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AUG 13 1999

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF NEVADA**

| | |
|---|---|
| UNITED STATES OF AMERICA,<br>Plaintiff,<br>WALKER RIVER PAIUTE TRIBE,<br>Plaintiff-Intervenor,<br>vs.<br>WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,<br>Defendants. | IN EQUITY NO. C-125<br>Subproceeding C-125-B<br><br>**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,<br>Counterclaimant,<br>UNITED STATES OF AMERICA,<br>Counterclaimant,<br>vs.<br>WALKER RIVER IRRIGATION DISTRICT,<br>Counterdefendant,<br>STATE OF NEVADA,<br>Counterdefendant-Intervenor. | |

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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*
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Dated August 11, 1999

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Dated 8/12/99, 1999

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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:

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