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28 TELEPHONE: (725) 210-5433
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Attorneys for Petitioner Coyote Springs Investment, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

LAS VEGAS VALLEY WATER DISTRICT,
and SOUTHERN NEVADA WATER
AUTHORITY

Petitioners,
v.

ADAM SULLIVAN, P.E., Acting Nevada
State Engineer, DIVISION OF WATER
RESOURCES, DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES

Respondent.

Case No.: A-20-816761-C (Lead Case)

Dept. No.: 1

NOTICE OF APPEAL

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IN THE MATTER OF THE PETITION OF
COYOTE SPRINGS INVESTMENT, LLC

CONSOLIDATED WITH:
Case No.: A-20-817765-P (Sub Case)
Dept. No.: 1

IN THE MATTER OF THE PETITION OF
APEX HOLDING COMPANY, LLC

Case No.: A-20-817840-P (Sub Case)
Dept. No.: 1

IN THE MATTER OF THE PETITION OF
CENTER FOR BIOLOGICAL DIVERSITY

Case No.: A-20-817876-P (Sub Case)
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IN THE MATTER OF THE PETITION OF
MUDDY VALLEY IRRIGATION COM
PANY

Case No.: A-20-817977-P (Sub Case)
Dept. No.: 1

IN THE MATTER OF THE PETITION OF
NEVADA COGENERATION ASSOCIATES
NOS. 1 AND 2

Case No.: A-20-818015-P (Sub Case)
Dept. No.: 1

IN THE MATTER OF THE PETITION OF
GEORGIA-PACIFIC GYPSUM, LLC AND
REPUBLIC ENVIRONMENTAL
TECHNOLOGIES, INC.

Case No.: A-20-818069-P (Sub Case)
Dept. No.: 1

IN THE MATTER OF THE PETITION OF
LINCOLN COUNTY WATER DISTRICT
AND VIDLER WATER COMPANY, INC.

Case No.: A-21-833572-J
Dept. No.: 1

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Coyote Springs Investment, LLC, Petitioner in Case No. A-20-817765-P, appeals to the Nevada Supreme Court from the Order Denying Coyote Springs Investment, LLC's and Lincoln County Water District and Vidler Water Company, Inc.'s Motions for Attorney's Fees, entered July 22, 2022.

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///

1 **CERTIFICATE OF SERVICE**

2
3 Pursuant to NRC 5(b), I hereby certify that I am an employee of Robison, Sharp,
4 Sullivan & Brust, and that I served, or caused to be served, a true and correct copy of the
5 foregoing **NOTICE OF APPEAL** to be served on all parties to this action by:

6
7 _____ placing an original or true copy thereof in a sealed, postage prepaid, envelope in
the United States mail at Reno, Nevada, addressed to:

8 XX by electronically filing a copy of the foregoing document with Odyssey File & Serve,
9 the eFiling platform that Clark County District Court, State of Nevada uses to
10 electronically file documents, which will send an electronic copy of the filing to the
11 below parties, which is also an exact duplicate of the service contacts listed on
Odyssey File & Serve for this case:

12 **Southern Nevada Water Authority:**

13 Paul Taggart (paul@legaltnt.com)
14 Steven Anderson (Sc.anderson@lvvwd.com)
Thomas Duensing (tom@legaltnt.com)

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22 **Las Vegas Valley Water District**

23 Steven Anderson (Sc.anderson@lvvwd.com)

24 **The Church of Jesus Christ of Latter-day Saints:**

25 Sev Carlson (scarlson@kcnvlaw.com)
26 Sharon Stice ([sstice@kcnvlaw.com](mailto:ssstice@kcnvlaw.com))
Courtney Droessler (cdroessler@kcnvlaw.com)

27 **Nevada Power Company:**

28 Mike Knox (mknnox@nvenergy.com)

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Bedroc Limited, LLC:

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Moapa Valley Water District:

Gregory Morrison (gmorrison@parsonsbehle.com)

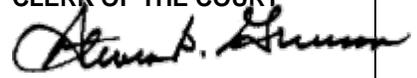
Nevada Cogeneration Associates Nos. 1 and 2.:

Francis Flaherty (fflaherty@dyerlawrence.com)

DATED: This 4th day of August, 2022.

/s/ Christine O'Brien

Ashley DeHaven
An Employee of Robison, Sharp, Sullivan & Brust



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17 *Attorneys for Petitioner Coyote Springs Investment, LLC*

18 **DISTRICT COURT**
19 **CLARK COUNTY, NEVADA**

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21 LAS VEGAS VALLEY WATER DISTRICT,
and SOUTHERN NEVADA WATER
22 AUTHORITY

23 Petitioners,
24 v.

25 ADAM SULLIVAN, P.E., Acting Nevada
State Engineer, DIVISION OF WATER
26 RESOURCES, DEPARTMENT OF
CONSERVATION AND NATURAL
27 RESOURCES

28 Respondent.

Case No.: A-20-816761-C (Lead Case)

Dept. No.: 1

CASE APPEAL STATEMENT

1 IN THE MATTER OF THE PETITION OF
2 COYOTE SPRINGS INVESTMENT, LLC

CONSOLIDATED WITH:
Case No.: A-20-817765-P (Sub Case)
Dept. No.: 1

3 IN THE MATTER OF THE PETITION OF
4 APEX HOLDING COMPANY, LLC

Case No.: A-20-817840-P (Sub Case)
Dept. No.: 1

5 IN THE MATTER OF THE PETITION OF
6 CENTER FOR BIOLOGICAL DIVERSITY

Case No.: A-20-817876-P (Sub Case)
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7 IN THE MATTER OF THE PETITION OF
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9 PANY

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Dept. No.: 1

10 IN THE MATTER OF THE PETITION OF
11 NEVADA COGENERATION ASSOCIATES
12 NOS. 1 AND 2

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Case No.: A-20-818069-P (Sub Case)
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17 IN THE MATTER OF THE PETITION OF
18 LINCOLN COUNTY WATER DISTRICT
19 AND VIDLER WATER COMPANY, INC.

Case No.: A-21-833572-J
Dept. No.: 1

20
21 **CASE APPEAL STATEMENT**

22 1. Name of Appellant filing this Case Appeal Statement: Coyote Springs
23 Investment, LLC

24 2. Judge issuing the decision, judgment or order appealed from: The
25 Honorable Bitia Yeager.

26 3. Each Appellant and address of counsel for each:

27 Appellant: Coyote Springs Investment, LLC
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Counsel: KENT R. ROBISON #1167

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4. Each Respondent and address of counsel for each:

Respondent: The Nevada State Engineer

Counsel: STEVE SHEVORSKI #8256
JAMES N. BOLOTIN #13829
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LAENA ST-JULES (Bar No. 15156)
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T: (775) 684-1231
E: sshevorski@ag.nv.gov
jbolotin@ag.nv.gov
kireland@ag.nv.gov
lstjules@ag.nv.gov

5. All counsel identified in paragraphs 3 and 4 are licensed to practice law in the State of Nevada.

6. Appellant was represented by the retained counsel identified in paragraph 3, above, in the district court.

7. Appellant has not been granted leave to proceed *in forma pauperis*.

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IN ASSOCIATION WITH:

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Attorneys for Petitioner
Coyote Springs Investment, LLC

1 **CERTIFICATE OF SERVICE**

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25 Sev Carlson (scarlson@kcnvlaw.com)
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27 **Nevada Power Company:**

28 Mike Knox (mknnox@nvenergy.com)

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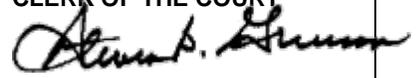
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DATED: This 4th day of August, 2022.

/s/ Christine O'Brien

Ashley DeHaven
An Employee of Robison, Sharp, Sullivan & Brust



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NOTICE OF POSTING BOND

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2 COYOTE SPRINGS INVESTMENT, LLC /
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Case No.: A-21-833572-J
Dept. No.: 1

NOTICE OF POSTING BOND

NOTICE IS HEREBY GIVEN that Coyote Springs Investment, LLC, Petitioner in Case No. A-20-817765-P, has deposited with the Clerk of the Court the sum of Five Hundred Dollars (\$500.00) in accordance with Rule 7(b) of the Nevada Rules of Appellate Procedure for security for costs on appeal.

AFFIRMATION: The undersigned does hereby affirm that the preceding document and/or attachments do not contain the social security number of any person.

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DATED this 4th day of August, 2022.

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71 Washington Street
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/s/ Kent R. Robison
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HANNAH E. WINSTON #14520

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*Attorneys for Petitioner
Coyote Springs Investment, LLC*

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14 Steven Anderson (Sc.anderson@lvvwd.com)
Thomas Duensing (tom@legaltnt.com)

15 **Nevada State Engineer, Division of Water Resources:**

16 James Bolotin (jbolotin@ag.nv.gov)
17 Laena St-Jules (lstjules@ag.nv.gov)
18 Dorene Wright (dwright@ag.nv.gov)
Diane Resch (dresch@ag.nv.gov)
Kiel Ireland (kireland@ag.nv.gov)

19 **Tim Wilson:**

20 James Bolotin (jbolotin@ag.nv.gov)
21 Laena St-Jules (lstjules@ag.nv.gov)
Dorene Wright (dwright@ag.nv.gov)

22 **Las Vegas Valley Water District**

23 Steven Anderson (Sc.anderson@lvvwd.com)

24 **The Church of Jesus Christ of Latter-day Saints:**

25 Sev Carlson (scarlson@kcnvlaw.com)
26 Sharon Stice ([sstice@kcnvlaw.com](mailto:ssstice@kcnvlaw.com))
Courtney Droessler (cdroessler@kcnvlaw.com)

27 **Nevada Power Company:**

28 Mike Knox (mknnox@nvenergy.com)

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Sierra Pacific Power Company:

Justina Caviglia (jcaviglia@nvenergy.com)

Coyote Springs Investment, LLC:

Kent Robison (krobison@rssblaw.com)

Bradley Herrema (bherrema@bhfs.com)

Emilia Cargill (emilia.cargill@wingfieldnevadagroup.com)

William Coulthard (wlc@coulthardlaw.com)

Hannah Winston (hwinston@rssblaw.com)

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Derek Muaina (DerekM@WesternElite.com)

Therese Ure (counsel@water-law.com)

City of North Las Vegas:

Andy Moore (moorea@cityofnorthvegas.com)

Andrew Moore (moorea@cityofnorthlasvegas.com)

Therese Ure (counsel@water-law.com)

Apex Holding Company, LLC:

Christian Balducci (cbalducci@maclaw.com)

Kellie Piet (kpiet@maclaw.com)

Dry Lake Water, LLC:

Christian Balducci (cbalducci@maclaw.com)

Georgia-Pacific Gypsum LLC:

Sylvia Harrison (sharrison@mcdonaldcarano.com)

Lucas Foletta (lfoletta@mcdonaldcarano.com)

Sarah Ferguson (sferguson@mcdonaldcarano.com)

Jane Susskind (jsusskind@mcdonaldcarano.com)

Republic Environmental Technologies, Inc.:

Sylvia Harrison (sharrison@mcdonaldcarano.com)

Lucas Foletta (lfoletta@mcdonaldcarano.com)

Sarah Ferguson (sferguson@mcdonaldcarano.com)

Jane Susskind (jsusskind@mcdonaldcarano.com)

Southern Nevada Water Authority:

Thomas Duensing (tom@legaltnt.com)

Muddy Valley Irrigation Company:

Robert Dotson (rdotson@dotsonlaw.legal)

Justin Vance (jvance@dotsonlaw.legal)

Steve King (kingmont@charter.net)

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Other Service Contacts:

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- Emilia Cargill (emilia.cargill@coyotesprings.com)
- Lisa Belenky (lbelenky@biologicaldiversity.org)
- Douglas Wolf (dwolf@biologicaldiversity.org)
- Christian Balducci (cbalducci@maclaw.com)
- Pamela Montgomery (p.montgomery@kempjones.com)
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- Wayne Klomp (wayne@greatbasinlawyer.com)
- Dylan Frehner (dfrehner@lincolncountynv.gov)
- Scott Lake (slake@biologicaldiversity.org)

Bedroc Limited, LLC:

Therese Ure (counsel@water-law.com)

Moapa Valley Water District:

Gregory Morrison (gmorrison@parsonsbehle.com)

Nevada Cogeneration Associates Nos. 1 and 2.:

Francis Flaherty (fflaherty@dyerlawrence.com)

DATED: This 4th day of August, 2022.

/s/ Christine O'Brien

Ashley DeHaven
An Employee of Robison, Sharp, Sullivan & Brust

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources,
Defendant(s)

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§
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§

Location: **Department 1**
Judicial Officer: **Yeager, Bit**
Filed on: **06/17/2020**
Case Number History:
Cross-Reference Case **A816761**
Number:
Supreme Court No.: **84739**
84809
84741
84742

CASE INFORMATION

Related Cases

A-20-817765-P (Consolidated)
A-20-817840-P (Consolidated)
A-20-817876-P (Consolidated)
A-20-817977-P (Consolidated)
A-20-818015-P (Consolidated)
A-20-818069-P (Consolidated)
A-21-833572-J (Consolidated)

Case Type: **Other Civil Matters**

Case Flags: **Consolidated - Lead Case
Appealed to Supreme Court**

Statistical Closures

04/19/2022 Summary Judgment

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	A-20-816761-C
Court	Department 1
Date Assigned	01/04/2021
Judicial Officer	Yeager, Bit

PARTY INFORMATION

		<i>Lead Attorneys</i>
Plaintiff	Las Vegas Valley Water District	Taggart, Paul G. <i>Retained</i> 7026875195(W)
	Southern Nevada Water Authority	Taggart, Paul G. <i>Retained</i> 7026875195(W)
Defendant	Nevada State Engineer, Division of Water Resources	Bolotin, James N. <i>Retained</i> 775-684-1159(W)
	Wilson, Tim	
Intervenor	Apex Holding Company, LLC	Balducci, Christian T. <i>Retained</i> 702-382-0711(W)
	Center for Biological Diversity Removed: 05/13/2022 Dismissed	Wolf, Douglas W <i>Retained</i> 202-510-5604(W)
	Coyote Springs Investment, LLC	Herrema, Bradley J <i>Retained</i> 805-963-7000(W)
	Dry Lake Water, LLC	Balducci, Christian T.

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

		<i>Retained</i> 702-382-0711(W)
	Georgia-Pacific Gypsum LLC	Ferguson, Sarah <i>Retained</i> 775-247-4999(W)
	Lincoln County Water District	Klomp, Wayne O. <i>Retained</i> 775-786-5000(W)
	Muddy Valley Irrigation Company Removed: 05/13/2022 Dismissed	King, Steven D. <i>Retained</i> 7023555666(W)
	Nevada Cogeneration Associates Nos. 1 and 2.	Flaherty, Francis C <i>Retained</i> 7758851896(W)
	Nevada Power Company	Knox, Michael D. <i>Retained</i> 775-788-8666(W)
	Vidler Removed: 06/25/2021 Data Entry Error	
	Vidler Water Company, Inc.	Peterson, Karen A. <i>Retained</i> 7756870202(W)
Other	Bedroc Limited, LLC	Ure, Therese A <i>Retained</i> 775-786-8800(W)
	City of North Las Vegas	Ure, Therese A <i>Retained</i> 775-786-8800(W)
	Moapa Valley Water District	Morrison, Gregory H. <i>Retained</i> 775-789-6547(W)
	Republic Environmental Technologies, Inc.	Ferguson, Sarah <i>Retained</i> 775-247-4999(W)
	Sierra Pacific Power Company	Knox, Michael D. <i>Retained</i> 775-788-8666(W)
	The Church of Jesus Christ of Latter-day Saints	Carlson, Severin A. <i>Retained</i> 775-884-8300(W)
	Western Elite Environmental, Inc.	Ure, Therese A <i>Retained</i> 775-786-8800(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
06/17/2020	 Petition for Judicial Review Filed by: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[1] Petition for Judicial Review of State Engineer's Order 1309</i>	
06/22/2020	 Notice of Appearance	

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

Party: Defendant Nevada State Engineer, Division of Water Resources
[2] Notice of Appearances for Respondent State Engineer

- 06/23/2020  Clerk's Notice of Nonconforming Document
[3] Clerk's Notice of Nonconforming Document
- 07/07/2020  Notice of Appearance
Party: Other The Church of Jesus Christ of Latter-day Saints
[4] Notice of Appearance
- 07/07/2020  Notice of Intent to Participate
Filed By: Other The Church of Jesus Christ of Latter-day Saints
[5] Notice of Intent to Participate
- 07/07/2020  Initial Appearance Fee Disclosure
[6] Initial Appearance Fee Disclosure
- 07/07/2020  Statement
Filed by: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[7] Statement of Intent to Participate
- 07/08/2020  Certificate of Service
Filed by: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[8] Certificate of Service
- 07/10/2020  Notice of Intent to Participate
[9] Notice of Intent to Participate
- 07/10/2020  Initial Appearance Fee Disclosure
Filed By: Intervenor Coyote Springs Investment, LLC
[10] Initial Appearance Fee Disclosure (payment was posted under Nevada Power)
- 07/14/2020  Certificate of Service
Filed by: Intervenor Coyote Springs Investment, LLC
[11] Certificate of Service of Notice of Intent to Participate
- 07/14/2020  Notice of Intent to Participate
Filed By: Other Moapa Valley Water District
[12] Notice of Intent to Participate
- 07/14/2020  Notice of Intent to Participate
Filed By: Other Moapa Valley Water District
[13] Notice of Intent to Participate
- 07/15/2020  Initial Appearance Fee Disclosure
Filed By: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[14] Initial Appearance Fee Disclosure
- 07/15/2020  Amended Notice
Filed By: Other Moapa Valley Water District
[15] Amended Notice of Intent to Participate
- 07/16/2020  Filing Fee Remittance

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

Filed By: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[16] Filing Fee Remittance

07/17/2020  Notice of Intent to Participate
Filed By: Other City of North Las Vegas
[17] Notice of Intent to Participate by City of North Las Vegas

07/17/2020  Initial Appearance Fee Disclosure
Filed By: Other City of North Las Vegas
[18] Initial Appearance Fee Disclosure (NRS Chapter 19) for City of North Las Vegas with Certificate of Service attached.

07/17/2020  Notice of Intent to Participate
Filed By: Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC
[19] Notice of Intent to Participate by Western Elite Environmental, Inc. and Bedroc Limited, LLC

07/17/2020  Initial Appearance Fee Disclosure
Filed By: Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC
[20] Initial Appearance Fee Disclosure (NRS Chapter 19) for Western Elite Environmental, Inc. and Bedroc, LLC with Certificate of Service attached.

07/21/2020  Motion to Consolidate
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[21] Motion to Consolidate

07/22/2020  Clerk's Notice of Hearing
[22] Notice of Hearing

07/23/2020  Notice of Intent to Participate
Filed By: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC
[23] Notice of Intent to Participate

07/23/2020  Initial Appearance Fee Disclosure
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[24] Initial Appearance Fee Disclosure (NRS Chapter 19)

07/29/2020  Initial Appearance Fee Disclosure
Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[25] Initial Appearance Fee Disclosure

07/29/2020  Notice of Intent to Participate
Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[26] Notice of Intent to Participate in Petition for Judicial Review of Order 1309

07/29/2020  Stipulation
Filed by: Intervenor Coyote Springs Investment, LLC
[27] Stipulation for Consolidation

07/31/2020  Motion to Intervene
Party: Intervenor Coyote Springs Investment, LLC

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

[28] *Coyote Springs Investment, LLC's Motion to Intervene*

08/03/2020  Clerk's Notice of Hearing
[29] *Notice of Hearing*

08/04/2020  Response
Filed by: Defendant Nevada State Engineer, Division of Water Resources; Defendant Wilson, Tim
[30] *State Enginner's Response to LVVWD's and SNWA's Motion to Consolidate*

08/14/2020  Stipulation
Filed by: Intervenor Coyote Springs Investment, LLC
[31] *Joint Stipulation for Order Allowing Each Petitioner to Intervene in the Other Petitioners' Actions*

08/17/2020  Order Granting
Filed By: Intervenor Coyote Springs Investment, LLC
[32] *Order Granting Consolidation*

08/20/2020  Response
Filed by: Intervenor Coyote Springs Investment, LLC
[33] *Coyote Springs Investment, LLC's Response to Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc.'s Motion to Intervene*

08/27/2020 **CANCELED Motion to Consolidate** (3:00 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Law Clerk
Plaintiff's Motion to Consolidate

08/27/2020 **CANCELED Motion to Intervene** (3:00 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Law Clerk
Coyote Springs Investment, LLC's Motion to Intervene

08/28/2020  Clerk's Refund Request
[34]

08/28/2020  Reply to Opposition
Filed by: Other Moapa Valley Water District
[35] *(9/14/20 Withdrawn) Reply to Lincoln County Water District's Opposition to Motion to Intervene*

09/01/2020  Motion to Intervene
Party: Other The Church of Jesus Christ of Latter-day Saints
[36] *The Church of Latter-Day Saints' Motion To Intervene*

09/01/2020  Clerk's Notice of Hearing
[37] *Notice of Hearing*

09/02/2020  Amended Certificate of Service
Party: Other The Church of Jesus Christ of Latter-day Saints
[38] *Amended Certificate of Service*

09/03/2020 **CANCELED Motion to Intervene** (3:00 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Law Clerk
Las Vegas Valley Water District and Southern Nevada Water Authority's Motion to Intervene
[Rescheduled From Sub Case A-20-817765-P]

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

09/03/2020 **CANCELED Motion to Intervene** (3:00 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Law Clerk
Georgia-Pacific Gypsum LLC and Republic Environmental Technologies Inc.'s Motion to Intervene [Rescheduled From Sub Case A-20-817765-P]

09/03/2020 **CANCELED Status Check** (3:00 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Law Clerk
Status Check [Rescheduled From Sub Case A-20-817-77-P]

09/14/2020  **Notice of Withdrawal**
Filed By: Other Moapa Valley Water District
[39] Notice of Withdrawal

09/15/2020  **Order Approving**
Filed By: Intervenor Coyote Springs Investment, LLC
[40] Order Approving Joint Stipulation for Joint Intervention

09/15/2020  **Non Opposition**
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[41] Non-Opposition to the Church of Jesus Christ of Latter-Day Saints' Motion to Intervene

09/15/2020  **Response**
Filed by: Intervenor Coyote Springs Investment, LLC
[42] Coyote Springs Investment, LLC's Response to the Church of Jesus Christ of Latter-Day Saints' Motion to Intervene

09/17/2020  **Motion to Associate Counsel** (3:00 AM) (Judicial Officer: Kephart, William D.)
Plaintiff Center for Biological Diversity's Motion to Associate Counsel [Rescheduled From Sub Case A-20-817876-P]

09/21/2020  **Motion to Intervene**
Party: Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC
[43] Western Elite Environmental, Inc. and Bedroc limited, LCC's Motion to Intervene

09/21/2020  **Motion to Intervene**
Party: Other City of North Las Vegas
[44] City of North Las Vegas' Motion to Intervene

09/22/2020  **Reply to Opposition**
Filed by: Other The Church of Jesus Christ of Latter-day Saints
[45] The Church of Latter-Day Saints' Reply to CSI's Opposition to Motion To Intervene

09/23/2020  **Clerk's Notice of Nonconforming Document**
[46] Clerk's Notice of Nonconforming Document

09/23/2020  **Clerk's Notice of Nonconforming Document**
[47] Clerk's Notice of Nonconforming Document

09/24/2020  **Clerk's Notice of Nonconforming Document and Curative Action**
[48] Clerk's Notice of Curative Action

09/24/2020  **Clerk's Notice of Nonconforming Document and Curative Action**
[49] Clerk's Notice of Curative Action

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

- 09/24/2020  Clerk's Notice of Hearing
[50] Notice of Hearing
- 09/24/2020  Clerk's Notice of Hearing
[51] Notice of Hearing
- 09/24/2020  Non Opposition
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[52] Non Opposition to City of North Las Vegas' Motion to Intervene
- 09/24/2020  Non Opposition
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[53] Non Opposition to Church of Jesus Christ of Latter Day Saints' Motion to Intervene
- 09/24/2020  Non Opposition
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[54] Non Opposition to Western Elite Environmental and Bedroc's Motion to Intervene
- 09/25/2020  Motion to Intervene
Party: Other Moapa Valley Water District
[55] Motion to Intervene
- 09/25/2020  Clerk's Notice of Nonconforming Document
[56] Clerk's Notice of Nonconforming Document
- 09/28/2020  Non Opposition
Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[57] Georgia-Pacific and Republic's Non-Opposition to Western Elite Environmental and Bedroc's Motion to Intervene
- 09/28/2020  Non Opposition
Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[58] Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc's Non-Opposition to City of North Las Vegas's Motion to Intervene
- 09/29/2020  Clerk's Notice of Nonconforming Document and Curative Action
[59] Clerk's Notice of Curative Action
- 09/29/2020  Clerk's Notice of Hearing
[60] Notice of Hearing
- 09/29/2020  Motion to Intervene
Party: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[61] Motion to Intervene
- 09/29/2020  Non Opposition
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[62] SNWA/LVVWD Non Opposition to NV Energy Motion to Intervene

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

09/29/2020  Non Opposition
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[63] SNWA/LVVWD Non Opposition to Moapa Valley Water District Motion to Intervene

09/30/2020  Certificate of Service
Filed by: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[64] Certificate of Service

09/30/2020  Clerk's Notice of Nonconforming Document
[65] Clerk's Notice of Nonconforming Document

10/01/2020  Motion to Associate Counsel
Filed By: Intervenor Center for Biological Diversity
[66] Motion to Associate Counsel

10/01/2020  Clerk's Notice of Hearing
[67] Notice of Hearing

10/02/2020  Status Report
Filed By: Intervenor Coyote Springs Investment, LLC
[68] Coyote Springs Investment, LLC's Status Report

10/05/2020  Non Opposition
Filed By: Defendant Nevada State Engineer, Division of Water Resources; Defendant Wilson, Tim
[69] Non-Opposition to City of North Las Vegas Motion to Intervene

10/05/2020  Non Opposition
[70] Non-Opposition to Western Elite Environmental, Inc. and Bedroc Limited, LLC s Motion to Intervene

10/05/2020  Miscellaneous Filing
Filed by: Intervenor Center for Biological Diversity
[71] Request to Excuse Local Counsel from Status Hearing

10/05/2020  Response
Filed by: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[72] Response To CSI Status Report

10/06/2020  **Status Check (9:00 AM) (Judicial Officer: Kephart, William D.)**
10/06/2020, 11/17/2020
Status Check: Record on Appeal
Parties Present: Attorney Coulthard, William L
Attorney Cargill, Emilia K.
Attorney Robison, Kent R.
Attorney Taggart, Paul G.
Attorney Jayne, Collin
Attorney Bolotin, James N.
Attorney Morrison, Gregory H.
Attorney Herrema, Bradley J
Attorney Caviglia, Justina A.
Attorney Ferguson, Sarah
Attorney Ure, Therese A

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

10/06/2020	 Order Admitting to Practice Filed By: Intervenor Center for Biological Diversity <i>[73] Order Admitting to Practice</i>
10/07/2020	 Order Filed By: Intervenor Center for Biological Diversity <i>[74] OrderExcusing Local Counsel</i>
10/08/2020	CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i> <i>The Church of Jesus Christ of Latter-Day Saints' Motion to Intervene</i>
10/09/2020	 Non Opposition Filed By: Defendant Nevada State Engineer, Division of Water Resources; Defendant Wilson, Tim <i>[75] Non-Opposition to Moapa Valley Water District s Motion to Intervene</i>
10/09/2020	 Response Filed by: Intervenor Coyote Springs Investment, LLC <i>[76] Coyote Springs Investment, LLC's Preliminary Response to Pending Motions to Intervene</i>
10/13/2020	 Non Opposition Filed By: Defendant Nevada State Engineer, Division of Water Resources; Defendant Wilson, Tim <i>[77] Non-Opposition to NV Energy s Motion to Intervene</i>
10/20/2020	 Memorandum Filed By: Other City of North Las Vegas; Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC <i>[78] Joint Memorandum re Scope of Intervention</i>
10/21/2020	 Amended Certificate of Service Party: Other City of North Las Vegas; Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC <i>[79] Joint Amended Certificate of Service</i>
10/22/2020	CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i> <i>City of North Las Vegas' Motion to Intervene</i>
10/22/2020	CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i> <i>Western Elite Environmental, Inc. and Bedroc limited, LCC's Motion to Intervene</i>
10/28/2020	 Memorandum Filed By: Other Moapa Valley Water District <i>[80] Moapa Valley Water District's Memorandum Re Scope of Intervention</i>
10/29/2020	 Non Opposition Filed By: Intervenor Muddy Valley Irrigation Company <i>[81] Non-Opposition to Coyote Springs Investment, LLC's Motion to Intervene</i>
10/29/2020	 Non Opposition Filed By: Intervenor Muddy Valley Irrigation Company <i>[82] Non-Opposition to Western Elite Environmental, Inc. and Bedroc Limited, LLC's Motion to Intervene</i>

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

10/29/2020	 Non Opposition Filed By: Intervenor Muddy Valley Irrigation Company <i>[83] Non-Opposition to The Church of Jesus Christ of Latter-Day Saints' Motion to Intervene</i>
10/29/2020	 Non Opposition Filed By: Intervenor Muddy Valley Irrigation Company <i>[84] Non-Opposition to City of North Las Vegas' Motion to Intervene</i>
10/29/2020	 Non Opposition Filed By: Intervenor Muddy Valley Irrigation Company <i>[85] Non-Opposition to Moapa Valley Water District's Motion to Intervene</i>
10/29/2020	 Non Opposition Filed By: Intervenor Muddy Valley Irrigation Company <i>[86] Non-Opposition to Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy's Motion to Intervene</i>
11/02/2020	 Brief Filed By: Intervenor Nevada Power Company; Other Sierra Pacific Power Company <i>[87] NV Energy's Brief Addressing the Extent Intervenor are Permitted to Participate in Petitions for Judicial Review Under NRS 533.450</i>
11/02/2020	 Certificate of Service Filed by: Intervenor Nevada Power Company; Other Sierra Pacific Power Company <i>[88] Certificate of Service</i>
11/02/2020	 Memorandum Filed By: Defendant Nevada State Engineer, Division of Water Resources; Defendant Wilson, Tim <i>[89] Nevada State Engineer's Brief on the Rights of Intervenor</i>
11/02/2020	 Brief Filed By: Intervenor Coyote Springs Investment, LLC <i>[90] CSI'S Brief RE: Scope of Intervention</i>
11/02/2020	 Memorandum <i>[91] Nevada Cogeneration Associates Nos. 1 and 2's Memorandum Re Scope of Intervention</i>
11/02/2020	 Brief Filed By: Other The Church of Jesus Christ of Latter-day Saints <i>[92] The Church of Jesus Christ of Latter-Day Saints' Brief Regarding Scope of Intervention</i>
11/02/2020	 Memorandum Filed By: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC <i>[93] Apex Holding Company, LLC and Dry Lake Water, LLC's Memorandum Regarding Scope of Intervention</i>
11/02/2020	 Brief Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[94] on Intervention Issues</i>
11/05/2020	CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i>

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

11/05/2020 **CANCELED Motion to Intervene** (3:00 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Judge
Moapa Valley Water District's Motion to Intervene

11/05/2020 **CANCELED Motion to Associate Counsel** (3:00 AM) (Judicial Officer: Kephart, William D.)
Vacated - per Judge
Intervenor's Motion to Associate Counsel

11/05/2020  **Recorders Transcript of Hearing**
[95] Transcript Re: Status Check: Record on Appeal 10-06-20

11/10/2020  **Record on Appeal**
[96] Summary of Record on Appeal Part 1 of 2

11/12/2020  **Record on Appeal**
[97] Record on Appeal Part 2 of 2

11/17/2020  **Status Check** (9:00 AM) (Judicial Officer: Yeager, Bitia)
11/17/2020, 02/25/2021
Status Check: Set Motions to Intervene
Parties Present: Attorney Cargill, Emilia K.
Attorney Flangas, Alex J.
Attorney Knox, Michael D.
Attorney Carlson, Severin A.
Attorney Harrison, Sylvia L.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Balducci, Christian T.
Attorney Bolotin, James N.
Attorney Herrema, Bradley J
Attorney Caviglia, Justina A.
Attorney Ure, Therese A

11/17/2020  **All Pending Motions** (9:00 AM) (Judicial Officer: Kephart, William D.)
Parties Present: Attorney Coulthard, William L
Attorney Campbell, Richard Glen
Attorney Carlson, Severin A.
Attorney Robison, Kent R.
Attorney Harrison, Sylvia L.
Attorney Kroll, Steven E.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Cavanaugh-Bill, Julie
Attorney Wilde, Kathleen A.
Attorney Bolotin, James N.
Attorney Morrison, Gregory H.
Attorney Herrema, Bradley J
Attorney St. Jules, Laena
Attorney Caviglia, Justina A.
Attorney Ure, Therese A

11/18/2020  **Errata**
Filed By: Defendant Nevada State Engineer, Division of Water Resources; Defendant Wilson, Tim
[98] Notice of Errata: Summary of Record on Appeal

01/04/2021 Case Reassigned to Department 1

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

Judicial Reassignment to Judge Bitá Yeager

- 02/16/2021  Notice of Change of Hearing
[99] Notice of Change of Hearing
- 02/19/2021  Appearance
Filed By: Intervenor Center for Biological Diversity
[100] Request to Excuse Local Counsel from Status Hearing
- 02/23/2021  Status Report
Filed By: Intervenor Coyote Springs Investment, LLC
[101] Coyote Springs Investment, LLC's Status Report
- 02/26/2021  Order Granting Motion
[102] Order Granting Motions to Intervene
- 03/04/2021  Recorders Transcript of Hearing
[103] Recorder's Transcript Re: Status Check: Set Motions to Intervene 02-25-21
- 03/05/2021  Order
[104] Scheduling Order
- 04/28/2021  Status Report
Filed By: Intervenor Coyote Springs Investment, LLC
[105] Coyote Springs Investment, LLC's Status Report
- 04/28/2021  Miscellaneous Filing
Filed by: Intervenor Center for Biological Diversity
[106] Request to Excuse Local Counsel from Status Hearing
- 04/29/2021  **Status Check (9:30 AM)** (Judicial Officer: Yeager, Bitá)
STATUS CHECK: SUPREME COURT REMITTER
Parties Present: Attorney Cargill, Emilia K.
Attorney Flangas, Alex J.
Attorney Carlson, Severin A.
Attorney Robison, Kent R.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Wilde, Kathleen A.
Attorney Bolotin, James N.
Attorney Morrison, Gregory H.
Attorney Foletta, Lucas M.
Attorney Herrema, Bradley J
Attorney Caviglia, Justina A.
Attorney Ure, Therese A
- 05/26/2021  Stipulation
Filed by: Intervenor Coyote Springs Investment, LLC
[107] Stipulation for Consolidation
- 05/27/2021  **Minute Order (3:00 AM)** (Judicial Officer: Yeager, Bitá)
- 05/27/2021  **Status Check (11:00 AM)** (Judicial Officer: Yeager, Bitá)
STATUS CHECK: BRIEFING SCHEDULE
Parties Present: Attorney Cargill, Emilia K.

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Attorney *Flangas, Alex J.*
Attorney *Knox, Michael D.*
Attorney *Carlson, Severin A.*
Attorney *Robison, Kent R.*
Attorney *Harrison, Sylvia L.*
Attorney *Dotson, Robert A.*
Attorney *Taggart, Paul G.*
Attorney *Wilde, Kathleen A.*
Attorney *Bolotin, James N.*
Attorney *Caviglia, Justina A.*
Attorney *Ure, Therese A*

06/04/2021  Notice of Motion
Filed By: Intervenor Coyote Springs Investment, LLC
[108] Notice of Coyote Springs Investment, LLC's Motion to Intervene in LCWD/Vidler's Petition for Judicial Review

06/10/2021  Notice of Motion
Filed By: Other The Church of Jesus Christ of Latter-day Saints
[109] Church Corporation's Notice of Motion

06/11/2021  Notice of Motion
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District; Intervenor Coyote Springs Investment, LLC; Other Moapa Valley Water District; Intervenor Muddy Valley Irrigation Company
[110] Notice of Submitted Motions to Intervene

06/11/2021  Appendix
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District; Intervenor Coyote Springs Investment, LLC; Other Moapa Valley Water District; Intervenor Muddy Valley Irrigation Company
[111] Appendix to Notice of Submitted Motions to Intervene

06/16/2021  Substitution of Attorney
Filed by: Intervenor Center for Biological Diversity
[112] Substitution of Attorney

06/16/2021  Notice of Appearance
Party: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[113] Notice of Appearance

06/24/2021  Motion to Withdraw As Counsel
Filed By: Intervenor Center for Biological Diversity
[114] Motion for Withdrawal of Attorney Doug Wolf

06/24/2021  Errata
Filed By: Intervenor Center for Biological Diversity
[115] Notice of Errata re: June 16, 2021 Substitution of Attorney

06/24/2021  Stipulation and Order
[116] Lincoln, Vidler, Georgia-Pacific Gypsum, and Republic's Stipulation and Order Regarding Intervention and Briefing Schedule

06/24/2021  Stipulation and Order
[117] Lincoln, Vidler, and Center for Biological Diversity Stipulation and Order Regarding Intervention and Briefing Schedule

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- 06/24/2021  Stipulation and Order
[118] Lincoln, Vidler, Church of Latter-Day Saints Stipulation and Order Regarding Intervention and Briefing Schedule
- 06/24/2021  Stipulation and Order
[119] Lincoln, Vidler, City of North Las Vegas, Western Elite Environmental, and Bedroc Limited's Stipulation and Order Regarding Intervention and Briefing Schedule
- 06/25/2021  Clerk's Notice of Nonconforming Document
[120] Clerk's Notice of Nonconforming Document
- 06/25/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[121] Notice of Entry of LCWD/Vidler and City of North Las Vegas, Western Elite Environmental, Inc. and Bedroc Limited, LLC Stipulation and Order Regarding Intervention and Briefing Schedule
- 06/25/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[122] Notice of Entry of LCWD/Vidler and The Church of Latter-day Saints Stipulation and Order Regarding Intervention and Briefing Schedule
- 06/25/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[123] Notice of Entry of LCWD/Vidler and Georgia-Pacific Gypsum LLC and Republic Environmental Technologies, Inc. Stipulation and Order Regarding Intervention and Briefing Schedule
- 06/25/2021  Stipulation and Order
Filed by: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[124] Lincoln County Water District ,Vidler Water Company, Inc. , and Moapa Valley Water District Stipulation and Order Regarding Intervention and Briefing Schedule
- 06/25/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[125] Notice of Entry of LCWD/Vidler and Center for Biological Diversity Stipulation and Order Regarding Intervention and Briefing Schedule
- 06/25/2021  Stipulation and Order
Filed by: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[126] Lincoln County Water District ,Vidler water Company, Inc. , and Nevada Cogeneration Associates Nos.1 and 2 Stipulation and Order Regarding Intervention and Briefing Schedule
- 06/28/2021  Clerk's Notice of Nonconforming Document and Curative Action
[127] Clerk's Notice of Curative Action
- 06/28/2021  Clerk's Notice of Hearing
[128] Notice of Hearing
- 06/29/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[129] Notice of Entry of LCWD/Vidler and Nevada Cogeneration Associates Nos. 1 and 2 Stipulation and Order Regarding Intervention and Briefing Schedule

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CASE NO. A-20-816761-C

- 06/29/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[130] Notice of Entry of LCWD/Vidler and Moapa Valley Water District Stipulation and Order Regarding Intervention and Briefing Schedule
- 07/01/2021  **Status Check (11:00 AM)** (Judicial Officer: Yeager, Bitá)
STATUS CHECK - ON FULLY BRIEFED MOTIONS
Parties Present: Attorney Cargill, Emilia K.
Attorney Carlson, Severin A.
Attorney Peterson, Karen A.
Attorney Robison, Kent R.
Attorney Harrison, Sylvia L.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Wilde, Kathleen A.
Attorney Bolotin, James N.
Attorney Foletta, Lucas M.
Attorney Caviglia, Justina A.
Attorney Ure, Therese A
Attorney Lake, Scott
- 07/01/2021  Stipulation and Order
Filed by: Intervenor Lincoln County Water District
[131] Lincoln County Water District, Vidler Water Company, Inc., State Engineer and Coyote Springs Investment LLC Stipulation and Order Regarding Intervention and Briefing Schedule
- 07/01/2021  Stipulation and Order
Filed by: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[132] Lincoln County Water District, Vidler Water Company, Inc., State Engineer and Apex Holding Company, LLC and Dry Lake Water, LLC Stipulation and Order Regarding Intervention and Briefing Schedule
- 07/01/2021  Stipulation and Order
Filed by: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[133] Lincoln County Water District, Vidler Water Company, Inc., State Engineer and Nevada Power Company dba NV Energy Stipulation and Order Regarding Intervention and Briefing Schedule
- 07/01/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[134] Notice of Entry of LCWD/Vidler, State Engineer and Nevada Power Company dba NV Energy Stipulation and Order Regarding Intervention and Briefing Schedule
- 07/01/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[135] Notice of Entry of LCWD/Vidler, State Engineer and Apex Holding Company, LLC and Dry Lake Water, LLC Stipulation and Order Regarding Intervention and Briefing Schedule
- 07/01/2021  Notice of Entry of Stipulation and Order
Filed By: Intervenor Vidler Water Company, Inc.
[136] Notice of Entry of LCWD/Vidler, State Engineer and Coyote Springs Investment LLC Stipulation and Order Regarding Intervention and Briefing Schedule
- 07/09/2021  Order
[137] Order Granting Motion to Intervene
- 07/14/2021  Notice of Entry of Order

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Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[138] Notice of Entry of Order

07/29/2021  Recorders Transcript of Hearing
[139] Recorder's Transcript Re: Status Check: On Fully Briefed Motions 07-01-21

07/29/2021  Notice
Filed By: Intervenor Coyote Springs Investment, LLC
[140] (A816761, A817765) Notice of Disassociation of Counsel

07/29/2021  Notice of Appearance
Party: Intervenor Coyote Springs Investment, LLC
[141] (A816761, A817765, A817840, A817876, A817977, A818015, A818069, A833572) Notice of Appearance of Hannah E. Winston, Esq.

07/30/2021  **Motion to Withdraw as Counsel** (3:00 AM) (Judicial Officer: Yeager, Bitá)
Intervenor's Motion for Withdrawal of Attorney Doug Wolf

08/11/2021  Substitution of Attorney
Filed by: Intervenor Lincoln County Water District
[142] Substitution of Counsel

08/12/2021  Notice
Filed By: Intervenor Center for Biological Diversity
[143] Notice of Exemption from Pretrial Discovery Rules

08/27/2021  Request for Judicial Notice
Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[144] Request for Judicial Notice In Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc.'s Opening Brief In Support of Petition for Judicial Review of Order 1309

08/27/2021  Petition for Judicial Review
Filed by: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[145] Opening Brief In Support of Petition for Judicial Review of Order 1309

08/27/2021  Appendix
Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[146] Appendix of Exhibits to Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc.'s Opening Brief In Support of Petition for Judicial Review of Order 1309

08/27/2021  Petitioners Opening Brief
Filed by: Intervenor Center for Biological Diversity
[147] The Center for Biological Diversity's Opening Brief

08/27/2021  Petitioners Opening Brief
Filed by: Intervenor Muddy Valley Irrigation Company
[148] Muddy Valley Irrigation Company's Opening Brief

08/27/2021  Notice
Filed By: Intervenor Muddy Valley Irrigation Company

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[149] Muddy Valley Irrigation Company's Notice of Record Citations

- 08/27/2021  Petitioners Opening Brief
Filed by: Intervenor Coyote Springs Investment, LLC
[150] Coyote Springs Investment, LLC's Opening Brief on Petition for Judicial Review
- 08/27/2021  Exhibits
Filed By: Intervenor Coyote Springs Investment, LLC
[151] Exhibits in Support of Coyote Springs Investment, LLC's Opening Brief on Petition for Judicial Review
- 08/27/2021  Petitioners Opening Brief
Filed by: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC
[152] Petitioners Apex Holdings Company, LLC and Dry Lake Water, LLC's Opening Brief
- 08/27/2021  Exhibits
Filed By: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC
[153] Petitioner Apex Holding Company, LLC and Dry Lake Water, LLC's Notice of Record Citations
- 08/27/2021  Petitioners Opening Brief
Filed by: Intervenor Nevada Cogeneration Associates Nos. 1 and 2.
[154] Petitioners' Nevada Cogeneration Associates No. 1 and 2 Opening Brief
- 08/27/2021  Appendix
Filed By: Intervenor Nevada Cogeneration Associates Nos. 1 and 2.
[155] Appendix of Exhibits in Support of Petitioners' Nevada Cogeneration Associates No. 1 and 2 Opening Brief
- 08/27/2021  Petitioners Opening Brief
Filed by: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[156] Opening Brief From Petitioner's Las Vegas Valley Water District and Southern Nevada Water Authority
- 08/27/2021  Appendix
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[157] Appendix to Opening Brief - LVVWD and SNWA
- 08/27/2021  Petitioners Opening Brief
Filed by: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[158] Lincoln County Water District and Vidler Water Company, Inc.'s Opening Brief
- 08/27/2021  Motion
[159] Lincoln County Water District and Vidler Water Company, Inc.'s Motion to File Opening Brief in Excess of Type-Volume Limitation
- 08/27/2021  Declaration
Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[160] Declaration of Karen A. Peterson in Support of Motion to File Opening Brief in Excess of Type-Volume Limitation
- 08/27/2021  Record on Appeal
Party: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District

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[161] Record on Appeal Cited in Lincoln/Vidler's Opening Brief (Volume 1 of 3)

08/27/2021



Record on Appeal

Party: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[162] Record on Appeal Cited in Lincoln/Vidler's Opening Brief (Volume 2 of 3)

08/27/2021



Record on Appeal

Party: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[163] Record on Appeal Cited in Lincoln/Vidler's Opening Brief (Volume 3 of 3)

08/30/2021



Clerk's Notice of Nonconforming Document

[164] Clerk's Notice of Nonconforming Document

09/07/2021



Clerk's Notice of Nonconforming Document and Curative Action

[165] Clerk's Notice of Curative Action

09/07/2021



Clerk's Notice of Hearing

[166] Notice of Hearing

09/08/2021



Notice of Change of Hearing

[167] Notice of Change of Hearing

09/08/2021



Order

Filed By: Intervenor Lincoln County Water District
[168] Order Granting Lincoln County Water District and Vidler Water Company, Inc.'s Motion to File Opening Brief in Excess of Type-Volume Limitation

09/08/2021



Notice of Entry of Order

Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[169] Notice of Entry of Order Granting Lincoln County Water District and Vidler Water Company, Inc.'s Motion to File Opening Brief in Excess of Type-Volume Limitation

09/09/2021

Status Check (11:30 AM) (Judicial Officer: Yeager, Bitá)

09/09/2021, 12/06/2021

STATUS CHECK: OPENING BRIEFS

09/09/2021

Motion (11:30 AM) (Judicial Officer: Yeager, Bitá)

09/09/2021, 12/06/2021

[159] Lincoln County Water District and Vidler Water Company, Inc.'s Motion to File Opening Brief in Excess of Type-Volume Limitation

09/09/2021



All Pending Motions (11:30 AM) (Judicial Officer: Yeager, Bitá)

*Parties Present: Attorney Coulthard, William L
Attorney Cargill, Emilia K.
Attorney Flangas, Alex J.
Attorney FREHNER, DYLAN
Attorney Carlson, Severin A.
Attorney Peterson, Karen A.
Attorney Harrison, Sylvia L.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Klomp, Wayne O.
Attorney Bolotin, James N.
Attorney Herrema, Bradley J
Attorney Winston, Hannah Elizabeth
Attorney Caviglia, Justina A.
Attorney Ure, Therese A*

CASE SUMMARY
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CASE NO. A-20-816761-C

Attorney Lake, Scott

09/09/2021

 Opposition

Filed By: Defendant Nevada State Engineer, Division of Water Resources
[170] State Engineer's Opposition to Request for Judicial Notice in Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc.'s Opening Brief in Support of Petition for Judicial Review of Order 1309

09/09/2021

 Joinder to Opposition to Motion

Filed by: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[171] Sierra Pacific Power Company and Nevada Power Company's Joinder to the State Engineer's Opposition to Request for Judicial Notice in Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc., Opening Brief in Support of Petition for Judicial Review of Order 1309

09/09/2021

 Joinder to Opposition to Motion

Filed by: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[172] SNWA and LVVWD Joinder to the State Engineer's Opposition to Georgia-Pacific's Request for Judicial Notice

09/10/2021

 Joinder to Opposition to Motion

Filed by: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[173] Sierra Pacific Power Company and Nevada Power Company's Joinder to the State Engineer's Opposition to Request for Judicial Notice in Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc., Opening Brief in Support of Petition for Judicial Review of Order 1309 and Certificate of Service

09/10/2021

 Joinder to Opposition to Motion

Filed by: Other The Church of Jesus Christ of Latter-day Saints
[174] The Church of Jesus Christ of Latter-Day Saints' Joinder to the State Engineer's Opposition to Georgia Pacific's Request for Judicial Notice

09/10/2021

 Opposition

Filed By: Intervenor Muddy Valley Irrigation Company
[175] Opposition to Request for Judicial Notice in Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc.'s Opening Brief in Support of Petition for Judicial Review of Order 1309

09/10/2021

 Joinder

Filed By: Intervenor Coyote Springs Investment, LLC
[176] Coyote Springs Investment LLC's Joinder to the Request for Judicial Notice in Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc.'s Opening Brief in Support of Petition for Judicial Review of Order 1309

09/13/2021

 Joinder to Opposition to Motion

Filed by: Other Moapa Valley Water District
[177] Moapa Valley Water District's Joinder to the State Engineer's Opposition to Georgia-Pacific's Request for Judicial Notice

09/13/2021

 Order

Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[178] Order Granting Intervention

09/13/2021

 Notice of Entry of Order

Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[179] Notice of Entry of Order Granting Intervention

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

- 09/15/2021  Reply to Opposition
Filed by: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[180] Reply In Support of Request for Judicial Notice In Support of Georgia Pacific Gypsum LLC and Republic Environmental Technologies, Inc.'s Opening Brief In Support of Petition for Judicial Review of Order 1309
- 09/22/2021  Exhibits
Filed By: Intervenor Coyote Springs Investment, LLC
[181] Amended Exhibits in Support of Coyote Springs Investment, LLC's Opening Brief on Petition for Judicial Review
- 09/22/2021  Request for Judicial Notice
Filed By: Intervenor Coyote Springs Investment, LLC
[182] Request for Judicial Notice
- 10/06/2021  Opposition
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[183] State Engineer s Opposition to Coyote Springs Investment, LLC s Request for Judicial Notice and Objection to Exhibits 1, 12, 13, 14, 15, and 17 in the Amended Exhibits in Support of Coyote Springs Investment, LLC s Opening Brief on Petition for Judicial Review
- 10/06/2021  Joinder to Opposition to Motion
Filed by: Intervenor Center for Biological Diversity
[184] The Center for Biological Diversity's Joinder to the State Engineer's Opposition to CSI's Request for Judicial Notice
- 10/06/2021  Opposition
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[185] Opposition from Petitioners Las Vegas Valley Water District and Southern Nevada Water Authority to Coyote Springs Investment, LLC's Request for Judicial Notice
- 10/12/2021  Notice of Association of Counsel
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[186] Notice of Association of Counsel
- 10/13/2021  Reply in Support
Filed By: Intervenor Coyote Springs Investment, LLC
[187] Reply in Support of Request for Judicial Notice
- 11/23/2021  Answering Brief
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[188] Respondents' Answering Brief
- 11/23/2021  Appendix
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[189] Respondents' Excerpts of Record
- 11/23/2021  Answering Brief
Filed By: Intervenor Coyote Springs Investment, LLC
[190] Coyote Springs Investment, LLC's Brief in Intervention
- 11/23/2021  Answering Brief

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

	Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc. <i>[191] Answering Brief</i>
11/23/2021	 Request for Judicial Notice Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc. <i>[192] Request for Judicial Notice In Support of Answering Brief</i>
11/23/2021	 Answering Brief Filed By: Intervenor Center for Biological Diversity <i>[193] The Center for Biological Diversity's Answering Brief</i>
11/23/2021	 Appendix Filed By: Intervenor Center for Biological Diversity <i>[194] The Center for Biological Diversity's Excerpts of Record in Support of Answering Brief</i>
11/24/2021	 Answering Brief Filed By: Intervenor Nevada Power Company; Other Sierra Pacific Power Company <i>[195] Sierra Pacific Power Company and Nevada Power Company's Answering Brief</i>
11/24/2021	 Appendix Filed By: Intervenor Nevada Power Company; Other Sierra Pacific Power Company <i>[196] Sierra Pacific Power Company and Nevada Power Company's Appendix of Exhibits</i>
11/24/2021	 Answering Brief Filed By: Other Moapa Valley Water District <i>[197] Intervenor-Respondent's Answering Brief</i>
11/24/2021	 Appendix Filed By: Other Moapa Valley Water District <i>[198] Appendix to Answering Brief, Part 1 of 2</i>
11/24/2021	 Appendix Filed By: Other Moapa Valley Water District <i>[199] Appendix to Answering Brief, Part 2 of 2</i>
11/24/2021	 Respondent's Answering Brief Filed by: Intervenor Nevada Cogeneration Associates Nos. 1 and 2. <i>[200] NCA Answering Brief and Joinder</i>
11/24/2021	 Answering Brief Filed By: Intervenor Muddy Valley Irrigation Company <i>[201] Muddy Valley Irrigation Company's Answering Brief</i>
11/24/2021	 Notice Filed By: Intervenor Muddy Valley Irrigation Company <i>[202] Muddy Valley Irrigation Company's Notice of Record Citations in Answering Brief</i>
11/24/2021	 Answering Brief Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[203] Answering Brief of Petitioners' Las Vegas Valley Water District and Southern Nevada Water Authority</i>

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11/24/2021  Respondent's Answering Brief
Filed by: Other The Church of Jesus Christ of Latter-day Saints
[204] Answering Brief from Intervenor Respondent The Church of Jesus Christ of Latter-day Saints

11/24/2021  Appendix
Filed By: Other The Church of Jesus Christ of Latter-day Saints
[205] Appendix of Exhibits and Excerpts of Records

11/24/2021  Appendix
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[206] Appendix to Answering Brief, Part 1 of 2

11/24/2021  Appendix
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[207] Appendix to Answering Brief, Part 2 of 2

11/24/2021  Answering Brief
Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[208] Lincoln-Vidler Answering Brief to Opening Briefs of LVVWD, SNWA & MVIC

11/24/2021  Record on Appeal
[209] Record on Appeal Cited in Lincoln County Water District's and Vidler Water Company Inc's Answering Brief to Opening Briefs of Las Vegas Valley Water District and Southern Nevada Water Authority; and Muddy Valley Irrigation Company

11/24/2021  Answering Brief
Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[210] Lincoln.Vidler Answering Brief to Opening Brief of CBD

11/24/2021  Record on Appeal
Party: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[211] Lincoln.Vidler Record on Appeal Cited in Answering Brief to Opening Brief of CBD

11/24/2021  Joinder
Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[212] Lincoln County Water District's and Vidler Water Company, Inc.'s Joinder to Opening Briefs of Georgia Pacific Gypsum, LLC and Republic Environmental Technologies, Inc; Apex Holding Company, LLC and Dry Lake Water LLC; Coyote Springs Investment, LLC; and Limited Joinder to Nevada Cogeneration Associates No. 1 and 2 Opening Brief

12/03/2021 **Minute Order (3:00 AM)** (Judicial Officer: Yeager, Bitá)
Georgia-Pacific Gypsum LLC and Republic Environmental Tech, Inc. s Request for Judicial Notice and the related briefing

12/03/2021  Opposition
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[213] State Engineer s Opposition to Request for Judicial Notice in Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc. s Answering Brief

12/06/2021  **All Pending Motions (9:00 AM)** (Judicial Officer: Yeager, Bitá)
ALL PENDING STATUS CHECK: OPENING BRIEFS..LINCOLN COUNTY WATER DISTRICT AND VIDLER WATER COMPANY, INC. S MOTION TO FILE OPENING BRIEF IN EXCESS OF TYPE-VOLUME LIMITATION

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

Parties Present: Attorney Cargill, Emilia K.
Attorney Flangas, Alex J.
Attorney Carlson, Severin A.
Attorney Peterson, Karen A.
Attorney Robison, Kent R.
Attorney King, Steven D.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Klomp, Wayne O.
Attorney Balducci, Christian T.
Attorney Bolotin, James N.
Attorney Morrison, Gregory H.
Attorney Foletta, Lucas M.
Attorney Herrema, Bradley J
Attorney Caviglia, Justina A.
Attorney Ure, Therese A
Attorney Lucero, Ellsie E.
Attorney Lake, Scott

12/08/2021  Joinder to Opposition to Motion
Filed by: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[214] Joinder to the State Engineer's Opposition to Georgia Pacific and Republic's Request for Judicial Notice

12/09/2021  Reply
Filed by: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[215] Reply In Support of Request For Judicial Notice In Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc.'s Answering Brief

12/10/2021  **Decision** (3:00 AM) (Judicial Officer: Yeager, Bitu)
Georgia-Pacific Gypsum, LLC, & Republic Environmental Technologies, Inc. Request for Judicial Notice

12/17/2021  Order Denying
[216] Order Denying Georgia-Pacific Gypsum, LLC And Republic Environmental Technologies, INC.'S Request for Judicial Notice and Coyote Springs Investment, LLC's Request for Judicial Notice Filed In Support Of Their Opening Briefs

12/21/2021  Notice of Entry of Order
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[217] Notice of Entry of Order Denying Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc. s Request for Judicial Notice and Coyote Springs Investment, LLC s Request for Judicial Notice Filed in Support of Their Opening Briefs

12/23/2021  Order Denying
[218] Proposed Order Denying GP&R's Second Request for Judicial Notice AB

12/23/2021  Notice of Entry of Order
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[219] Notice of Entry of Order Denying Request for Judicial Notice in Support of Georgia-Pacific Gypsum, LLC and Republic Environmental Technologies, Inc. s Answering Brief

01/06/2022  Substitution of Attorney
Filed by: Intervenor Nevada Cogeneration Associates Nos. 1 and 2.
[220] (A816761,A818015, A818069)Petitioners' Nevada Cogeneration Association No. 1 and No. 2 Substitution of Counsel

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- 01/07/2022  Amended
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[221] (2/28/22 Withdrawn) Amended Record on Appeal
- 01/07/2022  Notice
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[222] Notice to the Court Re: Amended Record on Appeal
- 01/11/2022  Petitioner's Reply Brief
Filed by: Intervenor Coyote Springs Investment, LLC
[223] Coyote Springs Investment, LLC's Reply in Support of Opening Brief
- 01/11/2022  Reply
Filed by: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[224] Reply Brief
- 01/11/2022  Reply
Filed by: Intervenor Muddy Valley Irrigation Company
[225] Muddy Valley Irrigation Company's Reply Brief
- 01/11/2022  Notice
Filed By: Intervenor Muddy Valley Irrigation Company
[226] Muddy Valley Irrigation Company's Notice of Record Citations in Reply Brief
- 01/11/2022  Reply
Filed by: Intervenor Nevada Cogeneration Associates Nos. 1 and 2.
[227] Petitioners' Nevada Cogeneration Association No. 1 and No. 2 Reply Brief
- 01/11/2022  Petitioner's Reply Brief
Filed by: Intervenor Center for Biological Diversity
[228] Center for Biological Diversity's Reply in Support of Petition for Judicial Review
- 01/11/2022  Appendix
Filed By: Intervenor Nevada Cogeneration Associates Nos. 1 and 2.
[229] Appendix of Exhibits in Support of Petitioners' Nevada Cogeneration Associates No. 1 and No. 2 Reply Brief
- 01/11/2022  Appendix
Filed By: Intervenor Center for Biological Diversity
[230] The Center for Biological Diversity's Excerpts of Record in Support of Reply Brief
- 01/11/2022  Petitioner's Reply Brief
Filed by: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[231] Lincoln.Vidler Reply Brief 01.11.22
- 01/11/2022  Record on Appeal
Party: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[232] Lincoln.Vidler Master ROA (Vol. 1 of 3) 01.11.22
- 01/11/2022  Record on Appeal
[233] Lincoln.Vidler Master ROA (Vol. 2 of 3) 01.11.22

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01/11/2022	 Record on Appeal Party: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District <i>[234] Lincoln Vidler Master ROA (Vol. 2 of 3) 01.11.22</i>
01/11/2022	 Petitioner's Reply Brief Filed by: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[235] Reply Brief of Petitioners Las Vegas Valley Water District and Southern Nevada Water Authority</i>
01/11/2022	 Record on Appeal Party: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District <i>[236] Lincoln Vidler Master ROA (Vol. 3 of 3) 01.11.22</i>
01/11/2022	 Appendix Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[237] Appendix to Reply Brief (1 of 3)</i>
01/11/2022	 Appendix Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[238] Appendix to Reply Brief (2 of 3)</i>
01/11/2022	 Appendix Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[239] Appendix to Reply Brief (3 of 3)</i>
01/11/2022	 Reply in Support Filed By: Intervenor Apex Holding Company, LLC <i>[240] Apex Holding and Dry Lake Water's Reply in Support of Opening Brief</i>
01/19/2022	 Amended Filed By: Defendant Nevada State Engineer, Division of Water Resources <i>[241] Respondent's Amended Excerpts of Record</i>
01/19/2022	 Statement Filed by: Intervenor Coyote Springs Investment, LLC <i>[242] Status Conference Statement Regarding Protocol and Procedure for Oral Arguments</i>
01/19/2022	 Notice of Association of Counsel Filed By: Other City of North Las Vegas; Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC <i>[243] Notice of Association of Counsel</i>
01/19/2022	 Errata Filed By: Intervenor Coyote Springs Investment, LLC <i>[244] Errata to Status Conference Statement Regarding Protocol and Procedure for Oral Arguments</i>
01/19/2022	 Miscellaneous Filing Filed by: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[245] Las Vegas Valley Water District and Southern Nevada Water Authority's Proposed Oral</i>

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Argument Procedures

- 01/20/2022  **Status Check (11:00 AM)** (Judicial Officer: Yeager, Bitá)
STATUS CHECK: ARGUMENT SCHEDULE
- 01/20/2022  Joinder
Filed By: Other The Church of Jesus Christ of Latter-day Saints
[246] Joinder to SNWA-LVVWD Proposed Oral Argument Procedures
- 01/20/2022  Joinder
Filed By: Other Moapa Valley Water District
[247] Joinder to Las Vegas Valley Water District and Southern Nevada Water Authority's Proposed Oral Argument Procedures
- 01/20/2022  Miscellaneous Filing
Filed by: Intervenor Center for Biological Diversity
[248] The Center for Biological Diversity's Proposed Oral Argument Procedures
- 01/20/2022  Joinder
Filed By: Intervenor Muddy Valley Irrigation Company
[249] Muddy Valley Irrigation Company's Joinder to Las Vegas Valley Water District and Southern Nevada Water Authority's Proposed Oral Argument Procedures
- 01/20/2022  Joinder
Filed By: Intervenor Nevada Power Company; Other Sierra Pacific Power Company
[250] Joinder to Las Vegas Valley Water District and Southern Nevada Water Authority's Proposed Oral Argument Procedures
- 02/14/2022  **Petition for Judicial Review (10:00 AM)** (Judicial Officer: Yeager, Bitá)
02/14/2022-02/17/2022
Parties Present: Attorney Coulthard, William L
Attorney Carlson, Severin A.
Attorney Peterson, Karen A.
Attorney Robison, Kent R.
Attorney Harrison, Sylvia L.
Attorney King, Steven D.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Muaina, Derek K
Attorney Klomp, Wayne O.
Attorney Balducci, Christian T.
Attorney Bolotin, James N.
Attorney Morrison, Gregory H.
Attorney Foletta, Lucas M.
Attorney Herrema, Bradley J
Attorney Winston, Hannah Elizabeth
Attorney Caviglia, Justina A.
Attorney Lake, Scott
Attorney Coulthard, William L
Attorney Flaherty, Francis C
Attorney Cargill, Emilia K.
Attorney Carlson, Severin A.
Attorney Peterson, Karen A.
Attorney Robison, Kent R.
Attorney Harrison, Sylvia L.
Attorney King, Steven D.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.

CASE SUMMARY
CASE SUMMARY
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Attorney *Muaina, Derek K*
Attorney *Klomp, Wayne O.*
Attorney *Balducci, Christian T.*
Attorney *Bolotin, James N.*
Attorney *Morrison, Gregory H.*
Attorney *Foletta, Lucas M.*
Attorney *Herrema, Bradley J*
Attorney *Winston, Hannah Elizabeth*
Attorney *Caviglia, Justina A.*
Attorney *Lake, Scott*
Attorney *Coulthard, William L*
Attorney *Flaherty, Francis C*
Attorney *Cargill, Emilia K.*
Attorney *Carlson, Severin A.*
Attorney *Peterson, Karen A.*
Attorney *Robison, Kent R.*
Attorney *King, Steven D.*
Attorney *Dotson, Robert A.*
Attorney *Taggart, Paul G.*
Attorney *Klomp, Wayne O.*
Attorney *Balducci, Christian T.*
Attorney *Bolotin, James N.*
Attorney *Morrison, Gregory H.*
Attorney *Foletta, Lucas M.*
Attorney *Herrema, Bradley J*
Attorney *Winston, Hannah Elizabeth*
Attorney *Caviglia, Justina A.*
Attorney *Lake, Scott*
Attorney *Flaherty, Francis C*
Attorney *Cargill, Emilia K.*
Attorney *FREHNER, DYLAN*
Attorney *Carlson, Severin A.*
Attorney *Peterson, Karen A.*
Attorney *Robison, Kent R.*
Attorney *King, Steven D.*
Attorney *Dotson, Robert A.*
Attorney *Taggart, Paul G.*
Attorney *Klomp, Wayne O.*
Attorney *Balducci, Christian T.*
Attorney *Bolotin, James N.*
Attorney *Morrison, Gregory H.*
Attorney *Foletta, Lucas M.*
Attorney *Herrema, Bradley J*
Attorney *Winston, Hannah Elizabeth*
Attorney *Caviglia, Justina A.*
Attorney *Lake, Scott*

02/16/2022



Notice

Filed By: Intervenor Muddy Valley Irrigation Company
[251] Muddy Valley Irrigation Company's Notice of Contents of Slides Shown During Oral Argument

02/17/2022



Notice

Filed By: Intervenor Muddy Valley Irrigation Company
[252] Muddy Valley Irrigation Company's Notice of Contents of Slides Shown During Oral Argument

02/18/2022



Notice

Filed By: Intervenor Muddy Valley Irrigation Company
[253] Muddy Valley Irrigation Company's Notice of Contents of Slides Shown During Oral Argument

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- 02/28/2022  Notice of Withdrawal
Filed by: Defendant Nevada State Engineer, Division of Water Resources
[254] Notice of Withdrawal of the State Engineer's Amended Record on Appeal
- 02/28/2022  Errata
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[255] Notice of Errata: Record on Appeal at ROA 41930-42072
- 04/19/2022  **Decision** (3:00 AM) (Judicial Officer: Yeager, Bitá)
- 04/19/2022  Findings of Fact, Conclusions of Law and Order
[256] Findings of Fact, Conclusions of Law and Order Granting Petitions for Judicial Review
- 04/19/2022  Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[257] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Petitions for Judicial Review
- 04/19/2022 **Order Granting Judicial Review** (Judicial Officer: Yeager, Bitá)
Debtors: Nevada State Engineer, Division of Water Resources (Defendant)
Creditors: Las Vegas Valley Water District (Plaintiff), The Church of Jesus Christ of Latter-day Saints (Other), Nevada Power Company (Intervenor), Sierra Pacific Power Company (Other), Coyote Springs Investment, LLC (Intervenor), City of North Las Vegas (Other), Western Elite Environmental, Inc. (Other), Bedroc Limited, LLC (Other), Apex Holding Company, LLC (Intervenor), Georgia-Pacific Gypsum LLC (Intervenor), Republic Environmental Technologies, Inc. (Other), Center for Biological Diversity (Intervenor), Muddy Valley Irrigation Company (Intervenor), Nevada Cogeneration Associates Nos. 1 and 2. (Intervenor), Vidler Water Company, Inc. (Intervenor), Lincoln County Water District (Intervenor), Moapa Valley Water District (Intervenor), Southern Nevada Water Authority (Intervenor)
Judgment: 04/19/2022, Docketed: 04/21/2022
- 04/21/2022  Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Intervenor Coyote Springs Investment, LLC
[258] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Petitions for Judicial Review
- 04/21/2022  Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Intervenor Nevada Cogeneration Associates Nos. 1 and 2.
[259] Notice of Entry of Findings of Fact, Conclusion of Law, and Order Granting Petitions for Judicial Review
- 04/22/2022  Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[260] Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Petitions for Judicial Review
- 04/22/2022  Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC
[261] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Petitions for Judicial Review
- 04/22/2022  Memorandum of Costs and Disbursements
Filed By: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC
[262] Verified Memorandum of Costs and Disbursements

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04/26/2022	 Motion to Retax Filed By: Defendant Nevada State Engineer, Division of Water Resources <i>[263] State Engineers Motion to Retax Petitioners Apex Holding Company, LLC and Dry Lake Water, LLCs Costs</i>
04/26/2022	 Clerk's Notice of Hearing <i>[264] Notice of Hearing</i>
05/02/2022	 Motion to Stay Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[265] LVVWD and SNWA's Motion for Stay Pending Appeal</i>
05/02/2022	 Ex Parte Motion Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[266] LVVWD & SNWA's Ex Parte Motion for Order Shortening Time on Motion for Stay of Order Granting Petitions for Judicial Review of State Engineer Order 1309</i>
05/02/2022	 Clerk's Notice of Hearing <i>[267] Notice of Hearing</i>
05/03/2022	 Order <i>[268] Proposed Order Shortening Time A-20-816761-C</i>
05/03/2022	 Joinder To Motion Filed By: Intervenor Center for Biological Diversity <i>[269] The Center for Biological Diversity's Joinder to LVVWD and SNWA's Motion to Stay</i>
05/05/2022	 Motion for Fees Filed By: Intervenor Coyote Springs Investment, LLC <i>[270] Coyote Springs Investment, LLC's Motion for Attorney Fees</i>
05/05/2022	 Appendix Filed By: Intervenor Coyote Springs Investment, LLC <i>[271] Appendix of Exhibits to Coyote Springs Investments, LLC'S Motion For Attorney Fees</i>
05/05/2022	 Clerk's Notice of Hearing <i>[272] Notice of Hearing</i>
05/06/2022	 Joinder To Motion Filed By: Defendant Nevada State Engineer, Division of Water Resources <i>[273] State Engineers Partial Joinder to LVVWD and SNWAs Motion for Stay Pending Appeal</i>
05/06/2022	 Notice of Change of Hearing <i>[274] Notice of Change of Hearing</i>
05/09/2022	 Opposition to Motion Filed By: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC <i>[275] Opposition to State Engineer's Motion to Retax Petitioners, Apex Holding Company, LLC and Dry Lake Water, LLC's Costs</i>
05/09/2022	 Opposition Filed By: Intervenor Coyote Springs Investment, LLC

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[276] Coyote Springs Investment, LLC's Opposition to LVVWD and SNWA's Motion for Stay Pending Appeal

05/09/2022

 Opposition to Motion

Filed By: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC
[277] Opposition to Las Vegas Valley Water District and Southern Nevada Water Authority's Motion for Stay Pending Appeal

05/09/2022

 Opposition to Motion

Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[278] Lincoln County Water District's and Vidler Water Company, Inc.'s Opposition to LVVWD and SNWA's Motion for Stay Pending Appeal

05/09/2022

 Affidavit in Support

Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[279] Affidavit of Ryan Hoerth in Support of Lincoln County Water District and Vidler Water Company, Inc.'s Opposition to Motion for Stay Pending Appeal

05/09/2022

 Opposition to Motion

Filed By: Intervenor Nevada Cogeneration Associates Nos. 1 and 2.
[280] Nevada Cogeneration Associates Nos. 1 and 2 Opposition to LVVWD and SNWA's Motion for Stay Pending Appeal;

05/09/2022

 Opposition to Motion

Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[281] Opposition to LVVWD and SNWA's Motion for Stay Pending Appeal

05/09/2022

 Request for Judicial Notice

Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc.
[282] Request for Judicial Notice In Support of Opposition to LVVWD and SNWA's Motion for Stay Pending Appeal

05/10/2022

 Motion for Attorney Fees

Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[283] Lincoln County Water District's and Vidler Water Company, Inc.'s Motion for Attorneys' Fees

05/11/2022

 Court Recorders Invoice for Transcript

[284]

05/11/2022

 Errata

Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[285] Errata Providing Exhibit to Declaration of Karen A. Peterson in Support of Lincoln County Water District's and Vidler Water Company, Inc.'s Motion for Attorneys' Fees

05/11/2022

 Clerk's Notice of Hearing

[286] Notice of Hearing

05/13/2022

 Response

Filed by: Intervenor Muddy Valley Irrigation Company
[287] Muddy Valley Irrigation Company's Response to Motion Seeking Stay and to Oppositions to Motion for Stay

05/13/2022

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-  Notice of Appeal
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[288] Notice of Appeal
- 05/13/2022  Case Appeal Statement
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[289] Case Appeal Statement
- 05/13/2022  Findings of Fact, Conclusions of Law and Judgment
[290] ADDENDUM AND CLARIFICATION TO COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING PETITIONS FOR JUDICIAL REVIEW FILED ON APRIL 19, 2022
- 05/13/2022  Reply in Support
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[291] SNWA and LVVWD's Reply In Support of Motion for Stay
- 05/13/2022 **Order of Dismissal** (Judicial Officer: Yeager, Bitá)
Debtors: Nevada State Engineer, Division of Water Resources (Defendant)
Creditors: Southern Nevada Water Authority (Plaintiff), Las Vegas Valley Water District (Plaintiff)
Judgment: 05/13/2022, Docketed: 05/16/2022
Comment: remaining portion of the petition that support the position that the Nevada State Engineer did not exceed his statutory authority in issuing Order 1309
- 05/13/2022 **Order of Dismissal** (Judicial Officer: Yeager, Bitá)
Debtors: Center for Biological Diversity (Intervenor), Muddy Valley Irrigation Company (Intervenor), Muddy Valley Irrigation Company (Intervenor)
Creditors: Southern Nevada Water Authority (Plaintiff), Las Vegas Valley Water District (Plaintiff)
Judgment: 05/13/2022, Docketed: 05/16/2022
- 05/16/2022 **Motion For Stay** (9:30 AM) (Judicial Officer: Yeager, Bitá)
Events: 05/02/2022 Ex Parte Motion
05/03/2022 Order
LVVWD and SNWA's Motion for Stay Pending Appeal
- 05/16/2022 **Joinder** (9:30 AM) (Judicial Officer: Yeager, Bitá)
[269] The Center for Biological Diversity's Joinder to LVVWD and SNWA's Motion to Stay
- 05/16/2022 **Joinder** (9:30 AM) (Judicial Officer: Yeager, Bitá)
State Engineers Partial Joinder to LVVWD and SNWAs Motion for Stay Pending Appeal
- 05/16/2022  **All Pending Motions** (9:30 AM) (Judicial Officer: Yeager, Bitá)
ALL PENDING - LVVWD AND SNWA'S MOTION FOR STAY PENDING APPEAL...THE CENTER FOR BIOLOGICAL DIVERSITY'S JOINDER TO LVVWD AND SNWA'S MOTION TO STAY...STATE ENGINEERS PARTIAL JOINDER TO LVVWD AND SNWAS MOTION FOR STAY PENDING APPEAL
Parties Present: Attorney Coulthard, William L
Attorney Flaherty, Francis C
Attorney Cargill, Emilia K.
Attorney Carlson, Severin A.
Attorney Peterson, Karen A.
Attorney Robison, Kent R.
Attorney Harrison, Sylvia L.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Moore, Andrew D.

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Attorney Muaina, Derek K
Attorney Klomp, Wayne O.
Attorney Balducci, Christian T.
Attorney Bolotin, James N.
Attorney Morrison, Gregory H.
Attorney Foletta, Lucas M.
Attorney Herrema, Bradley J
Attorney Caviglia, Justina A.

- 05/16/2022  Notice of Appeal
Filed By: Intervenor Center for Biological Diversity
[292] Notice of Appeal
- 05/16/2022  Case Appeal Statement
Filed By: Intervenor Center for Biological Diversity
[293] The Center for Biological Diversity's Case Appeal Statement
- 05/16/2022  Reply to Opposition
Filed by: Intervenor Center for Biological Diversity
[294] The Center for Biological Diversity's Reply to APEX's Opposition to the State Engineer's Motion to Re-Tax
- 05/16/2022  Reply in Support
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[295] Reply in Support of State Engineers Motion to Retax Petitioners Apex Holding Company, LLC and Dry Lake Water, LLCs Costs
- 05/16/2022  Response
Filed by: Intervenor Moapa Valley Water District
[296] Response to Apex's Opposition to Motion to Retax Petitioners' Costs, or in the Alternative, Motion for Leave to File Motion to Retax Costs
- 05/16/2022  Reply to Opposition
Filed by: Other The Church of Jesus Christ of Latter-day Saints
[297] The Church of Jesus Christ of Latter-day Saints Response to Apex Holding Company, LLC's Opposition to State Engineer's Motion to Retax Costs
- 05/16/2022  Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[298] Notice of Entry of Addendum and Clarification to Court's Findings of Fact, Conclusions of Law, and Order Granting Petitions for Judicial Review
- 05/16/2022  Response
Filed by: Intervenor Muddy Valley Irrigation Company
[299] Muddy Valley Irrigation Company's Response to Opposition to State Engineer's Motion to Retax Petitioners, Apex Holding Company, LLC and Dry Lake Water, LLC's Costs and Joinders to Responses and Reply to Apex Holding Company, LLC and Dry Lake Water, LLC's Opposition to the State Engineer's Motion to Retax
- 05/16/2022  Reply to Opposition
Filed by: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District
[300] LVVWD and SNWA's Response to Apex's Opposition to State Engineer's Motion to Retax
- 05/19/2022  Amended Notice of Appeal

CASE SUMMARY
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Party: Defendant Nevada State Engineer, Division of Water Resources
[301] Amended Notice of Appeal

05/19/2022  Amended Case Appeal Statement
Party: Defendant Nevada State Engineer, Division of Water Resources
[302] Amended Case Appeal Statement

05/19/2022  Opposition
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[303] State Engineers Omnibus Opposition to Respective Motions for Attorneys Fees

05/19/2022  Notice of Appeal
Filed By: Plaintiff Southern Nevada Water Authority
[304] SNWA's Notice of Appeal

05/19/2022  Case Appeal Statement
Filed By: Plaintiff Southern Nevada Water Authority
[305] SNWA's Case Appeal Statement

05/26/2022  Court Recorders Invoice for Transcript
[306]

05/26/2022  Notice of Appeal
Filed By: Intervenor Muddy Valley Irrigation Company
[307] Muddy Valley Irrigation Company's Notice of Appeal

05/26/2022  Case Appeal Statement
Filed By: Intervenor Muddy Valley Irrigation Company
[308] Muddy Valley Irrigation Company's Case Appeal Statement

05/31/2022  Recorders Transcript of Hearing
[309] Transcript of Proceedings, LVVWD and SNWA's Motion for Stay Pending Appeal, The Center for Biological Diversity's Joinder to LVVWD and SNWA's Motion to Stay, State Engineer's Partial Joinder to LVVWD and SNWA's Motion for Stay Pending Appeal 05-16-22

05/31/2022  Response
Filed by: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC
[310] Omnibus Response to Those Parties That Submitted a Response to Opposition to State Engineer's Motion to Retax Petitioners, Apex Holding Company, LLC and Dry Lake Water, LLC's Costs and Joinders to Responses and Reply to Apex Holding Company, LLC and Dry Lake Water, LLC's Opposition to The State Engineer's Motion to Retax

06/09/2022  Notice of Change of Hearing
[311] Notice of Change of Hearing

06/17/2022  Request
Filed by: Plaintiff Southern Nevada Water Authority; Defendant Nevada State Engineer, Division of Water Resources; Intervenor Muddy Valley Irrigation Company
[312] Joint Request for Transcripts of Proceedings

06/23/2022  Court Recorders Invoice for Transcript
[313] Transcript Invoice 6/23/22

06/27/2022  Reply in Support

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CASE NO. A-20-816761-C

Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District
[314] Lincoln County Water District's and Vidler Water Company, Inc.'s Reply in Support of Motion for Attorneys' Fees

- 06/27/2022  Reply in Support
Filed By: Intervenor Coyote Springs Investment, LLC
[315] Coyote Springs Investment, LLC's Reply in Support of Motion for Attorney Fees
- 07/05/2022 **Motion to Retax** (11:00 AM) (Judicial Officer: Yeager, Bitá)
State Engineers Motion to Retax Petitioners Apex Holding Company, LLC and Dry Lake Water, LLCs Costs
- 07/05/2022 **Motion for Attorney Fees** (11:00 AM) (Judicial Officer: Yeager, Bitá)
Coyote Springs Investment, LLC s Motion for Attorney Fees
- 07/05/2022 **Motion for Attorney Fees** (11:00 AM) (Judicial Officer: Yeager, Bitá)
Lincoln County Water District's and Vidler Water Company, Inc.'s Motion for Attorneys' Fees
- 07/05/2022  **All Pending Motions** (11:00 AM) (Judicial Officer: Yeager, Bitá)
ALL PENDING - STATE ENGINEERS MOTION TO RETAX PETITIONERS APEX HOLDING COMPANY, LLC AND DRY LAKE WATER, LLCs COSTS... LINCOLN COUNTY WATER DISTRICT'S AND VIDLER WATER COMPANY, INC.'S MOTION FOR ATTORNEYS' FEES... COYOTE SPRINGS INVESTMENT, LLC S MOTION FOR ATTORNEY FEES
Parties Present: Attorney Coulthard, William L
Attorney Cargill, Emilia K.
Attorney Shevorski, Steven G.
Attorney FREHNER, DYLAN
Attorney Carlson, Severin A.
Attorney Peterson, Karen A.
Attorney Robison, Kent R.
Attorney King, Steven D.
Attorney Dotson, Robert A.
Attorney Taggart, Paul G.
Attorney Moore, Andrew D.
Attorney Balducci, Christian T.
Attorney Graves, Sihomara L., ESQ
Attorney Bolotin, James N.
Attorney Shea, Zachary S.
Attorney Caviglia, Justina A.
- 07/06/2022  Court Recorders Invoice for Transcript
[316]
- 07/06/2022  Court Recorders Invoice for Transcript
[317]
- 07/06/2022  Court Recorders Invoice for Transcript
[318]
- 07/06/2022  Court Recorders Invoice for Transcript
[319]
- 07/11/2022  Court Recorders Invoice for Transcript
[320]
- 07/18/2022  Court Recorders Invoice for Transcript
[321]

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- 07/19/2022  Recorders Transcript of Hearing
[322] Recorders Transcript of Hearing Re: All Pending Motions 11.17.20
- 07/22/2022  Order Denying
[323] Order Denying Coyote Springs Investment LLC's and Lincoln County Water District and Vidler Water Company's Motions for Attorney's Fees
- 07/22/2022  Order
[324] Order Granting Motions to Retax Petitioners' Apex Holding Company LLC and Dry Lake Water, LLC's Verified Memorandum of Costs and Disbursements & Dry Lake's Verified Memo of Costs & Disbursements - 07.18.22
- 07/22/2022  Notice of Entry of Order
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[325] Notice of Entry of Order Denying Coyote Springs Investment, LLCs and Lincoln County Water District and Vidler Water Company, Inc.s Motions for Attorneys Fees
- 07/22/2022  Notice of Entry of Order
Filed By: Defendant Nevada State Engineer, Division of Water Resources
[326] Notice of Entry of Order Granting Motions to Retax Petitioners Apex Holding Company, LLC and Dry Lake Water, LLCs Verified Memorandum of Costs and Disbursements
- 07/28/2022  Recorders Transcript of Hearing
[327] Transcript of Proceedings, Status Check: Supreme Court Remittitur 04-29-21
- 07/28/2022  Recorders Transcript of Hearing
[328] Transcript of Proceedings, Status Check: Briefing Schedule 05-27-21
- 07/28/2022  Recorders Transcript of Hearing
[329] Transcript of Proceedings, Status Check: Opening Briefs, (159) Lincoln County Water District and Vidler Water Company, Inc.'s Motion to File Opening Brief in Excess of Type-Volume Limitation 09-09-21
- 07/28/2022  Recorders Transcript of Hearing
[330] Transcript of Proceedings, Status Check: Opening Briefs, (159) Lincoln County Water District and Vidler Water Company, Inc.'s Motion to File Opening Brief in Excess of Type-Volume Limitation 12-06-21
- 07/28/2022  Recorders Transcript of Hearing
[331] Transcript of Proceedings, Status Check: Argument Schedule 01-20-22
- 07/28/2022  Recorders Transcript of Hearing
[332] Transcript Re: Petition for Judicial Review 02-14-22
- 07/28/2022  Recorders Transcript of Hearing
[333] Transcript of Proceedings, Petition for Judicial Review - Day 2 02-15-22
- 07/28/2022  Recorders Transcript of Hearing
[334] Transcript of Proceedings, Petition for Judicial Review - Day 3 02-16-22
- 07/28/2022  Recorders Transcript of Hearing
[335] Transcript of Proceedings, Petition for Judicial Review - Day 4 02-17-22

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

07/28/2022	 Recorders Transcript of Hearing <i>[336] Recorder's Transcript Re: Lincoln County Water District's and Vidler Water Company's Inc.'s Motion for Attorney Fees, Coyote Springs Investment, LLC's Motion for Attorney Fees, State Engineer's Motion to Retax Petitioners Apex Holding Company, LLC and Dry Lake Water, LLC's Costs 07-05-22</i>
08/04/2022	 Notice of Appeal Filed By: Intervenor Coyote Springs Investment, LLC <i>[337] Notice of Appeal</i>
08/04/2022	 Case Appeal Statement Filed By: Intervenor Coyote Springs Investment, LLC <i>[338] Case Appeal Statement</i>
08/04/2022	 Notice of Posting Bond Filed By: Intervenor Coyote Springs Investment, LLC <i>[339] Notice of Posting Bond</i>

DATE	FINANCIAL INFORMATION
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Intervenor Center for Biological Diversity		
Total Charges		363.40
Total Payments and Credits		363.40
Balance Due as of 8/8/2022		0.00
Defendant Nevada State Engineer, Division of Water Resources		
Total Charges		304.00
Total Payments and Credits		24.00
Balance Due as of 8/8/2022		280.00
Intervenor Apex Holding Company, LLC		
Total Charges		237.00
Total Payments and Credits		237.00
Balance Due as of 8/8/2022		0.00
Intervenor Coyote Springs Investment, LLC		
Total Charges		247.00
Total Payments and Credits		247.00
Balance Due as of 8/8/2022		0.00
Intervenor Dry Lake Water, LLC		
Total Charges		30.00
Total Payments and Credits		30.00
Balance Due as of 8/8/2022		0.00
Intervenor Georgia-Pacific Gypsum LLC		
Total Charges		253.00
Total Payments and Credits		253.00
Balance Due as of 8/8/2022		0.00
Intervenor Lincoln County Water District		
Total Charges		5.00
Total Payments and Credits		5.00
Balance Due as of 8/8/2022		0.00
Intervenor Muddy Valley Irrigation Company		
Total Charges		304.00
Total Payments and Credits		304.00
Balance Due as of 8/8/2022		0.00
Intervenor Nevada Power Company		
Total Charges		253.00

CASE SUMMARY
CASE SUMMARY
CASE NO. A-20-816761-C

Total Payments and Credits	253.00
Balance Due as of 8/8/2022	0.00
Other City of North Las Vegas	
Total Charges	223.00
Total Payments and Credits	223.00
Balance Due as of 8/8/2022	0.00
Other The Church of Jesus Christ of Latter-day Saints	
Total Charges	8.00
Total Payments and Credits	8.00
Balance Due as of 8/8/2022	0.00
Other Western Elite Environmental, Inc.	
Total Charges	253.00
Total Payments and Credits	253.00
Balance Due as of 8/8/2022	0.00
Plaintiff Southern Nevada Water Authority	
Total Charges	822.80
Total Payments and Credits	822.80
Balance Due as of 8/8/2022	0.00
Intervenor Center for Biological Diversity	
Appeal Bond Balance as of 8/8/2022	500.00
Plaintiff Southern Nevada Water Authority	
Appeal Bond Balance as of 8/8/2022	500.00

DISTRICT COURT CIVIL COVER SHEET CASE NO: A-20-816761-C

County, Nevada

Case No. _____

Department 19

(Assigned by Clerk's Office)

I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone): Las Vegas Valley Water District, 1001 S. Valley View Blvd., Las Vegas, NV 89153 Southern Nevada Water Authority, PO Box 99956, Las Vegas, NV 89193	Defendant(s) (name/address/phone): Tim Wilson, P.E., Nevada State Engineer Division of Water Resources, Department of Conservation and Natural Resources 901 S. Stewart St. #2002 Carson, City, NV 89701
Attorney (name/address/phone): Paul G. Taggart, Esq, Timothy D. O'Connor, Esq., Taggart & Taggart, Ltd. 108 N. Minnesoty St. Carson City, NV 89703 Steven C. Anderson, Esq., Las Vegas Valley Water District, 1001 S. Valley View Blvd. Las Vegas, NV 89193	Attorney (name/address/phone): James N. Bolotin, Laena St. Jules Office of the Attorney General 100 N. Carson Street Carson City, NV 89701

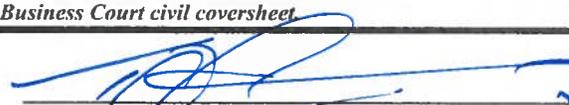
II. Nature of Controversy *(please select the one most applicable filing type below)*

Civil Case Filing Types		
<p align="center">Real Property</p> <p>Landlord/Tenant</p> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <p>Title to Property</p> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <p>Other Real Property</p> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<p align="center">Negligence</p> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <p>Malpractice</p> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<p align="center">Torts</p> <p>Other Torts</p> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<p align="center">Probate</p> <p>Probate <i>(select case type and estate value)</i></p> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <p>Estate Value</p> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<p align="center">Construction Defect & Contract</p> <p>Construction Defect</p> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <p>Contract Case</p> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<p align="center">Judicial Review/Appeal</p> <p>Judicial Review</p> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <p>Nevada State Agency Appeal</p> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input checked="" type="checkbox"/> Other Nevada State Agency <p>Appeal Other</p> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<p align="center">Civil Writ</p> <p>Civil Writ</p> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum		<p align="center">Other Civil Filing</p> <p>Other Civil Filing</p> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

July 20, 2020

Date


 Signature of initiating party or representative

See other side for family-related case filings.

Electronically Filed

Nevada AOC - Research Statistics Unit
 Pursuant to NRS 3.275

Form PA 201
 Rev. 3.1

1 **ORDD**

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4 **DISTRICT COURT**
5 **CLARK COUNTY, NEVADA**

6 LAS VEGAS VALLEY WATER
7 DISTRICT, and SOUTHERN NEVADA
8 WATER AUTHORITY,

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Petitioners,

vs.

ADAM SULLIVAN, P.E., Nevada
State Engineer, DIVISION OF
WATER RESOURCES, DEPARTMENT
OF CONSERVATION AND NATURAL
RESOURCES,

Respondent.

And All Consolidated Cases.

Case No. A-20-816761-C

Dept. No. 1

Consolidated with:

A-20-817765-P
A-20-818015-P
A-20-817977-P
A-20-818069-P
A-20-817840-P
A-20-817876-P
A-21-833572-J

**ORDER DENYING COYOTE SPRINGS INVESTMENT, LLC'S AND
LINCOLN COUNTY WATER DISTRICT AND VIDLER WATER COMPANY, INC.'S
MOTIONS FOR ATTORNEY'S FEES**

This matter came before this Court pursuant to two Motions for Attorney's Fees filed by Petitioner Coyote Springs Investment, LLC ("CSI"), and Petitioners Lincoln County Water District and Vidler Water Company, Inc. (collectively "Lincoln/Vidler") on May 5, 2022, and May 10, 2022, respectively. The State Engineer filed an Omnibus Opposition to Respective Motions for Attorney's Fees on May 19, 2022. After the conclusion of briefing on the Motions, the Court held a hearing on July 5, 2022. The Court having reviewed these filings and the briefing related thereto, and holding a hearing, hereby **DENIES** CSI's and Lincoln/Vidler's Motions for Attorney's Fees as set forth in further detail below.

A. Standard for Recovering Attorney's Fees

Nevada follows the American rule that attorney's fees may not be awarded absent a statute, rule, or contract authorizing such an award. *Thomas v. City of N. Las Vegas*,

1 122 Nev. 82, ~~91~~, 127 P.3d 1057, 1063 (2006) (citing *Bobby Berosini, Ltd. v. PETA*, 114 Nev.
2 1348, 1356, 971 P.2d 383, 388 (1998); *Consumers League v. Southwest Gas*, 94 Nev. 153,
3 156, 576 P.2d 737, 738 (1978)). CSI and Lincoln/Vidler cite two statutory bases under
4 which they seek to recover attorney's fees in this action: NRS 18.010(2)(a) and
5 NRS 18.010(2)(b). First, NRS 18.010(2)(a) provides that the court may award attorney's
6 fees to a prevailing party "when the prevailing party has not recovered more than \$20,000."
7 Second, NRS 18.010(2)(b) provides that the court may award attorney's fees to a prevailing
8 party:

9 Without regard to the recovery sought, when the court finds that
10 the claim, counterclaim, cross-claim or third-party complaint or
11 defense of the opposing party was brought or maintained without
12 reasonable ground or to harass the prevailing party. The court
13 shall liberally construe the provisions of this paragraph in favor
14 of awarding attorney's fees in all appropriate situations. It is the
15 intent of the Legislature that the court award attorney's fees
16 pursuant to this paragraph and impose sanctions pursuant to
Rule 11 of the Nevada Rules of Civil Procedure in all appropriate
situations to punish for and deter frivolous or vexatious claims
and defenses because such claims and defenses overburden
limited judicial resources, hinder the timely resolution of
meritorious claims and increase the costs of engaging in business
and providing professional services to the public.

17 NRS 533.450, under which this proceeding was commenced, expressly provides costs must
18 be paid as in civil cases brought in the district court, except by the State Engineer and the
19 State but is silent on fees. *See* NRS 533.450(7).

20 The Nevada Supreme Court has held that a money judgment is a prerequisite to
21 recover attorney's fees under NRS 18.010(2)(a). *Thomas*, 122 Nev. at 93–94, 127 P.3d
22 at 1065–66. Where a party does not recover a monetary judgment, they are not entitled to
23 attorney's fees under NRS 18.010(2)(a). *Id.*

24 Further, the Nevada Supreme Court has also held that attorney's fees are not
25 recoverable under NRS 18.010(2)(b) in petitions for judicial review of agency actions filed
26 under the Administrative Procedure Act. *Zenor v. State, Dep't of Transp.*, 134 Nev. 109,
27 110–11, 412 P.3d 28, 30 (2018). The Court has "repeatedly refused to imply provisions not
28 expressly included in the legislative scheme." *Id.*, 134 Nev. at 110, 412 P.3d at 30 (citing

1 *State Indus. Ins. Sys. v. Wrenn*, 104 Nev. 536, 539, 762 P.2d 884, 886 (1988)). For example,
2 in *Wrenn*, the Court refused to award attorney’s fees because “the legislature has not
3 expressly authorized an award of attorney’s fees in worker’s compensation cases. ... [And]
4 we decline to allow a claimant recovery of attorney’s fees in a worker’s compensation case
5 absent express statutory authorization.” 104 Nev. at 539, 762 P.2d at 886. The Nevada
6 Supreme Court has likewise declined to award attorney’s fees in a water law case (albeit
7 brought under NRS 533.190(1) and NRS 533.240(3) rather than NRS 533.450) because
8 “attorney fees are not mentioned anywhere in the statute.” *Rand Props., LLC v. Filippini*,
9 2016 WL 1619306, Docket No. 66933, filed April 21, 2016, *6 (unpublished disposition)
10 (holding that if fees are not expressly provided in NRS Chapter 533 they are unavailable).

11 **B. CSI and Lincoln/Vidler Are Not Entitled to Recover Attorney’s Fees**

12 First, in applying NRS 18.010(2)(a), the Court finds the *Thomas* case controlling and
13 on point. This is a consolidated action involving multiple Petitions for Judicial Review filed
14 pursuant to NRS 533.450 challenging the State Engineer’s Order 1309, in whole or in part.
15 By their very nature, these are not actions whereby parties did, or could, seek a monetary
16 judgment. Accordingly, although CSI and Lincoln/Vidler did “prevail” on the merits, they
17 did not seek nor did they recover a monetary judgment in this case. In fact, NRS 533.450
18 does not provide for monetary judgments but rather simply provides that an aggrieved
19 party may have a court review an order or decision of the State Engineer, in the nature of
20 an appeal, where the order or decision relates to the administration of determined rights
21 or is made pursuant to NRS 533.270 to 533.445, inclusive, or NRS 533.481, 534.193,
22 535.200 or 536.200. NRS 533.450(1). Because CSI and Lincoln/Vidler did not recover a
23 monetary judgment, they may not recover attorney’s fees under NRS 18.010(2)(a).

24 Second, in applying NRS 18.010(2)(b), while the State Engineer is entirely exempted
25 from NRS Chapter 233B under NRS 233B.039(1)(i), the reasoning in *Zenor* is controlling
26 here. Like the provisions of NRS Chapter 233B in *Zenor*, NRS 533.450 is the exclusive
27 means of judicial review of a final decision or order of the State Engineer. NRS 533.450 is
28 entirely silent on attorney’s fees. It is not the role of this Court to imply provisions into

1 NRS 533.450 that are not expressly included in the legislative scheme, particularly where
2 the Legislature expressly stated that costs are not recoverable from the State Engineer but
3 did not mention attorney's fees anywhere in the statute. *See Smith v. Crown Fin. Servs.*
4 *of Am.*, 111 Nev. 277, 287, 890 P.2d 769, 776 (1995) (attorney fees are not considered costs).
5 Furthermore, although it is unpublished and not controlling, the Court finds the *Rand* case
6 to be persuasive. Like *Rand*, this case deals with water law and attorney's fees are not
7 mentioned anywhere in NRS 533.450, the statute providing the authority for the Petitions
8 for Judicial Review filed in this case. Accordingly, the Court declines to allow a party to
9 recover attorney's fees under NRS 18.010(2)(b) in a judicial review proceeding under
10 NRS 533.450 absent express statutory authorization. Since NRS 533.450 does not provide
11 for attorney's fees, they are precluded and may not be awarded under NRS 18.010(2)(b)

12 Lastly, even if NRS 18.010(2)(b) did apply to NRS 533.450 (which it does not), the
13 Court finds that the State Engineer's defense of Order 1309 was not brought or maintained
14 without reasonable ground or to harass the prevailing parties. Order 1309, and the defense
15 maintained by the State Engineer, presented substantial issues of public policy and issues
16 of first impression that are now pending on appeal at the Nevada Supreme Court. The
17 Court finds that the State Engineer's defense of Order 1309 was not made without
18 reasonable grounds, nor was it frivolous or vexatious as required by NRS 18.010(2)(b).
19 Therefore, even in the event NRS 18.010(2)(b) could apply to this action, the Court finds
20 that attorney's fees would not be warranted under NRS 18.010(2)(b).

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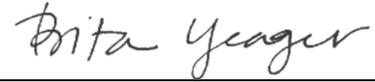
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1 Therefore, CSI and Lincoln/Vidler are not entitled to recover attorney's fees under
2 either NRS 18.010(2)(a) or NRS 18.010(2)(b) as alleged in their Motions. Accordingly, the
3 Court **DENIES** the Motions for Attorney's fees filed by CSI and Lincoln/Vidler.

4 **IT IS SO ORDERED.**

Dated this 22nd day of July, 2022



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7 **9F9 0BE E0F9 4C97**
8 **Brita Yeager**
9 **District Court Judge**

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16 **Submitted this 18th day of July, 2022, and approved as to form and content by:**

17 **AARON D. FORD**
18 **Attorney General**

19 */s/ James N. Bolotin*

20 **STEVE SHEVORSKI (Bar No. 8256)**

Chief Litigation Counsel

21 **JAMES N. BOLOTIN (Bar No. 13829)**

Senior Deputy Attorney General

22 **KIEL B. IRELAND (Bar No. 15368)**

Deputy Solicitor General

23 **LAENA ST-JULES (Bar No. 15156)**

Deputy Attorney General

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26 kireland@ag.nv.gov

lstjules@ag.nv.gov

27 *Attorneys for Respondent State Engineer*

28 *///*

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2 /s/ Hannah E. Winston

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6 *Attorneys for Petitioner Coyote Springs Investment, LLC*

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8 ALLISON MACKENZIE, LTD.

9 /s/ Karen A. Peterson

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11 T: (775) 687-0202

E: kpeterson@allisonmackenzie.com

12 *Attorneys for Petitioners Lincoln County Water District and Vidler Water Company, Inc.*

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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5
6 Southern Nevada Water
Authority, Plaintiff(s)

CASE NO: A-20-816761-C

7 vs.

DEPT. NO. Department 1

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9 Nevada State Engineer, Division
of Water Resources,
10 Defendant(s)

11
12 **AUTOMATED CERTIFICATE OF SERVICE**

13 This automated certificate of service was generated by the Eighth Judicial District
14 Court. The foregoing Order Denying was served via the court's electronic eFile system to all
15 recipients registered for e-Service on the above entitled case as listed below:

16 Service Date: 7/22/2022

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Kellie Piet

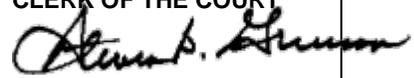
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4 Senior Deputy Attorney General
KIEL B. IRELAND (Bar No. 15368)
5 Deputy Solicitor General
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10 lstjules@ag.nv.gov
11 *Attorneys for Respondent State Engineer*

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 LAS VEGAS VALLEY WATER
15 DISTRICT, and SOUTHERN NEVADA
WATER AUTHORITY,

16 Petitioners,

17 vs.

18 ADAM SULLIVAN, P.E., Nevada
19 State Engineer, DIVISION OF
20 WATER RESOURCES, DEPARTMENT
OF CONSERVATION AND NATURAL
RESOURCES,

21 Respondent.

22 And All Consolidated Cases.

Case No. A-20-816761-C

Dept. No. 1

Consolidated with:

A-20-817765-P
A-20-818015-P
A-20-817977-P
A-20-818069-P
A-20-817840-P
A-20-817876-P
A-21-833572-J

23
24 **NOTICE OF ENTRY OF ORDER**
25 **DENYING COYOTE SPRINGS INVESTMENT, LLC'S AND**
LINCOLN COUNTY WATER DISTRICT AND VIDLER WATER COMPANY, INC.'S
26 **MOTIONS FOR ATTORNEY'S FEES**

27 ///

28 ///

1 TO: ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

2 YOU, AND EACH OF YOU, please take notice that an Order Denying Coyote
3 Springs Investment, LLC's and Lincoln County Water District and Vidler Water Company,
4 Inc.'s Motions for Attorney's Fees was entered in the above-entitled matter on the 22nd day
5 of July, 2022. A copy of said Order is attached hereto as Exhibit 1.

6 **AFFIRMATION**

7 The undersigned does hereby affirm that the foregoing Notice of Entry of Order does
8 not contain the social security number of any person.

9 DATED this 22nd day of July, 2022.

10 AARON D. FORD
11 Attorney General

12 By: /s/ James N. Bolotin
13 STEVE SHEVORSKI
14 Chief Litigation Counsel
15 JAMES N. BOLOTIN
16 Senior Deputy Attorney General
17 KIEL B. IRELAND
18 Deputy Solicitor General
19 LAENA ST-JULES
20 Deputy Attorney General
21 *Attorneys for Respondent State Engineer*

18 **CERTIFICATE OF SERVICE**

19 I certify that I am an employee of the State of Nevada, Office of the Attorney General,
20 and that on this 22nd day of July, 2022, I served a true and correct copy of the foregoing
21 NOTICE OF ENTRY OF ORDER DENYING COYOTE SPRINGS INVESTMENT, LLC'S
22 AND LINCOLN COUNTY WATER DISTRICT AND VIDLER WATER COMPANY, INC.'S
23 MOTIONS FOR ATTORNEY'S FEES, by electronic service to the participants in this case
24 who are registered with the Eighth Judicial District Court's Odyssey eFileNV File & Serve
25 system to this matter.

26 /s/ Dorene A. Wright
27
28

INDEX OF EXHIBITS

EXHIBIT No.	EXHIBIT DESCRIPTION	NUMBER OF PAGES
1.	Order Denying Coyote Springs Investment, LLC's and Lincoln County Water District and Vidler Water Company, Inc.'s Motions for Attorney's Fees filed July 22, 2022	10

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EXHIBIT 1

EXHIBIT 1

1 **ORDD**

2
3
4 **DISTRICT COURT**
5 **CLARK COUNTY, NEVADA**

6 LAS VEGAS VALLEY WATER
7 DISTRICT, and SOUTHERN NEVADA
8 WATER AUTHORITY,

Case No. A-20-816761-C

Dept. No. 1

Petitioners,

9 vs.

Consolidated with:

10 ADAM SULLIVAN, P.E., Nevada
11 State Engineer, DIVISION OF
12 WATER RESOURCES, DEPARTMENT
13 OF CONSERVATION AND NATURAL
14 RESOURCES,

A-20-817765-P
A-20-818015-P
A-20-817977-P
A-20-818069-P
A-20-817840-P
A-20-817876-P
A-21-833572-J

Respondent.

And All Consolidated Cases.

15
16 **ORDER DENYING COYOTE SPRINGS INVESTMENT, LLC'S AND**
17 **LINCOLN COUNTY WATER DISTRICT AND VIDLER WATER COMPANY, INC.'S**
18 **MOTIONS FOR ATTORNEY'S FEES**

19 This matter came before this Court pursuant to two Motions for Attorney's Fees filed
20 by Petitioner Coyote Springs Investment, LLC ("CSI"), and Petitioners Lincoln County
21 Water District and Vidler Water Company, Inc. (collectively "Lincoln/Vidler") on May 5,
22 2022, and May 10, 2022, respectively. The State Engineer filed an Omnibus Opposition to
23 Respective Motions for Attorney's Fees on May 19, 2022. After the conclusion of briefing
24 on the Motions, the Court held a hearing on July 5, 2022. The Court having reviewed these
25 filings and the briefing related thereto, and holding a hearing, hereby **DENIES** CSI's and
Lincoln/Vidler's Motions for Attorney's Fees as set forth in further detail below.

26 **A. Standard for Recovering Attorney's Fees**

27 Nevada follows the American rule that attorney's fees may not be awarded absent a
28 statute, rule, or contract authorizing such an award. *Thomas v. City of N. Las Vegas,*

1 122 Nev. 82, ~~91~~, 127 P.3d 1057, 1063 (2006) (citing *Bobby Berosini, Ltd. v. PETA*, 114 Nev.
2 1348, 1356, 971 P.2d 383, 388 (1998); *Consumers League v. Southwest Gas*, 94 Nev. 153,
3 156, 576 P.2d 737, 738 (1978)). CSI and Lincoln/Vidler cite two statutory bases under
4 which they seek to recover attorney's fees in this action: NRS 18.010(2)(a) and
5 NRS 18.010(2)(b). First, NRS 18.010(2)(a) provides that the court may award attorney's
6 fees to a prevailing party "when the prevailing party has not recovered more than \$20,000."
7 Second, NRS 18.010(2)(b) provides that the court may award attorney's fees to a prevailing
8 party:

9 Without regard to the recovery sought, when the court finds that
10 the claim, counterclaim, cross-claim or third-party complaint or
11 defense of the opposing party was brought or maintained without
12 reasonable ground or to harass the prevailing party. The court
13 shall liberally construe the provisions of this paragraph in favor
14 of awarding attorney's fees in all appropriate situations. It is the
15 intent of the Legislature that the court award attorney's fees
16 pursuant to this paragraph and impose sanctions pursuant to
Rule 11 of the Nevada Rules of Civil Procedure in all appropriate
situations to punish for and deter frivolous or vexatious claims
and defenses because such claims and defenses overburden
limited judicial resources, hinder the timely resolution of
meritorious claims and increase the costs of engaging in business
and providing professional services to the public.

17 NRS 533.450, under which this proceeding was commenced, expressly provides costs must
18 be paid as in civil cases brought in the district court, except by the State Engineer and the
19 State but is silent on fees. *See* NRS 533.450(7).

20 The Nevada Supreme Court has held that a money judgment is a prerequisite to
21 recover attorney's fees under NRS 18.010(2)(a). *Thomas*, 122 Nev. at 93–94, 127 P.3d
22 at 1065–66. Where a party does not recover a monetary judgment, they are not entitled to
23 attorney's fees under NRS 18.010(2)(a). *Id.*

24 Further, the Nevada Supreme Court has also held that attorney's fees are not
25 recoverable under NRS 18.010(2)(b) in petitions for judicial review of agency actions filed
26 under the Administrative Procedure Act. *Zenor v. State, Dep't of Transp.*, 134 Nev. 109,
27 110–11, 412 P.3d 28, 30 (2018). The Court has "repeatedly refused to imply provisions not
28 expressly included in the legislative scheme." *Id.*, 134 Nev. at 110, 412 P.3d at 30 (citing

1 *State Indus. Ins. Sys. v. Wrenn*, 104 Nev. 536, 539, 762 P.2d 884, 886 (1988)). For example,
2 in *Wrenn*, the Court refused to award attorney’s fees because “the legislature has not
3 expressly authorized an award of attorney’s fees in worker’s compensation cases. ... [And]
4 we decline to allow a claimant recovery of attorney’s fees in a worker’s compensation case
5 absent express statutory authorization.” 104 Nev. at 539, 762 P.2d at 886. The Nevada
6 Supreme Court has likewise declined to award attorney’s fees in a water law case (albeit
7 brought under NRS 533.190(1) and NRS 533.240(3) rather than NRS 533.450) because
8 “attorney fees are not mentioned anywhere in the statute.” *Rand Props., LLC v. Filippini*,
9 2016 WL 1619306, Docket No. 66933, filed April 21, 2016, *6 (unpublished disposition)
10 (holding that if fees are not expressly provided in NRS Chapter 533 they are unavailable).

11 **B. CSI and Lincoln/Vidler Are Not Entitled to Recover Attorney’s Fees**

12 First, in applying NRS 18.010(2)(a), the Court finds the *Thomas* case controlling and
13 on point. This is a consolidated action involving multiple Petitions for Judicial Review filed
14 pursuant to NRS 533.450 challenging the State Engineer’s Order 1309, in whole or in part.
15 By their very nature, these are not actions whereby parties did, or could, seek a monetary
16 judgment. Accordingly, although CSI and Lincoln/Vidler did “prevail” on the merits, they
17 did not seek nor did they recover a monetary judgment in this case. In fact, NRS 533.450
18 does not provide for monetary judgments but rather simply provides that an aggrieved
19 party may have a court review an order or decision of the State Engineer, in the nature of
20 an appeal, where the order or decision relates to the administration of determined rights
21 or is made pursuant to NRS 533.270 to 533.445, inclusive, or NRS 533.481, 534.193,
22 535.200 or 536.200. NRS 533.450(1). Because CSI and Lincoln/Vidler did not recover a
23 monetary judgment, they may not recover attorney’s fees under NRS 18.010(2)(a).

24 Second, in applying NRS 18.010(2)(b), while the State Engineer is entirely exempted
25 from NRS Chapter 233B under NRS 233B.039(1)(i), the reasoning in *Zenor* is controlling
26 here. Like the provisions of NRS Chapter 233B in *Zenor*, NRS 533.450 is the exclusive
27 means of judicial review of a final decision or order of the State Engineer. NRS 533.450 is
28 entirely silent on attorney’s fees. It is not the role of this Court to imply provisions into

1 NRS 533.450 that are not expressly included in the legislative scheme, particularly where
2 the Legislature expressly stated that costs are not recoverable from the State Engineer but
3 did not mention attorney's fees anywhere in the statute. *See Smith v. Crown Fin. Servs.*
4 *of Am.*, 111 Nev. 277, 287, 890 P.2d 769, 776 (1995) (attorney fees are not considered costs).
5 Furthermore, although it is unpublished and not controlling, the Court finds the *Rand* case
6 to be persuasive. Like *Rand*, this case deals with water law and attorney's fees are not
7 mentioned anywhere in NRS 533.450, the statute providing the authority for the Petitions
8 for Judicial Review filed in this case. Accordingly, the Court declines to allow a party to
9 recover attorney's fees under NRS 18.010(2)(b) in a judicial review proceeding under
10 NRS 533.450 absent express statutory authorization. Since NRS 533.450 does not provide
11 for attorney's fees, they are precluded and may not be awarded under NRS 18.010(2)(b)

12 Lastly, even if NRS 18.010(2)(b) did apply to NRS 533.450 (which it does not), the
13 Court finds that the State Engineer's defense of Order 1309 was not brought or maintained
14 without reasonable ground or to harass the prevailing parties. Order 1309, and the defense
15 maintained by the State Engineer, presented substantial issues of public policy and issues
16 of first impression that are now pending on appeal at the Nevada Supreme Court. The
17 Court finds that the State Engineer's defense of Order 1309 was not made without
18 reasonable grounds, nor was it frivolous or vexatious as required by NRS 18.010(2)(b).
19 Therefore, even in the event NRS 18.010(2)(b) could apply to this action, the Court finds
20 that attorney's fees would not be warranted under NRS 18.010(2)(b).

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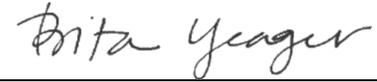
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1 Therefore, CSI and Lincoln/Vidler are not entitled to recover attorney's fees under
2 either NRS 18.010(2)(a) or NRS 18.010(2)(b) as alleged in their Motions. Accordingly, the
3 Court **DENIES** the Motions for Attorney's fees filed by CSI and Lincoln/Vidler.

4 **IT IS SO ORDERED.**

Dated this 22nd day of July, 2022



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6
7 **9F9 0BE E0F9 4C97**
8 **Brita Yeager**
9 **District Court Judge**

10
11
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14
15
16 **Submitted this 18th day of July, 2022, and approved as to form and content by:**

17 **AARON D. FORD**
18 Attorney General

/s/ James N. Bolotin

19 **STEVE SHEVORSKI** (Bar No. 8256)

Chief Litigation Counsel

20 **JAMES N. BOLOTIN** (Bar No. 13829)

Senior Deputy Attorney General

21 **KIEL B. IRELAND** (Bar No. 15368)

Deputy Solicitor General

22 **LAENA ST-JULES** (Bar No. 15156)

Deputy Attorney General

23 Office of the Attorney General

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27 *Attorneys for Respondent State Engineer*

28 *///*

1 ROBISON, SHARP, SULLIVAN & BRUST

2 /s/ Hannah E. Winston

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3 HANNAH E. WINSTON, ESQ. (Bar No. 14520)

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4 Reno, NV 89503

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5 E: krobison@rssblaw.com

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6 *Attorneys for Petitioner Coyote Springs Investment, LLC*

7
8 ALLISON MACKENZIE, LTD.

9 /s/ Karen A. Peterson

KAREN A. PETERSON, ESQ. (Bar No. 366)

10 402 North Division Street

Carson City, NV 89703

11 T: (775) 687-0202

E: kpeterson@allisonmackenzie.com

12 *Attorneys for Petitioners Lincoln County Water District and Vidler Water Company, Inc.*

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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5
6 Southern Nevada Water
Authority, Plaintiff(s)

CASE NO: A-20-816761-C

7 vs.

DEPT. NO. Department 1

8
9 Nevada State Engineer, Division
of Water Resources,
10 Defendant(s)

11
12 **AUTOMATED CERTIFICATE OF SERVICE**

13 This automated certificate of service was generated by the Eighth Judicial District
14 Court. The foregoing Order Denying was served via the court's electronic eFile system to all
15 recipients registered for e-Service on the above entitled case as listed below:

16 Service Date: 7/22/2022

17 Sev Carlson	scarlson@kcnvlaw.com
18 Dorene Wright	dwright@ag.nv.gov
19 James Bolotin	jbolotin@ag.nv.gov
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22 Bradley Herrema	bherrema@bhfs.com
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6	Steven Anderson	Sc.anderson@lvvwd.com
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

September 17, 2020

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

**September 17, 2020 3:00 AM Motion to Associate
Counsel**

HEARD BY: Kephart, William D. **COURTROOM:** No Location

COURT CLERK: Tia Everett

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, Plaintiff Center for Biological Diversity s Motion to Associate Counsel Lisa Belenky is GRANTED pursuant to EDCR 2.20 and Nevada Supreme Court Rule 42. Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. te 9/17/2020

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

October 06, 2020

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

October 06, 2020 9:00 AM Status Check

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Caviglia, Justina A.	Attorney
	Coulthard, William L	Attorney
	Ferguson, Sarah	Attorney
	Herrema, Bradley J	Attorney
	Jayne, Collin	Attorney
	Morrison, Gregory H.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Ure, Therese A	Attorney

JOURNAL ENTRIES

- Court stated he believes parties need to provide briefing regarding the issue if parties are permitted to intervene in a case which is appealed from a lower court as the Court is confined to the record made in the lower court. Further, Court noted there is a pending appeal regarding a change of venue decision out of Lincoln County. Upon Court's inquiry, Mr. Taggart advised he has no opposition to the motions to intervene and that it would be best to wait for the decision from the pending appeal before setting any briefing schedules. Mr. Robison advised parties have stipulated to consolidate the cases for judicial economy; although, each case has its unique issues. Further, Mr. Robison advised Coyote Springs has essentially been shut down pending a decision on this issue and he has been in

contact with the Supreme Court to has indicated an expedited decision should be out within 30 days. Upon Court's inquiry, Mr. Robison advised he would like an opportunity to brief the issue of intervenor. Additional discussion regarding motions to intervene. COURT ORDERED, parties shall provide blind briefs due on or before 11/02/2020 regarding the issue today and matter CONTINUED. Additionally, Court instructed Mr. Bolotin to move forward with the record of appeal and to provide the Court will an update on the next date.

CONTINUED TO: 11/17/2020 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

November 17, 2020

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

November 17, 2020 9:00 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 16B

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:	Bolotin, James N.	Attorney
	Campbell, Richard Glen	Attorney
	Carlson, Severin A.	Attorney
	Cavanaugh-Bill, Julie	Attorney
	Caviglia, Justina A.	Attorney
	Coulthard, William L	Attorney
	Dotson, Robert A.	Attorney
	Harrison, Sylvia L.	Attorney
	Herrema, Bradley J	Attorney
	Kroll, Steven E.	Attorney
	Morrison, Gregory H.	Attorney
	Robison, Kent R.	Attorney
	St. Jules, Laena	Attorney
	Taggart, Paul G.	Attorney
	Ure, Therese A	Attorney
	Wilde, Kathleen A.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: RECORD ON APPEAL:

A-20-816761-C

Court noted the record on appeal has been filed.

STATUS CHECK: SET MOTIONS TO INTERVENE:

Colloquy regarding parties positions on motions to intervene. COURT ORDERED, Motions to Intervene shall be GRANTED and matter SET for Status Check in 90 days.

CONTINUED TO: 2/23/2021 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

February 25, 2021

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

February 25, 2021 9:30 AM Status Check

HEARD BY: Yeager, Bitia **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Balducci, Christian T.	Attorney
	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Dotson, Robert A.	Attorney
	Flangas, Alex J.	Attorney
	Harrison, Sylvia L.	Attorney
	Herrema, Bradley J	Attorney
	Knox, Michael D.	Attorney
	Taggart, Paul G.	Attorney
	Ure, Therese A	Attorney

JOURNAL ENTRIES

- Appearances made via BlueJeans Videoconferencing Application.

Court NOTED at the last hearing Judge Kephart granted the motion to intervene and gave summary of previous hearings. Colloquy regarding how the intervener will proceed and its participation. Mr. Taggart suggested after the remitter is issued setting a briefing schedule 60 days for the opening brief, 90 days for answer, 45 days for reply brief and stipulate to consolidating the Vidler case. Mr. Robison requested the Court consider the prejudice.

Court STATED it recognizes the hardship for Robison's client, however, in the interest of everyone's economy the Court is going to agree and have the scheduling order triggered by the date of the remitter. However, the Court is going to set a status check in 60 days. Court requested Mr. Taggart prepare the scheduling as it has been outlined. If the remitter comes in between now and the next 60 day status check everyone can start on their briefs. If the remitter has not come out the status check will stand. Statements by the Court as to the record on appeal being 48,000 pages in two parts and takes several minutes to open up one of the parts. Court request any references to the appeal there be a more expeditions way to review it. Mr. Taggart suggested attaching an appendix to the briefs that has the pages from the record they have cited to or have the parties agree as to what a joint appendix should be, but may be difficult with all the parties. Court STATED the first option is more workable. Bolotin suggested providing the Court with a using USB drive. Court agreed. Mr. Bolotin advised he would work with his assistant in getting it together and delivered to the Court.

Court clarified the briefing schedule as follows:

60 days for the opening brief;
90 days for answer and interveners brief; and
45 days for reply.

If the remitter is filed before the status check date of 4/29/21 it will be vacated.

Mr. Flangas inquired if there is a stipulation by the parties at this hearing there is a consolidation of the Lincoln Vidler parties into this matter if they do not object. Court inquired if there was an objection. Mr. Robison stated they have agreed to not oppose or to promote their own motion to consolidate and agree Vidler and Lincoln County Water should be consolidated with their actions.

Mr. Taggart to prepare the Order, distribute a copy to all parties, and submit to Chambers within 10 days.

All orders are to be submitted to DC1Inbox@ClarkCountyCourts.us

4/29/21 9:30 AM STATUS HECK: REMITTER

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

April 29, 2021

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

April 29, 2021 9:30 AM Status Check

HEARD BY: Yeager, Bitu **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Dotson, Robert A.	Attorney
	Flangas, Alex J.	Attorney
	Foletta, Lucas M.	Attorney
	Herrema, Bradley J	Attorney
	Morrison, Gregory H.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Ure, Therese A	Attorney
	Wilde, Kathleen A.	Attorney

JOURNAL ENTRIES

- CONTINUED APPEARANCES: Karen Peterson, on behalf of Vidler, Dylan Frehner, on behalf of Lincoln County, and Lisa Belenky, on behalf of Center for Biological Diversity.

Colloquy and discussions regarding remittitur. COURT ORDERED, Matter SET for Status Check regarding setting briefing schedule.

5/27/21 11:00 AM STATUS CHECK: SETTING BRIEFING SCHEDULE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

May 27, 2021

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

May 27, 2021

3:00 AM

Minute Order

HEARD BY: Yeager, Bitu

COURTROOM: No Location

COURT CLERK: Michele Tucker

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Per verbal stipulation by the parties on 5/27/21 COURT ORDERED, A-20-816761-C and A-21-833572-J CONSOLIDATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

May 27, 2021

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

May 27, 2021 11:00 AM Status Check

HEARD BY: Yeager, Bitu **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Dotson, Robert A.	Attorney
	Flangas, Alex J.	Attorney
	Harrison, Sylvia L.	Attorney
	Knox, Michael D.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Ure, Therese A	Attorney
	Wilde, Kathleen A.	Attorney

JOURNAL ENTRIES

- CONTINUED appearances. Adam Sullivan, Esq. on behalf of Tim Wilson, Steven King, on behalf of Muddy Valley Irrigation Co., L. Blenkey, CA counsel on behalf of Center for Biological Diversity, Gregory Morrison, Esq. on behalf of Moapa Valley Water District, and Ms. Peterson, Esq. on behalf of Vidler.

Arguments and colloquy. COURT ORDERED, Matter CONSOLIDATED with A833572.

Court NOTED there are five outstanding motions in the Lincoln County case and DIRECTED counsel to re-file with joint notices by June 17, 2021.

COURT ORDERED, Status Check regarding fully briefed motions.

COURT FURTHER ORDERED, Briefing Schedule SET.

Opening Brief due 8/27/21;
Response Brief due 11/24/21; and
Reply Brief due 1/07/22.

7/01/21 11:00 AM STATUS CHECK: FULLY BRIEFED MOTIONS

CLERK'S NOTE: Minutes corrected to reflect the correct time of the status check on 7/01/21 and the Reply Brief due date of 1/07/22. /mlt (7/01/21)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

July 01, 2021

A-20-816761-C	Southern Nevada Water Authority, Plaintiff(s) vs. Nevada State Engineer, Division of Water Resources, Defendant(s)
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July 01, 2021	11:00 AM	Status Check
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HEARD BY: Yeager, Bitá	COURTROOM: RJC Courtroom 16A
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COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Dotson, Robert A.	Attorney
	Foletta, Lucas M.	Attorney
	Harrison, Sylvia L.	Attorney
	Lake, Scott	Attorney
	Peterson, Karen A.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Ure, Therese A	Attorney
	Wilde, Kathleen A.	Attorney

JOURNAL ENTRIES

- Statements by the Court as to the scheduling order and requested courtesy copies of all briefs. Further statements by the Court regarding the pumping test. Mr. Robison advised they would be addressing the pumping test in the briefs. Court stated it was considering a status check after the reply briefs are submitted to discuss the order of the arguments. Statements Mr. Flangas regarding stipulation in place on the interveners. Mr. Flangas inquired if the answering brief would be a single brief or a brief as to what they decide to answer. Mr. Taggart suggested setting a status check after

the opening briefs are filed to decide how to answer. Mr. Robison stated what his understanding of how they would be responding. Court agreed a status check after the opening briefs would be helpful. COURT ORDERED, Status Check: Opening Briefs SET. Court DIRECTED counsel to submit a proposed findings of facts and conclusions of law in a word document by January 27, 2021. Court inquired how many days for argument on the briefs. Mr. Taggart and Ms. Peterson requested two weeks. COURT ORDERED, Arguments on the Petition for Judicial Review SET February 14-February 25, 2022. COURT FURTHER ORDERED, Status Check: Argument Schedule SET for January 20, 2022. Ms. Peterson advised Vidler was not included in the State Engineer's stipulation and would like it stated on the record they are included in the stipulation. Mr. Bolotin stated on the record Vidler is included in the stipulation and order.

Arguments by counsel.

COURT ORDERED, Moapa Valley Water District's Motion to Intervene DISPOSED OF BY STIPULATION.

COURT ORDERED, Coyote Springs Investments' Motion to Intervene MOOT.

COURT STATED ITS FINDINGS and FURTHER ORDERED, Southern Nevada Water Authorities, Las Vegas Valley Water District and Muddy Valley Irrigation Company's Motion to Intervene GRANTED.

Mr. Taggart to prepare the Order.

9/09/21 11:00 AM STATUS CHECK: OPENING BRIEFS

1/20/22 11:00 AM STATUS CHECK: ARGUMENT SCHEDULE

1/27/21 PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW DUE

2/14/21 - 2/25/21 9:00 AM PETITION FOR JUDICIAL REVIEW

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

July 30, 2021

A-20-816761-C	Southern Nevada Water Authority, Plaintiff(s) vs. Nevada State Engineer, Division of Water Resources, Defendant(s)
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July 30, 2021	3:00 AM	Motion to Withdraw as Counsel
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HEARD BY: Yeager, Bitá	COURTROOM: RJC Courtroom 16A
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COURT CLERK: Michele Tucker

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e) the Motion to Withdraw is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED.

Moving Counsel is to prepare and submit an order including the last known address, email address, and all dates for service/pretrial compliance with NRCP 16.1 within fourteen (14) days and distribute a filed copy to all parties involved in this matter.

All orders are to be submitted to DC1Inbox@ClarkCountyCourts.us

CLERK'S NOTE: A copy of this minute order was distributed via the E-Service list. / mlt

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

September 09, 2021

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

September 09, 2021 11:30 AM All Pending Motions

HEARD BY: Yeager, Bitu **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Rem Lord

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Coulthard, William L	Attorney
	Dotson, Robert A.	Attorney
	Flangas, Alex J.	Attorney
	FREHNER, DYLAN	Attorney
	Harrison, Sylvia L.	Attorney
	Herrema, Bradley J	Attorney
	Klomp, Wayne O.	Attorney
	Lake, Scott	Attorney
	Peterson, Karen A.	Attorney
	Taggart, Paul G.	Attorney
	Ure, Therese A	Attorney
	Winston, Hannah Elizabeth	Attorney

JOURNAL ENTRIES

- Colloquy regarding procedural filings by the parties. COURT NOTED parties are to submit courtesy copies of all briefs to the Court. Colloquy regarding scheduling. COURT ORDERED Lincoln County Water District and Vidler Water Company, Inc.'s Motion to File Opening Brief in Excess of Type-

Volume Limitation CONTINUED to December 6, 2021 at 9:00 am.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

December 06, 2021

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

December 06, 2021 9:00 AM All Pending Motions

HEARD BY: Yeager, Bitu **COURTROOM:** RJC Courtroom 16A

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Balducci, Christian T.	Attorney
	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Dotson, Robert A.	Attorney
	Flangas, Alex J.	Attorney
	Foletta, Lucas M.	Attorney
	Herrema, Bradley J	Attorney
	King, Steven D.	Attorney
	Klomp, Wayne O.	Attorney
	Lake, Scott	Attorney
	Lucero, Ellsie E.	Attorney
	Morrison, Gregory H.	Attorney
	Peterson, Karen A.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Ure, Therese A	Attorney

JOURNAL ENTRIES

- ALL PENDING STATUS CHECK: OPENING BRIEFS..LINCOLN COUNTY WATER DISTRICT

AND VIDLER WATER COMPANY, INC. S MOTION TO FILE OPENING BRIEF IN EXCESS OF
TYPE-VOLUME LIMITATION

Statements by the Court as to who has provided opening briefs and answering briefs. Statements by Mr. Taggart as to how to file, organize and circulate to all parties as to formulate the reply briefs. Statements by Mr. Robinson as to structuring by argument. Court STATED it would be helpful if all the parties submit proposed findings of facts, and conclusions of law address it by topic. Mr. Flangas inquired if the findings would be complete findings as to each party or as to their particular position. Mr. Flangas suggested submitting findings as to each parties position and reserve the right for responses to the findings. Court clarified that these are proposed findings that would not be going to each party for objections. The Court is asking that each party prepare findings as to their own specific position on each of those issues. Colloquy regarding the findings of facts and conclusions of law. COURT ORDERED, Findings of Fact and Conclusions of Law be submitted in word format to the law clerk by January 27, 2022.

Statements by the Court as to how the arguments should be done at the time of the hearings and having the three major topics done at the beginning. Ms. Peterson advised there is an issue as to whether the State Engineer has statutory authority to create the super basin. If the Court determines the State Engineer does not have statutory authority then Order 1309 would be vacated and none of the other issues would need to be addressed. Ms. Peterson stated she believes this issue should be addressed first. Mr. Taggart agreed and if the State does have authority then the next issue should be is there substantial evidence to support the decision. Mr. Taggart stated he does not support having a threshold ruling by the Court on that issue and then having to go up on appeal, because he believes all the issues should be decided in the event the State Engineer does have authority. Court inquired of Mr. Taggart if he had an opposition to that issue being done on the first day of argument. Mr. Taggart stated no and believe it should be the first argument but all the other issues should be ruled on in case it goes up on appeal. Court agrees. Court suggested counsel speak among themselves and come up with schedule as to arguments. Mr. Robinson agreed they should meet and confer and schedule topics and allocate time for the arguments. Court requested counsel prepare something that is written out as to this is the topic, these are the entities we anticipate doing argument, how much time they anticipate is needed to be heard on the issue and go topic by topic. Mr. Robinson advised they should meet and confer as to the topics within the next two weeks.

Colloquy regarding having two weeks blocked out for argument from 9-5 and whether to appear in person rather than via BlueJeans.

Court advised a minute order would be issued by December 10, 2021 as to Georgia-Pacific Gypsum, LLC, & Republic Environmental Technologies, Inc. Request for Judicial Notice.

Mr. Taggart requested the reply briefs due date be moved to January 11, 2022 due to the holidays. Mr. Robinson advised no objection as long as it doesn't affect the argument dates. All other counsel agreed to move the due date as to the reply brief. COURT ORDERED, reply brief due January 11, 2022.

Colloquy regarding organizing the appendix of the briefs.

145, 625 P.2d 568, 569 (1981) (citing *Giannopoulos v. Chachas*, 50 Nev. 269, 270, 257 P.618, 618 (1927)).
Mack v. Est. of Mack, 125 Nev. 80, 91-92, 206 P.3d 98, 106 (2009).

Georgia-Pacific Gypsum LLC and Republic Environmental Tech, Inc. seek judicial notice for two items: excerpts from 2021 Annual Determination Report, prepared by Hydrologic Review Team (August 2021) and a newspaper article titled: Moapa Dace Numbers Tick Up Once Again. Both items post-date Order #1309, which is the subject of review in this case. As these exhibits postdate the issuance of Order 1309, they are not . . . facts in issue under NRS 47.130(1). In addition, these exhibits do not meet the requirements of NRS 47.130(1) or (2). The Court notes that the newspaper article contains assertions or opinions of facts made by a third-party unrelated to this case.

Petitioner cites to *Mack* in arguing that judicial notice of other state court and administrative proceedings [is warranted] when a valid reason present[s] itself. *Mack*, 125 Nev. at 91-92, 206 P.3d at 106. Petitioner argues that these exhibits support their argument that data are continuing to evolve. The Court does not find the Petitioner's argument persuasive that there is a valid reason to make these exhibits appropriate for judicial notice.

Respondent State Engineer is directed to submit a proposed order approved by moving counsel consistent with the foregoing within fourteen (14) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in their briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.

CLERK'S NOTE: A copy of this minute order was distributed via the E-Service list. / mlt

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

January 20, 2022

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

January 20, 2022 11:00 AM Status Check

HEARD BY: Yeager, Bitia **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Maricela Grant

RECORDER: Lisa Lizotte

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Arguments by counsel pertaining oral argument procedure. Court noted who would be appearing live vs. appearing virtual through BlueJeans. Court noted order of presenting arguments base on the order documents where filed into the Eighth Judicial District Court date and time stamp. Colloquy regarding time of oral arguments. Court noted the time allotted for oral argument.

CLERK'S NOTE: Minutes corrected to indicate the correct Courtroom Clerk, Maricela Grant. /mlt

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

February 14, 2022

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

February 14, 2022 10:00 AM Petition for Judicial Review

HEARD BY: Yeager, Bitu **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Balducci, Christian T.	Attorney
	Bolotin, James N.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Coulthard, William L	Attorney
	Dotson, Robert A.	Attorney
	Foletta, Lucas M.	Attorney
	Harrison, Sylvia L.	Attorney
	Herrema, Bradley J	Attorney
	King, Steven D.	Attorney
	Klomp, Wayne O.	Attorney
	Lake, Scott	Attorney
	Morrison, Gregory H.	Attorney
	Muaina, Derek K	Attorney
	Peterson, Karen A.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Winston, Hannah Elizabeth	Attorney

JOURNAL ENTRIES

- Mr. Taggart argued as to Las Vegas Valley Water Districts and Southern Nevada Water Authorities

A-20-816761-C

respective position as to Order 1309. Mr. Robinson, Mr. Herrema, Mr. Balducci, Mr. Lake and Mr. Dotson argued as to the respective positions.

COURT ORDERED, Matter CONTINUED.

CONTINUED TO: 2/15/22 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

February 15, 2022

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

February 15, 2022 8:30 AM Petition for Judicial Review

HEARD BY: Yeager, Bitia **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Michele Tucker
Madalyn Kearney

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Balducci, Christian T.	Attorney
	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Coulthard, William L	Attorney
	Dotson, Robert A.	Attorney
	Flaherty, Francis C	Attorney
	Foletta, Lucas M.	Attorney
	Harrison, Sylvia L.	Attorney
	Herrema, Bradley J	Attorney
	King, Steven D.	Attorney
	Klomp, Wayne O.	Attorney
	Lake, Scott	Attorney
	Morrison, Gregory H.	Attorney
	Muaina, Derek K	Attorney
	Peterson, Karen A.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Winston, Hannah Elizabeth	Attorney

JOURNAL ENTRIES

- Arguments by Mr. Flaherty, Mr. Foletta, Mr. Klomp, Ms. Peterson, Mr. Bolotin, Mr. Carlson, Ms. Caviglia, Mr. Morrison, and Mr. Taggart. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 2/16/22 8:30 AM

CLERK'S NOTE: At the hour of 2:40 pm Courtroom Clerk, Madalyn Kearney, present. /mk 2/15/22

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

February 16, 2022

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

February 16, 2022 8:30 AM Petition for Judicial Review

HEARD BY: Yeager, Bitia **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Balducci, Christian T.	Attorney
	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Coulthard, William L	Attorney
	Dotson, Robert A.	Attorney
	Flaherty, Francis C	Attorney
	Foletta, Lucas M.	Attorney
	Herrema, Bradley J	Attorney
	King, Steven D.	Attorney
	Klomp, Wayne O.	Attorney
	Lake, Scott	Attorney
	Morrison, Gregory H.	Attorney
	Peterson, Karen A.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Winston, Hannah Elizabeth	Attorney

JOURNAL ENTRIES

- Arguments by Mr. Taggart, Ms. Winston, Mr. Lake, Mr. Dotson, Mr. Foletta, Ms. Peterson, Mr.

A-20-816761-C

Robinson, and Mr. Morrison. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 2/17/22 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

February 17, 2022

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

February 17, 2022 8:30 AM Petition for Judicial Review

HEARD BY: Yeager, Bitia **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Balducci, Christian T.	Attorney
	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Dotson, Robert A.	Attorney
	Flaherty, Francis C	Attorney
	Foletta, Lucas M.	Attorney
	FREHNER, DYLAN	Attorney
	Herrema, Bradley J	Attorney
	King, Steven D.	Attorney
	Klomp, Wayne O.	Attorney
	Lake, Scott	Attorney
	Morrison, Gregory H.	Attorney
	Peterson, Karen A.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney
	Winston, Hannah Elizabeth	Attorney

JOURNAL ENTRIES

- Mr. Dotson advised there is a tentative settlement with his client Muddy Valley Irrigation and the

Nevada State Engineer. Argument by Mr. Robison regarding it being placed on the record would make it binding. Court STATED it would allow it to be put on the record only and it WOULD NOT BE BINDING. Mr. Taggart concurred with Mr. Dotson and advised they also have a settlement. Court STATED it believes the transparency is apparent. Mr. Balducci argued his client needs to know the terms of the settlement to know whether if they are still in the case. Arguments by Ms. Peterson Statements by the Court. Mr. Robison advised after conferring with other counsel they will agree to have the terms of the settlement placed on the record with the understanding it is not binding. Court STATED it will be placed on the record for informational purposes ONLY and it will not be binding. Mr. Dotson stated the terms of the tentative settlement. States by Mr. Bolotin.

Arguments by Mr. Robison, Mr. Balducci, Mr. Lake, Mr. Dotson, Mr. Flaherty, Mr. Foletta, Mr. Klomp, and Ms. Peterson as to their respective positions.

Colloquy regarding possible supplemental briefing. Parties agreed to not do any supplemental briefing.

Mr. Lake advised the Center for Biological Diversity (CBD) and the State Engineer have reached an agreement in concept. CBD would dismiss their petition for judicial review subject to certain terms and maintaining their intervening status in the remaining appeals. The specifics of the terms are still under negotiations.

COURT ORDERED, Matter TAKEN UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

April 19, 2022

A-20-816761-C	Southern Nevada Water Authority, Plaintiff(s) vs. Nevada State Engineer, Division of Water Resources, Defendant(s)
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April 19, 2022	3:00 AM	Decision
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HEARD BY: Yeager, Bitu	COURTROOM: Chambers
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COURT CLERK: Michele Tucker

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- The Court having considered the evidence, the pleadings, together with opening and closing arguments presented at the hearing for these matters, and good cause appearing therefor, makes the following Findings of Fact, Conclusions of Law, and Order:

The Court FINDS that the Nevada State Engineer exceeded his statutory authority and had no authority based in statute to create the LWRFS superbasin out of multiple distinct, already established hydrographic basins. The Nevada State Engineer also lacked the statutory authority to conjunctively manage this LWRFS superbasin.

The Court ALSO FINDS that the Nevada State Engineer violated the Petitioners Constitutional right to due process by failing to provide adequate notice and a meaningful opportunity to be heard. As a result, Order 1309 is arbitrary, capricious, and therefore void.

Good cause appearing, based upon the above Findings of Fact and Conclusions of Law, the Court ORDERS, ADJUDGES AND DECREES as follows:

IT IS HEREBY ORDERED that the petition for review of the Nevada State Engineer s Order No. 1309 filed by Petitioners Lincoln County Water District and Vidler Water Company, Inc. is GRANTED.

IT IS FURTHER ORDERED that the petition for review of the Nevada State Engineer s Order No. 1309 filed by Petitioners Coyote Springs Investment, LLC is GRANTED.

IT IS FURTHER ORDERED that the petition for review of the Nevada State Engineer s Order No. 1309 filed by Petitioners Apex Holding Company, LLC and Dry Lake Water, LLC is GRANTED.

IT IS FURTHER ORDERED that the petition for review of the Nevada State Engineer s Order No. 1309 filed by Petitioners Nevada Cogeneration Associates Nos. 1 and 2 is GRANTED.

IT IS FURTHER ORDERED that the petition for review of the Nevada State Engineer s Order No. 1309 filed by Petitioners Georgia-Pacific Gypsum LLC, and Republic Environmental Technologies, Inc. is GRANTED.

IT IS FURTHER ORDERED that the State Engineer s Order 1309 is VACATED in its entirety.

IT IS SO ORDERED.

CLERK'S NOTE: A copy of this minute order was distributed via the E-Service list. / mlt

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

May 16, 2022

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

May 16, 2022 9:30 AM All Pending Motions

HEARD BY: Yeager, Bitu **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Balducci, Christian T.	Attorney
	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Coulthard, William L	Attorney
	Dotson, Robert A.	Attorney
	Flaherty, Francis C	Attorney
	Foletta, Lucas M.	Attorney
	Harrison, Sylvia L.	Attorney
	Herrema, Bradley J	Attorney
	Klomp, Wayne O.	Attorney
	Moore, Andrew D.	Attorney
	Morrison, Gregory H.	Attorney
	Muaina, Derek K	Attorney
	Peterson, Karen A.	Attorney
	Robison, Kent R.	Attorney
	Taggart, Paul G.	Attorney

JOURNAL ENTRIES

- ALL PENDING - LVVWD AND SNWA'S MOTION FOR STAY PENDING APPEAL...THE CENTER

FOR BIOLOGICAL DIVERSITY'S JOINDER TO LVVWD AND SNWA'S MOTION TO STAY...STATE ENGINEERS PARTIAL JOINDER TO LVVWD AND SNWA'S MOTION FOR STAY PENDING APPEAL

Scott Lake, Esq. on behalf of Center for Biological Diversity, also present.

Court STATED the Motions for Retax and Motions for attorney fees would be rescheduled to Tuesday, July 5, 2022 at 8:30 am.

Arguments by counsel as to their respective motions as to the Motion for Stay. The COURT FINDS there is enough already in place as far as the statutes that allow for the State Engineer to curtail. There is also the MOU's that are in place regarding the Moapa Dace and there is also litigation that could happen regarding the Muddy River decree. The Court FURTHER FINDS there are other legal means that the parties can protect their water rights and protect the Moapa Dace. The Court DOES NOT FIND that in denying the Stay the object of the appeal would be defeated. The Court FURTHER DOES NOT FIND that SNWA has established that their water rights have existed before this Court vacating Order 1309 will be substantially changed. In looking at the irreparable harm and in balancing the harms the Court FINDS there has been harms for the petitioners whose petitions have been granted based on the exceeding statutory authority and the due process issues that were problematic in Order 1309. The Court DOES NOT FIND that it weighs in favor of granting the Stay. COURT ORDERED, LVVWD and SNWA's Motion for Stay Pending Appeal DENIED.

Mr. Bolton advised he would prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

July 05, 2022

A-20-816761-C Southern Nevada Water Authority, Plaintiff(s)
vs.
Nevada State Engineer, Division of Water Resources, Defendant(s)

July 05, 2022 11:00 AM All Pending Motions

HEARD BY: Yeager, Bitu **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT:	Balducci, Christian T.	Attorney
	Bolotin, James N.	Attorney
	Cargill, Emilia K.	Attorney
	Carlson, Severin A.	Attorney
	Caviglia, Justina A.	Attorney
	Coulthard, William L	Attorney
	Dotson, Robert A.	Attorney
	FREHNER, DYLAN	Attorney
	Graves, Sihomara L., ESQ	Attorney
	King, Steven D.	Attorney
	Moore, Andrew D.	Attorney
	Peterson, Karen A.	Attorney
	Robison, Kent R.	Attorney
	Shea, Zachary S.	Attorney
	Shevorski, Steven G.	Attorney
	Taggart, Paul G.	Attorney

JOURNAL ENTRIES

- ALL PENDING - STATE ENGINEERS MOTION TO RETAX PETITIONERS APEX HOLDING COMPANY, LLC AND DRY LAKE WATER, LLCS COSTS... LINCOLN COUNTY WATER DISTRICT'S AND VIDLER WATER COMPANY, INC.'S MOTION FOR ATTORNEYS' FEES...

COYOTE SPRINGS INVESTMENT, LLC S MOTION FOR ATTORNEY FEES

Ms. Peterson advised Vilder Water Company, Inc. is now owned by DR Horton. Mr. Balducci he is still preparing the Order regarding the denying of the Stay and will have it done in the next day or two.

STATE ENGINEERS MOTION TO RETAX PETITIONERS APEX HOLDING COMPANY, LLC AND DRY LAKE WATER, LLCS COSTS

COURT ORDERED, Motion GRANTED.

LINCOLN COUNTY WATER DISTRICT'S AND VIDLER WATER COMPANY, INC.'S MOTION FOR ATTORNEYS' FEES... COYOTE SPRINGS INVESTMENT, LLC S MOTION FOR ATTORNEY FEES

COURT ORDERED, Motions DENIED; Neither parties are entitled to recover attorney's fees under either NRS 18.010(2)(a) or NRS 18.010(2)(b).

EXHIBIT(S) LIST

Case No.: <u>A816761</u>	Hearing Date: <u>2.14.22</u>
Dept. No.: <u>1</u>	Judge: <u>BITA YEAGER</u>
Plaintiff: SOUTHERN NEVADA WATER AUTHORITY	Court Clerk: <u>Michele Tucker</u>
	Recorder: <u>Lisa Lizotte</u>
	Counsel for Plaintiff: <u>PAUL TAGGART</u>
vs.	
Defendant: NEVADA STATE ENGINEER, DIVISION OF WATER RESOURCES	Counsel for Defendant: <u>MULTIPLE COUNSEL</u>

HEARING BEFORE THE COURT

COURT'S EXHIBITS

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13A
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Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	LVWD/SNWA Opening Power Point			2.14.22
2	CSI vs. ORDER 1309 POWER POINT			2.14.22
3	CSI - MAP			2.14.22
4	CBD - POWER POINT			2.15.22
5	MVIC POWER POINT			2.15.22
6	NV COGEN 1&2 - POWER POINT			2.15.22
7	LINCOLN COUNTY WATER DISTRICT (double sided)			2.15.22
8	VIDLER WATER COMPANY, INC.			2.15.22
9	NV STATE ENGINEER - MAP			2.15.22
10	LVWD/SNWA - RESPONENT-INTERVONOR' ORAL ARGUMENT POWERPOINT			2.15.22
11	LVWD/SNWA - ANSWERING ORAL ARGUMENTS			2.16.22
12	CSI - ORDER (some pages double sided)			2.16.22
13	MVIC - ARGUMENTS IN SUPPORT OF ORDER 1309			2.16.22
13A	MVIC - DRAWING			2.16.22
14	VIDLER - United States Dept. of the Interior (double sided)			2.16.22
15	LVWD/SNWA - REQUEST TO INVESTIGATE			2.16.22
16	CSI - NRS 533.120 (double sided)			2.16.22



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

BRADLEY J. HERREMA
100 NORTH CITY PKWY., SUITE 1600
LAS VEGAS, NV 89106

DATE: August 8, 2022
CASE: A-20-816761-C
CONSOLIDATED

RE CASE: LAS VEGAS VALLEY WATER DISTRICT; SOUTHERN NEVADA WATER AUTHORITY vs. TIM WILSON, P.E, Nevada State Engineer; DIVISION OF WATER RESOURCES, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

NOTICE OF APPEAL FILED: August 4, 2022

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- Order
- Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; NOTICE OF POSTING BOND; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING COYOTE SPRINGS INVESTMENT, LLC'S AND LINCOLN COUNTY WATER DISTRICT AND VIDLER WATER COMPANY, INC.'S MOTIONS FOR ATTORNEY'S FEES; NOTICE OF ENTRY OF ORDER DENYING COYOTE SPRINGS INVESTMENT, LLC'S AND LINCOLN COUNTY WATER DISTRICT AND VIDLER WATER COMPANY, INC.'S MOTIONS FOR ATTORNEY'S FEES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

LAS VEGAS VALLEY WATER DISTRICT;
SOUTHERN NEVADA WATER
AUTHORITY,

Plaintiff(s),

vs.

TIM WILSON, P.E, Nevada State Engineer;
DIVISION OF WATER RESOURCES,
DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES,

Defendant(s),

Case No: A-20-816761-C

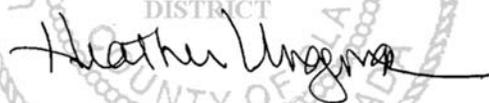
*Consolidated with A-20-817765-P,
A-20-817840-P, A-20-817876-P,
A-20-817977-P, A-20-818015-P,
A-20-818069-P, A-21-833572-J*

Dept No: I

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 8 day of August 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

