

ASSEMBLY BILL NO. 408—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 5, 1999

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to appropriation of water. (BDR 48-1541)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to water; requiring the state engineer to have just cause to revoke certain permits for the appropriation of water or to deny certain applications for the appropriation 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:

- 1 **Section 1.** NRS 534.120 is hereby amended to read as follows:
2 534.120 1. Within an area that has been designated by the state
3 engineer, as provided for in this chapter where, in his judgment, the ground
4 water basin is being depleted, the state engineer in his administrative
5 capacity is herewith empowered to make such rules, regulations and orders
6 as are deemed essential for the welfare of the area involved.
7 2. In the interest of public welfare, the state engineer is authorized and
8 directed to designate preferred uses of water within the respective areas so
9 designated by him and from which the ground water is being depleted, and
10 in acting on applications to appropriate ground water he may designate
11 such preferred uses in different categories with respect to the particular
12 areas involved within the following limits: Domestic, municipal,
13 quasi-municipal, industrial, irrigation, mining and stock-watering uses and
14 any uses for which a county, city, town, public water district or public
15 water company furnishes the water.
16 3. The state engineer may:
17 (a) Issue temporary permits to appropriate ground water which can be
18 limited as to time and which may be revoked ***for just cause*** if and when
19 water can be furnished by an entity such as a water district or a

1 municipality presently engaged in furnishing water to the inhabitants
2 thereof.

3 (b) Deny applications to appropriate ground water for ~~any purpose~~
4 *just cause* in areas served by such an entity.

5 (c) Limit depth of domestic wells.

6 (d) Prohibit the drilling of wells for domestic use, as defined in NRS
7 534.0175 and 534.180, in areas where water can be furnished by an entity
8 such as a water district or a municipality presently engaged in furnishing
9 water to the inhabitants thereof.

10 4. For good and sufficient reasons the state engineer may exempt the
11 provisions of this section with respect to public housing authorities.

12 **Sec. 2.** This act becomes effective on July 1, 1999.

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