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1 GORDON H. DePAOLI RECENT State Bar No. 000195 2 DALE E. FERGUSON JUL 2 5 1995 State Bar No. 004986 3 WOODBURN and WEDGE U.S. DISTRICT One East First Street 4 Suite 1600 5 P.O. Box 2311 Reno, Nevada 89505 6 Telephone: (702) 688-3000 Attorneys for 7 WALKER RIVER IRRIGATION DISTRICT 8 9 10 IN THE UNITED STATES DISTRICT COURT 11 FOR THE DISTRICT OF NEVADA 12 13 UNITED STATES OF AMERICA,) IN EQUITY NO. C-125-ECR SUBFILE NO. C-125-C 14 Plaintiff, 15 WALKER RIVER PAIUTE TRIBE, WALKER RIVER 16 IRRIGATION DISTRICT'S Plaintiff-Intervenor, MOTION TO FILE 17 **OVERSIZED BRIEF** 18 VS. 19 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 20 Defendants. 21 22 23 Pursuant to LR 7-4 of the Local Rules of Practice of the United States District Court 24 for the District of Nevada, Walker River Irrigation District (the "District") moves the Court for 25

for the District of Nevada, Walker River Irrigation District (the "District") moves the Court for leave to file a consolidated oversized brief in reply to Walker River Paiute Tribe's Response and Mineral County's Opposition to Motion to Vacate Schedule and in Opposition to Mineral County's Countermotion for Sanctions (the "Opposition and Countermotion").

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In support of this motion, the District represents the following to the Court:

- 1. The District's oversized brief is a single response to the Opposition and Countermotion directed to the District's Motion to Vacate Schedule in this matter and in response to Mineral County's Countermotion for Sanctions.
- 2. The District might have filed two separate briefs to the Opposition and Countermotion which pursuant to LR 7-4 could have included a combined total of 50 pages. By consolidating its reply to the Opposition and response to the Countermotion in a single brief, the District has reduced the total number of pages which might have been required for two separate briefs.
- 3. The issues raised by the Opposition and Countermotion are numerous and require a complete response.
- 4. For all of the above reasons it is necessary to exceed the page limitations of LR 7-4 of this Court in order to fully and completely present the Court with the information it needs to decide the Motion to Vacate Schedule and Countermotion for Sanctions.
 - 5. The brief which the District seeks to file is thirty-two (32) pages in length.

WHEREFORE, the District respectfully requests that the Court grant leave to file the oversized brief described herein.

DATED this 25th day of July, 1995

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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 foregoing document, addressed to: 5 Shirley A. Smith Richard R. Greenfield 6 Asst. U.S. Attorney Dept. of the Interior 100 W. Liberty St., #600 Two North Central Ave., #500 7 Reno, Nevada 89509 Phoenix, AZ 85004 8 George Benesch Western Nevada Agency 9 Benesch & Fermoile Bureau of Indian Affairs P.O. Box 3197 1677 Hot Springs Road 10 Reno, NV 89505 Carson City, NV 89706 11 Jim Weishaupt, General Manager R. Michael Turnipseed, P.E. WRID Division of Water Resources 12 P.O. Box 820 State of Nevada 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 P.O. Box 100 Boulder, CO 80302 17 Sacramento, CA 95814 18 John Kramer David Moser, Esq. Dept. of Water Resources McCutchen, Doyle, Brown & 19 1416 Ninth Street Enerson 20 Sacramento, CA 95814 Three Embarcadero Center San Francisco, CA 94111 21 Richard E. Olson, Jr. John P. Lange 22 Land and Natural Resources Claassen and Olson 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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