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

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>WALKER RIVER PAIUTE TRIBE,<br><br>Plaintiff-Intervenor,<br><br>vs.<br><br>WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,<br><br>Defendants. | IN EQUITY NO. C-125<br>and<br>Sub-file No. C-125-B<br><br>**MEMORANDUM IN SUPPORT OF JOINT MOTION OF THE UNITED STATES OF AMERICA AND THE WALKER RIVER PAIUTE TRIBE FOR AMENDMENT OF THE COURT'S ORDER DENYING MOTION FOR CERTIFICATION OF DEFENDANT CLASSES OR FOR RELIEF FROM THIS SAME ORDER** |

The United States of America ("United States") and the Walker River Paiute Tribe ("Tribe") have moved this Court, pursuant to FED. R. CIV. P. 59(e), to alter, amend or vacate its Order of April 29, 2002, denying the *Joint Motion of the United States and the Walker River Paiute Tribe for Certification of Defendant Classes* (May 4, 2001) ("Joint Motion for Class Certification"). *Order*



181

(April 29, 2002). In the alternative, the United States and the Tribe move this Court for relief from this same order pursuant to FED. R. CIV. P. 60(b).

**A. Background:**

The *Case Management Order* (Apr. 18, 2000) ("CMO") directs the United States and the Tribe to join water users in nine categories of water right holders on the Walker River, estimated in June 2001 to number over 3,000, before the Court addresses the outstanding threshold issues relative to the Tribal Claims. *Id.* ¶ 3; *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, Exhibit 1: Affidavit of Dennis Becker* ¶ 25.d (June 12, 2001) ("Becker June 2001 Aff.").[1] As discussed below, the figure of 3,000 is low. Indeed, the Court has recognized that "[f]or some time now, various parties have had considerable difficulty in determining the current water right holders on the Walker River for purposes of service of process." *Order* at 4, No. C-125 (June 8, 2001) ("June 8 Order").

In seeking to comply with the Court's mandate to join water users who may be affected by the Tribal Claims,[2] the United States and the Tribe requested certification of a defendant class for two of

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[1]The Becker June 2001 Affidavit was filed subsequent to the Joint Motion for Class Certification, but was before the Court prior to argument of that motion. The Joint Motion for Class Certification referenced an earlier affidavit by Mr. Becker dated March 9, 2001. *E.g.*, Joint Motion for Class Certification at 5. As a general matter, Mr. Becker's affidavits demonstrated his ongoing work related to the identification of persons and entities to be served and demonstrate that the total number of potential defendants identified continues to increase.

[2]The CMO bifurcated the "claims of the Tribe contained in the First Amended Counterclaim of the Tribe and the claims of the U.S. on behalf of the Tribe (First, Second, and Third Claims for

the CMO's categories: 1) successors in interest to those individuals and entities whose rights are recognized in the *Decree* (Apr. 14, 1936), *modified, Order for Entry of Amended Final Decree to Conform to Writ of Mandate, Etc.* (Apr. 24, 1940) ("Decree"), and designated in Category 3(a) of the CMO; and 2) domestic well users in the sub-basins where the Court has deemed joinder of such users to be necessary, as designated in a portion of Category 3(c) of the CMO. Joint Motion for Class Certification, Mem. at 1. Under this proposal, certification of these two classes would be limited to the determination of a series of threshold questions under the CMO and for the declaration of the Tribe's rights. *Joint Reply of the United States of America and the Walker River Paiute Tribe to the Walker River Irrigation District and the State of Nevada Regarding the Certification of Defendant Classes* at 2 (Aug. 2, 2001) ("Joint Reply"). *See generally Report and Recommendation of U.S. Magistrate Judge* at 3-4 (Sept. 13, 2001) ("Report and Recommendation"). If the United States and the Tribe prevail on the threshold questions and additional tribal rights are recognized, decertification of the class and joinder of the individual class members would be necessary before the Court can address the issues associated with the administration of the tribal rights relative to other rights in the basin and questions concerning the validity and the extent of the individual water rights of the class members. Under the CMO, however, these issues would be addressed in subsequent phases of this litigation.

The United States and the Tribe filed their Joint Motion for Class Certification on May 4, 2001. This motion was initially heard by the Magistrate Judge, who recommended in September 2001 that the

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relief) set forth in the First Amended Counterclaim of the U.S." and defined these as the "Tribal Claims." CMO at p. 4.

motion be denied. Report and Recommendation. Thereafter, in October 2001, the United States and the Tribe filed their objections to the Magistrate Judge's Report and Recommendation. *Objection of the United States of America and the Walker River Paiute Tribe to the Report and Recommendation of U.S. Magistrate Judge Regarding Certification of Defendant Classes* (Oct. 26, 2001) ("Objection"). In addition, in January 2002, the United States and the Tribe provided a supplemental filing to their Objection to clarify that their continuing work shows that the number of potential defendants involved in the two proposed classes for certification is much higher than originally estimated. *Notice of Filing of Supplemental Affidavit Regarding the Objection of the United States of America and the Walker River Paiute Tribe to the Report and Recommendation of U.S. Magistrate Judge Regarding Certification of Defendant Classes* (Jan. 10, 2002) ("Supplemental Filing to Objection"). The Court issued its present Order on April 29, 2002.

**B. <u>This Court should alter, amend or vacate its Order.</u>**

The United States and the Tribe reiterate their arguments in all of their pleadings related to the Joint Motion for Certification, asserting that the Court's decision is based upon manifest errors of law or fact. The United States and Tribe respectfully move that the Court amend or vacate its decision to prevent manifest injustice.

FED. R. CIV. P. 59(e) authorizes this Court to alter or amend a judgment after its entry. The rule has also been interpreted to allow a motion to vacate a judgment rather than merely to amend it. *E.g., Foman v. Davis,* 371 U.S. 178 (1962). *See also* WRIGHT & MILLER, FEDERAL PRACTICE AND PROCEDURE, CIV. 2D, § 2810.1. Two of the four basic grounds on which a Rule 59(e) motion may be granted are applicable to the circumstances of this case: a Rule 59(e) motion may be granted to correct

manifest errors of law or fact upon which the judgment is based, as well as to prevent manifest injustice. *See id. and n. 17.*

FED. R. CIV. P. 60(b) provides an alternate remedy to address situations where an order or judgment should be changed or vacated to prevent manifest injustice. Pursuant to FED. R. CIV. P. 60(b), "[o]n motion and upon such terms as are just, the court may relieve a party . . . from a final judgment, order, or proceeding for . . . (6) any other reason justifying relief from the operation of the judgment."

**1. This Court should allow for the appointment of a class representative under FED. R. CIV. P. 23(a) for those persons and entities in Category 3(c) of the CMO who are domestic well users.**

The Court agrees that the United States and the Tribe have met all prerequisites of FED. R. CIV. P. 23(a), with one limited but important exception. Order at 13. In the Court's view, the State of Nevada does not have claims and defenses typical of the proposed class of domestic groundwater claimants in Category 3(c) of the CMO, such that it "is not an appropriate class representative" under FED. R. CIV. P. 23(a)(3) on behalf of these domestic well users. Order at 11-13.

First, we disagree that the State of Nevada cannot function as a representative party of these persons and entities. The Court simply asserts that the "state's focus will be on its decreed rights on the Walker River and its permit to flood waters in Walker Lake," which it contends "differ significantly from the claims and defenses of domestic well owners who rely on groundwater." Order at 11. Our information shows that the State of Nevada has groundwater interests relevant to CMO Category 3(c) on behalf of at least the Nevada Fish and Game Commission, the Nevada Division of Wildlife, and the Nevada Department of Transportation. *See, e.g.,* the documents in Attachment A to this Motion.

(This information is from a print-out dated August 9, 2001, which we were not able to update for purposes of this filing.) Consequently, it appears that the State's interests should also include claims and defenses that would be typical of other groundwater users in Category 3(c), such that it would, indeed, be an appropriate class representative.

Second, for the reasons set forth in our previous pleadings on this issue and as discussed below, we believe that the superior method of addressing this very large group of water users is in a class. Even if the Court were to continue to believe that the State of Nevada was unable to serve as a class representative for this group of its citizens, we wish to explore with the Court, and would be willing to agree to, the appointment of an alternate representative for this group who meets all the class representative criteria of FED. R. CIV. P. 23. Since this proposed class may include in excess of 2,600 persons and entities, *see* Supplemental Filing to Objection and affidavit of paralegal Dennis Becker, there are unquestionably other parties capable of serving this function.

**2. This Court should alter, amend or vacate its determination that the United States and Tribe failed to demonstrate that their proposed classes meet the requirements of at least one of the three subsections of FED. R. CIV. P. 23(b).**

The United States and the Tribe contend that the Court erred when it determined that the United States and the Tribe failed to meet the requirements of any of the three subsections of FED. R. CIV. P. 23(b). To the contrary, there is ample basis to support class certification under each of these factors.

**a. FED. R. CIV. P. 23(b)(1):**

FED. R. CIV. P. 23(b)(1) addresses two separate circumstances. FED. R. CIV. P. 23(b)(1) (A) allows a class action when separate actions may result in adjudications that would result in

"incompatible standards of conduct for the party opposing the class." FED. R. CIV. P. 23(b)(1)(B) allows a class action when separate actions could prevent non-party class members from adequately protecting their interests. The Court and the U.S. Magistrate simply concluded that subpart (b)(1) does not apply at all here because "there can be no other adjudications: all parties and claims to the Walker River that could be impacted by the claims of the United States and the Tribe must be joined in this action." Order at 14.

The Court does not explain this conclusion, which appears contradicted by *United States v. Truckee-Carson Irrigation Dist.*, 71 F.R.D. 10, 17 (D. Nev. 1975), in which the court held that the risk of varying and incompatible standards could occur even where a single court retains exclusive jurisdiction. In addition, the nature of the threshold questions, which address jurisdiction and other broader issues, makes clear that the Court wishes to address the extent of its authority over certain of the issues raised in this matter. Thus, there is no reason to believe that one or more parties may not attempt to obtain redress of some of these issues in other forums. For example, Mineral County has brought one action in the Nevada Supreme Court to determine the applicability of the public trust doctrine in the Walker River Basin, *Mineral County, et al. v. State of Nevada* (Case No. 36352, Nev. Sup. Ct.) (June 26, 2000), and has brought another action in federal district court in San Francisco regarding water quality standards and endangered species issues regarding Walker Lake. *Mineral County and Walker Lake Working Group v. EPA*, Case No. C-01-03894-MHP (N.D. Cal.).

**b. FED. R. CIV. P. 23(b)(2):**

FED. R. CIV. P. 23(b)(2) applies where "the party opposing the class has acted or refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the class as a whole." The Court simply dismissed the threshold questions in the CMO as "questions of applicable law, jurisdiction and defenses to the claims of the United States and the Tribe, [and] not issues of injunctive and declaratory relief. The United States and the Tribe are not asking for primarily injunctive or declaratory relief, even though that is part of their claims in Phase II." Order at 15-16.

At best, this determination splits hairs that are not capable of being split. The entire nature of this case is one that seeks injunctive or declaratory relief. The United States and the Tribe seek to obtain a declaration of the rights of the Tribe and other federal parties to water from the Walker River Basin and seek another order enjoining others from diverting or using water inconsistent with the Court's determination. It is simply not accurate to analogize this case to one "where the primary claim is for damages." Order at 16. Moreover, this determination ignores the practical reality of this case -- that any conclusions of law made in Phase I will bind all parties in subsequent phases and will profoundly impact the nature of any later declaratory and injunctive relief. In essence, the outlines of any subsequent declaratory or injunctive relief will be determined in Phase I and will carry over to the rest of the litigation. *See Southern Ute Indian Tribe v. Amoco Prod. Co.*, 874 F. Supp. 1142 (D. Colo. 1995), *rev'd on other grounds*, 119 F.3d 816 (10th Cir. 1997), *aff'd in part on reh'g en banc,* 151 F.3d 1251 (10th Cir. 1998), *rev'd on other grounds*, 526 U.S. 865 (1999).

**c. FED. R. CIV. P. 23(b)(3):**

Under FED. R. CIV. P. 23(b)(3), a class may be certified if (1) common questions of law or fact predominate and (2) the class action is the superior method of adjudicating the case. It is this portion of the Court's ruling that is possibly the most troubling to the United States and the Tribe, because it appears to us that we have more than amply demonstrated the applicability of this factor to justify the certifications requested.

**1. Predominance:**

The predominance test focuses on the relationship between the common and individual issues in order to determine if the common issues represent a significant aspect of the case and can be resolved in a single adjudication. *See Local Joint Executive Board of Culinary/Bartender Trust Fund v. Las Vegas Sands, Inc.*, 244 F.3d 1152, 1162 (9th Cir. 2001); *Hanlon v. Chrysler Corporation,* 150 F.3d 1011, 1022 (9th Cir. 1998); *Valentino v. Carter-Wallace, Inc.*, 97 F.3d 1227, 1234 (9th Cir. 1996). Moreover, the Ninth Circuit has also expressly recognized that common issues may be separated out in appropriate cases for treatment on a class basis:

> Even if the common questions do not predominate over the individual questions so that class certification of the entire action is warranted, Rule 23 authorizes the district court in appropriate cases to isolate the common issues under Rule 23(c)(4)(A) and proceed with class treatment of these particular issues.

*Valentino v. Carter-Wallace, Inc.*, 97 F.3d at 1234. The very purpose of the Phase I threshold issues is to identify and determine common legal issues and defenses prior to any individual determinations as to water rights, including determinations of the Tribal Claims. *See* CMO at 9-12. As a result, no answers or other pleadings are required by any defendant until further order of the Court. CMO at 12,

¶13. There is absolutely nothing about the Phase I threshold issues that would demonstrate other than that this phase is intended to address common legal issues.

While members of a class may vary as to how they view the potential impact to themselves of common issues, this does not change the common nature of such issues. Questions of jurisdiction in general, jurisdiction over groundwater, whether federal law or what other law governs groundwater pumping on the Tribe's reservation, whether the Court has jurisdiction over groundwater, and what relationship the Court should recognize, if any, between surface water and groundwater, for example, are simply basic questions as to the Court's jurisdiction and what law it will apply.

It is unlikely, for example, that there would be any difference in the positions of holders of decreed surface water rights as to the jurisdiction of the Court to adjudicate the claims of the United States and the Tribe to additional surface water. The same conclusion applies to the position of groundwater users as to the Court's authority to adjudicate groundwater rights. In addition, members of both of the proposed classes are likely to have common positions on whether the claims of the United States and the Tribe are valid on their merits and whether these claims are precluded by equitable defenses such as claim preclusion or issue preclusion. And the position of groundwater users on the questions of whether federal or state law applies to groundwater use by the Tribe, and the content and reach of the applicable law, are unlikely to be affected by the relative rights of groundwater users among themselves. In sum, either these issues challenge the right of the United States and the Tribe to bring their claims for reasons independent of any defendant's individual situation, or the questions raise such abstract issues, such as the rules of decision, that again depend in no way on

evaluation of individual circumstances. Consequently, certification of the defendant classes under FED. R. CIV. P. 23(b)(3) is appropriate to address those common issues.

The Court reasons, without explanation, that there are three possible groups of defendants in the possible classes – those who possess both groundwater and surface water rights, those who possess only groundwater rights, and those who possess only surface water rights – and that each group will have different issues and may take different positions based on their individual water rights and not the categories of service under the CMO. Order at 17. This is a distinction without a difference. First, while various individuals may have differing opinions on these issues, this does not change the essential nature of such questions as common issues. Clearly, there are significant common issues where the type of water right is unlikely to determine anyone's position. Second, with this analysis, the Court disregards the proposal to create two subclasses that divide the two types of interests. Moreover, there is ample authority under Fed. R. Civ. P. 23 to make further divisions into sub-classes if appropriate, and persons who wish to opt out of class treatment altogether may do so. FED. R. CIV. P. 23(c)(2). Third, in those possible cases where individuals take both surface and groundwater, the court does not explain why this circumstance means that individual issues are likely to predominate over common questions at the threshold stage. Once again, the separate classes allow common positions of each class to be asserted. Their various rights will be subject independently at a later phase to a review of these respective rights.

**2. <u>Superior Method:</u>**

The United States and the Tribe assert that their request for certification of classes is by far the superior method of handling this case. The determination of superiority focuses on whether class

proceedings offer advantages of efficiency and economy over other methods. *Zinser v. Accufix Research Institute, Inc.*, 253 F.3d 1180, 1190, *op. amended and superceded*, 273 F.3d 1266 (9th Cir. 2001). FED. R. CIV. P. 23(b)(3) provides a non-exhaustive list of potential pertinent factors and we agree that it is appropriate to consider the unique nature of this case as well.

First, the Court's Order overlooks the reality that the threshold issues (including any related appeals) will take considerable time to resolve and that the United States and the Tribe wish to have their claims heard before the passage of many more years. Certainly, as the Court noted, the threshold issues might go against the Tribe and the United States such that their prompt resolution before commencement of years of individual service efforts will save considerable amounts of money. *See In re Agency Orange Product Liability Litigation,* 818 F.2d 145, 166-167 (2d Cir. 1987), *cert. den.*, 484 U.S. 1004 (1988). But just as likely is the case that the United States and Tribe could prevail on the threshold issues and the other parties might then approach settlement with enhanced seriousness.

Second, as we have pointed out previously,[3] it is not fair for those persons and entities who are water rights holders under the Court's Decree to get all of the benefits of the Decree without any responsibilities. As a result of the Court's recent order and its earlier order denying the United States and Tribe's request that the Decreed rights holders be required to identify themselves, *see* n.3 and June

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[3] *See Joint Motion of the Walker River Paiute Tribe and the United States of America for an Order Requiring the Identification of All Decreed Water Rights Holders and Their Successors,* No. C-125 (June 29, 2000); *Reply Memorandum in Support of the Walker River Paiute Tribe and the United States of America for an Order Requiring the Identification of All Decreed Water Rights Holders and Their Successors*, No. C-125 (Dec. 7, 2000); *Objection of the United States of America and the Walker River Paiute Tribe to the Report and Recommendation of the U.S. Magistrate Judge*, No. C-125 (Apr. 6, 2001).

8 Order, the Court has allowed these persons to reap all of the benefits of the Decree and, in essence, maintain a judicially-sanctioned anonymity. Instead, the United States Board of Water Commissioners, a local entity appointed under the authority of the Decree, and the Walker River Irrigation District ("WRID"), the two primary groups involved in implementation of the Decree on a daily basis, claim that while their assessment lists are adequate for purposes of distributing and regulating water use under the Decree and sending out bills for payment, these lists somehow are not competent for purposes of identifying those persons and entities that have succeeded to the water rights listed in the Decree. The United States and the Tribe have already asked this Court to require these water rights holder to identify themselves and have been unsuccessful. The Court has also not sanctioned the use of the WRID and United States Board of Water Commissioner assessment lists, combined with publication, as sufficient for service purposes. It seems to us that handling this group of water users as a class is a reasonable alternative under the circumstances. It also seems to us that the Court should not refuse to allow us to pursue either option – that is, use of the WRID and United States Board of Water Commissioner assessment lists and publication or certification of these water users as a class. By this motion, we ask the Court to reconsider these two approaches to service on this group of water users.

Third, the reasonableness of the class certification option is all the more apparent in light of the Court's recognition that certain water right holders are actively resisting service of process. Order at 8. We do not believe that the Court should indirectly sanction or directly permit any person or entity to evade service. While we do not believe that the Court would sanction such behavior, its rulings invite resistance to service. We believe strongly that the Court must take charge of this litigation and enable it

to proceed to be considered on its merits and not allow the delaying tactics of opponents, including persons who seek to evade service, to delay this case.

Fourth, the Court's response to our concerns about efforts to evade service is that it believes the United States and Tribe will have a less difficult time with identification, joinder, and service than has been the case for Mineral County. Order at 8. To the contrary, we have no assurance or indication that our efforts at service will be any more successful than those of Mineral County. Moreover, since the County only has to serve the equivalent of Category 3(a) on the CMO and the United States and the Tribe have to serve persons and entities in nine different categories, it is plain that we will have to serve considerably higher number of persons and entities. In addition, we have seen no indication in the Mineral County effort that it will be permitted to do publication on any aspect of its service effort in the reasonably foreseeable future. Rather, we only see a never-ending series of status conferences where the opposing parties pick at the quality of Mineral County's service in an apparent effort to force an unattainable level of perfection on service before publication may be attempted. We have no reason to doubt that these and other attacks await our efforts to do service.[4] The Court also cites the work of the

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[4]/With respect to the status of service on persons and entities in the other CMO categories, we are in the process of finalizing a package of service documents, which would incorporate significant work done on this issue with the United States Magistrate. We have already provided an advance copy of these materials to counsel for WRID and requested their comments prior to preparing a submission to the Court. We intend to conduct service on these other categories, to the extent possible, in phases, in part to conduct service in manageable numbers and in part to review any problems associated with service with the Court promptly. We have also informed the United States Magistrate that if service on other of the CMO categories proves unreasonably problematic, we may seek certification of additional defendants classes. Once this service package is approved, we can commence service on some or all of the other CMO categories of persons and entities to be served.

United States' paralegal – Dennis Becker and the "resources of the United States government to aid in the actual service of process." Order at 9. Mr. Becker is but one person, albeit a dedicated and capable person.[5] If we are forced to conduct personal service on persons who have elected to evade process, the United States will have to hire special process servers and private investigators at considerable cost to track down missing people and people who are evading service.[6] The resources of the United States are not unlimited, especially in these post-September 11 days. Moreover, we see no rational reason to spend significant resources conducting personal service on persons who wish to evade service when class certification is an available option at this point and will satisfy notice and due process concerns.

Fifth, the large numbers and relatively smaller interests of the domestic groundwater users in Category 3(c) make class certification the most efficient and desirable method of addressing these claims. As noted in the Supplemental Filing to Objection and affidavit of paralegal Dennis Becker, the sheer numbers of these interests – likely to be in excess of 2,600 – underscores the logic of class certification. Moreover, these interests are relatively small when compared with some of the water rights of the large irrigators; indeed, many of these persons and entities may be forced to be included in this action simply because they have a domestic well. And while we are by no means minimizing the importance of a drinking water well, as we have explained previously, these wells are handled outside

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[5]He has also retired and we have hired a new paralegal.

[6]The United States Marshals Service is not a realistic option for use here and has not been available for such massive amounts of civil process work for many years, if ever, because of the Service's own resource constraints and primary focus on criminal matters.

of the Nevada state water rights priority system. Furthermore, it appears to us to be overly-burdensome to force small water users to be defendants here when they might be treated as a class.[7] Finally, we think that the amount of time that might be necessary to conduct personal service on each of these persons and entities is unduly large.

Sixth, the Court does not address the problem of the constant shifts in memberships of the various proposed classes. Indeed, every day of each year, there will likely be different members of each class, especially the domestic class. It is unreasonable to expect tracking of each residential transaction within the areas included in Category 3(c) of the CMO. The class certification approach for these classes would assist with this problem.

Finally, the Court's Order appears to mandate that the burden for bringing this case must rest solely on the United States and the Tribe and that there is no means short of complete personal service on every person and entity potentially affected by this case before any of the merits of this case can be heard. We contend that this works to deny the Tribe its constitutional right of access to the courts, as we are now approaching several years of pretrial procedures without having our claims heard. *See Three Affiliated Tribes of the Fort Berthold Reservation v. Wold Engineering,* 476 U.S. 877, 888 (1986); *Boddie v. Connecticut,* 401 U.S. 371, 377 (1971). We contend that this places an undue

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[7]Addressing these water rights users in the manner proposed could be analogized to the manner in which Congress directed the United States to address small contributors of hazardous wastes under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9622(g). In addition, while the Court asserts that if "defendant members thought their interests would be best protected by a class, they would have moved to certify a class action," Order at 21, there is no evidence that potential class members have ever rejected, let alone considered, this manner of participating in this case.

burden on the United States and the Tribe. Certainly, in any balance between the right of the Tribe to have its issues heard by a Court and the right of a person or entity potentially affected by these issues, there should be some means by which sufficient notice may be given without causing undue delays in having the claims heard. Here, for the two specific classes proposed, we believe that balance can be struck at this stage in the litigation by certifying these two proposed classes.

## CONCLUSION

WHEREFORE, for the above reasons and such other reasons that may appear to the Court, the United States and Tribe respectfully request that this motion be granted and that the Court permit certification of the two proposed classes. As to the persons and entities within Category 3(a) of the CMO, in the alternative, the United States and the Tribe request a ruling that service based on the current assessment list of WRID and the United States Board of Water Commissioners, plus publication, is sufficient for purposes of meeting all due process and other requirements of service in this matter.

Date: May 8, 2002

Respectfully submitted,

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# Nevada Division of Water Resources

## Well Log Database

## Query Results

| Basin | County | Qtr-Qtr | Section | Twp | Rng | Owner | Date Complete | Well Log # | Driller Lic# | Total Depth | Static Water Level | Casing Diameter | APN | Work Type | Propo: Use |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 108 | 32019 | NE SW | 18 | 14N | 26E | STATE OF NEVADA | 8/16/1988 | 30624 | 675 | 415 | 20.5 | 26 | | N | Q |
| 108 | 32019 | NE SW | 18 | 14N | 26E | NV DEPT OF WILDLIFE | 8/11/1986 | 27730 | 1454 | 540 | 6 | 4 | | N | N |
| 108 | 32019 | SE NW | 18 | 14N | 26E | STATE OF NEVADA | 5/24/1988 | 30269 | 1548 | 375 | 13 | 26 | | N | Q |
| 108 | 32019 | SE NW | 18 | 14N | 26E | DEPARTMENT OF WILDLIFE | | 34361 | 1448 | 535 | | 6 | | P | U |
| 108 | 32019 | SE NW | 18 | 14N | 26E | NV DEPT OF WILDLIFE | 8/18/1986 | 27729 | 1454 | 380 | 6 | 6 | | T | X |
| 108 | 32019 | NW SW | 19 | 14N | 26E | STEWART, MIKE | 5/11/1985 | 26695 | 870 | 99 | 5 | 8.62 | | N | H |
| 108 | 32019 | NE NW | 22 | 14N | 26E | O-N RANCH | 2/15/1991 | 35815 | 634 | 258 | 16 | 6.62 | 14-321-06 | N | H |
| 108 | 32019 | NE SE | 22 | 14N | 26E | ROWLEY, CLYDE | 8/7/1991 | 37350 | 634 | 143 | 20 | 6.62 | 14-341-06 | N | H |
| 108 | 32019 | SE NW | 22 | 14N | 26E | REVIGLIO, TOM | 11/11/1999 | 78222 | 1713 | 160 | 10 | | | P | I |
| 108 | 32019 | SE NW | 22 | 14N | 26E | REVIGLIO, TOM | 2/22/1999 | 74843 | 1572 | 480 | 12.1 | 17.4 | | N | I |
| 108 | 32019 | NW SW | 23 | 14N | 26E | DAVIDSON, LEE | 6/10/1994 | 46657 | 634 | 142 | 25 | 5 | 14-332-10 | D | H |
| 108 | 32019 | SW NW | 23 | 14N | 26E | OGDEN, RUTH | 9/13/1994 | 47546 | 634 | 279 | 25 | 6.62 | 14-331-03 | N | H |
| 108 | 32019 | SW SW | 23 | 14N | 26E | THOMAS, HAROLD | 3/8/1984 | 25231 | 870 | 119 | 10 | 6.62 | | N | H |
| 108 | 32019 | NE | 25 | 14N | 26E | BUTTERLY, JAMES OR ELLEN | 1/20/1996 | 52000 | 1876 | 200 | 111 | 6.62 | 14-372-110 | N | H |
| 108 | 32019 | NW NW | 26 | 14N | 26E | SUN MESA MINING | 9/2/1996 | 54954 | 1876 | 120 | 26 | 6.62 | 14-351-20 | N | H |
| 108 | 32019 | NW NW | 26 | 14N | 26E | SUN MESA MINING CO | 9/5/1996 | 56974 | 1877 | 160 | 40 | 6.62 | 14-351-25 | N | H |
| 108 | 32019 | NW NW | 26 | 14N | 26E | SUN MESA MINING CO | 9/4/1996 | 56978 | 1877 | 160 | 40 | 6.62 | 14-351-18 | N | H |
| 108 | 32019 | NW NW | 26 | 14N | 26E | SUN MESA MINING CO | 9/3/1996 | 56976 | 1877 | 160 | 40 | 6.62 | 14-351-21 | N | H |
| 108 | 32019 | SW NE | 26 | 14N | 26E | GLEN, NETTIE | 5/19/1986 | 26696 | 870 | 148 | 69 | 6.62 | | N | H |
| 108 | 32019 | SW NW | 26 | 14N | 26E | ROSSMAN, DOUG & BEATRICE | 10/4/1994 | 55091 | 634 | | | 6 | 14-351-06 | P | H |
| 108 | 32019 | SW NW | 26 | 14N | 26E | ROSSMAN, DOUG & BEATRICE | 9/2/1994 | 55090 | 634 | 179 | 56 | 6.62 | 14-351-06 | S | H |
| 108 | 32019 | SW SE | 31 | 14N | 26E | RITTER, JOHN | 2/16/2001 | 82570 | 1713 | 241 | 8 | 16 | | P | I |
| 108 | 32019 | SE NE | 32 | 14N | 26E | LANDOLT, JOE | 2/20/2001 | 82569 | 1713 | 308 | 8 | 14 | | P | I |
| | | | | | | LANDOLDT | | | | | | | | | |



ATTACHMENT A

# Nevada Division of Water Resources

## Well Log Database

## Query Results

| Basin | County | Qtr-Qtr | Section | Twp | Rng | Owner | Date Complete | Well Log # | Driller Lic# | Total Depth | Static Water Level | Casing Diameter | APN | Work Type | Prop Use |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 108 | 32019 | SW SE | 29 | 14N | 25E | ROBERSON, A L | 1/30/1986 | 26692 | 870 | 120 | 33 | 6.62 | | N | H |
| 108 | 32019 | SW SE | 29 | 14N | 25E | RODERICK, JOE & EMOGEAN | 6/20/1994 | 46654 | 634 | 159 | 47 | 6.62 | 04-083-03 | N | H |
| 108 | 32019 | SW SE | 29 | 14N | 25E | GILES, WILLIAM C | 8/1/1996 | 58915 | 1905 | 150 | 35 | 6.62 | 14-271-63 | N | H |
| 108 | 32019 | SW SE | 29 | 14N | 25E | GILES, WILLIAM | 3/25/1998 | 71631 | 718 | 155 | 50 | 6 | 14-271-61 | N | H |
| 108 | 32019 | SW SE | 29 | 14N | 25E | GILES, WILLIAM | 4/8/1998 | 71630 | 718 | 140 | 40 | 6 | 14-271-60 | N | H |
| 108 | 32019 | SW SE | 29 | 14N | 25E | GILES, WILLIAM | 3/10/1998 | 71629 | 718 | 150 | 30 | 6 | 14-271-62 | N | H |
| 108 | 32019 | SW SE | 29 | 14N | 25E | KENNEDY, KEITH | 6/20/1996 | 67351 | 634 | 139 | 30 | 6.62 | 04-083-01 | N | H |
| 108 | 32019 | SE NE | 30 | 14N | 25E | ARIMETCO INTERNATIONAL | 12/8/1992 | 40322 | 641 | 500 | 240 | 4 | | N | G |
| 108 | 32019 | NE NE | 31 | 14N | 25E | KASSEBAUM, DARRELL | 5/25/2000 | 81115 | 1876 | 260 | 78 | 6.62 | 14-281-05 | N | H |
| 108 | 32510 | SE | 31 | 14N | 25E | U S BUREAU OF LAND MANAGEMENT | 7/7/1961 | 6025 | 93 | 110 | 90 | 6 | | N | S |
| 108 | 32019 | NE | 32 | 14N | 25E | JOCHEM, JOHN | 5/8/1996 | 58927 | 1876 | 109 | 67 | 6.62 | 14-271-24 | N | H |
| 108 | 32019 | NW NE | 32 | 14N | 25E | BARCELLOUS, WADE | 10/14/1985 | 26693 | 870 | 139 | 30 | 6.62 | 2 | N | H |
| 108 | 32019 | SE NE | 32 | 14N | 25E | ANDERSON, PAUL | 11/12/1992 | 39956 | 1740 | 113 | 33 | 6.62 | 04-092-03 | N | H |
| 108 | 32019 | SW SE | 32 | 14N | 25E | ANACONDA MINERALS | 10/25/1983 | 25331 | 1366 | 155 | 3 | 10 | | N | G |
| 108 | 32019 | NE NW | 33 | 14N | 25E | FOUR G CORP | 6/2/1993 | 49093 | 671 | 200 | 20 | 8.62 | | N | S |
| 108 | 32019 | SE SW | 33 | 14N | 25E | PERI & SONS | 2/15/2001 | 82983 | 1572 | 523 | 14 | 30 | | N | I |
| 108 | 32019 | SE SW | 33 | 14N | 25E | HUNEWILL, HARVEY | 4/7/1986 | 26694 | 675 | 500 | 12 | 16 | | N | I |
| 108 | 32019 | NW SW | 34 | 14N | 25E | PERI, BUTCH & DAVID | 10/30/1992 | 40004 | 1713 | 430 | 50 | 16 | | N | I |
| 108 | 32019 | SW SW | 34 | 14N | 25E | NEILSON, NORMAN | 1/18/1988 | 29482 | 530 | 123 | 7 | 6.62 | | N | H |
| 108 | 32019 | SW NW | 09 | 14N | 26E | WALLACK, RICHARD | 10/13/1995 | 77109 | 634 | 249 | 99 | 6.62 | 14-371-24 | N | H |
| 108 | 32019 | SW NW | 14 | 14N | 26E | GENE BINGEMAN FMLY TRUST | 7/26/1991 | 37383 | 1533 | 200 | 30 | | | P | I |
| 108 | 32019 | SW NW | 14 | 14N | 26E | GENE BINGEMAN FMLY TRUST | 7/3/1991 | 37384 | 1533 | 400 | 35 | 16 | | N | I |
| 108 | 32019 | NE NW | 18 | 14N | 26E | STATE OF NEVADA | 6/28/1988 | 30272 | 1548 | 410 | 13.6 | 26 | | N | Q |
| 108 | 32019 | NE NW | 18 | 14N | 26E | STATE OF NEVADA | 6/7/1988 | 30271 | 1567 | 400 | 12.4 | 26 | | N | Q |
| 108 | 32019 | NE SW | 18 | 14N | 26E | STATE OF NEVADA | 7/15/1988 | 30270 | 1548 | 415 | 14.2 | 26 | | N | Q |

# Nevada Division of Water Resources

## Well Log Database

## Query Results

| Basin | County | Qtr-Qtr | Section | Twp | Rng | Owner | Date Complete | Well Log # | Driller Lic# | Total Depth | Static Water Level | Casing Diameter | APN | Work Type | Propo Use |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 108 | 32019 | NW SW | 14 | 13N | 25E | YERINGTON ELEMENTARY SCHOOL | 10/27/1996 | 64429 | 1028 | 25 | 10 | 4 | | N | G |
| 108 | 32019 | NW SW | 14 | 13N | 25E | LYON CO SCHOOL DIST | 6/12/1992 | 39763 | 1023 | 30 | 19 | 2 | | N | G |
| 108 | 32019 | NW SW | 14 | 13N | 25E | YERINGTON ELEMENTARY SCHOOL | 10/27/1996 | 64428 | 1028 | 25 | 10 | 4 | | N | G |
| 108 | 32019 | NW SW | 14 | 13N | 25E | YERINGTON ELEMENTARY SCHOOL | 10/26/1996 | 64427 | 1028 | 20 | 10 | 4 | | N | G |
| 108 | 32019 | NW SW | 14 | 13N | 25E | YERINGTON ELEMENTARY SCHOOL | 2/6/1997 | 68586 | 1028 | 25 | 10 | 2 | 01-162-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | STATE OF NEVADA DEPT OF TRANSP | 11/19/1998 | 73526 | 1028 | 19 | 12.4 | 2 | 001-059-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | STATE OF NEVADA DEPT OF TRANSP | 11/19/1998 | 73506 | 1028 | 23 | 10 | 2 | 001-059-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | STATE OF NEVADA DEPT OF TRAMSP | 11/19/1998 | 73524 | 1028 | 20 | 9.26 | 2 | 001-059-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | STATE OF NEVADA DEPT OF TRANSP | 11/19/1998 | 73505 | 1028 | 23 | 9.5 | 2 | 001-059-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | STATE OF NEVADA DEPT OF TRANSP | 11/19/1998 | 73523 | 1028 | 23 | 10 | 2 | 001-059-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | STATE OF NEVADA DEPT OF TRANSP | 11/19/1998 | 73525 | 1028 | 18 | 12.7 | 2 | 001-059-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | STATE OF NEVADA DEPT OF TRANSP | 11/19/1998 | 73507 | 1028 | 23 | 10 | 2 | 001-059-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | STATE OF NEVADA DEPT OF TRANSP | 11/19/1998 | 73527 | 1028 | 18 | 12.8 | 2 | 001-059-01 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON MARKET | 2/7/1997 | 68587 | 1028 | 20 | 6.5 | 4 | 01-114-14 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON COUNTY SCHOOL DISTRICT | 4/26/1996 | 59250 | 1028 | 25 | 12 | 2 | | N | G |

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON COUNTY SCHOOL DISTRICT | 4/26/1996 | 59251 | 1028 | 25 | 12 | 2 | | N | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON COUNTY SCHOOLS | 10/25/1996 | 64423 | 1028 | 30 | 5 | 4 | | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON COUNTY SCHOOLS | 10/25/1996 | 64424 | 1028 | 30 | 5 | 4 | | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON COUNTY SCHOOLS | 10/25/1996 | 64425 | 1028 | 30 | 5 | 4 | | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON MARKET | 4/18/1997 | 68615 | 1028 | 25 | 8 | 4 | 01-114-14 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON MARKET | 4/18/1997 | 68614 | 1028 | 25 | 8 | 4 | 01-114-14 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON MARKET | 4/18/1997 | 68616 | 1028 | 25 | 8 | 4 | 01-114-14 | P | G |
| 108 | 32019 | SW NW | 14 | 13N | 25E | LYON MARKET | 4/18/1997 | 68613 | 1028 | 25 | 8 | 4 | 01-114-14 | P | G |
| 108 | 32019 | SW SW | 14 | 13N | 25E | REDVINE, MAL | 4/13/1990 | 33228 | 1674 | 218 | 175 | 6.62 | | N | H |
| 108 | 32019 | NE SE | 15 | 13N | 25E | COX, WALTER J | 3/6/1997 | 67436 | 634 | 52 | 3 | 6.62 | | P | H |

|< < > >| [11/25]

**Code Definitions**

**Enter Well Log # to view detailed information:**

Submit Reset

NDWR Home Page | Site Index
Strategic Plan | Statutes & Regulations | Phone & Email

**NDWR Sections**
Water Rights | Engineering
Hearings | Information Services
Mapping | Adjudications | Deeds Section
Las Vegas Office | Elko Office

Last Updated 07/11/01

# Nevada Division of Water Resources

## Well Log Database

## Query Results

| Basin | County | Qtr-Qtr | Section | Twp | Rng | Owner | Date Complete | Well Log # | Driller Lic# | Total Depth | Static Water Level | Casing Diameter | APN | Work Type | Pr Us |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 107 | 32019 | NW NE | 10 | 10N | 23E | MCKAY, GARY | 9/18/1995 | 50444 | 718 | 120 | 20 | | 10-691-06 | N | H |
| 107 | 32019 | SE SW | 10 | 10N | 23E | MILLER, ROBERT & ANNE | 7/8/1988 | 30103 | 1511 | 358 | | 6.62 | 10-691-07 | N | X |
| 107 | 32019 | SE SW | 10 | 10N | 23E | MILLER, DR ROBERT | 3/8/1989 | 31196 | 718 | 120 | 32 | 8 | | N | H |
| 107 | 32005 | | 11 | 10N | 23E | WRIGHT, BARBARA | 6/3/1985 | 26647 | 1425 | 245 | 170 | 8 | 37-170-34 | N | H |
| 107 | 32019 | NE NE | 11 | 10N | 23E | CARBAL, JOE | 12/14/1993 | 46662 | 634 | 197 | 92 | 6.62 | 10-661-09 | D | H |
| 107 | 32019 | NE NE | 11 | 10N | 23E | QXSEN, PETE | 10/4/1996 | 65214 | 1949 | 140 | 64 | 8.62 | 10631-10 | N | H |
| 107 | 32019 | NE NE | 11 | 10N | 23E | STATE OF NEVADA DEPARTMENT OF TRANSPORTATION | 7/19/1999 | 78112 | 1028 | 35 | 25 | 2 | 10-661-05 | N | G |
| 107 | 32005 | SE SE | 11 | 10N | 23E | CHAPMAN, ROBERT/LILIAN | 2/11/1989 | 33066 | 718 | 255 | 175 | | | N | H |
| 107 | 32019 | NE NW | 12 | 10N | 23E | DEFOREST, KENT | 5/26/1996 | 51868 | 590 | 130 | 102 | 6.62 | 10-711-10 | N | H |
| 107 | 32019 | NE NW | 12 | 10N | 23E | BAMMER, DAVE & CINDY | 11/21/1997 | 71609 | 1905 | 220 | 65 | 6.62 | 10-711-22 | N | H |
| 107 | 32019 | NE NW | 12 | 10N | 23E | ROSASCHI, ANGELO | 4/9/1988 | 29692 | 1533 | 93 | 38 | 8 | | N | H |
| 107 | 32019 | NE NW | 12 | 10N | 23E | LOMPA, SAM | 11/23/1992 | 39995 | 718 | 125 | 35 | 8 | 10-671-07 | N | H |
| 107 | 32019 | NW SW SE | 12 | 10N | 23E | VANNORMAN, CHARLES | 1/23/1994 | 44044 | 719 | 180 | 100 | 6.62 | 10-712-11 | N | H |
| 107 | 32019 | NW SW SE | 12 | 10N | 23E | CARASSCO, RAY | 6/7/2000 | 81030 | 1876 | 180 | 27 | 8.62 | 10-711-23 | N | H |
| 107 | 32019 | NW SW SE | 12 | 10N | 23E | FLAHRTY, RON | 12/12/1993 | 43256 | 718 | 200 | 130 | 6 | 10-712-06 | N | H |
| 107 | 32019 | NW SW SE | 12 | 10N | 23E | RAUBER, SPENCER | 6/20/1994 | 44543 | 1226 | 180 | 130 | 8.62 | 10-712-09 | N | H |
| 107 | 32019 | NW SW SE | 12 | 10N | 23E | SKAGGS, MR | 7/30/1993 | 42567 | 1535 | 280 | 120 | 6 | 10-711-07 | N | H |
| 107 | 32019 | NW SW SE | 12 | 10N | 23E | TRAN, T | 2/13/1998 | 70680 | 1476 | 160 | 70 | 6.62 | 10-711-08 | N | H |
| 107 | 32019 | SW NW | 12 | 10N | 23E | RAUBER, JIM | 1/27/1996 | 51418 | 1949 | 140 | 47 | 6 | 10-711-18 | N | H |
| 107 | 32005 | NE NW | 17 | 10N | 23E | NAGY, KEN | 11/6/1997 | 69645 | 718 | 280 | | 6.62 | 37-540-89 | N | H |
| 107 | 32019 | NE SE | 26 | 10N | 23E | ABROTT, ART | 8/23/1988 | 30282 | 1533 | 212 | 30 | 8 | | N | H |
| 107 | 32019 | SW | 27 | 10N | 23E | FLECK, DEWEY | 7/23/1999 | 76888 | 718 | 210 | 145 | 6.62 | 10-341-05 | N | H |
| 107 | 32019 | NW NW | 03 | 10N | 24E | SALMONSON, MICHAEL | 10/16/1990 | 34858 | 718 | 400 | 100 | 8 | | N | I |
| 107 | 32019 | NW NW | 03 | 10N | 24E | CEFALU, JOHN | 6/25/1996 | 58932 | 1949 | 240 | 140 | 6.62 | 10-601-15 | S | H |
| 107 | 32019 | SE NE | 05 | 10N | 24E | LOMORI, JULIO | 7/25/1994 | 46369 | 718 | 250 | 110 | 6.62 | 10-731-02 | N | H |

|< < > >| [2/18]

# Nevada Division of Water Resources

## Well Log Database

## Query Results

| Basin | County | Qtr-Qtr | Section | Twp | Rng | Owner | Date Complete | Well Log # | Driller Lic# | Total Depth | Static Water Level | Casing Diameter | APN | Work Type | Pro Use |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 107 | 32019 | SE | 34 | 11N | 23E | GRIFFIN, FLOYD | 6/27/1994 | 44549 | 718 | 200 | 100 | 6.62 | 10-361-16 | N | H |
| 107 | 32019 | SE | 34 | 11N | 23E | GLOCK, LARRY | 6/18/1987 | 28559 | 0 | 200 | 100 | 8 | | N | H |
| 107 | 32019 | SE | 34 | 11N | 23E | HUTZLER, JIM | 9/10/1994 | 45751 | 1949 | 260 | 120 | 8.62 | 10-361-26 | N | H |
| 107 | 32019 | SE NE | 34 | 11N | 23E | LUKUNBERRY, ROBERT & SUSAN | 3/15/1993 | 40808 | 1674 | 155 | 80 | 6.62 | 10-351-16 | N | H |
| 107 | 32019 | SE NW | 34 | 11N | 23E | SLATER, DENNIS | 12/22/1993 | 43509 | 718 | 280 | 120 | 6 | 10-351-06 | N | H |
| 107 | 32019 | SE NW | 34 | 11N | 23E | MONTENARO, MARY | 11/12/1993 | 43257 | 718 | 200 | 140 | 6 | 10-351-06 | N | H |
| 107 | 32019 | SW NE | 34 | 11N | 23E | ARCULARIES, LORNA | 10/27/2000 | 82100 | 1876 | 180 | 77 | 6.62 | 10-351-24 | N | H |
| 107 | 32019 | SW SE | 34 | 11N | 23E | WILLS, DENNIS | 12/2/1997 | 71612 | 718 | 180 | 85 | 6.62 | 10-361-27 | N | H |
| 107 | 32019 | SW NE | 35 | 11N | 23E | CAIRNS, KEN & CHRIS | 7/17/2000 | 83138 | 1876 | 140 | | 6.62 | 10-141-11 | P | H |
| 107 | 32019 | SW NE | 35 | 11N | 23E | CAIRNS, KEN & CHRIS | 7/17/2000 | 83137 | 1816 | 140 | | 6.62 | 10-141-11 | S | H |
| 107 | 32019 | NE NE | 36 | 11N | 23E | SHEHADY, DON | 4/9/1987 | 28344 | 0 | 80 | 32 | 8 | | N | H |
| 107 | 32019 | SW NW | 36 | 11N | 23E | RUBERTY, CARL | 11/20/1991 | 37792 | 1544 | 360 | 58 | 6.62 | 10-371-03 | N | H |
| 107 | 32019 | SW SW | 02 | 11N | 24E | SIMMONS, STAN | 7/15/1990 | 34117 | 718 | 148 | 28 | 8 | | N | H |
| 107 | 32019 | SE SE | 03 | 11N | 24E | FULSTONE, RICHARD | 8/5/1997 | 68579 | 1949 | 360 | 100 | 6.62 | 10-402-06 | N | H |
| 107 | 32019 | SE | 04 | 11N | 24E | ROSACHI, MIKE | 10/28/1986 | 28021 | 0 | 200 | 53 | 8 | | N | H |
| 107 | 32019 | SW SW | 05 | 11N | 24E | STATE OF NEVADA ENVIRONMENTAL PROTECTION | 1/18/2000 | 79923 | 2019 | 65 | 56 | 4 | 10-401-06 | N | G |
| 107 | 32019 | SW SW | 05 | 11N | 24E | STATE OF NEVADA ENVIRONMENTAL PROTECTION | 1/19/2000 | 79926 | 2079 | 63 | 50 | 4 | 10-401-06 | N | G |
| 107 | 32019 | SW SW | 05 | 11N | 24E | STATE OF NEVADA ENVIRONMENTAL PROTECTION | 1/19/2000 | 79924 | 2019 | 83 | 63 | 4 | 10-401-06 | N | G |
| 107 | 32019 | SW SW | 05 | 11N | 24E | STATE OF NEVADA ENVIRONMENTAL PROTECTION | 4/4/2000 | 79928 | 2079 | 60 | 54 | 4 | 10-401-06 | N | G |
| 107 | 32019 | SW SW | 05 | 11N | 24E | STATE OF NEVADA ENVIRONMENTAL PROTECTION | 1/20/2000 | 79927 | 2079 | 63 | 53 | 4 | 10-401-06 | N | G |
| 107 | 32019 | SW SW | 05 | 11N | 24E | STATE OF NEVADA ENVIRONMENTAL PROTECTION | 1/18/2000 | 79929 | 2079 | 70 | 53 | 4 | 10-401-06 | N | G |
| 107 | 32019 | NW SW | 07 | 11N | 24E | VONSEEBURG, JOHN | 11/17/1992 | 39997 | 718 | 260 | 120 | 8 | 9-081-01 | N | H |