

**Superseded 5/7/2025**

**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) A 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.