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

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>WALKER RIVER PAIUTE TRIBE,<br><br>Plaintiff-Intervenor,<br><br>vs.<br><br>WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,<br><br>Defendants. | IN EQUITY NO. C-125-ECR<br>Subproceeding: C-125-B<br><br>~~PROPOSED~~ ORDER CONCERNING FIRST REPORT OF THE UNITED STATES OF AMERICA CONCERNING STATUS OF SERVICE ON CERTAIN PERSONS AND ENTITIES |

This Order follows the United States filing of its *Report of the United States of America Concerning Status of Service on Certain Persons and Entities,* Case Nos. C-125, Subproceeding C-125-B (May 27, 2004) ("Report Concerning Status of Service"). This is the first such report filed by the United States since it commenced service in this proceeding.

The Court hereby APPROVES AND ORDERS the relief requested therein by the United States, with the following exceptions: 1. The United States will serve Mr. Clyne Bauer in his capacity as trustee for the Clyne P. Bauer Trust before the Court will determine whether to dismiss Mr. Bauer in his individual capacity; 2. The United States will ask Chevron Resources to provide a Disclaimer before the Court will determine whether to dismiss this entity; and 3. The United States will make further inquiries of counsel for the Motley Living Trust before the Court will determine whether to dismiss this entity.

"Attachment A" to this Order is a list of persons and entities who are hereby DISMISSED from this action pursuant to this Order. "Attachment B" to this Order is a list of persons and entities for whom the Court has determined service is complete, based on the above Report Concerning Status of Service.

IT IS SO ORDERED this 1st day of December, 2004.

United States Magistrate Judge



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

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>WALKER RIVER PAIUTE TRIBE,<br><br>Plaintiff-Intervenor,<br><br>vs.<br><br>WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,<br><br>Defendants. | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | IN EQUITY NO. C-125-ECR<br>Subproceeding: C-125-B<br><br>ATTACHMENT A TO THE ORDER CONCERNING FIRST REPORT OF THE UNITED STATES OF AMERICA CONCERNING STATUS OF SERVICE ON CERTAIN PERSONS AND ENTITIES: LIST OF PERSONS AND ENTITIES TO BE DISMISSED |

The following persons and entities are DISMISSED from this action pursuant to the *Order Concerning First Report of the United States of America Concerning Status of Service on Certain Persons and Entities*, Case No. C-125, Subproceeding C-125-B (May 27, 2004):

1. Alexander Dawson, Inc.
2. David L. Allen
3. American Telephone and Telegraph Co., nka AT&T
4. American Tower Management, Inc.
5. Brad Amussen
6. Patricia Fitzgerald Amussen
7. Applied Hydrology (Applied Hydrology Associates, Inc.)
8. Bank Of America
9. Charles Baur
10. Dreama Baur
11. Edward J. Baur
12. Mary Baur
13. Marilyn A. Berry
14. Thomas C. Berry
15. Darlene G. Brown

16. Kenneth L. Brown
17. William L. Carpenter Trust
18. Kathryn I. Castagnola
19. Thomas Castagnola
20. Cliff House Lakeside Resort
21. Terrance Connolly
22. County Water Co. of Nevada
23. D & G Investments
24. Day & Zimmerman Hawthorne Corp.
25. Kent L. Deines (and Deines Family Trust)
26. Carol J. Den Heyer
27. Garry Den Heyer
28. Louise L. Dillard
29. Ed's Topaz Nugget Casino
30. Estrella Cattle Co.
31. Freeman E. Fairfield
32. Flying M Hunt Club
33. Flying M Ranch
34. Fort Churchill Power Plant
35. Antone J. Frade
36. Joe J. Gaudreault
37. Wende J. Gaudreault
38. Geonomics, Inc.
39. Forrest G. Godde
40. George C. Gregory
41. Marjorie E. Gregory
42. Barron Hilton
43. Marilyn J. Hilton
44. Judith H. Hohlt (Marshall)
45. Carolyn Isom
46. Dennis L. Isom
47. Delores Isom
48. Rex W. Isom Jr.
49. Billie A. Jacobs
50. William T. Jacobs
51. Winifred M. Kahn
52. Kenneth W. Kirby
53. Leeann M. Kirby
54. Norman M. Korn
55. Philo T. Korn
56. Kovhil Corporation
57. Kenneth M. Maple
58. Susan L. Maple

59. Hugh R. Marshall
60. Mel's Diner
61. Metcalf Builders, Inc.
62. David W. Moody
63. Peter C. Moschogianis
64. Jim B. Moss
65. Nevada Environmental Protection (Nevada Division of Environmental Protection)
66. Nevada Public Works Board
67. W.B. Park
68. Patricia, Fitzgerald S.: *see* Patricia Fitzgerald Amussen
69. Edgar Ritter
70. Paula E. Ritter
71. Charles Sanderson
72. Patrick T. Sanderson
73. Robert H. Smith
74. Caryl L. Spear
75. Sweetwater Ranch Co.
76. T & G Financial, Inc.
77. Tad's Enterprises
78. Topaz Land Corp.
79. Alice Tuttle
80. James B. Tuttle
81. Wabuska Bar
82. William M. Weaver Jr. Revocable Trust
83. Wellington Station Resort
84. Dan D. Wright

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**FOR THE DISTRICT OF NEVADA**

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>WALKER RIVER PAIUTE TRIBE,<br><br>Plaintiff-Intervenor,<br><br>vs.<br><br>WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,<br><br>Defendants. | IN EQUITY NO. C-125-ECR<br>Subproceeding: C-125-B<br><br>ATTACHMENT B TO THE ORDER CONCERNING FIRST REPORT OF THE UNITED STATES OF AMERICA CONCERNING STATUS OF SERVICE ON CERTAIN PERSONS AND ENTITIES: LIST OF PERSONS AND ENTITIES FOR WHOM SERVICE IS COMPLETE |

The Court has determined that service is complete upon the following persons and entities in this action pursuant to the *Order Concerning First Report of the United States of America Concerning Status of Service on Certain Persons and Entities*, Case No. C-125, Subproceeding C-125-B ( May 27, 2004):

1. Acciari Ranch Supply, Inc.;
2. Break-A-Heart, LLC;
3. Doris J. Allen;
4. Evan L. Allred;
5. Anaconda Minerals Co.;
6. Atlantic Richfield Co.;
7. Whittier Trust Company of Nevada, as Trustee for George A. L'Abbe;
8. Clyne P. Bauer;
9. Cashell Investments, LLC.;
10. Ellen C. Blair;
11. Richard J. Cavell;
12. Donna Costa Beach;
13. Crystal Clear Water Co., Inc.;
14. Judy Collins;
15. D & S Waste Removal, Inc.;

16. Delbert K. and Mary Lou Cornella dba Desert Lake Campground;
17. Douglas County (Topaz Lake County Park);
18. E.L.W. Ranches, Inc;
19. Robert L. 'Duffer' Fairbanks;
20. Frade Ranch, Inc.;
21. Forrest G. Godde 1998 Trust;
22. Gregory Family Trust;
23. Hardrock Mining Co.;
24. Hawthorne Utilities (Hawthorne Water System);
25. Homestretch Geothermal, LLC;
26. Hunewill Enterprises, LLC;
27. K & K Water Co., Inc.;
28. Morris and Winifred M. Kahn Family Trust;
29. Lyon County School District;
30. Lyon County (Lyon County; Lyon County Cemetery II; Lyon County Courthouse; Lyon County Elm Tree Cemetery (Missouri Flats); Lyon County Fairgrounds, Inc.; and Lyon County Public Works);
31. Wiegand Resources, Inc.;
32. Charles N. Mathewson Trust;
33. Georgana P. Mayne;
34. Larry A. Mayne;
35. Irving Maxon Chase Living Trust;
36. Mitchell Miller;
37. Edmund Miller;
38. Linda Miller;
39. Mineral County (Mineral County; Town of Hawthorne; Mineral County Commissioners);
40. Kottke Living Trust;
41. Darlene G. Moss;
42. Jimmy A. Moss;
43. State of Nevada (Nevada Department of Transportation; Nevada Department of Wildlife);
44. Edgar & Paula Ritter Family Trust;
45. Schurz Elementary;
46. Sierra Pacific Power Company;
47. Smith Valley Baptist Church;
48. Smith Valley Fire Protection District;
49. Smith Valley Park & Recreation Board;
50. Don H. Tibbals;
51. Topaz Lake Water, Inc.;
52. Topaz Lodge, Inc.;
53. Topaz Ranch Estates, G.I.D. (Topaz Ranch Estates Park);
54. United States Army Ammunition Depot; [as to the Walker River Paiute Tribe's Counterclaim]

55. United States Bureau of Land Management; [as to the Walker River Paiute Tribe's Counterclaim]
56. United States Bureau of Indian Affairs ("BIA"); [as to the Walker River Paiute Tribe's Counterclaim]
57. Walker Lake Apartments;
58. Walker Lake Water District G.I.D;
59. Walker River Land Corporation;
60. Walker River Paiute Tribe; [as to the United States' Counterclaim]
61. Weaver Properties, LLC;
62. Compston Family 1982 Trust;
63. John W. Whitney;
64. Willowcreek G.I.D.;
65. Yerington Church of Christ;
66. City of Yerington (City of Yerington; Yerington Public Utilities; and Yerington Water Co.);

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