

1 G. DAVID ROBERTSON, ESQ.
State Bar No. 1001
2 KIRK C. JOHNSON, ESQ.
State Bar No. 4299
3 ROBERTSON & BENEVENTO
50 West Liberty Street, Suite 600
4 Reno, Nevada 89501
Telephone No.: (775) 329-5600
5 Facsimile No.: (775) 348-8300
Attorneys for Counterdefendant
6 Westfork

7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,

Case No.: 3:73-cv-00127-ECR-RAM
IN EQUITY NO. C-125
SUBFILE NO. C-125-B

13 WALKER RIVER PAIUTE TRIBE,
14 Plaintiff-Intervenor,

15 vs.

**WESTFORK'S JOINDER IN
DEFENDANTS' RESPONSIVE
BRIEFS ON THRESHOLD ISSUES**

16 WALKER RIVER IRRIGATION
DISTRICT, a corporation, et al.,
17 Defendants.
18 _____/

19 UNITED STATES OF AMERICA,
WALKER RIVER PAIUTE TRIBE,
20 Counterclaimants,
21

22 vs.

23 WALKER RIVER IRRIGATION
DISTRICT, et al.,
24 Counterdefendants.
25 _____/

26 COMES NOW Counterdefendant WESTFORK, by and through its attorneys of record,
27 Robertson & Benevento, and hereby joins in Defendants Walker River Irrigation District's
28

1 (1443) and Nevada Department of Wildlife's (1439) Responsive Briefs on Threshold Issues filed
2 on or about October 10, 2008.

3 Dated: October 17, 2008.

4
5 ROBERTSON & BENEVENTO
50 West Liberty Street, Suite 600
6 Reno, NV 89501

7
8 By: /s/ Kirk C. Johnson
Kirk C. Johnson, Esq.
9 Attorneys for Westfork
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I hereby certify that I am an employee of Robertson & Benevento, 50 West Liberty Street, Suite 600, Reno, Nevada 89501, and that on the 17th day of October, 2008, I electronically filed **WESTFORK'S JOINDER IN DEFENDANTS' RESPONSIVE BRIEFS ON THRESHOLD ISSUES** and thus, pursuant to LR 5-4, caused same to be served by electronic mail on the following Filing Users:

Linda Ackley
lackley@water.ca.gov

Marta Adams
madams@ag.state.nv.us

Greg Addington
greg.addington@sudoj.gov

George Benesch
gbenesch@sbcglobal.net

Linda A. Bowman
office@bowman.reno.nv.us

T. Scott Brooke
brooke@brooke-shaw.com

Brian Chally
brian.chally@lvvwd.com

Gordon H DePaoli
gdepaoli@woodburnadnwedge.com

William J Duffy
william.duffy@dgsllaw.com

Cheri K Emm-Smith
districtattorney@mineralcountynv.org

Dale E. Ferguson
dferguson@woodburnandwedge.com

Andrew D. Galvin
drew.galvin@americantower.com

Noelle R Gentilli
ngentill@water.ca.gov

Sylvia L. Harrison
sharrison@mcdonaldcarano.com

John W. Howard
johnh@jwhowardattorneys.com

1 Simeon Herskovits
simeon@communityandenvironment.net

2
3 John W. Howard
john@whowardattorneys.com

4 Michael D. Hoy
mhoy@nevadalaw.com

5
6 Debbie Leonard
dshosteck@mcdonaldcarano.com

7 Michael F. Mackedon
falonlaw@phonewave.net

8
9 Erin K.L. Mahaney
emahaney@waterboards.ca.gov

10 Gene M. Kaufmann
GKaufmann@mindenlaw.com

11
12 Malissa Hathaway McKeith
mckeith@lbbslaw.com

13 Michael R. Montero
mrm@eloreno.com

14
15 Marvin W. Murphy
marvinmurphy@sbcglobal.net

16 David L. Negri
david.negri@usdoj.gov

17
18 Michael W. Neville
michael.neville@doj.ca.gov

19 Michael A. Pagni
mpagni@mcdonaldcarano.com

20
21 Karen Peterson
kpeterson@allisonmackenzie.com

22 Susan Schneider
susan.schneider@usdoj.gov

23
24 William E. Schaeffer
lander_lawyer@yahoo.com

25 John Paul Schlegelmilch
jpslaw@netscape.com

26
27 Laura Schroeder
counsel@water-law.com

28 Stacey Simon
ssimon@mono.ca.gov

1 Julian C Smith, Jr.
joylyn@smithandharmer.com

2 Lynn L Steyaert
lls@water-law.com

3 Bryan L. Stockton
bstockton@ag.nv.gov

4 Harry W Swainston
hwsainston@earthlink.net

5 Louis S Test
twallace@htag.reno.nv.us

6 Wes Williams
wwilliams@stanfordalumni.org

7 Michael L. Wolz
mwolz@ag.nv.gov

8 Charles S Zumpft
zumpft@brooke-shaw.com

9 I further certify that on the 17th day of October, 2008, I caused to be deposited in the U.S.
10 Mail, first-class postage thereon fully prepaid, a true and correct copy of the above

11 **WESTFORK'S JOINDER IN DEFENDANTS' RESPONSIVE BRIEFS ON THRESHOLD**
12 **ISSUES** on the following:

13 Kenneth Spooner
14 General Manager
15 Walker River Irrigation District
16 P.O. Box 820
17 Yerington, NV 89447

William W. Quinn
Office of the Field Solicitor
Department of the Interior
401 W. Washington St., SPC 44
Phoenix, AZ 85003

18 Mary Hackenbracht
19 Deputy Attorney General
20 State of California
21 1515 Clay Street, 20th Floor
22 Oakland, CA 94612-1413

Tracy Taylor
Division of Water Resources
State of Nevada
901 S. Stewart Street
Carson City, NV 89701

23 John Kramer
24 Department of Water Resources
25 1416 Ninth Street
26 Sacramento, CA 95814

Nathan Goedde
California Department of Fish and Game
1416 9th Street Ste 1335
Sacramento, CA 95814

27 Stephen B Rye
28 Lyon Count District Attorney
31 South Main Street
Yerington, NV 89447

Donald B. Mooney
Law Offices of Donald B. Mooney
129 C Street, Suite 2
Davis, CA 95616

1 Walker Lake Water Dist. G.I.D.
175 Wassuk Way
2 Walker Lake, NV 89415

James T. Fousekis
Susan Fousekis
2848 Garber Street
Berkeley, CA 94705

3
4 George M. Keele
George M. Keele, APC
1692 Country Road, Suite A
5 Minden, NV 89423

William J Shaw
Brooke & Shaw, Ltd.
1590 Fourth Street
P.O. Box 2860
Minden, NV 89423

6
7 John Kramer
California Water Resources Department
1416 Ninth Street
8 Sacramento, CA 95814

Gary A Sheerin
Gary A. Sheerin, Law Office of
177 W Proctor Street, Suite B
Carson City, NV 89703

9 R. C. Howard
Hale Lane Peek, Dennison & Howard
10 5441 Kietzke Lane
Suite 200
11 Reno, NV 89511

J. D. Sullivan
Sullivan Law Offices
1650 North Lucerne Street, Suite 201
Minden, NV 89423

12 Robert L. Hunter
Western Nevada Agency
13 311 East Washington Street
Carson City, NV 78701-4065

Mary Rosaschi
P.O. Box 22
Wellington, NV 89444

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

16
17
18
19 /s/ Christine Braun
An Employee of Robertson & Benevento