

Part 4 General Provisions

73-26-401 Powers of division.

The division may:

- (1) enter into contracts and agreements for the development, operation, maintenance, repair, and replacement of projects authorized under this chapter; and
- (2)
 - (a) set prices for the sale or lease of water made available by the project, in accordance with Section 73-26-506 and rules made by the board; and
 - (b) enter into contracts for the sale or lease of the water.

Enacted by Chapter 251, 1991 General Session

73-26-402 Rulemaking power of the board.

In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board may make rules to:

- (1) determine water charges as provided in Section 73-26-506;
- (2) administer and operate the reservoirs and associated facilities constructed in accordance with Section 73-26-301;
- (3) establish procedures for reviewing offers to contract for the sale or lease of developed water; and
- (4) set the interest rate for repayment of construction and environmental mitigation costs.

Amended by Chapter 382, 2008 General Session

73-26-403 Immunity from suit -- Exception.

Activities engaged in under authority of this chapter are governmental functions. The state and its officers and employees are immune from suit for any injury or damage resulting from those activities, except as provided in Section 63G-7-301.

Amended by Chapter 382, 2008 General Session

73-26-404 Eminent domain.

In order to construct the reservoirs and other facilities authorized under this chapter, the division may exercise eminent domain as provided in Title 78B, Chapter 6, Part 5, Eminent Domain.

Amended by Chapter 3, 2008 General Session