

1 **BEAR RIVER DEVELOPMENT PROJECTS**

2 2002 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Michael G. Waddoups**

5 **This act modifies the Water and Irrigation Code to delete reference to the Honeyville and**
6 **Barrens projects from the list of potential projects on the Bear River.**

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

8 AMENDS:

9 **73-26-104**, as enacted by Chapter 251, Laws of Utah 1991

9a **§ 73-26-301, as enacted by Chapter 251, Laws of Utah 1991 §**

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

11 Section 1. Section **73-26-104** is amended to read:

12 **73-26-104. Bear River development projects.**

13 (1) The division shall:

14 (a) develop the surface waters of the Bear River and its tributaries through the planning
15 and construction of reservoirs and associated facilities as authorized and funded by the Legislature;

16 (b) own and operate the facilities constructed; and

17 (c) market the developed waters.

18 (2) Potential projects include:

19 [~~(a)~~ ~~Honeyville~~];

20 [~~(b)~~ ~~Barrens~~];

21 [~~(c)~~] (a) Hyrum Dam;

22 [~~(d)~~] (b) Avon;

23 [~~(e)~~] (c) Mill Creek;

24 [~~(f)~~] (d) Oneida Narrows; **§ [and] §**

25 [~~(g)~~] (e) North Eden Creek **§ ; AND (f) WASHAKIE § .**

26 (3) The division may develop sites other than those listed in Subsection (2) if those
27 projects are authorized and funded by the Legislature.

27a1 **h (4) THE PURCHASE OF REAL PROPERTY DOES NOT CONSTITUTE WATER**

27b1 **DEVELOPMENT. h**

27a **§ Section 2. Section 73-26-301 is amended to read:**



27b **73-26-301. Authorized projects -- Work subject to legislative appropriations.**
27c **The division is authorized to develop the [~~Honeyville, Barrens, Hyrum Dam, and Avon~~**
27d ~~reservoirs]~~ **POTENTIAL PROJECTS LISTED UNDER SUBSECTION 73-26-104(2) and associated works,**
27e **including an interconnection from [~~Honeyville Reservoir]~~ THE CORINNE AREA to Willard Reservoir,**
27f **and shall proceed with design work, environmental assessments, acquisition of land and**
27g **rights-of-way, and construction, subject to:**
27h **(1) the appropriation of funds for those purposes by the Legislature; and**
27i **(2) fulfillment of the requirements specified in Section 73-26-302. §**

Legislative Review Note
as of 12-18-01 11:29 AM

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

Office of Legislative Research and General Counsel