

1 GORDON H. DePAOLI
2 WOODBURN AND WEDGE
3 One East First Street
4 Suite 1600
5 P.O. Box 2311
6 Reno, Nevada 89505
7 Telephone: (702) 688-3000
8
9 Attorneys for
10 WALKER RIVER IRRIGATION DISTRICT

U.S. DISTRICT COURT
DISTRICT OF NEVADA
FILED
JAN 3 1995
CLERK, U.S. DISTRICT COURT
BY J.H.T. DEPUTY

U.S. DISTRICT COURT
DISTRICT OF NEVADA
RECEIVED
NOV 15 1994
CLERK, U.S. DISTRICT COURT
BY _____ DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,)
13 Plaintiff,)
14 WALKER RIVER PAIUTE TRIBE,)
15 Plaintiff-Intervenor,)
16 vs.)
17 WALKER RIVER IRRIGATION DISTRICT,)
18 a corporation, et al.,)
19 Defendants.)
20 WALKER RIVER PAIUTE TRIBE,)
21 Counterclaimant,)
22 vs.)
23 WALKER RIVER IRRIGATION DISTRICT,)
24 et al.,)
25 Counterdefendants.)

IN EQUITY NO. G-125
SUBFILE NO. G-125-B
C-125-C
NOV 17 1 32 PM '94
BY J.H.T. DEPUTY
CAROL C. FITZGERALD
CLERK

STIPULATION AND ORDER
CONCERNING MINERAL
COUNTY'S MOTION TO
INTERVENE AND FOR
PRETRIAL CONFERENCE
THEREON
(First Request)

26
27 1. On or about October 25, 1994, Mineral County, Nevada
28 filed a Notice of Motion and Motion for Intervention and
supporting documents in this matter (the "Motion to Intervene").

5 [Signature]

1 2. The Motion to Intervene was served by mail on counsel
2 for the United States, the Walker River Paiute Tribe, the
3 California State Water Resources Control Board, California Trout,
4 Inc. and the United States Board of Water Commissioners on October
5 25, 1994 and on counsel for the State of Nevada and the Walker
6 River Irrigation District on November 2, 1994.

7 3. The Motion to Intervene was also served by mail on
8 various other persons on October 25, 1994.

9 4. A pretrial conference concerning the Motion to Intervene
10 would be useful in expediting its disposition.

11 5. A determination should be made as to who should receive
12 notice of and have an opportunity to respond to the Motion to
13 Intervene.

14 6. The undersigned are available for a pretrial conference
15 concerning the Motion to Intervene within the next thirty (30)
16 days at the convenience of the Court.

17 7. There have been no previous extensions of time sought or
18 granted with respect to a response to the Motion to Intervene.

19 NOW, THEREFORE, based upon the foregoing and subject to the
20 approval of the Court, the undersigned hereby stipulate as
21 follows:

22 1. That a pretrial conference be held concerning the Motion
23 to Intervene at a date and time convenient to the Court and
24 counsel and preferably within the next thirty (30) days;

25 2. That no response to the Motion to Intervene be required
26 pending the order of the court at the pretrial conference; and
27

28

1 3. That the undersigned shall separately serve and file at
2 least ten (10) days prior to the pretrial conference, a report
3 concerning the following issues:

4 (a) The persons who should be given notice of and an
5 opportunity to respond to the Motion to Intervene; and

6 (b) Any other matter which will aid in the disposition
7 of the Motion to Intervene; and

8 4. Pending the order of the court at the pretrial
9 conference the undersigned will serve counsel for Mineral County

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28

1 with a copy of any paper required to be served and filed herein
2 under the Federal Rules of Civil Procedure.

3 DATED this 15th day of November, 1994.

4 WOODBURN and WEDGE
5 One East First Street, Suite 1600
6 P.O. Box 2311
7 Reno, Nevada 89505

Frankie Sue Del Papa
Attorney General
State of Nevada
123 West Nye Lane
Carson City, Nevada 89710

8 By Gordon H. DePaoli
9 GORDON H. DePAOLI
10 Attorneys for WALKER RIVER
11 IRRIGATION DISTRICT

By See signature via facsimile attached
SUSAN JOSEPH-TAYLOR
Attorneys for the State of
Nevada

12 VARGAS & BARTLETT
13 201 West Liberty Street, Suite 300
14 P.O. Box 281
15 Reno, NV 89504

GREENE, MEYER & McELROY, P.C.
1007 Pearl Street
Boulder, CO 80302

16 By See signature via facsimile attached
17 LINDA BOWMAN
18 Attorneys for United States Board
19 Water Commissioners

By See signature via facsimile attached
SCOTT B. McELROY
Attorneys for Walker River
Paiute Tribe

20 Daniel Lungren
21 Attorney General
22 2101 Webster Street, 12th Floor
23 Oakland, CA 94612-3049

ZEH, SPOO & HEARNE
450 Marsh Avenue
Reno, Nevada 89509

24 By See signature via facsimile attached
25 MARY E. HACKENBRACHT
26 Attorneys for the California
27 State Water Resources Control Board

By See signature via facsimile attached
McCUTCHEEN, DOYLE, BROWN &
ENERSEN
Three Embarcadero Center
San Francisco, CA 94111

28 Kathryn Landreth
John P. Lange
United States Attorney
999 - 18th Street, Suite 945
Denver, Colorado 80202

By See signature via facsimile attached
DAVID E. MOSER
Attorneys for Cal-Trout, Inc.

IT IS SO ORDERED.

29 By See signature via facsimile attached
30 JOHN P. LANGE
31 Attorneys for the United States of
32 America

UNITED STATES DISTRICT JUDGE
DATED _____

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Case 3:73-cv-00128-MMD-CSD Document 5 Filed 01/03/1995 Page 10 of 11

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