



1 All right. Then it's so ordered that they have  
2 been served, and the Rows are properly there.

3 MS. SCHNEIDER: Thank you.

4 That would take care of Item 2.

5 On Item 3 on the agenda, the service issues. This  
6 is also a matter that I want to flag for the Court's  
7 attention, and I'm not -- again, I'm not sure here how this  
8 should be handled, but now that we're finding issues of  
9 service, I believe about the end of calendar 2008 we are  
10 certainly seeing changes in ownership of properties that have  
11 been served already, that's one matter.

12 But the other matter is that because a lot of  
13 houses and other mostly houses being developed in the area,  
14 there are new wells being drilled, and so with the new wells  
15 would come new persons most likely to be served.

16 What we found, and this is primarily happening in  
17 Lyon County, that the county is about seven months behind in  
18 drilling of wells and adding that information into their  
19 database, and then when you add on our time to try to find  
20 them, identify these new wells -- doing personal service, the  
21 delay in pulling in these new wells could be up to a year.

22 So I wanted to identify that situation, and I'm not  
23 exactly sure how that should be handled. Certainly we're just  
24 going to right now pull in the new wells that we can find, but  
25 by the end of 2008, for example, potentially within the

1 categorization of persons to be served, but we haven't  
2 identified them yet, to be given an attempt of service.  
3 That's one issue, and then certainly as we move beyond 2008 we  
4 can assume that there will be additional new wells drilled and  
5 potentially new people to add to the list of entities to be  
6 served.

7 THE COURT: Anybody have any thoughts they  
8 want to add? Any thoughts, Mr. Ferguson?

9 MR. FERGUSON: Your Honor, Dale Ferguson on  
10 behalf of the Walker River Irrigation District.

11 I don't know, some of that information, and maybe  
12 Ms. Adams could comment, may be available through the state  
13 engineer's office. It would seem to me that before those  
14 folks could drill a well they would have to file the  
15 appropriate paperwork at the engineer's office.

16 THE COURT: Ms. Adams, do you know whether  
17 they do or not?

18 MS. ADAMS: As a matter of fact, the well  
19 logs, Mr. Ferguson is correct, the well logs are available  
20 through the state engineer. And I believe Ms. Schneider does  
21 access those records on a regular basis.

22 THE COURT: Are you better up-to-date than  
23 Lyon County?

24 MS. ADAMS: I wouldn't want to make any  
25 representations on that, your Honor. Just I would note that I

1 don't represent the state engineer's office, but I believe  
2 that before a well is drilled there needs to be a notice.

3 THE COURT: You might just have somebody check  
4 there, Ms. Schneider, and see if they have more up-to-date  
5 records.

6 At some point in time it seems to me we're going to  
7 have to say, we're going to proceed with the people that we  
8 have served and the stragglers we'll somehow have to deal  
9 with.

10 But I mean this could well go on indefinitely if we  
11 don't set some sort of a cutoff at some point.

12 MS. SCHNEIDER: First of all, we've been using  
13 the state engineer's well records on file a long time, and  
14 we're not sure that they're always adequate. So this is a  
15 second source of information that we've been using to try to  
16 make sure that we're sweeping it also.

17 Again, I agree with what the Court just said,  
18 having to figure out a time for a cutoff point is certainly  
19 something we have to start thinking about, not just in the  
20 abstract, but exactly how that will happen here.

21 So anyway, I did want to get that issue out there  
22 so the Court and parties know about it, and I would anticipate  
23 as we near the end of the calendar year, it would seem that we  
24 should talk about issues of cutting off the people that we're  
25 serving, or stopping doing certain amounts of service, and

1 then trying to figure out how to add people as appropriate.

2 THE COURT: You might just start adding that  
3 as an agenda item to the next agenda, to the next conference  
4 that we have.

5 MS. SCHNEIDER: I will.

6 The other point that I wanted to clarify, and I've  
7 said this before, that we would be -- our goal is to try to  
8 finish service by the end of calendar 2008, but that does not  
9 include confirming that service is complete and publication's  
10 complete, that we're dealing with completing service and  
11 making sure that's complete, and moving into publication,  
12 which I think is going to make sense, just to make sure that  
13 we catch any stragglers out there.

14 That would also assist with all of these wells.

15 I would ask that that would also be something we  
16 put on the agenda for our subsequent status conference.

17 THE COURT: Please do.

18 MS. SCHNEIDER: And I guess that gets me  
19 through Item Number 3.

20 And then Number 4 is to -- I think all we're really  
21 talking about today is to try to figure out how we're going to  
22 do any, if we do any, other briefing on the threshold issues  
23 and under what format and what schedule.

24 THE COURT: Apparently you have had some  
25 discussions, or maybe you haven't, I'm just assuming that you

1 I'm looking forward in anticipation of all this  
2 paperwork.

3 Have a nice rest of your summer. I'll see you in  
4 December.

5 (Court adjourned, 2:01 p.m.)  
6  
7

8 I hereby certify that the foregoing is a true and  
9 correct copy of the proceedings held in the  
10 above-entitled action.

11 \_\_\_\_\_ /s/ Cathy M. Worken  
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