TREVA J. HEARNE, ESQ. (Bar No. 004450)
JAMES SPOO, ESQ. (Bar No.
ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509
702/323-4599

Attorneys for Intervenor
MINERAL COUNTY OF NEVADA

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CAROL ... CLERK
BY JRH DEPUTY

U.S. DISTRICT COURT
DISTRICT OF NEVADA
FILED
JAN 3 1995
CLERK, U.S. DISTRICT COURT
BY JRH DEPUTY

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al. Defendants.	IN EQUITY NO. ~~C-125s~~ Subfile No. ~~C-125-B~~ C-125-C **NOTICE OF MOTION AND MOTION OF MINERAL COUNTY OF NEVADA FOR INTERVENTION**

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ZEH, SPOO & ASSOCIATES
450 Marsh Avenue • Reno, NV 89509
Phone: (702) 323-4599 • Fax (702) 786-8183

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450 Marsh Avenue • Reno, NV 89509
Phone: (702) 323-4599 • Fax (702) 786-8183

WALKER RIVER IRRIGATION DISTRICT,

Petitioner,

vs.

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD, W. DON MAUGHAN, EDWIN H. FINSTER, ELISEO M. SAMANIEGO, JOHN CAFFREY and DARLENE E. RUIZ, Members of the California Water Resources Control Board,

Respondents.

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that MINERAL COUNTY, a nonprofit organization, moves this Court pursuant to Rule 24(a)(2), or in the alternative, Rule 24(b)(2), of the Federal Rules of Civil Procedure for an Order granting intervention in this action.

The grounds for this motion are as follows:

(a) MINERAL COUNTY claims an interest relating to the subject matter of this action and is so situated that the disposition of this action may as a practical matter impair or impede its ability to protect that interest, which may not be adequately represented by existing parties. FRCP 24(a)(2).

(b) MINERAL COUNTY's defense and the main action have a question of law or fact in common and intervention will not unduly delay the litigation or prejudice existing parties. FRCP 24(b)(2).

This motion is based on this Notice of Motion, the accompanying Memorandum of Points and Authorities, the Declaration of Kelvin J. Buchanan, Louis Thompson, Harold Staat, Marlene Bunch, and the proposed Petition in Intervention served and filed herewith, and papers and records on file herein.

DATED this 21st day of October, 1994.

ZEH, SPOO & HEARNE

BY _____
TREVA J. HEARNE
Attorney for Intervenor
MINERAL COUNTY OF NEVADA

ZEH, SPOO & ASSOCIATES
450 Marsh Avenue • Reno, NV 89509
Phone: (702) 323-4599 • Fax (702) 786-8183

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450 Marsh Avenue • Reno, NV 89509
Phone: (702) 323-4599 • Fax (702) 786-8183

CERTIFICATE OF MAILING

Pursuant to FRCP 5(b), I certify that I am an employee of the Law Office of ZEH, SPOO & HEARNE, and that on this date I caused to be mailed a copy of the attached **NOTICE OF MOTION AND MOTION OF MINERAL COUNTY OF NEVADA FOR INTERVENTION**, with postage fully prepaid to:

See attached Service List

DATED this 25th day of October, 1994.

MARILYN MITCHELL

ZEH, SPOO & ASSOCIATES
450 Marsh Avenue • Reno, NV 89509
Phone: (702) 323-4599 • Fax (702) 786-8183

SERVICE LIST

Shirley A. Smith
Asst. U.S. Attorney
300 Booth Street, Room 2031
Reno, Nevada 89509

Jim Weishaupt
Water Master
Post Office Box 820
Yerington, NV 89447

James T. Markle
State Water Resources Control Board
Post Office Box 100
Sacramento, CA 95814

John Kramer
Dept. of Water Resources
1416 Ninth Street
Sacramento, CA 95814

Richard E. Olson, Jr.
Classen & Olson
Post Office Box 1311
Bishop, CA 93514

Ross E. de Lipkau
Post Office Box 2790
Reno, NV 89505

Garry Stone
290 South Arlington
Reno, NV 89510

Richard R. Greenfield
Dept. of the Interior
Two North Central Ave., Suite 500
Phoenix, AZ 85004

Western Nevada Agency
Bureau of Inidan Affairs
1677 Hot Springs Road
Carson City, NV 89706

Scott McElroy
Greene, Meyer & McElroy
1007 Pearl Street
Boulder, CO 80302

Matthew R. Campbell, Esq.
McCutche, Doyle, Brown & Enerson
Three Embarcadero Center
San Francisco, CA 94111

John P. Lange
Land & Natural Resources
Federal Building, Dr. 3607
999 18th Street, Suite 945
Denver, CO 80202

Roger Johnson
Water Resources Control Board
State of California
Post Office Box 2000
Sacramento, CA 95810

Linda Bowman
Vargas & Bartlett
Post Office Box 281
Reno, NV 89504

Mary Hackenbracht
Deputy Attorney General
State of California
2101 Webster Street
Oakland, CA 94612-3049