

1 RODERICK E. WALSTON

Pro hac vice (Cal. Bar No. 32675)

2 MILES B.H. KRIEGER

Pro hac vice (Cal. Bar No. 309797)

3 BEST BEST & KRIEGER LLP

4 2001 N. Main Street, Suite 390

Walnut Creek, California 94596

5 Telephone: 925-977-3304

Email: roderick.walston@bbklaw.com

6 Email: miles.krieger@bbklaw.com

7 JERRY M. SNYDER, NSB #6830

8 Law Office of Jerry M. Snyder

429 W. Plumb Lane

9 Reno, Nevada 89509

Telephone: 775-449-5647

10 Email: Nevadajerrysnyder@gmail.com

Attorneys for Lyon County and Centennial

11 *Livestock*

12 STACEY SIMON, County Counsel

13 *Pro hac vice* (Cal. Bar No. 203987)

Mono County Counsel's Office

14 P.O. Box 2415

15 Mammoth Lakes, California 93546

Telephone: 760-924-1700

16 Email: ssimon@mono.ca.gov

17 *Attorneys for Mono County*

18 BRAD M. JOHNSTON, NSB #8515

Simons Hall Johnston PC

19 22 State Route 208

Yerington, Nevada 89447

20 Telephone: 775-463-9500

Email: bjohnston@shjnevada.com

21 *Attorneys for Desert Pearl Farms, LLC, Peri*

22 *Family Ranch, LLC,*

Peri & Peri, LLC, and Frade Ranches, Inc.

23
24 (List of attorneys continued on following page)

1 LAURA A. SCHROEDER, NSB #3595
2 THERESE A. URE STIX, NSB #10255
3 CAITLIN SKULAN, NSB #15327
4 Schroeder Law Offices, P.C.
5 10615 Double R Boulevard, Suite 100
6 Reno, Nevada 89521
7 Telephone: 775-786-8800
8 Email: counsel@water-law.com
9 *Attorneys for the Schroeder Group*
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 The Principal Defendants'¹ move the Court for an order dismissing Mineral County's
2 Second Amended Complaint in Intervention as follows:

3 (1) Pursuant to Fed. R. Civ. P. 12(b)(1) on the ground that the Court lacks subject
4 matter jurisdiction;

5 (2) Pursuant to Fed. R. Civ. P. 12(b)(7) on the ground that it fails to join a necessary
6 party under Fed R. Civ. P. 19; and

7 (3) Pursuant to Fed. R. Civ. P. 12(b)(6) on the ground that it fails to state a claim
8 upon which relief can be granted.
9

10 This motion is made and based upon all of the pleadings and papers on file herein and the
11 Points and Authorities which are filed herewith under separate cover.

12 Date: October 28, 2021

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

13 By: /s/ Gordon H. DePaoli
14 Gordon H. DePaoli,
15 Dale E. Ferguson, Domenico R. DePaoli
16 6100 Neil Road, Suite 500
17 Reno, Nevada 89511
18 *Attorneys for Walker River Irrigation District*

19 Date: October 28, 2021

AARON D. FORD, NEVADA ATTORNEY GENERAL

20 By: /s/ Anthony Walsh (per authorization)
21 Anthony Walsh, NSB# 14128
22 *Attorneys for Nevada Department of Wildlife*
23
24
25

26 ¹ Here the "Principal Defendants" are the Walker River Irrigation District, Desert Pearl
27 Farms, LLC, Peri Family Ranch, LLC, Peri & Peri, LLC, and Frade Ranches, Inc., Lyon
28 County and Centennial Livestock, the Nevada Department of Wildlife, the Schroeder Group,
and Mono County.

1 Date: October 28, 2021

BEST BEST & KRIEGER LLP

2 By: /s/ Roderick E. Walston (per authorization)
3 Roderick E. Walston, Cal. Bar No. 32675
4 *Attorneys for Lyon County and Centennial Livestock*

5 Date: October 28, 2021

THE COUNTY OF MONO (CA)

6 By: /s/ Stacey Simon (per authorization)
7 Stacey Simon, Cal. Bar No. 203987
8 *Attorneys for Mono County*

9 Date: October 28, 2021

SIMONS HALL JOHNSTON PC

10 By: /s/ Brad Johnston (per authorization)
11 Brad Johnston, NSB# 8515
12 *Attorneys for*
13 *Desert Peral Farms, Peri Family Ranch, LLC, Peri & Peri*
14 *LLC, and Frade Ranches*

15 Date: October 28, 2021

SCHROEDER LAW OFFICES, P.C.

16 By: /s/ Laura Schroeder (per authorization)
17 Laura Schroeder, NSB# 3595
18 *Attorneys for The Schroeder Group*
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I certify that I am an employee of Woodburn and Wedge and that on the 28th day of October 2021, I electronically served 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 / Katherine M. Rodriguez

Katherine M. Rodriguez