

1 **Code: 2520**  
Louis S. Test, Esq.  
2 Nevada State Bar No. 435  
Hoffman, Test, Guinan & Collier  
3 429 West Plumb Lane  
Reno, NV 89509  
4 (775) 322-4081  
Attorneys for Counter Defendant,  
5 F.I.M. Corporation  
6  
7  
8  
9

10  
11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA (RENO)**  
13

14 \* \* \* \* \*

15 UNITED STATES OF AMERICA,  
16  
17 Plaintiff.  
18

19 vs.

Case No. 3:73-cv-00127-ECR-WGC

20 WALKER RIVER IRRIGATION, et al.,  
21  
22 Defendants.  
23  
24 \_\_\_\_\_ /

25 **SUBSTITUTION OF ATTORNEYS**  
26

27 GEORGE N. BENESH, ESQ., is hereby substituted as attorney for Counter Defendant,  
28 F.I.M. Corporation, in the above-entitled action in place of and instead of LOUIS S. TEST, ESQ.  
of HOFFMAN, TEST, GUINAN & COLLIER.

I hereby consent to the above and foregoing substitution.

DATED this 10<sup>th</sup> day of March, 2012.

**HOFFMAN, TEST, GUINAN & COLLIER**

By: \_\_\_\_\_

Louis S. Test, Esq.

///

///

HOFFMAN, TEST, GUINAN & COLLIER  
A PROFESSIONAL CORPORATION  
Attorneys And Counselors At Law  
429 WEST PLUMB LANE  
RENO, NEVADA 89509

1 I hereby accept the above and foregoing substitution of attorneys in the above-  
2 referenced case.

3 DATED this 7<sup>th</sup> day of March 2012.

4 F.I.M. Corporation

5 By: Marianne K. Lemasson  
6 Its: President

7  
8  
9 I hereby accept the above and foregoing substitution as attorney for Counter  
10 Defendant, F.I.M. Corporation, in the above-entitled action.

11 DATED this 9<sup>th</sup> day of April ~~March~~ 2012.

12  
13 George N. Benesh  
14 George N. Benesh, Esq.  
15 190 West Huffaker Lane, Suite 408  
16 Reno, NV 89511  
17 Telephone: (775) 827-3100  
18 Fax: (775) 827-3020  
19 E-mail: gbenesh@sbcglobal.net  
20  
21  
22  
23  
24  
25  
26  
27  
28

HOFFMAN, TEST, GUINAN & COLLIER  
A PROFESSIONAL CORPORATION  
Attorneys And Counselors At Law  
429 WEST PLUMB LANE  
RENO, NEVADA 89509

CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that I am an employee of Hoffman, Test, Guinan and Collier, over the age of eighteen and not a party to the within action, and that on this 11th day of April 2012, I electronically filed the foregoing **SUBSTITUTION OF ATTORNEYS** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following via their email addresses:

Marta A. Adams [maadams@ag.state.nv.us](mailto:maadams@ag.state.nv.us) [madams@ag.state.nv.us](mailto:madams@ag.state.nv.us) [payoung@ag.state.nv.us](mailto:payoung@ag.state.nv.us)  
Gregory W. Addington [greg.addington@usdoj.gov](mailto:greg.addington@usdoj.gov) [judy.farmer@usdoj.gov](mailto:judy.farmer@usdoj.gov) [joanie.silvershield@usdoj.gov](mailto:joanie.silvershield@usdoj.gov)  
Paul J. Anderson [panderson@mclrenolaw.com](mailto:panderson@mclrenolaw.com)  
George N. Benesch [gbenesch@sbcglobal.net](mailto:gbenesch@sbcglobal.net)  
T. Scott Brooke [brooke@brooke-shaw.com](mailto:brooke@brooke-shaw.com)  
Brian Chally [brian.chally@lvvwd.com](mailto:brian.chally@lvvwd.com)  
Ross E. de Lipkau [ecf@parsonsbehle.com](mailto:ecf@parsonsbehle.com)  
Gordon H. DePaoli [gdepaoli@woodburnandwedge.com](mailto:gdepaoli@woodburnandwedge.com)  
William J. Duffy [william.duffy@dgsllaw.com](mailto:william.duffy@dgsllaw.com)  
Cheri Emm-Smith [emmsmithlaw@cccomm.net](mailto:emmsmithlaw@cccomm.net) [districtattorney@mineralcountynv.org](mailto:districtattorney@mineralcountynv.org)  
Dale E. Ferguson [dferguson@woodburnandwedge.com](mailto:dferguson@woodburnandwedge.com)  
Andrew D. Galvin [drew.galvin@americantower.com](mailto:drew.galvin@americantower.com)  
Noelle R. Gentili [ngentill@water.ca.gov](mailto:ngentill@water.ca.gov)  
Richard W. Harris [rharris@gbis.com](mailto:rharris@gbis.com)  
Sylvia L. Harrison [sharrison@mcdonaldcarano.com](mailto:sharrison@mcdonaldcarano.com)  
Malissa Hathaway McKeith Amckeith [lbbslaw.com](mailto:lbbslaw.com)  
Simeon M. Herskovits [simeon@communityandenvironment.net](mailto:simeon@communityandenvironment.net)  
Stuart David Hotchkiss [david.hotchkiss@ladwp.com](mailto:david.hotchkiss@ladwp.com)  
John W. Howard [john@jwhowardattorneys.com](mailto:john@jwhowardattorneys.com) [elisam@jwhowardattorneys.com](mailto:elisam@jwhowardattorneys.com)  
Michael D Hoy [mhoy@nevadalaw.com](mailto:mhoy@nevadalaw.com)  
Kirk C. Johnson [kirk@nvlawyers.com](mailto:kirk@nvlawyers.com)  
Gene M. Kaufmann [gkaufmann@mindenlaw.com](mailto:gkaufmann@mindenlaw.com)  
Debbie Leonard [dleonard@mcdonaldcarano.com](mailto:dleonard@mcdonaldcarano.com)  
Michael F. Mackedon [falonlaw@phonewave.net](mailto:falonlaw@phonewave.net)  
Erin K.L. Mahaney [emahaney@waterboards.ca.gov](mailto:emahaney@waterboards.ca.gov)  
Christopher Mixson [cmixson@wrslawyers.com](mailto:cmixson@wrslawyers.com)  
Michael R. Montero [mrm@eloreno.com](mailto:mrm@eloreno.com)  
Donald B. Mooney [dbmooney@dcn.org](mailto:dbmooney@dcn.org)  
Marvin W. Murphy [marvinmurphy@sbcglobal.net](mailto:marvinmurphy@sbcglobal.net)  
David L. Negri [david.negri@usdoj.gov](mailto:david.negri@usdoj.gov)  
Michael Neville [michael.neville@doj.ca.gov](mailto:michael.neville@doj.ca.gov) , [cory.marcelino@doj.ca.gov](mailto:cory.marcelino@doj.ca.gov)  
Michael A. Pagni [mpagni@mcdonaldcarano.com](mailto:mpagni@mcdonaldcarano.com)  
Karen A. Peterson [kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com) , [egarrison@allisonmackenzie.com](mailto:egarrison@allisonmackenzie.com)  
G. David Robertson [gdauid@nvlawyers.com](mailto:gdauid@nvlawyers.com)  
William E. Schaeffer [lander\\_laywer@yahoo.com](mailto:lander_laywer@yahoo.com)  
John Paul Schlegelmilch [jpslaw@netscape.com](mailto:jpslaw@netscape.com)  
Susan Schneider [susan.schneider@usdoj.gov](mailto:susan.schneider@usdoj.gov)  
Laura A. Schroeder [counsel@water-law.com](mailto:counsel@water-law.com)

Stacey Simon [ssimon@mono.ca.gov](mailto:ssimon@mono.ca.gov)  
Julian C Smith, Jr. [joylyn@smithandharmer.com](mailto:joylyn@smithandharmer.com)  
Erick Soderlund [esoderlu@water.ca.gov](mailto:esoderlu@water.ca.gov)  
James Spoo [spootoo@aol.com](mailto:spootoo@aol.com) , [jjrbau@hotmail.com](mailto:jjrbau@hotmail.com)  
Don Springmeyer [dspringmeyer@wrslawyers.com](mailto:dspringmeyer@wrslawyers.com)  
Lynn Steyaert [lls@water-law.com](mailto:lls@water-law.com)  
Bryan L. Stockton [blstockt@ag.state.nv.us](mailto:blstockt@ag.state.nv.us) , [payoung@ag.state.nv.us](mailto:payoung@ag.state.nv.us)  
J. D. Sullivan [jd@mindenlaw.com](mailto:jd@mindenlaw.com)  
Harry W. Swainston [hwsainston@earthlink.net](mailto:hwsainston@earthlink.net)  
Louis S Test [twallace@htag.reno.nv.us](mailto:twallace@htag.reno.nv.us)  
Sheri M. Thome [sheri.thome@wilsonelser.com](mailto:sheri.thome@wilsonelser.com)  
Wes Williams Jr. [wwilliams@stanfordalumni.org](mailto:wwilliams@stanfordalumni.org)  
Charles S Zumpft [zumpft@brooke-shaw.com](mailto:zumpft@brooke-shaw.com)

and I further certify that I served a copy of the forgoing to the following non CM/ECF participants by U.S. Mail, postage prepaid, this 11<sup>th</sup> day of April 2012:

Robert L. Auer, Lyon County District Atty  
31 S. Main St.  
Yerington, NV 89447

James Fousekis  
2848 Garber Street  
Berkeley, CA 94705

Wesley G. Beverlin  
Lewis, Bribois, Bisgaard & Smith LCP  
221 N. Figueroa St., Ste. 1200  
Los Angeles, CA 90012

Daniel N. Frink  
CA Water Resources Control Board  
P. O. Box 100  
Sacramento, CA 94814

Allen Biaggi  
Dept. of Conservation & Natural Res.  
State of Nevada  
901 S. Stewart St., Suite 1003  
Carson City, NV 89701

Arden O. Gerbig  
106629 US Highway 395  
Coeville, CA 96407-9538

Athena Brown, Superintendent  
Western Nevada Agency  
Bureau of Indian Affairs  
311 E. Washington Street  
Carson City, NV 89701-4065

Nathan Goedde, Staff Counsel  
CA Dept. Fish and Game  
1416 Ninth St, #1335  
Sacramento, CA 95814

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

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

Leo Drozdoff  
Dir. Of Conservation & Natural Resources  
State of Nevada  
901 S. Stewart St.  
Carson City, NV 89701

George M. Keele  
1692 County Road, Suite A  
Minden, NV 89423

Jason King  
Division of Water Resources  
State of Nevada  
901 S. Stewart St.  
Carson City, NV 89701

Timothy A. Lukas  
P. O. Bo 3237  
Reno, NV 89505

Lyon County District Attorney  
31 South Main Street  
Yerington, NV 89447

David Moser  
McCutchen, Doyle, Brown, et al. Three  
Embarcadero Center, Suite 1800  
San Francisco, CA 94111

Todd Plimpton  
Belanger & Plimpton  
P. O. Box 59  
Lovelock, NV 89419

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

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

Marshall S. Rudolph, Mono County Counsel  
Stacy Simon, Deputy County Counsel  
Mono County  
P. O. Bo 2415  
Mammoth Lakes, CA 93546-2415

Jim Shaw  
Chief Dep. Water Commissioner  
U. S. Bd. Water Commissioners  
410 N. Main Street  
Yerington, NV 89447

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

Gary A Sheerin  
177 W Proctor Street, Suite B  
Carson City, NV 89703

Ken Spooner  
Walker River Irrigation District  
P. O. Box 820  
Yerington, NV 89447

State Engineer - Division of Water  
Resources  
State of Nevada  
901 S. Stewart St.  
Carson City, NV 89701

Gary Stone  
Water Master  
290 South Arlington Ave.  
Reno, NV 89501

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

/s/ Teri Wallace  
Teri Wallace