

1 **STATE ENGINEER FEE APPLICATION AMENDMENTS**

2 2017 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Logan Wilde**

5 Senate Sponsor: D. Gregg Buxton

7 **LONG TITLE**

8 **General Description:**

9 This bill clarifies the authority of the state engineer to charge fees.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ clarifies that the state engineer shall charge a fee for an application for nonuse of
13 water.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **73-2-14**, as last amended by Laws of Utah 2009, Chapter 183

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

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

24 **73-2-14. Fees of state engineer -- Deposited as a dedicated credit.**

25 (1) The state engineer shall charge fees pursuant to Section **63J-1-504** for the
26 following:

27 (a) applications to appropriate water;

28 (b) applications to temporarily appropriate water;

29 (c) applications for permanent or temporary change;

- 30 (d) applications for exchange;
- 31 (e) applications for [~~an extension of time in which to resume use~~] nonuse of water;
- 32 (f) applications to appropriate water, or make a permanent or temporary change, for use
33 outside the state filed pursuant to Title 73, Chapter 3a, Water Exports;
- 34 (g) groundwater recovery permits;
- 35 (h) diligence claims for surface or underground water filed pursuant to Section
36 [73-5-13](#);
- 37 (i) republication of notice to water users after amendment of application where
38 required by this title;
- 39 (j) applications to segregate;
- 40 (k) requests for an extension of time in which to submit proof of appropriation not to
41 exceed 14 years after the date of approval of the application;
- 42 (l) requests for an extension of time in which to submit proof of appropriation 14 years
43 or more after the date of approval of the application;
- 44 (m) groundwater recharge permits;
- 45 (n) applications for a well driller's license, annual renewal of a well driller's license,
46 and late annual renewal of a well driller's license;
- 47 (o) certification of copies;
- 48 (p) preparing copies of documents;
- 49 (q) reports of water right conveyance; and
- 50 (r) requests for a livestock water use certificate under Section [73-3-31](#).
- 51 (2) Fees for the services specified in Subsections (1)(a) through (i) shall be based upon
52 the rate of flow or volume of water. If it is proposed to appropriate by both direct flow and
53 storage, the fee shall be based upon either the rate of flow or annual volume of water stored,
54 whichever fee is greater.
- 55 (3) Fees collected under this section:
- 56 (a) shall be deposited in the General Fund as a dedicated credit to be used by the
57 Division of Water Rights; and

- 58 (b) may only be used by the Division of Water Rights to:
- 59 (i) meet the publication of notice requirements under this title;
- 60 (ii) process reports of water right conveyance;
- 61 (iii) process a request for a livestock water use certificate; and
- 62 (iv) hire an employee to assist with processing an application.