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

UNITED STATES OF AMERICA,)	IN EQUITY NO. C-125-ECR
)	Subproceedings: C-125-B & C-125-C
Plaintiff,)	3:73-CV-00127-ECR-RAM &
)	3:73-CV-00128-ECR-RAM
WALKER RIVER PAIUTE TRIBE,)	
)	
Plaintiff-Intervenor,)	
vs.)	JOINT MOTION OF MINERAL
)	COUNTY, WALKER RIVER PAIUTE
WALKER RIVER IRRIGATION DISTRICT,)	TRIBE, AND UNITED STATES OF
a corporation, et al.,)	AMERICA TO SET STATUS
)	CONFERENCE ON PENDING ISSUES
Defendants.)	
_____)	
MINERAL COUNTY,)	
)	
Proposed-Plaintiff-Intervenor)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT)	
a corporation, et al.)	
)	
Proposed Defendants.)	
_____)	

Proposed Plaintiff-Intervenor Mineral County, Plaintiff-Intervenor Walker River Paiute Tribe, and Plaintiff United States of America (collectively the “Plaintiff Parties”), through their undersigned counsel, jointly submit this motion respectfully requesting the Court to set a date for a status conference in the above-captioned C-125 subfiles, which concern water rights disputes in the Walker River and Walker Lake Basin, to consider a number of issues that have been pending before the Court for some time. In addition to addressing particular pending issues, because these related C-125 proceedings are characterized by a long history and significant degree of complexity, and because the Court and the Parties have not had an opportunity to review them since they were transferred from Magistrate Judge McQuaid to Magistrate Judge Leavitt,¹ the Plaintiff Parties also believe it would be beneficial to the Court and all of the Parties to address the overall history, posture, and issues of these related C-125 proceedings.

Among the particular issues that have been pending before the Court and that Plaintiff Parties propose be addressed at a status conference are the following:

- (1) A number of service-related issues in the C-125-C subfile, which were briefed in Mineral County’s August 29, 2008, Service Report, and the Response and Reply thereto, including the proper identification of parties, the status of various service efforts, and guidance concerning further service efforts;

¹ These proceedings were transferred from Magistrate Judge McQuaid to Magistrate Judge Leavitt on March 12, 2009. On April 30, 2009, counsel for Mineral County, in consultation with counsel for the other Plaintiff Parties, contacted Magistrate Judge Leavitt’s Chambers by telephone and were told that the Magistrate Judge was reviewing the case files and hoped to put the matter back on the calendar in the not too distant future. In light of that information, the Plaintiff Parties have waited until now to request that the Court schedule a status conference.

- (2) The current status of service efforts, any service report issues, the proper termination point for service and final service by publication in both the C-125-B and C-125-C subfiles;
- (3) The status and obligations of successors in interest to water rights already subjected to service, and the appropriate way of dealing with such successors in interest;
- (4) The status and obligations of entities who received service, then later acquired additional water rights;
- (5) The status of issues related to the case management order and resolution of any pending motions;
- (6) The need for a web site and the manner in which the Court can best set up and manage a web site to provide all Parties with efficient, cost-effective electronic access to the voluminous filings in these proceedings, and
- (7) The status of any settlement efforts.

In order to minimize further delay in the progress of these proceedings, the Plaintiff Parties also respectfully request that the status conference be set for a date in either the latter part of August or sometime in the month of September of this year, or as soon thereafter as is convenient for the Court.

CONCLUSION

For the reasons set forth above, the Plaintiff Parties respectfully request that the Court set a status conference to consider the pending issues before the Court, as well as the general procedural history and posture of these related C-125 proceedings, on a date in late August or the

month of September, 2010, or as soon thereafter as is convenient for the Court.

Dated: July 30, 2010

Respectfully submitted,

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By /s/ Simeon M. Herskovits

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By /s/ Wes Williams Jr.

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Dated: July 30, 2010

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By /s/ Susan L. Schneider

SUSAN L. SCHNEIDER

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of July, 2010, I electronically filed the foregoing **JOINT MOTION OF MINERAL COUNTY, WALKER RIVER PAIUTE TRIBE, AND UNITED STATES OF AMERICA TO SET STATUS CONFERENCE ON PENDING ISSUES** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following via their email addresses:

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and I further certify that I served or caused to have served a true and correct copy of the foregoing **JOINT MOTION OF MINERAL COUNTY, WALKER RIVER PAIUTE TRIBE, AND UNITED STATES OF AMERICA TO SET STATUS CONFERENCE ON**

PENDING ISSUES on the following non-CM/ECF participants by U.S Mail, postage prepaid,
this 30th day of July, 2010.

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