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4 Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

5  
6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA  
8

FILED  
NOV 11 5 11 3:27  
LINDA A. BOWMAN  
CLERK

9 UNITED STATES OF AMERICA,  
10 Plaintiff,

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

11 WALKER RIVER PAIUTE TRIBE,  
12 Plaintiff-Intervenor,

**RESPONSE TO THE JOINT MOTION  
FOR LEAVE TO SERVE FIRST  
AMENDED COUNTERCLAIMS TO JOIN  
GROUNDWATER USERS TO APPROVE  
FORMS FOR NOTICE AND WAIVER  
AND TO APPROVE PROCEDURE FOR  
SERVICE OF PLEADINGS ONCE  
PARTIES ARE JOINED AND MOTION  
FOR SCHEDULING PLANNING  
CONFERENCE AND POINTS AND  
AUTHORITIES SUPPORTING THE  
SAME**

13 vs.

14 WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,  
15 Defendant.  
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19  
20 The UNITED STATES BOARD OF WATER COMMISSIONERS, by and through its counsel,  
21 LINDA A. BOWMAN, responds to the Joint Motion for Leave to Serve First Amended Counterclaims  
22 to Join Groundwater Users to Approve Forms for Notice and Waiver and to Approve Procedure for  
23 Service of Pleadings Once Parties are Joined (Joint Motion) and Joins in the Motion for Scheduling and  
24 Planning Conference and Points and Authorities supporting the same by the WALKER RIVER  
25 IRRIGATION DISTRICT.

26 The UNITES STATES BOARD OF WATER COMMISSIONERS believe that the issues  
27 addressed in the Joint Motion are sufficiently complex to warrant the Court's consideration of a  
28 Scheduling and Planning Conference under Local Rules 16-1 and 16-2.

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1           The parties to the main docket, C-125, should confer and address the service issues raised in the  
2 Joint Motion. In light of the confused record which exists as to who has been "successfully" served by  
3 Mineral County in its Subfile C-125-C, the UNITED STATES BOARD OF WATER  
4 COMMISSIONERS cannot support the elimination of personal service upon the surface water  
5 claimants.

6           DATED this 9<sup>th</sup> day of November, 1998.

BOWMAN & ROBINSON

By Linda A. Bowman  
for LINDA A. BOWMAN

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**CERTIFICATE OF MAILING**

Pursuant to F.R.C.P. 5(b), I certify that I am an employee of BOWMAN & ROBINSON and that I personally placed in envelopes, by postage prepaid, copies of the **RESPONSE TO THE JOINT MOTION FOR LEAVE TO SERVE FIRST AMENDED COUNTERCLAIMS TO JOIN GROUNDWATER USERS TO APPROVE FORMS FOR NOTICE AND WAIVER AND TO APPROVE PROCEDURE FOR SERVICE OF PLEADINGS ONCE PARTIES ARE JOINED AND MOTION FOR SCHEDULING PLANNING CONFERENCE AND POINTS AND AUTHORITIES SUPPORTING THE SAME**, in the above-entitled matter, addressed to the persons hereinafter named, and deposited the same in the Post Office in Reno, Nevada:

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15 That there is regular daily communication between the Post Office at Reno, Nevada, and the  
16 places to which the above are addressed.

17 Dated this 9th day of November, 1998.

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