FILED Case \$:73-cv-00128-MMD-CSD Document 988 Filed PTOPO 1 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 2 DISTRICT OF NEVAD UNITED STATES OF AMERICA, DEPUTY BY: 3 Plaintiff, 4 3:73-cv-00128-MMD-WGC 5 WALKER RIVER PAIUTE TRIBE, 6 Plaintiff-Intervenor, DISCLAIMER OF INTEREST 7 v. IN WATER RIGHTS AND NOTICE OF RELATED 8 WALKER RIVER IRRIGATION DISTRICT. **INFORMATION AND** a corporation, et al., **DOCUMENTATION** SUPPORTING DISCLAIMER 10 Defendants. 11 MINERAL COUNTY, 12 Plaintiff-Intervenor, 13 14 WALKER RIVER IRRIGATION DISTRICT, 15 et al., 16 Defendants. 17 18 The undersigned defendant in the above action hereby notifies the Court and Mineral 19 County that the undersigned (or the entity on whose behalf the undersigned is acting) has no 20 interest in either any water right subject to the Walker River Decree or any water right based 21 on ownership of riparian land within the California portion of the Walker River Basin, and 22 therefore, disclaims all interest in this action. 23 24 In addition, because the undersigned sold or otherwise conveyed ownership of all of 25 the water rights that the undersigned (or the entity on whose behalf the undersigned is acting) 26 once owned before the undersigned was served with a Waiver of Personal Service of Notice in 27 28

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1	Lieu of Summons or by a Notice in Lieu of Summons the undersigned provides the following
2	additional information:
3	1. The name and address of the defendant or defendants who sold or otherwise conveyed
4	ownership:
5	Stephen H. MARTi
6	Name(s)
7	Box 1738 Street or P.O. Box
8	Goodnerville NVV 89410
10	Town or City State Zip Code
11	2. The name and address of each person or entity who acquired ownership: Misti Sullivan
12	Thimothy SullivAR
13	$\mathcal{O} \wedge \mathcal{O} $
14	Street or P.O. Box
15	Bridgeport CA 93517
16	Town or City State Zip Code
17	3. Attached to or included with this notice is a copy of the (check appropriate box(es)):
18	□ Deed □ Court Order
19	☐ Count Order ☐ Other Document
20 21	4. The undersigned acknowledges that any person or entity who files a Disclaimer of
22	Interest in this matter is ultimately responsible for the accuracy of this filing.
23	*This notice shall be filed with the Court at the following address and served as indicated on the attached certificate of service.
24	Chief Deputy Clerk
25	United States District Court for the District of Nevada
26	400 South Virginia Street, Suite 301 Reno, Nevada 89501
27	

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1	Consequently, the undersigned acknowledges that any person or entity who files such a			
2	notice, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by			
3	the results of this litigation.			
4	Executed this 30th day of September, 2021			
5	I ANLY			
6	[signature of defendant]			
7 8				
9	Stephen of MARTI [name of defendant]			
10	[name of defendant]			
11	Faignatura if annliaghla of nargan			
12	[signature, if applicable, of person acting on behalf of defendant]			
13				
14	[name, if applicable, of person acting			
15	on behalf of defendant] 80 Box 1738			
16	80 Box 1738 1286 Centerville LN GARDRERVILLE NU 89410			
17 18	[address]			
19	775 412 5615 [telephone number]			
20	[telephone number]			
21				
22				
23				
24				
25				
26				
27				

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CERTIFICATE OF SERVICE I certify that on 9-30-2021, 2021, I filed the foregoing with the Clerk of the Court, which will send notification of such filing via the CM/ECF system to the parties of record represented by an attorney and by email to unrepresented parties consenting to electronic service. of allast

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September 30, 2021

Chief Deputy Clerk United States District Court for the District of Nevada

Disclaimer of interest In Water Rights and Notice of related Information and Documentation Supporting disclaimer

Documents show Loretta Beth Eitel as the Primary Owner of Record, Water Right License ID: 000903 1/15/1987 to 6/13/2016.

Misti Sullivan became the Primary Owner of Record, Water Right License 000903 6/13/2016.

The certificate of Death show's Lori was the Primary Owner of Record when the business sold in 2016. Her passing is the reason I am acting as the named defendant.

Thank you

Stephen A Marti

DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF PUBLIC AND BEHAVIORAL HEALTH VITAL STATISTICS

4. SEX

Yes

CERTIFICATE OF DEATH **CASE FILE NO. 4071665** STATE FILE NUMBER TYPE OR 1a. DECEASED-NAME (FIRST, MIDDLE, LAST, SUFFIX) 2. DATE OF DEATH (Mo/Dav/Year) 3a, COUNTY OF DEATH PRINT IN EITEL-MARTI PERMANENT Loretta Beth March 10, 2019 Douglas BLACK INK 3b, CITY, TOWN, OR LOCATION OF DEATH 3c. HOSPITAL OR OTHER INSTITUTION Name(If not either, give street arl 3e, If Hosp, or Inst. indicate DOA, OP/Emer. Rm. Inpatient(Specify) Gardnerville 1286 Centerville Lane DECEDENT 7a. AGE-Last birthday 7b. UNDER 1 YEAR 7c. UNDER 1 DAY 8. DATE OF BIRTH (Mo/Day/Yr) 5. RACE (Specify) 6 Hispanic Origin? Specify DAYS HOURS MINS No - Non-Hispanic (Years) White 74 May 24, 1944 IF DEATH
OCCURRED IN
INSTITUTION SEE
HANDBOOK
REGARDING
COMPLETION OF
RESIDENCE
ITEMS 9b. CITIZEN OF WHAT COUNTRY 10. EDUCATION 11. MARITAL STATUS (Specify) 2. SURVIVING SPOUSE'S NAME (Last name prior to first marriage) 9a. STATE OF BIRTH (If not US/CA, Stephen MARTI name country) California United States 14 Married 14b. KIND OF BUSINESS OR INDUSTRY 13 SOCIAL SECURITY NUMBER 14a. USUAL OCCUPATION (Give Kind of Work Done During Most of Ever in US Armed 548-68-4672 Forces? No Owner Hospitality 15e. INSIDE CITY LIMITS (Specify Yes 15a, RESIDENCE - STATE 15b. COUNTY 15c, CITY, TOWN OR LOCATION 15d, STREET AND NUMBER 1286 Centerville Lane Douglas Gardnerville Nevada 16. FATHER/PARENT - NAME (First Middle Last Suffix) 17. MOTHER/PARENT - NAME (First Middle Last Suffix) **PARENTS** Richard Olin HUTCHINSON Virginia KING 18a, INFORMANT- NAME (Type or Print) 18b. MAILING ADDRESS (Street or R.F.D. No. City or Town, State, Zip) Stephen A MARTI 1286 Centerville Lane Gardnerville, Nevada 89410 19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify) 19b. CEMETERY OR CREMATORY - NAME 19c. LOCATION City or Town DISPOSITION **Autumn Cremation Services** Cremation Carson City Nevada 89701 20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such) 20b. FUNERAL DIRECTOF 20c. NAME AND ADDRESS OF FACILITY LICENSE NUMBER JOHN LAWRENCE Autumn Funerals & Cremations FD304 1575 N Lompa Ln Carson City NV 89701 SIGNATURE AUTHENTICATED TRADE CALL - NAME AND ADDRESS TRADE CALL 21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated (Signature & Title) SIGNATURE AUTHENTICATED 22a. On the basis of examination and/or investigation, in my opinion death occurred to the cause(s) stated (Signature & Title) SIGNATUI
NITA SCHWARTZ MD at the time, date and place and due to the cause(s) stated. (Signature & Title) 21c. HOUR OF DEATH CERTIFIER 21b. DATE SIGNED (Mo/Day/Yr) 22b. DATE SIGNED (Mo/Dav/Yr) 22c. HOUR OF DEATH March 20, 2019 08:45 21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER 22d. PRONOUNCED DEAD (Mo/Day/Yr) 22e PRONOUNCED DEAD AT (Hour) (Type or Print) 23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print) 23b. LICENSE NUMBER Nita Schwartz MD 710 W. Washington St. Carson City, NV 89703 9114 24a. REGISTRAR (Signature) 24c DEATH DUE TO COMMUNICABLE DISEASE 24b. DATE RECEIVED BY REGISTRAR ANGELICA RAMIREZ REGISTRAR (Mo/Dav/Yr) March 20, 2019 YES NO: X SIGNATURE AUTHENTICATED 25 IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).) Interval between onset and death **CAUSE OF** Pancreatic Cancer With Metastasis DEATH DUE TO, OR AS A CONSEQUENCE OF: Interval between onset and death CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE STATING THE UNDERLYING DUE TO, OR AS A CONSEQUENCE OF interval between onset and death DUE TO, OR AS A CONSEQUENCE OF Interval between onset and death

STATE REGISTRAR

28c HOUR OF INJURY



CERTIFIED COPY OF VITAL RECORDS

28g. LOCATION

28d. DESCRIBE HOW INJURY OCCURRED

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital-Records.

PART II OTHER SIGNIFICANT CONDITIONS-Conditions contributing to death but not resulting in the underlying cause given in Part 1.

28f, PLACE OF INJURY. At home, farm, street, factory, office

128b, DATE OF INJURY (Mo/Day/Yr)

building, etc. (Specify)

DATE ISSUED:

28a. ACC., SUICIDE, HOM., UNDET. OR PENDING INVEST, (Specify)

MAR 2 1 2019

This copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar

STREET OR R.F.D. No.



STATE

26. AUTOPSY (Specil 27. WAS CASE REFERRED TO CORONER

CITY OR TOWN

Yes or No)

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICAT

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STATE OF CALIFORNIA DEPARTMENT OF PUBLIC WORKS DIVISION OF WATER RESOURCES

Book

License for Diversion and Use of Water

LICENSE 903

PERMIT 1594 Holice of Assignment (OVER) PLICATION 3

THIS IS TO CERTIFY, That Charles M. Honn, Bridgeport, California,

ba ______made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of a spring in Mone County

tributary of Robinson Crock and East Walker River Brainage Area

for the purpose of 1rrigation

under Permit

1594

of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from

1884

1985:

that the amount of water to which such right is entitled and bereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed fifty-five hundredths (0.56) cubic foot per second from about April 1st to about October 31st of each season provided that in accordance with the provisions of Section 43 of the Water Commission Act, nothing herein shall be construed as confirming the right to use more than two and one-half (2) acre feet of water per acre in any one year in the irrigation of ungultivated areas of land not devoted to cultivated crops.

The point of diversion of such water is located North four hundred fifty (450) feet and West three hundred thirty (530) feet from center of Section 29, T 4 N, R 24 E, M.D.B. & M. being within the SR of NW2 of said Section 29.

The same of the same of the same of the same of

A description of the lands or the place where such water is put to beneficial use is as follows:

20 acres within the HW2 of SR2)
24 acres within the SW2 of SR2)
34 acres, total

Case 3:73-cv-00128-MMD-csp Document 988 Filed 10/01/2021 Page 8 of 14 conditions set forth in Section 20 of Chapter 786, Statutes 1913, which is as follows: Suc. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time us the water actually appropriated under such permits and licenses shall actually be used for the unfold and beneficial purpose for which and water was appropriated, but no longer; and every such permits and licenses shall actually be used for the unifold and beneficial purpose for which and twentown and licenses that shall include all locative all of appropriation of this mention and liberate the arratement that any appropriator of water, no when said permits or linear may be imped, shall take the same subject to such conditions as

Witness my band and the seal of the Department of Public Works of the State of California, this seventeenth EDWARD HYATT DETERMED NOTICE OF ASSISTMENT TO Lovetta Beth Eitel

1-15-87 Ownership chap to Rorette Beth Eitel

> DIVISION OF WATER RESOURCES LICENSE APPROPRIATE WATER DEPARTMENT OF PUBLIC WORKS Charles M. Honn

State Water Resources Control Board

July 22, 2016

MISTI SULLIVAN PO BOX 68 BRIDGEPORT, CA 93517 In Reply Refer to: SS: A003464

Dear Ms. Sullivan:

LICENSE 903 (APPLICATION A003464) A SPRING TRIBUTARY TO ROBINSON CREEK IN MONO COUNTY

Owner of Record Information

The Division of Water Rights (Division) received notification on June 13, 2016 that Misti Sullivan is the owner of the property served by (APN: 010-090-005-000) the water right License 903 (A003464). Generally, the ownership of a water right transfers with the change in ownership of the property being served which is identified as the place of use in the permit or license. A copy of this water right can be obtained by searching for your license and permit number from the Division's website at: https://ciwqs.waterboards.ca.gov/ciwqs/ewrims/EWPublicTerms.jsp

You are herein advised that unless the Division is informed in writing to the contrary within 30 days of the date of this letter, the Division records will show ownership as follows:

Primary Owner:
MISTI SULLIVAN
PO BOX 68
BRIDGEPORT, CA 93517

Co-Owner: ROBERT HAYES PO BOX 68 BRIDGEPORT, CA 93517 Co-Owner: TIMOTHY SULLIVAN PO BOX 68 BRIDGEPORT, CA 93517

Ownership Rights and Responsibilities

The Division's processing of the change in ownership is an administrative procedure and does not constitute a technical review of diversion or beneficial use of water under this right.

It is the responsibility of the new owner to know the terms and conditions of the Water Right. Below are some of the requirements of the new owner:

Designation of Primary Owner or Agent

One person must be designated to act as a primary owner or agent to represent all owners of the water right. Once a primary owner or agent is established, notice to the primary owner or agent is considered notice to all owners. When a primary owner or agent is not identified, the Division identifies the primary owner based on the majority ownership of the place of use and/or ownership of the point of diversion. All owners, however, have an opportunity to mutually designate another representative by signing and returning an Agent Assignment form that is available at: http://www.waterboards.ca.gov/water_issues/programs/ewrims/ownership/index.php

FELICIA MARGUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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REPORT OF LICENSEE FOR 2020

Primary Owner: MISTI SULLIVAN Primary Contact:

Date Submitted: 03/25/2021

Application Number: A003464 License Number: 000903

Source(s) of Water UNSP

POD Parcel Number

MAX Direct Diversion Rate: 0.55 CFS MAX Collection to Storage: 0 AC-FT Face Value: 233.5 AC-FT

Permitted Use(s)

Acres

Direct Diversion Season

Storage Season

County

Mono

44 04/01 to 10/31 Irrigation

Compliance with License Terms and Conditions		
I have currently reviewed my water right license and I am complying with all terms and condition	s Ye	es
Description of noncompliance with terms and conditions		

2. Changes to the Pro	ject
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

3. Purpose of Use	
Irrigation	

Irrigated Crops			
	Multiple Crops	Area Irrigated (Acres)	Primary Irrigation Method
Sod (lawn grass)	No	1	Sprinkler

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

4. Amount of Water Diverted and Used				
Month Amount directly diverted (Acre-Feet)		Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)	
January	0.005	0	0.005	
February	0.005	0	0.005	
March	0.007	0	0.007	
April	0.1	0	0.1	
May	0.12	0	0.12	
June	0.15	0	0.15	
July	0.2	0	0.2	
August	0.3	0	0.3	
September	0.3	0	0.3	
October	0.2	0	0.2	
November	0.05	0	0.05	
December	0.005	0	0.005	
Total	1.442	0	1.442	
Type of Diversion	Direct Diversion Only			
Comments				

5. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measure	ement Attachments		
Measurement ID Number	File Name	Description	Size
No.	o attachments		

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6. Maximum Rate of Diversion				
Month	Rate of Diversion (Cubic Feet Per Second)	Rate of Diversion (Cubic Feet Per Second)		
January	0.0050			
February	0.0050			
March	0.0070			
April	0.10			
May	0.12			
June	0.15			
July	0.20			
August	0.30			
September	0.30			
October	0.20			
November	0.05			
December	0.0050			

7. Water Transfers	
7a. Water transfered	No
7b. Quantity transfered (Acre-Feet)	
7c. Dates which transfer occurred	/ to /
7d. Transfer approved by	

Water Supply Contracts	Water Supply Contracts		
7e. Water supply contract	No		
7f. Contract with			
7g. Other provider			
7h. Contract number			
7i. Source from which contract water was diverted			
7j. Point of diversion same as identified water right			
7k. Amount (Acre-Feet) authorized to divert under this contract			
7l. Amount (Acre-Feet) authorized to be diverted in 2020			
7m. Amount (Acre-Feet) projected for 2021			
7n. Exchange or settlement of prior rights			
7o. All monthly reported diversion claimed under the prior rights			
7p. Amount (Acre-Feet) of reported diversion solely under contract			

			8. Storage		
	Spilled this year	Feet below spiliway at maximum storage	Completely emptled	Feet below spillway at minimum storage	Method used to measure water level

Credits Claimed			
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use
Claimed? (Yes/No)	No	No	No
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

Conservation Supporting Information	on
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks		

	Attachments	
File Name Description Size		
No Attachments		

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Last Name Sullivan

Relation to Water Right Primary Owner of Record

Information on Certification and Signa	tory
Name of Person Signing and Certifying the Report	Misti Sullivan
Date of Signature	03/25/2021



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e-WRIMS Public Summary Page

Return to Water Right Search

[Return to Water Right Search Results]

Application ID: A003464 View Document

Water Right Type:

Appropriative

Permit ID: 001594

Water Rights Status:

Licensed (06/04/1923) View Map

License ID:

000903

Primary Owner:

MISTI SULLIVAN

Current Parties	Relationship	Effective Date	Last Modified Date
MISTI SULLIVAN	Primary Owner	06/13/2016	06/13/2016
TIMOTHY SULLIVAN	Non-Primary Owner	06/13/2016	06/13/2016
Need to report a change of ownership or agent? <u>Click Here</u>			

Historical Parties

Record Summary		
Application Acceptance Date	06/04/1923	
Permit Issuance Date	01/04/1924	
License Issuance Date	04/17/1930	
Face Value Amount	233.5	

Name(s) of Sources of Water	County Location	Parcel Number	Diversion Site Name	Lat/Long Coordinates
UNSP	Mono			38.17846824 ; -119.35227677
				Map It

Beneficial Uses	Acres	Direct Diversion Season	Collection to Storage Season
Irrigation	44.0	4/1 to 10/31	

Electroni	Electronic Reports					
Year	Revision	Report Type	Date Received	View Report PDF		
2020	1	Report of Licensee	03/25/2021	• <u>View</u>		
2019	1	Report of Licensee	03/24/2020	• <u>View</u>		
2018	1	Report of Licensee	05/15/2019	• <u>View</u>		
2017	1	Report of Licensee	05/02/2018	• View		
2016	1	Report of Licensee	05/02/2018	• View		
2015	1	Report of Licensee	09/13/2016	• <u>View</u>		
2013	1	Report of Licensee	06/25/2014	• <u>View</u>		
2012	1	Report of Licensee	06/25/2013	• <u>View</u>		
2011	1	Report of Licensee	03/22/2012	• <u>View</u>		
2010	1	Report of Licensee	11/29/2011	• <u>View</u>		

^{*}For reports submitted prior to 2009, please contact our records room.

Water Rights Associated with Primary Owner			
Application ID	Water Right Type	Water Right Status	
A003464	Appropriative	Licensed	

Associated Decisions/Orders					
Decision/Order Number	Date	Description	View Document		

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PO Box 1738 Gardnerville, NV 89410

XRAYED US MARSHALS SERVICE







Chief Deputy Clerk
United States District Court
For the District of Nevada
400 South Virginia Street, suite 301

Reno, Nevada 89501