This brief is intended to provide an overview of the Division of Water Rights’ purpose, results, funding, and spending.

**Purpose**

*What was the Division of Water Rights created to do?*

Directed by the State Engineer, the Division of Water Rights is responsible for the administration and management of Utah's water resources. The division's mission is “to provide order and certainty in the beneficial use of Utah's water.”

The division's primary workload is the processing of water right applications while managing the existing water rights' records, regulating the diversion and use of water, and preparing proposed determinations for water right adjudications. It also oversees dam safety, stream channel alterations and water well drilling. The main responsibilities of the division are outlined in statute, primarily in UCA 73 (see Appendix A on page 11 for a list of specific responsibilities and statute references).

*What is the organizational structure?*

The table below lists the division’s current programs, with the actual expenditures and FTE counts for FY 2016. Click on the name of each program to go to COBI (Compendium of Budget Information) for additional information.

<table>
<thead>
<tr>
<th>Program Name, FY 2016</th>
<th>Expenditures</th>
<th>FTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications and Records</td>
<td>4,200,100</td>
<td>40</td>
</tr>
<tr>
<td>Technical Services</td>
<td>1,814,000</td>
<td>7</td>
</tr>
<tr>
<td>Field Services</td>
<td>1,217,000</td>
<td>11</td>
</tr>
<tr>
<td>Dam Safety</td>
<td>1,036,000</td>
<td>9</td>
</tr>
<tr>
<td>Adjudication</td>
<td>1,030,200</td>
<td>8</td>
</tr>
<tr>
<td>Administration</td>
<td>766,600</td>
<td>5</td>
</tr>
<tr>
<td>Canal Safety</td>
<td>238,600</td>
<td>2</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>10,302,500</strong></td>
<td><strong>81</strong></td>
</tr>
</tbody>
</table>

The division has made several adjustments to its programs over the years. To see all the programs between FY 2007 and FY 2016, with the actual expenditures for each program, please refer to Appendix B on page 21.
What will happen if the division no longer exists?
The Division of Water Rights has regulatory and enforcement responsibilities identified in statute. If the division were to no longer exist, these responsibilities will either have to be re-assigned to another organization or the statute will have to be changed and the orderly distribution of water will likely be disrupted.

Results
What are the results of the division's efforts?
The division has published on their website performance statistics related to their applications and adjudication efforts (http://waterrights.utah.gov/techinfo/stats.html).

Applications Statistics
Nine of the 10 reported measures track the following: number of applications filed, number of applications processed, and the backlog for each type of application over time (http://www.waterrights.utah.gov/techinfo/AppStats.asp). Based on the published data, it appears that the division has been very successful in reducing the applications backlog in the last few years for most application types tracked.

There is one measure tracking how long staff takes per application type. The data reveals that in FY 2016 the processing time has increased significantly (see 10. Processing Time on page 7).

1. Application to Appropriate

![Diagram showing application statistics from 1994 to 2016]

- Number Filed
- Number Processed
- Backlog
2. Change Applications

3. Exchange Applications
4. Report of Conveyance

5. Extensions
6. Stream Alterations

7. Nonuse
8. **Proofs**

![Graph showing number of proofs over time with data points for 1994 to 2016.]

- **Number Filed**
- **Number Processed**
- **Backlog**

9. **Elections**

![Graph showing number of elections over time with data points for 1994 to 2016.]

- **Number Filed**
- **Number Processed**
- **Backlog**
Adjudication Statistics
The division has posted the following figures about its adjudication efforts:
**Performance Measures in Statute**

The 2017 Legislature included in S.B. 5, Natural Resources, Agriculture, and Environmental Quality Base Budget the following intent language regarding performance measures for the division:

*The Legislature intends that the Division of Water Rights report on the following performance measures for the Division of Water Rights line item, whose mission is "to promote order and certainty in the beneficial use of public water": (1) Timely Application processing (Target = 80 days for uncontested applications), (2) Use of technology to provide information (Target = 1000 unique web users per month), and (3) complete comprehensive adjudications (Target = 2000 parties who’s claims have been addressed) by October 15, 2018 to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee.*

**Funding**

*What is the current funding structure?*

The main funding for the division comes from the General Fund (Sales Tax), approximately 80%, and Dedicated Credits (Sales Tax and fees), approximately 20%. Between FY 2007 and FY 2016, the appropriation from the General Fund has increased by 16% and from Dedicated Credits by 96%, mainly due to increase of funding from the Sales Tax.

The Dedicated Credits for the division come from two sources, Sales Tax (60%) and fees (40):

- **Sales Tax**: UCA 59-12-103(5)(f),(g) transfers to the Division of Water Rights funding from the 1/16% of the Sales Tax (see Appendix C on page 22, Distribution of 1/16% Sales Tax for Water), which in FY 2016 was $1.1 million. The funding is for employing additional technical staff for the administration of water rights. If the division does not expend the full appropriation, it may retain up to $150,000 as a nonlapsing balance, and the remainder is transferred to the Water Resources C&D Fund.
• Fee Revenues: statute allows the State Engineer to charge fees and to use fees collected from water right applications ([UCA 73-2-14](#)). In FY 2016, the fee revenues were $759,200, which represents 7% of the total funding for the division.

Over the years, the Legislature has appropriated additional funding for specific purposes and tasks for the division to accomplish. [Appendix D](#) on page 24 shows a list with the major funded items since FY 2013.

The division also has the responsibility to administer the Water Commissioners Fund (expendable special revenue fund, [73-5-51.5](#)). The funding comes from water users and is used primarily for water commissioners’ compensation. The division manages the fund as collection agent and processes payments. This fund and the commissioners are not included in the appropriations acts nor in any of the figures in this report. This fund, along with all other expendable special revenue funds, is subject to annual review by the appropriate legislative subcommittee ([UCA 51-5-4(4)(c)(iii)](#).

**Are the users paying for it?**

The division charges fees for various applications. During the 2016 interim, as part of an in-depth review of fees, division staff estimated that the fees collected by the division cover approximately 10% of the cost to provide the services. Division leaders have stated that since everybody in Utah uses water, it is appropriated to have the bulk of the funding for the division come from general tax dollars.

**Spending**

**How is the division spending its appropriations to achieve the mission?**

Three-fourths ($8 million in FY 2016) of the expenditures of the division are for salaries and benefits for the division staff (Personnel Services). These costs have increased by 32% between FY 2007 and FY 2016, mainly due to cost-of-living increases and increased medical and retirement costs.

The FTE (Full-Time Equivalent) count for the division has been about 85, and it has remained virtually unchanged since 2007.
How can the taxpayers’ costs be reduced?

Since most of the division’s funding comes from the Sales Tax (General Fund and Dedicated Credits), any reduction in the division’s expenses will be a reduction in costs covered by the general tax payers. The following are some options for consideration:

- Utilize technology to further streamline and automate the application processes, which could result in less staff time and overall reduction in costs.
- Identify non-essential requirements for staff that could be reduced or eliminated.
- Consider filling vacancies for engineering positions with trained technical professionals and/or interns, which tend to be less costly.
- Contract for some of the services with qualified private providers that in the long run could be more cost effective for the division.
- Consider requiring the applicants to use the services of certified professionals for certain aspects of the application process with the intent to reduce division staff time.
Appendix A, Statute References


The following is a list of Water Rights’ responsibilities, organized by area, with the statute reference for each responsibility.

**Administration and Distribution**

- Altering natural streams [73-3-29](#)
- Controlling works and measuring devices [73-5-4](#)
- Costs and fees of civil actions [73-2-28](#)
- Diligence claims [73-5-13](#)
- Distribution
  - Proposed Determinations [73-4-11](#)
  - Groundwater [73-5-15](#)
  - State Engineer authority [73-5-3](#)
- Ditches and diverting works
  - Easements for [57-13a](#)
  - Headgates, installation of [73-5-4](#)
  - Inspection of [73-5-7](#)
  - Interfering with [73-1-14](#)
  - Joint use of [73-1-7, 73-1-9](#)
  - Management plans required (safety) [73-10-33](#)
  - Measuring devices, installation of [73-5-4](#)
  - Notice of distribution setting (Tags) [73-5-3](#)
  - Obstructions [73-1-15](#)
  - Owner duties [73-1-8](#)
  - Rights of Way (Eminent domain) [73-1-6](#)
  - Repairs to prevent waste or contamination [73-5-9](#)
  - Repairs, Safety [73-5-7](#)
- Entry of employees on property [73-2-20, 73-5-3](#)
- Mutual Irrigation or water companies
  - Allocating loss from forfeiture (nonuse) [73-1-4.5](#)
  - Shareholder Change applications [73-3-3.5](#)
  - Shareholder Nonuse applications [73-1-4(2)(b)](#)
  - Share ownership by other companies [73-1-13](#)
  - Share ownership by political subdivisions [73-1-19](#)
  - Share of Stock transfers [73-1-10(2)](#)
- Penalties, administrative [73-2-26](#)
- Penalties, criminal [73-2-27](#)
- Private property access
  - Applicants for survey or information [73-3-19](#)
  - State Engineer and employees [73-2-20, 73-5-3, 73-22-6(3)](#)
- Regulation and control by state engineer [73-5-3](#) and [73-5-4](#)
- Reports of water used by users [73-5-8](#)
- Reservoirs, see dams
- Underground water, determination of supply [73-5-15](#)
- Waste, pollution and contamination, prevention of [73-5-9](#)
- Water commissioners
  - Appointment [73-5-1](#)
  - Fund [73-5-1.5](#)
  - Removal [73-5-1](#)
Salary and expenses 73-5-1
Watershed, determination to which source 73-5-14

Appropriation

- Acquiring water rights 73-3-1
- Adverse possession, no right may be acquired by 73-3-1
- Amendments to application 73-3-6
- Applications to appropriate
  - Contents 73-3-2
  - Filing of 73-3-4
  - Fixed time 73-3-8
  - Geothermal fluids 73-22-8
  - Livestock on public land 73-3-31
  - Processing 73-3-5, 73-3-8, 73-3-10
  - Temporary 73-3-5.5
  - Withdrawal of unappropriated waters 73-6-1
- Approval of applications 73-3-8 and 73-3-10
- Assignment of applications 73-3-18
- Certificate of appropriation
  - Contents 73-3-17
  - Prima facie evidence 73-3-17
  - Proof 73-3-16
  - Proof affidavit 73-3-5.6
- Change applications
  - Based on shares of stock 73-3-3.5
  - Contents 73-3-3
  - Failure to obtain, penalty 73-3-3
  - Instream flow for fish 73-3-30
  - Livestock on public land 73-3-31
  - Protects from forfeiture 73-1-4
  - Small amount of water 73-3-5.6
  - Temporary 73-3-3
- Commencement of work under an application 73-3-10
- Consolidation request, water right 73-3-27
- Decisions of state engineer on applications
  - Adjudicative proceedings (UAPA) 73-2-1.5
  - Criteria 73-3-8
  - Dismissal of court review 73-3-15
  - Review by court 73-3-14
- Due Diligence in placing water to beneficial use
  - Holding water by a public water supplier considered 73-3-12
  - Applicant Responsibility 73-3-12
  - Other users may question 73-3-13
- Diligence Claim, filing 73-5-13
- Election (statement in lieu of proof) 73-3-16
- Exchange applications 73-3-20
- Export of water from Utah
  - application form 73-3a-106
  - approval of applications 73-3a-108
  - certificate of change or appropriate 73-3a-109
  - exports governed by this chapter 73-3a-103
• policy statement 73-3a-101
• procedures to adjudicate 73-3a-105
• publication of notice 73-3a-107
• rulemaking power of state engineer 73-3a-104
• substances in water 73-3a-102

- Extensions of time
  • Approval of a change application does not 73-3-3
  • 40 year plans required 73-3-12
  • Electrical cooperatives special treatment 73-3-12
  • Notice required after 14 years 73-3-12
  • Only uses from same source may protest 73-3-12
  • Public water suppliers special treatment 73-3-12
  • Priority may be reduced 73-3-12

- Filed, definition 73-3-4
- Financial ability of applicant, statement of 73-3-11
- Forfeiture declared by state engineer 73-3-13
- Hearings 73-3-13
- Investigations by state engineer 73-3-8
- judicial review
  • Dismissal of review (2 year limit) 73-3-15
  • State engineer's decisions 73-3-14 and 73-2-1.5
  • trial de novo 73-3-15

- Lapsing of an application
  • Change Application based on shares of stock 73-3-3.5
  • Exchange Application 73-3-21
  • Failure to file proof 73-3-17
  • Failure to apply water to beneficial use within 50 years 73-3-12
  • Process 73-3-18
  • Reinstatement 73-3-18 and 73-3-5.6

- Livestock watering on public lands 73-3-31

- Ownership Conveyance (water rights)
  • Appurtenant transfers 73-1-11
  • Application assignment 73-3-18
  • Deed filing and recording 73-1-10 and 73-1-12
  • Deed rider (water right addendum to deed) 73-1-10
  • Report of Conveyance (ROC) 73-1-10
  • Stock in a water company 73-1-10

- Nonuse Application 73-1-4

- Notice
  • Approval or rejection of application 73-3-10
  • Applicant notice method 73-3-5
  • Application, by publication 73-3-6
  • Application diligence challenge 73-3-13
  • Change in point of diversion less than 660 feet 73-3-3
  • Diligence Claim 73-5-13
  • Extension of time requests 73-3-12
  • Judicial Review 73-3-14
  • Lapsing 73-3-18
  • Nonuse Application 73-1-4
  • Petition for right of entry to private property 73-3-19
  • Proof due 73-3-16
  • Small amount of water 73-3-5.6
• Temporary application to appropriate 73-3-5.5
• Temporary change application 73-3-3
• Power of attorney for application 73-3-5
• Priority
  o Between appropriators 73-3-1 and 73-3-21.1
  o During water shortage emergency 73-3-21.1
  o Of reinstated applications 73-3-18 and 73-3-5.6
  o Reduction of 73-3-12
• Private property, entry by applicants on 73-3-19
• Proof of appropriation or change
  o Effect of failure to make 73-3-12
  o Procedure for making 73-3-16
  o Statements in lieu of proof (election to file water users claim) 73-3-16
• protests
  o Adjudicative procedures 73-2-1.5
  o Application 73-3-7
  o Extensions of time 73-3-12
  o Diligence 73-3-13
• Public water supplier
  o Definition 73-1-4(1)
  o Forfeiture exemption 73-1-4(2)(e)(vii)
  o Diligence defined 73-3-12(2)(h)
  o Extensions after 50 years 73-3-12(4)(b)
  o Preference during water shortage emergency 73-3-21.1(2)(b)
• Rainwater harvesting 73-3-1.5
• Received, definition 73-3-4
• Reinstatement of lapsed applications 73-3-18
• Rejection of applications 73-3-8 and 73-3-10
• Replacement wells 73-3-3 and 73-3-28
• Salts and other minerals, applications involving 73-3-8
• Segregation requests (water right) 73-3-27
• Temporary applications to appropriate water 73-3-5.5
• Time limit for completion of work 73-3-10 and 73-3-12
• Underground water
  o Groundwater management plan 73-5-15
  o Permission to drill prior to approval of application (rush letter) 73-3-5
  o Replacement of water by junior appropriator allowed 73-3-23
  o Replacement wells 73-3-3 and 73-3-28
  o Report of well driller 73-3-25
  o Rules and regulations for well drilling 73-3-25
  o Safe yield definition 73-5-15
  o Well definition 73-3-25
• Well drillers
  o Licensing 73-3-25
  o Pump installers 73-3-25
  o Reporting required (well logs) 73-3-25
  o Violations 73-3-26

**Dam Safety**

• approval to construct, alter, or abandon 73-5a-201
• approvals void after one year construction delayed 73-5a-205
application for approval 73-5a-5204
application to certain federal dams and reservoirs 73-5a-102
civil penalties, costs, liability 73-5a-702
classification according to hazard and use 73-5a-106
emergency power of state engineer 73-5a-603
emergency action plans 73-5a-601 and 73-5a-602
failure to conform 73-5a-302
final inspection 73-5a-304
liability of owner 73-5a-103
legislative findings--immunity from suit 73-5a-502
independent consultants 73-5a-105
inspections to insure compliance 73-5a-301
modified or revoked 73-5a-303
review of 73-5a-203
submission of 73-5a-202
standard operating plans required 73-5a-402
state engineer power to specify 73-5a-602
maintenance 73-5a-503
notice of violation 73-5a-701
power of state engineer to regulate 73-5a-101
records and reports 73-5a-401

Determinacion of Water Rights

amendatory act, effective date 73-4-23
appeals to supreme court 73-4-16
commencement of
  o court may order 73-4-1 and 73-4-18
  o petition of water users 73-4-1
costs 73-4-20
court appointments to assist 73-4-14
court proceedings, duty to comply 73-4-21
disputes involving less than all claimants
  o determination of 73-4-24
  o interlocutory order 73-4-24
failure to file water users claim 73-4-9
forfeiture of rights 73-4-9
hearings
  o disputes involving less than all users 73-4-23
  o judgment after 73-4-15
  o objections to proposed determination 73-4-13
interstate streams 73-4-2
judgment
  o after hearing 73-4-15
  o certified copy, filing of 73-4-17
  o contents of 73-4-12
  o if contested 73-4-13
  o if no contest 73-4-12
notice
  o additional notices 73-4-21
  o disputes involving less than all users 73-4-24
  o extending time to file water users claim 73-4-9
• completion of survey 73-4-3
• objections to proposed determination 73-4-13
• proceedings 73-4-3 and 73-4-4
• proposed determination 73-4-11
• petition of water users to commence 73-4-1
• pleadings
  • amendment of 73-4-10
  • extension of time to file 73-4-9 and 73-4-10
  • water users claims in lieu of 73-4-14
• proposed determination
  • distribution in accordance with 73-4-11
  • objections to 73-4-11
  • preparation by state engineer 73-4-11
  • public meetings 73-4-3, 73-4-11
• redetermination, bond 73-4-19
• report and recommendations of state engineer 73-4-11
• revolving fund 73-4-20
• state engineer
  • assistance to court 73-4-14
  • certificate under amendatory act 73-4-23
  • duties generally 73-4-1, 73-4-3 and 73-4-4
  • interstate streams 73-4-2
  • prepare proposed determination 73-4-11
  • search records 73-4-22
• statements of claimants, see water user claims
• state to be a party 73-4-18
• summons
  • form 73-4-4
  • publication of 73-4-4 and 73-4-22
  • service 73-4-4
• unknown claimants, binding 73-4-22
• water users claims
  • amendments to 73-4-10
  • contents generally 73-4-5
  • court may extend time for filing 73-4-9 and 73-4-10
  • failure to file 73-4-9
  • irrigation, claim for 73-4-6
  • mining or milling, claim for 73-4-8
  • power purposes, claim for 73-4-7

Distribution, see Administration and Distribution

Geothermal Resources Conservation

• bond (surety) 73-22-6(1)(e)
• bond release 73-22-6(2)
• cooperative or unit operation 73-22-7
• definitions 73-22-3
• fluids as water resource 73-22-8
• information required 73-22-6
• jurisdiction of division 73-22-5
• judicial review 73-22-10
• legislative findings 73-22-2
• ownership of 73-22-4
• rights to 73-22-9
• title 73-22-1

General Provisions

• abandonment of right 73-1-4
• adjudicative proceedings 73-2-1.5
• appurtenant waters 73-1-11
• beneficial use
  o a public use 73-1-5
  o basis and limit of a water right 73-1-3
• conveyance of water rights
  o appurtenant waters 73-1-11
  o by deed, filing and recording 73-1-10 and 73-3-18
  o effect of failure to record deed 73-1-12
  o stock in water company 73-1-10
• corporations, mutual ownership of water stock 73-1-13
• dams and reservoirs
  o contribution between joint owners 73-1-9
  o eminent domain for 73-1-6
• ditches
  o contributions between joint owners 73-1-9
  o duties of owners to maintain 73-1-8
  o eminent domain for 73-1-6
  o enlargement for joint use 73-1-7
  o obstruction of, penalty 73-1-15
• eminent domain for rights of way 73-1-6
• existing rights 73-1-1
• forfeiture of rights
  o applications for extension of time with resume use 73-1-4
  o for nonuse 73-1-4
• interference with waterworks or administering official, penalty 73-1-14
• measurement, standard units of 73-1-2
• power and authority, division of water rights 73-2-1.1
• public property, water declared to be 73-1-1
• public use, beneficial use 73-1-5
• report to executive director of natural resources 73-2-1.3
• reservoirs, see dams
• rights of way 73-1-6 and 73-1-15
• state or agencies thereof may purchase stock in water companies 73-1-19
• water companies
  o bonds, issuance to cover loans from federal 73-1-18
  o determination of validity 73-1-16
  o loans from federal agencies 73-1-17
• watercourses, obstructing 73-1-15

Groundwater Recharge and Recovery

• administrative procedure 73-3b-105
• application for recharge 73-3b-201
• application for recovery 73-3b-204
• change of use 73-3b-106
• compliance to proposed new well 73-3b-208
• definitions 73-3b-102
• fees 73-3b-302
• permits
  o issuance of recharge 73-3b-202
  o issuance of recovery 73-3b-205
  o lapse of recharge 73-3b-203
  o lapse of recovery 73-3b-206
  o modification of 73-3b-303
  o revocation or suspension 73-3b-401
• prohibitions 73-3b-103
• penalty 73-3b-402
• rulemaking power of state engineer 73-3b-104
• storage account 73-3b-301
• recoverable water 73-3b-107
• title 73-3b-101
• water right for recharged water 73-3b-106

Impairment

• application 73-3-8
• change applications 73-3-3(2b)
• change app, not sole reason to reject 73-3-3(7a)
• definitions 73-28-103 and 73-26-103
• of shareholders 73-3-3.5
• state engineer power 73-3-5

Ownership

• costs 73-5a-105
• conveyance of water rights 73-1-10 and 73-3-18
• ditches 73-1-8
  o joint owner 73-1-9
• fees 73-2-14
• geothermal resource 73-22-4
  o approval 73-22-7
• liability of owner 73-5a-103
• maintenance 73-5a-503
• POTW owner 73-3c-102

State Engineer

• appointment 73-2-1
• arbitration of disputes 73-2-16
• artesian wells, authority to control 73-2-21
• bond, filing of 73-2-2
• co-operative investigations
  o of groundwater resources 73-2-17
  o with state and federal agencies 73-2-15 and 73-2-17
• courts
Division of Water Rights, Budget Review

- aid to district court 73-2-5
- aid to federal court 73-2-7
- confirmation of arbitration agreements 73-2-16
- deputy and assistants 73-2-4
- director of division 73-2-1.2
- emergency power of state engineer
  - dam safety 73-5a-603
  - flood 73-2-22
  - flood, assistance to 73-2-22.1
  - general 73-2-23
- enforcement power 73-2-25
- equipment, purchase of 73-2-4
- fees 73-2-14
- investigations of states water resources 73-2-15 and 73-2-17
- knowledge of waterways 73-2-10
- legal counsel 73-2-13
- monuments, penalty for injuring 73-2-20
- oath of office 73-2-2
- office of public record 73-2-11
- powers and duties 73-2-1
- qualifications 73-2-1
- records
  - certified copies 73-2-11
  - office of public record 73-2-11
- reports to executive director 73-2-1.3
- biennial report to governor 73-2-1.3
- rules and regulations 73-2-1
- seal 73-2-12
- suggestions to amend law 73-2-10
- term of office 73-2-1
- wasting water, authority to control 73-2-21
- water districts, establishment of 73-2-1
- wells, control of 73-2-21

Title

- acquiring water rights 73-3-1
- conveyance of water rights 73-1-10 and 73-1-11
- determination of Water Rights 73-4-3

Wastewater Reuse Act

- application to appropriate 73-3c-303
- application to state engineer 73-3c-302
- application to water quality board 73-3c-301
- change in point of discharge 73-3c-304
- definitions 73-3c-S102
- inflow of unappropriated water 73-3c-303
- priority of reuse 73-3c-401
- reuse by public agency owning the right 73-3c-201
- reuse by public agency under contract 73-3c-202
- title 73-3c-101
Withdrawal of Unappropriated Water

- priority of applications, determination 73-6-2
- purpose of withdrawal 73-6-1
- restoration of right of appropriation by proclamation 73-6-2
- suspension of right of appropriation by proclamation 73-6-1
Appendix B, Historic Funding by Program

The following table shows the actual expenditures by program between FY 2007 and FY 2016.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications &amp; Records</td>
<td>926,198</td>
<td>987,021</td>
<td>1,215,326</td>
<td>1,084,742</td>
<td>1,125,460</td>
<td>1,180,115</td>
<td>1,217,540</td>
<td>1,265,896</td>
<td>1,230,859</td>
<td>4,200,115</td>
</tr>
<tr>
<td>Technical Services</td>
<td>853,740</td>
<td>940,990</td>
<td>843,860</td>
<td>785,688</td>
<td>886,925</td>
<td>824,021</td>
<td>1,579,123</td>
<td>1,699,893</td>
<td>1,915,027</td>
<td>1,814,004</td>
</tr>
<tr>
<td>Field Services</td>
<td>1,482,850</td>
<td>1,323,271</td>
<td>1,271,825</td>
<td>1,258,077</td>
<td>1,342,665</td>
<td>1,392,646</td>
<td>1,491,110</td>
<td>1,217,059</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dam Safety</td>
<td>699,026</td>
<td>671,573</td>
<td>734,262</td>
<td>746,615</td>
<td>804,122</td>
<td>822,663</td>
<td>794,967</td>
<td>828,045</td>
<td>920,604</td>
<td>1,036,086</td>
</tr>
<tr>
<td>Adjudication</td>
<td>1,382,349</td>
<td>1,393,745</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,030,200</td>
</tr>
<tr>
<td>Water Rights</td>
<td>914,549</td>
<td>879,871</td>
<td>1,047,379</td>
<td>952,755</td>
<td>841,560</td>
<td>1,013,407</td>
<td>1,048,164</td>
<td>1,105,569</td>
<td>1,134,056</td>
<td>766,519</td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>238,551</td>
</tr>
<tr>
<td>RWI DNR WRTS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canal Safety</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advertising</td>
<td>173,436</td>
<td>182,563</td>
<td>163,061</td>
<td>76,207</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regional Offices</td>
<td>2,506,296</td>
<td>2,736,387</td>
<td>2,833,969</td>
<td>2,862,367</td>
<td>2,939,378</td>
<td>2,924,701</td>
<td>2,970,250</td>
<td>3,091,061</td>
<td>3,289,260</td>
<td></td>
</tr>
<tr>
<td>Cooperative Studies</td>
<td>508,381</td>
<td>473,408</td>
<td>478,160</td>
<td>513,358</td>
<td>417,830</td>
<td>503,448</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand Total</td>
<td>7,963,974</td>
<td>8,265,560</td>
<td>8,798,866</td>
<td>8,344,999</td>
<td>8,287,099</td>
<td>8,526,433</td>
<td>8,952,710</td>
<td>9,383,111</td>
<td>9,980,917</td>
<td>10,302,534</td>
</tr>
</tbody>
</table>
Appendix C, Distribution of 1/16% Sales Tax for Water

**UCA 59-12-103(4)** designates funding for water projects in Utah by using the following distribution of 1/16% of the Sales Tax:

- **Up to $17,500,000 of the 1/16% goes to water and wastewater projects.**
- **14% or $2,450,000 to DNR for Species Protection (See Note 1)**
- **3% or $525,000 to Ag Resource Development Loan (ARDL) (Note 2)**
- **1% or $175,000 to Water Rights Adjudication program (Note 3)**
- **41% or $7,175,000 to Water Res. Conservation & Development Fund (Note 4)**
- **41% to DEQ up to $7,175,000 with 1/2 to Wastewater and 1/2 Drinking Water**
- **1/16% goes to transportation projects. Capped at $18,743,000.**
- **The amount over $17,500,000 limit of the 1/16% is distributed as follows:**
  - **$500,000 to DNR for watershed rehabilitation & restoration**
  - **$150,000 to Water Resources for cloud seeding**
  - **94% of the remaining difference to Water Resources C&D Fund (Note 5)**
  - **6% of the remaining difference to Water Rights (Note 6)**

**Note 1: Species Protection Program**
Prior to **H.B. 6004** (2002 6th Special Session), H.B. 275 (2000 General Session) authorized $2.3 million to be distributed to DNR’s Species Protection program. Prior to H.B.275, $3 million of the funding distributed to Water Resources was passed through to the federal government for Central Utah Project (CUP) mitigation. The final CUP payment was made in FY 2001; the new payment for Species Protection began in FY 2002. H.B. 6004 changed the program’s dedicated funding to $2,450,000.
Note 2: Agriculture Resource Development Loan (ARDL) Fund
The ARDL was established as a revolving loan fund. House Bill 393, which passed during the 1996 legislative session, authorized $500,000 to be added annually from the 1/16% sales tax revenue. This provides an automatic growth mechanism to the fund. Other funding sources include loan repayments and interest. Low interest loans may be made to farmers and ranchers for rangeland improvement, watershed protection, flood prevention, soil and water conservation, and energy efficient farming projects. Senate Bill 200 (2002 General Session) reduced the FY 2003 distribution by $310,000 (one-time). H.B. 6004 (2002 6th Special Session) changed the program's dedicated funding to $525,000.

Note 3: Division of Water Rights’ Adjudication Program
$175,000 to be transferred as dedicated credits to the Division of Water Rights to cover legal costs of water rights adjudication. In addition, the Adjudication program has been receiving an annual appropriation of approximately $1.3 from the General Fund.

The Division of Water Rights oversees the Dam Safety program, which regulates the construction, repair, and long-term maintenance of dams. Some 350 dams are inspected annually. When the State Engineer requires a safety improvement, sales tax revenue may be used by the Board of Water Resources to finance the improvement. Approximately $3.8 million of the sales tax revenue that goes to the Water Resources C&D Fund each year is granted for this purpose.

Note 4: Water Resources Conservation and Development Fund
Forty-one percent of the sales tax revenue goes to the Conservation and Development (C&D) Fund administered by the Board of Water Resources. The C&D Fund helps finance large multipurpose dams and water systems. The Board of Water Resources also administers two other loan funds: the Revolving Construction Fund (which includes dam safety) and the Cities Water Loan Fund.

Aside from construction, other statutory uses of the sales tax money include:
- Dam safety improvements. $3.8 million has been transferred annually to the Revolving Construction Fund for grants to finance state-mandated dam safety improvements.
- Operating costs. Approximately $2.2 million per year is transferred to the Water Resources operating budget to investigate applications and manage construction.

Note 5: 94% of the Remaining Difference to Water Resources C&D Fund
After transferring the $500,000 to DNR watershed and $150,000 to Water Resources for Cloudseeding, 94% of the remaining funds will be deposited in the Water Resources’ Conservation and Development Fund for preconstruction costs for projects defined in the Bear River Development Act (UCA 73-26) and the Lake Powell Pipeline Development Act (UCA 73-28), the cost of a civil engineer to oversee the Bear River Development Project and the Lake Powell Pipeline Project (UCA 59-12-103 (5)). Any unexpended monies are to be nonlapsing.

Note 6: 6% of the Remaining Difference to Water Rights
After transferring the $500,000 to DNR watershed and $150,000 to Water Resources for Cloudseeding, 6% of the remaining funds will be transferred each year as dedicated credits to Water Rights to cover the costs of additional technical staff for the administration of water rights. The unexpended funds over $150,000 will lapse to the Water Resources C&D Fund.
Appendix D, Major Funded Items Over Time

The following table provides a list with the major items funded since FY 2013.

<table>
<thead>
<tr>
<th>Item Name</th>
<th>Fund</th>
<th>FY 2013</th>
<th>FY 2015</th>
<th>FY 2016</th>
<th>FY 2017</th>
<th>FY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>S.B. 113, Natural Resources Modifications</td>
<td>Ded. Credit Ongoing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,895,600</td>
</tr>
<tr>
<td>S.B. 113, Natural Resources Modifications</td>
<td>Ded. Credit 1x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-(168,100)</td>
</tr>
<tr>
<td>Canal Safety Mapping</td>
<td>Gen. Fund 1x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100,000</td>
</tr>
<tr>
<td>Water Rights Adjudication - Growth in Earmark</td>
<td>Ded. Credit 1x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100,000</td>
</tr>
<tr>
<td>H.B. 305, Water Rights and Res. Amendments</td>
<td>Gen. Fund 1x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100,000</td>
</tr>
<tr>
<td>H.B. 305, Water Rights and Res. Amendments</td>
<td>Gen. Fund Ongoing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>70,000</td>
</tr>
<tr>
<td>Adjudication Special Master</td>
<td>Gen. Fund Ongoing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>438,000</td>
</tr>
<tr>
<td>Adjudication Special Master</td>
<td>Gen. Fund 1x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-(438,000)</td>
</tr>
<tr>
<td>H.B. 370, Canal Safety Amendments</td>
<td>Gen. Fund Ongoing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>139,000</td>
</tr>
<tr>
<td>H.B. 370, Canal Safety Amendments</td>
<td>Gen. Fund 1x</td>
<td></td>
<td></td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
</tr>
<tr>
<td>S.B. 274, Water Jurisdiction Amendments</td>
<td>Gen. Fund 1x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>36,000</td>
</tr>
<tr>
<td>S.B. 274, Water Jurisdiction Amendments</td>
<td>Gen. Fund Ongoing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>16,300</td>
</tr>
<tr>
<td>Executive Water Task Force</td>
<td>Gen. Fund Ongoing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-(42,800)</td>
</tr>
<tr>
<td>Engineer Position, Reallocation from DEQ</td>
<td>Gen. Fund Ongoing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>96,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>96,000</strong></td>
<td><strong>278,500</strong></td>
<td><strong>130,000</strong></td>
<td><strong>300,000</strong></td>
<td><strong>1,927,500</strong></td>
</tr>
</tbody>
</table>