



March 3, 2021

Assembly Committee on Natural Resources  
Nevada State Legislature  
401 S. Carson Street  
Carson City, NV 89701

Dear Chair Watts and Members of the Committee:

I am writing this letter to reiterate the Central Nevada Regional Water's opposition to AB5 which was heard by the Committee on Natural Resources on March 1<sup>st</sup>.

The Central Nevada Regional Water Authority is a nine-member county unit of local government whose mission is to protect the water resources of member counties so they will have an economic future and their valued quality of life and environment is maintained. CNRWA's Board of Directors includes county commissioners, ranchers, farmers, and other appointed members who are representative of water right holders in a region that covers nearly 70 percent of Nevada's land area.

AB5 limits appeals of State Engineer decisions to only those orders, decisions and rulings that are a final determination in writing reducing the ability for local governments like CNRWA and any affected person to challenge decisions of the State Engineer in Nevada state courts, the only courts with jurisdiction to hear such challenges.

NRS 533.450 has long been on the books and has served Nevadans well by providing affected persons with a relatively open opportunity to challenge potentially problematic decisions of the State Engineer concerning water, arguably the state's most vital and universally important natural resource. There is no reason to restrict Nevada's longstanding provision of relatively easy access to the courts for review of the State Engineer's decisions.

We appreciate the Division of Water Resources' proposed amendment which deletes the term, "materially affects" in Section 1, however, we remain opposed to AB5 for the reasons previously stated.

In summary, AB 5 reduces the scope of judicial review and undermines Nevada's longstanding, relatively progressive, judicial review standard of appeal for decisions of the State Engineer.

Sincerely,

Jeff Fontaine  
Executive Director