

Ashley Nikkel guides mining and energy clients exploring and operating on public lands through the nation's complex environmental laws, from project conception to permit to potential appeal.



Ashley C. Nikkel

Office Managing Shareholder | Reno

Biography

Ashley Nikkel is a shareholder on the environmental, energy and natural resources, and litigation practice teams at Parsons Behle & Latimer.

Ms. Nikkel provides counsel for mining and energy clients operating on public lands. She handles all stages of the environmental permitting and compliance at local, state and federal levels, with particular expertise in the National Environmental Policy Act (NEPA). She also advises on mining transactions and related due diligence. Her commercial litigation experience allows her to evaluate appellate risk in these projects and defend her clients if such a challenge arises. Her litigation experience includes defending hardrock mining clients in a variety of real property cases, including quiet title actions and royalty disputes.

Prior to joining Parsons Behle & Latimer, Ms. Nikkel clerked for the Honorable Judge Janet J. Berry at the Second Judicial District Court, and the Honorable Mark Gibbons at the Nevada Supreme Court. Ms. Nikkel excelled at the William S. Boyd School of Law, serving as an articles editor of the Nevada Law Journal, arguing a criminal drug trafficking case at the Ninth Circuit Court of Appeals as part of the appellate clinic, and competing on the moot court team.

A native of the Reno-Tahoe area, Ms. Nikkel is passionate about civic education, serving on the Nevada Center for Civic Engagement's Board of Directors and coaching over a decade's worth of nationally-ranked teams from Incline High School's Center for Civic Education "We the People" program.

Contact information

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Capabilities

Mining

NEPA

Project Permitting & Compliance

Environmental & Natural Resources

Environmental Litigation &
Administrative Appeals

Public Lands

Licensed/Admitted

Nevada

U.S. Dist. Court, District of Nevada

U.S. Bankruptcy Court, Dist. of
Nevada

U.S. Court of Appeals, 9th Circuit

A Different
LEGAL
PERSPECTIVE

**PARSONS
BEHLE &
LATIMER**

Experience

Defended Claims of Interest Royalty and Reached Beneficial Settlement

Defended mining company from claims that a another company is entitled to an interest royalty. Years later the claim was refiled and a beneficial settlement was reached for the clients.

Defending a Large Gold Mine Against Royalty Claims

Representing an international gold mining company's mine against royalty claims by another world-class gold mine.

Structured Gold Mine Transaction and 1031 Exchange

Structured the sale of a gold mine to a junior mining company for the client including negotiating and documenting all aspects of the transaction, including a private placement and the payment of a mortgage. Also represented client Nevada Gold Mines in an IRS Section 1031 like-kind exchange of two mining properties, including environmental due diligence; real property transfers/recordings; personal property transfers; private placement on a secured credit facility; and tax structuring.

Nevada Gold Mines, LLC

Represented Nevada Gold Mines, LLC as lead counsel against the Pershing County Water Conservation District who contended that priority water rights had been negatively impacted by the State Engineer's alleged improper actions regarding water appropriations and conjunctive management of water rights in the Humboldt River Basin. After years of litigation, the District agreed to dismiss the case with prejudice.

Permitting Challenge in Federal District Court

Provided legal advice related to federal and state permitting of the Mount Hope Project owned by Eureka Moly. Represented Eureka Moly in appeals in Federal District Court challenging federal approval.

Accomplishments

Professional

Recognized as "One to Watch" in *Best Lawyers in America: Appellate Practice, Litigation, Environmental* – since 2021

Mountain States Super Lawyers Rising Star, Business Litigation, 2021-2022

Nevada Legal Elite, 2020, 2017, 2016 and 2015

Clerked for the Honorable Mark Gibbons of the Nevada Supreme Court (2012 - 2013)

Clerked for the Honorable Janet J. Berry of the Second Judicial District Court, State of Nevada (2013 - 2014)

Academic

William S. Boyd School of Law, University of Nevada, Las Vegas (J.D., 2012)

- *Nevada Law Journal*, Articles Editor
- Society of Advocates member, top sixteen competitor in the Robert F. Wagner National Labor and Employment Law Moot Court Competition
- CALI Excellence Awards (for highest grades) in Torts, Lawyering Process II, Lawyering Process III: Appellate Advocacy, Federal Public Lands & Natural Resources, Appellate Clinic, American Legal History, Water Law, and Capital Punishment
- Clinic Legal Education Association Award for excellence and achievement in the clinical program
- Scribe Award from the American Society of Legal Writers for excellence in legal writing

University of Nevada, Reno (B.A., *cum laude*, 2009)

- Honors Program, majors in Political Science and History with a minor in Economic Policy
- Chief Justice of the Associated Students of the University of Nevada Judicial Council
- Dean's Award for Outstanding Graduate in the Humanities

Associations

Professional

Rocky Mountain Mineral Law Foundation

(2017 to present)

Nevada Mining Association

(2019 to present)

Northern Nevada Women Lawyers Association

(2013 to present)

William S. Boyd School of Law Alumni Board of Directors

Northern Nevada Liaison (2013 to 2016)

Community

Volunteer coach and former district judge for the Center for Civic Education's "We the People" program

(2005 to present)

Nevada Center for Civic Engagement, Board of Directors

(2020 to present)

Articles

Lithium Mining in Nevada: The White Gold Rush? June 8, 2021

State of the Nevada Courts May 19, 2020

Executing on Janus: the Trouble with Trustees in Nevada March 15, 2017

Nevada Lawyer

Painting Ourselves Into a Corner: the Fundamental Paradoxes of Modern Warfare in *Al Maqaleh v. Gates*

Presentations

Parsons Behle & Latimer attorneys to present at American Exploration & Mining Association Conference 2022, December 4, 2022

American Exploration & Mining Association Convention