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

9 UNITED STATES OF AMERICA,) IN EQUITY NO. C-127
10)
11 Plaintiff,) 3:73-cv-00127-MMD-CSD
12)
13 WALKER RIVER PAIUTE TRIBE,)
14 Plaintiff-Intervenor,) **STIPULATION,**
15) **JOINT REQUEST AND**
16 v.) **ORDER FOR A**
17) **SCHEDULING CONFERENCE**
18) **AND STAY OF LITIGATION**
19 WALKER RIVER IRRIGATION DISTRICT,)
20 a corporation, et al.,)
21)
22 Defendants.)
23)
24)
25)
26)

19 1. On June 23, 2022, the Plaintiffs and Principal Defendants (collectively, the
20 “Parties”) requested a 90-day stay of the Scheduling Order¹ and obligations outlined therein to
21 give the Parties the opportunity to resolve the Tribe’s outstanding water right claims by
22 agreement. *Stipulation and [Proposed] Order Staying the Order Regarding Discovery and*
23 *Motion Schedule* (ECF No. 2701).

24 2. On June 24, 2022 the Court granted the Parties’ request. *Order Staying the Order*

26 _____
27 ¹ *Order Regarding Discovery and Motion Schedule and Procedure* (ECF No. 2611).

1 *Regarding Discovery and Motion Schedule* (ECF No. 2702) (“Stay Order”).

2 3. Since granting that first Stay Order, the Plaintiffs and Principal Defendants Walker
3 River Irrigation District and Nevada Department of Wildlife (the “Negotiating Parties”) have
4 sought, and the Court has granted, additional 90-day stay orders, including an Eighth Stay Order.
5 See, ECF 2707; 2714; 2719; 2726; 2730; 2732; and 2734.

6 4. Since the Eighth Stay Order, the Negotiating Parties have continued work to secure
7 all approvals from the Negotiating Parties of the terms and provisions of an anticipated final
8 stipulation that would resolve the water rights claims made by the Tribe.

9 5. The Negotiating Parties can now inform the Court that sufficient final approval
10 has been secured to advance the anticipated Final Stipulation for approval by the Court.

11 6. Since final approval has been secured, the Negotiating Parties have further
12 discussed when and how to present the Final Stipulation for the Court’s consideration and
13 approval. The Negotiating Parties believe that such presentation can be accomplished through a
14 motion and proposed order, followed by responses and replies. The Negotiating Parties also
15 recognize that litigation of water rights claims made by and on behalf of the Tribe has, over
16 decades, included unique litigation procedures.

17 7. Accordingly, the Negotiating Parties believe that a scheduling conference with the
18 Court would be useful to both the Court and the Parties. The Negotiating Parties would like the
19 opportunity to discuss the following potential issues with the Court: 1) timing and deadlines for
20 any motions, responses, and replies; 2) how service of any motions, responses, and replies should
21 be accomplished beyond using the Court’s CM/ECF system; and 3) any other questions or
22 concerns that the Court might have about the Final Stipulation and any associated process.

23 NOW, THEREFORE, the Negotiating Parties hereby request:

24 1. That given the anticipated Final Stipulation has now received sufficient approval
25 from the Negotiating Parties, the Court further stay the litigation schedule indefinitely so that they
26 may present, and obtain the Court’s approval of, the Final Stipulation regarding water rights
27 claims made by and on behalf of the Tribe.

1 2. That the Court schedule a Scheduling Conference in the near future at a date and
2 time convenient for the Court and the Parties to address the Court on the items identified in
3 paragraph 7, above.

4 Dated: May 8, 2024.

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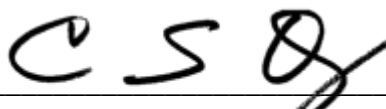
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ORDER

Dated: May 9, 2024.

IT IS SO ORDERED.



United States Magistrate Judge