

73-26-102 Findings.

- (1) The Legislature finds that:
 - (a) the Board of Water Resources has significant filings for water of the Bear River that could be developed;
 - (b) the continued growth and prosperity of communities in the Bear River Basin and the Wasatch Front will be enhanced by the development and utilization of the Bear River, one of the last major sources of developable water in the state; and
 - (c) Bear River water developed by the state should be apportioned in an equitable manner taking into consideration:
 - (i) the increasing water needs of the state's growing urban population; and
 - (ii) preservation of future supplies for areas:
 - (A) where the water originates; or
 - (B) that are adjacent to the water and can be conveniently supplied by it.
- (2) Therefore, it is the purpose of this chapter to:
 - (a) direct the Division of Water Resources to develop the surface waters of the Bear River and its tributaries covered by filings of the board, filings acquired from the Bureau of Reclamation, or new filings, as approved by the state engineer;
 - (b) allocate the developed waters among various regions and entities; and
 - (c) provide protection for existing rights.
- (3) Nothing in this chapter shall:
 - (a) cover groundwater; or
 - (b) be construed to prevent any person from developing:
 - (i) groundwater pursuant to state law; or
 - (ii) the surface waters of the Bear River or its tributaries at any site including sites studied by the state.

Enacted by Chapter 251, 1991 General Session