

CLERK US DISTRICT COURT  
DISTRICT OF NEVADA  
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OFFICIAL BUSINESS

Case 3:73-cv-00128-MMD-CSD Document 526 Filed 01/06/2011 Page 1 of 9

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JAN - 6 2011	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

NOTED  
AS IN  
UNABLE TO REACH

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 COUNSEL/PARTIES OF RECORD  
 DEC 28 2010  
 CLERK US DISTRICT COURT  
 DISTRICT OF NEVADA  
 BY: \_\_\_\_\_ DEPUTY

6 Attorneys for WALKER RIVER IRRIGATION  
 7 DISTRICT

8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **FOR THE DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
 11 Plaintiff,

12 WALKER RIVER PAIUTE TRIBE,  
 13 Plaintiff-Intervenor,

14 v.

15 WALKER RIVER IRRIGATION DISTRICT,  
 16 a corporation, et al.,  
 17 Defendants.

18  
 19 UNITED STATES OF AMERICA,  
 20 WALKER-RIVER PAIUTE TRIBE,  
 21 Counterclaimants,

22 v.

23 WALKER RIVER IRRIGATION DISTRICT,  
 24 et al.  
 25 Counterdefendants.

) IN EQUITY NO. C-125  
 )  
 ) SUBFILE NO. C-125-B  
 ) 3:73-cv-00127-ECR-LRL  
 )  
 ) SUBFILE NO. C-125-C  
 ) 3:73-cv-00128-ECR-LRL  
 )  
 ) UNOPPOSED MOTION FOR  
 ) EXTENSION OF TIME TO FILE  
 ) MEMORANDA RELATED TO  
 ) OBJECTIONS TO PROPOSED  
 ) SERVICE CUTOFF AND  
 ) SUCCESSOR-IN-INTEREST  
 ) ORDERS AND TO ADJUST  
 ) REMAINING SCHEDULE  
 ) ACCORDINGLY (2<sup>nd</sup> Request)

26  
 27 Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and LR 6-1 and LR 6-2,  
 28 counsel for the Walker River Irrigation District (the "District") moves the Court for an order

1 extending the time for parties to file memoranda related to objections, if any, to the proposed  
2 service cutoff order (Doc. 1613 in C-125-B) and successor-in-interest orders (Doc. 1614 in C-  
3 125-B; Doc. 516 in C-125-C) from December 31, 2010 to January 7, 2011, and further requests  
4 that the Court extend the time for the Plaintiff Parties to file any replies; including any revisions  
5 to the proposed order, to on or before February 3, 2011.  
6

7 In support of this Motion, counsel for the District represents the following to the Court:

8 1. By Stipulation and Order dated December 15, 2010, the Court established a  
9 schedule for filing memoranda related to objections, if any, to the proposed service cutoff and  
10 successor-in-interest orders. (Doc. 1616 in C-125-B; Doc. 518 in C-125-C).

11 2. Pursuant to Order dated December 15, 2010, the Court extended the deadline to  
12 file memoranda related to objections, if any, to the proposed service cutoff and successor-in-  
13 interest orders to on or before December 31, 2010, directed that the Plaintiff Parties and  
14 Primary Defendants in both cases confer before the Plaintiff Parties reply to those objections to  
15 determine, among other things, if the parties can agree on proposed language, or if there are  
16 additional procedures and forms that may assist with these issues; and further ordered that the  
17 Plaintiff Parties shall file any replies, including any revisions to proposed orders on or before  
18 January 27, 2011. (Doc. 1617 in C-125-B; Doc. 519 in C-125-C).  
19

20 3. By reason of a family emergency which arose commencing on December 20,  
21 2010, and which is ongoing, counsel for the District requires a one week extension of time to  
22 file its memorandum related to objections to the proposed service cutoff and successor-in-  
23 interest orders.  
24

25 4. Counsel for the District has contacted counsel for the Walker River Paiute Tribe  
26 and Mineral County concerning this request; and they have no objections to it.

27 5. Counsel believes that the United States would not oppose this Motion. Susan  
28 Schneider, principal counsel for the United States, is out of her office until January 4, 2011.

1 Counsel for the District has sent an email to Susan Schneider and left a voice mail message,  
 2 and in addition, has left a message for a person whom Susan Schneider said should be  
 3 contacted in her absence. However, counsel for the District has not heard from either Susan  
 4 Schneider or the other person for whom a message was left. Counsel sent a similar email  
 5 message to Greg Addington at the United States Attorney's Office in Reno, Nevada. He, too, is  
 6 out of his office until January 4, 2011, as is the other person he suggested be contacted in his  
 7 absence. Counsel for Mineral County spoke with Christopher Watson, who, although not  
 8 counsel of record, is with the Solicitor's Office of the Department of Interior and has been  
 9 working with Susan Schneider on this matter. Mr. Watson has no objection to the extension,  
 10 and he believes (as does counsel for the District) that Susan Schneider would agree to the  
 11 extension under the circumstances.  
 12

13  
 14 NOW, THEREFORE, based upon the foregoing, counsel for the District respectfully  
 15 requests that the Court grant the Motion, and extend the time for parties to file memoranda  
 16 related to objections, if any, to the proposed service cutoff and successor-in-interest orders to  
 17 January 7, 2011, and extend the time for the Plaintiff Parties to file any replies, including any  
 18 revisions to the proposed orders, to on or before February 3, 2011.

19 Dated: December 28, 2010.

WOODBURN AND WEDGE

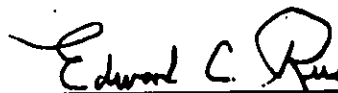
20 By: /s/ Gordon H. DePaoli

21 Gordon H. DePaoli  
 22 Nevada Bar No. 195  
 23 6100 Neil Road, Suite 500  
 24 Reno, Nevada 89511

*Attorneys for Walker River Irrigation District*

ORDER

25 IT IS SO ORDERED.

26 

27 Lawrence R. Leavitt  
 28 United States Magistrate Judge  
 DISTRICT

Dated: December 28, 2010.

CERTIFICATE OF SERVICE

I certify that I am an employee of Woodburn and Wedge and that on the 28<sup>th</sup> day of December, 2010, I electronically served the foregoing Unopposed Motion for Extension of Time to File Memoranda Related to Objections to Proposed Service Cutoff and Successor-Interest Orders and to Adjust Remaining Schedule Accordingly (2<sup>nd</sup> Request) in Case No. 3:73-cv-00127-ECR-LRL on the following via their email addresses:

- Brian Chally brian.chally@lvvwd.com
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11 I further certify that I served a copy of the foregoing in Case No. 3:73-cv-00127-ECR-  
 12 LRL to the following by U.S. Mail, postage prepaid, this 28<sup>th</sup> day of December, 2010:

13 Robert L. Auer  
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9 I certify that I am an employee of Woodburn and Wedge and that on the 28<sup>th</sup> day of  
10 December, 2010, I electronically served the foregoing *Unopposed Motion for Extension of*  
11 *Time to File Memoranda Related to Objections to Proposed Service Cutoff and Successor-In-*  
12 *Interest Orders and to Adjust Remaining Schedule Accordingly (2<sup>nd</sup> Request)* in Case No. 3:73-  
13 cv-00128-ECR-LRL on the following via their email addresses:

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29 I further certify that I served a copy of the foregoing in Case No. 3:73-cv-00128-ECR-  
30 LRL to the following by U.S. Mail, postage prepaid, this 28<sup>th</sup> day of December, 2010:

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