



# 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
17-Mar	Mon	Legislators' Bill Introductions
18-Mar	Tue	<a href="#">Agriculture Day at the Legislature</a>
24-Mar	Mon	Joint Standing Rule No. 14 and Other Remaining Bill Introductions
27-Mar	Thu	<a href="#">NvMA Mining Day at the Legislature</a>
1-Apr	Tue	Start Closing Budgets
11-Apr	Fri	Committee Passage (First House)
22-Apr	Tue	First House Passage
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 highlights bills of primary interest, as of the date of this report, with a more comprehensive tracking table attached hereto.

### [AB419](#)

This bill would require State Engineer comply with Administrative Procedures Act for adopting regulations. Some of the many changes in this bill include would require new regulations to establish a pre-application review process, 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 revise provisions relating to judicial review decisions by the State Engineer. A major change proposed in this bill would remove a statutory requirement in [NRS 533.450](#) that orders and decisions of the State Engineer are prima facie correct.

### [SB342](#)

This bill proposes statutory changes in authorizing the State Engineer to coordinate with persons seeking to retire relinquished water rights. It also proposes to eliminate the requirement to vacate (i.e. reset) the priority date when rescinding the cancellation of water right permit.

### [AB385](#)

This bill focuses on Clark County and would prevent the governing body from taking action to prohibit or limit the use of a cooling tower system for certain projects for which the governing body must issue a permit and authorizes the establishment of an exemption in the building code for such projects.

### [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 10 years with 5-year extensions.

### [AB109](#)

This bill proposes to eliminate the geothermal production exemption (for non-consumptive use water rights) in [NRS 534A](#), shifting the exemption to geothermal exploration only. It would require the State Engineer to review dissolved mineral exploration projects submitted through NDOM.

### [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.

### [AB134](#)

This bill would allow the holder of a perfected water right to file a water conservation plan and establish provisions relating to water conservation plans. It prohibits a person holding a perfected right that is subject to a conservation plan from changing the place of diversion, the manner and place of use of the perfected right during the term of the plan. Lastly, it prohibits abandonment and forfeiture procedures on perfected rights subject to conservation plan.

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

These are related bills that propose the creation of a 'Nevada Water Buy-Back Initiative' and Advisory Committee for retiring water rights with the program 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.

### [AB190](#)

This bill seeks to create a fund for Hydrologic Studies in rural counties when the State Engineer determines that such a study is required to support their review of certain water

right applications. It would require the State Engineer to make a grant to 'Account for Studies Concerning Water' under [NRS 533.369](#). The applicant may pay the remaining cost of the study or withdraw their application and receive a refund.



## Weekly Highlights

The 83<sup>rd</sup> Nevada Legislative Session began on Monday, February 3, 2025. Each week, WSG will use this section to describe certain developments within and interpretations of select bills that will help each client assess potential implications to their business and 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.

### [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. This week had a handful of new bills drop due to the approaching introduction deadline.

### [AB363 Background](#)

This is the third session in a row that a bill has been introduced attempting to create/modify statutes pertaining to the creation of local groundwater boards. Included in Exhibit 3 is a comparison between the current bill and SB180 from the 2023 Session, which was prepared by Meridian Nevada for WSG.

### [AB9 Background](#)

WSG has no problem with special statutory measures to help protect wildlife in certain circumstances. However, temporary conversions are not defined in statute and the State Engineer is supposed to follow applicable statutes. This bill creates uncertainty in terms of how these conversions are to be processed and what happens at the end of the undefined 'conversion' process, among other things. This bill highlights the need for a simple and minor



change to [NRS 533.345](#) that would allow for temporary changes to existing water rights for ALL MANNERS OF USE for up to 5 years. This is precisely the change that was being pursued in a proposed amended version of AB90 from the 2023 Legislative Session.

#### **AB134 Background**

This bill allows holders of perfected (i.e. certificated) rights to not use their water for up to 10 years if they submit and receive approval for a 'water conservation plan.' Even worse, those perfected rights not being used under a 'conservation plan' can't file change applications. Typically, when working in basins for a project that needs to acquire existing water rights, one of the first things we examine are perfected rights not being used. If this bill passes as written, WSG is concerned that people can use this 'conservation plan' concept to hold certain areas (with no options to obtain new water rights) hostage in the name of 'conservation.' Again, this is counter to what we believe should be the number one priority of the State Engineer, which is maximizing beneficial use.

#### **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 love the language, but those of us who advocate for maximizing beneficial use see a 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](#).

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 [NWSRA 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 hearing last week.

#### **AB109 Background**

The Nevada Mining Association has been meeting with the bill sponsor who acknowledged that it was a mistake to include the dissolved mineral exploration language in this

bill. WSG expected that the portion (requiring the State Engineer to review exemptions for 5 afa exploration projects) to get amended out. However, last week WSG obtained a preview of an amendment (Exhibit 3) being considered by the bill sponsor. The portion dealing with State Engineer review of dissolved mineral (exploration) projects has been modified to reflect that the review would only be required for projects that seek to use more than 5 acre-ft for any water pumped within the project. Another change was to 'grandfather' existing geothermal production projects. While these proposed changes are improvements the bill is still problematic.

WSG has been reporting that it is our understanding that the Assembly Natural Resources Chair was apparently using AB9 to 'throw a bone' to the bill sponsor in exchange for consideration to push back on AB109 and AB134. It will be intriguing to observe whether this continues to hold true given the proposed amendment for AB109.



Dissolved mineral exploration drilling in Railroad Valley (Feb. 2023)

#### **SB31 Background**

WSG commented extensively on this bill and our opposition in our March 9<sup>th</sup> (Week 5) report. Also in opposition was Eureka County, which presented an interesting amendment that clarified that all claims filed prior to 12/31/2027 could still be amended after that date. However, Eureka County's amendment still supported Federal Govt. exemption. WSG is still working with a group of stakeholders on possibly eliminating the 2027 deadline in the existing statute for all claimants.

## 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 &amp; HEARING NOTES (EXHIBIT 2)</u>
11-Mar	<a href="#">AB242</a>	<a href="#">Hearing on AB242 Sagebrush Ecosystem Regulation Bill</a>
12-Mar	<a href="#">AB132</a>	<a href="#">Hearing on AB132- Wildlife Guzzlers</a>

## Upcoming Meetings / Hearings

<u>DATE</u>	<u>DAY</u>	<u>BILL HEARING LINK</u>
19-Mar	Wednesday	<a href="#">AB363 - Provisions relating to Ground Water Boards</a>
20-Mar	Thursday	<a href="#">SB276 - Provisions governing environmental justice</a>
20-Mar	Thursday	<a href="#">SB286 - State policy for tribal expertise and knowledge of public lands</a>

## 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 mi<sup>2</sup> 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.



For more background information, please refer to:

[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 3/16/25

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
<b>Water Resources Bills</b>						
17-10	<a href="#">SB143</a>	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.	Referred to Senate Legislative Operations and Election Committee -- NO HEARING SCHEDULED YET
48-391	<a href="#">AB9</a>	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 10 years in duration and may be extended in increments that may not exceed 5 years in duration each.	The bill sponsor, through the Great Basin Water Network, introduced a 'sloppy' amendment. WSG and the State Engineer testified in opposition. WSG recommended a simple alternative based on a proposed amendment to AB90 from the 2023 Session. <b>WSG is coordinating with Bill Sponsor, Eureka County and NDWR advocating for our proposed amendment allowing temp. changes greater than 1 year.</b>	Referred to Assembly Natural Resources -- HEARD ON MONDAY, FEBRUARY 24, 2025
22-407	<a href="#">AB10</a>	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.	Referred to Assembly Government Affairs -- HEARD ON TUESDAY, FEBRUARY 18, 2024
48-261	<a href="#">AB26</a>	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.	Referred to Assembly Natural Resources -- HEARD ON WEDNESDAY, FEBRUARY 12, 2025



BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
<b>Water Resources Bills</b>						
48-383	<a href="#">AB104</a>	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. As of right now this bill has a fiscal note so it's fate is uncertain.	Referred to Assembly Natural Resources -- HEARD MONDAY, FEBRUARY 24, 2025
48-212	<a href="#">AB109</a>	Assembly-woman La Rue Hatch	Provisions relating to water.	Relating to water; revising provisions governing the appropriation of water for geothermal wells or dissolved mineral resources; and providing other matters properly relating thereto.	<b>BAD BILL!</b> Proposes to eliminate geothermal <u>production</u> exemption (for non-consumptive use water rights) shifting exemption to geothermal <u>exploration</u> only. Requires State Engineer review of dissolved mineral exploration projects submitted through NDOM. <b>WSG was provided with an amendment preview being considered by sponsor. THE AMENDMENT IS STILL UNWORKABLE.</b> See Exhibit 3.	Referred to Assembly Natural Resources -- NO HEARING SCHEDULED YET *** <b>Bill already given an exemption meaning it is not subject to deadlines</b>
48-586	<a href="#">AB132</a>	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.	<b>WSG testified in support of this bill (See Exhibit 3 for hearing notes)</b>	Referred to Assembly Natural Resources -- <b>HEARD ON WEDNESDAY, MARCH 12, 2025</b>
48-379	<a href="#">AB134</a>	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Makes certain changes relating to water conservation.	AN ACT relating to water; authorizing the holder of a perfected water right to file a water conservation plan and establishing provisions relating to water conservation plans. Prohibits a person holding a perfected right that is subject to a conservation plan from changing the place of diversion, manner and place of use of perfected right during term of the plan. Prohibits abandonment and forfeiture procedures on perfected rights subject to conversation plan.	<u>This will effect many WSG clients.</u> While WSG promotes maximizing beneficial, we are supportive of water conservation in certain cases. This bill creates concern that a water conservation plan could be leveraged to prevent other beneficial uses in an area where a holder of a perfected right could be subject to forfeiture (with appropriate notification). This creates potential for abuse of water law.	Referred to Assembly Natural Resources -- NO HEARING SCHEDULED YET



BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
<b>Water Resources Bills</b>						
48-886	<a href="#">AB190</a>	Assemblyman Gurr	Revises provisions relating to water.	Seeks to create a fund for Hydrologic Studies in rural counties when the State Engineer determines that such a study is required to support their review of certain water right applications.	WSG is supportive of intent, but this will require a potentially large fiscal note. This bill may be viewed as a way for certain project proponents to gain access to public funds when they are seeking to obtain water rights for large prospective developments that would require hydrologic studies.	Referred to Assembly Natural Resources -- NO HEARING SCHEDULED YET
48-887	<a href="#">AB265</a>	Assemblyman Gurr	Revises provisions relating to water.	Proposes strict time limits on the State Engineer to process applications, extensions of time, proof of completion/beneficial use and processing of reports of conveyance.	WSG is supportive but this bill presents enormous challenges for the State Engineer (to comply) without significantly more resources	Referred to Assembly Natural Resources -- NO HEARING SCHEDULED YET
48-385	<a href="#">AB363</a>	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Revises provisions relating to groundwater boards.	Being monitored by WSG via access to a Legislative Water Working Group. Similar bill that has failed in the prior two Sessions.	Will monitor.	Referred to Assembly Natural Resources -- <b>SCHEDULED FOR WED., MAR. 19TH.</b>
22-851	<a href="#">AB385</a>		Revises provisions relating to governmental administration.	AN ACT relating to governmental administration; prohibiting the governing body of certain counties and cities from taking certain actions to prohibit the use of cooling towers which use water for certain projects.	WSG is currently working on a plan to be fully engaged in this bill, which would provides an alternative to certain overreaching limits that SNWA has put in place in Clark County.	Referred to Committee on Government Affairs.
48-736	<a href="#">AB419</a>	Assemblyman DeLong	Revises provisions relating to applications concerning water rights.	Would require State Engineer to adopt regulations to establish a pre-application review process; requiring the State Engineer to issue a preliminary determination on certain applications and protests to such applications to appropriate water and for permits to operate projects for the recharge, storage and recovery of water; setting forth procedures to file an objection to a preliminary determination and requiring, with certain exceptions, a hearing to be held regarding a filed objection; requiring the State Engineer to prepare and submit a biennial report to the Legislature relating to certain applications pending approval by the State Engineer; revising provisions relating to judicial review of certain orders and decisions of the State Engineer; revising provisions relating to the approval or rejection of certain applications for the appropriation of public water and certain permits to operate projects for the recharge, storage and recovery of water; making the State Engineer subject to the Nevada Administrative Procedure Act for purposes of adopting regulations and certain provisions governing the adjudication of contested cases.		Referred to Assembly Natural Resources -- NO HEARING SCHEDULED YET.

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
<b>Water Resources Bills</b>						
S-389	<a href="#">SB6</a>	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.	Neutral	Referred to Senate Natural Resources -- HEARING SCHEDULED FOR THURSDAY, FEBRUARY 27, 2025
48-260	<a href="#">SB31</a>	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 is considering testifying on this bill; position still being considered.	Referred to Senate Natural Resources -- HEARD THURSDAY, MARCH 6, 2025
48-384	<a href="#">SB36</a>	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 neutral, but will closely monitor entering the hearing scheduled for this upcoming week.	Referred to Senate Natural Resources -- <b>HEARD ON THURSDAY, MARCH 6, 2025</b>
40-750	<a href="#">SB276</a>	Numerous Sponsors	Seeks to establish provisions governing the reporting and sharing of water-related information by certain gov. entities and Indian tribes; providing a penalty; and other related items.	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.	<b>Assigned to Senate Natural Resources. HEARING SCHEDULED FOR THURSDAY, MARCH 20TH.</b>

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
Water Resources Bills						
48-940	<a href="#">SB342</a>	Senator Ohrenschall	Revises provisions relating to water.	Seeks to authorize the State Engineer (in certain areas) to coordinate with persons seeking to retire relinquished water rights. Also seeks to eliminate the resetting of priority dates when permits are canceled for failure to timely file extensions of time.	WSG is currently neutral on this bill and is working with a water rights attorney on coordination bill language and likely amendment text.	Referred to Senate Natural Resources
48-386	n/a	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	Revises provisions relating to water.	Being monitored by WSG via access to a Legislative Water Working Group.	Will monitor.	still no bill number or language for this BDR

**In-Session Tracking (Select Natural Resources Bills)**

Updated on 3/16/25

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
<b>Select Environmental &amp; Natural Resources Bills</b>						
42-265	<a href="#">AB40</a>	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.	Assigned to Assembly Natural Resources Committee. HEARD ON MONDAY, MARCH 3, 2025.
18-214	<a href="#">AB242</a>	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.	Assigned to Assembly Government Affairs. -- HEARD ON TUESDAY, MARCH 11, 2025
10-679	<a href="#">AB429</a>	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.	Assigned to Assembly Natural Resources. NO HEARING SCHEDULED YET.



BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
<b>Select Environmental &amp; Natural Resources Bills</b>						
40-264	<a href="#">SB43</a>	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.	This is a Senate HHS bill that is assigned to the Senate Health and Human Services Committee. HEARD ON FEBRUARY 18, 2025
26-392	<a href="#">SB286</a>	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.	Assigned to Senate Natural Resources. HEARING SCHEDULED FOR THURSDAY, MARCH 20TH.
R-388	<a href="#">AJR12</a>	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	JR: Declares support of Legislature for certain principles of solar development in this State.	None available.	WSG is neutral.	Assigned to Assembly Leg Ops. NO HEARING SCHEDULED YET.
R-380	<a href="#">SJR4</a>	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	JR: Urges the Federal Government to support and recognize certain land use planning principles when conducting projects in this State.	Nevada Legislature hereby urges the Fed. Govt. to support and recognize the following land use principles when conducting projects in this State: 1) Actions on public lands in the State of Nevada should be led 40 and driven by the impacted local communities, 2) There must be coordination between federal, state, tribal and 42 local governments, including, without limitation, federal agencies, 3) Public lands must be managed for multiple uses while also providing for the economic, social and environmental sustainability of public lands.	Worthy of support.	Assigned to Senate Natural Resources. NO HEARING SCHEDULED YET.
15-114 (not 26-114)	n/a	Senator Hansen	Revises provisions relating to public lands.	Unknown	Will monitor.	still no bill number or language for this BDR

BDR	Bill	Sponsor	Bill Description	Overview	Status / Position	BILL STATUS
<b>Select Environmental &amp; Natural Resources Bills</b>						
R-388	n/a	Joint Interim Standing Committee on Natural Resources (NRS 218E.320)	JR: Declares support of Legislature for certain principles of solar development in this State.	Unknown	Will monitor.	still no bill number or language for this BDR
10-679	n/a	Assembly Committee on Natural Resources	Revises provisions relating to natural resources.	Unknown	Will monitor.	still no bill number or language for this BDR

## **EXHIBIT 2 – Hearing & Meeting Notes**

## Summary of Assembly Bill 132

Heard in Assembly Natural Resources on March 12, 2025

### Summary

AB 132 proposes two key revisions to NRS 533.027, which governs the collection of small amounts of water (precipitation) for wildlife:

- Increase Maximum Capacity of Guzzlers
  - Raises the limit on storage from 20,000 gallons to 40,000 gallons.
- Extend Maximum Pipe Length
  - Increases the permissible pipeline length from one-quarter (1/4) mile to one-half (1/2) mile.

Guzzlers are man-made water-catchment systems that collect precipitation (rain/snow) in remote areas, storing it in underground or aboveground tanks to provide a reliable water source for wildlife. By increasing capacity and pipeline length, these installations will better meet wildlife's water needs, especially during periods of severe drought. Proponents emphasized reducing expensive, last-minute helicopter water hauling and preventing guzzlers from running dry in drought years.

Assembly Member Toby Yurek (District 19) introduced the bill and explained its intent: to strengthen and expand Nevada's network of wildlife water developments in response to persistent drought conditions.

Larry Johnson, President, Nevada Coalition for Wildlife Provided in-depth technical details about guzzlers:

- Construction typically involves a sloped metal or "slick rock" apron that channels water into storage.
- Larger storage reduces reliance on costly emergency water hauling.
- The pipeline length extension allows for more flexible site design and better capture of precipitation.

### Support

Multiple individuals and organizations testified in support of AB 132, underscoring the importance of enhanced water availability for wildlife, the potential for cost savings, and improved ecosystem resilience:



- Warren Hardy, representing Moapa Valley Water District
- Paul Young, on behalf of the Nevada Board of Wildlife Commissioners
- Brad Bauman, Nevada Department of Wildlife (Water Development Program Lead)
  - Noted NDOW has nearly 1,800 guzzlers statewide.
  - Some have run precariously low during drought; larger capacity would reduce emergency hauling costs.
- Chris Coston, Board Member, Coalition for Nevada's Wildlife
- Ashton Casselli, representing Northern Nevada Safari Club International
- Bryce Pollock, Nevada Chapter of Back Country Hunters & Anglers
  - Cited lengthy dry spells in Southern Nevada (e.g., 214 consecutive days without precipitation) as critical proof of need.
- Jay Dixon, Water Strategy Group (on behalf of large-scale agricultural producers BTAZ Nevada & Flying M Ranch)
  - Expressed initial concern about feral horses gaining more water access, but assured design of guzzlers excludes livestock and feral horses.
- Tristan St. Dennis, Nevada Conservation League
- Mike Ryan, Nevada Bighorns Unlimited
  - Highlighted potential cost savings with bigger storage and simplified site maintenance.

#### Opposition

- No testimony was offered in opposition.

#### Neutral Testimony

- No neutral testimony was provided.

## Summary of AB242

Heard in Government Affairs March 11, 2025

### Bill Overview

AB242 aims to strengthen and formalize regulations around the State of Nevada's sagebrush ecosystem conservation credit system. This system requires projects that disturb sagebrush habitat (affecting greater sage-grouse) to offset impacts (debits) by purchasing conservation credits on other lands (credits).

The bill adds a clear regulatory framework to what has largely been a policy-based approach. It directs the Sagebrush Ecosystem Council (and its Sagebrush Ecosystem Technical Team, or SETT) to adopt regulations so stakeholders and the regulated community have a transparent rulemaking process, public workshops, and formalized standards.

Assemblyman Rich DeLong Introduced the bill and provided background on the sage-grouse conservation credit system. Kathleen Steele, Program Manager, Sagebrush Ecosystem Technical Team (SETT) addressed technical questions from committee members. Jim Lawrence, Director of the Department of Conservation and Natural Resources appeared in a neutral capacity to answer questions.

### Support

Nevada Mining Association (Nikki Bailey Lundahl)

- Voiced support, noting that the mining industry has invested heavily in sage-grouse conservation and was part of the original advisory committee.
- Believes that strengthening the regulatory framework brings clarity and consistency for all stakeholders.

### Opposition

Sierra Club, Toiyabe Chapter (Olivia Tanager)

- Opposed on the grounds that the conservation credit system itself is insufficient for protecting sage-grouse populations.
- Expressed concern that simply shifting habitat (e.g., converting pinion-juniper woodlands to sagebrush) is not true mitigation if it destroys other ecosystems or culturally significant lands.

Center for Biological Diversity (Scott Lake)

- Opposed the bill because it does not address what they believe are fundamental flaws in the conservation credit system.
- Argued that compensatory mitigation—while potentially useful—often leads to a net loss if avoidance and minimization are not prioritized.

#### Inter Tribal Council of Nevada (Clifford Benso)

- Opposed changes that might further encourage the removal of pinion-juniper woodlands, which are vital for pine nut harvesting and have deep cultural significance for many Nevada tribes.
- Raised concerns about tribal consultation and the impacts on pinion-juniper forests (also habitat for pinion jays, which may be considered for listing).

#### Neutral

#### Department of Conservation and Natural Resources (James Lawrence and Kathleen Steel)

- Did not take a position on the merits of the legislation but offered technical clarification.
- Stated they are already working with the sponsor to refine details, including the timeline and potential fiscal impacts.

#### Eureka County (Jake Tibbitts)

- Spoke as the local government representative on the Sagebrush Ecosystem Council.
- Expressed willingness to collaborate in finding the right balance between flexibility and a solid regulatory framework.

## **EXHIBIT 3 – Legislative Reviews**



## **Groundwater Boards: AB363(2025) vs. SB180(2023)**

Prepared by Omar De La Rosa (Meridian Nevada)

### **Who Decides Whether a Board Is Created?**

A.B. 363

- Discretion for State Engineer: Even if a county (or counties) requests creation of a groundwater board, A.B. 363 expressly retains the clause:
  - “The State Engineer shall determine whether or not a groundwater board is to be established and may direct its establishment by order.”

In other words, under A.B. 363, the county commissioners can request the board, but the State Engineer still decides whether or not to go forward.

- S.B. 180
  - Mandatory Creation: S.B. 180 deletes the language giving the State Engineer discretion to say “yes” or “no.” Instead, once a county (or counties) requests the board, the State Engineer “shall appoint seven members.” There is no explicit statement that the State Engineer may decline to do so.

This is one of the clearest substantive differences:

- A.B. 363: The request goes to the State Engineer, who has discretion.
- S.B. 180: The board must be formed if requested.

### **Effective Dates and Other Formal Differences**

Effective Date

- A.B. 363: Becomes effective July 1, 2025.
- S.B. 180: Becomes effective July 1, 2023.

Fiscal Note

- A.B. 363: Lists “Effect on the State: Yes.”
- S.B. 180: Lists “Effect on the State: No.”

Even though both remove the old system of paying per diem/travel for groundwater board members (making membership unpaid), the Assembly bill’s text and Legislative Counsel materials indicate a state-level impact.

### **Membership and Dissolution—Mostly Alike**

Both bills set up the same membership categories:

- Seven Voting Members all residing within the designated groundwater basin:
  1. Four who hold senior-priority groundwater rights.

2. Two who hold junior-priority groundwater rights.
  3. One who holds the single largest permitted allocation (or the next-largest if that person is unwilling/already appointed).
- Optional Nonvoting Member appointed by the board of county commissioners (or jointly by multiple boards of county commissioners).
  - Terms: Four-year terms.
  - No Per Diem: Both bills remove the old per diem and travel-expense provisions; members serve without compensation.

Similarly, both bills make the board subject to automatic dissolution after four years unless extended by the State Engineer, or earlier dissolution by a majority vote of the board.

#### **Guidance vs. Final Authority**

Both bills say:

- The State Engineer must consider the written advice and recommendations of the groundwater board “on reducing overpumping” in the basin.
- If the board and the State Engineer disagree, the State Engineer’s view prevails.
- Any disagreement is not admissible in court proceedings challenging a State Engineer decision.

## AB109 PROPOSED AMENDMENT

**NRS 534A.040** **Applicability of procedures for appropriation.** A consumptive *or nonconsumptive* use of water brought to the surface ~~[outside of a]~~ *to develop and obtain* geothermal ~~[well]~~ *resources beginning after the effective date of this act* is subject to the appropriation procedures of [chapters 533](#) and [534](#) of NRS, except for:

1. Water ~~[that is removed from an aquifer or geothermal reservoir to develop and obtain geothermal resources if the water is returned to or reinjected into the same aquifer or reservoir;]~~ *used in an exploratory well;* or

2. The reasonable loss of water:

(a) During a test of a geothermal well; or

(b) From the temporary failure of all or part of a system that removes water from an aquifer or geothermal reservoir, transfers the heat from that water and reinjects that water into the same aquifer or reservoir.

**Sec. 2.** NRS 534A.050 is hereby amended to read as follows:

NRS 534A.050 *1. Ownership of geothermal resources.* The owner of real property owns the rights to the underlying geothermal resources unless they have been reserved by or conveyed to another person.

*2. In accordance with NRS 533.025 and 534.020, underground waters belong to the public, and ~~[the]~~ any use of such underground waters for the development of geothermal resources beginning after the effective date of this act is subject to appropriation for beneficial use only under the laws of this State.*

**NRS 534A.060** Permit required to drill or operate geothermal well or drill exploratory well; application.

1. A person may not drill or operate a geothermal well or drill an exploratory well without obtaining ~~[a]~~:

(a) *A permit from the Administrator of the Division of Minerals of the Commission on Mineral Resources; and*

(b) *After the effective date of this act, and ~~[E]~~except as otherwise provided in NRS 534A.040, a permit to appropriate water from the State Engineer in accordance with the requirements of chapters 533 and 534 of the NRS,*

and complying with the conditions of the permit

2. An application *for a permit from the Administrator of the 12 Division of Minerals required pursuant to paragraph (a) of subsection 1* must set forth such information as the Administrator requires by regulation.

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**Sec. 5.** NRS 534B.010 is hereby amended to read as follows:

**NRS 534B.010 Scope of chapter.**

1. The provisions of this chapter govern exploration for dissolved mineral resources.

2. Ownership of dissolved mineral resources is determined by the applicable federal and state laws or regulations. *Nothing in this chapter shall be construed to impair rights granted under federal law regarding the location and occupancy of mining claims or ownership of mineral resources.*

*3. In accordance 18 with NRS 533.025 and 534.020, underground waters containing dissolved mineral resources belong to the public and are subject to appropriation for beneficial use only under the laws of this State.*

~~{3}~~4. Except as expressly provided, nothing in this chapter shall be construed to abrogate the provisions of [chapter 445A](#), [519A](#), [533](#), [534](#) or [534A](#) of NRS.

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**Sec. 8.** NRS 534B.110 is hereby amended to read as follows:

1. ~~{The}~~ *Except as otherwise provided in NRS 534.080, the* appropriation procedures of [chapters 533](#) and [534](#) of NRS do not apply to the reasonable loss of water of not more than 5 acre-feet during the testing and sampling of water pumped within a dissolved mineral resource exploration project.

2. Any water pumped in excess of 5 acre-feet within a dissolved mineral resource exploration project, *and any water pumped within a dissolved mineral production project*, is subject to the appropriation procedures of [chapters 533](#) and [534](#) of NRS. An



operator of a dissolved mineral resource exploration project must ensure that the project is in compliance with the appropriation requirements of [chapters 533](#) and [534](#) of NRS before the project exceeds the threshold of 5-acre-feet.

3. As used in this section, “dissolved mineral resource exploration project” means a project, which may consist of one or more dissolved mineral resource exploration wells or boreholes or both, that is conducted on:

(a) Private land owned or controlled by a natural person or an exploration or mining company; or

(b) A mining claim on public land that is identified in an approved notice or plan required pursuant to 43 C.F.R §§ 3809.300 to 3809.336, inclusive, or 3809.400 to 3809.434, inclusive.

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### **ALTERNATIVE LANGUAGE**

**Sec. 9.** Any provisions of this act modifying existing laws shall be applied prospectively only.