

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

KATHERINE STOCKS
Director and State Court
Administrator



JOHN MCCORMICK
Assistant Court Administrator

MEETING SUMMARY

Commission to Study the Adjudication of Water Law Cases

Subcommittee to Finalize Proposed Rules for Water Law Adjudications

November 29, 2022

3:00 PM

Summary prepared by: Jamie Gradick

Members Present

Justice James Hardesty, Chair
Karen Peterson
Judge John Schlegelmilch
John Zimmerman

AOC Staff Present

Jamie Gradick

- I. Call to Order
- Justice Hardesty called the meeting to order at 3:10 pm and welcomed attendees.
 - A quorum was present.
- II. Items for Subcommittee Review and Discussion
- Attendees discussed the proposed rule draft and proposed changes.
 - Attendees discussed and agreed to adopt the edits provided by Mr. Zimmerman.
 - Attendees briefly discussed what opinions should be citable.
 - Attendees discussed the scope of the rule and whether to use Title 48 in its entirety, or to limit the scope to specific chapters within Title 48.
 - Judge Schlegelmilch commented that chapters 533 and 534 “cover the gambit” but there is a push to have water judges cover environmental issues. This could be a topic that is added into the scope at a later date.
 - Ms. Peterson commented that chapters 532-539 could be applicable but there are sections within there that may not impact the State Engineer.
 - Attendees discussed the nature and intent of the pilot program; Mr. Zimmerman expressed support for limiting the scope to a narrower approach for purposes of the pilot.
 - Judge Schlegelmilch commented that equity claims should also be included in the scope of the rule.

- Attendees briefly discussed punctuation and editing changes.

III. Next Steps

- Justice Hardesty and Ms. Gradick will revise the rule draft based upon the discussion of this meeting the edits/comments provided by subcommittee members. A new draft will be circulated for committee re
- Judge Schlegelmilch will share this draft with other Nevada judges present at this week's water law conference in New Mexico and will report back with any input or additional suggestions.

IV. Adjournment

- The meeting was adjourned at 3:30 pm.