

GORDON H. DEPAOLI  
Nevada State Bar 00195  
DALE E. FERGUSON  
Nevada State Bar 04986  
DOMENICO R. DEPAOLI  
Nevada State Bar 11553  
WOODBURN AND WEDGE  
6100 Neil Road, Suite 500  
Reno, Nevada 89511  
Telephone: (775) 688-3000  
Email: gdepaoli@woodburnandwedge.com  
*Attorneys for Walker River Irrigation District*

IN THE 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,  
et al.,

Defendants.

MINERAL COUNTY,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,  
et al.,

Defendants.

3:73-cv-00128-MMD-WGC

**STIPULATION AND [PROPOSED]  
ORDER CONCERNING RESPONSES  
TO SECOND AMENDED COMPLAINT  
IN INTERVENTION**

1           1.       On July 19, 2021, the Court entered the Order Relating to Completion of Service  
2 and Schedule for Responses to Mineral County's Second Amended Complaint In Intervention  
3 (the "Order"). ECF 943

4           2.       The Order, provides that Defendants who were served or returned Waivers of  
5 Personal Service of Notice in Lieu of Summons forms, prior to its entry, are to file and serve  
6 responses to the Second Amended Complaint In Intervention no later than September 28, 2021.

7           3.       With the exception of the California State Agencies, which agencies have made  
8 no decision, the Defendant parties to this Stipulation are each considering the filing of Motions  
9 to Dismiss the Second Amended Complaint In Intervention pursuant to Rule 12 (b) of the  
10 Federal Rules of Civil Procedure.

11          4.       Because any such motions to dismiss will likely include common issues, it is in  
12 the interest of these Defendants, the Plaintiff and the Court that these Defendants coordinate  
13 their efforts and file a joint motion and a joint supporting memorandum of points and  
14 authorities.

15          5.       In order to allow these Defendants to coordinate their efforts to file a joint  
16 motion and joint supporting memorandum of points and authorities additional time is required,  
17 the time limitations imposed by LR 7-2 for responding to the motion and replying to a response  
18 should be extended and the page limitations imposed by LR 7-3 should not apply.

19               NOW THEREFORE, the parties hereto hereby stipulate and agree as follows:

20          1.       The Defendants who are parties to this Stipulation shall have up to and including  
21 October 29, 2021, in which to file and serve a joint Motion to Dismiss the Second Amended  
22 Complaint and a joint memorandum of points and authorities in support thereof. If the  
23 California State Agencies decide not to be party to such joint motion, they shall have up to and  
24 including October 29, 2021, in which to file and serve an answer.

25          2.       Mineral County's response to said joint motion will be due by January 31, 2022  
26 and a joint reply in support of said joint motion will be due by March 31, 2022.

27          3.       The page limits in LR 7-3 will not be imposed with respect to the memorandum  
28 of points and authorities in support of the joint motion, the memorandum of points and

authorities in response to the joint motion, or to the reply memorandum of points and  
authorities in support of the joint motion.

Date: September 16, 2021

WOODBURN AND WEDGE  
6100 Neil Road, Suite 500  
Reno, Nevada 89511

By: /s/ Gordon H. DePaoli  
Gordon H. DePaoli, NSB # 195  
*Attorneys for Walker River Irrigation District*

Date: September 16, 2021

OFFICE OF ATTORNEY GENERAL OF CALIFORNIA  
1300 I Street, Suite 125  
P.O. Box 944255  
Sacramento, California 94244-2550

By: /s/ Nhu Q. Nguyen (per authorization)  
Nhu Q. Nguyen, NSB 7844

Date: September 16, 2021

BEST BEST & KRIEGER  
2001 N. Main Street, Suite 390  
Walnut Creek, California 94596  
Jerry Snyder , NSB 6830

By: /s/ Roderick E. Watson (per authorization)  
Roderick E. Watson

Date: September 16, 2021

STATE OF NEVADA OFFICE OF THE  
ATTORNEY GENERAL  
100 N. Carson Street  
Carson City, Nevada 89701-4717

By: /s/ Tori N. Sundheim (per authorization)  
Tori N. Sundheim, NSB 14156  
*Attorney for Nevada Department of Wildlife*

Date: September 16, 2021

SCHROEDER LAW OFFICES, P.C.  
100 N. Carson Street  
Carson City, Nevada 89701-4717

By: /s/ Therese A. Ure (per authorization)  
Therese A. Ure, NSB 10255  
*Attorney for The Schroeder Group*

1 Date: September 16, 2021

THE COUNTY OF MONO (CA)  
P.O. Box 2415A  
Mammoth Lakes, California 93546-2415

3 By: /s/ Stacey Simon (per authorization)  
4 Stacey Simon, County Counsel  
Emily Fox, Dep. County Counsel  
5 *Attorneys for Mono Lake*

6 Date: September 16, 2021

SIMONS HALL JOHNSTON PC  
22 State Route 208  
Yerington, Nevada 89447

8 By: /s/ Brad M. Johnston (per authorization)  
Brad M. Johnston, NSB 8515  
9 *Attorney for*  
10 *Desert Peral Farms, Peri Family Ranch, LLC,*  
*Peri & Peri LLC, and Frade Ranches*

11 Date: September 16, 2021

ADVOCATES FOR COMMUNITY & ENVIRONMENT  
P.O. Box 1075  
El Prado, New Mexico 87529

13 By: /s/ Simeon Herskovits (per authorization)  
14 Simeon Herskovits, NSB 11155  
Iris Thornton  
15 *Attorneys for Mineral County*

16 **ORDER**

18 Dated: \_\_\_\_\_, 2021. IT IS SO ORDERED.

20  
21 \_\_\_\_\_  
22 William G. Cobb  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I certify that I am an employee of Woodburn and Wedge and that on September 16, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties of record.

/ s / Candace Kelley  
An employee of Woodburn and Wedge