

Scott B. McElroy
 Alice E. Walker
 GREENE, MEYER & McELROY, P.C.
 1007 Pearl Street, Suite 220
 Boulder, CO 80302
 303/442-2021

Kelly R. Chase
 P.O. Box 2800
 Minden, Nevada 89423
 775/782-3099

Attorneys for the Walker River Paiute Tribe

Shirley Smith
 Assistant United States Attorney
 Susan L. Schneider
 Department of Justice
 Environmental and Natural Resources Div.
 999 - 18th Street, Suite 945
 Denver, Colorado 80202
 303/312-7308

Attorneys for the United States of America

FILED
 JUN 20 PM 12:42
 U.S. DISTRICT COURT
 DENVER, COLORADO

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

UNITED STATES OF AMERICA,	)	IN EQUITY NO. C-125
	)	Sub-file No. C-125-B
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IDENTIFICATION OF METHODS
	)	USED BY THE UNITED STATES OF
Plaintiff-Intervenor,	)	AMERICA AND THE WALKER
	)	RIVER PAIUTE TRIBE TO
vs.	)	IDENTIFY PERSONS AND ENTITIES
	)	TO BE SERVED PURSUANT TO
WALKER RIVER IRRIGATION DISTRICT,	)	PARAGRAPH 3 OF THE CASE
a corporation, et al.,	)	MANAGEMENT ORDER
)	
Defendants.)	
_____)	

The following provides an identification of the methods used by the United States of America (“United States”) and the Walker River Paiute Tribe (“Tribe”) to identify the persons and entities to be served pursuant to Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) (“CMO”), as well as an update on our status in this identification effort. In the status conference of May 30, 2001, the Court directed the United States and the Tribe to provide a list of these methods for comment and

152

objections by any other parties prior to a determination by the Court as to whether these methods are reasonable. *Minutes of Court* (May 30, 2001).

In conjunction with this filing, the United States and the Tribe incorporate the following materials filed previously with the Court: *Status Report Submitted By the United States and the Walker River Paiute Tribe in Advance of this Court's Status Conference of October 16, 2000* (Oct. 13, 2000); *Status Report Submitted by the United States of America and the Walker River Paiute Tribe in Advance of this Court's Status Conference of December 21, 2000* (Dec. 19, 2000).

As reported previously to this Court and the parties, the United States has employed litigation support personnel to review and obtain documents, in consultation with the Tribe, in the offices of the U.S. Board of Water Commissioners, the District, the State of Nevada, the State of California, and elsewhere. The *Affidavit of Senior Paralegal, Dennis Becker* (June 12, 2001) ("Becker Aff."), Exhibit 1 hereto, details the level of effort we have made and our continued compliance with the Court's CMO. Becker Aff. ¶¶ 6, 12. We have also asked each party to identify and make available information within its respective offices that identifies such persons and entities.¹ It is logical that information relevant to the identification of potential parties would be in the custody or control of the named parties, based on their relationship to and responsibilities for the administration of various water rights. This effort is also ongoing and we expect that the parties will provide us with updated

¹See, e.g., *Status Report Submitted By the United States and the Walker River Paiute Tribe in Advance of this Court's Status Conference of October 16, 2000* at 1-2 (Oct. 13, 2000).

information in a timely and accurate manner. We have consulted additional sources within the states, including county recorders' and assessors' offices, as well as other investigatory resources. Our list of sources consulted is set forth initially in Paragraph 13 of Mr. Becker's Affidavit and these sources and related methods of identification are discussed in further detail thereafter on a category by category basis, according to the CMO. Becker Aff. ¶¶ 16 - 23.

We believe that this effort goes well beyond what is reasonable and necessary to satisfy due process. We believe that this effort amply meets the reasonableness test that the Court has decided to apply to this effort, as well as that applied by the Court in its review of Mineral County's similar efforts. *Minutes of the Court* at 2, No. C-125-C (Apr. 1, 1997).

Dated: 6 | 12 | 01

Respectfully submitted,

Shirley Smith, Assistant United States Attorney
Susan L. Schneider, Trial Attorney
U.S. Department of Justice
Environmental and Natural Resources Div.
999 - 18th Street, Suite 945
Denver, Colorado 80202
303/312-7308

By: A. F. Schneider
Susan L. Schneider
Attorneys for the United States of America

Dated: 6-18-01

Respectfully submitted,

Scott B. McElroy
Alice E. Walker
GREENE, MEYER & McELROY, P.C.
1007 Pearl Street, Suite 220
Boulder, Colorado 80302
303/442-2021

Kelly R. Chase
P.O. Box 2800
Minden, Nevada 89423
702/782-3099

By: Alice E. Walker
Alice E. Walker

Attorneys for the Walker River Paiute Tribe

CERTIFICATE OF MAILING

I hereby certify that on this 19th day of June 2001, I served a true and correct copy of the foregoing **"IDENTIFICATION OF METHODS USED BY THE UNITED STATES OF AMERICA AND THE WALKER RIVER PAIUTE TRIBE TO IDENTIFY PERSONS AND ENTITIES TO BE SERVED PURSUANT TO PARAGRAPH 3 OF THE CASE MANAGEMENT ORDER,"** by first-class mail, postage prepaid, addressed to the following persons:

Shirley Smith
Assistant U.S. Attorney
100 West Liberty Street, Suite 600
Reno, NV 89509

George N. Benesch
P.O. Box 3498
Reno, NV 89505-3498

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

Gary Stone
United States District Court Water Master
290 South Arlington Avenue, 3rd Floor
Reno, NV 89501

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

Hugh Ricci, P.E.
Nevada State Engineer's Office
123 West Nye Lane
Carson City, NV 89710

William Quinn
U.S. Department of the Interior
Office of the Solicitor
401 W. Washington St., SPC 44
Phoenix, AZ 85003

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

R. Michael Turnipseed, P.E.
Dept. of Conservation & Natural Resources
State of Nevada
123 West Nye Lane
Carson City, NV 89710

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

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

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

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

Roger Bezayiff
Chief Dep. Water Commissioner
U.S. Board of Water Commissioners
P.O. Box 853
Yerington, NV 89447

Kelly R. Chase
P.O. Box 2800
Minden, NV 89423

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

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

Treva J. Hearne
Zeh, St. Aubin, Spoo, & Hearne
575 Forest Street, Suite 200
Reno, NV 89509

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

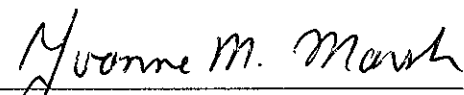
Linda A. Bowman
Debra B. Robinson
Bowman & Robinson
540 Hammill Lane
Reno, NV 89511

Daniel N. Frink
Water Resources Control Board
State of California
P.O. Box 100
Sacramento, CA 94814

Gordon H. DePaoli
Dale E. Ferguson
Woodburn and Wedge
6100 Neil Road, Suite 500
P.O. Box 2311
Reno, NV 89511

Craig Alexander
U.S. DOJ, ENRD, Indian Resources Section
P.O. Box 44378
L'Enfant Plaza Station
Washington, D.C. 20026-4378

Lou Leonard
U.S. Dept. of the Interior, Office of the
Secretary, Division of Indian Affairs
1849 C Street, N.W.,
Mail Stop 6456
Washington, D.C. 20240


Yvonne M. Marsh, Paralegal Specialist