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Law Office of Linda A. Bowman, Ltd.
State Bar No. 0743
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Reno, NV 89511
(775) 335-1700
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Attorney for UNITED STATES BOARD OF WATER COMMISSIONERS

FILED
01 AUG 17 PM 3:42
LANCE S. WILSON
CLERK
BY
DEPUTY

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, et al.,

Defendants.

MINERAL COUNTY,

Proposed Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT, et al.,

Proposed Defendants.

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

UNITED STATES BOARD OF WATER COMMISSIONERS' RESPONSE TO MINERAL COUNTY'S MOTION TO DISMISS AND SUBSTITUTE PROPER PARTIES

I. INTRODUCTION

On April 3, 2000, the Court filed an Order Concerning Status of Service on Defendants, Docket #227. Among other things, that order provided that Mineral County should file and serve and motions and supporting documentation to dismiss certain proposed defendants in early August of 2000. On

August 8, 2000, Mineral County filed a Motion and Dismiss and Substitute Proper Defendants (the "Motion to Dismiss and Substitute"). The Motion to Dismiss and Substitute lists the names of several individuals and entities that Mineral County seeks to substitute. It also attaches documentation to support Mineral County's position with respect to these individuals and entities (the "Supporting Documentation"). The Motion to Dismiss and Substitute is supported by an Affidavit of Treva J. Hearne (the "Hearne Affidavit"). On or about April 30, 2001, Mineral County filed an Amended Motion to Add and Dismiss Certain Parties (the "Amended Motion to Add and Dismiss") Mineral County then placed a large volume of documents ("Additional Supporting Documents") at Kinko's which parties were then required to order and pay for copies thereof. The United States Board of Water Commissioners ordered and paid $177.10 to obtain copies of these Additional Supporting Documents. These documents have not been filed with the Clerk of the Court but the parties were advised at a status conference that a box containing these Additional Supporting Documents has been delivered to the Magistrate's chamber.

Set forth below is the USBWC's response concerning the individuals and entities listed in the Amended Motion to Add and Dismiss. In preparing this response, the USBWC has provided comments upon only those parties who are water rights holders and direct assessees of the USBWC. The Walker River Irrigation District (WRID) has advised the USBWC that its response will address the water rights holders who are WRID members. To assist the Court in evaluating these matters, the USBWC has excerpted certain documents from the Additional Supporting Documents under Tab A attached hereto. For ease of reference the USBWC has further tabbed the documents produced by Mineral County to correspond to the numbers assigned to the parties in the Amended Motion to Add and Dismiss, thus, documents supporting the requested action for Robert T. Adams are under Tab A-1 and so forth. Any documents which are referenced in this reply and which are being provided by the USBWC are copied under Tab B using the numbers assigned by Mineral County.

II. THE BOARD OF WATER COMMISSIONERS' RESPONSE CONCERNING SPECIFIC INDIVIDUALS AND ENTITIES

1. Adams, Robert T.

Mineral County seeks to dismiss ROBERT T. ADAMS, deceased, and add ADAMS RICHARD (sic) and ADAMS, GREGORY.

The supporting documents presented with the Amended Motion appear to be an attempt by Mineral County to justify service of process by publication. Inasmuch as the Motion is not directed at that aim, the USBWC will not address the propriety thereof.

The USBWC would agree that ROBERT T. ADAMS should be dismissed. The current owners of the property GREGORY BURTON ADAMS and RICHARD TAYLOR ADAMS. These names, including the full middle names for each of the grantees, appear on that certain Grant Deed recorded in the real property records of Mono County on October 9, 1996 which was provided to Mineral County in September 2000. See Tab B-1 which is a copy of the Grant Deed to GREGORY BURTON ADAMS and RICHARD TAYLOR ADAMS.

3. Juan Arrache

Mineral County seeks to dismiss JUAN ARRACHE as he is deceased and add the ARRACHE FAMILY TRUST, RONALD ARRACHE, TRUSTEE.

The real property records in Mono County should control who owns the water rights. If the property has been conveyed into a Trust, the Mono County Recorder would have that information and it would also be the appropriate place to confirm these facts.

22. Day, Charles and Lucille

Mineral County requests that CHARLES AND LUCILLE (sic) DAY be dismissed from the litigation and removed from the caption.

The USBWC records indicate that CHARLES E. DAY and LUCILE M. DAY no longer own decreed water rights. This property is currently assessed to WEAVER PROPERTIES, LLC. A copy of the most recent title document in the USBWC records is attached hereto under Tab B-22.

37. Junction Range

Mineral County seeks to add ARTHUR SETTLEMEYER and BENTLY AGRIDYNAMICS.

On March 17, 2000 the USBWC provided Mineral County with the title information available in the USBWC office for the property which is generally referred to as "Junction Range." A copy of this previously provided information is attached hereto under Tab B-37. Mineral County was advised that the USBWC records reflected that the Bently Family Limited Partnership, a Nevada limited partnership had acquired a one-half interest in the property and provided the Quitclaim Deed which reflected the

transfer of ownership. The current USBWC assessment for this property is sent to Settelmeyer Ranches, Inc. and Bently Family Limited Partnership at 2388 Highway 395, Minden, Nevada 89423. Mineral County's proposal to add "ARTHUR SETTLEMEYER" to the caption is not supported by the documents presented by Mineral County. Further the documents provided do not show that "BENTLY AGRIDYNAMICS" is a proper party to be added. Perhaps Mineral County has performed additional title work in Mono County which would support these actions but, if so, it is not before the Court at this time.

57. Modesta Perriseau / Pamela Haas

Mineral County seeks to dismiss MODESTA PERRISEAU and remove her name from the caption as well as add HAAS, PAMELA.

The documentation provided by Mineral County under TabA-57 shows 1) that MODESTA PERRISEAU has sold her property and that 2) Mineral County obtained a Waiver of Personal Service of Motions. No conveyancing documents have been provided.

The USBWC records show that the water rights formerly owned by MODESTA PERRISEAU are now owned by PAMELA HAAS and FRANK and BETTY FLOYD. Copies of the relevant conveyancing documents in the possession of the USBWC are attached under Tab B-57.

59. Plymouth Land & Stock Company

Mineral County seeks to dismiss Plymouth Land & Stock Company from the litigation and that its name be removed from the caption.

Mineral County asserts that no documentation exists to show that PLYMOUTH LAND & STOCK COMPANY ever owned a water rights. Lands formerly owned by PLYMOUTH LAND & STOCK COMPANY are included in the Walker River Decree, the USBWC records formerly assessed this entity, and that information was provided to Mineral County some time ago.

The USBWC would not object to PLYMOUTH LAND & STOCK COMPANY being removed from the litigation but if that occurs, the current owners of the land which it previously owned will need to be added to the caption and served with the appropriate documents. The USBWC records indicate that portions of the PLYMOUTH LAND & STOCK COMPANY property was conveyed to the CALIFORNIA DEPARTMENT OF FISH AND GAME and to MILTON DRESSLER. A complete

review of the real property records in Mono County, California for these parcels would be warranted in order to ensure that the current owners of this property are made parties to the litigation. Copies of the current water rights cards maintained by the USBWC for these water rights are attached hereto under Tab B-59.

61. Porter, Harold and Sherri

Mineral County seeks to dismiss Harold and Sherri Porter from the litigation. Mineral County indicates that Weaver Revocable Trust Agreement is already on the caption.

The USBWC records indicates that the property formerly owned by Harold and Sherri Porter is now assessed to Casino West, Inc. and the Romero Family Trust. The current water rights cards maintained by the USBWC for these properties along with the deeds which have been submitted to the USBWC are attached hereto under Tab B-61.

The USBWC believes that Mineral County's request that Harold and Sherri Porter be dismissed from the litigation is proper but that the current owners of this property, Casino West, Inc. and the Romero Family Trust should be added as parties.

64. Sario Livestock Company

Mineral County seeks to dismiss Sario Livestock Company and substitute Vaughn, O. Kyle & Leona, and Sierra Nevada Landco., Inc.

Mineral County has provided the Court with conveyancing documents for land not in question in this case. TabA-64. The land which SARIO LIVESTOCK COMPANY owns which has Walker River Decree water rights is located in Mono County, California not Lyon County, Nevada. The proposed changes relating to SARIO LIVESTOCK COMPANY should not be allowed.

77. Virginia Creek Hydro, Inc.

Mineral County seeks to dismiss VIRGINIA CREEK HYDRO, INC. and to add The Trust for Public Land.

Mineral County has provided no documentation to support its proposed change. The USBWC has received a deed which evidences that some of the water rights formerly owned by VIRGINIA CREEK HYDRO, INC. are currently owned by the COUNTY OF MONO and the UNITED STATES OF AMERICA. Copies of the deeds which have only recently been provided to the USBWC are

attached under Tab B-77.

78. Gilbert C. Wedertz

Mineral County seeks to dismiss Gilbert C. Wedertz from the action and that Jan Wedertz Huggans be added.

The USBWC currently assesses this property in the name of Gilbert C. Wedertz in care of Jan Huggans. In light of that fact and the fact that no documentation has been presented by Mineral County to substantiate the addition of Jan Wedertz Huggans as a party this change should be denied. Once again, the real property of Mono County, California are what should guide Mineral County in naming owners of these rights. If the property has been conveyed or distributed to Jan Wedertz Huggans there must be some documentation before the Court should allow the substitution.

Conclusion

Based upon the foregoing, the United States Board of Water Commissioners submits its recommendation as to each of the proposed changes addressed in this Response to the Amended Motion to Add and Dismiss:

Adams, Robert T.	Dismiss Robert T. Adams Add Gregory Burton Adams and Richard Taylor Adams
Juan Arrache	Substitute the Trustee of the Trust only after documentation of the conveyance of the property into the trust
Charles and Lucille (sic) Day	Dismiss Charles and Lucile Day and substitute in their place, Weaver Properties, LLC
Junction Range	Junction Range may be dismissed as it is not a legal entity Settelmeyer Ranches, Inc. and Bently Family Limited Partnership, a Nevada limited partnership should be added as parties
Modesta Perriseau	Modesta Perriseau should be dismissed Pamela J. Haas and Frank and Betty Floyd should be added as parties
Harold and Sherri Porter	Harold and Sherri Porter should be dismissed Casino West, Inc. and Romero Family Trust should be added as parties

Plymouth Land & Stock Company	Plymouth Land & Stock Company should be dismissed only after its successors are ascertained State of California, California Department of Fish and Game and Milton Dressler should be added as parties
Sario Livestock Company	Sario Livestock Company should remain a party to the litigation and the proposed additional parties should not be added as they did not acquire lands subject to the Decree
Virginia Creek Hydro, Inc	Virginia Creek Hydro, Inc. should be dismissed County Of Mono and the United States of America should be added as parties
Gilbert C. Wedertz	Gilbert C. Wedertz should not be dismissed until documentation as to whom his property has been distributed is provided

Respectfully submitted this 17th day of August, 2001.

LAW OFFICE OF LINDA A. BOWMAN, LTD.

By: Linda A. Bowman

Linda A. Bowman, Esq.
540 Hammill Lane
Reno, NV 89511
(775) 335-1700
Attorney for the United States Board of Water Commissioners

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I hereby certify that on this date, I mailed a true and correct copy of the **UNITED STATES BOARD OF WATER COMMISSIONERS' RESPONSE TO MINERAL COUNTY'S AMENDED MOTION TO ADD AND DISMISS CERTAIN PARTIES,** postage prepaid, addressed to:

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Walker River Irrigation District
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George Benesch, Esq.
P.O. Box 3498
Reno, NV 89505

DATED this 17th day of August, 2001.

Robyn E. Sanford

393

ROLL 41 IMAGE 7 433

STATE OF NEVADA—DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH—SECTION OF VITAL STATISTICS

CERTIFICATE OF DEATH

TYPE, OR PRINT IN PERMANENT INK SEE HANDBOOK FOR INSTRUCTIONS

LOCAL FILE NUMBER — STATE FILE NUMBER

DECEASED

1. DECEASED—NAME: Robert (first) Taylor (middle) ADAMS (last)
2. SEX: Male
3. DATE OF DEATH (MONTH, DAY, YEAR): April 12, 1977
4. RACE (WHITE, NEGRO, AMERICAN INDIAN, ETC.) (SPECIFY): White
5a. AGE—LAST BIRTHDAY (YEARS): 66
5b. UNDER 1 YEAR: MOS. / DAYS
5c. UNDER 1 DAY: HOURS / MIN.
6. DATE OF BIRTH (MONTH, DAY, YEAR): June 3, 1910
7a. COUNTY OF DEATH: Washoe
7b. CITY, TOWN, OR LOCATION OF DEATH: Reno
7c. INSIDE CITY LIMITS (SPECIFY YES OR NO): Yes
7d. HOSPITAL OR OTHER INSTITUTION—NAME (IF NOT IN EITHER, GIVE STREET AND NUMBER): Washoe Medical Center
8. STATE OF BIRTH (IF NOT IN U.S.A., NAME COUNTRY): Iowa
9. CITIZEN OF WHAT COUNTRY: U.S.A.
10. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY): Married
11. SURVIVING SPOUSE (IF WIFE, GIVE MAIDEN NAME): Vivian Pellecchia
12. SOCIAL SECURITY NUMBER: 530 03 3130
13a. USUAL OCCUPATION (GIVE KIND OF WORK DONE DURING MOST OF WORKING LIFE, EVEN IF RETIRED): Attorney
13b. KIND OF BUSINESS OR INDUSTRY: Law
14a. RESIDENCE—STATE: Nevada
14b. COUNTY: Washoe
14c. CITY, TOWN, OR LOCATION: Reno
14d. INSIDE CITY LIMITS (SPECIFY YES OR NO): yes
14e. STREET AND NUMBER: 877 Brown Street

USUAL RESIDENCE WHERE DECEASED LIVED. IF DEATH OCCURRED IN INSTITUTION, GIVE RESIDENCE BEFORE ADMISSION.

PARENTS

15. FATHER—NAME (first, middle, last): Burton Adams
16. MOTHER—MAIDEN NAME (first, middle, last): Maybelle Dicker

17a. INFORMANT—NAME: Vivian P. Adams
17b. MAILING ADDRESS (STREET OR R.F.D. NO., CITY OR TOWN, STATE, ZIP): 877 Brown St. Reno, Nevada 89509

CAUSE

PART I. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) — APPROXIMATE INTERVAL BETWEEN ONSET

18. IMMEDIATE CAUSE (a) Shock & Septicemia
DUE TO, OR AS A CONSEQUENCE OF:
(b) Post Operative Repair of A-V fistula from
DUE TO, OR AS A CONSEQUENCE OF:
(c) Iliac Artery to Inferior vena CAVA

CONDITIONS, IF ANY, WHICH GAVE RISE TO IMMEDIATE CAUSE (a), STATING THE UNDERLYING CAUSE LAST

PART II. OTHER SIGNIFICANT CONDITIONS: CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN PART I (a)

19a. AUTOPSY (YES OR NO): No
19b. IF YES WERE FINDINGS CONSIDERED IN DETERMINING CAUSE OF DEATH

20a. ACCIDENT, SUICIDE, HOMICIDE, OR UNDETERMINED (SPECIFY)
20b. DATE OF INJURY (MONTH, DAY, YEAR)
20c. HOUR
20d. HOW INJURY OCCURRED (ENTER NATURE OF INJURY IN PART I OR PART II, ITEM 18)
20e. INJURY AT WORK (SPECIFY YES OR NO)
20f. PLACE OF INJURY AT HOME, FARM, STREET, FACTORY, OFFICE BLDG., ETC. (SPECIFY)
20g. LOCATION (STREET OR R.F.D. NO., CITY OR TOWN, STATE)

CERTIFIER

21a. CERTIFICATION—PHYSICIAN: I ATTENDED THE DECEASED FROM (MONTH, DAY, YEAR): 7 20 76
21b. TO (MONTH, DAY, YEAR): 4 12 77
21c. AND LAST SAW HIM/HER ALIVE ON (MONTH, DAY, YEAR): 4 11 77
21d. I DID NOT VIEW THE BODY AFTER DEATH.
21e. DEATH OCCURRED (HOUR): 9:30 A.M. AT THE PLACE, DATE, AND, OF MY FIND TO THE CAU
22a. CERTIFICATION—MEDICAL EXAMINER OR CORONER: ON THE BASIS OF THE EXAMINATION OF THE BODY AND/OR THE INVESTIGATION, IN MY OPINION, DEATH OCCURRED ON THE DATE AND DUE TO THE CAUSE(S) STATED. HOUR OF DEATH: 9 30/A M.
22b. THE DECEDENT WAS PRONOUNCED DEAD (MONTH, DAY, YEAR): 4 12 77 HOUR: 9 30/
23a. CERTIFIER—NAME (TYPE OR PRINT): Paul S. Clark MD
23b. SIGNATURE: Paul S Clark (M.D.)
23c. DEGREE OR TITLE
23d. DATE SIGNED (MONTH): 4/12/77
23e. MAILING ADDRESS—CERTIFIER: 550 Mill St (STREET OR R.F.D. NO.) Reno (CITY OR TOWN) Nev (STATE) (ZIP)

BURIAL

24a. BURIAL, CREMATION, REMOVAL (SPECIFY): Cremation
24b. CEMETERY OR CREMATORY—NAME: Masonic Memorial Gardens Crematory
24c. LOCATION: Reno Nev
24d. DATE (MONTH, DAY, YEAR): April 14, 1977
24e. FUNERAL HOME—NAME AND ADDRESS (STREET OR R.F.D. NO., CITY OR TOWN, STATE, ZIP): Ross, Burke and Knobel Mortuary: 2155 Kietzke Ln., Reno. Ne
24f. FUNERAL DIRECTOR—SIGNATURE: [illegible]
24g. RECEIVER—SIGNATURE: Linda Williams Dep. Reg
24h. DATE RECEIVED BY LOCAL REGISTRAR: April 14, 197

EXH A1

TREVA J. HEARNE, ESQ. (SBN 4450)
JAMES SPOO, ESQ. (SBN 1018)
ZEH, POLAHA, SPOO, HEARNE & PICKER
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Attorneys for Intervenor,
MINERAL COUNTY NEVADA

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Reno, Nevada 89509
Tel.: (702) 323-5700 FAX: (702) 786-8183

UNITED STATES DISTRICT COURT

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 Subfile No. C-125-C RETURN OF SERVICE
MINERAL COUNTY, Proposed-Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.	

I Kenneth Peele, hereby certify that service of process of Mineral
(Print name of server)

County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in Lieu of Summons

upon: Vivian Pickens (Print name of person served)

of: Heir to Robert Pickens (Title and company where applicable)

on: May 4, 1999 (Date of service)

at: 4:00 P.M. (Time of service)

at the following place:

877 Brown St., Reno, NV (Address or location)

in the following manner:

[✓] served personally

[ ] left copies

[ ] unable to execute service (why) _____

[ ] other (specify) _____

Remarks: _____

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

5-4-99
Date

Signature of Server

333 Marsh Ave.
Reno, NV. 89509
(Address of Server)

C:\MyFiles\CLIENTS\Mineral\P-Return.J14

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 Subfile No. C-125-C **RETURN OF SERVICE**

I Stephen Alastuey, hereby certify that service of process of Mineral
(print name of server)

County's "Intervention Documents" was made pursuant to the Orders of the Court and

Notice in Lieu of Summons

upon: Vivian Adams (print name of person served)

of: _____ (title and company where applicable)

on: 11/9/95 (date of service)

at: 4:35 pm (time of service)

at the following place:

877 Brown Street, Reno, NV 89509 (address or location)

in the following manner:

[X] served personally

[___] left copies

[___] unable to execute service (why) _____

_____.

[___] other (Specify) _____

_____.

Remarks: She asked if being sued. I briefly explained circ. of Walker Lake level/water overallocation upstream. She said she hasn't been there for 15 (or 13) years.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

11/10/95
Date

Stephen Hastney
Signature of Server

1977 Riverside Drive, #13
Reno, NV 89503
Address of Server

TREVA J. HEARNE, ESQ. (SBN 4450)
JAMES SPOO, ESQ. (SBN 1018)
ZEH, SAINT-AUBIN, SPOO & HEARNE
575 Forest Street, Suite 200
Reno, Nevada 89509
Telephone: (775) 323-5700

Attorneys for Intervenor,
MINERAL COUNTY NEVADA

UNITED STATES DISTRICT COURT

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** **Subfile No. C-125-C** **AFFIDAVIT OF TREVA J. HEARNE**
MINERAL COUNTY, Proposed-Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT,	

a corporation, et al.)
_____)

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

1. I am a member of the law firm of ZEH, SAINT-AUBIN, SPOO, & HEARNE and am admitted to the bars in California, Nevada & Missouri.

b. I represent Mineral County in the present litigation.

c. I believe and have reason to believe that Richard T. Adams, son of Vivian and Robert Adams, who has an interest in water rights in the Walker River resides out of the state or has departed from the state and after due diligence cannot be found within the state or he is concealing himself in order to avoid service of summons.

d. After being informed by Linda Bowman that, even though Vivian Adams had stated to us that she was the only heir of Robert Adams, deceased, Vivian had conveyed some interest in the water rights that she held on the Walker River to her two sons, one of them Richard T. Adams, we made an attempt to locate and serve Mr. Adams.

5. The Sheriff of Nevada County, California stated to us that Gregory Adams appeared to have abandoned his home in Truckee. He further stated that no one was home and the snow around the house had not been disturbed.

6. I cannot find any forwarding address or another location for Robert T.

Adams.

7. I also asked Vivian Adams if she would reveal the whereabouts of her son for purposes of service and she declined to respond at all. I informed her we were looking for her sons and that they should contact me. She refused to respond.

Further affiant sayeth naught.

DATED this 24th day of March, 2001.

TREVA J. HEARNE

SUBSCRIBED and SWORN to
before me this ~~23rd~~ 24th day of March, 2001
by Treva J. Hearne

NOTARY PUBLIC

JoANN C. BAUMER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-57110-2 - Expires July 26, 2003

TREVA J. HEARNE, ESQ. (SBN 4450)
JAMES SPOO, ESQ. (SBN 1018)
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Attorneys for Intervenor,
MINERAL COUNTY NEVADA

UNITED STATES DISTRICT COURT

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** **Subfile No. C-125-C** **AFFIDAVIT OF TREVA J. HEARNE**
MINERAL COUNTY, Proposed-Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT,	

a corporation, et al.)
_____)

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

1. I am a member of the law firm of ZEH, SAINT-AUBIN, SPOO, & HEARNE and am admitted to the bars in California, Nevada & Missouri.

b. I represent Mineral County in the present litigation.

c. I believe and have reason to believe that Gregory Adams, son of Vivian and Robert Adams, who has an interest in water rights in the Walker River resides out of the state or has departed from the state and after due diligence cannot be found within the state or he is concealing himself in order to avoid service of summons.

d. After being informed by Linda Bowman that, even though Vivian Adams had stated to us that she was the only heir of Robert Adams, deceased, Vivian had conveyed some interest in the water rights that she held on the Walker River to her two sons, one of them Gregory, we made an attempt to locate and serve Mr. Adams.

5. The Sheriff of Nevada County, California stated to us that Gregory Adams appeared to be an absentee landowner of the property in Truckee. He further stated that he believed that Gregory Adams lived in Reno, Nevada.

6. I personally called the Gregory Adams listed in the phone book in Reno and

located a Gregory Adams. When I told him I was trying to reach him if he owned water rights in the Walker River, son of Robert and Viviam, he claimed that he wasn't the correct Gregory Adams. He did believe that another Gregory Adams existed because several other creditors and process servers had reached him thinking he was the Gregory Adams that I, too, was seeking. He said that he did not know that Gregory Adams but that everyone seemed to be after him. For this reason I believe that Gregory Adams, son of Vivian and Robert Adams, is no longer in Reno, Nevada, nor anywhere that I can locate him.

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7. I also asked Viviam Adams if she would reveal the whereabouts of her son for purposes of service and she declined to respond at all. I informed her we were looking for her sons and that they should contact me. She refused to respond.

Further affiant sayeth naught.

DATED this 24th day of March, 2001.

TREVA J. HEARNE

SUBSCRIBED and SWORN to
before me this ~~23rd~~ 24th day of March, 2001
by Treva J. Hearne

NOTARY PUBLIC

JoANN C. BAUMER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-57110-2 - Expires July 26, 2003

TREVA J. HEARNE ATTORNEY AT LAW
575 FOREST STREET, SUITE 200
RENO, NV 89509
Telephone: (775) 323-5700
Attorney for: UNITED STATES OF AMERICA/WALKER RIVER PAIUTE TRIBE

none

Plaintiff: UNITED STATES OF AMERICA/WALKER RIVER PA
Defendant: WALKER RIVER IRRIGATION DISTRICT
Hearing: <No Information>

Attempted Service
Case No. C-125-ECR
File No. 2001005002

1. I received the following papers on 01/08/2001:
   Amended Complaint, Notice of Motion, Notice

2. After due search, careful inquiry and diligent attempts at the dwelling house or usual place of abode and/or business, I have been unable to make personal delivery of said process on the following person(s) herein named, to wit:
   RICHARD T. ADAMS
   16591 FAWN STREET
   TRUCKEE, CA 96161

3. Declaration of Reasonable Diligence. Service attempts as follows:
   1st: Date/Time: 01/10/2001 7:05:00 AM
   Addr: 16591 FAWN STREET TRUCKEE CA 96161

4. Remarks: Residence is vacant. No occupants. Unable to locate.

5. Person Serving:
   David Lade
   Sheriff's Civil Division
   950 Maidu Ave
   Nevada City, CA 95959

6. Fee for service: $28.00

(530) 265-1220

7. I am a California sheriff and I certify that the foregoing is true and correct.

Date: January 10, 2001
Jud. Coun. form, rule 982(a)(23)

Sheriff's Authorized Agent
Keith Royal, Sheriff

TREVA J. HEARNE, ESQ. (SBN 4450)
JAMES SPOO, ESQ. (SBN 1018)
ZEH, SAINT-AUBIN, SPOO & HEARNE
575 Forest Street, Suite 200
Reno, Nevada 89509
Telephone: (702) 323-5700

Attorneys for Intervenor,
MINERAL COUNTY NEVADA

UNITED STATES DISTRICT COURT

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** **Subfile No. C-125-C** **RETURN OF SERVICE**
MINERAL COUNTY, Proposed-Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.	

I D. LADE, hereby certify that service of process of Mineral
(Print name of server)

Zeh, Saint-Aubin, Spoo & Hearne
575 Forest Street, Suite 200
Reno, Nevada 89509
Tel.: (775) 323-5700 FAX: (775) 786-8183

County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in Lieu of Summons

upon: RICHARD T. ADAMS (Print name of person served)

of: — (Title and company where applicable)

on: 1-10-01 (Date of service)

at: 0705 (Time of service)

at the following place:

16591 FAWN ST., TRUCKEE (Address or location)

in the following manner:

[____] served personally

[____] left copies

[X] unable to execute service (why) NOBODY CURRENTLY RESIDES IN HOUSE. NO SIGN OF ACTIVITY IN SNOW AROUND HOUSE.

[____] other (specify) _____

Remarks: _____

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

Date

Signature of Server

(Address of Server)

TREVA J. HEARNE ATTORNEY AT LAW
575 FOREST STREET, SUITE 200
RENO, NV 89509
Telephone: (775) 323-5700
Attorney for: UNITED STATES OF AMERICA/WALKER RIVER PAIUTE TRIBE

none

Plaintiff: UNITED STATES OF AMERICA/WALKER RIVER PA
Defendant: WALKER RIVER IRRIGATION DISTRICT
Hearing: <No Information>

Attempted Service
Case No. C-125-ECR
File No. 2001005003

1. I received the following papers on 01/08/2001:
   Amended Complaint, Notice of Motion, Notice

2. After due search, careful inquiry and diligent attempts at the dwelling house or usual place of abode and/or business, I have been unable to make personal delivery of said process on the following person(s) herein named, to wit:
   GREGORY B. ADAMS
   13311 MORAINE ROAD
   TRUCKEE, CA 96161

3. Declaration of Reasonable Diligence. Service attempts as follows:
   1st: Date/Time: 01/10/2001 7:26:00 AM
   Addr: 13311 MORAINE ROAD TRUCKEE CA 96161

4. Remarks: Tenant advised subject is owner of residence. Lives in Reno, Nevada, PO Box 13613, Reno, NV 89707.

5. Person Serving:
   David Lade
   Sheriff's Civil Division
   950 Maidu Ave
   Nevada City, CA 95959

6. Fee for service: $28.00

(530) 265-1220

7. I am a California sheriff and I certify that the foregoing is true and correct.

Date: January 10, 2001
Jud. Coun. form, rule 982(a)(23)

Sheriff's Authorized Agent
Keith Royal, Sheriff

Original

TREVA J. HEARNE, ESQ. (SBN 4450)
JAMES SPOO, ESQ. (SBN 1018)
ZEH, SAINT-AUBIN, SPOO & HEARNE
575 Forest Street, Suite 200
Reno, Nevada 89509
Telephone: (702) 323-5700

Attorneys for Intervenor,
MINERAL COUNTY NEVADA

Zeh, Saint-Aubin, & Hearne
575 Forest Street, Suite 200
Reno, Nevada 89509
Tel.: (775) 323-5700 FAX: (775) 786-8183

UNITED STATES DISTRICT COURT

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** **Subfile No. C-125-C** **RETURN OF SERVICE**
MINERAL COUNTY, Proposed-Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.	)	

I D. LADE, hereby certify that service of process of Mineral
(Print name of server)

County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in Lieu of Summons

upon: Gregory B Adams (Print name of person served)

of: — (Title and company where applicable)

on: 1-10-01 (Date of service)

at: 0726 (Time of service)

at the following place:

13311 Moraine Rd. Truckee (Address or location)

in the following manner:

[ ] served personally

[ ] left copies

[X] unable to execute service (why) THE SUBJECT OWNS THE PROPERTY AND LIVES IN RENO, NV.

[ ] other (specify) _____

Remarks: _____

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

1-10-01
Date

D. Lile
Signature of Server

PO Box 699
Truckee, Ca 96160
(Address of Server)

Zeh, Spoo & Hearne
Attorneys and Counselors at Law

Charles R. Zeh, Esq.
James Spoo, Esq.
Treva J. Hearne, Esq.

575 Forest Street
Reno, Nevada 89509
(775) 323-5700
fax (775) 786-8183

July 26, 2000

Ronald Arrache, heir and trustee
Arrache Family Trust
P.O. Box 2468
Lancaster, California 94539

Re: *Mineral County/Walker River*

Dear Mr. Arrache:

Recently you signed a Waiver and accepted documents, as the heir and trustee to Mr. Juan Arrache, in the above-referenced matter for the water rights held by the Arrache Family Trust. Per an earlier discussion with you I understand the water rights are not held by anyone individually. They are held through the Arrache Family Trust. However, the Court and the opposing counsel for Walker River Irrigation District require that we submit proof of your being the Trustee to the Arrache Family Trust and that the water rights are in fact held through the Arrache Family Trust.

In following the Court's request for proof, I must request that you send to me, in the enclosed self-addressed, stamped envelope, a copy of the Deed for the water rights, as well as a copy of documentation which proves you are the Trustee to the Arrache Family Trust. I apologize for any inconvenience this may cause you and be assured, once we have a copy of the Deed and documentation proving you are the Trustee, we should not have to bother you further.

If you do not have a copy of the Deed and documentation proving you are the Trustee to the Arrache Family Trust, please sign at the bottom of this letter, where indicated, which states that you are in fact, the Trustee to the Arrache Family Trust and which will also prove that the water rights are now held in the name of the Trust.

Be advised, that we are on a very short time line to receive this documentation, and if we do not receive the documentation within one week from the date of this letter,

Also admitted in California, Minnesota, Washington, D.C., and Missouri

EXH A3

we will have no choice but to serve you with a subpoena for your testimony.

Thank you in advance for your anticipated cooperation with this matter. If you should have any questions or comments, please do not hesitate to contact either myself or my secretary, Carol, at (775) 323-5700.

Sincerely yours,

ZEH, SPOO & HEARNE

Treva J. Hearne

TREVA J. HEARNE

TJH/ce

I, Ronald Arrache, am the Trustee to the Arrache Family Trust. The water rights are no longer held individually, but are only held in the Arrache Family Trust.

Dated: July ____, 2000

RONALD ARRACHE

S:\CarolE\Mineral\L-Arrache.Ronald

ANTIN, MAGASINN, LITZ & GREBOW
A LAW CORPORATION

ARTHUR GREBOW
RONALD A. LITZ
MICHAEL ANTIN
KENNETH A. FEINFIELD
RICHARD E. GILBERT
KENNETH M. BARISH
EDWARD GARTENBERG
ARNOLD W. MAGASINN
VICKI FISHER MAGASINN
TERRY FLETT BARAKIS

WILLIAM DICKERMAN
JONATHAN M. FELDMAN
ANDREW M. GLATT
SUSAN A. GRUSKIN
MICHAEL L. TAYLOR
CARL R. WALDMAN
JEFF S. WESTERMAN

12100 WILSHIRE BOULEVARD
8TH FLOOR
LOS ANGELES, CALIFORNIA 90025

AREA CODE 213
820-4411

TELECOPIER
AREA CODE 213
207-0701

WM. A. CRUIKSHANK, JR.
(1923-1981)

JERRY R. STERN
OF COUNSEL

WRITER'S VOICE MAIL NO.

OUR FILE NUMBER

CERTIFICATE

I, VICKI FISHER MAGASINN, an attorney at law, duly authorized to practice in the courts of the State of California, hereby certify that attached hereto is a true and accurate abstract copy of the Juan and Carmel Arrache Family Trust, dated April 5, 1990.

I further certify that the Trust has not been amended since the above date and is now in full force and effect.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Certificate is executed on April 10, 1990, at Los Angeles, California.

Vicki Magasinn

VICKI FISHER MAGASINN

ARTICLE XI
POWERS OF THE TRUSTEE

11.1. Powers Granted to Trustee. In addition to all other powers and discretions granted to or vested in the Trustee by law or by this instrument, and subject to any limitations stated elsewhere herein and to the Trustee's fiduciary obligations, the Trustee of each trust created hereby, and any successor Trustee, shall have the following powers and discretions in connection with the management of all or part of the trust estate:

A. General Powers.

1. To retain the trust estate in the same form as received by the Trustee;

2. To lend, relend, invest and reinvest the trust estate or any part thereof;

3. To acquire any property, real, personal or mixed, of any kind and character, wherever situated, and upon such terms and conditions as the Trustee may negotiate and determine;

4. To grant, bargain, sell (at public or private sale; for cash or on deferred payments), convey, grant options, exchange or convert trust property;

5. To assign, partition, divide, subdivide, repair, improve, develop, apply for zoning or rezoning, and lease any properties of the trust estate without restriction or limitation as to terms, either within or beyond the duration of the trusts created hereunder;

6. To deduct, extend and pay from funds belonging to the trust estate (first from income or, if insuffi-

2.1. Successor Trustees. Should either Trustor fail to qualify or cease to act as Trustee, the other of them shall act ~~as sole Trustee~~. Should both Trustors fail to qualify or cease to act as Trustee, RONALD B. ARRACHE shall act as Trustee. Should RONALD B. ARRACHE fail to qualify or cease to act as Trustee, NANCY A. ARRACHE shall act as Trustee. Should NANCY A. ARRACHE fail to qualify or cease to act as Trustee, RICHARD BRIGANTY shall act as Trustee. RICHARD BRIGANTY or the last Trustee actively surviving the order of Trustees herein named shall have the power to name one or more persons or organizations to act as successor Trustee. Each such nomination shall be made by filing a copy of the appointment signed by the named Trustee and filed with the records of this trust.

2.2. Trustors' Signatures. During the joint lifetimes of the Trustors, and while both of the Trustors are serving as Trustee, either Trustor shall have signature power with respect to any account of whatever nature belonging to the trust estate, including, without limitation, any such account maintained at a bank or savings and loan or other institution or a money market or related account.

2.3. Trustee's Delegation of Powers. Any individual Co-Trustee serving hereunder may, from time to time, delegate to the other Co-Trustee(s) all or any portion of the delegating Co-Trustee's powers as a Trustee, by delivery to the other Co-Trustee(s) of a written notice specifying the powers delegated. Any such delegation shall terminate upon delivery by the delegating Co-Trustee to the other Co-Trustee(s) of written notice of termination. The delegating Co-Trustee shall incur no liability to any beneficiary of trust created hereunder with respect to a

any trust property into parts or shares for the purpose of distribution or otherwise, then upon any such division of the trust estate and upon any distribution, the Trustee may apportion and allocate the assets of the trust estate in cash or in kind, or partly in cash and partly in kind, or in undivided interests in such manner as the Trustee, in the Trustee's discretion, deems advisable. Except as otherwise expressly provided, the Trustee may sell such property as the Trustee deems necessary to make any such division or distribution. After any division of the trust estate, the Trustee may make joint investments with funds from some or all of the several trusts.

11.5. Power to Deal with Trustor's Legal Representative. If the Trustee deems it necessary or advisable for the protection of the estate of a Trustor or in the best interests of the estate of a Trustor the Trustee may in the Trustee's discretion without any liability for loss resulting to the trust estate by reason thereof:

A. Purchase securities and other property from the legal representative of such estate and retain such property as part of the trust estate; and

B. Make secured or unsecured loans to such legal representative.

11.6. Flower Bonds. The Trustee is authorized to purchase at less than par obligations of the United States of America that are redeemable at par in payment of any federal estate tax liability of either Trustor in such amounts as the Trustee deems advisable and for that purpose the Trustee may, as one option, partition a portion of the community property of the trust estate and make purchases from either or both portions. The Trustee shall resolve any doubt concerning the desirability of making any such purchase

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)	TELEPHONE NO.	FOR COURT USE ONLY
M.L. LUCKING INVESTIGATIONS 325 ELKHORN BLVD. TE 246 SACRAMENTO CA 95842 ATTORNEY FOR (NAME)	916-344-1702 Ref. No. or File No. C-125-C	

Insert name of court and name of judicial district and branch court, if any.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

SHORT TITLE OF CASE:

WALKER PAIUTE V WALKER IRRIG.

	DATE:	TIME:	DEPT./DIV	CASE NUMBER:
032244				C-125-ECR

PROOF OF SERVICE

AT THE TIME OF SERVICE I WAS AT LEAST 18 YEARS OF AGE AND NOT A PARTY TO THIS ACTION, AND I SERVED COPIES OF THE:

NOTICE IN LIEU OF SUMMONS
NOTICE OF MOTION AND MOTION OF MINERAL COUNTY OF NEVADA FOR INTERVENTION
MINERAL COUNTY'S AMENDED COMPLAINT INTERVENTION
NOTICE OF MOTION TO INTERVENE, PROPOSED COMPLAINT-IN INTERVENTION AND MOTION FOR PRELIMINARY INJUCTION OF MINERAL COUNTY AND REQUEST FOR WAIVER OF PERSONAL SERVICE OF MOTION
WAIVER OF PERSONAL SERVICE OF MOTION, AFFIDAVIT OF KELVIN J. BUCHANAN
WALKER RIVER BASIN WATER RIGHTS MODEL, AFFIDAVIT OF LOUIS THOMPSON
AFFIDAVIT OF MARLENE BUNCH, SECOND AFFIDAVIT OF KELVIN J. BUCHANAN P.E
AFFIDAVIT OF GARY L. VINYARD, PH.D, ORDER

a. PARTY SERVED: CARMEL M. ARRACHE

b. PERSON SERVED: CARMEL M. ARRACHE

AGE: 86 HEIGHT: 5'6 WEIGHT: 130 HAIR: GRAY RACE: CAU SEX: F

c. ADDRESS: 43515 27th ST. West
Lancaster, CA 94536

. I SERVED THE PARTY NAMED IN ITEM 2
a. BY PERSONALLY DELIVERING THE COPIES ON 11/21/95 AT 6:20 PM

. PERSON SERVING: RHONDA FAHRNEY FEE FOR SERVICE:$ 57.50

tinued on Next Page

2020 17th STREET
BAKERSFIELD, CALIFORNIA 93301
05) 634-9071 • FAX (805) 634-9621

NIGHTHAWK PROCESS SERVICE
"LICENSED & BONDED"
P.O. BOX 1923
BAKERSFIELD, CA 93303

d. Registered California process server
(1) [X] Employee or independent contractor
(2) Registration No. 110
(3) County: Kern

J. [X] I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 12/5/95

Rhonda Fahrney
SIGNATURE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address)

M.L. LUCKING INVESTIGATIONS
5325 ELKHORN BLVD.
STE 246
SACRAMENTO CA 95842

TELEPHONE NO. 916-344-1702

FOR COURT USE ONLY

ATTORNEY FOR (NAME)

Ref. No. or File No. C-125-C

Insert name of court and name of judicial district and branch court, if any.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

SHORT TITLE OF CASE:

WALKER PAIUTE V WALKER IRRIG.

DATE:	TIME:	DEPT./DIV	CASE NUMBER:
032244			C-125-ECR

NOT FOUND OR NON SERVICE RETURN

I, THE UNDERSIGNED AM AND WAS ON THE DATES HEREIN MENTIONED, OVER THE AGE OF EIGHTEEN YEARS AND NOT A PARTY TO THE ACTION, ATTEMPTED TO SERVE THE FOLLOWING:

NOTICE IN LIEU OF SUMMONS
NOTICE OF MOTION AND MOTION OF MINERAL COUNTY OF NEVADA FOR INTERVENTION
MINERAL COUNTY'S AMENDED COMPLAINT INTERVENTION
NOTICE OF MOTION TO INTERVENE, PROPOSED COMPLAINT-IN INTERVENTION AND MOTION FOR PRELIMINARY INJUCTION OF MINERAL COUNTY AND REQUEST FOR WAIVER OF PERSONAL SERVICE OF MOTION
WAIVER OF PERSONAL SERVICE OF MOTION, AFFIDAVIT OF KELVIN J. BUCHANAN
WALKER RIVER BASIN WATER RIGHTS MODEL, AFFIDAVIT OF LOUIS THOMPSON
AFFIDAVIT OF MARLENE BUNCH, SECOND AFFIDAVIT OF KELVIN J. BUCHANAN P.E
AFFIDAVIT OF GARY L. VINYARD, PH.D, ORDER

AND THAT AFTER DUE SEARCH, CAREFUL INQUIRY AND DILIGENT ATTEMPTS AT THE

RESIDENCE:

BUSINESS: 43515 27TH ST. WEST
942-3997
LANCASTER CA 94536

I HAVE BEEN UNABLE TO MAKE DELIVERY OF SAID PROCESS ON THE WITHIN NAMED:

JUAN E. ARRACHE

PROCESS IS BEING RETURNED WITHOUT SERVICE FOR THE FOLLOWING REASONS:

11/21/95 JUAN E. ARRACHE IS DECEASED

ontinued on Next Page

2020 17th STREET
BAKERSFIELD, CALIFORNIA 93301
(805) 634-9071 · FAX (805) 634-9621

NIGHTHAWK PROCESS SERVICE
"LICENSED & BONDED"
P.O. BOX 1923
BAKERSFIELD, CA 93303

d. Registered California process server
(1) [X] Employee or independent contractor
(2) Registration No. 110
(3) County: Kern

i. [X] I declare under penalty of perjury under the laws of the State of California that the foregoing is ~~true and~~ correct.

Date: 12/5/95

SIGNATURE

TREVA J. HEARNE, ESQ. (SBN 4450)
JAMES SPOO, ESQ. (SBN 1018)
ZEH, SPOO, HEARNE & PICKER
575 Forest Street, Suite 200
Reno, Nevada 89509
Telephone: (775) 323-5700

Attorneys for Intervenor,
MINERAL COUNTY NEVADA

Zeh, Spoo, Hearne & Picker
575 Forest Street, Suite 200
Reno, Nevada 89509
Tel.: (775) 323-5700 FAX: (775) 786-8183

UNITED STATES DISTRICT COURT

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 Subfile No. C-125-C WAIVER OF PERSONAL SERVICE OF MOTIONS
MINERAL COUNTY, Proposed-Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.	

E-62

TO: ZEH, SPOO, HEARNE & PICKER, attorneys for proposed Plaintiff/Intervenor, Mineral County, Nevada

I acknowledge receipt of your request that I waive personal service of the documents involving the motion to intervene of Mineral County, Nevada, in the action of United States of America, *Plaintiff v. Walker River Irrigation District, et al.*, Defendants, which is Case No. C-125, Subfile No. C-125-C, in the United States District Court for the District of Nevada. I have also received a copy of the motion to intervene of Mineral County, the proposed complaint-in-intervention of Mineral County, the motion for preliminary injunction of Mineral County, and the Order Requiring Service of and Establishing Briefing Schedule Regarding the Motion to Intervene of Mineral County, along with two copies of this Waiver. I have also received a means by which I can return this signed waiver to you without cost to me.

I agree to save the cost of personal service of the documents, as above-described, by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Federal Rules of Civil Procedure, Rule 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to this matter or to the jurisdiction or venue of the Court except for objections based on a defect, if any, in the manner in which these documents have been provided to me.

I understand, that if I (or the entity on whose behalf I am acting) do not appear and respond to the motion to intervene, by August 23, 1999, and if the Court enters further orders with respect to answers or other responses to the proposed complaint-in-intervention or responses to the Motion for Preliminary Injunction, that I (or the entity on whose behalf

I am acting) shall nevertheless be deemed to have notice of those subsequent orders of the Court.

DATED this 26 day of April, 1999.

(Signature)

Ronald B. Arrache Trustee

Juan Arrache, Heir to Juan Arrache and Trustee
(Printed name and title, if any)

Arrache Family Trust
(Company or entity, if any)

CONSTRUCTION
RON ARRACHE

Post Office Box 2468, Lancaster, California 93539-2468
661 ~~(805)~~ 942-4092 Fax ~~(805)~~ 661 722-9176
Lic. # 383492

you will Have To do A
Title search re: water rights.
I Have no documentation as water rights
are not A separate Title.
I rec'd your letter 8/1/00

8.2.00

Case 3:73-cv-00128-MMD-CSD Document 385 Filed 08/17/01 Page 40 of 116

1ST RECORD of Level printed in FULL format.

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

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

wner: ARRACHE, 1990 LIVING TRUST

ailing Address: C/O ARRACHE, J E & C M, TRUSTEE, PO BOX 2468REET WEST,
ANCASTER, CA 93539

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

ssessor's Parcel Number: 10-353-12

ssessment Year: 2000

ssessed Land Value: $ 11,534

ssessed Improvement Value: $ 34,144

otal Assessed Value: $ 45,678

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

ax Rate Code: 51-33

APE PRODUCED BY COUNTY: 7/2000

Case 3:73-cv-00128-MMD-CSD Document 385 Filed 08/17/01 Page 41 of 116

2ND RECORD of Leve printed in FULL format.

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

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: ARRACHE, JUAN & CARMEL FAM (Trustee/Conservator)

Mailing Address: PO BOX 2468, LANCASTER, CA 93539

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

Assessor's Parcel Number: 11-140-01

Assessment Year: 2000

Assessed Land Value: $ 56,300

Total Assessed Value: $ 56,300

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

Tax Rate Code: 51-06

TAPE PRODUCED BY COUNTY: 7/2000

3RD RECORD of Level printed in FULL format.

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

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: ARRACHE, J & C FAMILY TRUST

Mailing Address: C/O ARRACHE, JUAN & CARMEL TRUSTEES, PO BOX 2468REET WEST, LANCASTER, CA 93539

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

Assessor's Parcel Number: 11-240-01

Assessment Year: 2000

Assessed Land Value: $ 6,829

Total Assessed Value: $ 6,829

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

Tax Rate Code: 51-06

TAPE PRODUCED BY COUNTY: 7/2000

4TH RECORD of Leve. printed in FULL format.

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

PROPERTY RECORD FOR MONO COUNTY, CA

ESTIMATED ROLL CERTIFICATION DATE JULY 1, 2000

Owner: ARRACHE, JUAN & CARMEL FAM (Trustee/Conservator)

Mailing Address: PO BOX 2468REET, LANCASTER, CA 93539

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

Assessor's Parcel Number: 11-240-03

Assessment Year: 2000

Assessed Land Value: $ 7,130

Total Assessed Value: $ 7,130

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

Tax Rate Code: 51-11

TAPE PRODUCED BY COUNTY: 7/2000

ded return to:

. Guild, Jr.
Russell, Gallagher
er, Ltd.
x 2838
Nevada 89505

+8

QUITCLAIM DEED

HIS INDENTURE WITNESSETH: That for a valuable consid-
on, receipt of which is hereby acknowledged, CHARLES E. DAY
UCILE M. DAY, husband and wife (Grantors) do hereby remise,
se, and quitclaim to CHARLES E. DAY and LUCILE M. DAY, Co-
tees of the DAY FAMILY TRUST (Grantee), all of their right,
e and interest in that real property in the County of Lyon,
e of Nevada, and more specifically described as follows:

PARCEL 1:

All that certain real property being a portion of Section 32, T 10 N, R 24 E, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel No. 1 as shown on Parcel Map for L.S. Day, Inc., recorded in the Official Records of Lyon County, Nevada on December 23, 1986, as No. 104156 [APN 10-761-04]

PARCEL 2:

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

T 9 N, R 24 E, M.D.B.&M., Section 23: the E 1/2 of the SE 1/4, excepting therefrom that portion within the Highway Right of Way of State Route 338 [APN 10-781-02]

EXH A22 197422

CLARK J. GUILD, JR.
GUILD & GEN, LTD.
P.O. Box 2838
Reno, Nevada 89505

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made this 5 day of July, 1988, by CHARLES E. DAY, LUCILE M. I WILMA LUCILE COMPSTON, CAROLYN LOIS DAY and MARILYN RUTH ITHURBURU, as tenants in common, as Grantors, hereinafter referred to as "Grantors", and WILMA LUCILE COMPSTON, as Gra hereinafter referred to as "Grantee".

W I T N E S S E T H:

That Grantor, for and in consideration of the sum TEN DOLLARS ($10.00) and other good and valuable considerati receipt of which is hereby acknowledged, does by these prese Grant, Bargain and Sell unto Grantee, her heirs, successors assigns forever, all that certain real property situate, ly and being in the County of Lyon, State of Nevada and more particularly described in Exhibit "A".

Together with all and singular tenements, hereditaments, and appurtenances thereunto belonging or in appertaining, reversion and reversions, remainder and rema rents, issues and profits thereof.

) HAVE AND TO HOLD, all and singular, the said
together with the appurtenances, unto Grantee, and to
and assigns forever.

les E Day
E. DAY

Lucile M. Day
LUCILE M. DAY

Lucile Compston
CILE COMPSTON

Carolyn Lois Day
CAROLYN LOIS DAY

Ruth Ithurburu
RUTH ITHURBURU

F NEVADA)
) ss.
C WASHOE)

On the 8th day of July, 1988, personally
ed before me, a Notary Public in and for said County and
CHARLES E. DAY, who acknowledged to me that he executed
regoing Deed.

SUSAN J. DeCHAMBEAU
Notary Public - State of Nevada
Appointment Recorded in Lyon County
MY APPOINTMENT EXPIRES JULY 18, 1988

NOTARY PUBLIC

OF NEVADA)
) ss.
OF WASHOE)

On the 8th day of July, 1988, personally
red before me, a Notary Public in and for said County and
, LUCILE M. DAY, who acknowledged to me that she executed
oregoing Deed.

SUSAN J. DeCHAMBEAU
Notary Public - State of Nevada

WHEN RECORDED, ret[illegible] to:

CLARK J. GUILD, JR.
GUILD, HAGEN & CLARK, LTD.
Post Office Box 2838
Reno, Nevada 89505

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made this 12 day of December, 1986, by L. S. DAY, INC., a Nevada Corporation, as Grantor, hereinafter referred to as "Grantor", and WILMA LUCILE COMPSTON, hereinafter referred to as "Grantee". Box 381, Minden, NV. 89423

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does by these presents Grant, Bargain and Sell unto Grantee, her heirs, successors and assigns forever, all that certain real property situate, lying and being in the County of Lyon, State of Nevada and more particularly described in Exhibit "A".

Together with all and singular tenements, hereditaments, and appurtenances thereunto belonging or in anyway appertaining, 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 Grantee, and to her heirs and assigns forever.

Charles E. Day
CHARLES E. DAY
President
L. S. DAY, INC.

Lucile M. Day
LUCILE M. DAY
Secretary
L. S. DAY, INC.

0104159

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On the 12th day of December, 1986, personally appeared before me, a Notary Public in and for said County and State, CHARLES E. DAY and LUCILE M. DAY, who acknowledged to me that they had executed the foregoing Deed in their capacities as President and Secretary, respectively, of the above corporation.

Peggy A. McCoy
NOTARY PUBLIC

PEGGY A. McCOY
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES FEB. 23, 1988

The undersigned grantors declare:

Documentary transfer tax is 4.80

( ) computed on full value of property conveyed, or

(x) computed on full value less value of liens and encumbrances remaining at time of sale

( ) Unincorporated area: ( ) City of ..... and

( ) Realty not sold.

THIS INDENTURE WITNESSETH: That LORETTA J. HOWARD, CHARLES E. DAY, AND RICHARD W. STEBBINS, as Trustees of the CHRISTY J. RAZWICK TRUST AGREEMENT, Dated January

in consideration of $10.00 the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell

Convey to CHARLES S. HOWARD, III, a married man, as his sole and separate prope

all that real property situate in the County of Lyon

State of Nevada, bounded and described as follows:

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

IT IS SPECIFICALLY AGREED THAT ALL WATER, WATER RIGHTS, DITCH AND DITCH RIGHTS APPURTENANT TO THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO ARE ALSO CONVEYED HEREBY.

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

Witness our hand s this 29th. day of November

THE CHRISTY J. RAZWICK TRUST AGREEMENT, dated January 15, 1986

By: Loretta J. Howard, Trustee

By: Charles E. Day, Trustee

By: Richard W. Stebbins, Trust

STATE OF NEVADA } SS.
COUNTY OF Lyon

On December 14, 1988 personally appeared before me, a Notary Public. Loretta J. Howard, Charles E. Day, and Richard W. Stebbins

who acknowledged that ~~he~~ they executed the above instrument.

Signature (Notary Public)

WHEN RECORDED MAIL TO:
Charles S. Howard
856 Highway 208
Yerington, NV. 89

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, and all water and water rights, ditch and ditch rights, reservoir and reservoir rights.

Witness by hand this 13 day of September, 1996

Charles E Day
CHARLES E. DAY

Lucile M. Day
LUCILE M. DAY

STATE OF NEVADA)
) ss:
COUNTY OF Washoe)

On September 13th, 1996, before me, a notary publ: personally appeared CHARLES E. DAY, personally known (or proved) me to be the person whose name is subscribed to the abo instrument who acknowledged that he executed the instrument.

CLARK J. GUILD JR.
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES JAN. 9, 1999

Clark J Guild Jr
Notary Public

STATE OF NEVADA)
) ss:
COUNTY OF Washoe)

On September 13th, 1996, before me, a notary pub personally appeared LUCILE M. DAY, personally known (or proved) me to be the person whose name is subscribed to the ab instrument who acknowledged that she executed the instrument.

Clark J Guild Jr
Notary Public

CLARK J. GUILD JR.
Notary Public - State of Nevada
Appointment Recorded in Washoe County

LAW OFFICE OF LINDA A. BOWMAN, LTD.
ATTORNEY AT LAW

LINDA A. BOWMAN
EMAIL: ATTY@BOWROB.RENO.NV.US

540 HAMMILL LANE
RENO, NEVADA 89511

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

March 17, 2000

Faxed

Treva Hearne, Esq.
Zeh, Spoo, Quade & Hearne
575 Forest Street, Suite 200
Reno, NV 89509

Re: Junction Range

Dear Treva:

At the hearing on the 14th, I mentioned that I believed that "Junction Range" was not a legal entity and that merely substituting in Arnold Settelmeyer for Junction Range would not be correct.

Please be advised that the United States Board of Water Commissioners has recently received a deed which purports to convey an interest in the real property and water rights to Bently Family Limited Partnership, a Nevada limited partnership. I believe that this limited partnership in January of 1997 acquired a one-half interest in the "Junction Range" property. I believe that a Settelmeyer entity or Arnold Settelmeyer owns the other one-half interest but the only way to confirm that would be to contact the Mono County Assessor or Recorder offices in Bridgeport. I enclose a copy of the Quitclaim Deed referenced above for your review.

Sincerely yours,

Linda Bowman

Linda A. Bowman

LAB:hs
Enclosure

cc: Gordon DePaoli, Esq. (w/encl.)
Dale Ferguson, Esq. (w/encl.)

EXH A 37

00299

Recording requested by
and when recorded, mail to
and mail tax statements to:
William Jac Shaw, Esq.
Brooke & Shaw, Ltd.
P.O. Box 2860
Minden, NV 89423

RECORDED IN MONO
COUNTY CALIFORNIA
'97 JAN 21 PM 2 54
$16.00
M.S. $10.00

Vol 755 Pgs 470-473

QUITCLAIM DEED

THIS INDENTURE WITNESSETH: That for a valuable consideration, receipt of which is hereby acknowledged, BENTLY NEVADA CORPORATION (Grantor), does hereby remise, release, and quitclaim to BENTLY FAMILY LIMITED PARTNERSHIP, a Nevada limited partnership (Grantees), of P.O. Box 127, Minden, Nevada, its one-half interest in and to all that real property in the County of Mono, State of California, being Assessor's Parcel Numbers 06-110-05, 06, 09 and 16; 06-130-01; and, 06-140-02, 04, 05 and 14, and more specifically described in Exhibit "A", attached hereto and incorporated herein by reference.

TOGETHER WITH any and all water rights, whether decreed or permitted, geothermal rights, gas, oil or hydrocarbon, appurtenant to the real property described in Exhibit "A".

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.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantees, and to their successors and assigns forever.

Witness my hand this 20th day of December, 1996.

BENTLY NEVADA CORPORATION

By: _____
DONALD E. BENTLY,
Its Chairman and CEO

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

On 20 December, 1996, before me, a notary public, personally appeared DONALD E. BENTLY of BENTLY NEVADA CORPORATION, a Nevada corporation, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

Tiffany A. Morris
Notary Public

TIFFANY A. MORRIS
Notary Public - State of Nevada
Appointment Recorded in Douglas County
No: 96-0409-5 - Expires January 1, 2000

/realesta/bncmono.qut/20ec96/tam

REPORT NO. 98845T-TC
EXHIBIT "A"

VOL 0593 PAGE 425

PARCEL 1:

ALL OF THE FOLLOWING DESCRIBED LAND SITUATE IN TOWNSHIP 6 NORTH, RANGE 23 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE APRIL 11, 1877, TO-WIT:

SECTION 16: EAST HALF; AND THE SOUTHWEST QUARTER.

SECTION 20: SOUTHWEST QUARTER OF SOUTHEAST QUARTER; NORTHWEST QUARTER OF NORTHEAST QUARTER; SOUTHEAST QUARTER OF NORTHEAST QUARTER; AND THE EAST HALF OF THE SOUTHEAST QUARTER.

SECTION 21: EAST HALF; SOUTHWEST QUARTER; SOUTH HALF OF NORTHWEST QUARTER; AND THE NORTHEAST QUARTER OF NORTHWEST QUARTER.

EXCEPT FROM THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21 THE FOLLOWING DESCRIBED PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED DATED AUGUST 13, 1931, RECORDED IN BOOK 5, PAGE 444, OFFICIAL RECORDS OF MONO COUNTY:

BEGINNING AT A POINT IN THE EASTERLY RIGHT OF WAY LINE, SAID POINT BEING SOUTH 56°36' EAST 50 FEET FROM ENGINEER'S STATION 24+00 AND SOUTH 47°47'46'' WEST 930.42 FEET FROM THE EAST QUARTER CORNER OF SECTION 21; THENCE NORTH 33°24' EAST 400 FEET; THENCE SOUTH 56°36' EAST 400 FEET; THENCE SOUTH 33°24' WEST 400 FEET; THENCE NORTH 56°36' WEST 400 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT FROM THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21 THE FOLLOWING DESCRIBED PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED DATED APRIL 29, 1940, RECORDED IN BOOK 16, PAGE 125, OFFICIAL RECORDS OF MONO COUNTY:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 21; THENCE SOUTH 47°47'46'' WEST 930.42 FEET; THENCE NORTH 33°24' EAST 400 FEET; THENCE SOUTH 56°36' EAST 300 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE FROM SAID TRUE POINT OF BEGINNING, NORTH 33°24' EAST 100 FEET; THENCE SOUTH 56°36' EAST 100 FEET; THENCE SOUTH 33°24' WEST 100 FEET; THENCE NORTH 56°36' WEST 100 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO EXCEPT FROM THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 21 THE FOLLOWING DESCRIBED PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA, BY DEED DATED NOVEMBER 5, 1942, RECORDED IN BOOK 18, PAGE 403, OFFICIAL RECORDS OF MONO COUNTY:

BEGINNING AT A POINT OF INTERSECTION OF THE EASTERLY LINE OF STATE HIGHWAY IX-MNO-23-K AND SOUTHERLY LINE OF THE THEN EXISTING STATE HIGHWAY MAINTENANCE YARD, WHICH POINT IS LOCATED 50 FEET EASTERLY OF ENGINEER'S STATION 24+00 OF DEPARTMENT OF PUBLIC WORKS' SURVEY FOR SAID HIGHWAY AND FROM WHICH POINT THE EAST QUARTER CORNER OF SAID SECTION 21 BEARS NORTH 47°47'46'' EAST, A DISTANCE OF 930.42 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 56°36' EAST 500 FEET; THENCE SOUTH 33°24' WEST 500 FEET; THENCE NORTH 56°36' WEST 500 FEET TO SAID EASTERLY LINE OF STATE HIGHWAY; THENCE ALONG SAID EASTERLY LINE NORTH 33°24' EAST 500 FEET TO THE POINT OF BEGINNING.

SECTION 27: WEST HALF OF NORTHWEST QUARTER; AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER.

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SECTION 28: NORTHEAST QUARTER; AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 29: NORTHEAST QUARTER; NORTH HALF OF SOUTHEAST QUARTER; NORTH HALF OF SOUTHWEST QUARTER; AND THE EAST HALF OF NORTHWEST QUARTER.

SECTION 30: NORTH HALF OF SOUTHEAST QUARTER; AND THE NORTHEAST QUARTER OF SOUTHWEST QUARTER.

PARCEL 2:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THE NORTH HALF OF THE SOUTHWEST QUARTER; AND THE NORTHWEST QUARTER, OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 22 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE APRIL 11, 1877.

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

Sat. 8-12-2000

To: TREVA J. HEARNE,

Re: MINERAL Co/WALKER RIVER

RECEIVED
AUG 15 2000

In Response to your Recent letter 8-2-2000 and our phone call 8-8-00 I have decided to provide you with the Parcel # + ASSESSOR'S # for the property in question, so that you may request the information for yourself from the MONO County ASSESSORS office, since we no Longer own this land situated in Bridgeport, CA. along the Swanger Creek, Hwy 395 (Devils Gate). THAT # IS (760) 932-5204

AP# 07-050-30 Sold in JAN-28-98 PARCEL II
AP# 07-050-31 Sold in MAY-1-98 PARCEL I

I'm sure they will be glad to provide the current info. you need.

Sincerely yours,

Moderator M. Rossman

I will be on VACATION in SAN Diego for 1 month.

EXH A57

TREVA J. HEARNE, ESQ. (SBN 4450)
JAMES SPOO, ESQ. (SBN 1018)
ZEH, SPOO & HEARNE
575 Forest Street, Suite 200
Reno, Nevada 89509
Telephone: (775) 323-5700

Attorneys for Intervenor,
MINERAL COUNTY NEVADA

UNITED STATES DISTRICT COURT

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 Subfile No. C-125-C WAIVER OF PERSONAL SERVICE OF MOTIONS
MINERAL COUNTY, Proposed-Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.	

Zeh, Spoo & Hearne
575 Forest Street, Suite 200
Reno, Nevada 89509
Tel.: (775) 323-5700 FAX: (775) 786-8183

TO: ZEH, SPOO, HEARNE & PICKER, attorneys for proposed Plaintiff/Intervenor, Mineral County, Nevada

I acknowledge receipt of your request that I waive personal service of the documents involving the motion to intervene of Mineral County, Nevada, in the action of United States of America, *Plaintiff v. Walker River Irrigation District, et al.*, Defendants, which is Case No. C-125, Subfile No. C-125-C, in the United States District Court for the District of Nevada. I have also received a copy of the motion to intervene of Mineral County, the proposed complaint-in-intervention of Mineral County, the motion for preliminary injunction of Mineral County, and the Order Requiring Service of and Establishing Briefing Schedule Regarding the Motion to Intervene of Mineral County, along with two copies of this Waiver. I have also received a means by which I can return this signed waiver to you without cost to me.

I agree to save the cost of personal service of the documents, as above-described, by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Federal Rules of Civil Procedure, Rule 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to this matter or to the jurisdiction or venue of the Court except for objections based on a defect, if any, in the manner in which these documents have been provided to me.

I understand, that if I (or the entity on whose behalf I am acting) do not appear and respond to the motion to intervene, by August 23, 1999, and if the Court enters further orders with respect to answers or other responses to the proposed complaint-in-intervention or responses to the Motion for Preliminary Injunction, that I (or the entity on whose behalf

I am acting) shall nevertheless be deemed to have notice of those subsequent orders of the Court.

DATED this 14 day of June, 1999.

Pamela J. Haas
(Signature)

Pam Haas
(Printed name and title, if any)

(Company or entity, if any)

LEVEL 1 - OF 1 DOCUMENT

** THIS DATA IS FOR INFORMATION PURPOSES ONLY. CERTIFICATION CAN ONLY BE OBTAINED THROUGH THE OFFICE OF THE CALIFORNIA SECRETARY OF STATE. ***

CALIFORNIA SECRETARY OF STATE, CORPORATE RECORD.

THE PLYMOUTH LAND & STOCK COMPANY

TYPE OF CORPORATION: STATEMENT AND DESIGNATION BY FOREIGN CORPORATION

CORPORATE STATUS: SURRENDERED

DATE OF INCORPORATION/QUALIFICATION: 07/21/1913

MAILING ADDRESS: * PO BOX 188
GARDNERVILLE, NV 89410

STATE OF INCORPORATION: NEVADA

REGISTERED AGENT: NO AGENT

REGISTERED OFFICE: CA

Cont

EXH A59

REGISTERED OFFICE: CA
TAX-BASIS: STOCK

CORPORATE NUMBER: 73951

ORY:
ATE: 10/16/1989
TRANSACTION: CERTIFICATE OF SURRENDER BY FOREIGN CORPORATION
AMENDMENT NO: D0321817

CALL LEXIS DOCUMENT SERVICES FOR ALL YOUR CORPORATE NEEDS. 800-634-9738

Order No. TSL-15049
Document Transfer Tax $1,262.95
APN 10-831-06, 10-841-09

Mail Tax Bill to Grantee:
787 7th Ave., 2nd Floor
New York, NY 10019

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

HAROLD E. PORTER and SHERRI PORTER, husband and wife

do hereby GRANT, BARGAIN and SELL TO

WILLIAM M. WEAVER, JR. and ROSEMARY F. WEAVER, Trustees of the WILLIAM M. WEAVER, JR. REVOCABLE TRUST AGREEMENT, dated October 15, 1986

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

PARCEL A:
Township 7 North, Range 25 East, M.D.B.&M.

Section 7: South 1/2 of North 1/2; SE 1/4; East 1/2 of SW 1/4.
Section 8: South 1/2; South 1/2 of North 1/2.
Section 9: All.
Section 10: SW 1/4 of SW 1/4.
Section 15: West 1/2 of NW 1/4.
Section 16: N 1/2; SW 1/4; N 1/2 of SE 1/4.
Section 17: All in Nevada.
Section 18: N 1/2 of NE 1/4; SE 1/4 of NE 1/4; Lots 9, 10, 11, 12, 13, 14 and 15.

EXCEPTING THEREFROM the following parcels:

PARCEL NO. 1:

A parcel of land located in the E 1/2, Sec. 16 and the NW 1/4, Sec. 15, T 7 N, R 25 E, M.D.B.&M., Lyon County, State of Nevada, and being more particularly described as follows:

Beginning at a point which is at the intersection of the westerly right of way line of State Route 338 and the centerline of an easement for Silverado Road, recorded as Document No. 0113574, of Official Records in the Office of the County Recorder, said point bears South 12°39'46" East, 3240.59 feet from the 1/4 Sec. Cor. 9\10, and North 8° 50'11" East, 4900.95 feet from the SE Sec. Cor. Sec. 16, and is the TRUE POINT OF BEGINNING, thence along said centerline the following courses, from a tangent which bears South 73°31'29" West on a curve to the left with a radius of 50 feet, through an angle of 65°06'29" a distance of 56.82 feet, thence South 8°25' West, 99.12 feet, thence on a curve to the right with a radius of 150 feet through an angle of 58°58', a distance of 154.37 feet, thence South 67°23' West, 493.84 feet, thence on a curve to the left with a radius of 300 feet through an angle of 38°42', a distance of 202.63 feet, thence South 28°41' West, 292.55 feet, thence on a curve to the left with a radius of 1800 feet, through an angle of 3°10', a distance of 99.48 feet, thence South 25°31' West, 628.29 feet, thence on a curve to the right with a radius of 400 feet, through an angle of 14°48', a distance of 103.32 feet, to a point of reverse curve, thence from a tangent which bears South 40°19' West, on a curve to the left with a radius of 800 feet, through an angle of 25°30', a distance of 356.05 feet, thence South 14°49' West, 736.98 feet, thence on a curve to the right with a radius of 225 feet, through an angle of 37°06', a distance of 145.69 feet to a point of reverse curve, thence from a tangent which bears South 51°55' West, on a curve to the left with a radius of 300 feet, through an angle of 29°49', a distance of 156.12 feet, thence South 22°06' West, 722.03 feet more or less to a point on the 1/16 section line of the SE 1/4 of Sec. 16, the end of the centerline of said easement, thence North 89°45'52" East, 1309.89 feet more or less to the S 1/16 Sec. Cor. Sec. 16\15, thence along the easterly Sec. line, Sec. 16 North 0°28'22" East, 1334.14 feet more or less to the East 1/4 Sec. Cor. Sec. 16, thence along the 1/4 Sec. line,

EXH A61

Sec. 15 North 88°42'13" East, 1222.37 feet more or less to the westerly right of way line of State Route 338, thence along said right of way line from a tangent which bears North 5°37'09" West, on a curve to the right with a radius 950.23 feet, through an angle of 2°04'38", a distance of 34.45 feet more or less, thence along said right of way line North 3°32'31" West, 363.01 feet thence along said right of way line on a curve to the left with a radius of 1950 feet, through an angle of 12°56', a distance of 440.17 feet, thence North 16°28'31" West, 1374.15 feet, to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

All that certain real property situate in the S 1/2 of Section 16, Township 7 North, Range 25 East, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel 1 as shown on the Parcel Map for William Weaver, recorded in the Official Records of Lyon County, Nevada, on September 19, 1988, as No. 119099.

Together with an easement for roadway purposes over the East 15 feet of Parcel 2 of the same Parcel Map, exclusive for the use of adjoining owners.

PARCEL NO. 3:

All that certain real property situate in the S 1/2 of Section 16, Township 7 North, Range 25 East, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel 2 as shown on the Parcel Map for William Weaver, recorded in the Official Records of Lyon County, Nevada, on September 19, 1988, as No. 119099.

PARCEL B:

Township 7 North, Range 25 East, M.D.B.&M.,

Section 20: Lots 8, 9, 10 and 11, N 1/2 NE 1/4, SE 1/4 NE 1/4.
Section 21: Lots 2 and 3, NW 1/4, N 1/2 SW 1/4.

TOGETHER WITH all water, water rights, ditches and ditch rights, wells, well rights and all grazing privileges which are appurtenant to the herein described property.

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

DATED Sept. 12, 1995

HAROLD E. PORTER

SHERRI PORTER

185935

STATE OF CALIFORNIA)

COUNTY OF Contra Costa)

On September 12, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared **HAROLD E. PORTER and SHERRI PORTER**, 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 Patricia E. Krantz

Name Patricia E. Krantz

USS2 Patricia E. Krantz Comm. # 1011687 NOTARY PUBLIC - CALIFORNIA CONTRA COSTA COUNTY My Comm. Expires Dec. 19, 1997 USS2

185935

RECORDERS USE

185935

RECORD REQUESTED BY

Title Service & Escrow Co

'95 SEP 19 AM 11 57

Order No. TSI-14-82
Document Transfer Tax $1,866.80
APN 21-165-04, 21-163-01, 21-163-02
21-164-06

Mail Tax Bill to Grant
P.O. Box 927
Minden, NV 89423

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is here acknowledged

SARIO LIVESTOCK COMPANY, a Nevada general partnership

does hereb, GRANT, BARGAIN and SELL TO

SIERRA NEVADA LANDCO, INC., a Nevada corporation

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

T 19 N, R 24 E, M.D.B.&M.

Section 1: All.
Section 3: All.
Section 11: All.
Section 13: All.

T 20 N, R 24 E, M.D.B.&M.

Section 9: Government Lot 2.
Section 21: All.
Section 23: The S 1/2 of the N 1/2 lying West of U.S. Highway 95 Alternate.
Section 25: The W 1/2 lying West of U.S. Highway 95 Alternate.
Section 27: All.
Section 35: All.

All that certain real property being a portion of Section 15, T 20 N, R 24 E, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel 4 as shown on the Parcel Map for Sario Livestock Company, recorded in the Official Records of Lyon County, Nevada, on August 24, 1992 as Document No. 154458.

All that certain real property being a portion of the S 1/2 of Section 23, T 20 N, R 24 E, M.D.B.&M., Lyon County, Nevada, described as follows:

EXH A64

Commencing at the SW corner of Section 23, T 20 N, R 24 E, M.D.B.&M., the true point of beginning, thence North 0°24'53" East a distance of 2,644.40 feet to the West 1/4 corner of said section thence South 89°30'29" East a distance of

Telephone (702) 463-3371

Order No. TSF-4672
RPTT $39.00
APN 21-165-09

Mail Tax Bill to Grantee
720 Thoroughbred Dr.
Fallon, Nv. 89406

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is here acknowledged

SARIO LIVESTOCK COMPANY, a Nevada general partnership

does hereby GRANT, BARGAIN and SELL TO

O. KYLE VAUGHAN and LEOMA VAUGHAN, husband and wife as Joint Tenar with the Right of Survivorship

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

All that certain real property being a portion of SW 1/4 of NE of Section 15, T 20 N, R 24 E, M.D.B.&M., and being a portion Parcel 2, Lyon County Parcel Map 154458, described as follows:

Parcel 3 as shown on the Parcel Map for Sario Livestock Compa recorded in the Official Records of Lyon County, Nevada on Decer 17, 1992, as Document No. 157702.

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

DATED 6/23/94

SARIO LIVESTOCK COMPANY, a Ne general partnership

Beatrice Presto

BEATRICE PRESTO, Successor T of the Ramon and Beatrice Pr Family Trust, Partner

STATE OF ~~CALIFORNIA~~ NEVADA)) ss.

RONALD A. [illegible]
Attorney at Law
30 Broadway—P.O. Box 866
Yerington, Nevada 89447
Telephone (702) 463-3371

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 Subfile No. C-125-C **RETURN OF SERVICE**

I James Kastic, hereby certify that service of process of Mineral
(print name of server)

County's "Intervention Documents" was made pursuant to the Orders of the Court and

Notice in Lieu of Summons

upon: Sabo Livestock Co. (print name of person served)

of: _____ (title and company where applicable)

on: 9/27/95 (date of service)

at: 1022 Douglas Ave. (time of service)

at the following place:

1462 Jay (address or location)

in the following manner:

[___] served personally

[X] left copies MRS. PRESTO

[___] unable to execute service (why) _____

_____.

[___] other (Specify) _____

_____.

Remarks: _____

_____.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

9/23/95
Date

James Kostic
Signature of Server

52 B St
Hawthorne NV
Address of Server

9/23/95 12:36 P.M.

TREVA J. HEARNE, ESQ. (SBN 4450)
JAMES SPOO, ESQ. (SBN 1018)
ZEH, SPOO & HEARNE
575 Forest Street, Suite 200
Reno, Nevada 89509
Telephone: (702) 323-5700

Attorneys for Intervenor,
MINERAL COUNTY NEVADA

Zeh, Spoo & Hearne
575 Forest Street, Suite 200
Reno, Nevada 89509
Tel.: (775) 323-5700 FAX: (775) 786-8183

UNITED STATES DISTRICT COURT

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** **Subfile No. C-125-C** **RETURN OF SERVICE**
MINERAL COUNTY, Proposed-Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.	EXH A78

I Terry Hier, hereby certify that service of process of Mineral
(Print name of server)
County's "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

Lieu of Summons

upon: JAN WEDERTZ HUGGANS (Print name of person served)

of: _____ (Title and company where applicable)

on: 7-26-99 (Date of service)

at: 2:30 Pm (Time of service)

at the following place:

#1 BRIDGEPORT, CA 93517 (Address or location)

in the following manner:

[X] served personally

[___] left copies

[___] unable to execute service (why) _____

[___] other (specify) _____

Remarks: JAN WEDERTZ HUGGANS IS GILBERT WEDERTZ SUCCESSOR IN INTEREST OF THE WATER RIGHTS.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information in this Return of Service is true and correct.

7-26-99
Date

Signature of Server #803

TERRY R. HIRI

P.O.B. 616 BRIDGEPORT CA. 93517
(Address of Server) C:\MyFiles\CLIENTS\Mineral\P-Return.J14

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

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

Name Gregory B. Adams
Street Address 13311 Moraine Road
City & State Truckee, CA 96161
Zip

Title Order No. _____ Escrow No. _____

005302

RECORDED IN MONO COUNTY CALIFORNIA
'96 OCT 9 PM 3 03

VOL 0748 PAGE 088

FEE: $7.00
M.S. 9/10.00

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
☐ _____ unincorporated area ☐ City of _____
Parcel No. _____
XX 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

APN 06-100-09

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, VIVIAN PELLECCHIA 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
COUNTY OF WASHOE } S.S.

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
Notary Public State of Nevada
Appointment Recorded in Washoe County
My Appointment Expires Aug 27, 1998

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

EXH B1

Order No. TSL 012
Document Transfer Tax $1,625.00

APN 10-761-42 & 45

Mail Tax Bill to Grantee:
c/o Mar Arrighi
Kaloury, Armstrong & Co.
5 S. Main St.
Yerington, NV 89447

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

MUSTANG PROPERTIES, a Nevada General Partnership

does hereby GRANT, BARGAIN and SELL TO

WEAVER PROPERTIES, L.L.C., a Nevada Limited Liability Company

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

Parcel 1:

Being located in portions of Sections 4, 5 and 8, T 9 N, R 24 E, and portions of Sections 32 and 33, T 10 N, R 24 E, M.D.B.&M., County of Lyon, State of Nevada, and being more particularly described as follows:

Township 9 North, Range 24 East, M.D.B.&M.

Section 4: W 1/2.

Section 5: E 1/2 and the E 1/2 of the W 1/2.

Excepting therefrom all that portion lying West of the East right of way line of Desert Creek Road.

ALSO EXCEPTING THEREFROM adjusted Lot No. 1 as defined on the plat titled "Adjustment of Boundary Line of a portion of Section 4, 5 and Section 8, T 9 N, R 24 E, and Section 32, 33, T 10 N, R 24 E, M.D.B.&M., for: Mustang Properties Limited Partnership."

Section 8: W 1/2 of the NE 1/4, and the NE 1/4 of NE 1/4.

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

Section 32: S 1/2 of the NE 1/4, the SE 1/4. The E 1/2 of the SW 1/4.

EXCEPTING THEREFROM: All that portion lying West of the East right of way line of Desert Creek Road.

ALSO EXCEPTING THEREFROM all that portion which lies within Lyon County Map Titled "Parcel Map of a portion of Sections 29 and 32, T 10 N, R 24 E, M.D.B.&M., for: L.S. Day, Inc. File No. 104156.

Section 33: W 1/2 of the SW 1/4 and the SE 1/4 of the SW 1/4.

Said parcel is more particularly defined as Lot No. 3 on the plat title "Adjustment of Boundary Line a portion of Section 4, 5, and Section 8, T 9 N, R 24 E, and Section 32, 33, T 10 N, R 24 E, M.D.B.&M. for: Mustang Properties Limited Partnership."

211355

EXH B22

RONALD T. SANTA, CHARTERED
Attorney at Law
20 Broadway—P.O. Box 544
Yerington, Nevada 89447
Telephone (702) 463-1371

T 9 N, R 24 E, M.D.B.& M.

Section 8: SW 1/4 of SW 1/4.
Section 17: W 1/2 of NW 1/4.

TOGETHER WITH:

1. All water rights, as more particularly set forth in the action entitled United States v. Walker River Irrigation District, et al. in the United States District Court for the District of Nevada, In Equity, C-125 (1936), originally decreed to F. W. Simpson as Claim No. 172, with Desert Creek as the source, as set forth on page 48 of the Decree. Said right is evidence by Card No. 101,600, Official Records of the Walker River Irrigation District, Yerington, Nevada.

2. An undivided 50% interest in that certain Agreement dated January 24, 1950, between Warren and Lucile Simpson, and Ambro and Belle Rosaschi, The Rosaschi interest represents a predecessor in interest to grantor.

3. Application 12129 Permit 7235, License 4037, Application 12023, Permit 7195, License 4035, Certificate 539, which represents storage waters of Lobdel Lake, all issued by the State of California, Division of Water Resources.

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

DATED Oct 10, 1997

MUSTANG PROPERTIES

BY: ROGER A. BERGMANN, Managing Partner

STATE OF NEVADA)
) ss.
COUNTY OF Douglas)

On Oct 10, 1997 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), ROGER A. BERGMANN who acknowledged to me that he executed the within instrument.

Judy Scott
Notary Public

JUDY SCOTT
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No. 95-0108-2 - EXPIRES NOV. 27, 1999

RECORDERS USE

211355

Title Service & Escrow Co
97 OCT 22 PM 3:59

LAW OFFICE OF LINDA A. BOWMAN, LTD.
ATTORNEY AT LAW

LINDA A. BOWMAN
EMAIL: ATTY@BOWROB.RENO.NV.US

540 HAMMILL LANE
RENO, NEVADA 89511

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

March 17, 2000

Faxed

Treva Hearne, Esq.
Zeh, Spoo, Quade & Hearne
575 Forest Street, Suite 200
Reno, NV 89509

Re: Junction Range

Dear Treva:

At the hearing on the 14th, I mentioned that I believed that "Junction Range" was not a legal entity and that merely substituting in Arnold Settelmeyer for Junction Range would not be correct.

Please be advised that the United States Board of Water Commissioners has recently received a deed which purports to convey an interest in the real property and water rights to Bently Family Limited Partnership, a Nevada limited partnership. I believe that this limited partnership in January of 1997 acquired a one-half interest in the "Junction Range" property. I believe that a Settelmeyer entity or Arnold Settelmeyer owns the other one-half interest but the only way to confirm that would be to contact the Mono County Assessor or Recorder offices in Bridgeport. I enclose a copy of the Quitclaim Deed referenced above for your review.

Sincerely yours,

Linda Bowman

Linda A. Bowman

LAB:hs
Enclosure

cc: Gordon DePaoli, Esq. (w/encl.)
Dale Ferguson, Esq. (w/encl.)

EXH B37

00299

Recording requested by
and when recorded, mail to
and mail tax statements to:
William Jac Shaw, Esq.
Brooke & Shaw, Ltd.
P.O. Box 2860
Minden, NV 89423

Vol 755 Pgs 470-473

RECORDED IN MONO
COUNTY CALIFORNIA

'97 JAN 21 PM 2 54

$16.00
M.S. $10.00

QUITCLAIM DEED

THIS INDENTURE WITNESSETH: That for a valuable consideration, receipt of which is hereby acknowledged, BENTLY NEVADA CORPORATION (Grantor), does hereby remise, release, and quitclaim to BENTLY FAMILY LIMITED PARTNERSHIP, a Nevada limited partnership (Grantees), of P.O. Box 127, Minden, Nevada, its one-half interest in and to all that real property in the County of Mono, State of California, being Assessor's Parcel Numbers 06-110-05, 06, 09 and 16; 06-130-01; and, 06-140-02, 04, 05 and 14, and more specifically described in Exhibit "A", attached hereto and incorporated herein by reference.

TOGETHER WITH any and all water rights, whether decreed or permitted, geothermal rights, gas, oil or hydrocarbon, appurtenant to the real property described in Exhibit "A".

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.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantees, and to their successors and assigns forever.

Witness my hand this 20th day of December, 1996.

BENTLY NEVADA CORPORATION

By: _____
DONALD E. BENTLY,
Its Chairman and CEO

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

On 20 December, 1996, before me, a notary public, personally appeared DONALD E. BENTLY of BENTLY NEVADA CORPORATION, a Nevada corporation, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

Tiffany A. Morris
Notary Public

TIFFANY A. MORRIS
Notary Public - State of Nevada
Appointment Recorded in Douglas County
No: 96-0409-5 - Expires January 1, 2000

/realesta/bncmono.qut/20ec96/tam

REPORT NO. 08845T-TC
EXHIBIT "A"

VOL 0593 PAGE 425

PARCEL 1:

ALL OF THE FOLLOWING DESCRIBED LAND SITUATE IN TOWNSHIP 6 NORTH, RANGE 23 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE APRIL 11, 1877, TO-WIT:

SECTION 16: EAST HALF; AND THE SOUTHWEST QUARTER.

SECTION 20: SOUTHWEST QUARTER OF SOUTHEAST QUARTER; NORTHWEST QUARTER OF NORTHEAST QUARTER; SOUTHEAST QUARTER OF NORTHEAST QUARTER; AND THE EAST HALF OF THE SOUTHEAST QUARTER.

SECTION 21: EAST HALF; SOUTHWEST QUARTER; SOUTH HALF OF NORTHWEST QUARTER; AND THE NORTHEAST QUARTER OF NORTHWEST QUARTER.

EXCEPT FROM THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21 THE FOLLOWING DESCRIBED PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED DATED AUGUST 13, 1931, RECORDED IN BOOK 5, PAGE 444, OFFICIAL RECORDS OF MONO COUNTY:

BEGINNING AT A POINT IN THE EASTERLY RIGHT OF WAY LINE, SAID POINT BEING SOUTH 56°36' EAST 50 FEET FROM ENGINEER'S STATION 24+00 AND SOUTH 47°47'46'' WEST 930.42 FEET FROM THE EAST QUARTER CORNER OF SECTION 21; THENCE NORTH 33°24' EAST 400 FEET; THENCE SOUTH 56°36' EAST 400 FEET; THENCE SOUTH 33°24' WEST 400 FEET; THENCE NORTH 56°36' WEST 400 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT FROM THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21 THE FOLLOWING DESCRIBED PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA BY DEED DATED APRIL 29, 1940, RECORDED IN BOOK 16, PAGE 125, OFFICIAL RECORDS OF MONO COUNTY:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 21; THENCE SOUTH 47°47'46'' WEST 930.42 FEET; THENCE NORTH 33°24' EAST 400 FEET; THENCE SOUTH 56°36' EAST 300 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE FROM SAID TRUE POINT OF BEGINNING, NORTH 33°24' EAST 100 FEET; THENCE SOUTH 56°36' EAST 100 FEET; THENCE SOUTH 33°24' WEST 100 FEET; THENCE NORTH 56°36' WEST 100 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO EXCEPT FROM THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 21 THE FOLLOWING DESCRIBED PARCEL OF LAND CONVEYED TO THE STATE OF CALIFORNIA, BY DEED DATED NOVEMBER 5, 1942, RECORDED IN BOOK 18, PAGE 403, OFFICIAL RECORDS OF MONO COUNTY:

BEGINNING AT A POINT OF INTERSECTION OF THE EASTERLY LINE OF STATE HIGHWAY IX-MNO-23-K AND SOUTHERLY LINE OF THE THEN EXISTING STATE HIGHWAY MAINTENANCE YARD, WHICH POINT IS LOCATED 50 FEET EASTERLY OF ENGINEER'S STATION 24+00 OF DEPARTMENT OF PUBLIC WORKS' SURVEY FOR SAID HIGHWAY AND FROM WHICH POINT THE EAST QUARTER CORNER OF SAID SECTION 21 BEARS NORTH 47°47'46'' EAST, A DISTANCE OF 930.42 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 56°36' EAST 500 FEET; THENCE SOUTH 33°24' WEST 500 FEET; THENCE NORTH 56°36' WEST 500 FEET TO SAID EASTERLY LINE OF STATE HIGHWAY; THENCE ALONG SAID EASTERLY LINE NORTH 33°24' EAST 500 FEET TO THE POINT OF BEGINNING.

SECTION 27: WEST HALF OF NORTHWEST QUARTER; AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER.

VOL 0593 PAGE 426

SECTION 28: NORTHEAST QUARTER; AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 29: NORTHEAST QUARTER; NORTH HALF OF SOUTHEAST QUARTER; NORTH HALF OF SOUTHWEST QUARTER; AND THE EAST HALF OF NORTHWEST QUARTER.

SECTION 30: NORTH HALF OF SOUTHEAST QUARTER; AND THE NORTHEAST QUARTER OF SOUTHWEST QUARTER.

PARCEL 2:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THE NORTH HALF OF THE SOUTHWEST QUARTER; AND THE NORTHWEST QUARTER, OF SECTION 28, TOWNSHIP 6 NORTH, RANGE 22 EAST, M.D.B.&M., IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE APRIL 11, 1877.

APN:

06-110-05, 06, 09, 16

06-130-01

06-140-02, 04, 05, 14

08/16/2001 15:49 7754637008 USBWC PAGE 02

102,310

U S BOARD OF WATER COMMISSIONERS
Yerington, NV

Name: Pamela J. Haas
Address: P. O. Box 2040
Bridgeport, CA 93517

Page 58 - Part of Claim 216
Pimental, M.
Swager Creek
Bridgeport

Index No. _____
Lyon County No. _____
APN: 07-050-31

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET REQUIRED TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	
1901	.1696	7.75								
TOTAL										

TOTAL ACRES: 7.75

Water Rt. Acres 7.75
Non Wtr. Rt. Acres _____

Acre Feet Storage _____

Fr. W 1/2 of E 1/2 of SW 1/4, Sec. 22:
T 6 N - R 24 E

Vol. 218 Page 280 - Bruce E. & Elsie McConnell to Jack & Virgie L. Baker
Vol. 614 Page 440 - Jack L. & Virgie L.Baker to Melvin L. & Modesta Perriseau 6/17/92
Vol. 798 Page 001 - Melvin L. & Modesta M. Perriseau, husband and wife to Pamela J. Haas, a single woman. 12/11/97

EXH B57

102260

U S BOARD OF WATER COMMISSIONERS
Yerington, NV

Name: FLOYD, FRANK and BETTY
Address: 315 East Woodrow Street
Taft, CA 93268

Page 58 - Part of Claim 216
Pimental, M.
Swager Creek
Bridgeport

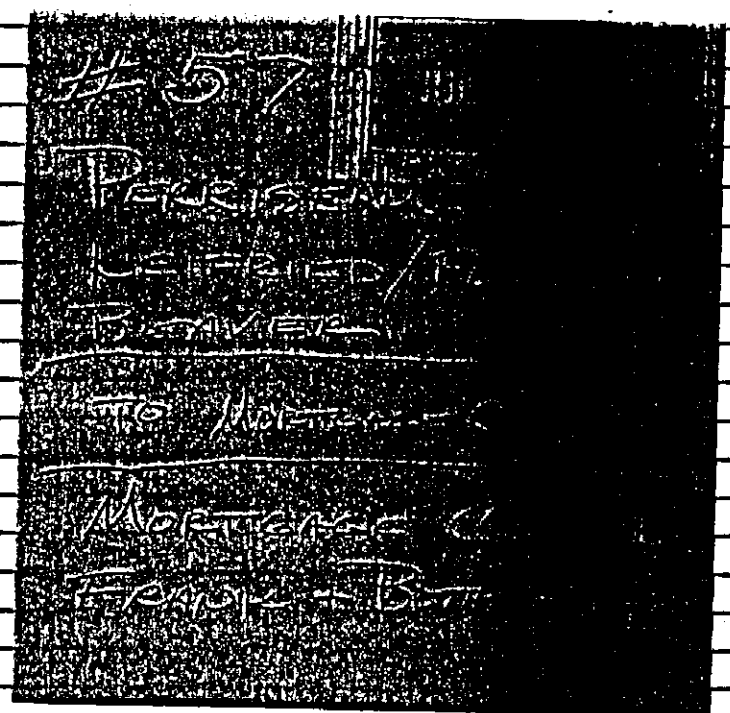
Index No.
Lyon County No.
Mono Co. APN: 07-050-36

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET REQUIRED TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	
1901	.1696	2.85								
TOTAL										

TOTAL ACRES: 2.85

Water Rt. Acres 2.85
Non Wtr. Rt. Acres
Acre Feet Storage

Fr. W 1/2 of E 1/2 of SW 1/4, Sec. 22;
T 6 n - R 24 E



218-280 Bruce E. & Elsie McConnell to Jack & Virgie L. Baker

614-440 06/17/92 Jack L. & Virgie L. Baker to Melvin L. & Modesta Perriseau

798-001 12/11/97 Melvin L. & Modesta Perriseau, husband and wife to Pamela J. Haas, a single woman (07-050-31)

787- 592 09/18/97 Melvin L. Perriseau and Modesta Perriseau, husband and wife, to Marie E Leifried, Jason L. Foster and Tia L. Beaver, as joint tenants.

890-383 01/14/00 Federal National Mortgage Association to Frank Floyd and Betty Floyd, as joint tenants.

Case 3:73-cv-00128-MMD-CSD Document 385 Filed 08/17/01 Page 80 of 116

RECORDING REQUESTED BY
INYO-MONO TITLE COMPANY
AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

VOL 0890 PAGE 383

RECEIVED
JAN 31 2000
MONO COUNTY ASSESSOR

000599

RECORDED IN MONO COUNTY CALIFORNIA
'00 JAN 28 PM 1 15
FEE: $10.00

Name FRANK AND BETTY FLOYD
Street Address 315 EAST WOODROW STREET
City & State TAFT, CA 93268
Zip

Title Order No. 111009 Escrow No. 111009SK

INY COS (5-94) L993643

Grant Deed

SPACE ABOVE THIS LINE FOR RECORDER'S USE
REO#L993643

THE UNDERSIGNED GRANTOR(s) DECLARE(s)
DOCUMENTARY TRANSFER TAX IS $ 173.25 151,500
☒ ____ unincorporated area ☐ City of ____
Parcel No. 07-050-30
☒ 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, FEDERAL NATIONAL MORTGAGE ASSOCIATION

hereby GRANT(S) to

FRANK FLOYD AND BETTY FLOYD, HUSBAND AND WIFE AS JOINT TENANTS

the following described real property in the County of MONO, State of California:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PARTOF

07-050-30
100%

FEDERAL NATIONAL MORTGAGE ASSOCIATION

Dated JANUARY 14, 2000

BY: Sheryl Martin
Sheryl Martin
Vice President

STATE OF ~~XXXXXXX~~ TEXAS
COUNTY OF DALLAS } S.S.
On 1/24/00 before me,
Stacey Parker
a Notary Public in and for said County and State, personally appeared
Sheryl Martin
Vice President
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

STACEY PARKER
Notary Public, State of Texas
My Commission Expires 06-25-02

(This area for official notarial seal)

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

FILE NO. 111009

LEGAL DESCRIPTION VOL. 0890 PAGE 384

PARCEL 2 OF PARCEL MAP 32-39, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4, PAGE 19 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH THAT PORTION OF PARCEL 1 OF PARCEL MAP 32-39, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4, PAGE 19 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

A TWENTY FIVE (25') WIDE EASEMENT FOR INGRESS AND EGRESS PURPOSES LOCATED IN A PORTION OF SECTION 22, TOWNSHIP 8 NORTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, MONO COUNTY, CALIFORNIA. (APN #07-050-31)

THE BASIS OF BEARING IS THE CENTERLINE OF U.S. 395, WHICH IS NORTH 78°35'56" WEST AS SHOWN ON PARCEL MAP #32-39 AND RECORDED IN PM VOL 4, PP 19, 19A.

THE CENTERLINE OF THE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT 1" ID IRON PIPE BEARING A BRASS TAG INSCRIBED R.C.E. 27104 ON THE NORTHERLY LINE OF THE RIGHT OF WAY OF U.S. 395, WHICH IS STA:388+58.40 AT 75.00 FEET RIGHT, AS CALCULATED FROM PARCEL MAP #32-25 IN PM BOOK 2, PP 48, 48A, 48B AND THE SAID PARCEL MAP #32-39.

THENCE NORTH 01°04'01" EAST 444.33 FEET ALONG THE EASTERLY BOUNDARY LINE OF PARCEL #1 OF THE SAID PM #32-39, WHICH IS THE CENTERLINE OF AN EXISTING SIXTY FOOT (60') EASEMENT RECORDED IN BOOK 115 PAGE 32 OF MONO COUNTY OFFICIAL RECORDS,

THENCE DEPARTING FROM CENTERLINE OF THE SAID EXISTING EASEMENT THROUGH A CURVE LEFT HAVING A DELTA OF 51°48'27", RADIUS 200.00 FEET, ARC LENGTH 180.84 FEET AND A CHORD BEARING OF NORTH 24°50'13" WEST 174.74 FEET TO A POINT.

THENCE NORTH 50°44'26" WEST 325.14 FEET TO THE POINT OF INTERSECTION WHICH THE EASTERLY LINE OF PARCEL #2 OF THE SAID PARCEL MAP #32-39, WHENCE THE EASEMENT ENDS.

RECORDING REQUESTED BY

INYO-MONO TITLE COMPANY

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

Name Jason L. Foster, etal

Street Address P.O. BOX 622

City & State Zip BRIDGEPORT, CA 93517

Title Order No. 105657 Escrow No. 105657JM

0787 0592

000329

CALIFORNIA

98 OCT 28 PM 12 43

$13.00

INY 003 (5-94)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Grant Deed

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS $ 253.00

__ unincorporated area ☐ City of _____

Parcel No. 07-050-30

X 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,

MELVIN L. PERRISEAU AND MODESTA M. PERRISEAU, Husband and Wife

hereby GRANT(S) to

MARIE E. LEIFRIED, AN UNMARRIED WOMAN,
JASON L. FOSTER, AN UNMARRIED MAN AND
TIA L. BEAVER, A SINGLE WOMAN ALL AS JOINT TENANTS

the following described real property in the

County of MONO State of California

PARCEL 2 of Parcel Map 32-39, in the County of Mono, State of California, as per map recorded in Book 4, Page 19 of Parcel Maps, in the office of the County Recorder of said County.

(MORE PARTICULARLY DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION)

Dated September 18, 1997

Melvin L. Perriseau

Modesta M. Perriseau

STATE OF CALIFORNIA
COUNTY OF } SS

On before me

a Notary Public in and for said County and State personally appeared

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.

see attached.

Signature

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

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP 32-39, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4, PAGE 19 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER THAT PORTION OF PARCEL 1 OF PARCEL MAP 32-39, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 4, PAGE 19 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. DESCRIBED AS FOLLOWS:

A TWENTY FIVE (25') WIDE EASEMENT FOR INGRESS AND EGRESS PURPOSES LOCATED IN A PORTION OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, MONO COUNTY, CALIFORNIA. (APN #07-050-31)

THE BASIS OF BEARING IS THE CENTERLINE OF U.S. 395, WHICH IS NORTH 78° 35' 56" WEST AS SHOWN ON PARCEL MAP #32-39 AND RECORDED IN PM VOL 4, PP 19, 19A.

THE CENTERLINE OF THE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMENCING AT 1" ID IRON PIPE BEARING A BRASS TAG INSCRIBED R.C.E. 27104 ON THE NORTHERLY LINE OF THE RIGHT OF WAY OF U.S. 395, WHICH IS STA:388+56.40 AT 75.00 FEET RIGHT, AS CALCULATED FROM PARCEL MAP #32-25 IN PM BOOK 2, PP 48, 48A, 48B AND THE SAID PARCEL MAP #32-39.

THENCE NORTH 01° 04' 01" EAST 444.33 FEET ALONG THE EASTERLY BOUNDRY LINE OF PARCEL #1 OF THE SAID PM #32-39, WHICH IS THE CENTERLINE OF AN EXISTING SIXTY FOOT (60') EASEMENT RECORDED IN BOOK 115 PAGE 32 OF MONO COUNTY OFFICIAL RECORDS,

THENCE DEPARTING FROM CENTERLINE OF THE SAID EXISTING EASEMENT THROUGH A CURVE LEFT HAVING A DELTA OF 51° 48' 27", RADIUS 200.00 FEET, ARC LENGTH 180.84 FEET AND A CHORD BEARING OF NORTH 24° 50' 13" WEST 174.74 FEET TO A POINT.

THENCE NORTH 50° 44' 26" WEST 325.14 FEET TO THE POINT OF INTERSECTION WHICH THE EASTERLY LINE OF PARCEL #2 OF THE SAID PARCEL MAP #32-39, WHENCE THE EASEMENT ENDS.

THE GRANTEE AGREES THAT IF THEY EVER DEVELOP ACCESS TO HIGHWAY 395 OVER SAID PARCEL 2, THEN THE EASEMENT HEREIN ACQUIRED OVER PARCEL 1 SHALL BE AUTOMATICALLY TERMINATED.

#101757

APN: 07-040-34

U S BOARD OF WATER COMMISSIONERS
Yerington, NV

West

Name: DRESSLER, Milton
Address: 230 Scofield Drive
Moraga, CA 94556

West Walker River
Plymouth Co.
Page 54 Claim 195

Index No.
Lyon County No.

Mono County Parcel Map No. 07-040-34

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET REQUIRED TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	
1865	1.28	80	Pg 54 Hot Creek branch - West Walker River							
OTAL	1.28	80								

TOTAL ACRES: 160

Water Rt. Acres 80

Non Wtr. Rt. Acres

Acre Feet Storage

80 acres in SW¼, Sec. 19;
T 6 N. R 24 E

Transferred from card #104000:
September 29, 1988 Vol 512 Page 509
Plymouth Land and Stock Co. to Milton Dressler

Case 3:79-cv-00128-MMD-CSD Document 385 Filed 08/17/01 Page 85 of 116

#100849

APN: 07-120-02
07-230-03
07-220-01
07-220-04
07-080-12
07-080-11
07-080-10

U S BOARD OF WATER COMMISSIONERS
Yerington, NV

Name: CALIFORNIA DEPARTMENT OF FISH & GAME
Address: Attention: Al Lapp
109429 Hwy 395
Coleville, CA 96107

Plymouth Co.
Page 54 Claim 196

Index No.
Lyon County No.

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET REQUIRED TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	
1860	4.48	280	Pg 54 East Walker Below Bridgeport Dam							
TAL	4.48	280								

TOTAL ACRES: 280

Water Rt. Acres 280

Non Wtr. Rt. Acres

Acre Feet Storage

.W.R. - NE¼ of NE¼, S½ of NE¼, W½ of SE¼, SE¼ of SE¼, Sec. 1;
S½ of SE¼, Sec. 11;
SW¼ of NE¼, SE¼ of NW¼, N½ of SW¼, SW¼ of SW¼, Sec. 12;
NW¼ of NW¼, Sec. 13;
W½ of SE¼, NE¼, Sec. 14;
W½ of NE¼, E½ of NW¼, E½ of SW¼, SW¼ of SW¼, Sec.23;
W½ of NW¼, NW¼ of SW¼, Sec. 26;
S½ of SE¼, Sec. 27;
N½ of NE¼, Sec. 34;
T 6 N, R 25 E
SW¼ of SW¼ of SW¼, Sec. 35;
T 7 N, R 25 E

Transferred from card #104000:
September 23, 1994 Vol 693 Page 375
Plymouth Land and Stock Co. to The Trust for Public Land
Wildlife Conservation Board
to The State of Californ

Case 3:73-cv-00128-MMD-CSD Document 385 Filed 08/17/01 Page 86 of 116

Case 3:73-cv-00128-MMD-CSD Document 385 Filed 08/17/01 Page 87 of 116

101,025

U S BOARD OF WATER COMMISSIONERS
Yerington, NV

Name: CASINO WEST, INC.
Address: 11 N. Main Street
Yerington, NV 89447

Index No.
Lyon County No. 10-831-19
Claim No. Pt. 171

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET REQUIRED TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	
1861	4.74	296.12								
1865	2.37	148.06								
1870	1.20	74.96								
1880	4.74	333.14								
1885	4.74	333.14								
TOTAL	17.79	1185.42								

TOTAL ACRES:

Water Rt. Acres 1,185.42
Non Wtr. Rt. Acres

Acre Feet Storage

Fr. S½ of N½, SE¼, E½ of SW¼, Sec. 7;
S½, S½ of N½, Sec. 8;
All of SEc. 9;
SW¼ of SW¼, Sec. 10;
Fr. W½ of NW¼, Sec. 15;
W½, W½ of NE¼, Fr. E½ of NE¼, Fr. N½ of SE¼, Sec. 16;
All of Sec. 17 in Nevada;
N½ of NE¼, SE¼ of NE¼, Lots, 9, 10, 11,12, 13, 14 and 15, Sec. 18;
T 7 N, R 25 E

257920 02/27/2001 Weaver Properties, L.L.C., a Nevada Limited Liability Company to Casino West, Inc., a Nevada corporation.

EXH B61

104,151

U S BOARD OF WATER COMMISSIONERS
Yerington, NV

Name: ROMERO FAMILY TRUST
Address: Benito Antonio and Linda Irene Romero, Co-Trustees
2535 State Route 338
Wellington, NV 89444

Index No.
Lyon County No. 10-831-3
10-831-07

Claim No. Pt. 171

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED		ACRE FEET	TOPAZ RES.	BRIDGEPORT RES.	
					PER ACRE	TOTAL	APPORTIONED	ACRE FEET	ACRE FEET	
1861	.04	2.50								
1865	.02	1.25								
1870	.01	.63								
1880	.04	2.81								
1885	.04	2.81								
TOTAL	.15	10.00								

TOTAL ACRES: 30.58

Water Rt. Acres 10.00

Non Wtr. Rt. Acres

Acre Feet Storage

Portion of S½ of Sec. 16, T 7 N, R 25 E.

0119212 08/17/88 William M. Weaver, Jr. and Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to Benny Romero and Linda Romero, husband and wife as Joint Tenants.

227988 12/12/98 Benito Antonio Romero and Linda Irene Romero, as Co-Trustees of the Romero Family Trust and Weaver Properties L.L.C. a Nevada Limited Liability Company to Benito Antonio Romero and Linda Irene Romero, as Co-Trustees of the Romero Family Trust.

Case 3:73-cv-00128-MMD-CSD Document 385 Filed 08/17/01 Page 88 of 116

Order No. TSL-21
Document Transfer Tax $1,556.00
APN 10-831-19

Mail Tax Bill to Grantee:
21 N. Main St.
Yerington, NV 89447

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

WEAVER PROPERTIES L.L.C., a Nevada Limited Liability Company

do (es) hereby GRANT, BARGAIN and SELL TO

CASINO WEST, INC., a Nevada corporation

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

PARCEL A:

Township 7 North, Range 25 East, M.D.B.&M.

Section 7:	South 1/2 of North 1/2; SE 1/4; East 1/2 of SW 1/4.
Section 8:	South 1/2; South 1/2 of North 1/2.
Section 9:	All.
Section 10:	SW 1/4 of Sw 1/4.
Section 15:	West 1/2 of NW 1/4.
Section 16:	N 1/2; SW 1/4; N 1/2 of SE 1/4.
Section 17:	All in Nevada.
Section 18:	N 1/2 of NE 1/4; SE 1/4 of NE 1/4; Lots 9, 10, 11, 12, 13, 14 and 15.

EXCEPTING THEREFROM the following parcels:

Parcel 1: 10-831-04 Jones, Thomas + Louise

A parcel of land located in the E 1/2, Sec. 16 and the NW 1/4, Sec. 15, T 7 N, R 25 E, M.D.B.&M., Lyon County, State of Nevada, and being more particularly described as follows:

92A

Beginning at a point which is at the intersection of the westerly right of way line of State Route 338 and the centerline of an easement for Silverado Road, recorded as Document No. 0113574, of Official Records in the Office of the County Recorder, said point bears South 12°39'46" East, 3240.59 feet from the 1/4 Sec. Cor. 9\10, and North 8° 50'11" East, 4900.95 feet from the SE Sec. Cor. Sec. 16, and is the TRUE POINT OF BEGINNING, thence along said centerline the following courses, from a tangent which bears South 73°31'29" West on a curve to the left with a radius of 50 feet, through an angle of 65°06'29" a distance of 56.82 feet, thence South 8°25' West, 99.12 feet, thence on a curve to the right with a radius of 150 feet through an angle of 58°58', a distance of 154.37 feet, thence South 67°23' West, 493.84 feet, thence on a curve to the left with a radius of 300 feet through an angle of 38°42', a distance of 202.63 feet, thence South 28°41' West, 292.55 feet, thence on a curve to the left with a radius of 1800 feet, through an angle of 3°10', a distance of 99.48 feet, thence South 25°31' West, 628.29 feet, thence on a curve to the right with a radius of 400 feet, through an angle of 14°48', a distance of 103.32 feet, to a point of reverse curve, thence from a tangent which bears South 40°19' West, on a curve to the left with a radius of 800 feet, through an angle of 25°30', a distance of 356.05 feet, thence South 14°49' West, 736.98 feet, thence on a curve to the right with a radius of 225 feet, through an angle of 37°06', a distance of 145.69 feet to a point of reverse curve, thence from a tangent which bears South 51°55' West, on a curve to the left with a radius of 300 feet, through an angle of 29°49', a distance of 156.12 feet, thence South 22°06' West, 722.03 feet more or less to a point on the 1/16 section line of the SE 1/4 of Sec. 16, the end of the centerline of said easement, thence North 89°45'52" East, 1309.89 feet more or less to the S 1/16 Sec. Cor. Sec. 16\15, thence along the easterly Sec. line, Sec. 16 North 0°28'22" East, 1334.14 feet more or less to the East 1/4 Sec. Cor. Sec. 16, thence along the 1/4 Sec. line, Sec. 15 North 88°42'13" East, 1222.37 feet more or less to the westerly right of way line of State Route 338, thence along said right of way

257920

line from a tangent which bears North 5°37'09" West, a curve to the right with a radius 50.20 feet, through an angle of 2404'30", a distance of 34.45 feet more or less, thence along said right of way line North 3°32'31" West, 363.01 feet thence along said right of way line on a curve to the left with a radius of 1950 feet, through an angle of 12°56', a distance of 440.17 feet, thence North 16°28'31" West, 1374.15 feet, to the TRUE POINT OF BEGINNING.

Parcel 3: 10-831-08 Bear.

All that certain real property situate in the S 1/2 of Section 16, Township 7 North, Range 25 East, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel 2 as shown on the Parcel Map for William Weaver, recorded in the Official Records of Lyon County, Nevada, on September 19, 1988, as No. 119099.

Parcel 3: 10-831-14 Romero

A parcel of land located in a portion of the South 1/2 of Section 16, T 7 N, R 25 E, M.D.B.&M, County of Lyon, State of Nevada and being more particularly described as follows:

Beginning at the C-S 1/16 corner of Section 16, said point being a 1/2 inch diameter aluminum cap inscribed RLS4957 established per File No. 119099, said point being the true point of beginning, thence along the boundary of Parcel 1 as shown on Adjustment of Boundary Line for Weaver Properties, LLC and the Romero Family Trust the following courses and distances:

1) Along the Northerly line of the S 1/2 of the SE 1/4 of Section 16 North 89°45'52" East, 1,213.92 feet to the Westerly line of an existing roadway easement per File No. 115631;
2) Along said Westerly line North 22°06'00" East, 634.48 feet;
3) South 89°45'52" West, 2,129.96 feet to the Northeasterly corner of Parcel No. 2 per File No. 119099;
4) Along the Easterly line of Parcel No. 2 per File 119099 South 20°42'14" East, 1,406.15 feet to the Southeasterly corner of said Parcel No. 2;
5) Along the Southerly line of Parcel No. 1 per File No. 119099 North 66°35'06" East, 190.00 feet to the Westerly line of the S 1/2 of the SE 1/4 of Section 16;
6) Along said Westerly line North 00°06'01" West, 655.72 feet to the true point of beginning.

Said parcel as further delineated on Lyon County Record of Survey Map, recorded on December 30, 1998 as Document No. 227987.

Parcel 4: 10-831-12 Mike Rosachi

All that certain real property being a portion of the SW 1/4 of the NW 1/4 of Section 7, T 7 N, R 25 E, M.D.B.&M., Lyon County, Nevada, described as follows:

Lot 1, as shown on the Map of Division into Large Parcels for William M. Weaver, Jr., recorded in the Official Records of Lyon County, Nevada on June 20, 1997, as Document No. 206700.

PARCEL B: Property Acquired from Forest Service

Township 7 North, Range 25 East, M.D.B.&M.,

Section 20: Lots 8, 9, 10 and 11, N 1/2 NE 1/4, SE 1/4 NE 1/4.

Section 21: Lots 2 and 3, NW 1/4, N 1/2 SW 1/4.

EXCEPTING THEREFROM the following parcels:

Parcel 1: 10-831-11 Shiela Anderson

A parcel of land located within a portion of the West 1/2 of Section 21, and a portion of the East 1/2 of Section 20, T 7 N, R 25 E, M.D.B.&M., Lyon County, Nevada, being more particularly described as follows:

Beginning at a point on the California and Nevada state line, said point

bears South 09°30'22" West, 3645.22 feet from the NE corner of said Section 20, being a stone with a lead plug tagged RLS 4957, as shown on the Parcel Map for William Weaver, Document No. 119099 of the Lyon County Recorder's Office, thence North 49°18'02" East, 1464.71 feet, thence South 48°14'18" East, 600.00 feet, thence South 49°18'02" West, 1464.71 feet to a point on said state line, thence North 48°14'18" West, along said state line, 600.00 feet to the point of beginning.

Parcel 2: 10-831-16 Dennis Hagerty.

All that certain real property being a portion of the W 1/2 of Section 21, T 7 N, R 25 E, M.D.B.&M., County, Nevada, described as follows:

Parcel A1, as shown on the Parcel Map for Weaver Property, L.L.C., recorded in the Official Records of Lyon County, Nevada on February 26, 1999, as Document No. 230277.

Parcel 3: 10-831-18 John McLain

All that certain real property being a portion of the S 1/2 of the NE 1/4 and a portion of the SE 1/4 of the NW 1/4 of Section 20, T 7 N, R 25 E, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel A-2, as shown on the Parcel Map for Weaver Properties, LLC, recorded in the Official Records of Lyon County, Nevada on April 20, 2000, as Document No. 246939.

A Certificate of Amendment was recorded for the above Parcel Map on June 22, 2000 as Document No. 249330.

TOGETHER WITH all water, water rights, wells and well rights, ditches and ditch rights which are appurtenant thereto and historically used in connection therewith, if any.

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

DATED February 27, 2001

WEAVER PROPERTIES L.L.C.

2001

Mark N. Arrighi, Manager

MARK N. ARRIGHI, Manager

STATE OF NEVADA)
) ss.
COUNTY OF LYON)

On February 27, 2001 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), MARK N. ARRIGHI, Manager of WEAVER PROPERTIES L.L.C. who acknowledged to me that he executed the within instrument.

Carole J. Rogers

Notary Public

CAROLE J. ROGERS
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 94-1584-12 - Expires April 13, 2002

RECORDERS USE

257920

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY
Title Service & Escrow Co.
01 FEB 28 PM 12:59
MARY C. MILLIGAN
COUNTY RECORDER
FEE 9.00 DEP

Order No. TSL-9348A

Escrow No. _____

Documentary Transfer Tax $ 19.80

☑ Computed on full value of property conveyed, or

☐ Computed on full value less liens & encumbrances remaining thereon at time of transfer.

Under penalty of perjury:

Signature of declarant or agent determining tax - firm name.

WHEN RECORDED, MAIL TO:

Mail Tax Bill to Grantee:

8 Cottonwood Lane
Yerington, NV 89447

Space above this line for recorder's use

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, WILLIAM M. WEAVER, JR. and ROSEMARY F. WEAVER, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement, dated Oct. 15, 1986

do (es) hereby GRANT, BARGAIN and SELL TO

BENNY ROMERO and LINDA ROMERO, 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:

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

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

Dated 8/17/88

X William M. Weaver Jr.
WILLIAM M. WEAVER, JR. Trustee

X Rosemary F. Weaver
ROSEMARY F. WEAVER Trustee

STATE OF NV)
: ss.
County of NV)

On Aug 17, 1988 personally appeared before me, a Notary Public,
WILLIAM M. WEAVER, JR. and
ROSEMARY F. WEAVER

who acknowledged that ~~it~~ he ~~y~~ executed the above instrument.

Mary Ann Cleary
NOTARY PUBLIC

0119212

RONALD T. BANTA, CHARTERED
Attorney at Law
30 Broadway—P.O. Box 866
Yerington, Nevada 89447
Telephone (702) 463-3371

TSL-9348A

EXHIBIT "A"

All that certain real property situate in the S½ of Section 16, T 7 N, R 25 E, M.D.B.& M., Lyon County Nevada, described as follows:

Parcel 1 as shown on the Parcel Map for William Weaver, recorded in the Official Records of Lyon County, Nevada, on Sept. 19 , 1988, as No. 119099 .

Reserving and Excepting therefrom an easement for roadway purposes over the West 15 feet, exclusive for the use of adjoining owners.

Together With an easement for roadway purposes over the East 15 feet of Parcel 2 of the same Parcel Map, exclusive for the use of adjoining owners.

Also Together With an easement for roadway purposes located in the SW¼ of Section 16, T 7 N, R 25 E, M.D.B.& M., being 50 feet in width and 25 feet on either side of the following described centerline:

BEGINNING AT A POINT WHICH IS AT THE INTERSECTION OF THE CENTER SECTION LINE OF SEC. 16 AND THE CENTERLINE OF SAID EASEMENT: SAID POINT BEARS N75°50'09"W, 2618.20 FEET FROM THE SE SEC. COR. SEC. 16; THENCE S66°35'06"W, 197.23 FEET; THENCE S1°39'31"W, 581.15 FEET MORE OR LESS TO THE SOUTH SEC. LINE OF SEC. 16, THE END OF THE CENTERLINE OF SAID EASEMENT; SAID POINT BEARS N89°36'37"E, 2338.53 FEET FROM THE SW SEC. COR. SEC. 16.

0119212

OFFICIAL RECORD
LYON COUNTY, NEV.
RECORD REQUESTED
THE [illegible]

'83 SEP 23 AM 10 43

[illegible]

FEE [illegible]

F Nevada }
OF Lyon } S.S.

DAY OF December, 1998 BEFORE ME, Alyce M. Pagniello
C IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BENITO ANTONIO ROMERO AND
ROMERO, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF
EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT
DGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES,
BY THEIR SIGNATURES ON THE INSTRUMENT THE PERSONS OR THE ENTITY
WHICH THE PERSONS ACTED, EXECUTED THE INSTRUMENT.
AND AND OFFICIAL SEAL.

M. Pagniello
PUBLIC

ALYCE M. PAGNIELLO
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No. 94-4097-12 - EXPIRES JUNE 7, 2002

Y RECORDER'S CERTIFICATE

RECORD AT THE REQUEST OF WILLIAM M. WEAVER AND BENNY ROMERO
DAY OF December, 1998 AT 31 MINUTES PAST 9 O'CLOCK
IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA.

RDER NANCY M. CARR nancy m. Carr

7987

ny A. Hayden
UTY COUNTY RECORDER

ADJUSTMENT OF BOUNDARY LINE

FOR: WEAVER PROPERTIES, L.L.C., AND THE ROMERO FAMILY TRUST

AN ADJUSTMENT OF PORTIONS OF: SECTIONS 7, 8, 9, 10, 15, 16, 17, 18, 20 & 21, T7N, R25E, MDB&M, LYON COUNTY, NEVADA.

BY: BEAR ENGINEERING (760) 932-7077
LAND SURVEYING & CIVIL ENGINEERING
46 SINCLAIR ST, PO BOX 657, BRIDGEPORT, CA 93517

227987 12/30/98

Order No. TSL-19903
Document Transfer Tax $20.80
APN 10-831-13 & 10-331-07

Mail Tax Bill to Grantee:
2535 STATE ROUTE 338
WELLINGTON, NEVADA 89444

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

BENITO ANTONIO ROMERO and LINDA IRENE ROMERO, as Co-Trustees of THE ROMERO FAMILY TRUST as to a portion and WEAVER PROPERTIES L.L.C., a Nevada Limited Liability Company, as to the balance.

does hereby GRANT, BARGAIN and SELL TO

BENITO ANTONIO ROMERO and LINDA IRENE ROMERO, as Co-Trustees of THE ROMERO FAMILY TRUST dated October 21, 1992

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

A parcel of land located in a portion of the South 1/2 of Section 16, T 7 N, R 25 E, M.D.B.&M, County of Lyon, State of Nevada and being more particularly described as follows:

Beginning at the C-S 1/16 corner of Section 16, said point being a 1 1/2 inch diameter aluminum cap inscribed RLS4957 established per File No. 119099, said point being the true point of beginning, thence along the boundary of Parcel 1 as shown on Adjustment of Boundary Line for Weaver Properties, LLC and the Romero Family Trust the following courses and distances:

1) Along the Northerly line of the S 1/2 of the SE 1/4 of Section 16 North 89°45'52" East, 1,213.92 feet to the Westerly line of an existing roadway easement per File No. 115631;
2) Along said Westerly line North 22°06'00" East 634.48 feet;
3) South 89°45'52" West, 2,129.96 feet to the Northeasterly corner of Parcel No. 2 per File No. 119099;
4) Along the Easterly line of Parcel No. 2 per File 119099 South 20°42"14" East, 1,406.15 feet to the Southeasterly corner of said Parcel No. 2;
5) Along the Southerly line of Parcel No. 1 per File No. 119099 North 66°35'06" East, 190.00 feet to the Westerly line of the S 1/2 of the SE 1/4 of Section 16;
6) Along said Westerly line North 00°06'01" West, 655.72 feet to the true point of beginning.

The basis of bearings for this description is North, as determined from a solar observation taken at the 1/4 section corner 9/10 on November 26, 1987 per File No. 115631.

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

RONALD T. BANTA, CHARTERED
Attorney at Law
30 Broadway—P.O. Box 858
Yerington, Nevada 89447
Telephone (702) 463-3371

227988

DATED 12-23-98

WEAVER PROPERTIES L.L.C., a Nevada Limited Liability Company

MARK N. ARRIGHI, Manager

STATE OF NEVADA)
) ss.
COUNTY OF LYON)

On 12-23-98 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), MARK N. ARRIGHI who acknowledged to me that he executed the within instrument.

Notary Public

ALYCE M. PAGNIELLO
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 94-4087-12 - EXPIRES JUNE 7, 2008

RONALD T. BANTA, CHARTERED
Attorney at Law
30 Broadway - P.O. Box 866
Yerington, Nevada 89447
Telephone (702) 463-3371

DATED 12-28-98

BENITO ANTONIO ROMERO

LINDA IRENE ROMERO

STATE OF NEVADA)
) ss.
COUNTY OF LYON)

On 12-28-98 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), BENITO ANTONIO ROMERO and LINDA IRENE ROMERO who acknowledged to me that they executed the within instrument.

Notary Public

ALYCE M. PAGNIELLO
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 94-4087-12 - EXPIRES JUNE 7, 2002

RONALD T. BANTA, CHARTERED
Attorney at Law
30 Broadway—P.O. Box 666
Yerington, Nevada 89447
Telephone (702) 463-3371

RECORDERS USE

227988

OFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

90 DEC 30 AM 9:32

NANCY M. CARR
COUNTY RECORDER
FEE 9.00 KH

103543

U S BOARD OF WATER COMMISSIONERS
Yerington, NV

Name: County of Mono
Address: Board of Supervisors
P. O. Box 715
Bridgeport, CA 93517

Page 57, Decree C-125
Virginia Creek
(Conway, J.A. & R.P.)

Index No. _____
Lyon County No. _____
CLAIM NO. 209 (Part)

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET REQUIRED TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	
1860	1.28	80.00								
1863	1.72	107.50								
TOTAL	3.00	187.50								

TOTAL ACRES: _____

Water Rt. Acres 187.50
Non Wtr. Rt. Acres _____

Acre Feet Storage _____

NE¼ of SE¼; S½ of SE¼ of SE¼ of NE¼; S½ of SW¼ of SE¼ of NE¼,
Section 1, T 2 N, R 25 E.
S½ of SW¼ of SW¼ of NW¼
Section 6, T 2 N, R 26 E.
S½ of SE¼ of SW¼ of NW¼
Section 6, T 2 N, R 26 E.
NW¼ of SW¼; SW¼ of SW¼; W½ of SW¼ of NE¼ of SW¼;
SW¼ of NW¼ of NE¼ of SW¼; NW¼ of SE¼ of SW¼;
S½ of SE¼ of SW¼.
Section 6, T 2 N, R 26 E.

Except that portion of land lying within Tract 34-13, Book 9, Pages 53 to 53H, Mono County Recorder and except that portion conveyed to John R. Frederickson, Et ux, by deed recorded March 28, 1994, Book 676, Page 476.

4838 Vol. 396 Page 551 12/12/83 - R.P. & T.S. Conway to Virginia Creek Hydro.
4840 Vol. 396 Page 556 12/12/83 - Mrs. John (Lucille) Sohriskoff to Virginia Creek Hydro, Inc.
4842 Vol 396 Page 560 12/12/83 - Mrs. Gladys C. Millner to Virginia Creek Hydro, Inc.
8986 Vol. 632 Page 560 - 12/30/92 - Virginia Creek Hydro, Inc. To Arnold O. Beckman, Trustee of Trust A of the Beckman Family Trust dated 09/26/77.
0565 Vol 635 Page 141 - 01/19/93 - Arnold O. Beckman to Arnold S. Beckman.
0321 Vol. 786 Page 580 - 01/16/98 - Arnold S. Beckman to The Trust for Public Land, a California nonprofit public benefit corporation.
3172 Vol. 904, Page 218 - 3/23/2000 - The Trust for Public Land to the United States of America (Dept. of Interior - BLM)
AND
9996 Vol 832, Page 003 - 10/21/98
1938 Vol 897, Page 108 - 03/15/00 - The Trust for Public Land to County of Mono, a political subdivision of the State of California.

08/16/2001 11:57 7754637008 USBWC PAGE 01

105752

U S BOARD OF WATER COMMISSIONERS
Yerington, NV

Name: U.S. Dept. of the Interior
Address: Bureau of Land Management
785 North Main Street, Suite E
Bishop, CA 93514

Page 57, Decree C-125
Virginia Creek
(Conway, J.A. & R.P.)

Index No. _____
Lyon County No. _____

CLAIM NO. 209 (Part)

PRIORITY	C.F.S.	ACRES	DUTY	DAYS STORAGE	ACRE FEET REQUIRED PER ACRE	ACRE FEET REQUIRED TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	
1860	1.28	80.00								
1863	1.72	107.50								
TOTAL	3.00	187.50								

TOTAL ACRES: _____

Water Rt. Acres 187.50

Non Wtr. Rt. Acres _____

Acre Feet Storage _____

SE¼ of the SW¼ of Section 31, T 3 N., R 26 E.
W½ of NE¼; E½ of E½ of NW¼;
NW¼ of SE¼; E½ of NE¼ of SW¼, Section 6, T 2 N, R 26 E.

Except that portion of land lying within Tract No 34-13, Book 9, Pages 53 to 53H, Mono County Recorder and except that portion conveyed to John R. Frederickson, Et ux, by deed recorded March 28, 1994, Book 676, Page 476.

4838 Vol. 396 Page 551 12/12/83 - R.P. & T.S. Conway to Virginia Creek Hydro.
4840 Vol. 396 Page 556 12/12/83 - Mrs. John (Lucille) Sohriakoff to Virginia Creek Hydro, Inc.
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8986 Vol. 632, Page 560 - 12/30/92 - Virginia Creek Hydro, Inc. to Arnold O. Beckman, Trustee of Trust A of the Beckman Family Trust dated 09/26/77.
0565 Vol. 635, Page 141 - 01/19/93 - Arnold O. Beckman to Arnold S. Beckman
0321 Vol 786, Page 580 - 1/16/98 - Arnold S. Beckman to The Trust for Public Lands.
3172 Vol 904, Page 218 - 3/23/2000 - The Trust for Public Land, a California nonprofit public benefit corporation to United States of America (Dept. of Interior, BLM).
AND
9996 Vol. 832, Page 003 - 10/21/98
1938 Vol. 897, Page 108 - 03/15/00 - The Trust for Public Land to County of Mono, a political subdivision of the State of California.

1091 83A-43 VOL 0897 PAGE 108 001938

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
County of Mono
Board of Supervisors
P. O. Box 715
Bridgeport, CA 93517
Attn: Chairperson
Mail Tax Statements to: above

RECORDED IN MONO
COUNTY, CALIFORNIA
'00 MAR 30 PM 2 31
NO FEE

THIS CONVEYANCE IS EXEMPT FROM ANY DOCUMENTARY TRANSFER TAX PER CALIFORNIA REVENUE AND TAX CODE SECTION 11922

GRANT DEED

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, THE TRUST FOR PUBLIC LAND, a California nonprofit public benefit corporation ("Grantor") does hereby grant and convey to COUNTY OF MONO, a political subdivision of the State of California ("Grantee") that certain real property located in Mono County, California, more particularly described at Exhibit A attached hereto and incorporated herein by this reference (the "Property").

TOGETHER WITH all right, title and interest to a portion of the water rights appurtenant to the Property as follows: a total of 12 cubic feet per second ("cfs") (the "Mill Creek Conveyed Water Rights") of the 18 cfs of water annually that is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated pursuant to the Mono County Superior Court in *Hydro Electric Company v. J.A. Conway, et al.*, Judgment and Decree No. 2088 rendered by said Superior Court on June 17, 1915, but entered *nunc pro tunc* as of November 20, 1914 (the "Mill Creek Decree") which awarded John A. Conway 14 cfs and F.D. Mattly 4 cfs, to water flowing in Mill Creek for reasonable and beneficial purposes on the land referred to in the Mill Creek Decree. A summary of the water rights adjudicated by the Mill Creek Decree is attached hereto and incorporated herein at Exhibit B.

The Mill Creek Conveyed Water Rights are more particularly the following:

(A) a total of 7 cfs of the 12 cfs decreed to be owned by J.A. Conway under the Mill Creek Decree, which are "Priority 2" rights, which are further agreed to be the first (1st), second (2nd), fifth (5th), ninth (9th), tenth (10th), eleventh (11th) and twelfth (12th) of said 12 cfs as identified in Exhibit B attached hereto;

(B) a total of 3 cfs of the 3 cfs decreed to by owned by F.D. Mattly under the Mill Creek Decree, which are "Priority 8" rights as identified in Exhibit B attached hereto;

(C) a total of 1 cfs of the 2 cfs decreed to be owned by J.A. Conway under the Mill Creek Decree, which are "Priority 9" rights as identified on Exhibit B attached hereto, which are further agreed to be the second (2nd) of said 2 cfs; and

(D) a total 1 cfs of the 1 cfs decreed to be owned by F.D. Mattly under the Mill Creek Decree, which is "Priority 12" rights as identified on Exhibit B attached hereto.

TOGETHER WITH all right, title and interest in and to a portion of the water rights appurtenant to the Property as follows: a total of 3 cfs (the "Virginia Creek Conveyed Water Rights") of the 6 cfs of water annually that is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated in *United States v. Walker River Irrigation, et al*, Case in Equity, C-125 ("Walker River Decree"), which final decree was entered April 14, 1936 and amended April 24, 1940, to waters flowing in Virginia Creek for reasonable and beneficial purposes on the lands referred to in said decree.

The Virginia Creek Conveyed Water Rights are more particularly the following: a total of 3 cfs of the 6 cfs of water from Virginia Creek decreed to J.A. and R.P. Conway under the Walker River Decree, which consists of the first (1st), third (3rd), and fifth (5th) cfs of said 6 cfs. As provided in the Walker River Decree, of the 3 cfs of the Virginia Creek Conveyed Water Rights, 1.56 cfs has a relative priority date of 1860 and 1.44 has a relative priority date of 1863.

TOGETHER WITH any and all rights of Grantor herein, in and to all buildings, improvements and fixtures thereon, minerals, timber, grazing and other surface and subsurface rights, permits, easements, ditches, ditch rights-of-way and ditch rights as located on the Property and used in connection therewith.

EXCEPTING AND RESERVING unto Grantor nonexclusive, perpetual, easements for ingress and egress for the benefit of and appurtenant to Grantor's retained property, which easements shall be on, over and across existing and future roads.

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

IN WITNESS WHEREOF, Grantor has executed this instrument this 15th day of MARCH, 2000.

GRANTOR:

THE TRUST FOR PUBLIC LAND, a California nonprofit public benefit corporation

By: [signature]
Reed Holderman

Title: Vice President

By: [signature]
Pamela J. Asselmeier

Title: Assistant Secretary

ACKNOWLEDGMENT

State of California)
)ss.
County of San Francisco)

On this 15th day of March, 2000, before me, Eileen V. Meehan, a notary public, personally appeared Reed Holderman and Pamela J. Asselmeier, 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 and that by ~~his/her~~ their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

[signature]
Notary Public

Eileen V. Meehan
Comm. [illegible]
[illegible]

My commission expires 2-21-01

EXHIBIT A

LEGAL DESCRIPTION

That certain real property situate in Mono County, California described as follows:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THE SOUTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER; THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; ALL IN SECTION 1; TOWNSHIP 2 NORTH, RANGE 25 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF. EXCEPT THEREFROM THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED MARCH 28, 1961 IN BOOK 50 PAGE 224 OF OFFICIAL RECORDS.

THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; ALL IN SECTION 6; TOWNSHIP 2 NORTH, RANGE 26 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 25 EAST, MDM IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 25 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF. EXCEPT THEREFROM, THAT PORTION OF SAID LAND AS CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED MARCH 28, 1961 IN BOOK 50 PAGE 224 OF OFFICIAL RECORDS.

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 25 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF. EXCEPT THEREFROM, THAT PORTION OF SAID LAND AS CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED MARCH 28, 1961 IN BOOK 50 PAGE 224 OF OFFICIAL RECORDS.

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 26 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER; THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; ALL IN SECTION 6; TOWNSHIP 2 NORTH, RANGE 26 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXHIBIT A

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SUMMARY OF WATER RIGHTS

FOR MILL CREEK

Based on: Case 62048
Hydro Electric Co. v. John A. Conway et al
(November 30, 1914)

Priority	Decreed Owner	Amount (cfs)	Total
1	N.C.P.C.	1	1
2	J.A. Conway	12	13
3	Hydro Electric Co.	6	19
4	Mary Felesina	2.4	21.4
5	A.G. Allen	1	22.4
6	Thomas Sylvester	1.6	24
7	Hydro Electric Co.	14	38
8	F.D. Matty	3	41
9	J.A. Conway	2	43
10	L.W. Decmanceau	12.6	55.6
11	Mary Felesina	2	57.6
12	F.D. Matty	1	58.6
13	J.E. Cain	6	65.6
14	Hydro Electric Co.	2	67.6
other	Pacific Power Co.	600	Power
	Pacific Power Co.	300	Irrigation
	Pacific Power Co.	300	(all surplus for power)

EXHIBIT B
to Grant Deed

vol 0897 mu 113

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed dated 3-13-2000 from PUBLIC TRUST FOR to the County of Mono, a political subdivision of the State of California, a copy of which is attached hereto, is hereby accepted on behalf of the Mono County Board of Supervisors by Daniel L. Lyster pursuant to authority conferred by Minute Order No. M00-042 and that the grantee (County of Mono) consents to recordation thereof by its duly-authorized agent, Inyo-Mono Title Company.

Dated: March 17, 2000 COUNTY OF MONO

By: Dan Lyster

RECORDING REQUESTED BY:
Inyo-Mono Title Company
Escrow No. 111219
WHEN RECORDED, PLEASE MAIL TO:

Bureau of Land Management
2800 Cottage Way
Room W-1834
Sacramento, CA 95825-0451
Attn.: David McInay

DOCUMENTARY TRANSFER TAX: None
(This conveyance is exempt from any documentary transfer tax per California Revenue and Taxation Code Section 11922)

PRELIMINARY CHANGE OF OWNERSHIP REPORT:
This transfer is exempt from the requirements of California Revenue and Taxation Code Section 5081 et seq., since the property is transferred to the United States of America.

Conformed Copy

RECORDED IN MONO COUNTY, CALIFORNIA
RENN NOLAN - RECORDER
DATE May 31, 2001
TIME 11:32 A.M.

NO FEE

GRANT DEED

For and in consideration of the exchange of certain lands and interests as authorized by Section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716 et seq.), and as part of the Statewide Assembled Land Exchange Agreement between the Bureau of Land Management and The Trust for Public Land dated March 18, 1998, **THE TRUST FOR PUBLIC LAND**, a California nonprofit public benefit corporation, does hereby grant, sell and convey to **UNITED STATES OF AMERICA**, and its assigns all the real property situated in the County of Mono, State of California, described at Exhibit A, attached hereto and incorporated herein by this reference (the "Property").

TOGETHER WITH all right, title and interest in and to a portion of the water rights appurtenant to the Property as follows: a total of 2 cubic feet per second ("cfs") (the "Mill Creek Conveyed Water Rights") of the 14 cfs of water annually that is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated pursuant to the Mono County Superior Court in *Hydro Electric Company v. J.A. Conway, et al.*, Judgment and Decree No. 2088 rendered by said Superior Court on June 17, 1915, but entered *nunc pro tunc* as of November 30, 1914 (the "Mill Creek Decree") which awarded John A. Conway 14 cfs to water flowing in Mill Creek for reasonable and beneficial purposes on the land referred to in the Mill Creek Decree. A summary of the water rights adjudicated by the Mill Creek Decree is attached hereto and incorporated herein at Exhibit B.

The Mill Creek Conveyed Water Rights are more particularly the following: a total of 2 cfs of the 12 cfs decreed to be owned by J. A. Conway under the Mill Creek Decree, which are "Priority 2" rights, which are further agreed to be the third (3rd) and the fourth (4th) of said 12 cfs as identified in Exhibit B attached hereto; and

TOGETHER WITH all right, title and interest in and to a portion of the water rights appurtenant to the Property as follows: a total of 3 cfs (the "Virginia Creek Conveyed Water Rights") of the 6 cfs of water annually that is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated in *United States v. Walker River Irrigation, et al*, Case in Equity, C-125 ("Walker River Decree"), which final decree was entered April 14, 1936 and amended April 24, 1940, to waters flowing in Virginia Creek for reasonable and beneficial purposes on the lands referred to in said decree. The Virginia Creek Conveyed Water Rights are more particularly the following: a total of 3 cfs of the 6 cfs from Virginia Creek decreed to J.A. and R.P. Conway under the Walker River Decree, which consists of the second (2nd), the fourth (4th), and the sixth (6th) cfs of said 6 cfs. As provided in the Walker River Decree, of the 3 cfs of the Virginia Creek Conveyed Water Rights, the second (2nd) cfs has a priority date of 1860 and the fourth (4th) and the sixth (6th) cfs have a priority date of 1863.

SUBJECT to existing rights-of-way or easements, of record or in use, for roads, railroads, telegraph, telephone and electrical transmission lines, canals, laterals, ditches, flumes, siphons and pipelines, on, over and across the Property.

TO HAVE AND TO HOLD, the above granted and described premises, together with all tenements, hereditaments, and appurtenances, including minerals and mineral rights, buildings, structures, improvements, easements and those certain water rights described herein above only, thereto belonging or appertaining, and any reversions, remainders, rents, issues, or profits thereof, unto the UNITED STATES OF AMERICA, and its assigns.

IN WITNESS WHEREOF, Grantor has executed this instrument this 23rd day of MARCH, 2000.

APN(s): _____

Legal description certified correct:

By: _____
Bureau of Land Management

The Trust for Public Land, a California non-profit public benefit corporation

By: _____
Jamie Gerard

Its: Sr. Vice President
Senior Vice President

This is to certify that the interest in real property conveyed by this Grant Deed is accepted by the United States of America, a governmental agency, subject to approval of title by the Department of Justice. The United States of America hereby consents to recordation of this document, by order of its duly authorized officer shown below.

_____ Date: April 15, 2000
Field Manager,
United States Department of Interior,
Bureau of Land Management

ACKNOWLEDGMENT

State of California)
)ss.
County of San Francisco)

On this 23rd day of MARCH, 2000, before me, Eileen V. Meehan, a notary public, personally appeared Jennie Gerard, 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.

Eileen V. Meehan
Notary Public

My commission expires 2-21-01

Eileen V. Meehan
Comm. #1127288
NOTARY PUBLIC CALIFORNIA
City & County of San Francisco
Comm. Exp. Feb. 21, 2001

LEGAL DESCRIPTION

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 26 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

THE WEST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 26 EAST, MDM, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THAT PORTION OF SAID LAND LYING WITHIN TRACT NO. 34-13, AS PER MAP RECORDED IN BOOK 9 PAGES 53 TO 53H OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO EXCEPT THAT PORTION CONVEYED TO JOHN R. FREDERICKSON, ET UX, BY DEED RECORDED MARCH 28, 1994, IN BOOK 678 PAGE 478 OF OFFICIAL RECORDS.

EXHIBIT A

SUMMARY OF WATER RIGHTS

FOR MILL CREEK

Based on: Case #2088
Hydro Electric Co. v. John A. Conway et al
(November 30, 1914)

Priority	Decreed Owner	Amount (cfs)	Total
1	N.C.P.C.	1	1
2	J.A. Conway	12	13
3	Hydro Electric Co.	6	19
4	Mary Falosina	2.4	21.4
4	A.G. Allen	1	22.4
4	Thomas Sylvester	1.6	24
7	Hydro Electric Co.	14	38
8	F.D. Mattly	3	41
9	J.A. Conway	2	43
10	L.W. Dechambeau	12.6	55.6
11	Mary Falosina	3	58.6
12	F.D. Mattly	1	59.6
13	J.S. Cain	6	65.6
14	Hydro Electric Co.	2	67.6
other	Pacific Power Co.	600	Power
	Pacific Power Co.	300	irrigation
	Pacific Power Co.	300	(all surplus for power)

EXHIBIT B
to Grant Deed

0832-003

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO

County of Mono
Board of Supervisors
P. O. Box [illegible]
Bridgeport, CA [illegible]
Attn: Chairperson
Mail Tax Statements [illegible]

THIS CONVEYANCE IS EXEMPT FROM ANY DOCUMENTARY TRANSFER TAX PER CALIFORNIA REVENUE AND TAX CODE SECTION 11922

GRANT DEED

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, **THE TRUST FOR PUBLIC LAND**, a California nonprofit public benefit corporation ("Grantor") does hereby grant, convey and donate to **COUNTY OF MONO**, a political subdivision of the State of California ("Grantee") that certain real property located in Mono County, California, more particularly described at Exhibit A attached hereto and incorporated herein by this reference (the "Property").

TOGETHER WITH all right, title and interest to a portion of the water rights appurtenant to the Property as follows: a total of 4.0 cubic feet per second ("cfs") (the "Conveyed Water Rights") of the 14 cfs of water annually which is an allocated proportion of the pre-1914 appropriative and adjudicated water rights as confirmed and adjudicated pursuant to the Mono County Superior Court in Hydro Electric Company vs. J.A. Conway, et al., Judgment and Decree No. 2088 rendered by said Superior Court on June 17, 1915, but entered *nunc pro tunc* as of November 30, 1914 (the "Decree") which awarded John A. Conway 14 cfs to waters flowing in Mill Creek for reasonable and beneficial purposes on the land referred to in the Decree. A summary of the water rights adjudicated by the Decree is attached hereto and incorporated herein at Exhibit B. The Conveyed Water Rights are more particularly the following:

(A) a total of 3 cfs of the 12 cfs decreed to be owned by J.A. Conway under the Decree, which are "Priority 2" rights, which are further agreed to be the sixth (6th) cfs, the seventh (7th) cfs and the eighth (8th) cfs of said 12 cfs; and

(B) a total of 1 cfs of the 2 cfs decreed to be owned by J.A. Conway under the Decree, which are "Priority 4" rights, which is further agreed to be the first (1st) of said 2 cfs.

[redacted]

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TOGETHER WITH any and all rights of Grantor herein, in and to all buildings, improvements and fixtures thereon, minerals, timber, grazing and other surface and subsurface rights, permits, easements, ditches, ditch rights-of-way and ditch rights as located on the Property and used in connection therewith.

EXCEPTING AND RESERVING unto Grantor nonexclusive, perpetual, easements for ingress and egress for the benefit of and appurtenant to Grantor's retained property, which easements shall be on, over and across existing and future roads.

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

IN WITNESS WHEREOF, Grantor has executed this instrument this 21st day of October, 1998.

GRANTOR:

THE TRUST FOR PUBLIC LAND, a
California nonprofit public benefit corporation

By: [signature]
Nelson J. Lee
Title: Senior Vice President

By: [signature]
Pamela J. Assalmeier
Title: Regional Counsel and Assistant Secretary

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ACKNOWLEDGMENT

State of California)
) ss.
County of San Francisco)

On this 21st day of October, 1976 before me, [illegible] a notary public, personally appeared [illegible] and [illegible], 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.

Eileen V. Mc[illegible])
Notary Public

My commission expires 2-21-2[illegible])

JUN-05-01 11:50 AM MONO-COUNTY-ASSESSOR 760 932 5285 P.02

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That certain real property situate in the County of Mono, State of California, described as follows:

PARCEL 1:

The northeast quarter of the southeast quarter and the south half of the southeast quarter of the southeast quarter of the northeast quarter and the south half of the southwest quarter of the southeast quarter of the northeast quarter of Section 1, Township 2 North, Range 25 East MDM, in the County of Mono, State of California, according to the official plat of said land filed in the District Land Office.

PARCEL 2:

The south half of the southwest quarter of the southwest quarter of the northwest quarter of Section 6, Township 2 North, Range 26 East MDM, in the County of Mono, State of California, according to the official plat thereof.

PARCEL 3:

The south half of the southeast quarter of the southwest quarter of the northwest quarter of Section 6, Township 2 North, Range 26 East MDM, in the County of Mono, State of California, according to the official plat thereof filed in the District Land Office on December 17, 1857.

PARCEL 4:

The northwest quarter of the southwest quarter and the southwest quarter of the southwest quarter and the west half of the southwest quarter of the northeast quarter of southwest quarter and the southwest quarter of the northwest quarter of the northeast quarter of the southwest quarter and the northwest quarter of the southeast quarter of the southwest quarter and the south half of the southeast quarter of the southwest quarter of Section 6, Township 2 North, Range 26 East MDM, in the County of Mono, State of California, according to the official plat thereof.

Except that portion lying within Tract No. 34-13 as per map recorded in Book 9 pages 53 to 5311 of maps in the office of the County Recorder of said county.

Also, except that portion conveyed to John R. Frederickson, et ux by deed recorded March 28, 1994 in Book 676 page 476 of official records.

PARCEL 5:

Lots A, B, 5 through 14, inclusive, 17 through 21, inclusive, and Lots 24 through 108, inclusive, in Tract No. 34-13, in Book 9, pages 53 to 5311, inclusive, of maps, in the office of the County Recorder of said County.

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SUMMARY OF WATER RIGHTS

FOR MILL CREEK

Based on: Case #2088
Hydro Electric Co. v. John A. Conway et al
(November 30, 1914)

Priority	Decreed Owner	Amount (cfs)	Total
1	N.C.P.C.	1	[illegible]
2	J.A. Conway	12	13
3	Hydro Electric Co.	6	19
4	Mary Felosina	2.4	21.4
4	A.G. Allen	1	22.4
4	Thomas Sylvester	1.6	24
7	Hydro Electric Co.	14	38
8	F.D. Mattly	3	41
9	J.A. Conway	2	43
10	L.W. Dechambeau	[illegible]	[illegible]
11	Mary Felosina	[illegible]	[illegible]
12	F.D. Mattly	1	[illegible]
13	J.S. Cain	[illegible]	[illegible]
14	Hydro Electric Co.	[illegible]	[illegible]
other	Pacific Power Co.	[illegible]	Power
	Pacific Power Co.	300	Irrigation
	Pacific Power Co.	300	(all surplus for power)

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CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed dated October 21, 1998, from The Trust For Public Land to the County of Mono, a political subdivision of the State of California, a copy of which is attached hereto, is hereby accepted by order of the Mono County Board of Supervisors (Minute Order No. 98-316), and that the grantee (County of Mono) consents to recordation thereof by its duly-authorized agent, Inyo-Mono Title Company.

Dated: 11/6/98

COUNTY OF MONO

By: _____
Paul Rowan, Chairman
Mono County Board of Supervisors