

USE OF STATE ENGINEER FEES

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Margaret Dayton

House Sponsor: Ben C. Ferry

LONG TITLE

General Description:

This bill authorizes the state engineer to use fees for water right conveyance.

Highlighted Provisions:

This bill:

- ▶ allows the state engineer to use fees to process reports of water right conveyance.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

73-2-14, as last amended by Chapter 276, Laws of Utah 2002

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **73-2-14** is amended to read:

73-2-14. Fees of state engineer -- Deposited as a dedicated credit.

(1) The state engineer shall charge fees pursuant to Section 63-38-3.2 for the following:

- (a) applications to appropriate water;
- (b) applications to temporarily appropriate water;



- 28 (c) applications for permanent or temporary change;
- 29 (d) applications for exchange;
- 30 (e) applications for an extension of time in which to resume use of water;
- 31 (f) applications to appropriate water, or make a permanent or temporary change, for use
- 32 outside the state filed pursuant to Title 73, Chapter 3a, Water Exports;
- 33 (g) groundwater recovery permits;
- 34 (h) diligence claims for surface or underground water filed pursuant to Section
- 35 73-5-13;
- 36 (i) republication of notice to water users after amendment of application where
- 37 required by this title;
- 38 (j) applications to segregate;
- 39 (k) requests for an extension of time in which to submit proof of appropriation not to
- 40 exceed 14 years after the date of approval of the application;
- 41 (l) requests for an extension of time in which to submit proof of appropriation 14 years
- 42 or more after the date of approval of the application;
- 43 (m) groundwater recharge permits;
- 44 (n) applications for a well driller's license, annual renewal of a well driller's license,
- 45 and late annual renewal of a well driller's license;
- 46 (o) certification of copies;
- 47 (p) preparing copies of documents; and
- 48 (q) reports of water right conveyance.
- 49 (2) Fees for the services specified in Subsections (1)(a) through (i) shall be based upon
- 50 the rate of flow or volume of water. If it is proposed to appropriate by both direct flow and
- 51 storage, the fee shall be based upon either the rate of flow or annual volume of water stored,
- 52 whichever fee is greater.
- 53 (3) Fees collected under this section:
- 54 (a) shall be deposited in the General Fund as a dedicated credit to be used by the
- 55 Division of Water Rights; and
- 56 (b) may only be used by the Division of Water Rights to:
- 57 (i) meet the publication of notice requirements under this title[-]; and
- 58 (ii) process reports of water right conveyance.

Legislative Review Note
as of 11-15-06 2:46 PM

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-18-06 10:24 AM

The Natural Resources, Agriculture, and Environment Interim Committee recommended this bill.

Legislative Committee Note
as of 12-18-06 10:24 AM

The Water Issues Task Force recommended this bill.

S.B. 8 - Use of State Engineer Fees

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill alone would not have fiscal impact on the Division. Any new funding, as authorized by this bill, will have to be first appropriated by the Legislature. Approximately \$190,000 per year from fee revenues could be used for reports of water right conveyance, which are currently unused and deposited to the General Fund. Should the Legislature choose to appropriate new funding, as authorized by this bill, there will be a reduction in the amount deposited into the General Fund.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

12/27/2006, 9:46:07 AM, Lead Analyst: Djambov, I.

Office of the Legislative Fiscal Analyst