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U.S. DISTRICT COURT
ENTERED & SERVED
JUN 19 2002
CLERK, U.S. DISTRICT COURT
BY _____ DEPUTY

FILED
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LANCE S. WILSON
CLERK
BY _____ DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) In Equity No. C-125-ECR
) Subfile No. C-125-C

Plaintiff,)

ORDER

WALKER RIVER PAIUTE TRIBE,)

Plaintiff-Intervenor,)

v.)

WALKER RIVER IRRIGATION DISTRICT,)
et al.,)

Defendants.)

MINERAL COUNTY,)

Proposed Plaintiff-
Intervenor,)

v.)

WALKER RIVER IRRIGATION DISTRICT,)
et al.,)

Proposed Defendants.)

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1 On April 3, 2000, the Court filed an *Order Concerning Status of Service on Defendants*
2 (Doc. #327). Among other things, that order found that Mineral County had either failed to
3 properly serve its Intervention Documents or the information contained in the record was
4 insufficient to establish proper service with respect to 170 proposed defendants. The order also
5 listed the names of these 170 proposed defendants. See Doc. # 327 at 3-6.

6 By order dated December 18, 2001, the Court directed counsel for the Walker River
7 Irrigation District (the "District") to identify the remaining proposed defendants, from the 170
8 names listed in the Order Concerning Status of Service, for which the District continued to
9 object with respect to service by Mineral County of its Intervention Documents. Doc # 396.
10 The District filed this list as directed by the Court on January 31, 2002. Doc. #401.

11 A hearing on the District's objections concerning service of Mineral County's
12 Intervention Documents was held by the undersigned Magistrate Judge on February 25, 2002.
13 Present in person were Dale Ferguson on behalf of the District, Linda Bowman on behalf of the
14 United States Board of Water Commissioners and Treva Hearne on behalf of Mineral County.
15 Present by telephone were Alice Walker on behalf of the Walker River Paiute Tribe, Susan
16 Schneider on behalf of the United States and Michael Neville on behalf of the California
17 Attorney General.

18 In addition to the rulings of the Court made at the February 25, 2002, hearing, the Court
19 also made rulings concerning the status of service on certain proposed defendants at the status
20 conference held on May 3, 2002. The Court has also ordered Mineral County to serve certain
21 proposed defendants recently added or substituted into this matter.

22 NOW THEREFORE, based upon the written submissions and oral arguments of
23 counsel at the February 25, 2002 hearing and rulings of the Court at the May 3, 2002, status
24 conference, the court finds and orders as follows:

25 A. The caption in this matter is hereby amended as follows:

- 26 1. Bolton Rose Trust, "Bolton Francis Minister," trustee;
- 27 2. Domenici 1991 Family Trust, "Lona Marie Domenici-Reese, Theolinda
Anne Skogsberg and Sharon Vietti, co-trustees;"
- 28 3. Laurie "Coutts" is deleted from the caption and Laurie "Wilson" is
substituted;

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4. Laurie Rene "Moore" is deleted from the caption and Laurie Rene "Ogle" is substituted.

B. The following parties are substituted or added in this matter:

1. Gable, Don Ray
2. Joseph J. and Bessie J. Lommori Trust, Joseph J. Lommori and Bessie J. Lommori, co-trustees.
3. Morgan Family 1996 Trust, James R. Morgan, Trustee
4. William S. Rauber and Charlotte F. Rauber Declaration of Trust, William S. Rauber, trustee
5. Savage, Keith
6. Savage, Virginia
7. Weaver Properties, LLC
8. Weiser, Robert G.
9. Weiser, Betty J.

C. The following parties are dismissed:

1. Lommori Trust
2. Jeppson, Deann M.
3. Jeppson, Mark R.
4. Stebbins, Richard W.
5. Stebbins, Roberta
6. Snyder, T.F.
7. Wright, Glenora

D. The District has no objection with respect to service or, alternatively, the Court finds that Mineral County has properly served its Intervention Documents on the following parties from the 170 parties listed in Section 3. of the *Order Concerning Status of Service on Defendants* (Doc. #327 at p. 3 - 5):

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| 1. Aiazzi Ranches | 7. Barrett Family Trust, Ronald C. Barrett, Trustee |
| 2. Albee, Florence M. | 8. Batchelder, Josephine S. & Fred C. Family Trust, Connie B. Jansen, & Leonard Batchelder, Trustees |
| 3. Albee, William E. | 9. Bath, Ronald J. |
| 4. Aldridge, C. Fred | 10. Bath, Barbara C. |
| 5. Antelope Valley Elementary School | 11. Bayer, Mildred |
| 6. Barber, Harriet H. | 12. Bennett, Janet S. |

- 1 13. Bien, C. Helen
- 2 14. Bien, Richard
- 3 15. Blasco, James M. Family
Limited Partnership
- 4 16. Bolton Rose Trust, Francis &
Rose Alice Minister, Trustees
- 5 17. Booth, Karen
- 6 18. Botelho, William D.
- 7 19. Botelho, Jacquelyn J.
- 8 20. Brown, Darrol J.
- 9 21. Burnett, Kenneth R.
- 10 22. Burnett, Sharon L.
- 11 23. California Dept. of Parks and
Recreation
- 12 24. Callaham, Sandra J. Trust,
Sandra J. Callaham, Trustee
- 13 25. Cal Neva Cattle Company
- 14 26. Campbell, William J.
- 15 27. Castello, Colleen V.
- 16 28. Coutts, Troy
- 17 29. Curtis & Sons Construction,
Inc.
- 18 30. Dini, David J.
- 19 31. Dini, Tosca
- 20 32. Domenici, Joseph
- 21 33. Domenici, Gladys
- 22 34. Dreyer, Joan
- 23 35. Edwards, Shelley
- 24 36. Eisenhouer, K.
- 25 37. Fox, Leonard A. Trust,
Elizabeth J. Leone, Trustee
- 26 38. Francis, Roy D.
- 27 39. Francis, Elisabeth L.
- 28 40. Franklin, Carl
41. Franklin, D. Camille
42. Freitas, Maurice H.
43. Freitas, Elizabeth
44. Fulstone, James H.
45. Fulstone, David H. Company
46. Giron, Vince
47. Goss, Ronald W.
48. Goss, Sandra A.
49. Green Valley Turf Farm, Inc.
50. Haas, Pamela
51. Hartman, Charles J.
52. Hartman, Mary A.
53. Hernandez, Isidro V.
54. Hernandez, Audelia P.
55. Hervin, Kurt W.
56. Hervin, Reiko
57. Hunewill, Gregory A.
58. Hunewill, Harvey E. and Phyllis Trust,
Harvey & Phyllis Hunewill, Trustees
59. Ithurburu, John
60. Ithurburu, Marilyn
61. Jakobson, Bert A.
62. Jensen, Jack E.
63. Lapham, Willis H.
64. Lapham, Joanna M.
65. Lee, Thomas William
66. Leinassar, Alan S.
67. Leinassar, Marianne
68. Ligtenberg, Roger F.
69. Ligtenberg, Joanne
70. Lloyd, Thomas Leland
71. Lloyd, Sandra West
72. Mabe, Sandra R.
73. Mattice, James L.
74. Mattice, Lewis W.
75. Mattice, Gayle
76. Menesini, Gerald T.
77. Menesini, Renee E.
78. Miner, Frances
79. Morose, Dan C.
80. Morose, Tara L.
81. Nannini, Anna Revocable Trust, Anna
Nannini, Trustee
82. Nuti Brothers
83. Nuti, Lawrence M.
84. Nuti, Leslie J.
85. Ogle, Laurie Rene
86. Perrin Trust, Francis L. and Mary K.
Perrin, co-trustees
87. Peterson Trust
88. Pinenut Ranch Cattle Corporation
89. Purrell, Karen M.
90. Quicili, Norma Yvonne
91. Rasmussen, Kathleen
92. Rasmussen, Steven

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| 1 | 93. Rauber Trust | 106. Sturtevant, Helen M. |
| 2 | 94. Roderick, Douglas Ray | 107. Sunrise Ranch, LLC |
| 3 | 95. Roderick, S. Joann | 108. Thacher, John H. |
| 4 | 96. Schmid, Ethel | 109. Thacher, Caroline H. |
| 5 | 97. Sceirine, Beverly | 110. Twin Lake Enterprises |
| 6 | 98. Shehady, Daniel Paul | 111. Walker River Land Corp. |
| 7 | 99. Sherlock, Robert | 112. Walker River Ranch Limited Partnership |
| 8 | 100. Six N Ranch, Inc. | 113. Wallace, Deirdre |
| 9 | 101. Smith, Eva L. | 114. Williams Revocable Living Trust, Jack H. & Evangeline A. Williams, Trustees |
| 10 | 102. Smith, Michael A. | 115. Wipfli, Candyce |
| 11 | 103. Smith Ranch Partnership | 116. Wipfli, Tom |
| 12 | 104. Smith Valley Cattle Feeders | 117. Yerington Paiute Tribe |
| 13 | 105. | 118. United States of America |

10 E. Mineral County has either failed to properly serve its Intervention Documents or
 11 the information contained in the record in this matter does not establish proper service with
 12 respect to the following proposed defendants.

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| 13 | 1. Adams, Gregory Burton | 19. Fulstone, Vivian D. Trust, Vivian D. Fulstone, Trustee |
| 14 | 2. Adams, Richard Taylor | 20. Gerbig, Arden |
| 15 | 3. Bently Family Limited Partnership | 21. Gerbig, Evilo J. |
| 16 | 4. Boardman, Dennis | 22. Gerbig, Josephine A. |
| 17 | 5. Casino West, Inc. | 23. Gover, Edward E. |
| 18 | 6. City of Los Angeles Dept. of Water & Power | 24. Hardy, Karen Lund |
| 19 | 7. County of Mono | 25. Hervin, Patricia |
| 20 | 8. Cremetti, William G. Trust, Wanda M. Hicks and Verna N. Debrick, Co-Trustees | 26. Jones, Marjorie Ann |
| 21 | 9. Del Porto, Iginia M. Moreda | 27. Keeley, Edith |
| 22 | 10. Del Porto, Julie A. | 28. L&M Family Limited Partnership |
| 23 | 11. Domenici 1991 Family Trust, Lona Marie Domenici-Reese, Theolinda Anne Skogsborg and Sharon Vietti, co-trustees | 29. Larson, Roger |
| 24 | 12. Emens, Annette M. | 30. Lee, Linda P. |
| 25 | 13. Emens, Theodore A. | 31. Lee, Wallace J. |
| 26 | 14. Emery, Brett | 32. Linscott, George |
| 27 | 15. F&B Trust, Alpers, Frederick E. & Barbara L., Trustees | 33. Linscott, Louise |
| 28 | 16. Farias Revocable Trust Agreement, Farias, Lester M. & Josephine, Trustees | 34. Madsen, Patricia G. |
| | 17. Floyd, Betty | 35. Manha, William David |
| | 18. Floyd, Frank | 36. Menesini, Cynthia L. |

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| 1 | 37. | Menesini, Orlando | 61. | Simmons, Patricia |
| 2 | 38. | Moorehead, Emma M., S.P., Trust,
Katherine Goodman, Trustee | 62. | Smith, Daniel G. |
| 3 | 39. | Nagel, Helen | 63. | Smith, Gaila M. |
| 4 | 40. | Nugent, Evelyn | 64. | Smith, Grant |
| 5 | 41. | Nugent, George D. | 65. | Smith, Grant B. |
| 6 | 42. | Nuti, Cynthia | 66. | Smith, Shawna S. |
| 7 | 43. | Nuti, Nancy J. | 67. | Soilfume, Inc. |
| 8 | 44. | Nuti, Richard B. | 68. | Spragues, A Company of |
| 9 | 45. | Pelayo, R.A. | 69. | Stanton, Kirk Andrew |
| 10 | 46. | Peri & Peri, A Partnership | 70. | Stanton, Christy DeLong |
| 11 | 47. | Peterson, Marvin & Lynn Trust,
Marvin F. & Lynn M. Peterson,
Trustees | 71. | Steneri, Susan |
| 12 | 48. | Porter, Randy | 72. | Stoneburner, Viola |
| 13 | 49. | Porter, Tracee | 73. | Sundance Cattle Company |
| 14 | 50. | Price, Charles | 74. | Sweetwater Land & Cattle Company |
| 15 | 51. | Purrell, James E. | 75. | Tilley, Jerry E. Trust |
| 16 | 52. | Ritter, John Gustave III | 76. | Vicencio, William K. |
| 17 | 53. | Romero Family Trust, Benito
Antonio & Linda Irene Romero,
Trustees | 77. | Watkins, Mildred A. |
| 18 | 54. | Santa Lucia Partners; L.P. | 78. | Weaver Properties, LLC |
| 19 | 55. | Sceirine Fredericks Ranch | 79. | Weaver Revocable Trust Agreement,
William M. Weaver, Jr., Trustee &
Rosemary F. Weaver, Trustee |
| 20 | 56. | Sciarani, Arnold Jr. | 80. | Weiser, Robert G. |
| 21 | 57. | Sepulveda, Mariana | 81. | Weiser, Betty J. |
| 22 | 58. | Settlemyer Ranches, Inc., c/o
Arnold Settlemyer | 82. | Wilson, Laurie |
| 23 | 59. | Sherlock, Michael | 83. | Wymore, Gerald Lee |
| 24 | 60. | Silverado, Inc. | 84. | Zippwald, Darlene S. |

Dated: June 18, 2002



United States Magistrate Judge