

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 34787

KATHY STEELE,

Appellant,

vs.

R. MICHAEL TURNIPSEED, STATE  
ENGINEER, STATE OF NEVADA,  
DEPARTMENT OF CONSERVATION AND  
NATURAL RESOURCES, DIVISION OF  
WATER RESOURCES; AND BILL DYER AND  
KATHY RYAN (INCORRECTLY NAMED AS  
KATHY RYAN-DYER),

Respondents.

**FILED**

DEC 13 1999

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order granting a preliminary injunction and enjoining appellant Kathy Steele from diverting water to her property.<sup>1</sup> We have reviewed the record, and we conclude that the district court did not abuse its discretion by issuing the preliminary injunction. See Clark Co. School Dist. v. Buchanan, 112 Nev. 1146, 1150, 924 P.2d 716, 719 (1996) (a district court has discretion to grant a preliminary injunction if the applicant can show a reasonable probability of success on the merits and of irreparable harm if the objectionable conduct is allowed to continue); see also Czipott v. Fleigh, 87 Nev. 496, 498-99, 489 P.2d 681, 683 (1971) (when water rights are involved, the irreparable harm requirement is relaxed); Robison v. Bate, 78 Nev. 501, 506, 376 P.2d 763, 766 (1962) (interference with a

<sup>1</sup>We direct the clerk of this court to amend the caption on this court's docket so that it is consistent with the caption on this order, and to list the Attorney General on the docket as counsel for the additional respondent.

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vested water right may be enjoined without showing actual damage). Accordingly, we

ORDER this appeal dismissed.<sup>2</sup>

Maupin, J.  
Maupin

Shearing, J.  
Shearing

Becker, J.  
Becker

cc: Hon. Peter I. Breen, District Judge  
Attorney General  
Laxalt & Nomura, Ltd.  
Bowman & Robinson  
Kathy Steele  
Washoe County Clerk

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<sup>2</sup>Although we did not grant appellant leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents that were received from appellant.