FILED
Aug 17 2026
ELIZABETH A. BROWN
CLERK OF SUPREME COURT

IN THE SUPREME COURT OF THE STATE OF NEVADA

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| ALBEMARLE CORPORATION, A VIRGINIA CORPORATION AND ALBEMARLE U.S., INC., A DELAWARE CORPORATION,<br>Petitioners,<br>vs.<br>THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ESMERALDA; THE HONORABLE STEVEN R. KOSACH; AND JOE CACIOPPO, P.E., IN HIS CAPACITY AS STATE ENGINEER, DIVISION OF WATER RESOURCES, DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES,<br>Respondents,<br>and<br>ESMERALDA MINERALS, LLC, A NEVADA LIMITED LIABILITY COMPANY AND ITS PARENT PURE ENERGY MINERALS, LTD.,<br>Real Parties in Interest. | No. 92663 |

*ORDER DENYING PETITION*

This original petition for a writ of prohibition or mandamus challenges a district court order denying a motion to dismiss a petition for judicial review in a water law matter.

Having considered the petition and supporting documentation, we are not persuaded that our extraordinary and discretionary intervention is warranted at this time. *See Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222,

228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition).

Petitioners appear to contend that the district court erred in applying equitable tolling in its December 26, 2019, order denying petitioners' motion to dismiss real parties in interests' petition for judicial review. Petitioners read *Gold Standard Ventures (US) v. Thorson*, 142 Nev., Adv. Op. 10, 583 P.3d 985 (2026), overbroadly for the proposition that a party without property rights affected by the State Engineer's decision is not entitled to equitable tolling. According to petitioners, because real parties in interest have no property rights at issue in the underlying proceedings, they were not entitled to equitable tolling.

It does not appear that anyone (whether it be the State Engineer or the district court) has determined that real parties in interest are aggrieved by the underlying proceedings, such that *Gold Standard* might be implicated. Thus, it would be premature for us to direct the district court to vacate its seven-year-old order based on an issue that has not been adjudicated. Our decision to deny this petition should not be construed as precluding petitioners from raising additional arguments in the district court as to why the petition for judicial review

should be dismissed. Consistent with the foregoing, we ORDER the petition DENIED.



Herndon, C.J.



Bell, J.



Stiglich, J.

cc: Hon. Steven R. Kosach, District Judge
Brownstein Hyatt Farbr Schreck, LLP/Las Vegas
Brownstein Hyatt Farber Schreck, LLP/Reno
Squire Patton Boggs LLP/Denver
Taggart & Taggart, Ltd.
Attorney General/Carson City
Fifth District Court Clerk