

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

**INTRODUCTORY COMMENTS
FOR
SENATE JOINT RESOLUTION NO. 1
(First Reprint)**

SENATE JOINT RESOLUTION NO. 1 URGES THE SECRETARY OF THE INTERIOR TO AMEND THE FEDERAL REGULATIONS ADOPTED THROUGH "RANGELAND REFORM 1994" AS THEY RELATE TO STOCKWATER RIGHTS.

THE RESOLUTION URGES THE SECRETARY TO DELETE THE PROVISION THAT EFFECTIVELY ELIMINATES THE OPTION UNDER NEVADA LAW FOR A RANCHER TO HOLD RIGHTS TO WATER LIVESTOCK SOLELY IN HIS OWN NAME.

BACKGROUND INFORMATION

- THE BLM IS CURRENTLY HOLDING A ROUND OF PUBLIC HEARINGS ON THE AGENCY'S RANGELAND REGULATIONS, SO S.J.R. 1 IS ESPECIALLY RELEVANT AT THIS TIME.

- THE WHOLE ISSUE OF WHO HOLDS THE WATER RIGHTS FOR LIVESTOCK GRAZING ON PUBLIC LANDS "CAME TO A HEAD" IN 1994 WHEN THE BLM INCLUDED THE FOLLOWING SENTENCE IN ITS REGULATIONS:

"TO THE EXTENT ALLOWED BY THE LAW OF THE STATE WITHIN WHICH THE LAND IS LOCATED, ANY SUCH WATER RIGHT SHALL BE ACQUIRED, PERFECTED, MAINTAINED, AND ADMINISTERED IN THE NAME OF THE UNITED STATES."

ASSEMBLY NATURAL RES., AGRICULTURE & MINING
DATE: 4/28/03 ROOM: 3161 EXHIBIT C1-2
SUBMITTED BY: Dean Rhoads

- THE EFFECT OF THIS SENTENCE IS TO REQUIRE THAT ALL STOCKWATER RIGHTS BE HELD EITHER EXCLUSIVELY BY THE BLM IF STATE LAW ALLOWS IT, OR JOINTLY BY THE AGENCY AND THE RANGE USER IF STATE LAW ALLOWS THIS APPROACH. IN EITHER CASE, THE REGULATION EFFECTIVELY PRECLUDES A RANGE USER FROM OBTAINING A STOCKWATER RIGHT SOLELY IN HIS OWN NAME.
- LATER THIS SESSION, YOU WILL BE HEARING S.B. 76 WHICH IS THE LEGISLATURE'S SECOND ATTEMPT TO ADDRESS THE STOCKWATER SITUATION BY STATE LAW, AND WE CAN TALK ABOUT THAT BILL WHEN YOU HEAR IT.
- BUT, THE RESOLUTION BEFORE YOU TODAY IS DESIGNED TO APPROACH THE SITUATION FROM THE OTHER DIRECTION AND GET THIS PROVISION TAKEN OUT OF THE FEDERAL REGULATIONS. IF THIS SENTENCE IS REMOVED FROM THE REGULATIONS, AT LEAST A RANCHER WHO PAYS FOR THE DEVELOPMENT OF WATER RESOURCES WITH HIS OWN MONEY SHOULD BE ABLE TO RECEIVE A WATER RIGHT SOLELY IN HIS OWN NAME.
- APPROVAL OF S.J.R. 1 AND REMOVAL OF THE SENTENCE FROM THE BLM REGULATIONS WOULD NOT SOLVE THE WHOLE PROBLEM THAT WE WILL DISCUSS WHEN YOU HEAR S.B. 76, BUT IT WOULD GO A LONG WAY TOWARD THAT GOAL, AND I WOULD URGE YOUR SUPPORT OF THE RESOLUTION ON THESE GROUNDS.