

CHAPTER 322 - USE OF STATE LANDS

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NRS 322.003 Definitions. As used in this chapter, unless otherwise defined in [NRS 322.0032](#) to [322.0066](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1993, 1456](#); A [1995, 2510](#))

NRS 322.0032 “Agricultural use” defined. “Agricultural use” means any use required for farming or ranching.

(Added to NRS by [1993, 1456](#))

NRS 322.0034 “Boat-fueling facility” defined. “Boat-fueling facility” means a pump or similar device used for transferring fuel to vessels on a navigable body of water.

(Added to NRS by [1993, 1456](#))

NRS 322.0036 “Boat hoist” defined. “Boat hoist” means a hoist, other than a hoist inside a boat house, for raising vessels from, or lowering vessels into, a navigable body of water.

(Added to NRS by [1993, 1456](#); A [1995, 2511](#))

NRS 322.0037 “Boat house” defined. “Boat house” means a covered or enclosed structure, in or on a navigable body of water, designed specifically to store, enclose, shelter or protect a vessel away from the elements.

(Added to NRS by [1995, 2510](#))

NRS 322.0038 “Boat ramp” defined. “Boat ramp” means a ramp for launching vessels into, or retrieving vessels from, a navigable body of water.

(Added to NRS by [1993, 1456](#))

NRS 322.004 “Boat slip” defined. “Boat slip” means a space, other than a space inside a boat house, designed for the mooring or storage of vessels on a navigable body of water.

(Added to NRS by [1993, 1456](#); A [1995, 2511](#))

NRS 322.0042 “Commercial use” defined. “Commercial use” means any use conducted primarily for profit, except a use conducted by a governmental or quasi-governmental entity.

(Added to NRS by [1993, 1456](#); A [1997, 972](#))

NRS 322.0043 “Deck” defined. “Deck” means a fixed or floating platform or other structure, other than a boat house or pier, which is attached to the shore or bed of, and extends into or over, a navigable body of water.

(Added to NRS by [1995, 2510](#))

NRS 322.0044 “Dredging” defined. “Dredging” means the removing or rearranging of any material below the high water elevation of a navigable body of water.

(Added to NRS by [1993, 1456](#))

NRS 322.0046 “Filling” defined. “Filling” means the deposit of any material below the high water elevation of a navigable body of water.

(Added to NRS by [1993, 1456](#))

NRS 322.005 “Geothermal resource” defined. “Geothermal resource” means the natural heat of the earth and the energy associated with that natural heat, pressure and all dissolved or entrained minerals that may be obtained from the medium used to transfer that heat, but excluding hydrocarbons and helium.

(Added to NRS by [1975, 512](#); A [1981, 659](#); [1993, 1459](#))

NRS 322.0052 “Littoral or riparian residential parcel” defined. “Littoral or riparian residential parcel” means a parcel of land which:

1. Adjoins the bed of a navigable body of water; and
2. Is restricted to single-family residential use.

(Added to NRS by [1993, 1456](#))

NRS 322.0054 “Mooring buoy” defined. “Mooring buoy” means a float:

1. Which is anchored to the bed of a navigable body of water; and
2. To which a vessel is fastened through the use of cables, lines, ropes or anchors for the purpose of maintaining the vessel in a stationary position in the water.

(Added to NRS by [1993, 1456](#))

NRS 322.0056 “Multiple residential use” defined. “Multiple residential use” means the use of a facility, structure or other object, except a commercial use, exclusively by the owners of two or more littoral or riparian residential parcels and their families and guests.

(Added to NRS by [1993, 1456](#))

NRS 322.0058 “Pier” defined. “Pier” means a fixed or floating platform or other structure, other than a boat house or deck, which:

1. Extends into or over a navigable body of water;
2. Is attached to pillars, piles, rocks or metal or is anchored to the bottom of the body of water; and
3. Affords convenient passage to and from vessels or provides a mooring for vessels.

(Added to NRS by [1993, 1456](#); A [1995, 2511](#))

NRS 322.006 “Recreational dredging” defined. “Recreational dredging” means dredging conducted primarily for personal pleasure using a portable vacuum or suction dredge which has an intake that does not exceed 4 inches in diameter.

(Added to NRS by [1993, 1456](#))

NRS 322.0062 “Single residential use” defined. “Single residential use” means the use of a facility, structure or other object, except a commercial use, exclusively by the owner of a littoral or riparian residential parcel and his or her family and guests.

(Added to NRS by [1993, 1457](#))

NRS 322.0066 “Vessel” defined. “Vessel” means any boat or other watercraft used as a means of transportation on water.

(Added to NRS by [1993, 1457](#))

NRS 322.007 Approval of certain leases required. Any lease of state land, except a lease for residential purposes, a lease for farming or grazing or a lease authorized pursuant to [NRS 321.008](#) or [322.061](#), whose term extends or is renewable beyond 1 year must be approved by the State Board of Examiners and the Interim Finance Committee.
(Added to NRS by [1983, 7](#); A [1989, 511](#), [1782](#); [2001, 906](#); [2013, 2691](#))

LEASES FOR EXTRACTION OF OIL, COAL, GAS OR GEOTHERMAL RESOURCES

NRS 322.010 Authorization. Except as provided in [NRS 334.070](#) and [504.147](#), the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, may lease any land except contract land now or hereafter owned by the State of Nevada, or which may hereafter be granted to it by the United States of America, upon terms as provided in [NRS 322.020](#), [322.030](#) and [322.040](#).

[1:183:1921; NCL § 5548]—(NRS A [1957, 649](#); [1961, 588](#); [1975, 106](#); [1979, 906](#); [1983, 1250](#))

NRS 322.020 Sizes of leased areas; conformity to governmental subdivisions. Such leases shall be in blocks of not less than 40 acres nor more than 1,280 acres each, and shall conform to governmental subdivisions.

[2:183:1921; NCL § 5549]

NRS 322.030 Rentals and royalties.

1. Such leases shall be based upon a fixed rental of not less than \$1 per acre annually for each acre contained therein, and shall further provide for a royalty of not less than:

(a) Fifteen percent of the gross value of all oil, gas or other hydrocarbons extracted therefrom.

(b) Ten percent of the gross value of any geothermal resource derived from the lease and sold or utilized or reasonably susceptible to sale or utilization by the lessee and 5 percent of the gross value of any by-product sold or utilized or reasonably susceptible to sale or utilization by the lessee.

2. Each lease shall be negotiated upon such terms and for such rent and royalty as are most favorable to the State and not less favorable than similar leaseholds in the vicinity.

3. As used in this section, “by-product” means a tangible substance produced or extracted in the utilization of a geothermal resource.

[3:183:1921; NCL § 5550]—(NRS A [1975, 511](#); [1977, 805](#))

NRS 322.040 Form of lease; preparation by Attorney General. Such leases shall be executed upon a form to be prepared by the Attorney General, which form shall contain all of the covenants and agreements usual and necessary to leases for the extraction of coal, oil and gas, or the utilization of geothermal resources, or both, as the situation may require.

[4:183:1921; NCL § 5551]—(NRS A [1975, 512](#))

OTHER LEASES AND EASEMENTS

NRS 322.050 Leases of or easements over state lands authorized; concurrence of contracting parties and state agencies required.

Except as otherwise provided in [NRS 334.070](#) and [504.147](#), the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, may, in addition to the authority to lease provided in [NRS 322.010](#), [322.020](#) and [322.030](#), lease or grant easements over or upon any land now or hereafter owned by the State of Nevada, or which may hereafter be granted it by the United States of America, upon terms as provided in [NRS 322.060](#). Leases or grants of easements over or upon contract lands may be made only with the consent of the contracting party, who must be paid all money received from any such lease or grant. Leases or grants of easements over or upon any lands which are used by any office, department, board, commission, bureau, institution or other agency of the State of Nevada may be granted only with the concurrence of the agency.

(Added to NRS by [1961, 588](#); A [1963, 534](#); [1975, 106](#); [1979, 906](#); [1983, 1250](#); [1989, 511](#); [1995, 834](#))

NRS 322.060 Certain leases or easements over state lands: Size of area; terms and consideration; form and preparation. Subject to the provisions of [NRS 321.335](#), leases or easements authorized pursuant to the provisions of [NRS 322.050](#), and not made for the purpose of extracting oil, coal or gas or the utilization of geothermal resources from the lands leased, must be:

1. For such areas as may be required to accomplish the purpose for which the land is leased or the easement granted.

2. Except as otherwise provided in [NRS 322.061](#), [322.063](#), [322.065](#) and [322.067](#), for such term and consideration as the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, may determine reasonable based upon the fair market value of the land.

3. Executed upon a form to be prepared by the Attorney General. The form must contain all of the covenants and agreements usual or necessary to such leases or easements.

(Added to NRS by [1961, 588](#); A [1975, 107, 512](#); [1989, 511](#); [1995, 834](#); [1997, 512](#); [2001, 906](#); [2005, 1457, 2680](#); [2013, 2691](#))

NRS 322.061 Lease of land at reduced rate to persons who intend to locate or expand business in this State; requirements; approval of lease; determination of rent; waiver of requirements.

1. The Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, may lease state land pursuant to [NRS 322.060](#) for less than the fair market value of the state land for the first year of the lease, including, without limitation, without the payment of rent for the first year of the lease, to a person who intends to locate or expand a business in this State if, except as otherwise provided in subsection 5, the business meets the requirements of subsection 4.

2. Before state land may be leased pursuant to this section, the following persons must approve the lease and establish the recommended amount of rent to be received for the state land:

(a) The Administrator of the Division of State Lands, as ex officio State Land Registrar;

(b) The Administrator of the State Public Works Division of the Department of Administration; and

(c) The Executive Director of the Office of Economic Development.

3. Any lease entered into pursuant to this section must be for a term of at least 10 years.

4. Except as otherwise provided in subsection 5, the lease or agreement may not include a discount to the business for the first year unless:

(a) The business is consistent with:

(1) The State Plan for Economic Development developed by the Executive Director of the Office of Economic Development pursuant to subsection 2 of [NRS 231.053](#); and

(2) Any guidelines adopted by the Executive Director of the Office to implement the State Plan for Economic Development.

(b) The business is registered pursuant to the laws of this State or the person who intends to locate or expand the business in this State commits to obtain a valid business license and all other permits required by the county, city or town in which the business operates.

(c) If the business is a new business in a county whose population is 100,000 or more or a city whose population is 60,000 or more, the business meets at least two of the following requirements:

(1) The business will have 75 or more full-time employees on the payroll of the business by the fourth quarter that it is in operation.

(2) Establishing the business will require the business to make a capital investment of at least \$1,000,000 in this State.

(3) The average hourly wage that will be paid by the new business to its new employees in this State is at least 100 percent of the average statewide hourly wage as established by the Employment Security Division of the Department of Employment, Training and Rehabilitation on July 1 of each fiscal year and:

(I) The business will provide a health insurance plan for all employees that includes an option for health insurance coverage for dependents of the employees; and

(II) The benefits the business provides to its employees in this State will meet the minimum requirements for benefits established by the Office.

(d) If the business is a new business in a county whose population is less than 100,000 or a city whose population is less than 60,000, the business meets at least two of the following requirements:

(1) The business will have 15 or more full-time employees on the payroll of the business by the fourth quarter that it is in operation.

(2) Establishing the business will require the business to make a capital investment of at least \$250,000 in this State.

(3) The average hourly wage that will be paid by the new business to its new employees in this State is at least 100 percent of the average statewide hourly wage or the average countywide hourly wage, whichever is less, as established by the Employment Security Division of the Department of Employment, Training and Rehabilitation on July 1 of each fiscal year and:

(I) The business will provide a health insurance plan for all employees that includes an option for health insurance coverage for dependents of the employees; and

(II) The benefits the business provides to its employees in this State will meet the minimum requirements for benefits established by the Office.

(e) If the business is an existing business, the business meets at least two of the following requirements:

(1) The business will increase the number of employees on its payroll by 10 percent more than it employed in the immediately preceding fiscal year or by six employees, whichever is greater.

(2) The business will expand by making a capital investment in this State in an amount equal to at least 20 percent of the value of the tangible property possessed by the business in the immediately preceding fiscal year. The determination of the value of the tangible property possessed by the business in the immediately preceding fiscal year must be made by the:

(I) County assessor of the county in which the business will expand, if the business is locally assessed; or

(II) The Department of Taxation, if the business is centrally assessed.

(3) The average hourly wage that will be paid by the existing business to its new employees in this State is at least the amount of the average hourly wage required to be paid by businesses pursuant to subparagraph (2) of either paragraph (a) or (b) of subsection 2 of [NRS 361.0687](#), whichever is applicable, and:

(I) The business will provide a health insurance plan for all new employees that includes an option for health insurance coverage for dependents of the employees; and

(II) The benefits the business provides to its new employees in this State will meet the minimum requirements for benefits established by the Office.

(f) In lieu of meeting the requirements of paragraph (c), (d) or (e), if the business furthers the development and refinement of intellectual property, a patent or a copyright into a commercial product, the business meets at least two of the following requirements:

(1) The business will have 10 or more full-time employees on the payroll of the business by the fourth quarter that it is in operation.

(2) Establishing the business will require the business to make a capital investment of at least \$500,000 in this State.

(3) The average hourly wage that will be paid by the new business to its employees in this State is at least the amount of the average hourly wage required to be paid by businesses pursuant to subparagraph (2) of either paragraph (a) or (b) of subsection 2 of [NRS 361.0687](#), whichever is applicable, and:

(I) The business will provide a health insurance plan for all employees that includes an option for health insurance coverage for dependents of the employees; and

(II) The benefits the business provides to its employees in this State will meet with minimum requirements established by the Office.

5. The Executive Director of the Office of Economic Development may waive the requirements of subsection 4 for good cause shown if the lease is for state land of less than 25,000 square feet.

(Added to NRS by [2013, 2688](#); A [2015, 1080](#))

NRS 322.063 Lease of state land to certain state officers or employees for reduced charge; approval of lease; determination of rent; waiver of fee.

1. The Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, may, pursuant to [NRS 322.060](#), lease residential property owned by the State of Nevada for less than the fair market value of the property to an officer or employee of this State who is required as a condition of his or her employment to reside in residential property owned by this State.

2. Before residential property may be leased pursuant to this section, the State Land Registrar, in cooperation with the head of the state agency that manages the property, must approve the lease and determine the amount of rent for the lease of the property.

3. The State Land Registrar may waive any fee for the consideration of an application to lease property pursuant to this section.

(Added to NRS by [2001, 906](#))

NRS 322.065 Lease of state land to certain nonprofit organizations or educational institutions for reduced charge; approval of lease; determination of rent; waiver of fee; exclusions.

1. Except as otherwise provided in this section, land may be leased pursuant to [NRS 322.060](#) to:

(a) A nonprofit organization that is recognized as exempt under section 501(c)(3) of the Internal Revenue Code and is affiliated by contract or other written agreement with an agency of this State; or

(b) A public educational institution,

➤ under such terms and for such consideration as the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, determines reasonable based upon the costs and benefits to the State and the recommendation of the persons who approve the lease.

2. To lease property pursuant to this section, at least two of the following persons must approve the lease and establish the recommended amount of rent to be received for the property:

(a) The Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar.

(b) The Administrator of the State Public Works Division of the Department of Administration.

(c) The Director of the Department of Health and Human Services or a person designated by the Director.

➤ Such persons shall render a decision on an application to lease property pursuant to this section within 60 days after the application is filed with the Administrator of the Division of State Lands.

3. In determining the amount of rent for the lease of property pursuant to this section, consideration must be given to:

(a) The amount the lessee is able to pay;

(b) Whether the property will be used by the lessee to perform a service of value to members of the general public; and

(c) Whether the service to be performed on the property will be of assistance to any agency of this State.

4. The State Land Registrar may waive any fee for the consideration of an application submitted pursuant to this section.
5. The provisions of this section do not apply to property granted to the State by the Federal Government and held in trust by the State for educational purposes.
(Added to NRS by [1995, 833](#))

NRS 322.067 Waiver of fee for grant of easement to local government for public road.

1. Upon the request of the governing body of a local government, the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, may grant an easement for a public road to the governing body without charging a fee if the governing body agrees to pay the actual costs incurred by the State Land Registrar in granting the easement.
2. As used in this section, "local government" has the meaning ascribed to it in [NRS 354.474](#).
(Added to NRS by [1995, 834](#))

- NRS 322.070 Leases of land for private development.** The State Land Registrar may lease for private development any land except contract land owned by the State of Nevada to produce public revenue. Such a lease may be for a term not to exceed 99 years.
(Added to NRS by [1983, 1260](#))

- NRS 322.075 Fees for leases of land for grazing livestock: Conditions; determination of minimum fee.** Unless the fee for the term or any portion of the term of a lease of land for grazing livestock is determined pursuant to [NRS 322.060](#):

1. The fee for the term or any portion of the term of the lease must be based on the fair market value of the interest leased, but must not be less than:
- (a) The minimum grazing fee determined pursuant to subsection 2; or
 - (b) The base value specified in subsection 3,
- whichever is greater, for each animal unit month leased.
2. To determine the minimum grazing fee for the purposes of subsection 1, the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as ex officio State Land Registrar, shall:
- (a) For each of the 3 years immediately preceding the year in which the land is leased:
 - (1) Divide the price of beef cattle as set forth in the beef price index for that year by the cost to produce livestock as set forth in the production price index for that year; and
 - (2) Multiply the quotient calculated pursuant to subparagraph (1) by the base value specified in subsection 3 for that year; and
 - (b) Upon determining an amount for each year pursuant to paragraph (a), add each of those amounts and divide the sum by 3.
3. For the purposes of this section, the base value is \$1.94 for the period beginning on July 1, 1997, and ending on December 31, 2003. On January 1, 2004, and every 6 years thereafter, the Administrator shall revise the base value to adjust for inflation.
4. As used in this section:
- (a) "Animal unit month" means the amount of forage required to sustain one cow for one month.
 - (b) "Beef price index" means the index that:
 - (1) Indicates the price of beef cattle in this State; and
 - (2) Is calculated by the Administrator from data published annually by the United States Department of Agriculture.
 - (c) "Production price index" means the index that:
 - (1) Indicates the cost to produce livestock, including the costs related to interest, taxes and wages; and
 - (2) Is published annually by the United States Department of Agriculture.
- (Added to NRS by [1997, 3394](#))

OTHER LAWFUL USES

NRS 322.100 Authority of State Land Registrar to issue permit, license or other authorization for any lawful use; fees.

1. In addition to any other authority granted pursuant to this chapter, the State Land Registrar may:
- (a) Issue a permit, license or other authorization for any lawful use of state land administered by the Division of State Lands of the State Department of Conservation and Natural Resources; and
 - (b) Except as otherwise provided by specific statute, charge a fee for the issuance of such a permit, license or other authorization in such an amount as the State Land Registrar determines to be reasonable based upon the fair market value of the use.
2. The receipt of a permit, license or other authorization issued pursuant to this section does not excuse the recipient from compliance with any other provision of law regarding the use to which the permit, license or other authorization applies, including any requirements to obtain any other permits, licenses or authorizations regarding that use.
(Added to NRS by [1993, 1457](#))

NRS 322.1003 Permit, license or other authorization to use state land or state facilities for recreational purpose: Statement by applicant concerning payment of child support; grounds for denial. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for a permit, license or other authorization to use state land or state facilities for a recreational purpose shall, if the permit, license or other authorization does not expire less than 6 months after it is issued, submit to the State Land Registrar the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.
2. The State Land Registrar shall include the statement required pursuant to subsection 1 in:
- (a) The application or any other forms that must be submitted for the issuance of the permit, license or other authorization; or
 - (b) A separate form prescribed by the State Land Registrar.
3. A permit, license or other authorization to use state land or state facilities for a recreational purpose that does not expire less than 6 months after it is issued may not be issued by the State Land Registrar if the applicant:
- (a) Fails to submit the statement required pursuant to subsection 1; or
 - (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.
4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he or she is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the State Land Registrar shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.
(Added to NRS by [1997, 2045](#))

NRS 322.1007 Performance of work below high water mark of navigable river: Application and fees for permit; conditions under which permit not required.

1. If the State Land Registrar receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a permit, license or other authorization to use state land or state facilities for a recreational purpose, the State Land Registrar shall, if the permit does not expire less than 6 months after it is issued, deem the permit, license or other authorization issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the State Land Registrar receives a letter issued to the holder of the permit, license or other authorization by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the permit, license or other authorization has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The State Land Registrar shall reinstate a permit, license or other authorization to use state land or state facilities for a recreational purpose that has been suspended by a district court pursuant to [NRS 425.540](#) if the State Land Registrar receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose permit, license or other authorization was suspended stating that the person whose permit, license or other authorization was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2046](#))

NRS 322.1007 Performance of work below high water mark of navigable river: Application and fees for permit; conditions under which permit not required.

1. If an emergency causes an immediate threat to life, health or property, a person may perform work below the high water mark of a navigable river to the extent necessary to protect life, health or property without first submitting an application to or securing a permit from the State Land Registrar. If reasonably practicable, before proceeding with any such work, the person shall notify the State Land Registrar of the emergency by telephone or other means. Upon completion of the work, the person initiating the work shall file an application with the State Land Registrar as required for the work completed.

2. Neither an application to nor a permit from the State Land Registrar is required for work performed below the high water mark of a navigable river which constitutes routine maintenance or minor repairs, or both, of an:

(a) Irrigation diversion structure; or

(b) Outfall structure that is regulated by an individual permit issued pursuant to [NRS 445A.300](#) to [445A.730](#), inclusive,

if the irrigation diversion structure or outfall structure is not altered beyond the existing permitted size, configuration and location and the river bed is not disturbed.

3. Except as otherwise provided in subsections 1 and 4, a person must file an application with the State Land Registrar and pay any required application fee but is not required to secure a permit from the State Land Registrar to perform work below the high water mark of a navigable river for the following types of projects:

(a) Clearance of vegetation that restricts the capacity of the channel or the flow of water of a navigable river, or both;

(b) Clearance of debris or temporary obstructions that restrict the capacity of the channel or the flow of water of a navigable river, or both; or

(c) Bank stabilization or restoration, where all materials used are appropriate natural materials as determined by the State Land Registrar.

4. Unless otherwise notified by the State Land Registrar, the person may proceed pursuant to subsection 3 with any such work 14 days after a completed application and any required fees are submitted to the State Land Registrar.

5. Work authorized by subsections 2 and 3:

(a) Must be performed in accordance with best management practices to protect water quality; and

(b) Must not significantly disturb or alter the river bed or banks or the flow of water or alter the capacity of the channel.

6. Except as otherwise provided by subsections 1, 2 and 3, a person must secure a permit from the State Land Registrar before proceeding with any work below the high water mark of a navigable river, including, but not limited to:

(a) Dredging or filling;

(b) Bank stabilization or restoration, where all materials used are not appropriate natural materials as determined by the State Land Registrar;

(c) Channel clearance; or

(d) Construction of irrigation diversions.

7. The State Land Registrar shall process the application for a permit required by subsection 6 and issue the permit or notify the applicant that the application has been denied, within 60 days after the receipt of a completed application and any required application fee. This period may be extended by mutual agreement between the State Land Registrar and the applicant.

8. Unless the period for acting upon the application is extended by mutual agreement pursuant to subsection 7, a completed application, which was properly submitted pursuant to subsection 7 with any required fees, that is not acted upon by the State Land Registrar within 60 days after receipt shall be deemed approved and the work requested may proceed upon payment by the applicant of any required fee for the permit.

9. All state agencies which have jurisdiction within a navigable river shall cooperate with the State Land Registrar in compiling information needed to process a permit pursuant to subsection 7 and shall provide a timely response to a request from the State Land Registrar for information or assistance.

10. Compliance with the provisions of this section does not relieve an applicant from the duty to comply with the provisions of [NRS 455.080](#) to [455.180](#), inclusive, and any other applicable requirements of other state, local, regional or federal entities.

11. As used in this section, "high water mark" means the mean high water line to which high water ordinarily reaches, not including floodwaters.

(Added to NRS by [1997, 1260](#))

NRS 322.110 Establishment of fees for consideration of applications for use of state lands; waiver of fee.

1. Except as otherwise provided in this section or by specific statute, the State Land Registrar shall charge a nonrefundable fee in an amount established by regulation for the following:

(a) For the consideration of an application for the issuance of any lease, easement, permit, license or other authorization for:

(1) Any commercial use of state land other than an agricultural use.

(2) Any agricultural use of state land.

(3) Any other use of state land.

(b) For the consideration of an application for the amendment of any lease, easement, permit, license or other authorization for:

(1) Any commercial use of state land other than an agricultural use.

(2) Any agricultural use of state land.

(3) Any other use of state land.

2. The State Land Registrar shall charge a nonrefundable fee in an amount established by regulation for the consideration of an application for the issuance or amendment of a permit to engage in recreational dredging.

3. The State Land Registrar may waive any fee for the consideration of an application regarding any permit, license or other authorization for the use of state land for which no fee is charged.

(Added to NRS by [1993, 1457](#); A [2017, 2256](#))

NRS 322.120 Establishment of fees: Permit for use of piers or other related facilities; permit for use of boat hoist, boat house, boat ramp, boat slip, deck, mooring buoy or similar devices. Except as otherwise provided in this section or by specific statute, the State Land Registrar shall charge a fee in an amount established by regulation for the issuance of:

1. A permit for:

- (a) The commercial use of a pier or other facility for loading passengers on vessels in a navigable body of water.
- (b) The multiple residential use of a pier or other facility for loading passengers on vessels in a navigable body of water.
- (c) The single residential use of a pier or other facility for loading passengers on vessels in a navigable body of water.
- (d) Any other use of a pier or other facility for loading passengers on vessels in a navigable body of water.

2. A permit for:

(a) The commercial use:

(1) Of a boat hoist, boat house, boat ramp, boat slip, deck or a similar device or structure in or on a navigable body of water, except that no fee may be charged for a boat hoist, boat house or deck which is attached to a pier.

(2) Of a mooring buoy or similar device for mooring vessels in or on a navigable body of water.

(b) Any other use:

(1) Of a boat hoist, boat house, boat ramp, boat slip, deck or a similar device or structure in or on a navigable body of water, except that no fee may be charged for a boat hoist, boat house or deck which is attached to a pier.

(2) Of a mooring buoy or similar device for mooring vessels in or on a navigable body of water.

(c) Any use of a boat-fueling facility in or on a navigable body of water.

(Added to NRS by [1993, 1457](#); A [1995, 578, 2511](#); [2017, 2256](#))

NRS 322.125 Credit toward fee for commercial use of state land.

1. The State Land Registrar shall grant a person credit towards the fee imposed pursuant to [NRS 322.120](#) for the commercial use of state land in an amount equal to:

(a) The amount that the total fees charged to that person pursuant to that section for the previous year exceeded one and one-half cents for each gallon of fuel sold plus 5 percent of that person's gross revenue from the commercial use of that state land, excluding the sale of fuel, for that year;

(b) The amount that the United States Forest Service returned to the State of Nevada from money that the person was required to pay pursuant to a lease or permit to use federal land during the previous year which is attributable to revenues earned on land belonging to the State of Nevada; and

(c) The difference between the fee for a permit for commercial use and the fee for a permit for multiple residential use if during the previous year the person paid the fee for a permit for commercial use but did not conduct that commercial use.

2. A person who is eligible for a credit pursuant to subsection 1 shall demonstrate to the satisfaction of the State Land Registrar that the person is entitled to such a credit.

3. If the amount of a credit granted pursuant to this section exceeds the amount of the fee imposed pursuant to [NRS 322.120](#) for the year in which the credit will be used, the excess credit is forfeited and the State Land Registrar shall not grant a refund or apply the credit to any other year.

(Added to NRS by [1995, 2510](#); A [2017, 2257](#))

NRS 322.130 Fee for permit for dredging or filling, construction or installation of certain structures. Except as otherwise provided by specific statute, the State Land Registrar shall charge for:

1. A permit to engage in a project for dredging or filling, to construct or install any gabion, riprap or similar protective structure on state land or in a navigable body of water, or to construct or install any groin, seawall, breakwater, jetty or similar protective structure in a navigable body of water, for:

(a) Any commercial use other than an agricultural use, a fee of \$1,000.

(b) Any agricultural use, a fee of \$300.

(c) Any other use, except as otherwise provided in subsection 2, a fee of \$250.

2. A permit to engage in recreational dredging, a fee of \$50 per year or \$5 per day.

3. A permit to construct or install a structure on state land for the diversion of water to irrigate any land for agricultural use, a fee of \$100. The State Land Registrar shall not charge a fee for the use of state land to maintain or repair such a structure.

(Added to NRS by [1993, 1458](#))

NRS 322.140 Waiver of fees by State Land Registrar. The State Land Registrar may waive a fee for the issuance of any permit, license or other authorization for the use of state land:

1. To protect or promote the public health or safety; or

2. For a short term, if the use:

(a) Is not conducted primarily for profit; and

(b) Is conducted in such a manner as to cause no essential change in or damage to the state land.

(Added to NRS by [1993, 1458](#); A [1995, 2512](#))

NRS 322.150 Exemption from fees for assignment of state lands to state agency. The State Land Registrar shall not charge any fee pursuant to [NRS 322.100](#) to [322.130](#), inclusive, for the assignment of any land or interest in land, pursuant to [NRS 321.003](#), to a state agency for use and administration.

(Added to NRS by [1993, 1458](#))

NRS 322.160 Accounting and use of proceeds of fees. The proceeds of any fee charged pursuant to [NRS 322.100](#) to [322.130](#), inclusive, must be accounted for by the State Land Registrar and:

1. If the fee is for any authorization to use land granted to the State by the Federal Government for educational purposes, the proceeds must be paid into the State Treasury for credit to the State Permanent School Fund.

2. If the fee is for any authorization to use any other state land, except as otherwise provided in this subsection, the proceeds must be paid into the State Treasury for credit to the State General Fund. If the proceeds of the fees charged pursuant to [NRS 322.120](#) to use any other state land exceed \$65,000 in any fiscal year, the amount which is in excess of \$65,000 must be accounted for separately and used by the State Land Registrar to carry out programs to preserve, protect, restore and enhance the natural environment of the Lake Tahoe Basin.

(Added to NRS by [1993, 1459](#); A [1995, 811](#); [1997, 1262](#); [2017, 2258](#))

NRS 322.170 Regulations. The State Land Registrar shall adopt such regulations as are necessary to carry out the provisions of [NRS 322.100](#) to [322.160](#), inclusive.

(Added to NRS by [1993, 1459](#); A [1995, 2512](#); [1997, 1262](#), [2046](#))