

**State Water Program Reporting Requirements**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Raymond P. Ward**

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**LONG TITLE****General Description:**

This bill addresses reporting regarding legislative water optimization efforts.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires the Division of Water Resources (division) to monitor state legislative water optimization efforts;
- requires the division to coordinate with other state entities;
- directs the division to annually report specific findings;
- specifies the legislative committees to which the report is to be given;
- requires posting of the report;
- requires state agencies to assist upon request;
- consolidates reports related to agricultural water optimization;
- provides a sunset date; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

**63I-1-273**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

**73-10-18**, as last amended by Laws of Utah 2024, Chapter 522

**73-10g-207**, as enacted by Laws of Utah 2023, Chapter 261

**ENACTS:**

**73-10-40**, Utah Code Annotated 1953

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

Section 1. Section **63I-1-273** is amended to read:

**63I-1-273 . Repeal dates: Title 73.**

- (1) Subsection 73-1-4(2)(e)(xi), regarding a water right subject to an approved change application for use within a water bank that has been authorized but not dissolved, is repealed December 31, 2030.
- (2) Subsection 73-10-4(1)(h), regarding management of an application to create a water bank, is repealed December 31, 2030.
- (3) Section 73-10-39, Study and recommendations related to the financing of water infrastructure, is repealed July 1, 2027.
- (4) Section 73-10-40, State legislative water optimization efforts, is repealed on July 1, 2030.
- ~~[(4)]~~ (5) Title 73, Chapter 10g, Part 2, Agricultural Water Optimization, is repealed July 1, 2028.
- ~~[(5)]~~ (6) Title 73, Chapter 10g, Part 7, Utah Water Agent, is repealed July 1, 2034.
- ~~[(6)]~~ (7) Section 73-18-3.5, Advisory council, is repealed July 1, 2029.
- ~~[(7)]~~ (8) Title 73, Chapter 27, Legislative Water Development Commission, is repealed January 1, 2031.
- ~~[(8)]~~ (9) Title 73, Chapter 31, Water Banking Act, is repealed December 31, 2030.
- ~~[(9)]~~ (10) Section 73-32-302, Advisory council created -- Staffing -- Per diem and travel expenses -- Annual conflict of interest disclosure statement -- Exception -- Penalties, is repealed July 1, 2027.
- ~~[(10)]~~ (11) Section 73-32-303, Duties of the council, is repealed July 1, 2027.

Section 2. Section **73-10-18** is amended to read:

**73-10-18 . Division of Water Resources -- Creation -- Power and authority.**

- (1) There is created the Division of Water Resources, which shall be within the Department of Natural Resources under the administration and general supervision of the executive director of the Department of Natural Resources and under the policy direction of the Board of Water Resources.
- (2) Except for the waters of the Colorado River system that are governed by Title 63M, Chapter 14, Colorado River Authority of Utah Act, or state representation under the Bear River Compact or Columbia Interstate Compact, the Division of Water Resources shall:
  - (a) be the water resource authority for the state; and
  - (b) assume all of the functions, powers, duties, rights, and responsibilities of the Utah

water and power board except those which are delegated to the board by this act and is vested with such other functions, powers, duties, rights and responsibilities as provided in this act and other law.

(3) Notwithstanding Subsection (2), the Utah water agent, appointed under Section 73-10g-702, has authority over out-of-state negotiations related to water importation in accordance with Chapter 10g, Part [6] 7, Utah Water Agent, except when limited by Section 73-10g-703.

(4) The Division of Water Resources shall report on state legislative water optimization efforts in accordance with Section 73-10-40.

Section 3. Section **73-10-40** is enacted to read:

**73-10-40 . State legislative water optimization efforts.**

(1) As used in this section:

(a) "Division" means the Division of Water Resources.

(b) "State agency" means a department, division, board, council, committee, institution, office, bureau, or other similar administrative unit of the executive branch of state government.

(c) "State legislative water optimization effort" means the following as it affects the waters of the state:

(i) the agricultural water optimization program under Chapter 10g, Part 2,

Agricultural Water Optimization; or

(ii) the grant program funding the installation of secondary water meters under Sections 73-10-34 and 73-10-34.5.

(2)(a) The division shall monitor each state legislative water optimization effort and annually prepare a report in coordination with:

(i) the Division of Water Rights;

(ii) the Colorado River Authority of Utah, created under Title 63M, Chapter 14, Colorado River Authority of Utah Act;

(iii) the Department of Agriculture and Food; and

(iv) the Office of the Great Salt Lake Commissioner, created under Chapter 32, Great Salt Lake Commissioner Act.

(b) The report required under this Subsection (2) shall provide:

(i) a statewide summary of each state legislative water optimization effort, including a summary for each of the following:

(A) the Great Salt Lake basin;

- (B) the Colorado River basin; and
- (C) the Sevier River basin;
- (ii) a quantification of water made available through each state legislative water optimization effort for the intended purposes identified in the state legislative water optimization effort, including quantification of water made available for the Great Salt Lake basin, Colorado River basin, and Sevier River basin;
- (iii) a reasonable estimate of where the water made available went, including an explanation if, and why, an amount of additional water cannot be reported; and
- (iv) if a state legislative water optimization effort did not result in water being made available for the intended purpose identified in the state legislative water optimization effort, recommendations for changes to the state legislative water optimization effort that would better result in water being made available as intended by the state legislative water optimization effort.
- (3) The division shall annually:
- (a) provide the report required by this section to the Natural Resources, Agriculture, and Environment Interim Committee and the Legislative Water Development Commission by no later than the November interim meetings of the Legislature; and
- (b) post the report required by this section on a public website.
- (4) At the request of the division, a state agency shall provide the division assistance in preparing the report required by this section.
- Section 4. Section **73-10g-207** is amended to read:
- 73-10g-207 . Division public information and reporting.**
- (1) The division shall, ~~[in coordination with the department and the Division of Water Rights, annually]~~ in accordance with Section 73-10-40, compile and publish a report on:
- (a) completed projects;
- (b) saved water made available from agricultural water optimization projects; and
- (c) the effectiveness of the agricultural water optimization funding programs established by this part.
- ~~[(2) On or before November 30 of each year, the committee, division, and the Division of Water Rights shall jointly present the annual report to:]~~
- ~~[(a) the Legislative Water Development Commission;]~~
- ~~[(b) the Natural Resources, Agriculture, and Environment Interim Committee;]~~
- ~~[(c) the Utah Water Task Force within the Department of Natural Resources; and]~~
- ~~[(d) the Utah Watersheds Council.]~~

134    [~~(3)~~] (2) The division shall publish reports from research described in Subsection  
135            73-10g-205(7).  
136            Section 5. **Effective date.**  
137    This bill takes effect on May 7, 2025.