

IN THE SUPREME COURT OF THE STATE OF NEVADA

MINERAL COUNTY; and WALKER
LAKE WORKING GROUP,

Appellants,

vs.

LYON COUNTY; CENTENNIAL
LIVESTOCK; BRIDGEPORT
RANCERS; SCHROEDER GROUP;
WALKER RIVER IRRIGATION
DISTRICT; STATE OF NEVADA
DEPARTMENT OF WIDLIFE;
and COUNTY OF MONO,
CALIFORNIA,

Respondents.

Electronically Filed
Feb 14 2019 03:34 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
Case No. 75917

WALKER RIVER IRRIGATION DISTRICT'S
MOTION FOR CLARIFICATION OF FILING DATE
FOR ANSWERING BRIEFS

Pursuant to Rule 27 of the Nevada Rules of Appellate Procedure, Respondent Walker River Irrigation District moves the Court for an order clarifying the date on which answering briefs must be filed in this matter. This request for clarification arises as a result of a series of Orders entered by the Court concerning that date, and as a result of the fact that the Nevada State Engineer's Amicus Brief and the Walker River Paiute Tribe's Amicus Brief, although submitted earlier, were "filed" in this matter on February 11, 2019.

On December 27, 2018, the Court entered an Order (Docket 18-910582)

granting the Nevada State Engineer an extension to file and serve its amicus brief, and further providing that Respondents, including the Walker River Irrigation District, “shall have 60 days from the date Mr. King’s amicus brief is filed to file and serve their Answering Briefs.” In that same Order, the Court extended the time for the Walker River Paiute Tribe to file and serve its motion to file an amicus curiae brief.

On or about January 24, 2019, the Court also entered an Order (Docket 19-03729) granting the Nevada Department of Wildlife 60 days from the date the Nevada State Engineer’s amicus curiae brief was filed to file and serve its answering brief.

The amicus curiae briefs of the Nevada State Engineer and the Walker River Paiute Tribe were submitted on or about January 25 and 28, 2019 with motions for leave to file them. The Walker River Paiute Tribe’s motion sought leave to file its amicus curiae brief, and the Nevada State Engineer’s motion sought leave to exceed the word limit allowed for amicus curiae briefs. On February 11, 2019, the Court entered an Order granting both motions (Docket 19-06289). Thereafter, also on February 11, 2019, the amicus curiae briefs of the Walker River Paiute Tribe and the Nevada State Engineer were filed and served by the Court’s Electronic Filing system.

Counsel respectfully requests that the Court clarify as to whether the time for

filing Answering Briefs runs from January 25, 2019, or from February 11, 2019. Although the undersigned requested and received from counsel copies of the amicus briefs within a few days of the filing of the motions, others may not have received them until electronic service was effected. It is important to eliminate and avoid any confusion on that question, not only for the parties who will be filing answering briefs, but also for the timely filing of any motions to file amicus curiae briefs in support of Respondents.

RESPECTFULLY SUBMITTED this 14th day of February, 2019.

WOODBURN AND WEDGE

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Woodburn and Wedge, and that on the 14th day of February, 2019, I electronically filed the foregoing with the Clerk of the Court using the Supreme Court of Nevada Electronic Filing System, which will send notification of such filing to the following attorneys of record via their email addresses:

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