

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,)
4)
5 Plaintiff,)
6 WALKER RIVER PAIUTE TRIBE,)
7)
8 Plaintiff-Intervenor,)
9 vs.)
10 WALKER RIVER IRRIGATION DISTRICT,)
11 a corporation, et al.,)
12 Defendants.)

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

**ORDER DISMISSING WALKER
RIVER LAND CORPORATION AS A
DEFENDANT AND SUBSTITUTING
SUCCESSORS-IN-INTEREST**

11 MINERAL COUNTY,)
12)
13 Plaintiff-Intervenor,)
14 vs.)
15 WALKER RIVER IRRIGATION DISTRICT,)
16 a corporation, et al.,)
17 Defendants.)

18 Before the Court is Defendant Walker River Land Corporation's February 14, 2017,
19 *Disclaimer of Interest in Water Rights and Notice of Related Information and Documentation*
20 *Supporting Disclaimer*, ECF 880, and Plaintiff-Intervenor Mineral County's April 6, 2022,
21 *Unopposed Motion to Dismiss Walker River Land Corporation as a Defendant and to Substitute*
22 *Successors-in-Interest*.

23 GOOD CAUSE APEARING, THE COURT ORDERS that Mineral County's *Unopposed*
24 *Motion to Dismiss Walker River Land Corporation as a Defendant and to Substitute Successors-*
25 *in-Interest* is hereby GRANTED, and Walker River Land Corporation is hereby DISMISSED as

27 **[Proposed] Order Dismissing Walker River Land Corporation as a Defendant and**
28 **Substituting Successors-in-Interest**

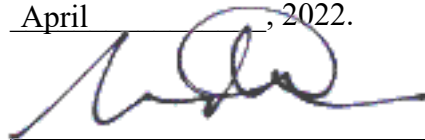
1 a Defendant from this subproceeding. Walker River Land Corporation's successors-in-interest,
2 Lantana Ranch Family Limited Partnership, Calvest Associates, Lisa Schirmeister, Joseph W.
3 Johnson, John M. Stitt, Julia T. Stitt, George L'Abbe, and Mark S. Mahan are hereby ADDED as
4 Defendants in this subproceeding. E.L.W. Ranches, Inc., also a successor-in-interest, already is
5 in the caption.
6

7 Pursuant to the Court's *Amended Order Concerning Service Issues Pertaining to*
8 *Defendants Who Have Been Served* (ECF 542) and Order of April 23, 2012 (ECF 592), Rule 4
9 service on Walker River Land Corporation prior to the property transfer is binding on its
10 successors-in-interest, and Mineral County need not serve substituted successors-in-interest.

11 Additionally, pursuant to the Court's *Amended Order Concerning Service Issues*
12 *Pertaining to Defendants Who Have Been Served*, Walker River Land Corporation "is ultimately
13 responsible for the accuracy of [its] filing ... [and] any defendant who files such a motion, but, in
14 fact, retains the water rights addressed in this motion, shall nevertheless be bound by the results
15 of this litigation." ECF 542, at 14.
16

17 Finally, if any of the successors-in-interest to Walker River Land Corporation listed
18 above no longer own the subject property, the burden is on those successors-in-interest to move
19 for substitution of the current owner(s) of the property. *See* ECF 542; ECF 592, at 12-15.
20

21 IT IS SO ORDERED on this 11th day of
22 April, 2022.

23 

24 UNITED STATES DISTRICT JUDGE
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Respectfully submitted this 6th day of April, 2022,

/s/ Iris Thornton

Simeon M. Herskovits, Nevada Bar No. 11155

Iris Thornton, *pro hac vice*

Advocates for Community and Environment

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/s/ T. Jaren Stanton

T. Jaren Stanton, Nevada Bar No. 15362

Mineral County District Attorney

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Hawthorne, Nevada 89415

Phone: (775) 945-3636

Fax: (775) 945-0740

Email: jstanton@mineralcountynv.org

Attorneys for Mineral County, Nevada

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of April, 2022, I electronically filed the foregoing **[PROPOSED] ORDER DISMISSING WALKER RIVER LAND CORPORATION AS A DEFENDANT AND SUBSTITUTING SUCCESSORS-IN-INTEREST** 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.

Additionally, I hereby certify that on this 6th day of April, 2022, I caused to be served, via United States Postal Service First Class Mail, the foregoing **[PROPOSED] ORDER DISMISSING WALKER RIVER LAND CORPORATION AS A DEFENDANT AND SUBSTITUTING SUCCESSORS-IN-INTEREST** on the following:

E.L.W. Ranches, Inc.
16S West Liberty Street
Reno, NV 89501

Lantana Ranch Family Limited Partnership
140 Geary Street, 10th Floor
San Francisco, CA 94108

Calvest Associates
129S 67th Street
Emeryville, CA 94608

Lisa Schirmeister and Joseph W. Johnson
16S 18 Windsor Avenue
Wittier, CA 90603

John M. Stitt and Julia T. Stitt
S80 W. Central Avenue, Suite C
Brea, CA 92821

George L'Abbe
P.O. Box 2010S
Carson City, NV 89721

1 Mark S. Mahan
2 P.O., Box 278
3 Colleyville, TX 76034

4 Additionally, I hereby certify that on this 6th day of April, 2022, I caused to be served,
5 via United States Postal Service First Class Mail, a complete copy of the foregoing

6 **[PROPOSED] ORDER DISMISSING WALKER RIVER LAND CORPORATION AS A**
7 **DEFENDANT AND SUBSTITUTING SUCCESSORS-IN-INTEREST**, on the following

8 Defendant who has been granted mailed service by the Court:

9 Joe and David Sceirine Ranches
10 P.O. Box 1013
11 Yerington, NV 89447

12
13 /s/Iris Thornton

14 Iris Thornton
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