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BY JRH

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6 702/323-4599

7 Attorneys for Intervenor  
8 MINERAL COUNTY OF NEVADA

9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA, )  
12 )  
13 Plaintiff, )  
14 WALKER RIVER PAIUTE )  
15 TRIBE, )  
16 Plaintiff-Intervenor, )  
17 vs. )  
18 WALKER RIVER IRRIGATION )  
19 DISTRICT, a corporation, et al. )  
20 Defendants. )  
21 \_\_\_\_\_ )

IN EQUITY NO. C-125s  
Subfile No. C-125-B

**NOTICE OF MOTION AND  
MOTION OF MINERAL  
COUNTY OF NEVADA FOR  
INTERVENTION**

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1 WALKER RIVER IRRIGATION )  
 2 DISTRICT, )  
 3 )  
 4                                   Petitioner, )  
 5 )  
 6                                   vs. )  
 7 )  
 8 CALIFORNIA STATE WATER )  
 9 RESOURCES CONTROL )  
 10 BOARD, W. DON MAUGHAN, )  
 11 EDWIN H. FINSTER, ELISEO )  
 12 M. SAMANIEGO, JOHN )  
 13 CAFFREY and DARLENE E. )  
 14 RUIZ, Members of the California )  
 15 Water Resources Control Board, )  
 16 )  
 17                                   Respondents. )  
 18 \_\_\_\_\_ )

14 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

15 PLEASE TAKE NOTICE that MINERAL COUNTY, a nonprofit organization,  
16 moves this Court pursuant to Rule 24(a)(2), or in the alternative, Rule 24(b)(2), of the  
17 Federal Rules of Civil Procedure for an Order granting intervention in this action.

19 The grounds for this motion are as follows:

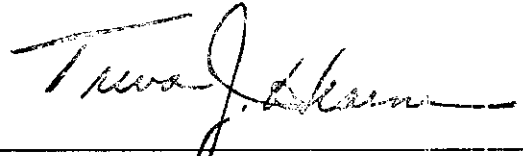
20 (a) MINERAL COUNTY claims an interest relating to the subject matter of  
21 this action and is so situated that the disposition of this action may as a practical  
22 matter impair or impede its ability to protect that interest, which may not be  
23 adequately represented by existing parties. FRCP 24(a)(2).

25 (b) MINERAL COUNTY's defense and the main action have a question of  
26 law or fact in common and intervention will not unduly delay the litigation or  
27 prejudice existing parties. FRCP 24(b)(2).  
28

1 This motion is based on this Notice of Motion, the accompanying Memorandum  
2 of Points and Authorities, the Declaration of Kelvin J. Buchanan, Louis Thompson,  
3 Harold Staat, Marlene Bunch, and the proposed Petition in Intervention served and  
4 filed herewith, and papers and records on file herein.  
5

6  
7 DATED this 21st day of October, 1994.  
8

9 ZEH, SPOO & HEARNE



10  
11 BY \_\_\_\_\_

12 TREVA J. HEARNE  
13 Attorney for Intervenor  
14 MINERAL COUNTY OF NEVADA  
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**CERTIFICATE OF MAILING**

Pursuant to FRCP 5(b), I certify that I am an employee of the Law Office of ZEH,  
SPOO & HEARNE, and that on this date I caused to be mailed a copy of the attached  
**NOTICE OF MOTION AND MOTION OF MINERAL COUNTY OF NEVADA FOR  
INTERVENTION**, with postage fully prepaid to:

See attached Service List

DATED this 25th day of October, 1994.

  
MARILYN MITCHELL

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SERVICE LIST

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