

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
9 Attorneys for
10 WALKER RIVER IRRIGATION DISTRICT

U.S. DISTRICT COURT
DISTRICT OF NEVADA
RECEIVED
NOV 15 1994
CLERK, U.S. DISTRICT COURT
BY DEPUT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

11
12 UNITED STATES OF AMERICA,)
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 PAIUTE TRIBE,)
21 Counterclaimant,)
22 vs.)
23 WALKER RIVER IRRIGATION DISTRICT,)
24 et al.,)
25 Counterdefendants.)

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

NOV 17 1 32 PM '94
CAROL G. FRIEDLAND
CLERK

STIPULATION AND ORDER
CONCERNING MINERAL
COUNTY'S MOTION TO
INTERVENE AND FOR
PRETRIAL CONFERENCE
THEREON
(First Request)

26
27 1. On or about October 25, 1994, Mineral County, Nevada
28 filed a Notice of Motion and Motion for Intervention and
supporting documents in this matter (the "Motion to Intervene").

1 2. The Motion to Intervene was served by mail on counsel
2 for the United States, the Walker River Paiute Tribe, the
3 California State Water Resources Control Board, California Trout,
4 Inc. and the United States Board of Water Commissioners on October
5 25, 1994 and on counsel for the State of Nevada and the Walker
6 River Irrigation District on November 2, 1994.

7 3. The Motion to Intervene was also served by mail on
8 various other persons on October 25, 1994.

9 4. A pretrial conference concerning the Motion to Intervene
10 would be useful in expediting its disposition.

11 5. A determination should be made as to who should receive
12 notice of and have an opportunity to respond to the Motion to
13 Intervene.

14 6. The undersigned are available for a pretrial conference
15 concerning the Motion to Intervene within the next thirty (30)
16 days at the convenience of the Court.

17 7. There have been no previous extensions of time sought or
18 granted with respect to a response to the Motion to Intervene.

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

22 1. That a pretrial conference be held concerning the Motion
23 to Intervene at a date and time convenient to the Court and
24 counsel and preferably within the next thirty (30) days;

25 2. That no response to the Motion to Intervene be required
26 pending the order of the court at the pretrial conference; and
27

28

1 3. That the undersigned shall separately serve and file at
2 least ten (10) days prior to the pretrial conference, a report
3 concerning the following issues:

4 (a) The persons who should be given notice of and an
5 opportunity to respond to the Motion to Intervene; and

6 (b) Any other matter which will aid in the disposition
7 of the Motion to Intervene; and

8 4. Pending the order of the court at the pretrial
9 conference the undersigned will serve counsel for Mineral County

10 ///
11 ///
12 ///
13 ///
14 ///
15 ///
16 ///
17 ///
18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///

27
28

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this 15th day of November, 1994.

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

Frankie Sue Del Papa
Attorney General
State of Nevada
123 West Nye Lane
Carson City, Nevada 89710

8 By Gordon H. DePaoli
9 GORDON H. DePAOLI
10 Attorneys for WALKER RIVER
11 IRRIGATION DISTRICT

By See signature via facsimile attached
SUSAN JOSEPH-TAYLOR
Attorneys for the State of
Nevada

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

GREENE, MEYER & McELROY, P.C.
1007 Pearl Street
Boulder, CO 80302

16 By See signature via facsimile attached
17 LINDA BOWMAN
18 Attorneys for United States Board
19 Water Commissioners

By See signature via facsimile attached
SCOTT B. McELROY
Attorneys for Walker River
Paiute Tribe

20 Daniel Lungren
21 Attorney General
22 2101 Webster Street, 12th Floor
23 Oakland, CA 94612-3049

ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509

24 By See signature via facsimile attached
25 MARY E. HACKENBRACHT
26 Attorneys for the California
27 State Water Resources Control Board

By See signature via facsimile attached
McCUTCHEEN, DOYLE, BROWN &
ENERSEN
Three Embarcadero Center
San Francisco, CA 94111

28 Kathryn Landreth
John P. Lange
United States Attorney
999 - 18th Street, Suite 945
Denver, Colorado 80202

By See signature via facsimile attached
DAVID E. MOSER
Attorneys for Cal-Trout, Inc.

IT IS SO ORDERED.

By See signature via facsimile attached
JOHN P. LANGE
Attorneys for the United States of
America

UNITED STATES DISTRICT JUDGE
DATED _____

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

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this _____ day of November, 1994.

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

Frankie Sue Del Papa
Attorney General
State of Nevada
123 West Nye Lane
Carson City, Nevada 89710

7 By _____
8 GORDON H. DePAOLI
9 Attorneys for WALKER RIVER
10 IRRIGATION DISTRICT

By _____
SUSAN JOSEPH-TAYLOR
Attorneys for the State of
Nevada

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

GREENE, MEYER & McELROY, P.C.
1007 Pearl Street
Boulder, CO 80302

12 By Linda A. Bowman
13 LINDA BOWMAN
14 Attorneys for United States Board
15 Water Commissioners

By _____
SCOTT B. McELROY
Attorneys for Walker River
Paiute Tribe

15 Daniel Lungren
16 Attorney General
17 2101 Webster Street, 12th Floor
18 Oakland, CA 94612-3049

ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509

18 By _____
19 MARY E. HACKENBRACHT
20 Attorneys for the California
21 State Water Resources Control Board

By _____
Attorneys for Mineral County

McCUTCHEN, DOYLE, BROWN &
ENERSEN
Three Embarcadero Center
San Francisco, CA 94111

21 Kathryn Landreth
22 John P. Lange
23 United States Attorney
24 999 - 18th Street, Suite 945
25 Denver, Colorado 80202

By _____
DAVID E. MOSER
Attorneys for Cal-Trout, Inc.

IT IS SO ORDERED.

24 By _____
25 JOHN P. LANGE
26 Attorneys for the United States of
27 America

UNITED STATES DISTRICT JUDGE
DATED _____

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this 14 day of November, 1994.

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

Frankie Sue Del Papa
Attorney General
State of Nevada
123 West Nye Lane
Carson City, Nevada 89710

7 By _____
8 GORDON H. DePAOLI
9 Attorneys for WALKER RIVER
10 IRRIGATION DISTRICT

By _____
SUSAN JOSEPH-TAYLOR
Attorneys for the State of
Nevada

10 VARGAS & BARTLETT
11 201 West Liberty Street, Suite 300
12 P.O. Box 281
13 Reno, NV 89504

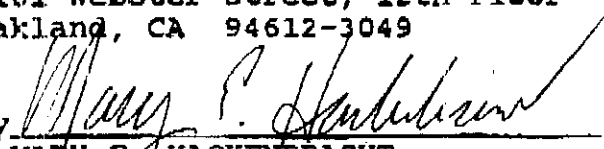
GREENE, MEYER & McELROY, P.C.
1007 Pearl Street
Boulder, CO 80302

12 By _____
13 LINDA BOWMAN
14 Attorneys for United States Board
15 Water Commissioners

By _____
SCOTT B. McELROY
Attorneys for Walker River
Paiute Tribe

15 Daniel Lungren
16 Attorney General
17 2101 Webster Street, 12th Floor
18 Oakland, CA 94612-3049

ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509

18 By  _____
19 MARY E. HACKENBRACHT
20 Attorneys for the California
21 State Water Resources Control Board

By _____
Attorneys for Mineral County

McCUTCHEM, DOYLE, BROWN &
ENERSEN
Three Embarcadero Center
San Francisco, CA 94111

21 Kathryn Landreth
22 John P. Lange
23 United States Attorney
24 999 - 18th Street, Suite 945
25 Denver, Colorado 80202

By _____
DAVID E. MOSER
Attorneys for Cal-Trout, Inc.

IT IS SO ORDERED.

24 By _____
25 JOHN P. LANGE
26 Attorneys for the United States of
27 America

UNITED STATES DISTRICT JUDGE

DATED _____

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this _____ day of November, 1994.

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

Frankie Sue Del Papa
Attorney General
State of Nevada
123 West Nye Lane
Carson City, Nevada 89710

7 By _____
8 GORDON H. DePAOLI
9 Attorneys for WALKER RIVER
10 IRRIGATION DISTRICT

By _____
SUSAN JOSEPH-TAYLOR
Attorneys for the State of
Nevada

10 VARGAS & BARTLETT
11 201 West Liberty Street, Suite 300
12 P.O. Box 281
13 Reno, NV 89504

GREENE, MEYER & McELROY, P.C.
1007 Pearl Street
Boulder, CO 80302

12 By _____
13 LINDA BOWMAN
14 Attorneys for United States Board
15 Water Commissioners

By _____
SCOTT B. McELROY
Attorneys for Walker River
Paiute Tribe

15 Daniel Lungren
16 Attorney General
17 2101 Webster Street, 12th Floor
18 Oakland, CA 94612-3049

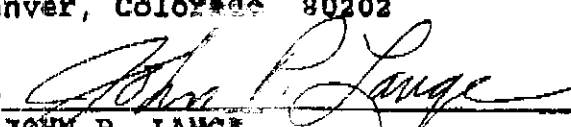
ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509

18 By _____
19 MARY E. HACKENBRACHT
20 Attorneys for the California
21 State Water Resources Control Board

By _____
Attorneys for Mineral County

21 Kathryn Landreth
22 John P. Lange
23 United States Attorney
24 999 - 18th Street, Suite 945
25 Denver, Colorado 80202

McCUTCHEM, DOYLE, BROWN &
ENERSEN
Three Embarcadero Center
San Francisco, CA 94111

24 By 
25 JOHN P. LANGE
26 Attorneys for the United States of
27 America

By _____
DAVID E. MOSER
Attorneys for Cal-Trout, Inc.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE
DATED _____

Case 3:73-cv-00127-MMD-CSD Document 34 Filed 11/17/1994 Page 8 of 11

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this day of November, 1994.

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

Frankie Sue Del Papa
Attorney General
State of Nevada
123 West Nye Lane
Carson City, Nevada 89710

7 By _____
8 GORDON H. DePAOLI
9 Attorneys for WALKER RIVER
10 IRRIGATION DISTRICT

By Susan Joseph-Taylor
SUSAN JOSEPH-TAYLOR
Attorneys for the State of
Nevada

10 VARGAS & BARTLETT
11 301 West Liberty Street, Suite 300
12 P.O. Box 281
13 Reno, NV 89504

GREENE, MEYER & McELROY, P.C.
1007 Pearl Street
Boulder, CO 80302

12 By _____
13 LINDA DOWMAN
14 Attorneys for United States Board
15 Water Commissioners

By _____
SCOTT B. McELROY
Attorneys for Walker River
Paiute Tribe

15 Daniel Lungren
16 Attorney General
17 2101 Webster Street, 12th Floor
18 Oakland, CA 94612-3049

ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509

18 By _____
19 MARY E. HACKENBRACHT
20 Attorneys for the California
21 State Water Resources Control Board

By _____
Attorneys for Mineral County

MCCUTCHEN, DOYLE, BROWN &
ENERSEN
Three Embarcadero Center
San Francisco, CA 94111

21 Kathryn Landreth
22 John P. Lange
23 United States Attorney
24 999 - 18th Street, Suite 945
25 Denver, Colorado 80202

By _____
DAVID E. MOSER
Attorneys for Cal-Trout, Inc.

IT IS SO ORDERED.

24 By _____
25 JOHN P. LANGE
26 Attorneys for the United States of
27 America

UNITED STATES DISTRICT JUDGE

DATED _____

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this _____ day of November, 1994.

4 WOODBURN and WEDGE Frankie Sue Del Papa
5 One East First Street, Suite 1600 Attorney General
6 P.O. Box 2311 State of Nevada
7 Reno, Nevada 89505 123 West Nye Lane
8 Carson City, Nevada 89710

7 By _____ By _____
8 GORDON H. DePAOLI SUSAN JOSEPH-TAYLOR
9 Attorneys for WALKER RIVER Attorneys for the State of
10 IRRIGATION DISTRICT Nevada

10 VARGAS & BARTLETT GREENE, MEYER & McELROY, P.C.
11 201 West Liberty Street, Suite 300 1007 Pearl Street
12 P.O. Box 281 Boulder, CO 80302
13 Reno, NV 89504

12 By _____ By _____
13 LINDA BOWMAN SCOTT B. McELROY
14 Attorneys for United States Board Attorneys for Walker River
15 Water Commissioners Paiute Tribe

15 Daniel Lungren ZEH, SPOO & HEARNE
16 Attorney General 450 Marsh Avenue
17 2101 Webster Street, 12th Floor Reno, Nevada 89509

17 By _____
18 Attorneys for Mineral County

18 By _____ McCUTCHEM, DOYLE, BROWN &
19 MARY E. HACKENBRACHT ENERSEN
20 Attorneys for the California Three Embarcadero Center
21 State Water Resources Control Board San Francisco, CA 94111

21 Kathryn Landreth By _____
22 John P. Lange DAVID E. MOSER
23 United States Attorney Attorneys for Cal-Trout, Inc.
24 999 - 18th Street, Suite 945
25 Denver, Colorado 80202 IT IS SO ORDERED.

24 By _____ UNITED STATES DISTRICT JUDGE
25 JOHN P. LANGE
26 Attorneys for the United States of America DATED _____
27 America

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this 14th day of November, 1994.

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

Frankie Sue Del Papa
Attorney General
State of Nevada
123 West Nye Lane
Carson City, Nevada 89710

7 By _____
8 GORDON H. DePAOLI
9 Attorneys for WALKER RIVER
10 IRRIGATION DISTRICT

By _____
SUSAN JOSEPH-TAYLOR
Attorneys for the State of
Nevada

10 VARGAS & BARTLETT
11 201 West Liberty Street, Suite 300
12 P.O. Box 281
13 Reno, NV 89504

GREENE, MEYER & McELROY, P.C.
1007 Pearl Street
Boulder, CO 80302

12 By _____
13 LINDA BOWMAN
14 Attorneys for United States Board
15 Water Commissioners

By _____
SCOTT B. McELROY
Attorneys for Walker River
Paiute Tribe

15 Daniel Lungren
16 Attorney General
17 2101 Webster Street, 12th Floor
18 Oakland, CA 94612-3049

ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509

18 By _____
19 MARY E. HACKENBRACHT
20 Attorneys for the California
21 State Water Resources Control Board

By James Spoo
Attorneys for Mineral County
MCCUTCHEN, DOYLE, BROWN &
ENERSEN
Three Embarcadero Center
San Francisco, CA 94111

21 Kathryn Landreth
22 John P. Lange
23 United States Attorney
24 999 - 18th Street, Suite 945
25 Denver, Colorado 80202

By _____
DAVID E. MOSER
Attorneys for Cal-Trout, Inc.

IT IS SO ORDERED.

24 By _____
25 JOHN P. LANGE
26 Attorneys for the United States of
27 America

UNITED STATES DISTRICT JUDGE
DATED _____

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this 14th day of November, 1994.

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

Frankie Sue Del Papa
Attorney General
State of Nevada
123 West Nye Lane
Carson City, Nevada 89710

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

By _____
SUSAN JOSEPH-TAYLOR
Attorneys for the State of
Nevada

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

GREENE, MEYER & McELROY, P.C.
1007 Pearl Street
Boulder, CO 80302

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

By _____
SCOTT B. McELROY
Attorneys for Walker River
Paiute Tribe

20 Daniel Lungren
21 Attorney General
22 2101 Webster Street, 12th Floor
23 Oakland, CA 94612-3049

ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509

24 By _____
25 MARY E. HACKENBRACHT
26 Attorneys for the California
27 State Water Resources Control Board

By _____
Attorneys for Mineral County

MCCUTCHEN, DOYLE, BROWN &
ENERSEN
Three Embarcadero Center
San Francisco, CA 94111

28 Kathryn Landreth
John P. Lange
United States Attorney
999 - 18th Street, Suite 945
Denver, Colorado 80202

By _____
DAVID E. MOSER
Attorneys for Cal-Trout, Inc.

IT IS SO ORDERED.

By _____
JOHN P. LANGE
Attorneys for the United States of
America

UNITED STATES DISTRICT JUDGE

DATED _____

WOODBURN AND
WEDGE
ATTORNEYS
ONE EAST FIRST STREET
RENO, NEVADA 89501
(702) 681-3000