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*Attorneys for Mineral County, Nevada, and  
Walker Lake Working Group*

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

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )

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

vs. )

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

Defendants. )

MINERAL COUNTY, )

Plaintiff-Intervenor, )

vs. )

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

Defendants.

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

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO  
SUBMIT PROPOSED  
SCHEDULING ORDER AND  
DISCOVERY PLAN**

**(First Request)**

1           1.       On August 18, 19, 24, and 29, 2022, a number of Defendants filed answers to Mineral  
2 County's *Second Amended Complaint in Intervention*, which filings triggered the requirement that  
3 the parties meet and confer under Fed. R. Civ. P. 26(f) and Local Rule 26-1 to discuss a proposed  
4 scheduling order and discovery plan. *See* ECF 1063, 1064, 1065, 1067, 1068, 1070, & 1072.

5           2.       On September 20, 2022, Counsel for Mineral County and the Walker Lake Working  
6 Group ("Mineral County") and Counsel for the Walker River Irrigation District (the "District"), the  
7 Nevada Department of Wildlife ("NDOW"), Lyon County and Centennial Livestock, Mono County,  
8 Desert Pearl Farms, Peri Family Ranch LLC, Peri & Peri, LLC and Frade Ranches, the Schroeder  
9 Group and California State Water Resources Control Board, California Department of Fish and  
10 Wildlife and California Department of Parks and Recreation (the "California State  
11 Agencies")(collectively, the "Principal Defendants") conferred by telephone pursuant to Fed. R. Civ.  
12 P. 26(f) and LR 26-1.

13           3.       In addition, during that conference, Mineral County and the Principal Defendants also  
14 discussed the need to include in their discussions additional individuals and entities who have filed  
15 Answers in this matter and may participate in discovery, pre-trial motion practice, and trial, if one  
16 becomes necessary.

17           4.       During the September 20, 2022 conference, Mineral County and the Principal  
18 Defendants discussed the need to clarify the issues related to Mineral County's Claim and the  
19 Defenses to that Claim, and which of those issues will require discovery and the nature and extent of  
20 such discovery, as well as the possible phasing of discovery, before they could submit a proposed  
21 Scheduling Order and Discovery Plan as required by the relevant Federal Rules of Civil Procedure  
22 and the Local Rules of this Court.

23           5.       Further, due to the evolution of circumstances since the filing of Mineral County's  
24 *First Amended Complaint in Intervention* in 1994, and as a result of a number of court orders which  
25 have been issued since that time, additional discussion is required in order to ensure that discovery  
26 proceeds within an appropriate scope and in as efficient a manner as possible.

6. Consequently, in order to reach an agreement on these issues for a proposed Scheduling Order and Discovery Plan, Mineral County and the Principal Defendants require additional time.

7. Mineral County and the Principal Defendants believe this work can be completed, and a stipulated Scheduling Order and Discovery Plan contemplated by Fed. R. Civ. P. 26(f) and Local Rule 26-1 can be filed, by Tuesday, November 22, 2022.

8. If Mineral County and the Principal Defendants are unable to agree on a stipulated Scheduling Order and Discovery Plan by November 22, 2022, they will submit, either individually or jointly, proposed Scheduling Orders and Discovery Plans which set forth the subjects on which there is agreement and on which there is disagreement by that same date.

NOW THEREFORE, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule IA 6-1, the Parties hereby stipulate and agree as follows:

1. Mineral County and the Principal Defendants will have until and including Tuesday, November 22, 2022, to agree upon and file a stipulated Scheduling Order and Discovery Plan, under Fed. R. Civ. P. 26(f).

2. If Mineral County and the Principal Defendants are unable to agree upon a proposed Scheduling Order and Discovery Plan by November 22, 2022, then by that same date, they will either individually or jointly submit proposed Scheduling Orders and Discovery Plans which set forth subjects on which there is agreement and on which there is disagreement.

3. Mineral County and the Principal Defendants will include in the future discussions referenced herein all Defendants who filed answers to Mineral County's *Second Amended Complaint in Intervention*, and who desire to participate in discovery, pre-trial motion practice, and trial, if one becomes necessary.

Date: September 30, 2022

ADVOCATES FOR COMMUNITY & ENVIRONMENT  
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El Prado, New Mexico 87529

By: /s/ Simeon Herskovits  
Simeon Herskovits, NSB # 11155  
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1 Date: September 30, 2022

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6 Date: September 30, 2022

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11 Date: September 30, 2022

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14 Therese Ure Stix, NSB # 10255 *Attorney for The Schroeder Group*

15 Date: September 30, 2022

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20 *Attorney for Nevada Department of Wildlife*

21 Date: September 30, 2022

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23 By: /s/ (per authorization)  
24 Stacey Simon, County Counsel  
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1 Date: September 30, 2022

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3 By: /s/ (per authorization)  
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5 *Attorney for Desert Pearl Farms,*  
6 *Peri Family Ranch, LLC, Peri & Peri LLC,*  
7 *and Frade Ranches*

8 Date: September 30, 2022

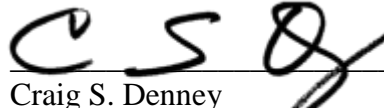
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10 By: /s/ (per authorization)  
11 Rob Bonta, Attorney General of California  
12 Russell B. Hildreth, Supervising Deputy Attorney General  
13 Nhu Q. Nguyen, Deputy Attorney General  
14 NSB # 7844  
15 *Attorneys for California State Agencies*

16 **ORDER**

17 Dated: October 3, 2022.

IT IS SO ORDERED.

18   
19 Craig S. Denney  
20 United States Magistrate Judge  
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