



House of Representatives *State of Utah*

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February 20, 2007

Mr. Speaker:

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. H.B. 422**, PREREQUISITES FOR UTAH ENTERING AN AGREEMENT TO DIVIDE GROUNDWATER WITH ANOTHER STATE, by Representative J. Biskupski, with the following amendments:

1. *Page 4, Line 110:*

110 (b) review the inventory and assessment ~~. . .~~ { required by Section
73-29-201; }

2. *Page 4, Line 114 through Page 6, Line 157:*

114 ~~Section 4. Section 73-29-201 is enacted to read:~~
115 ~~Part 2. Agreement Requirements~~
116 ~~73-29-201. Inventory and assessment required.~~
117 ~~(1) Before the executive director may sign the agreement, as authorized by~~
~~Section~~
118 ~~73-29-202, the department shall complete the inventory and assessment required by~~
~~this~~
119 ~~section.~~
120 ~~(2) The state engineer, in cooperation with other divisions within the~~
~~department, shall:~~
121 ~~(a) inventory the vested water rights in the area affected by the interstate~~
~~groundwater~~
122 ~~flow system; and~~
123 ~~(b) obtain current information on surface water and groundwater resources;~~
~~including:~~
124 ~~(i) springs;~~
125 ~~(ii) seeps;~~
126 ~~(iii) water flows;~~
127 ~~(iv) water tables; and~~
128 ~~(v) vegetation.~~
129 ~~(3) The state engineer, as authorized by Sections 73-2-15 and 73-2-17, may enter~~
~~into~~
130 ~~agreements to investigate the surface water and groundwater resources as required~~
~~by this~~
131 ~~section.~~
132 ~~(4) (a) The Utah Geological Survey shall use the information collected under~~
133 Subsection (2) along with data from any test wells to predict and assess the impacts



Bill Number
HB0422S01



Action Class
H



Action Code
HCRAMD

the project
134 will have on:
135 — (i) Utah water rights;
136 — (ii) the agricultural industry and other business development in the area;
137 — (iii) air quality;
138 — (iv) water quality; and
139 — (v) Utah's ecosystem, including:
140 — (A) plant life;
141 — (B) wildlife; and
142 — (C) sensitive or endangered species.
143 — (b) The Department of Environmental Quality shall cooperate with the
department in
144 making the assessment required by this section:
145 — Section 5. Section 73-29-202 is enacted to read:
146 — 73-29-202. Executive director to sign agreement -- Legislature to ratify.
147 — The executive director may not execute the agreement until:
148 — (1) the inventory and assessment required by Section 73-29-201 is complete;
149 — (2) the water resources study required by the Lincoln County Conservation,
Recreation,
150 and Development Act of 2004, Pub. L. No. 108-424, is complete; and
151 — (3) the agreement has been approved by the governor and the Legislature in a
152 concurrent resolution:
153 — Section 6. Intent language:
154 — It is the intent of the Legislature that if this bill and H.B. 134, School and
Institutional
155 Trust Lands Amendments, both pass that the money appropriated to the Geological
Survey in
156 Subsection 53C-3-203(4) for test wells and hydrologic studies in the West Desert be
used by
157 the Geological Survey to satisfy its responsibilities under Section 73-29-201. }

Respectfully,

Roger E. Barrus
Committee Chair

Voting: 14-0-1

3 HB0422.HC1.WPD 2/20/07 9:07 am cgriffith/JBA ERB/JBA

