

Part 3
Allocation of Developed Water

73-28-301 Entities eligible to receive developed water.

- (1) Except for developed water reserved for wildlife or public recreation, the board shall make the developed water available by contract exclusively to the districts listed in Subsection 73-28-103(5).
- (2) A district that purchases developed water may:
 - (a) use the water directly;
 - (b) exchange the water by following the procedures and requirements of Section 73-3-20; or
 - (c) sell the water to any entity or person.
- (3) Districts purchasing developed water shall build any facilities necessary for the treatment and local delivery of the developed water.

Enacted by Chapter 216, 2006 General Session

73-28-302 Limits on amount of water available to any district -- Exception.

- (1) Except as provided in Subsection (2), the total amount of developed water that the board may make available to any district is limited as follows:
 - (a) The Kane Water Conservancy District may purchase no more than 10,000 acre-feet of developed water per calendar year.
 - (b) The Washington County Water Conservancy District may purchase no more than 69,000 acre-feet of developed water per calendar year.
 - (c) The Central Iron County Water Conservancy District may purchase no more than the amount of Colorado River water it acquires.
- (2)
 - (a) A district may purchase developed water in excess of the limits specified in Subsection (1) for that calendar year if:
 - (i) developed water is available; and
 - (ii) no other district eligible to receive the developed water has offered to purchase it.
 - (b) The board may expand the size of the project and exceed the limits in Subsection (1) if the board or a district acquires additional water rights.
- (3) Before beginning the final design of the project, the board shall make rules establishing a reasonable time during which the districts may offer to purchase developed water.
- (4) If the Central Iron County Water Conservancy District acquires water rights and participates in the project, the board shall ensure that:
 - (a) the project is sized and constructed to transport the Central Iron County Water Conservancy District's water from Lake Powell; and
 - (b) facilities from Washington County to Cedar City are included in the project.

Enacted by Chapter 216, 2006 General Session