

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

CENTER FOR BIOLOGICAL DIVERSITY;  
SOUTHERN NEVADA WATER  
AUTHORITY; LAS VEGAS VALLEY  
WATER DISTRICT; MUDDY VALLEY  
IRRIGATION COMPANY; COYOTE  
SPRINGS INVESTMENT, LLC; LINCOLN  
COUNTY WATER DISTRICT; APEX  
HOLDING COMPANY, LLC; DRY LAKE  
WATER, LLC; NEVADA COGENERATION  
ASSOCIATES NOS. 1 AND 2; GEORGIA-  
PACIFIC GYPSUM, LLC; REPUBLIC  
TECHNOLOGIES, INC.; AND VIDLER  
WATER COMPANY, INC.,

Appellants,

vs.

ADAM SULLIVAN, P.E., NEVADA STATE  
ENGINEER, DIVISION OF WATER  
RESOURCES, DEPARTMENT OF  
CONSERVATION AND NATURAL  
RESOURCES; THE CHURCH OF JESUS  
CHRIST OF LATTER-DAY SAINTS;  
SIERRA PACIFIC POWER COMPANY d/b/a  
NV ENERGY AND NEVADA POWER  
COMPANY d/b/a NV ENERGY; MOAPA  
VALLEY WATER DISTRICT; CITY OF  
NORTH LAS VEGAS; WESTERN ELITE  
ENVIRONMENTAL, INC.; AND BEDROC  
LIMITED, LLC,

Respondents.

Electronically Filed  
Jun 03 2022 03:54 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
Supreme Court No. 84742  
District Court Case No. A816761

**APPELLANT COYOTE SPRINGS INVESTMENT, LLC'S  
NOTICE OF INTENT TO FILE AN OPPOSITION TO APPELLANT  
CENTER FOR BIOLOGICAL DIVERSITY'S EMERGENCY MOTION FOR  
STAY AND MOTION TO EXCEED PAGE LIMIT**

Appellant Coyote Springs Investment, LLC ("CSI") files this notice of intent

to file an opposition to Center for Biological Diversity's ("CBD") Emergency Motion for Stay and Motion to Exceed Page Limit.

As will be demonstrated in CSI's forthcoming opposition, CBD's Emergency Motion to Stay and Motion to Exceed Page Limit not only amount to abuses of appellate procedure, but CBD's claim of irreparable injury—that without staying the underlying order groundwater pumping will increase to 30,000 acre feet—is demonstrably false and misleading. Multiple parties, including CSI, executed a Memorandum of Agreement setting forth self-imposed curtailment requirements to limit groundwater pumping to less than their entitlements. Moreover, CBD's attempt to argue the dispositive issue on appeal in its Emergency Motion to Stay is especially improper given the forthcoming challenges to CBD's standing to even bring this appeal in the first instance. On February 18, 2022, CBD and the State Engineer settled their case. CBD and the State Engineer put their settlement on the record and pronounced to the district court that the only condition to the settlement was the CBD Board of Trustees' approval. Not only has CBD deprived itself of standing to appeal, it is not an aggrieved party because the district court granted its request to declare the subject State Engineer Order 1309 void. The Emergency Motion for Stay and Motion to Exceed Page Limit must be denied. As will be shown with more specificity and proof in the Opposition CSI will file on or before 4:00 p.m., Monday, June 6, 2022.

**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 3<sup>RD</sup> day of June, 2022.

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/s/ Kent R. Robison

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**CERIFICATE OF SERVICE**

I certify that on the 3<sup>RD</sup> day of June 2022, I served a copy of **APPELLANT COYOTE SPRINGS INVESTMENT, LLC’S NOTICE OF INTENT TO FILE AN OPPOSITION TO APPELLANT CENTER FOR BIOLOGICAL DIVERSITY’S EMERGENY MOTION FOR STAY AND MOTION TO EXCEED PAGE LIMIT** upon all counsel of record:

BY MAIL: I placed a true copy thereof enclosed in a sealed envelope addressed as follows:

BY FACSIMILE: I transmitted a copy of the foregoing document this date via telecopier to the facsimile number shown below:

BY ELECTRONIC SERVICE: by electronically filing and serving the foregoing document with the Nevada Supreme Court's electronic filing system:

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DATED: This 3<sup>RD</sup> day of June, 2022.

*/s/ Mary Carroll Davis*

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Mary Carroll Davis

An Employee of Robison, Sharp, Sullivan & Brust