

1 Greg Addington, Assistant U.S. Attorney  
 Susan L. Schneider, Trial Attorney  
 2 U.S. Department of Justice  
 Environment and Natural Resources Div.  
 3 999 – 18<sup>th</sup> Street, Suite 370  
 Denver, Colorado 80202  
 4 (303) 844-1348  
 susan.schneider@usdoj.gov  
 5 *Attorneys for the United States of America*

Simeon M. Herskovits, Nevada Bar No. 11155  
 Advocates for Community and Environment  
 P.O. Box 1075  
 El Prado, New Mexico 87529  
 (575) 758-7202  
 simeon@communityandenvironment.net  
*Attorney for Mineral County, Nevada*

6 Wes Williams, Jr., Nevada Bar No. 06864  
 3119 Pasture Rd.  
 P.O. Box 100  
 7 Schurz, Nevada 89427  
 (775) 773-2838  
 8 wwilliams@stanfordalumni.org  
*Attorney for the Walker River Paiute Tribe*

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

11	UNITED STATES OF AMERICA,	)	IN EQUITY NO. C-125
		)	
12	Plaintiff,	)	SUBFILE NO. C-125-B
		)	3:73-cv-00127-ECR-LRL
13	WALKER RIVER PAIUTE TRIBE,	)	
		)	SUBFILE NO. C-125-C
14	Plaintiff-Intervenor,	)	3:73-cv-00128-ECR-LRL
		)	
15	v.	)	
		)	<b>UNOPPOSED MOTION FOR</b>
16	WALKER RIVER IRRIGATION DISTRICT,	)	<b>EXTENSION OF TIME TO FILE</b>
17	a corporation, et al.,	)	<b>REPLIES TO MEMORANDA</b>
		)	<b>RELATED TO OBJECTIONS TO</b>
18	Defendants.	)	<b>PROPOSED SERVICE CUTOFF</b>
		)	<b>AND SUCCESSOR-IN-INTEREST</b>
19		)	<b>ORDERS</b>
20	UNITED STATES OF AMERICA,	)	
	WALKER RIVER PAIUTE TRIBE,	)	
21	Counterclaimants,	)	
		)	
22	v.	)	
		)	
23	WALKER RIVER IRRIGATION DISTRICT,	)	
24	et al.	)	
		)	
25	Counterdefendants.	)	

26 Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and LR 6-1 and LR 6-2,  
 27 counsel for the United States of America, the Walker River Paiute Tribe, and Mineral County  
 28 (“Plaintiff Parties”) move the Court for an order extending the time for the Plaintiff Parties to

1 file replies to memoranda related to objections to the proposed service cutoff order (Doc. 1613  
2 in C-125-B) and successor-in-interest orders (Doc. 1614 in C-125-B; Doc. 516 in C-125-C)  
3 from on or before February 3, 2011 to on or before February 11, 2011.

4 In support of this Motion, counsel for the United States of America, the Walker River  
5 Paiute Tribe, and Mineral County represent the following to the Court:  
6

7 1. Pursuant to the status conference held on October 19, 2010 and by Stipulation and  
8 Order dated December 9, 2010 and December 15, 2010 respectively, the Court  
9 established a schedule for filing proposed service cutoff and successor-in-interest orders  
10 in C-125-B and C-125-C as well as memoranda related to objections, if any, to the  
11 proposed orders. (Doc. 1616 in C-125-B; Doc. 518 in C-125-C). That schedule was as  
12 follows:

13 a. The United States shall lodge the Service Cut-Off Order in Subproceeding C-  
14 125-B with the Court on or before November 30, 2010;

15 b. The United States and Mineral County shall lodge the Successor-in-Interest  
16 Order in both Subproceeding C-125-B and Subproceeding C-125-C on  
17 November 30, 2010; and  
18

19 c. The parties shall file memoranda related to objections, if any, to either or both  
20 such proposed orders on or before December 17, 2010.  
21

22 2. Pursuant to the Court's direction, on November 30, 2010, the United States, Walker  
23 River Paiute Tribe filed a proposed Service Cut-Off order in C-125-B and the United  
24 States, Walker River Paiute Tribe, and Mineral County filed proposed Successor-in-  
25 Interest Orders in C-125-B and C-125-C. (C-125-B Docs. 1613 & 1614; C-125-C Doc.  
26 516).

27 3. By Stipulation and Order dated December 15, 2010, the Court extended the deadline to  
28 file memoranda related to objections, if any, to the proposed service cutoff and

1 successor-in-interest orders to on or before December 31, 2010, directed that the  
2 Plaintiff Parties and Primary Defendants in both cases confer before the Plaintiff Parties  
3 reply to those objections to determine, among other things, if the parties can agree on  
4 proposed language, or if there are additional procedures and forms that may assist with  
5 these issues, and further ordered that the Plaintiff Parties shall file any replies, including  
6 any revisions to proposed orders on or before January 27, 2011. (Doc. 1617 in C-125-B;  
7 Doc. 519 in C-125-C).  
8

- 9 4. Pursuant to Order dated December 28, 2010, the Court again extended the deadline for  
10 Primary Defendants to file memoranda related to objections, if any, to the proposed  
11 service cutoff and successor-in-interest orders to on or before January 7, 2011 and  
12 further ordered that the Plaintiff Parties shall file any replies, including any revisions to  
13 proposed orders on or before February 3, 2011. (Doc. 1619 in C-125-B; Doc. 520 in C-  
14 125-C).  
15  
16 5. The parties have been in contact, but due to schedule conflicts are unable to set a  
17 conference call date to confer and discuss proposed language until the afternoon of  
18 February 3.  
19  
20 6. Because the conference call discussion may impact the language of their reply, Plaintiff  
21 Parties request an eight (8) day extension to February 11, 2011 in which to file a reply.  
22  
23 7. Counsel for Mineral County has contacted counsel for Primary Defendants concerning  
24 this request and they have no objections to it.  
25  
26  
27  
28



**CERTIFICATE OF SERVICE**

I hereby certify that on this 28th day of January, 2011, I electronically filed the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE REPLIES TO MEMORANDA RELATED TO OBJECTIONS TO PROPOSED SERVICE CUTOFF AND SUCCESSOR-IN-INTEREST ORDERS** 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:

Marta A. Adams  
[madams@ag.nv.gov](mailto:madams@ag.nv.gov) [pyoung@ag.nv.gov](mailto:pyoung@ag.nv.gov)

Gregory W. Addington  
[greg.addington@usdoj.gov](mailto:greg.addington@usdoj.gov) [judy.farmer@usdoj.gov](mailto:judy.farmer@usdoj.gov) [joanie.silvershield@usdog.gov](mailto:joanie.silvershield@usdog.gov)

George N. Benesch  
[gbenesch@sbcglobal.net](mailto:gbenesch@sbcglobal.net)

Gordon H. DePaoli  
[gdepaoli@woodburnandwedge.com](mailto:gdepaoli@woodburnandwedge.com)

Dale E. Ferguson  
[dferguson@woodburnandwedge.com](mailto:dferguson@woodburnandwedge.com)

Simeon M. Herskovits  
[simeon@communityandenvironment.net](mailto:simeon@communityandenvironment.net)

John W. Howard  
[john@jwhowardattorneys.com](mailto:john@jwhowardattorneys.com), [elisam@jwhowardattorneys.com](mailto:elisam@jwhowardattorneys.com)

Erin K. L. Mahaney  
[emahaney@waterboards.ca.gov](mailto:emahaney@waterboards.ca.gov)

Ross E. de Lipkau  
[RdeLipkau@parsonsbehle.com](mailto:RdeLipkau@parsonsbehle.com), [LBagnall@parsonsbehle.com](mailto:LBagnall@parsonsbehle.com); [ecf@parsonsbehl.com](mailto:ecf@parsonsbehl.com)

David L. Negri  
[David.negri@usdoj.gov](mailto:David.negri@usdoj.gov)

Michael Neville  
[michael.neville@doj.ca.gov](mailto:michael.neville@doj.ca.gov), [cory.marcelino@doj.ca.gov](mailto:cory.marcelino@doj.ca.gov)

Karen A. Peterson  
[kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com), [egarrison@allisonmackenzie.com](mailto:egarrison@allisonmackenzie.com)

1 Todd A. Plimpton  
2 [tplimpton@msn.com](mailto:tplimpton@msn.com)

3 Laura A. Schroeder  
4 [counsel@water-law.com](mailto:counsel@water-law.com)

5 Stacey Simon  
6 [ssimon@mono.ca.gov](mailto:ssimon@mono.ca.gov)

7 Wes Williams, Jr.  
8 [wwilliams@standordalumni.org](mailto:wwilliams@standordalumni.org)

9 Cheri Emm-Smith  
10 [districtattorney@mineralcountynv.org](mailto:districtattorney@mineralcountynv.org)

11 William E. Schaeffer  
12 [Lander\\_lawyer@yahoo.com](mailto:Lander_lawyer@yahoo.com)

13 Bryan L. Stockton  
14 [blstockt@ag.state.nv.us.gov](mailto:blstockt@ag.state.nv.us.gov), [payoung@agstate.nv](mailto:payoung@agstate.nv)

15 Stuart David Hotchkiss  
16 [david.hotchkiss@ladwp.com](mailto:david.hotchkiss@ladwp.com)

17 Paul J. Anderson  
18 [panderson@mclrenolaw.com](mailto:panderson@mclrenolaw.com)

19 Richard W. Harris  
20 [rharris@gbis.com](mailto:rharris@gbis.com)

21 John Paul Schlegelmilch  
22 [jpslaw@netscape.com](mailto:jpslaw@netscape.com)

23 Michael R. Montero  
24 [mrm@eloreno.com](mailto:mrm@eloreno.com)

25 Julian C. Smith, Jr.  
26 [joylyn@smithandharmer.com](mailto:joylyn@smithandharmer.com)

27 Gene M. Kaufman  
28 [GKaufmann@mindenlaw.com](mailto:GKaufmann@mindenlaw.com)

J.D. Sullivan  
[jd@mindenlaw.com](mailto:jd@mindenlaw.com)

Charles S. Zumpft  
[zumpft@brooke-shaw.com](mailto:zumpft@brooke-shaw.com)

1 Harry W. Swainston  
2 [hwsainston@earthlink.net](mailto:hwsainston@earthlink.net)

3 Malissa Hathaway McKeith  
4 [mckeith@lbbslaw.com](mailto:mckeith@lbbslaw.com)

5 Sheri M. Thome  
6 [Sheri.thome@wilsonelser.com](mailto:Sheri.thome@wilsonelser.com)

7 Marvin W. Murphy  
8 [marvinmurphy@sbcglobal.net](mailto:marvinmurphy@sbcglobal.net)

9 Brian Chally  
10 [brian.chally@lvvwd.com](mailto:brian.chally@lvvwd.com)

11 Kirk C. Johnson  
12 [kirk@nvlawyers.com](mailto:kirk@nvlawyers.com)

13 G. David Robertson  
14 [gdavid@nvlawyers.com](mailto:gdavid@nvlawyers.com)

15 Louis S. Test  
16 [twallace@htag.reno.nv.us](mailto:twallace@htag.reno.nv.us)

17 T. Scott Brooke  
18 [brooke@brooke-shaw.com](mailto:brooke@brooke-shaw.com)

19 William J. Duffy  
20 [William.duffy@dgslaw.com](mailto:William.duffy@dgslaw.com)

21 Michael D. Hoy  
22 [mhoy@nevadalaw.com](mailto:mhoy@nevadalaw.com)

23 Debbie Leonard  
24 [dleonard@mcdonaldcarano.com](mailto:dleonard@mcdonaldcarano.com)

25 Michael F. Mackedon  
26 [faonlaw@phonewave.net](mailto:faonlaw@phonewave.net)

27 Donald B. Mooney  
28 [dbmooney@dcn.org](mailto:dbmooney@dcn.org)

Erick Soderlund  
[esoderlu@water.ca.gov](mailto:esoderlu@water.ca.gov)

Don Springmeyer  
[dspringmeyer@wrslawyers.com](mailto:dspringmeyer@wrslawyers.com)

1 James Spoo  
2 [spootoo@aol.com](mailto:spootoo@aol.com), [jjrbau@hotmail.com](mailto:jjrbau@hotmail.com)

3 Lynn Steyaert  
4 [lls@water-law.com](mailto:lls@water-law.com)

5 Michael A. Pagni  
6 [mpagni@mcdonaldcarano.com](mailto:mpagni@mcdonaldcarano.com)

7 Noelle R. Gentilli  
8 [ngentill@water.ca.gov](mailto:ngentill@water.ca.gov)

9 Sylvia L. Harrison  
10 [sharrison@mcdonaldcarano.com](mailto:sharrison@mcdonaldcarano.com)

11 Brad M. Johnston  
12 [bjohnston@hollandandhart.com](mailto:bjohnston@hollandandhart.com), [RenoFedECF@halelane.com](mailto:RenoFedECF@halelane.com), [btoriyama@halelane.com](mailto:btoriyama@halelane.com),  
13 [carnold@halelane.com](mailto:carnold@halelane.com), [cpulsipher@halelane.com](mailto:cpulsipher@halelane.com), [eford@hollandandhart.com](mailto:eford@hollandandhart.com)

14 Stephen M. Macfarlane  
15 [Stephen.Macfarlane@usdoj.gov](mailto:Stephen.Macfarlane@usdoj.gov), [deedee.sparks@usdoj.gov](mailto:deedee.sparks@usdoj.gov)

16 Marshall Rudolph  
17 [mrudolph@mono.ca.gov](mailto:mrudolph@mono.ca.gov)

18 Susan L. Schneider  
19 [susan.schneider@usdoj.gov](mailto:susan.schneider@usdoj.gov)

20 Gary Stone  
21 [jaliep@aol.com](mailto:jaliep@aol.com)

22 and I further certify that I served or caused to have served a true and correct copy of the  
23 foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE REPLIES TO**  
24 **MEMORANDA RELATED TO OBJECTIONS TO PROPOSED SERVICE CUTOFF**  
25 **AND SUCCESSOR-IN-INTEREST ORDERS** on the following non-CM/ECF participants  
26 by U.S Mail, postage prepaid, this 28th day of January, 2011.

27 Ken Spooner  
28 Walker River Irrigation District  
P.O. Box 820  
Yerington, NV 89447

Jason King  
State Engineer – Division of Water Resources  
State of Nevada  
901 S. Stewart Street  
Carson City, NV 89701



1 John Kramer  
2 Department of Water Resources  
3 1416 Ninth Street, Room 1118  
4 Sacramento, CA 94814

Jim Shaw  
Chief Dep. Water Commissioner  
U.S. Board of Water Commissioners  
P.O. Box 853  
Yerington, NV 89447

5 Robert L. Hunter, Superintendent  
6 Western Nevada Agency  
7 Bureau of Indian Affairs  
8 311 E. Washington Street  
9 Carson City, NV 89701-4065

Jeff Parker, Deputy Atty General  
Office of the Attorney General  
100 N. Carson St.  
Carson City, NV 89701-4717

10 Leo Drozdoff  
11 Dept. of Conservation & Natural Resources  
12 State of Nevada  
13 901 S. Stewart Street  
14 Carson City, NV 89701

Michael F. Mackedon  
P.O. Box 1203  
179 South LaVerne Street  
Fallon, NV 89407

15 Nathan Goedde  
16 Staff Counsel  
17 California Dept. of Fish & Game  
18 1416 Ninth Street, Suite 1335  
19 Sacramento, CA 95814

Kelly R. Chase  
1700 County Road, Suite A  
P.O. Box 2800  
Minden, NV 89423

20 Michael D. Hoy  
21 Bible Hoy & Trachok  
22 201 West Liberty Street, Third Floor  
23 Reno, NV 89511

Wesley G. Beverlin  
Malissa Hathaway McKeith  
Lewis, Brisbois, Bisgaard & Smith LCP  
221 N. Figueroa St., Suite 1200  
Los Angeles, CA 90012

24 District Attorney for Lyon County  
25 31 South Main Street  
26 Yerington, NV 89447

Timothy A. Lukas  
P.O. Box 3237  
Reno, NV 89505

27 Weaver Revocable Trust Agreement, William  
28 M. Jr. & Rosemary F. Weaver, Trustees  
510 Hwy. 338  
Wellington, NV 89444

William J Shaw  
Brooke & Shaw, Ltd.  
1590 Fourth Street  
P.O. Box 2860  
Minden, NV 89423

Thomas J. Hall, Esq.  
Post Office Box 3948  
305 S. Arlington Ave.  
Reno, NV 89505

Adah Blinn and John Hargus Trust, Robert  
Lewis Cooper, Trustee  
984 Hwy 208  
Yerington, NV 89447

1 Scott H. Shackelton  
2 Law Offices of Scott Shackelton  
3 4160 Long Knife Road  
4 Reno, NV 89509

Richard B. Nuti  
P.O. Box 49  
Smith, NV 89430

4 Casino West  
5 Lawrence B. Masini, RA  
6 11 North Main Street  
7 Yerington, NV 89447

R.A. Palayo  
5336 Awbury7 Ave.  
Las Vegas, NV 89110

7 Domenici 1991 Family Trust  
8 Lona Marie Domenici-Reese  
9 P.O. Box 333  
10 Yerington, NV 89447

Charles Price  
24 Panavista Circle  
Yerington, NV 89447

10 Theodore A. and Annette M. Emens  
11 5A W. Pursel Lane  
12 Yerington, NV 89447

John Gustave Ritter III  
34 Aiazzi Lane  
Yerington, NV 89447

12 L & M Family Limited Partnership  
13 Rife Sciarani & Co, RA  
14 22 HWY 208  
15 Yerington, NV 89447

Sceirine Fredericks Ranch  
c/o Todd Sceirine  
3100 Hwy 338  
Wellington, NV 89444

15 Wallace J. & Linda P. Lee  
16 904 W. Goldfield Ave.  
17 Yerington, NV 89447

Silverado, Inc.  
Gordon R. Muir, RA  
One E. Liberty St., Suite 416  
Reno, NV 89501

18 Joseph J. Bessie J. Lommori Trust, Joseph J.  
19 & Bessie J. Lommori, Trustees  
20 710 Pearl Street  
21 Yerington, NV 89447

Daniel G. & Shawna S. Smith  
P.O. Box 119  
Wellington, NV 89444

21 Cynthia Menesini  
22 111 N. Hwy 95A  
23 Yerington, NV 89447

Christy De Long & Kirk Andrew Stanton  
27 Borsini Lane  
Yerington, NV 89447

23 Cynthia Nuti  
24 P.O. Box 49  
25 Smith, NV 89430

Jerry E. Tilley Trust, Jerry E. Tilley, Trustee  
11418 S. 105<sup>th</sup> E. Ave  
Bixby, OK 74008

25 Nancy J. Nuti  
26 P.O. Box 49  
27 Smith, NV 89430

Susan Steneri  
P.O. Box 478  
Yerington, NV 89447

28

1 Athena Brown, Superintendent  
2 Western Nevada Agency  
3 Bureau of Indian Affairs  
4 311 E. Washington Street  
5 Carson City, NV 89701-4065

R. C. Howard  
Hale Lane Peek, Dennison & Howard  
5441 Kietzke Lane  
Suite 200  
Reno, NV 89511

6 George M. Keele  
7 1692 County Road  
8 Suite A  
9 Minden, NV 89423

Gary A. Sheerin  
Gary A. Sheerin, Law Office of  
177 W. Proctor Street, Suite B  
Carson City, NV 89703

10 Walker Lake Water Dist. G.I.D.  
11 Walker Lake GID  
12 175 Wassuk Way  
13 Walker Lake, NV 89415

David Moser  
McCutchen, Doyle, Brown, et.al.  
Three Embaracadero Center  
Suite 1800  
San Francisco, CA 94111

14 Gary Stone  
15 Water Master  
16 290 South Arlington Ave.  
17 Reno, NV 89501

James Fousekis  
2848 Garber Street  
Berkeley, CA 94705

18 Mary Rosaschi  
19 P.O. Box 22  
20 Wellington, NV 89444

William K. Vicencio  
P.O. Box 478  
Yerington, NV 89447

21 /s/

22 \_\_\_\_\_  
23 NOEL SIMMONS  
24  
25  
26  
27  
28