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5

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

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 WALKER RIVER PAIUTE TRIBE,)
11 Plaintiff-Intervenor,)
12 vs.)
13 WALKER RIVER IRRIGATION DISTRICT,)
a corporation, et al.,)
14 Defendants.)
15 _____)
16 MINERAL COUNTY,)
17 Proposed-Plaintiff-Intervenor,)
18 vs.)
19 WALKER RIVER IRRIGATION DISTRICT)
a corporation, et al.)
20 Proposed Defendants.)
21

IN EQUITY NO. C-125-ECR
Subproceeding: C-125-C
3:73-CV-00128-ECR- LRL

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE
RESPONSE TO WALKER RIVER
IRRIGATION DISTRICT'S
OBJECTIONS TO RULINGS OF
MAGISTRATE JUDGE WITH
RESPECT TO SEPTEMBER 27,
2011 ORDER CONCERNING
SERVICE ISSUES**

22 Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and LR 6-1 and LR 6-2,
23 counsel for the Mineral County moves the Court for an order extending the time for Mineral
24 County to file its response to the Walker River Irrigation District's Objections to Rulings of
25 Magistrate Judge With Respect to September 27, 2011 Order Concerning Service Issues
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1 (“WRID’s objections”) (C-125-C Docs. 552 & 553) from on or before October 31, 2011, to on or
2 before December 2, 2011.

3 In support of this Motion, counsel for Mineral County represents the following to the
4 Court:

- 5 1. On August 29, 2008, Mineral County filed a service report and proposed order in
6 subproceeding C-125-C. (C-125-C Docs. 479 & 480).
- 7 2. On November 21, 2008, WRID filed a response to Mineral County’s service report. (C-
8 125-C Doc. 488).
- 9 3. On January 23, 2009, Mineral County filed a reply to WRID’s response to Mineral
10 County’s service report. (C-125-C Doc. 496).
- 11 4. On September 27, 2011, Magistrate Judge Leavitt issued an Order in subproceeding C-
12 125-C ruling on Mineral County’s service report filings of August 29, 2008 and January
13 23, 2009. (C-125-C Doc. 547).
- 14 5. October 14, 2011, WRID filed Objections to Rulings of Magistrate Judge with Respect to
15 September 27, 2011 Order Concerning Service Issues. (C-125-C Docs. 552 & 553).
- 16 6. On that same day, Circle Bar N Ranch, LLC, and Mica Farms, LLC joined in WRID’s
17 objections. (C-125-C Doc. 554).
- 18 7. Pursuant to LR IB 3-1 and Rule 6(d) of the Federal Rules of Civil Procedure, the deadline
19 for responses to WRID’s objections is October 31, 2011.
- 20 8. Counsel for Mineral County currently is engaged in a six (6) week administrative
21 hearing, effectively a trial, before the Nevada State Engineer that began September 26,
22 2011, and will run through November 18, 2011, with a two week intermission in late
23 October.
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1 9. That two week intermission is nearly done and counsel for Mineral County has been
2 continuously engaged in intense preparations for the second half of the hearing
3 throughout the intermission.

4 10. Counsel for Mineral County has endeavored to accomplish as much as possible during
5 the intermission in the State Engineer's administrative hearing in order to file a response
6 as soon as possible.

7
8 11. However, due to the intensity and level of preparation required for that hearing, counsel
9 for Mineral County likely will not have sufficient time to properly respond to WRID's
10 objections until after the completion of the hearing and the Thanksgiving holiday that
11 immediately follows.

12 12. For these reasons, on September 28, 2011, the Court granted Mineral County's request
13 for extension of time within which Plaintiff Parties must file a joint response to WRID's
14 objections to the Magistrate Judge's orders on successors-in-interest to on or before
15 December 2, 2011. (C-125-B Doc 1661; C-125-C Doc. 549).

16
17 13. Mineral County requests the same extension to on or before December 2, 2011, in which
18 to file a response to WRID's October 14, 2011 objections to the Magistrate Judge's
19 September 27, 2011 order.

20 14. Counsel for Mineral County has contacted counsel for Primary Defendants concerning
21 this request for an extension and none of the Primary Defendants has objected to it.
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1 NOW, THEREFORE, based upon the foregoing, Mineral County respectfully requests
2 that the Court grant this Unopposed Motion, and extend the time for Mineral County to file its
3 response to WRID's objections, to on or before December 2, 2011, which would give counsel for
4 Mineral County sufficient time to prepare that response.

5
6 Respectfully submitted this 27th day of October, 2011,
7

8 ADVOCATES FOR COMMUNITY &
9 ENVIRONMENT

10 By: /s/
11 Simeon M. Herskovits
12 Nevada Bar No. 11155
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14 El Prado, New Mexico 87529
15 *Attorney for Mineral County*

16 **ORDER**

17 Dated: _____, 2011.

18 IT IS SO ORDERED.

19
20
21 _____
22 United States District Judge
23
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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of October, 2011, I electronically filed the foregoing
**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO
WALKER RIVER IRRIGATION DISTRICT'S OBJECTIONS TO RULINGS OF
MAGISTRATE JUDGE WITH RESPECT TO SEPTEMBER 27, 2011 ORDER
CONCERNING SERVICE 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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C-125-C: Mineral County Request for Extension

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26 and I further certify that I served or caused to have served a true and correct copy of the

27 foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE**

28 **TO WALKER RIVER IRRIGATION DISTRICT'S OBJECTIONS TO RULINGS OF**

MAGISTRATE JUDGE WITH RESPECT TO SEPTEMBER 27, 2011 ORDER

1 **CONCERNING SERVICE ISSUES** on the following non-CM/ECF participants by U.S Mail,
2 postage prepaid, this 27th day of October, 2011.

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4 Walker River Irrigation District
5 P.O. Box 820
6 Yerington, NV 89447

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5	Post Office Box 3948	Lewis Cooper, Trustee
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14	Lona Marie Domenici-Reese	24 Panavista Circle
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16	Theodore A. and Annette M. Emens	John Gustave Ritter III
17	5A W. Pursel Lane Yerington, NV 89447	34 Aiazzi Lane Yerington, NV 89447
18	L & M Family Limited Partnership	Sceirine Fredericks Ranch
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