

Amendment No. 188

Assembly Amendment to Assembly Bill No. 296

(BDR 48-978)

Proposed by: Assembly Committee on Government Affairs**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

MSM



Date: 4/9/2007

A.B. No. 296—Makes various changes concerning the lease of certain water rights.
(BDR 48-978)



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]~~ **Expresses the sense of the Legislature concerning the temporary conversion 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 ~~[omitted material]~~ is material to be omitted.

AN ACT relating to water; ~~[authorizing the lease]~~ **expressing the sense of the Legislature as to the policy of this State concerning the temporary conversion of certain water rights ~~[.]~~ for certain ecological purposes;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill ~~[authorizes the lease of]~~ **provides that it is the policy of the State of Nevada to allow the temporary conversion of certain agricultural water rights ~~[used primarily for agricultural purposes if the lease is]~~ for wildlife purposes or to improve the quality or flow of 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:

Section 1. Chapter 533 of NRS is hereby amended by adding thereto a new section to read as follows:

~~[1. A water right that is used primarily for agricultural purposes may be leased for a term of not more than 10 years, if:~~

~~— (a) The lease is]~~

The Legislature hereby finds and declares that it is the policy of this State to allow the temporary conversion of agricultural water rights for wildlife purposes or to improve the quality or flow of water. ~~[.]~~ and

~~— (b) The parties to such transaction:~~

~~— (1) Apply to the State Engineer for a permit for the change of manner of use and place of use;~~

~~— (2) Share in the payment of the assessments, tolls or charges related to the delivery of the water to the former place of use during the period of the lease.~~

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

1 **Sec. 2.** ~~{NRS 533.345 is hereby amended to read as follows:~~
2 ~~533.345 1. Every application for a permit to change the place of diversion,~~
3 ~~manner of use or place of use of water already appropriated must contain such~~
4 ~~information as may be necessary to a full understanding of the proposed change, as~~
5 ~~may be required by the State Engineer.~~
6 ~~2. If an applicant is seeking a temporary change of place of diversion, manner~~
7 ~~of use or place of use of water already appropriated, the State Engineer shall~~
8 ~~approve the application if:~~
9 ~~(a) The application is accompanied by the prescribed fees;~~
10 ~~(b) The temporary change is in the public interest; and~~
11 ~~(c) The temporary change does not impair the water rights held by other~~
12 ~~persons.~~
13 ~~3. If the State Engineer determines that the temporary change may not be in~~
14 ~~the public interest, or may impair the water rights held by other persons, he shall~~
15 ~~give notice of the application as provided in NRS 533.260 and hold a hearing and~~
16 ~~render a decision as provided in this chapter.~~
17 ~~4. [A] Except as otherwise provided in section 1 of this act, a temporary~~
18 ~~change may be granted for any period not to exceed 1 year.~~ (Deleted by
19 amendment.)

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