

Amendment No. 710

Senate Amendment to Senate Bill No. 514	(BDR 48-903)
Proposed by: Senate Committee on Finance	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	
Adoption of this amendment will ADD an appropriation where one does not currently exist in S.B. 514.	

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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

JFD/EGO



Date: 5/15/2017

S.B. No. 514—Revises provisions governing the Division of Water Resources of the State Department of Conservation and Natural Resources.
(BDR 48-903)



SENATE BILL NO. 514—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE OFFICE OF FINANCE
IN THE OFFICE OF THE GOVERNOR)

MARCH 27, 2017

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing the Division of Water Resources of the State Department of Conservation and Natural Resources. (BDR 48-903)

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; ~~revising provisions governing money appropriated for the maintenance and operation of the South Fork Dam;~~ revising provisions governing the disposition of certain fees collected by the State Engineer; carrying forward certain money appropriated for the maintenance and operation of the South Fork Dam; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Section 1 of this bill provides that any money appropriated to the State Engineer or the Division of Water Resources of the State Department of Conservation and Natural Resources for the maintenance and operation of the South Fork Dam must be accounted for separately in the State General Fund, does not revert back to the State General Fund at the end of any fiscal year and carries forward to the next fiscal year.~~

Under existing law, certain fees collected by the State Engineer for services relating to the adjudication and appropriation of water are deposited into the Water Distribution Revolving Account. (NRS 533.135, 533.435) **Sections 2 and 3** of this bill provide that such fees collected by the State Engineer will be deposited into the State General Fund.

Existing law also provides that fees received by the State Engineer for blueprint copies of a drawing or map must be kept by the State Engineer and used to pay certain costs related to printing. (NRS 533.435) **Section 3** of this bill provides that fees received by the State Engineer for producing any copies must be kept by the State Engineer to pay such costs.

Section 3.3 of this bill carries forward to Fiscal Years 2017-2018 and 2018-2019 the balance of the money that was appropriated to the Division of Water Resources of the State Department of Conservation and Natural Resources for Fiscal Year 2016-2017 for the maintenance and operation of the South Fork Dam and which is unencumbered or unexpended at the end of Fiscal Year 2016-2017. (Section 26 of chapter 534, Statutes of Nevada 2015, p. 3675) Section 3.7 appropriates money to the Division of Water Resources for use for the maintenance and operation of the South Fork Dam until 2021.

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

Section 1. ~~[Chapter 532 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~Any money appropriated to the State Engineer or the Division of Water Resources of the State Department of Conservation and Natural Resources for the maintenance and operation of the South Fork Dam must be accounted for separately in the State General Fund. Any money remaining in the account at the end of a fiscal year:~~

~~1. Does not revert to the State General Funds and~~
~~2. Must be carried forward to the next fiscal year.]~~ (Deleted by amendment.)

Sec. 2. NRS 533.135 is hereby amended to read as follows:

533.135 1. At the time of submission of proofs of appropriation, where the necessary maps are prepared by the State Engineer, the fee collected from any claimants must be the actual cost of the survey and the preparation of maps.

2. The State Engineer shall collect a fee of \$60 for a proof of water used for watering livestock or wildlife purposes. The State Engineer shall collect a fee of \$120 for any other character of claim to water.

3. All fees collected as provided in this section must be accounted for in detail and deposited with the State Treasurer ~~into the Water Distribution Revolving Account created pursuant to NRS 532.210.]~~ for credit to the State General Fund.

Sec. 3. 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 \$360.00
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 water right permit 100.00

For examining and acting upon plans and specifications for construction of a dam 1,200.00

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 240.00
This fee includes the cost of publication, which is \$50.

For examining and filing an application for a temporary permit to change the point of diversion, manner of use or place of use of an existing right 180.00

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 wildlife purposes 360.00
plus \$3 per acre-foot approved or fraction thereof.

Except for generating hydroelectric power or wildlife purposes, for issuing and recording each permit to

1	change an existing water right whether temporary	
2	or permanent for any purpose	300.00
3	plus \$3 per acre-foot approved or fraction	
4	thereof.	
5	For issuing and recording each permit for additional	
6	rate of diversion where no additional volume of	
7	water is granted.....	1,000.00
8	For issuing and recording each permit to change the	
9	point of diversion or place of use only of an	
10	existing right whether temporary or permanent for	
11	irrigational purposes, a maximum fee of	750.00
12	For issuing and recording each permit to appropriate or	
13	change the point of diversion or place of use of an	
14	existing right whether temporary or permanent for	
15	watering livestock or wildlife purposes.....	240.00
16	plus \$50 for each foot of water approved or	
17	fraction thereof.	
18	For issuing and recording each permit to appropriate or	
19	change an existing right whether temporary or	
20	permanent for water for generating hydroelectric	
21	power which results in nonconsumptive use of the	
22	water.....	480.00
23	plus \$50 for each second-foot of water	
24	approved or fraction thereof.	
25	For issuing a waiver in connection with an application	
26	to drill a well.....	120.00
27	For filing and examining a notice of intent to drill a	
28	well.....	25.00
29	For filing and examining an affidavit to relinquish	
30	water rights in favor of use of water for domestic	
31	wells	300.00
32	For filing a secondary application under a reservoir	
33	permit	300.00
34	For approving and recording a secondary permit under	
35	a reservoir permit.....	540.00
36	For reviewing each tentative subdivision map	180.00
37	plus \$1 per lot.	
38	For reviewing and approving each final subdivision	
39	map.....	120.00
40	For storage approved under a dam permit for privately	
41	owned nonagricultural dams which store more than	
42	50 acre-feet.....	480.00
43	plus \$1.25 per acre-foot storage capacity. This	
44	fee includes the cost of inspection and must	
45	be paid annually.	
46	For flood control detention basins.....	480.00
47	plus \$1.25 per acre-foot storage capacity. This	
48	fee includes the cost of inspection and must	
49	be paid annually.	
50	For filing proof of completion of work	60.00
51	For filing proof of beneficial use	60.00
52	For issuing and recording a certificate upon approval of	
53	the proof of beneficial use	350.00

1	For filing proof of resumption of a water right	360.00
2	For filing any protest.....	30.00
3	For filing any application for extension of time within	
4	which to file proofs, of completion or beneficial	
5	use, for each year for which the extension of time is	
6	sought	120.00
7	For filing any application for extension of time to	
8	prevent a forfeiture, for each year for which the	
9	extension of time is sought.....	120.00
10	For reviewing a cancellation of a water right pursuant	
11	to a petition for review.....	360.00
12	For examining and filing a report of conveyance filed	
13	pursuant to paragraph (a) of subsection 1 of NRS	
14	533.384.....	120.00
15	plus \$20 per conveyance document.	
16	For filing any other instrument	10.00
17	For making a copy of any document recorded or filed in	
18	the Office of the State Engineer, for the first page	1.00
19	For each additional page	.20
20	For certifying to copies of documents, records or maps,	
21	for each certificate	6.00
22	For each copy of any full size drawing or map	6.00
23	For each color copy of any full size drawing or map (2'	
24	x 3').....	12.00
25	The minimum charge for a blueprint copy, per print	3.00
26	For colored mylar plots.....	10.00

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

3. 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 ~~Water Distribution Revolving Account created pursuant to NRS 532.210.~~ **State General Fund.** All fees received for ~~blueprint~~ copies of any drawing or map must be kept by the State Engineer and used only to pay the costs of printing, replacement and maintenance of printing equipment. Any publication fees received which are not used by the State Engineer 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, the State Engineer shall deposit the fees in the State Treasury for credit to the ~~Water Distribution Revolving Account created pursuant to NRS 532.210.~~ **State General Fund.**

Sec. 3.3. The balance of the appropriation made to the Division of Water Resources of the State Department of Conservation and Natural Resources pursuant to section 26 of chapter 534, Statutes of Nevada 2015, at page 3675, for Fiscal Year 2016-2017 for the maintenance and operation of the South Fork Dam that is unencumbered or unexpended at the end of Fiscal Year 2016-2017 does not revert to the State General Fund, must be carried forward to Fiscal Years 2017-2018 and 2018-2019 and is hereby authorized for use in Fiscal Years 2017-2018 and 2018-2019 for the maintenance and operation of the South Fork Dam.

Sec. 3.7. 1. There is hereby appropriated from the State General Fund to the Division of Water Resources of the State Department of Conservation and Natural Resources the sum of \$447,310 for the maintenance and operation of the South Fork Dam.

1 2. Any remaining balance of the appropriation made by subsection 1
2 must not be committed for expenditure after June 30, 2021, by the entity to
3 which the appropriation is made or any entity to which money from the
4 appropriation is granted or otherwise transferred in any manner, and any
5 portion of the appropriated money remaining must not be spent for any
6 purpose after September 17, 2021, by either the entity to which the money was
7 appropriated or the entity to which the money was subsequently granted or
8 transferred, and must be reverted to the State General Fund on or before
9 September 17, 2021.

10 Sec. 4. This act becomes effective on July 1, 2017.