

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

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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

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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.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**