

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125-RCJ-WGC
	)	SUBFILE NO. C-125-C
Plaintiff-Intervenor,	)	
	)	3:73-CV-00128-RCJ-WGC
v.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT,	)	<b>[PROPOSED]</b>
a corporation, et al.,	)	<b>ORDER CONCERNING STATUS OF</b>
	)	<b>REMAINING PROPOSED</b>
Defendants.	)	<b>DEFENDANTS TO BE SERVED VIA</b>
_____	)	<b>RULE 4 SERVICE</b>
	)	
MINERAL COUNTY,	)	
	)	
Proposed Plaintiff-Intervenor,	)	
	)	
v.	)	
	)	
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	
	)	
Proposed Defendants.	)	
_____	)	

This Order follows Mineral County's filing of its *Report Concerning Status of Rule 4 Service on Final List of Proposed Defendants*, Case No. C-125, Subproceeding C-125-C (January 9, 2013, Doc. No. 654), its *Supplement to January 9, 2013, Report Concerning Status of Rule 4 Service on Final List of Proposed Defendants*, Case No. C-125, Subproceeding C-125-C (February 7, 2013, Doc. No. 662), and this Court's review of this matter during its Status Conference on February 7, 2013.

The Court hereby APPROVES AND ORDERS the relief requested therein by Mineral County.

1 Attachment A to this Order is a list of persons and entities for whom the Court has  
2 determined that SERVICE IS COMPLETE, based on the above Service Reports. Attachment  
3 B to this Order is a list of persons and entities who are hereby DISMISSED from this action  
4 pursuant to this Order. Attachment C to this Order is a list of persons and entities who are  
5 hereby substituted into this case as Proposed Defendants pursuant to this Order. Mineral  
6 County shall complete Rule 4 service as to the persons and entities listed in Attachment C in  
7 accordance with the Court's Order of August 2, 2013 (Doc. No. 605). Attachment D to this  
8 Order contains one correction to the caption in this case. Attachment E to this Order contains  
9 the final list of Proposed Defendants to be served pursuant to Fed. R. Civ. P. 4. In accordance  
10 with the Court's Order of August 2, 2012, (Doc. No. 605), Mineral County shall complete Rule  
11 4 service on the persons and entities listed in Exhibit E by March 1, 2013. Mineral County  
12 shall file an updated caption reflecting the above ordered dismissals, substitutions, and  
13 correction by March 1, 2013.  
14  
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16  
17 IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2013.  
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20 \_\_\_\_\_  
21 UNITED STATES MAGISTRATE JUDGE  
22  
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1 Respectfully submitted this 7th day of February, 2013,

2  
3 /s/ Simeon M. Herskovits

4 Simeon M. Herskovits, Nevada Bar No. 11155  
5 Advocates for Community and Environment  
6 P.O. Box 1075  
7 El Prado, New Mexico 87529  
8 Phone: (575) 758-7202  
9 Fax: (575) 758-7203  
10 Email: simeon@communityandenvironment.net

11 /s/ Sean A. Rowe

12 Sean A. Rowe, Nevada Bar No. 10977  
13 Mineral County District Attorney  
14 P.O. Box 1210  
15 Hawthorne, Nevada 89415  
16 Phone: (775) 945-3636  
17 Fax: (775) 945-0740  
18 Email: srowe@mineralcountynv.org

19 *Attorneys for Mineral County*  
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1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA, )

4 Plaintiff, )

5 WALKER RIVER PAIUTE TRIBE, )

6 Plaintiff-Intervenor, )

7 v. )

8 WALKER RIVER IRRIGATION DISTRICT, )  
9 a corporation, et al., )

10 Defendants. )

11 \_\_\_\_\_ )  
12 MINERAL COUNTY, )

13 Proposed Plaintiff-Intervenor, )

14 v. )

15 WALKER RIVER IRRIGATION DISTRICT, )  
16 a corporation, et al., )

17 Proposed Defendants. )  
18 \_\_\_\_\_ )

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

3:73-CV-00128-RCJ-WGC

ATTACHMENT A TO THE  
ORDER CONCERNING STATUS OF  
REMAINING PROPOSED  
DEFENDANTS TO BE SERVED VIA  
RULE 4 SERVICE: LIST OF  
PROPOSED DEFENDANTS FOR  
WHOM SERVICE IS COMPLETE

19 The Court has determined that service is complete upon the following persons and  
20 entities in this action pursuant to the *Order Concerning Status of Remaining Proposed  
Defendants To Be Served Via Rule 4 Service*:

- 21 1. Richard Taylor Adams  
22 2. Arrache 1990 Living Trust, Ronald B. Arrache, Trustee  
23 3. Juan and Carmel Arrache Family Trust, Ronald B. Arrache, Trustee  
24 4. Kathy S. Blackford  
25 5. Joseph M. Bozsik  
26 6. Leslie Bradshaw  
27 7. Pauline Bradshaw  
28 8. Susan L. Brown  
9. Jack E. Bush  
10. Claudia C. Casey  
11. Michael A. Casey  
12. Centennial Livestock, A California General Partnership  
13. Loretta L. Chesnutt  
14. Richard W. Chesnutt

- 1 15. Heather Cooper
- 2 16. Jack Allen Cooper
- 3 17. Robert Lewis Cooper
- 4 18. Sandra K. Day
- 5 19. Stephen R. Day
- 6 20. Daniel E. & Cherryl A. Del Porto Family Trust, Daniel E. & Cherryl A. Del Porto,  
Trustees
- 7 21. Dixon Family 1994 Trust, Robert E. and Judith E. Dixon, Co-Trustees
- 8 22. Lona Marie Domenici-Reese
- 9 23. Tammy M. Dunn Revocable Family Trust dated January 29, 1997, Robert S. and  
Tammy M. Dunn, Trustees
- 10 24. Mario J. Durazzo
- 11 25. Brett A. Emery 1999 Revocable Trust UDT dated December 27, 1999, Brett A. Emery,  
Trustee
- 12 26. The Ewert Family 1995 Trust dated May 9, 1995, Lewis A. and Beverly J. Ewert,  
Trustees
- 13 27. Carmen Ferch
- 14 28. The Louis and Erma Flasko Family Trust dated June 4, 1981 and re-stated May 27,  
1982, Joi Luene Blackenbury and Premier Trust, Co-Trustees
- 15 29. Betty Floyd
- 16 30. Frank Floyd
- 17 31. James T. Fousekis Intervivos Trust, James T. Fousekis, Trustee
- 18 32. Susana Cox Fousekis Intervivos Trust, James T. Fousekis, Trustee
- 19 33. Don Ray Gable
- 20 34. Arden Gerbig
- 21 35. Evilo J. Gerbig
- 22 36. Gordon Revocable Trust, dated June 24, 2002, Guy Gordon and Gaye Ekholm Gordon,  
Trustees
- 23 37. Marlene S. Greggersen
- 24 38. Jon W. Hopkins
- 25 39. Lisa M. Hopkins
- 26 40. Richard C. Huntsberger
- 27 41. Coale Robert Johnson
- 28 42. Casey M. Jones
43. Mary C. Jones
44. Mary E. Jurica
45. Esther I. Lamb
46. Michael E. Lamb
47. William David Manha
48. Dena L. Mattice
49. John E. Mattice
50. Joann A. McMinn
51. Robert L. McMinn
52. Mica Farms, LLC
53. Moreda Dairy
54. Morgan Family 1996 Trust, James R. Morgan, Trustee
55. Delores N. Munson
56. Nesmith Family Trust Agreement
57. Nevada Bighorns Unlimited

- 1 58. Peri & Peri, LLC
- 2 59. Presto Family Trust Agreement dated August 16, 1990
- 3 60. Rene Presto
- 4 61. James E. and Karen M. Purrell Family Trust
- 5 62. William S. & Charlotte F. Rauber Declaration of Trust
- 6 63. Lucy Rechel
- 7 64. Ritter Family Trust, John G. Jr. & Lucille, Trustees
- 8 65. Lucille Ritter
- 9 66. Sandra J. Robison
- 10 67. Romero Family Trust, Benito Antonio & Linda Irene Romero, Co- Trustees
- 11 68. Cherie C. Rye
- 12 69. Stephen B. Rye
- 13 70. Paul P. Sans
- 14 71. Keith Savage
- 15 72. Virginia Savage
- 16 73. Michael Duane Sceirine
- 17 74. Michael Sherlock
- 18 75. Sandra J. Shipley
- 19 76. Walter D. Shipley
- 20 77. Sierra Land & Sheep, LLC
- 21 78. Eunice Sjolín
- 22 79. The Grant B. and Gaila M. Smith 1996 Revocable Trust dated November 22, 1996
- 23 80. Travis S. Smith
- 24 81. Jim Snyder
- 25 82. Soilfume, Inc.
- 26 83. Sovereign Enterprises, LLC
- 27 84. Sweetwater Land & Cattle Company
- 28 85. Terschluse Family Trust, Robert William and Marie Louisa Terschluse, Trustees
86. Trust for Public Land
87. Vernon F. Bryan, Inc.
88. Lauren Ward
89. Mary Margaret Ward
90. Weaver Properties, LLC
91. The Weiser Living Trust dated February 28, 2002
92. Darlene S. Zipwald

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )

Plaintiff, )

WALKER RIVER PAIUTE TRIBE, )

Plaintiff-Intervenor, )

v. )

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

Defendants. )

MINERAL COUNTY, )

Proposed Plaintiff-Intervenor, )

v. )

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

Proposed Defendants. )

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

3:73-CV-00128-RCJ-WGC

**ATTACHMENT B TO THE  
ORDER CONCERNING STATUS OF  
REMAINING PROPOSED  
DEFENDANTS TO BE SERVED VIA  
RULE 4 SERVICE:  
LIST OF PROPOSED DEFENDANTS  
TO BE DISMISSED**

The following persons and entities are DISMISSED, without prejudice, from this action pursuant to the *Order Concerning Status of Remaining Proposed Defendants To Be Served Via Rule 4 Service*:

1. Gregory Burton Adams
2. Norman Annett
3. Blanton Family Trust dated May 24, 1997
4. Vernon F. Bryan
5. Clearview Ranch
6. Desert Hills Dairy, LLC
7. Paul(a) A. Greggersen
8. Karen Lund Hardy
9. Patricia Hervin
10. Marjorie Ann Jones
11. Cecelia Perumean Trust, Peter Perumean Jr., Trustee
12. Patricia Simmons
13. Gilbert C. Wedertz
14. Arnold Settlemeier

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )

Plaintiff, )

WALKER RIVER PAIUTE TRIBE, )

Plaintiff-Intervenor, )

v. )

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

Defendants. )

MINERAL COUNTY, )

Proposed Plaintiff-Intervenor, )

v. )

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

Proposed Defendants. )

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

3:73-CV-00128-RCJ-WGC

**ATTACHMENT C TO THE  
ORDER CONCERNING STATUS OF  
REMAINING PROPOSED  
DEFENDANTS TO BE SERVED VIA  
RULE 4 SERVICE:  
LIST OF PERSONS AND ENTITIES  
WHO ARE TO BE SUBSTITUTED AS  
PROPOSED SUCCESSOR-IN-  
INTEREST DEFENDANTS**

The following persons and entities are SUBSTITUTED as Proposed Defendants in this action pursuant to the *Order Concerning Status of Remaining Proposed Defendants To Be Served Via Rule 4 Service*:

1. Norman W. & Kellie J. Annett Family Trust, Norman W. Annett and Kellie J. Annett, Co-Trustees (to be substituted for Norman Annett)
2. Sancho Rancho, LLC (to be substituted for Blanton Family Trust dated May 24, 1997, Christopher and Madelyn Blanton, Trustees)
3. David and Karen Hardy Family Trust, David E. and Karen L. Hardy, Trustees (to be substituted for Karen Lund Hardy)



**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

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3	UNITED STATES OF AMERICA,	)	
		)	
4	Plaintiff,	)	
		)	
5	WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125-RCJ-WGC
		)	SUBFILE NO. C-125-C
6	Plaintiff-Intervenor,	)	
		)	3:73-CV-00128-RCJ-WGC
7	v.	)	
		)	<b>ATTACHMENT D TO THE</b>
8	WALKER RIVER IRRIGATION DISTRICT,	)	<b>ORDER CONCERNING STATUS OF</b>
9	a corporation, et al.,	)	<b>REMAINING PROPOSED</b>
		)	<b>DEFENDANTS TO BE SERVED VIA</b>
10	Defendants.	)	<b>RULE 4 SERVICE:</b>
		)	<b>CORRECTION TO THE CAPTION</b>
11	_____	)	
		)	
12	MINERAL COUNTY,	)	
		)	
13	Proposed Plaintiff-Intervenor,	)	
		)	
14	v.	)	
		)	
15	WALKER RIVER IRRIGATION DISTRICT,	)	
16	a corporation, et al.,	)	
		)	
17	Proposed Defendants.	)	
	_____	)	
18			

The Court has determined that the following correction to the caption in the above case shall be made pursuant to the *Order Concerning Status of Remaining Proposed Defendants To Be Served Via Rule 4 Service*:

1. Albert Raymond Sandoval is hereby removed from the caption as Trustee of Sandoval Family Trust U/D/T March 12, 2001, Albert Raymond and Cecilia Lillian Sandoval, Trustees. The Sandoval Family Trust U/D/T March 12, 2001, Cecilia Lillian Sandoval Trustee, will remain in the caption.



**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of February, 2013, I electronically filed the foregoing **[PROPOSED] ORDER CONCERNING STATUS OF REMAINING PROPOSED DEFENDANTS TO BE SERVED VIA RULE 4 SERVICE** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses that are registered for this case; and I further certify that on this 7th day of February, 2013, I caused a hard copy of the forgoing to be served on the following non CM/ECF primary Defendant participants by U.S. Mail, postage prepaid:

Athena Brown, Superintendent  
Western Nevada Agency  
Bureau of Indian Affairs  
311 E. Washington Street  
Carson City, NV 89701-4065

Arthur B. Walsh  
Los Angeles City Attorney's Office  
P.O. Box 51-111  
111 North Hope Street, Suite 340  
Los Angeles, CA 90054

Dist. Attorney for Lyon County  
31 South Main Street  
Yerington, NV 89447

State Engineer - Division of Water  
Resources  
State of Nevada  
901 S. Stewart St., Suite 202  
Carson City, NV 89701

Leo Drozdoff  
Dept. of Conservation & Natural Res.  
State of Nevada  
901 S. Stewart St.  
Suite 1003  
Carson City, NV 89701

1 I further certify that I served a copy of the foregoing **[PROPOSED] ORDER**  
2 **CONCERNING STATUS OF REMAINING PROPOSED DEFENDANTS TO BE**  
3 **SERVED VIA RULE 4 SERVICE** on the following non-CM/ECF participants, by U.S Mail,  
4 postage prepaid, this 7th day of February, 2013:

5 Presto Family Trust Agreement  
6 Beatrice Presto, et al., Trustees,  
7 1462 Douglas Avenue  
8 Gardnerville, NV 89410

Renee Presto  
1792 Solitude Lane  
Gardnerville, NV 89410

9 Pauline Bradshaw  
10 P.O. Box 55  
Wellington, NV 89444

Leslie Bradshaw  
P.O. Box 55  
Wellington, NV 89444

11  
12 /s/ Iris Thornton  
13 Iris Thornton  
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