

IN THE SUPREME COURT OF THE STATE OF NEVADA

SIERRA PACIFIC INDUSTRIES, A
CALIFORNIA CORPORATION,
Appellant,

vs. .

TIM WILSON, P.E., IN HIS CAPACITY
AS NEVADA STATE ENGINEER; THE
DIVISION OF WATER RESOURCES,
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES, AN
AGENCY OF THE STATE OF NEVADA;
AND IWS BASIN, LLC., A NEVADA
LIMITED LIABILITY COMPANY,
Respondents.

No. 77413

FILED

JUN 14 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER DISMISSING APPEAL AND REMANDING FOR FURTHER
PROCEEDINGS*

This is an appeal from an order denying a petition for judicial review challenging the State Engineer's 2017 grant of extensions of water rights permits. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

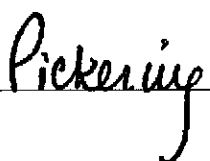
In a related appeal involving the same parties and the prior 2016 extension of the permits, this court issued an opinion reversing and remanding to the district court with directions to remand to the State Engineer to reconsider the 2016 permit extensions. *Sierra Pac. Indus. v. Wilson*, 135 Nev., Adv. Op. 13, ___ P.3d ___ (2019). Respondent State Engineer has moved for a voluntary remand of this appeal to permit it to reconsider administratively its 2017 extension of the permits at issue in this appeal in light of this court's recent decision. Appellant opposes the motion, and the State Engineer has filed a reply.

Having considered the arguments of the parties, and the applicability of this court's decision, the court concurs that the State Engineer should reevaluate the permit extensions as requested. Accordingly, this court dismisses this appeal and remands this matter to the district court with instructions to remand to the State Engineer to allow him to address the 2017 request for extension of time, in accordance with the *Sierra Pacific* ruling.

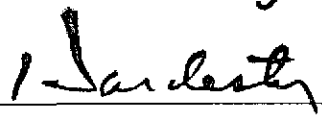
It is so ORDERED.¹



Gibbons C.J.



Pickering J.



Hardesty J.

cc: Hon. Scott N. Freeman, District Judge
Leonard Law, PC
Brownstein Hyatt Farber Schreck, LLP/Reno
Brownstein Hyatt Farber Schreck, LLP/Las Vegas
Richard L. Elmore, Chtd.
Attorney General/Carson City
Washoe District Court Clerk

¹Appellant's request for judicial notice is denied as moot.