Case 3:73-cv-00128-MMD-CSD Document 18 Filed 01/24/1995-Page 1:of 9

TREVA J. HEARNE, ESQ. JAMES SPOO, ESQ. ZEH, SPOO & HEARNE 450 Marsh Avenue 89509 Reno, Nevada (702)323-4599

Attorneys for Intervenor MINERAL COUNTY OF NEVADA

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vs.

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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

IN EQUITY NO. C-125-ECR UNITED STATES OF AMERICA, SUBFILE NO. C-125-C Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,

Defendants.

SUBMISSION PURSUANT TO MINUTE ORDER

Pursuant to the Court's Minute Order of January 3, 1995, in the above-referenced matter, the undersigned counsel of record hereby submit the following attached documents:

- Order Requiring Service of and Establishing Briefing 1. Schedule Regarding the Motion to Intervene of Mineral County;
- Notice of Motion to Intervene, Proposed Complaint-in-2. Intervention and Motion for Preliminary Injunction of Mineral County and Request for Waiver of Personal Service of Motions;
 - Waiver of Personal Service of Motions; and 3.

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Notice in Lieu of Summons.

For the most part these documents are consistent with the Court's January 3, 1995 Minute Order. There are some differences between the schedule established by the Minute Order and the Order Requiring Service of and Establishing Briefing Schedule Regarding the Motion to Intervene of Mineral County. An additional document entitled "Notice in Lieu of Summons" is also included. reasons for these variations from the Minute Order are set forth below.

CHANGES IN SCHEDULE

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Rule 4(d)(2)(F) of the Federal Rules of Civil Procedure seems to require that a party be allowed at least 30 days in which to return a waiver of service. Counsel for Mineral County wanted to 14 shorten that time to 15 days in order to allow more time for personal service. Some other counsel believed that the time could not or in any event should not be shortened. The order provides In order to meet the concern of Mineral County the for 30 days. date for completion of service and all other specific dates have been extended by 15 days.

NOTICE IN LIEU OF SUMMONS

Persons who do not return a waiver of service will have to be personally served. Because what is being served, at least initially, is a motion, rather than a complaint, it seemed that a 24|| document other than a summons was appropriate . The Notice in Lieu of Summons to be issued by the Clerk is submitted as that document.

EXTENSION OF TIME

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1	This submission is made beyond	the date set by the Court and
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3	extending the date for this submiss	
4	DATED this 23 ^{Ad} day of Jar	nuary, 1995.
5	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa Attorney General
6	P.O. Box 2311 Reno, Nevada 89505	123 West Nye Lane
7		Carson City, Nevada 89710
8	By Dondon H. De Parli GORDON H. DEPAOLI	By See Facsimile Signature attached
9	Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of
10	VARCAS & BARTLETT	Nevada
	201 West Liberty Street, Suite 300 P.O. Box 281	1007 Pearl Street
12	Reno, NV 89504	Boulder, CO 80302
13	By See Facsimile signature attached	SCOTT B. McELROY
14	LINDA BOWMAN Attorneys for United States Board	Attorneys for Walker River Paiute Tribe
	Water Commissioners	ZEH, SPOO & HEARNE
	Daniel Lungren Attorney General	450 Marsh Avenue Reno, Nevada 89509
17	2101 Webster Street, 12th Floor Oakland, CA 94612-3049	By Mul Open Mineral County
18	m Con Engainile signature attached	Attorneys for Mineral County McCUTCHEN, DOYLE, BROWN &
19 20	MARY E. HACKENBRACHT	ENERSEN Three Embarcadero Center
20 21	Attorneys for the California State Water Resources Control Boar	
21 22	Kathryn Landreth	By See Facsimile signature attached DAVID E. MOSER
23	John P. Lange United States Attorney	Attorneys for Cal-Trout, Inc.
24 24	999 - 18th Street, Suite 945 Denver, Colorado 80202	
2 5	By See Facsimile Signature attached	IT IS SO ORDERED
2 6	JOHN P. LANGE	0 7// 1000
27	of America	Date: 24, 1995
28		United States District Judge
	3	United States District Judge

SENT BY: VARGAS & BARTLETT : 1-24-95 :11:47AM ; VARGAS & BARTLETT→ 702 6883088:# 4/ 4

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- 1	GORDON H. DePAOLI	ву
9	Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of Nevada
11	VARGAS & BARTLETT 201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & MCELROY, P.C. 1007 Pearl Street
12	Reno, NV 89504	Boulder, CO 80302
13 14	LINDA ROMAN	SCOTT B. McELROY Attorneys for Walker River
15	Attorneys for United States Board Water Commissioners	
16	Daniel Lungren	ZEH, SPOO & HEARNE 450 Marsh Avenue Reno, Nevada 89509
17	Attorney General 2101 Webster Street, 12th Floor Oakland, CA 94612-3049	By
18	Oakland, CA 94612~3049	Attorneys for Mineral County
19	By	MCCUTCHEN, DOYLE, BROWN & ENERSEN
20	Attorneys for the California State Water Resources Control Boar	Three Embarcadero Center dSan Francisco, CA 94111
21	Kathryn Landreth	5y
22	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
23	1999 - 18th Street, Suite 945 Denver, Colorado 80202	
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25 26	JOHN P. LANGE	
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9	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of Nevada
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18	Oakland, CA 94612-3049,	ByAttorneys for Mineral County
19	By MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN & ENERSEN
20 21	Attorneys for the California State Water Resources Control Board	Three Embarcadero Center d5an Francisco, CA 94111
22	Kathryn Landreth John P. Lange	DAVID E. MOSER
23	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
24	Denver, Colorado 80202	
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26	Attorneys for the United States of America	
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Ву

JOHN P. LANGE
Attorneys for the United States
of America

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10	IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of Nevada
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24	Denver, Colorado 80202	•
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26	JOHN P. LANGE Attorneys for the United States	
27	of America	
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