

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA STATE
ENGINEER; THE STATE OF NEVADA
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES,
DIVISION OF WATER RESOURCES;
AND KOBEH VALLEY RANCH, LLC,
Appellants,

vs.

EUREKA COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
NEVADA; KENNETH F. BENSON, AN
INDIVIDUAL; DIAMOND CATTLE
COMPANY, LLC, A NEVADA LIMITED
LIABILITY COMPANY; AND MICHEL
AND MARGARET ANN ETCHEVERRY
FAMILY, LP, A NEVADA REGISTERED
FOREIGN LIMITED PARTNERSHIP,
Respondents.

No. 70157

FILED

MAY 24 2016

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

ORDER TO SHOW CAUSE

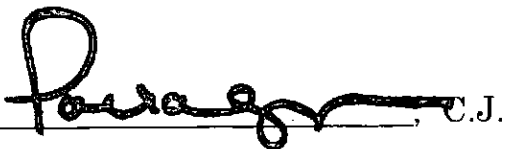
This is an appeal from a district court order granting petitions for judicial review of an administrative water law decision. Our initial review of the docketing statements, amended docketing statement,¹ and documents submitted to this court reveals a potential jurisdictional defect. It appears that the notices of appeal were prematurely filed after the filing of a timely tolling motion to alter or amend the judgment but before that motion was formally resolved. See NRAP 4(a)(4), (6).

¹The motion for leave to file an amended docketing statement is granted. The clerk of this court shall detach the amended docketing statement from the motion filed on May 17, 2016, and file it separately.

16-16287

Accordingly, appellants shall have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. In responding to this order, appellants should submit documentation that establishes this court's jurisdiction including, but not necessarily limited to, copies of any written district court order resolving the tolling motion. See NRAP 4(a)(6) ("A premature notice of appeal does not divest the district court of jurisdiction."). We caution appellants that failure to demonstrate that this court has jurisdiction may result in the dismissal of this appeal. Respondents may file any replies within 11 days of service of appellants' responses. Briefing of this appeal is suspended pending further order of this court.²

It is so ORDERED.

 C.J.

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

²We defer ruling on the May 20, 2016, motion to expedite appeal pending resolution of the potential jurisdictional defect.