

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

2
3 EUREKA COUNTY, A POLITICAL
4 SUBDIVISION OF THE STATE OF
5 NEVADA; KENNETH F. BENSON,
6 INDIVIDUALLY; DIAMOND CATTLE
7 COMPANY, LLC, A NEVADA LIMITED
8 LIABILITY COMPANY; AND MICHEL
9 AND MARGARET ANN ETCHEVERRY
10 FAMILY, LP, A NEVADA REGISTERED
11 FOREIGN LIMITED PARTNERSHIP,

12 Appellants,

13 vs.

14 THE STATE OF NEVADA STATE
15 ENGINEER; THE STATE OF NEVADA
16 DIVISION OF WATER RESOURCES; AND
17 KOBEH VALLEY RANCH, LLC, A NEVADA
18 LIMITED LIABILITY COMPANY,

19 Respondents.

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21 **CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED**

22 Notice is hereby given by Appellant, EUREKA COUNTY, by and through its counsel,
23 ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD. and THEODORE BEUTEL,
24 ESQ., the EUREKA COUNTY DISTRICT ATTORNEY, that Appellant, EUREKA COUNTY, is
25 not requesting the preparation of transcripts for this appeal. All hearing and oral argument
26 transcripts have already been prepared.

27 DATED this 9th day of October, 2012.

28 **ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.**

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-and-

THEODORE BEUTEL, ESQ.
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CERTIFICATE OF SERVICE

Pursuant to NRCP Rule 5(b), I hereby certify that I am an employee of ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD., Attorneys at Law, and that on this date I caused the foregoing document to be served on all parties to this action by:

- ☒ Placing a true copy thereof in a sealed postage prepaid envelope, first class mail, in the United States Mail in Carson City, Nevada [NRCP 5(b)(2)(B)]
- ☐ Via electronic transmission
- ☐ Hand-delivery [NRCP 5(b)(2)(A)]

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DATED this 9th day of October, 2012.

/s/ Nancy Fontenot
NANCY FONTENOT