

ORIGINAL

1 GORDON H. DEPAOLI
Nevada State Bar 00195
2 DALE E. FERGUSON
Nevada State Bar 04986
3 WOODBURN AND WEDGE
6100 Neil Road, Suite 500
4 Post Office Box 2311
5 Reno, Nevada 89511
Telephone: (775) 688-3000
6

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CLERK OF DISTRICT COURT
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7 Attorneys for Defendant,
WALKER RIVER IRRIGATION DISTRICT
8

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

12 UNITED STATES OF AMERICA,) In Equity No. C-125-ECR
13) Subfile No. C-125-C
Plaintiff,)
14) **WALKER RIVER IRRIGATION**
WALKER RIVER PAIUTE TRIBE,) **DISTRICT'S RESPONSE TO MINERAL**
15) **COUNTY'S MOTION TO DISMISS**
Plaintiff-Intervenor,) **AND SUBSTITUTE PROPER PARTIES**
16)
v.)
17)
WALKER RIVER IRRIGATION DISTRICT,)
18 et al.,)
19)
Defendants.)
20)

21 MINERAL COUNTY,)
22)
Proposed Plaintiff-)
23 Intervenor,)
24)
v.)
25)
WALKER RIVER IRRIGATION DISTRICT,)
26 et al.,)
27)
Proposed Defendants.)
28)

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1 **I. INTRODUCTION**

2 On April 3, 2000, the Court filed an Order Concerning Status of Service on Defendants.
3 Docket #227. Among other things, that order provided that Mineral County should file and
4 serve any motions and supporting documentation to dismiss certain proposed defendants in
5 early August of 2000. On August 8, 2000, Mineral County filed a Motion to Dismiss and
6 Substitute Proper Defendants (“the “Motion to Dismiss and Substitute”). The Motion to
7 Dismiss and Substitute lists the names of several individuals and entities that Mineral County
8 seeks to dismiss and the names of several individuals and entities that Mineral County seeks to
9 substitute. It also attaches documentation to support Mineral County’s position with respect to
10 these individuals and entities (the “Supporting Documentation”). Finally, the Motion to
11 Dismiss and Substitute is supported by an Affidavit of Treva J. Hearne (the “Hearne
12 Affidavit”).

13 Set forth below is the Walker River Irrigation District’s (the “District”) response
14 concerning the individuals and entities listed in the Motion to Dismiss and Substitute. In
15 preparing its response, the District attempted to apply the law of this case as set forth in this
16 Court’s orders entered on February 25, 1999 at Docket #252 (the “Publication Order”) and
17 March 2, 1999 at Docket # 257 (the “Dismissal Order”).

18 **II. THE DISTRICT’S RESPONSE CONCERNING SPECIFIC INDIVIDUALS AND ENTITIES**

19
20 **Robert T. Adams / Vivian Adams**

21 1. Mineral County seeks to dismiss Robert T. Adams, deceased, and substitute
22 Vivian Adams in his place. The Court discussed the status of Robert T. Adams as a proposed
23 defendant at length in the Publication Order (pp. 12-15) noting that “Mineral County should at
24 the very least ask the known relatives of [Mr. Adams] for what information they may readily
25 have.” *Id.* at 14. The Supporting Documentation indicates that Vivian Adams made a written
26 representation to Mineral County that she is “the sole heir of Mr. Robert Adams and his water
27 rights did revert to” her. That statement, however, says nothing about the identity of the
28 current owner(s) of the water rights. The identity of the current owner(s) can be ascertained

1 only by researching the public records in the County in which the land with appurtenant water
2 rights is located. This fact is evidenced by computer research conducted by legal counsel for
3 the United States Board of Water Commissioners, Linda Bowman. See Exhibit A attached
4 hereto.

5 Ms. Bowman's research indicates that Vivian Pellecchia Adams Oster, as
6 Trustee of the Vivian Adams Trust, conveyed real property located in Mono County, California
7 to Gregory Burton Adams and Richard Taylor Adams by Grant Deed dated September 24,
8 1996. Based on this information, the Court should grant the dismissal but deny the substitution
9 sought by Mineral County. It appears that Gregory Burton Adams and Richard Taylor Adams
10 should be substituted and served pursuant to FRCP 4.

11 **Alpers Ranch, Co. Inc. / Fred E. Alpers**

12 2. Mineral County seeks to dismiss Alpers Ranch Co., Inc., as a defunct
13 corporation, and substitute Fred E. Alpers, individually. The Supporting Documentation does
14 not verify that Alpers Ranch Co., Inc. is a defunct corporation. The District's assessment
15 records indicate that Frederick E. Alpers and Barbara L. Alpers are assessed as co-trustees of
16 the F&B Trust. The Supporting Documentation includes a quitclaim deed that conveys
17 groundwater rights to Fred E. Alpers and/or Barbara L. Alpers. With respect to the Alpers,
18 however, Mineral County has submitted no documentation concerning title to Walker River
19 Decree water rights. Therefore, the Court should deny the motion to dismiss and substitute
20 until Mineral County provides documentation to verify that Alpers Ranch Co. Inc. is a defunct
21 corporation and to identify who holds title to the water rights (i.e., Fred Alpers, individually,
22 Fred and Barbara Alpers or F&B Trust).

23 **Annett's Mono Village / Annett's Mono Village, Inc.**

24 3. Mineral County seeks to dismiss Annett's Mono Village and substitute Annett's
25 Mono Village, Inc. The Supporting Documentation indicates that Annett's Mono Village, Inc.
26 is a Nevada corporation and that the law firm of Walther, Key, Maupin, Oats, Cox and LeGoy
27 act as its registered agent. Mineral County has served Norm Annett on behalf of Annett's
28 Mono Village. In the Supporting Documentation, however, Norm Annett is not listed as an

1 officer or agent of Annett's Mono Village, Inc. (See FRCP 4(h)(1)). Therefore, the District
2 currently has no objection to this dismissal and substitution, however, Mineral County should
3 be required to effect service on Annett's Mono Village, Inc. as required by FRCP 4 or to show
4 that Norm Annett is an officer or managing agent of it.

5 **Juan Arrache / Arrache Family Trust**

6 4. Mineral County seeks to dismiss Juan Arrache and substitute the Arrache
7 Family Trust, Ronald B. Arrache, Trustee. The Publication Order denies service through
8 publication for Juan Arrache and requires Mineral County to exercise due diligence to identify
9 Juan's heirs. See Publication Order at 15. The Supporting Documentation indicates that
10 Ronald B. Arrache executed a waiver of service form as heir to Juan Arrache and as Trustee of
11 the Arrache Family Trust. The Hearne Affidavit indicates that Ms. Hearne was unable to locate
12 the name Arrache in the files of the Lyon County Recorder. The Hearne Affidavit, however,
13 does not state that Ms. Hearne conducted research in the public records of Mono County,
14 California. The Hearne Affidavit also states that Ronald B. Arrache informed Ms. Hearne "that
15 he is the trustee of the Arrache Family Trust and that the Trust owns water rights that formerly
16 belonged to his father Juan Arrache," deceased. Ms. Hearne does not state that the trust
17 received all water rights previously owned by Juan Arrache prior to his death. Under these
18 circumstances, the Court should deny the motion to dismiss and substitute.

19 **Fred C. Batchelder and Josephine S. Batchelder / Josephine S. and Fred C. Batchelder**
20 **1983 Family Trust**

21 5. Mineral County seeks to dismiss Fred C. Batchelder and Josephine S.
22 Batchelder and to substitute the Josephine S. and Fred C. Batchelder 1983 Family Trust,
23 Connie B. Jansen and Leonard Batchelder, co-trustees. Based on the Supporting
24 Documentation, the District currently has no objection to this dismissal and substitution.

25 **Albert Bayer / Mildred Bayer**

26 6. Mineral County seeks to dismiss Albert Bayer, deceased, and substitute Mildred
27 Bayer. The Supporting Documentation indicates that Mildred has provided a written
28 representation to Mineral County that she is "the sole heir to Mr. Albert Bayer and that his

1 water rights” reverted to her. As discussed above with respect to Adams (*see* para. 1 above),
2 however, that statement says nothing about the identity of the current owner(s) of the water
3 rights. Under these circumstances, the Court should grant the motion to dismiss but deny the
4 motion to substitute until Mineral County submits the relevant chain of title documentation to
5 verify the identity of current owner(s) of the water rights.

6 **Anna M. Blades and Jerry L. Blades / Richard H. Bein and Ellen Bein**

7 7. Mineral County seeks to dismiss Anna M. Blades and Jerry L. Blades and
8 substitute Richard H. Bein and Ellen Bein. The Supporting Documentation indicates that Jerry
9 L. Blades and “Anna M.” Blades received title to land with appurtenant water rights pursuant to
10 a grant, bargain and sale deed in March of 1992. The Supporting Documentation also indicates
11 that Jerry L. Blades and “Regina” Blades conveyed the land to the Beins. The Supporting
12 Documentation, however, does not provide an explanation as to the discrepancy in title
13 between “Anna M.” Blades and “Regina” Blades. The District’s independent research,
14 however, revealed a quitclaim deed wherein Anna M. Nuttal, formerly “Anna M.” Blades,
15 conveyed her interest in the land to Jerry L. Blades prior to the conveyance to the Beins. The
16 District, therefore, currently has no objection to this proposed dismissal and substitution. As
17 demonstrated by the Supporting Documentation, however, Richard H. Bein and “C.” Ellen
18 Bein should be substituted.

19 **John R. Hargus and Adah M. Blinn Trust / Robert Lewis Cooper**

20 8. Mineral County seeks to dismiss the John R. Hargus and Adah M. Blinn Trust,
21 John R. Hargus and Adah M. Blinn, co-trustees, and substitute Robert Lewis Cooper as the
22 successor trustee of that Trust. The District currently has no objections to this dismissal or
23 substitution.

24 **Maurice Bliss and Agnes C. Bliss / Janet Bliss Hunewill and Stanley L. Hunewill**

25 9. Mineral County seeks to dismiss Maurice Bliss and Agnes C. Bliss and
26 substitute Janet Bliss Hunewill (already named in the caption) and Stanley L. Hunewill (already
27 named in the caption). The District currently has no objection to the proposed dismissal.

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1 **Bromley Properties / Thomas J. Bromley and Muriel L. Bromley**

2 10. Mineral County seeks to dismiss Bromley Properties and substitute Thomas J.
3 Bromley and Muriel L. Bromley. The Supporting Documentation indicates that Bromley
4 Properties conveyed land with appurtenant water rights to Thomas J. and Muriel L. Bromley by
5 grant, bargain and sale deed dated July 12, 1999. The Supporting Documentation also indicates
6 that Muriel Bromley was personally served on behalf of Bromley Properties in February of
7 1998. Under these circumstances, the District does not object to the proposed dismissal and
8 substitution, however, the Court should require Mineral County to serve Thomas J. Bromley
9 (see Publication Order at 63) and perhaps Muriel L. Bromley in her individual capacity.

10 **Vernon F. Bryan, Inc. / Vernon F. Bryan, individually**

11 11. Mineral County seeks to dismiss Vernon F. Bryan, Inc. and substitute Vernon F.
12 Bryan, individually. The Dismissal Order granted Mineral County's previous motion to
13 dismiss the proposed defendants listed in the caption as "Brown, Vernon and Maggie Bryan."
14 See Dismissal Order at 9. The Dismissal Order also stated that "everyone's records agree that
15 the proper defendant is Vernon F. Bryan, Inc." *Id.* The District's assessment records continue
16 to assess Vernon F. Bryan, Inc. The Supporting Documentation indicates the corporate status
17 of Vernon F. Bryan, Inc. as "revoked 09/01/1997." Under these circumstances, the Court
18 should deny Mineral County's motion to dismiss Vernon F. Bryan, Inc. and to substitute
19 Vernon F. Bryan, individually. The Court should also require Mineral County to serve Vernon
20 F. Bryan, Inc. pursuant to FRCP 4.

21 **Michael A. Casey and Claudia C. Casey**

22 12. Mineral County seeks to dismiss Michael A. Casey and Claudia C. Casey. The
23 Supporting Documentation includes a grant, bargain and sale deed involving "water rights
24 apportioned by the Truckee-Carson Irrigation District". That deed obviously should be
25 disregarded for purposes of the Motion to Dismiss and Substitute. The Supporting
26 Documentation also contains a grant, bargain and sale deed wherein Michael and Claudia
27 Casey conveyed "water rights apportioned by the Walker River Irrigation District" to William
28 Stone. The District's assessment records, however, continue to assess Michael Casey and

1 Claudia Casey in connection with reserved water rights. Under these circumstances, the Court
2 should deny Mineral County's motion to dismiss Michael A. Casey and Claudia C. Casey.

3 **Diane A. Cutler / Walker River Land Corp.**

4 13. Mineral County seeks to dismiss Diane A. Cutler and substitute Walker River
5 Land Corp. Based upon the District's assessment records, the District currently does not object
6 to this proposed dismissal and substitution.

7 **Charles E. Day and Lucille M. Day / William M. Weaver, Jr. Revocable Trust**

8 14. Mineral County seeks to dismiss Charles E. Day and Lucille M. Day and to
9 substitute the William M. Weaver, Jr. Revocable Trust (the "Weaver Trust"), William M.
10 Weaver, Jr. and Rosemary F. Weaver, Trustees. The Supporting Documentation includes a
11 letter from Linda Bowman, legal counsel for the United States Board of Water Commissioners,
12 to Ms. Hearne dated August 7, 2000. The letter indicates that the Weaver Trust is currently
13 assessed by the United States Board in connection with lands previously held by the Days, but
14 that "one cannot solely rely on the Assessment records of the United States Board but must
15 check the local Recorder's records to confirm that the property was, in fact, transferred to this
16 Trust by the Days." The Supporting Documentation also contains several deeds, however,
17 none of these deeds involve the Weaver Trust. Therefore, the Court should deny the motion to
18 dismiss and substitute until Mineral County provides documentation that verifies the Weaver
19 Trust as the current water right holder.

20 **Iginia M. Del Porto / Iginia M. Moreda**

21 15. Mineral County seeks to dismiss Iginia M. Del Porto and substitute Iginia M.
22 Moreda. The District currently does not object to this proposed dismissal and substitution.

23 **George O. Fitz / Edward Stockton and Linda A. Stockton**

24 16. Mineral County seeks to dismiss George O. Fitz and substitute Edward Stockton
25 and Linda A. Stockton. The District currently has no objection to this proposed dismissal and
26 substitution.

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1 **George W. Friedhoff / Helen Friedhoff**

2 17. Mineral County seeks to dismiss George W. Friedhoff and substitute Helen
3 Friedhoff (already named in caption). Mineral County, however, has failed to provide any
4 information "to determine who inherited the water rights that once belonged to" George W.
5 Friedhoff. Publication Order at 13. The Supporting Documentation, in the form of a Return of
6 Service, indicates that the individual serving Helen referred to her as the heir to George
7 Friedhoff. This reference, however, is insufficient without additional documentation. See
8 Publication Order at 12-15. The Court should deny this proposed dismissal.

9 **Don R. Gable Trust / Don R. Gable, individually**

10 18. Mineral County seeks to dismiss the Don R. Gable Trust and substitute Don R.
11 Gable, individually. The District currently has no objection to this proposed dismissal and
12 substitution, however, as demonstrated by the deed contained in the Supporting
13 Documentation, Don "Ray" Gable should be substituted.

14 **Virginia M. Giodo / Joseph A. Giodo Revocable Trust**

15 19. Mineral County seeks to dismiss Virginia M. Giodo and substitute Joseph Giodo
16 and Anna Nannini. The District's assessment records indicate that this assessment is currently
17 billed to the Joseph A. Giodo Revocable Trust, Joseph A. Giodo, trustee (the "Giodo Trust").
18 The District currently has no objection to this proposed dismissal and the substitution of the
19 Giodo Trust.

20 **Harvey E. Hunewill and Phyllis Hunewill / Harvey E. Hunewill and Phyllis P. Hunewill**
21 **Trust**

22 20. Mineral County seeks to dismiss Harvey E. Hunewill and Phyllis Hunewill and
23 to substitute the Harvey E. Hunewill and Phyllis P. Hunewill Trust (the "Hunewill Trust"),
24 Harvey E. Hunewill and Phyllis P. Hunewill, Trustees. The Court has previously denied
25 service through publication and the dismissal of Harvey E. Hunewill because Mineral County
26 failed to exercise due diligence to determine his heirs. See Publication Order at 42, Dismissal
27 Order at 13. The Supporting Documentation contains the first page of three different deeds
28 which transfer real property to the Hunewill Trust. One deed is dated August 25, 1986, another
dated February 24, 1990 and the year of the third deed cannot be determined due to the poor

1 quality of the copy provided in the Supporting Documentation. The District's assessment
2 records indicate that Harvey Hunewill and Phyllis Hunewill are currently assessed as
3 individuals. Under these circumstances and without further documentation, the Court should
4 deny this proposed dismissal and substitution.

5 **Joyce Jenkins / Larry D. Jenkins**

6 21. Mineral County seeks to dismiss Joyce Jenkins and substitute Larry D. Jenkins
7 (already named in caption). The Court previously denied service through publication on Joyce
8 Jenkins because Mineral County failed to "demonstrate that due diligence was exercised to find
9 Joyce." See Publication order at 45. Ms. Hearne apparently researched the records at the Lyon
10 County Recorder's office, however, she did not conduct research in the public records of Mono
11 County, California. See Hearne Affidavit at para 4.C. The Supporting Documentation includes
12 a Waiver of Personal Service of Motions signed by Larry D. Jenkins as heir to Joyce Jenkins.
13 Mineral County has provided no documentation, however, to verify that Joyce is in fact
14 deceased or to verify that Larry is in fact Joyce's sole heir. See, e.g., Publication Order at 12-
15 15. Under these circumstances, the Court should deny this proposed dismissal.

16 **Junction Range / Arnold Settlemeyer and the Bently Family Limited Partnership**

17 22. Mineral County seeks to dismiss Junction Range and substitute Arnold
18 Settlemeyer and the Bently Family Limited Partnership. The Supporting Documentation
19 contains a quitclaim deed from Bently Nevada Corporation to Bently Family Limited
20 Partnership. Exhibit A to the quitclaim deed apparently describes the water rights conveyed,
21 however, Mineral County failed to provide Exhibit A in the Supporting Documentation.
22 Mineral County has provided no documents which reference Junction Range or Arnold
23 Settlemeyer. Furthermore, computer research conducted by Linda Bowman indicates that
24 Settlemeyer Ranches, Inc. et al. owns real property located in Mono County, California and that
25 the mailing addressee associated with the title documents for that real property is Bently
26 Agridynamics. See Exhibit A attached hereto. Under these circumstances, the Court should
27 deny this proposed dismissal and substitution.

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1 **L.T.R. Enterprises / Gary D. Morgan, Marianne Morgan, Vincent Dye and Kathleen Dye**

2 23. Mineral County seeks to dismiss L.T.R Enterprises and to substitute Gary D.
3 Morgan, Marianne Morgan, Vincent Dye and Kathleen Dye. The Supporting Documentation
4 contains three deeds. In the first deed, L.T.R. Enterprises conveyed real property, without
5 specifically referencing water rights, to the Morgans in 1988. In the second and third deeds
6 L.T.R. Enterprises conveyed water rights under Permit Nos. 45858 and 22060 to the Dyes in
7 1990 and 1991. The District's assessment records indicate that Casino West, Inc. is currently
8 assessed in connection with assessments previously billed to L.T.R Enterprises. Therefore, it
9 appears that the Supporting Documentation and the District's assessment records agree that
10 L.T.R. Enterprises no longer holds water rights, but, disagree with respect to the identity of the
11 new owner(s). The Court, therefore, should grant the motion to dismiss but deny the motion to
12 substitute until Mineral County provides documentation that verifies the identity of the current
13 water right holder.

14 **George Linscott and Louise Linscott / Jean Pace, Administrator**

15 24. Mineral County seeks to dismiss George Linscott and Louise Linscott and to
16 substitute Jean Pace, Administrator. The Supporting Documentation consists of copies and
17 partial copies of deeds, a death certificate, an affidavit of death of joint tenant, a summons and
18 an Order Setting Aside Estate without Administration and Ordering Immediate Distribution
19 (the "Estate Order"). Those documents and partial documents reveal that the Linscotts
20 apparently owned two parcels of real property in Lyon County prior to their death. It is unclear
21 as to whether both or only one parcel has appurtenant water rights, however, one parcel is
22 located in the City of Yerington and most likely does not have appurtenant water rights.
23 George and Louise are deceased, George having died before Louise. A partial copy (first page
24 only) of an Affidavit of Death of Joint Tenant describes a deed of trust involving the parcel
25 located in the City of Yerington, however, because only the first page is provided, it cannot be
26 determined if this affidavit involves the other parcel and, more importantly, if Louise was
27 vested with title to both parcels as the surviving joint tenant after George's death. The
28 Supporting Documentation also only provides the first page of the Estate Order. This first page

1 appears to confirm Jean Pace as the administrator or executor of Louise's Last Will and
2 Testament. However, because only the first page of the Estate Order is provided, it cannot be
3 determined if the Estate Order addresses the two parcels located in Lyon County and, if so, the
4 identity of the individual vested with title to the two parcels as a result of the entry of the Estate
5 Order. Under these circumstances, the Court should deny the dismissal and substitution.

6 Finally, service on Jean Pace is insufficient even if the Court grants the
7 requested dismissal and substitution. As demonstrated by the Supporting Documentation, Pace
8 was served with a summons requiring an answer, within 20 days of service, to a complaint that
9 has not yet been filed with the Court.

10 **Lucinda Menesini / Donald Menesini**

11 25. Mineral County seeks to dismiss Lucinda Menesini and substitute Donald
12 Menesini (already named in caption). The Court previously denied service through publication
13 on Lucinda Menesini because Mineral County failed to exercise diligence to locate her heirs.
14 See Publication Order at 50. The Supporting Documentation consists of a Return of Service
15 form wherein the process server referred to Donald Menesini as heir to Lucinda. The process
16 server's description of Donald as Lucinda's heir is insufficient absent documentation to
17 establish this fact and to establish that Donald is Lucinda's sole heir. See Publication Order at
18 12-15. The Court, therefore, should deny this proposed dismissal.

19 **Rose Alice Minister / Bolton-Rose Trust**

20 26. Mineral County seeks to dismiss Rose Alice Minister, individually, and to
21 substitute the Bolton-Rose Trust, Bolton Francis Minister, Trustee. The District currently has
22 no objection to this proposed dismissal and substitution.

23 **Monica R. Moore and Anthony P. Moore / Alfred Palmer and Joy L. Palmer**

24 27. Mineral County seeks to dismiss Monica R. Moore and Anthony P. Moore and
25 to substitute Alfred Palmer (already named in caption) and Joy L. Palmer (already named in
26 caption). The Supporting Documentation includes a deed whereby Anthony P. Moore and
27 Monica R. Moore conveyed real property located in Lyon County to Alfred W. Palmer and Joy
28 Lee Palmer. The District's assessment records, however, indicate that William K. Vicencio

1 and Susan Steneri are currently assessed in connection with assessments previously billed to
2 the Palmers. Therefore, the Supporting Documentation and the District's assessment records
3 appear to agree that Monica R. and Anthony P. Moore no longer hold water rights, but,
4 disagree with respect to the current owner. The Court should, therefore, grant the motion to
5 dismiss but deny the motion to substitute until Mineral County verifies the identity of the
6 current owner.

7 **Helen Nagel / Diane Nagel**

8 28. Mineral County seeks to dismiss Helen Nagel, deceased, and substitute Diane
9 Nagel. The District currently has no objection to this proposed dismissal and substitution.

10 **Guido Nannini / Anna Nannini**

11 29. Mineral County seeks to dismiss Guido Nannini and to substitute Anna Nannini
12 (already named in caption). The District's assessment records indicate that the Anna Nannini
13 Revocable Trust, Anna Nannini, trustee (the "Nannini Trust") is currently billed in connection
14 with this assessment. The District currently has no objection to this proposed dismissal and
15 substitution of the Nannini Trust.

16 **Robert D. Olson / Curtis & Sons Construction, Inc.**

17 30. Mineral County seeks to dismiss Robert D. Olson and substitute Curtis & Sons
18 Construction, Inc. The District currently has no objection to this proposed dismissal and
19 substitution. With respect to corporations, FRCP 4(h)(1) requires service on an officer or agent
20 of the corporation. The Supporting Documentation contains a Return of Service indicating
21 personal service on Brent Curtis as the "owner of Curtis & Sons". The Court should require
22 Mineral County to provide documentation that Brent Curtis is an officer or agent of Curtis &
23 Sons Construction, Inc. in order to verify effective service.

24 **Josiah Peeples / Norma Peeples**

25 31. Mineral County seeks to dismiss Josiah Peeples and to substitute Norma Peeples
26 (already in caption). The District currently has no objection to this dismissal.

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1 **Violet Fern Pellegrini / Margaret I. Mench, Ila Mae nkhauswer and Cherryl A.**
2 **Del Porto**

3 32. Mineral County seeks to dismiss Violet Fern Pellegrini and to substitute
4 Margaret I. Mench, Ila Mae _____nkhauser¹ and Cherryl A. Del Porto (currently named in
5 caption). The Grant Deed, dated December 28, 1992, evidences a conveyance from the Violet
6 Fern Pellegrini Trust to Mench, _____nkhauser and Del Porto. The District's assessment
7 records, however, indicate that Kirk Andrew and Christy Delong Stanton are currently billed
8 for assessments that were previously billed to Pellegrini. Therefore, the Supporting
9 Documentation and the District's assessment records appear to agree that Violet Fern Pellegrini
10 no longer holds water rights, but, they disagree with respect to the current owner. The Court,
11 therefore, should grant the motion to dismiss and deny the motion to substitute until Mineral
12 County provides documentation to verify the identity of the current owner(s).

13 **Modesta Perriseau / Pamela Haas**

14 33. Mineral County seeks to dismiss Modesta Perriseau and substitute Pamela Haas.
15 The Hearne Affidavit states that "I believe, based upon conversations with Modesta Perriseau,
16 that she conveyed her water right to Pamela Haas. I have found no evidence to support that."
17 Hearne Affidavit at para. 4.d. Ms. Hearne, however, does not state the content of her
18 conversations with Modesta. She also does not state the nature of her efforts to find evidence
19 to support the alleged conveyance. For example, Ms. Hearne does not state whether she asked
20 Modesto if a deed was prepared and/or recorded. Ms. Hearne does not state if she researched
21 the public records of Mono County, California and/or of Lyon County, Nevada. Under these
22 circumstances, the Court should deny the motion to dismiss and substitute.

23 **Herbert R. Riva / Anna M. Riva**

24 34. Mineral County seeks to dismiss Herbert R. Riva and substitute Anne M. Riva
25 (already named in caption). The Supporting Documentation contains an Affidavit of Death of
26 _____

27 ¹ The Supporting Documentation consists of a copy of a Grant Deed wherein the left-
28 hand side of the document and, therefore, Ila's last name, cannot be read.

1 Joint Tenant indicating that Anne M. Riva is deceased and that Herbert R. Riva currently holds
2 title to real property in Lyon County as the surviving joint tenant. Therefore, it must be
3 assumed that Mineral County actually seeks to dismiss Anne M. Riva and substitute Herbert R.
4 Riva (already in caption). The District currently has no objection to the dismissal of Anne M.
5 Riva. It should be noted that the caption currently lists "Hervert" R. Riva instead of "Herbert"
6 R. Riva. The Court should enter an order correcting this typographical error.

7 **Sario Livestock Company / Kyle Vaughan and Leona Vaughan**

8 35. Mineral County seeks to dismiss Sario Livestock Company and substitute O.
9 Kyle Vaughan and Leona Vaughan. The Supporting Documentation contains a grant, bargain
10 and sale deed wherein Sario Livestock Company conveyed real property located in Lyon
11 County to the Vaughans. Computer research conducted by Linda Bowman, however, indicates
12 that Sario Livestock Company still owns several parcels of real property located in Mono
13 County, California. See Exhibit A attached hereto. The Court should, therefore, deny the
14 dismissal and grant the substitution, however, the Vaughans must be served in accordance with
15 FRCP 4.

16 The Supporting Documentation also contains one page from a grant, bargain and
17 sale deed wherein Sario Livestock Company conveyed real property located in Lyon County,
18 Nevada to Sierra Nevada Landco, Inc. Mineral County, however, has not moved to substitute
19 this corporation. The Court should require Mineral County to demonstrate why it has not
20 moved to substitute Sierra Nevada Landco, Inc.

21 **Jackie Sceirine / Beverly Sceirine**

22 36. Mineral County seeks to dismiss Jackie Sceirine, deceased, and to substitute
23 Beverly Sceirine. The Supporting Documentation contains an order entered in the matter of the
24 estate of Jackie Sceirine. The copy of the order provided is of poor quality and is missing the
25 last page(s), however, certain things may be discerned from the order. First, Jackie's sons,
26 William Todd Sceirine and Michael Duane Sceirine were named as co-executors of the estate.
27 Second, after Jackie's death, a dispute arose between his sons and Jackie's widow, Beverly
28 Sceirine, concerning ownership of the real property commonly referred to as the Sceirine

1 Ranch. The Third Judicial District Court of Nevada apparently ruled (last page(s) of order
2 missing) that Beverly Sceirine owns only one-sixteenth (1/16) of the Sceirine Ranch. The
3 identity of the individual(s) who own the remaining fifteen-sixteenths (15/16) of the Sceirine
4 Ranch cannot be verified from the copy of the order provided, however, they are most likely
5 William Todd and Michael Duane Sceirine. In any event, Mineral Court must substitute the
6 individuals owning the remaining fifteen-sixteenths (15/16) of the Sceirine Ranch, in addition
7 to Beverly Sceirine. Under these circumstances, the Court should grant the motion to substitute
8 Beverly Sceirine and deny the motion to dismiss Jackie Sceirine until Mineral County identifies
9 the remaining owners of the Sceirine Ranch and the current owners of any lands owned by
10 Jackie Sceirine prior to his death located in Mono County, California.

11 **Gary Silva and Tildean Silva / Sunrise Ranch LLC**

12 37. Mineral County seeks to dismiss Gary Silva and Tildean Silva and to substitute
13 Sunrise Ranch LLC. The District currently has no objection to this dismissal and substitution.

14 **T.F. Snyder**

15 38. Mineral County seeks to dismiss T.F. Snyder. The Hearne Affidavit indicates
16 that the name T.F. Snyder was researched "in the Lyon County records." The District currently
17 has no specific objection to this dismissal, however, it would be helpful to know exactly what
18 "records" were researched in Lyon County. In addition, if it has not already done so, Mineral
19 County should research the name T.F. Snyder in the public records of Mono County,
20 California.

21 **William Stone**

22 39. Mineral County seeks to dismiss William Stone. The District currently has no
23 objection to this dismissal.

24 **George Swainston and Dorothy Swainston, individually / Swainston Family Trust**

25 40. Mineral County seeks to dismiss George Swainston and Dorothy Swainston,
26 individually, and to substitute the Swainston Family Trust, George and Dorothy Swainston,
27 Trustees. The District currently has no specific objection, however, as evidenced by the deeds

28

1 contained in the Supporting Documentation, the substitution should involve the George D.
2 Swainston Family Trust, George D. Swainston and Dorothy W. Swainston, co-trustees.

3 **Virginia Creek Hyrdo, Inc. / The Trust for Public Land**

4 41. Mineral County seeks to dismiss Virginia Creek Hydro, Inc. and to substitute
5 The Trust for Public Land. The District currently has no objection to this proposed dismissal
6 and substitution.

7 **Gilbert C. Wedertz**

8 42. Mineral County seeks to dismiss Gilbert C. Wedertz. The Hearne Affidavit
9 states the following in this regard.

10 The only document I located regarding Gilbert Wedertz was a
11 conveyance by a Martha Burke Wedertz, with no mention of Gilbert, and
12 no mention of water rights and I found nothing else in the name Wedertz,
indicating he has no water rights.

13 Ms. Hearne does not indicate where she conducted research in an attempt to locate documents
14 involving Gilbert Wedertz or attach the document involving Martha Burke Wedertz. Under
15 these circumstances, the Court should deny the motion to dismiss until Mineral County
16 provides additional information concerning its attempts to identify Gilbert Wedertz as holding
17 or not holding a water right.

18 **Jack H. Williams and Evangeline A. Williams / Williams Revocable Living Trust**

19 43. Mineral County seeks to dismiss Jack H. Williams and Evangeline A. Williams
20 and to substitute the Williams Revocable Living Trust, Jack H. Williams and Evangeline A.
21 Williams, co-trustees. The District currently has no objection to this proposed dismissal and
22 substitution.

23 **Glenora F. Wright / Lee and Glenora Wright Family Trust**

24 44. Mineral County seeks to dismiss Glenora F. Wright, individually, and to
25 substitute the Lee and Glenora Wright Family Trust, Lee C. Wright III and Glenora F. Wright,
26 trustees. The Supporting Documentation includes partial copies of certain deeds that, in some
27 instances, have been copied in a manner such that the information on the left-hand side of the
28 document cannot be read. It appears from these partial copies and from independent research

1 conducted by the District, however, that the requested dismissal and substitution is warranted.

2 The District, therefore, currently has no objection to this dismissal and substitution.

3 **A.J. Zweibel, A.E. Zweibel, Sharon Springer, Sandra Hollands and Susan Ellsworth /**

4 **Frade Ranches, Inc.**

5 45. Mineral County seeks to dismiss A.J. Zweibel, A.E. Zweibel, Sharon Springer,
6 Sandra Hollands and Susan Ellsworth and to substitute Frade Ranches, Inc. The District
7 currently has no specific objection to the proposed dismissal and substitution, however, once
8 again, the Supporting Documentation provides a grant, bargain and sale deed wherein the left-
9 hand side of the document cannot be read. The Court should require Mineral County to
10 provide a legible copy of the deed to the parties and to the Court in order to substantiate the
11 requested substitution.

12 **III. OTHER MATTERS**

13 The names set forth in the April 3, 2000 Order (Docket #227) for which Mineral
14 County represented that it would file motions to dismiss include the following:

- | | | |
|----|-----------------------------|--|
| 15 | 1. Andrews, Edward A. Trust | 9. Polish, Louis |
| 16 | 2. Del Porto, Julia A. | 10. Ritter Family Trust, John G. Ritter,
Trustee, & Lucille Ritter, Trustee |
| 17 | 3. Hill, Lynn M. | 11. Ritter, John Gustave |
| 18 | 4. King, Roy A . | 12. Silva, Paul S. |
| 19 | 5. Lessenger, Ruby | 13. Wymore, Gerald Lee |
| | 6. Madsen, Patricia G. | |
| | 7. Manha, William David | |
| | 8. Moreda Dairy | |

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The Motion to Dismiss and Substitute did not address these names. Therefore, Mineral County should inform the Court and the other parties as to whether it still intends to file motions to dismiss these individuals and entities.

Dated this 8th day of September, 2000.

WOODBURN AND WEDGE
6100 Neil Road, Suite 500
Post Office Box 2311
Reno, Nevada 89511

By: *Dale E. Ferguson*
GORDON H. DEPAOLI
Nevada State Bar 00195
DALE E. FERGUSON
Nevada State Bar 04986

Attorneys for WALKER RIVER
IRRIGATION DISTRICT

C:\WP\WRID\0083\Response to Mineral County.doc

CERTIFICATE OF MAILING

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I certify that I am an employee of Woodburn and Wedge and that on this date, I deposited in the United States Mail, postage prepaid, a true and correct copy of the foregoing ***WALKER RIVER IRRIGATION DISTRICT'S RESPONSE TO MINERAL COUNTY'S MOTION TO DISMISS AND SUBSTITUTE PROPER PARTIES*** in an envelope addressed to:

Shirley A. Smith
Assistant U.S. Attorney
100 West Liberty Street, #600
Reno, NV 89509

Richard R. Greenfield
Department of the Interior
Two North Central Avenue, #500
Phoenix, AZ 85004

George Benesch
P.O. Box 3498
Reno, NV 89505

Western Nevada Agency
Bureau of Indian Affairs
1677 Hot Springs Road
Carson City, NV 89706

Ken Spooner
Walker River Irrigation District
P.O. Box 820
Yerington, NV 89447

R. Michael Turnipseed, P.E.
Division of Water Resources
State of Nevada
123 West Nye Lane
Carson City, NV 89710

Garry Stone
United States District Court Water Master
290 South Arlington Avenue
Third Floor
Reno, NV 89501

Alice E. Walker
Greene, Meyer & McElroy
1007 Pearl Street, Suite 220
Boulder, CO 80302

John Kramer
Department of Water Resources
1416 Ninth Street
Sacramento, CA 95814

David Moser, Esq.
McCutchen, Doyle, Brown & Enerson
Three Embarcadero Center
San Francisco, CA 94111

Sharon E. Claassen
P.O. Box 209
Carson City, CA 89702

Ross E. de Lipkau
Marshall, Hill, Cassas & de Lipkau
P.O. Box 2790
Reno, NV 89505

1 Susan L. Schneider
Indian Resources Section
2 U.S. Department of Justice
999 18th Street
3 Suite 945, North Tower
4 Denver, CO 80202

Marta Adams
Deputy Attorney General
State of Nevada
100 North Carson Street
Carson City, NV 89701

5 Mary Hackenbracht
Deputy Attorney general
6 State of California
1515 Clay Street, 20th Floor
7 Oakland, CA 94612-1413

James Spoo
Trevia J. Hearne
Zeh, Spoo & Hearne
575 Forest Service
Reno, NV 89509

8 Roger Bezayiff
9 Water Master
U.S. Board of Water Commissioners
10 P.O. Box 853
11 Yerington, NV 89447

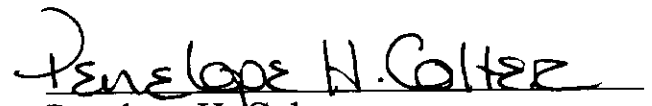
James Clear
United States Department of Justice
Natural Resources Division
Ben Franklin Station
P.O. Box 7611
Washington, D.C. 20044

12 William Hvidsten
13 Decuir & Somach
400 Capitol Mall, Suite 1900
14 Sacramento, CA 95814

Linda Bowman
540 Hammill Lane
Reno, NV 89511

15 Michael W. Neville
16 California Attorney General's Office
455 Golden Gate Avenue
17 Suite 11000
18 San Francisco, CA 94102-3664

19 Dated this 8th day of September, 2000.


Penelope H. Colter

21 C:\WP\WRID\0083\Response to Mineral County.doc

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28

LAW OFFICE OF LINDA A. BOWMAN, LTD.

LINDA A. BOWMAN
ATTORNEY AT LAW

540 HAMMILL LANE
RENO, NEVADA 89511

TEL: (775) 335-1700
FAX: (775) 335-1717

E-MAIL: atty@bowrob.reno.nv.us

September 7, 2000

By Fax and U.S. Mail

Gordon DePaoli, Esq.
Dale Ferguson, Esq.
Woodburn & Wedge
P.O. Box 2311
Reno, NV 89505

Re: C-125C - Response to Mineral County's Motion to Dismiss and Substitute Proper Parties
Adams, Robert & Vivian
"Junction Range"
Sario Livestock Co., a Nevada general partnership

Dear Gordon & Dale:

I have utilized the Lexis/Nexis California Real Property library to search the Mono County, California real property records and I enclose a copy of what I have found.

Adams, Robert & Vivian

Please note that the Lexis record shows the owner as "Adams, Gregory Burton et al" and the mailing address is shown as "Vivian Oster, 877 Brown St., Reno, NV 89509". A copy of a 1996 vesting deed whereby Vivian Oster conveyed this property is attached.

"Junction Range"

I have determined that Mono County shows 9 parcels owned by "Settelmeier Ranches, Inc. et al." In looking at each individual parcel, it shows the mailing address as "Bently Agridynamics, P.O.Box 127, Minden, NV 89423".

The nine assessor's parcel numbers are:

06-130-01, 06-110-05, 06-110-06, 06-110-09, 06-110-16, 06-140-02, 06-140-04, 06-140-05 and 06-140-14

Gordon DePaoli, Esq.
Dale Ferguson, Esq.
September 7, 2000
Page 2

I have printed the Nevada Secretary of State listing for Settelmeier Ranches, Inc. and enclose a copy herewith.

Sario Livestock Co.

The Lexis/Nexis search for Sario Livestock Company reveals a list of 22 parcels in Mono County. The United States Board of Water Commissioners assessment rolls continue to show Sario Livestock Company as the owner of land covered by the Walker River Decree. A review of the documents attached to Mineral County's Motion do not indicate that Sario Livestock Company has conveyed any property in Mono County, Nevada.

The properties discussed above are all assessed by the United States Board of Water Commissioners.

Sincerely yours,



Linda A. Bowman

LAB:hs
Enclosures

cc: Roger Bezayiff & Madeline Sanford, USBWC

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: ADAMS, GREGORY BURTON ETAL

Mailing Address: C/O VIVIAN OSTER, 877 BROWN ST, RENO, NV 89509

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-100-09

Assessment Year: 2000

Assessed Land Value: \$ 8,279

Total Assessed Value: \$ 8,279

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

005302

RECORDING REQUESTED BY
Clark J. Guild, Jr., Esq.

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

Name: Gregory B. Adams
Street Address: 13311 Moraine Road
Truckee, CA 96161

City & State
Zip

Title Order No. _____ Assessor's No. _____

RECORDED IN MONO
COUNTY CALIFORNIA

'96 OCT 9 PM 3 03

FEE: \$7.00

M.S. \$10.00

INY 003 (5-94)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Grant Deed

THE UNDERSIGNED GRANTOR(S) DECLARE(S) DOCUMENTARY TRANSFER TAX IS \$ 0 APN 06-100-09

unincorporated area City of _____

Parcel No. _____

computed on full value of interest or property conveyed, or

computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
VIVIAN PELLECCCHIA ADAMS OSTER, Trustee of the VIVIAN ADAMS TRUST

hereby GRANT(S) to GREGORY BURTON ADAMS and RICHARD TAYLOR ADAMS,
as tenants in common

the following described real property in the
County of Mono

State of California:

Southeast quarter of the northeast quarter; east half of the southeast
quarter and the southwest quarter of southeast quarter of Section 9,
Township 6 North, Range 23 East, M.D.B.&M.

VIVIAN ADAMS TRUST

Dated September 24, 1996

By Vivian Pellecchia Adams Oster
Vivian Pellecchia Adams Oster

STATE OF ~~CALIFORNIA~~ NEVADA } S.S.
COUNTY OF WASHOE

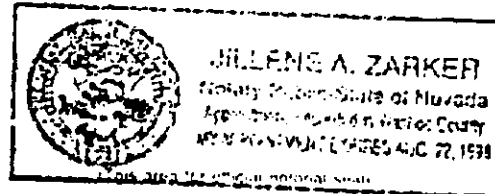
On September 24, 1996 before me,

a Notary Public in and for said County and State, personally appeared
Vivian Pellecchia Adams Oster

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf
of which the person(s) acted, executed the instrument

WITNESS my hand and official seal

Signature Jillene A. Zarker



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

1. SETTELMAYER RANCHES, INC ETAL, Mono County, California, CAPROP
2. SETTELMAYER RANCHES, INC ETAL, Mono County, California, CAPROP
3. SETTELMAYER RANCHES, INC ETAL, Mono County, California, CAPROP
4. SETTELMAYER RANCHES, INC ETAL, Mono County, California, CAPROP
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7. SETTELMAYER RANCHES, INC ETAL, Mono County, California, CAPROP
8. SETTELMAYER RANCHES INC ETAL, Mono County, California, CAPROP
9. SETTELMAYER RANCHES, INC (Company/Corporation), Mono County, California, CAPROP



Dean Heller
Nevada Secretary of State
Corporate Information



Name: SETTELMAYER RANCHES, INC.

Type: Corporation	File Number: C139-1973	State: NEVADA	Incorporated On: January 11, 1973
Status: Current list of officers on file	Corp Type: Regular		
Resident Agent:	ARNOLD SETTELMAYER (Accepted)		
Address:	2388 HWY 395 NORTH		
	RT 3 BOX 330		
	MINDEN	NV	89423
President:	ARNOLD SETTELMAYER		
Address:	ROUTE 3, BOX 330		
	2388 HIGHWAY 395		
	MINDEN	NV	89423
Secretary:	PATRICIA SETTELMAYER		
Address:	ROUTE 3, BOX 330		
	2388 HIGHWAY 395		
	MINDEN	NV	89423
Treasurer:	RICHARD PETERS		
Address:	P.O. BOX 337		
	MINDEN	NV	89423

Return to search menu	Search for another Resident Agent
Search for another Office	Search for another Corporation

9TH RECORD of Level 1 printed in FULL format.

Case 3:73-cv-00128-MMD-CSD Document 358 Filed 09/08/2000 Page 27 of 37

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTLEMEYER RANCHES, INC (Company/Corporation)

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-130-01

Assessment Year: 2000

Assessed Land Value: \$ 29,126

Total Assessed Value: \$ 29,126

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTELMEYER RANCHES, INC ETAL

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-110-05

Assessment Year: 2000

Assessed Land Value: \$ 9,667

Total Assessed Value: \$ 9,667

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTELMAYER RANCHES, INC ETAL

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-110-06

Assessment Year: 2000

Assessed Land Value: \$ 56,995

Assessed Improvement Value: \$ 15,569

Total Assessed Value: \$ 72,564

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTELMEYER RANCHES, INC ETAL

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-110-09

Assessment Year: 2000

Assessed Land Value: \$ 67,723

Total Assessed Value: \$ 67,723

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTELMEYER RANCHES, INC ETAL

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-110-16

Assessment Year: 2000

Assessed Land Value: \$ 219,906

Assessed Improvement Value: \$ 14,995

Total Assessed Value: \$ 234,901

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTELMEYER RANCHES, INC ETAL

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-140-02

Assessment Year: 2000

Assessed Land Value: \$ 21,865

Total Assessed Value: \$ 21,865

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTELMEYER RANCHES, INC ETAL

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-140-04

Assessment Year: 2000

Assessed Land Value: \$ 120,738

Assessed Improvement Value: \$ 6,687

Total Assessed Value: \$ 127,425

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTELMAYER RANCHES INC ETAL

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-140-14

Assessment Year: 2000

Assessed Land Value: \$ 59,332

Total Assessed Value: \$ 59,332

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

*** THIS DATA IS FOR INFORMATION PURPOSES ONLY ***

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: SETTLEMEYER RANCHES, INC (Company/Corporation)

Mailing Address: C/O BENTLY AGRIDYNAMICS, PO BOX 127, MINDEN, NV 89423

***** ASSESSMENT INFORMATION *****

Assessor's Parcel Number: 06-130-01

Assessment Year: 2000

Assessed Land Value: \$ 29,126

Total Assessed Value: \$ 29,126

***** TAX INFORMATION *****

Tax Rate Code: 51-00

TAPE PRODUCED BY COUNTY: 7/2000

1. DAVIS CO, BEATRICE TRUSTEE, Mono County, California, CAPROP
2. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP
3. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP
4. SARIO LIVESTOCK COMPANY (Company/Corporation), Mono County, California, CAPROP
5. SARIO LIVESTOCK COMPANY (Company/Corporation), Mono County, California, CAPROP
6. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP
7. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP
8. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP
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10. SARIO LIVESTOCK COMPANY (Company/Corporation), Mono County, California, CAPROP
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13. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP

14. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP

15. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP

16. SARIO LIVESTOCK COMPANY (Company/Corporation), Mono County, California, CAPROP

17. SARIO LIVESTOCK COMPANY (Company/Corporation), Mono County, California, CAPROP

18. SARIO LIVESTOCK COMPANY (Company/Corporation), Mono County, California, CAPROP

19. SARIO LIVESTOCK COMPANY (Company/Corporation), Mono County, California, CAPROP

20. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP

21. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP

22. SARIO LIVESTOCK CO (Company/Corporation), Mono County, California, CAPROP