

121 accordance with the State Construction Code or an approved code under Title 15A, State
 122 Construction and Fire Codes Act, if:

123 (a) for a person who uses only one container on a parcel, the total capacity of the
 124 container is no more than 2,500 gallons; or

125 (b) for a person who uses more than one container on a parcel, the aggregate capacity
 126 of the containers is no more than 2,500 gallons.

127 (4) A person may collect and store precipitation, without registering under Subsection
 128 (5), in no more than two covered storage containers[;] if [the maximum] neither covered
 129 storage [capacity of any one covered storage container is not] container has a maximum storage
 130 capacity of greater than 100 gallons.

131 (5) (a) The state engineer shall provide a website on which a person may register as
 132 required by Subsection (3).

133 (b) To register, a person shall complete information required by the state engineer
 134 including the:

135 (i) name and address of the person capturing or storing precipitation;

136 (ii) total capacity of all containers storing precipitation; and

137 (iii) street address or other suitable description of the location where precipitation is to
 138 be captured and stored.

139 (6) Beneficial use of water under Subsection (2)(b) does not constitute a water right
 140 and may not be:

141 (a) changed under Section 73-3-3;

142 ~~↳ [(b) assigned; ↳ [or] ↳~~

143 ~~—— (c) consolidated with a water right ↳ [;] or~~

143a ~~—— (d) used as a basis to establish the availability of water for land use development. ↳~~

143b (b) assigned; or

143c (c) consolidated with a water right.

143d (7) A person who beneficially uses water under Subsection (2)(b) shall comply with:

143e (a) state law; and

143f (b) local health and safety rules and regulations. ↳

Legislative Review Note

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Office of Legislative Research and General Counsel