SUMMARY—Revises provisions relating to the use of water. (BDR 48-478)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: No.

Effect on the State Highway Fund: No.

AN ACT relating to water; exempting from certain appropriation requirements the use of water by a county to maintain certain roads under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law, under certain circumstances, exempts certain uses of water from the requirements of the Nevada Revised Statutes relating to the appropriation of water. (NRS 533.027) **Section 1** of this bill also exempts the use of water by a county to maintain certain roads and requires that such use of water by a county: (1) not conflict with any existing water rights as determined by the State Engineer; (2) only be from within the basin where the county is performing maintenance of the road; (3) not exceed 2 acre-feet of water per year from any basin; and (4) occur in accordance with an agreement entered into between the county and any owner or holder of a water right of the surface water or well in which the county sources the water to be used.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN

SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 533.027 is hereby amended to read as follows:

533.027 1. The provisions of this chapter do not apply to:

(a) The use of water in emergency situations to extinguish fires by a public agency or a volunteer fire department; ~~[or]~~

(b) The de minimus collection of precipitation:

(1) From the rooftop of a single-family dwelling for nonpotable domestic use; or

(2) If the collection does not conflict with any existing water rights as determined by the State Engineer, in a guzzler to provide water for use by wildlife. The guzzler must:

(I) Have a capacity of 40,000 gallons or less;

(II) Have a capture area of 1 acre or less;

(III) Have a pipe length of 1/2 mile or less;

(IV) Be developed by a state or federal agency responsible for wildlife management or by any other person in consultation with the Department of Wildlife; and

(V) Be approved for use by the Department of Wildlife ~~[.]~~ ***; or***

(c) The use of water by a county to maintain a main, general or minor county road designated pursuant to NRS 403.170 or a public road as defined in subsection 2 of NRS 405.191. The use of water by a county in this manner must:

(1) Not conflict with any existing water rights as determined by the State Engineer;

(2) Only be from within the basin where the county is performing maintenance of the road;

(3) Not exceed 2 acre-feet of water per year from any basin; and

(4) Occur in accordance with an agreement entered into between the county and any owner or holder of a water right of the surface water or well in which the county sources the water to be used.

2. As used in this section:

(a) "Domestic use" has the meaning ascribed to it in NRS 534.013.

(b) "Guzzler" has the meaning ascribed to it in NRS 501.121.

(c) "Public agency" means an agency, bureau, board, commission, department or division of this State or a political subdivision of this State.

Sec. 2. This act becomes effective on July 1, 2027.