IGNACIA S. MORENO Assistant Attorney General DANIEL G. BOGDEN United States Attorney Greg Addington, Assistant U.S. Attorney Susan L. Schneider, Trial Attorney U.S. Department of Justice Environment and Natural Resources Div. 999 – 18th Street, Suite 370, South Terrace Denver, Colorado 80202 (303) 844-1348 susan.schneider@usdoj.gov Attorneys for the United States of America

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	IN EQUITY NO. C-125-ECR
)	3:73-CV-00125-ECR-WGC
Plaintiff,)	
)	Subproceedings: C-125-B
WALKER RIVER PAIUTE TRIBE, ()	3:73-CV-00127-ECR-WGC
) Plaintiff-Intervenor,)	NOTICE OF ERRATA AND
vs.)	CORRECTION: DELETION OF
)	CERTAIN PARTIES AND ENTITIES
WALKER RIVER IRRIGATION DISTRICT,)	FROM THIS PROCEEDING
a corporation, et al.,	
)	
Defendants.)	
)	
)	

The United States of America ("United States") hereby apprises the Court and the persons and entities identified herein of an error in service of process and the steps it has undertaken to correct that error.

Recently, the United States took steps to include in this action certain persons and entities identified by the State of California as riparian surface water users in the Walker River basin. This issue was discussed generally with the Court and parties during the last several status conferences. Our last mailing of service packages, dated August 17, 2012, seeking a waiver of service of process, included several entities with water rights in a nearby basin and not in the Walker River Basin. We were made aware of this error on August 29, 2012, and promptly attempted to ascertain its extent.

By this filing, we notify the Court that the following three entities do not fit within the Case Management Order's service categories:

- 1. Snowcreek I HOA
- 2. Snowcreek II HOA
- 3. Snowcreek IV HOA

The three entities have filed Disclaimer of Interest forms (Doc ## 1751, 1752 and 1753). None of them has been included in our service reports, so we have not yet asked the Court to determine if service on them is complete.

We have provided a copy of this filing to these three entities and omitted their names from the case caption.

Dated: <u>October 4, 2012.</u>

Respectfully submitted,

By <u>/s/ Susan L. Schneider</u> SUSAN L. SCHNEIDER Attorneys for the United States of America

OF COUNSEL FOR THE UNITED STATES: Chris Watson, Attorney-Advisor U.S. Department of the Interior Office of the Solicitor Division of Indian Affairs Mail Stop 6513 1849 C St., NW Washington, DC 20240 (202) 208-3401

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of October, 2012, I electronically filed the foregoing **NOTICE OF ERRATA AND CORRECTION: DELETION OF CERTAIN PARTIES AND ENTITIES FROM THIS PROCEEDING** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses that are registered for this case;

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 4th day of October, 2012:

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

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

State Engineer - Division of Water Resources State of Nevada 901 S. Stewart St., Suite 202 Carson City, NV 89701 Dist. Attorney for Lyon County 31 South Main Street Yerington, NV 89447

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

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

Arthur B. Walsh Los Angeles City Attorney's Office PO Box 51-111 111 North Hope Street, Suite 340 Los Angeles, CA 90054

<u>/s/ Eileen Rutherford</u> Senior Paralegal, USIS for United States Department of Justice