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.,

Defendant.

IN EQUITY NO. 73CV-127

SUBFILE NO. C-127-B

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

HARRIS & THOMPSON
AN ASSOCIATION OF ATTORNEYS
6121 LAKESIDE DRIVE
SUITE 260
RENO, NEVADA 89511
(775) 825-4300

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

4. On the 11th day of February, 2009, 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, the Notice of Appearance and Intent to Participate, and a cover letter to Susan L. Schneider, Esq., Attorney for the United States of America, United States Department of Justice, Environmental & Natural Resources Division, at 1961 Stout Street, 8th Floor, Denver, Colorado 80294.

DATED this 11th day of February, 2009.

Hillary H. Reister

HILLARY H. REISTER

SUBSCRIBED AND SWORN to
before me this 11th day of February, 2009

Kristin R Walker

NOTARY PUBLIC in and for said
COUNTY and STATE

KRISTIN R. WALKER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 08-7904-2 - Expires August 2, 2012

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

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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.
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California Attorney General's Office
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San Francisco, California 94102-3664

Attorneys for the Walker River Irrigation District

Gordon DePaoli, Esq.
Dale Ferguson, Esq.
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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
HILLARY H. REISTER

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