

**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. C-125

vs.

SUBFILE NO. C-125-B

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

Defendant.

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance as attorney for Metallic Ventures (U.S.), Inc., a Nevada corporation (“Metallic Ventures”), in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address and as directed on the Notice in Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. For return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a certified, return requested copy of this document to:

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Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environmental & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. Metallic Ventures will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. Metallic Ventures has retained the following attorney to represent it in these proceedings. The name, mailing address, telephone number, facsimile number, and e-mail address of the attorney are as follows:

Richard W. Harris, Esq.
Harris & Thompson
6121 Lakeside Drive, Suite 260
Reno, Nevada 89511
Telephone: (775) 825-4300
Facsimile: (775) 825-4829
E-mail: rharris@gbis.com

DATED this _____ day of December, 2008.

HARRIS & THOMPSON

By _____
RICHARD W. HARRIS,
Attorney for Metallic Ventures (U.S.) Inc.

CERTIFICATE OF SERVICE

I certify that I am an employee of Harris & Thompson, and on the 8th day of December, 2008, the following persons were served with a copy of the “Notice of Appearance and Intent to Participate” 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, Esq.
U.S. Department of Justice
P.O. Box 756
Littleton, Colorado 80160

**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 8th day of December, 2008

HILLARY H. REISTER

