

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

IN EQUITY NO. 73CV-127

vs.

SUBFILE NO. C-127-B

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

Defendant.

**AFFIDAVIT OF MAILING**

STATE OF NEVADA     )  
  )ss  
COUNTY OF WASHOE    )

HILLARY H. REISTER, being first duly sworn, deposes and says:

1. I am

an employee of Harris & Thompson, attorneys for Metallic Ventures (U.S.), Inc. with respect to the above-referenced matter.

2 On the 8th day of December, 2008, I deposited in the United States Post Office by certified mail, return receipt requested, a true and correct copy of the Waiver of Service of Notice in Lieu of Summons and the Notice of Appearance and Intent to Participate to Susan L. Schneider, Esq., Attorney for the United States of America, United

1           3.     The documents were returned to our office on February 2, 2009, because the  
2 address was incorrect.

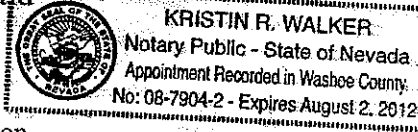
3           4.     On the 11th day of February, 2009, I deposited in the United States Post  
4 Office by certified mail, return receipt requested, a true and correct copy of the Waiver of  
5 Service of Notice in Lieu of Summons, the Notice of Appearance and Intent to Participate,  
6 and a cover letter to Susan L. Schneider, Esq., Attorney for the United States of America,  
7 United States Department of Justice, Environmental & Natural Resources Division, at  
8 1961 Stout Street, 8th Floor, Denver, Colorado 80294.

9                   DATED this 11th day of February, 2009.

10  
11                                   *Hillary H. Reister*  
12                                   HILLARY H. REISTER

13  
14  
15           SUBSCRIBED AND SWORN to  
16 before me this 11th day of February, 2009

17                   *Kristin R Walker*  
18                   NOTARY PUBLIC  and for said  
19                   COUNTY and STATE



20                   Metallic ventures/7366/walker river litigation  
21                   Affidavit of mailing 2-09

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

I certify that I am an employee of Harris & Thompson, and on the 11th day of February, 2009, the following persons were served with a copy of the foregoing "Affidavit of Mailing by electronic mail, according to U.S. District Court, D., Nevada., Electronic Filing Procedures (rev. August 24, 2006) at I.C. Susan L. Schneider was also served by certified mail, return receipt requested.

**Attorney for the United States**

Susan L. Schneider  
U.S. Department of Justice  
Environment & Natural Resources  
Division  
1961 Stout Street, 8th Floor  
Denver, Colorado 80294

**Attorney for the  
Walker River Paiute Tribe**

Wes Williams, Jr., Esq.  
Law Offices of Wes Williams, Jr.  
P.O. Box 100  
Schurz, Nevada 89427

**Attorney for the  
State of California**

Michael W. Neville, Esq.  
Deputy Attorney General  
California Attorney General's Office  
455 Golden Gate Avenue, Suite 11000  
San Francisco, California 94102-3664

**Attorneys for the Walker River  
Irrigation District**

Gordon DePaoli, Esq.  
Dale Ferguson, Esq.  
Woodburn and Wedge  
6100 Neil Road, Suite 500  
Reno, Nevada 89511

**Attorney for the State of Nevada**

Marta Adams, Esq.  
Senior Deputy Attorney General  
Conservation Section  
100 N. Carson Street  
Carson City, Nevada

DATED this 11th day of February, 2009

  
HILLARY H. REISTER