

CHAPTER.....

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

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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

Section 1. (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 change an existing water right whether temporary or permanent for any purpose.....	300.00
plus \$3 per acre-foot approved or fraction thereof.	
For issuing and recording each permit for additional rate of diversion where no additional volume of water is granted	1,000.00



For issuing and recording each permit to change the point of diversion or place of use only of an existing right whether temporary or permanent for irrigational purposes, a maximum fee of	\$750.00
For issuing and recording each permit to appropriate or change the point of diversion or place of use of an existing right whether temporary or permanent for watering livestock or wildlife purposes	240.00
plus \$50 for each foot of water approved or fraction thereof.	
For issuing and recording each permit to appropriate or change an existing right whether temporary or permanent for water for generating hydroelectric power which results in nonconsumptive use of the water.....	480.00
plus \$50 for each second-foot of water approved or fraction thereof.	
For issuing a waiver in connection with an application to drill a well.....	120.00
For filing and examining a notice of intent to drill a well	25.00
For filing and examining an affidavit to relinquish water rights in favor of use of water for domestic wells	300.00
For filing a secondary application under a reservoir permit	300.00
For approving and recording a secondary permit under a reservoir permit.....	540.00
For reviewing each tentative subdivision map	180.00
plus \$1 per lot.	
For reviewing and approving each final subdivision map	120.00
For storage approved under a dam permit for privately owned nonagricultural dams which store more than 50 acre-feet	480.00
plus \$1.25 per acre-foot storage capacity. This fee includes the cost of inspection and must be paid annually.	



For flood control detention basins	\$480.00
plus \$1.25 per acre-foot storage capacity. This fee includes the cost of inspection and must be paid annually.	
For filing proof of completion of work	60.00
For filing proof of beneficial use.....	60.00
For issuing and recording a certificate upon approval of the proof of beneficial use.....	350.00
For filing proof of resumption of a water right	360.00
For filing any protest.....	30.00
For filing any application for extension of time within which to file proofs, of completion or beneficial use, for each year for which the extension of time is sought.....	120.00
For filing any application for extension of time to prevent a forfeiture, for each year for which the extension of time is sought	120.00
For reviewing a cancellation of a water right pursuant to a petition for review	360.00
For examining and filing a report of conveyance filed pursuant to paragraph (a) of subsection 1 of NRS 533.384	120.00
plus \$20 per conveyance document.	
For filing any other instrument.....	10.00
For making a copy of any document recorded or filed in the Office of the State Engineer, for the first page.....	1.00
For each additional page.....	.20
For certifying to copies of documents, records or maps, for each certificate	6.00
For each copy of any full size drawing or map.....	6.00
For each color copy of any full size drawing or map (2' x 3').....	12.00
The minimum charge for a blueprint copy, per print.....	3.00
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.

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

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

