

## TITLE 48 - WATER

### CHAPTER 532 - STATE ENGINEER

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NOTE: [Ch. 146, Stats. 2013](#), amended [ch. 532 of NRS](#) by adding a new section. That section has been codified as [NRS 533.353](#).

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**NRS 532.010 Office created.** The Office of the State Engineer is hereby created.  
[Part 1:108:1919; A [1949, 450](#); 1943 NCL § 7390]

**NRS 532.020 Appointment.** The State Engineer is appointed by and responsible to the Director of the State Department of Conservation and Natural Resources.  
[Part 1:108:1919; A [1949, 450](#); 1943 NCL § 7390] — (NRS A [1957, 652](#); [1987, 1311](#))

**NRS 532.030 Qualifications.** No person may be appointed as State Engineer who is not a licensed professional engineer pursuant to the provisions of [chapter 625](#) of NRS and who does not have such training in hydraulic and general engineering and such practical skill and experience as shall fit that person for the position.  
[Part 1:108:1919; A [1949, 450](#); 1943 NCL § 7390] — (NRS A [1997, 1069](#))

**NRS 532.040 Oath.** Before entering upon the duties of his or her office, the State Engineer shall take and subscribe to an official oath, such as is provided by law for state officers, before a person authorized by the law of this State to administer oaths.  
[12:140:1913; 1919 RL p. 3227; NCL § 7900] — (NRS A [1959, 552](#); [1975, 347](#))

**NRS 532.060 Classification; restrictions on other employment.**  
1. The State Engineer is in the unclassified service of the State.  
2. Except as otherwise provided in [NRS 284.143](#), the State Engineer shall devote his or her entire time and attention to the business of the Office of the State Engineer and shall not pursue any other business or occupation or hold any other office of profit.  
[31:295:1953; A [1955, 525](#)] — (NRS A [1959, 552](#); [1960, 396](#); [1964, 2](#); [1965, 706](#); [1967, 1501](#); [1971, 1440](#); [1981, 1283](#); [1995, 2316](#))

**NRS 532.070 Location of office.** The State Engineer shall keep his or her office at the State Capital.  
[17:140:1913; A [1949, 102](#); 1943 NCL § 7904] + [Part 1:108:1919; A [1949, 450](#); 1943 NCL § 7390] — (NRS A [2003, 1452](#); [2011, 324](#))

**NRS 532.080 Seal.**

1. The State Engineer is empowered and directed to procure for the Office of the State Engineer a seal upon which shall appear his or her official title and such other suitable inscription as the State Engineer may deem proper.

2. The seal shall be affixed to all official permits, certificates and other documents issued by the State Engineer under the provisions of law.

[74:140:1913; 1919 RL p. 3244; NCL § 7960]

**NRS 532.090 Appointment of technical, clerical and operational staff; persons appointed to conduct snow surveys exempted from state personnel system.**

1. The State Engineer may, with the consent of the Director of the State Department of Conservation and Natural Resources, appoint such technical, clerical and operational staff as the execution of the duties of the State Engineer and the operation of the Division may require.

2. Snow survey personnel appointed for the purposes of [NRS 532.170](#) are exempt from the provisions of [chapter 284](#) of NRS. [Part 2:108:1919; A 1929, 143; [1949, 450](#); 1943 NCL § 7391] — (NRS A [1957, 653](#); [1959, 552](#); [1963, 71](#); [1985, 434](#))

**NRS 532.100 Expenses.** The State Engineer may purchase such material and incur such expenses for traveling and other purposes as may be necessary for the proper conduct and maintenance of the Office of the State Engineer, to be paid from the moneys which may be appropriated for such purposes from time to time, as other state claims are paid.

[Part 2:108:1919; A 1929, 143; [1949, 450](#); 1943 NCL § 7391]

**NRS 532.110 General duties.** The State Engineer shall perform such duties as are or may be prescribed by law and the Director of the State Department of Conservation and Natural Resources.

[Part 2:108:1919; A 1929, 143; [1949, 450](#); 1943 NCL § 7391] — (NRS A [1957, 653](#))

**NRS 532.120 Rules and regulations; regulations governing contests.**

1. The State Engineer may make such reasonable rules and regulations as may be necessary for the proper and orderly execution of the powers conferred by law.

2. The State Engineer may adopt regulations, not in conflict with law, governing the practice and procedure in all contests before the Office of the State Engineer, to ensure the proper and orderly exercise of the powers granted by law, and the speedy accomplishment of the purposes of [chapters 533, 534, 535](#) and [536](#) of NRS. Such rules of practice and procedure must be furnished to any person upon application therefor.

[31:140:1913; 1919 RL p. 3232; NCL § 7918] + [86:140:1913; 1919 RL p. 3248; NCL § 7972] — (NRS A [2007, 2014](#))

**NRS 532.130 Power to administer oaths.** The State Engineer and his or her authorized assistants may administer such oaths as may be necessary in the performance of their official duties.

[16:140:1913; 1919 RL p. 3227; NCL § 7903]

**NRS 532.140 Reports.** The State Engineer shall prepare and deliver to the Director of the State Department of Conservation and Natural Resources at such times as may be required by the Director, a full report of the work of the Office of the State Engineer, including a detailed statement of the expenditures thereof, with such recommendations as the State Engineer may deem advisable.

[14:140:1913; 1919 RL p. 3227; NCL § 7901] — (NRS A [1959, 552](#))

**NRS 532.150 Records: Public inspection; certified copies as evidence.**

1. The records of the Office of the State Engineer are public records and shall remain on file in the Office of the State Engineer and be open to the inspection of the public at all times during business hours.

2. Such records shall show in full all maps, profiles and engineering data relating to the use of water.

3. Certified copies thereof shall be admissible as evidence in all cases where the original would be admissible as evidence.

[15:140:1913; 1919 RL p. 3227; NCL § 7902]

**NRS 532.160 Duties of Attorney General and district attorneys.** The Attorney General and the district attorney of the county in which legal questions arise shall be the legal advisers of the State Engineer and shall perform any and all legal duties necessary in connection with their work without any further compensation than their salaries fixed by law.

[78:140:1913; 1919 RL p. 3246; NCL § 7964]

**NRS 532.165 Duties: Studies and inventories; review of governmental proposals for flood control and water development projects; program to map water rights.** The State Engineer shall:

1. Conduct necessary studies and inventories.

2. Review and evaluate proposals by federal, state and local agencies for flood control and water development projects to ensure that such proposals are compatible with the state water resource plan and are in compliance with Nevada water laws.

3. Within the limits of legislative appropriations, implement a program to map water rights statewide on a geographic information system.

(Added to NRS by [1969, 239](#); A [1977, 1171](#); [1995, 2685](#))

**NRS 532.167 Duties: Water budget and inventory.** For each basin located in whole or in part in the State, the State Engineer shall prepare a water budget and calculate and maintain an inventory of water which includes, without limitation:

1. The total amount of groundwater appropriated in the basin in accordance with decreed, certified and permitted rights regardless of whether the water appropriations are temporary in nature;

2. An estimate of the amount of groundwater used by domestic wells in the basin; and

3. An estimate of the amount of all groundwater that is available for appropriation in the basin.

(Added to NRS by [2017, 3497](#))

**NRS 532.170 Agreements concerning use and development of water resources.**

1. Subject to the provisions of subsection 2 and with the approval of the Director of the State Department of Conservation and Natural Resources, the State Engineer, for and on behalf of the State of Nevada, is authorized to enter into agreements with the United States Geological Survey, the United States Soil Conservation Service, and any state agency, subdivision or institution having

jurisdiction in such matters, for cooperation in making stream measurements, underground water studies, snow surveys, or any investigations related to the development and use of the water resources of Nevada.

2. The expenses of such investigations and surveys shall be divided between the parties upon an equitable basis.  
[1:117:1945; 1943 NCL § 8259] — (NRS A [1959, 553](#))

**NRS 532.175 Agreements concerning cooperative management of groundwater basins shared between states.** The State Engineer, after a public hearing on the issue and with the approval of the Director of the State Department of Conservation and Natural Resources, for and on behalf of the State of Nevada, is authorized to enter into agreements with neighboring states or their political subdivisions concerning cooperative management of groundwater basins shared between the states.

(Added to NRS by [1991, 108](#))

**NRS 532.180 Cooperation with United States and California relative to waters of Lake Tahoe and adjacent areas.** With the approval of the Director of the State Department of Conservation and Natural Resources, the State Engineer, for and on behalf of the State of Nevada, is authorized to cooperate with the United States Government and the State of California in making a study of the various problems pertaining to the future needs and uses of the waters of Lake Tahoe in the area adjacent thereto, and, if it appears that at some future period there may be a shortage of water, to study ways and means of developing a supplemental water supply so that the development of the area will not be impeded and existing water rights not jeopardized.

[1:173:1947; 1943 NCL § 7392.04] — (NRS A [1959, 553](#))

**NRS 532.200 Adjudication Emergency Account.**

1. For the purpose of advancing and paying for stenographic work and transcripts required by law or order of court, or for the costs, witness fees or expenses incurred by or upon the authority of the Attorney General and the State Engineer in any litigation affecting any order of determination adjudicating the waters of any system of streams in this state, there is hereby created the Adjudication Emergency Account in the State General Fund. All money returned pursuant to subsection 3 and [NRS 533.190](#) until those returns total an amount determined by the State Board of Examiners must be deposited in this Account, and thereafter the Account must be maintained for the purposes designated in this section. If the balance in the Adjudication Emergency Account exceeds the amount determined by the State Board of Examiners, that portion of the balance in the Account which exceeds the amount determined by the State Board of Examiners must be deposited in the State General Fund. If the balance in the Adjudication Emergency Account is below the amount determined by the State Board of Examiners, the State Engineer may request an allocation from the Contingency Account pursuant to [NRS 353.266](#), [353.268](#) and [353.269](#).

2. No part of the Adjudication Emergency Account may be used in the payment of attorney's fees.

3. The State of Nevada shall recover all costs paid or advanced pursuant to the provisions of this section, and the money recovered must be placed in the Adjudication Emergency Account.

4. All expenditures from the Adjudication Emergency Account must be paid as other claims against the State are paid.

[1:136:1927; NCL § 8251] + [2:136:1927; NCL § 8252] + [3:136:1927; NCL § 8253] — (NRS A [1979, 114](#); [1985, 720](#); [1991, 1781](#); [2001, 2774](#))

**NRS 532.210 Water Distribution Revolving Account.**

1. The fund created pursuant to the provisions of chapter 232, Statutes of Nevada 1931, and chapter 23, Statutes of Nevada 1943, is hereby continued as a revolving account within the State General Fund, for the purposes set forth in [NRS 533.270](#) to [533.295](#), inclusive, and for the purposes set forth in the provisions of [chapters 534, 535](#) and [536](#) of NRS pertaining to the conservation and distribution of waters.

2. The money in the Water Distribution Revolving Account may be used for:

(a) The payment of state water commissioners' and assistant state water commissioners' salaries and expenses.

(b) The payment of salaries and expenses of other employees engaged in the work of the distribution of waters or streams that are directly under the supervision of the State Engineer.

(c) The payment of expenses necessarily incurred by the state water commissioners in the distribution of water.

3. The money in the Water Distribution Revolving Account, or so much thereof as is necessary, may be used by the State Engineer for the uses and purposes of, and in the administration of the provisions of, [chapter 534](#) of NRS pertaining to the conservation and distribution of underground waters.

[1:232:1931; A 1943, 34; 1943 NCL § 8255] + [2:232:1931; A 1943, 34; 1943 NCL § 8255.01] — (NRS A [1979, 666](#); [1991, 1781](#))

**NRS 532.220 Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program: Establishment; administration; purpose; grant qualification; immunity of state and local governments; refund of certain fees; certain permits not to be denied for lack of money.**

1. The Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program is hereby established and must be administered by the State Engineer.

2. This Program is to aid local governments in this state in the clearance, maintenance, restoration, surveying and monumenting of navigable rivers.

3. Any incorporated city, county or other political subdivision of this state may apply to the State Engineer for a grant under this program if the incorporated city, county or other political subdivision requesting the money agrees to match the state grant equally.

4. The State, its departments, divisions and agencies, an incorporated city, a county and all other political subdivisions of this state, and their employees and agents, are immune from civil liability for damages caused by an alteration or disturbance of a riverbed or flooding sustained as a result of any act or omission by an employee or agent in clearing or causing to be cleared, maintaining or restoring a channel of a river pursuant to this section if the channel is cleared, maintained or restored pursuant to a permit granted by the Division of State Lands of the State Department of Conservation and Natural Resources and such other permits and approvals as are required by law.

5. The Division of State Lands and the Division of Environmental Protection of the State Department of Conservation and Natural Resources shall refund the application or permit fees, if any, paid by a governmental entity to apply for a state permit to perform channel clearance, maintenance, restoration, surveying and monumenting if:

(a) The governmental entity applies for the applicable permits from the Division of State Lands and from the Division of Environmental Protection of the State Department of Conservation and Natural Resources;

(b) The governmental entity obtains all other permits and approvals as are required by law;

(c) The governmental entity applies for a grant pursuant to subsection 3; and

(d) The grant is denied for lack of money in the Account for the Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program after:

(1) The State Engineer requests an allocation from the Contingency Account pursuant to subsection 4 of [NRS 532.230](#); and

(2) An allocation from the Contingency Account is not made within 90 days after the request is made.

6. A state permit must not be denied for lack of money in the Account for the Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program.

7. As used in this section, "navigable river" means a river or stream that is used, or is susceptible of being used, in its ordinary condition for trade or travel in the customary modes of trade or travel on rivers or streams.

(Added to NRS by [1973, 821](#); A [1979, 114](#); [1985, 305](#); [1989, 1692](#); [1993, 112](#); [1997, 2221](#); [1999, 1240](#))

**NRS 532.230 Account for the Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program.**

1. The Account for the Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program is hereby created in the State General Fund.

2. The money in the Account must be administered by the State Engineer and must be expended only to aid local governments in the manner provided in [NRS 532.220](#).

3. If the balance in the Account is below \$250,000, the State Engineer may request an allocation from the Contingency Account pursuant to [NRS 353.266](#), [353.268](#) and [353.269](#).

4. If the balance in the Account is not sufficient to provide a grant of money to an incorporated city, a county or a political subdivision of this state, the State Engineer shall request an allocation from the Contingency Account pursuant to [NRS 353.266](#), [353.268](#) and [353.269](#).

(Added to NRS by [1995, 865](#); A [1997, 2222](#); [1999, 1241](#))