

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

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|----------------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | IN EQUITY NO. C-125-RCJ |
| |) | Subproceedings: C-125-B and C-125-C |
| Plaintiff(s), |) | |
| |) | 3:73-CV-0125-RCJ-WGC |
| |) | 3:73-CV-0127-RCJ-WGC |
| vs. |) | 3:73-CV-0128-RCJ-WGC |
| |) | |
| WALKER RIVER IRRIGATION, et al., |) | MINUTES OF PROCEEDINGS |
| |) | |
| Defendant(s). |) | DATED: November 5, 2012 |
| |) | |
| |) | |

PRESENT: HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

Deputy Clerk: Katie Lynn Ogden **Reporter:** FTR

Counsel Appearing Telephonically: Gordon DePaoli, Dale Ferguson, Marta Adams, Therese Ure, Karen Peterson, Susan Schneider, Simeon Herskovits, Wes Williams, Jr., Stacy Simon, Michael Neville, David Negri, and George Benesch

MINUTES OF PROCEEDINGS: STATUS CONFERENCE

1:34 p.m. Court convenes.

I. Propose Summary of the Status Conference Held October 3, 2012 (Oct. 26, 2012; #1116; #B-1763; and #C-633)

The court is in receipt of the Proposed Summary of the Status Conference Held October 3, 2012, and notes that no objections or suggested revisions have been submitted. The court asks for any oral comments or objects to the proposed summary. None appearing, the court APPROVES the *Proposed Summary of the Status Conference Held October 3, 2012*, and will file the document accordingly. The court expresses its appreciation to Ms. Schneider and her office for preparing the summary.

II. Submission Deadline for List of Threshold Issues and Date/Time for Next Status Conference

The court has approved the parties Stipulation and Order Concerning Submission of Threshold Issues to Magistrate Judge (Dkt. #B-1761) to allow for additional time for the parties meet in person to discuss threshold issues. Pursuant to the stipulation the parties have asked to use this time to discuss a deadline and set a date and time for the next status conference.

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The court inquires whether Mineral County is involved with the decision of threshold issues. Mr. Herskovits represents that because Mineral County is a party in the C-125-B proceedings, as well as the proposed intervenor in the C-125-C matter, Mineral County does participate in the discussions of threshold issues; however, Mineral County's position is different than that of the United States and the Tribe or the "upstream interests" (characterized as the defendants). The court appreciates the clarification and moves to addressing deadlines and setting the next status conference.

The court envisions that the parties submit an agreed upon list of threshold issues and submit one document to reflect such a list. The court acknowledges that the parties may not agree upon one comprehensive list; however, the court maintains its position that one document be filed. If there are separate threshold issues specific to an individual party and/or entity that list shall be reflected within the joint submission.

After discussion of possible dates and deadlines the court and parties agree upon the following:

- Telephonic conference set for Tuesday, November 27, 2012, at 9:00 a.m. for the limited purpose of discussing the submission of the threshold issues. Counsel shall dial 1-877-873-8017, enter access code 3416460, and enter the security code 112712, approximately five (5) minutes prior to the hearing.
- Deadline to submit the list of threshold issues is Thursday, December 6, 2012.
- Proposed Agenda due Thursday, December 6, 2012.
- Next status conference is set for Thursday, December 13, 2012, at 10:00 a.m. Counsel are encourage to attend this hearing in person; however counsel wishing to appear by telephone shall dial 1-877-873-8017, enter access code 3416460, and enter the security code 121312, approximately five (5) minutes prior to the hearing.

III. E-File Order

Ms. Schneider indicates that she has been working on revising and preparing a draft of the E-File Order with the help of Ms. Lia Griffin (Operations Manager for the USDC Clerk's Office) and referring to the *Fallbrook Order*. Ms. Schneider has circulated the draft order to the primary parties but has not received any reply comments. Ms. Schneider requests that the parties provide her with any suggestions or comments sooner than later so that the order can be presented before Chief Judge Robert C. Jones.

1:51 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: _____/s/
Katie Lynn Ogden, Deputy Clerk