

FILED  
 ENTERED \_\_\_\_\_ SERVED ON \_\_\_\_\_  
 COUNSEL/PARTIES OF RECORD  
 CLERK US DISTRICT COURT  
 DISTRICT OF NEVADA  
 BY: IN EQUITY NO. C-125-RCJ-WGC DEPUTY

UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEVADA

1 UNITED STATES OF AMERICA,  
 2  
 3 Plaintiff,  
 4  
 5 WALKER RIVER PAIUTE TRIBE,  
 6  
 7 Plaintiff-Intervenor,  
 8 vs.  
 9 WALKER RIVER IRRIGATION DISTRICT,  
 10 a corporation, et al.,  
 11  
 12 Defendants.  
 13  
 14 MINERAL COUNTY,  
 15  
 16 Proposed-Plaintiff-Intervenor,  
 17 vs.  
 18 WALKER RIVER IRRIGATION DISTRICT,  
 19 a corporation, et al.,  
 20  
 21 Proposed Defendants.

CLERK US DISTRICT COURT  
 DISTRICT OF NEVADA  
 BY: IN EQUITY NO. C-125-RCJ-WGC DEPUTY  
 Subproceeding: C-125-C  
 3:73-CV-00128-RCJ-WGC

**NOTICE IN LIEU OF SUMMONS**

TO: Sancho Rancho, LLC : (As \_\_\_\_\_ of  
 \_\_\_\_\_).

To the above named Defendant:

You have been named as a Defendant in a civil action. A Notice of Motion and Motion  
 for Intervention, Proposed Petition to Intervene, Amended Complaint in Intervention, and a  
 Motion for Preliminary Injunction by Mineral County, Nevada, claiming a right to a minimum  
 level of water for Walker Lake, which would affect the water rights under the Walker River  
 Decree which you (or the entity on whose behalf you are addressed) possess, have been filed in  
 the United States District Court for the District of Nevada, Reno, Nevada, Case No. C-125.  
 This matter has been assigned Subfile No. C-125-C, docket number 3:73-cv-00128-RCJ-WGC.

1           The time for responding to the Notice of Motion and Motion for Intervention will be  
2 established by further order of the Court. You are not required to respond to the Motion for  
3 Intervention until the Court establishes the time for responding to that motion. You are not  
4 required to answer or otherwise respond to the Proposed Petition to Intervene or Amended  
5 Complaint in Intervention and Amended Memorandum of Points and Authorities until the  
6 Court enters its decision on Mineral County's Motion to Intervene and then only upon a  
7 schedule to be established by further order of the Court. Similarly, you are not required to  
8 respond to Mineral County's Motion for Preliminary Injunction and Points and Authorities in  
9 support thereof until the Court enters its decision on Mineral County's Motion to Intervene and  
10 then only upon a schedule to be established by further order of the Court.

11  
12           You **are required**, within thirty (30) days after service of this Notice in Lieu of  
13 Summons upon you, to file with the Court and serve by mail on counsel for Mineral County,  
14 the Walker River Irrigation District, United States, Walker River Paiute Tribe, State of Nevada,  
15 State of California, and United States Board of Water Commissioners the attached Notice of  
16 Appearance and Intent to Participate. If you fail to do so, you shall nevertheless be deemed to  
17 have notice of subsequent orders of the Court and subsequent pleadings filed and served in this  
18 matter.  
19

20           The materials in this package include ten (10) documents that you should review.  
21 These documents are listed in Attachment A to this Notice in Lieu of Summons and are  
22 explained below. Please note that two of these documents address the sale or other conveyance  
23 of your water rights. Please read these materials carefully, as they are important to your legal  
24 rights and legal obligations.  
25

26           This package includes an Order Relating to Completion of Service that requires you to  
27 provide certain information to the Court and Mineral County.  
28

1           **The Order Relating to Completion of Service requires you to notify the Court and**  
2 **Mineral County within thirty (30) days of being served if you contend that you have been**  
3 **included in this litigation in error because at the time you were served, you claimed no**  
4 **water right under the Walker River Decree.** If you contend that you have been included in  
5 this litigation in error, the Order Relating to Completion of Service also requires you to provide  
6 certain information and documents related to the transfer of water rights that would be part of  
7 this litigation. If you disclaim any water right in this litigation, you must comply with the  
8 Order Relating to Completion of Service and you may use the form entitled DISCLAIMER OF  
9 INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND  
10 DOCUMENTATION SUPPORTING DISCLAIMER, which is attached to the Order Relating  
11 to Completion of Service and included herein. You should review this Order carefully and  
12 retain it and all forms attached to it for your files.  
13  
14

15           The Order Relating to Completion of Service also provides that if, during the course of  
16 this litigation, you sell or otherwise convey ownership of all or a portion of any water right  
17 under the Walker River Decree, you may use the JOINT MOTION FOR SUBSTITUTION OF  
18 PARTIES FOLLOWING TRANSFER OF INTEREST FORM, which is attached to the Order  
19 Relating to Completion of Service and included herein, to substitute your successor(s)-in-  
20 interest. You should retain this Order and the attached form for use whenever appropriate  
21 during the course of this litigation. You may also wish to make additional copies of the form  
22 attached to the Order for use if you sell or otherwise convey ownership of applicable water  
23 rights on more than one occasion during the course of this litigation. Pursuant to the Order  
24 Relating to Completion of Service and other orders of the Court, even if a successor-in-interest  
25 is not substituted, the successor will nonetheless be bound by the final decision of the Court.  
26

27           The STATEMENT NOTING DEATH form, which is attached to the Order Relating to  
28 Completion of Service and included herein, is for use by heirs or successors-in-interest should

1 the named Defendant die during the course of litigation. The contact information for the heir or  
2 successor must be included on this form. When a Statement Noting Death is filed with the  
3 Court, it must also be served on all parties listed on the form and filed with the Court. After a  
4 Statement Noting Death is filed and served, any party to the case may move to substitute the  
5 proper successor-in-interest to the deceased Defendant. Pursuant to the Order Relating to  
6 Completion of Service and other orders of the Court, if no Statement Noting Death is filed,  
7 even if a successor-in-interest is not substituted, the successor will nonetheless be bound by the  
8 final decision of the Court.  
9

10 DATED this 7<sup>th</sup> day of March, 2013.

**LANCE S. WILSON, CLERK**



(Seal)

Clerk of the Court

By: *Annanda L. Lybet*  
Deputy Clerk

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**NOTICE IN LIEU OF SUMMONS  
ATTACHMENT A**

Enclosed are the following ten (10) documents:

1. **Order Relating to Completion of Service;**
2. **Notice of Appearance and Intent to Participate form:** If you choose to sign this document, you **must** file the original with the District Court and you **must** send a copy of the document to the parties listed on the Notice of Appearance and Intent to Participate Certificate of Service;
3. **Disclaimer of Interest in Water Rights and Notice of Related Information and Documentation Supporting Disclaimer form;**
4. **Joint Motion for Substitution of Parties Following Transfer of Interest and Request for Hearing form;**
5. **Statement Noting Death form;**
6. **Mineral County's Notice of Motion and Motion for Intervention (October 25, 1994);**
7. **Mineral County's Proposed Petition to Intervene, Memorandum of Points and Authorities, and Supporting Affidavits of Kelvin F. Buchanan, Herman F. Staat, Marlene Bunch, and Louis Thompson (October 25, 1994);**
8. **Mineral County's Amended Complaint in Intervention (March 10, 1995);**
9. **Mineral County's Amended Memorandum of Points and Authorities in Support of Mineral County's Amended Complaint in Intervention (March 10, 1995); and**
10. **Mineral County's Motion for Preliminary Injunction and Memorandum of Points and Authorities and supporting affidavits (March 10, 1995).**