



Legislative Update

BDR = Bill Draft Requests
NELIS: Resource for Everything
 Happening in the Legislature

 **Water Strategy Group**
 Nevada Natural Resource Policy Experts

SB = [Senate Bill](#) | **AB** = [Assembly Bill](#)
[Legislative Committees](#)
 ➤ [Assembly Natural Resources](#)
 ➤ [Senate Natural Resources](#)

About the Legislative Update

This report, compiled by the Water Strategy Group (WSG) and Meridian Nevada, is regularly updated with current and forthcoming legislative proposals in the 2025 Nevada Legislative Session, which may impact the businesses and industries we engage with daily.

Overall Legislative Schedule

Date	Day	Key Legislative Task
1-May	Thu	Economic Forum Report Due
5-May	Mon	Start Resolving Budget Differences
16-May	Fri	Committee Passage (Second House)
17-May	Sat	Finish Budget Differences
23-May	Fri	Second House Passage
28-May	Wed	Budget Bills Introduced and Exempt Bills from Committee

Select Bill Summaries

This section covers bills of primary interest, as of the date of this report, with a more comprehensive tracking table included in Exhibit 1.

[AB104](#) / [SB36](#)

These are related bills that propose the creation of a 'Nevada Water Buy-Back Initiative' for retiring water rights with the program **intended to** sunset in 2035. As written, these bills would require the State Engineer to reject groundwater right applications if the groundwater has been retired, which may apply to the entire basin. See below for more details on

AB104 and SB36. **Both bills were modified by the Legislative Council Bureau (LCB) after passage out of their respective Committees.**

[AB9](#)

Under [NRS 533.0243](#), a person is already allowed to temporarily convert agricultural water rights for wildlife purposes or to improve the flow quality of water for up to 3 years, which may be extended in increments of up to 3 years at a time. This bill would allow for temporary conversions of up to 5 years with 5-year extensions. See below and Exhibit 3 for additional information on the version will be sent to the Senate as amended.

[AB419](#)

As originally introduced, this bill would have, among other things, require State Engineer comply with Administrative Procedures Act for adopting regulations. Other proposals in the original bill include would have required new regulations to establish a pre-application review process, with reductions in the amount of time allowed for approving or rejecting certain applications, and a requirement for the State Engineer to issue preliminary determinations on certain applications. Another proposed change in this bill would have revised provisions relating to judicial review decisions by the State Engineer. **The current version of the bill has been substantially reduced (in scope) with only Sections 1, 4, and 10 (portions) remaining. See below for additional details.**



Coyote Springs Nevada is a proposed master planned development in Southern Nevada, a portion of which would be within Lincoln County. The Lincoln County Water District, along with Vidler Water Company, are intimately involved in AB419.

SB31

In 2017, [NRS 533.087](#) was adopted to require a date of December 31, 2027 in which a claimant of any vested water right must file proof, otherwise such claim would be considered abandoned. SB31 was proposed by the State Engineer to exempt the Federal Government from the deadline for filing reserved or vested claims before the 2027 cutoff.

Weekly Highlights

The 83rd Nevada Legislative Session began on Monday, February 3, 2025. Each week, WSG will use this Section to describe certain developments **with tracked legislation** and interpretations of select bills that will help each client assess potential implications to their business. **This information is intended** to help determine if any WSG client should plan on taking a public position in support of or against a bill and/or proposed amendment.

WSG continues monitoring and engaging on 17 bills going forward. **While the last week was relatively slow (compared to prior weeks)**, WSG and Meridian spent most of our time working on SB31 and **AB104** trying to sort out some confusion **around LCB-driven changes that occurred prior to first house passage**, as explained below.

SB31 Background

WSG commented extensively on this bill and our opposition in our March 9th (Week 5), April 6th (Week 9), April 13th (Week 10), and April 19th (Week 11) reports.

On Friday, Apr. 25th, WSG and Meridian met with Assemblyman Howard Watts to discuss our concerns with SB31. Mr. Watts will play a critical role in educating his caucus members and steering this bill through the Natural Resources Committee. While Mr. Watts was clear in his

intent to keep a deadline in place (preferring to keep the current 2027 deadline) for filing vested claims, he understood the importance in addressing the proposed exemption for the Federal Government including a potential interim study as recommended by WSG. He also agreed to meet with Chairwoman Anderson to delay a hearing until we had time to meet with other committee members.



Senator Patrick A. McCarran, Courtesy: UNLV Edwards Collection

AB419 Background

This is another bill in which WSG has been actively engaged and we reported extensively on it last week where it passed out of committee with only Sections 1, 4, and 10 included. It will now head to the Ways and Means Committee, which has not been scheduled **for** a hearing yet.

Below is a summary of the portions of AB419 that passed out of committee based on the published Work Session document, but it is unclear at this point what exactly was included in Section 10. These Sections are summarized below:

- (Section 1): Requirement for State Engineer to establish regulations with requirements for pre-application meetings when requested by the applicant,
- (Section 4): Requiring biennial reporting by the State Engineer to the Legislature on all pending applications, with notation of those that have been pending for 2 or more years, and each ruling pending a final decision by the State Engineer for 2 or more years,
- (Section 10): **This section would subject the State Engineer's Office to certain requirements under the Administrative Procedures act, but those details are not currently available. The bill sponsor has convened a 'Working Group' to sort out these details prior to further scheduling on the bill. It is anticipated that WSG will participate in this 'Working Group.'**

Based on the limited scope in what passed in AB419, WSG is now supportive and will continue working to help get this bill passed without placing an unreasonable (increased burden) on the NDWR.

AB104 / SB36 Background

During WSG’s participation in a legislative stakeholder group that developed the language for this bill, we expressed concern with language in Section 2 that essentially ties the hands of the State Engineer when considering applications in basins where water rights have been retired. Naturally, the Environmental NGOs in this group supported the language, but those of us who advocate for maximizing beneficial use saw a major problem. In our opinion, if a previously over-pumped basin is brought back into balance by retirements and water resources are available for appropriation (i.e. due to new science supporting higher water availability), then the State Engineer should be able to process those applications in accordance with [NRS 533.370](#). Fortunately, in both bill versions that passed their respective committees, Section 2 was revised as recommended by WSG and Section 3 was removed.

As we have previously reported, most of the testimony for AB104 and SB36 was in support of the bills as amended, with only one testimony in opposition for both. It is interesting to note that the ‘buy-back’ program contemplated in AB104 is being modeled after the [2024 Nevada Water Conservation and Infrastructure Initiative](#), where \$25 million in federal grants were used to fund groundwater retirements from willing parties. However, as shown in a recent [DRI presentation](#) at the 2025 [NWRA Conference](#), only 47% of the groundwater retired as part of the 2024 program was actually ‘wet water’, which means that private entities were paid with federal tax dollars to retire water rights being utilized at less than 50%. This rather embarrassing fact was never mentioned during the AB104 and SB36 hearings.

Unfortunately, during the last week, in advance of the floor votes in their respective houses, the LCB added the original language back into Sections 2 and 3 claiming it was necessary for ‘conforming’ purposes. This is a major problem and if either (AB104 or SB36) pass with Sections 2 and 3, as originally introduced, it will tie the hands of the State Engineer and prevent him from considering/approving any applications for new water rights in basins where retirements have occurred. In conversations with the State Engineer, it is our understanding that he agrees with our assessment of this risk and also believes that we need to get Sections 2 and 3 back to or similar to what passed out of Committee(s).

It should also be noted that WSG participated in the NvMA Water Working Group (WWG) meeting this last week, where it was decided that the industry would take an opposing position to AB104 unless Sections 2 and 3 were properly addressed.

WSG plans to invest substantial effort in addressing AB104 (and SB36, if necessary) going forward. See Exhibit 3 for a comparison between the versions of AB104/SB36 that

passed out of committee vs. the LCB changes prior to floor vote.

AB9 Background

WSG has been quiet regarding this bill over last several weeks, but it was stated during last week’s NvMA WWG meeting that the Association was now opposed to the bill. Even though no reason was provided for this sudden change, it is clear that the Mining Association is now better aligned with the original position taken by WSG in opposing this bill as stated in our Exhibit posted on NELIS at:

- [2025 AB9 Testimony in Opposition - Water Strategy Group submitted by Jay Dixon](#)

Tracking Table

A detailed (hyperlinked) tracking table is attached to this report ([see Exhibit 1](#)). One of the main objectives for this report is to inform on BDRs initially targeted for review and consideration as to how they may affect WSG clients. As details emerge and hearings are completed, some of these bills will be removed from the tracking table unless a client requests them to remain or be added back. Each week the Exhibit 1 tracking table is highlighted with red text when updates, additions or changes are made.

Recent Meetings & Hearings

The following hyperlinked table can be used to quickly access meeting and hearing details from the prior week on the Nevada Legislative website. For a summary of each (tracked) bill hearing, summarized notes are provided in Exhibit 2.

<u>DATE</u>	<u>BILL</u>	<u>BILL MEETING & HEARING NOTES (EXHIBIT 2)</u>	<u>RESULT</u>
4-Apr	AB26	Hearing on AB26 - Revises provisions relating to Dams	Heard

Upcoming Meetings / Hearings

Bills that passed out of 1st house committees will be scheduled for money committees, floor sessions and votes in the coming weeks.

<u>DATE</u>	<u>DAY</u>	<u>BILL HEARING LINK</u>
29-Apr	Tues.	Hearing on AB429 - relating to easements
30-Apr	Wed.	Hearing on SB43 - relating to drinking water and waste management

WSG Clients

WSG strives to avoid conflicts of interest, which requires transparent communications regarding our work in the Legislature and the clients we are representing. Below is a summary of each of the business entities associated with WSG's lobbying activities during the Legislative Session.

[Gold Standard Ventures \(US\) Inc. \(Orla Mining\)](#)

Gold Standard Ventures (US) Inc. (GSV) was acquired by Orla Mining in 2022. Orla Mining (Orla) is an emerging, growth-oriented, low-cost, mid-tier gold producer. GSV/Orla is in the feasibility and permitting stages of an open pit, heap leach project located on the prolific Carlin trend in Elko County Nevada. Specifically, the GSV/Orla team is pursuing development of the South Railroad Project, which is a low-complexity project with robust economics, situated on a highly prospective land package known as the South Carlin Complex that would support open pit mining and heap leach production from the Dark Star and Pinion deposits over an eight-year mine life.

[Mason Resources \(Hudbay Minerals Inc\)](#)

The Mason project is a large greenfield copper deposit located in the historic Yerington District of Nevada and is one of the largest undeveloped copper porphyry deposits in North America. The Mason deposit is a large tonnage, copper-molybdenum deposit and is planned to be a traditional open pit shovel/truck operation with a copper sulphide mineral processing plant producing commercial grade copper and molybdenum concentrate. The plant is designed to operate at a throughput rate of 120,000 tonnes per day.

[Singatse Peak Services \(Lion Copper and Gold\)](#)

Singatse Peak Services (SPS) is a subsidiary of Lion Copper and Gold (LCG) and is in various stages of project exploration, evaluation and permitting a handful of projects within their larger Mason Valley project portfolio, which includes financial backing from Rio Tinto. Mason Valley is the site of a large, historic copper camp in a premier jurisdiction 50 miles southeast of Reno. The MacArthur Project represents the advancement of a large oxide copper deposit. The Yerington Project includes 11 square miles of patented claims and fee mineral properties centered on a former open pit copper mine.

BTaz Nevada LLC

BTaz Nevada (BTaz) is one of the largest agricultural producers in the state, operating within six Nevada counties. BTaz owns approximately 32,500 acres of private land associated with its farming operations and possesses grazing permits on nearly 3.6 million acres of public (BLM and Forest Service) land. BTaz manages up to 15,000 head of cattle and maintains nearly 300 active surface and groundwater rights in Nevada.

Flying M Ranch (dba The Rose of Snowville)

The Flying M Ranch is situated in the Lower Humboldt River Region near Imlay. This large ranching operation includes three BLM Grazing Allotments spanning 881 mi² and nearly 23,000 acres of private land supporting up to 2,500 head of cattle. The livestock operation is supported by 68 surface water rights and 39 groundwater rights for stockwater. Additionally, the Flying M Ranch owns 3,527 acre-ft of decreed Humboldt River rights for irrigation on 2,410 acres of land, which includes 2,530 acre-ft of some of the most senior decreed rights on the river with 1863 and 1864 priority dates.



[Dixon Hydrologic, PLLC](#)

Meridian Nevada

WSG works closely with [Meridian Nevada](#), which specializes in strategic consulting services for businesses, organizations, and agencies that are looking to thrive and make a lasting impact in the upcoming legislative session. Meridian provides robust experience in navigating the complex legislative process at the local, state, and federal levels. Their expertise in forming and maintaining legislative relationships is invaluable.

Lobbying Approach

WSG was created to provide a unique option for water resource policy advocacy based on decades of actual technical experience in the application of Nevada water policy in the development and management of water resources throughout the State. WSG's positions are driven by science, not politics. Our overarching goal at WSG is to maximize the beneficial use of Nevada's water resources to maintain and grow Nevada's economy while protecting existing rights and environmental resources.

Water resources play a critical role in all the existing businesses and projects being associated with WSG's clients. Our clients generally share many common objectives, which will guide our lobbying efforts during this Legislative Session. These objectives can be summarized as follows:

1. Maintaining a fair and reliable regulatory framework in Nevada that is supportive of the extractive mineral, agricultural, and energy industries.
2. Help develop and support legislation that provides added efficiencies in Nevada's permitting and regulatory processes.
3. Monitor and participate in select legislative proposals and bills that support the companies' project objectives and help modify or eliminate bills that may conflict with those objectives.
4. Remain actively engaged in legislative processes in the promotion of bills that help ensure timely and reliable access to and beneficial use of Nevada's water resources in support of project exploration, development, and operational objectives.

WSG Background

While we are considered 'paid lobbyists', this is not our full-time job. Jay Dixon and his associates are Professional Engineers and Water Rights Specialists who make a living designing and permitting water infrastructure with a focus on the sustainable and beneficial use of Nevada's water resources for maximizing economic output.

Industry Focused



Mining



Agriculture



Energy



Public Works | Municipal

EXHIBIT 1 -
Weekly Legislative Tracking Table

In-Session Tracking (Select Water Bills)

Updated on 4/26/25

Bills that were pulled into money committees, or appear likely to be pulled in due to a fiscal not or unfunded mandate.

Bills that received a floor vote.

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
Water Resources Bills						
17-10	SB143	Senator Nguyen	Provisions relating to water.	AN ACT relating to natural resources; authorizing the Joint Interim Standing Committee on Natural Resources to evaluate and review issues relating to water conservation; requiring the NDEP and DCNR to conduct an interim study on artificial turf and synthetic grass; and providing other matters properly relating thereto.	Will monitor and consider after first hearing.	Passed Senate 21-0. Referred to Assembly Natural Resources. No hearing scheduled yet.
48-391	AB9	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Revises provisions governing the temporary conversion of agricultural water.	Under existing law, a person or entity may apply to temporarily convert agricultural water rights for wildlife purposes or to improve the quality or flow of water for a duration not to exceed 3 years and a temporary conversion may be extended in increments not to exceed 3 years in duration each. (NRS 533.0243) This bill instead provides that a temporary conversion of agricultural water rights may not exceed 5 years in duration and may be extended in increments that may not exceed 5 years in duration each.	The bill sponsor has continued working with the Great Basin Water Network and Eureka County to improve what was initially introduced as a 'sloppy' amendment according to the State Engineer. WSG and the State Engineer testified in opposition. WSG recommended a simple alternative based on a proposed amendment to AB90 from the 2023 Session. This bill was amended and passed out of 1st Committee. WSG remains opposed to this bill.	Passed Assembly Natural Resources. Referred to Assembly Ways and Means because of fiscal note. No Assembly Ways hearing scheduled yet.
22-407	AB10	Assembly Committee on Government Affairs	Revises provisions relating to local improvement projects.	Related to local improvement projects; authorizing any county, city or town to repair a private water or sewer system that is owned by a common-interest community as part of a neighborhood improvement project; and providing other matters properly relating thereto.	Will continue monitoring; neutral.	Passed Assembly 37-5 (Rs Cole, Dickman, Gallant, Gray, and Hafen NOs). Referred to Senate Government Affairs.

Bills that were pulled into money committees, or appear likely to be pulled in due to a fiscal not or unfunded mandate.

Bills that received a floor vote.

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
Water Resources Bills						
48-261	AB26	Division of Water Resources	Revises various provisions relating to dams.	Proposes exemption from liability for certain damages, revises provisions relating to construction or alteration of certain dams, exempts certain works under certain Federal jurisdictions, requires certain dam applications be made available to NDOW, authorizes State Engineer to enter certain parcels, revises provisions relating to dam removal and removal of certain animals interfering with flow, provides certain penalties relating thereto.	WSG remains supportive of this bill.	Passed Assembly 42-0. Heard in Senate Natural Resources on Thursday, April 24, 2025
48-383	AB104	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Revises provisions relating to water right retirements.	Would require the State Engineer to retire certain water rights; revising provisions relating temporary permits to appropriate groundwater; creating the Nevada Conservation and Recreation Program; creating the Account for Retiring Water Rights; establishing the Nevada Voluntary Water Rights Retirement Program and the Advisory Committee for the Nevada Voluntary Water Rights Retirement Program.	As explained in earlier reports, WSG was able to broker a major (fix) to this bill with the removal of certain language in Sections 2 and 3, which passed out of Committee. However, last week it was discovered that the LCB had added the previously removed language back into Sections 2 and 3 claiming it was 'necessary conforming.' This is a major change to the bill that passed out of the Assembly. WSG is not opposed to this bill and will work hard to make sure the issues in Section 2 and 3 get address in the Senate.	Passed Assembly 42-0.
48-586	AB132	Assemblyman Yurek	Revises provisions relating to water.	Proposes to update requirements for wildlife guzzlers to increase capacity (from 20k gal. to 40k gal. and max. allowable pipeline distance from 0.25 to 0.5 miles.	WSG testified in support of this bill.	Passed Assembly 42-0. Referred to Senate Natural Resources.

Bills that were pulled into money committees, or appear likely to be pulled in due to a fiscal not or unfunded mandate.

Bills that received a floor vote.

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
Water Resources Bills						
48-385	AB363	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Revises provisions relating to groundwater boards.	Similar bill that has failed in the prior two Sessions. Under this proposal, a county—or multiple counties sharing a groundwater basin—may request that the State Engineer establish an advisory-only groundwater board tasked with providing written advice and recommendations on reducing over-pumping and managing the basin sustainably. The board's recommendations are not binding on the State Engineer, and any disagreement between the board and the State Engineer does not serve as grounds for legal action.	WSG is neutral, but agrees with the opposition remarks by SNWA; see Exhibit 2 hearing notes	Passed Assembly Natural Resources. Referred to Assembly Ways & Means because of fiscal note. No Assembly Ways & Means hearing scheduled.
48-736	AB419	Assemblyman DeLong	Revises provisions relating to applications concerning water rights.	Originally a massive bill that would completely altered the NV Div. of Water Resources by double the size of their staff. A substantially scaled down bill, via a last minute amendment, passed out of a special Work Session. As amended and passed: (Section 1) requiring regulations for the preapplications meetings with State Engineer, (Section 4) biennial reporting to the Leg. by the State Engineer on delayed applications and rulings (more than 2 years), and (Section 10) requires the State Engineer to explain why a decision is made against prior precedent when applicable.	WSG remains neutral but is involved in the ongoing work that remains with this bill.	Referred from Assembly Natural Resources without recommendation to the Assembly Ways & Means Committee. No Assembly Ways & Means hearing scheduled.
S-389	SB6	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Cloud seeding	Makes an appropriation from the State General Fund to the Desert Research Institute of the Nevada System of Higher Education to support the Nevada State Cloud Seeding Program.	WSG is Neutral.	Passed Senate Natural Resources. Pulled into Senate Finance because of an appropriation. No Senate Finance hearing scheduled.

Bills that were pulled into money committees, or appear likely to be pulled in due to a fiscal not or unfunded mandate.

Bills that received a floor vote.

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
Water Resources Bills						
48-260	SB31	Division of Water Resources	Revises provisions relating to the adjudication of vested water rights	Seeks to exempt federal agencies from filing claims of vested rights from requirement to file proof of the claim on or before a certain date; revising requirements relating to a notice of pending adjudication of certain water rights; and providing other matters properly relating thereto.	WSG met with the Nevada Farm Bureau and the Administrative Law Judge (NDWR) about this bill. The Farm Bureau is preparing to oppose the bill. WSG is studying the legislative history and implications of the McCarran Act on this bill. It appears that the bill may be necessary. WSG testified in opposition to this bill and is currently working with Taggart & Taggart on an amendment that we'll likely try to get introduced in the Assembly.	Passed Senate Floor 15-6 (All Rs NO except Rogich and Steinbeck. *Titus read WSG/Meridian floor statement against SB31. Referred to Assembly Natural Resources where WSG is working to amend the bill.
48-384	SB36	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Establishes provisions relating to the conservation of groundwater.	Nevada Water Buy-Back Initiative and the Advisory Committee for the Nevada Water Buy-Back Initiative; requiring the Director of the State Department of Conservation and Natural Resources to purchase certain water rights for the purpose of retiring the water rights; creating the Nevada Conservation and Recreation Program; and providing other matters properly relating thereto.	WSG is now opposed to this bill based on an apparent change prior to floor vote that significantly altered the bill from the version that passed out of Committee.	Passed Senate Natural Resources. Referred to Senate Finance because of fiscal note. No Senate Finance hearing scheduled.
40-750	SB276	Numerous Sponsors	Seeks to establish provisions governing the reporting and sharing of water-related information by certain gov. entities and Indian tribes.	Proposes new requirements for any city, county, unincorporated town, district, water authority, and Indian tribes to provide certain notifications to other related entities when applying for a permit to discharge water into a water of the State.	WSG is currently neutral, but will closely monitor. It should be noted that bill has an 'unfunded mandate' on it.	Passed Senate Floor 21-0. Referred to Assembly Natural Resources.

In-Session Tracking (Select Natural Resources Bills)

Updated on 4/26/25

Bills that were pulled into money committees, or appear likely to be pulled in due to a fiscal not or unfunded mandate.

Bills that received a floor vote.

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
Select Environmental & Natural Resources Bills						
42-265	AB40	Division of Environmental Protection	Revises various provisions relating to environmental hazards.	Revising provisions governing mining reclamation to include the stabilization of process fluids; revising certain requirements for a permit to engage in a mining operation or exploration project; requiring the State Environmental Commission to adopt regulations relating to the requirements for the owner or operator of a municipal solid waste landfill or solid waste management facility to provide certain evidence of financial responsibility.	Monitoring through NvMA who is working closely with NDEP on language. Seeks to provide NDEP with resources to be proactive in responding to mining emergency situations. Proposes changes to bonding issues relative to bankruptcy courts to ensure the NDEP is first in line to collect. Deals primarily with battery recycling and fluid management.	Passed Assembly Floor Vote 41-1 (R-Kasama NO)
18-214	AB242	Assemblyman DeLong	Revises provisions relating to the Sagebrush Ecosystem Council.	Seeks to place existing Sagebrush Ecosystem Council rules pertaining to sage grouse credits/debits into regulation.	WSG met with bill sponsor and is supportive of bill. Opposition groups testified during initial hearing regarding their dislike for the program, which was a waste of time (for them). See Exhibit 3 for hearing notes.	Passed Asm Government Affairs. Pulled into Assembly Ways & Means. No hearing scheduled.

Bills that were pulled into money committees, or appear likely to be pulled in due to a fiscal not or unfunded mandate.

Bills that received a floor vote.

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
Select Environmental & Natural Resources Bills						
10-679	AB429	Assembly Committee on Natural Resources	Revises provisions relating to natural resources.	Existing law authorizes, with certain exceptions, an easement for conservation to be created conveyed, recorded, assigned, released, modified, terminated or otherwise altered or affected in the same manner as other easements. (NRS 111.420) This bill instead provides that any person, including a state or local government or any agency or instrumentality thereof, is authorized to create, convey, record, assign, release, modify, terminate or otherwise alter or affect an easement for conservation in the same manner as other easements.	WSG is neutral.	Passed Assembly Floor Vote 42-0. Referred to Senate Natural Resources. Hearing scheduled for Tue, April 29, 2025.
40-264	SB43	Division of Environmental Protection	Revises provisions relating to environmental protection	AN ACT relating to environmental protection. This bill is designed to address delegation of authorities, from the NDEP to local Health Districts. It is related to two programs; specifically, safe drinking water and solid waste management. .	Monitoring, neutral.	Passed Senate Floor Vote 18-3 (Rs Buck, Ellison, Titus NOs). Referred to Assembly Natural Resources. Hearing scheduled for Wed, April 30, 2025.
26-392	SB286	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Seeks to establish state policy relating to tribal expertise and knowledge of public lands.	AN ACT relating to planning; declaring the importance of tribal knowledge and expertise and consulting tribal governments when engaged in the land use planning process; revising provisions relating to the State and Local Government Cooperation Act to include tribal governments.	WSG is neutral.	Passed Senate Natural Resources. Pulled into Senate Finance. No hearing scheduled.

EXHIBIT 2 – Hearing & Meeting Notes

Assembly Bill 26 – Revises provisions relating to dams.

Heard in Senate Natural Resources - Thursday, April 24, 2025

Bill Summary

AB 26 updates Nevada's dam-safety statutes—first enacted in 1951—to match modern engineering practice and National Dam Safety Program recommendations. The measure:

- modernizes technical language throughout the chapter;
- clarifies the Division of Water Resources' inspection, permitting and emergency-action-plan authority over the state's 658 regulated dams (154 high-hazard, 88 significant-hazard, 416 low-hazard);
- keeps long-standing exemptions for dams owned and operated by federal agencies such as the Bureau of Reclamation and the U.S. Army Corps of Engineers, while noting that the Division is both regulator and owner of one facility, South Fork Dam in Elko County; and
- narrows the liability exemption in section 1 so it covers only Division staff—after an Assembly-side amendment struck the phrase “authorized agent.”

Although not in the bill text, State Engineer Adam Sullivan flagged a future policy idea: allowing the \$1.4 million in annual dam-storage fees (now deposited in the State General Fund) to be retained for dam-safety uses, such as grants to owners or statewide risk assessments.

Adam Sullivan, P.E., State Engineer and Administrator of the Division of Water Resources (DWR), presented the bill. He was supported during questioning by Keith Conrad, P.E., Dam-Safety Program Manager, who explained inspector training and federal-land coordination procedures.

Senators asked about:

- the reliability of the FEMA State Assistance Grant that pays for all inspection and training costs (Sen. Pazina);
- the need for the section 1 liability change and whether DWR faces lawsuits (Sen. Hansen);
- maintenance status of South Fork and Wild Horse dams and which agency controls Wild Horse (Sen. Ellison); and
- inspector qualifications, frequency of inspections, and joint jurisdiction on federal, tribal or BIA lands (Chair Cruz Crawford and others).

Sullivan and Conrad confirmed there are five dam-safety engineers who each year conduct 200–300 visual inspections, review 15–20 dam-modification applications, and help owners update emergency-action plans. Salaries are state-funded; everything else runs on the FEMA grant.

Only one amendment had been adopted prior to the Senate hearing: the Assembly amendment that removed “authorized agent” from the liability exemption so it applies solely to Division employees.

No support, opposition and neutrality from organizations or individuals.

EXHIBIT 3 – Legislative Reviews

AB104 & SB36 (SECTIONS 2 & 3) COMPARISON

VERSION THAT PASSED SENATE NATURAL RESOURCES COMMITTEE

Sec. 2. NRS 533.370 is hereby amended to read as follows:

533.370 1. Except as otherwise provided in this section and NRS 533.0241, 533.345, 533.371, 533.372 and 533.503, ~~and section 4 of this act~~, the State Engineer shall approve an application submitted in proper form which contemplates the application of water to beneficial use if:

- (a) The application is accompanied by the prescribed fees;
- (b) The proposed use or change, if within an irrigation district, does not adversely affect the cost of water for other holders of water rights in the district or lessen the efficiency of the district in its delivery or use of water; and
- (c) The applicant provides proof satisfactory to the State Engineer of the applicant's:
 - (1) Intention in good faith to construct any work necessary to apply the water to the intended beneficial use with reasonable diligence; and
 - (2) Financial ability and reasonable expectation actually to construct the work and apply the water to the intended beneficial use with reasonable diligence.

2. Except as otherwise provided in subsection 10, ~~where there~~ the State Engineer shall reject an application and refuse to issue the requested permit if:

- (a) ~~There~~ is no unappropriated water in the proposed source of supply ~~where the~~;
- (b) The groundwater that has not been committed for use has been reserved pursuant to NRS 533.0241; ~~or~~

~~(c) The groundwater rights have been retired pursuant to section 4 of this act or where its~~

~~(d) The proposed use or change conflicts with existing rights or with protectable interests in existing domestic wells as set forth in NRS 533.024 or threatens to prove detrimental to the public interest. the State Engineer shall reject the application and refuse to issue the requested permit.~~

≥ If a previous application for a similar use of water within the same basin has been rejected on those grounds, the new application may be denied without publication.

Sec. 3. Deleted by amendment.

MYSTERIOUS "LCB AMENDMENT 98" VERSION SHARED BY NATURE CONSERVANCY IN FOLLOWING COMMITTEE PASSAGE

Sec. 2. NRS 533.370 is hereby amended to read as follows:

533.370 1. Except as otherwise provided in this section and NRS 533.0241, 533.345, 533.371, 533.372 and 533.503, ~~and section 4 of this act~~, the State Engineer shall approve an application submitted in proper form which contemplates the application of water to beneficial use if:

- (a) The application is accompanied by the prescribed fees;
- (b) The proposed use or change, if within an irrigation district, does not adversely affect the cost of water for other holders of water rights in the district or lessen the efficiency of the district in its delivery or use of water; and
- (c) The applicant provides proof satisfactory to the State Engineer of the applicant's:
 - (1) Intention in good faith to construct any work necessary to apply the water to the intended beneficial use with reasonable diligence; and
 - (2) Financial ability and reasonable expectation actually to construct the work and apply the water to the intended beneficial use with reasonable diligence.

2. Except as otherwise provided in subsection 10, ~~where there~~ the State Engineer shall reject an application and refuse to issue the requested permit if:

~~(a) There is no unappropriated water in the proposed source of supply where the;~~

~~(b) The groundwater that has not been committed for use has been reserved pursuant to NRS 533.0241;~~

~~(c) The groundwater rights have been retired pursuant to section 4 of this act; or where its~~

~~(d) The proposed use or change conflicts with existing rights or with protectable interests in existing domestic wells as set forth in NRS 533.024, or threatens to prove detrimental to the public interest. the State Engineer shall reject the application and refuse to issue the requested permit.~~

≥ If a previous application for a similar use of water within the same basin has been rejected on those grounds, the new application may be denied without publication.

Sec. 3. NRS 533.371 is hereby amended to read as follows:

533.371 The State Engineer shall reject the application and refuse to issue a permit to appropriate water for a specified period if the State Engineer determines that:

1. The application is incomplete;
2. The prescribed fees have not been paid;
3. The proposed use is not temporary;
4. There is no water available from the proposed source of supply without exceeding the perennial yield or safe yield of that source;
5. The groundwater that has not been committed for use from the proposed source of supply has been reserved pursuant to NRS 533.0241;
6. The groundwater rights have been retired pursuant to section 4 of this act;