

76-10-202 Taking water out of turn or excess amount -- Damaging facilities.

- (1) No person may, in violation of any right of any other person knowingly or intentionally:
 - (a) turn or use the water, or any part thereof, of any canal, ditch, pipeline, or reservoir, except at a time when the use of the water has been duly distributed to the person;
 - (b) use any greater quantity of the water than has been duly distributed to him;
 - (c) in any way change the flow of water when lawfully distributed for irrigation or other useful purposes, except when duly authorized to make the change; or
 - (d) break or injure any dam, canal, pipeline, watergate, ditch, or other means of diverting or conveying water for irrigation or other useful purposes.
- (2) Subsection (1) applies to violations of any right to the use of water, including:
 - (a) a water right; or
 - (b) authorization of a person's use of water by:
 - (i) a water company, as defined in Subsection 73-3-3.5(1)(b); or
 - (ii) an entity having a valid water right under Utah law.
- (3) Any person who violates this section is guilty of a crime punishable under Section 73-2-27.

Amended by Chapter 215, 2005 General Session