

IN THE SUPREME COURT OF NEVADA

EUREKA COUNTY, a political subdivision
of the State of Nevada; KENNETH F.
BENSON, individually; DIAMOND CATTLE
COMPANY, LLC, a Nevada limited liability
company; and MICHAEL AND MARGARET
ANN ETCHEVERRY FAMILY, LP a Nevada
registered foreign limited partnership,

Appellants,

vs.

THE STATE OF NEVADA STATE ENGINEER;
THE STATE OF NEVADA DIVISION OF
WATER RESOURCES; and KOBEH VALLEY
RANCH, LLC, a Nevada limited liability
company,

Respondents.

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Tracie K. Lindeman
Clerk of Supreme Court

**THE NEVADA MINING ASSOCIATION’S MOTION TO APPEAR
AS *AMICUS CURIAE* AND TO JOIN IN THE BRIEF
OF THE MUNICIPAL WATER PURVEYORS**

The Nevada Mining Association requests this Court’s permission to appear as amicus curiae pursuant to NRAP 29(a) and (c), and to join in the amicus curiae brief filed by the Municipal Water Purveyors Carson City, City of Fernley, Gardnerville Ranchos General Improvement District, City of Henderson, City of Las Vegas, Town of Minden, City of North Las Vegas, Southern Nevada Water Authority, and Truckee Meadows Water Authority, which was filed in accordance with NRAP 29(a).

I. Interest of The Nevada Mining Association

The Nevada Mining Association is comprised of operating mining companies, exploration companies, suppliers of industry equipment, goods and services, counselors and consultants, and individuals interested in the well-being of the industry. The association's objective is to maintain a business and operating environment that will encourage the development and production of minerals in Nevada using safe and environmentally conscious methods

The mining industry is as important to Nevada's economy today as it was when the Comstock Lode was discovered in 1859. Since 1990, mining has contributed more than \$100 million each year to Nevada and local economies. This is particularly important to rural economies. Mining is the largest industry in rural Nevada, generating over 50,000 jobs, including direct and ancillary employment. In 2009, direct taxes by mining companies in Nevada to the state and local governments, not including any taxes paid by suppliers or employees, was \$200 million.

Nevada residents continue to require the resources that are mined. Without mining, our computers, telephones, televisions and other everyday products we take for granted would not exist. In fact, everything harvested, manufactured, transported or published requires minerals that come from mining.

Every year, 40,000 pounds of minerals must be provided for every person in the United States to maintain our standard of living.

Access to water is indispensable to the mining industry. Cutting edge technology has enabled mining to evolve into a cleaner and safer industry, increasing the efficiency of its water use and eliminating many environmental concerns. But water remains essential.

**II. The Nevada Mining Association Joins
in the Brief Filed by the Municipal Water Purveyors**

For the sake of judicial economy, the Nevada Mining Association seeks to join the brief filed by the governmental *amici* to avoid any unnecessary duplication of perspective or filings. The mining association joins in and concurs with all arguments raised in the amicus brief in support of maintaining the State Engineer's full statutory authority to grant and administer water rights in this state.

DATED this 13th day of February, 2013.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this document was filed electronically with the Nevada Supreme Court on the 13th day of February, 2013. Electronic service of the foregoing **THE NEVADA MINING ASSOCIATION'S MOTION TO APPEAR AS *AMICUS CURIAE* AND TO JOIN IN THE BRIEF OF THE MUNICIPAL WATER PURVEYORS** shall be made in accordance with the Master Service List as follows:

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