

ASSEMBLY BILL NO. 575—ASSEMBLYMEN HUMKE, TIFFANY, BACHE, MORTENSON,  
LEE, GIBBONS, SEGERBLOM AND WILLIAMS

MARCH 15, 1999

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Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing issuance of credits to certain public water systems for addition of new customers. (BDR 48-909)

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.

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AN ACT relating to water; revising the provisions governing the issuance of credits to certain public water systems for the addition of new customers to the systems; 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 534.350 is hereby amended to read as follows:  
2     534.350 1. The state engineer shall adopt regulations establishing a  
3     program that allows a public water system to receive credits, as provided in  
4     this section, for the addition of new customers to the system. The program  
5     must be limited to public water systems in areas:  
6     (a) Designated as ground water basins by the state engineer pursuant to  
7     the provisions of NRS 534.030; and  
8     (b) In which the state engineer has denied one or more applications for  
9     any municipal uses of ground water.  
10    2. Before the state engineer adopts any regulations pursuant to this  
11    section regarding any particular ground water basin, he shall hold a public  
12    hearing:  
13    (a) Within the basin to which the regulations will apply if adequate  
14    facilities to hold a hearing are available within that basin; or  
15    (b) In all other cases, within the county where the major portion of that  
16    basin lies,  
17    to take testimony from any interested persons regarding the proposed  
18    regulations.

1 3. Upon adoption of the regulations required by this section regarding  
2 a particular ground water basin, a public water system which provides  
3 service in that basin is entitled to receive a credit for each customer who is  
4 added to the system after the adoption of those regulations and:

5 (a) Voluntarily ceases to draw water from a domestic well located  
6 within that basin; or

7 (b) Is the owner of a lot or other parcel of land, other than land used or  
8 intended solely for use as a location for a water well, which:

9 (1) Is located within that basin;

10 (2) Was established as a separate lot or parcel before July 1, 1993;

11 (3) Was approved by a local governing body or planning commission  
12 for service by an individual domestic well before July 1, 1993; and

13 (4) Is subject to a written agreement which was voluntarily entered  
14 into by the owner with the public water system pursuant to which the  
15 owner agrees not to drill a domestic well on the land and the public water  
16 system agrees that it will provide water service to the land. Any such  
17 agreement must be acknowledged and recorded in the same manner as  
18 conveyances affecting real property are required to be acknowledged and  
19 recorded pursuant to chapter 111 of NRS.

20 4. The state engineer may require a new customer, who voluntarily  
21 ceases to draw water from a domestic well as provided in paragraph (a) of  
22 subsection 3, to plug that well.

23 5. A credit granted pursuant to this section:

24 (a) Must be sufficient to enable the public water system to add one  
25 service connection *to the system* for *a customer whose use of water is*  
26 *equivalent to that of* a single-family dwelling, ~~to the system,~~ except that  
27 the credit may not exceed the increase in water consumption attributable to  
28 the additional service connection or 1,800 gallons per day, whichever is  
29 less.

30 (b) *May be combined with one or more other credits granted pursuant*  
31 *to this section. The combined credits must be put to a beneficial use only*  
32 *within the area served by the public water system.*

33 (c) May not be converted to an appropriative water right.

34 6. This section does not:

35 (a) Require a public water system to extend its service area.

36 (b) Authorize any increase in the total amount of ground water pumped  
37 in a ground water basin.

38 (c) Affect any rights of an owner of a domestic well who does not  
39 voluntarily bring himself within the provisions of this section.

1     7. As used in this section:

2     (a) "Domestic well" means a well used for culinary and household  
3 purposes in a single-family dwelling, including the watering of a garden,  
4 lawn and domestic animals and where the draught does not exceed 1,800  
5 gallons per day.

6     (b) "Public water system" has the meaning ascribed to it in NRS  
7 445A.840.

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