

369 As used in this chapter:

370 (1) ~~§~~ **→** (a) ~~←~~ ~~§~~ "Canal" means a water conveyance system that is used for transporting  
 370a ~~§~~ **→** irrigation ~~←~~ ~~§~~ water at a  
 371 flow of more than 10 cubic feet per second.

371a ~~§~~ **→** (b) "Canal" does not mean a water conveyance system that is primarily used for culinary,  
 371b waste, or storm sewer water. ~~←~~ ~~§~~

372 (2) "Canal action list" means the list created under Section 73-31-202.

373 (3) "Canal owner" means a person who owns a canal, including a water company as  
 374 defined in Section 73-3-3.5.

375 (4) "Division" means the Division of Water Rights.

376 (5) "High risk" means a condition when, if a canal fails, the failure would:

377 (a) create a high probability of loss of human life; or

378 (b) cause extensive loss to critical transportation infrastructure, utility infrastructure, or  
 379 buildings.

380 (6) "Low risk" means a condition when, if a canal fails, the only impact is to land in an  
 381 undeveloped condition, such as farm or range land.

382 (7) "Medium risk" means a condition when, if a canal fails, the failure would:

383 (a) create or cause less loss than that of a high risk canal; and

384 (b) create or cause more impact than that of a low risk canal.

385 Section 4. Section **73-31-103** is enacted to read:

386 **73-31-103. Scope of chapter.**

387 Nothing in this chapter may be construed to relieve a canal owner of the legal duties,  
 388 obligations, or liabilities incident to the ownership or operation of a canal.

389 Section 5. Section **73-31-201** is enacted to read:

390 **Part 2. Risk Assessment of Canals**

391 **73-31-201. Canal assessment.**

392 (1) A canal owner shall assess the level of risk of each canal it owns:

393 (a) by no later than January 1, 2015; and

394 (b) at least once every five years thereafter.

395 (2) A canal owner shall determine the need, if any, for repairs or improvements to  
 396 minimize the possibility of failure of a high risk canal or area of a canal.

397 (3) As a result of the assessment and determination required by Subsections (1) and  
 398 (2), the canal owner shall determine whether a canal or any section of a canal is:

399 (a) high risk;