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Aug 25 12 41 PM '92

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

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 WALKER RIVER PAIUTE TRIBE,  
13 Plaintiff-Intervenor,  
14 vs.  
15 WALKER RIVER IRRIGATION DISTRICT,  
corporation, et al.,  
16 Defendants.

17 WALKER RIVER IRRIGATION DISTRICT,  
18 Petitioner,  
19 STATE OF NEVADA,  
20 Petitioner-Intervenor,  
21 vs.

22 CALIFORNIA STATE WATER RESOURCES  
CONTROL BOARD, W. DON MAUGHAN,  
ELISEO M. SAMANIEGO, JOHN CAFFREY,  
MARC DEL PIERO AND JAMES M. STUBCHAER,  
Members of the California State Water  
Resources Control Board,  
23 Respondents,

24 CALIFORNIA TROUT, INC.,  
25 Respondent-Intervenor.

In Equity C-125  
Subfile C-125-B

UNITED STATES OF AMERICA'S UNOPPOSED MOTION FOR EXTENSION OF TIME IN WHICH TO FILE RESPONSE TO THE WALKER RIVER IRRIGATION DISTRICT'S MOTIONS TO DISMISS COUNTERCLAIMS; TO REQUIRE JOINDER OF PARTIES; AND TO REQUIRE SERVICE OF PROCESS IN ACCORDANCE WITH RULE 4 OF THE FEDERAL RULES OF CIVIL PROCEDURE; STATE OF NEVADA'S PRELIMINARY THRESHOLD MOTIONS RE DISMISSAL OF COUNTERCLAIMS, ADDITIONAL PARTIES AND SERVICE OF PROCESS; and WALKER RIVER IRRIGATION DISTRICT'S OPPOSITION TO MOTION OF THE UNITED STATES FOR LEAVE TO FILE COUNTERCLAIM

1 Plaintiff, United States of America, on its own behalf and  
2 for the benefit of the Walker River Paiute Tribe, respectfully  
3 moves this Court for an order extending the time in which to  
4 respond to Walker River Irrigation District's (hereinafter  
5 "WRID") Motions to Dismiss Counterclaims; to Require Joinder of  
6 Parties; and to Require Service of Process in accordance with  
7 Rule 4 of the Federal Rules of Civil Procedure; WRID's Opposition  
8 to Motion of the United States for Leave to File Counterclaim;  
9 and the State of Nevada's Preliminary Threshold Motions Re  
10 Dismissal of Counterclaims, Additional Parties and Service of  
11 Process. WRID and the State of Nevada filed their pleadings on  
12 August 3, 1992. A proposed Order is attached. As grounds for  
13 this motion, Plaintiff states as follows:

14 1. Counsel for the Plaintiff requests additional time to  
15 file a response beyond September 1, 1992. Counsel was absent  
16 from the office August 6 through August 20, 1992, and is expected  
17 to be on official travel for the remainder of the month. The  
18 plaintiff requests an extension of time within which to respond  
19 to the dismissal Motions of WRID and the State of Nevada and  
20 WRID's Opposition to Motion of the United States for Leave to  
21 File Counterclaim up to and including September 11, 1992

22 2. Gordon DePaoli, counsel for the Walker River Irrigation  
23 District, and Margaret Ann Twedt, counsel for the State of  
24 Nevada, were both contacted regarding this motion and neither  
25 oppose the requested extension.


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WHEREFORE, the United States, on its own behalf and for the benefit of the Walker River Paiute Tribe, requests additional time up to and including September 11, 1992, within which to file its response(s) to WRID's and the State of Nevada's dismissal Motions and WRID's Opposition to Motion of the United States for Leave to File Counterclaim.

DATED this 24th day of August, 1992.

Respectfully submitted,

DOUGLAS N. FRAZIER  
United States Attorney

By 

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11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 WALKER RIVER PAIUTE TRIBE,  
14 Plaintiff-Intervenor,  
15 vs.  
16 WALKER RIVER IRRIGATION DISTRICT,  
corporation, et al.,  
17 Defendants.

In Equity C-125  
Subfile C-125-B

18 WALKER RIVER IRRIGATION DISTRICT,  
19 Petitioner,  
20 STATE OF NEVADA,  
21 Petitioner-Intervenor,  
22 vs.

ORDER GRANTING  
EXTENSION OF TIME

23 CALIFORNIA STATE WATER RESOURCES  
CONTROL BOARD, W. DON MAUGHAN,  
24 ELISEO M. SAMANIEGO, JOHN CAFFREY,  
25 MARC DEL PIERO AND JAMES M. STUBCHAER,  
Members of the California State Water  
Resources Control Board,  
26 Respondents,  
27 CALIFORNIA TROUT, INC.,  
28 Respondent-Intervenor.

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The date for the United States to file a response to Walker River Irrigation District's (hereinafter "WRID") Motions to Dismiss Counterclaims; to Require Joinder of Parties; and to Require Service of Process in accordance with Rule 4 of the Federal Rules of Civil Procedure, and WRID's Opposition to Motion of the United States for Leave to File Counterclaim; and the State of Nevada's Preliminary Threshold Motions Re Dismissal of Counterclaims, Additional Parties and Service of Process, is hereby extended until September 11, 1992.

ORDERED this \_\_\_ day of \_\_\_\_\_, 1992.

BY THE COURT:

\_\_\_\_\_  
Edward C. Reed  
Judge, United States District Court

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CERTIFICATE OF SERVICE

I hereby certify that I have this 24th day of August, 1992, served a true copy of the foregoing UNITED STATES OF AMERICA'S UNOPPOSED MOTION FOR EXTENSION OF TIME IN WHICH TO FILE RESPONSE TO THE WALKER RIVER IRRIGATION DISTRICT'S MOTIONS TO DISMISS COUNTERCLAIMS; TO REQUIRE JOINDER OF PARTIES; AND TO REQUIRE SERVICE OF PROCESS IN ACCORDANCE WITH RULE 4 OF THE FEDERAL RULES OF CIVIL PROCEDURE; the STATE OF NEVADA'S PRELIMINARY THRESHOLD MOTIONS RE DISMISSAL OF COUNTERCLAIMS, ADDITIONAL PARTIES AND SERVICE OF PROCESS and the WALKER RIVER IRRIGATION DISTRICT'S OPPOSITION TO MOTION OF THE UNITED STATES FOR LEAVE TO FILE COUNTERCLAIM and a proposed ORDER by placing same in the U. S. mails, postage prepaid, addressed as follows:

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