



Nevada Division of
WATER RESOURCES

STATE OF NEVADA
Department of Conservation and Natural Resources
Joe Lombardo, Governor
James A. Settelmeyer, Director
Chris Thorson, P.E., Acting State Engineer

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066**

LCB File: R027-25

The following statement is submitted for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 534

1. A clear and concise explanation of the need for the adopted regulation.

In response to Governor Lombardo’s Executive Order 2023-004, requiring a review of regulatory requirements for occupational licensing, the Division of Water Resources (Division), in cooperation with the Well Driller’s Advisory Board (Board), identified recommended revisions to existing licensing regulations and a pathway to licensure reciprocity. These revisions are intended to remove unnecessary or onerous regulatory barriers while maintaining the standards of qualifications required for well drilling licensure. The adopted regulation is needed to simplify and streamline the licensure process, improve clarity and efficiency for applicants, and establish a pathway for licensure reciprocity. Collectively, these updates support a more accessible, transparent, and efficient regulatory framework without compromising public health, safety, or the integrity of the profession.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

First, a survey request was sent to seek comments from small businesses in the state (see question 5 for more detail).

Next, public workshop was held on October 3, 2025, for the Division to provide a review and presentation of the regulation revisions and solicit oral and/or written comments from interested persons. No public comment was received.

Finally, an adoption hearing was held on November 12, 2025, which included another presentation by the Division and periods for taking oral and/or written comments. No public comment was received and the regulations were adopted.

Copies of the Small Business Impact Statement and recordings of the workshop and hearing are available on the Division’s website.

3. The number of persons from the public who:

- a. **Attended each hearing:** *November 12, 2025 - 5 attendees*
- b. **Testified at each hearing:** *November 12, 2025 – 0 public testimony*
- c. **Submitted to the agency written comments:** *0 public written comments*

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization

represented (if provided to the agency), for each person who testified at each hearing and submitted to the agency written statements.

No oral testimony or written statements were provided by the public for the hearing.

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

A Small Business Impact Survey was distributed on August 19, 2025, to the Division's Well Driller listserv, which includes all licensed well drillers in Nevada - some of whom are owners of well drilling businesses operating within the state. The Division received 13 responses to the questionnaire; however, 6 of those responses indicated they employed more than 150 employees and therefore did not qualify as a small business for the purpose of the survey. Supportive responses suggested the proposed regulations would provide a more direct pathway to licensure for experienced out of state well drillers, improved ability to expand business into Nevada, and more streamlined succession planning and onboarding for existing businesses. Some respondents expressed opposition about making any changes to the testing requirements or introducing reciprocity out of concern that there could be lesser qualified well drillers obtaining licenses in the state that may not be as familiar with the regulations. The Division utilized the responses from the survey, analyzed processes that result in delays to scheduling applicants for testing, and reviewed data from recent testing scores to assess impacts of the proposed regulations on small businesses.

A Small Impact Business Statement was prepared in response to this survey and is available on the Division's website.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

On March 12, 2025, the Division adopted temporary regulations covering the same general material as these permanent regulations. During and after that process, the Division completed a similar process of soliciting responses from small businesses to prepare a Small Business Impact Statement and holding both a public workshop and adoption hearing. After the adoption of the temporary regulations, the Division made minor adjustments to close a potential loophole with the draft sent to the Legislative Council Bureau. The version that was returned contained the details of the prior temporary regulations and the changes made to the permanent regulations. During the comments periods for preparing the Small Business Impact Statement, the public hearing, and the adoption hearing, the Division did not receive any comment that necessitated a change to the language, so they were adopted without change.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulation and on the public. These must be stated separately, and each case must include:

a. Both adverse and beneficial effects; and

- **On business:** Testing for licensure will be more streamlined, and the Division's scheduling will be clarified, resulting in direct benefits to businesses and employees seeking licensure. While reciprocity may introduce additional competition into the state, it also enables businesses to attract skilled workers. Well drillers who already possess the necessary skills and expertise can get to work

more rapidly in Nevada with less regulatory barriers.

- **On the public:** The Division does not anticipate any impact on the public resulting from these regulations.

b. Both immediate and long-term effects.

- **On business:** The Division anticipates immediate impacts from a clearer and more efficient licensing process, including = fewer onerous barriers to avoidable delays in scheduling and licensure. Long-term, the Division does not anticipate any effect to the standards of licensed well drillers.

- **On the public:** The Division does not anticipate any effect on the public resulting from these regulations.

8. The estimated cost to the agency for enforcement of the adopted regulation.

The Division does not anticipate incurring any additional cost resulting from the regulation.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The regulation does not overlap or duplicate any existing regulation.

10. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

The regulation is not more stringent than federal regulation.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The regulation does not create any new fees or increase an existing fee.