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Sectt 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*

**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. )  
----- )

BY \_\_\_\_\_  
DEPUTY  
LANCE S. WILSON  
CLERK  
59 OCT 29 AM 11:07

**FILED**

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

**FOURTH 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**

*[Handwritten signatures and stamps]*

1           On May 11, 1999, the Court issued an order addressing the *United States' and Walker*  
2 *River Paiute Tribe's Joint Motion for Leave to Serve First Amended Counterclaims, to Join*  
3 *Groundwater Users, to Approve Forms for Notice and Waiver, and to Approve Procedure for*  
4 *Service of Pleadings Once Parties Are Joined* (Aug. 19, 1998), in which the United States and  
5 the Walker River Paiute Tribe ("Tribe") seek to include groundwater claimants in service of the  
6 *First Amended Counterclaim of the United States of America* (July 31, 1997), and the *First*  
7 *Amended Counterclaim of the Walker River Paiute Tribe* (July 31, 1997), and the responses and  
8 reply to that joint motion. *Minutes of the Court* (May 11, 1999). At a telephonic hearing with  
9 the parties on May 21, 1999, the Court ordered the following:

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

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

19           On June 30, 1999, the Court entered an order accepting a stipulation by the parties to  
20 extend the due date for submission of the stipulation or statement of the issues on which there is  
21 agreement and the issues which are disputed, from July 5, 1999 to August 16, 1999. On  
22 August 13, 1999, the Court entered a second order extending the date by another thirty days,  
23 from August 16, 1999 to September 30, 1999. The parties met in Carson City on September 2,  
24 1999 to discuss the proposed stipulation that counsel for the Tribe and the United States  
25 prepared, and again met telephonically on September 20, 1999 to continue those discussions.  
26 Acting on a third stipulation by the parties, on September 30, 1999, the Court entered a third  
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1 order extending the date for submission of an agreement or statement of disputed issues to  
2 October 29, 1999.

3  
4 On September 29, 1999, the parties met telephonically to discuss specific concerns  
5 regarding the proposed stipulation, and on October 22, 1999, counsel for the Walker River  
6 Irrigation District submitted comments on behalf of the District, the State of Nevada and the State  
7 of California regarding the United States' and Tribe's proposed stipulation. Counsel for the  
8 District also submitted a revised stipulation for a case management order. The parties believe that  
9 they have made progress toward coming to consensus on a proposed stipulation, and believe that  
10 consensus on the appropriate procedure for addressing the Tribe's and the United States' claims is  
11 possible. However, the parties are concerned that reaching consensus on the issues will take  
12 additional time beyond October 29, 1999. As a result, the parties hereby agree to request a fourth  
13 extension of time until December 15, 1999 to submit the stipulation or statement of issues to the  
14 Court. The additional time is necessary to arrange a meeting among the attorneys for the parties  
15 in Reno, address the changes proposed by counsel for the District, and to circulate and discuss a  
16 new proposed stipulation.  
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19 Accordingly, the parties herein stipulate and agree that the parties will have to and  
20 including December 15, 1999 to file a stipulation or a statement of the issues on which there is  
21 agreement and the issues which are disputed.  
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1 Dated October 28, 1999

2 WOODBURN AND WEDGE

KATHRYN E. LANDRETH, United States Attorney

3 By: See facsimile signature attached  
4 GORDON H. DePAOLI

By: See facsimile signature attached  
SUSAN L. SCHNEIDER

5 Attorneys for WALKER RIVER IRRIGATION  
6 DISTRICT

Attorneys for UNITED STATES OF AMERICA

7 BILL LOCKYER, Attorney General  
8 of the State of California

GREENE, MEYER & McELROY  
By: Alice E. Walker  
SCOTT B. McELROY  
ALICE E. WALKER

9 By: See facsimile signature attached  
MARY E. HACKENBRACHT

10 Attorneys for STATE WATER RESOURCES  
11 CONTROL BOARD AND ITS INDIVIDUAL  
MEMBERS

Attorneys for WALKER RIVER PAIUTE TRIBE

12 McCUTCHEEN, DOYLE, BROWN & ENERSEN

BOWMAN & ROBINSON

13 By: See facsimile signature attached  
14 DAVID E. MOSER

By: See facsimile signature attached  
LINDA A. BOWMAN

15 Attorneys for CALIFORNIA TROUT, INC.

Attorneys for UNITED STATES BOARD OF  
WATER COMMISSIONERS

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

18 By: See facsimile signature attached  
19 MARTA ADAMS

20 IT IS SO ORDERED.

21 DATED this 2d. day of November, 1999.

22 Edward C. Reed, Jr.  
23 EDWARD C. REED, JR., JUDGE  
24 UNITED STATES DISTRICT COURT  
25  
26  
27  
28

1 Dated \_\_\_\_\_, 1999

2 WOODBURN AND WEDGE

3 By: Dale E. Ferguson for  
4 GORDON H. DEPAOLI

5 Attorneys for WALKER RIVER IRRIGATION  
6 DISTRICT

7 BILL LOCKYER, Attorney General  
8 of the State of California

9 By: \_\_\_\_\_  
10 MARY E. HACKENBRACHT

11 Attorneys for STATE WATER RESOURCES  
12 CONTROL BOARD AND ITS INDIVIDUAL  
13 MEMBERS

14 McCUTCHEEN, DOYLE, BROWN & ENERSEN

15 By: \_\_\_\_\_  
16 DAVID E. MOSER

17 Attorneys for CALIFORNIA TROUT, INC.

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

20 By: \_\_\_\_\_  
21 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

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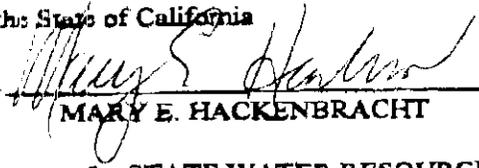
Dated \_\_\_\_\_, 1999

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

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Dated October 27, 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

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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

McCUTCHEEN, DOYLE, BROWN & ENERSEN

By: \_\_\_\_\_  
DAVID E. MOSER

Attorneys for CALIFORNIA TROUT, INC.

FRANKIE STEFANELLO, 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 B. McELROY  
ALICE B. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

BOWMAN & ROBINSON

By: \_\_\_\_\_  
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

Case 3:73-cv-00127-RCJ-WGC Document 89 Filed 11/02/99 Page 9 of 12

1 Dated Oct. 27, 1999

2 WOODBURN AND WEDGE

3 By: \_\_\_\_\_  
4 GORDON H. DePAOLI

5 Attorneys for WALKER RIVER IRRIGATION  
6 DISTRICT

7 BILL LOCKYER, Attorney General  
8 of the State of California

9 By: \_\_\_\_\_  
10 MARY E. HACKENBRACHT

11 Attorneys for STATE WATER RESOURCES  
12 CONTROL BOARD AND ITS INDIVIDUAL  
13 MEMBERS

14 McCUTCHEEN, DOYLE, BROWN & ENERSEN

15 By: \_\_\_\_\_  
16 DAVID E. MOSER

17 Attorneys for CALIFORNIA TROUT, INC.

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

20 By: \_\_\_\_\_  
21 MARTA ADAMS

KATHRYN E. LANDRETH, United States  
Attorney

By: A. J. 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

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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

McCLUTCHEN, 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

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**CERTIFICATE OF SERVICE**

I hereby certify that I have sent a true and correct copy of the foregoing Fourth 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, via U.S. Mail, postage prepaid, this 28 day of Oct, 1999, addressed to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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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

