Scott B. McElroy
Alice E. Walker
Greene, Meyer & McElroy, P.C.
1007 Pearl Street, Suite 220
Boulder, CO 80302
303/442-2021

Kelly R. Chase
P.O. Box 2800
Minden, NV 89423
702/782-3099

Attorneys for the WALKER RIVER PAIUTE TRIBE

FILED
98 DEC -1 PM 1:05
LOUIS S. WILSON
CLERK
BY
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

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

Defendants.

WALKER RIVER PAIUTE TRIBE,

Counterclaimant,

UNITED STATES OF AMERICA,

Counterclaimant,

vs.

WALKER RIVER IRRIGATION DISTRICT

Counterdefendant,

STATE OF NEVADA,

Counterdefendant-Intervenor.

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

STIPULATION AND ORDER FOR EXTENSION OF TIME FOR THE UNITED STATES AND THE WALKER RIVER PAIUTE TRIBE TO FILE A JOINT REPLY TO THE RESPONSES REGARDING THE FIRST AMENDED COUNTERCLAIMS

69

On September 8, 1998, the parties to these proceedings filed a *Stipulation and Order for Extension of Time to File Responses to United States' and Walker River Paiute Tribe's Joint Motion Regarding First Amended Counterclaims (First Extension) and to Complete Service of Process (Thirteenth Extension)* (Sept. 8, 1998) ("Stipulation"). The Stipulation allowed parties until November 9, 1998 to file responses to the *United States' and Walker River Paiute Tribe's 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 the Parties are Joined* (Aug. 19, 1998) ("Joint Motion"). Stipulation at 4. The Stipulation allowed the United States and the Walker River Paiute Tribe ("Tribe") to file their reply by December 9, 1998. Id. The Court entered its order approving the stipulation on September 9, 1998.

On or before November 9, 1998, the following parties filed responses to the Joint Motion: the Walker River Irrigation District; the State of Nevada; the California State Water Resources Control Board; the United States Board of Water Commissioners; and Mineral County. The parties have raised complex issues regarding the inclusion of groundwater claims in the C-125 proceedings. Further, the United States is experiencing a transition of attorneys at this time due to John Lange's retirement from the Department of Justice.

Accordingly, the parties herein stipulate and agree to modify paragraph 2 on page 4 of the Stipulation filed September 8, 1998, to provide that the United States and the Tribe have until January 22, 1999 to file their reply in support of their Joint Motion, and to respond to the *Motion for Scheduling and Planning Conference* (Nov. 9, 1998) filed by the Walker River Irrigation District, and the *Motion for More Definite Statement* (Nov. 5, 1998) filed by the State of Nevada. The Stipulation entered on September 9, 1998, is not otherwise modified.

Dated Nov. 24, 1998

WOODBURN AND WEDGE

By: *See facsimile signature attached*
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

DANIEL E. LUNDGREEN, Attorney General of the State of California

By: *See facsimile signature attached*
MARY E. HACKENBRACHT

Attorneys for STATE WATER RESOURCES CONTROL BOARD AND ITS INDIVIDUAL MEMBERS

McCUTCHEN, DOYLE, BROWN & ENERSEN

By: *See facsimile signature attached*
DAVID E. MOSER

Attorneys for CALIFORNIA TROUT, INC.

FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By: *See facsimile signature attached*
MARTA ADAMS

KATHRYN E. LANDRETH, United States Attorney

By: *See facsimile signature attached*
JAMES CLEAR
Attorneys for UNITED STATES OF AMERICA

GREENE, MEYER & McELROY

By: Alice E. Walker
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: *See facsimile signature attached*
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

IT IS SO ORDERED.

DATED this 1 day of December, 1998.

Edward C. Reed.
EDWARD C. REED, JR., JUDGE
UNITED STATES DISTRICT COURT

Dated November 24, 1998

WOODBURN AND WEDGE

By: Gordon H. DePaoli
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

DANIEL E. LUNDGREEN, Attorney General of the State of California

By: _____
MARY E. HACKENBRACHT

Attorneys for STATE WATER RESOURCES CONTROL BOARD AND ITS INDIVIDUAL MEMBERS

McCUTCHEN, DOYLE, BROWN & ENERSON

By: _____
DAVID E. MOSER

Attorneys for CALIFORNIA TROUT, INC.

FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By: _____
MARTA ADAMS

KATHRYN E. LANDRETH, United States Attorney

By: _____
JAMES CLEAR
Attorneys for UNITED STATES OF AMERICA

GREENE, MEYER & McELROY

By: _____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: _____
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

IT IS SO ORDERED.

DATED this _____ day of _____, 1998.

_____
EDWARD C. REED, JR., JUDGE
UNITED STATES DISTRICT COURT

Dated _____, 1998

WOODBURN AND WEDGE

By: _____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

DANIEL E. LUNDGREEN, Attorney General of the State of California

By: _____
MARY E. HACKENBRACHT

Attorneys for STATE WATER RESOURCES CONTROL BOARD AND ITS INDIVIDUAL MEMBERS

McCUTCHEN, DOYLE, BROWN & ENERSON

By: _____
DAVID E. MOSER

Attorneys for CALIFORNIA TROUT, INC.

FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By: _____
MARTA ADAMS

KATHRYN E. LANDRETH, United States Attorney

By: _____
JAMES CLEAR
Attorneys for UNITED STATES OF AMERICA

GREENE, MEYER & McELROY

By: _____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: _____
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

IT IS SO ORDERED.

DATED this _____ day of _____, 1998.

_____
EDWARD C. REED, JR., JUDGE
UNITED STATES DISTRICT COURT

Dated November 23, 1998

WOODBURN AND WEDGE

By: _____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

DANIEL E. LUNDGREEN, Attorney General of the State of California

By: _____
MARY E. HACKENBRACHT

Attorneys for STATE WATER RESOURCES CONTROL BOARD AND ITS INDIVIDUAL MEMBERS

McCUTCHEN, DOYLE, BROWN & ENERSON

By: _____
DAVID E. MOSER

Attorneys for CALIFORNIA TROUT, INC.

FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By: _____
MARTA ADAMS

KATHRYN E. LANDRETH, United States Attorney

By: _____
JAMES CLEAR
Attorneys for UNITED STATES OF AMERICA

GREENE, MEYER & McELROY

By: _____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: _____
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

IT IS SO ORDERED.

DATED this _____ day of _____, 1998.

_____
EDWARD C. REED, JR., JUDGE
UNITED STATES DISTRICT COURT

Dated _____, 1998

WOODBURN AND WEDGE

By:_____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

DANIEL E. LUNDGREEN, Attorney General of the State of California

By:_____
MARY R. HACKENBRACHT

Attorneys for STATE WATER RESOURCES CONTROL BOARD AND ITS INDIVIDUAL MEMBERS

McCUTCHEN, DOYLE, BROWN & ENERSON

By:_____
DAVID E. MOSER

Attorneys for CALIFORNIA TROUT, INC.

FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By: Marta Adams
MARTA ADAMS

KATHRYN E. LANDRETH, United States Attorney

By:_____
JAMES CLEAR
Attorneys for UNITED STATES OF AMERICA

GREENE, MEYER & McELROY

By:_____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: _____
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

IT IS SO ORDERED.

DATED this _____ day of _____, 1998.

_____
EDWARD C. REED, JR., JUDGE
UNITED STATES DISTRICT COURT

Dated _____, 1998

WOODBURN AND WEDGE

By: _____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

DANIEL E. LUNDGREEN, Attorney General of the State of California

By: _____
MARY E. HACKENBRACHT

Attorneys for STATE WATER RESOURCES CONTROL BOARD AND ITS INDIVIDUAL MEMBERS

McCUTCHEN, DOYLE, BROWN & ENERSON

By: _____
DAVID E. MOSER

Attorneys for CALIFORNIA TROUT, INC.

FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By: _____
MARTA ADAMS

KATHRYN E. LANDRETH, United States Attorney

By: _____
JAMES CLEAR
Attorneys for UNITED STATES OF AMERICA

GREENE, MEYER & McELROY

By: _____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: Linda A. Bowman
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

IT IS SO ORDERED.

DATED this _____ day of _____, 1998.

_____
EDWARD C. REED, JR., JUDGE
UNITED STATES DISTRICT COURT

Dated _____, 1998

WOODBURN AND WEDGE

By:_____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

DANIEL E. LUNDGREEN, Attorney General of the State of California

By:_____
MARY E. HACKENBRACHT

Attorneys for STATE WATER RESOURCES CONTROL BOARD AND ITS INDIVIDUAL MEMBERS

McCUTCHEN, DOYLE, BROWN & ENERSON

By:_____
DAVID E. MOSER

Attorneys for CALIFORNIA TROUT, INC.

FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By:_____
MARTA ADAMS

KATHRYN E. LANDRETH, United States Attorney

By:_____
JAMES CLEAR
Attorneys for UNITED STATES OF AMERICA

GREENE, MEYER & McELROY

By:_____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: _____
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

IT IS SO ORDERED.

DATED this _____ day of _____, 1998.

_____
EDWARD C. REED, JR., JUDGE
UNITED STATES DISTRICT COURT

CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and correct copy of the foregoing **STIPULATION AND ORDER FOR EXTENSION OF TIME FOR THE UNITED STATES AND THE WALKER RIVER PAIUTE TRIBE TO FILE A JOINT REPLY TO THE RESPONSES REGARDING THE FIRST AMENDED COUNTERCLAIMS** was sent via U.S. Mail, postage prepaid, this 24th day of November, 1998, addressed to:

Kathryn Landreth
Asst. U.S. Attorney
100 W. Liberty, #600
Reno, NV 89509

Hank Meshorer, Special Litigation Counsel
United States Department of Justice
Environment & Natural Resources Division
Ben Franklin Station
P.O. Box 7397
Washington, D.C. 20044-7397

George Benesch
210 Marsh Avenue, Suite 105
P.O. Box 3498
Reno, NV 89505

Leo Havener
Walker River Irrigation District
P.O. Box 820
Yerington, NV 89447

James T. Markle
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95814

John Kramer
Department of Water Resources
1416 - 9th Street
Sacramento, CA 95814

Ross E. deLipkau
Marshall, Hill, Cassas & deLipkau
P.O. Box 2790
Reno, NV 89505

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

Robert L. Hunter, Superintendent
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

Roger Johnson
Water Resources Control Board
State of California
P.O. Box 2000
Sacramento, CA 95810

Garry Stone
290 South Arlington Ave.
Reno, NV 89501

Linda A. Bowman
Bowman & Robinson
499 West Plumb Lane, Ste. 4
Reno, NV 89509

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

Gordon H. DePaoli
Woodburn and Wedge
P.O. Box 2311
Reno, NV 89505-2790

Stuart Somach
William Hvidsten
DeCUIR & SOMACH, P.C.
400 Capitol Mall, Suite 1900
Sacramento, California 95814-4407

Larry Reynolds
Deputy Attorney General
State Engineer's Office
123 W. Nye Lane
Carson City, NV 89710

John Davis
P.O. Box 1646
Tonopah, NV 89049

Robert C. Anderson and Timothy Lukas
Hale, Lane, Peek, Dennison, Howard
Anderson & Pearl
P.O. Box 3237
Reno, NV 89505

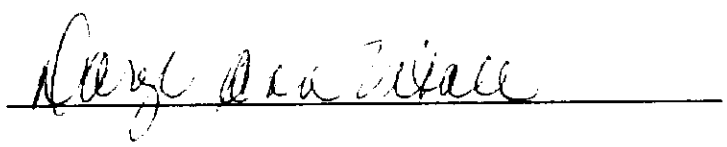
Michael W. Neville
California Attorney General's Office
50 Fremont Street, Suite 300
San Francisco, CA 94105-2239

Mary Hackenbracht
Deputy Attorney General
State of California
2101 Webster Street
Oakland, CA 94612-3049

Roger Bezayiff
Chief Deputy Water Commissioner
U.S. Board of Water Commissioners
P.O. Box 853
Yerington, NV 89447

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

David E. Moser
McCutchen, Doyle, Brown & Enerson
Three Embarcadero Center, Suite 1800
San Francisco, CA 94111

Kelly R. Chase
P.O. Box 2800
Minden, NV 89423

James Clear
U.S. Department of Justice
Environment and Natural Resources Division
Indian Resources Section
P.O. Box 44378, L'Enfant Plaza Station
Washington, D.C. 20026-4378