

IN THE SUPREME COURT OF THE STATE OF NEVADA

ADAM SULLIVAN, P.E., NEVADA
STATE ENGINEER, DIVISION OF
WATER RESOURCES, DEPARTMENT
OF CONSERVATION AND NATURAL
RESOURCES,

Appellant,

vs.

LINCOLN COUNTY WATER
DISTRICT; VIDLER WATER
COMPANY, INC.; COYOTE SPRINGS
INVESTMENT, LLC; NEVADA
COGENERATION ASSOCIATES NOS.
1 AND 2; APEX HOLDING
COMPANY, LLC; DRY LAKE
WATER, LLC; GEORGIA-PACIFIC
GYPSUM, LLC; REPUBLIC
ENVIRONMENTAL TECHNOLOGIES
INC.; SIERRA PACIFIC POWER
COMPANY d/b/a NV ENERGY;
NEVADA POWER COMPANY d/b/a
NV ENERGY; THE CHURCH OF
JESUS CHRIST OF LATTER-DAY
SAINTS; MOAPA VALLEY WATER
DISTRICT; WESTERN ELITE
ENVIRONMENTAL, INC.; BEDROC
LIMITED, LLC; CITY OF NORTH LAS
VEGAS; AND LAS VEGAS VALLEY
WATER DISTRICT,

Respondents. /

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Elizabeth A. Brown
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SUPREME COURT NO. 84739

District Course Case No. A816761
(Consolidated with Supreme Court
Cases 84741, 84742 and 84809)

SOUTHERN NEVADA WATER
AUTHORITY,

Appellant,

vs.

LINCOLN COUNTY WATER
DISTRICT; VIDLER WATER
COMPANY, INC.; COYOTE SPRINGS
INVESTMENT, LLC; NEVADA
COGENERATION ASSOCIATES NOS.
1 AND 2; APEX HOLDING
COMPANY, LLC; DRY LAKE
WATER, LLC; GEORGIA-PACIFIC
GYPSUM, LLC; REPUBLIC
ENVIRONMENTAL TECHNOLOGIES
INC.; SIERRA PACIFIC POWER
COMPANY d/b/a NV ENERGY;
NEVADA POWER COMPANY d/b/a
NV ENERGY; THE CHURCH OF
JESUS CHRIST OF LATTER-DAY
SAINTS; MOAPA VALLEY WATER
DISTRICT; WESTERN ELITE
ENVIRONMENTAL, INC.; BEDROC
LIMITED, LLC; CITY OF NORTH LAS
VEGAS; AND LAS VEGAS VALLEY
WATER DISTRICT,

Respondents. /

CENTER FOR BIOLOGICAL
DIVERSITY,

Appellant,

vs.

SUPREME COURT NO. 84741
(Consolidated with Supreme Court
Cases 84739, 84742 and 84809)

SUPREME COURT NO. 84742
(Consolidated with Supreme Court
Cases 84739, 84741 and 84809)

LINCOLN COUNTY WATER DISTRICT; VIDLER WATER COMPANY, INC.; COYOTE SPRINGS INVESTMENT, LLC; NEVADA COGENERATION ASSOCIATES NOS. 1 AND 2; APEX HOLDING COMPANY, LLC; DRY LAKE WATER, LLC; GEORGIA-PACIFIC GYPSUM, LLC; REPUBLIC ENVIRONMENTAL TECHNOLOGIES INC.; SIERRA PACIFIC POWER COMPANY d/b/a NV ENERGY; NEVADA POWER COMPANY d/b/a NV ENERGY; THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; MOAPA VALLEY WATER DISTRICT; WESTERN ELITE ENVIRONMENTAL, INC.; BEDROC LIMITED, LLC; CITY OF NORTH LAS VEGAS; AND LAS VEGAS VALLEY WATER DISTRICT,

Respondents. /

MUDDY VALLEY IRRIGATION COMPANY,

Appellant,

vs.

LINCOLN COUNTY WATER DISTRICT; VIDLER WATER COMPANY, INC.; COYOTE SPRINGS INVESTMENT, LLC; NEVADA COGENERATION ASSOCIATES NOS. 1 AND 2; APEX HOLDING COMPANY, LLC; DRY LAKE WATER, LLC; GEORGIA-PACIFIC

SUPREME COURT NO. 84809
(Consolidated with Supreme Court Cases 84739, 84741 and 84742)

GYPSUM, LLC; REPUBLIC ENVIRONMENTAL TECHNOLOGIES INC.; SIERRA PACIFIC POWER COMPANY d/b/a NV ENERGY; NEVADA POWER COMPANY d/b/a NV ENERGY; THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; MOAPA VALLEY WATER DISTRICT; WESTERN ELITE ENVIRONMENTAL, INC.; BEDROC LIMITED, LLC; CITY OF NORTH LAS VEGAS; AND LAS VEGAS VALLEY WATER DISTRICT,

Respondents. /

MOTION FOR LEAVE TO APPEAR REMOTELY AT ORAL ARGUMENT

Christian T. Balducci, Esq. (“Counsel”), counsel for Respondents Apex Holding Company, LLC and Dry Lake Water, LLC, and hereby submits this Motion for Leave to Appear Remotely at Oral Argument regarding the above-captioned matter, and in support thereof, respectively states as follows:

1. The Court set an in-person Oral Argument which is currently scheduled for August 8, 2023 at 2:00 p.m. (pacific time) in Carson City, Nevada.
2. Counsel is not arguing – other counsel for Respondents are.
3. In an effort to save time and costs, Counsel respectfully requests to be permitted to appear at Oral Argument via telephone or video conference (i.e., Zoom).

4. No party will be prejudiced if Counsel is permitted to appear remotely at the Oral Argument. Counsel assures this Court that he will meaningfully participate and will not hamper the efficient running of same.

Wherefore, Respondents Apex Holding Company, LLC and Dry Lake Water, LLC respectfully requests this Honorable Court enter an Order granting Counsel permission to appear via video conference or telephone at the Oral Hearing.

Affirmation: Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 31st day of July 2023.

MARQUIS AURBACH

/s/ Christian T. Balducci

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Apex Holding Company, LLC and Dry Lake Water, LLC

CERIFICATE OF SERVICE

I certify that on the 31st day of July 2023, I served a copy of **MOTION FOR LEAVE TO APPEAR REMOTELY AT ORAL ARGUMENT** upon all counsel of record by electronically filing and serving the foregoing document with the Nevada Supreme Court's electronic filing system:

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