

ORIGINAL

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LANCE S. WILSON  
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6

7 Attorneys for Defendant,  
WALKER RIVER IRRIGATION DISTRICT  
8

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

12 UNITED STATES OF AMERICA, )  
13 )  
Plaintiff, )

14 WALKER RIVER PAIUTE TRIBE, )  
15 )  
Plaintiff-Intervenor, )

16 )  
17 v. )

18 WALKER RIVER IRRIGATION DISTRICT, )  
et al., )  
19 )  
20 Defendants. )

21 MINERAL COUNTY, )  
22 )  
Proposed Plaintiff- )  
23 Intervenor, )

24 )  
25 v. )

26 WALKER RIVER IRRIGATION DISTRICT, )  
et al., )  
27 )  
Proposed Defendants. )  
28

) In Equity No. C-125-ECR  
) Subfile No. C-125-C  
)  
) **REPORT OF THE WALKER RIVER**  
) **IRRIGATION DISTRICT**  
) **CONCERNING STATUS OF SERVICE**  
) **ON CERTAIN PARTIES**

412

1 On March 18, 2002, the Walker River Irrigation District (the "District") circulated a  
 2 letter to various counsel and the Court. Docket # 408. A proposed order (the "Proposed  
 3 Order") was attached to the District's letter. The Proposed Order set forth the contents of the  
 4 Court's rulings made at the February 25, 2002 Status Conference in this matter.

5 Section D of the Proposed Order set forth the names of parties which the District  
 6 believed had not yet been served by Mineral County. By letter dated April 18, 2002, Mineral  
 7 County informed the District that it objected to Section D of the proposed order because some  
 8 of the names listed in that section had been served. As a result of the District's review of  
 9 Mineral County's letter, it appears that the District and Mineral County agree that the following  
 10 parties named in Section D of the proposed order have not yet been served and, therefore,  
 11 should remain in Section D:

- |    |   |     |   |
|----|---|-----|---|
| 12 | 1. Adams, Gregory Burton  | 22. | Jeppson, Mark R.  |
| 13 | 2. Adams, Richard Taylor  | 23. | Jones, Marjorie Ann   |
| 14 | 3. Bently Family Limited Partnership  | 24. | Keeley, Edith   |
| 15 | 4. Boardman, Dennis   | 25. | L&M Family Limited Partnership  |
| 16 | 5. Casino West, Inc.  | 26. | Larson, Roger   |
| 17 | 6. City of Los Angeles Dept. of Water<br>& Power                                    | 27. | Lee, Linda P.   |
| 18 | 7. County of Mono   | 28. | Lee, Wallace J.   |
| 19 | 8. Emens, Annette M.  | 29. | Menesini, Cynthia L.  |
| 20 | 9. Emens, Theodore A.   | 30. | Moorehead, Emma M., S.P., Trust,<br>Katherine Goodman, Trustee              |
| 21 | 10. Emery, Brett  | 31. | Nugent, Evelyn  |
| 22 | 11. Farias Revocable Trust Agreement,<br>Farias, Lester M. & Josephine,<br>Trustees | 32. | Nugent, George D.   |
| 23 | 12. Floyd, Betty  | 33. | Nuti, Cynthia   |
| 24 | 13. Floyd, Frank  | 34. | Nuti, Nancy J.  |
| 25 | 14. Fulstone, Vivian D. Trust, Vivian<br>D. Fulstone, Trustee                       | 35. | Nuti, Richard B.  |
| 26 | 15. Gerbig, Arden   | 36. | Ogle, Laurie Rene   |
| 27 | 16. Gerbig, Evilo J.  | 37. | Pelayo, R.A.  |
| 28 | 17. Gerbig, Josephine A.  | 38. | Peterson, Marvin & Lynn Trust,<br>Marvin F. & Lynn M. Peterson,<br>Trustees |
|    | 18. Gover, Edward E.  | 39. | Porter, Randy   |
|    | 19. Hardy, Karen Lund   | 40. | Porter, Tracee  |
|    | 20. Hervin, Patricia  | 41. | Purrell, James E.   |
|    | 21. Jeppson, Deann M.   | 42. | Santa Lucia Partners; L.P.  |

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- |     |  |     |  |
|-----|--|-----|--|
| 43. | Sceirine Fredericks Ranch                          | 57. | Spragues, A Company of   |
| 44. | Sciarani, Arnold Jr.                               | 58. | Stanton, Kirk Andrew   |
| 45. | Sepulveda, Mariana                                 | 59. | Stanton, Christy DeLong  |
| 46. | Settlemyer Ranches, Inc., c/o<br>Arnold Settlemyer | 60. | Stebbins, Richard W.   |
| 47. | Shehady, Daniel Paul                               | 61. | Stebbins, Roberta  |
| 48. | Sherlock, Michael                                  | 62. | Steneri, Susan   |
| 49. | Silverado, Inc.                                    | 63. | Stoneburner, Viola   |
| 50. | Simmons, Patricia                                  | 64. | Sundance Cattle Company  |
| 51. | Smith, Daniel G.                                   | 65. | Tilley, Jerry E. Trust   |
| 52. | Smith, Gaila M.                                    | 66. | Vicencio, William K.   |
| 53. | Smith, Grant                                       | 67. | Weaver Properties, LLC   |
| 54. | Smith, Grant B.                                    | 68. | Weaver Revocable Trust<br>Agreement, William M. Weaver, Jr.,<br>Trustee & Rosemary F. Weaver,<br>Trustee |
| 55. | Smith, Shawna S.                                   | 69. | Wilson, Laurie   |
| 56. | Soilfume, Inc.                                     | 70. | Zippwald, Darlene S.   |

It appears that the District and Mineral County agree that the following parties named in Section C have been served and, therefore, should be moved from Section D to Section C of the Proposed Order.

- |    |  |    |   |
|----|--|----|---|
| 1  | Batchelder, Josephine S. &<br>Fred C. Family Trust, Connie<br>B. Jansen, & Leonard<br>Batchelder, Trustees | 14 | Hunewill, Harvey E. and Phyllis Trust,<br>Harvey & Phyllis Hunewill, Trustees |
| 2  | Bayer, Mildred   | 15 | Lapham, Willis H.   |
| 3  | Bien, C. Helen   | 16 | Morose, Dan C.  |
| 4  | Bien, Richard  | 17 | Morose, Tara L.   |
| 5  | Bolton Rose Trust, Francis &<br>Rose Alice Minister, Trustees  | 18 | Nannini, Anna Revocable Trust, Anna<br>Nannini, Trustee                       |
| 6  | Burnett, Kenneth R.  | 19 | Nuti Brothers   |
| 7  | Burnett, Sharon L.   | 20 | Perrin Trust  |
| 8  | California Dept. of Parks and<br>Recreation  | 21 | Pinenut Ranch Cattle Corporation  |
| 9  | Cal Neva Cattle Company  | 22 | Rauber Trust  |
| 10 | Campbell, William J.   | 23 | Sceirine, Beverly   |
| 11 | Curtis & Sons Construction,<br>Inc.  | 24 | Smith Ranch Partnership   |
| 12 | Fox, Leonard A. Trust,<br>Elizabeth J. Leone, Trustee  | 25 | Sunrise Ranch, LLC  |
| 13 | Haas, Pamela   | 26 | Walker River Land Corp.   |

1       27.     Yerington Paiute Tribe

28.     United States of America

2               Finally, the District and Mineral County disagree as to whether service is complete with  
3 respect to 12 parties. The names of those 12 parties are listed below together with Mineral  
4 County's and the District's position concerning the status of service and references to  
5 supporting documentation attached hereto as Exhibit A. Mineral County's position is taken  
6 from its April 18, 2002, letter to the District.<sup>1</sup>

7     **1.     Cremetti, William G. Trust, Wanda M. Hicks and Verna N. Debrick, Co-Trustees:**

8               Mineral County argues that it has "served Ruby Regan when she was trustee in 1995  
9 and Mark Arrighi when he was trustee in 2001. Since he is still the attorney for the trustees,  
10 service on him is acceptable." Exhibit B at 1,2.

11              Mineral County served William Cremetti, in his individual capacity, by leaving copies  
12 with "Ruby [his] wife." Exhibit A at 1,2. Mineral County also served Ruby C. Regan on  
13 behalf of the Regan Trust. *Id.* at 3,4.

14              On February 29, 2000, Mark Arrighi executed a form entitled *Notice of Change of*  
15 *Trustee for the William G. Cremetti Trust* which indicates that Mr. Arrighi resigned as trustee  
16 for the William G. Cremetti Trust and that Wanda M. Hicks and Verna N. Debrick would serve  
17 as the co-trustees. *Id.* at 5. Subsequently, on January 23, 2001, Mineral County served Mark  
18 N. Arrighi as "Trustee" with no indication of the name of the trust allegedly served or of Mr.  
19 Arrighi's authority to accept service on behalf any party. *Id.* at 6.

20              Finally, the Court has ordered Mineral County to serve Wanda M. Hicks and Verna N.  
21 Debrick as co-trustees of the William G. Cremetti Trust. *See* December 19, 2001 order  
22 (Docket #397) at p. 18, lns. 1 and 2.

23  
24  
25  
26 <sup>1</sup>     A copy of Mineral County's April 18, 2002, letter is attached hereto, without  
27 enclosures, as Exhibit B. Any documentation enclosed with the letter and necessary for the  
28 Court to rule on the status of service with respect to a particular party has been incorporated in  
Exhibit A hereto.

1 **2. F&B Trust, Alpers, Frederick E. & Barbara L., Trustees:**

2 Mineral County argues as follows: "when this was still held in the name of Fred Alpers,  
3 he was served 07/22/99." Exhibit B at 2.

4 Mineral County served "Fred Alpers," in his individual capacity, on July 22, 1999.  
5 Exhibit A at 7,8. The District's assessment records indicate that Frederick E. Alpers and  
6 Barbara L. Alpers conveyed real property located in Lyon County, together with  
7 appurtenances, to Frederick E. Alpers and Barbara L. Alpers, Co-Trustees of the F & B Trust  
8 on July 21, 1997. *Id.* at 9, 10. The Court has ordered the addition of the F& B Trust, Fred E.  
9 and Barbara L. Alpers Co-Trustees, to this matter. *See* December 19, 2001 order (Docket #397)  
10 at p. 17, lns. 4 - 8.

11 **3. Jeppson, Deann M. and Mark R.:**

12 Mineral County argues that "[t]his may be an inadvertent omission in the Court's order.  
13 Mineral County submitted a deed from the Jeppsons to the Weisers and the Weisers are on your  
14 WRID list. We could stipulate to a correction." Exhibit B at 2.

15 By deed dated August 28, 2000, Mark R. Jeppson and Deann M. Jeppson conveyed real  
16 property located in Lyon County, together with water rights, to Robert G. Weiser and Betty J.  
17 Weiser. Exhibit A at 11. The Jeppsons currently are not on the District's assessment roll and  
18 the Weisers are currently on that roll. If the Court orders the dismissal of Deann M. and Mark  
19 R. Jeppson and the substitution of Robert G and Betty J. Weiser, the caption should be  
20 amended to dismiss the Jeppsons and substitute the Weisers and the Weisers should be served  
21 in accordance with FRCP 4.

22 **4. Menesini, Orlando:**

23 Mineral County argues that Orlando Menesini was "served on 5/1/01." Exhibit B at 2.

24 Mineral County has served Orlando Menesini on behalf of the Orlando Menesini and  
25 Grace Leota Jane Menesini Family Trust. Exhibit A at 12, 13. Mineral County has not served  
26 Orlando Menesini in his individual capacity and the trust does not appear on the current  
27 caption.

28

1 **5. Peri and Peri, A Partnership:**

2 Mineral County argues that it "served David Peri in 1995 when it was Desert Pearl  
3 Farms." Exhibit B at 2.

4 Mineral County served David Perri on behalf of Desert Pearl Farms in September of  
5 1995. Exhibit A at 14, 15. Nothing in the record indicates that Peri and Peri is the successor in  
6 interest with respect to land owned by Desert Pearl Farms in 1995. Both Desert Pearl Farms  
7 and Peri and Peri appear on the current caption.

8 **6. Price, Charles:**

9 Mineral County argues that it served Charles Price on 5/23/01. Exhibit B at 2.

10 On May 23, 2001, Mineral County left documents with Wendy Price, Charles Price's  
11 daughter, at a Hollister, California address. Exhibit A at 16, 17. At this time, Wendy Price  
12 stated that she would deliver the documents to her father in Nevada where he resides. *Id.* This  
13 service is insufficient pursuant to Rule 4 of the Federal Rules of Civil Procedure.

14 **7. Romero Family Trust, Benito Antonio & Linda Irene Romero, Trustees:**

15 Mineral County argues that it "served Benny Romero when this property was known as  
16 Sweetwater. Since Benny Romero was aggressive and threatened the process server and told  
17 them not to return, Mineral County will object to a reserve since Benny Romero has been  
18 served." Exhibit B at 2.

19 Mineral County served Benny Romero on behalf of Sweetwater Land & Cattle in 1998.  
20 Exhibit A at 18, 19. The service form does not indicate if Mr. Romero had the authority to  
21 accept service on behalf of Sweetwater Land & Cattle or the nature of that entity. *Id.* Mineral  
22 County has not served anyone on behalf of the Romero Family Trust. Furthermore, nothing in  
23 the record indicates that The Romero Family Trust is the successor in interest with respect to  
24 real property owned by Sweetwater Land & Cattle in 1998. Finally, Both the Sweetwater Land  
25 and Cattle Company and Romero Family Trust appear on the current caption.

26 **8. Smith Valley Cattle Feeders:**

27 Mineral County argues that it "served Steve Miller in 1995 and confirmed that he was  
28 proper by telephone 4/17/02." Exhibit B at 2.

1 Mineral County served Steve Miller on behalf of Smith Valley Cattle Feeders in 1995.  
2 Exhibit A at 20, 21. The service form, however, does not indicate that Steve Miller had the  
3 authority to accept service on behalf of Smith Valley Cattle Feeders or the nature of that entity.

4 *Id.*

5 **9. Stebbins, Richard W. and Roberta:**

6 Mineral County states: "new information from the title company . . . is WRID willing to  
7 stipulate to their dismissal in favor of the grantees?" Exhibit B at 3.

8 By deed dated March 1, 2000, Roberta W. Stebbins, Sole Trustee of the Richard W.  
9 Stebbins Restated Revocable Trust, conveyed real property, together with water rights, to  
10 Michael A. Faretto and Cathleen A. Faretto, Trustees of the Michael Faretto Family 1996 Trust,  
11 dated September 13, 1996, as to an undivided ½ interest and Carl W. Andersen and Diana L.  
12 Andersen, Trustees of the Andersen Family 1992 Trust, dated November 2, 1992, as to an  
13 undivided ½ interest. Exhibit A at 22.

14 Both the Michael Faretto Family 1996 Trust and Andersen Family 1992 Trust appear in  
15 the current caption and it appears that both trusts have been served.

16 **10. Sweetwater Land & Cattle Company:**

17 Mineral County argues that this entity was "served on 2/21/98." Exhibit B at 3.

18 Mineral County served Benny Romero on behalf of Sweetwater Land & Cattle in 1998.  
19 Exhibit A at 18, 19. The service form, however, does not indicate if Mr. Romero had the  
20 authority to accept service on behalf of Sweetwater Land & Cattle or the nature of this entity.

21 *Id.*

22 **11. Watkins, Mildred A.:**


23 Mineral County argues as follows: "See order of Court April 3, 2000 - served." Exhibit  
24 B at 3.

25 The District's review of the *Order Concerning Status of Service on Defendants* (Docket  
26 # 327), entered by the Court on April 3, 2000, indicates that Mildred A. Watkins was listed as  
27 having not yet been served. Docket # 327 at 5. Furthermore, the District is not aware of any  
28 documentation in the record that indicates Mildred A. Watkins has been served.

1 **12. Williams Revocable Living Trust, Jack H. & Evangeline A. Williams, Trustees:**  
 2 Mineral County argues that it "served Evangeline 11/14/95." Exhibit B at 3.  
 3 Mineral County did serve Evangeline Williams in her individual capacity. Exhibit A at  
 4 23, 24. The service form does not indicate that she was served on behalf of the trust.  
 5 The District has attached a copy of a revised Proposed Order hereto as Exhibit C. The  
 6 contents of the Proposed Order, however, may need to be further revised as a result of the  
 7 rulings of the Court made at the May 3, 2002 status conference.

8 Dated this <sup>th</sup>30 day of April, 2002.

9 WOODBURN AND WEDGE  
 10 6100 Neil Road, Suite 500  
 11 Post Office Box 2311  
 12 Reno, Nevada 89511

13 By:   
 14 GORDON H. DEPAOM  
 15 DALE E. FERGUSON  
 16 Attorneys for WALKER RIVER IRRIGATION  
 17 DISTRICT

18 C:\WP\WRID\0083\Service Report.doc  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

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

IN EQUITY NO. C-125-ECR  
Subfile No. C-125-C

RETURN OF SERVICE

I Richard A. Miller, 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: William G. Cremetti (print name of person served)

of: \_\_\_\_\_ (title and company where applicable)

on: 9/12/95 (date of service)

at: 11:04 AM (time of service)

at the following place:

3 West Cremetti Lane (address or location)

in the following manner:

- served personally
- left copies
- unable to execute service (why) \_\_\_\_\_
- \_\_\_\_\_
- other (Specify) \_\_\_\_\_
- \_\_\_\_\_

Remarks: left with Ruby (wife)

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.

9/17/95  
Date

[Signature]  
Signature of Server

P.O. Box 2454

[Signature]  
Address of Server

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 Richard A. D. Hill, 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: Ruby C. Regan (print name of person served)

of: Regan Trust (title and company where applicable)

on: 9/12/95 (date of service)

at: 11:04 AM (time of service)

at the following place:

3 West Creech Lane (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.

9/17/95  
Date

*Richard Adell*  
Signature of Server

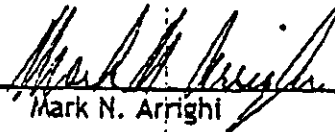
P.O. Box 2454  
Hawthorne, NJ  
Address of Server

for  
The William G. Cremetti Trust

Notice is hereby given that as of the 14th day of February, 2000, Mark N. Arrighi, the duly appointed and qualified Co-Trustee of the William G. Cremetti Trust, dated the 1st day of September, 1994, filed a formal resignation from the office of Co-Trustee.

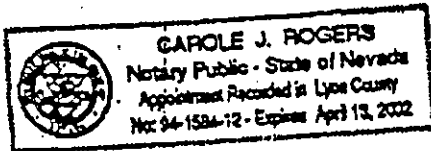
In accordance with the powers granted under Article IV of the William G. Cremetti Trust, Mark N. Arrighi, acting for himself and as the authorized representative of Kafoury, Armstrong & Co., hereby appoints Wanda M. Hicks to serve as Co-Trustee in his place. Verna N. Debrick shall continue to serve as Co-Trustee, to serve with Wanda M. Hicks.

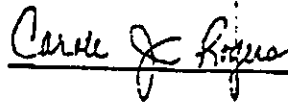
Dated this 29<sup>th</sup> day of FEBRUARY, 2000.

  
Mark N. Arrighi

STATE OF NEVADA     )  
                                  ) ss.  
COUNTY OF LYON     )

On this 29th day of February, 2000, before the undersigned, a Notary Public, personally appeared Mark N. Arrighi, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to this instrument, and acknowledged that he executed it.



  
Carole J. Rogers

**P R O O F O F S E R V I C E**

Initiator: Zeh, Spoo, Quade & Hearne  
575 Forest Street  
Reno, NV 89509

Phone: (775) 323-5700

Attorney for: Walker River Paiute Tribe

Court: United States District Court

Plaintiff: Walker River Paiute Tribe, et al.,  
Defendant: Walker River Irrigation District  
Hearing:

Case No. C125ECR  
File No. 23088 - 1

1. 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:  
Summons/Complaint

2. Party served: Mark N. Arrighi, Trustee  
AKA:  
AKA:  
49 Eureka Drive  
Carson City, NV 89706

3. I served the party named in Item 2:  
Personally

January 23, 2001 08:30 AM

4. Remarks:  
Served Notice in Lieu of Summons; Notice of Motion; Motion of Intervention; Amended Memorandum of Amended Complaint; Amended Complaint; Motion; Affidavits, by serving at 901 E. Musser Street.

Service Fee: \$19.00

5. Person serving: Sheryl Hammond  
Carson City Sheriff's Department  
901 East Musser Street  
Carson City, Nv. 89701

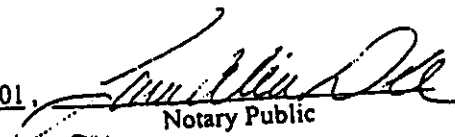
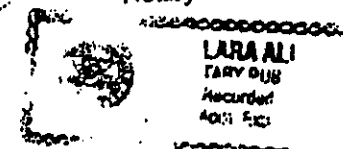
Phone: (775) 887-2020 (x1712)

7. I am a Carson City Sheriff's officer and I certify that the foregoing is true and correct.

Date: January 24, 2001

  
\_\_\_\_\_  
Sheriff's Authorized Agent

Subscribed and Sworn to before me this 7th day of February, 2001,  
State of Nevada, County of Carson City

  
Notary Public  
  
LARA ALI  
TARY PUB  
Recorded  
4001 500

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700

7 Attorneys for Intervenor,  
8 MINERAL COUNTY NEVADA

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )  
13 )  
14 Plaintiff, )

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

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

RETURN OF SERVICE

18 vs. )

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

22 MINERAL COUNTY, )  
23 )  
24 Proposed-Plaintiff-Intervenor, )

25 vs. )

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

28 I CINDY DURAN, hereby certify that service of process of Mineral  
(Print name of server)

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



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

2 Lieu of Summons

3 upon: FRED ALPERS (Print name of person served)

4 of: \_\_\_\_\_ (Title and company where applicable)

5 on: 7-22-99 (Date of service)

6 at: 7:35 p.m. (Time of service)

7 at the following place:

8 192 HUDSON AURORA RD. (Address or location)

9 in the following manner:

10  served personally

11  left copies

12  unable to execute service (why) \_\_\_\_\_

13  other (specify) \_\_\_\_\_

14 \_\_\_\_\_

15 Remarks: \_\_\_\_\_

16 \_\_\_\_\_

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

19 7.23.99  
20 Date

21 [Signature]  
22 Signature of Server

23 575 FOREST ST. SUITE 200  
24 RENO, NV 89509  
25 (Address of Server) C:\MyFiles\CLIENTS\MineralP-Return\114

26  
27  
28

8751

APN 10-481-09, 10, 11, 12, 13 & 14

When Recorded Return To:  
Scott J. Heaton, Esq.  
Post Office Box 605  
Carson City, Nevada 89702

DEED

THIS DEED, made this 21st day of July, 1997, by and between FREDERICK E. ALPERS and BARBARA L. ALPERS, hereinafter referred to as "GRANTOR", and FREDERICK E. ALPERS and BARBARA L. ALPERS, Co-Trustees of the F & B TRUST dated July 21, 1997, whose address is 4827 East Sutro Terrace, Carson City, Nevada 89706 hereinafter referred to as "GRANTEE",

W I T N E S S E T H:

That said Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States to it in hand paid by the Grantee, receipt of which is hereby acknowledged, does by these presents hereby grant, bargain and sell unto the said Grantee, and to the heirs, successors and assigns of said Grantee forever, all of their right, title and interest in and to that certain piece or parcel of land situate in the County of Lyon, State of Nevada, described as follows, to wit:

Portion of land in Section 34, Township 11 North, Range 24 East, M.D.B. & M., more particularly described as follows:

Parcels A, B, C, D, E and F of that Land Division into Large Parcels for ALPERS RANCH CO., INC., a Nevada corporation, filed for record in the office of the Recorder of Lyon County, Nevada, on December 22, 1988, as File No. 121078.

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

208490



GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

MARK R. JEPSON and DeANN M. JEPSON, husband and wife

do hereby GRANT, BARGAIN and SELL TO

ROBERT G. WEISER and BETTY J. WEISER, 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:

All that certain real property being a portion of the SE 1/4 of the NE 1/4 of Section 26, T 12 N, R 25 E, M.D.B&M., Lyon County, Nevada, described as follows:

Beginning at a point of the West boundary line of State Highway No. 3, which said point of beginning is 40 rods North of the Southeast corner of the Northeast quarter of Section 26, Township 12 North, Range 25 East, M.D.B&M.; thence from said point of beginning, first course West a distance of 520.8 feet; thence second course North a distance of 225 feet; thence third course East a distance of 520.8 feet to the West boundary line of State Highway No. 3; thence fourth course South, along the West boundary line of said State Highway No. 3, a distance of 225 feet to the point of beginning.

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.

DATED 8 28 00

*Mark R. Jepson*  
MARK R. JEPSON

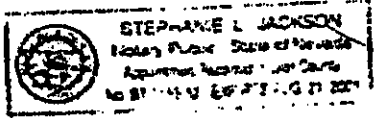
*DeAnn M. Jepson*  
DeANN M. JEPSON

RONALD T. BANTA, CHARTERED  
Attorney at Law  
50 Broadway - P.O. Box 868  
Yerington, Nevada 89447  
Telephone (775) 443-8271

STATE OF NEVADA )  
                          ) ss.  
COUNTY OF LYON )

On August 27, 2000 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), MARK R. JEPSON and DeANN M. JEPSON, who acknowledged to me that they executed the within instrument.

*Stephanie J. Jackson*  
Notary Public



RECORDED  
251784  
TITLE SERVICE & ESCROW CO.  
03 AUG 30 PM 1:31  
FILE 700

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SAINT-AUBIN, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700

7  
8  
9 Attorneys for Intervenor,  
10 MINERAL COUNTY NEVADA

11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 \* \* \*

14 UNITED STATES OF AMERICA, )  
15 )  
16 Plaintiff, )  
17 )  
18 WALKER RIVER PAIUTE TRIBE, )  
19 )  
20 Plaintiff-Intervenor, )  
21 )  
22 vs. )  
23 )  
24 WALKER RIVER IRRIGATION DISTRICT, )  
25 )  
26 a corporation, et al.; )  
27 )  
28 Defendants. )

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

RETURN OF SERVICE

29 MINERAL COUNTY, )  
30 )  
31 Proposed-Plaintiff-Intervenor, )  
32 )  
33 vs. )  
34 )  
35 WALKER RIVER IRRIGATION DISTRICT, )  
36 )  
37 a corporation, et al. )  
38 )

I Deputy P. J. Spinuzzi, 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

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County 5 "Intervention Documents" was made pursuant to the Orders of the Court and Notice in

Lieu of Summons .

upon: ORLANDO Menesini (Print name of person served)

of: Orlando Menesini and Grace Leota Jane Menesini Family Trust (Title and company where applicable)

on: May 01 , 2001 (Date of service)

at: 1608 (Time of service)

at the following place:

221 W. Virginia St., Yerington, 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.

May 01 , 2001

Date

[Signature]  
Signature of Server

LYON COUNTY SHERIFF'S DEPT.  
30 Nevin Way  
Yerington, NV 89447

(Address of Server)

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 Byrla Curry, 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: DAVID PERRI  
DESERT PEACH FARMS (print name of person served)

of: DESERT PEACH FARMS (title and company where applicable)

on: SEPT 16, 1995 (date of service)

at: 9:50 AM (time of service)

at the following place:

430 Hwy 339 (address or location)  
Winnemucca NV 89415

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.

Sept 16, 1995  
Date

Bryde G. Curry  
Signature of Server

P.O. Box 1712

Hawthorne NV  
Address of Server 89415.



1 TREVA J. HEARNE, ESQ. (SBN 4450)  
2 JAMES SPOO, ESQ. (SBN 1018)  
3 ZEH, SAINT-AUBIN, SPOO & HEARNE  
4 575 Forest Street, Suite 200  
5 Reno, Nevada 89509  
6 Telephone: (702) 323-5700

7 Attorneys for Intervenor,  
8 MINERAL COUNTY NEVADA

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )

13 Plaintiff, )

14 WALKER RIVER PAIUTE TRIBE, )

15 Plaintiff-Intervenor, )

16 vs. )

17 WALKER RIVER IRRIGATION DISTRICT, )  
18 a corporation, et al.; )

19 Defendants. )

20 ----- )  
21 MINERAL COUNTY, )

22 Proposed-Plaintiff-Intervenor, )

23 vs. )

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

26 ----- )  
27 I ROBERT D. SCATTINI , hereby certify that service of process of Mineral  
28 (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

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

RETURN OF SERVICE

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

3 upon: WENDY PRICE NOBLE (Print name of person served)  
4  
5 of: \_\_\_\_\_ (Title and company where applicable)  
6 on: May 23, 2001 (Date of service)  
7 at: 11:30 A.M. (Time of service)

8 at the following place:  
9  
10 1110 Bonnie View Road (Address or location)  
Hollister, CA 95023

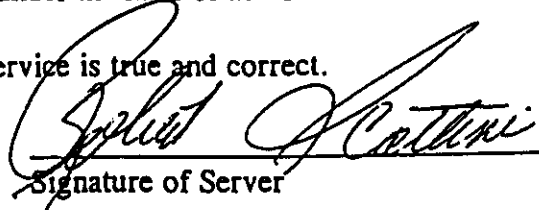
11 in the following manner:  
12  served personally  
13  left copies  
14  unable to execute service (why) \_\_\_\_\_  
15 \_\_\_\_\_

16  other (specify) Charles Price has moved to Nevada - Wendy Price, daughter,  
17 will be visiting her father in about a week, and will deliver documents to  
18 him.

19 Remarks: \_\_\_\_\_  
20 \_\_\_\_\_

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

23 May 23, 2001  
24 Date

  
Signature of Server

25 ROBERT D. SCATTINI, MARSHAL  
26 440 Fifth Street, Room 104  
27 Hollister, CA 95023 (831) 636-4028  
(Address of Server)

1 TREVA J. HEARNE, ESQ. (SBN 4450)  
 2 JAMES SPOO, ESQ. (SBN 1018)  
 3 ZEH, POLAHA, SPOO, HEARNE & PICKER  
 4 575 Forest Street, Suite 200  
 Reno, Nevada 89509  
 Telephone: (702) 323-5700  
 5 Attorneys for Intervenor,  
 6 MINERAL COUNTY NEVADA

7  
 8  
 9 UNITED STATES DISTRICT COURT  
 10 DISTRICT OF NEVADA

11 \* \* \*

12 UNITED STATES OF AMERICA, )  
 13 )  
 14 Plaintiff, )  
 15 WALKER RIVER PAIUTE TRIBE, )  
 16 )  
 17 Plaintiff-Intervenor, )  
 18 )  
 19 vs. )  
 20 WALKER RIVER IRRIGATION DISTRICT, )  
 a corporation, et al.; )  
 21 Defendants. )

In Equity No. C-125-ECR  
 Subfile No. C-125-C  
 RETURN OF SERVICE

22 MINERAL COUNTY, )  
 23 )  
 24 Proposed-Plaintiff-Intervenor, )  
 25 )  
 26 vs. )  
 27 WALKER RIVER IRRIGATION DISTRICT, )  
 a corporation, et al. )

28 I Kelvin Buchanan, hereby certify that service of process of Mineral  
 (Print name of server)

575 Forest Street, Suite 200  
 Reno, Nevada 89509  
 Tel.: (702) 323-5700 FAX: (702) 786-8183

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

2 Lieu of Summons

3 upon: Benny Romero (Print name of person served)

4 of: Sweetwater Land & Cattle (Title and company where applicable)

5 on: 2/21/98 (Date of service)

6 at: 8:55 PM (Time of service)

7 at the following place:

8  
9 2535 Hy 208 (Address or location)  
10 Wellington NV

11 in the following manner:

12  served personally

13  left copies

14  unable to execute service (why) \_\_\_\_\_

15  
16  
17  other (specify) \_\_\_\_\_

18  
19 Remarks: \_\_\_\_\_

20  
21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing information in this Return of Service is true and correct.

23  
24 2/21/98  
Date

[Signature]  
Signature of Server

25  
26 Box 1749  
27 Reno NV 89505  
28 (Address of Server) C:\MyFiles\CLIENTS\Mineral\IP-Return.114

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 M. L. Lucking, 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: Cal West Land & Livestock, AKH  
Smith Valley Cattle Feeders (print name of person served)

of: by wiring, Steve Miller (title and company where applicable)

on: November 30, 1995 (date of service)

at: 3:55 p.m. (time of service)

at the following place:

25366 W. Davis (address or location)

Calvin, Ca. 93210  
in the following manner:

- served personally
- left copies
- unable to execute service (why) \_\_\_\_\_

---

- other (Specify) \_\_\_\_\_

Remarks: Smith Valley Cattle Feeders is located in Smith, NV  
101 West Lane & Fairstock is part of Smith Valley  
& Harris Ranch

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.

November 30, 1995  
 Date

M L Lucring  
 Signature of Server

5325 Elkhorn Blvd., Suite 246  
Sacramento, Ca 95842  
 Address of Server

Order No. TSL-20921  
Document Transfer Tax \$780.00  
APN 12-251-05

Mail Tax Bill to Grantee:  
P.O. Box 2244  
Sparks, NV 89432

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

ROBERTA W. STEBBINS, Sole Trustee of the RICHARD W. STEBBINS and ROBERTA W. STEBBINS Restated Revocable Trust

does hereby GRANT, BARGAIN and SELL TO

MICHAEL A. FARETTO and CATHLEEN A. FARETTO, Trustees of the MICHAEL FARETTO FAMILY 1996 TRUST, dated September 13, 1996, as to an undivided 1/2 interest and CARL W. ANDERSEN and DIANA L. ANDERSEN, Trustees of the ANDERSEN FAMILY 1992 TRUST, dated November 2, 1992, as to an undivided 1/2 interest

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

T 12 N, R 25 E, M.D.B.&M.

Parcel 1:

Section 10: The West 1/2 of the Southeast 1/4.

Parcel 2:

Section 15: The West 1/2 of the Northeast 1/4.

Together with all water, water rights, ditch, and ditch rights.

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

DATED Mar 1, 2000

THE RICHARD W. STEBBINS and ROBERTA W. STEBBINS Restated Revocable Trust

*Roberta W. Stebbins*  
ROBERTA W. STEBBINS, Sole Trustee

RONALD T. BANTA, CHARTERED  
Attorney at Law  
30 Broadway - P.O. Box 866  
Yerington, Nevada 89447  
Telephone (775) 483-3371

STATE OF NEVADA )  
COUNTY OF LYON ) ss.

On Mar 1 2000 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), ROBERTA W. STEBBINS who acknowledged to me that she executed the within instrument.

*[Signature]*  
Notary Public

SAM T. ROSS  
Notary Public - State of Nevada  
Appointment Recorded in Lyon County  
No. 96-1075-12 - Expires December 28, 2001

RECORDERS USE  
245634  
OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY  
Title Service & Escrow Co.  
00 MAR 16 AM 11:22  
MARY C. HULLIGAN  
COUNTY RECORDER  
FEE 2.00 REC. ES

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 M. L. Lucking, 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: Evangeline Williams (print name of person served)

of: \_\_\_\_\_ (title and company where applicable)

on: November 14, 1995 (date of service)

at: 8<sup>40</sup> p.m. (time of service)

at the following place:

371 Diamond Oaks Rd. (address or location)  
Roseville, Ca.

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.

November 17, 1995  
Date

M. L. Lucking  
Signature of Server

5325 Elkhorn Blvd., Suite 246  
Sacramento, Ca 95842  
Address of Server



**Zeh, Saint-Aubin, Spoo & Hearne**

Attorneys and Counselors at Law

Charles R. Zeh, Esq.  
James Spoo, Esq.  
Treva J. Hearne, Esq.  
Robert Saint-Aubin, Esq.

575 Forest Street, Suite 200  
Reno, Nevada 89509  
Tel. (775) 323-5700  
Fax (775) 786-8183  
e-mail zpshp@aol.com

April 18, 2002

Via Facsimile 775/688-3088

Dale Ferguson, Esq.  
Woodburn and Wedge  
6100 Neil Rd., Suite 500  
Reno, Nevada 89505

Re: *Mineral County Intervention; C-125-C*

Dear Mr. Ferguson:

Mineral County objects to the proposed order as set out in Section D. Mineral County has found errors as follows:

3. Batchelder, Josephine S. & Fred C. Family Trust, Connie B. Jansen, and Leonard Batchelder, trustees - Connie Jansen was served on 6/14/99 and Fred Batchelder had been served in 1995 by waiver when he was the trustee.
4. Mildred Bayer - signed a waiver 4/30/99
7. Bolton Rose Trust, Francis and Rose Alice Minister, Trustees - served Francis Minister 01/02/01.
8. Burnett, Kenneth R. - served 1/04/01
9. Burnett, Sharon L. - served 3/10/01
10. Cal Neva Cattle Company - served Mel Swarnke 2/21/98
11. Campbell, William J. - served 01/04/01
15. Cremetti, William G. Trust - Wanda M. Hicks and Verna N. Debrick, Co-Trustees - Mineral County served Ruby Regan when she was trustee in 1995 and Mark

Exhibit B

Dale Ferguson, Esq.  
Woodburn and Wedge  
April 18, 2002  
Page -2-

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Arraghi when he was trustee in 2001. Since he is still the attorney for the trustees, service on him is acceptable.

16. Curtis and Sons Construction, Inc. - served 08.04/99

20. F&B Trust, Alpers, Frederick E. & Barbara L., Trustees - when this was still held in the name of Fred Alpers, he was served 07/22/99.

29. Haas, Pamela - signed waiver 6/14/99

32/33. Jeppson, Deann M. and Mark R. - This may be an inadvertent omission in the Court's order. Mineral County submitted a deed from the Jeppsons to the Weisers and the Weisers are on your WRID list. We could stipulate to a correction.

41. Mesini, Orlando - served 5/1/01

43. Nannini, Anna, Trustee - Anna Nannini was served and has communicated with us during 2000. Because of her age, Mineral County strongly objects to serving Ms. Nannini again. It would be an imposition on her kindness heretofore.

51. Peri and Peri, A Partnership - served David Peri in 1995 when it was Desert Pearl Farms.

52. Perrin Trust - served Francis and Mary Perrin.

56. Price, Charles - served 5/23/01.

58. Romero Family Trust, Benito Antonio & Linda Irene Romero, Trustees - served Benny Romero when this property was known as Sweetwater. Since Benny Romero was aggressive and threatened the process server and told them not to return, Mineral County will object to a reserve since Benny Romero has been served.

61. Sceirine, Beverly - served 9/6/99

65. Shehady, Daniel Paul - served 9/16/95.

69. Smith Valley Cattle Feeders - served Steve Miller in 1995 and confirmed that he was proper party by telephone 4/17/02.

Dale Ferguson, Esq.  
Woodburn and Wedge  
April 18, 2002  
Page -3-

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79. Stebbins, Richard W. - new information from title company.
80. Stebbins, Roberta - new information from title company....is WRID willing to stipulate to their dismissal in favor of the grantees?
84. Sweetwater Land & Cattle Company - served 2/21/98
86. United States of America - See order of Court April 3, 2000 - served
88. Watkins, Mildred A. - See order of Court April 3, 2000 - served
91. Williams Revocable Living Trust, Jack H. & Evangeline A. Williams, Trustees - served Evangeline 11/14/95.

Attached are the proofs on these. If you have any questions, please contact me.

Very truly yours,

ZEH, SAINT-AUBIN, SPOO & HEARNE



TREVA J. HEARNE

TJH/mh

Enclosures

c: Linda Bowman



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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, ) In Equity No. C-125-ECR  
 ) Subfile No. C-125-C  
 )  
 ) Plaintiff, )  
 ) **[PROPOSED] ORDER**

WALKER RIVER PAIUTE TRIBE, )  
 )  
 ) Plaintiff-Intervenor, )

v. )

WALKER RIVER IRRIGATION DISTRICT, )  
 et al., )  
 )  
 ) Defendants. )

---

MINERAL COUNTY, )  
 )  
 ) Proposed Plaintiff- )  
 ) Intervenor, )

v. )

WALKER RIVER IRRIGATION DISTRICT, )  
 et al., )  
 )  
 ) Proposed Defendants. )

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, ) In Equity No. C-125-ECR  
 ) Subfile No. C-125-C

Plaintiff, )

**ORDER**

WALKER RIVER PAIUTE TRIBE, )

Plaintiff-Intervenor, )

v. )

WALKER RIVER IRRIGATION DISTRICT, )  
et al., )

Defendants. )

MINERAL COUNTY, )

Proposed Plaintiff-  
Intervenor, )

v. )

WALKER RIVER IRRIGATION DISTRICT, )  
et al., )

Proposed Defendants. )



1 On April 3, 2000, the Court filed an Order Concerning Status of Service on Defendants  
2 (Doc. #327). Among other things, that order found that Mineral County had either failed to  
3 properly serve its Intervention Documents or the information contained in the record was  
4 insufficient to establish proper service with respect to 170 proposed defendants. The order also  
5 listed the names of these 170 proposed defendants. See Doc. # 327 at 3-6.

6 By order dated December 18, 2001, the Court directed counsel for the Walker River  
7 Irrigation District (the "District") to identify the remaining proposed defendants, from the 170  
8 names listed in the Order Concerning Status of Service, for which the District continued to  
9 object with respect to service by Mineral County of its Intervention Documents. Doc # 396.  
10 The District filed this list as directed by the Court on January 31, 2002. Doc. # \_\_\_\_.

11 A hearing on the District's objections concerning service of Mineral County's  
12 Intervention Documents was held by the undersigned Magistrate Judge on February 25, 2002.  
13 Present in person were Dale Ferguson on behalf of the District, Linda Bowman on behalf of the  
14 United States Board of Water Commissioners and Treva Hearne on behalf of Mineral County.  
15 Present by telephone were Alice Walker on behalf of the Walker River Paiute Tribe, Susan  
16 Schneider on behalf of the United States and Michael Neville on behalf of the California  
17 Attorney General. Based upon the written submissions and oral arguments of counsel at the  
18 February 25, 2002 hearing, the court finds and orders as follows:

19 A. The caption in this matter is hereby amended as follows:

- 20 1. Bolton Rose Trust, "Bolton Francis Minister," trustee;
- 21 2. Domenici 1991 Family Trust, "Lona Marie Domenici-Reese, Theolinda  
22 Anne Skogsberg and Sharon Vietti, co-trustees;"
- 23 3. Laurie "Coutts" is deleted from the caption and Laurie "Wilson" is  
24 substituted;
- 25 4. Laurie Rene "Moore" is deleted from the caption and Laurie Rene  
26 "Ogle" is substituted

26 B. The following parties are substituted in this matter:

- 27 1. Gable, Don Ray
- 28 2. Joseph J. and Bessie J. Lommori Trust, Joseph J. Lommori and Bessie J.  
Lommori, co-trustees.

- 1                   3.     Morgan Family 1996 Trust, James R. Morgan, Trustee
- 2                   4.     William S. Rauber and Charlotte F. Rauber Declaration of Trust,  
                      William S. Rauber, trustee
- 3                   5.     Savage, Keith
- 4                   6.     Savage, Virginia
- 5                   7.     Weaver Properties, LLC

6                   C.     Mineral County has properly served its Intervention Documents on the  
7 following proposed defendants:

- |   |   |
|---|---|
| 8           1.     Batchelder, Josephine S. &<br>Fred C. Family Trust, Connie<br>B. Jansen, & Leonard<br>Batchelder, Trustees | 15.     Lapham, Willis H.                                       |
| 10          2.     Bayer, Mildred   | 16.     Morose, Dan C.  |
| 11          3.     Bien, C. Helen   | 17.     Morose, Tara L.   |
| 4.     Bien, Richard  | 18.     Nannini, Anna Revocable Trust, Anna<br>Nannini, Trustee |
| 12          5.     Bolton Rose Trust, Francis &<br>Rose Alice Minister, Trustees  | 19.     Nutti Brothers  |
| 13          6.     Burnett, Kenneth R.  | 20.     Perrin Trust  |
| 14          7.     Burnett, Sharon L.   | 21.     Pinenut Ranch Cattle Corporation                        |
| 15          8.     California Dept. of Parks and<br>Recreation  | 22.     Rauber Trust  |
| 16          9.     Cal Neva Cattle Company  | 23.     Sceirine, Beverly                                       |
| 17          10.    Campbell, William J.   | 24.     Shehady, Daniel Paul                                    |
| 11.    Curtis & Sons Construction,<br>Inc.  | 25.     Smith Ranch Partnership                                 |
| 18          12.    Fox, Leonard A. Trust,<br>Elizabeth J. Leone, Trustee  | 26.     Sunrise Ranch, LLC                                      |
| 19          13.    Haas, Pamela   | 27.     Walker River Land Corp.                                 |
| 20          14.    Hunewill, Harvey E. and<br>Phyllis Trust, Harvey &<br>Phyllis Hunewill, Trustees                           | 28.     Yerington Paiute Tribe                                  |
|   | 29.     United States of America                                |

22                   D.     Mineral County has either failed to properly serve its Intervention Documents or  
23 the information contained in the record in this matter does not establish proper service with  
24 respect to the following proposed defendants.

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| 25           1.     Adams, Gregory Burton             | 5.     Casino West, Inc.   |
| 26           2.     Adams, Richard Taylor             | 6.     City of Los Angeles Dept. of Water<br>& Power                                       |
| 27           3.     Bently Family Limited Partnership | 7.     County of Mono  |
| 28           4.     Boardman, Dennis                  | 8.     Cremetti, William G. Trust, Wanda<br>M. Hicks and Verna N. Debrick, Co-<br>Trustees |

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|----|-----|---|-----|--|
| 1  | 9.  | Emens, Annette M.   | 44. | Porter, Tracee   |
| 2  | 10. | Emens, Theodore A.  | 45. | Price, Charles   |
| 3  | 11. | Emery, Brett  | 46. | Purrell, James E.  |
| 4  | 12. | F&B Trust, Alpers, Frederick E. &<br>Barbara L., Trustees                       | 47. | Romero Family Trust, Benito<br>Antonio & Linda Irene Romero,<br>Trustees                                 |
| 5  | 13. | Farias Revocable Trust Agreement,<br>Farias, Lester M. & Josephine,<br>Trustees | 48. | Santa Lucia Partners; L.P.   |
| 6  | 14. | Floyd, Betty  | 49. | Sceirine Fredericks Ranch  |
| 7  | 15. | Floyd, Frank  | 50. | Sciarani, Arnold Jr.   |
| 8  | 16. | Fulstone, Vivian D. Trust, Vivian<br>D. Fulstone, Trustee                       | 51. | Sepulveda, Mariana   |
| 9  | 17. | Gerbig, Arden   | 52. | Settlemyer Ranches, Inc., c/o<br>Arnold Settlemyer   |
| 10 | 18. | Gerbig, Evilo J.  | 53. | Sherlock, Michael  |
| 11 | 19. | Gerbig, Josephine A.  | 54. | Silverado, Inc.  |
| 12 | 20. | Gover, Edward E.  | 55. | Simmons, Patricia  |
| 13 | 21. | Hardy, Karen Lund   | 56. | Smith Valley Cattle Feeders  |
| 14 | 22. | Hervin, Patricia  | 57. | Smith, Daniel G.   |
| 15 | 23. | Jeppson, Deann M.   | 58. | Smith, Gaila M.  |
| 16 | 24. | Jeppson, Mark R.  | 59. | Smith, Grant   |
| 17 | 25. | Jones, Marjorie Ann   | 60. | Smith, Grant B.  |
| 18 | 26. | Keeley, Edith   | 61. | Smith, Shawna S.   |
| 19 | 27. | L&M Family Limited Partnership  | 62. | Soilfume, Inc.   |
| 20 | 28. | Larson, Roger   | 63. | Spragues, A Company of   |
| 21 | 29. | Lee, Linda P.   | 64. | Stanton, Kirk Andrew   |
| 22 | 30. | Lee, Wallace J.   | 65. | Stanton, Christy DeLong  |
| 23 | 31. | Menesini, Cynthia L.  | 66. | Stebbins, Richard W.   |
| 24 | 32. | Menesini, Orlando   | 67. | Stebbins, Roberta  |
| 25 | 33. | Moorehead, Emma M., S.P., Trust,<br>Katherine Goodman, Trustee                  | 68. | Steneri, Susan   |
| 26 | 34. | Nugent, Evelyn  | 69. | Stoneburner, Viola   |
| 27 | 35. | Nugent, George D.   | 70. | Sundance Cattle Company  |
| 28 | 36. | Nuti, Cynthia   | 71. | Sweetwater Land & Cattle Company   |
|    | 37. | Nuti, Nancy J.  | 72. | Tilley, Jerry E. Trust   |
|    | 38. | Nuti, Richard B.  | 73. | Vicencio, William K.   |
|    | 39. | Ogle, Laurie Rene   | 74. | Watkins, Mildred A.  |
|    | 40. | Pelayo, R.A.  | 75. | Weaver Properties, LLC   |
|    | 41. | Peri & Peri, A Partnership  | 76. | Weaver Revocable Trust<br>Agreement, William M. Weaver, Jr.,<br>Trustee & Rosemary F. Weaver,<br>Trustee |
|    | 42. | Peterson, Marvin & Lynn Trust,<br>Marvin F. & Lynn M. Peterson,<br>Trustees     | 77. | Williams Revocable Living Trust,<br>Jack H. & Evangeline A. Williams,<br>Trustees                        |
|    | 43. | Porter, Randy   | 78. | Wilson, Laurie   |

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79. Zippwald, Darlene S.

Dated: March \_\_\_\_\_, 2002

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United States Magistrate Judge

J:\pbc\WRID\0083\Order.doc

**CERTIFICATE OF MAILING**

I certify that I am an employee of Woodburn and Wedge and that on this date, I deposited in the United States Mail, postage prepaid, a true and correct copy of the foregoing **REPORT OF THE WALKER RIVER IRRIGATION DISTRICT CONCERNING STATUS OF SERVICE ON CERTAIN PARTIES** in an envelope addressed to:

Shirley A. Smith  
Assistant U.S. Attorney  
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General Manager  
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10 P.O. Box 853  
11 Yerington, NV 89447

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12 Linda Bowman\*\*  
13 540 Hammill Lane  
14 Reno, NV 89511

Kelly Chase  
P.O. Box 2800  
Minden, NV 89423

15 Dated this 30 day of April, 2002.

16 Penelope H. Colter  
17 Penelope H. Colter

18  
19 \*\*Due to the volume of the exhibits, only these parties have received a copy of the  
20 report with the exhibits. Please contact the Walker River Irrigation District's legal counsel if  
21 you have not but would like to receive a copy of the exhibits.  
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