

Water Rights Recording Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor:

LONG TITLE**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

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

deed; or

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

(2) Beginning July 1, 2011, a person submitting an applicable deed to a county recorder's

office for recording may also submit a water rights addendum as an addendum to the applicable deed.

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

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

[(ii)]

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

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

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

Section 2. **Effective date.**

This bill takes effect on May 7, 2025.