#### Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/1995 Page 1 of 13

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Attorneys for WALKER RIVER IRRIGATION DISTRICT

ST RICI COURT

#### IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

IN EQUITY NO. C-125 SUBFILE NO. C-125-C

13 Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

STIPULATION AND ORDER FOR EXTENSION OF TIME (FIRST REQUEST)

٧s.

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

18 Defendants.

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WOODBURN AND WED GE ATTORNEYS
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(707) 68/8-3000

1. On June 22, 1995, the Walker River Irrigation District filed and served its Motion to Vacate Schedule for Serving Responses to Mineral County Motion to Intervene; to Establish Date for Completion of Service; to Establish Date for Responses to Mineral County Motion to Intervene after Completion of Service (the "District's Motion to Vacate Schedule").

2. On or about June 30, 1995, Mineral County filed and served its Points and Authorities in Opposition to the District's Motion to Vacate Schedule.

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- In addition, on or about June 30, 1995, Mineral County filed and served its Counter Motion for Sanctions; for Relief from Further Service to Water Right Holders, for an Order Declaring that Sufficient Notice Has Been Given Water Right Holders and Points and Authorities in Support Thereof (collectively the "Mineral County Sanction Motion").
- On or about June 29, 1995, the Walker River Painte Tribe filed and served its Response to the District's Motion to Vacate Schedule.
- 5. The District's Reply Points and Authorities in Support of its Motion to Vacate Schedule with respect to the Tribe's Response are due to be served on July 13, 1995 and with respect to Mineral County's Response are due to be served on July 14, 1995.
- 6. Responses to the Mineral County Sanction Motion are due to be served on July 18, 1995.
- The District's Motion to Vacate Schedule and Mineral County's Motion for Sanctions involve common factual and legal issues.
- The District intends to consolidate in a single document 8. its Reply Points and Authorities in Support of its Motion to Vacate Schedule and its Points and Authorities in Opposition to Mineral County's Motion for Sanctions.
- In addition, the District requires additional time in 9. order to prepare its response to Mineral County's Sanction Motion.
- There have been no previous extensions of time sought or 10. granted with respect to Reply Points and Authorities in Support of

#### Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/1995 Page 3 of 13

the District's Motion to Vacate Schedule and a Response to Mineral 1 2 Country's Sanction Motion. NOW, THEREFORE, based upon the foregoing and subject to the 3 approval of the Court, the undersigned hereby stipulate that Reply 4 Points and Authorities in Support of the District's Motion to 5 /// 6 7 /// /// 8 9 /// /// 10 111 11 12 /// 13 /// /// 14 /// 15 /// 16 17 /// 111 18 /// 19 20 /// 21 /// 22 /// 23 111 24 /// 25 /// 26 /// 27 ///

(702) 688-3000

### Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/1995 Page 5 of 13

1	Vacate Schedule and in Opposition to Mineral County's Motion for	
2	Sanctions shall be served not late	r than July 25, 1995.
3	DATED this day of Ju	ly, 1995.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa
5	P.O. Box 2311 Reno, Nevada 89505	State of Nevada
6	RENO, Nevada 69303	Carson City, Nevada 89710
7	By	Tite.
8	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of
9	VARGAS & BARTLETT	Nevada
10	201 Nest Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & McELROY, P.C. 1007 Pearl Street
11	Reno, NV 89504	Boulder, CO 80302
12	By Inda (1 Downan	SCOTT B. MCELROY
13	LINDA BOWMAN Attorneys for United States Board	Attorneys for Walker River
14	Water Commissioners	ZEH, SPOO & HEARNE
15	Daniel Lungren Attorney General	450 Marsh Avenue Reno, Nevada 89509
16	2101 Webster Street, 12th Ploor Oakland, CA 94612-3049	By
17	1	Attorneys for Mineral County
18	MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN &
19	Attorneys for the California State Water Resources Control Board	Three Embarcadero Center
20	Kathryn Landreth	By
21	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945 Denver, Colorado 80202	IT IS SO ORDERED:
23	Denvin, Colorado 60202	II 19 SA AKRONYN!
24	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of America	
26	Ther 1 co	DATED
27		

WE OUR

1	Vacate Schedule and in Opposition t	o Mineral County's Motion for
2	Sanctions shall be served not later	
3	DATED this day of Jul	
3 4 5 6	WOODBURN and WEDGE One East First Street, Suite 1600 P.O. Box 2311	Frankie Sue Del Papa
7   8   9   10   11	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT  VARGAS & BARTLETT 201 West Liberty Street, Suite 300 P.O. Box 281 Reno, NV 89504	BySUSAN JOSEPH-TAYLOR Attorneys for the State of Nevada  GREENE, MEYER & McELROY, P.C. 1007 Pearl Street Boulder, CO 80302
12 13 14 15	Attorneys for United States Board Water Commissioners  Daniel Lungren Attorney General 2101 Webster Street, 12th Floor	ZEH, SPOO & HEARNE 450 Marsh Avenue Reno, Nevada 89509
17 18 19	By MARY E. MACKENBRACHT Attorneys for the California State Water Resources Control Boar	Attorneys for Mineral County  McCUTCHEN, DOYLE, EROWN & ENERSEN Three Embarcadero Center dSan Francisco, CA 94111
20   21   22   23	Kathryn Landreth John P. Lange United States Attorney 999 - 18th Street, Suite 945 Denver, Colorado 80202	DAVID E. MOSER Attorneys for Cal-Trout, Inc. IT IS SO ORDERED:
24 25 26	JOHN P. LANGE Attorneys for the United States of America	UNITED STATES DISTRICT JUDGE DATED

# Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/1995 Page 7 of 13

1		
1	Vacate Schedule and in Opposition t	
2	Sanctions shall be served not later than July 25, 1995.	
3	DATED this day of Jul	Ly, 1995.
4	The state of the s	Frankie Sue Del Papa Attornev General
5	P.O. Nox 2311	State of Nevada
6	P.O. Box 2311 Reno, Nevada 89505	Carson City, Nevada 89710
7	By	Ву
	GORIXON H. DEPAOLI	CUCAN TOCKDH-TAVIOR
8	Attorneys for WALKER RIVER IRRIGATION DISTRICT	Attorneys for the State of
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10	VARGAS & BARTLETT 201 West Liberty Street, Suite 300	GREENE, MEYER & McELROY, P.C. 1007 Pearl Street
11	P.O. Box 281 Reno, NV 89504	Boulder, CO 80302
	!' !}	<b>tu</b>
12		SCOTT B. MCELROY
	LINDA BOWMAN	SCOTT B. McELROY Attorneys for Walker River
13	LINIA DOWNAN	Dainta Triba
	Attorneys for United States Board	Parace 11170
14	Water Commissioners	ZEH, SPOO & HEARNE
4.5	Bania' Inngran	450 Marsh Avenue
15	Daniel Lungren Attorney General	Reno, Nevada 89509
16	2101 Webster Street, 12th Floor	
TO	Oakland, CA 94612-3049	Ву
17		Attorneys for Mineral County
J. 1		•
18	By	MCCUTCHEN, DOYLE, BROWN &
	MARY E. HACKENBRACHT	ENERSEN
19	Attorneys for the California	Three Embarcadero Center
_	State Water Resources Control Boar	dSan Francisco, CA 94111
20		_
AL #	Kathryn Landreth	DAVID E. MOSER
21	John P. Lange	
22	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
4-44	Denver, Colorado 80202	IT IS SO ORDERED:
23	7109	II 10 60 ONVARAD.
24	By Catha Lange	
J. 44	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of	
44 T-	America	DATED
26		
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I	vacate schedule and in Opposition	to Mineral County's Motion for
2	Sanctions shall be served not lat	er than July 25, 1995.
3	DATED this 12 to day of J	uly, 1995.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa
5	P.O. Box 2311 Renc, Nevada 89505	State of Nevada
6		123 Wast Nye Lane Carson City, Nevada 89710
7	Ву	11.
8	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR
9	VARGAS & BARTLETT	Attorneys for the State of Nevada
10	201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & MCELROY, P.C.
11	Reno, NV 89504	1007 Pearl Street Boulder, CO 80302
12.	By	By
13	LINDA BOWMAN Attorneys for United Status Daniel	SCOTT B. McELROY Attorneys for Walker River
14	Attorneys for United States Board Water Commissioners	Paiute Tribe
15	Daniel Lungren	ZEH, SPOO & HEARNE 450 Marsh Avenue
16	Attorney General 2101 Webster Street, 12th Floor	Reno, Nevada 89509
17	Oakland, CA 94612-3049	By
18	ВУ	<b>▼</b>
19	MARY E. HACKENBRACHT Attorneys for the California	ENERSEN DOYLE, BROWN &
20	State Water Resources Control Board	Three Embarcadero Center dSan Francisco, CA 94111
	Kathryn Landreth	Ву
1	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
2	999 - 18th Street, Suite 945 Denver, Colorado 80202	,
3	,	IT IS SO ORDERED:
4	JOHN P. LANGE	
5	Attorneys for the United States of America	UNITED STATES DISTRICT JUDGE
6	<b>化四条工工员员</b>	DATED
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#### Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/1995 Page 9 of 13

Vacate Schedule and in Opposition to Mineral County's Motion for 1 Sanctions shall be served not later than July 25, 1995. DATED this \_ Mfh day of July, 1995. 3 Frankie Sue Del Papa WOODBURN and WEDGE One East First Street, Suite 1600 Attorney General State of Nevada P.O. Box 2311 123 West Nye Lane Reno, Nevada 89505 Carson City, Nevada 89710 7 GORDON H. DEPAOLI SUSAN JOSEPH-TAYLOR Attorneys for WALKER RIVER Attorneys for the State of IRRIGATION DISTRICT Navada VARGAS & BARTLETT 201 West Liberty Street, Suite 300 GREENE, MEYER & McELROY, P.C. 1007 Pearl Street 10 P.O. Box 281. Boulder CO 80302 Renc, NV 89504 11 SCOTT B/ MCELROY 12 Attorneys for /Walker River LINDA BOWMAN Attorneys for United States Board Paiute Tribe 13 Water Commissioners ZEH, SPOO & HEARNE 14 450 Marsh Avenue Daniel Lungren Reno, Nevadá 89509 15 Attorney General 2101 Webster Street, 12th Floor 16 Oakhand, CA 94612-3049 Attorneys for Mineral County 17 MCCUTCHEN, DOYLE, BROWN & 18 ENERSEN MARY E. HACKENBRACHT Attorneys for the California Three Embarcadero Center State Water Resources Control BoardSan Francisco, CA 94111 19 20 Kathryn Landreth DAVID E. MOSER John P. Lange Attorneys for Cal-Trout, Inc. 21 United States Attorney 999 - 18th Street, Suite 945 2.2 IT IS 80 ORDERED; Denver, Colorado 80202 23 UNITED STATES DISTRICT JUDGE 24 JOHN P. LANGE Attorneys for the United States of 25 DATED\_\_\_\_ America 26 27

(102) FKH-1000

## Case \$:73-cv-00128-MMD-CSD Document 36 Filed 07/17/1995 Page 10 of 13

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2	Sanctions shall be served not later than July 25, 1995.	
3	DATED this day of July, 1995.	
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa Attorney General
5	P.O. Box 2311	State of Nevada 123 West Nye Lane Carson City, Nevada 89710
6		Carson City, Nevada 63/10
7	GCRDON H. DePAOLI	BySUSAN_JOSEPH-TAYLOR
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9 10	VARGAS & BARTLETT 201 West Liberty Street, Suite 300	GREENE, MEYER & MCELROY, P.C.
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12	Ву	SCOTT B. MCELROY
13	LINDA BOWMAN Attorneys for United States Board	Attorneys for Walker River Paiute Tribe
14	Water Commissioners	ZEH, SPOO & HEARNE 450 Marsh Avenue
15	Daniel Lungren Attorney General 2101 Webster Street, 12th Floor	Reng, Nevada 89509
16   17	Oakland, CA 94612-3049	Artorneys for Mineral County
18		MCCUTCHEN, DOYLE, BROWN & ENERSEN
19	Attorneys for the California State Water Resources Control Board	Three Embarcadero Center
20	Kathryn Landreth	
21	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945	IT IS SO ORDERED:
23	Denver, Colorado 80202	ga as we visitioned:
24	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of America	DATED
26		
27		

### Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/1995 Page 11 of 13

1	Vacate Schedule and in Opposition t	to Mineral County's Motion for
2	Sanctions shall be served not later	
3	DATED this day of Jul	ly, 1995.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa Attornev General
5	P.O. Box 2311	State of Nevada 123 West Nye Lane
6	Relio, Revenue ossor	Carson City, Nevada 89710
7	GORDON H. DePAOLI	Ву
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13	Attorneys for United States Board	Paiute Tribe
14	Water Commissioners	ZEH, SPOO & HEARNE
15	Daniel Lungren Attorney General	450 Marsh Avenue Reno, Nevada 89509
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17	Oakland, CA 94612-3049	Attorneys for Mineral County
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18	MARY E. HACKENBRACHT	ENERSEN
19	Attorneys for the California State Water Resources Control Board	Three Embarcadero Center ISan Francisco. CA 94111
20		1. Valuelling
21	Kathryn Landreth John P. Lange	DAVID E. MOSER
	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
22	Denver, Colorado 80202	IT IS SO ORDERED:
23		
24	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of America	DATED
26		
27		
28		
WOODBURN AND WEDGE	4	
ONE PASCEIRST STREET   REMOUTEVARIA 19501		

(70:b) 6L9-3060

#### CERTIFICATE OF SERVICE BY MAIL 1 2 I certify that I am an employee of Woodburn and Wedge, and that on this date, 3 pursuant to FRCP 5(b), I deposited in the United States mail at Reno, Nevada, a true copy of 4 the feregoing document, addressed to: 5 Shirley A. Smith Richard R. Greenfield 6 Asst. U.S. Attorney Dept. of the Interior Two North Central Ave., #500 100 W. Liberty St., #600 7 Reno, Nevada 89509 Phoenix, AZ 85004 8 Western Nevada Agency George Benesch 9 Benesch & Fermoile Bureau of Indian Affairs P.O. Box 3197 1677 Hot Springs Road 10 Reno, NV 89505 Carson City, NV 89706 11 R. Michael Turnipseed, P.E. Jim Weishaupt, General Manager Division of Water Resources WRID 12 State of Nevada P.O. Box 820 13 Yerington, NV 89447 123 West Nye Lane Carson City, NV 89710 14 James T. Markle Scott McElroy 15 State Water Resources Greene, Meyer & McElroy 16 Control Board 1007 Pearl Street Boulder, CO 80302 P.O. Box 100 17 Sacramento, CA 95814 18 David Moser, Esq. John Kramer Dept. of Water Resources McCutchen, Doyle, Brown & 19 1416 Ninth Street Enerson 20 Three Embarcadero Center Sacramento, CA 95814 San Francisco, CA 94111 21 Richard E. Olson, Jr. John P. Lange 22 Claassen and Olson Land and Natural Resources 23 P.O. Box 2101 Federal Bldg., Dr. 3607 Carson City, NV 89702 999 18th Street, Ste. 945 24 Denver, CO 80202 25 Ross E. deLipkau Roger Johnson P.O. Box 2790 Water Resources Control Board 26 Reno, Nevada 89505 State of California 27 P.O. Box 2000

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28 WOODBURN AND WEDGE ATTORNEYS ONE FAST FIRST STREET RENO. NEVADA 895(1 (702) 688-3000

### Case 3:73-cv-00128-MMD-CSD Document 36 Filed 07/17/1995 Page 13 of 13

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9	Carson City, Nevada 89710	Commissioners P.O. Box 853
		Yerington, Nevada 89447
10	Jim Spoo	Tomigion, Novada 55447
11	Zeh, Polaha, Spoo & Hearne	
12	575 Forest Street	
12	Renc, Nevada 89509	
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14	DATED this Anday of July, 19	95.
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28 WOODBURN AND WEDGE ATTORNEYS ONE EAST FIRST STREET RENO, NEV/IDA 89501 (702) 685-3000