

ASSEMBLY BILL NO. 377—ASSEMBLYMAN BOBZIEN

MARCH 16, 2009

Referred to Committee on Government Affairs

SUMMARY—Revises the policy of this State concerning water.
(BDR 48-887)

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

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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; declaring the policy of this State to encourage the State Engineer to consider the best available science in rendering decisions concerning the available surface and underground sources of water in Nevada; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 This bill declares the policy of this State to encourage the State Engineer to
2 consider the best available science in rendering decisions concerning the available
3 surface and underground sources of water in Nevada. (NRS 533.024)

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

- 1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** NRS 533.024 is hereby amended to read as follows:
3 533.024 The Legislature declares that:
4 1. It is the policy of this State:
5 (a) To encourage and promote the use of effluent, where that use
6 is not contrary to the public health, safety or welfare, and where that
7 use does not interfere with federal obligations to deliver water of the
8 Colorado River.
9 (b) To recognize the importance of domestic wells as
10 appurtenances to private homes, to create a protectible interest in
11 such wells and to protect their supply of water from unreasonable



1 adverse effects which are caused by municipal, quasi-municipal or
2 industrial uses and which cannot reasonably be mitigated.

3 *(c) To encourage the State Engineer to consider the best*
4 *available science in rendering decisions concerning the available*
5 *surface and underground sources of water in Nevada.*

6 2. The procedures in this chapter for changing the place of
7 diversion, manner of use or place of use of water, and for
8 confirming a report of conveyance, are not intended to have the
9 effect of quieting title to or changing ownership of a water right and
10 that only a court of competent jurisdiction has the power to
11 determine conflicting claims to ownership of a water right.

