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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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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 _____
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MINERAL COUNTY OF NEVADA

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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

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