

73-5-14 Determination by the state engineer of watershed to which particular source is tributary -- Publications of notice and result -- Hearing -- Judicial review.

- (1) The state engineer may determine for administrative and distribution purposes the watershed to which any particular stream or source of water is tributary.
- (2) A determination under Subsection (1) may be made only after publication of notice to the water users.
- (3) Publication of notice under Subsection (2) shall be made:
 - (a) in a newspaper or newspapers having general circulation in every county in the state in which any rights might be affected, once each week for five consecutive weeks;
 - (b) in accordance with Section 45-1-101 for five weeks; and
 - (c) on the Utah Public Notice Website created in Section 63F-1-701, for five weeks.
- (4) The state engineer shall fix the date and place of hearing and at the hearing any water user shall be given an opportunity to appear and adduce evidence material to the determination of the question involved.
- (5)
 - (a) The state engineer shall publish the result of the determination as provided in Subsections (3)(a) and (b), and the notice of the decision of the state engineer shall notify the public that any person aggrieved by the decision may appeal the decision as provided by Section 73-3-14.
 - (b) The notice under Subsection (5)(a) shall be considered to have been given so as to start the time for appeal upon completion of the publication of notice.

Amended by Chapter 90, 2010 General Session