

Assembly Bill No. 347–Committee on Government Affairs

CHAPTER.....

AN ACT relating to the Southern Nevada Water Authority; authorizing the Southern Nevada Water Authority, under specified circumstances, to increase certain fees; authorizing the Southern Nevada Water Authority to assist certain property owners to connect their property to a public water system; authorizing the Southern Nevada Water Authority to operate a project for the recharge and recovery or underground storage and recovery of water; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 572, Statutes of Nevada 1997, at page 2799, is hereby amended by adding thereto new sections to be designated as sections 14.3 and 14.5, immediately following section 14, to read respectively as follows:

***Sec. 14.3. 1. The Southern Nevada Water Authority may, in consultation with the advisory committee, establish a program under which it may enter into an agreement with an owner of real property located in the basin to:***

***(a) Abandon or plug a well located on the real property;***  
***(b) Install pipes and other appurtenances to deliver water to the real property; and***  
***(c) Pay fees related to the connection of the property to a public water system.***

***2. An agreement entered into pursuant to subsection 1 must:***  
***(a) Provide for the repayment, over time, to the Southern Nevada Water Authority by the owner of the real property all money expended by the Southern Nevada Water Authority pursuant to the agreement;***

***(b) Provide that all money to be repaid to the Southern Nevada Water Authority pursuant to the agreement be due and payable upon the sale or other transfer of the real property;***

***(c) Be secured by a lien upon the real property; and***  
***(d) Be acknowledged and recorded in the same manner as conveyances affecting real property are required to be acknowledged and recorded pursuant to chapter 111 of NRS.***

***3. An abandonment or plugging of a well pursuant to an agreement entered into pursuant to subsection 1 must be conducted in a manner approved by the State Engineer.***

***4. As used in this section, “public water system” has the meaning ascribed to it in NRS 445A.840.***

**Sec. 14.5.** *The Southern Nevada Water Authority may, in consultation with the advisory committee, operate a project for the recharge and recovery or underground storage and recovery of water pursuant to chapter 534 of NRS for the benefit of owners of wells in the basin.*

**Sec. 2.** Section 1 of chapter 572, Statutes of Nevada 1997, at page 2799, is hereby amended to read as follows:

**Section 1.** As used in sections 2 to 16, inclusive, *and sections 14.3 and 14.5* of this act, unless the context otherwise requires, the words and terms defined in sections 2 to 6, inclusive, of this act have the meanings ascribed to them in those sections.

**Sec. 3.** Section 13 of chapter 572, Statutes of Nevada 1997, at page 2802, is hereby amended to read as follows:

**Sec. 13.** 1. The Southern Nevada Water Authority may establish and collect each calendar year a fee to be assessed on users of ground water in the basin. Money raised from the fees must be used as provided in section 14 of this act.

2. Except as otherwise provided in this section:

(a) Users of ground water, other than owners of domestic wells, may be assessed a fee each calendar year of not more than ~~[\$10]~~ *\$13* per acre-foot, or its equivalent, of ground water in the basin to which they have a water right in that year.

(b) Owners of domestic wells may be assessed a flat fee each calendar year of not more than ~~[\$10.]~~ *\$13.*

3. *Except as otherwise provided in subsections 4 and 5, if the Southern Nevada Water Authority operates a project for the recharge and recovery or underground storage and recovery of water pursuant to section 14.5 of this act:*

*(a) Users of ground water, other than owners of domestic wells, may be assessed a fee each calendar year of not more than \$30 per acre-foot, or its equivalent, of ground water in the basin to which they have a water right in that year.*

*(b) Owners of domestic wells may be assessed a flat fee each calendar year of not more than \$30.*

4. The maximum fees specified in ~~[subsection]~~ *subsections 2 and 3* may be adjusted once each year for inflation. The maximum amount of the adjustment must be determined by multiplying the respective amounts of the fees by the percentage of inflation, if any. The Consumer Price Index published by the United States Department of Labor for July preceding the year for which the adjustment is made must be used in determining the percentage of inflation.

~~[4.]~~ 5. The maximum fees may be increased by an amount ~~[which]~~ *that* is greater than the amount of the adjustment for inflation as calculated pursuant to subsection ~~[3]~~ *4* only if ~~[-~~

- ~~(a) A majority of all of the voting members of the advisory committee recommends the change;~~  
~~(b) The board of directors approves the recommendation; and~~  
~~(c) The~~ *the* increase is approved by the Legislature.

~~[5.]~~ **6.** As used in this section, “water right” means the legal right to use water that has been appropriated pursuant to chapters 533 and 534 of NRS by means of application, permit, certificate, decree or claim of vested right.

**Sec. 4.** Section 14 of chapter 572, Statutes of Nevada 1997, at page 2802, is hereby amended to read as follows:

**Sec. 14.** Money collected pursuant to section 13 of this act must be used to:

1. Develop and distribute information promoting education and the conservation of ground water in the basin.
2. Perform such comprehensive inventories of wells of all types located within the basin as may be needed. Such inventories must be done in conjunction with the State Engineer.
3. Prepare, for use by the advisory committee, such cost-benefit analyses relating to the recharge *and recovery or underground storage and recovery* of ~~[the ground]~~ water in the basin as may be needed.
4. Develop recommendations for additional activities for the management of the basin and the protection of the aquifer in which the basin is located ~~[.]~~, *and to conduct such activities if the activities have been approved by the board of directors.*
5. *Develop and implement a program to provide financial assistance to owners of real property served by:*
  - (a) Domestic wells; or*
  - (b) Wells that are operated pursuant to temporary permits, in existence before October 1, 1999, who are required by the state engineer to connect the real property to a public water system.*
6. Perform such other duties as are necessary for the Southern Nevada Water Authority and the advisory committee to carry out the provisions of this act . ~~[related to the management program.]~~

**Sec. 5.** Section 20 of chapter 572, Statutes of Nevada 1997, at page 2803, is hereby amended to read as follows:

**Sec. 20.** ~~[1.]~~ This act becomes effective upon passage and approval.

~~[2.—If the Advisory Committee for the Management of Ground Water in the Las Vegas Valley Ground Water Basin pursuant to section 18 of this act includes in the joint report to the 70th session of the Nevada Legislature the advisory committee’s recommendation that the management program be terminated, this act expires by limitation 90 days after the date on which the report is submitted to the Director of the Legislative Counsel Bureau pursuant to section 12 of this act.]~~

**Sec. 6.** Section 18 of chapter 572, Statutes of Nevada 1997, at page 2803, is hereby repealed.

**Sec. 7.** The amendatory provisions of subsection 3 of section 13 of chapter 572, Statutes of Nevada 1997, as amended by this act, do not apply to a state agency in the Las Vegas Valley Ground Water Basin until July 1, 2001.

**Sec. 8.** This act becomes effective upon passage and approval.

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