

NOTICE OF PUBLIC MEETING AND AGENDA
HUMBOLDT RIVER BASIN WATER AUTHORITY
October 20, 2026 at 9:15 a.m.

This is a virtual meeting only and there will be no physical location.

Members of the public may participate via Zoom at:

Invite Link

<https://us02web.zoom.us/j/84067165993?pwd=cRXTm5lJdaKkMYUdmGw3E6CDTybZNp.1>

Or

Phone: 1-669-900-6833

Meeting ID: 840 6716 5993

Passcode: 719710

ITEM

1. **CALL TO ORDER** – Chairman’s welcome, roll call, determination of quorum and introductions.
2. **PUBLIC COMMENT** – This time is devoted to comments by the general public, pursuant to NRS 241.020(2)(c)(3). No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. Public comment will be limited to 3 minutes.
3. **DISCUSSION/POSSIBLE ACTION - CONSIDER APPROVING OR NOT APPROVING, HUMBOLDT RIVER BASIN WATER AUTHORITY’S PARTICIPATION IN THE HEARING REGARDING JENNIFER TIPTON’S PETITION FOR JUDICIAL REVIEW (PJR) OF THE STATE ENGINEER’S REJECTION OF HER PROOFS OF APPROPRIATION (V-12762, V-12763, AND V-12764) IN THE SIXTH JUDICIAL DISTRICT COURT (CASE NO. CV0024195); TO AMEND THE SCOPE OF WORK OF THE AUTHORITY’S JUNE 29, 2026 CONTRACT WITH SCHROEDER LAW OFFICES, P.C. TO PROVIDE ORAL ARGUMENTS AT THE OCTOBER 27, 2026 HEARING ON BEHALF OF THE AUTHORITY; AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO SIGN THE AMENDMENT ON BEHALF OF THE AUTHORITY. (For Possible Action)**
4. **APPROVAL OF A RESOLUTION SUPPORTING THE HUMBOLDT RIVER BASIN WATER AUTHORITY (HRBWA) IN APPLYING FOR A \$300,000 GRANT UNDER NRS 349.981 (GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS TO CERTAIN WATER SYSTEMS) TO RETIRE GROUNDWATER RIGHTS FROM WILLING SELLERS. THE RESOLUTION ALSO DESIGNATES EXECUTIVE DIRECTOR JEFF FONTAINE AS HRBWA’S REPRESENTATIVE FOR THE APPLICATION PROCESS AND GRANTS HIM THE AUTHORITY TO EXECUTE ANY RESULTING CONTRACTS. (For Possible Action)**

5. **DISCUSSION AND POSSIBLE ACTION REGARDING WATER RIGHTS FILINGS WITH THE NEVADA STATE ENGINEER** – Discussion and possible action on water right filings for September - October 2026, previously and newly filed protest letters, State Engineer Rulings and Orders. **(For Possible Action)**
6. **BOARD MEMBER/EXECUTIVE DIRECTOR COMMENTS** – Board members and the Executive Director can make announcements, request information and discuss topics for future agendas – (Discussion)
7. **PUBLIC COMMENT** – This time is devoted to comments by the general public, pursuant to NRS 241.020(2)(c)(3). No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. Public comment will be limited to 3 minutes.

ADJOURN

- Notes:**
1. Items on this agenda on which action may be taken are followed by the term "**For Possible Action.**"
 2. Items on this agenda may be taken out of order, combined with other agenda items for consideration, removed from the agenda, or delayed for discussion at any time.
 3. Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to call 775.443.7667 in advance so arrangements can be made.
 4. This agenda was sent on October 12, 2026 for posting at the Humboldt County Court House (50 West Fifth Street, Winnemucca, Nevada 89445) and electronically posted on Nevada's Public Notice Website (<https://notice.nv.gov/>) and electronically posted on the Humboldt River Basin Water Authority's website (<https://hrbwa.com/meetings/>)
 5. For further information or to obtain copies of board materials contact Jeff Fontaine (775-443-7667) or ccjfontaine@gmail.com

HUMBOLDT RIVER BASIN WATER AUTHORITY
Director/Alternate Attendance List
October 20, 2026

<u>Directors</u>	<u>County</u>	<u>Present</u>	<u>Absent</u>
Commissioner Rex Steninger	Elko	_____	_____
Commissioner Brian Gale	Elko	_____	_____
Mr. Craig Spratling	Elko	_____	_____
Commissioner Marty Plaskett	Eureka	_____	_____
Mr. Carl Slagowski	Eureka	_____	_____
Mr. Jake Tibbitts	Eureka	_____	_____
Commissioner Ron Cerri	Humboldt	_____	_____
Mr. Steve Delsoldato	Humboldt	_____	_____
Ms. Kris Stewart	Humboldt	_____	_____
Commissioner Alicia Price	Lander	_____	_____
Commissioner Lamont Edgar	Lander	_____	_____
Mr. J.R. Thomas	Lander	_____	_____
Commissioner Connie Gottschalk	Pershing	_____	_____
Mr. Bennie Hodges (Chairman)	Pershing	_____	_____
Mr. Ronnie Burrows	Pershing	_____	_____
 <u>Ex Officio Nevada Mining Assn.</u>			
Ms. Erica Gallegos	NV Gold Mines	_____	_____
 <u>Alternates</u>			
Mr. Mark Hooper	Elko	_____	_____
Ms. Sabrina Reed	Eureka	_____	_____
Commissioner Ken Tipton	Humboldt	_____	_____
Mr. Mike Neff	Lander	_____	_____
Mr. Phillip Schmith	Pershing	_____	_____
Mr. Kyle Davis	NV Mining Assoc.	_____	_____

1 CASE NO.: CV0024195

2 DEPT. NO.: 2

3
4 **IN THE SIXTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
5 **IN AND FOR THE COUNTY OF HUMBOLDT**

6
7 JENNIFER LYNN TIPTON,

8 Petitioner,

9 vs.

10 JOE CACIOPPO, P.E., Nevada State Engineer,
11 DIVISION OF WATER RESOURCES,
12 DEPARTMENT OF CONSERVATION AND
13 NATURAL RESOURCES, STATE OF
14 NEVADA,

15 Respondent.

NOTICE OF HEARING

16 **TO:** The Respondent State Engineer, by and through counsel of record, and to all affected
17 individuals:

18 **PLEASE TAKE NOTICE** that the oral argument regarding the Petition for Judicial
19 Review filed pursuant to NRS 533.450 in the above-referenced matter has been set for October 27,
20 2026, at 10:00 a.m. to 12:00 p.m before Honorable Kriston Hill, in Dept. II, Humboldt County,
21 Winnemucca, Nevada. This hearing will be held in person at 25 W. Fifth Street, Winnemucca, Nevada
22 89445.

23 **PETITIONER'S STATEMENT OF INTEREST:** Pursuant to the Court's directives,
24 Petitioner submits the following Statement of Interest. Petitioner owns and operates Humboldt County
25 Assessor Parcel Numbers 04-0471-47, 04-0471-48, 04-0471-49, 04-0471-50, 04-0471-51, 04-0471-75,
26 04-0471-76, 04-0471-77, and 04-0471-78 (the "Royal T Ranch"). Petitioner claimed vested rights on
27 three water sources that are not tributary to the Little Humboldt as confirmed by a licensed water right
28 surveyor, under proof of appropriation numbers V-12762, V-12763, and V-12764 (collectively the
"Vested Rights"). The sources and place of use of the Vested
Humboldt River and terminate on the Royal T Ranch. Proc

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CASE NO.: CV0024195

DEPT. NO.: 2

**IN THE SIXTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF HUMBOLDT**

* * *

JENNIFER LYNN TIPTON,

Petitioner,

vs.

JOE CACIOPPO, P.E., Nevada State Engineer,
DIVISION OF WATER RESOURCES,
DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES, STATE OF
NEVADA,

Respondent.

NOTICE OF HEARING

TO: The Respondent State Engineer, by and through counsel of record, and to all affected individuals:

PLEASE TAKE NOTICE that the oral argument regarding the Petition for Judicial Review filed pursuant to NRS 533.450 in the above-referenced matter has been set for October 27, 2026, at 10:00 a.m. to 12:00 p.m before Honorable Kriston Hill, in Dept. II, Humboldt County, Winnemucca, Nevada. This hearing will be held in person at 25 W. Fifth Street, Winnemucca, Nevada 89445.

PETITIONER'S STATEMENT OF INTEREST: Pursuant to the Court's directives, Petitioner submits the following Statement of Interest. Petitioner owns and operates Humboldt County Assessor Parcel Numbers 04-0471-47, 04-0471-48, 04-0471-49, 04-0471-50, 04-0471-51, 04-0471-75, 04-0471-76, 04-0471-77, and 04-0471-78 (the "Royal T Ranch"). Petitioner claimed vested rights on three water sources that are not tributary to the Little Humboldt as confirmed by a licensed water right surveyor, under proof of appropriation numbers V-12762, V-12763, and V-12764 (collectively the "Vested Rights"). The sources and place of use of the Vested Rights are located miles from the Little Humboldt River and terminate on the Royal T Ranch. Proof V-12762 is a proof of appropriation for

1 Morey Creek at the point it enters the Royal T Ranch located in Humboldt County, Nevada. Proof V-
2 12763 is a proof of appropriation for an unnamed spring that is entirely contained within the Royal T
3 Ranch in Humboldt County, Nevada. Proof V-12764 is a proof of appropriation for Morey Creek North
4 Fork which is entirely contained within the Royal T Ranch in Humboldt County, Nevada. The Vested
5 Rights are rights that were initiated on or before January 1, 1867. Without following any of the
6 procedures under NRS 533.087 through NRS 533.320, or providing any notice or opportunity to be
7 heard, the State Engineer issued the Denial Letter dated March 10, 2025, rejecting the Vested Rights
8 and impairing the rights in violation of NRS 533.085. Tipton is aggrieved by the Denial Letter because
9 it directly affects Tipton's rights to use her Vested Rights on her property and it deprived the Royal T
10 Ranch of all its water rights, interrupting irrigation, stockwater and domestic use that have occurred on
11 the Royal T Ranch since the mid-1800s. The administrative process and the subsequent order executed
12 by the State Engineer deprived Petitioner of her constitutional right to due process under both the United
13 States and Nevada Constitutions.

14 **PROCEDURAL STATUS AND HEARING PARTICIPATION:** Petitioner filed her
15 Opening Brief on November 6, 2025. Respondent filed its Answering Brief on December 19, 2025.
16 Petitioner filed her Reply Brief on February 5, 2026. The matter is fully briefed, and oral arguments
17 were requested pursuant to the scheduling order dated July 29, 2025. Pursuant to the Court's order
18 dated September 24, 2026, any individual who signed the Letter of Concern (referred to in the Court's
19 September 24, 2026, order as "Letter of Consent") served with this Notice who wishes to participate in
20 the hearing scheduled for October 27, 2026, from 10:00 a.m. to 12:00 p.m., shall file a Notice of
21 Appearance with this Court within 21 days of being served per NRCP 12(a)(1)(A)(i).¹ Those persons
22 who have entered a Notice of Appearance may have an "informal [...]" but full opportunity to be heard"
23 at the October 27, 2026, hearing.

24
25
26 ¹ Petitioner provides this service and notice pursuant to the Court's September 24, 2026 Order to avoid any delay to the
27 October 27, 2026 hearing. Petitioner does not seek to categorically exclude any served individual from the hearing;
28 however, by providing service and notice, Petitioner expressly does not consent to any particular scope of participation,
recognize any served individual as a party, or waive any right to object to standing, claimed interest, party status, scope of
participation, procedural propriety, the introduction of testimony, documents, or evidence, or any request for relief.
Petitioner expressly reserves all such rights and objections.

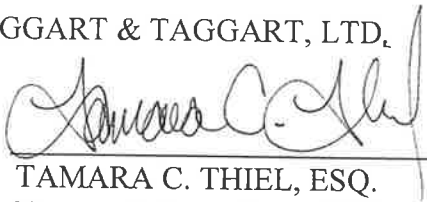
AFFIRMATION
Pursuant to NRS 239B.030(4)

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

DATED this 1st day of October 2026.

TAGGART & TAGGART, LTD.

By:



TAMARA C. THIEL, ESQ.
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ANDRE S. EMME, ESQ.
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Andre@legaltnt.com
Attorneys for Tipton

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the law firm 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 **U.S. Mail** and **Email**, addressed as follows:

ALEXA T. RAVENCROFT, ESQ.
Deputy Attorney General
J. GREGORY CLOWARD, ESQ.
Senior Deputy Attorney General
100 North Carson Street
Carson City, Nevada 89701
aravencroft@ag.nv.gov
jcloward@ag.nv.gov

Pursuant to the Court's Order dated September 24, 2026, on this day, I served, or caused to be served, a true and correct copy of the Petition for Judicial Review filed on March 24, 2025, and a copy of the foregoing Notice of Hearing, by U.S. Certified Mail pursuant to NRS 533.450(3), to the individuals who signed the Letter of Concern (referred to in the Court's September 24, 2026 order as "Letter of Consent") addressed as follows. A copy of the Court's Order dated September 24, 2026, was also provided as a courtesy and for information purposes.

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c/o Brian R. Hardy, Esq.
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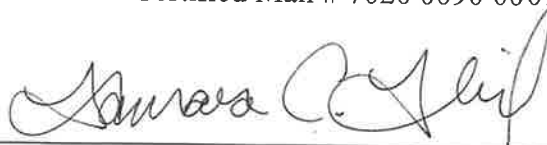
Barbara Cook
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Ron Cerri
40 Rebel Creek Road
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Pete Marvel
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Certified Mail # 7020 0090 0001 2814 9922

Steve Lucas
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Paradise Valley, NV 89426
Certified Mail # 7020 0090 0001 2814 9465

DATED this 1st day of October 2026.



Employee of TAGGART & TAGGART, LTD.

APPROVAL OF A RESOLUTION SUPPORTING THE HUMBOLDT RIVER BASIN WATER AUTHORITY (HRBWA) IN APPLYING FOR A \$300,000 GRANT UNDER NRS 349.981 (GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS TO CERTAIN WATER SYSTEMS) TO RETIRE GROUNDWATER RIGHTS FROM WILLING SELLERS; DESIGNATING EXECUTIVE DIRECTOR JEFF FONTAINE AS HRBWA’S REPRESENTATIVE FOR THE APPLICATION PROCESS; AND AUTHORIZING HIM TO EXECUTE ANY RESULTING CONTRACTS

WHEREAS, in 2025 the Nevada Legislature unanimously passed, and Governor Lombardo signed into law, Assembly Bill 104 and Senate Bill 36, which authorize the Nevada Voluntary Water Rights Retirement Program to permanently retire decreed and certificated groundwater rights from willing sellers to protect the natural resources of this State, address declining levels of groundwater, and address conflicts with existing rights and with protectable interests in existing domestic wells, and

WHEREAS, the Voluntary Water Rights Retirement Program allows an eligible recipient to pay for the cost of improvements to conserve water, including, permanently retiring groundwater rights, under NRS 349.981, (Grants for Water Conservation and Capital Improvements to Certain Water Systems), and

WHEREAS, groundwater pumping has created water shortages for senior decreed surface water rights and purchasing and retiring groundwater rights from willing sellers will help mitigate conflicts and declining groundwater levels in the Humboldt River Basin, and

WHEREAS, the Humboldt River Basin Water Authority has been awarded a \$1.8 M Conserve Nevada Grant to retire groundwater rights from willing sellers in the Humboldt River Basin, and

WHEREAS, the Humboldt River Basin Water Authority was established in 1995 to ensure the quality and availability of water supplies within the Humboldt River Basin for the mutual benefit of the residents and industries within and visitors to Humboldt, Lander, Eureka, Elko, and Pershing Counties and has the following powers, privileges and authority:

- To contract for the services of engineers, attorneys, financial and other consultants.
- To enter into other contracts necessary to the full exercise of its power.
- To apply for, receive, and expend donations, gifts, grants, contributions of money, services, materials, or other property or property rights by the United States or the State of Nevada or their agencies or political subdivisions and from any other source, and to expend such donations, gifts, or contributions to carry out the purposes and objectives of the Authority.
- To perform all other acts necessary or convenient for the performance of any purpose or power of the Authority

NOW, THEREFORE, BE IT RESOLVED that the Humboldt River Basin Water Authority Board of Directors agrees, authorizes, and verifies:

That it supports an application for \$300,000 under NRS 349.981, (Grants for Water Conservation and Capital Improvements to Certain Water Systems) to retire groundwater rights from willing sellers; designates Executive Director Jeff Fontaine as HRBWA’s representative for the application process and authorizes him to execute any resulting contracts.

Introduced and passed this 20th day of October 2026.

Attest: Humboldt River Basin Water Authority

Signature pending

Chairman

Jeff Fontaine, Executive Director