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7 DISTRICT

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

| | | |
|--------------------------------------|---|-------------------------------|
| 10 UNITED STATES OF AMERICA, |) | IN EQUITY NO. C-125 |
| |) | |
| 11 Plaintiff, |) | SUBFILE NO. C-125-B |
| |) | 3:73-cv-00127-ECR-LRL |
| 12 WALKER RIVER PAIUTE TRIBE, |) | |
| |) | SUBFILE NO. C-125-C |
| 13 Plaintiff-Intervenor, |) | 3:73-cv-00128-ECR-LRL |
| |) | |
| 14 v. |) | STIPULATION AND ORDER |
| |) | CONCERNING TIME FOR |
| 15 WALKER RIVER IRRIGATION DISTRICT, |) | SUBMISSION OF PROPOSED |
| 16 a corporation, et al., |) | ORDERS AND MEMORANDA |
| |) | RELATED TO OBJECTIONS |
| 17 Defendants. |) | THERE TO |

| | |
|--------------------------------------|---|
| 19 UNITED STATES OF AMERICA, |) |
| 20 WALKER RIVER PAIUTE TRIBE, |) |
| |) |
| 21 Counterclaimants, |) |
| |) |
| 22 v. |) |
| |) |
| 23 WALKER RIVER IRRIGATION DISTRICT, |) |
| 24 et al. |) |
| |) |
| 25 Counterdefendants. |) |

27 1. On October 19, 2010, the Court held a status conference in Subproceeding C-
28 125-B and Subproceeding C-125-C.

1 2. At the status conference, the Court established two dates by which proposed
2 orders were to be lodged. The first order is to be lodged by the United States in Subproceeding
3 C-125-B, and relates to a cut-off date for service. It was to be lodged on November 9, 2010,
4 along with a status memorandum if there were any objections to it. *See*, Doc. 1608, Agenda,
5 Item B.2.b. It was not entirely clear from the status conference as to how objections, if any, to
6 the Service Cut-Off Order were to be managed, and on what schedule.
7

8 3. The second order is to be lodged by the United States and Mineral County in
9 both Subproceedings and relates to the status and obligations of existing defendants that
10 transfer water rights subsequent to appearing or being deemed served, and procedures to
11 address issues related to their successors and their substitution and/or joinder (the “Successor-
12 in-Interest Order”). *See*, Doc. 1608, Agenda, Item B.2.g. The Successor-in-Interest Order is to
13 be lodged in both Subproceedings on November 30, 2010. Memoranda related to any
14 objections to that order are to be submitted in both Subproceedings on or before December 17,
15 2010.
16

17 4. The United States, Mineral County and the Walker River Irrigation District,
18 acting through their respective counsel of record, desire to place both orders on the same
19 schedule for lodging with the Court, and for filing memoranda related to any objections thereto.
20

21 5. By placing the Service Cut-Off Order on the same schedule as the Successor-in-
22 Interest Order, the parties will have additional time to consult with represented parties with
23 whom they are aligned, and to attempt to resolve any objections to the proposed orders before
24 they are lodged with the Court and without the need to file memoranda of objections. In
25 addition, the schedule with respect to the Service Cut-Off Order will be clarified.

26 NOW, THEREFORE, based upon the foregoing, and subject to the approval of the
27 Court, the United States, Mineral County and the Walker River Irrigation District hereby agree
28 and stipulate that:

1 1. The United States shall lodge the Service Cut-Off Order in Subproceeding C-
2 125-B with the Court on or before November 30, 2010;

3 2. The United States and Mineral County shall lodge the Successor-in-Interest
4 Order in both Subproceeding C-125-B and Subproceeding C-125-C on November 30, 2010;
5 and
6

7 3. The parties shall file memoranda related to objections, if any, to either or both
8 such proposed orders on or before December 17, 2010.

9 Dated: November 9, 2011.

10 WOODBURN AND WEDGE

U.S. DEPARTMENT OF JUSTICE

11
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(per authorization)

By: / s / Susan L. Schneider
(per authorization)

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21
22
23
24 **ORDER**

25 Dated: December 15_, 2010. IT IS SO ORDERED. nunc pro tunc.

26
27 

28

Lawrence R. Leavitt
United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that I am an employee of Woodburn and Wedge and that on the 9th day of November, 2010, I electronically served the foregoing *Stipulation and Order Concerning Time for Submission of Proposed Orders and Memoranda Related to Objections Thereto* in Case No. 3:73-cv-00127-ECR-LRL on the following via their email addresses:

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9 I further certify that I served a copy of the foregoing in Case No. 3:73-cv-00127-ECR-
10 LRL to the following by U.S. Mail, postage prepaid, this 9th day of November, 2010:

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9 I certify that I am an employee of Woodburn and Wedge and that on the 9th day of
10 November, 2010, I electronically served the foregoing *Stipulation and Order Concerning Time*
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