#### Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 1 of 11 GORDON H. DePAOLI 1 WOODBURN AND WEDGE One East First Street 2 Suite 1600 P.O. Box 2311 3 Reno, Nevada 89505 Telephone: (702) 688-3000 4 5 Attorneys for WALKER RIVER IRRIGATION DISTRICT U.S. DISTRICT COURT DISTRICT OF NEVADA RECEIVED IN THE UNITED STATES DISTRICT COURT CLERK, U.S. DISTRICT COURT FOR THE DISTRICT OF NEVADA 10 DEPUT 11 IN EQUITY NO. C-125 UNITED STATES OF AMERICA, 12 SUBFILE NO. C-125-B Plaintiff, 13 WALKER RIVER PAIUTE TRIBE, 14 Plaintiff-Intervenor, 15 16 vs. WALKER RIVER IRRIGATION DISTRICT, 17 a corporation, et al., 18 Defendants. STIPULATION AND ORDER 19 CONCERNING MINERAL COUNTY'S MOTION TO 20 WALKER RIVER PAIUTE TRIBE, INTERVENE AND FOR PRETRIAL CONFERENCE 21 Counterclaimant, THEREON (First Request) 22 VS. 23 WALKER RIVER IRRIGATION DISTRICT, et al., 24 Counterdefendants. 25 26 On or about October 25, 1994, Mineral County, Nevada 27 filed a Notice of Motion and Motion for Intervention and 28 WOODBURN AND supporting documents in this matter (the "Motion to Intervene"). WEDGE

ATTORNEYS
ONE EAST FIRST STREET
RENO. NEVADA 89501
(702) 688-3000

- 2. The Motion to Intervene was served by mail on counsel for the United States, the Walker River Paiute Tribe, the California State Water Resources Control Board, California Trout, Inc. and the United States Board of Water Commissioners on October 25, 1994 and on counsel for the State of Nevada and the Walker River Irrigation District on November 2, 1994.
- 3. The Motion to Intervene was also served by mail on various other persons on October 25, 1994.
- 4. A pretrial conference concerning the Motion to Intervene would be useful in expediting its disposition.
- 5. A determination should be made as to who should receive notice of and have an opportunity to respond to the Motion to Intervene.
- 6. The undersigned are available for a pretrial conference concerning the Motion to Intervene within the next thirty (30) days at the convenience of the Court.
- 7. There have been no previous extensions of time sought or granted with respect to a response to the Motion to Intervene.

NOW, THEREFORE, based upon the foregoing and subject to the approval of the Court, the undersigned hereby stipulate as follows:

- 1. That a pretrial conference be held concerning the Motion to Intervene at a date and time convenient to the Court and counsel and preferably within the next thirty (30) days;
- 2. That no response to the Motion to Intervene be required pending the order of the court at the pretrial conference; and

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#### Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 3 of 11

- That the undersigned shall separately serve and file at least ten (10) days prior to the pretrial conference, a report concerning the following issues:
- The persons who should be given notice of and an (a) opportunity to respond to the Motion to Intervene; and
- Any other matter which will aid in the disposition of the Motion to Intervene; and
- Pending the order of the court at the pretrial conference the undersigned will serve counsel for Mineral County

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WEDGE

ATTORNEYS ONE EAST FIRST STREET RENO, NEVADA 89501 (702) 688-3000

#### Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 4 of 11 1 with a copy of any paper required to be served and filed herein 2 under the Federal Rules of Civil Procedure. DATED this 15th day of November, 1994. 3 4 WOODBURN and WEDGE Frankie Sue Del Papa One East First Street, Suite 1600 Attorney General 5 State of Nevada P.O. Box 2311 Reno, Nevada 89505 123 West Nye Lane 6 Carson City, Nevada 89710 7 GORDON H. DePAOLI By See signature via facsimile attached 8 SUSAN JOSEPH-TAYLOR Attorneys for WALKER RIVER IRRIGATION DISTRICT Attorneys for the State of 9 Nevada VARGAS & BARTLETT 10 201 West Liberty Street, Suite 300 GREENE, MEYER & McELROY, P.C. P.O. Box 281 1007 Pearl Street 11 Reno, NV 89504 Boulder, CO 80302 12 By See signature via facsimile attached SCOTT B. McELROY By See signature via facsimile attached 13 LINDA BOWMAN Attorneys for Walker River Attorneys for United States Board Paiute Tribe 14 Water Commissioners ZEH, SPOO & HEARNE 15 Daniel Lungren 450 Marsh Avenue Attorney General Reno, Nevada 89509 16 2101 Webster Street, 12th Floor Oakland, CA 94612-3049 By See signature via facsimile attached 17 Attorneys for Mineral County 18 McCUTCHEN, DOYLE, BROWN & BySee signature via facsimile attached MARY E. HACKENBRACHT ENERSEN 19 Attorneys for the California Three Embarcadero Center State Water Resources Control BoardSan Francisco, CA 94111 20 Kathryn Landreth BySee signature via facsimile attached 21 John P. Lange DAVID E. MOSER United States Attorney Attorneys for Cal-Trout, Inc. 22 999 - 18th Street, Suite 945 Deriver, Colorado 80202 IT IS SO ORDERED. 23 24 BySee signature via facsimile attached UNITED STATES DISTRICT JUDGE JOHN P. LANGE

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WOODBURN AND
WEDGE
ATTORNEYS
ONE EAST FIRST STREET
RENO, NEVADA 89501

(702) 688-3000

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Attorneys for the United States of

# Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 5 of 11

Ţ	with a copy of any paper required	to be served and filed herein
2	under the federal Rules of Civil P	rocedure.
3	DATED this day of No	vember, 1994.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa
5	P.O. Box 2311 Reno, Nevada 89505	State of Nevada
6		123 West Nye Lane Carson City, Nevada 89710
7	GORDON H. DePAOLI	_
8	MACCIDENS TOE MATREE KIVER	By SUSAN JOSEPH-TAYLOR Attorneys for the State of
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10	201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & McELROY, P.C. 1007 Pearl Street
11	Reno, NV \$9504	Boulder, co gazas
12	By Inda a Bowman	By ACCOMM TO MORE TROOP
13	THE PROPERTY OF THE PROPERTY O	Attorneys for Walker River
14	Attorneys for United States Board Water Commissioners	
15	Daniel Lungren Attorney General	ZEH, SPOO & HEARNE 450 Marsh Avenue Reno, Nevada 39509
16	2101 Webster Street, 12th Floor Oakland, Ch 94612-3049	
17		Attorneys for Mineral County
18	MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN &
19	ACCOMBRYS FOR THE CALLFORNIA	Three Embarcadero Centar
20	State Water Resources Control Board	ASAN Francisco, CA 94111
21	Kathryn Landreth John P. Lange	DAVID E. MOSER
22	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
23	Denver, Colorado 80202	IT IS SO ORDERED.
24	By	
25	JOHN P. LANGE Attorneys for the United States of	UNITED STATES DISTRICT JUDGE
26	America	DATED
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### Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 6 of 11

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1	with a copy of any paper required	to be served and filed herein
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3	DATED this day of November, 1994.	
4	WOODBURN and WEDGE	Frankie Sue Del Papa
5	One East First Street, Suite 1600 P.O. Box 2311 Reno, Nevada 89505	State of Nevada
6	Reno, Nevada 89505	Carson City, Nevada 89710
7	By	P
8	GORDON H. DEPAOLI	CHCAN TACEDU_TAVIAD
	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	Attorneys for the State of
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12		Ву
		SCOTT B. McELROY
13	LINDA BOWMAN	SCOTT B. McELROY Attorneys for Walker River Painte Tribe
	induction bear anatom common board	Paiute Tribe
14	Water Commissioners	
1 =		ZEH, SPOO & HEARNE
15	Daniel Lungren Attorney General	450 Marsh Avenue
16	Attorney General	Reno, Nevada 89509
10	2101 Webster Street, 12th Floor	, D.,
17	Oakland, CA 94612-3049	By Attorneys for Mineral County
^ /		Accorneys for Mineral Councy
18	BY MARY E HACKENBRACHT	McCutchen, Doyle, Brown & Enersen
19	Attorneys for the California	Three Embarcadero Center
ĺ	State Water Resources Control Board	iSan Francisco, CA 94111
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_	Kathryn Landreth	Ву
21	John P. Lange	DAVID E. MOSER
	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945	
23	Denver, Colorado 80202	IT IS SO ORDERED.
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24	But	
	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of	
- 1	America	DATED
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### Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 7 of 11

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3	DATED this day of No	vember, 1994.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa
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6	P.O. Box 2311 Reno, Nevada 90805	Carson City, Nevada 89710
7	To a v	
8	GORDON H. DEPAOLI	SUGAN TACEPULTRULAD
9	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	Attorneys for the State of Nevada
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12	_	SCOTT B. MCELROY
13	By	Attorneys for Walker River
14	Attorneys for United States Board Water Commissioners	Paiute Tribe
		ZEH, SPOO & HEARNE
15	Daniel Lungren Attorney General	450 Marsh Avenue
16	2101 Webster Street, 12th Floor	
17	Oakland, CA 94612-3049	Attorneys for Mineral County
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18	By MARY R. HACKENERACHT	MCCUTCHEN, DOYLE, BROWN &
19	MARY E. HACKENBRACHT Attorneys for the California	Three Embarcadero Center
20	State Water Resources Control Board	dSan Francisco, CA 94111
21	Kathryn Landreth	By
j	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945	
23	Denver, Colorade 80202	IT IS SO ORDERED.
24	By John Jange	
25	Attorneys for the United States of	UNITED STATES DISTRICT JUDGE
26	America	DATED
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## Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 8 of 11

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3	DATED this day of November, 1994.	
4	WOODBURN and WEDGE One East First Street, Suite 1600 P.O. Box 2311	Frankie Sue Del Papa
5	P.O. Box 2311 Reno, Nevada 89505	State of Nevada 123 West Nye Lane
6	Reno, Nevada 89808	Carson City, Nevada 89710
7	By	1 (00) 1-10,00
8	CORDON M. DEPAOLI	CHON TOCKINI MANIAN
o ì	IRRIGATION DISTRICT	Attorneys for the state of
9	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT VARGAS & BARTLETT	Nevada
10	30% West Liberty Street, Suite 300	GREENE, MEYER & MCELROY, P.C.
	P.O. Box 281	1007 Pearl Street
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	Ву	SCOTT B. MCELROY
13	LINDA DOWMAN	SCOTT B. McELROY Attorneys for Walker River
14	Attorneys for United States Board Watter Commissioners	Paiute Tribe
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15	Daniel Lungren	450 Marsh Avenue
	Attorney General	Reno, Nevada 89509
16	2101 Webster Street, 12th Floor	·
17	Oakland, CA 94612-3049	Ву
17		Attorneys for Mineral County
18	By	MCCUTCHEN, DOYLE, BROWN &
	MARY E. HACKENBRACHT	ENERSEN
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20	State Water Resources Control Board	iSan Francisco, CA 94111
21	Kathryn Landreth	Ву
	i marrie e e morasida	DAVID E. MOSER
22	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
23	Denver, Colorado 80202	IT IS SO ORDERED.
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24	By	
ا ہے۔	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of	
26	America	DATED
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### Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 9 of 11

with a copy of any paper requ	<b>ired to be served and filed</b> herein
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DATED this day of	of November, 1994.
	·
WOODBURN and WEDGE One East First Street, Suite :	rrankie Sue Dei Papa 1600 Attorney General
P.O. Box 2311 Reno, Nevada 89505	
meno, nevada 65505	Carson City, Nevada 89710
30	
GORDON H. DePAOLI	By
ttorneys for WALKER RIVER	By SUSAN JOSEPH-TAYLOR Attorneys for the State of
	Attorneys for the State of Nevada
VARGAS & BARTLETT	- 200 CD TOUR
P.O. Box 281	300 GREENE, MÉYÉR & MCELROY, P.C. 1007 Pearl Street
Reno, NV 89504	Boulder, CO 80302
_	By SCOTT B. MCELROY
Y	SCOTT B. MCREROY
LINDA BOWMAN	Attorneys før Walker River
Attorneys for United States Bo Water Commissioners	
Daniel Lungren	ZEH, SPOO & HEARNE
sttorney General	450 Marsh Avenue Reno, Nevada 89509
101 Webster Street, 12th Floo	reno, nevada espos
akland, CA 94612-3049	Ву
	Attorneys for Mineral County
у	MCCUTCHEN, DOYLE, BROWN &
MARY E. HACKENBRACHT	ENERSEN
ttorneys for the California	Three Embarcadero Center
tate water Resources Control	BoardSan Francisco, CA 94111
(athryn Landreth	Ву
ohn P. Lange	DAVID E. MOSER
nited States Attorney 99 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
enver, Colorado 80202	IT IS SO ORDERED.
ЗУ	
JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
ttorneys for the United State: merica	
mange a GC	DATED

#### Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 10 of 11 with a copy of any paper required to be served and filed herein 1 under the Federal Rules of Civil Procedure. My M day of November, 1994. 3 WOODBURN and WEDGE Frankie Sue Del Papa One East First Street, Suite 1600 Attorney General 5 State of Nevada P.O. Box 2311 123 West Nye Lane Reno, Nevada 89505 б Carson City, Nevada 89710 7 GORDON H. DePAOLI 8 SUSAN JOSEPH-TAYLOR Attorneys for WALKER RIVER IRRIGATION DISTRICT Attorneys for the State of 9 Nevada VARGAS & BARTLETT 10 201 West Liberty Street, Suite 300 GREENE, MEYER & McELROY, P.C. 1007 Pearl Street P.O. Box 281 11 Reno, NV 89504 Boulder, CO 80302 12 SCOTT B. McELROY 13 Attorneys for Walker River LINDA BOWMAN Attorneys for United States Board Paiute Tribe 14 Water Commissioners ZEH, SPOO & HEARNE 15 Daniel Lungren 450 Marsh Avenue Attorney General Reng Nevada 89509 16 2101 Webster Street, 12th Floor Oakland, CA 94612-3049 Attorneys for 17 18 MCCUTCHEN, DOYLE, BROWN & MARY E. HACKENBRACHT ENERSEN 19 Attorneys for the California Three Embarcadero Center State Water Resources Control BoardSan Francisco, CA 94111 20 Kathryn Landreth By\_\_\_ 21 John P. Lange DAVID E. MOSER United States Attorney Attorneys for Cal-Trout, Inc. 22 999 - 18th Street, Suite 945 Denver, Colorado 80202 IT IS SO ORDERED. 23 24 JOHN P. LANGE UNITED STATES DISTRICT JUDGE 25 Attorneys for the United States of America DATED 26

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## Case 3 73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 11 of 11

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3	DATED this day of No	vember, 1994.
4	WOODBURN and WEDGE	Frankia Cua Dal Dana
5	One Fast First Street, Suite 1600 P.O. Box 2311	Attorney General
6	Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
7	Ву	_,
•	GORDON H. DePAOLI	Ву
. 8	Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of
·	VARGAS & BARTLETT	N≘vada
10	201 West Liberty Street, Suite 300	GREENE, MEYER & MCELROY, P.C.
. 11	f!	1007 Pearl Street Boulder, CO 80302
12		Ву
13	Ву	SCOTT B. MCELROY
. 14	LINDA BOWMAN Attorneys for United States Board Water Commissioners	Attorneys for Walker River Paiute Tribe
	STATE STATE OF THE	ZEH, SPOO & HEARNE
. 15	Daniel Lungren	450 Marsh Avenue
16	Attorney General	Reno, Nevada 89509
10	2101 Webster Street, 12th Floor	-
17	Oakland, CA 94612-3049	Attorneys for Mineral County
18	Ву	MCCUTCHEN, DOYLE, BROWN &
19	MARY E. HACKENBRACHT Attorneys for the California	ENERSEN Three Paharandore Contar
	State Water Resources Control Board	Isan Francisco. CA 94111
20	Kathryn Landreth	1 hudle
21	John P. Lange	DAVID E. MOSER
22	United States Attorney	Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945 Denver, Colorado 80202	IT IS SO ORDERED.
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24	Ву	
25	JOHN P. LANGE Attorneys for the United States of	UNITED STATES DISTRICT JUDGE
26	America	DATED
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WOODBURN AND WEDGE	4	
ATTORNEYS ONE EAST FIRST STREET		

RENO, NEVADA 19561