
ASSEMBLY BILL NO. 96—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF WASHOE COUNTY)

FEBRUARY 4, 1999

Referred to Committee on Government Affairs

SUMMARY—Revises certain provisions governing projects for recharge and recovery or underground storage and recovery of water. (BDR 48-565)

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 ~~for omitted material~~ is material to be omitted.

AN ACT relating to water; revising certain provisions governing projects for the recharge and recovery or underground storage and recovery of water; providing a civil penalty; 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 534.0155 is hereby amended to read as follows:
2 534.0155 “Storage account” means an account established pursuant to
3 NRS 534.300 for a project for ***recharge and recovery or*** underground
4 storage and recovery ***of water.***
5 **Sec. 2.** NRS 534.290 is hereby amended to read as follows:
6 534.290 1. A permit for a recovery well must comply with the
7 requirements of this chapter and chapter 533 of NRS.
8 2. The holder of a permit for a project may recover ***the volume of***
9 water ***recharged or*** stored pursuant to the permit only from wells
10 designated by the holder and approved by the state engineer, located within
11 the area of hydrologic effect of the project as determined by the state
12 engineer.
13 3. The person entitled to recover the water must be designated by the
14 holder of the permit and approved by the state engineer.
15 4. The holder of a permit for a project and a permit for a recovery well
16 may use or exchange water recovered pursuant to those permits only in the

1 manner in which it was permissible for him to use that water before it was
2 **recharged or** stored.

3 **Sec. 3.** NRS 534.300 is hereby amended to read as follows:

4 534.300 1. The state engineer shall establish a storage account for
5 each project for which he has issued a permit. If the project **recharges or**
6 stores water from more than one source, he shall establish subaccounts for
7 each source of water.

8 2. The holder of a permit for a project may recover only the
9 recoverable amount of **the volume of** water that is **recharged or** stored by
10 the project.

11 3. For the purposes of this section, "recoverable amount" means the
12 amount of water, as determined by the state engineer, that has reached the
13 aquifer and remains within the area of active management.

14 **Sec. 4.** NRS 534.330 is hereby amended to read as follows:

15 534.330 1. A person who is determined pursuant to NRS 534.320 to
16 be in violation of this chapter or a permit issued or regulation adopted
17 pursuant to this chapter may be assessed a civil penalty in an amount not
18 exceeding:

19 (a) One hundred dollars per day of violation not directly related to
20 illegal recovery or use of **recharged or** stored water; or

21 (b) Ten thousand dollars per day of violation directly related to illegal
22 recovery or use of **recharged or** stored water.

23 2. An action to recover penalties pursuant to this section must be
24 brought by the state engineer in the district court in the county in which the
25 violation occurred.

26 **Sec. 5.** This act becomes effective on July 1, 1999.