

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 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:

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



18 Resources for use for the maintenance and operation of the South Fork Dam until
19 2021.

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 533.135 is hereby amended to read as follows:

3 533.135 1. At the time of submission of proofs of
4 appropriation, where the necessary maps are prepared by the State
5 Engineer, the fee collected from any claimants must be the actual
6 cost of the survey and the preparation of maps.

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

11 3. All fees collected as provided in this section must be
12 accounted for in detail and deposited with the State Treasurer ~~into~~
13 ~~the Water Distribution Revolving Account created pursuant to NRS~~
14 ~~532.210.~~ *for credit to the State General Fund.*

15 **Sec. 3.** NRS 533.435 is hereby amended to read as follows:

16 533.435 1. The State Engineer shall collect the following
17 fees:

18
19 For examining and filing an application for a
20 permit to appropriate water \$360.00

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

23 For reviewing a corrected application or map,
24 or both, in connection with an application
25 for a water right permit 100.00

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

28 For examining and filing an application for
29 each permit to change the point of
30 diversion, manner of use or place of use
31 of an existing right 240.00

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

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



1	For issuing and recording each permit to	
2	appropriate water for any purpose, except	
3	for generating hydroelectric power which	
4	results in nonconsumptive use of the	
5	water or wildlife purposes.....	\$360.00
6	plus \$3 per acre-foot approved or	
7	fraction thereof.	
8	Except for generating hydroelectric power or	
9	wildlife purposes, for issuing and	
10	recording each permit to change an	
11	existing water right whether temporary or	
12	permanent for any purpose.....	300.00
13	plus \$3 per acre-foot approved or	
14	fraction thereof.	
15	For issuing and recording each permit for	
16	additional rate of diversion where no	
17	additional volume of water is granted.....	1,000.00
18	For issuing and recording each permit to	
19	change the point of diversion or place of	
20	use only of an existing right whether	
21	temporary or permanent for irrigational	
22	purposes, a maximum fee of	750.00
23	For issuing and recording each permit to	
24	appropriate or change the point of	
25	diversion or place of use of an existing	
26	right whether temporary or permanent for	
27	watering livestock or wildlife purposes	240.00
28	plus \$50 for each foot of water	
29	approved or fraction thereof.	
30	For issuing and recording each permit to	
31	appropriate or change an existing right	
32	whether temporary or permanent for water	
33	for generating hydroelectric power which	
34	results in nonconsumptive use of the	
35	water.....	480.00
36	plus \$50 for each second-foot of water	
37	approved or fraction thereof.	
38	For issuing a waiver in connection with an	
39	application to drill a well.....	120.00
40	For filing and examining a notice of intent to	
41	drill a well	25.00
42	For filing and examining an affidavit to	
43	relinquish water rights in favor of use of	
44	water for domestic wells	300.00



1	For filing a secondary application under a	
2	reservoir permit	\$300.00
3	For approving and recording a secondary	
4	permit under a reservoir permit	540.00
5	For reviewing each tentative subdivision map	180.00
6	plus \$1 per lot.	
7	For reviewing and approving each final	
8	subdivision map	120.00
9	For storage approved under a dam permit for	
10	privately owned nonagricultural dams	
11	which store more than 50 acre-feet	480.00
12	plus \$1.25 per acre-foot storage	
13	capacity. This fee includes the cost	
14	of inspection and must be paid	
15	annually.	
16	For flood control detention basins	480.00
17	plus \$1.25 per acre-foot storage	
18	capacity. This fee includes the cost	
19	of inspection and must be paid	
20	annually.	
21	For filing proof of completion of work	60.00
22	For filing proof of beneficial use	60.00
23	For issuing and recording a certificate upon	
24	approval of the proof of beneficial use	350.00
25	For filing proof of resumption of a water	
26	right	360.00
27	For filing any protest	30.00
28	For filing any application for extension of	
29	time within which to file proofs, of	
30	completion or beneficial use, for each	
31	year for which the extension of time is	
32	sought	120.00
33	For filing any application for extension of	
34	time to prevent a forfeiture, for each year	
35	for which the extension of time is sought	120.00
36	For reviewing a cancellation of a water right	
37	pursuant to a petition for review	360.00
38	For examining and filing a report of	
39	conveyance filed pursuant to paragraph	
40	(a) of subsection 1 of NRS 533.384	120.00
41	plus \$20 per conveyance document.	
42	For filing any other instrument	10.00
43	For making a copy of any document recorded	
44	or filed in the Office of the State	
45	Engineer, for the first page	1.00



1	For each additional page.....	\$.20
2	For certifying to copies of documents,	
3	records or maps, for each certificate	6.00
4	For each copy of any full size drawing or	
5	map.....	6.00
6	For each color copy of any full size drawing	
7	or map (2' x 3')	12.00
8	The minimum charge for a blueprint copy,	
9	per print.....	3.00
10	For colored mylar plots	10.00

11

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

15 3. Except as otherwise provided in this subsection, all fees
16 collected by the State Engineer under the provisions of this section
17 must be deposited in the State Treasury for credit to the ~~Water~~
18 ~~Distribution Revolving Account created pursuant to NRS 532.210.~~
19 *State General Fund*. All fees received for ~~blueprint~~ copies of any
20 drawing or map must be kept by the State Engineer and used only to
21 pay the costs of printing, replacement and maintenance of printing
22 equipment. Any publication fees received which are not used by the
23 State Engineer for publication expenses must be returned to
24 the persons who paid the fees. If, after exercising due diligence, the
25 State Engineer is unable to make the refunds, the State Engineer
26 shall deposit the fees in the State Treasury for credit to the ~~Water~~
27 ~~Distribution Revolving Account created pursuant to NRS 532.210.~~
28 *State General Fund*.

29 **Sec. 3.3.** The balance of the appropriation made to the
30 Division of Water Resources of the State Department of
31 Conservation and Natural Resources pursuant to section 26 of
32 chapter 534, Statutes of Nevada 2015, at page 3675, for Fiscal Year
33 2016-2017 for the maintenance and operation of the South Fork
34 Dam that is unencumbered or unexpended at the end of Fiscal Year
35 2016-2017 does not revert to the State General Fund, must be
36 carried forward to Fiscal Years 2017-2018 and 2018-2019 and is
37 hereby authorized for use in Fiscal Years 2017-2018 and 2018-2019
38 for the maintenance and operation of the South Fork Dam.

39 **Sec. 3.7.** 1. There is hereby appropriated from the State
40 General Fund to the Division of Water Resources of the State
41 Department of Conservation and Natural Resources the sum of
42 \$447,310 for the maintenance and operation of the South Fork Dam.

43 2. Any remaining balance of the appropriation made by
44 subsection 1 must not be committed for expenditure after June 30,
45 2021, by the entity to which the appropriation is made or any entity



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

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

