

1 De CUIR & SOMACH
A Professional Corporation
2 STUART L. SOMACH (Cal. Bar # 090959; Pro Hac Vice)
JOHN A. MENDEZ (Cal. Bar # 095450; Pro Hac Vice)
3 WILLIAM E. HVIDSTEN (Cal. Bar # 113030; Pro Hac Vice)
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FILED

00 APR -4 PM 3: 22

LYNNE S. WILSON
CLERK
BY: [Signature]

6 HALE, LANE, PEEK, DENNISON, HOWARD
ANDERSON AND PEARL
7 ALEX J. FLANGAS
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9 P.O. Box 3237
Reno, Nevada 89505
10 Telephone: (775) 786-7900

11 Attorneys for Walker River Basin
Water Users Association and
12 Certain Individual Members

14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE DISTRICT OF NEVADA

16 UNITED STATES OF AMERICA,
17 Plaintiff,

18 WALKER RIVER PAIUTE TRIBE,
19 Plaintiff-Intervenor,

20 v.

21 WALKER RIVER IRRIGATION DISTRICT,
22 a corporation, et al.,
23 Defendants.

) Case No. C-125-ECR
) Subfile No. C-125-C

) REQUEST TO WITHDRAW AS
) COUNSEL; AFFIDAVIT OF
) WILLIAM E. HVIDSTEN;
) CONSENTS TO WITHDRAWAL OF
) COUNSEL

24
25 COMES NOW, William E. Hvidsten, Esq. of the law firm of De Cuir & Somach, and
26 Timothy A. Lukas, Esq., of the law firm of Hale, Lane, Peek, Dennison, Howard, Anderson and
27 Pearl, counsel of record for certain members of the former Walker River Basin Water Users
28 Association, and requests that this Court allow the withdrawal of counsel in the instant action.

1 This request is based upon the fact that the Walker River Basin Water Users Association
2 has disbanded, no new entity has taken its place to provide legal representation to its members,
3 and certain members have consented to withdrawal of counsel. This request is supported by the
4 Affidavit of William E. Hvidsten, and the Consents to Withdrawal of Counsel signed by certain
5 individual members of the Walker River Basin Water Users Association, attached hereto.


6 DATED: March 9, 2000.

7 DE CUIR & SOMACH
8 A Professional Corporation

9 By 
10 William E. Hvidsten

11 DATED: March 14, 2000.

12 HALE, LANE, PEEK, DENNISON, HOWARD
13 ANDERSON AND PEARL

14 By 
15 Timothy A. Lukas

16 Attorneys for Walker River Basin Water Users
17 Association, and individual members

18
19 STATE OF CALIFORNIA)
20) ss.
21 COUNTY OF SACRAMENTO)

22 AFFIDAVIT OF WILLIAM E. HVIDSTEN

23 William E. Hvidsten, Esq., being first duly sworn, deposes and says as follows:

24 1. I am an attorney licensed by the State of California to practice before all courts of
25 that State. I am admitted pro hac vice to this court as of March 26, 1998.

26 2. The firm of De Cuir & Somach was retained by the Walker River Basin Water
27 Users Association (Association) to represent the individual members of the Association in this
28 action and has made appearances on behalf of certain members. Pursuant to L.R. IA 10-2,

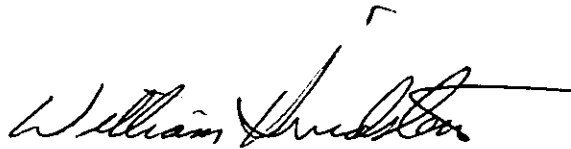
1 De Cuir and Somach associated as co-counsel the firm of Hale, Lane, Peek, Dennison, Howard,
2 Anderson & Pearl as its resident member of a bar of this Court.

3 3. The Association has disbanded and no new entity has taken its place to provide
4 legal representation to its members. The individual members represented in this action by the
5 firms of De Cuir & Somach and Hale, Lane, Peek, Dennison, Howard, Anderson and Pearl were
6 all members of former Association, and were represented solely in that capacity. Two of the
7 individual members of the former Association, Stan Hunewill of Hunewill Land & Livestock,
8 and Norman Annett of Annett's Mono Village, have consented to this withdrawal of
9 representation by De Cuir & Somach and Hale, Lane, Peek, Dennison, Howard, Anderson and
10 Pearl have signed Consents to Withdrawal of Counsel. Those consents are attached hereto as
11 Exhibits A and B.

12 4. I have knowledge of and am competent to testify to the matters stated herein, except
13 to those matters stated on information and belief, and as to those matters I believe them to be
14 true.

15 I, William E. Hvidsten, do hereby swear under penalty of perjury that the foregoing
16 assertions are true.

17 Dated this 9th day of March, 2000.



WILLIAM E. HVIDSTEN

18
19
20 State of California)
21 County of Sacramento) ss.

22 On March 9, 2000, before me, Ann S. Hafter, personally appeared William E. Hvidsten
23 proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to
24 the within instrument and acknowledged to me that he executed the same in his authorized
25 capacity, and that by his signature on the instrument the person, or the entity upon behalf of
26 which the person acted, executed the instrument.

WITNESS my hand and official seal




Ann S. Hafter, Notary Public

28 Place Notary Seal Above

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PROOF OF SERVICE (Federal)

COURT: United States District Court - District of Nevada
CASE NAME: United States of America, Plaintiff, Walker River Paiute Tribe,
Plaintiff-Intervenor, v. Walker River Irrigation District, et al.
CASE NO.: C-125-ECR - Subfile No. C-125-C

I am a citizen of the United States, employed in the City and County of Sacramento. My business address is 400 Capitol Mall, Suite 1900, Sacramento, CA 95814. I am over the age of 18 years and not a party to the foregoing action.

On ~~March~~ ^{April} 4, 2000, I served the following:

REQUEST TO WITHDRAW AS COUNSEL; AFFIDAVIT OF WILLIAM E. HVIDSTEN; CONSENTS TO WITHDRAWAL OF COUNSEL

(by mail) on all parties in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth on the attached service list. At De Cuir & Somach, mail placed in that designated area is given the correct amount of postage and is deposited that same day, in the ordinary course of business, in a United States mailbox in the City of Sacramento, California.

(by personal delivery) by personally delivering a true copy thereof to the person and at the address as set forth on the attached service list.

(by overnight delivery service) via Federal Express addressed to the person at the address as set forth on the attached service list.

(by facsimile transmission) to the person at the address and phone number as set forth on the attached service list.

Please See Attached Service List

I declare under penalty of perjury that the foregoing is true and correct. Executed on ~~March~~ ^{April} 4, 2000, at Sacramento, California.



~~Marlene Martin~~

SERVICE LIST

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Marta Adams, Deputy Attorney General
State of Nevada
100 North Carson Street
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Roger Johnson
State Water Resources Control Board
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Reno, NV 89505

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Sacramento, CA 95814

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Woodburn and Wedge
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Greene, Meyer & McElroy
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Minden, NV 89423

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Reno, NV 89510

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USBWC
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Yerington, NV 89447

General Manager
WRID
P.O. Box 820
Yerington, NV 89447

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Deputy Attorney General
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1 Stan Hunewill
Hunewill Ranch
2 P. O. Box 368
Bridgeport, CA 93517

3 Norman Annett
Annett's Mono Village
4 Post Office Box 455
5 Bridgeport, CA 93517

6 Ron Arrache
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Lancaster, CA 93539

7 Artesani Family Trust
8 c/o E.J. and M.E. Artesani
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9 Carson City, NV 89701

10 Richard N. Fulstone
2022 Nevada State Highway, No. 208
11 P. O. Box 61
Smith, NV 89430

12 Deborah Hartline
P. O. Box 1343
13 Quincy, CA 95971

14 Terry Hawkins
Margaret Hawkins
15 945 E. Main Street, #168
Fernley, NV 89801

16 Virginia Lakes Mutual Water Company
c/o Don Meier
17 4495 Gibraltar Drive
Reno, NV 89509

18 David Parraguirre
19 1700 Wendy Way
Reno, NV 89509

20 Plymouth Land and Stock
c/o Louis W. Bergevin
21 P. O. Box 188
22 Gardnerville, NV 89410

23 Sario Livestock Co.
c/o Beatrice Presto
1462 Douglas Avenue
24 Gardnerville, NV 89410

25 David A. Sceirine
P. O. Box 1013
26 Yerington, NV 89447

27 Joe Sceirine
P. O. Box 1013
28 Yerington, NV 89447

Jack Sceirine
Beverly Sceirine
P. O. Box 249
Yerington, NV 89447

Kenneth Strosnider
Carol Strosnider
P. O. Box 26
Smith, NV 89430

Talbot Land & Livestock
c/o Thomas J. Talbot
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Bishop, CA 93514

Rachel Tholke Trust
c/o Dawn Cooper, Trustee
P. O. Box 97
Coleville, CA 96107

Twelves Family Trust
c/o Roy Snyder and Joanne Rice
Elizabeth Aadnesen
4164 South Syracuse
Denver, CO 80237

Sweetwater Ranch
c/o William W. Weaver, Jr.
2535 State Route 338
Wellington, NV 89444

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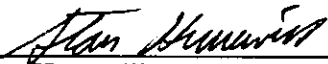
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15 UNITED STATES OF AMERICA,)	Case No. C-125-ECR
)	Subfile No. C-125-C
16 Plaintiff,)	
)	17 CONSENT TO WITHDRAWAL
17 WALKER RIVER PAIUTE TRIBE,)	OF COUNSEL
)	
18 Plaintiff-Intervenor,)	
)	
19 v.)	
)	
20 WALKER RIVER IRRIGATION DISTRICT,)	
21 a corporation, et al.,)	
)	
22 Defendants.)	

23
24 The undersigned hereby approves of the withdrawal of De Cuir & Somach and Hale, Lane,
25 Peek, Dennison, Howard, Anderson and Pearl as its attorneys of record in the instant action.

26 Dated: May 23, 1999 HUNEWILL LAND & LIVESTOCK

27 By: 
28 Stan Hunewill
Hunewill Ranch, P. O. Box 368
Bridgeport, Mono County, CA 93517

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25 Peek, Dennison, Howard, Anderson and Pearl as its attorneys of record in the instant action.

26 Dated: May _____, 1999

ANNETT'S MONO VILLAGE

27 June 29 1999

By: 

Norman Annett
Annett's Mono Village
P. O. Box 455, Bridgeport, CA 93517