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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.	)	<b>UNITED STATES OF AMERICA’S LIST</b>
	)	<b>OF PROPOSED AGENDA ITEMS FOR</b>
WALKER RIVER IRRIGATION DISTRICT,	)	<b>THE STATUS CONFERENCE</b>
a corporation, et al.,	)	<b>SCHEDULED FOR OCTOBER 19, 2010</b>
	)	
Defendants.	)	
_____	)	
MINERAL COUNTY,	)	
Proposed-Plaintiff-Intervenor	)	
vs.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT	)	
a corporation, et al.	)	
	)	
Proposed Defendants.	)	
_____	)	

The United States of America (“United States”), Plaintiff in Case No. C-125-B, submits the following proposed agenda to the Court for its Status Conference in sub-proceedings C-125-B and C-125-C, scheduled for October 19, 2010.

Pursuant to this Court’s Order of September 20, 2010 (C-125B at #1598; C-125-C at # 512), the United States consulted with the other plaintiff parties and the primary defendants to prepare and submit this proposed agenda. The proposed agenda includes all issues identified by

the various parties. The United States declined one request that it remove certain agenda items identified by another party from the draft of the compiled agenda. While the parties may not agree on the ripeness or timeliness of each issue on this agenda, these are outstanding issues before the Court that should be identified and discussed to some extent.

**A. Introductions of Counsel:**

**B. Sub-proceeding C-125-B:**

1. Brief summary of the case and claims.
2. Status of service:
  - a. Report by the United States on the current status of service on parties as required by the Case Management Order (# 108).
  - b. The establishment of cut-off dates regarding service, including new wells.
  - c. Service Report 15 (## 1578, 1584): resolution of any outstanding issues regarding proposed Order.
  - d. Service Report 16 (to be filed prior to Status Conference): discussion as to whether groundwater users in California deemed “transient non-community water systems” and other similarly situated users in California should be served and joined as parties to this action pursuant to the Case Management Order (# 108).
  - e. Any issues regarding Proofs of Service (## 717, 1319, 1375, 1586).
  - f. The status and obligations of existing defendants that obtain additional water rights after they appear or have been deemed served, including the establishment of procedures to address these circumstances.
  - g. The status and obligations of existing defendants that transfer their water rights subsequent to appearing or being deemed served, including the establishment of procedures to address issues related to successors in interest and possible substitution of successors in interest to parties previously served.
  - h. Plans to file additional service reports.

3. Completion of service:
  - a. Publication.
  - b. Website for C-125-B and possibly C-125-C.
  - c. Addressing any challenges to service.
  - d. Finalized caption.
4. Case Management Issues:
  - a. Updating Certificate of Service.
  - b. Website for C-125-B and possibly C-125-C, as noted above.
  - c. The status of issues related to the Case Management Order and resolution of any pending motions:
    - i. The Court's resolution of issues related to the identification and consideration of "threshold issues," as briefed by certain parties (## 1359, 1360, 1361, 1362) and in all responses, replies and joinders related to those document numbers.
    - ii. Whether and when an answer is required (## 1487, 1497-1501, 1503).
5. Settlement.

**C. Sub-proceeding C-125-C:**

1. Brief summary of the case and claims.
2. Status of service:
  - a. Report by Mineral County/Walker Lake Working Group on the current status of service on parties.
  - b. The Court's resolution of issues related to service of process as briefed by Mineral County and the Walker River Irrigation District (## 479, 488 and 496).
3. Completion of service:
  - a. Publication.
  - b. Website for C-125-B and possibly C-125-C.

- c. Addressing any challenges to service.
  - d. Finalized caption.
4. Case Management Issues:
- a. Updating Certificate of Service.
  - b. Website for C-125-B and possibly C-125-C, as noted above.
  - c. Briefing and resolution of Mineral County/Walker Lake Working Group's Amended Complaint in Intervention (# 20).
5. Settlement.
- D.** Case Management: potential efficiencies and/or issues regarding sub-proceedings C-125-B and C-125-C.
- E.** Such additional issues that may be identified subsequent to the filing of this agenda and/or at the status conference.

Dated: October 8, 2010

Respectfully submitted,

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By /s/ Susan L. Schneider  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of October, 2010, I electronically filed the foregoing **UNITED STATES OF AMERICA'S LIST OF PROPOSED AGENDA ITEMS FOR THE STATUS CONFERENCE SCHEDULED FOR OCTOBER 19, 2010** 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 **UNITED STATES OF AMERICA'S LIST OF PROPOSED AGENDA ITEMS FOR THE STATUS CONFERENCE SCHEDULED FOR OCTOBER 19, 2010** on the following non-CM/ECF participants by U.S Mail, postage prepaid, this 8<sup>th</sup> day of October, 2010:

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