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
702/782-3099

Attorneys for the Walker River Paiute Tribe

Greg Addington, Assistant U.S. 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

Attorneys for the United States of America

U.S. DISTRICT COURT
DISTRICT OF NEVADA
FILED
SEP 27 2002
CLERK, U.S. DISTRICT COURT
BY _____ DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants.	IN EQUITY NO. C-125-ECR Sub-proceeding C-125-B **JOINT MOTION OF THE UNITED STATES OF AMERICA AND THE WALKER RIVER PAIUTE TRIBE TO SET STATUS CONFERENCE TO CONSIDER MOTION FOR APPROVAL OF SERVICE DOCUMENTS AND LEAVE TO COMMENCE SERVICE** **(Second Request)**

On May 30, 2002, the United States of America ("United States") and the Walker River Paiute Tribe ("Tribe") jointly moved this Court for approval of service documents and for leave to commence service in this matter. *Joint Motion of the United States of America and the Walker River Paiute Tribe for Approval of Service Documents and Leave to Commence Service* (May 30, 2002) ("Joint Motion for Approval"). The proposed

193

service documents were attached to the Joint Motion for Approval and the reasons supporting the motion are set forth in the accompanying *Memorandum in Support of the Joint Motion of the United States of America and the Walker River Paiute Tribe for Approval of Service Documents and Leave to Commence Service* (May 30, 2002). The United States and the Tribe suggested that the Court set a status conference to address this motion and require all parties to provide any questions or comments on the proposed "Service Package" to the United States and the Tribe in advance of said status conference. Joint Motion for Approval at 2.

Only one party responded to the Joint Motion for Approval. On June 17, 2002, the Walker River Irrigation District filed the *Response of the Walker River Irrigation District to Joint Motion of the United States of America and the Walker River Paiute Tribe for Approval of Service Documents and Leave to Commence Service* (June 17, 2002), in which it concurred in the request for a status conference.

It has now been nearly four months since the United States and the Tribe filed the Joint Motion for Approval. We request again that the Joint Motion for Approval be granted and reiterate our request that the Court set a status conference to consider and address this motion and require any parties to provide the United States and the Tribe at least one week in advance of the status conference with any specific questions, objections or suggestions regarding the proposed Service Package.

WHEREFORE, for the reasons set forth in this motion, the Joint Motion for Approval, and its accompanying memorandum in support, and for any other reasons that

may appear to this Court, the United States and the Tribe respectfully request that the unopposed motion to set a status conference be granted.

Dated:_____

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

Attorneys for the Walker River Paiute Tribe

may appear to this Court, the United States and the Tribe respectfully request that the unopposed motion to set a status conference be granted.

Dated: Sept. 23, 2002

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

Dated: 9/24/02

Respectfully submitted,

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 945
Denver, Colorado 80202
303/312-7308

By: S. L. Schneider
Susan L. Schneider

Attorneys for the United States of America

CERTIFICATE OF SERVICE

I hereby certify that I have placed a true and correct copy of the foregoing **JOINT MOTION OF THE UNITED STATES OF AMERICA AND THE WALKER RIVER PAIUTE TRIBE TO SET STATUS CONFERENCE TO CONSIDER MOTION FOR APPROVAL OF SERVICE DOCUMENTS AND LEAVE TO COMMENCE SERVICE** in the U.S. Mail, first-class postage prepaid thereon, unless otherwise specified, this 24th day of September, 2002, addressed to the following:

Marta Adams
Deputy Nevada Attorney General
100 N. Carson St..
Carson City, NV 89701

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

James Shaw
Chief Deputy Water Commissioner
U.S. Board of Water Commissioners
P.O. Box 853
Yerington, NV 89447

Linda A. Bowman
Law Office of Linda A. Bowman Ltd.
540 Hammill Lane
Reno, NV 89511

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

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

Gordon H. DePaoli
Dale E. Ferguson
Woodburn and Wedge
P.O. Box 2311
Reno, NV 89505-2790

William Quinn
Field Solicitor's Office, Department of the Interior
401 W. Washington St., Space #44
Phoenix, AZ 85003

Mary Hackenbracht
Deputy California Attorney General
1515 Clay St., 20th Floor
Oakland, CA 94612-1314

Treva J. Hearne, James S. Spoo
Zeh, Saint-Aubin, Spoo & Hearne
575 Forest Street
Reno, NV 89509

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

John Kramer
Department of Water Resources
1416 - 9th Street
Sacramento, CA 95814

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

David E. Moser
Matthew R. Campbell
McCutchen, Doyle, Brown & Enerson
Three Embarcadero Center, Suite 1800
San Francisco, CA 94111

Michael W. Neville
Deputy California Attorney General
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102-3664

Hugh Ricci, P.E.
Division of Water Resources
State of Nevada
123 West Nye Lane
Carson City, NV 89710

Greg Addington, Asst. U.S. Attorney
100 W. Liberty, #600
Reno, NV 89501

Garry Stone
290 South Arlington Ave.
Reno, NV 89501

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

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

Lorrin Dyer
Legal Support Assistant