

ASSEMBLY BILL NO. 114—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON PUBLIC LANDS)

PREFILED FEBRUARY 3, 2011

Referred to Committee on Government Affairs

SUMMARY—Revises the amount of the fee for issuing and recording a certain permit for an existing water right for irrigational purposes. (BDR 48-209)

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; revising the amount of the fee for issuing and recording a permit to change the point of diversion or place of use only of an existing water right for irrigational purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law sets forth a schedule of fees that the State Engineer is required to
2 collect for providing various services relating to the appropriation of water for
3 beneficial uses in Nevada. In 2009, a fee of \$200 for issuing and recording a permit
4 to change the point of diversion or place of use only of an existing water right for
5 irrigational purposes was eliminated and the following fee became applicable to
6 such a permit: (1) a fee of \$250 for issuing and recording a permit to change an
7 existing water right for any purpose other than for watering livestock or wildlife
8 purposes or for certain uses concerning the generation of hydroelectric power; and
9 (2) an additional fee of \$3 for each acre-foot of water or fraction thereof approved
10 in the permit by the State Engineer. (Chapter 250, Statutes of Nevada 2009,
11 p. 1014; NRS 533.435) This bill reinstates and increases to \$500 the flat fee that
12 had been eliminated in 2009 for issuing and recording a permit to change the point
13 of diversion or place of use only of an existing water right for irrigational purposes.
14 Thus, under this bill, a person who is issued such a permit is required to pay a flat
15 fee of \$500 rather than a fee of \$250 plus an additional fee of \$3 for each acre-foot
16 of water or fraction thereof approved in the permit by the State Engineer.



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 \$300.00
This fee includes the cost of publication,
which is \$50.

For reviewing a corrected application or map, or
both, in connection with an application for a
permit to appropriate water 100.00

For examining and acting upon plans and
specifications for construction of a dam 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 200.00
This fee includes the cost of the publication
of the application, which is \$50.

For issuing and recording each permit to
appropriate water for any purpose, except for
generating hydroelectric power which results in
nonconsumptive use of the water or watering
livestock or wildlife purposes 300.00
plus \$3 per acre-foot approved or fraction
thereof.

~~For issuing and recording each permit to change an
existing right whether temporary or permanent
for any purpose, except~~ *Except* for generating
hydroelectric power which results in
nonconsumptive use of the water, for watering
livestock or wildlife purposes which change the
point of diversion or place of use only *or for
irrigational purposes which change the point of
diversion or place of use only, for issuing and
recording each permit to change an existing
right whether temporary or permanent for any
purpose* 250.00
plus \$3 per acre-foot approved or fraction
thereof.



1	<i>For issuing and recording each permit to change</i>	
2	<i>the point of diversion or place of use only of an</i>	
3	<i>existing right whether temporary or permanent</i>	
4	<i>for irrigational purposes.....</i>	<i>\$500.00</i>
5	For issuing and recording each permit to	
6	appropriate or change the point of diversion or	
7	place of use of an existing right only whether	
8	temporary or permanent for watering livestock	
9	or wildlife purposes.....	200.00
10	plus \$50 for each second-foot of water	
11	approved or fraction thereof.	
12	For issuing and recording each permit to	
13	appropriate or change an existing right whether	
14	temporary or permanent for water for generating	
15	hydroelectric power which results in	
16	nonconsumptive use of the water.....	400.00
17	plus \$50 for each second-foot of water	
18	approved or fraction thereof.	
19	For issuing a waiver in connection with an	
20	application to drill a well	100.00
21	For filing a secondary application under a reservoir	
22	permit	250.00
23	For approving and recording a secondary permit	
24	under a reservoir permit	450.00
25	For reviewing each tentative subdivision map.....	150.00
26	plus \$1 per lot.	
27	For reviewing and approving each final subdivision	
28	map.....	100.00
29	For storage approved under a dam permit for	
30	privately owned nonagricultural dams which	
31	store more than 50 acre-feet.....	400.00
32	plus \$1 per acre-foot storage capacity. This	
33	fee includes the cost of inspection and	
34	must be paid annually.	
35	For filing proof of completion of work	50.00
36	For filing proof of beneficial use	50.00
37	For filing proof of resumption of a water right.....	300.00
38	For filing any protest.....	25.00
39	For filing any application for extension of time	
40	within which to file proofs, for each year for	
41	which the extension of time is sought.....	100.00
42	For reviewing a cancellation of a water right	
43	pursuant to a petition for review	300.00



1	For examining and filing a report of conveyance	
2	filed pursuant to paragraph (a) of subsection 1 of	
3	NRS 533.384.....	\$100.00
4	plus \$20 per conveyance document	
5	For filing any other instrument	10.00
6	For making a copy of any document recorded or	
7	filed in the Office of the State Engineer, for the	
8	first page.....	1.00
9	For each additional page	.20
10	For certifying to copies of documents, records or	
11	maps, for each certificate	5.00
12	For each blueprint copy of any drawing or map, per	
13	square foot.....	5.00
14	The minimum charge for a blueprint copy, per print	3.00
15	For colored mylar plots	10.00
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17 2. When fees are not specified in subsection 1 for work
18 required of the Office of the State Engineer, the State Engineer shall
19 collect the actual cost of the work.

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

39 **Sec. 2.** This act becomes effective on July 1, 2011.

