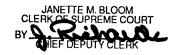
## IN THE SUPREME COURT OF THE STATE OF NEVADA

STANTON PARK DEVELOPMENT, INC.,
INC.,
Appellant,
vs.
HUGH RICCI, P.E., NEVADA STATE ENGINEER, DIVISION OF WATER RESOURCES, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, Respondent.

No. 46659

FILED

MAY 31 2006



## ORDER DISMISSING APPEAL

This is an appeal from an "Order Denying Petition for Writ of Mandamus or Writ of Prohibition and Granting Judicial Review." Third Judicial District Court, Lyon County; Robert E. Estes, Judge.

Because our preliminary review of this appeal revealed a potential jurisdictional defect this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the order appealed from was not substantively appealable because the order is not a final judgment. On May 16, 2006, the parties filed a stipulation to dismiss the appeal. We

<sup>1</sup>See NRAP 3A(b).

(O) 1947A

approve the stipulation and dismiss this appeal. The parties shall bear their own costs and fees, if any.

It is so ORDERED.

Maupin

J.

J.

J.

Gibbons

Hardesty

cc: Hon. Robert E. Estes, District Judge
William E. Nork, Settlement Judge
Law Offices of John P. Schlegelmilch, Ltd.
Attorney General George Chanos/Carson City
Lyon County Clerk