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DISTRICT OF NEVADA
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CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,

Defendants.

_____/

AND RELATED ACTIONS

_____/

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
Post Office Box 756
Littleton, Colorado 80160

Robertson & Benevento
50 W. Liberty Suite 600
Reno, Nevada 89501

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4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number:

Attorney: G. David Robertson, Esq.
Kirk C. Johnson, Esq.
Robertson & Benevento

Address: 50 West Liberty Street, Suite 600
Reno, Nevada 89501

Phone Number: (775) 329-5600

Fax Number: (775) 348-8300

Kirk C. Johnson for
Melvin H. Schwake, Jr., President

Entity, if any, on whose behalf you are appearing:

Cal Neva Cattle Company
1155 Foothill Road
Gardnerville, Nevada 89410
(775) 265-3316

PROOF OF SERVICE

Pursuant to FRCP 5(b), I hereby certify that I am an employee of Robertson & Benevento, over the age of eighteen, and not a party to the within action. I further certify that on this 1st day of ~~June~~ July, 2005, I caused to be deposited in the U.S. Mail, postage prepaid, a true and correct copy of the **NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE** to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
Post Office Box 756
Littleton, CO 80160

Scott B. McElroy
Attorney for the Walker River Paiute Tribe
Greene, Meyer & McElroy, P.C.
1007 Pearl Street, Suite 220
Boulder, CO 80302

Gordon DePaoli
Attorney for the Walker River Irrigation District
Woodburn and Wedge
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Carson City, NV 89701

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

An Employee of Robertson & Benevento