

IN THE SUPREME COURT OF THE STATE 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 MICHEL
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.

No. 61324

FILED

APR 11 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malate*
DEPUTY CLERK

ORDER GRANTING MOTION FOR LEAVE
TO FILE OVERSIZED REPLY BRIEF

Appellant Eureka County has filed a motion for leave to file a reply brief that exceeds the 7,000-word type-volume limit under NRAP 32(a)(7)(A)(ii). The proposed reply brief contains 11,598 words, and Eureka County points out that two answering briefs were filed in this appeal, and the proposed single reply brief is less than the 14,000 word-limit total for two reply briefs. Eureka County also asserts that this appeal presents an issue of first impression and the excess words address the nature and scope of issues in this appeal and the new matters set forth in respondents' answering briefs. Eureka County contends the additional words are necessary to present arguments and context to aid the court's resolution of the appeal. Having considered the motion, we grant it. The

clerk of this court shall file the proposed reply brief, provisionally received in this court on April 5, 2013.

It is so ORDERED.

Pickering, C.J.

cc: Schroeder Law Offices, P.C.
Allison, MacKenzie, Pavlakis, Wright & Fagan, Ltd.
Eureka County District Attorney
Parsons Behle & Latimer/Salt Lake City
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Attorney General/Carson City
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