

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIAMOND NATURAL RESOURCES
PROTECTION & CONSERVATION
ASSOCIATION; J&T FARMS, LLC;
GALLAGHER FARMS LLC; JEFF
LOMMORI; M&C HAY; CONLEY
LAND & LIVESTOCK, LLC; JAMES
ETCHEVERRY; NICK
ETCHEVERRY; TIM HALPIN;
SANDI HALPIN; DIAMOND
VALLEY HAY COMPANY, INC.;
MARK MOYLE FARMS LLC;
D.F. & E.M. PALMORE FAMILY
TRUST; WILLIAM H. NORTON;
PATRICIA NORTON;
SESTANOVICH HAY & CATTLE,
LLC; JERRY ANDERSON; BILL
BAUMAN; AND DARLA BAUMAN,

Appellants,

vs.

TIM WILSON, P.E., NEVADA
STATE ENGINEER, DIVISION
OF WATER RESOURCES,
DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES; EUREKA COUNTY;
DIAMOND VALLEY RANCH, LLC;
AMERICAN FIRST FEDERAL, INC.;
BERG PROPERTIES CALIFORNIA,
LLC; GLANDO RANCH, LLC; BETH
MILLS, TRUSTEE MARSHALL
FAMILY TRUST; TIMOTHY LEE
BAILEY; CONSTANCE MARIE

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Elizabeth A. Brown
Clerk of Supreme Court

Case No. 81224

BAILEY; FRED BAILEY; CAROLY
BAILEY; SADLER RANCH, LLC;
IRA R. RENNER; AND MONTIRA
RENNER,

Respondents.

**STATE ENGINEER’S JOINDER TO
DNRPCA APPELLANTS’ EMERGENCY MOTION
UNDER NRAP 27(e) FOR STAY PENDING APPEAL**

Respondent,¹ Tim Wilson, P.E., in his capacity as the Nevada State Engineer, Department of Conservation and Natural Resources, Division of Water Resources (hereafter “State Engineer”), by and through counsel, Nevada Attorney General Aaron D. Ford and Senior Deputy Attorney General James N. Bolotin, hereby joins the Emergency Motion Under NRAP 27(e) for Stay Pending Appeal filed by Appellants Diamond Natural Resources Protection & Conservation Association; J&T Farms, LLC; Gallagher Farms LLC; Jeff Lommori; M&C Hay; Conley Land & Livestock, LLC; James Etcheverry; Nick Etcheverry; Tim Halpin; Sandi Halpin; Diamond Valley Hay Company, Inc.; Mark Moyle Farms LLC; D.F. & E.M. Palmore Family Trust; William H.

¹ While currently identified as a “Respondent” in the caption, the State Engineer, the DNRPCA Appellants, and Eureka County filed a motion to modify the caption to identify them as Appellants that is pending before the Court.

Norton; Patricia Norton; Sestanovich Hay & Cattle, LLC; Jerry Anderson; Bill Bauman; and Darla Bauman (collectively, “DNRPCA Appellants”). The State Engineer further respectfully requests that the Court enter a temporary stay during the interim period while the parties brief and the Court decides the DNRPCA Appellants’ Emergency Motion Under NRAP 27(e) for Stay Pending Appeal.

RESPECTFULLY SUBMITTED this 7th day of July, 2020.

AARON D. FORD
Attorney General

By: /s/ James N. Bolotin
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State Engineer*

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 7th day of July, 2020, I served a copy of the foregoing STATE ENGINEER'S JOINDER TO DNRPCA APPELLANTS' EMERGENCY MOTION UNDER NRAP 27(e) FOR STAY PENDING APPEAL, by the Nevada Supreme Court's EFlex Electronic Filing System to:

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Attorney for Intervenors Diamond Natural Resources Protection & Conservation Association; J&T Farms; Gallagher Farms; Jeff Lommori; M&C Hay; Conley Land & Livestock, LLC; Kim & Nick Etcheverry; Tim & Sandie Halpin; Diamond Valley Hay Co.; Mark Moyle Farms, LLC; D.F. & E.M. Palmore Family Trust; Bill & Patricia Norton; Sestanovich Hay & Cattle, LLC; Jerry Anderson; and Bill & Darla Baumann ("DNRPCA")

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and via U.S. Mail to:

Beth Mills, Trustee
Marshall Family Trust
HC 62, Box 62138
Eureka, Nevada 89316
Trustee of the Marshall Family Trust in Propria Persona

/s/ Dorene A. Wright