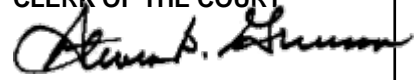


ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

Electronically Filed  
8/9/2022 8:30 AM  
Steven D. Grierson  
CLERK OF THE COURT



1 **NOAS**  
2 DYLAN V. FREHNER, ESQ.  
3 Nevada State Bar No. 9020  
4 **LINCOLN COUNTY DISTRICT ATTORNEY**  
5 181 North Main Street, Suite 205  
6 P.O. Box 60  
7 Pioche, Nevada 89043  
8 Telephone: (775) 962-8073  
9 Email: [dfrehner@lincolncountynv.gov](mailto:dfrehner@lincolncountynv.gov)

Electronically Filed  
Aug 15 2022 03:15 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

6 WAYNE O. KLOMP, ESQ.  
7 Nevada State Bar No. 10109  
8 **GREAT BASIN LAW**  
9 1783 Trek Trail  
10 Reno, Nevada 89521  
11 Telephone: (775) 770-0386  
12 Email: [wayne@greatbasinlawyer.com](mailto:wayne@greatbasinlawyer.com)

11 KAREN A. PETERSON, ESQ.  
12 Nevada State Bar No. 366  
13 **ALLISON MacKENZIE, LTD.**  
14 402 North Division Street  
15 Carson City, Nevada 89703  
16 Telephone: (775) 687-0202  
17 Email: [kpeterston@allisonmackenzie.com](mailto:kpeterston@allisonmackenzie.com)

14 Attorneys for Petitioners, LINCOLN COUNTY  
15 WATER DISTRICT and VIDLER WATER  
16 COMPANY, INC.

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

19 LAS VEGAS VALLEY WATER DISTRICT,  
20 and SOUTHERN NEVADA WATER  
21 AUTHORITY, et al.,

Case No. A-20-816761-C

Dept. No. 1

21 Petitioners,

Consolidated with Cases:

22 vs.

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 ADAM SULLIVAN, P.E., Acting  
24 Nevada State Engineer, et al.,

25 Respondent.

26  
27 **LINCOLN COUNTY WATER DISTRICT'S AND VIDLER WATER COMPANY, INC.'S**  
28 **NOTICE OF APPEAL**

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

1 NOTICE is hereby given, LINCOLN COUNTY WATER DISTRICT (“LCWD”), by and  
2 through its attorneys, DYLAN V. FREHNER, ESQ., LINCOLN COUNTY DISTRICT ATTORNEY,  
3 and WAYNE O. KLOMP, ESQ. GREAT BASIN LAW, and VIDLER WATER COMPANY, INC.  
4 (“VIDLER”), by and through its attorneys, ALLISON MacKENZIE, LTD., (collectively “Petitioners”  
5 or “LINCOLN/VIDLER”) in Case No.: A-21-833572-J, hereby appeal from the Order Denying  
6 Coyote Springs Investment, LLC’s and Lincoln County Water District and Vidler Water Company,  
7 Inc.’s Motions for Attorney’s Fees entered July 22, 2022.

8 **AFFIRMATION**

9 The undersigned does hereby affirm that the preceding document **DOES NOT** contain the  
10 social security number of any person.

11 DATED this 9<sup>th</sup> day of August, 2022.

12 LINCOLN COUNTY DISTRICT ATTORNEY  
13 181 North Main Street, Suite 205  
14 P.O. Box 60  
15 Pioche, Nevada 89043  
16 Telephone: (775) 962-8073

17 /s/ Dylan V. Frehner  
18 DYLAN V. FREHNER #9020  
19 Email: [dfrehner@lincolncountynv.gov](mailto:dfrehner@lincolncountynv.gov)

20 GREAT BASIN LAW  
21 1783 Trek Trail  
22 Reno, Nevada 89521  
23 Telephone: (775) 770-0386

24 /s/ Wayne O. Klomp  
25 WAYNE O. KLOMP #10109  
26 Email: [wayne@greatbasinlawyer.com](mailto:wayne@greatbasinlawyer.com)

27 *Attorneys for Lincoln County Water District*

28 ALLISON MacKENZIE, LTD.  
402 North Division Street  
Carson City, Nevada 89703  
Telephone: (775) 687-0202

/s/ Karen A. Peterson  
KAREN A. PETERSON #366  
Email: [kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com)

*Attorneys for Vidler Water Company, Inc.*

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

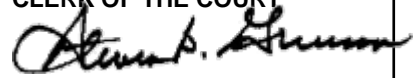
**CERTIFICATE OF SERVICE**

Pursuant to NRCp 5(b), I hereby certify that I am an employee of ALLISON MacKENZIE, LTD., Attorneys at Law, and that on this date, I caused a true and correct copy of the foregoing document to be served on all parties to this action by electronic service to the participants in this case who are registered with the Eighth Judicial District Court’s Odyssey eFileNV File & Service system in this matter.

DATED this 9<sup>th</sup> day of August, 2022.

/s/ Nancy Fontenot  
NANCY FONTENOT

4868-9707-1149, v. 1



1 **ASTA**  
2 DYLAN V. FREHNER, ESQ.  
Nevada State Bar No. 9020  
3 **LINCOLN COUNTY DISTRICT ATTORNEY**  
181 North Main Street, Suite 205  
4 P.O. Box 60  
Pioche, Nevada 89043  
5 Telephone: (775) 962-8073  
Email: [dfrehner@lincolncountynv.gov](mailto:dfrehner@lincolncountynv.gov)

6 WAYNE O. KLOMP, ESQ.  
7 Nevada State Bar No. 10109  
**GREAT BASIN LAW**  
8 1783 Trek Trail  
Reno, Nevada 89521  
9 Telephone: (775) 770-0386  
Email: [wayne@greatbasinlawyer.com](mailto:wayne@greatbasinlawyer.com)

10 KAREN A. PETERSON, ESQ.  
11 Nevada State Bar No. 366  
**ALLISON MacKENZIE, LTD.**  
12 402 North Division Street  
Carson City, Nevada 89703  
13 Telephone: (775) 687-0202  
Email: [kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com)

14 Attorneys for Petitioners, LINCOLN COUNTY  
15 WATER DISTRICT and VIDLER WATER  
16 COMPANY, INC.

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

19 LAS VEGAS VALLEY WATER DISTRICT,  
20 and SOUTHERN NEVADA WATER  
AUTHORITY, et al.,

Case No. A-20-816761-C

Dept. No. 1

21 Petitioners,

Consolidated with Cases:

22 vs.

A-20-817765-P

A-20-818015-P

A-20-817977-P

23 ADAM SULLIVAN, P.E., Acting  
24 Nevada State Engineer, et al.,

A-20-818069-P

A-20-817840-P

A-20-817876-P

25 Respondent.

A-21-833572-J

26  
27 **LINCOLN COUNTY WATER DISTRICT'S AND VIDLER WATER COMPANY, INC.'S**  
28 **CASE APPEAL STATEMENT**

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1. **APPELLANTS FILING THIS CASE APPEAL STATEMENT:**  
Lincoln County Water District and Vidler Water Company, Inc., referred to as Appellants.
2. **JUDGE ISSUING THE JUDGMENT OR ORDER APPEALED FROM:**  
The Honorable Bitia Yeager, Department One of the Eighth Judicial District Court of the State of Nevada in and for the County of Clark.
3. **APPELLANTS AND COUNSEL OF RECORD:**  
**Petitioner/Appellant:** Lincoln County Water District  
Represented by:  
Dylan V. Frehner, Esq.  
LINCOLN COUNTY DISTRICT ATTORNEY  
181 North Main Street, Suite 205  
P.O. Box 60  
Pioche, Nevada 89043  
  
Wayne O. Klomp, Esq.  
GREAT BASIN LAW  
1783 Trek Trail  
Reno, Nevada 89521  
  
**Petitioner/Appellant:** Vidler Water Company, Inc.  
Represented by:  
Karen A. Peterson, Esq.  
ALLISON MacKENZIE, LTD.  
402 North Division Street  
Carson City, Nevada 89703
4. **RESPONDENTS AND COUNSEL OF RECORD IN PROCEEDINGS BELOW:**  
**Respondent:** Adam Sullivan, P.E., Nevada State Engineer, Department of Conservation and Natural Resources, Division of Water Resources  
Represented by:  
James N. Bolotin, Esq.  
Steve Shevorski, Esq.  
Laena St-Jules, Esq.  
Kiel Ireland, Esq.  
NEVADA ATTORNEY GENERAL'S OFFICE  
100 North Carson Street  
Carson City, NV 89701-4717  
  
///  
///  
///

1 **5. WHETHER ANY IDENTIFIED COUNSEL IS NOT LICENSED TO PRACTICE**  
2 **LAW IN NEVADA:**

3 Appellants are informed and believe that all counsel identified above in numbers 3 and 4 are  
4 licensed to practice law in Nevada.

5 **6. WHETHER APPELLANTS WERE REPRESENTED BY APPOINTED OR**  
6 **RETAINED COUNSEL IN THE DISTRICT COURT:**

7 Appellants were represented by retained counsel in the Eighth Judicial District Court action.

8 **7. RETAINED COUNSEL ON APPEAL:**

9 Appellants are represented by retained counsel on appeal as indicated in number 3, above.

10 **8. WHETHER APPELLANT WAS GRANTED LEAVE TO PROCEED IN FORMA**  
11 **PAUPERIS, AND THE DATE OF ENTRY OF THE DISTRICT COURT ORDER**  
12 **GRANTING SUCH LEAVE:**

13 Appellants have not moved for leave to file an appeal in forma pauperis.

14 **9. INDICATE THE DATE THE PROCEEDINGS COMMENCED IN THE DISTRICT**  
15 **COURT:**

16 This case commenced in the Seventh Judicial District Court on July 13, 2020, by the Petitioners  
17 timely filing a Petition for Judicial Review of Nevada State Engineer Order 1309.

18 **10. BRIEF DESCRIPTION OF THE NATURE OF THE ACTION AND RESULT:**

19 This matter is an appeal of Order 1309 issued by the Nevada State Engineer. The petition for  
20 judicial review filed by Petitioners was granted by the district court on April 19, 2022. Several parties  
21 have appealed that determination by the district court, which appeals are currently pending before the  
22 Nevada Supreme Court.

23 Petitioners then sought to recover attorney's fees against the State Engineer pursuant to NRCP  
24 54 and NRS 18.010. The district court denied Petitioners' motion for attorney's fees on July 22, 2022.  
25 This is an appeal of the district court's order denying Petitioners' motion for attorney's fees.

26 **11. PREVIOUS APPEAL OR WRIT PROCEEDING IN THIS CASE:**

27 There was a prior appeal related to this case, *Lincoln County Water District and Vidler Water*  
28 *Company, Inc. v. Tim Wilson, PE., Nevada State Engineer et al.*, Case No. 81792.

There are related pending appeals (Case Nos. 84741, 84742, and 84809) which have been  
consolidated into Case No. 84739.

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

1 Coyote Springs Investment, LLC filed a notice of appeal of the district court's July 22, 2022  
2 order denying motions for attorney's fees on August 4, 2022.

3 **12. CHILD CUSTODY:**

4 This appeal does not involve child custody or visitation.

5 **13. POSSIBILITY OF SETTLEMENT:**

6 Petitioners are always open to settlement. Based upon the parties' positions below, it does not  
7 appear settlement is possible in this case.

8 **AFFIRMATION**

9 The undersigned does hereby affirm that the preceding document **DOES NOT** contain the  
10 social security number of any person.

11 DATED this 9<sup>th</sup> day of August, 2022.

LINCOLN COUNTY DISTRICT ATTORNEY  
181 North Main Street, Suite 205  
P.O. Box 60  
Pioche, Nevada 89043  
Telephone: (775) 962-8073

/s/ Dylan V. Frehner  
DYLAN V. FREHNER #9020  
Email: [dfrehner@lincolncountynv.gov](mailto:dfrehner@lincolncountynv.gov)

GREAT BASIN LAW  
1783 Trek Trail  
Reno, Nevada 89521  
Telephone: (775) 770-0386

/s/ Wayne O. Klomp  
WAYNE O. KLOMP #10109  
Email: [wayne@greatbasinlawyer.com](mailto:wayne@greatbasinlawyer.com)

*Attorneys for Lincoln County Water District*

ALLISON MacKENZIE, LTD.  
402 North Division Street  
Carson City, Nevada 89703  
Telephone: (775) 687-0202

/s/ Karen A. Peterson  
KAREN A. PETERSON #366  
Email: [kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com)

*Attorneys for Vidler Water Company, Inc.*

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

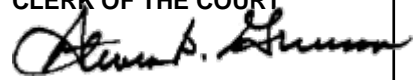
Pursuant to NRCP 5(b), I hereby certify that I am an employee of ALLISON MacKENZIE, LTD., Attorneys at Law, and that on this date, I caused a true and correct copy of the foregoing document to be served on all parties to this action by electronic service to the participants in this case who are registered with the Eighth Judicial District Court’s Odyssey eFileNV File & Service system in this matter.

DATED this 9<sup>th</sup> day of August, 2022.

/s/ Nancy Fontenot  
NANCY FONTENOT

4873-0372-2029, v. 1





1 **NPP**

2 DYLAN V. FREHNER, ESQ.  
3 Nevada State Bar No. 9020  
4 **LINCOLN COUNTY DISTRICT ATTORNEY**  
5 181 North Main Street, Suite 205  
6 P.O. Box 60  
7 Pioche, Nevada 89043  
8 Telephone: (775) 962-8073  
9 Email: [dfrehner@lincolncountynv.gov](mailto:dfrehner@lincolncountynv.gov)

6 WAYNE O. KLOMP, ESQ.  
7 Nevada State Bar No. 10109  
8 **GREAT BASIN LAW**  
9 1783 Trek Trail  
10 Reno, Nevada 89521  
11 Telephone: (775) 770-0386  
12 Email: [wayne@greatbasinlawyer.com](mailto:wayne@greatbasinlawyer.com)

11 KAREN A. PETERSON, ESQ.  
12 Nevada State Bar No. 366  
13 **ALLISON MacKENZIE, LTD.**  
14 402 North Division Street  
15 Carson City, Nevada 89703  
16 Telephone: (775) 687-0202  
17 Email: [kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com)

14 Attorneys for Petitioners, LINCOLN COUNTY  
15 WATER DISTRICT and VIDLER WATER  
16 COMPANY, INC.

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

19 LAS VEGAS VALLEY WATER DISTRICT,  
20 and SOUTHERN NEVADA WATER  
21 AUTHORITY, et al.,

Case No. A-20-816761-C

Dept. No. 1

21 Petitioners,

Consolidated with Cases:

22 vs.

A-20-817765-P

A-20-818015-P

A-20-817977-P

23 ADAM SULLIVAN, P.E., Acting  
24 Nevada State Engineer, et al.,

A-20-818069-P

A-20-817840-P

A-20-817876-P

25 Respondent.

A-21-833572-J

26  
27 **VIDLER WATER COMPANY, INC.'S NOTICE OF POSTING BOND**  
28

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

1 NOTICE IS HEREBY GIVEN that VIDLER WATER COMPANY, INC., Petitioner in Case  
2 No. A-21-833572-J, has deposited with the Clerk of the Court the sum of Five Hundred Dollars  
3 (\$500.00) in accordance with Rule 7(b) of the Nevada Rules of Appellate Procedure for security for  
4 costs on appeal. LINCOLN COUNTY WATER DISTRICT is exempt from the requirement to post a  
5 bond.

6 **AFFIRMATION**

7 The undersigned does hereby affirm that the preceding document **DOES NOT** contain the  
8 social security number of any person.

9 DATED this 9<sup>th</sup> day of August, 2022.

10 LINCOLN COUNTY DISTRICT ATTORNEY  
11 181 North Main Street, Suite 205  
12 P.O. Box 60  
13 Pioche, Nevada 89043  
14 Telephone: (775) 962-8073

15 /s/ Dylan V. Frehner  
16 DYLAN V. FREHNER #9020  
17 Email: [dfrehner@lincolncountynv.gov](mailto:dfrehner@lincolncountynv.gov)

18 GREAT BASIN LAW  
19 1783 Trek Trail  
20 Reno, Nevada 89521  
21 Telephone: (775) 770-0386

22 /s/ Wayne O. Klomp  
23 WAYNE O. KLOMP #10109  
24 Email: [wayne@greatbasinlawyer.com](mailto:wayne@greatbasinlawyer.com)

25 *Attorneys for Lincoln County Water District*

26 ALLISON MacKENZIE, LTD.  
27 402 North Division Street  
28 Carson City, Nevada 89703  
Telephone: (775) 687-0202

/s/ Karen A. Peterson  
KAREN A. PETERSON #366  
Email: [kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com)

*Attorneys for Vidler Water Company, Inc.*

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

Pursuant to NRCp 5(b), I hereby certify that I am an employee of ALLISON MacKENZIE, LTD., Attorneys at Law, and that on this date, I caused a true and correct copy of the foregoing document to be served on all parties to this action by electronic service to the participants in this case who are registered with the Eighth Judicial District Court’s Odyssey eFileNV File & Service system in this matter.

DATED this 9<sup>th</sup> day of August, 2022.

/s/ Nancy Fontenot  
NANCY FONTENOT

4865-8518-5325, v. 1

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)

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

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**  
**85137**

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

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

**Dry Lake Water, LLC**

**Balducci, Christian T.**  
*Retained*  
 702-382-0711(W)

**Georgia-Pacific Gypsum LLC**

**Ferguson, Sarah**  
*Retained*  
 775-247-4999(W)

**Lincoln County Water District**

**Klomp, Wayne O.**  
*Retained*  
 775-786-5000(W)

**Muddy Valley Irrigation Company**  
 Removed: 05/13/2022  
 Dismissed

**King, Steven D.**  
*Retained*  
 7023555666(W)

**Nevada Cogeneration Associates Nos. 1 and 2.**

**Flaherty, Francis C**  
*Retained*  
 7758851896(W)

**Nevada Power Company**

**Knox, Michael D.**  
*Retained*  
 775-788-8666(W)

**Vidler**

Removed: 06/25/2021  
 Data Entry Error

**Vidler Water Company, Inc.**

**Peterson, Karen A.**  
*Retained*  
 7756870202(W)

**Other**

**Bedroc Limited, LLC**

**Ure, Therese A**  
*Retained*  
 775-786-8800(W)

**City of North Las Vegas**

**Ure, Therese A**  
*Retained*  
 775-786-8800(W)

**Moapa Valley Water District**

**Morrison, Gregory H.**  
*Retained*  
 775-789-6547(W)

**Republic Environmental Technologies, Inc.**

**Ferguson, Sarah**  
*Retained*  
 775-247-4999(W)

**Sierra Pacific Power Company**


**Knox, Michael D.**  
*Retained*  
 775-788-8666(W)

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


**Carlson, Severin A.**  
*Retained*  
 775-884-8300(W)


**Western Elite Environmental, Inc.**


**Ure, Therese A**  
*Retained*  
 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		


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


 Notice of Appearance  
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*


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


07/16/2020	 Filing Fee Remittance Filed By: Intervenor Nevada Power Company; Other Sierra Pacific Power Company <i>[16] Filing Fee Remittance</i>
07/17/2020	 Notice of Intent to Participate Filed By: Other City of North Las Vegas <i>[17] Notice of Intent to Participate by City of North Las Vegas</i>
07/17/2020	 Initial Appearance Fee Disclosure Filed By: Other City of North Las Vegas <i>[18] Initial Appearance Fee Disclosure (NRS Chapter 19) for City of North Las Vegas with Certificate of Service attached.</i>
07/17/2020	 Notice of Intent to Participate Filed By: Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC <i>[19] Notice of Intent to Participate by Western Elite Environmental, Inc. and Bedroc Limited, LLC</i>
07/17/2020	 Initial Appearance Fee Disclosure Filed By: Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC <i>[20] Initial Appearance Fee Disclosure (NRS Chapter 19) for Western Elite Environmental, Inc. and Bedroc, LLC with Certificate of Service attached.</i>
07/21/2020	 Motion to Consolidate Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[21] Motion to Consolidate</i>
07/22/2020	 Clerk's Notice of Hearing <i>[22] Notice of Hearing</i>
07/23/2020	 Notice of Intent to Participate Filed By: Intervenor Apex Holding Company, LLC; Intervenor Dry Lake Water, LLC <i>[23] Notice of Intent to Participate</i>
07/23/2020	 Initial Appearance Fee Disclosure Filed By: Plaintiff Southern Nevada Water Authority; Plaintiff Las Vegas Valley Water District <i>[24] Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
07/29/2020	 Initial Appearance Fee Disclosure Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc. <i>[25] Initial Appearance Fee Disclosure</i>
07/29/2020	 Notice of Intent to Participate Filed By: Intervenor Georgia-Pacific Gypsum LLC; Other Republic Environmental Technologies, Inc. <i>[26] Notice of Intent to Participate in Petition for Judicial Review of Order 1309</i>
07/29/2020	 Stipulation Filed by: Intervenor Coyote Springs Investment, LLC <i>[27] Stipulation for Consolidation</i>
07/31/2020	 Motion to Intervene


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


Party: Intervenor Coyote Springs Investment, LLC  
*[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 Engineer'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  
*[73] Order Admitting to Practice*


10/07/2020  Order  
Filed By: Intervenor Center for Biological Diversity  
*[74] Order Excusing Local Counsel*


10/08/2020 **CANCELED Motion to Intervene** (3:00 AM) (Judicial Officer: Kephart, William D.)  
*Vacated - per Judge*  
*The Church of Jesus Christ of Latter-Day Saints' Motion to Intervene*

10/09/2020  Non Opposition  
Filed By: Defendant Nevada State Engineer, Division of Water Resources; Defendant Wilson, Tim  
*[75] Non-Opposition to Moapa Valley Water District's Motion to Intervene*

10/09/2020  Response  
Filed by: Intervenor Coyote Springs Investment, LLC  
*[76] Coyote Springs Investment, LLC's Preliminary Response to Pending Motions to Intervene*


10/13/2020  Non Opposition  
Filed By: Defendant Nevada State Engineer, Division of Water Resources; Defendant Wilson, Tim  
*[77] Non-Opposition to NV Energy's Motion to Intervene*


10/20/2020  Memorandum  
Filed By: Other City of North Las Vegas; Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC  
*[78] Joint Memorandum re Scope of Intervention*


10/21/2020  Amended Certificate of Service  
Party: Other City of North Las Vegas; Other Western Elite Environmental, Inc.; Other Bedroc Limited, LLC  
*[79] Joint Amended Certificate of Service*

10/22/2020 **CANCELED Motion to Intervene** (3:00 AM) (Judicial Officer: Kephart, William D.)  
*Vacated - per Judge*  
*City of North Las Vegas' Motion to Intervene*

10/22/2020 **CANCELED Motion to Intervene** (3:00 AM) (Judicial Officer: Kephart, William D.)  
*Vacated - per Judge*  
*Western Elite Environmental, Inc. and Bedroc limited, LCC's Motion to Intervene*

10/28/2020  Memorandum  
Filed By: Other Moapa Valley Water District  
*[80] Moapa Valley Water District's Memorandum Re Scope of Intervention*

10/29/2020  Non Opposition  
Filed By: Intervenor Muddy Valley Irrigation Company  
*[81] Non-Opposition to Coyote Springs Investment, LLC's Motion to Intervene*

10/29/2020  Non Opposition  
Filed By: Intervenor Muddy Valley Irrigation Company  
*[82] Non-Opposition to Western Elite Environmental, Inc. and Bedroc Limited, LLC's Motion to Intervene*


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 Intervenors 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 Intervenors</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	<b>CANCELED Motion to Intervene</b> (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, Bitu)  
**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 Bita 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, Bita)  
**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, Bita)
- 05/27/2021  **Status Check** (11:00 AM) (Judicial Officer: Yeager, Bita)  
**STATUS CHECK: BRIEFING SCHEDULE**  
*Parties Present: Attorney Cargill, Emilia K.*


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


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*



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


- 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*


CASE SUMMARY  
**CASE SUMMARY**  
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


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


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










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

*[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

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

*[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  
**CASE SUMMARY**  
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>





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


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*

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








- 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*

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

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>

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

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

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*

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

- 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*

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


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 &amp; 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



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


*[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

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

-  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.*


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


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

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

CASE SUMMARY  
**CASE SUMMARY**  
**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]*

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

- 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	 <b>Recorders Transcript of Hearing</b> <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	 <b>Notice of Appeal</b> Filed By: Intervenor Coyote Springs Investment, LLC <i>[337] Notice of Appeal</i>
08/04/2022	 <b>Case Appeal Statement</b> Filed By: Intervenor Coyote Springs Investment, LLC <i>[338] Case Appeal Statement</i>
08/04/2022	 <b>Notice of Posting Bond</b> Filed By: Intervenor Coyote Springs Investment, LLC <i>[339] Notice of Posting Bond</i>
08/09/2022	 <b>Notice of Appeal</b> Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District <i>[340] Notice of Appeal</i>
08/09/2022	 <b>Case Appeal Statement</b> Filed By: Intervenor Vidler Water Company, Inc.; Intervenor Lincoln County Water District <i>[341] Lincoln County Water District's and Vidler Water Company, Inc.'s Case Appeal Statement</i>
08/09/2022	 <b>Notice of Posting Bond</b> Filed By: Intervenor Vidler Water Company, Inc. <i>[342] Vidler Water Company, Inc.'s Notice of Posting Bond</i>

DATE	FINANCIAL INFORMATION
------	-----------------------

<b>Intervenor</b>	Center for Biological Diversity	
	Total Charges	363.40
	Total Payments and Credits	363.40
	<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Defendant</b>	Nevada State Engineer, Division of Water Resources	
	Total Charges	304.00
	Total Payments and Credits	304.00
	<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b>	Apex Holding Company, LLC	
	Total Charges	237.00
	Total Payments and Credits	237.00
	<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b>	Coyote Springs Investment, LLC	
	Total Charges	247.00
	Total Payments and Credits	247.00
	<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b>	Dry Lake Water, LLC	
	Total Charges	30.00
	Total Payments and Credits	30.00
	<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b>	Georgia-Pacific Gypsum LLC	

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

Total Charges	253.00
Total Payments and Credits	253.00
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b> Lincoln County Water District	
Total Charges	5.00
Total Payments and Credits	5.00
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b> Muddy Valley Irrigation Company	
Total Charges	304.00
Total Payments and Credits	304.00
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b> Nevada Power Company	
Total Charges	253.00
Total Payments and Credits	253.00
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b> Vidler Water Company, Inc.	
Total Charges	24.00
Total Payments and Credits	24.00
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Other</b> City of North Las Vegas	
Total Charges	223.00
Total Payments and Credits	223.00
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Other</b> The Church of Jesus Christ of Latter-day Saints	
Total Charges	8.00
Total Payments and Credits	8.00
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Other</b> Western Elite Environmental, Inc.	
Total Charges	253.00
Total Payments and Credits	253.00
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Plaintiff</b> Southern Nevada Water Authority	
Total Charges	822.80
Total Payments and Credits	822.80
<b>Balance Due as of 8/11/2022</b>	<b>0.00</b>
<b>Intervenor</b> Center for Biological Diversity	
Appeal Bond Balance as of 8/11/2022	<b>500.00</b>
<b>Intervenor</b> Lincoln County Water District	
Appeal Bond Balance as of 8/11/2022	<b>500.00</b>
<b>Plaintiff</b> Southern Nevada Water Authority	
Appeal Bond Balance as of 8/11/2022	<b>500.00</b>



**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

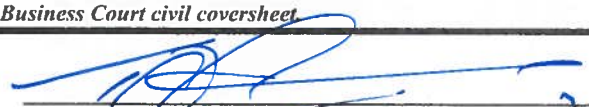
**II. Nature of Controversy** *(please select the one most applicable filing type below)*

<b>Civil Case Filing Types</b>		
<p align="center"><b>Real Property</b></p> <p><b>Landlord/Tenant</b></p> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <p><b>Title to Property</b></p> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <p><b>Other Real Property</b></p> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<p align="center"><b>Negligence</b></p> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <p><b>Malpractice</b></p> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<p align="center"><b>Torts</b></p> <p><b>Other Torts</b></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"><b>Probate</b></p> <p><b>Probate</b> <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><b>Estate Value</b></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"><b>Construction Defect &amp; Contract</b></p> <p><b>Construction Defect</b></p> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <p><b>Contract Case</b></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"><b>Judicial Review/Appeal</b></p> <p><b>Judicial Review</b></p> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <p><b>Nevada State Agency Appeal</b></p> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input checked="" type="checkbox"/> Other Nevada State Agency <p><b>Appeal Other</b></p> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<p align="center"><b>Civil Writ</b></p> <p><b>Civil Writ</b></p> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum		<p align="center"><b>Other Civil Filing</b></p> <p><b>Other Civil Filing</b></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**

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

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

9 Petitioners,

10 vs.

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

16 Respondent.

17 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

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

21 This matter came before this Court pursuant to two Motions for Attorney's Fees filed  
22 by Petitioner Coyote Springs Investment, LLC ("CSI"), and Petitioners Lincoln County  
23 Water District and Vidler Water Company, Inc. (collectively "Lincoln/Vidler") on May 5,  
24 2022, and May 10, 2022, respectively. The State Engineer filed an Omnibus Opposition to  
25 Respective Motions for Attorney's Fees on May 19, 2022. After the conclusion of briefing  
26 on the Motions, the Court held a hearing on July 5, 2022. The Court having reviewed these  
27 filings and the briefing related thereto, and holding a hearing, hereby **DENIES** CSI's and  
28 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).

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

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

*Bitia Yeager*

9F9 0BE E0F9 4C97  
Bitia Yeager  
District Court Judge

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16 **Submitted this 18th day of July, 2022, and approved as to form and content by:**

17 AARON D. FORD  
Attorney General

18 */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

100 North Carson Street

24 Carson City, NV 89701-4717

T: (775) 684-1231

25 E: [sshevorski@ag.nv.gov](mailto:sshevorski@ag.nv.gov)

[jbolotin@ag.nv.gov](mailto:jbolotin@ag.nv.gov)

26 [kireland@ag.nv.gov](mailto:kireland@ag.nv.gov)

[lstjules@ag.nv.gov](mailto:lstjules@ag.nv.gov)

27 *Attorneys for Respondent State Engineer*

28 *///*

1 ROBISON, SHARP, SULLIVAN & BRUST

2 /s/ Hannah E. Winston

KENT R. ROBISON, ESQ. (Bar No. 1167)

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

71 Washington Street

4 Reno, NV 89503

T: (775) 329-3151

5 E: [krobison@rssblaw.com](mailto:krobison@rssblaw.com)

[hwinston@rssblaw.com](mailto:hwinston@rssblaw.com)

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](mailto: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

4  
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
20 Diane Resch	dresch@ag.nv.gov
21 Justina Caviglia	jcaviglia@nvenergy.com
22 Bradley Herrema	bherrema@bhfs.com
23 Kent Robison	krobison@rssblaw.com
24 Mike Knox	mknox@nvenergy.com
25 Christian Balducci	cbalducci@maclaw.com
26 Pamela Montgomery	p.montgomery@kempjones.com
27	
28	



1	Laena St-Jules	lstjules@ag.nv.gov
2	Kiel Ireland	kireland@ag.nv.gov
3	Derek Muaina	DerekM@WesternElite.com
4	Andy Moore	moorea@cityofnorthvegas.com
5	Steven Anderson	Sc.anderson@lvvwd.com
6	Steven Anderson	Sc.anderson@lvvwd.com
7	Lisa Belenky	lbelenky@biologicaldiversity.org
8	Douglas Wolf	dwolf@biologicaldiversity.org
9	Sylvia Harrison	sharrison@mcdonaldcarano.com
10	Sylvia Harrison	sharrison@mcdonaldcarano.com
11	Lucas Foletta	lfoletta@mcdonaldcarano.com
12	Therese Shanks	tshanks@rssblaw.com
13	William Coulthard	wlc@coulthardlaw.com
14	Emilia Cargill	emilia.cargill@coyotesprings.com
15	Therese Ure	counsel@water-law.com
16	Sharon Stice	sstice@kcnvlaw.com
17	Gregory Morrison	gmorrison@parsonsbehle.com
18	Paul Taggart	paul@legaltnt.com
19	Lucas Foletta	lfoletta@mcdonaldcarano.com
20	Sarah Ferguson	sferguson@mcdonaldcarano.com
21	Sarah Ferguson	sferguson@mcdonaldcarano.com
22	Alex Flangas	aflangas@kcnvlaw.com
23	Kent Robison	krobison@rssblaw.com
24		
25		
26		
27		
28		

1	Bradley Herrema	bherrema@bhfs.com
2	Emilia Cargill	emilia.cargill@wingfieldnevadagroup.com
3	William Coulthard	wlc@coulthardlaw.com
4	Christian Balducci	cbalducci@maclaw.com
5	Christian Balducci	cbalducci@maclaw.com
6	Andrew Moore	moorea@cityofnorthlasvegas.com
7	Nancy Hoy	nhoy@mcdonaldcarano.com
8	Carole Davis	cdavis@mcdonaldcarano.com
9	Thomas Duensing	tom@legaltnt.com
10	Thomas Duensing	tom@legaltnt.com
11	Robert Dotson	rdotson@dotsonlaw.legal
12	Justin Vance	jvance@dotsonlaw.legal
13	Steve King	kingmont@charter.net
14	Justin Vance	jvance@dotsonlaw.legal
15	Steve King	kingmont@charter.net
16	Don Springmeyer	d.springmeyer@kempjones.com
17	Karen Peterson	kpeterson@allisonmackenzie.com
18	Wayne Klomp	wayne@greatbasinlawyer.com
19	Dylan Frehner	dfrehner@lincolncountynv.gov
20	Scott Lake	slake@biologicaldiversity.org
21	Hannah Winston	hwinston@rssblaw.com
22	Jane Susskind	jsusskind@mcdonaldcarano.com
23	Jane Susskind	jsusskind@mcdonaldcarano.com
24		
25		
26		
27		
28		

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Kellie Piet

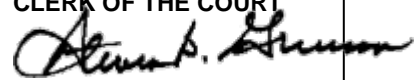
[kpiet@maclaw.com](mailto:kpiet@maclaw.com)

Francis Flaherty

[falaherty@dylawrence.com](mailto:falaherty@dylawrence.com)

Courtney Droessler

[cdroessler@kcnvlaw.com](mailto:cdroessler@kcnvlaw.com)



1 **NEOJ**  
AARON D. FORD  
2 Attorney General  
STEVE SHEVORSKI (Bar No. 8256)  
3 Chief Litigation Counsel  
JAMES N. BOLOTIN (Bar No. 13829)  
4 Senior Deputy Attorney General  
KIEL B. IRELAND (Bar No. 15368)  
5 Deputy Solicitor General  
LAENA ST-JULES (Bar No. 15156)  
6 Deputy Attorney General  
Office of the Attorney General  
7 100 North Carson Street  
Carson City, Nevada 89701-4717  
8 T: (775) 684-1231  
E: [sshevorski@ag.nv.gov](mailto:sshevorski@ag.nv.gov)  
9 [jbolotin@ag.nv.gov](mailto:jbolotin@ag.nv.gov)  
[kireland@ag.nv.gov](mailto:kireland@ag.nv.gov)  
10 [lstjules@ag.nv.gov](mailto:lstjules@ag.nv.gov)  
*Attorneys for Respondent State Engineer*

11  
12 **DISTRICT COURT**  
**CLARK COUNTY, NEVADA**  
13

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

16 Petitioners,

17 vs.

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

21 Respondent.

22 And All Consolidated Cases.  
23

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

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

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**

<b>EXHIBIT No.</b>	<b>EXHIBIT DESCRIPTION</b>	<b>NUMBER OF PAGES</b>
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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**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:

- 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

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

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).

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///


27 ///

28 ///

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



---

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

10  
11  
12  
13  
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**

**100 North Carson Street**

24 **Carson City, NV 89701-4717**

**T: (775) 684-1231**

25 **E: [sshevorski@ag.nv.gov](mailto:sshevorski@ag.nv.gov)**

**[jbolotin@ag.nv.gov](mailto:jbolotin@ag.nv.gov)**

**[kireland@ag.nv.gov](mailto:kireland@ag.nv.gov)**

**[lstjules@ag.nv.gov](mailto:lstjules@ag.nv.gov)**

27 *Attorneys for Respondent State Engineer*

28 *///*

1 ROBISON, SHARP, SULLIVAN & BRUST

2 /s/ Hannah E. Winston

KENT R. ROBISON, ESQ. (Bar No. 1167)

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

71 Washington Street

4 Reno, NV 89503

T: (775) 329-3151

5 E: [krobison@rssblaw.com](mailto:krobison@rssblaw.com)

[hwinston@rssblaw.com](mailto:hwinston@rssblaw.com)

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](mailto: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

4  
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
20 Diane Resch	dresch@ag.nv.gov
21 Justina Caviglia	jcaviglia@nvenergy.com
22 Bradley Herrema	bherrema@bhfs.com
23 Kent Robison	krobison@rssblaw.com
24 Mike Knox	mknox@nvenergy.com
25 Christian Balducci	cbalducci@maclaw.com
26 Pamela Montgomery	p.montgomery@kempjones.com
27	
28	

1	Laena St-Jules	lstjules@ag.nv.gov
2	Kiel Ireland	kireland@ag.nv.gov
3	Derek Muaina	DerekM@WesternElite.com
4	Andy Moore	moorea@cityofnorthvegas.com
5	Steven Anderson	Sc.anderson@lvvwd.com
6	Steven Anderson	Sc.anderson@lvvwd.com
7	Lisa Belenky	lbelenky@biologicaldiversity.org
8	Douglas Wolf	dwolf@biologicaldiversity.org
9	Sylvia Harrison	sharrison@mcdonaldcarano.com
10	Sylvia Harrison	sharrison@mcdonaldcarano.com
11	Lucas Foletta	lfoletta@mcdonaldcarano.com
12	Therese Shanks	tshanks@rssblaw.com
13	William Coulthard	wlc@coulthardlaw.com
14	Emilia Cargill	emilia.cargill@coyotesprings.com
15	Therese Ure	counsel@water-law.com
16	Sharon Stice	sstice@kcnvlaw.com
17	Gregory Morrison	gmorrison@parsonsbehle.com
18	Paul Taggart	paul@legaltnt.com
19	Lucas Foletta	lfoletta@mcdonaldcarano.com
20	Sarah Ferguson	sferguson@mcdonaldcarano.com
21	Sarah Ferguson	sferguson@mcdonaldcarano.com
22	Alex Flangas	aflangas@kcnvlaw.com
23	Kent Robison	krobison@rssblaw.com
24		
25		
26		
27		
28		

1	Bradley Herrema	bherrema@bhfs.com
2	Emilia Cargill	emilia.cargill@wingfieldnevadagroup.com
3	William Coulthard	wlc@coulthardlaw.com
4	Christian Balducci	cbalducci@maclaw.com
5	Christian Balducci	cbalducci@maclaw.com
6	Andrew Moore	moorea@cityofnorthlasvegas.com
7	Nancy Hoy	nhoy@mcdonaldcarano.com
8	Carole Davis	cdavis@mcdonaldcarano.com
9	Thomas Duensing	tom@legaltnt.com
10	Thomas Duensing	tom@legaltnt.com
11	Robert Dotson	rdotson@dotsonlaw.legal
12	Justin Vance	jvance@dotsonlaw.legal
13	Steve King	kingmont@charter.net
14	Justin Vance	jvance@dotsonlaw.legal
15	Steve King	kingmont@charter.net
16	Don Springmeyer	d.springmeyer@kempjones.com
17	Karen Peterson	kpeterson@allisonmackenzie.com
18	Wayne Klomp	wayne@greatbasinlawyer.com
19	Dylan Frehner	dfrehner@lincolncountynv.gov
20	Scott Lake	slake@biologicaldiversity.org
21	Hannah Winston	hwinston@rssblaw.com
22	Jane Susskind	jsusskind@mcdonaldcarano.com
23	Jane Susskind	jsusskind@mcdonaldcarano.com
24		
25		
26		
27		
28		



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Kellie Piet

[kpiet@maclaw.com](mailto:kpiet@maclaw.com)

Francis Flaherty

[falaherty@dylawrence.com](mailto:falaherty@dylawrence.com)

Courtney Droessler

[cdroessler@kcnvlaw.com](mailto:cdroessler@kcnvlaw.com)

**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**

<b>PRESENT:</b>	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**

<b>PRESENT:</b>	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, Bitu      **COURTROOM:** RJC Courtroom 16A

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	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, Bitia      **COURTROOM:** RJC Courtroom 16A

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	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, Bitia

**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)
---------------	--

<b>May 27, 2021</b>	<b>11:00 AM</b>	<b>Status Check</b>
---------------------	-----------------	---------------------

<b>HEARD BY:</b> Yeager, Bitu	<b>COURTROOM:</b> RJC Courtroom 16A
-------------------------------	-------------------------------------

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	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)

**July 01, 2021      11:00 AM      Status Check**

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

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	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)

**July 30, 2021      3:00 AM      Motion to Withdraw as  
Counsel**

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

**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, Bitia      **COURTROOM:** RJC Courtroom 16A

**COURT CLERK:** Rem Lord

**RECORDER:** Lisa Lizotte

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	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**

<b>PRESENT:</b>	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.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**December 10, 2021**

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

**December 10, 2021      3:00 AM      Decision**

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

**COURT CLERK:** Michele Tucker

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Court having reviewed Georgia-Pacific Gypsum LLC and Republic Environmental Tech, Inc. s Request for Judicial Notice, filed 11/23/21, and the related briefing and being fully informed, DENIES the request. Further, the Court GRANTS Respondent State Engineer s request to strike the portion of Georgia-Pacific Gypsum LLC and Republic Environmental Tech, Inc Opening Brief as set forth in their pleadings.

On appeal, a court can only consider those matters that are contained in the record made by the court below and the necessary inferences that can be drawn therefrom. Toigo v. Toigo, 109 Nev. 350, 350, 849 P.2d 259, 259 (1993) (citing Lindauer v. Allen, 85 Nev. 430, 433, 456 P.2d 851, 853 (1969)). Mack v. Est. of Mack, 125 Nev. 80, 91, 206 P.3d 98, 106 (2009).

Under NRS 47.150, a court must take judicial notice if requested by a party and supplied with the necessary information. NRS 47.150(2). Under NRS 47.130(1), The facts subject to judicial notice are facts in issue or facts from which they may be inferred. If a fact is judicially noticed, it must be capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. NRS 47.130(2)(b).

Upon review of a final judgment, a court generally . . .will not take judicial notice of records in another and different case, even though the cases are connected. Occhiuto v. Occhiuto, 97 Nev. 143,

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 to be 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, Bita      **COURTROOM:** RJC Courtroom 05C

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	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**

<b>PRESENT:</b>	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**

<b>PRESENT:</b>	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**

<b>PRESENT:</b>	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)

**April 19, 2022      3:00 AM      Decision**

**HEARD BY:** Yeager, Bitu      **COURTROOM:** Chambers

**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, Bitia      **COURTROOM:** RJC Courtroom 05C

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	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, Bitia      **COURTROOM:** RJC Courtroom 05C

**COURT CLERK:** Michele Tucker

**RECORDER:** Lisa Lizotte

**REPORTER:**

**PARTIES**

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

**HEARING BEFORE THE COURT**

**COURT'S EXHIBITS**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
13A  
14  
15  
16

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

**EXHIBIT(S) LIST**

A816761 – PG 2

Plaintiff: SOUTHERN NEVADA WATER AUTHORITY

vs.

Defendant: NEVADA STATE ENGINEER, DIVISION OF WATER RESOURCES

**COURT'S EXHIBITS**

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
17	CSI - #44 LWRFS GROUND WATER RIGHTS BY PRIORITY			2.16.22
18	APEX - IN RE: NV STATE ENGINEER ORDER 1309			2..17.22
19	MVIC REBUTTAL			2.17.22
20	LINCOLN /MIDLER – RULING 5712			2.17.22
21	MAPS			2.17.22



# 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):

LINCOLN COUNTY WATER DISTRICT'S AND VIDLER WATER COMPANY, INC.'S NOTICE OF APPEAL; LINCOLN COUNTY WATER DISTRICT'S AND VIDLER WATER COMPANY, INC.'S CASE APPEAL STATEMENT; VIDLER WATER COMPANY, INC.'S 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

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

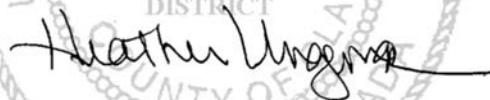
*Consolidated with A-20-817765-P,  
A-20-817840-P, A-20-817876-P,  
A-20-817977-P, A-20-818015-P,  
A-20-818069-P, A-21-833572-J*

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 11 day of August 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

