

Amendment No. 203

Assembly Amendment to Assembly Bill No. 480 (BDR 48-1161)

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

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 480 (§ 1).

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 dashed underlining* is newly added transitory language.

EGO/BJE



Date: 4/5/2009

A.B. No. 480—Makes various changes relating to fees collected by the State
Engineer. (BDR 48-1161)



ASSEMBLY BILL NO. 480—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 20, 2009

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to fees collected by the State Engineer. (BDR 48-1161)

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; ~~increasing certain~~ **revising the** fees collected by the State Engineer; providing for an automatic biennial increase of such fees; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill **adds several additional fees and** increases various **existing** fees collected by the State Engineer and provides for an automatic cumulative increase of ~~such~~ **certain** fees **collected by the State Engineer** by 5 percent every 2 years beginning on July 1, 2011. (NRS 533.435)

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

Section 1. NRS 533.435 is hereby amended to read as follows:
533.435 1. The State Engineer shall collect the following fees:

For examining and filing an application for a permit to appropriate water	[\$250.00] \$300.00
This fee includes the cost of publication, which is \$50.	
<i>For reviewing a corrected application or map, or both, in connection with an application for a permit to appropriate water</i>	<i>100.00</i>
For examining and acting upon plans and specifications for construction of a dam.....	[\$500.00] 1,000.00
For examining and filing an application for each permit to change the point of diversion, manner of use or place of use of an existing right.....	[\$150.00] [\$175.00] 200.00
This fee includes the cost of the publication of the application, which is \$50.	

1	For issuing and recording each permit to	
2	appropriate water for any purpose, except for	
3	generating hydroelectric power which results	
4	in nonconsumptive use of the water or	
5	watering livestock or wildlife purposes.....	{150.00} {250.00} <u>300.00</u>
6	plus {2} {5} <u>\$3</u> per acre-foot approved	
7	or fraction thereof.	
8	For issuing and recording each permit to change	
9	an existing right whether temporary or permanent	
10	for any purpose, except for generating	
11	hydroelectric power which results in	
12	nonconsumptive use of the water, for watering	
13	livestock or wildlife purposes which change the	
14	point of diversion or place of use only for for	
15	irrigational purposes which change the point	
16	of diversion or place of use only}.....	{100.00} <u>250.00</u>
17	plus {2} {5} <u>\$3</u> per acre-foot approved	
18	or fraction thereof.	
19	{For issuing and recording each permit to change	
20	the point of diversion or place of use only of	
21	an existing right whether temporary or	
22	permanent for irrigational purposes}.....	{200.00} {250.00}
23	plus \$5 per acre-foot approved or	
24	fraction thereof.}	
25	For issuing and recording each permit to	
26	appropriate or change the point of diversion or	
27	place of use of an existing right only whether	
28	temporary or permanent for watering	
29	livestock or wildlife purposes.....	{300.00} <u>200.00</u>
30	plus <u>\$50</u> for each second-foot of water	
31	approved or fraction thereof. {.....}	{50.00}
32	For issuing and recording each permit to	
33	appropriate or change an existing right	
34	whether temporary or permanent for water for	
35	generating hydroelectric power which results	
36	in nonconsumptive use of the water.....	<u>400.00</u>
37	plus <u>\$50</u> for each second-foot of water	
38	approved or fraction thereof. {.....}	100.00
39	This fee must not exceed \$1,000.}	
40	<u>For issuing a waiver in connection with an</u>	
41	<u>application to drill a well.....</u>	<u>100.00</u>
42	For filing a secondary application under a	
43	reservoir permit.....	{200.00} <u>250.00</u>
44	For approving and recording a secondary permit	
45	under a reservoir permit.....	{200.00} <u>450.00</u>
46	For reviewing each tentative subdivision map	150.00
47	plus \$1 per lot.	
48	<u>For reviewing and approving each final</u>	
49	<u>subdivision map.....</u>	<u>100.00</u>
50	For storage approved under a dam permit for	
51	privately owned nonagricultural dams which	
52	store more than 50 acre-feet.....	{100.00} <u>400.00</u>

1	plus \$1 per acre-foot storage capacity.	
2	This fee includes the cost of	
3	inspection and must be paid annually.	
4	For filing proof of completion of work.....	10.00 50.00
5	For filing proof of beneficial use.....	50.00
6	<u>For filing proof of resumption of a water right.....</u>	<u>300.00</u>
7	For filing any protest.....	25.00 140.00
8	For filing any application for extension of time	
9	within which to file proofs	100.00
10	<u>For reviewing a cancellation of a water right</u>	
11	<u>pursuant to a petition for review</u>	<u>300.00</u>
12	For examining and filing a report of conveyance	
13	filed pursuant to paragraph (a) of subsection 1	
14	of NRS 533.384.....	25.00 100.00
15	plus 10 \$20 per conveyance document .	
16	For filing any other instrument.....	10.00 10.00
17	For making copy of any document recorded or	
18	filed in his office, for the first page	1.00
19	For each additional page.....	\$20
20	For certifying to copies of documents, records or	
21	maps, for each certificate	10.00 5.00
22	For each blueprint copy of any drawing or map,	
23	per square foot.....	1.50 5.00
24	The minimum charge for a blueprint copy, per	
25	print	3.00
26	<u>For colored mylar plots</u>	<u>10.00</u>

2. *On July 1, 2011, and on July 1 of each odd-numbered year thereafter, the State Engineer shall increase cumulatively the amount of each fee described in subsection 1 by 5 percent, rounded to the nearest dollar, as determined by the State Engineer.*

3. When fees are not specified in subsection 1 for work required of his office, the State Engineer shall collect the actual cost of the work.

~~3.4~~ 4. Except as otherwise provided in this subsection, all fees collected by the State Engineer under the provisions of this section must be deposited in the State Treasury for credit to the General Fund. All fees received for blueprint copies of any drawing or map must be kept by him and used only to pay the costs of printing, replacement and maintenance of printing equipment. Any publication fees received which are not used by him for publication expenses must be returned to the persons who paid the fees. If, after exercising due diligence, the State Engineer is unable to make the refunds, he shall deposit the fees in the State Treasury for credit to the General Fund. The State Engineer may maintain, with the approval of the State Board of Examiners, a checking account in any bank or credit union qualified to handle state money to carry out the provisions of this subsection. The account must be secured by a depository bond satisfactory to the State Board of Examiners to the extent the account is not insured by the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund or a private insurer approved pursuant to NRS 678.755.

Sec. 2. This act becomes effective on July 1, 2009.