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Elizabeth A. Brown  
Clerk of Supreme Court

**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.

**Supreme Court No. 84275**  
District Court Case No. CV-2002009

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.  
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 MOTION TO  
DETERMINE WHETHER DISTRICT COURT PROPERLY CERTIFIED  
CORRECTED ORDER GRANTING SOLARLJOS, LLC’S MOTION FOR  
PARTIAL SUMMARY JUDGMENT AS FINAL PURSUANT TO NRCP 54(B)**

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 the arguments raised by Ira R. and Montira Renner (collectively “Renner”) in their opposition to the State Engineer’s Motion to Determine Whether the State Engineer Property Certified the Corrected Order Granting Solarljós, LLC’s Motion for Partial Summary Judgment as Final Pursuant to NRCP 54(B). Renner correctly recognizes that NRS 533.170 and 533.200 specifically provide that the Nevada Rules of Civil Procedure apply to water rights adjudications, and

such Rules allow Certification when grounds exist and there is no just reason for delay. The case law cited by the State Engineer predates the adoption of the Certification procedure under NRCP 54(b), and nothing in Nevada's water statutes (NRS Ch. 533 and 534) expressly prohibits certification of matters as final judgments in subparts. Instead, NRS 0.030 allows the singular word "decree" to be interpreted as a plural when appropriate.

Certification is appropriate here because Solarljøs is the sole vested *groundwater* right claimant, and thus the district court correctly found that determination of Solarljøs' rights in this adjudication should not be held up awaiting the resolution of all of the surface claims of others as they would not be affected by or affect Solarljøs' claim. There is no "just reason for delay" of the Certification.

Respectfully submitted this 8<sup>th</sup> day of March, 2022.

KAEMPFER CROWELL

BY: /s/ Alex J. Flangas

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## **CERTIFICATE OF SERVICE**

I hereby certify that on March 8, 2022, service of the foregoing **SOLARLJOS, LLC'S JOINDER TO IRA R. RENNER AND MONTIRA RENNER'S OPPOSITION TO STATE ENGINEER'S MOTION TO DETERMINE WHETHER DISTRICT COURT PROPERLY CERTIFIED CORRECTED ORDER GRANTING SOLARLJOS, LLC'S MOTION FOR PARTIAL SUMMARY JUDGMENT AS FINAL PURSUANT TO NRCP 54(B)** 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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DATED March 8, 2022

*/s/ Sharon Stice*

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An employee of Kaempfer Crowell