

Assembly Bill No. 6—Committee on Natural Resources

CHAPTER.....

AN ACT relating to water; revising provisions governing an application for a temporary change relating to water already appropriated; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

With certain exceptions, existing law requires a person who wishes to change the place of diversion, manner of use or place of use of water already appropriated to apply to the State Engineer for a permit to do so. (NRS 533.325) Existing law requires the State Engineer to hold a hearing on an application for a temporary change to the place of diversion, manner of use or place of use of water already appropriated if the State Engineer determines that such a change may not be in the public interest or may impair the water rights of others. (NRS 533.345) This bill clarifies that a person may file a written protest against the granting of an application for a temporary change and provides that the State Engineer may hold a hearing in accordance with the procedures set forth in existing law.

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. NRS 533.345 is hereby amended to read as follows:

533.345 1. Every application for a permit to change the place of diversion, manner of use or place of use of water already appropriated must contain such information as may be necessary to a full understanding of the proposed change, as may be required by the State Engineer.

2. If an applicant is seeking a temporary change of place of diversion, manner of use or place of use of water already appropriated, the State Engineer shall approve the application if:

- (a) The application is accompanied by the prescribed fees;
- (b) The temporary change is in the public interest; and
- (c) The temporary change does not impair the water rights held by other persons.

3. If the State Engineer determines that the temporary change may not be in the public interest, or may impair the water rights held by other persons, the State Engineer shall give notice of the application as provided in NRS 533.360 . ~~and hold a hearing and render a decision as provided in this chapter.~~ *Any person interested may file a written protest to the application and the State Engineer may hold a hearing before rendering a decision in accordance with the provisions of NRS 533.365.*



4. A temporary change may be granted for any period not to exceed 1 year.

Sec. 2. This act becomes effective on July 1, 2021.

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