

Effective 5/12/2015

73-3-6 Publication of notice of application -- Corrections or amendments of applications -- Withdrawal of application.

- (1)
 - (a) When an application is filed in compliance with this title, the state engineer shall publish a notice of the application:
 - (i) once a week for a period of two successive weeks in a newspaper of general circulation in the county in which the source of supply is located, and where the water is to be used; and
 - (ii) in accordance with Section 45-1-101 for two weeks.
 - (b) The notice shall:
 - (i) state that an application has been made; and
 - (ii) specify where the interested party may obtain additional information relating to the application.
 - (c) Clerical errors, ambiguities, and mistakes that do not prejudice the rights of others may be corrected by order of the state engineer either before or after the publication of notice.
- (2) After publication of notice to water users, the state engineer may authorize amendments or corrections that involve a change of point of diversion, place, or purpose of use of water, only after republication of notice to water users.
- (3)
 - (a) An applicant or an applicant's successor in interest may withdraw an unperfected application by notifying, in writing, the state engineer of the withdrawal.
 - (b) Upon receipt of the notice described in Subsection (3)(a), the state engineer shall promptly update state engineer records to reflect that the application has been withdrawn and is of no further force or effect.
 - (c) An individual who withdraws an unperfected application under Subsection (3)(a) is not entitled to a refund of fees.

Amended by Chapter 285, 2015 General Session