

SENATE BILL NO. 468—COMMITTEE ON FINANCE  
(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 25, 2013

Referred to Committee on Natural Resources

SUMMARY—Revises certain fees collected by the State Engineer.  
(BDR 48-1155)

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 fees collected by the State Engineer; 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. (NRS 533.135, 533.435, 533.437) This bill adds several  
4 additional fees and increases various existing fees collected by the State Engineer.

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

1 **Section 1.** NRS 533.135 is hereby amended to read as follows:  
2 533.135 1. At the time of submission of proofs of  
3 appropriation, where the necessary maps are prepared by the State  
4 Engineer, the fee collected from any claimants must be the actual  
5 cost of the survey and the preparation of maps.  
6 2. The State Engineer shall collect a fee of ~~150~~ **60** for a  
7 proof of water used for watering livestock or wildlife purposes. The  
8 State Engineer shall collect a fee of ~~100~~ **120** for any other  
9 character of claim to water.  
10 3. All fees collected as provided in this section must be  
11 accounted for in detail and deposited with the State Treasurer ~~1~~



1 *into the Water Distribution Revolving Account created pursuant to*  
2 *NRS 532.210.*

3 **Sec. 2.** NRS 533.435 is hereby amended to read as follows:

4 533.435 1. The State Engineer shall collect the following  
5 fees:

6  
7 For examining and filing an application  
8 for a permit to appropriate water..... ~~1,300.00~~ **360.00**

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

11 For reviewing a corrected application or  
12 map, or both, in connection with an  
13 application for a *water right* permit  
14 ~~{to appropriate water}~~..... 100.00

15 For examining and acting upon plans and  
16 specifications for construction of a  
17 dam..... ~~1,000.00~~ **1,200.00**

18 For examining and filing an application  
19 for each permit to change the point of  
20 diversion, manner of use or place of  
21 use of an existing right..... ~~200.00~~ **240.00**

22 This fee includes the cost of ~~{the}~~  
23 publication , ~~{of the}~~  
24 ~~application,}~~ which is \$50.

25 *For examining and filing an*  
26 *application for a temporary permit to*  
27 *change the point of diversion,*  
28 *manner of use or place of use of an*  
29 *existing right..... 180.00*

30 For issuing and recording each permit to  
31 appropriate water for any purpose,  
32 except for generating hydroelectric  
33 power which results in  
34 nonconsumptive use of the water ~~for~~  
35 ~~watering livestock}~~ or wildlife  
36 purposes..... ~~300.00~~ **360.00**

37 plus \$3 per acre-foot approved or  
38 fraction thereof.



1 Except for generating hydroelectric  
 2 power ~~{which results in~~  
 3 ~~nonconsumptive use of the water, for~~  
 4 ~~watering livestock}~~ or wildlife  
 5 purposes, ~~{which change the point of~~  
 6 ~~diversion or place of use only or for~~  
 7 ~~irrigational purposes which change~~  
 8 ~~the point of diversion or place of use~~  
 9 ~~only,}~~ for issuing and recording each  
 10 permit to change an existing *water*  
 11 right whether temporary or permanent  
 12 for any purpose..... ~~[\$250.00]~~ **\$300.00**  
 13 plus \$3 per acre-foot approved or  
 14 fraction thereof.

15 For issuing and recording each permit to  
 16 change the point of diversion or place  
 17 of use only of an existing right  
 18 whether temporary or permanent for  
 19 irrigational purposes, *a maximum*  
 20 *fee of*..... 750.00

21 For issuing and recording each permit to  
 22 appropriate or change the point of  
 23 diversion or place of use of an  
 24 existing right ~~{only}~~ whether  
 25 temporary or permanent for watering  
 26 livestock or wildlife purposes ..... ~~{200.00}~~ **240.00**  
 27 plus \$50 for each ~~{second}~~ foot of  
 28 water approved or fraction  
 29 thereof.

30 For issuing and recording each permit to  
 31 appropriate or change an existing  
 32 right whether temporary or permanent  
 33 for water for generating hydroelectric  
 34 power which results in  
 35 nonconsumptive use of the water ..... ~~{400.00}~~ **480.00**  
 36 plus \$50 for each second-foot of  
 37 water approved or fraction  
 38 thereof.

39 For issuing a waiver in connection with  
 40 an application to drill a well ..... ~~{100.00}~~ **120.00**  
 41 *For filing and examining a notice of*  
 42 *intent to drill a well*..... 25.00  
 43 *For filing and examining an affidavit to*  
 44 *relinquish water rights in favor of*  
 45 *use of water for domestic wells* ..... 300.00



1	For filing a secondary application under		
2	a reservoir permit .....	<del>1250.00</del>	300.00
3	For approving and recording a secondary		
4	permit under a reservoir permit.....	<del>450.00</del>	540.00
5	For reviewing each tentative subdivision		
6	map.....	<del>150.00</del>	180.00
7	plus \$1 per lot.		
8	For reviewing and approving each final		
9	subdivision map .....	<del>100.00</del>	120.00
10	For storage approved under a dam permit		
11	for privately owned nonagricultural		
12	dams which store more than 50 acre-		
13	feet.....	<del>400.00</del>	480.00
14	plus <del>1</del> \$1.25 per acre-foot		
15	storage capacity. This fee		
16	includes the cost of inspection		
17	and must be paid annually.		
18	<i>For flood control detention basins.....</i>		480.00
19	<i>plus \$1.25 per acre-foot storage</i>		
20	<i>capacity. This fee includes the</i>		
21	<i>cost of inspection and must be</i>		
22	<i>paid annually.</i>		
23	For filing proof of completion of work .....	<del>50.00</del>	60.00
24	For filing proof of beneficial use.....	<del>50.00</del>	60.00
25	<i>For issuing and recording a certificate</i>		
26	<i>upon approval of the proof of</i>		
27	<i>beneficial use.....</i>		350.00
28	For filing proof of resumption of a water		
29	right.....	<del>300.00</del>	360.00
30	For filing any protest.....	<del>25.00</del>	30.00
31	For filing any application for extension		
32	of time within which to file proofs, <i>of</i>		
33	<i>completion or beneficial use</i> , for		
34	each year for which the extension of		
35	time is sought .....	<del>100.00</del>	120.00
36	<i>For filing any application for extension</i>		
37	<i>of time to prevent a forfeiture, for</i>		
38	<i>each year for which the extension of</i>		
39	<i>time is sought.....</i>		120.00
40	For reviewing a cancellation of a water		
41	right pursuant to a petition for review .....	<del>300.00</del>	360.00



1	For examining and filing a report of	
2	conveyance filed pursuant to	
3	paragraph (a) of subsection 1 of	
4	NRS 533.384.....	<del>100.00</del> 120.00
5	plus \$20 per conveyance	
6	document	
7	For filing any other instrument.....	10.00
8	For making a copy of any document	
9	recorded or filed in the Office of the	
10	State Engineer, for the first page.....	1.00
11	For each additional page.....	.20
12	For certifying to copies of documents,	
13	records or maps, for each certificate .....	<del>5.00</del> 6.00
14	For each <del>blueprint</del> copy of any <i>full size</i>	
15	drawing or map <del>1. per square foot</del> .....	<del>5.00</del> 6.00
16	<i>For each color copy of any full size</i>	
17	<i>drawing or map (2' x 3').....</i>	<i>12.00</i>
18	The minimum charge for a blueprint	
19	copy, per print .....	3.00
20	For colored mylar plots .....	10.00

21  
22 2. When fees are not specified in subsection 1 for work  
23 required of the Office of the State Engineer, the State Engineer shall  
24 collect the actual cost of the work.

25 3. Except as otherwise provided in this subsection, all fees  
26 collected by the State Engineer under the provisions of this section  
27 must be deposited in the State Treasury for credit to the ~~State~~  
28 ~~General Fund.~~ *Water Distribution Revolving Account created*  
29 *pursuant to NRS 532.210.* All fees received for blueprint copies of  
30 any drawing or map must be kept by the State Engineer and used  
31 only to pay the costs of printing, replacement and maintenance of  
32 printing equipment. Any publication fees received which are not  
33 used by the State Engineer for publication expenses must be  
34 returned to the persons who paid the fees. If, after exercising due  
35 diligence, the State Engineer is unable to make the refunds, the State  
36 Engineer shall deposit the fees in the State Treasury for credit to the  
37 ~~State General Fund. The State Engineer may maintain, with the~~  
38 ~~approval of the State Board of Examiners, a checking account in any~~  
39 ~~bank or credit union qualified to handle state money to carry out the~~  
40 ~~provisions of this subsection. The account must be secured by a~~  
41 ~~depository bond satisfactory to the State Board of Examiners to the~~  
42 ~~extent the account is not insured by the Federal Deposit Insurance~~  
43 ~~Corporation, the National Credit Union Share Insurance Fund or a~~  
44 ~~private insurer approved pursuant to NRS 678.755.~~ *Water*  
45 *Distribution Revolving Account created pursuant to NRS 532.210.*



1       **Sec. 3.** NRS 533.4373 is hereby amended to read as follows:  
2       533.4373 In addition to the information required by NRS  
3       533.335, an applicant for an environmental permit shall submit to  
4       the State Engineer:

5       1. A copy of a letter or order issued by the Division of  
6       Environmental Protection of the State Department of Conservation  
7       and Natural Resources requiring the applicant to take steps to  
8       protect the environment;

9       2. Any other information which is necessary for a full  
10      understanding of the necessity of the appropriation; and

11      3. For examining and filing the application for the  
12      environmental permit, ~~+\$150+~~ **\$180**. For issuing and recording the  
13      environmental permit, ~~+\$150 plus \$1+~~ **\$180 plus \$3** per acre-foot  
14      approved or fraction thereof.

15      **Sec. 4.** This act becomes effective on July 1, 2013.

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