

Commission Member	Representation	Whether you think a "water court" or "trained water judge" is appropriate?	What the scope of those judicial tasks should be?	If specially trained water judges are not needed, provide a viewpoint on that as well.	What would you define as either a water court or cases assigned to specially trained judges in water?	How would you define a "water" case or the jurisdiction of a water "court"?
Tom Baker	Agriculture	Training water district judges is a promising idea. If the training would place too significant a workload on the judges, a single judge from each district could participate in the training and oversee the water cases for the district. I believe that it is important for water cases to be heard in the district in which they occur and by judges in that district.	<p>District court judges are capable of hearing water related cases and ruling on most points of law. While some water law is unique, with additional training, district court judges should be able to follow the Nevada Revised Statutes and apply them to water cases.</p> <p>District court judges are also capable of hearing adjudications. Because of the possible time required for adjudications, I do not know if that adds too much to their workload. My primary concern with this is whether the state engineer's office has the resources to do adjudications in a timely manner.</p>		I would define a water case as one that requires application of the Nevada Revised Statutes that apply to water. That may be too broad, but I am not knowledgeable enough to know the best way to narrow it down.	
Allen Biaggi	Mining	On the issue of a "water court" or trained water judges, the latter is appropriate. The difficulty in establishing a water court is considerable along with the associated expense. There remains the question if the caseload is present to warrant a separate judicial body. Nevada would appear to have the infrastructure in place to provide high quality educational opportunities (and	The scope of judicial tasks for water rights cases should be the hearing of contested water quantity matters arising from decisions of the State Engineer and the Division of Water Resources.	believe judges hearing water cases should be trained in the elements of water and water law as detailed in Mr. Biaggi's email dated October 11, 2021.		Contested cases involving the State Engineer and the Division of Water Resources pertaining to its statutory (NRS 532, 533, 534 and 534A) and associated regulatory provisions be appealable to the court of applicable jurisdiction in Nevada. The judge hearing such a case should have "certification", if applicable, for the hearing of a water case, or a demonstration of the requisite

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		perhaps a certification system) for existing sitting judges.				training and educational background for adjudicating a water quantity matter.
Bert Byran	Irrigation District (Walker River Irrigation District)	Disagrees with the use of the term "water court" as that has a likelihood of causing more issues and concerns than it would resolve. Rather, there should be an option for district court judges to receive appropriate training that would educate them on water law and water science. If at least most of the different district courts would prefer to be educated in water curriculum, then all water cases should be heard by those judges in the district the case originates.	The scope of water cases should be heard by the specially trained judges and should pertain to adjudication of water rights and orders made by the State Engineer as well as any other type of case involving water except for simple ownership disputes.	If an appropriately trained district judge in the district in which the water case originates, then an appointed district judge with appropriate training and education should be assigned to hear the case. It is extremely important to keep the cases in the district where the cases originate as well as having a district judge with knowledge and proficiency of water law.	All water cases will benefit from the education and training of district judges hearing those cases in the district in which the case originates. The range of recommendations that have been provided should be adopted for the training and education of those district judges.	
Gordon DePaoli	Practicing Water Law Attorney	Not, convinced that a "specialty court," consisting of judges who are assigned water law cases as set forth in the proposed rule, is needed. It is suggested that there first should be consideration of the reasons why one is needed and in that context what would constitute a "water case" for purposes of assignment to it. I also indicated that the scope of what constitutes a "water case" might affect the number of judges assigned to handle such cases, how they are		Supports measures to improve the education, training, specialization, timeliness and efficiency of Nevada courts and judges with respect to cases involving water. It may be that that can only happen in the context of a rule like the one proposed. The Commission should consider whether that is in fact the case.	With respect to cases which should, if possible be assigned to judges with experience, education and training in water matters, upon reviewing Chapters 533 and 534 of the Nevada Revised Statutes, those cases would include: 1. Adjudications pursuant to NRS 533.165-533.195; 2. Cases brought under NRS 533.240 which is an adjudication which does not begin with an initial State Engineer order;	

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		<p>selected and the judicial districts from which they would be selected. In short, it seems premature to discuss the content of a rule without knowing what significant issues such judges would be called upon to address.</p>			<p>3. Cases or petitions arising under NRS 533.310 which are also a form of adjudication; 4. Matters involving review of State Engineer decisions made pursuant to NRS 533.364 involving interbasin transfers of groundwater; 5. Judicial review under NRS 533.450, involving State Engineer decisions cancelling permits; finding abandonment of a water right; finding forfeiture of a water right; or denying an extension of time to prevent a forfeiture; 6. Cases involving groundwater management plans pursuant to NRS 534.037; 7. State Engineer decisions involving projects for recharge, storage and recovery of water pursuant to NRS 534.250 et seq.; and 8. Review of State Engineer orders made pursuant to NRS 534.120 regarding designated groundwater basins and preferred uses.</p>	
<p>John Entsminger</p>	<p>Urban Municipal Water Provider (Southern Nevada Water Authority)</p>	<p>As to the creation of special water courts, there are benefits under ideal conditions. The small number of such cases, however, leads to a concern that creating a</p>	<p>Understanding the fundamentals of water law is critical for judges and I agree with many of the comments that were made about more education for judges. Water</p>			

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		<p>new specialty court is unnecessary. Additional support is necessary and can be accomplished by using special masters to support judges in certain water law cases deemed sufficiently complex.</p> <p>The appointment of special masters has been utilized more and more often and can be a resource not only for judges handling water law cases but for all judges who preside over complex issues. In 2019, the American Bar Association even went so far as to urge state and federal courts to utilize special masters to assist in resolving civil litigation more efficiently. Special masters can be used in a variety of ways, but their main responsibilities are to gather necessary factual information, consider pertinent legal questions, and provide the court with recommendations. Furthermore, they can also be appointed to handle discovery, resolve disputes concerning the administrative record, solve problems created by complicated statutory</p>	<p>issues can be complex and nuanced. In addition, most district court judges have little to no experience with the subject matter. Given this dynamic, it would be beneficial for judges to participate in the <i>Dividing the Waters</i> program and relevant CLE classes before presiding over water-related cases.</p> <p>Since the Office of the State Engineer's creation, water disputes have become increasingly more complex. Technology and scientific advancements have changed the way we understand water availability. Moreover, the State's population has dramatically increased and with it, so have the competing interests. Indeed, these changes are evident in several recent water law cases in Nevada where the questions on water availability involve multiple basins, numerous parties, regional-scale modeling of the climate and water supply, and other highly technical evidence. This, in turn, creates massive and complicated administrative records. With these changes,</p>			

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		<p>procedure and manage unique multi-party legal proceedings to minimize the court's time and resources. The use of special masters more generally is already provided for in Rule 53 of the Nevada Rules of Civil Procedure and in several sections of the Rules of Practice for the Eighth Judicial District Court. One option for water law cases could entail a process where candidates can apply for special master positions and the Nevada Supreme Court would determine the number of special masters needed, review the qualifications of applicants, appoint special masters and develop a process on how to assign the appointed special masters to various cases. Appointing special masters mitigates the need to create a new court and can also allow proceedings to be adjudicated quicker as they can handle any administrative tasks that judicial officers may not have time to address. Furthermore, the use of special masters allows cases to be distributed to a larger pool of judges and</p>	<p>there is certainly a need to respond to the way disputes are adjudicated.</p>			

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		<p>also provides judges the continued autonomy to render their own decisions.</p> <p>It is suggested that the scope of the court be as narrow as possible and that only final decision from the State Engineer appear before the court.</p>				
<p>Micheline Fairbank</p>	<p>Nevada Division of Water Resources</p>	<p>The concept of a specialty water "court" is not only appropriate, but an important acknowledgement of the unique character of water law cases, as has been acknowledged by the Nevada Supreme Court in <i>Application of Filippini</i>, 66 Nev. 17, 27, 202 P.2d 535, 540 (1949), "the water law and proceedings thereunder are special in character." Just as family law proceedings and business court proceedings have benefitted from specialty courts, it is my opinion the adjudication of water law cases would greatly benefit from a well-established and specialty court.</p> <p>Water disputes frequently involve complex scientific premises. This has become</p>	<p>Scope of the jurisdictional tasks before a specialty water court would be the following proceedings:</p> <ul style="list-style-type: none"> ○ Statutory adjudication proceedings that involve the adjudication of claims of vested pre-statutory water rights; ○ Petitions for judicial review arising under NRS 533.450; ○ Writ proceedings against the State Engineer; and, ○ Any other proceeding arising under Title 48 of the NRS. 	<p>Specialty trained water judges are important. Inclusion of mandatory training for all sitting district court judges may not be practical or appropriate, especially since many judges (particularly Clark & Washoe Counties) may never be assigned a water case.</p> <p>Most important is the character of the judge, one who is engaged in the process.</p>	<p>A specialty court consisting of sitting district court judges is an appropriate structure for a "water court." A panel of a minimum of 5 judges is appropriate and provides a sufficient pool of judges to account for a pre-emptory challenge. An allowance for a pre-emptory challenge is an important assurance that where a party may have a basis to make such a challenge remains. A panel of judges that is at least 5 judges also allow for sufficient distribution of water cases among judges so to not overly burden an individual judge's docket or a particular court's docket.</p> <p>A specialty water court comprising of sitting district court judges is important as it</p>	<p>Scope and jurisdiction of a water specialty court would be to hear all actions and proceedings arising under Nevada's water laws, specifically Title 48 of the Nevada Revised Statutes and limited to those chapters and proceedings.</p> <p>Specialty court should not hear any matter that may touch water, but limited to disputes arising under Title 48 of the NRS.</p>

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		<p>more pronounced in recent years where the nature of disputes are becoming increasingly based upon scientific analysis to support decisions of the State Engineer. In a recent proceeding, the State Engineer's record before the district court consists of more than 50,000 pages of evidence, much of which consists of reports of scientific experts, hydrographs, water level data, spring flow measurements and river flow recordings, and underlying data in spreadsheets, modeling files, and other source that is deciphered into usable and presentable information. This level of technical data and analysis is becoming more frequently included within the State Engineer's records before district courts.* The degree of interest and engagement by the judge overseeing a proceeding has a relationship with the expediency of a decision as well as the completeness and degree of analysis conducted in rendering the decision. The issue is not whether the State</p>			<p>addresses some issues that have arose through assignment of cases to senior judges, including senior judges do not have staff to assist in the management of documents and records submitted in the case, may not have ready access to the docket and documents contained in the docket, and may not have readily available the resources to manage the large records submitted in water proceedings.</p> <p>Water judges should be solicited through an application process and an appropriate judicial education standard for those judges who sit on a specialty water court would be appropriate.</p>	

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		<p>Engineer necessarily wins or loses a particular case, but the most important aspect is that the judge presiding over the proceeding give the State Engineer a fair shake – meaning that the judge:</p> <ul style="list-style-type: none"> ○ Prepared and has reviewed all of the parties' filings, including the record on appeal; ○ Is engaged in the proceeding, including asking informed questions of the parties; ○ Fully considers the totally of the evidence before the court, including the record submitted by the State Engineer that reflects not only what information was relied upon in supporting the State Engineer's decision but how that information was relied upon; and, ○ Adheres to the proper standard of judicial review, whether that is a statutory adjudication of pre-statutory water rights or a petition for judicial review of a decision or order of the State Engineer. 				
Judge Gary Fairman	District Court Judge (White Pine/Eureka)	Trained water judges are appropriate	A water judge should hear cases arising under NRS Chapters 533, 534, 534A,		If a judge has the training otherwise required to be considered	Should be addressed within the Court rules it is otherwise acceptable.

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			534B, 535, 536, 538, 539 (if the State Engineer is involved), and 540.		for commission as a water judge, but has not elected to seek this position, by stipulation of all parties in the case, they should be permitted to keep the case before the original assigned judge	
Rick Felling	Practicing Water Rights Engineer/Hydrologist	Trained water judges are necessary in complex water cases. If a water court is necessary to require and implement specific water and water law training, then I would also support a water court. The main issue is how to formulate an education plan and require that judges complete the education. If that requires the structure of a water court, then I support it. The curriculum presented by Judge Schlegelmilch is quite ambitious. I am concerned that there may be some reluctance by district judges to tackle such a program on top of their existing workload. It's not clear to me what is meant by "scope of those judicial tasks"		Water cases should be those cases that are either exceptionally complex or involve many water lawyers. If a majority of the lawyers involved believe a case needs a specially trained judge, that such case should be assigned to water judge. Conversely, if the chief justice sees a complex case, such as one that is virtually guaranteed to be appealed to the supreme court, then such a case should be handled by a water judge. Adjudications can be assigned to a local district court judge. The chief justice should decide which cases are handled by a water judge.		
Honorable Elizabeth Gonzalez	Rural Water Interests (Water Districts)	A specialized statewide "docket" for assignment to specially trained district court judges is a better course than the existing random				As the issues which would benefit from this specialized docket are not limited to those raised in petitions for judicial review against the State

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		assignment model or specialized dockets in individual judicial districts. This type of docket could arguably be established through the Nevada Supreme Court's administrative docket and rulemaking process.				Engineer but also crossover into contract actions and declaratory relief actions, I believe that the jurisdiction should be limited by the issues arising from claims which relate to any rights or claims under NRS 533.
Rusty Jardine	Irrigation District (Truckee Carson Irrigation District)	Considers it necessary that water judges assigned to water cases have specialized training. This is related to the complex glossary of terms that apply to water cases and complexities of the attributes of the source of water and associated issues. Specially trained judges can lead to greater efficiency in hearing cases and be undaunted by the perceived complexity of the issues and record involved.	Scope may be as broad as matters which the primary claims are based on or required a decision under NRS Chapters 532, 533, 534, 535, 536, 537, 538, 539, 549, 540A, 541 and 544 or other similar statutes from other jurisdictions. These chapters include, the State Engineer, Adjudication of Vested Water Rights, Appropriation of Public Waters, Underground Water and Wells, Dams and Other Obstructions, Ditches, Canals, Flumes and Other Conduits, Navigable Rivers, Interstate Waters, Compacts and Commissions, Irrigation Districts, Planning and Development of Water Resources, Regional Planning and Water Management, Water Conservation Districts, Control of Floods and Modification of Weather.	While the need for specialized training is supported, the best judges are capable of doing it alone and advancing their own water law case. The cumulative value to all water right holders in having judges that have been trained, have presided over water cases repeatedly, and have thus advanced their ability to timely-efficiently manage case and fairly adjudicate the same.	Suggests water cases consist of a legal dispute where the right to use water in the State of Nevada or in another state, or the effects or objects of its use here or elsewhere, or any limitations, conditions, or restraints imposed on its use here or elsewhere, are the primary claims or issues requiring resolution through the adjudicative process. While question 2 addresses the scope, it may be helpful to eliminate matters that may not be appropriately before a water court, such as: <ul style="list-style-type: none"> • Property damage claims involving water, water management decision and water management facilities; • Personal injury claims involving water, water management decisions and water management facilities; 	

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					<ul style="list-style-type: none"> • Claims brought against purveyors of water or irrigation districts; • Disputes regarding leases; • Claims of eminent domain related to water management facilities (i.e. tunnels, drains, pipelines, etc.); • Disputes among purveyors of water; • Actions involving contracts; • Occupational health or safety related to the waters of the State of Nevada; • Environmental claims not touching or concerning water rights; • Administrative agency, tax, zoning, and other appeals not having a direct relationship to water uses. • Contracts related to the generation of electric energy and to contract for the generation, distribution and sale of such energy; • Disputes relating to assessments, rates, and fees; • Actions involving Governments approvals, permits, licenses, variances, registrations, and findings of 	

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					<p>suitability, related to lands to which water rights are appurtenant and not touching the use of water;</p> <ul style="list-style-type: none"> • Proceedings to register or enforce a judgment associated with a water related matter; • Disputes relating to drainage, safety or health projects; • Claims relating to ownership of water related facilities in other states. 	
Jason King	Practicing Water Rights Engineer/Hydrologist	Yes, a water court or trained water judges is not only appropriate but badly needed.	Not certain whether every appealable decision of the State Engineer needs to go before a specialty court but finds it difficult to define a bright line to separate the various cases. Perhaps a provision to allow parties to agree to not go before the specialty court would be appropriate.			
Bevan Lister	Agriculture	Does not believe a separate water court is the appropriate direction as water law in Nevada is neither complex or complicated. Water law is based upon prior appropriation. Supportive of special training for district court judges regarding water law and related principles. Whether training is voluntary,	In cases where there are complex arguments where the science involved in the law are questioned (compared to just the law), those cases could have a set of specially trained judges that the District Court Judge could be encouraged to defer to.	Special training would be a benefit for our District Court Judges – whether mandatory for all District Court Judges, or voluntary and deferred to 'traveling' judges.	<p>A "water court" as a separate court entity, established in law, that all water cases are referred to is not supported.</p> <p>Water judges could take a number of forms, but two options are:</p> <ul style="list-style-type: none"> ○ Mandatory special training requirements for all district judges in relation to 	<p>A 'water' case would involve something beyond the simple application of the law. Cases that involve complex legal arguments (possibly conflicts in the law) and/or complex scientific arguments mixed in the legal arguments.</p> <p>If the direction is to create a new court system for water</p>

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		and those judges become "traveling" judges deferred to by the district court or mandatory would work.			water law and water case handling. <ul style="list-style-type: none"> ○ Judges electing to receive specialized training, and a system in the law for district court judges to defer a case that comes before them to those specially trained judges (to be heard in the district). 	cases, the same criteria mentioned above could be used – complex legal arguments or complex scientific arguments in the application of the law.
Chris Mixon	Practicing Water Law Attorney/Inter-Tribal Council of Nevada	<p>Insufficient information has yet been provided to render an opinion. Any changes should be based upon a more clearly articulated problem or shortcoming in existing manner of judicial review and additional data would help clarify. Such data would be additional information relating to caseloads and water caseload and anticipated future cases.</p> <p>This additional gathering of data would help provide information regarding the curriculum to be included in specialized educational opportunities would be helpful for educating any district court judge who may be assigned a water case in the normal course.</p>	Specialized water judges should only be assigned to cases within a relatively limited and well-defined scope, such as particularly complicated matters or matters that are likely to result in important statewide precedent or application. The Nevada State Engineer makes decisions on a wide range of water matters, not all of which would necessitate judicial review before a specially-designated water judge. Inclusion of matters outside of those that may arise under Chapters 533 and 534 of the Nevada Revised Statutes, which would properly limit the scope of such specialized judicial assignments to matters involving judicial review of appropriative water rights and related			The Commission should consider the procedure for such assignments. For example, it may be preferable for assignment to a water judge be subject to the consent of all the parties to the case, particularly considering the importance of water cases being heard by the district court judges elected to serve their specific counties. Similarly, there is significant merit to the idea that the water judge proposal has a mechanism where water judge assignments can be reviewed on a case-by-case basis and either approved or rejected. There is merit to the procedure Judge Drakulich discussed for the specialized business courts, where a panel of business judges may deny or reject an

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			matters subject to the permitting authority of the Division of Water Resources.			assignment of a case to the business court.
Karen Peterson	Practicing Water Rights Attorney/Rural Counties	Water trained judges are appropriate.	Cases assigned should be any matters involving NRS Chapters 532, 533 and 534.			
Kyle Roerink	Environmental/NGOs (Great Basin Water Network)	Another way to frame the question: Is not having a water court or trained water judges inappropriate? We have yet to provide substantial evidence to answer the question. Other states have demonstrated a need for water courts and those have not been cast in the public eye as inappropriate. Furthermore, as it relates to training, Nevada has already laid a groundwork for providing continuing education to judges who are in a position to adjudicate cases relating to NRS §533 and §534 via the Dividing the Waters program. It would be fair to describe those as appropriate. However, I think the term "trained water judges" implies that judges are currently "untrained" or "uneducated" on matters of water law. Is this an implication that the majority of district court judges do not understand water law? Regardless, I unequivocally	Continuing education requirements pertaining to water in this state should be mandatory for all district court judges. The courses and corresponding materials should not be administered or published by DWR or any other entity that appears in court to defend their own interests on matters relating to NRS §533 and §534. If there were water courts in addition to continuing education requirements, there would be a question of including PJRs, basin adjudications and any other matters related to NRS §533 and §534. There also remains a question as to whether participation in those water courts would be mandatory rather than optional or consent-based among all parties involved in a petition or other adjudication. Additionally, there's question as to whether the water court would involve all matters	The premise of the question is based upon whether or not we believe Nevada District Court judges are competent enough to interpret statute and synthesize arguments from plaintiffs and defendants. Would a reasonable person believe that NRS §533 and §534 warrant a special legal jurisdiction? Would a reasonable person believe that the majority of district court judges are incapable of handling matters regarding NRS §533 and §534? Would a reasonable person believe that it is better if a judge from outside of his/her/their county is a better arbiter of natural resource disputes or adjudications than a judge from a different community? This commission has not yet debated why water law is more complex than matters relating to taxation, product liability, or public utilities — matters known for their complex litigation that	1). A court that adjudicates PJRs and/or the hierarchy of priority dates for surface water and groundwater systems. 2). A court that only deals with adjudications relating to priority dates (pre-statutory, vested rights).	Matters regarding NRS §533 and §534 — and §532 for consistency. As mentioned above, there remains a question about the procedural and technical elements of those provisions.

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		<p>believe this commission is fully committed to developing a continuing education curriculum that is in the public interest and up-to-date on exploring matters relating to NRS §533 and §534 for all district court judges. Could it be appropriate to create a water court? Indeed. But am I ready to say so unequivocally? No. As it relates to water courts, this body has not yet had sufficient debate on whether the current state of affairs necessitates a niche legal arena dealing with NRS §533 and §534. We have three options in my view: 1) The status quo. 2) A court that adjudicates PJRs and/or the hierarchy of priority dates for surface water and groundwater systems. 3) A court that only deals with adjudications relating to priority dates i.e. a pre-statutory, vested rights adjudication. Access to the latter two systems could also be predicated on a narrow set of circumstances as well.</p>	<p>pertaining to the relevant statutes or would it be more limited in scope. Would it address the procedural and the technical as it relates to adjudications of water matters — or only the latter?</p>	<p>take place in district courts. Nor have we discussed in detail why a water court should be a specialty area akin to something like family law, where there are significant caseloads and intangible emotional components. We have not defined a problem. But we have had commissioners advocate for specific solutions without much reasoning as to why it would solve a specific problem. Until we substantiate any existing problems as a commission, I believe it is premature to decide on the necessity of a water court.</p>		
Judge John Schlegelmilch	District Court Judge (Lyon County)	Concurred with Judge Fairman's remarks	Concurred with Judge Fairman's remarks		Concurred with Judge Fairman's remarks	Concurred with Judge Fairman's remarks

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Oz Wichman	Rural Counties	After participating on this commission, has become convinced that Nevada would be well served to have specially trained judges to hear water cases. Is supportive this.	All written decisions issued by the State Engineer. This includes approval/denial of all permits through the certification process, extensions, forfeiture, cancellations and abandonment, and the full scope of Orders, Rulings and other written decisions that fall under the duties of the State Engineer and his staff.			
John Zimmerman	Urban Municipal Water Provider (Truckee Meadows Water Authority)	If a water court is deemed necessary by the Commission, then it would be appropriate to create it within each judicial district, if possible, similar to the manner in which other specialty courts are created. I believe that water cases with venue in a specific judicial district should be heard, if possible, by a judge of that district. Therefore, if a particular judicial district is not able to create a water court within its district because of a lack of judges willing to serve on it, then the parties to water cases in that district should be allowed to keep the case in that district instead of being assigned to a water court outside the district.	<p>The phrase "water case" could be defined to include all legal proceedings in district court that arise under NRS Chapters 533, 534, 535, and 536 including, but not limited to, the following:</p> <ol style="list-style-type: none"> 1. Statutory adjudications under NRS 533.165 – 533.195; 2. Judicial adjudications under NRS 533.240; 3. Petitions for State Engineer administration of decrees under NRS 533.310; 4. Appeals of State Engineer orders and decisions under NRS 533.450; 5. Injunctive relief under NRS 535.210 (dams) or 536.210 (ditches). <p>To determine the definition of "water case" and scope of</p>	Providing water law and science education and training opportunities for Nevada judges. The Commission should analyze ways to improve judicial education in water law and science. Education and training are a necessary first step toward improving the adjudication of water cases. As pointed out by Judge Schlegelmilch, the National Judicial College's Dividing the Waters (DTW) Program is a valuable resource and the Commission should look for ways to increase opportunities for Nevada judges to attend and participate in DTW programs. The DTW plan described by Judge Schlegelmilch regarding on-demand and online courses would be		Determining whether a water court is appropriate would be assisted in knowing how many water cases are pending in each judicial district, the length of time between initiation of the case and its adjudication by the district court, and the type of water case (i.e. petitions for judicial review, adjudications, or others). It also would be helpful to know how many cases were remanded to the State Engineer on the basis of equitable relief or procedural issues. The Commission should also study whether the standard of review in water cases should be clarified to address the issues described by the State Engineer in his June 22, 2021 memorandum to this Commission. This

Commission Member	Representation	Whether you think a "water court" or "trained water judge" is appropriate?	What the scope of those judicial tasks should be?	If specially trained water judges are not needed, provide a viewpoint on that as well.	What would you define as either a water court or cases assigned to specially trained judges in water?	How would you define a "water" case or the jurisdiction of a water "court"?
			<p>judicial tasks, it would be helpful to understand how many water cases are pending in each judicial district, the type of case (i.e. an adjudication, petition for judicial review, or others), and the length of time between initiation of the case and decision by the district court.</p>	<p>beneficial and a good resource for Nevada judges.</p> <p>While DTW is a valuable resource, it would be beneficial to have training that is specifically tailored to Nevada water law. Accordingly, it would be worthwhile to create programs that educate and train judges on Nevada water law issues, including elements of hydrology and hydrogeology most-relevant to Nevada and which most-commonly arise in Nevada water cases. Additionally, Nevada district court judges interested in water law could create a Nevada-specific program similar to DTW that provides opportunities for Nevada judges to share information regarding water cases they have handled, discuss problems they have encountered, and learn what works and what does not work.</p>		<p>would allow the Commission to determine if other solutions could be implemented to improve the timeliness and efficiency of Nevada district courts in the judicial review of water cases.</p>