

Michael L. Kohler proposes the following substitute bill:

**Groundwater Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael L. Kohler**

Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill addresses groundwater.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires land use authorities to consider groundwater issues in approving a land use application or issuing a land use permit;
- addresses what may be considered related to groundwater preservation; and
- requires the Utah Geological Survey or certain irrigation companies to provide information.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**10-20-625**, Utah Code Annotated 1953

**17-79-621**, Utah Code Annotated 1953

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

Section 1. Section **10-20-625** is enacted to read:

**10-20-625 . Groundwater and land use decisions.**

(1) As used in this section:

- (a) "Agricultural land" means land that, for at least six years during the 10-year period immediately before when a land use decision is made, is land in agricultural use as

29 defined in Section 59-2-502.

30 (b) "Groundwater preservation amounts and methods" means an amount or method used  
31 to preserve the level of groundwater traditionally measured for the groundwater  
32 subsurface area associated with the agricultural land.

33 (2) If agricultural land would be put to a use other than agricultural use because of a  
34 development, a land use authority shall consider groundwater preservation amounts and  
35 methods in determining whether to approve a land use application or issue a land use  
36 permit related to the development.

37 (3) In considering a groundwater preservation method, a land use authority may consider  
38 requiring the use of:

- 39 (a) land irrigation;
- 40 (b) a flood basin as a recharge basin;
- 41 (c) an injection well; or
- 42 (d) another available method.

43 (4) If requested by a municipality, the Utah Geological Survey or an irrigation company  
44 that serves the area where the agricultural land is located shall provide information to the  
45 municipality regarding the measurement of groundwater levels for purposes of  
46 determining groundwater preservation amounts and methods.

47 Section 2. Section **17-79-621** is enacted to read:

48 **17-79-621 . Groundwater and land use decisions.**

49 (1) As used in this section:

50 (a) "Agricultural land" means land that, for at least six years during the 10-year period  
51 immediately before when a land use decision is made, is land in agricultural use as  
52 defined in Section 59-2-502.

53 (b) "Groundwater preservation amounts and methods" means an amount or method used  
54 to preserve the level of groundwater traditionally measured for the groundwater  
55 subsurface area associated with the agricultural land.

56 (2) If agricultural land would be put to a use other than agricultural use because of a  
57 development, a land use authority shall consider groundwater preservation amounts and  
58 methods in determining whether to approve a land use application or issue a land use  
59 permit related to the development.

60 (3) In considering a groundwater preservation method, a land use authority may consider  
61 requiring the use of:

- 62 (a) land irrigation;

63            (b) a flood basin as a recharge basin;

64            (c) an injection well; or

65            (d) another available method.

66    (4) If requested by a county, the Utah Geological Survey or an irrigation company that  
67            serves the area where the agricultural land is located shall provide information to the  
68            county regarding the measurement of groundwater levels for purposes of determining  
69            groundwater preservation amounts and methods.

70            Section 3. **Effective Date.**

71            This bill takes effect on May 6, 2026.