

IN THE SUPREME COURT OF THE STATE OF NEVADA

J.W. BENTLEY AND MARYANN
BENTLEY, TRUSTEES OF THE
BENTLEY FAMILY 1995 TRUST,
Petitioners,

vs.

THE NINTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
DOUGLAS, AND THE HONORABLE
DAVID R. GAMBLE, DISTRICT
JUDGE,

Respondents,

and

DONALD S. FORRESTER; KRISTINA
M. FORRESTER; HALL RANCHES,
LLC, A NEVADA LIMITED LIABILITY
COMPANY; THOMAS J. SCYPHERS;
KATHLEEN M. SCYPHERS; FRANK
SCHARO; SHERIDAN CREEK
EQUESTRIAN CENTER, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; RONALD R. MITCHELL;
AND GINGER G. MITCHELL, AS
INTERVENORS IN THE MATTER OF
THE DETERMINATION OF THE
RELATIVE RIGHTS IN AND TO THE
WATERS OF MOTT CREEK, TAYLOR
CREEK, CARY CREEK A/K/A CAREY
CREEK, MONUMENT CREEK, AND
BULLS CANYON, STUTLER CREEK
A/K/A STATTLER CREEK, SHERIDAN
CREEK, GANSBERG SPRING, SHARPE
SPRING, WHEELER CREEK NO. 1,
WHEELER CREEK NO. 2, MILLER
CREEK, BEERS SPRING, LUTHER
CREEK, AND VARIOUS UNNAMED
SOURCES IN CARSON VALLEY,
DOUGLAS VALLEY, NEVADA,
Real Parties in Interest.

No. 56351

FILED

APR 12 2011

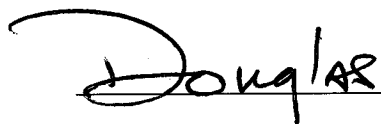
TRACE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DIRECTING SUPPLEMENTAL BRIEFING

This original petition for a writ of prohibition or mandamus challenged district court orders permitting real parties in interest to file a response to petitioners' exceptions to the State Engineer's "Final Order of Determination" and imposing a rotation schedule. On March 18, 2011, this court ordered the petition denied. Thereafter, real parties in interest filed a verified bill of costs. Petitioners oppose the bill of costs, contending in part that NRAP 39 applies only to appeals and to not extraordinary writ proceedings.

The question of whether NRAP 39 applies to extraordinary writ proceedings appears to be a question of first impression before this court. Accordingly, the parties are directed to brief the court on this issue. Petitioners shall have 10 days from the date of this order within which to file and serve a supplemental brief on this issue. Real parties in interest shall have 10 days from the date petitioners' supplemental brief is filed and served within which to file and serve a supplemental answering brief.

It is so ORDERED.

 _____, C.J.

cc: Hon. David R. Gamble, District Judge
Brooke Shaw Zumpft
Thomas J. Hall
Douglas County Clerk