

1 GORDON H. DePAOLI
2 WOODBURN and WEDGE
3 One East First Street
4 Suite 1600
5 P.O. Box 2311
6 Reno, Nevada 89505
7 Telephone: (702) 688-3000

8 Attorneys for Defendant-Petitioner
9 WALKER RIVER IRRIGATION DISTRICT

10 IN THE UNITED STATES DISTRICT COURT

11 FOR THE DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,)

IN EQUITY NO. C-125
SUBFILE NO. C-125-B

13 Plaintiff,)

14 WALKER RIVER PAIUTE TRIBE,)

15 Plaintiff-Intervenor,)

16 vs.)

17 WALKER RIVER IRRIGATION DISTRICT,)
18 a corporation, et al.,)

19 Defendants.)

20 WALKER RIVER IRRIGATION DISTRICT,)

21 Petitioner,)

22 vs.)

23 CALIFORNIA STATE WATER RESOURCES)
24 CONTROL BOARD, W. DON MAUGHAN,)
25 EDWIN H. FINSTER, ELISEO M.)
26 SAMANIEGO, JOHN CAFFREY and)
27 DARLENE E. RUIZ, Members of the)
28 California State Water Resources)
Control Board,)

Respondents.)

STIPULATION AND ORDER
FOR EXTENSION OF TIME
REGARDING THRESHOLD
MOTIONS IN RELATION TO
COUNTERCLAIMS (NOW CROSS-
CLAIMS) OF WALKER RIVER
PAIUTE TRIBE AND UNITED
STATES OF AMERICA (FIRST
EXTENSION)

RECEIVED
AND FILED

DEC 3 1 31 PM '92

BY CL
DEPUTY
CLERK

CAROL C. FITZGERALD

1. On October 30, 1992, the Court entered its order requiring the United States and the Walker River Paiute Tribe to join as parties all claimants to the waters of the Walker River

1 and its tributaries and to serve all such persons with process in
2 accordance with Rule 4 of the Federal Rules of Civil Procedure.

3 2. The May 18, 1992, Scheduling and Planning Order provides
4 that:

5 Additional threshold motions in relation to
6 the counterclaim of the Tribe will be due to
7 be filed within sixty (60) days after any
8 preliminary threshold motions as provided in
9 the preceding paragraph are decided.
10 Responses to such additional threshold
11 motions will be due thirty (30) days after
12 filing and replies will be due fifteen (15)
13 days thereafter. This schedule shall be
14 subject to adjustment upon motion by the
15 parties and by further order of the Court if
16 it is determined that additional parties
17 should be added and service of process
18 required, or if additional time is needed to
19 give notice to any interested party in
20 relation to the counterclaim.

21 3. In light of the Court's October 30, 1992 order
22 concerning joinder and service of process the schedule for
23 additional threshold motions should be vacated and reestablished
24 at a scheduling conference held after the Tribe and the United
25 States have complied with the Court's October 30, 1992 order.

26 4. No prior extensions of time have been granted by the
27 Court, the Clerk of the Court or any party with respect to
28 additional threshold motions in relation to the counterclaim (now
cross-claims) of the Tribe and the United States.

NOW, THEREFORE, based upon the foregoing and subject to the
approval of the Court, the parties hereto, acting through their
respective counsel, hereby stipulate that the schedule for
additional threshold motions in relation to the counterclaims (now
cross-claims) of the Tribe and the United States be vacated and be

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

reestablished after the Tribe and the United States have complied with this Court's order of October 30, 1992.

DATED this 30th day of November, 1992.

WOODBURN and WEDGE
One East First Street, Suite 1600
P.O. Box 2311
Reno, Nevada 89505

By Gordon H. DePaoli
GORDON H. DePAOLI
Attorneys for Defendant-Petitioner
WALKER RIVER IRRIGATION DISTRICT

VARGAS & BARTLETT
201 West Liberty Street, Suite 300
P.O. Box 281
Reno, NV 89504

By See Signature via Facsimile Attached Hereto
LINDA BOWMAN
Attorneys for United States Board of
Water Commissioners

STATE OF CALIFORNIA
Water Resources Control Board
2101 Webster Street, 12th Street
Oakland, CA 94612-3049

By See Signature via Facsimile Attached Hereto

UNITED STATES OF AMERICA
John P. Lange
Douglas N. Frazier
United States Attorney
999 - 18th Street, Suite 945
Denver, Colorado 80202

By See Signature via Facsimile Attached Hereto

IT IS SO ORDERED
Edward C. Reed
U.S. DISTRICT JUDGE

3 DATED: Dec. 3, 1992

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF NEVADA
Frankie Sue Del Papa
Attorney General
Margaret Ann Twedt
Deputy Attorney General
123 West Nye Lane
Carson City, Nevada 89710

By See Signature via Facsimile Attached Hereto

GREENE, MEYER & MCELROY, P.C.
Scott B. McElroy
and
CLASSEN AND OLSON
Richard E. Olson, Jr.
P.O. Box 2101
Carson City, Nevada 89702

By See Signature via Facsimile Attached Hereto

Attorneys for Walker River Paiute Tribe

IT IS SO ORDERED.

Dated _____

UNITED STATES DISTRICT JUDGE

Case 3:73-cv-00127-RCJ-WGC Document 16 Filed 12/03/92 Page 5 of 11

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

reestablished after the Tribe and the United States have complied with this Court's order of October 30, 1992.

DATED this _____ day of November, 1992.

WOODBURN and WEDGE
One East First Street, Suite 1600
P.O. Box 2311
Reno, Nevada 89505

By _____
GORDON H. DePAOLI
Attorneys for Defendant-Petitioner
WALKER RIVER IRRIGATION DISTRICT

VARGAS & BARTLETT
201 West Liberty Street, Suite 300
P.O. Box 281
Reno, NV 89504

By Linda A. Bowman
LINDA BOWMAN
Attorneys for United States Board of
Water Commissioners

STATE OF CALIFORNIA
Water Resources Control Board
2101 Webster Street, 12th Street
Oakland, CA 94612-3049

By _____

UNITED STATES OF AMERICA
John P. Lange
Douglas N. Frazier
United States Attorney
999 - 18th Street, Suite 945
Denver, Colorado 80202

By _____

1 reestablished after the Tribe and the United States have complied
2 with this Court's order of October 30, 1992.

3 DATED this 20 day of November, 1992.

4 WOODBURN and WEDGE
5 One East First Street, Suite 1600
6 P.O. Box 2311
7 Reno, Nevada 89505

8 By _____
9 GORDON H. DePAOLI
10 Attorneys for Defendant-Petitioner
11 WALKER RIVER IRRIGATION DISTRICT

12 VARGAS & BARTLETT
13 201 West Liberty Street, Suite 300
14 P.O. Box 281
15 Reno, NV 89504

16 By _____
17 LINDA BOWMAN
18 Attorneys for United States Board of
19 Water Commissioners

20 STATE OF CALIFORNIA
21 Water Resources Control Board
22 2101 Webster Street, 12th Street
23 Oakland, CA 94612-3049

24 By *Mary E. Henderson*

25 UNITED STATES OF AMERICA
26 John P. Lange
27 Douglas N. Frazier
28 United States Attorney
999 - 18th Street, Suite 945
Denver, Colorado 80202

By _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

reestablished after the Tribe and the United States have complied with this Court's order of October 30, 1992.

DATED this _____ day of November, 1992.

WOODBURN and WEDGE
One East First Street, Suite 1600
P.O. Box 2311
Reno, Nevada 89505

By _____
GORDON H. DePAOLI
Attorneys for Defendant-Petitioner
WALKER RIVER IRRIGATION DISTRICT

VARGAS & BARTLETT
201 West Liberty Street, Suite 300
P.O. Box 281
Reno, NV 89504

By _____
LINDA BOWMAN
Attorneys for United States Board of
Water Commissioners

STATE OF CALIFORNIA
Water Resources Control Board
2101 Webster Street, 12th Street
Oakland, CA 94612-3049

By _____

UNITED STATES OF AMERICA
John P. Lange
Douglas N. Frazier
United States Attorney
999 - 18th Street, Suite 945
Denver, Colorado 80202

By John P. Lange

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF NEVADA
Frankie Sue Del Papa
Attorney General
Margaret Ann Twedt
Deputy Attorney General
123 West Nye Lane
Carson City, Nevada 89710

By Margaret Ann Twedt

GREENE, MEYER & McELROY, P.C.
Scott B. McElroy
and
CLASSEN AND OLSON
Richard E. Olson, Jr.
P.O. Box 2101
Carson City, Nevada 89702

By _____
Attorneys for Walker River Paiute Tribe

IT IS SO ORDERED.

Dated _____

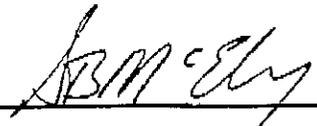
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF NEVADA
Frankie Sue Del Papa
Attorney General
Margaret Ann Twedt
Deputy Attorney General
123 West Nye Lane
Carson City, Nevada 89710

By _____

GREENE, MEYER & McELROY, P.C.
Scott B. McElroy
and
CLASSEN AND OLSON
Richard E. Olson, Jr.
P.O. Box 2101
Carson City, Nevada 89702

By  _____

Attorneys for Walker River Paiute Tribe

IT IS SO ORDERED.

Dated _____

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE BY MAIL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I certify that I am an employee of Woodburn and Wedge, and that on this date, pursuant to FRCP 5(b), I deposited in the United States mail at Reno, Nevada, a true copy of the foregoing document, addressed to:

Shirley A. Smith
Asst. U.S. Attorney
300 Booth Street, Room 2031
Reno, Nevada 89509

Richard R. Greenfield
Dept. of the Interior
Two North Central Ave., #500
Phoenix, AZ 85004

Larry C. Reynolds
Deputy Attorney General
201 South Fall Street
Carson City, NV 89710

Western Nevada Agency
Bureau of Indian Affairs
1677 Hot Springs Road
Carson City, NV 89706

Jim Weishaupt, General Manager
WRID
P.O. Box 820
Yerington, NV 89447

R. Michael Turnipseed, P.E.
Division of Water Resources
State of Nevada
123 West Nye Lane
Carson City, NV 89710

James T. Markle
State Water Resources
Control Board
P.O. Box 100
Sacramento, CA 95814

Scott McElroy
Greene, Meyer & McElroy
1007 Pearl Street
Boulder, CO 80302

John Kramer
Dept. of Water Resources
1416 Ninth Street
Sacramento, CA 95814

Richard E. Olson, Jr.
Claassen and Olson
P.O. Box 2101
Carson City, NV 89702

John P. Lange
Land and Natural Resources
Federal Bldg., Dr. 3607
999 18th Street, Ste. 945
Denver, CO 80202

Ross E. deLipkau
P.O. Box 2790
Reno, Nevada 89505

Roger Johnson
Water Resources Control Board
State of California
P.O. Box 2000
Sacramento, CA 95810

Garry Stone
290 South Arlington
Reno, NV 89510

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Linda Bowman
Vargas & Bartlett
P.O. Box 281
Reno, Nevada 89504

Peggy Twedt
Deputy Attorney General
State of Nevada
123 W. Nye Lane
Carson City, Nevada 89710

Mary Hackenbracht
Deputy Attorney General
State of California
2101 Webster Street
Oakland, CA 94612-3049

Roger Bezayiff
Water Master
U.S. Board of Water
Commissioners
P.O. Box 853
Yerington, Nevada 89447

DATED this 2 day of December, 1992.

Zwenny W. Chambers