

IN THE SUPREME COURT OF THE STATE OF NEVADA

Case No. 81224

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; SCOTT HASPIN;
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; DARLA BAUMAN; TIM WILSON, P.E.,
NEVADA STATE ENGINEER, DIVISION OF WATER RESOURCES,
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES;
AND EUREKA COUNTY;

Appellants,

v.

DIAMOND VALLEY RANCH, LLC; AMERICAN FIRST FEDERAL, INC.;
BERG PROPERTIES CALIFORNIA, LLC; BLANCO RANCH, LLC; BETH
MILLS, TRUSTEE MARSHALL FAMILY TRUST; TIMOTHY LEE BAILEY;
CONSTANCE MARIE BAILEY; FRED BAILEY; CAROLYN BAILEY;
SADLER RANCH, LLC; IRA R. RENNER; AND MONTIRA RENNER,

Respondents.

Appeal From Order Granting Petitions for Judicial Review
Seventh Judicial District Court of Nevada Case No. CV-1902-348

**APPELLANTS' JOINT NOTICE
REGARDING ORAL ARGUMENT**

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. NORTON; PATRICIA NORTON; SESTANOVICH HAY & CATTLE, LLC; JERRY ANDERSON; BILL BAUMAN; AND DARLA BAUMAN (collectively, “DNRPCA Appellants”), Appellant ADAM SULLIVAN, P.E., in his capacity as the Acting Nevada State Engineer, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF WATER RESOURCES (hereafter “State Engineer”), and Appellant EUREKA COUNTY, by and through their respective undersigned counsel, hereby file this Joint Notice Regarding Oral Argument.

On April 2, 2021, this Court issued its Order Scheduling Oral Argument, scheduling this matter for oral argument on June 2, 2021, at 10:00 a.m. in Las Vegas. *See* Order Scheduling Oral Argument. The total time for arguments from both sides “shall be limited to 30 minutes.” *Id.*

The Appellants, through their counsel, have met and conferred regarding how to best structure the oral argument within the 15-minute time limit set out by the Court for Appellants' side. The Appellants hereby notify the Court that, in the interest of maximizing the use of their time, counsel for the DNRPCA Appellants will be using the full 15 minutes and arguing on behalf of all Appellants seeking reversal of the district court's order. Appellants State Engineer and Eureka County believe Appellants' respective positions are similar and support this arrangement. Counsel for the State Engineer and Eureka County will attend the oral argument and be available for questions.

Dated May 12, 2021

LEONARD LAW, PC

/s/ Debbie Leonard

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Attorney for DNRPCA Appellants

Dated May 12, 2021

STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

/s/ James N. Bolotin

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Attorney for Appellant State Engineer

Dated May 12, 2021

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Attorneys for Appellant Eureka County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Leonard Law, PC, and that on May 12, 2021, the foregoing document was electronically filed with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system (E-Flex). Participants in the case who are registered with E-Flex as users will be served by the EFlex system. All others will be served by first-class mail.

/s/ Tricia Trevino
An employee of Leonard Law, PC