

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Feb 25 2022 04:36 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE MATTER OF THE
DETERMINATION OF THE RELATIVE
RIGHTS IN AND TO ALL WATERS
BOTH SURFACE AND UNDERGROUND
LOCATED WITHIN THE DIAMOND
VALLEY, HYDROGRAPHIC BASIN 10-
153, EUREKA AND ELKO COUNTIES,
NEVADA.

THE STATE OF NEVADA
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES,
DIVISION OF WATER RESOURCES; and
ADAM SULLIVAN, P.E., STATE
ENGINEER,

Appellants,

vs.

SOLARLJOS, LLC; DANIEL S.
VENTURACCI; AMANDA L.
VENTURACCI; CHAD D. BLISS; ROSIE
J. BLISS; WILFRED BAILEY AND
CAROLYN BAILEY, TRUSTEES OF THE
WILFRED AND CAROLYN BAILEY
FAMILY TRUST DATED FEBRUARY 20,
2018; EUREKA COUNTY; JAMES E.
BAUMANN; VERA L. BAUMANN;
NORMAN C. FITZWATER; KINDY L.
FITZWATER; ARC DOME PARTNERS,
LLC; ROBERT F. BECK AND KAREN A.
BECK, TRUSTEES OF THE BECK
FAMILY TRUST DATED APRIL 1, 2005;
IRA R. RENNER; MONTIRA RENNER;
SADLER RANCH, LLC; MW CATTLE,
LLC; UNITED STATES DEPARTMENT
OF INTERIOR, BUREAU OF LAND
MANAGEMENT; PETER GOICOECHEA;
and GLADY GOICOECHEA,

Respondents.

**IRA R. RENNER AND MONTIRA RENNER'S OPPOSITION TO STATE
ENGINEER'S REQUEST FOR TEMPORARY ADMINISTRATIVE STAY**

Respondents IRA R. RENNER and MONTIRA RENNER (hereinafter “the Renners”), by and through their counsel of record, PAUL G. TAGGART, ESQ. and TAMARA C. THIEL, ESQ., of the law firm of TAGGART & TAGGART, LTD., hereby file this Opposition to the State Engineer’s request for a temporary administrative stay pending briefing on the merits of the State Engineer Motion for Stay.¹ Respondents will file an additional Opposition to the State Engineer Motion for Stay at the appropriate time.

There is no emergency that justifies a temporary stay of the entire adjudication proceeding pending before the Seventh Judicial District Court (“District Court”). The appeal filed by the State Engineer in this case concerns only one, small portion of that proceeding – a grant of summary judgment to a single party that the State Engineer failed to oppose.² That summary judgment order is entirely unrelated to the upcoming adjudication hearing on the Renners’ vested claims (currently scheduled to begin on March 8, 2022).

¹ Being a portion of the Emergency Motion Under Nrap 27(E) For Stay Of District Court’s Corrected Order Granting Solarljios, Llc’s Motion For Partial Summary Judgment And Stay Of Adjudication Proceedings Pending Appeal And Request For Temporary Stay Pending Decision On Underlying Motion For Stay (“State Engineer Motion for Stay”).

² The State Engineer only opposed Solarljios’ motion seeking certification of the order granting summary judgment, not the request for summary judgment itself. Therefore, the only proper issue before the Court in this appeal is whether the District Court correctly applied NRCP 54(b) when certifying the Solarljios’ summary judgment order. *See* DCR 13(3) (the failure to file a written opposition “may be construed as an admission that the motion is meritorious and a consent to granting the same.”). *See also, Old Aztec Mine, Inc. v. Brown*, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981) (“A point not urged in the trial court . . . is deemed to have been waived and will not be considered on appeal.”).

The State Engineer is incorrect to claim that the Renners' hearing on March 8-10, 2022, will "compound the procedural concerns that the State Engineer raised in this appeal,"³ because the procedures he complains about in the SOLARLJOS, LLC ("Solarljós") matter are unique only to the Solarljós matter. The procedural issues are irrelevant or moot as to the Renners' matter. The Renners have not filed a motion for summary judgment, nor have the Renners asked for NRCP 54(b) certification. In fact, the District Court has indicated that it will not be certifying any order in the Renners' submatter.⁴ And the Renners' hearing is the exact same type of hearing that the State Engineer is arguing was required for the Solarljós matter.⁵ Because the scope of this appeal properly concerns only the District Court's certification of the Solarljós' summary judgment order there is no justification for issuing a temporary administrative stay that would delay the Renners' hearing, which is strictly following procedure as defined under water law statute.

The District Court entered its order establishing case procedure for this adjudication proceeding on December 10, 2020.⁶ Several hearings on individual exceptions have already occurred without opposition from the State Engineer. If the State Engineer is truly unsure of "what [his] role should be in these upcoming hearings"⁷ the time to resolve or clarify that question was prior to the holding of *any*

³ State Engineer Mot. for Stay at 9.

⁴ State Engineer Mot. for Stay at Ex. 7, 9:1-3 ("This Court's future case docket will not allow this Court time to enter individual decrees and the court's judicial time will best be used to address all cases in one decree.").

⁵ State Engineer Mot. for Stay at 5.

⁶ State Engineer Mot. for Stay at Ex. 7, 6:11-12.

⁷ State Engineer Mot. for Stay at 9.

of the previous hearings, not to wait until some hearings have been heard but not others. The District Court order scheduling the Renners' hearing was issued on October 1, 2021.⁸ The State Engineer agreed to the March 8-10, 2022, hearing date.⁹

As the District Court noted, the State Engineer had a remedy available if he thought the District Court was acting improperly in setting the procedure in this case – he could have filed a writ of prohibition with this Court more than a year ago, before the parties had engaged in significant pre-trial preparations.¹⁰ But instead, “the State Engineer has sat on his hands to the clear detriment of all parties.”¹¹ Accordingly, the District Court found the State Engineer's current last-minute request for a stay of these proceedings to be “unconscionable” and denied the stay.¹²

The State Engineer, not the District Court or the Respondents, is the party responsible for creating his claimed “emergency.” The Renners have expended considerable sums preparing for the upcoming hearing. As part of these preparations, they have retained expert witnesses who have already reserved their time, made travel arrangements, and secured accommodations in Eureka, NV, for the hearing. If the requested temporary administrative stay is granted, and the March 8, 2022, hearing is postponed, they will suffer harm as many of these expenses cannot be recovered. Additionally, the District Court properly found that a stay

⁸ Ex. 1.

⁹ Ex. 2; Ex. 3.

¹⁰ State Engineer Mot. at Ex. 7, 6:18-7:16.

¹¹ State Engineer Mot. at Ex 7, 6:16-17.

¹² State Engineer Mot. at Ex. 7, 7:11-16.

would cause the Renners irreparable harm to their real property and business operations.¹³

Accordingly, the Renners respectfully request the Court decline to issue the requested temporary administrative stay and instead conduct briefing on the State Engineer Motion for Stay in conformance with the applicable provisions of NRAP.

Respectfully submitted this 25th day of February 2022.

TAGGART & TAGGART, LTD.

By: /s/ Tamara C. Thiel
PAUL G. TAGGART, ESQ.
Nevada State Bar No. 6136
TAMARA C. THIEL, ESQ.
Nevada State Bar No. 15659
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 – Telephone
(775) 883-9900 – Facsimile
Paul@legaltnt.com; Tammy@legaltnt.com
Attorneys for the Renners

¹³ State Engineer Mot. at Ex. 7, 12:19-23.

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(b), I certify that I am an employee of TAGGART & TAGGART, LTD., and that on this day, I served, or caused to be served, a true and correct copy of the foregoing OPPOSITION TO STATE ENGINEER'S REQUEST FOR TEMPORARY ADMINISTRATIVE STAY using the Nevada Supreme Court's E-Flex electronic filing system to the following parties:

Aaron D. Ford
James N. Bolotin, Esq.
JBolotin@ag.nv.gov
Attorneys for Nevada State Engineer.

Gordon H. DePaoli, Esq
gdepauli@woodburnandwedge.com
Attorney for the Bailey Family Trust

Ross E. de Lipkau, Esq.
ross@nv1lawyers.com
Attorney for Bliss

Laura A. Schroeder, Esq.
Therese A. Ure Stix, Esq.
Caitlin R. Skulan, Esq.
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therese@water-law.com
Attorneys for Baumann, Beck Entities, and Fitzwater

Karen A. Peterson, Esq.
Theodore Beutel, Esq.
kpeterson@allisonrnackenzie.com
tbeutel@eurekacountynv.gov
Attorneys for Eureka County

Alex Flangas, Esq.
Severin A. Carlson, Esq.
August Hotchkin, Esq.
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Attorneys for Solarljios, LLC

Steven D. King, Esq.
Robert A. Dotson, Esq.
Justin C. Vance, Esq.
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RDotson@dotsonlaw.legal
JVance@dotsonlaw.legal
Attorneys for Peter and Gladys Goicoechea

Paul E. Salamanca, Esq.
David L. Negri, Esq.
David.Negri@usdoj.gov
Counsel for the United States of America

Paul G. Taggart, Esq.
David Rigdon, Esq.
Paul@legaltnt.com
David@legaltnt.com
Attorneys for Sadler Ranch and MW Cattle.

Paul G. Taggart, Esq.
Tim O'Connor, Esq.
Paul@legaltnt.com
Tim@legaltnt.com
Attorneys Venturacci

DATED this 25th day of February 2022.

/s/ Chloe Gouldman-Gainey
Employee of TAGGART & TAGGART, LTD.

Index of Exhibits

Exhibit No.	Exhibit Description	Number of Pages
1	Certificate of Service and of Order Granting Joint Stipulation Requesting Scheduling Order, provided to the State Engineer by electronic mail on October 1, 2021.	3
2	Joint Stipulation Requesting Scheduling Order	3
3	Email chain between counsel for the Renners, Eureka County, and the State Engineer agreeing to March 8, 2022, hearing date for the Renners' submatter.	17

EXHIBIT 1

EXHIBIT 1

Case No. CV-2002009

Dept No. 2

NO. _____ FILED

OCT 01 2021

By Eureka County Clerk

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF
NEVADA, IN AND FOR THE COUNTY OF EUREKA

IN THE MATTER OF THE
DETERMINATION OF THE RELATIVE
RIGHTS IN AND TO ALL WATERS,
BOTH SURFACE AND UNDERGROUND,
LOCATED WITHIN THE DIAMOND
VALLEY HYDROGRAPHIC BASIN NO.
10-153, EUREKA AND ELKO COUNTIES,
NEVADA

CERTIFICATE OF SERVICE

The undersigned being an employee of the Eureka County Clerk's Office, hereby
certifies that on the _____ day of October, 2021, I personally delivered a true and
correct copy of the following:

Order Granting Joint Stipulation Requesting Scheduling Order
addressed to:

Paul Taggart, Esq.
David H. Rigdon, Esq.
Timothy D. O'Connor, Esq.
Tamara Thiel, Esq.
Paul@legaltnt.com
Tim@legaltnt.com
David@legaltnt.com
Tammy@legaltnt.com

David Negri, Esq.
davidnegri@usdoj.gov

James N. Bolotin, Esq.
jbolotin@ag.nv.gov

Ross E. de Lipkau, Esq.
Ross@nvlawyers.com

SEVENTH JUDICIAL DISTRICT COURT
GARY D. FAIRMAN
DISTRICT JUDGE
DEPARTMENT 2
WHITE PINE, LINCOLN AND EUREKA COUNTIES
STATE OF NEVADA



RECEIVED

OCT 01 2021

Eureka County Clerk



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Therese Ure Stix, Esq.
therese@water-law.com
counsel@water-law.com

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Theodore Beutel, Esq.
tbeutel@eurekacountynv.gov

Gordon H. DePaoli, Esq.
gdepauli@woodburnwedge.com

Steven D. King, Esq.
Robert A. Dotson, Esq.
Justin C. Vance, Esq.
Kingmont@charter.net
rdotson@dotsonlaw.legal
jvance@dotsonlaw.legal

In the following manner:

- | | | | |
|--------------------------|---|-------------------------------------|---------------------------|
| <input type="checkbox"/> | regular U.S. mail | <input type="checkbox"/> | overnight UPS |
| <input type="checkbox"/> | certified U.S. mail | <input type="checkbox"/> | overnight Federal Express |
| <input type="checkbox"/> | priority U.S. mail | <input checked="" type="checkbox"/> | via email |
| <input type="checkbox"/> | hand delivery | | |
| <input type="checkbox"/> | copy placed in agency box located in the Eureka County Clerk's Office | | |

A handwritten signature in cursive script, appearing to read "P. B. Mahoney", is written over a horizontal line.

1 CASE NO.: CV2002009

2 DEPT. NO.: 2

NO. _____ FILED

OCT 01 2021

By Eureka County Clerk
[Signature]

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6 **IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF EUREKA**

8 IN THE MATTER OF THE DETERMINATION)
9 OF THE RELATIVE RIGHTS IN AND TO ALL)
10 WATERS BOTH SURFACE AND)
11 UNDERGROUND LOCATED WITHIN THE)
12 DIAMOND VALLEY, HYDROGRAPHIC)
BASIN NO. 10-153, ELKO AND EUREKA)
COUNTIES, NEVADA.)

ORDER GRANTING JOINT
STIPULATION REQUESTING
SCHEDULING ORDER

13 THIS MATTER comes before the Court on the Joint Stipulation Requesting Scheduling Order in
14 the above-entitled matter having been filed with the Clerk of this Court, by Ira R. Renner and Montira
15 Renner ("Renner"), Adam Sullivan, P.E., in his capacity as the Nevada State Engineer, Department of
16 Conservation and Natural Resources, Division of Water Resources ("State Engineer"), and Eureka
17 County. Good cause appearing,

18 IT IS HEREBY ORDERED:

19 1) The Stipulation is APPROVED in its entirety.

20 2) The hearing on the Exceptions filed by Renner scheduled for October 5-6, 2021, is hereby
21 rescheduled for March 8-10, 2022.

22 IT IS SO ORDERED

23 DATED this 1 day of ~~September~~ OCTOBER 2021.

24 [Signature]
25 DISTRICT COURT JUDGE

RECEIVED

OCT 01 2021

Eureka County Clerk

EXHIBIT 2

EXHIBIT 2

NO. _____
FILED
09 AMF
SEP 14 2021

By Eureka County Clerk
[Signature]

1 CASE NO.: CV2002009

2 DEPT. NO.: 2

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IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF EUREKA

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IN THE MATTER OF THE DETERMINATION
OF THE RELATIVE RIGHTS IN AND TO ALL
WATERS BOTH SURFACE AND
UNDERGROUND LOCATED WITHIN THE
DIAMOND VALLEY, HYDROGRAPHIC
BASIN NO. 10-153, ELKO AND EUREKA
COUNTIES, NEVADA.

JOINT STIPULATION REQUESTING
SCHEDULING ORDER

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Pursuant to the Court's Scheduling Order (December 10, 2020), Ira R. Renner and Montira Renner ("Renner"), Adam Sullivan, P.E., in his capacity as the Nevada State Engineer, Department of Conservation and Natural Resources, Division of Water Resources ("State Engineer"), and Eureka County, stipulate and agree to the continuance of the hearing date for the Renner Exception, currently scheduled for October 5-6, 2021. Parties agree to a new hearing date of February 1-3, 2022.

The State Engineer has indicated he takes no position on this Stipulation.

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RECEIVED

SEP 14 2021

Eureka County Clerk

Taggart & Taggart, Ltd.
106 North Main Street
Carson City, Nevada 89703
(775) 882-4900 - Telephone
(775) 882-4900 - Facsimile

AFFIRMATION
Pursuant to NRS 239B.030(4)

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 7th day of September 2021.

DATED this 9th day of September 2021.


TAGGART & TAGGART, LTD.

By: 
PAUL G. TAGGART, Bar No. 6136
TAMARA C. THIEL, Bar No. 15659
108 North Minnesota Street
Carson City, NV 89703
T: (775) 882-9900
Paul@legaltnt.com;
Tammy@legaltnt.com
Attorneys for Renner

EUREKA COUNTY DISTRICT ATTORNEY
THEODORE BEUTEL, ESQ
Nevada State Bar No. 5222
701 S Main Street
P.O. Box 190
Eureka, Nevada 89316
(775) 237-5315
tbeutel@eurekacountynv.gov

~AND~

ALLISON MacKENZIE, LTD

By: 
KAREN A. PETERSON, Bar No 366
402 N. Division Street
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(775) 687-0202
kpeterson@allisonmackenzie.com
Attorneys for Eureka County

Taggart & Taggart, Ltd.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
(775) 883-9900 - Facsimile

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of TAGGART & TAGGART, LTD., and that on this day, I served, or caused to be served, a true and correct copy of the foregoing document as follows:

[X] By EMAIL SERVICE to the following recipients:

Aaron D. Ford
James N. Bolotin, Esq.
JBolotin@ag.nv.gov
Attorneys for Nevada State Engineer.

Alex Flangas, Esq.
Severin A. Carlson, Esq.
aflangas@kcnvlaw.com
Attorneys for Solarljios, LLC

Hon. Gary D. Fairman
c/o Wendy Lopez
WLopez@whitepinecountynv.gov

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Paul G. Taggart, Esq.
Tim O'Connor, Esq.
Paul@legaltnt.com
Tim@legaltnt.com
Attorneys Venturacci

[X] By regular U.S. MAIL, addressed as follows:

Hon. Gary D. Fairman
Department Two
P.O. Box 151629
Ely, NV 89315

DATED this 9th day of September 2021.


Employee of TAGGART & TAGGART, LTD.

EXHIBIT 3

EXHIBIT 3

From: Tammy Thiel
Sent: Monday, September 27, 2021 5:45 PM
To: 'Wendy Lopez'; Ted Beutel; Karen Peterson; James N. Bolotin; 'Gordon H. DePaoli'; ross@nvlawyers.com; counsel@water-law.com; Therese Ure Stix; Alex Flangas; Kingmont@charter.net; rdotson@dotsonlaw.legal; jvance@dotsonlaw.legal; Paul Taggart; Negri, David (USAID); David Rigdon; Paul Taggart; Tim O'Connor; 'ahotchkin@kcnvlaw.com'
Subject: RE: Renner Hearing, Eureka Case No. CV2002009
Attachments: 2021-09-27 Renner Jt Stip March.pdf; 2021-09-27 Req Rev Jt Stip.pdf; renner schedule proposed order-march.pdf

Attached please find the joint stipulation, proposed order, and request for review to move the Renner hearing to the new date of March 8-10, 2022. The attached has been emailed and mailed to the court for filing.

Thank you,

Tamara Thiel
TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
(775) 883-9900 - Facsimile

PERSONAL AND CONFIDENTIAL: This communication, including any and all attachments, is confidential and may be protected by privilege. If you are not the intended recipient, any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone or email, and permanently delete all copies, electronic or other, you may have.

The foregoing applies even if this notice is embedded in a message that is forwarded or attached. Thank you

From: Wendy Lopez <WLopez@whitepinecountynv.gov>
Sent: Tuesday, September 21, 2021 4:24 PM
To: Tammy Thiel <Tammy@legaltnt.com>
Cc: Paul Taggart <Paul@legaltnt.com>; Ted Beutel <TBeutel@EurekaCountyNV.gov>; Karen Peterson <kpeterson@allisonmackenzie.com>; James N. Bolotin <JBolotin@ag.nv.gov>; 'Gordon H. DePaoli' <GDePaoli@woodburnandwedge.com>; ross@nvlawyers.com; counsel@water-law.com; Therese Ure Stix <therese@water-law.com>; Alex Flangas <AFlangas@kcnvlaw.com>; Kingmont@charter.net; rdotson@dotsonlaw.legal; jvance@dotsonlaw.legal; Negri, David (USAID) <David.Negri@usdoj.gov>; David Rigdon <David@legaltnt.com>; Paul Taggart <Paul@legaltnt.com>; Tim O'Connor <Tim@legaltnt.com>
Subject: Renner Hearing, Eureka Case No. CV2002009

Ms. Thiel,

The February hearing dates must be rescheduled because the court had to schedule a 2 week criminal jury trial for an in custody defendant who invoked his speedy trial rights. The court is available on March 8-10, 2022. Please advise if these dates will work for the parties.

Thank you,

Wendy Lopez

Judicial Executive Assistant
Judge Gary D. Fairman
(775)293-6560

From: Tammy Thiel
Sent: Friday, September 24, 2021 9:25 AM
To: Karen Peterson; James N. Bolotin
Subject: FW: Renner Hearing, Eureka Case No. CV2002009
Attachments: renner schedule proposed order-march.pdf; stipulation for schedule - March.pdf

Per the Court's request, attached is an updated stipulation and proposed order for the new hearing dates.

Tammy Thiel
TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
(775) 883-9900 - Facsimile

PERSONAL AND CONFIDENTIAL: This communication, including any and all attachments, is confidential and may be protected by privilege. If you are not the intended recipient, any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone or email, and permanently delete all copies, electronic or other, you may have.

The foregoing applies even if this notice is embedded in a message that is forwarded or attached. Thank you

From: Wendy Lopez <WLopez@whitepinecountynv.gov>
Sent: Friday, September 24, 2021 9:03 AM
To: Tammy Thiel <Tammy@legaltnt.com>
Subject: RE: Renner Hearing, Eureka Case No. CV2002009

Great,

Yes, please do a new stip. and proposed order.

Thank you and have a wonderful day!

Wendy Lopez
Judicial Executive Assistant
Judge Gary D. Fairman
(775)293-6560

From: Tammy Thiel [<mailto:Tammy@legaltnt.com>]
Sent: Thursday, September 23, 2021 4:49 PM
To: Wendy Lopez <WLopez@whitepinecountynv.gov>
Subject: RE: Renner Hearing, Eureka Case No. CV2002009

Wendy,

Those dates work for all parties involved. I have attached the confirming email from Eureka County and the State Engineer for reference. Let me know if you need me to prepare and file a new stipulation and proposed order.

Tammy Thiel

TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
(775) 883-9900 - Facsimile

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Subject: Renner Hearing, Eureka Case No. CV2002009

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Judicial Executive Assistant
Judge Gary D. Fairman
(775)293-6560

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Sent: Tuesday, September 21, 2021 4:24 PM
To: Tammy Thiel <Tammy@legaltnt.com>
Cc: Paul Taggart <Paul@legaltnt.com>; Ted Beutel <TBeutel@EurekaCountyNV.gov>; Karen Peterson <kpeterson@allisonmackenzie.com>; James N. Bolotin <JBolotin@ag.nv.gov>; 'Gordon H. DePaoli' <GDePaoli@woodburnandwedge.com>; ross@nvlawyers.com; counsel@water-law.com; Therese Ure Stix <therese@water-law.com>; Alex Flangas <AFlangas@kcnvlaw.com>; Kingmont@charter.net; rdotson@dotsonlaw.legal; jvance@dotsonlaw.legal; Negri, David (USAID) <David.Negri@usdoj.gov>; David Rigdon <David@legaltnt.com>; Paul Taggart <Paul@legaltnt.com>; Tim O'Connor <Tim@legaltnt.com>
Subject: Renner Hearing, Eureka Case No. CV2002009

Ms. Thiel,

The February hearing dates must be rescheduled because the court had to schedule a 2 week criminal jury trial for an in custody defendant who invoked his speedy trial rights. The court is available on March 8-10, 2022. Please advise if these dates will work for the parties.

Thank you,

Wendy Lopez
Judicial Executive Assistant
Judge Gary D. Fairman
(775)293-6560

From: Tammy Thiel
Sent: Thursday, September 23, 2021 4:49 PM
To: Wendy Lopez
Subject: RE: Renner Hearing, Eureka Case No. CV2002009
Attachments: RE: Renner Hearing, Eureka Case No. CV2002009 ; Re: Renner Hearing, Eureka Case No. CV2002009

Wendy,

Those dates work for all parties involved. I have attached the confirming email from Eureka County and the State Engineer for reference. Let me know if you need me to prepare and file a new stipulation and proposed order.

Tammy Thiel

TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
(775) 883-9900 - Facsimile

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From: Wendy Lopez <WLopez@whitepinecountynv.gov>
Sent: Tuesday, September 21, 2021 4:24 PM
To: Tammy Thiel <Tammy@legaltnt.com>
Cc: Paul Taggart <Paul@legaltnt.com>; Ted Beutel <TBeutel@EurekaCountyNV.gov>; Karen Peterson <kpeterson@allisonmackenzie.com>; James N. Bolotin <JBolotin@ag.nv.gov>; 'Gordon H. DePaoli' <GDePaoli@woodburnandwedge.com>; ross@nvlawyers.com; counsel@water-law.com; Therese Ure Stix <therese@water-law.com>; Alex Flangas <AFlangas@kcnvlaw.com>; Kingmont@charter.net; rdotson@dotsonlaw.legal; jvance@dotsonlaw.legal; Negri, David (USAID) <David.Negri@usdoj.gov>; David Rigdon <David@legaltnt.com>; Paul Taggart <Paul@legaltnt.com>; Tim O'Connor <Tim@legaltnt.com>
Subject: Renner Hearing, Eureka Case No. CV2002009

Ms. Thiel,

The February hearing dates must be rescheduled because the court had to schedule a 2 week criminal jury trial for an in custody defendant who invoked his speedy trial rights. The court is available on March 8-10, 2022. Please advise if these dates will work for the parties.

Thank you,

Wendy Lopez
Judicial Executive Assistant
Judge Gary D. Fairman
(775)293-6560

From: James N. Bolotin <JBolotin@ag.nv.gov>
Sent: Wednesday, September 22, 2021 9:16 AM
To: Tammy Thiel; Karen Peterson
Cc: Dorene A. Wright; Ian E. Carr
Subject: Re: Renner Hearing, Eureka Case No. CV2002009

Hi Tammy,
That works for my schedule currently.

Best,
James

James N. Bolotin, Esq.
Senior Deputy Attorney General
State of Nevada, Office of the Attorney General
Bureau of Government Affairs
Government and Natural Resources Division
(775) 684-1231

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From: Tammy Thiel <Tammy@legalnt.com>
Sent: Wednesday, September 22, 2021 9:07 AM
To: Karen Peterson <kpeterson@allisonmackenzie.com>; James N. Bolotin <JBolotin@ag.nv.gov>
Subject: FW: Renner Hearing, Eureka Case No. CV2002009

Karen and James,

Does the March 8-10 proposed hearing date work with your schedules?

Tammy Thiel
TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
(775) 883-9900 - Facsimile

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From: Wendy Lopez <WLopez@whitepinecountynv.gov>

Sent: Tuesday, September 21, 2021 4:24 PM

To: Tammy Thiel <Tammy@legaltnt.com>

Cc: Paul Taggart <Paul@legaltnt.com>; Ted Beutel <TBeutel@EurekaCountyNV.gov>; Karen Peterson <kpeterson@allisonmackenzie.com>; James N. Bolotin <JBolotin@ag.nv.gov>; 'Gordon H. DePaoli' <GDePaoli@woodburnandwedge.com>; ross@nvlawyers.com; counsel@water-law.com; Therese Ure Stix <therese@water-law.com>; Alex Flangas <AFlangas@kcnvlaw.com>; Kingmont@charter.net; rdotson@dotsonlaw.legal; jvance@dotsonlaw.legal; Negri, David (USAID) <David.Negri@usdoj.gov>; David Rigdon <David@legaltnt.com>; Paul Taggart <Paul@legaltnt.com>; Tim O'Connor <Tim@legaltnt.com>

Subject: Renner Hearing, Eureka Case No. CV2002009

Ms. Thiel,

The February hearing dates must be rescheduled because the court had to schedule a 2 week criminal jury trial for an in custody defendant who invoked his speedy trial rights. The court is available on March 8-10, 2022. Please advise if these dates will work for the parties.

Thank you,

Wendy Lopez

Judicial Executive Assistant

Judge Gary D. Fairman

(775)293-6560

From: Karen Peterson <kpeterson@allisonmackenzie.com>
Sent: Thursday, September 23, 2021 4:37 PM
To: Tammy Thiel; James N. Bolotin
Subject: RE: Renner Hearing, Eureka Case No. CV2002009

Hi Tammy,
Those new dates work for Eureka County.

Thank you.

Karen A. Peterson, Esq.
Allison MacKenzie, Ltd.
402 N. Division Street
P.O. Box 646
Carson City, NV 89702
(775) 687-0202 telephone
(775) 882-7918 fax
email: kpeterson@allisonmackenzie.com



From: Karen Peterson
Sent: Wednesday, September 22, 2021 5:59 PM
To: 'Tammy Thiel' <Tammy@legaltnt.com>; James N. Bolotin <jbolotin@ag.nv.gov>
Subject: RE: Renner Hearing, Eureka Case No. CV2002009

Hi Tammy,
I have not heard back from my client on whether or not the March 8-10 dates work. I am supposed to talk to the client tomorrow so I will ask.

Thank you.

Karen A. Peterson, Esq.
Allison MacKenzie, Ltd.
402 N. Division Street
P.O. Box 646
Carson City, NV 89702
(775) 687-0202 telephone
(775) 882-7918 fax
email: kpeterson@allisonmackenzie.com



From: Tammy Thiel <Tammy@legaltnt.com>
Sent: Wednesday, September 22, 2021 9:07 AM
To: Karen Peterson <kpeterson@allisonmackenzie.com>; James N. Bolotin <jbolotin@ag.nv.gov>
Subject: FW: Renner Hearing, Eureka Case No. CV2002009

Karen and James,

Does the March 8-10 proposed hearing date work with your schedules?

Tammy Thiel

TAGGART & TAGGART, LTD.

108 North Minnesota Street

Carson City, Nevada 89703

(775) 882-9900 - Telephone

(775) 883-9900 - Facsimile

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The foregoing applies even if this notice is embedded in a message that is forwarded or attached. Thank you

From: Wendy Lopez <WLopez@whitepinecountynv.gov>

Sent: Tuesday, September 21, 2021 4:24 PM

To: Tammy Thiel <Tammy@legaltnt.com>

Cc: Paul Taggart <Paul@legaltnt.com>; Ted Beutel <TBeutel@EurekaCountyNV.gov>; Karen Peterson <kpeterson@allisonmackenzie.com>; James N. Bolotin <JBolotin@ag.nv.gov>; 'Gordon H. DePaoli' <GDePaoli@woodburnandwedge.com>; ross@nvlawyers.com; counsel@water-law.com; Therese Ure Stix <therese@water-law.com>; Alex Flangas <AFlangas@kcnvlaw.com>; Kingmont@charter.net; rdotson@dotsonlaw.legal; jvance@dotsonlaw.legal; Negri, David (USAID) <David.Negri@usdoj.gov>; David Rigdon <David@legaltnt.com>; Paul Taggart <Paul@legaltnt.com>; Tim O'Connor <Tim@legaltnt.com>

Subject: Renner Hearing, Eureka Case No. CV2002009

Ms. Thiel,

The February hearing dates must be rescheduled because the court had to schedule a 2 week criminal jury trial for an in custody defendant who invoked his speedy trial rights. The court is available on March 8-10, 2022. Please advise if these dates will work for the parties.

Thank you,

Wendy Lopez

Judicial Executive Assistant

Judge Gary D. Fairman

(775)293-6560

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From: James N. Bolotin <JBolotin@ag.nv.gov>
Sent: Wednesday, September 8, 2021 3:21 PM
To: Tammy Thiel; Karen Peterson
Cc: Paul Taggart; Dorene A. Wright; Ian E. Carr
Subject: RE: Renner possible dates

Looks good to me. Thanks, Tammy.

James Bolotin, Esq.
Senior Deputy Attorney General
State of Nevada
Bureau of Government Affairs
Government and Natural Resources Division
(775) 684-1231

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From: Tammy Thiel <Tammy@legaltnt.com>
Sent: Wednesday, September 8, 2021 3:19 PM
To: James N. Bolotin <JBolotin@ag.nv.gov>; Karen Peterson <kpeterson@allisonmackenzie.com>
Cc: Paul Taggart <Paul@legaltnt.com>; Dorene A. Wright <DWright@ag.nv.gov>; Ian E. Carr <ICarr@ag.nv.gov>
Subject: RE: Renner possible dates

I have updated to reflect that change. Please see attached.

Tammy Thiel
TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
(775) 883-9900 - Facsimile

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From: James N. Bolotin <JBolotin@ag.nv.gov>
Sent: Wednesday, September 8, 2021 2:45 PM
To: Tammy Thiel <Tammy@legaltnt.com>; Karen Peterson <kpeterson@allisonmackenzie.com>

Cc: Paul Taggart <Paul@legaltnt.com>; Dorene A. Wright <DWright@ag.nv.gov>; Ian E. Carr <ICarr@ag.nv.gov>
Subject: RE: Renner possible dates

Hi Tammy,

For consistency's sake with all other stipulations that have occurred in this case, the State Engineer will be taking no position on this stipulation and would prefer language in the stipulation to that effect. With that change, the State Engineer would approve of the stip language and I would not need to sign (though Eureka County's counsel still would need to).

Best,
James

James Bolotin, Esq.
Senior Deputy Attorney General
State of Nevada
Bureau of Government Affairs
Government and Natural Resources Division
(775) 684-1231

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From: Tammy Thiel <Tammy@legaltnt.com>
Sent: Wednesday, September 8, 2021 2:34 PM
To: Karen Peterson <kpeterson@allisonmackenzie.com>; James N. Bolotin <JBolotin@ag.nv.gov>
Cc: Paul Taggart <Paul@legaltnt.com>
Subject: RE: Renner possible dates

I have drafted a stipulation and proposed order, attached. Please let me know if you have any changes, and if not, please sign and return and I can file with the court.

Thank you.

Tammy Thiel
TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
(775) 883-9900 - Facsimile

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The foregoing applies even if this notice is embedded in a message that is forwarded or attached. Thank you

From: James N. Bolotin <JBolotin@ag.nv.gov>
Sent: Wednesday, September 1, 2021 4:17 PM
To: Karen Peterson; Tammy Thiel
Cc: Ian E. Carr; Dorene A. Wright
Subject: RE: Renner possible dates

Hi Tammy and Karen,

February 1-3 would tentatively work on my schedule.

Thanks,
James

James Bolotin, Esq.
Senior Deputy Attorney General
State of Nevada
Bureau of Government Affairs
Government and Natural Resources Division
(775) 684-1231

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From: Karen Peterson <kpeterson@allisonmackenzie.com>
Sent: Wednesday, September 1, 2021 10:16 AM
To: 'Tammy Thiel' <Tammy@legaltnt.com>; James N. Bolotin <JBolotin@ag.nv.gov>
Subject: RE: Renner possible dates

Thanks Tammy. I will check my calendar and check with Eureka County and get back to you.

Karen A. Peterson, Esq.
Allison MacKenzie, Ltd.
402 N. Division Street
P.O. Box 646
Carson City, NV 89702
(775) 687-0202 telephone
(775) 882-7918 fax
email: kpeterson@allisonmackenzie.com



From: Tammy Thiel <Tammy@legaltnt.com>
Sent: Wednesday, September 1, 2021 10:01 AM

To: Karen Peterson <kpeterson@allisonmackenzie.com>; James Bolotin <jbolotin@ag.nv.gov>

Subject: Renner possible dates

I am still double checking with the client and experts on my end, but did get a possible new court date option for the Renner hearing in the Diamond Valley adjudication from the Court.

How does February 1-3, 2022 work for the both of you?

Tammy Thiel

TAGGART & TAGGART, LTD.

108 North Minnesota Street

Carson City, Nevada 89703

(775) 882-9900 - Telephone

(775) 883-9900 - Facsimile

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From: Karen Peterson <kpeterson@allisonmackenzie.com>
Sent: Friday, September 3, 2021 9:57 AM
To: Tammy Thiel <Tammy@legaltnt.com>; James Bolotin <jbolotin@ag.nv.gov>
Subject: RE: Renner possible dates

Tammy and James,
The early February 2022 dates work for Eureka County.

Thank you.

Karen A. Peterson, Esq.
Allison MacKenzie, Ltd.
402 N. Division Street
P.O. Box 646
Carson City, NV 89702
(775) 687-0202 telephone
(775) 882-7918 fax
email: kpeterson@allisonmackenzie.com



From: Tammy Thiel <Tammy@legaltnt.com>
Sent: Wednesday, September 1, 2021 10:01 AM
To: Karen Peterson <kpeterson@allisonmackenzie.com>; James Bolotin <jbolotin@ag.nv.gov>
Subject: Renner possible dates

I am still double checking with the client and experts on my end, but did get a possible new court date option for the Renner hearing in the Diamond Valley adjudication from the Court.

How does February 1-3, 2022 work for the both of you?

Tammy Thiel
TAGGART & TAGGART, LTD.
108 North Minnesota Street
Carson City, Nevada 89703
(775) 882-9900 - Telephone
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