

**DIVISION OF WATER RIGHTS REVISIONS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Margaret Dayton**

House Sponsor: Keith Grover

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**LONG TITLE**

**General Description:**

This bill modifies provisions of Title 73, Water and Irrigation, regarding fixed time period applications and claims to surface or underground water not otherwise represented.

**Highlighted Provisions:**

This bill:

- ▶ modifies provisions of Title 73, Water and Irrigation, regarding:
  - fixed time period applications; and
  - claims to surface or underground water not otherwise represented; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

**H→ [None] This bill coordinates with S.B. 30, Water and Irrigation Amendments, by providing a technical amendment, and H.B. 29, Adjudication of Water Rights, by providing a substantive amendment. ←H**

**Utah Code Sections Affected:**

AMENDS:

**73-3-10**, as last amended by Laws of Utah 1997, Chapter 48

**73-3-18**, as last amended by Laws of Utah 2011, Chapter 86

**73-3-20**, as last amended by Laws of Utah 2012, Chapter 163

**73-5-13**, as last amended by Laws of Utah 2001, Chapter 136

**H→ Utah Code Sections Affected by Coordination Clause:**

**73-5-13, as last amended by Laws of Utah 2001, Chapter 136 ←H**



S.B. 101

245 (7) (a) In a general adjudication of water rights under Title 73, Chapter 4,  
 246 Determination of Water Rights, after completion of final summons in accordance with Section  
 247 73-4-22, a district court may, by decree, prohibit future claims from being filed under this  
 248 section in the general adjudication area.

249 (b) If the state engineer receives a claim for an area where a court has prohibited filing  
 250 under Subsection (7)(a), the state engineer shall return the claim to the claimant without further  
 251 action.

252 ~~[(7)]~~ (8) The state engineer may make rules consistent with this section specifying  
 253 information required to be included in a claim and claim procedures.

253a **↔ Section 5. Coordinating S.B. 101 with S.B. 30 -- Technical amendments.**  
 253b **If this S.B. 101 and S.B. 30, Water and Irrigation Amendments, both pass and become law,**  
 253c **the Legislature intends that Subsection 73-5-13(1)(b) in this S.B. 101 supersedes**  
 253d **Subsection 73-5-13(1)(b) in S.B. 30, when the Office of Legislative Research and General**  
 253e **Counsel prepares the Utah Code database for publication.**

253f **Section 6. Coordinating S.B. 101 with H.B. 29 -- Substantive amendments.**  
 253g **If this S.B. 101 and H.B. 29, Adjudication of Water Rights, both pass and become law, the**  
 253h **Legislature intends that the Office of Legislative Research and General Counsel shall prepare**  
 253i **the Utah Code database for publication by amending Subsection 73-5-13(7)(a) to read as**  
 253j **follows:**

253k **"(7)(a) In a general adjudication of water rights under Title 73, Chapter 4,**  
 253l **Determination of Water Rights, after completion of final summons in accordance with**  
 253m **Section 73-4-22, a district court may, by decree, prohibit future claims from being filed**  
 253n **under this section in the general adjudication area, division, or subdivision."** ↔

Legislative Review Note  
 as of 2-1-13 7:53 AM

Office of Legislative Research and General Counsel