



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: December 21, 2017

Staff Contact: Darren Schulz, Public Works Director

Agenda Title: For Public Hearing: to hold a Public Hearing regarding water right applications 85956 and 85958 through 85961. (Curtis Horton, Chorton@carson.org)

Staff Summary: This item is to hold a public hearing and provide comments to the State Engineer for changing the point of diversion for surface water rights from lands in Carson City to Lyon County for Water Right Applications 85956 and 85958 through 85961.

Agenda Action: Other/Presentation

Time Requested: 5 minutes

Proposed Motion

Public Hearing only.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

Applications 85956 and 85958 thru 85961 are for the transfer of surface water rights owned by Vidler Water Company from Carson City to Lyon County from lands adjacent to the Carson River from the Jarrard Ranch property which are currently diverted at the Mexican Ditch. The City is required to hold a public hearing regarding the transfer and provide comments to the State Engineer. This transfer is consistent with the banking agreement between the City and Vidler. The transfers have been approved by Lyon County.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 533.363

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number: N/A

Is it currently budgeted? Yes No

Explanation of Fiscal Impact: N/A

Alternatives

N/A

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

Legal Notice

The Carson City Board of Supervisors, at their regularly scheduled meeting on December 21, 2017, will hold a public hearing in the Sierra Room at 851 East William Street, Carson City, Nevada 89701, regarding water applications 85956 and 85958 thru 85961. These water applications request approval to allow water to be transferred from Carson City to Lyon County. These applications propose to change the point of diversion, the place of use, and the manner of use for water owned by Vidler Water Company.

Under NRS 533.363 Carson City and Lyon County are required to hold public hearings and make formal recommendations for action regarding this application to the Nevada State Engineer.

Public input will be taken by the Board of Supervisors at their meeting on December 21, 2017. At the conclusion of the meeting, the Board may make a non-binding recommendation to the State Engineer. This notice will be published December 6, December 13, and December 20 of 2017.

For more information, please contact Darren Schulz, Public Works Director at 775-887-2355 or e-mail to dschulz@carson.org.

NRS 533.363 State Engineer to notify county commissioners of application to use water in county other than that in which it is appropriated or currently diverted or used.

1. Except as otherwise provided in subsection 2, if water for which a permit is requested is to be used in a county other than that county in which it is to be appropriated, or is to be diverted from or used in a different county than that in which it is currently being diverted or used, then the State Engineer shall give notice of the receipt of the request for the permit to:

(a) The board of county commissioners of the county in which the water for which the permit is requested will be appropriated or is currently being diverted or used; and

(b) The board of county commissioners of the county in which the water will be diverted or used.

2. The provisions of subsection 1 do not apply:

(a) To an environmental permit or a temporary permit issued pursuant to [NRS 533.436](#) or [533.504](#).

(b) If:

(1) The water is to be appropriated and used; or

(2) Both the current and requested place of diversion or use of the water are,

↳ within a single, contiguous parcel of real property.

3. A person who requests a permit to which the provisions of subsection 1 apply shall submit to each appropriate board of county commissioners a copy of the application and any information relevant to the request.

4. Each board of county commissioners which is notified of a request for a permit pursuant to this section shall consider the request at the next regular or special meeting of the board held not earlier than 3 weeks after the notice is received. The board shall provide public notice of the meeting for 3 consecutive weeks in a newspaper of general circulation in its county. The notice must state the time, place and purpose of the meeting. At the conclusion of the meeting the board may recommend a course of action to the State Engineer, but the recommendation is not binding on the State Engineer.

(Added to NRS by [1981, 782](#); A [1991, 758](#); [2011, 1565](#); [2013, 498, 3679](#))