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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	IN EQUITY NO. C-125-RCJ
)	Subproceedings: C-125-B & C-125-C
WALKER RIVER PAIUTE TRIBE,)	3:73-CV-00127-RCJ-WGC &
)	3:73-CV-00128-RCJ-WGC
Plaintiff-Intervenor,)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	SUMMARY FOR THE STATUS
)	CONFERENCE HELD NOVEMBER 4,
Defendants.)	2013
_____)	

MINERAL COUNTY,)
)
Plaintiff-Intervenor,)
vs.)
)
WALKER RIVER IRRIGATION DISTRICT,)
a corporation, et al.,)
)
Defendants.)
)
)
)

The United States of America (“United States”), Plaintiff in Case No. C-125 and Subproceeding C-125-B and Defendant in Subproceeding C-125-C, provides this as a summary of the orders issued by the Court concerning upcoming matters associated with Subproceedings C-125-B and C-125-C. Pursuant to the Court’s direction, the United States consulted with the other plaintiff parties and the primary defendants to prepare and submit this summary.

SUMMARY RESULTS OF THE NOVEMBER 4, 2013, STATUS CONFERENCE

After discussion of the matters outlined in the agenda for the November 4, 2013, status conference (C-125-B Doc. # 1950; C-125-C Doc. # 730), the Court directed the following:

1. With the cooperation of the other plaintiff parties and the primary defendants, the United States will prepare a joint Proposed Superseding E-Service order for Subproceeding C-125-B for the Court’s consideration that is consistent with the comments made by the Court on November 4, 2013. The United States and the other primary parties will submit the Proposed Superseding E-Service Order no later than November 28, 2013. Magistrate Judge Cobb shall conduct a telephonic status conference on the Proposed Superseding E-Service Order and other matters on December 6, 2013, at 10:00 a.m. (PST).

2. With the cooperation of the other plaintiff parties and the primary defendants, Mineral County shall prepare a Case Management Order and Proposed E-Service Order for Subproceeding C-125-C. To the extent appropriate in view of the partially overlapping but significantly varied circumstances of the two subproceedings, any Case Management Order and Superseding E-Service Order in Subproceeding C-125-C should be consistent with the Orders issued in Subproceeding C-125-B. The Case Management Order for Subproceeding C-125-C should indicate that, in addition to the holders of appropriative surface water rights, whom Mineral County already has served, Mineral County shall complete service pursuant to Federal Rule of Civil Procedure 4 on holders of riparian water rights within the Walker River basin under California State law. Counsel for Mineral County is to consult with counsel for other principal parties and, if necessary, brief the issue of how such riparian water rights holders must be served. Mineral County is not required to join and serve groundwater rights holders, because Mineral County has not asserted any claim against groundwater rights holders.
3. With the cooperation of other plaintiff parties, the primary defendants, and the Clerk of the Court, the United States and Mineral County will prepare a proposed order for Subproceeding C-125-C by which the Court can order the creation of a public access website for C-125-C documents. This website will be separate from, but similar to the public access website recently created for C-125-B (C-125-B Doc. #1874). Such motion and order shall be presented by Mineral County once the Court has entered the Superseding E-Service Order in C-125-B.

4. A deadline for submission of the proposed orders has not yet been set, and will be discussed at the December 6, 2013, Status Conference.
5. In Subproceedings C-125-B and C-125-C, all defendants shall submit motions to dismiss that raise threshold jurisdictional challenges as contemplated under the Case Management Order (C-125-B Doc. # 108) they may have to the Walker River Tribes' and the United States' Amended Counterclaims (C-125-B Doc. # 58 and 59) and to Mineral County's Amended Complaint in Intervention (C-125-C Doc. # 20).

Motions to dismiss shall be filed no later than March 31, 2014. Responses to motions to dismiss shall be filed no later than May 30, 2014. Replies to responses shall be filed no later than June 30, 2014.

Dated: November 20, 2013

Respectfully submitted,

ROBERT G. DREHER
Acting Assistant Attorney General

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Greg Addington, Assistant United States Attorney

By /s/ Andrew "Guss" Guarino
Andrew "Guss" Guarino

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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of November, 2013, I electronically filed the foregoing **SUMMARY FOR THE STATUS CONFERENCE HELD NOVEMBER 4, 2013** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses that are registered for this case;

and I further certify that I served a copy of the forgoing to the following non CM/ECF participants by U.S. Mail, postage prepaid, this 20th day of November, 2013:

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/s/ Eileen Rutherford
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