

**DIVISION OF WATER RIGHTS FUNDING
AND NOTIFICATION AMENDMENTS**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Michael R. Styler

This act modifies the Water and Irrigation Code. The act provides that fees collected by the state engineer shall be deposited in the General Fund as a dedicated credit to be used by the Division of Water Rights to meet publication of notice requirements under Title 73. The act provides a coordination clause.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

73-2-14, as last amended by Chapter 36, Laws of Utah 2000

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **73-2-14** is amended to read:

73-2-14. Fees of state engineer.

(1) The state engineer shall charge fees pursuant to Section 63-38-3.2 for the following:

(a) applications to appropriate water;

(b) applications to temporarily appropriate water;

(c) applications for permanent or temporary change;

(d) applications for exchange;

(e) applications for an extension of time in which to resume use of water;

(f) applications to appropriate water, or make a permanent or temporary change, for use outside the state filed pursuant to Title 73, Chapter 3a, Water Exports;

(g) groundwater recovery permits;

(h) diligence claims for surface or underground water filed pursuant to Section 73-5-13;

(i) republication of notice to water users after amendment of application where required by this title;



- 28 (j) applications to segregate;
- 29 (k) requests for an extension of time in which to submit proof of appropriation not to
- 30 exceed 14 years after the date of approval of the application;
- 31 (l) requests for an extension of time in which to submit proof of appropriation 14 years or
- 32 more after the date of approval of the application;
- 33 (m) groundwater recharge permits;
- 34 (n) applications for a well driller's license, annual renewal of a well driller's license, and
- 35 late annual renewal of a well driller's license;
- 36 (o) certification of copies;
- 37 (p) preparing copies of documents; and
- 38 (q) reports of water right conveyance.

39 (2) Fees for the services specified in Subsections (1)(a) through ~~[(1)]~~(i) shall be based
40 upon the rate of flow or volume of water. If it is proposed to appropriate by both direct flow and
41 storage, the fee shall be based upon either the rate of flow or annual volume of water stored,
42 whichever fee is greater.

43 (3) Fees collected under this section:

44 (a) shall be deposited in the General Fund as a dedicated credit to be used by the Division
45 of Water Rights; and

46 (b) may only be used by the Division of Water Rights to meet the publication of notice
47 requirements under this title.

48 **Section 2. Coordination clause.**

49 If this bill, S.B. 1, Appropriations Act, and the appropriation to the Division of Water
50 Rights included in S.B. 1 all pass, it is the intent of the Legislature that the appropriation from the
51 General Fund to the Division of Water Rights in S.B. 1 be reduced by \$120,000 and the dedicated
52 credit appropriation from the General Fund to the Division of Water Rights be increased by
53 \$150,000.

Legislative Review Note
as of 2-25-02 11:25 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel