

FILED

UNITED STATES COURT OF APPEALS

AUG 07 2015

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

BLACK MESA WATER COALITION;
DINE HATAALII ASSOCIATION; TO
NIZHONI ANI; DINE ALLIANCE; C-
AQUIFER FOR DINE; SIERRA CLUB;
CENTER FOR BIOLOGICAL
DIVERSITY; NATURAL RESOURCES
DEFENSE COUNCIL,

Plaintiffs - Appellants,

v.

SALLY JEWELL, in her official capacity
as U.S. Secretary of the Interior,

Defendant - Appellee.

No. 12-16980

D.C. No. 3:11-cv-08122-GMS
District of Arizona,
Prescott

ORDER

Before: GOULD and WATFORD, Circuit Judges and OLIVER,* Chief District Judge.

The mandate that issued on March 23, 2015 is recalled. The parties' joint motion to dismiss the appeal, CM-ECF 44, is GRANTED and the appeal is DISMISSED. Because a live controversy existed when we rendered our opinion, and its precedent may provide guidance to the involved agency or to parties or other panels in future cases, the panel exercises its discretion not to vacate the

* The Honorable Solomon Oliver, Jr., Chief District Judge for the U.S. District Court for the Northern District of Ohio, sitting by designation.

opinion filed January 26, 2015. *U.S. Bancorp Mortgage Co. v. Bonner Mall P'ship*, 513 U.S. 18 (1994). The mandate shall reissue forthwith.