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FIRST REPRINT

S.B. 468

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; revising provisions governing 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~~



* S B 4 6 8 R 1 *

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

3 **Sec. 2.** NRS 533.340 is hereby amended to read as follows:

4 533.340 In addition to the requirements of NRS 533.335, the
5 application shall contain:

6 1. If for irrigation purposes, except in case of an application for
7 a permit to store water, the number of acres to be irrigated and a
8 description by legal subdivisions, where possible, of the lands to be
9 irrigated.

10 2. If for power purposes, the vertical head under which the
11 water will be applied, the location of the proposed powerhouse, and,
12 as near as may be, the use to which the power is to be applied.

13 3. If for municipal supply or for domestic use, the approximate
14 number of persons to be served, and the approximate future
15 requirement.

16 4. If for mining purposes, the proposed method of applying and
17 utilizing the water.

18 5. If for stock-watering purposes, the approximate number and
19 character of animals to be watered.

20 6. If for any purpose contemplating the storage of waters, in
21 addition to the information required in applications naming the
22 purpose, the dimensions and location of the proposed dam, the
23 capacity of the proposed reservoir, and a description of the land to
24 be submerged by the impounded waters.

25 *7. If for additional rate of diversion where no additional*
26 *volume of water is granted, sufficient information demonstrating*
27 *the need for the additional rate of diversion.*

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

29 533.435 1. The State Engineer shall collect the following
30 fees:

31		
32	For examining and filing an application	
33	for a permit to appropriate water.....	1,300.00 1,360.00
34	This fee includes the cost of	
35	publication, which is \$50.	
36	For reviewing a corrected application or	
37	map, or both, in connection with an	
38	application for a <i>water right</i> permit	
39	to appropriate water}.....	100.00
40	For examining and acting upon plans and	
41	specifications for construction of a	
42	dam.....	1,000.00 1,200.00
43	For examining and filing an application	
44	for each permit to change the point of	



1 diversion, manner of use or place of
2 use of an existing right ~~[\$200.00]~~ \$240.00

3 This fee includes the cost of ~~the~~
4 publication , ~~of the~~
5 ~~application,~~ which is \$50.

6 *For examining and filing an*
7 *application for a temporary permit to*
8 *change the point of diversion,*
9 *manner of use or place of use of an*
10 *existing right..... 180.00*

11 For issuing and recording each permit to
12 appropriate water for any purpose,
13 except for generating hydroelectric
14 power which results in
15 nonconsumptive use of the water ~~for~~
16 ~~watering livestock~~ or wildlife
17 purposes..... ~~[\$300.00]~~ 360.00

18 plus \$3 per acre-foot approved or
19 fraction thereof.

20 Except for generating hydroelectric
21 power ~~which results in~~
22 ~~nonconsumptive use of the water, for~~
23 ~~watering livestock~~ or wildlife
24 purposes , ~~which change the point of~~
25 ~~diversion or place of use only or for~~
26 ~~irrigational purposes which change~~
27 ~~the point of diversion or place of use~~
28 ~~only,~~ for issuing and recording each
29 permit to change an existing *water*
30 right whether temporary or permanent
31 for any purpose..... ~~[\$250.00]~~ 300.00

32 plus \$3 per acre-foot approved or
33 fraction thereof.

34 *For issuing and recording each permit*
35 *for additional rate of diversion*
36 *where no additional volume of water*
37 *is granted 1,000.00*

38 For issuing and recording each permit to
39 change the point of diversion or place
40 of use only of an existing right
41 whether temporary or permanent for
42 irrigational purposes , *a maximum*
43 *fee of*..... 750.00

44 For issuing and recording each permit to
45 appropriate or change the point of



1	diversion or place of use of an	
2	existing right only whether	
3	temporary or permanent for watering	
4	livestock or wildlife purposes	1200.00 240.00
5	plus \$50 for each second foot of	
6	water approved or fraction	
7	thereof.	
8	For issuing and recording each permit to	
9	appropriate or change an existing	
10	right whether temporary or permanent	
11	for water for generating hydroelectric	
12	power which results in	
13	nonconsumptive use of the water	400.00 480.00
14	plus \$50 for each second-foot of	
15	water approved or fraction	
16	thereof.	
17	For issuing a waiver in connection with	
18	an application to drill a well	100.00 120.00
19	<i>For filing and examining a notice of</i>	
20	<i>intent to drill a well.....</i>	25.00
21	<i>For filing and examining an affidavit to</i>	
22	<i>relinquish water rights in favor of</i>	
23	<i>use of water for domestic wells</i>	300.00
24	For filing a secondary application under	
25	a reservoir permit	250.00 300.00
26	For approving and recording a secondary	
27	permit under a reservoir permit	450.00 540.00
28	For reviewing each tentative subdivision	
29	map	150.00 180.00
30	plus \$1 per lot.	
31	For reviewing and approving each final	
32	subdivision map	100.00 120.00
33	For storage approved under a dam permit	
34	for privately owned nonagricultural	
35	dams which store more than 50 acre-	
36	feet.....	400.00 480.00
37	plus \$4 \$1.25 per acre-foot	
38	storage capacity. This fee	
39	includes the cost of inspection	
40	and must be paid annually.	
41	<i>For flood control detention basins.....</i>	480.00
42	<i>plus \$1.25 per acre-foot storage</i>	
43	<i>capacity. This fee includes the</i>	
44	<i>cost of inspection and must be</i>	
45	<i>paid annually.</i>	



1	For filing proof of completion of work	150.00 60.00
2	For filing proof of beneficial use.....	50.00 60.00
3	<i>For issuing and recording a certificate</i>	
4	<i>upon approval of the proof of</i>	
5	<i>beneficial use.....</i>	350.00
6	For filing proof of resumption of a water	
7	right	300.00 360.00
8	For filing any protest.....	25.00 30.00
9	For filing any application for extension	
10	of time within which to file proofs, <i>of</i>	
11	<i>completion or beneficial use</i> , for	
12	each year for which the extension of	
13	time is sought	100.00 120.00
14	<i>For filing any application for extension</i>	
15	<i>of time to prevent a forfeiture, for</i>	
16	<i>each year for which the extension of</i>	
17	<i>time is sought.....</i>	120.00
18	For reviewing a cancellation of a water	
19	right pursuant to a petition for review	300.00 360.00
20	For examining and filing a report of	
21	conveyance filed pursuant to	
22	paragraph (a) of subsection 1 of	
23	NRS 533.384	100.00 120.00
24	plus \$20 per conveyance	
25	document	
26	For filing any other instrument.....	10.00
27	For making a copy of any document	
28	recorded or filed in the Office of the	
29	State Engineer, for the first page.....	1.00
30	For each additional page.....	.20
31	For certifying to copies of documents,	
32	records or maps, for each certificate	5.00 6.00
33	For each blueprint copy of any <i>full size</i>	
34	drawing or map 1. per square foot	5.00 6.00
35	<i>For each color copy of any full size</i>	
36	<i>drawing or map (2' x 3').....</i>	12.00
37	The minimum charge for a blueprint	
38	copy, per print	3.00
39	For colored mylar plots	10.00

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

44 3. Except as otherwise provided in this subsection, all fees
45 collected by the State Engineer under the provisions of this section



1 must be deposited in the State Treasury for credit to the ~~{State~~
2 ~~General Fund.}~~ *Water Distribution Revolving Account created*
3 *pursuant to NRS 532.210.* All fees received for blueprint copies of
4 any drawing or map must be kept by the State Engineer and used
5 only to pay the costs of printing, replacement and maintenance of
6 printing equipment. Any publication fees received which are not
7 used by the State Engineer for publication expenses must be
8 returned to the persons who paid the fees. If, after exercising due
9 diligence, the State Engineer is unable to make the refunds, the State
10 Engineer shall deposit the fees in the State Treasury for credit to the
11 ~~{State General Fund. The State Engineer may maintain, with the~~
12 ~~approval of the State Board of Examiners, a checking account in any~~
13 ~~bank or credit union qualified to handle state money to carry out the~~
14 ~~provisions of this subsection. The account must be secured by a~~
15 ~~depository bond satisfactory to the State Board of Examiners to the~~
16 ~~extent the account is not insured by the Federal Deposit Insurance~~
17 ~~Corporation, the National Credit Union Share Insurance Fund or a~~
18 ~~private insurer approved pursuant to NRS 678.755.}~~ *Water*
19 *Distribution Revolving Account created pursuant to NRS 532.210.*

20 **Sec. 4.** NRS 533.4373 is hereby amended to read as follows:
21 533.4373 In addition to the information required by NRS
22 533.335, an applicant for an environmental permit shall submit to
23 the State Engineer:

24 1. A copy of a letter or order issued by the Division of
25 Environmental Protection of the State Department of Conservation
26 and Natural Resources requiring the applicant to take steps to
27 protect the environment;

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

30 3. For examining and filing the application for the
31 environmental permit, ~~{ \$150. }~~ *\$180.* For issuing and recording the
32 environmental permit, ~~{ \$150 plus \$1 }~~ *\$180 plus \$3* per acre-foot
33 approved or fraction thereof.

34 **Sec. 5.** This act becomes effective on July 1, 2013.

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