

## **Part 2**

### **Allocation of Developed Waters**

#### **73-26-201 Entities eligible to receive developed water -- Leasing developed water -- Use of developed water.**

- (1) Water developed by projects authorized under this chapter, except water reserved for wildlife or public recreation, shall be made available by contract exclusively to the following entities:
  - (a) the Bear River Water Conservancy District;
  - (b) the Salt Lake County Water Conservancy District;
  - (c) the Weber Basin Water Conservancy District; and
  - (d) Cache County and any water conservancy district in Cache County.
- (2) A county or conservancy district that purchases or leases developed water may lease the water to any person.
- (3) A county or conservancy district that purchases or leases developed water may use the water directly or by exchange in accordance with Section 73-3-20.

Amended by Chapter 84, 2006 General Session

#### **73-26-202 Limits on amount of water available to any entity -- Exception.**

- (1) Except as provided in Subsection (2), the total amount of water from projects authorized under this chapter that may be made available to any entity or area is limited as follows:
  - (a) The Salt Lake County Water Conservancy District and Weber Basin Water Conservancy District each may purchase or lease no more than 50,000 acre-feet a year.
  - (b) The Bear River Water Conservancy District may purchase or lease no more than 60,000 acre-feet a year.
  - (c) The total cumulative amount of developed waters purchased or leased by Cache County and any water conservancy district in Cache County may not exceed 60,000 acre-feet a year.
- (2) An entity or area may purchase or lease water in excess of the limits specified in Subsection (1) on a temporary basis, if water is available from a project and no other entity eligible to receive water has offered to purchase or lease it.

Amended by Chapter 84, 2006 General Session

#### **73-26-203 Time period for submission of offers to purchase or lease water -- Oversubscription of water -- Allocation procedure.**

- (1) When a project authorized under this chapter is under development, the division shall establish a period of time during which the entities specified in Section 73-26-201 may offer to purchase or lease water developed by the project.
- (2)
  - (a) If, in the time period established under Subsection (1), the division receives offers to purchase or lease more water than can be made available through the project, the board shall allocate the water among the interested purchasers.
  - (b) In determining the allocations, the board:
    - (i) shall give priority in the following order to:
      - (A) municipal and industrial water needs;
      - (B) agricultural water needs; and
      - (C) all other water uses; and

(ii) may proportionately reduce each offer.

Enacted by Chapter 251, 1991 General Session