

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
DETERMINATION OF THE
RELATIVE RIGHTS IN AND TO ALL
WATERS, BOTH SURFACE AND
UNDERGROUND, LOCATED
WITHIN THE DIAMOND VALLEY
HYDROGRAPHIC BASIN 10-153,
EUREKA AND ELKO COUNTIES,
NEVADA.

THE STATE OF NEVADA
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES,
DIVISION OF WATER RESOURCES;
AND ADAM SULLIVAN, P.E.,
STATE ENGINEER,

Appellants,

v.

SOLARLJOS, LLC; DANIEL S.
VENTURACCI; AMANDA L.
VENTURACCI; CHAD D. BLISS;
ROSIE J. BLISS; WILFRED BAILEY
AND CAROLYN BAILEY,
TRUSTEES OF THE WILFRED AND
CAROLYN BAILEY FAMILY TRUST
DATED FEBRUARY 20, 2018;
EUREKA COUNTY; JAMES E.
BAUMANN; VERA L. BAUMANN;
NORMAN C. FITZWATER; KINDY
L. FITZWATER; ARC DOME
PARTNERS, LLC; ROBERT F. BECK
AND KAREN A. BECK, TRUSTEES
OF THE BECK FAMILY TRUST
DATED APRIL 1, 2005; IRA R.

Supreme Court No. 84275

District Court Case No. CV-2002009

Electronically Filed
Mar 04 2022 03:14 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

RENNER; MONTIRA RENNER;
SADLER RANCH, LLC; MW
CATTLE, LLC; UNITED STATES
DEPARTMENT OF INTERIOR,
BUREAU OF LAND
MANAGEMENT; PETER
GOICOECHEA; AND GLADY
GOICOECHEA,

Respondents.

**SOLARLJOS, LLC’S JOINDER TO IRA R. RENNER AND MONTIRA
RENNER’S OPPOSITION TO STATE ENGINEER’S REQUEST FOR
TEMPORARY ADMINISTRATIVE STAY**

Respondent SOLARLJOS, LLC (“Solarljós”) by and through its attorneys of record, Alex J. Flangas and August B. Hotchkin of the law firm Kaempfer Crowell, hereby joins in IRA R. RENNER AND MONTIRA RENNER’S OPPOSITION TO STATE ENGINEER’S REQUEST FOR TEMPORARY ADMINISTRATIVE STAY, filed with this Court by Appellants, THE STATE OF NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, DIVISION OF WATER RESOURCES; AND ADAM SULLIVAN, P.E., STATE ENGINEER on February 25, 2022.

Solarljós joins in the arguments raised by Renner that the additional proceedings should not be stayed, regardless of the outcome of the final determination of the State’s appeal of the judgment rendered on Solarljós objection. It would be manifestly unfair to the remaining participants in this proceeding to delay

completion of their hearings awaiting the outcome of an appeal that – itself – was essentially caused by the delay of the State Engineer in bringing alleged procedural issues to this Court’s attention more than a year after the procedures had been identified by the District Court for use in handling the basin adjudication for all of the participants.

Moreover, it would also be unfair to Solarljos to stay completion of the objection hearings of others for this reason: if this Court were to find that the procedures utilized by the District Court are appropriate but somehow determine that “certification” under NRCP 54(b) of Solarljos’ judgment was improper, that would require Solarljos to wait for a single, final judgment to be rendered addressing all claims of all parties before its judgment would be considered “final.” Any additional delay caused by a stay of the objection hearings of others, therefore, would also delay Solarljos’ judgment from becoming final.

In either scenario, therefore, entry of the stay requested by the State Engineer is improper, and for those reasons Solarljos joins in the opposition and arguments raised by Renner.

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Respectfully submitted this 4th day of March, 2022.

KAEMPFER CROWELL

BY: /s/ Alex J. Flangas

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CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2022, service of the foregoing **SOLARLJOS, LLC'S JOINDER TO IRA R. RENNER AND MONTIRA RENNER'S OPPOSITION TO STATE ENGINEER'S REQUEST FOR TEMPORARY ADMINISTRATIVE STAY** was filed electronically with the Clerk of the Court, and therefore electronic service was made in accordance with the master service list to the following:

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In addition, service was made by depositing the same mailing via first class mail with the United States Postal Service to the following:

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DATED March 4, 2022

/s/ Sharon Stice

An employee of Kaempfer Crowell