

MATUSKA LAW OFFICES, LTD.
937 MICA DRIVE, SUITE 16A
CARSON CITY, NEVADA 89423
(775) 392-2313

Case No.: 08-CV-0363-D

Dept. No.: I

FILED

2013 FEB -4 PM 3:31

TED THUAN
CLERK

This document does not contain personal information of any person.

BY [Signature] DEPUTY

RECEIVED
FEB - 4 2013
DOUGLAS COUNTY
DISTRICT COURT CLERK

NO. 62620

IN THE NINTH JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

FILED

FEB 14 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

In the Matter of the Determination of the
Relative Rights in and to the Waters of Mott
Creek, Taylor Creek, Cary Creek (aka Carey
Creek), Monument Creek, and Bulls Canyon,
Stutler Creek (aka 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 County, Nevada.

NOTICE OF APPEAL

COME NOW J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley
Family Trust 1995 Trust ("Bentley"), by and through their counsel of record, Matuska Law
Offices, Ltd., Michael L. Matuska, and hereby appeal to the Supreme Court of Nevada from the
Order dated 4 January 2013 awarding attorney's fees and costs.

DATED this 4th day of February 2013

MATUSKA LAW OFFICES, LTD.

By: [Signature]

Michael L. Matuska
State Bar No. 5711
937 Mica Drive, Ste. 16A
Carson City, NV 89705
(T) (775) 392-2313
(F) (775) 392-2318

RECEIVED

FEB 13 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

MATUSKA LAW OFFICES, LTD.
937 MICA DRIVE, SUITE 16A
CARSON CITY, NEVADA 89423
(775) 392-2313

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of MATUSKA LAW OFFICES, LTD. and that on the 4th day of February, 2013, I served a true and correct copy of the preceding document entitled **NOTICE OF APPEAL** addressed to:

Bryan L. Stockton Deputy Attorney General 100 North Carson Street Carson City, NV 89701	Thomas J. Hall, Esq. 305 South Arlington Avenue P.O. Box 3948 Reno NV 89505-3948
Jessica Prunty Dyer Lawrence Flaherty Donaldson and Prunty 2805 Mountain Street Carson City, Nevada 89703	

☒ **BY U.S. MAIL:** I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document at Minden, Nevada, in the ordinary course of business.

☐ **BY FACSIMILE:** I transmitted via facsimile from the offices of Brooke · Shaw · Zumpft the above-identified document in the ordinary course of business to the individual and facsimile numbers indicated.


LIZ STERN, ALS

MATUSKA LAW OFFICES, LTD.
937 MICA DRIVE, SUITE 16A
CARSON CITY, NV 89705
(775) 392-2313

Case No.: 08-CV-0363-D

Dept. No.: I

FILED

2013 FEB -4 PM 3: 32

RECEIVED

FEB - 4 2013

DOUGLAS COUNTY
DISTRICT COURT CLERK

TED THRAN
CLERK

This document does not contain personal information of any person.

BY [Signature] DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

In the Matter of the Determination of the)
Relative Rights in and to the Waters of Mott)
Creek, Taylor Creek, Cary Creek (aka Carey)
Creek), Monument Creek, and Bulls Canyon,)
Stutler Creek (aka 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.)

CASE APPEAL STATEMENT

COME NOW J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley Family 1995 Trust ("Bentley"), by and through their counsel of record, Matuska Law Offices, Ltd., Michael L. Matuska, and hereby appeal to the Supreme Court of Nevada from the *Order* awarding attorney's fees and costs that was entered on 4 January 2013.

1. Name of Appellant filing this Case Appeal Statement:

J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley Family 1995 Trust.

2. Name of the judge issuing the decision, judgment, or order appealed from:

Honorable David R. Gamble.

3. Parties to the proceedings in the district court:

i. Initiating Party/Plaintiff – State of Nevada, ex. rel. Office of the State Engineer;

FEB 13 2013i.

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

Excepting Party/Defendant (to this sub-proceeding only) – J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley Family 1995 Trust;

1 iii. Intervenors: HALL RANCHES, LLC; THOMAS J. SCYPHERS and
2 KATHLEEN M. SCYPHERS; FRANK SCHARO; SHERIDAN CREEK
3 EQUESTRIAN CENTER, LLC, a Nevada Limited Liability Company;
4 DONALD S. FORRESTER and KRISTINA M. FORRESTER; RONALD
5 R. MITCHELL and GINGER G. MITCHELL.

6 4. Parties involved in this appeal:

- 7 i. Appellant – J.W. BENTLEY and MARYANN BENTLEY, Trustees of the
8 Bentley Family 1995 Trust (“Bentley”);
9 ii. Respondents – State of Nevada, ex. rel. Office of the State Engineer; HALL
10 RANCHES, LLC; THOMAS J. SCYPHERS and KATHLEEN M.
11 SCYPHERS; FRANK SCHARO; SHERIDAN CREEK EQUESTRIAN
12 CENTER, LLC, a Nevada Limited Liability Company; DONALD S.
13 FORRESTER and KRISTINA M. FORRESTER (“Forrester”); RONALD
14 R. MITCHELL and GINGER G. MITCHELL (collectively, “Intervenors”).

15 5. Name of counsel involved in this appeal:

- 16 i. Michael L. Matuska, Matuska Law Offices, Ltd., 937 Mica Drive, Suite
17 16A, Carson City, Nevada 89705 and Jessica Prunty, Dyer Lawrence
18 Flaherty Donaldson and Prunty, 2805 Mountain Street, Carson City,
19 Nevada 89703, for Appellant J.W. BENTLEY and MARYANN
20 BENTLEY, Trustees of the Bentley Family 1995 Trust;
21 ii. Deputy Attorney General Bryan Stockton, 100 N. Carson Street, Carson
22 City, Nevada, 89701, for Respondent State of Nevada ex. rel. Office of the
23 State Engineer;
24 iii. Thomas J. Hall, 305 South Arlington Avenue, P.O. Box 3948, Reno NV
25 89505-3948, for Respondents – HALL RANCHES, LLC; THOMAS J.
26 SCYPHERS and KATHLEEN M. SCYPHERS; FRANK SCHARO,
27 SHERIDAN CREEK EQUESTRIAN CENTER, LLC, a Nevada Limited
28

Liability Company; DONALD S. FORRESTER and KRISTINA M. FORRESTER; and RONALD R. MITCHELL and GINGER G. MITCHELL.

6. Name of counsel involved in the district court proceedings:

- i. Michael L. Matuska, Matuska Law Offices, Ltd., 937 Mica Drive, Suite 16A, Carson City, Nevada 89705 and Jessica Prunty, Dyer Lawrence Flaherty Donaldson and Prunty, 2805 Mountain Street, Carson City, Nevada 89703, for Appellant J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley Family 1995 Trust;
- ii. Deputy Attorney General Bryan Stockton, 100 N. Carson Street, Carson City, Nevada, 89701, for Respondent State of Nevada ex. rel. Office of the State Engineer;
- iii. Thomas J. Hall, 305 South Arlington Avenue, P.O. Box 3948, Reno NV 89505-3948, for Respondents – HALL RANCHES, LLC; THOMAS J. SCYPHERS and KATHLEEN M. SCYPHERS; FRANK SCHARO; SHERIDAN CREEK EQUESTRIAN CENTER, LLC, a Nevada Limited Liability Company; DONALD S. FORRESTER and KRISTINA M. FORRESTER; and RONALD R. MITCHELL and GINGER G. MITCHELL.

7. Appellants' retained counsel on appeal: Michael L. Matuska, Matuska Law Offices, Ltd., 937 Mica Drive, Suite 16A, Carson City, Nevada 89705 and Jessica Prunty, Dyer Lawrence Flaherty Donaldson and Prunty, 2805 Mountain Street, Carson City, Nevada 89703, for Appellant J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley Family 1995 Trust;

8. In Foruma Pauperis: None of the parties requested or were granted leave to proceed *in forma pauperis*;

9. Commencement of proceedings: The different stages to the proceedings in the

district court were commenced as follows:

- i. 6/5/1987 – Petition filed in the Office of the State Engineer requesting determination for the relative rights of the claimants to the water of Sheridan Creek, Douglas County, Nevada;
- ii. 6/17/87 – Order from Ninth Judicial District Court for order requiring the State Engineer to proceed with the same;
- iii. 6/22/90 – State Engineer entered Order No. 1031 initiating the adjudication proceedings to determine the relative rights of claimants of vested rights to Sheridan Creek and other watercourses that drain into the Carson Valley from the Eastern slope of the Carson Range of mountains;
- iv. 6/12/06 – State Engineer entered Preliminary Order of Determination;
- v. 8/14/08 – State Engineer entered Final Order of Determination;
- vi. 12/10/08 – Bentley commences these sub-proceeding by filing Notice of Exceptions and Exceptions to Final Order of Determination;
- vii. 3/25/09 - Bentley filed Amended Notice of Exceptions and Exceptions to Final Order of Determination;
- viii. 4/1/09 - Hon. David R. Gamble designates these proceedings on Bentley's exceptions regarding Sheridan Creek as a separate sub-proceeding – D.
- ix. 4/5/12 – Hon. David R. Gamble enters Findings of Fact, Conclusions of law, Order and Judgment in sub-proceeding – D.
- x. 1/4/13 – Hon. David R. Gamble enters Order awarding attorney's fees and costs in favor of Intervenors.
- xi. The final decree is still pending.

10. Nature of Action. This is a water rights adjudication proceeding. Bentley is in a unique position in that it enjoys the right to divert (but not consume) water from Sheridan Creek above its allocated amount pursuant to a Water Diversion and Use Agreement that was recorded in the Official Records of Douglas County, Nevada, on 27 March 1987. The water is to be diverted through Bentley's ponds and then returned to the creek and ditch system for use by other

claimants. Intervenor filed multiple motions to have the lower court override that Diversion Agreement and instead impose a rotation schedule. On 15 April 2011, the lower court granted Intervenor's motion(s) and entered an Order which effectively restrained Bentley's diversion of the amount already adjudicated in its favor in the Final Order of Determination and any diversions under the recorded Diversion Agreement; instead, the lower court entered a temporary order for the Office of the State Engineer to implement a twenty-one (21) day rotation schedule on a temporary basis. As a result, Bentley gets the full flow of water from the North Branch of Sheridan Creek 1.6 days out of the twenty-one (21) day rotation cycle. There is no statutory basis or need for this Order, and it was entered without an evidentiary hearing or a requirement for Intervenor to post a bond. Bentley has appealed from this Order as if it were a temporary restraining order (Case No. 60891) and now appeals from the 4 January 2013 Order awarding attorney's fees and costs.

11. Other proceedings. Writ proceeding (Case No. 56531 - dismissed); Appeal (Case No. 56551 - dismissed); Appeal (Case No. 59188 - dismissed); Appeal (Case No. 60891 - pending – see Order to Show Cause dated 15 November 2012 and Response to Order to Show Cause filed on 14 December 2012).

12. Child Custody and Visitation. This case does not involve child custody and visitation.

13. Possibility of a Settlement. The parties have already participated in three (3) settlement conferences and there is no possibility of a settlement.

DATED this 4th day of February, 2013.

MATUSKA LAW OFFICES, LTD.

By: 

Michael L. Matuska
State Bar No. 5711
937 Mica Drive, Suite 16A
Carson City, NV 89705
(T) (775) 392-2313
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of MATUSKA LAW OFFICES, LTD. and that on the 4th day of February, 2013, I served a true and correct copy of the preceding document entitled **CASE APPEAL STATEMENT** addressed to:

Bryan L. Stockton Deputy Attorney General 100 North Carson Street Carson City, NV 89701	Thomas J. Hall, Esq. 305 South Arlington Avenue P.O. Box 3948 Reno NV 89505-3948
Jessica Prunty Dyer Lawrence Flaherty Donaldson and Prunty 2805 Mountain Street Carson City, Nevada 89703	

☒ **BY U.S. MAIL:** I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document at Minden, Nevada, in the ordinary course of business.

☐ **BY FACSIMILE:** I transmitted via facsimile from the offices of Brooke · Shaw · Zumpft the above-identified document in the ordinary course of business to the individual and facsimile numbers indicated.


LIZ STERN, ALS

9TH JUDICIAL DISTRICT COURT
Ted Thran
Clerk of the Court
Ph 782-9820 Fax 782-9954
1625 8th Street
P.O. Box 218
Minden, NV 89423-0000
(775)-782-9820, TTY for Deaf: (775)-782-9964
(775) 782-9820

02/12/13

Case Number: 08-CV-00363-DC CV-OTH
Date Filed: 10/28/08
Status: Open/Active
Judge Assigned: Gamble, David

Mott Creek Water: ITMO Water Rights

C A S E H I S T O R Y

INVOLVED PARTIES

Type	Num	Name (Last, First, Mid, Title)	Dispo	Entered
RPI	001	Mott Creek		10/28/08
RPI	002	Taylor Creek		10/28/08
RPI	003	Cary Creek		10/28/08
RPI	004	Monument Creek		10/28/08
RPI	005	Bulls Canyon		10/28/08
RPI	006	Stutler Creek		10/28/08
RPI	007	Stattler Creek		10/28/08
RPI	008	Sheridan Creek		10/28/08
RPI	009	Gansberg Spring		10/28/08
RPI	010	Sharpe Spring		10/28/08
RPI	011	Wheeler Creek No. 1		10/28/08
RPI	012	Wheeler Creek No. 2		10/28/08
RPI	013	Miller Creek		10/28/08
RPI	014	Beers Spring		10/28/08
RPI	015	Luther Creek		10/28/08
RPI	016	Bentley, J.W.		12/10/08
Attorney: 5711 Matuska, Michael L Brooke & Shaw P. O. Box 2860 Minden, NV 89423 (702) 782-7171				
RPI	017	Bentley, Maryann		12/10/08
RPI	018	Kimmerling Trust		02/11/09
Attorney: 1628 Lipkau, Ross E Marshall, Hill, Cassas & De Lipkau P.O. Box 2790 Reno, NV 89505-2790				

(775)323-1601

Type	Num	Name (Last, First, Mid, Title)	Dispo	Entered
RES	001	State Of Nevada Attorney: 004764 Stockton, Bryan 515 E. Musser St. Carson City, NV 89714		08/05/09
RES	002	Taylor, Tracy Attorney: 004764 Stockton, Bryan 515 E. Musser St. Carson City, NV 89714		08/05/09
RES	003	Christian, Stephen H		10/25/12
PET	001	Smith, Joy		01/18/13
PET	002	Barden, Daniel		01/18/13
PET	003	Barden, Elaine		01/18/13
OTH	001	Stockton, Bryan		10/28/08
OTH	002	Maddi's Friesian Ranch, LLC. Attorney: 4580 Taggart, Paul G 108 N. Minnesota Street Carson City, NV 89703 (775)882-9900		03/27/09
OTH	003	Davis, David B. Attorney: 1234 Person, Proper 001597 Kolvet, Brent 1111 Person, Proper P. O. Box 218 Minden, NV 89423	Removed: 04/21/09 Removed: 01/27/10	03/26/09
OTH	004	Davis, Sharon Lynn Attorney: 1111 Person, Proper P. O. Box 218 Minden, NV 89423		03/26/09
OTH	005	Jackson, Jerald R. Attorney: 001701 Keele, George 000195 DePaoli, Gordon P.O. Box 2311 Reno, NV 89505	Removed: 04/29/10	03/26/09
OTH	006	Windholz, Irene M.		03/26/09
OTH	007	Forrester, Donald S. Attorney: 6333 Hall, David R P O Box 218 Minden, NV 89423 (775)782-9803		03/27/09

Type Num	Name (Last, First, Mid, Title)	Dispo	Entered
OTH 008	Forrester, Kristina M.		03/27/09
OTH 009	Bentley, J.W.		03/25/09
	Attorney: 5711 Matuska, Michael L Brooke & Shaw P. O. Box 2860 Minden, NV 89423 (702) 782-7171		
OTH 010	Bentley, Maryann		03/25/09
OTH 011	Gronendyke, Edward H.		03/25/09
	Attorney: 000159 Brooke, T. Scott P.O. Box 2860 Minden, NV 89423		
OTH 012	Brooks Family Trust		03/23/09
	Attorney: 000159 Brooke, T. Scott P.O. Box 2860 Minden, NV 89423		
OTH 013	Yturbide, Thomas M		04/09/09
	Attorney: 6540 Yturbide, Jennifer A Rowe & Hales 1638 Esmeralda Avenue P.O. Box 2080 Minden, NV 89423 (775) 782-8141		
OTH 014	Yturbide, Paula J		04/09/09
	Attorney: 6540 Yturbide, Jennifer A Rowe & Hales 1638 Esmeralda Avenue P.O. Box 2080 Minden, NV 89423 (775) 782-8141		
OTH 015	Park, Eric		04/09/09
	Attorney: 000937 Chase, Kelly 1234 Person, Proper P. O. Box 218 Minden, NV 89423	Removed: 07/31/09	
OTH 016	Park, Elizabeth		04/09/09
	Attorney: 000937 Chase, Kelly P.O. Box 2800 1700 County Road, Suite A Minden, NV 89423		
OTH 017	Bentley Family Trust 1995 Trust		04/20/09
OTH 018	Douglas, Myles S		11/06/12
OTH 019	Douglas, Amy B		11/06/12

Type Num	Name (Last, First, Mid, Title)	Dispo	Entered
ITV 001	Hall Ranches, LLC.		04/10/09
ITV 002	Sheridan Creek Equestrian Center, LLC.		04/10/09
ITV 003	Scharo, Frank		04/10/09
ITV 004	Mitchell, Ronald R.		04/10/09
ITV 005	Mitchell, Ginger G.		04/10/09
ITV 006	Scyphers, Thomas J.		12/13/10
Attorney: 000675 Hall, Thomas			
PO Box 3948			
Reno, NV 89505			
ITV 007	Scyphers, Kathleen M.		12/13/10

CALENDAR EVENTS

Date	Time	Dur	Cer	Evnt	Jdg	L	Day	Of	Rslt	By	ResultDt	Jdg	T	Notice	Rec
04/01/09	09:00A	001	yes	CALL	DRG		01	/01	CON	C	07/23/09	DRG			N
07/06/09	01:30P	001	yes	PTC	DRG		01	/01	CON	C	07/23/09	DRG			N
08/27/09	09:00A	001	yes	CALL	DRG		01	/01	VAC	C	08/19/09	DRG	P		
12/16/09	09:00A	007	yes	CITR	DRG		01	/02	CON	C	12/16/09	DRG			N
12/17/09	09:00A	007	yes	CITR	DRG		02	/02	VAC	C	12/16/09				N
01/14/10	01:00P	001	yes	CITR	DRG		01	/01	VAC	C	11/23/10	DRG			
01/29/10	01:00P	001	yes	CITR	DRG		01	/01	CON	C	01/13/12	DRG			N
05/17/10	09:00A	004	yes	CALL	DRG		01	/01	CON	C	05/17/10	DRG	P		N
07/16/10	09:00A	001	yes	CALL	DRG		01	/01	CON	C	07/16/10	DRG	P		N
08/01/11	01:30P	001	yes	CALL	DRG		01	/01	CON	C	08/01/11	DRG	P		N
01/09/12	09:00A	007	yes	CITR	DRG		01	/01	CON	C	01/13/12	DRG			N
01/11/12	09:00A	007	yes	CITR	DRG		01	/03	CON	C	01/13/12	DRG			N
01/12/12	09:00A	007	yes	CITR	DRG		02	/03	VAC	C	01/13/12				N
01/13/12	09:00A	007	yes	CITR	DRG		03	/03	VAC	C	01/13/12				N
01/19/12	09:00A	007	yes	CITR	DRG		01	/02	CON	C	01/13/12	DRG			N
01/20/12	09:00A	007	yes	CITR	DRG		02	/02	CON	C	01/13/12	DRG			N
10/10/12	01:30P	001	yes	PTC	DRG		01	/01	CON	C	10/10/12	DRG			N

Date	Time	Dur	Cer	Evnt	Jdg	L	Day	Of	Rslt	By	ResultDt	Jdg	T	Notice	Rec
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11/07/12	09:00A	001	yes	CALL	DRG		01	/01	CON	C	11/07/12	DRG	P		N
11/09/12	09:00A	001	yes	CALL	DRG		01	/01	CON	C	11/07/12	DRG	P		N
11/30/12	09:00A	001	yes	CALL	DRG		01	/01	CON	C	11/30/12	DRG	P		N

JUDGE HISTORY

JUDGE ASSIGNED	Type	Assign Date	Removal	RSN
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DRG Gamble, David	J	10/28/08		
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DOCUMENT TRACKING

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
001000	Notice of filing of the State Engineer's Order of Determination	10/28/08		DRG	OTH001			N/A
002000	Order Setting Hearing of Exceptions	10/30/08		DRG	000			PG PG
003000	Affidavit of Service	11/10/08		DRG	000			BW BW
004000	Notice of Exceptions And Exceptions To Final Order Of Determination Filed by RPI016-Bentley, J.W., RPI017-Bentley, Maryann	12/10/08		DRG	RPI016			BW BW
005000	Notice of Request and Notice Regarding Partial Ownership of Claim 06320	02/11/09		DRG	RPI018			KW KW
006000	Notice of Exceptions and Exceptions to Final Order of Determination (RE: Proofs V-06365, V-06366)	03/23/09		DRG	000			MB MB
007000	Claimant's Notice of Exceptions to the Final Order of Determination Regarding Proof of Appropriation No. V-08850	03/25/09		DRG	000			MB MB
010000	(STRICKEN) Amended Notice of Exceptions and Exceptions to Final Order of Determination	03/25/09		DRG	RPI016			HC PG
008000	Notice of Exception to the Order of Determination	03/26/09		DRG	000			MB MB
009000	Notice of Exceptions to the Final Order of Determination	03/26/09		DRG	000			MB MB

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User	ID
011000	(STRICKEN) Notice of Appearance and Intent to Participate	03/27/09		DRG	000			MB	PG
012000	(STRICKEN) Reply to Exceptions by Bentley to Final Order of Determination	03/27/09		DRG	000			MB	PG
013000	(STRICKEN) Response to Reply to Ex by Bentley to Final Order of Determination Filed by RPI017-Bentley, Maryann, RPI016-Bentley, J.W.	03/31/09		DRG	RPI017			MB	PG
014000	Certificate of Service	03/31/09		DRG	RPI001			N/A	PG
015000	Reporter's Transcript of Proceedings Determination of Water Rights Hearing 4/1/09 (Subpart A)	04/03/09		DRG	000			MB	MB
016000	Reporter's Transcript of Proceedings Determination of Water Rights Hearing 4/1/09 (Subpart B)	04/03/09		DRG	000			MB	MB
017000	Reporter's Transcript of Proceedings Determination of Water Rights Hearing 4/1/09 (Subpart C)	04/03/09		DRG	000			MB	MB
018000	Reporter's Transcript of Proceedings Determination of Water Rights Hearing 4/1/09 (Subpart D)	04/03/09		DRG	000			MB	MB
019000	Reporter's Transcript of Proceedings Determination of Water Rights Hearing 4/1/09 (Subpart E)	04/03/09		DRG	000			MB	MB
020000	Reporter's Transcript of Proceedings Determination of Water Rights Hearing 4/1/09 (Subpart F)	04/03/09		DRG	000			MB	MB
021000	Reporter's Transcript of Proceedings Determination of Water Rights Hearing 4/1/09	04/03/09		DRG	000			MB	MB
022000	(F) Motion to Intervene	04/09/09		DRG	OTH013	Ruled	04/29/09	HC	JT
023000	(F) Notice of and Motion to Intervene	04/09/09		DRG	OTH015	Ruled	04/29/09	HC	JT
024000	(F) Amended Certificate of Service Filed by OTH013-Yturbide, Thomas M, OTH014-Yturbide, Paula J	04/10/09		DRG	OTH013			MB	MB
025000	(F) Motion to Intervene	04/10/09		DRG	OTH002	Ruled	04/29/09	MB	JT
026000	(D) Motion to Intervene Filed by ITV001-Hall Ranches, LLC., , ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC.,	04/10/09 04/28/09	DRG	ITV001		Ruled	06/12/09	MB	JT
047000	(E) Qualified Objection to Exceptions to The Final Order of Determination Regarding Proof of Appropriation V-08850 as it Affects Proofs Numbers V-06342, V-06343, and a Portion of V-02856	04/13/09		DRG	OTH005			MB	MB

Filed by OTH005-Jackson, Jerald R., OTH006-Windholz, Irene M.

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
028000	(F) Amended Certificate of Service	04/16/09		DRG	000			MB MB
029000	(F) Affidavit of Service by Mail	04/17/09		DRG	000			MB MB
030000	(D) Opposition to Motion to Intervene (Bentley) Filed by OTH017-Bentley Family Trust 1995 Trust, , OTH010-Bentley, Maryann, OTH009-Bentley, J.W.	04/20/09		DRG	OTH017			MB MB
031000	(F) Notice of Appearance Filed by OTH003-Davis, David B., OTH004-Davis, Sharon Lynn	04/21/09		DRG	OTH003			MB MB
032000	(D) Reply in Support of Motion to Intervene (Forrester/Scyphers/Scharo/Sheridan Creek/Mitchell) Filed by ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G., OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	04/24/09		DRG	ITV003			MB MB
033000	(F) Order Granting Motion to Intervene (Maddi's Friesian Ranch)	04/29/09		DRG	000			MB MB
034000	(F) Order Granting Motion to Intervene (Maddi's Friesian Ranch LLC)	04/29/09		DRG	000			MB MB
035000	(F) Order Granting Motion to Intervene (Thomas Yturbide & Paula Yturbide)	04/29/09		DRG	000			MB MB
036000	(F) Order RE: Granting Motion to Intervene of Eric and Elizabeth Park	04/29/09		DRG	000			MB MB
038000	(F) Notice of Entry of Order Filed by OTH015-Park, Eric, OTH016-Park, Elizabeth	04/30/09		DRG	OTH015			MB MB
037000	(F) Notice of Entry of Order Filed by OTH013-Yturbide, Thomas M, OTH014-Yturbide, Paula J	04/30/09		DRG	OTH013			MB MB
039000	(F) Notice of Entry of Order	05/05/09		DRG	OTH002			MB MB
040000	(F) Opposition To Notice of Exception to the Order of Determination and Joinder in Opposition to Notice of Exception of Maddi's Friesian Ranch, LLC. Filed by OTH015-Park, Eric, OTH016-Park, Elizabeth	05/12/09		DRG	OTH015			MB MB
041000	(F) Opposition To Notice of Exception to The Order of Determination	05/13/09		DRG	OTH002			MB MB
042000	(F) Joinder in Opposition to Notice of Exception to the Order of Determination and Opposition to Notice	05/13/09		DRG	OTH013			MB MB

of Exception to Order of Determination

Filed by OTH013-Yturbide, Thomas M, OTH014-Yturbide, Paula J

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
043000	(F) Order Setting Pre-Trial Conference	06/05/09		DRG	000			KW KW
044000	(D) Request for Submission	06/05/09		DRG	000			KW KW
045000	(D) Order Allowing Intervention	06/12/09		DRG	000			KW KW
046000	(D) Notice of Entry of Order Filed by ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV001-Hall Ranches, LLC.,	06/16/09		DRG	ITV005			KW KW
048000	(D) Motion to Correct Order Allowing Intervention	07/08/09	07/29/09	DRG	OTH007	Ruled	11/13/09	PG JT
049000	(D) Transcript of Proceedings - Pretrial Hearing	07/15/09		DRG	000			HC HC
050000	(D) Opposition to Motion to Correct Order Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/16/09		DRG	OTH009			KW KW
051000	Witness List	07/16/09		DRG	000			KW KW
052000	List of Witnesses	07/17/09		DRG	OTH002			KW KW
053000	Witness List (F)	07/17/09		DRG	000			KW KW
054000	(F) Intervener Park's Identification of Witnesses to be Called at Trial Filed by OTH015-Park, Eric, OTH016-Park, Elizabeth	07/17/09		DRG	OTH015			KW KW
055000	Petitioners David Davis' and Sharon Davis' Witness List Filed by OTH003-Davis, David B., OTH004-Davis, Sharon Lynn	07/17/09		DRG	OTH003			KW KW
056000	(D) Reply in Support of Motion to Correct Order Allowing Intervention	07/22/09		DRG	ITV001			KW KW
057000	(F) Order Setting Hearing	07/22/09		DRG	000			KW KW
058000	(F) Notice of Entry of Order	07/28/09		DRG	OTH003			KW KW
059000	(F) Substitution of Attorney Filed by OTH015-Park, Eric, OTH016-Park, Elizabeth	07/31/09		DRG	OTH015			MB MB
061000	(F) Joinder in Motion in Limine, or Alternatively Motion to Compel Deposition Filed by OTH013-Yturbide, Thomas M, OTH014-Yturbide, Paula J	08/03/09		DRG	OTH013	Ruled	11/02/09	MB JT

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
064000	(F) Notice of Opposition to Motion Filed by RES001-State Of Nevada, , RES002-Taylor, Tracy	08/05/09		DRG	RES001			MB MB
062000	(F) Stipulation and Order to Continue Hearing	08/18/09		DRG	000			MB MB
063000	(F) Notice of Entry of Order	08/25/09		DRG	000			MB MB
065000	(F) Order Rescheduling Hearing	09/24/09		DRG	000			MB MB
066000	(F) Notice of Entry of Order	09/28/09		DRG	OTH003			HC HC
067000	(F) Order	11/04/09		DRG	000			MB MB
068000	(D) Order	11/17/09		DRG	000			MB MB
069000	(D) Response and Objection to Notice of Exceptions and Exceptions to Final Order of Determination Filed by ITV001-Hall Ranches, LLC., , ITV002-Sheridan Creek Equestrian Center, LLC., , ITV003-Scharo, Frank	11/19/09		DRG	ITV001			MB MB
070000	Notice of Entry of Order Filed by ITV001-Hall Ranches, LLC., , ITV002-Sheridan Creek Equestrian Center, LLC., , ITV003-Scharo, Frank, ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G.	11/19/09		DRG	ITV001			MB MB
071000	(F) Expert Witness List Filed by OTH013-Yturbide, Thomas M, OTH014-Yturbide, Paula J	11/20/09		DRG	OTH013			MB MB
072000	(F) Expert Witness Disclosure	11/23/09		DRG	OTH002			MB MB
073000	(D) Motion to Dismiss or, in the Alternative, to Redesignate Affirmative Defenses as Counterclaims	12/01/09	01/04/10	DRG	OTH009	Ruled	05/17/10	HC JT
074000	(D) Opposition to Motion to Dismiss or, in the Alternative, to Redesignate Affirmative Defenses as Counterclaims Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	12/18/09		DRG	OTH007			MB MB
075000	(D) Partial Opposition to Motion to Dismiss Filed by RES001-State Of Nevada, , RES002-Taylor, Tracy	12/18/09		DRG	RES001			MB MB
076000	(F) Order Setting Time for Continuation of Trial	12/21/09		DRG	000			HC HC
077000	(D) Notice of Filing Original Affidavits Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M., ITV001-Hall Ranches, LLC., , ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV004-Mitchell,	12/28/09		DRG	OTH007			MB MB

Ronald R., ITV005-Mitchell, Ginger G.

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
078000	Amended Certificate Of Service	12/29/09	DRG	RES001				BW BW
079000	Response to To Partial Opposition To Motion To Dismiss	12/30/09	DRG	000				BW BW
080000	Errata And Supplement to Opposition To Motion To Dismiss Or, In The Alternative, To Redesignate Affirmative Defenses As Counterclaims	12/30/09	DRG	000				BW BW
081000	(D) Reply to Opposition to Motion to Dismiss or, in the Alternative, to Redesignate Affirmative Defenses as Counterclaims	12/31/09	DRG	OTH009				HC HC
082000	D - Motion For Division Of Water And For Remand And Reference To State Engineer For Further Evidence Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	01/08/10	DRG	OTH007		Ruled	05/17/10	BW JT
083000	Request for Expedited Hearing (D)	01/11/10	DRG	OTH007				PG PG
084000	Motion to Strike (D)	01/11/10	DRG	OTH009		Ruled	05/17/10	PG JT
085000	D - Errata To Motion For Division Of Water And For Remand And Reference to State Engineer For Further Evidence	01/13/10	DRG	OTH007				BW BW
086000	(D) Opposition to Motion to Strike	01/20/10	DRG	OTH007				HC HC
087000	(D) Motion to Strike, or in the Alternative, Opposition and Partial Joinder to Motion for Division of Water and for Remand and Reference to State Engineer for Further Evidence	01/20/10	DRG	OTH009		Ruled	05/17/10	HC JT
088000	(D) Reply to Opposition to Motion to Strike	01/21/10	DRG	OTH009				HC HC
089000	(D) Response To Motion for Division of Water and for Remand and Reference to State Engineer for Further Evidence, and Response to Request for Expedited Hearing	01/21/10	DRG	RES001				HC HC
090000	(D) Reply in Support of Motion for Division of Water and for Remand and Reference to State Engineer for Further Evidence and Opposition to Motion to Strike	01/26/10	DRG	OTH007				HC HC
091000	(D) Request for Submission	01/26/10	DRG	OTH007				HC HC
092000	(F) Substitution of Counsel	01/27/10	DRG	OTH003				HC HC
093000	(F) Affidavit of Mailing	01/29/10	DRG	000				HC HC

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
094000	(F) Transcript of Proceedings (Judge's Order)	02/02/10		DRG	000			HC KW
095000	(D) Request to Submit Motion to Strike, or in the Alternative, Opposition and Partial Joinder to Motion for Division of Water and for Remand and Reference to State Engineer for Further Evidence and Reply to Response to Motion for Division of Water and for Remand and Reference to State Engineer for Further Evidence, and Response to Request for Expedited Hearing	02/12/10		DRG	OTH009			HC HC
096000	(D) Joint Case Conference Report	02/23/10		DRG	000			HC HC
097000	(D) Correction to Opposition to Motion to Dismiss or, in the alternative, to redesignate affirmative defenses as counterclaims	02/25/10		DRG	OTH007			PG PG
098000	(D) - Order (Calendar Call)	03/03/10		DRG	000			BW BW
099000	(D) Information Questionnaire	03/08/10		DRG	RES001			BW BW
100000	(D) Information Questionnaire	03/09/10		DRG	OTH009			HC HC
101000	(D) Information Questionnaire	03/11/10		DRG	ITV001			HC HC
102000	(D) Order Setting Hearing	03/29/10		DRG	000			HC HC
103000	(E) Substitution of Attorneys	04/28/10		DRG	OTH005			KW JT
104000	Order (F)	05/21/10		DRG	000			KW JT
105000	(F) Notice of Entry of Order	05/25/10		DRG	000			KW KW
106000	Transcript of Proceedings-Partial Transcript of Proceedings Case Conference/Status Conference	05/26/10		DRG	000			PG PG
107000	Order Re: Amended Notice of Exceptions and Exceptions	06/02/10		DRG	000			KW KW
108000	Notice of Entry of Order	06/04/10		DRG	000			KW KW
109000	(D) Opposition To Proposed Order for Divisions of Water	06/07/10		MPG	OTH009			PG PG
110000	Transcript of Proceedings-Case Conference/Status Conference Monday, May 17, 2010	06/07/10		DRG	000			PG PG
111000	(D) Intervenor's Opening Brief Regarding Diversion Agreement Filed by ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R.,	06/16/10		DRG	ITV005			KW KW

ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center,
 LLC., , ITV001-Hall Ranches, LLC.,

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
112000	(F) Motion for Leave to Withdaraw as Counsel	06/16/10	DRG	000				KW KW
113000	(D) Bentley's Opening Brief	06/17/10	DRG	OTH009				PG PG
114000	(D) Order for Division of Water	06/18/10	DRG	000				KW KW
115000	(D) Notice of Entry of Order Filed by ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV001-Hall Ranches, LLC.,	06/24/10	DRG	ITV005				KW KW
116000	(D) Rebuttal to Intervenor's Opening Brief Filed by ITV001-Hall Ranches, LLC., , OTH009-Bentley, J.W., OTH010-Bentley, Maryann	06/24/10	DRG	ITV001				KW KW
117000	(D) Intervenor's Reply Regarding the Diversion Agreement Filed by ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV001-Hall Ranches, LLC.,	06/30/10	DRG	ITV005				KW KW
118000	(D) Supplement to Intervenor's Reply Regarding the Diversion Agreement Filed by OTH008-Forrester, Kristina M., OTH007-Forrester, Donald S.	07/01/10	DRG	OTH008				KW KW
119000	(D) Motion for Order Shortening Time to Oppose Motion to Amend Rotation Schedule Filed by ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV001-Hall Ranches, LLC.,	07/02/10	DRG	ITV005		Moot	07/07/10	KW JT
120000	(D) Motion to Amend Rotation Schedule Filed by ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV001-Hall Ranches, LLC.,	07/02/10	DRG	ITV005		Moot	03/18/11	KW JT
121000	(F) ExParte Request for Temporary Restraining Order	07/06/10	DRG	OTH002				KW KW
122000	(F) Motion for Preliminary Injunction	07/06/10	DRG	OTH002				KW KW
123000	(F) Order Pursuant to Motion for Leave to Withdraw as Counsel	07/06/10	DRG	000				KW KW
124000	(F) Order Setting Hearing	07/08/10	DRG	000				KW JT

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
125000	(F) Response To Motion for Preliminary Injunction	07/12/10		DRG	RES001			KW KW
126000	(D) Motion to Strike Filed by OTH010-Bentley, Maryann, OTH009-Bentley, J.W.	07/12/10		DRG	OTH010	Moot	03/08/11	KW JT
127000	(D) Notice of Appeal Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/13/10		DRG	OTH009			KW KW
128000	(D) Case Appeal Statement Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/13/10		DRG	OTH009			KW KW
129000	(F) Exhibits to Response to Motion for Preliminary Injunction	07/14/10		DRG	RES001			KW KW
130000	(D) Opposition to (Third) Motion to Strike; Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	07/16/10		DRG	OTH007			KW KW
131000	(D) Opposition to Motion to Amend Rotation Schedule Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/19/10		DRG	OTH009			KW KW
132000	(F) Notice of Voluntary Withdrawal of Motion for Preliminary Injunction	07/22/10		DRG	OTH002	Moot	07/22/10	PG JT
133000	(D) Reply in Support of Motion to Amend Rotation Schedule Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	07/28/10		DRG	OTH007			KW KW
134000	(D) Request for Submission Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	07/28/10		DRG	OTH007			KW KW
135000	Receipt for Documents (Supreme Court)	08/10/10		DRG	000			KW KW
136000	(D) Order	08/16/10		DRG	000			KW KW
137000	(F) Order	08/30/10		DRG	000			PG PG
138000	(F) Notice of Entry of Order	09/02/10		TBA	RES001			PG PG
139000	(D) Motion for Summary Judgment	09/27/10		DRG	OTH007	Ruled	08/01/11	PG JT
140000	(D) Opposition to Motion for Summary Judgment and Cross-Motion for Summary Adjudication	10/07/10		DRG	OTH009	Ruled	08/01/11	PG JT
141000	(D) Motion for Protective Order	10/15/10		DRG	OTH007	Moot	03/08/11	PG JT
142000	(D) Request for Hearing	10/15/10		DRG	OTH007			PG PG

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User	ID
143000	(D) Request for Submission	10/15/10	DRG	ITV001				PG	PG
144000	(D) Reply in Support of Motion for Summary Judgment	10/15/10	DRG	OTH007				PG	PG
145000	(D) Opposition to Motion for Protective Order	10/28/10	DRG	OTH009				PG	PG
146000	(D) Affidavit of Michael T. Matuska in Support of Opposition to Motion for Protective Order	10/28/10	DRG	000				PG	PG
147000	Request for Submission	11/03/10	DRG	ITV001				PG	PG
148000	Reply in Support of Motion for Protective Order	11/03/10	DRG	OTH007				PG	PG
149000	(D) Order	11/19/10	DRG	000				PG	PG
150000	(D) Motion to Withdraw as Attorney	12/14/10	TBA	ITV006		Moot	12/30/10	PG	JT
151000	(D) Opposition to Motion to Withdraw	12/16/10	DRG	OTH009				PG	PG
152000	(D) Withdrawal of Motion to Withdraw as Attorney Filed by ITV007-Scyphers, Kathleen M., ITV006-Scyphers, Thomas J.	12/30/10	DRG	ITV007				KW	KW
153000	(D) Withdrawal of Motion to Withdraw as Attorney	01/03/11	DRG	ITV006				HC	HC
154000	Remittitur (Supreme Court)	02/16/11	DRG	000				PG	PG
155000	Clerk's Certificate (Supreme Court)	02/16/11	DRG	000				PG	PG
156000	Order Dismissing Appeal (Supreme Court)	02/16/11	DRG	000				PG	PG
157000	Supreme Court Order Denying Petition for Writ of Prohibition or Mandamus	03/22/11	DRG	000				HC	HC
158000	(D) Request for Submission	03/22/11	DRG	000				HC	HC
159000	(D) Second Motion for Division of Water	03/29/11	DRG	OTH007		Ruled	07/26/11	PG	JT
160000	(D) Partial Opposition to Second Motion for Division of Water	04/06/11	DRG	RES001				PG	PG
162000	(D) Motion for Extension of Time	04/06/11	DRG	OTH009		Ruled	04/15/11	PG	JT
161000	(D) Ex Parte Motion to Shorten Time	04/07/11	DRG	OTH009		Ruled	04/15/11	PG	JT
163000	(D) Notice of Filing of Seepage Test	04/08/11	DRG	OTH007				PG	PG

Reports

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
164000	(D) Opposition to Motion for Extension of Time	04/11/11		DRG	OTH007			PG PG
165000	Order Directing Supplemental Briefing	04/13/11		DRG	000			PG PG
166000	(D) Order	04/15/11		DRG	000			PG PG
167000	Notice in Lieu of Remittitur	04/18/11		DRG	000			PG PG
168000	(D) Opposition to Second Motion for Division of Water	04/29/11		DRG	OTH009			PG PG
169000	Reply in Support of Second Motion for Division of Water	05/06/11		DRG	OTH007			PG PG
170000	(D) Application for Release of Bond	05/16/11		DRG	OTH009	Ruled	06/07/11	PG JT
171000	(D) Request to Set Trial	05/26/11		DRG	OTH007			PG PG
172000	Order (Calendar Call)	06/01/11		DRG	000			KW KW
173000	(D) Order Setting Hearing	06/01/11		DRG	000			PG PG
174000	(D) Opposition to Request to Set Trial	06/03/11		DRG	OTH009			HC HC
175000	(D) Order Directing Release of Bond	06/07/11		DRG	000			PG PG
176000	(D) Information Questionnaire	06/08/11		DRG	000			HC HC
177000	(D) Motion to Amend Division of Water	06/10/11		DRG	RES001	Ruled	07/26/11	PG JT
178000	(D) Information Questionnaire	06/17/11		DRG	OTH009			PG PG
179000	(D) Ex parte Motion to Shorten Time	06/17/11		DRG	OTH009			PG PG
180000	(D) Notice of Entry of Order	06/20/11		DRG	OTH009			PG PG
181000	(D) Order	06/20/11		DRG	000			PG PG
182000	(D) Order Setting Trial	06/23/11		DRG	000			PG PG
184000	(D) Scheduling Order	06/23/11		DRG	000			PG PG
185000	(D) Opposition to Motion to Amend Division of Water	06/24/11		DRG	OTH007			PG PG
186000	(D) Motion for Court Order Requiring Installation of Water Flow Division Device	06/24/11		DRG	OTH007	Moot	08/01/11	PG JT

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
187000	(D) Joinder to Motion to Amend Division of Water and Reply to Opposition to Motion to Amend Division of Water	06/27/11		DRG	OTH009			PG PG
188000	(D) Request for Submission of Motion to Amend Division of Water	06/27/11		DRG	RES001			PG PG
189000	(D) Request for Submission	06/27/11		DRG	OTH009			PG PG
190000	(D) Opposition to Motion for Court Order Requiring Installation of Water Flow Device	06/29/11		DRG	RES001			PG PG
191000	(D) Joinder to Motion for Court Order Requiring Installation of Water Flow Division Device and Notice of Non-Opposition	07/01/11		DRG	OTH009			PG PG
192000	(D) Reply to Opposition to Motion for Court Order Requiring Installation of Water Flow Device	07/06/11		DRG	OTH009			BW BW
193000	(D) Reply in Support of Motion for Court Order Requiring Installation of Water Flow Division Device Filed by OTH007-Forrester, Donald S., OTH006-Windholz, Irene M., OTH005-Jackson, Jerald R., OTH004-Davis, Sharon Lynn, OTH003-Davis, David B., OTH002-Maddi's Friesian Ranch, LLC., , OTH001-Stockton, Bryan, ITV007-Scyphers, Kathleen M.	07/08/11		DRG	OTH007			MB MB
194000	(D) Order	07/13/11		DRG	000			MB MB
195000	(D) Motion to Compel Discovery Responses Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/15/11	08/01/11	DRG	OTH009	Moot	08/19/11	MB JT
196000	(D) Affidavit of Michael L. Matuska in Support of Motion to Compel Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/15/11		DRG	OTH009			MB MB
197000	(D) Amendment to Motion to Compel Discovery Responses Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/19/11		DRG	OTH009			MB MB
198000	(D) Notice of Appeal Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/21/11		DRG	OTH009			MB MB
199000	(D) Opposition to Motion to Compel Discovery Responses Filed by OTH007-Forrester, Donald S., OTH006-Windholz, Irene M., OTH005-Jackson, Jerald R., OTH004-Davis, Sharon Lynn, OTH003-Davis, David B., OTH002-Maddi's Friesian Ranch, LLC., , OTH001-Stockton, Bryan, ITV007-Scyphers, Kathleen M., ITV006-Scyphers, Thomas J., ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank	07/26/11		DRG	OTH007			MB MB

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
200000	(D) Order	07/26/11		DRG	000			MB MB
201000	(D) Reply to Opposition to Motion to Compel Discovery Responses Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	07/27/11		DRG	OTH009			MB MB
202000	(D) Affidavit of Michael L. Matuska in Support of Reply to Opposition to Motion to Compel Filed by OTH010-Bentley, Maryann, OTH009-Bentley, J.W.	07/27/11		DRG	OTH010			MB MB
203000	(D) Order re: Costs (Supreme Court)	07/28/11		DRG	000			MB MB
204000	Transcript of Proceedings 8/1/11	08/05/11		DRG	000			MB MB
205000	(D) Response to Objections to Proposed Order Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	08/08/11		DRG	OTH009			MB MB
206000	(D) Reply in Support of Objections to Proposed Order Denying Motions for Summary Judgment Filed by ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M., OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	08/10/11		DRG	ITV006			MB MB
207000	(D) Motion to Strike Filed by ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M., OTH001-Stockton, Bryan, OTH002-Maddi's Friesian Ranch, LLC., OTH003-Davis, David B., OTH004-Davis, Sharon Lynn, OTH005-Jackson, Jerald R., OTH006-Windholz, Irene M., OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M., OTH009-Bentley, J.W., OTH010-Bentley, Maryann	08/11/11		DRG	ITV006			MB MB
208000	(D) Notice of Withdrawal of Motion to Compel Discovery Responses (Without Prejudice)	08/16/11		DRG	OTH009			HC HC
209000	(D) Opposition to Motion to Strike Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	08/19/11		DRG	OTH007			MB MB
210000	(D) Order	08/24/11		DRG	000			MB MB
211000	(D) Order	08/24/11		DRG	000			MB MB
212000	(D) Reply to Opposition to Motion to Strike Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	08/26/11		DRG	OTH009			MB MB
213000	(D) Notice of Entry of Order	08/30/11		DRG	OTH017			MB MB
214000	(D) Stipulation to Extend Expert Witness Disclosure Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann,	08/30/11		DRG	OTH009			MB MB

ITV001-Hall Ranches, LLC., , ITV006-Scyphers, Thomas J.,
 ITV007-Scyphers, Kathleen M., ITV003-Scharo, Frank,
 ITV002-Sheridan Creek Equestrian Center, LLC., ,
 OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.,
 ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G.

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
215000	(D) Order Granting Extension of Expert Witness Disclosure	08/31/11		DRG	000			MB MB
216000	(D) Notice of Entry of Order	09/01/11		DRG	000			MB MB
217000	(D) Case Appeal Statement Filed by OTH010-Bentley, Maryann, OTH009-Bentley, J.W.	09/13/11		DRG	OTH010			MB MB
218000	Receipt for Documents (Supreme Court)	09/16/11		DRG	000			HC HC
219000	(D) Bentley's Expert Witness Disclosure Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	10/17/11		DRG	OTH009			MB MB
220000	(D) Notice of Change of Law Firm Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	10/31/11		DRG	OTH009			MB MB
221000	(D) Bentley's Objections to Intervenor's Trial Exhibits Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	12/22/11		DRG	OTH009			MB MB
222000	(D) Objection to Bentleys' Proposed Trial Exhibits and Documents Filed by ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M., OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M., ITV002-Sheridan Creek Equestrian Center, LLC., , ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G.	12/29/11		DRG	ITV006			MB MB
223000	(D) Motion for Judicial View of the Premises Filed by ITV001-Hall Ranches, LLC., , ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M., OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	12/30/11		DRG	ITV001	Ruled	01/09/12	MB JT
224000	(D) Intervenor's Trial Statement Filed by ITV001-Hall Ranches, LLC., , ITV002-Sheridan Creek Equestrian Center, LLC., , ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G., ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M.	12/30/11		DRG	ITV001			MB MB
225000	(D) Bentley's Pretrial Statement Filed by RPI017-Bentley, Maryann, RPI016-Bentley, J.W.	12/30/11		DRG	RPI017			MB MB
226000	(D) Motion in Limine No. 1 Filed by RPI016-Bentley, J.W., RPI017-Bentley, Maryann	12/30/11		DRG	RPI016	Ruled	01/09/12	MB JT

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
227000	(D) Partial Opposition to Motion for Judicial View of the Premises Filed by RPI016-Bentley, J.W., RPI017-Bentley, Maryann	01/04/12		DRG	RPI016			MB MB
228000	(D) Opposition to Motion in Limine or in the Alternative Motion for Continuance and Order Requiring Independent Studies of Groundwater Loss	01/06/12		DRG	RES001			PG PG
229000	(D) Stipulation (Regarding Mitchell Transcript)	01/06/12		DRG	000			PG PG
230000	(D) Response to Opposition to Motion in Limine No. 1 and Motion to Continue Trial	01/06/12		DRG	OTH009			PG PG
231000	(D) Errata to Intervenor's Trial Statement Filed by ITV001-Hall Ranches, LLC., , ITV002-Sheridan Creek Equestrian Center, LLC., , ITV003-Scharo, Frank, ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G., ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M.	01/06/12		DRG	ITV001			MB MB
232000	(D) Opposition to Motion in Limine No. 1 Filed by ITV001-Hall Ranches, LLC., , ITV002-Sheridan Creek Equestrian Center, LLC., , ITV003-Scharo, Frank, ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G., ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M.	01/06/12		DRG	ITV001			MB MB
233000	(D) Transcript of Proceedings 1/13/12	01/17/12		DRG	000			MB MB
234000	(D) Transcript of Proceedings 1/13/12	01/24/12		DRG	000			MB MB
235000	(D) Order Dismissing Appeal (Supreme Court)	01/25/12		DRG	000			MB MB
236000	(D) Objection to Proposed Order Filed by OTH010-Bentley, Maryann, OTH009-Bentley, J.W.	01/27/12		DRG	OTH010			MB MB
237000	(D) Objection to Proposed Order and Motion to Make Additional Findings of Fact, Conclusions of Law, Order and Judgment Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M., ITV007-Scyphers, Kathleen M., ITV006-Scyphers, Thomas J., ITV003-Scharo, Frank, ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G., ITV002-Sheridan Creek Equestrian Center, LLC.,	02/01/12		DRG	OTH007	Ruled	04/05/12	MB JT
238000	(D) Transcript of Proceedings (Bench Trial) Volume 1 - 1/9/12	02/03/12		DRG	000			MB MB
239000	(D) Transcript of Proceedings (Bench Trial) Volume 2 - 1/11/12	02/03/12		DRG	000			MB MB

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
240000	(D) Transcript of Proceedings (Bench Trial) Volume 3 - 1/12/12	02/03/12		DRG	000			MB MB
241000	(D) Transcript of Proceedings (Bench Trial) Volume 4 - 1/13/12	02/03/12		DRG	000			MB MB
242000	(D) Objection to Intervenor's Proposed Order Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	02/07/12		DRG	OTH009			MB MB
243000	(D) Reply in Support of Objections And Motion Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	02/15/12		DRG	OTH007			BW BW
244000	Request for Submission	02/15/12		DRG	000			BW BW
245000	(D) Remittitur (Supreme Court)	02/22/12		DRG	000			MB MB
246000	(D) Clerk's Certificate - Supreme Court	02/22/12		DRG	000			MB MB
247000	(D) Order Dismissing Appeal	02/22/12		DRG	000			MB MB
248000	(D) Affidavit of Thomas J. Scyphers in Support of Third Motion for Division of Water and for Clarification of Prior Order	03/23/12		DRG	ITV006			MB MB
249000	(D) - Third Motion For Division of Water And For Clarification of Prior Order	03/23/12	04/16/12	DRG	OTH007	Moot	01/04/13	MB JT
250000	(D) Opposition to Third Motion for Division of Water and for Clarification of Prior Order	03/30/12		DRG	RES001			MB MB
251000	(D) Opposition to Third Motion for Division of Water and for Clarification of Prior Order Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	04/03/12		DRG	OTH009			MB MB
252000	(D) Findings of Fact, Conclusions of Law, Order and Judgment	04/05/12		DRG	000			MB MB
253000	(D) Notice of Entry of Judgment	04/10/12		DRG	000			MB MB
254000	(D) Reply in Support of Third Motion for Division of Water and for Clarification of Prior Order Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M., ITV007-Scyphers, Kathleen M., ITV006-Scyphers, Thomas J., ITV002-Sheridan Creek Equestrian Center, LLC., , ITV003-Scharo, Frank	04/13/12		DRG	OTH007			MB MB
255000	(D) Memorandum of Costs Filed by ITV002-Sheridan Creek Equestrian Center, LLC., ,	04/13/12		DRG	ITV002			MB MB

ITV003-Scharo, Frank, ITV006-Scyphers, Thomas J.,
 ITV007-Scyphers, Kathleen M., OTH007-Forrester, Donald S.,
 OTH008-Forrester, Kristina M.

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
256000	(D) Order	04/25/12		DRG	000			MB MB
257000	(D) Motion for Attorney's Fees Filed by OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M., ITV001-Hall Ranches, LLC., , ITV003-Scharo, Frank, ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M., ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G.	04/25/12		DRG	OTH007	Ruled	01/04/13	MB JT
258000	(D) Association of Attorneys Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	04/27/12		DRG	OTH009			MB MB
259000	(D) Stipulation Filed by ITV006-Scyphers, Thomas J., RPI016-Bentley, J.W., RPI017-Bentley, Maryann, ITV007-Scyphers, Kathleen M., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV001-Hall Ranches, LLC., , OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M., ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G.	05/02/12		DRG	ITV006			KW KW
260000	Notice of Appeal (D) Filed by RPI018-Kimmerling Trust, , RPI017-Bentley, Maryann, RPI016-Bentley, J.W., RPI015-Luther Creek, , RPI014-Beers Spring, , RPI013-Miller Creek, , RPI012-Wheeler Creek No. 2, , RPI011-Wheeler Creek No. 1, , RPI010-Sharpe Spring, , RPI009-Gansberg Spring, , RPI008-Sheridan Creek, , RPI007-Stattdler Creek, , RPI006-Stutler Creek, , RPI005-Bulls Canyon, , RPI004-Monument Creek, , RPI003-Cary Creek, , RPI002-Taylor Creek, , RPI001-Mott Creek, , RES002-Taylor, Tracy, RES001-State Of Nevada,	05/03/12		DRG	RPI018			KW KW
261000	Case Appeal Statement (D) Filed by RPI018-Kimmerling Trust, , RPI017-Bentley, Maryann, RPI016-Bentley, J.W., RPI015-Luther Creek, , RPI014-Beers Spring, , RPI013-Miller Creek, , RPI012-Wheeler Creek No. 2, , RPI011-Wheeler Creek No. 1, , RPI010-Sharpe Spring, , RPI009-Gansberg Spring, , RPI008-Sheridan Creek, , RPI007-Stattdler Creek, , RPI006-Stutler Creek, , RPI005-Bulls Canyon, , RPI004-Monument Creek, , RPI003-Cary Creek, , RPI002-Taylor Creek, , RPI001-Mott Creek, , RES002-Taylor, Tracy, RES001-State Of Nevada,	05/03/12		DRG	RPI018			KW KW
262000	Certificate of Deposit (D) Filed by RPI018-Kimmerling Trust, , RPI017-Bentley, Maryann, RPI016-Bentley, J.W., RPI015-Luther Creek, , RPI014-Beers Spring, , RPI013-Miller Creek, , RPI012-Wheeler Creek No. 2, , RPI011-Wheeler Creek No. 1, , RPI010-Sharpe Spring, , RPI009-Gansberg Spring, , RPI008-Sheridan Creek, ,	05/03/12		DRG	RPI018			KW KW

RPI007-Statler Creek, , RPI006-Statler Creek, , RPI005-Bulls
 Canyon, , RPI004-Monument Creek, , RPI003-Cary Creek, ,
 RPI002-Taylor Creek, , RPI001-Mott Creek, , RES002-Taylor, Tracy,
 RES001-State Of Nevada,

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
263000	(D) Order	05/10/12		DRG	000			MB MB
264000	(D) Receipt for Documents (Supreme Court	05/21/12		DRG	000			MB MB
265000	(D) Corrected Receipt for Documents Supreme Court	05/21/12		DRG	000			MB MB
266000	(D) Motion to retax Costs and Opposition to Memorandum of Costs Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	05/22/12		DRG	OTH009	Ruled	01/04/13	MB JT
267000	(D) Opposition to Motion for Attorney's Fees Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	05/22/12		DRG	OTH009			MB MB
268000	(D) Reply in Support of Motion for Attorney's Fees Filed by ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M., OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M., ITV002-Sheridan Creek Equestrian Center, LLC., , ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G.	05/25/12		DRG	ITV006			MB MB
269000	(D) Opposition to Motion to Retax Costs Filed by ITV002-Sheridan Creek Equestrian Center, LLC., , ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G., ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M., OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	05/25/12		DRG	ITV002			MB MB
270000	Request for Submission Filed by ITV002-Sheridan Creek Equestrian Center, LLC., , ITV004-Mitchell, Ronald R., ITV005-Mitchell, Ginger G., ITV006-Scyphers, Thomas J., ITV007-Scyphers, Kathleen M., OTH007-Forrester, Donald S., OTH008-Forrester, Kristina M.	05/25/12		DRG	ITV002			MB MB
271000	(D) Motion for Leave to File Sur-Reply Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	05/31/12		DRG	OTH009	Ruled	01/04/13	MB JT
272000	(D) Sur-Reply Filed by OTH009-Bentley, J.W., OTH010-Bentley, Maryann	05/31/12		DRG	OTH009			MB MB
273000	(D) Opposition to Motion For Leave to File Sur-Reply Filed by ITV007-Scyphers, Kathleen M., ITV006-Scyphers, Thomas J., ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV001-Hall Ranches, LLC.,	06/06/12		DRG	ITV007			KW KW

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
274000	(E) Order Setting Pre-Trial Conference	09/13/12		DRG	000			KW KW
275000	(E) Claimant's Supplement to Notice of Exceptions to the Final Order of Determination Regarding Proof of Appropriation No. V-08850; and Motions 1.) Motion to Allow Repair of Facilities and Allocation of Costs; 2.) Motion to Recognize Stockwater Rights 3.) Motion to Correct State Engineer's Errors in Acreage 4.) Motion to Condition Water Rights and Affidavit of Edward H. Groenendyke in Support	09/21/12		DRG	000			KW KW
276000	(D) Request for Transcript of Proceeding	09/24/12		DRG	000			KW KW
277000	(D) Certification of Compliance Re: Request for Transcript	09/24/12		DRG	000			KW KW
278000	(D) Request for Filing of Transcript of Proceedings	09/24/12		DRG	000			KW KW
279000	(E) Points and Authorities of Jerald R. Jackson, Trustee of the Jerald R. Jackson 1975 Trust, as Amended, and Irene M. Windholz Trustee of the Iren M. Windholz Trust Dated August 11, 2992, in Opposition to Motions of Edward H. Groenendyke Family Trust	10/09/12		DRG	000			MB MB
280000	Declaration of Jerald R. Jackson	10/09/12		DRG	000			MB MB
281000	(D-1) Order	10/11/12		DRG	000			KW KW
282000	(E) Errata to Exhibit 3 to the Affidavit of Edward H. Groenendyke in Support of teh Claimant's Supplement to Notice of Exceptions to the Final Order of Determination Regarding Proof of Appropriation No. V-08850 and Motions 1) Motion to Allow Repair of Facilities and Allocation of Costs; 2) Motion to Recognize Stockwater Rights 3) Motion to Correct State Engineer's Error's in Acreage 4) Motion to Condition Water Rights and Affidavit of Edward H. Groenendyke in Support	10/12/12		DRG	OTH011			KW KW
283000	(E) Response to Groenendyke's Supplement to Notice of Exceptions to the Final Order of Determination	10/12/12		DRG	RES001			KW KW
284000	(D-1) Notice of Intent to Defend Filed by ITV007-Scyphers, Kathleen M., ITV006-Scyphers, Thomas J., ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R., ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center, LLC., , ITV001-Hall Ranches, LLC.,	10/17/12		DRG	ITV007			KW KW
285000	(E) Reply by Claimant Groenendyke	10/22/12		DRG	OTH011			KW KW

Family Trusts in Support of Supplement and Motions

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
286000	(E) Opposition to Claimaint's Supplement 10/25/12 Notice of Exceptions to the Final Order of Determination Regarding Proof of Appropriation No. V-08850; And Motion 1) Motion to Allow Repair of Facilities and Allocation of Costs; 2) Motion to Recognize Stockwater Rights; 3) Motion to Correct State Engineer's Errors in Acreage; 4) Motion to Condition Water Rights; and Affidavit of Edward H. Groenendyke in Support			DRG	RPI017			KW KW
287000	(D1) Opening Brief of J.W. Bentley and Maryann Bentley	11/05/12		DRG	000			HC HC
288000	(D1) Request for Judicial Notice	11/05/12		DRG	000			HC HC
289000	Initial Appearance Fee Disclosure Filed by OTH018-Douglas, Myles S, OTH019-Douglas, Amy B	11/06/12		DRG	OTH018			KW KW
290000	(E) Opposition to Claimant's Supplement 11/06/12 to Notice of Exceptions to the Final ROrder of Determination Regarding Proof of Appropriation No. V-08850; and Motions 1) Motion to Allow Repairs of Facilities and Allocation of Costs; 2) Motion to Recognize Stockwater Rights 3) Motion to Correct State Engineer's Errors in Acreage; 4) Motion to Condition Water Rights and Affidavit of Edward H. Groenendyke in Support Filed by OTH018-Douglas, Myles S, OTH019-Douglas, Amy B	11/06/12		DRG	OTH018			KW JT
291000	(E) Hearing Statement of Jerald R. Jackson, Trustee of the Jerald R. Jackson 1975 Trust, as Amended, and Irene M. Windholz, Trustee of the Irene M. Windholz Trust Dated August 11, 1992	11/08/12		DRG	000			KW MB
292000	(D1) Second Request for Judicial Notice Filed by OTH010-Bentley, Maryann, OTH009-Bentley, J.W.	11/13/12		DRG	OTH010			KW KW
293000	(E) List of Exhibits and Witnesses	11/29/12		DRG	RES001			BW BW
294000	Order	01/04/13		DRG	000			PG PG
295000	Judgment Entered Judgment	01/07/13	01/07/13	DRG	000	01/07/13 Moot	01/07/13	PG PG
296000	Notice of Recorded Judgment Judgment	01/07/13	01/07/13	DRG	000	01/07/13 Moot	01/07/13	PG PG
297000	(D) Notice of Entry of Order Filed by ITV007-Scyphers, Kathleen M., ITV006-Scyphers, Thomas	01/09/13		DRG	ITV007			KW KW

J., ITV005-Mitchell, Ginger G., ITV004-Mitchell, Ronald R.,
 ITV003-Scharo, Frank, ITV002-Sheridan Creek Equestrian Center,
 LLC., , ITV001-Hall Ranches, LLC.,

Num/Seq	Description	Filed	Received	Party	Routed	Ruling	Closed	User ID
298000	Transcript of Proceedings(E)-11/30/12	01/18/13		DRG	000			PG PG
299000	(D-1) Motion to Accept Filing of Opening Brief as Timely	01/18/13		DRG	PET001			PG JT
300000	(D-1) Opening Brief of Petitioners Joy Smith, Daniel Barden and Elaine Barden	01/22/13		DRG	PET001			PG PG
301000	(D) Notice of Appeal	02/04/13		NTY	OTH009			HC HC
302000	(D) Case Appeal Statement	02/04/13		NTY	OTH009			HC HC
303000	Notice of Release	02/04/13		NTY	ITV001			HC HC
304000	(D1) Request for Submission	02/05/13		NTY	OTH009			PG PG
305000	(D1) Request for Submission	02/05/13		NTY	RPI016			PG PG
306000	(D1) Motion for Extension of Time to File a Response	02/07/13		NTY	RES001			PG PG

BEGIN JUDGMENT(S) - CASE HISTORY

001 MONEY JUDGMENT

ORIGINAL JUDGMENT

Judgment Against: Bentley Family Trust 1995 Trust
 Bentley, J.W.
 Bentley, Maryann
 Mott Creek

Judgment in Favor of: Hall Ranches, LLC., et al

Judgment Entry Date: 01/07/13
 Amount of Judgment: \$7,127.05
 Interest Amount: \$.00
 Court Costs: \$.00
 Attorney Fee: \$.00

END JUDGMENT(S) - CASE HISTORY

1 Case No. 08-CV-0363-D

FILED

2 Dept. No. I

2013 JAN -4 PM 2: 38

3 TED THRAN
CLERK

RECEIVED

JAN - 4 2013

4 BY [Signature] DEPUTY

DOUGLAS COUNTY
DISTRICT COURT CLERK

7 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR THE COUNTY OF DOUGLAS

9 In the Matter of the Determination of the relative
10 rights in and to the Waters of Mott Creek, Taylor
11 Creek, Cary Creek (aka Carey Creek), Monument
12 Creek, and Bulls Canyon, Stutler Creek (aka Stattler
13 Creek), Sheridan Creek, Gansberg Spring, Sharpe
14 Spring, Wheeler Creek No. 1, Wheeler Creek No. 2,
15 Miller Creek, Beers Spring, Luther Creek and various
16 unnamed sources in Carson Valley, Douglas County,
17 Nevada.

ORDER

15 THIS MATTER comes before the Court upon a Motion For Attorney's Fees and a
16 Memorandum of Costs filed by Donald S. Forrester and Kristina M. Forrester, Hall Ranches,
17 LLC, a Nevada Limited Liability Company, Thomas J. Scyphers and Kathleen M. Scyphers,
18 Frank Scharo, Sheridan Creek Equestrian Center, LLC, a Nevada Limited Liability Company,
19 and Ronald R. Mitchell and Ginger G. Mitchell (hereinafter referred to collectively as
20 "Intervenors"). J.W. Bentley and MaryAnn Bentley, Trustees of the Bentley Family Trust 1995
21 Trust (hereinafter referred to as the "Bentleys") have opposed the motion while filing their own
22 Motion To Retax Costs. The Bentleys have also filed a Motion For Leave To File Sur-Reply
23 regarding the Motion for Attorney's Fees, which is opposed by Intervenors.
24

25 Having now examined all relevant pleadings and papers on file herein, the Court enters
26 the following order, good cause appearing:
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2 11. The Intervenor's are awarded their costs and a reasonable attorney fee.

3 Nevada Revised Statute 18.010 provides the following, among other things:

4 2. In addition to the cases where an allowance is authorized by specific statute, the court may
5 make an allowance of attorney's fees to a prevailing party:

6 (a) When the prevailing party has not recovered more than \$20,000; or

7 (b) Without regard to the recovery sought, when the court finds that the claim,
8 counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought
9 or maintained without reasonable ground or to harass the prevailing party. The court shall
10 liberally construe the provisions of this paragraph in favor of awarding attorney's fees in all
11 appropriate situations. It is the intent of the Legislature that the court award attorney's fees
12 pursuant to this paragraph and impose sanctions pursuant to Rule 11 of the Nevada Rules of
13 Civil Procedure in all appropriate situations to punish for and deter frivolous or vexatious claims
14 and defenses because such claims and defenses overburden limited judicial resources, hinder the
15 timely resolution of meritorious claims and increase the costs of engaging in business and
16 providing professional services to the public.

17 3. In awarding attorney's fees, the court may pronounce its decision on the fees at the
18 conclusion of the trial or special proceeding without written motion and with or without
19 presentation of additional evidence.

20 4. Subsections 2 and 3 do not apply to any action arising out of a written instrument or
21 agreement which entitles the prevailing party to an award of reasonable attorney's fees.

22 Having already pronounced its decision on fees at the conclusion of trial, the only
23 remaining issue is to set the amount of the award. The Intervenor's post-hearing pleading in
24 reply concludes by requesting attorney's fees in the amount of \$171,814.00.¹

25 Considering the factors provided within *Brunzell v. Golden Gate Nat'l Bank*,
26 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), the Court determines that the amount requested is
27 reasonable based upon the following findings:

28 1. Professional Qualities: As reflected within the resumes attached to Intervenor's
motion, Thomas Hall, Esq. is a Martindale-Hubbell AV-rated lawyer practicing regularly in the
following areas of law for decades: real estate, water rights and litigation. Work billed by an

Intervenor's original award request was listed as \$165,049.00. That amount increased
to \$171,814.00 within their reply pleading. Because that amount increased without the
Bentleys having an opportunity to comment, the Bentleys' motion for leave to file a
sur-reply is hereby granted, allowing the Court to receive and consider the Bentleys'
position regarding the increased amount.

1 associate attorney and paralegal, both of whom are educated and experienced, has been
2 performed under Mr. Hall's supervision, constituting a savings to the client. The professional
3 qualities of Mr. Hall and his legal staff are satisfactory and reasonable.

4 2. Character Of Work To Be Done: The written judgment referenced within this Order
5 reflects the substance of the dispute between the parties. The nature and importance of
6 contested exceptions to the State Engineer's order of determination regarding the relative rights
7 in and to the water sources at issue herein speaks for itself. The legal work necessary included
8 conducting, defending and participating in contested litigation, which in turn required legal
9 research, analysis and writing in preparation for, and specific to, this matter.

10
11 3. The Work Actually Performed: Based upon a review of the billing statements
12 attached to the Motion for Attorney's Fees, and having previously ruled upon the pleadings
13 received in this sub-matter, and having further presided over the trial herein, during all of
14 which the Court observed the work of the appearing attorneys, the Court finds the work of the
15 Intervenor's legal team to have been satisfactory and reasonable.

16
17 4. The Result Obtained: As reflected within the written judgment entered on April 5,
18 2012, the result of trial was determined to be in favor of the Intervenor's.

19
20 However, although the amount of attorney's fees requested is reasonable and justified
21 as reflected above, considering the purpose of the award as stated within NRS 18.010(2)(b), the
22 Court hereby determines that an award of \$90,000.00 is appropriate to accomplish the statutory
23 purpose as stated therein.

24 THEREFORE, Intervenor's are hereby awarded \$90,000.00 in attorney's fees, to be paid
25 by the Bentleys.

26
27 **Motion To Retax Costs**

28 Intervenor's Memorandum of Costs presents costs expended in this sub-matter of

1 \$13,072.85. The Bentleys' Motion to Retax Costs seeks to reduce that amount by \$9,350.91 to
2 a retaxed amount of \$3,721.94. In opposition to the Motion to Retax Costs, Intervenor's cite
3 NRS 18.110(4), arguing that the Bentleys did not timely file their motion within the statutory
4 time allotted. No reply to the opposition has been received.

5
6 A review of the record indicates that the Motion to Retax Costs should have been filed
7 certainly no later than May 1, 2012. On May 2nd, a stipulation was filed extending the time in
8 which the Bentleys could file an opposition to the Motion for Attorney's Fees. That stipulation
9 did not specifically include an extension to the statutory time limit regarding a Motion to Retax
10 Costs. The Court adopted the stipulation within its Order dated May 10, 2012. That Order
11 likewise did not extend the time to seek the retax of costs.


12
13 Regardless, NRS 18.005, which defines costs that may be recovered by the prevailing
14 party, consistently references reasonable costs. Therefore, reviewing the Intervenor's
15 Memorandum of Costs, the Court hereby reduces the amounts requested by the following:

Item	Reduction
23,272 of black and white copies at a cost of \$0.10 in lieu of \$0.25:	(\$3,445.80)
Postage:	(\$500.00)
Legal research:	(\$2,000.00)
Total Reduction:	(\$5,945.80)

21 THEREFORE, the Court finds that Intervenor's are hereby entitled to recover, as the
22 party prevailing in a special proceeding pursuant to the judgment entered on April 5, 2012, and
23 NRS 18.020(4), total costs of \$7,127.05 from the Bentleys.

24 IT IS SO ORDERED.

25 Dated this 4 day of January, 2013.

26
27 
28 DAVID R. GAMBLE
District Judge

1 Copies served by mail this 4th day of January, 2013, to:

2 Bryan L. Stockton, Esq.
3 Deputy Attorney General
4 State of Nevada
5 100 North Carson Street
6 Carson City, NV 89701

7 Thomas J. Hall, Esq.
8 P. O. Box 3948
9 Reno, NV 89505

10 Michael L. Matuska, Esq.
11 937 Mica Drive, #16A
12 Carson City, NV 89705

JoAnn Thaler

1 Case No.: 08-CV-0363-D

2 Dept. No.: I

FILED

3 Thomas J. Hall, Esq.
4 Nevada State Bar No. 675
5 305 South Arlington Avenue
6 Post Office Box 3948
7 Reno, Nevada 89505
8 Telephone: 775-348-7011
9 Facsimile: 775-348-7211

2013 JAN -9 PM 3:39

TED THUAN
CLERK

BY *[Signature]* DEPUTY

RECEIVED

JAN - 9 2013

DOUGLAS COUNTY
DISTRICT COURT CLERK

10 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

11 IN AND FOR DOUGLAS COUNTY

12
13 In the Matter of the Determination of
14 the Relative Rights in and to the
15 Waters of Mott Creek, Taylor Creek,
16 Cary Creek (aka Carey Creek), Monument
17 Creek, and Bulls Canyon, Stutler Creek
18 (aka Stattler Creek), Sheridan Creek,
19 Gansberg Spring, Sharpe Spring,
20 Wheeler Creek No., 1 Wheeler Creek
21 No. 2, Miller Creek, Beers Spring,
22 Luther Creek and Various Unnamed
23 Sources in Carson Valley, Douglas
24 Valley, Nevada.
25 /

21 NOTICE OF ENTRY OF ORDER

22 TO: Bryan L. Stockton, Esq., Deputy Attorney General, State of
23 Nevada, 100 North Carson Street, Carson City, Nevada 89701;

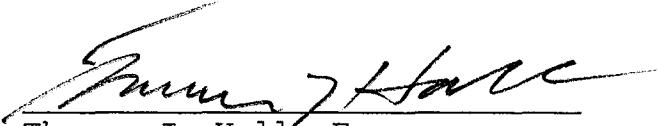
24 TO: Michael L. Matuska, Esq., Matuska Law Offices, 937 Mica
25 Drive, Suite 16A, Carson City, Nevada 89705.

26 PLEASE TAKE NOTICE that an Order was entered in the above-
27 entitled matter on January 4, 2013, a copy of said Order is
28 attached hereto.

1 The undersigned does hereby affirm that the preceding
2 document does not contain the social security number of any
3 person.

4 DATED this 8th day of January, 2013.

5
6
7 LAW OFFICES OF THOMAS J. HALL

8
9 
10 Thomas J. Hall, Esq.
11 Nevada State Bar No. 675
12 305 South Arlington Avenue
13 Post Office Box 3948
14 Reno, Nevada 89505

15
16
17 Attorney for Intervenors/
18 Cross-Petitioners
19
20
21
22
23
24
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28

RECEIVED

FILED

JAN - 4 2013

Case No. 08-CV-0363-D

Dept. No. I

2013 JAN -4 PM 2: 38 DOUGLAS COUNTY
DISTRICT COURT CLERK

TED THРАН
CLERK

P. GREGORY
BY _____ DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

In the Matter of the Determination of the relative
rights in and to the Waters of Mott Creek, Taylor
Creek, Cary Creek (aka Carey Creek), Monument
Creek, and Bulls Canyon, Stutler Creek (aka 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 County,
Nevada.

ORDER

THIS MATTER comes before the Court upon a Motion For Attorney's Fees and a
Memorandum of Costs filed by Donald S. Forrester and Kristina M. Forrester, Hall Ranches,
LLC, a Nevada Limited Liability Company, Thomas J. Scyphers and Kathleen M. Scyphers,
Frank Scharo, Sheridan Creek Equestrian Center, LLC, a Nevada Limited Liability Company,
and Ronald R. Mitchell and Ginger G. Mitchell (hereinafter referred to collectively as
"Intervenors"). J.W. Bentley and MaryAnn Bentley, Trustees of the Bentley Family Trust 1995
Trust (hereinafter referred to as the "Bentleys") have opposed the motion while filing their own
Motion To Retax Costs. The Bentleys have also filed a Motion For Leave To File Sur-Reply
regarding the Motion for Attorney's Fees, which is opposed by Intervenors.

Having now examined all relevant pleadings and papers on file herein, the Court enters
the following order, good cause appearing:

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On April 5, 2012, the Court entered written Findings of Fact, Conclusions of Law, Order and Judgment following a contested trial during which the Bentleys and the Intervenor were in opposition. That pleading includes the following excerpts, among others not specifically recounted herein:

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11. The Intervenor's are awarded their costs and a reasonable attorney fee.

Nevada Revised Statute 18.010 provides the following, among other things:

2. In addition to the cases where an allowance is authorized by specific statute, the court may make an allowance of attorney's fees to a prevailing party:

(a) When the prevailing party has not recovered more than \$20,000; or

(b) Without regard to the recovery sought, when the court finds that the claim, counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought or maintained without reasonable ground or to harass the prevailing party. The court shall liberally construe the provisions of this paragraph in favor of awarding attorney's fees in all appropriate situations. It is the intent of the Legislature that the court award attorney's fees 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.

3. In awarding attorney's fees, the court may pronounce its decision on the fees at the conclusion of the trial or special proceeding without written motion and with or without presentation of additional evidence.

4. Subsections 2 and 3 do not apply to any action arising out of a written instrument or agreement which entitles the prevailing party to an award of reasonable attorney's fees.

Having already pronounced its decision on fees at the conclusion of trial, the only remaining issue is to set the amount of the award. The Intervenor's' post-hearing pleading in reply concludes by requesting attorney's fees in the amount of \$171,814.00.¹

Considering the factors provided within *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), the Court determines that the amount requested is reasonable based upon the following findings:

1. Professional Qualities: As reflected within the resumes attached to Intervenor's' motion, Thomas Hall, Esq. is a Martindale-Hubbell AV-rated lawyer practicing regularly in the following areas of law for decades: real estate, water rights and litigation. Work billed by an

Intervenor's' original award request was listed as \$165,049.00. That amount increased to \$171,814.00 within their reply pleading. Because that amount increased without the Bentleys having an opportunity to comment, the Bentleys' motion for leave to file a sur-reply is hereby granted, allowing the Court to receive and consider the Bentleys' position regarding the increased amount.

1 associate attorney and paralegal, both of whom are educated and experienced, has been
2 performed under Mr. Hall's supervision, constituting a savings to the client. The professional
3 qualities of Mr. Hall and his legal staff are satisfactory and reasonable.

4 2. Character Of Work To Be Done: The written judgment referenced within this Order
5 reflects the substance of the dispute between the parties. The nature and importance of
6 contested exceptions to the State Engineer's order of determination regarding the relative rights
7 in and to the water sources at issue herein speaks for itself. The legal work necessary included
8 conducting, defending and participating in contested litigation, which in turn required legal
9 research, analysis and writing in preparation for, and specific to, this matter.
10

11 3. The Work Actually Performed: Based upon a review of the billing statements
12 attached to the Motion for Attorney's Fees, and having previously ruled upon the pleadings
13 received in this sub-matter, and having further presided over the trial herein, during all of
14 which the Court observed the work of the appearing attorneys, the Court finds the work of the
15 Intervenor's legal team to have been satisfactory and reasonable.
16

17 4. The Result Obtained: As reflected within the written judgment entered on April 5,
18 2012, the result of trial was determined to be in favor of the Intervenor's.
19

20 However, although the amount of attorney's fees requested is reasonable and justified
21 as reflected above, considering the purpose of the award as stated within NRS 18.010(2)(b), the
22 Court hereby determines that an award of \$90,000.00 is appropriate to accomplish the statutory
23 purpose as stated therein.

24 THEREFORE, Intervenor's are hereby awarded \$90,000.00 in attorney's fees, to be paid
25 by the Bentleys.
26

27 **Motion To Retax Costs**

28 Intervenor's Memorandum of Costs presents costs expended in this sub-matter of

1 \$13,072.85. The Bentleys' Motion to Retax Costs seeks to reduce that amount by \$9,350.91 to
2 a retaxed amount of \$3,721.94. In opposition to the Motion to Retax Costs, Intervenor's cite
3 NRS 18.110(4), arguing that the Bentleys did not timely file their motion within the statutory
4 time allotted. No reply to the opposition has been received.

5
6 A review of the record indicates that the Motion to Retax Costs should have been filed
7 certainly no later than May 1, 2012. On May 2nd, a stipulation was filed extending the time in
8 which the Bentleys could file an opposition to the Motion for Attorney's Fees. That stipulation
9 did not specifically include an extension to the statutory time limit regarding a Motion to Retax
10 Costs. The Court adopted the stipulation within its Order dated May 10, 2012. That Order
11 likewise did not extend the time to seek the retax of costs.


12
13 Regardless, NRS 18.005, which defines costs that may be recovered by the prevailing
14 party, consistently references reasonable costs. Therefore, reviewing the Intervenor's
15 Memorandum of Costs, the Court hereby reduces the amounts requested by the following:

Item	Reduction
23,272 of black and white copies at a cost of \$0.10 in lieu of \$0.25:	(\$3,445.80)
Postage:	(\$500.00)
Legal research:	(\$2,000.00)
Total Reduction:	(\$5,945.80)

21 THEREFORE, the Court finds that Intervenor's are hereby entitled to recover, as the
22 party prevailing in a special proceeding pursuant to the judgment entered on April 5, 2012, and
23 NRS 18.020(4), total costs of \$7,127.05 from the Bentleys.

24 IT IS SO ORDERED.

25 Dated this 4 day of January, 2013.

26
27 
28 DAVID R. GAMBLE
District Judge

1 Copies served by mail this 4th day of January, 2013, to:

2 Bryan L. Stockton, Esq.
3 Deputy Attorney General
4 State of Nevada
5 100 North Carson Street
6 Carson City, NV 89701

7 Thomas J. Hall, Esq.
8 P. O. Box 3948
9 Reno, NV 89505

10 Michael L. Matuska, Esq.
11 937 Mica Drive, #16A
12 Carson City, NV 89705

JoAnn Shaler

CERTIFICATE OF SERVICE BY MAIL

I certify that I am an employee of Thomas J. Hall, Esq., and that on this date, pursuant to NRCP 5(b), I deposited in the United States mail at Reno, Nevada, a true copy of the **Notice of Entry of Order**, addressed to:

Frank Scharo
Post Office Box 1225
Minden, NV 89423

Glenn Roberson
Sheridan Creek
Equestrian Center
551 Centerville Ln.
Gardnerville, NV 89460

Donald S. Forrester
Kristina Forrester
913 Sheridan Ln.
Gardnerville, NV 89460

Ronald R. Mitchell
Ginger G. Mitchell
Post Office Box 5607
Stateline, NV 89449

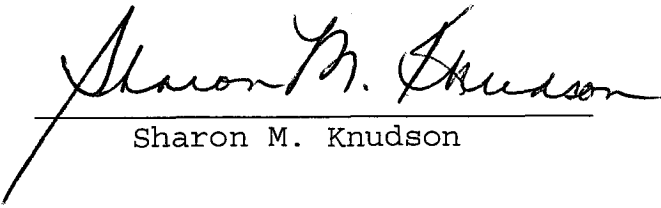
Thomas J. Scyphers
Kathleen M. Scyphers
1304 W. Aylesbury Ct.
Gardnerville, NV 89460

State of Nevada
Dept. of Conservation &
Natural Resources
Div. of Water Resources
901 S. Stewart St.
Suite 2002
Carson City, NV 89701

Michael L. Matuska, Esq.
Matuska Law Offices, Ltd.
937 Mica Dr., Suite 16A
Carson City, NV 89705

Bryan L. Stockton, Esq.
Deputy Attorney General
100 North Carson St.
Carson City, NV 89701

DATED this 8th day of January, 2013.


Sharon M. Knudson

CASE NO. 08-CV-0363(E)

DEPT NO. I

IN THE MATTER OF THE DETERMINATION OF THE
RELATIVE RIGHTS IN AND TO THE WATERS OF MOTT
CREEK, TAYLOR CREEK, CARY CREEK (ADA CAREY
CREEK), MONUMENT CREEK, AND BULLS CANYON,
STUTLER CREEK (AKA 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,

DATE: 11/7/12

JUDGE: DAVID R. GAMBLE COUNSEL:
Brian Stockton-Deputy
Attorney General rep. State
Engineer

T. Scott Brooke-rep.
Groenendyke

Gordon DePaoli
Dale Ferguson

CLERK: Pamela Gregory

COURT REPORTER: Christy Joyce

LAW CLERK: John Seddon

BAILIFFS: Rick Sousa

OTHERS PRESENT: Nhu Nguyen-Attorney General's Office

The above-entitled matter was before the Court this being the time set for
OPENING STATEMENTS.

After considering the comments of counsel, the Court recessed to conduct a site
inspection.

The Court did not reconvene and the matter was continued.

CASE NO. 08-CV-0363(D)

DEPT NO. I

IN THE MATTER OF THE DETERMINATION OF THE
RELATIVE RIGHTS IN AND TO THE WATERS OF MOTT
CREEK, TAYLOR CREEK, CARY CREEK (ADA CAREY
CREEK), MONUMENT CREEK, AND BULLS CANYON,
STUTLER CREEK (AKA 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,

DATE: 1/9/12-1/13/12

JUDGE: DAVID R. GAMBLE COUNSEL:
Tom Hall-rep. Forrester/Hall
Ranches, et al.

Brian Stockton-Deputy
Attorney General rep. State
Engineer

Michael Matuska-rep. Bentley
Family Trust

CLERK: Pamela Gregory (Bobbie Williams 1/11/12-2 hrs.)

COURT REPORTER: Michelle Loomis

LAW CLERK: John Seddon

BAILIFFS: Rick Sousa

OTHERS PRESENT: Nhu Nguyen-Attorney General's Office

The above-entitled matter was before the Court this being the time set for TRIAL.

Mr. Matuska was heard on his Motion in Limine.

The Court denied the Motion in Limine.

Plaintiff's Exhibits #1-43 were marked for identification.

Plaintiff's Exhibit's admitted-#1-#43, to include #36a and #37a, were admitted with the exception of Exhibits #22 and #23 which were not admitted.

Defendant's Exhibits #49-100 were marked for identification.

Defendant's Exhibits #49-#100 were admitted with the exception of Exhibits #72 and #73 which were not admitted.

Exception #1-Counsel stipulated the final Decree will not contain a permanent Court imposed rotation schedule but the State Engineer will retain the statutory authority to impose a rotation schedule during any water year with those affected having the right to object and this matter being brought back to Court.

Counsel also stipulated as follows:

Exception #2- dismissed;

Exception #3-the alleged typo will be fixed for the final Decree;

Exception #4-the stated acreage needs to be adjusted in the final Decree;

Exception #5-there needs to be a splitter device installed.

The Court accepted and adopted the stipulations.

Mr. Stockton stated there are two issues to be determined. The validity of the diversion agreement and how to divide the water to make it fair to all the parties.

The Court recessed to allow the parties to attempt settlement discussions.

The Court reconvened and was advised no settlement had been reached.

Mr. Stockton waived his opening argument.

Mr. Matuska gave his opening argument.

Tom Hall gave his opening argument.

PLAINTIFF'S WITNESSES

Donald Forrester

Frank Scharo

Glen Roberson

Thomas J. Scyphers

Michael Stanka

DEFENDANT'S WITNESSES

Joy Smith

Maryanne Bentley

Jim Bentley

Dan Barton

STATE'S WITNESSES

Stephen Joseph Walmsley

Day two-1/11/12

Mr. Scharo resumed the stand.

Day three-1/12/12

The Court took judicial notice that Joseph Lodato died on June 17, 2000.

Day four-1/13/12

Mr. Bentley resumed the stand.

Mr. Hall gave his closing argument.

Mr. Matuska gave his closing argument.

Mr. Stockton gave his closing argument.

Mr. Hall gave his final argument.

The Court finds that from its conception, the diversion agreement was ineffective and invalid.

The Court confirmed the final Order of Determination, to include the stipulations of the parties regarding Exceptions #1-5.

The Court authorizes the intervenors, as the prevailing party, to file a Memorandum of Fees and Costs, to include evidence of work performed.

With regards to Mr. Stockton's request for a decision regarding an implementation of a rotation schedule, the Court finds the State Engineer has full authority to implement a rotation schedule for fair distribution of the water of the State of Nevada when they deem it to be appropriate.

The Court further finds specifically that when the stream flow in the north division of Sheridan Creek, when co-mingled with the waters of the Gansberg Spring and Stattler Creek, fall below 2 CFS, it will be the order that a rotation schedule be implemented.

CASE NO. 08-CV-0363(D)

DEPT NO. I

IN THE MATTER OF THE DETERMINATION OF THE
RELATIVE RIGHTS IN AND TO THE WATERS OF MOTT
CREEK, TAYLOR CREEK, CARY CREEK (ADA CAREY
CREEK), MONUMENT CREEK, AND BULLS CANYON,
STUTLER CREEK (AKA 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,

DATE: 8/1/11

COUNSEL:

JUDGE: DAVID R. GAMBLE

Michael Matuska-rep. Brooks
Family Trust

Tom Hall-rep. Forrester/Hall
Ranches

Brian Stockton-Deputy
Attorney General rep. State
Engineer's

CLERK: Pamela Gregory

COURT REPORTER: Joan Dotson

LAW CLERK: John Seddon

BAILIFFS: Rick Sousa

The above-entitled matter was before the Court this being the time set to hear the
pending Motions for Summary Judgment.

Mr. Hall and Mr. Matuska made their arguments.

The Court denied both motions, determining that genuine issues of material fact remain unresolved.

Mr. Matuska will prepare the Order.

The Court ordered the parties to meet and confer with representatives from the State Engineer's Office, together with their counsel if they choose, to determine reasonable steps for the maximal preservation and use of the Gansberg Stream and/or other water systems pertaining to the parties, including any improvements to prevent seepage associated with Bentley's use and appropriate division works necessary to implement the final Order of Decree.

The State Engineer's Office is to report back to the Court.

Mr. Stockton will prepare the Order.

CASE NO. 08-CV-0363

DEPT NO. I

IN THE MATTER OF THE DETERMINATION OF THE
RELATIVE RIGHTS IN AND TO THE WATERS OF MOTT
CREEK, TAYLOR CREEK, CARY CREEK (ADA CAREY
CREEK), MONUMENT CREEK, AND BULLS CANYON,
STUTLER CREEK (AKA 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,

DATE: 4/1/09

COUNSEL PRESENT:

Ross de Lipkau
John Zimmerman-rep.
the Kimmerling's
and the Equestrian Center

Brian Stockton-Deputy
Attorney General rep.
State Engineer's

Scott Brooke-rep.
Groenendyke

Kelly Chase- rep.
Eric/Elizabeth Parks

Tom Hall-rep.Forrester/Hall Ranches

George Keele-rep. Jackson/Windholz

Paul Taggert-rep.Maddi's Friesian Ranch

David Davis-in proper person

Jennifer Yturbide-rep.Yturbide Trust

Michael Matuska-rep.Brooks Family Trust

OTHERS PRESENT:

Steve Walmsley-Adjudication Engineer
Reed Cozens-with Mr. Walmsley
James Vasey-consultant
Russell Scossa-homeowner
Sharon Davis
Susan Joseph

JUDGE: DAVID R. GAMBLE

CLERK: Pamela Gregory

COURT REPORTER: Carrie Hewerdine

LAW CLERK: Michael Millward

BAILIFFS: Rick Sousa

The above-entitled matter was before the Court this being the time set for
HEARING OF EXCEPTIONS.

The Court made a proposal that this case be divided into sub-cases and each sub-case be assigned a letter as follows:

A-Kimmerling (filed Notice of Request and Notice Regarding Partial Ownership of Claim 06320 on 2/11/09, by Ross E. De Lipkau and John Zimmerman;

B-Douglas (nothing was filed but the Exception was requested orally by Mr. De Lipkau in open Court)

C-Brooks (filed Notice of Exceptions and Exceptions to Final Order of Determination on 3/23/09, by Michael Matuska);

D-Bentley/Forester (filed Reply to Exceptions by Bentley to Final Order of Determination on 3/27/09, by Thomas Hall;

E-Gronendyke/Jackson- (Gronendyke filed Claimant's Notice of Exceptions to the Final Order of Determination Regarding proof of Appropriation No. V-08850 on 3/25/09, by T. Scott Brooke and Jackson filed Notice of Exceptions to the Final Order of Determination on 3/26/09, by George Keele;

F-Davis-(filed Notice of Exception to the Order of Determination on 3/26/09, in proper person.

There was no opposition to the Court's proposal. All further pleadings will reflect each parties assigned letter.

The Court ordered the following pleadings stricken from the record:

- 1) Response to Reply to Exceptions by Bentley to Final Order of Determination (filed 3/31/09);
- 2) Reply to Exceptions by Bentley to Final Order of Determination (filed 3/27/09);
- 3) Notice of Appearance and Intent to Participate (filed 3/27/09);
- 4) Amended Notice of Exceptions and Exceptions to Final Order of Determination (filed 3/25/09).

The Court advised the parties that the next document they are to file will be their Request to Intervene and they are to file that document within ten (10) days from today's date.

Oppositions are to be filed within five (5) days from that date.

The Court will then make a ruling and once allowed, there will be ten (10) days to file oppositions to the exceptions and then the case will be completely at issue.

With regards to the Brooks property, the Court was advised that the State Engineers have conceded to the addition of 4.63 acres upon the filing of a 24" by 32" map prepared by a licensed water rights surveyor and that the matter will be resolved with regards to this adjudication.

The Court advised the parties it will be sending out a Setting Order for the Pre-Trial Conference and further advised that the clients, as well as the consultants, are invited to attend.

The State Engineer stated that A, B and C will be resolved per stipulation

Mr. Stockton will prepare the Stipulation and proposed Findings of Fact as to A-Kimmerling & B- Douglas.

CASE NO. 08-CV-363 D

DEPT NO. I

IN THE MATTER OF THE DETERMINATION
OF THE RELATIVE RIGHTS IN AND TO THE
WATERS OF MOTT CREEK,

DATE: 07/16/10

JUDGE: DAVID R. GAMBLE

CLERK: Mary Biaggini

COURT REPORTER: Kathy Jackson

LAW CLERK: John Seddon

BAILIFFS: Stacey Chambers

OTHERS PRESENT: Jennifer Yturbide for The Yturbide Trust
Paul Taggart for Maddis Ranch
Elizabeth Park for Elizabeth and Eric Park
Brian Stockton for the State Engineer
Steve Walmsley witness for State Engineer
David Davis in Proper Person
Steve Hadaway for Gerald Novonty/Daily Creek Ranch
Ruth Page and Gregory Walsh for Maddis Ranch

The above-entitled matter was before the Court this being the time set for IRRIGATION ROTATION SCHEDULE. The following parties were present in Court:

The Court stated that the purpose of today's hearing was to review a rotation schedule for this irrigation season and further noted that Mr. Stockton filed a request for a Temporary Restraining Order.

Ms. Yturbide presented an opening statements.

No statement made by Ms. Park.

Mr. Taggart presented an opening statements.

Mr. Stockton made an opening statement and presented a PowerPoint illustration regarding a proportional 21-day rotation schedule.

Mr. Davis presented an opening statement.

Ms. Page addressed the Court with a proposed rotation and explained as requested by Court. Mr. Walsh provided a map of the area and explained the water hours to the Court.

The Court marked the map as exhibit 1 "2005/2006 aerial photo." The Court admitted exhibit 1 for purposes of irrigation.

The Court stated that the issues will be for implementation and a duty study.

The Court opens the floor if anyone wishes to be heard.

Mr. Davis presented closing arguments.

Mr. Taggart presented closing arguments and presented all parties with an irrigation illustration.

Ms. Yturbide presented closing arguments and requested that the Court impose the 2011 irrigation schedule.

The Court ordered the following:

- * Mr. Stockton's recommendation will be followed regarding the 21-day watering rotation schedule will be implemented for this season;
- * Each property has the right to use the supplemental underground water;
- * The Court will not order a study.

Mr. Stockton to prepare the Order and attach the rotation schedule.

Exhibits

Title: SHERIDAN CREEK ADJUDICATION

PLTF: BENTLEYS

PATY: MICHAEL MATUSKA, ESQ

INT: INTERVENORS

INT: THOMAS J. HALL, ESQ

Case No: 08-CV-0363

Dept. No: I

Date: 01/09/12

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	JOINT	Grant, Bargain and Sale Deed (June Irene Rolph to Lodato), recorded 12/18/84, as Document 111381			X
2	JOINT	Grant Deed to Adjust Bounty Line (Lodato/Rolphs), recorded 12/84/84, as Document 111382			X
3	JOINT	Parcel Map (Lodato Parcels), recorded 06/26/87, as Document 157268			X
4	JOINT	Joint Tenancy Deed (Nancy Rolph Welch to Whitmires), recorded 01/06/86, as Document 129025			X
5	JOINT	Joint Tenancy Deed (June Irene Rolph to Whitmires), recorded on 01/06/86, as Document 129026			X
6	JOINT	Preliminary Report – Mitchell, dated 01/06/86 (INT0007-0011)			X
7	JOINT	Agreement to Divert (Whitmires to Lodato), recorded on 08/06/86, as Document 138680			X
8	JOINT	Map of Division into Large Parcels (Whitmires), recorded on 12/04/86, as Document 146147			X

Exhibits

Title: SHERIDAN CREEK ADJUDICATION

PLTF: BENTLEYS

PATY: MICHAEL MATUSKA, ESQ

INT: INTERVENORS

INT: THOMAS J. HALL, ESQ

Case No: 08-CV-0363

Dept. No: I

Date: 01/09/12

Exhibit No.	Party	Description	Marked	Offered	Admitted
9	JOINT	Grant, Bargain and Sale Deed (Whitmires to Mitchells), recorded on 03/17/87, as Document 151500			X
10	JOINT	Water Diversion and Use Agreement recorded on 03/27/87, as Document 152147			X
11	JOINT	Preliminary Title Report – Forrester, dated 07/20/87			X
12	JOINT	Grant, Bargain and Sale Deed (Lodato to Webers), recorded on 08/03/87, as Document 159532			X
13	INT	Water Rights Deed (Whitmires to Forresters), recorded on 09/30/87, as Document 163487			X
14	JOINT	Joint Tenancy Deed (Whitmires to Forresters), recorded on 09/30/87, as Document 163488			X
15	JOINT	Grant, Bargain, Sale Deed (Whitmires to Hettricks), recorded on 11/09/87, as Document 166043			X
16	JOINT	Grant, Bargain, Sale Deed (Rolphs to Whitmires), recorded on 11/09/87, as Document 166045			X

Exhibits

Title: **SHERIDAN CREEK ADJUDICATION**

PLTF: **BENTLEYS**

PATY: **MICHAEL MATUSKA, ESQ**

INT: **INTERVENORS**

INT: **THOMAS J. HALL, ESQ**

Case No: **08-CV-0363**

Dept. No: **I**

Date: **01/09/12**

Exhibit No.	Party	Description	Marked	Offered	Admitted
17	JOINT	Joint Tenancy Deed (Whitmires to Halls), recorded on 11/09/87, as Document 166046			X
18	JOINT	Preliminary Title Report – Forrester, dated 05/23/88			X
19	JOINT	Joint Tenancy Deed (Lodato to Webers), recorded on 08/26/92, as Document 286852			X
20	JOINT	Correction Joint Tenancy Deed (Lodato to Webers), recorded on 03/08/93, as Document 301401			X
21	JOINT	Map (Lodato/Webers BLA), recorded on 01/04/96, as Document 378278			X
22	INT	Preliminary Title Report – Hall, dated 10/29/97			
23	INT	Quitclaim Deed (Halls to Hall Ranches, LLC), recorded 07/09/99, as Document 472217			
24	JOINT	Grant, Bargain and Sale Deed (Severson to Scyphers), recorded on 12/15/99, as Document 482627			X
25	JOINT	Summary of Ownership and Abstract of Title (Scyphers), dated 01/14/03			X
26	JOINT	Policy of Title Insurance – Scharo, dated 04/22/05			X

Exhibits

Title: **SHERIDAN CREEK ADJUDICATION**

PLTF: **BENTLEYS**

PATY: **MICHAEL MATUSKA, ESQ**

INT: **INTERVENORS**

INT: **THOMAS J. HALL, ESQ**

Case No: **08-CV-0363**

Dept. No: **I**

Date: **01/09/12**

Exhibit No.	Party	Description	Marked	Offered	Admitted
27	JOINT	Policy of Title Insurance – Roberson, dated 10/18/05			X
28	JOINT	Grant, Bargain, Sale Deed (Forrester to Roberson), recorded on 10/18/05, as Document 0658087			X
29	JOINT	Grant, Bargain and Sale Deed (Webers to Bentleys), recorded on 05/08/06, as Document 674437			X
30	JOINT	Owner's Policy of Title Insurance – Sheridan Creek Equestrian Center, LLC, dated 03/11/08			X
31	JOINT	Grant Deed (Roberson to Sheridan Creek Equestrian Center, LLC), recorded on 03/11/08, as Document 0719365			X
32	JOINT	Final Order of Determination dated 08/14/08			X
33	INT	Report of Field Investigation No. 1130, dated 06/28/10			X
34	JOINT	Grant, Bargain and Sale Deed (Scharo), recorded 08/13/10, as Document 768706			X
35	INT	Report of Field Investigation No. 1130-A, dated 09/14/10			X

Exhibits

Title: **SHERIDAN CREEK ADJUDICATION**

PLTF: **BENTLEYS**

PATY: **MICHAEL MATUSKA, ESQ**

INT: **INTERVENORS**

INT: **THOMAS J. HALL, ESQ**

Case No: **08-CV-0363**

Dept. No: **I**

Date: **01/09/12**

Exhibit No.	Party	Description	Marked	Offered	Admitted
36	INT	2004 Aerial photographs from Douglas County GIS			X
37	INT	2008 Aerial photographs from Douglas County GIS			X
38		Copy of Order Attd. 6/17/1987 Case # 17379			X
39		Picture depicting old water box on Bentley property			X
40		Picture			X
41		Picture			X
42		Picture			X
43		Picture			X

TRIAL BINDER INDEX

Bentley Water Rights Matter

Ninth Judicial District Court of the State of Nevada
Douglas County
Case No. 08-CV0363D

Admitted

EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
49	Map(s) to Accompany Proofs					X
50	Proof of Appropriation of Water for Irrigation (06305) (Webers) Dated: 3/16/94					X
51	Proof of Appropriation of Water for Irrigation (06306) (Webers) Dated: 3/16/94					X
52	Proof of Appropriation of Water for Stock Watering or Wildlife Purposes (06307) (Webers) Dated: 3/16/94					X
53	Proof of Appropriation of Water for Stock Watering or Wildlife Purposes (06308) (Webers) Dated: 3/16/94					X
54	Amended Proof of Appropriation of Water for Irrigation (06305) (Webers) Dated: 9/28/96					X

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Bentley Water Rights Matter

Ninth Judicial District Court of the State of Nevada

Douglas County

Case No. 08-CV0363D

Admitted

EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
55	Amended Proof of Appropriation of Water for Irrigation (06306) (Webers) Dated: 9/28/96					X
56	Letter to Bentley Trust from State of Nevada, Division of Water Resources re: Proofs V06305-V06308 Dated: 05/28/08					X
57	Grant of Water Pipeline Easement; Affirmation of Pre-Existing Water Pipeline Easment [sic]; Abandonment of Easements Recorded: 06/27/08 Doc. No. 725896					X
58	Proof of Appropriation of Water for Irrigation (06309) (Forresters) Dated: 3/16/94					X

TRIAL BINDER INDEX

Bentley Water Rights Matter

**Ninth Judicial District Court of the State of Nevada
Douglas County
Case No. 08-CV0363D**

Admitted

EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
59	Report of Conveyance (Severson to Scyphers) Dated: 02/20/01					X
60	Letter from NV Division of Water Resources to Scyphers Dated: 07/30/02					X
61	Letter from NV Division of Water Resources to Scyphers Dated: 07/30/03					X
62	Summary of Ownership (Permit 7595) Dated: 08/27/07					X
63	Summary of Ownership (Permit V06312) Dated: 08/18/10					X
64	Preliminary Title Report (Scharo) Dated: 04/01/05					X
65	Grant, Bargain and Sale Deed (Swanson to Scharo) Recorded: 04/22/05 Doc. No. 642436					X

TRIAL BINDER INDEX

Bentley Water Rights Matter

Ninth Judicial District Court of the State of Nevada
Douglas County
Case No. 08-CV0363D

admitted

EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
66	Grant, Bargain, and Sale Deed (Scharo to Scharo & Gardner) Recorded: 06/18/08 Doc. No. 725271					X
67	Report of Conveyance (Severson to Scharo) Dated: 12/08/08					X
68	Letter from NV Division of Water Resources to Scharo Dated: 07/22/10					X
69	Abstract of Title (Permit V06311) Dated: 08/18/10					X
70	Grant, Bargain and Sale Deed (Correction to Legal Description on Doc. No. 642436) (Swanson to Scharo) Recorded: 08/13/10 Doc. No. 768705					X
71	Letter from NV Division of Water Resources to Scharo Dated: 08/18/10					X

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Bentley Water Rights Matter

Ninth Judicial District Court of the State of Nevada

Douglas County

Case No. 08-CV0363D

admitted

EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
72	Abstract Chain of Title (Hall Ranches) Dated: 10/01/04					
73	Letter from FATCO to Hall Dated: 11/25/97					
74	Deed of Trust (Forrester) Recorded: 10/18/05 Doc. No. 658088					X
75	Photo of Broken Pipes #1					X
76	Photo of Broken Pipes #2					X
77	Photo of Broken Pipes #3					X
78	Bentley's Notice of Exceptions and Exceptions to Final Order of Determination Dated: 12/10/08					X
79	Bentley's Amended Notice of Exceptions and Exceptions to Final order of Determination Dated: 03/25/09					X

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Bentley Water Rights Matter

Ninth Judicial District Court of the State of Nevada
Douglas County
Case No. 08-CV0363D

admitted

EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
80	Intervenors' Response and Objections to Notice of Exceptions and Exceptions to Final Order of Determination Dated: 11/19/09					X
81	Intervenors' Motion for Division of Water and for Remand and Reference to State Engineer for Further Evidence Dated: 01/08/10					X
82	Affidavit of Roberson in Support of Intervenors' Motion for Division of Water and for Remand and Reference to State Engineer for Further Evidence Dated: 01/08/10					X
83	Intervenors' Reply in Support of Motion to Amend Rotation Schedule Dated: 07/27/10					X
84	Order for Division of Water Dated: 06/18/10					X

TRIAL BINDER INDEX

Bentley Water Rights Matter

Ninth Judicial District Court of the State of Nevada
Douglas County
Case No. 08-CV0363D

Admitted

EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
85	Intervenors' First Amended Responses to First Requests for Admission (No. 1) Dated: 10/18/10					X
86	Intervenors' Response to First Set of Interrogatories (No. 2) AND (No. 3) Dated: 10/18/10					X
87	Intervenors' Response to Second Set of Interrogatories (No. 5) Dated: 10/18/10					X
88	Verification (Frank Scharo) of Responses to First and Second Sets of Interrogatories Dated: 10/25/10					X
89	Deposition Exhibit Binder					X
90	NV State Engineer's Motion to Amend Water Dated 06/10/11 (Exhibits Follow)					X

TRIAL BINDER INDEX

Bentley Water Rights Matter

Ninth Judicial District Court of the State of Nevada

Douglas County

Case No. 08-CV0363D

admitted

EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
91	<u>EXHIBIT 1</u> Temporary Application for Permission to Change Point of Diversion ... App. No. 80824 Dated: 05/04/11					X
92	<u>EXHIBIT 2</u> Bentley's Application for Permission to Change Point of Diversion, ... App. No. 80828 Dated: 05/06/11					X
93	<u>EXHIBIT 3</u> Bentley's Application for Permission to Change Point of Diversion ... App. No. 80829 Dated: 05/06/11					X
94	<u>EXHIBIT 4</u> NV State Engineer's Ruling 36123 Dated: 06/08/11					X
95	<u>EXHIBIT 5</u> NV State Engineer's First Amended Rotation Schedule for 2011 Dated: 05/04/11					X

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Bentley Water Rights Matter

Ninth Judicial District Court of the State of Nevada
Douglas County
Case No. 08-CV0363D

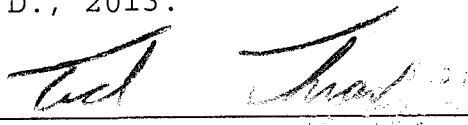
Admitted

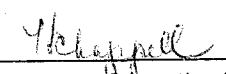
EXHIBIT NO.	DOCUMENT	PROPONENT	STIPULATION (Foundation Only)	STIPULATION (Admission)	NO STIPULATION	COURT USE
96	Stanka Consulting Report Dated: 10/14/11					X
97	<i>Application for Permission to Change Point of Diversion</i>					X
98	<i>Ruling #6123</i>					X
99	<i>DATE & Time Grid</i>					X
100	<i>Analysis of Distribution System and 2011 Rotation Schedule</i>					X

1 STATE OF NEVADA)
2) SS
3 COUNTY OF DOUGLAS)

4 I, Ted Thran, County Clerk of Douglas County, State of
5 Nevada, and ex-officio Clerk of the District Court, Ninth Judicial
6 District of the State of Nevada, in and for the said County of
7 Douglas; said Court being a Court of Record, having common
8 law jurisdiction, and a Clerk and a Seal, do hereby certify that
9 the foregoing are true copies of the following originals in Case
10 No. 08-CV-0363-D - IN THE MATTER OF THE DETERMINATION OF THE
11 RELATIVE RIGHTS IN AND TO THE WATERS OF MOTT CREEK: Notice of
12 Appeal; Case Appeal Statement; District Court Docket Entries;
13 Order; Notice of Entry of Order; District Court Minutes and
14 Exhibit List
15

16
17 IN TESTIMONY WHEREOF, I
18 have hereunto set my hand and
19 affixed my Official Seal at
20 Minden, in said County and
21 State this 13th day of February,
22 A.D., 2013.

23 
24 _____
25 County Clerk

25 
26 _____
27 Deputy Court Clerk
28



TED THRAN
CLERK - TREASURER
<http://cltr.co.douglas.nv.us>

Civil Clerk's Office
(775) 782-9023

District Court Clerk's Office
(775) 782-9820

Tahoe General Services
(775) 586-7270

Treasurer's Office
(775) 782-9018

Transmittal to the Supreme Court

To: Nevada Supreme Court
210 South Carson Street
Carson City, Nevada 89710

Date: February 13, 2013

Re: District Court Case #: 08-CV-0363-D

District Court Case Name: IN THE MATTER OF THE DETERMINATION OF THE
RELATIVE RIGHTS IN AND TO THE WATERS OF
MOTT CREEK

THREE CERTIFIED COPIES of the following documents are transmitted to the Supreme Court pursuant to the July 22, 1996 revisions to the Nevada Rules of Appellate Procedure:

XXXX Notice of Appeal

XXXX Case Appeal Statement

XXXX District Court Docket entries

XXXX Judgment(s) or order(s) appealed from

**** Order (NRAP FORM 4)

XXXX Notice of entry of the judgment(s) or order(s) appealed from

**** Certification order directing entry of judgment pursuant to NRCP 54(b)

XXXX District Court Minutes

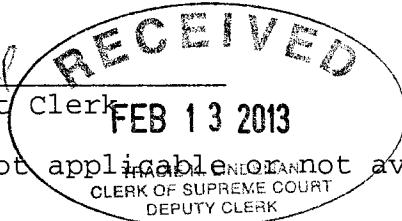
XXXX Exhibit List

XXXX Supreme Court filing fee (\$250.00), if applicable

Respectfully,

TED THRAN
CLERK/TREASURER

By: J. Chappell
Deputy Court Clerk



**** indicates not applicable or not available