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7 IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA, ) IN EQUITY NO. C-127  
9 )  
Plaintiff, ) 3:73-cv-00127-MMD-CSD  
10 )  
11 WALKER RIVER PAIUTE TRIBE ) STIPULATION AND [PROPOSED] ORDER  
CONTINUING THE STAY REGARDING  
12 Plaintiff-Intervenor, ) DISCOVERY AND MOTION SCHEDULE  
13 )  
v. )  
14 )  
15 WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,  
16 Defendants.

17 1. On June 23, 2022, the Plaintiffs and Principal Defendants (“Parties”) requested a  
18 90-day stay of the Scheduling Order<sup>1</sup> and obligations outlined therein to give the Parties the  
19 opportunity to resolve the Tribe’s outstanding water right claims by agreement. *Stipulation and*  
20 *[Proposed] Order Staying the Order Regarding Discovery and Motion Schedule* (ECF No. 2701)  
21 (“Stipulation”).

22 2. On June 24, 2022 the Court granted the Parties request. *Order Staying the Order*  
23 *Regarding Discovery and Motion Schedule* (ECF No. 2702) (“Stay Order”).  
24  
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26 \_\_\_\_\_  
27 <sup>1</sup> *Order Regarding Discovery and Motion Schedule and Procedure* (ECF No. 2611).  
28

1           3.       Based upon the progress made by the Parties during that first 90-day Stay, on  
2 September 15, 2022, the Parties requested a second 90-day Stay (ECF 2706)(“Second Stay  
3 Order”).

4           4.       Based upon the progress made by the Parties during that second 90-day Stay, on  
5 December 15, 2022, the Parties requested a third 90-day Stay (ECF 2713; 2714)(“Third Stay  
6 Order”).

7           5.       Based upon the progress made by the Parties during the Third Stay Order, the  
8 Parties requested a fourth 90-day Stay (ECF 2718; 2719)(“Fourth Stay Order”).

9           6.       In the Fourth Stay Order, the Court directed the Parties as follows: “Within seven  
10 (7) days before the expiration of any stay granted the Parties will inform the Court either that  
11 additional time is needed to achieve a settlement agreement or that settlement will not be possible.  
12 In either case, the Parties will seek additional relief from the Court accordingly as needed and as  
13 contemplated by paragraphs 14 and 16 of the Scheduling Order.” Fourth Stay Order at 3.

14           7.       Since March 6, 2023, the Plaintiffs and Principal Defendants Walker River  
15 Irrigation District and Nevada Department of Wildlife (the “Negotiating Parties”) have  
16 substantively and productively engaged in discussions, consultations and correspondence to  
17 pursue an agreement among the Parties that would resolve the Tribe’s outstanding water right  
18 claims.

19           8.       The Negotiating Parties have reached agreement on the material terms of a  
20 stipulation, which if approved by the Court, and would resolve the Tribe’s outstanding water right  
21 claims.

22           9.       The United States, the Tribe and the Walker River Irrigation District must next  
23 present the proposed Stipulation to those persons who have final approval authority over it (the  
24 “Final Approval Authorities”).

25           10.      Accordingly, the Negotiating Parties believe that a fifth 90-day stay of the  
26 Scheduling Order is justified and would be beneficial and productive to obtaining approval of the  
27 proposed Stipulation by the Negotiating Parties’ Final Approval Authorities.

1 NOW, THEREFORE, pursuant to the Fourth Stay Order, the Parties hereby stipulate and  
2 agree as follows:

3 1. The Scheduling Order and obligations outlined therein should be stayed for a fifth  
4 90-day stay period to give the Negotiating Parties the opportunity to obtain approval from their  
5 respective Final Approval Authorities of the proposed Stipulation to resolve the Tribe's  
6 outstanding water right claims.

7 2. If at any time during the fifth 90-day stay period, one or more of the Final Approval  
8 Authorities of a Negotiating Party rejects the material provisions of the proposed Stipulation, that  
9 party or parties will inform the others and the Court of the rejection and that a settlement will not  
10 be possible. Alternatively, within seven (7) days before the expiration of any stay granted the  
11 Parties will inform the Court that additional time is needed to obtain required approvals. In either  
12 case, the Parties will seek additional relief from the Court accordingly as needed and as  
13 contemplated by paragraphs 14 and 16 of the Scheduling Order.

14 Dated: June 1, 2023.

15  
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19 Family Ranch, LLC, Peri & Peri LLC, and  
20 Frade Ranches

21 **ORDER**

22 Dated: June 1, 2023.

IT IS SO ORDERED.

23  
24 \_\_\_\_\_  
25 United States Magistrate Judge  
26  
27  
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