

Bond Case Briefs

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EMINENT DOMAIN - NEVADA

Mass Land Acquisition, LLC v. First Judicial District Court in and for County of Storey

Supreme Court of Nevada - October 17, 2024 - 557 P.3d 493 - 140 Nev. Adv. Op. 67

Investor-owned public utility brought eminent domain action, seeking to acquire easement for natural gas pipeline as well as immediate occupancy.

The District Court denied landowner's motion to dismiss and granted utility's motion for immediate occupancy. Landowner petitioned for writ of mandamus or prohibition, and filed motion to stay, which the District Court denied.

The Supreme Court held that:

- Petition was not moot, although pipeline had been constructed;
- Nevada Constitution did not preclude investor-owned public utility from exercising its delegated power of eminent domain to take easement across property; and
- Landowner lacked any right to a jury trial on issue of whether the Nevada Constitution allows a privately owned public utility to take an easement across private land for a natural gas pipeline.