

ASSEMBLY BILL NO. 296—ASSEMBLYMEN BOBZIEN, LESLIE,
CARPENTER, CLABORN, GANSERT, GOICOECHEA, KIHUEN,
PIERCE, SETTELMAYER AND SMITH

MARCH 13, 2007

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning the lease of
certain water rights. (BDR 48-978)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets **fomitted-material** is material to be omitted.

AN ACT relating to water; authorizing the lease of certain water
rights; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

- 1 This bill authorizes the lease of water rights used primarily for agricultural
2 purposes if the lease is for wildlife purposes or to improve the quality or flow of
3 water. The lease term for such water rights may not exceed 10 years.

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

- 1 **Section 1.** Chapter 533 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. A water right that is used primarily for agricultural***
4 ***purposes may be leased for a term of not more than 10 years, if:***
5 ***(a) The lease is for wildlife purposes or to improve the quality***
6 ***or flow of water; and***
7 ***(b) The parties to such transaction:***
8 ***(1) Apply to the State Engineer for a permit for the change***
9 ***of manner of use and place of use.***
10 ***(2) Share in the payment of the assessments, tolls or***
11 ***charges related to the delivery of the water to the former place of***
12 ***use during the period of the lease.***



* A B 2 9 6 *

1 **2. A water right that is leased pursuant to subsection 1 may**
2 **not be used for industrial, municipal or agricultural purposes.**

3 **Sec. 2.** NRS 533.345 is hereby amended to read as follows:

4 533.345 1. Every application for a permit to change the place
5 of diversion, manner of use or place of use of water already
6 appropriated must contain such information as may be necessary to
7 a full understanding of the proposed change, as may be required by
8 the State Engineer.

9 2. If an applicant is seeking a temporary change of place of
10 diversion, manner of use or place of use of water already
11 appropriated, the State Engineer shall approve the application if:

12 (a) The application is accompanied by the prescribed fees;

13 (b) The temporary change is in the public interest; and

14 (c) The temporary change does not impair the water rights held
15 by other persons.

16 3. If the State Engineer determines that the temporary change
17 may not be in the public interest, or may impair the water rights held
18 by other persons, he shall give notice of the application as provided
19 in NRS 533.360 and hold a hearing and render a decision as
20 provided in this chapter.

21 4. ~~IA~~ **Except as otherwise provided in section 1 of this act, a**
22 temporary change may be granted for any period not to exceed 1
23 year.

24 **Sec. 3.** This act becomes effective upon passage and approval.

