

ORIGINAL

FILED

02 APR 30 PM 3:38

LANCE S. WILSON
CLERK
BY  DEPUTY

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

6
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,)

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

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

) **REPORT OF THE WALKER RIVER**
) **IRRIGATION DISTRICT**
) **CONCERNING STATUS OF SERVICE**
) **ON CERTAIN PARTIES**

16)
17 v.)

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

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

24 v.)

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

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
& 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,
Katherine Goodman, Trustee |
| 21 | 10. Emery, Brett | 31. | Nugent, Evelyn |
| 22 | 11. Farias Revocable Trust Agreement,
Farias, Lester M. & Josephine,
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
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,
Marvin F. & Lynn M. Peterson,
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. |

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- | | | | |
|-----|--|-----|--|
| 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
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
Agreement, William M. Weaver, Jr.,
Trustee & Rosemary F. Weaver,
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. &
Fred C. Family Trust, Connie
B. Jansen, & Leonard
Batchelder, Trustees | 14 | Hunewill, Harvey E. and Phyllis Trust,
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 &
Rose Alice Minister, Trustees | 18 | Nannini, Anna Revocable Trust, Anna
Nannini, Trustee |
| 6 | Burnett, Kenneth R. | 19 | Nuti Brothers |
| 7 | Burnett, Sharon L. | 20 | Perrin Trust |
| 8 | California Dept. of Parks and
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,
Inc. | 24 | Smith Ranch Partnership |
| 12 | Fox, Leonard A. Trust,
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.¹

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, Ins. 1 and 2.

23
24
25
26 ¹ 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 th30 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
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

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

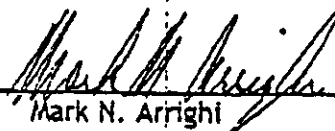
Hawthorne, NJ
Address of Server

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.

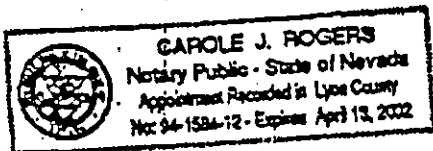
In accordance with the powers granted under Article IV of the William G. Cremetti Trust, Mark N. Arrighi, acting for himself and as the authorized representative of Kafoury, Armstrong & Co., hereby appoints Wanda M. Hicks to serve as Co-Trustee in his place. Verna N. Debrick shall continue to serve as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

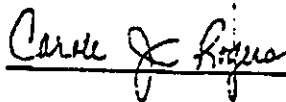
Dated this 29th day of FEBRUARY, 2000.


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.

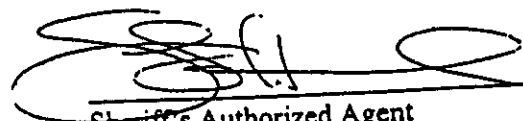
Service Fee: \$19.00

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

Phone: (775) 887-2020 (x1712)

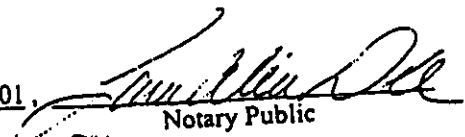
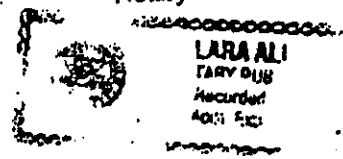
7. I am a Carson City Sheriff's officer and I certify that the foregoing is true and correct.

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 Remarks: _____

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

17 7.23.99
18 Date

19 [Signature]
20 Signature of Server

21 575 FOREST ST. SUITE 200
22 RENO, NV 89509
23 (Address of Server) C:\MyFiles\CLIENTS\MineralP-Return\114

8/5/02

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

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantee and to the heirs, successors and assigns thereof, forever.

IN WITNESS WHEREOF, the said Grantor has executed this conveyance the day and year first above written.

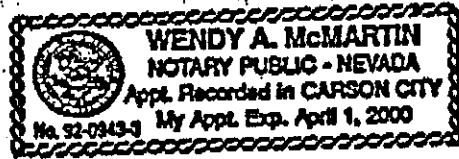
Frederick E. Alpers
FREDERICK E. ALPERS

Barbara L. Alpers
BARBARA L. ALPERS

STATE OF NEVADA)
) ss
CARSON CITY)

On July 21, 1997, personally appeared before me, a Notary Public, FREDERICK E. ALPERS and BARBARA L. ALPERS, who acknowledged that they executed the foregoing instrument.

Wendy A. McMARTIN
Notary Public



MICROFILMED

208490

OFFICE OF THE COUNTY CLERK
LYON COUNTY, NEVADA
RECORDED & INDEXED BY
Heaton & Erescher
97 AUG -5 AM 11:22

COUNTY RECORDER
FEE \$ *8.00* PER *22*

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. 78. 00

Mark R. Jepson
MARK R. JEPSON

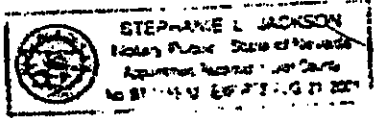
DeAnn M. Jepson
DeANN M. JEPSON

RONALD T. BANTA, CHARTERED
Attorney at Law
50 Broadway - P.O. Box 486
Yerington, Nevada 89447
Telephone (775) 443-8371

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.

Stephane J. Jackson
Notary Public



RECORDED
251784
Title Service & Escrow Co.
CO AUG 30 PM 1:31
FILE 700 *KL*

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
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
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.)

MINERAL COUNTY,)

Proposed-Plaintiff-Intervenor,)

vs.)

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

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

RETURN OF SERVICE

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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)
14 Plaintiff,)
15 WALKER RIVER PAIUTE TRIBE,)
16 Plaintiff-Intervenor,)
17 vs.)
18 WALKER RIVER IRRIGATION DISTRICT,)
19 a corporation, et al.;)
20 Defendants.)

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

RETURN OF SERVICE

21 -----)
22 MINERAL COUNTY,)
23 Proposed-Plaintiff-Intervenor,)
24 vs.)
25 WALKER RIVER IRRIGATION DISTRICT,)
26 a corporation, et al.)
27 -----)

28 I ROBERT D. SCATTINI , 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

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

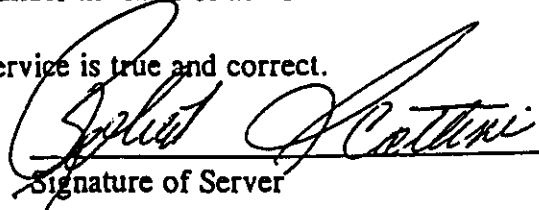
11 in the following manner:
12 served personally
13 left copies
14 unable to execute service (why) _____
15 _____

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

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

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 2535 Hy 208 (Address or location)
9 Wellington NV

10 in the following manner:

11 served personally

12 left copies

13 unable to execute service (why) _____

14 other (specify) _____

15 Remarks: _____

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

18 2/21/98
19 Date

20 [Signature]
21 Signature of Server

22 Box 1749
23 Reno NV 89505
24 (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 service, 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)

Clatsop, OR 9710
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: 8⁴⁰ 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-

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-

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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.)	
<hr/>		
MINERAL COUNTY,)	
)	
Proposed Plaintiff-)	
Intervenor,)	
)	
v.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
et al.,)	
)	
Proposed Defendants.)	
<hr/>		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

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

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

- | | | | | |
|----|-----|---|-----|--|
| 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. &
Barbara L., Trustees | 47. | Romero Family Trust, Benito
Antonio & Linda Irene Romero,
Trustees |
| 5 | 13. | Farias Revocable Trust Agreement,
Farias, Lester M. & Josephine,
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
D. Fulstone, Trustee | 51. | Sepulveda, Mariana |
| 9 | 17. | Gerbig, Arden | 52. | Settlemyer Ranches, Inc., c/o
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,
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
Agreement, William M. Weaver, Jr.,
Trustee & Rosemary F. Weaver,
Trustee |
| | 42. | Peterson, Marvin & Lynn Trust,
Marvin F. & Lynn M. Peterson,
Trustees | 77. | Williams Revocable Living Trust,
Jack H. & Evangeline A. Williams,
Trustees |
| | 43. | Porter, Randy | 78. | Wilson, Laurie |

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

79. Zippwald, Darlene S.

Dated: March _____, 2002

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
100 West Liberty Street, #600
Reno, NV 89509

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

George Benesch**
6100 Plumas Street
Suite 120
Reno, NV 89509

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

Kenneth Spooner**
General Manager
Walker River Irrigation District
P.O. Box 820
Yerington, NV 89447

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

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

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

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

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

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

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

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

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

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

Treva J. Hearne**
Zeh, Spoo, Quade & Hearne
575 Forest Service
Reno, NV 89509

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

Hank Meshorer
United States Department of Justice
Natural Resources Division
Ben Franklin Station
P.O. Box 7397
Washington, D.C. 20044

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
report with the exhibits. Please contact the Walker River Irrigation District's legal counsel if
20 you have not but would like to receive a copy of the exhibits.
21
22
23
24
25
26
27
28