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Before The State Of Nevada Environmental Commission

In Re:)
Appeal of Water Pollution Control Permit:)
NEV 2006504, Beverly Hills Dairy)
)
)
)
)

**ORDER DISMISSING APPEAL BASED
ON LACK OF APPELLANT STANDING
PURSUANT TO NRS 233B.127(4).**

On October 30, 2006, a hearing panel of the State Environmental Commission (Panel) convened to hear the above-entitled appeal. The Nevada Division of Environmental Protection (Division) entered a Motion to Dismiss based on NRS 233B.127(4) as a preliminary matter. The Panel listened to the arguments of counsel for the Division and one of the Appellants, and to the comments of several of the other individual Appellants in attendance. The Panel found that NRS 233B.127(4) required a party to meet the financial interest requirements established therein, and that all of the Appellants had failed to meet the requirement. Therefore, the Panel decided that it did not have jurisdiction to hear the above-entitled appeal, and granted the Division's Motion to Dismiss.

Therefore, it is ORDERED that the above-entitled appeal be dismissed, as the Appellants cannot satisfy the jurisdictional requirements established by NRS 233B.127(4).

Dated this ____ day of November, 2006.

Alan Coyner, Panel Chair
State of Nevada Environmental Commission