

**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 ND ELKO COUNTIES,  
NEVADA.

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Electronically Filed  
Mar 11 2022 04:35 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
**Case 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; AND EUREKA COUNTY,

Appellants,

vs.

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; 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 GLADYS  
GOICOECHEA,

Respondents.

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**EUREKA COUNTY'S MOTION TO EXCEED PAGE LIMIT**

Appellant, EUREKA COUNTY, by and through its counsel, ALLISON MacKENZIE, LTD. and THEODORE BEUTEL, ESQ., the EUREKA COUNTY DISTRICT ATTORNEY, hereby requests permission to file its Joinder to State Engineer's Replies in Support of Motion to Determine Whether District Court Properly Certified Corrected Order Granting Solarljós, LLC's Motion for Partial Summary Judgment as Final Pursuant to NRCP 54(b) and Emergency Motion Under NRAP 27(e) for Stay of District Court's Corrected Order Granting Solarljós, LLC's Motion for Partial Summary Judgment and Stay of Adjudication Proceedings Pending Appeal and Request for Temporary Stay Pending Decision on Underlying Motion for Stay in excess of the page limitation set forth in NRAP 27(d)(2). EUREKA COUNTY's Joinder is in excess of the 5-page reply limit; to-wit, EUREKA COUNTY's Joinder to the two Replies filed by the State Engineer is 8 pages, exclusive of the signature page and certificate of service.

EUREKA COUNTY's Joinder addresses issues raised in numerous responses filed with the Court. In lieu of filing two separate Joinders, EUREKA COUNTY decided to file a single Joinder to reply to matters raised by the parties opposing the State Engineer's motions.

When drafting the Joinder, EUREKA COUNTY diligently attempted to comply with the reply page limitation. The single Joinder is less than 10 pages, the combined page limitation total of filing two replies. Given the nature and scope of the issues of this appeal and the matters set forth in the responses to the State Engineer's motions, EUREKA COUNTY believes the additional 3 pages are necessary to present its information and arguments and provide the necessary context to aid the Court's resolution of the issues before it.

The Declaration of KAREN A. PETERSON, ESQ. is submitted concurrently herewith.

DATED this 11<sup>th</sup> day of March, 2022.

ALLISON MacKENZIE, LTD.  
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By: /s/ Karen A. Peterson  
KAREN A. PETERSON, NSB 366  
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~and~

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Attorneys for Appellant,  
EUREKA COUNTY

## **CERTIFICATE OF SERVICE**

Pursuant to NRAP 25(1)(c), I hereby certify that I am an employee of ALLISON MacKENZIE, LTD., Attorneys at Law, and that on this date, I caused the foregoing document to be served on all parties to this action by:

✓ Court's electronic notification system as follows:

James Bolotin  
Timothy O'Connor  
Gordon DePaoli  
Laura Schroeder  
David Rigdon  
Aaron Ford  
Alex Flangas  
Therese Ure  
Paul Taggart  
Tamara Thiel  
August Hotchkin  
Ian Carr  
Ross de Lipkau

✓ U.S. First Class Mail

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DATED this 11<sup>th</sup> day of March, 2022.

/s/ Nancy Fontenot  
NANCY FONTENOT