

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Water Rights Recording Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Evan J. Vickers
House Sponsor: Rex P. Shipp

LONG TITLE

General Description:

This bill addresses water rights addenda.

Highlighted Provisions:

This bill:

- ▶ allows certain signatures to be by facsimile or electronic means; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

57-3-109, as enacted by Laws of Utah 2010, Chapter 70

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

Section 1. Section **57-3-109** is amended to read:

57-3-109 . Water rights addenda.

(1) As used in this section:

- (a) "Applicable deed" means a deed executed on or after July 1, 2011:
 - (i) conveying fee simple title to land; or
 - (ii) conveying title to water rights without conveying title to land.

(b) "Water rights addendum" means a written document that:

- (i) is an addendum to an applicable deed;
- (ii) is in a form approved by the Legislature in a joint resolution; and
- (iii)(A) identifies and describes the water rights transferred under an applicable

- 29 deed; or
- 30 (B) states that no water rights are transferred under an applicable deed.
- 31 (2) Beginning July 1, 2011, a person submitting an applicable deed to a county recorder's
32 office for recording may also submit a water rights addendum as an addendum to the
33 applicable deed.
- 34 (3)(a) A grantor shall complete and sign a water rights addendum submitted under
35 Subsection (2).
- 36 (b)[(i)] A grantee shall sign a water rights addendum to acknowledge receipt of a
37 copy of the water rights addendum.
- 38 [(ii)]
- 39 (c) A grantor's or grantee's signature on a water rights addendum may be by facsimile or
40 electronic means.
- 41 (4) The state engineer shall use and make available to the public the water rights addendum
42 form approved by the Legislature.
- 43 (5) Upon recording an applicable deed with a water rights addendum, a county recorder
44 shall transmit a paper or electronic copy of the deed and water rights addendum to the
45 state engineer.
- 46 Section 2. **Effective date.**
- 47 This bill takes effect on May 7, 2025.