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10 *Attorneys for Mineral County, Nevada*

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

13 UNITED STATES OF AMERICA,)
14)
Plaintiff,)

15 WALKER RIVER PAIUTE TRIBE,)
16)
Plaintiff-Intervenor,)

17 vs.)

18 WALKER RIVER IRRIGATION DISTRICT,)
19 a corporation, et al.,)
20 Defendants.)

21 MINERAL COUNTY,)
22)
Plaintiff-Intervenor,)

23 vs.)

24 WALKER RIVER IRRIGATION DISTRICT,)
25 a corporation, et al.,)
26 Defendants.)

IN EQUITY NO. C-125-MMD
Subproceeding: 3:73-CV-00128-MMD-CSD

**MINERAL COUNTY SUPPLEMENTAL
REPORT CONCERNING RULE 4
SERVICE ON CALIFORNIA RIPARIAN
PROPERTY OWNER DEFENDANT
BRIAN R. REED**

1 Pursuant to the Court’s direction, *see* ECF 943 &1002,¹ on February 11, 2022, Mineral
2 County submitted a *Report Concerning Rule 4 Service on Final List of California Riparian*
3 *Property Owner Defendants* (“Report”). ECF 1029. In that Report, Mineral County requested
4 that the Court ratify personal service efforts on the final list of California riparian property owner
5 Defendants, including a request to approve alternative methods of service on one Defendant,
6 Brian R. Reed, for whom Mineral County had been unable to accomplish personal service
7 (Defendant #238 in February 11, 2022, Report). Since the filing of that Report, on February 23,
8 2022, Mineral County was able to accomplish personal service on Mr. Reed. *See Affidavit of*
9 *Service Pursuant to Federal Rules of Civil Procedure § 4(e)(2)(a) By Dawn Marie Calhoun,*
10 *Nevada Licensed Process Server* (ECF 1034). Therefore, Mineral County hereby submits this
11 supplemental service report, which updates and supplements the service information pertaining
12 to Mr. Reed contained in its February 11, 2022, Report. *See* ECF 1029. This updated
13 information does not require any changes to any attachments to Mineral County’s February 11,
14 2022, Report, and simply provides additional information related to personal service efforts on
15 Mr. Reed, and supports Mineral County’s original February 11, 2022, request for a finding that
16 Rule 4 service is complete as to Mr. Reed.

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19 **238. Brian R. Reed:**

20 Method and Date of Service: Substituted service attempt, November 13, 2021. *See Jakob*
21 *Duran Proof of Service* (ECF 1011). Personal service attempts September 21 and 22,
22 2021, and January 17 and 18, 2022. *See Jakob Duran Supplemental Proof of Service on*
23

24
25 ¹ Unless otherwise noted, all document references are to 3:73-CV-00128-MMD-CSD docket
26 numbers.

1 *Brian R. Reed* (ECF 1027). Personal service, February 23, 2022. *See Affidavit of Service*
2 *Pursuant to Federal Rules of Civil Procedure § 4(e)(2)(a) By Dawn Marie Calhoun,*
3 *Nevada Licensed Process Server* (ECF 1034).

4 Post-Service Filing(s): None.

5 Home Address: 1379 Kimmerling Road, Unit B, Gardnerville, Nevada, 89460.

6 Address where service accomplished: 1627 Highway 395 North, Minden, Nevada 89423.

7 Requested Action: Mineral County requests a finding that Rule 4 service is complete as
8 to Brian R. Reed.
9

10 CONCLUSION

11 In accord with the information provided herein, in Mineral County's February 11, 2022,
12 Report, and in the cited supporting affidavits and Exhibits attached to that Report, Mineral
13 County respectfully requests that the Court take the following actions:
14

- 15 (1) correct the spelling of certain California riparian property owner Defendants, as requested
16 in Mineral County's February 11, 2022, Report, and as reflected in Exhibit C, attached
17 thereto;
- 18 (2) dismiss certain California riparian property owner Defendants as requested in Mineral
19 County's February 11, 2022, Report, and as reflected in Exhibit D, attached thereto;
- 20 (3) add certain California riparian property owner Defendants to the Unrepresented Parties
21 list as requested in Mineral County's February 11, 2022, Report, and as reflected in
22 Exhibit E, attached thereto; and
- 23 (4) find that Fed. R. Civ. P. 4 service is complete on the final list of California riparian
24 property owner Defendants, as requested in Mineral County's February 11, 2022, Report,
25 and as reflected in Exhibit F, attached thereto.
26

27 **Mineral County Supplemental Report Concerning Rule 4 Service on California Riparian Property**
28 **Owner Defendant Brian R. Reed**

1 If no responses or objections are received, a proposed Order will be submitted within
2 sixty (60) days of the filing of Mineral County's February 11, 2022, Report, consistent with the
3 discussion contained in that Report.

4 Respectfully submitted this 28th day of February, 2022,

5
6 /s/ Iris Thornton
Simeon M. Herskovits, Nevada Bar No. 11155
Iris Thornton, *pro hac vice*
Advocates for Community and Environment
7 P.O. Box 1075
8 El Prado, New Mexico 87529
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11 /s/ T. Jaren Stanton
12 T. Jaren Stanton, Nevada Bar No. 15362
13 Mineral County District Attorney
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14 Hawthorne, Nevada 89415
15 Phone: (775) 945-3636
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16 *Attorneys for Mineral County, Nevada*

CERTIFICATE OF SERVICE

1
2 I hereby certify that on this 28th day of February, 2022, I electronically filed the
3 foregoing **MINERAL COUNTY SUPPLEMENTAL REPORT CONCERNING RULE 4**
4 **SERVICE ON CALIFORNIA RIPARIAN PROPERTY OWNER DEFENDANT BRIAN**
5 **R. REED** with the Clerk of the Court using the CM/ECF system, which will send notification of
6 such filing to the email addresses that are registered for this case.
7

8 Additionally, I hereby certify that on this 28th day of February, 2022, I caused to be
9 served, via United States Postal Service First Class Mail, a complete copy of the foregoing
10 **MINERAL COUNTY SUPPLEMENTAL REPORT CONCERNING RULE 4 SERVICE**
11 **ON CALIFORNIA RIPARIAN PROPERTY OWNER DEFENDANT BRIAN R. REED,**
12 on the following Defendant who has been granted mailed service by the Court:
13

14 Joe and David Sceirine Ranches
15 P.O. Box 1013
16 Yerington, NV 89447
17

18 /s/Iris Thornton
19 Iris Thornton
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