

# **EXHIBIT 2**

# **EXHIBIT 2**

**IN THE SUPREME COURT OF THE STATE OF NEVADA  
OFFICE OF THE CLERK**

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

Appellants,

vs.

THE STATE OF NEVADA STATE ENGINEER; HALL  
RANCHES, LLC; THOMAS J. SCYPHERS; KATHLEEN  
M. SCYPHERS; FRANK SCHARO; SHERIDAN CREEK  
EQUESTRIAN CENTER, LLC; DONALD S.

FORRESTER; KRISTINA M. FORRESTER; RONALD R.  
MITCHELL; AND GINGER G. MITCHELL,

Respondents.

**Supreme Court No. 66932**

District Court Case No. CV0363

**EXEMPTION FROM SETTLEMENT PROGRAM -  
NOTICE TO FILE DOCUMENTS**

TO: Matuska Law Offices, Ltd. \ Michael L. Matuska  
Attorney General/Carson City \ Bryan L. Stockton, Deputy Attorney General  
Law Offices of Thomas J. Hall \ Thomas J. Hall  
Ted Thran, Douglas County Clerk  
Hon. David R. Gamble, Senior Judge

Upon review of this matter, it has been determined that this appeal will not be assigned to the settlement program. Accordingly, appellant(s) shall have fifteen (15) days from the date of this notice to comply with NRAP 9(a).

Appellants shall have 120 days from the date of this notice to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1).

DATE: November 25, 2014

Tracie Lindeman, Clerk of Court

By: Sonia Navarro  
Deputy Clerk

Notification List

Electronic

Matuska Law Offices, Ltd. \ Michael L. Matuska  
Attorney General/Carson City \ Bryan L. Stockton, Deputy Attorney General  
Law Offices of Thomas J. Hall \ Thomas J. Hall

# **EXHIBIT 1**

# **EXHIBIT 1**

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

1 Case No.: 08-CV-0363

2 Dept. No.: I

3  
4 This document does not contain personal information of any person.

5  
6 IN THE NINTH JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF DOUGLAS  
8

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

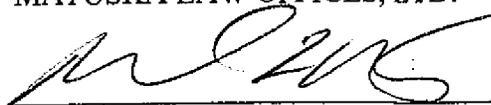
AMENDED NOTICE OF APPEAL

15 COME NOW J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley  
16 Family Trust 1995 Trust ("Bentley"), by and through their counsel of record, Matuska Law  
17 Offices, Ltd., Michael L. Matuska, and hereby file this Amended Notice Appeal at the direction of  
18 the Clerk of the Court pursuant to NRAP 3(a)(3) and NRAP(a)(4)(7) to specify the preliminary,  
19 interim or interlocutory orders included in this appeal:

- 20 1. Findings of Fact, Conclusions of Law, Order and Judgment entered in Case No. 08-  
21 CV-0363-D on April 5, 2012;
- 22 2. Order concerning costs and attorney's fees entered in Case No. 08-CV-0363-D on  
23 January 4, 2013.

24 DATED this 21<sup>st</sup> day of November 2014

25 MATUSKA LAW OFFICES, LTD.

26 By: 

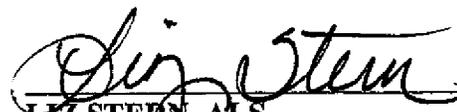
27 Michael L. Matuska  
28 State Bar No. 5711

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of MATUSKA LAW OFFICES, LTD. and that on the 21<sup>st</sup> day of November 2014, 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
Paul G. Taggart, Esq. Taggart & Taggart, Ltd. 108 Minnesota Street Carson City NV 89701	Ross E. de Lipkau, Esq. Parsons Behle & Latimer 333 Holcomb Avenue, Suite 300 Reno NV 89502
Brent T. Kolvet, Esq. Thorndahl, Armstrong, Delk, Balkenbush, Eisinger 6590 South McCarran Boulevard, Suite B Reno NV 89509	Kelly R. Chase, Esq. P.O. Box 2800 Minden NV 89423
Eric and Elizabeth Park 290 Allerman Lane Gardnerville NV 89460	T. Scott Brooke, Esq. Brooke Shaw Zumpft P.O. Box 2860 Minden NV 89423
Gordon DePaoli, Esq. Woodburn and Wedge 6100 Neil Road, Suite 500 Reno NV 89505	George M. Keele, Esq. 1692 County Road, Suite A Minden NV 89423
Ron Alling, Esq. Alling & Jillson, Ltd. 276 Kingsbury Grade, Suite 2000 P.O. Box 3390 Stateline NV 89449-3390	Jennifer A. Yturbide, Esq. Rowe, Hales & Yturbide 1638 Esmeralda Avenue P.O. Box 2080 Minden NV 89423
David and Sharon Davis P.O. Box 1360 Gardnerville NV 89460	Gerald R. Novotny, Sr. P.O. Box 471 Genoa NV 89411

**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 Carson City, Nevada, in the ordinary course of business.

  
LIZ STERN, ALS

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

1 Thomas J. Hall, Esq.  
Nevada State Bar No. 675  
2 LAW OFFICES OF THOMAS J. HALL  
305 South Arlington Avenue  
3 Reno, Nevada 89501  
4 Telephone: 775-348-7011  
Facsimile: 775-348-7211

Electronically Filed  
Dec 01 2014 04:14 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

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

7  
8 J.W. Bentley; Maryann Bentley,  
Trustees of the Bentley Family  
9 1995 Trust; Joy Smith, Daniel D.  
Barden; and Elaine Barden,

No. 66303

10 Appellants,

11 vs.

12  
13 Hall Ranches, LLC; Thomas J.  
Scyphers; Kathleen M. Scyphers;  
14 Frank Scharo; Sheridan Creek  
Equestrian Center, LLC, a  
15 Nevada limited liability company;  
Donald S. Forrester; Kristina M.  
16 Forrester; Ronald R. Mitchell;  
17 and Ginger G. Mitchell,

18 Respondents.

19  
20 **OBJECTION TO ORDER SUSPENDING BRIEFING**

21 COME NOW, Respondents HALL RANCHES, LLC, a Nevada Limited  
22 Liability Company, THOMAS J. SCYPHERS, KATHLEEN M. SCYPHERS, FRANK  
23 SCHARO, SHERIDAN CREEK EQUESTRIAN CENTER, LLC, a Nevada Limited  
24 Liability Company, DONALD S. FORRESTER, KRISTINA M. FORRESTER,  
25 RONALD R. MITCHELL and GINGER G. MITCHELL ("Intervenors"), as  
26 Respondents, by and through their counsel Thomas J. Hall, Esq., and  
27 file their Objection to Order Suspending Briefing, as follows:  
28

1 1. On September 29, 2014, the final Order of Determination was  
2 entered in Ninth Judicial District Court, Case No. 08-CV-0363-D.

3 2. On August 18, 2014, an appeal was taken to the Nevada  
4 Supreme Court in Case No. 66303, by the above-named Appellants.

5 3. On November 11, 2014, an appeal was taken to the Nevada  
6 Supreme Court in Case No. 66932, by the above-named Appellants.

7 4. On November 21, 2014, an Amended Notice of Appeal was filed  
8 in Case No. 66932. See Exhibit 1 attached hereto.

9 5. On November 25, 2014, in Case No. 66932, this Court issued  
10 an Exemption from Settlement Program - Notice to File Documents.  
11 See Exhibit 2 attached hereto.

12 A final judgment has been entered and two appeals have been  
13 taken therefrom. There should be no suspension of the briefing  
14 schedule in either Case No. 66303 or in Case No. 66932.

15 The undersigned does hereby affirm that the preceding document  
16 does not contain the social security number of any person.

17 Respectfully submitted this 1st day of December, 2014.

18  
19  
20 LAW OFFICES OF THOMAS J. HALL

21 

22 THOMAS J. HALL, ESQ.  
23 Nevada Bar No. 675  
24 305 South Arlington Avenue  
25 Post Office Box 3948  
26 Reno, Nevada 89505

CERTIFICATE OF SERVICE

I certify that I am an employee of Thomas J. Hall, Esq., and that on this date, pursuant to NRAP 25(b), I electronically filed the foregoing with the Clerk of the Court by using the ECF system and placed in the U.S. Mail, postage prepaid and, a true and correct copy of the preceding document addressed to:

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

Sheridan Creek Equestrian  
Glenn A. Roberson, Jr.  
281 Tiger Wood Court  
Gardnerville, Nevada 89460

Bryan L. Stockton, Esq.  
Senior Deputy Attorney General  
100 North Carson Street  
Carson City, Nevada 89701

Donald S. Forrester  
Kristina M. Forrester  
913 Sheridan Lane  
Gardnerville, Nevada 89460

Jessica C. Prunty, Esq.  
Dyer, Lawrence, Penrose,  
Flaherty, Donaldson & Prunty  
2805 Mountain Street  
Carson City, Nevada 89703

Frank Scharo  
Post Office Box 1225  
Minden, Nevada 89423

Brent T. Kolvet, Esq.  
Thorndahl, Armstrong, Delk,  
Balkenbush, Eisinger  
6590 S. McCarran Blvd., Suite B  
Reno, Nevada 89460

Ross E. de Lipkau, Esq.  
Parsons, Behle & Latimer  
333 Holcomb Ave., Suite 300  
Reno, Nevada 89502

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

Kelly R. Chase, Esq.  
Post Office Box 2800  
Minden, Nevada 89423

Eric and Elizabeth Park  
290 Allerman Lane  
Gardnerville, Nevada 89460

T. Scott Brooke, Esq.  
Brooke Shaw Zumpft  
Post Office Box 2860  
Minden, Nevada 89423

Ron Alling, Esq.  
Post Office Box 3390  
Stateline, Nevada 89449

George M. Keele, Esq.  
1692 County Road, Suite A  
Minden, Nevada 89423

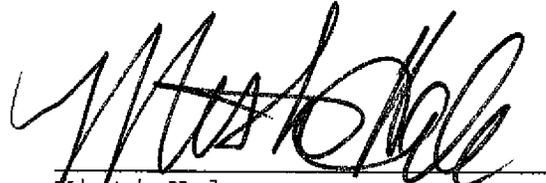
Jennifer A. Yturbide, Esq.  
Post Office Box 2080  
Minden, Nevada 89423

1 David and Sharon Davis  
2 Post Office Box 1360  
3 Gardnerville, Nevada 89460

Gerald R. Novotny, Sr.  
Post Office Box 471  
Genoa, Nevada 89411

4 Gordon DePaoli, Esq.  
5 Woodburn and Wedge  
6 6100 Neil Road, Suite 500  
7 Reno, Nevada 89505

8 DATED this 1<sup>st</sup> day of December, 2014.

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10 Misti Hale

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EXHIBIT LIST

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EXHIBIT 1: Amended Notice of Appeal.

EXHIBIT 2: Exemption from Settlement Program - Notice to File Documents.