Rep. Barrus called the meeting to order at 8:03 a.m.

MOTION: Rep. Riesen moved to pass the bill out favorably.

1st Sub. H.B. 422Prerequisites for Utah Entering an Agreement to Divide
Groundwater with Another State (Rep. J. Biskupski)

Rep. Biskupski explained the bill to the committee.

Spoke for the bill: Mike Styler, Director Department of Natural Resources
John Cooper, Millard County Commissioner
Todd Bingham, Utah Farm Bureau
Tim Hawkes, Attorney, Trout Unlimited
Terry Maresko, Snake Valley property owner
Gerald McDunna, Salt Lake County citizen

MOTION: Rep. Brown moved to amend the bill as follows and renumber accordingly:

1. Page 4, Line 110:
   110 (b) review the inventory and assessment
   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
   118 section:
   119 (2) The state engineer, in cooperation with other divisions within the
   120 department, shall:
   121 (a) inventory the vested water rights in the area affected by the interstate
   122 groundwater
   123 (b) obtain current information on surface water and groundwater resources,
   including:
(i) springs;
(ii) seeps;
(iii) water flows;
(iv) water tables; and
(v) vegetation.

(3) The state engineer, as authorized by Sections 73-2-15 and 73-2-17, may enter into agreements to investigate the surface water and groundwater resources as required by this section.

(4) (a) The Utah Geological Survey shall use the information collected under Subsection (2) along with data from any test wells to predict and assess the impacts the project will have on:
(i) Utah water rights;
(ii) the agricultural industry and other business development in the area;
(iii) air quality;
(iv) water quality; and
(v) Utah's ecosystem, including:
(A) plant life;
(B) wildlife; and
(C) sensitive or endangered species.
(b) The Department of Environmental Quality shall cooperate with the department in making the assessment required by this section.

Section 5. Section 73-29-202 is enacted to read:
73-29-202. Executive director to sign agreement -- Legislature to ratify.
The executive director may not execute the agreement until:
(1) the inventory and assessment required by Section 73-29-201 is complete;
(2) the water resources study required by the Lincoln County Conservation, Recreation, and Development Act of 2004, Pub. L. No. 108-424, is complete; and
(3) the agreement has been approved by the governor and the Legislature in a concurrent resolution.

Section 6. Intent language:
It is the intent of the Legislature that if this bill and H.B. 134, School and Institutional Trust Lands Amendments, both pass that the money appropriated to the Geological Survey in Subsection 53C-3-203(4) for test wells and hydrologic studies in the West Desert be used by the Geological Survey to satisfy its responsibilities under Section 73-29-201.


MOTION: Rep. Gibson moved to adjourn.

Rep. Barrus adjourned the meeting at 8:59 a.m.

Rep. Roger E. Barrus, Chair