al., 14 Defendants. 1.5 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 21 The name and address of the party or parties who sold or otherwise conveyed l. ownership: 23 Yerington Store-All, LLC 24 Name(s) 25 916 Monument Peak Street or P.O. Box 26

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

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	H	Gai	raner ATTTE	14 A	07410	•
2	Ė	To	own or City	State	ZipCode	
3	2.	The name a	nd address of e	each person or	entity who acquired	ownership
4			Wa1k	er River Irı Name(s)	rigation District	
5	To Company Company		Ρ.	O. Box 820		
6			S	treet or P.O. Box		
7			rington wn or City	NV State	89447 ZipCode	
8		·				
9	3.	Attached to	or included wi	th this notice i	s a copy of the (chec	k appropriate
	box(es)):					
10		χX	Deed			
11			Court Order			
12			Other Docume	ent.		
13	by which the	change in own	ership was acc	complished.		
14	4.	The undersig	med acknowle	dges that any p	person or entity who	files a Notice of
15	Change of Ov	wnership of Wa	ater Right usin	g this form is	ultimately responsib	le for the accuracy
16	of this filing.	Consequently	, the undersign	ned acknowled	ges that any person of	or entity who files
:-						
15	÷					
19		•••				
	*	This n	once shall be se	ent to the follow	ving two persons:	
20			rer, Chief Depu		_	
2:			District Court fo ginia Str ee t, Sui	or the District o te 301	f Nevada	
22		Reno, NV 895	01			
23		<u>And</u>				
24		Susan L. Schne United States I	eider Department of J	ustice		
25		P.O. Box 756 Littleton, CO				
26		Dittioton, CO				
27						
- ·						

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

Case 3:	73cv-1001-27TYMD-ccsDaDagument.653.iEiled.05/110/2005.sBaget3.of
2	litigation.
3	المائية
4	Executed this /4 day of April 2005.
5	
6	
7	[signature of counter-defendant]
8	The fireth
9	
10	Steve P nathews - [name of counter-defendant]
11	VERINGTON Store-All, Inc
12	
13	[signature, if applicable, of person acting on behalf of counter-defendant]
14	
15	
16	[name, if applicable, of person acting on behalf of counter-defendant]
:-	
18	
19	
20	[address]
21	[telephone number]
22	(775)265-3167
23	
24	
25	
26	
27	NOTICE OF CHANCE OF WATER RICHTS OURTRETUR 2 -62
28	NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3

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RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Walker River Irrigation District P.O. Box 820 Yerington, NV 89447 APN 12-062-13 12-062-14 12-062-43 (Not Compared to Original)

04/19/2005

12:03 PM

Official Record

Requested By

Lyon County - NV Mary C. Milligan - Recorder

WATER RIGHTS QUITCLAIM DEED

THIS INDENTURE, made and entered into this // day of march,

2005, by and between YERINGTON STORE-ALL, LLC, a Nevada Limited Liability

Company, hereinafter referred to as "Grantor," and the WALKER RIVER

IRRIGATION DISTRICT, hereinafter referred to as "Grantee";

WITNESSETH:

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, does by these presents convey, transfer and quitclaim unto the Grantee, and to its successors and assigns forever, all of the rights of the Grantor to receive stored waters from Bridgeport Reservoir and to divert water from the Walker River and its tributaries, all such water rights being appurtenant to the land situate in the County of Lyon, State of Nevada, that is described in Exhibit "A" attached hereto and made a part hereof.

To have and to hold the said water rights together with the tenements, hereditaments and appurtenances thereunto belonging or appertaining and the

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reversion and reversions, remainder and remainders, rents, issues and profits thereof unto the Grantee, its successors and assigns, forever.

Grantee does hereby agree to assume the payment of all fees and charges that may hereafter become due and payable in respect to said water rights referred to herein.

IN WITNESS WHEREOF, the parties have executed this instrument on the day and year first above written.

GRANTOR:

YERINGTON STORE-ALL, LLC

Its President

Date: <u>B/11/05</u>

GRANTEE:

WALKER RIVER IRRIGATION DISTRICT

By: Robert E Byse

lts: <u>Chairman</u>

Date: 4-7-05

SUBSCRIBED and SWORN to before me this // day of March, 2005.

SUBSCRIBED and SWORN to before me this 7 day of 1 pril, 2005.

NOTARY PUBLIC

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LEAH COMPSTON
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 93-3029-12 - Expires April 5, 2005

LEAH COMPSTON

Notary Public - State of Nevada

Appointment Recorded in Lyon County
No: 93-3029-12 - Expires April 5, 2009

EXHIBIT "A"

The real property situate in the County of Lyon, State of Nevada, more particularly described as follows, to wit:

ZWIEBEL PARCEL NO. 17 APN: 12-062-13

A parcel of land located in the Southwest ¼ of Northwest ¼ of Section 23, Township 13 North, Range 25 East, M.D.B.&M., Mason Valley, Lyon County, Nevada, more particularly described as follows:

Commencing at the Northwest corner of Section 23, Township 13 North, Range 25 East, M.D.B.&M.; proceed thence South 11° 53' 47" East, 1,748.62 feet to the Northwest corner of the parcel, which is the True Point of Beginning; proceed thence South 89° 40' East, 290.40 feet, to the Northeast corner of the parcel; thence South 00° 20' West, 150.00 feet to the Southeast corner, thence North 89° 40' West, 290.40 feet to the Southwest corner; thence North 00° 20' East, 150.00 feet to the True Point of Beginning, containing 1.00 acres more or less.

TOGETHER WITH non-exclusive road easements, 50 feet in width, adjacent to and outside of the easterly and westerly boundaries of the parcel; and 40 feet in width, extending to Main Street.

ZWIEBEL PARCEL NO. 18 APN: 12-062-14

Commencing at the northwest corner of said Section 23, proceed S 13° 03' 42" E, 1602.58 feet, to the northwest corner of Zwiebel Parcel No. 16; thence S 0° 20' W, 300 feet, along the westerly boundaries of Zwiebel Parcels No. 16 and No. 17, to the True Point of Beginning of this Parcel No. 18, which is the northwest corner; proceed thence S 89° 40' E, 290.40 feet, along the southerly boundary of Parcel No. 17, to the northeast corner of this parcel; thence S 0° 20' W, 150.00 feet, to the southeast corner of this parcel; thence N 89° 40' W, 290.40 feet, to the southwest corner of this parcel; thence N 0° 20' W, 150.00 feet, along the easterly side of a fifty foot wide public road easement, to the True Point of Beginning, containing one acre, more or less.

PARCEL 1 as shown on the Parcel Map for Steven P. & Robert J. Mathews, recorded in the Official Records of Lyon County, Nevada on July 3, 1997 as Document No. 207342. APN: 12-062-43

PER NRS 111.312, THE LEGAL DESCRIPTION APPEARED PREVIOUSLY IN DEED #273721 RECORDED ON MARCH 15, 2002 IN LYON COUNTY RECORDS.

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#18 OATE O4/01/51 O3/04/80 11/09/90	#18 OATE O4/01/51 O3/04/80	el Parcel #18 IT HISTORY: DATE 04/01/51	#18	Wiebel Parcel #18 SUMENT HISTORY:	wisbel Parcel #18	Fr. SW 1/4 of NW 1/4, Sec. 23; T. 13 N., R. 25 E.	LEARN DESCRIPTION:		.014 1.170	1895 .000 .030 3	1890 .000 .030 3	.001 .060	1880 .002 .130 3	1875 .003 .260 3	1870 .004 .310 3	.004 .350		PRIORITY C.F.S. ACRES	Court Decree: C-125, P.25; Fox Ditch Company	Gardnerville, NV 89410	Address: 916 Monument Peak	Name: Yerington Store-All, LLC.		Division #: 2
J.S. & V.G. DuPratt to A.J. & Amy Zwiebel. Excluded 17.28 acres - July 1968. A. J. & Amy E. Zwiebel, huband and wife to Robert J. & Steven P. Mathews, father and son Robert J. & Steven P. Mathews to Robert I. & Steven P.	S. & V.G. DuP J. & Amy E. 2	S. & V.G. DuP		DESCRIPTION					-	3.2076 32	3.2076 30	3.2076	3.2076	3.2076	3.2076	3.2076	STORAGE	DAYS	pany					
den T. Mathews to		wiebel, huband a	ratt to A.J. & Arny						+	-		29 .689	25 .594	8 .1901			2			ľ				WA
Mathews dha Ye	Robert J. & Steven P. Mathews to Robert J. & Steven D. Mathews, laurer and son	M wife to Rober	Zwiebel, Exclud					.108	400	000	.021	.041	.077	.049	.000	.000	TOTAL	ACRE FEET REQUIRED		0.41			YERINGT	WALKER RIVER IRRIGATION DISTRICT
rington Store &	Par D Math	A Steven D	nd 17 28 acres					.18	3								APPORTIONED	ACRE FEET		O. & M. Local No. 3			YERINGTON, NEVADA	RRIGATION D
doa refingto	Hausews, Idu	Mathematica	luk 10ce			3/23/00 - 6/10/02 -	COMMENTS:	.98									ACRE FEET	TOPAZ RES						STRICT
n Store-All	er and son		ļ			3/23/00 - Transferred from 5/10/02 - Transferred from Store-All		.19									ACRE FEET	BRIDGEPORT RES						
						from card #57200 - Zwiebel from card #33026 - Mathew			8		i	ě	å	à	10	AS .	CI AM							
Robert J. Mathews and Steven P. Mathews dba Yerington Store-All a Navada Partmership to V.J.						from card #57200 - Zwiebel from card #33026 - Mathews dba Yerington		•	•		Acre Feet Storage	<u>. '. </u>	<u>'</u>	Hon Wir Rt. Acree	- Water Rt. Acres		TOTAL ACRES		<u> </u>		Ciaim No.	Lyon County No.		
						rengton					.190		000	3	1.170		1.170			7000		12-062-14	? }	

Case 3:73-cv-00127-MMD-CSD Document 653 Filed 05/10/2005 Page 8 of 9

#273721	#137332	*50U43	*33262	41000	*10006	AND AND A	DOCUMENT HISTORY:	Zwiebei Parcel #17	Fr. SW 14 of NW 1/4, Sec. 23 T 13 N., R. 25 E.	LEGAL DESCRIPTION:		TOTAL	1205	1890	1885	1880	1875	1870	1865		PRIORITY	Court Decree:		Address:	Name:	Card #:
							33	el #17	NW 1/4, Sec. 25 E.	;	, O 14		3 8	3	201	.002	.003	.004	.024		CF.	11	Gardner	916 Mon	Yeringto	57145
03/16/02	11/09/90	09/22/80	08/01/77	06/19/72	04/01/51	BLVO		į	23		1.170	.030	000	000	200	170	.260	.310	.350		ACRES	C-125, P.25; Fox Dirch Company	Gardnerville, NV 89410	916 Monument Peak	Yerington Store-All, LLC	
Robert J. Mathews	Robert J.	Deed of Correction	A. J. & An	A. J. & An	J.S. & V.G	DESCRIPTION						3.2076	3.2078	0.707.0	0.107.0	3 7076	3 2076	3.2076	3.2076		NAME OF THE PROPERTY OF THE PR	Company	0		Ċ	
Mathews a	& Steven	orrection	ny E. Zwiel	ny E. Zwiel	3. DuPratt	Ž						32	30	29	0	;	9			STORAGE	DAYS					
nd Steven P. I	. Mathews for		el, husband a	el, husband a	o A.J. & Amy							.7603	.7128	.689	.594	TOB1.				PER ACRE	ACRE FEE		-	ļ		WA
Mathews dba Y	100 000 000		nd wife to Rob	nd wife to Rob	Zwiebel. Excju						.189	.000	.021	.041	.077	.049	.000	.000	000	TOTAL	ACRE FEET REQUIRED		0.2.			LKER RIVER YERING
Robert J. Mathews and Steven P. Mathews dba Yerington Store-All, a Nevada Partnership			art J. & Steven	ert J. & Steven	J.S. & V.G. DuPratt to A.J. & Amy Zwiebel. Excluded 17.28 acres - July 1068				:		.19	_								APPORTIONED	ACRE FEET		O. & M. Local No. 3			WALKER RIVER IRRIGATION DISTRICT YERINGTON, NEVADA
Robert J. Mathews and Steven P. Mathews dba Yerington Store-All, a Nevada Partnership		ie wannews, ist	A. J. & Amy E. Zwiebel, husband and wife to Robert J. & Shaven B. Math.	A. J. & Amy E. Zwiebel, husband and wife to Robert J. & Steven B. Math.	1 - July 1068				3/23/00 - 5/10/02 -	COMMENTS:	.00.									ACRE FEET	TOPA 9 DE 8					DISTRICT A
		ner and son	her and son					Store-All	3/23/00 - Transferred from card #57200 - Zwiebei 5/10/02 - Transferred from card #33025 - Mathew		19								7000	ACRE SEET						
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ngton Store-All, a Nevada partnership to Yerington Store-All, LLC a Navada Linear									3/23/00 - Transferred from card #57200 - Zwiebei 5/10/02 - Transferred from card #33025 - Mathews dba Yerington		í		Acre Feet Storage	1	<u> </u>	Non War Rt. Acres	The Tay Senders	£		TOTAL ACRES		Ditch	User#	Claim No.	Index No.	
ip i									erington													Fox	2508		Pt 72	
													.190		į	8	1.170			1.170		:				

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Division #: 2 Card #:	67143				 WAL	(ER RIVER II YERINGT	WALKER RIVER IRRIGATION DISTRICT YERINGTON, NEVADA	ISTRICT			index No.
	ferington :	Yerington Store-All, LLC.									Lyon County No.
Address:	916 Monument Peak	nent Peak		ļ	-						User#
	Sardine-vil	Gardinarville, NY 35410				0	C. & H. Local No. 4				
Court Decree: (3-125, P.26	C-125, P.25; Fox Ditch Company	ompany								
ALIGUAGE		ACRES	2	8 AWG	ACRE FEET REQUIRED	REQUIRED	ACRE FEET	TOPAZ RES.	BRIOGEPORT RES		
1	1		67.	STORAGE	PER ACRE	TATOT	APPORTIONED	ACRE FEET	ACRE FEET		O DE ACRES
1865	.002	.190	3.2076			.000				45	Marker St. Arrange
1870	.002	.170	3.2076			.000				\$	70.
1875	.002	.140	3.2076	60	.1901	.027				\$	Hon Wir Rt. Acres
1880	.001	.070	3.2076	25	.594	.042		-		\$	
1885	.00	.030	3.2076	29	.689	.021				45	Acre Feet Storage
1690	.000	.010	3.2076	30	.7128	.007				\$	
1895		.020	3.2076	32	.7603	.000				48	
TOTAL	.008	.630				.096	.10	.00	.10		
LEGAL DESCROPTION:								COMMENTS:			
Fr. SW 1/4 of NW 1/4, Sec. 23; T. 13 N., R. 26 E.	N 1/4, Sec 5 E.	. 23;						3/23/00 - 05/10/02	3/23/00 - Transferred from card #57200 - Zwiebel 05/10/02 - Transferred from card #33027 - Mathews dba Yerington Store-Ali	m card #572(om card #33() - Zwiebei 27 - Mathews
Parcel 1 of PM 207342	207342										
DOCUMENT #		DATE	DESCRIPTION	ž							
#36-481		04/01/51	J.S. & V.	3. DuPratt	J.S. & V.G. DuPratt to A.J. & Amy Zwiebel Excluded 17.28 acree hely 1989	wiebel Excl	ded 17 28 acre	e 1069			
#22667		06/23/75	A J. & A	ny E. Zwlo	A. J. & Amy E. Zwiebel, husband and wife to Eugene & Beth Quilici, husband and wife	nd wife to Eug	ene & Beth Qu	ilici, husband a	nd wife		
#38007		05/26/78	QC Deed	- Elizabet	QC Deed - Elizabeth Quilici, a married woman to Eugene Quilici, a married man	led woman to	Eugene Quillo	, a married ma]		
#45558		05/15/79	Deed of Correc Eugene Quillo	Correction Cutilici	Deed of Correction - Elizabeth Quilici, aka Betty Quilici, aka Betty S. Quilici, aka Beth Quilici, aka Mary Elizabeth Quilici, a married woman to Eugene Quilici	ici, aka Betty	Quilici, aka Bel	ty S. Quilici, ak	a Beth Quillel,	ika Mary Eliz	beth Quilici, ı
#47092		07/19/79	Eugene (uilici a ma	Eugene Quilici a married man as his sole and separate property to Rober J. & Hannah	is sole and se	parate property	to Rober J. &	Hannah O. Sati	ca, husband a	O. Satica, husband and wife as Joint Tenants
#179870		03/01/95	Robert J. Store-All	& Hannah	Robert J. & Hannah O. Satica, husband and wife to Robert J. Mathews, a married man . Store-All	band and wife	to Robert J. M.	ithews, a marri	ed man and St	ven P. Math	and Steven P. Mathews, a married man, dba Yerington
#179871		03/01/95	OC Deed	- Pauline I	QC Deed - Pauline Mathews, wife of Robert J. Mathews, and Cindy Mathews, wife of Steven P. Mathews, to Robert J. Mathews, a married man	r Robert J. Ma	athews, and Cir	idy Mathews, w	ife of Steven P	Mathews, to	Robert J. Mati
47.00		00101100	and Stev	en P. Math	and Steven P. Mathews, a married man, dba Yerington Store-Ali	man, dhe Yeri	ington Store-Al	icy mautews, w	THE OF STREET	. Maunews, to	Kobert J. Mau
#207342		07/03/97	Parcel M.	ap for Stev	Parcel Map for Steven P. Mathews & Robert J. Mathews	& Robert J. M	athews				
#273721		03/16/02	Robert J.	Mathews.	Steven P. Mai	Robert J. Mathews & Steven P. Mathews, dba Yerington Store All, a Nevada Partnership to Yerington Store-All LLC., a Nevada Limited Liability					