Linda A. Bowman, Esq.
BOWMAN & ROBINSON
499 West Plumb Lane, Suite 4
Reno, NV 89509
(702) 334-1400

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

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LAWRENCE S. WILSON
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REPORT

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,

Defendant.

IN EQUITY NO. C-125

SUBFILE C-125-B

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

The UNITED STATES BOARD OF WATER COMMISSIONERS, by and through its counsel, LINDA A. BOWMAN, responds 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 (Joint Motion) and Joins in the Motion for Scheduling and Planning Conference and Points and Authorities supporting the same by the WALKER RIVER IRRIGATION DISTRICT.

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

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

DATED this 9th day of November, 1998.

BOWMAN & ROBINSON

By Debra Robinson for LINDA A. BOWMAN

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:

Shirley A. Smith, Esq.
Assistant U.S. Attorney
100 West Liberty, Suite 600
Reno, NV 89501

Marta Adams, Esq.
Deputy Attorney General
100 North Carson Street
Carson City, NV 89701-4717

General Manager
WRID
Post Office Box 820
Yerington, NV 89447

James T. Markle, Esq.
State Water Resources
Control Board
Post Office Box 100
Sacramento, CA 95814

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

Richard R. Greenfield, Esq.
Field Solicitor's Office
Department of Interior
Two North Central Avenue, Suite 500
Phoenix, AZ 85004

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

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

Scott McElroy, Esq.
Greene, Meyer & McElroy
1007 Pearl Street, Suite 220
Boulder, CO 80302

David Moser, Esq.
McCutchen, Doyle, Brown, et al.
Three Embarcadero Center, Suite 1800
San Francisco, CA 94111

John P. Lange, Esq.
U.S. Department of Justice
Environment & Natural Resources
Division
999 - 18th Street, Suite 945
Denver, CO 80202

Ross E. deLipkau, Esq.
Marshall, Hill, Cassas &
deLipkau
Post Office Box 2790
Reno, NV 89505-2790

Gordon H. DePaoli, Esq.
Woodburn and Wedge
Post Office Box 2311
Reno, NV 89505-2790

Garry Stone
United States District Court Water Master
290 South Arlington, Third Floor
Reno, NV 89501

James S. Spoo, Esq.
Treva J. Hearne, Esq.
Zeh Polaha Spoo & Hearne
575 Forest Street
Reno, NV 89509

George Benesch, Esq.
P.O. Box 3498
Reno, NV 89501

William Hvidsten
DeCuir & Somach
400 Capitol Mall, Ste. 1900
Sacramento, CA 95814

James Clear
United States Department of Justice
Natural Resources Division
Ben Franklin Station
P.O. Box 7611
Washington, D.C. 20044

Roger Johnson
Water Resources Control Board
State of California
Post Office Box 2000
Sacramento, CA 95810

Mary Hackenbracht, Esq.
Deputy Attorney General
State of California
2101 Webster Street, 12th Floor
Oakland, CA 94612-3049

Roger E. Bezayiff
Chief Deputy Water Commissioner
U.S. Bd. of Water Commissioners
Post Office Box 853
Yerington, NV 89447

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

Dated this 9th day of November, 1998.

ALOHNA J. THOMPSON