

Michael L. Kohler proposes the following substitute bill:

**Groundwater Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael L. Kohler**

Senate Sponsor:

---



---

**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;
- requires the Utah Geological Survey or certain irrigation companies to provide information; and
- addresses scope related to water rights.

**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

---



---

*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

29 immediately before when a land use decision is made, is land in agricultural use as  
30 defined in Section 59-2-502.

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

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

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

40 (a) land irrigation;

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

42 (c) an injection well; or

43 (d) another available method.

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

48 (5) A municipality or other person may not interpret this section to override, supersede, or  
49 modify:

50 (a) a water right within the state; or

51 (b) the role and authority of the state engineer.

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

53 **17-79-621 . Groundwater and land use decisions.**

54 (1) As used in this section:

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

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

61 (2) If agricultural land would be put to a use other than agricultural use because of a  
62 development, a land use authority shall consider groundwater preservation amounts and

63 methods in determining whether to approve a land use application or issue a land use  
64 permit related to the development.

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

67 (a) land irrigation;

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

69 (c) an injection well; or

70 (d) another available method.

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

75 (5) A county or other person may not interpret this section to override, supersede, or  
76 modify:

77 (a) a water right within the state; or

78 (b) the role and authority of the state engineer.

79 Section 3. **Effective Date.**

80 This bill takes effect on May 6, 2026.