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

Kathryn E. Landreth, United States Attorney
Shirley A. Smith, Assistant United States Attorney
100 West Liberty St., Ste. 600
Reno, NV 89509
775/784-5438

Susan Schneider
United States Department of Justice
Environment & Natural Resources Division
999 18th St., Suite 945
Denver, CO 80202
303/312-7308

Attorneys for the UNITED STATES OF AMERICA

AUG 13 1999

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.	IN EQUITY NO. C-125 Subproceeding C-125-B **SECOND STIPULATION AND ORDER FOR EXTENSION OF TIME TO FILE STIPULATION OR STATEMENT OF THE ISSUES ON WHICH THERE IS AGREEMENT AND THE ISSUES WHICH ARE DISPUTED**
WALKER RIVER PAIUTE TRIBE, Counterclaimant, UNITED STATES OF AMERICA, Counterclaimant, vs. WALKER RIVER IRRIGATION DISTRICT, Counterdefendant, STATE OF NEVADA, Counterdefendant-Intervenor.	

87

On May 11, 1999, the court issued an order addressing 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 Parties Are Joined* (Aug. 19, 1998), in which the United States and the Walker River Paiute Tribe ("Tribe") seek to include groundwater claimants in service of the *First Amended Counterclaim of the United States of America* (July 31, 1997), and the *First Amended Counterclaim of the Walker River Paiute Tribe* (July 31, 1997), and the responses and reply to that joint motion. *Minutes of the Court* (May 11, 1999). At a telephonic hearing with the parties on May 21, 1999, the Court ordered the following:

> [T]he parties will have forty-five (45) days from this date within which to submit a stipulation, or if a stipulation cannot be reached, then a statement of the issues on which there is agreement and the issues which are disputed with respect to planning and scheduling according to the order of the Court of May 11, 1999, and any matters that are related to the issues and problems referred to in that order.

Minutes of the Court (May 21, 1999). The Court indicated, however, that the 45 day period was flexible and the Court would allow additional time if necessary.

On June 30, 1999, the Court entered an order accepting a stipulation by the parties to extend the due date for submission of the stipulation or statement of the issues on which there is agreement and the issues which are disputed, from July 5, 1999 to August 16, 1999. Due to scheduling conflicts, counsel for the Tribe and the United States have been unable to circulate a draft stipulation or statement of issues to counsel for the other parties until August 6, 1999. The parties are concerned that reaching consensus on the stipulation or statement of issues will take additional time beyond August 16, 1999, and hereby agree to request a second extension of time

until September 30, 1999 to submit the stipulation or statement of issues to the Court.

Accordingly, the parties herein stipulate and agree that the parties will have to and including September 30, 1999 to file a stipulation or a statement of the issues on which there is agreement and the issues which are disputed.

Dated Aug. 12, 1999

WOODBURN AND WEDGE

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

Attorneys for WALKER RIVER IRRIGATION DISTRICT

BILL LOCKYER, 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*
SUSAN L. SCHNEIDER

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

Dated August 11, 1999

WOODBURN AND WEDGE

By: Gordon H. DePaoli
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

BILL LOCKYER, 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 & ENERSEN

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:_____
SUSAN L. SCHNEIDER

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

Dated _____, 1999

WOODBURN AND WEDGE

By: _____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

BILL LOCKYER, 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 & ENERSEN

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: _____
SUSAN L. SCHNEIDER

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

Dated _____, 1999

WOODBURN AND WEDGE

By: _____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

BILL LOCKYER, 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 & ENERSEN

By: David E. Moser
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: _____
SUSAN L. SCHNEIDER

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

Dated _____, 1999

WOODBURN AND WEDGE

By: _____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

BILL LOCKYER, 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 & ENERSEN

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: _____
SUSAN L. SCHNEIDER

Attorneys for UNITED STATES OF AMERICA

GREENE, MEYER & McELROY

By: _____
SCOTT H. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: _____
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

Dated 8/12/99, 1999

WOODBURN AND WEDGE

By: _____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

BILL LOCKYER, 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 & ENERSEN

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: Susan L. Schneider
SUSAN L. SCHNEIDER

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

Dated _____, 1999

WOODBURN AND WEDGE

By: _____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

BILL LOCKYER, 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 & ENERSEN

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: _____
SUSAN L. SCHNEIDER

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
Edward C. Reed
U.S. DISTRICT JUDGE

DATED: Aug. 16, 1999

IT IS SO ORDERED.

DATED this _____ day of _____, 1999.

_____
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 Second Stipulation and Order for Extension of Time to File Agreed upon Case Management Order Or, in the Alternative, a Statement of Agreed upon and Disputed Issues via U.S. Mail, postage prepaid, this 12th day of August 1999, addressed to:

Marta Adams
Deputy Attorney General
Capitol Complex
100 N. Carson St..
Carson City, NV 89701

Robert C. Anderson
Timothy Lukas
Alex J. Flangas
Hale, Lane, Peek, Dennison, Howard
100 W. Liberty, 10th Floor
P.O. Box 3237
Reno, NV 89505

Evan Beavers
Beavers & Young
1616 Hgwy. 395
P.O. Box 486
Minden, NV 89423

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

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

Linda A. Bowman
Bowman & Robinson
540 Hammill Lane
Reno, NV 89511

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

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

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

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

Daniel N. Frink
Water Resources Control Board
State of California
P.O. Box 100
Sacramento, CA 94814

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

Mary Hackenbracht
Deputy Attorney General
State of California
1515 Clay St., 20th Floor
Oakland, CA 94612-1314

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

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

Robert L. Hunter, Superintendent
Western Nevada Agency
Bureau of Indian Affairs
1677 Hot Springs Road
Carson City, NV 89706

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

Kathryn Landreth, U.S. Attorney
Shirley A. Smith, Asst. U.S. Attorney
100 W. Liberty, #600
Reno, NV 89501

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

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

Michael W. Neville
Deputy Attorney General
California Attorney General's Office
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102-3664

Richard E. Olson, Jr.
Claassen & Olson
P.O. Box 2101
Carson City, NV 89702

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

Susan Schneider
U.S. Department of Justice
Environment and Natural Resources Division
Indian Resources Section
999-18th Street, Suite 945
Denver, CO 80202

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

Garry Stone
290 South Arlington Ave.
Reno, NV 89501

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

Jim Weishaput, General Manager
Walker River Irrigation District
P.O. Box 820
Yerrington, NV 89447