

**Water Rights Recording Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

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**LONG TITLE****Committee Note:**

The Legislative Water Development Commission recommended this bill.

Legislative Vote: 9 voting for 0 voting against 4 absent

**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

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*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

32 deed; or

33 (B) states that no water rights are transferred under an applicable deed.

34 (2) Beginning July 1, 2011, a person submitting an applicable deed to a county recorder's  
35 office for recording may also submit a water rights addendum as an addendum to the  
36 applicable deed.

37 (3)(a) A grantor shall complete and sign a water rights addendum submitted under  
38 Subsection (2).

39 (b)[(i)] A grantee shall sign a water rights addendum to acknowledge receipt of a  
40 copy of the water rights addendum.

41 [(ii)]

42 (c) A grantor's or grantee's signature on a water rights addendum may be by facsimile or  
43 electronic means.

44 (4) The state engineer shall use and make available to the public the water rights addendum  
45 form approved by the Legislature.

46 (5) Upon recording an applicable deed with a water rights addendum, a county recorder  
47 shall transmit a paper or electronic copy of the deed and water rights addendum to the  
48 state engineer.

49 Section 2. **Effective date.**

50 This bill takes effect on May 7, 2025.