

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON KING, P.E., NEVADA STATE
ENGINEER, DIVISION OF WATER
RESOURCES, DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES,

Appellant,

vs.

PAHRUMP FAIR WATER, LLC, A
NEVADA LIMITED-LIABILITY
COMPANY; STEVEN PETERSON, AN
INDIVIDUAL; MICHAEL LACH, AN
INDIVIDUAL; PAUL PECK, AN
INDIVIDUAL; BRUCE JABOUR, AN
INDIVIDUAL; AND GERALD
SCHULTE, AN INDIVIDUAL,
Respondents.

No. 77722

FILED

JAN 11 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER GRANTING STAY
AND EXPEDITING APPEAL*

This is an appeal from a district court order granting a petition for judicial review in a water law case and reversing State Engineer Order 1293A restricting the drilling of new domestic wells. Appellant State Engineer filed an emergency motion to stay the district court's order pending appeal, and we entered a temporary stay pending receipt and consideration of any opposition, which respondents have now filed. Having considered appellant's motion and supporting documents, respondents' opposition, and appellant's reply under the NRAP 8 factors, we conclude that the balance of harms weighs in favor of a stay. NRAP 8(c). Accordingly, we grant appellant's motion and stay enforcement of the district court's December 6, 2018, order granting judicial review and reversing State Engineer Order 1293A, pending further order of this court.

In light of the stay's potential impacts on respondents, however, we further conclude that this appeal should be expedited. Therefore, appellant shall have until February 15, 2019, to file and serve the opening brief and appendix. NRAP 31(a). Briefing shall thereafter proceed in accordance with NRAP 31(a)(1), but no extensions of time will be granted absent extreme and unforeseeable circumstances.

It is so ORDERED.

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Silver, J.
Silver

cc: Hon. Steven Elliott, Senior Judge
Attorney General/Carson City
Taggart & Taggart, Ltd.
Nye County Clerk