

IGNACIA S. MORENO
Assistant Attorney General
Greg Addington, Assistant U.S. Attorney
Susan L. Schneider, Trial Attorney
U.S. Department of Justice
Environment and Natural Resources Div.
999 – 18th Street, Suite 370
Denver, Colorado 80202
(303) 844-1348
susan.schneider@usdoj.gov
Attorneys for the United States of America

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	IN EQUITY NO. C-125-RCJ
)	Subproceedings: C-125-B & C-125-C
Plaintiff,)	3:73-CV-00127-RCJ-WGC &
)	3:73-CV-00128-RCJ-WGC
WALKER RIVER PAIUTE TRIBE,)	
)	
Plaintiff-Intervenor,)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	UNITED STATES OF AMERICA’S LIST
a corporation, et al.,)	OF PROPOSED AGENDA ITEMS FOR
)	THE STATUS CONFERENCE
Defendants.)	SCHEDULED FOR DECEMBER 13, 2012
)	
<hr/> MINERAL COUNTY,)	
)	
Proposed-Plaintiff-Intervenor,)	
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.)	
)	
Proposed Defendants.)	
<hr/>)	

The United States of America (“United States”), Plaintiff in Case No. C-125 and Subproceeding C-125-B, submits the following proposed agenda to the Court for its Status Conference, scheduled for December 13, 2012. Pursuant to this Court’s direction, the United

States consulted with the other plaintiff parties and the primary defendants to prepare and submit this proposed agenda, which addresses issues in subproceedings C-125-B and C-125-C.

While the parties, including the United States, may not agree on the ripeness or timeliness of each issue on this agenda, these are outstanding issues before the Court that should be identified and discussed to some extent.

AGENDA ITEMS:

1. C-125-B:

a. Completion of Service and Service Issues:

- i. Status of remaining personal service efforts and related filings of Proofs of Service.
- ii. Status of serving the owners of riparian rights in California based on receipt of recent filings of statements of diversion and use.
- iii. Status update from the United States, State of California and Mono County on possible service on claimants with dormant riparian surface water rights under the laws of California.
 1. Address changes to be made on various forms. (Doc. B-##206, 207; Notice of Appearance, Waiver, etc.)
 2. Service phases.
- iv. Status updates on the following:
 1. Updating and circulating the draft caption.
 2. Compiling and circulating a preliminary list of defendants who have filed a notice of appearance, including those defendants represented by counsel.
 3. Compiling and circulating a preliminary list of persons and entities that were served and have not filed a notice of appearance.

b. Case Management Issues:

- i. Threshold Issues: Review of attached lists of proposed Threshold Issues.
- ii. Whether and when Answers are to be filed: Pending motion/briefing. (Doc. B-##1442, 1497, 1499, 1500, 1501).

- iii. Discussion of possible changes to CMO and related filing(s).
- 2. C-125-C : Completion of Service and Service Issues:
 - a. Status update from Mineral County/Walker Lake Working Group on service.
 - b. Status update from Mineral County/Walker Lake Working Group on its effort to compile a list of *pro se* parties.
- 3. Issues Common to Both Subproceedings:
 - a. Publication:
 - i. Scope: general notice and notice to identified but unserved persons/entities.
 - ii. Proposal for publication process.
 - b. Notification protocol and use in each sub-proceeding: Completion of draft E-service order. A draft *proposed Order Regarding Service and Filing In Subproceeding C-125-B On and By Unrepresented Parties* is attached to this agenda for review and discussion with the Court.
 - c. Website updates: status and coordination with Clerk's Office.
- 4. Such additional issues that may be identified subsequent to the filing of this agenda and/or at the status conference.
- 5. Confirmation of next status conference and/or informal meetings.

Dated: December 6, 2012

Respectfully submitted,

IGNACIA S. MORENO
Assistant Attorney General

Greg Addington, Assistant United States Attorney
Susan L. Schneider, Trial Attorney
U.S. Department of Justice
Environmental and Natural Resources Div.
999 – 18th Street, Suite 370
Denver, Colorado 80202
(303) 844-1348
susan.schneider@usdoj.gov

By /s/ Susan L. Schneider
SUSAN L. SCHNEIDER

Attorneys for the United States of America