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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, v. WALKER RIVER IRRIGATION DISTRICT, et al., Defendants.	In Equity No. C-125-ECR Subfile No. C-125-C **WALKER RIVER IRRIGATION DISTRICT'S RESPONSE RE: DECEMBER 19, 2001 ORDER**
MINERAL COUNTY, Proposed Plaintiff-Intervenor, v. WALKER RIVER IRRIGATION DISTRICT, et al., Proposed Defendants.	

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On December 18, 2001, the Court held a hearing on Mineral County's *Amended Motion To Add and Dismiss Certain Parties* (the "Amended Motion"). Docket No. 377. As a result, the Court entered an order on December 19, 2001, Docket No. 397 (the "Dismissal Order"), that addresses the Amended Motion.

At the December 18, 2001 hearing, the Court directed the parties to file any motions to reconsider the Dismissal Order by January 15, 2002. The Walker River Irrigation District does not specifically request the Court to reconsider any portion of the Dismissal Order, however, the District offers the following observations for the Court's consideration. If the Court deems it necessary, the parties may discuss the following information at the hearing scheduled for February 25, 2002.

9. <u>Beagle, Billy Roy and Thelma</u>

The District agrees that Billy Roy Beagle and Thelma Beagle should be dismissed. The District's current assessment records, however, indicate that Thomas Bobrick and Ruth Ellen Bobrick reserved the water rights appurtenant to lands owned by Robert D. Webb and Linda K. Webb. Therefore, the District questions whether the Webbs should remain as defendants. *See* Dismissal Order at p. 3, lns 24 - 25.

12. <u>Day, Charles E. and Lucille M. Day</u>

The District's review indicates that Weaver Properties, LLC is not currently listed in the Caption and, therefore, should be added to it. *See* Dismissal Order at p.6, ln. 4.

29. <u>Gable Family Trust</u>

The District's review indicates that Don Ray Gable, individually, is not currently listed in the Caption and, therefore, should be added to it. *See* Dismissal Order at p.6, lns. 25 - 26; p. 18, ln. 14.

31. <u>Giorgi, Daniel Elmo</u>

The District's review indicates that Keith Savage and Virginia Savage are not currently listed in the Caption and, therefore, should be added to it. *See* Dismissal Order at p.7, ln. 7.

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39. King, Roy

The District's review indicates that the William S. Rauber and Charlotte F. Rauber Declaration of Trust, William S. Rauber, Trustee,[1] and the Morgan Family 1996 Trust, James R. Morgan, Trustee, are not currently listed in the Caption and, therefore, should be added to it. *See* Dismissal Order at p.9, lns. 2 - 4.

46. Minister, Rose Alice / Bolton-Rose Trust

The District's current assessment records indicate that Bolton Francis Minister is the sole trustee of the Bolton Rose Trust. *See* Dismissal Order at p. 10, lns. 1 - 2; p. 19 at lns. 9 - 10.

72. Smith, Grant and Gaila

Steve Singer and Linda Singer should be dismissed as ordered by the Court with respect to entry No. 71, Steve and Linda Singer. *See* Dismissal Order at p. 14, lns. 17 - 18 ("Mineral County seeks to dismiss Steve and Linda Singer").

Dated this 15th day of January, 2002.

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[1] The Caption does contain a listing for the "Rauber Trust."

CERTIFICATE OF MAILING

I certify that I am an employee of Woodburn and Wedge and that on this date, I deposited in the United States Mail, postage prepaid, a true and correct copy of the foregoing ***WALKER RIVER IRRIGATION DISTRICT'S RESPONSE RE: DECEMBER 19, 2001 ORDER*** in an envelope addressed to:

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Dated this 15th day of January, 2002.

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