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 State Water Resources Control Board
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FILED
 OFFICE
 LANCE J. WILSON
 CLERK
 BY
 DEPUTY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

12	UNITED STATES OF AMERICA,)	IN EQUITY NO. C-125-ECR
)	SUBFILE NO. C-125-B
13	Plaintiff,)	
)	
14	WALKER RIVER PAIUTE TRIBE,)	
)	STATE OF CALIFORNIA'S
15	Plaintiff-Intervenor,)	MOTION FOR RELIEF FROM
	v.)	LOCAL RESIDENT COUNSEL
16)	REQUIREMENT OF LOCAL
17	WALKER RIVER IRRIGATION DISTRICT,)	RULE 1A 10-2(c)
	a corporation, et al.)	
)	
18	Defendants.)	
)	
19	WALKER RIVER PAIUTE TRIBE,)	
)	
20	Counterclaimant,)	
	v.)	
21)	
22	WALKER RIVER IRRIGATION DISTRICT, et al.,)	
)	
23	Counterdefendants.)	
)	
24	MINERAL COUNTY,)	
	Proposed-Plaintiff-Intervenor,)	
	v.)	
25)	
26	WALKER RIVER IRRIGATION DISTRICT,)	
	a corporation; et al.,)	
	Proposed Defendants)	

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1 For the reasons given below, the California State Water Resources Control Board
2 and the California Department of Fish and Game (hereinafter, "California" or "California state
3 agencies"), by and through their undersigned counsel, hereby respectfully request that the court
4 waive the local counsel requirement of Local Rule 1A 10-2(c) for the purposes of this case only.
5 Local Rule 1A 10-2(c) of this Court requires association of a resident member of the Nevada Bar
6 as co-counsel, unless the court orders otherwise. The California State Water Resources Control
7 Board has complied with Rule 1A 10-2(c) by associating as local counsel Reno Attorney George
8 Benesch. Mr. Benesch has informed the Board that he is no longer in a position to proceed as
9 local co-counsel.

10 At this time, the California State agencies hereby request that the court relieve
11 them from the requirement of this Local Rule 1A 10-2(c) and allow them to solely represent their
12 clients in this litigation. The reasons for this motion are as follows:

13 (1) The two attorneys assigned to this case, Mary E. Hackenbracht and Michael W.
14 Neville, are familiar with local rules and practices of the U.S. District Court for the District of
15 Nevada, and also consult from time to time with Nevada attorneys about this case. Moreover,
16 both Ms. Hackenbracht and Mr. Neville are seasoned litigators, with considerable experience in
17 handling cases in federal court. Ms. Hackenbracht is a graduate of the Stanford University and
18 the University of California, Hastings College of Law; Mr. Neville is a graduate of Albertson
19 College of Idaho, London School of Economics, and the University of California, Hastings
20 College of Law. Ms. Hackenbracht has twenty-three years of experience as an attorney,
21 including twenty years with the California Attorney General's Office. Mr. Neville has 18 years
22 of experience as an attorney, including 11 years with the California Attorney General's Office,
23 and five years with the United States Department of Justice. *Notably, either Ms. Hackenbracht*
24 *and/or Mr. Neville can be available on short notice for any necessary appearances or hearings*
25 *before this court, whether in person or, if permitted by the court, by telephone;*

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1 (2) Granting this motion would enhance the "overall efficiency and economy" of
2 California State government (See California Government Code section 11040(b)) by saving the
3 taxpayers of California considerable money in allowing the California Attorney General's Office
4 to serve as the sole litigation counsel for the California State agencies in this court proceeding;
5 and

6 (3) It is expected that by this waiver, the spirit of Local Rule 1A 10-2(c) can be met,
7 since the California Deputy Attorneys General will be available for necessary hearings, even at
8 short notice, and both have the ability to sign binding stipulations, and perform all other
9 necessary acts in representation of the counsel, in an expeditious fashion.

10

11 DATED: February 3, 1999

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Respectfully submitted,

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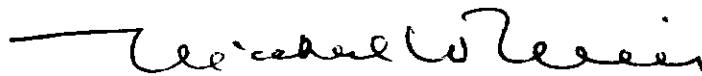
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DECLARATION OF SERVICE BY MAIL

Re: *United States v. Walker River Irrigation District, et al.*
U.S.D.C. Nev. Dist., Case No. C-125-ECR (Subfiles No. C-125-A, C-125-B, C-125-C)

I, **Helen Jellen**, declare that I am over 18 years of age, and not a party to the within cause; my business address is 50 Fremont Street, Suite 300, San Francisco, California 94105-2239. I served a true copy of the attached

**STATE OF CALIFORNIA'S MOTION FOR RELIEF FROM
LOCAL RESIDENT COUNSEL REQUIREMENT OF LCOAL
RULE 1A 10-2(c)**

on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

SEE ATTACHED SERVICE LIST

Each said envelope was then, on February 3, 1999, sealed and deposited in the mail in San Francisco, California, the county in which I am employed, with the fees thereon fully prepaid. Executed on February 3, 1999, at San Francisco, California.

I declare under penalty of perjury that the foregoing is true and correct.



HELEN JELLEN

SERVICE LIST

Re: *United States v. Walker River Irrigation District, et al.*

U.S.D.C. Nev. Dist., Case No. C-125-ECR (Subfiles No. C-125-A, C-125-B, C-125-C)

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United States v. Walker River Irrigation Dist., et al.

U.S.D.C. Nev. Dist. No. C-125-ECR (Subfiles No. C-125-A, C-125-B, C-125-C)

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