



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
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January 29, 2010

Mr. President:

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 20**, LOCAL DISTRICT AMENDMENTS, by Senator D. Stowell, with the following amendments:

1. *Page 1, Lines 20 through 22:*

- 20       ▶ provides that a groundwater management plan described in the preceding  
paragraph  
21 may include the banking of groundwater rights {~~if expressly authorized in Title 73;~~  
22 ~~Water and Irrigation~~} by a local district in a critical management area following  
the adoption of a groundwater management plan by the state engineer ;

2. *Page 7, Lines 190 through 192:*

- 190       (c) A groundwater management plan described in Subsection (1)(a)(xiv) may include  
191 the banking of groundwater rights {~~if the banking of groundwater rights is expressly~~  
~~authorized~~  
192 ~~in Title 73, Water and Irrigation.~~} by a local district in a critical management  
area as defined in Section 73-5-15 following the adoption of a ground water  
management plan by the state engineer under Section 73-5-15.  
(i) A local district may manage the groundwater rights it acquires under  
Subsection 17B-1-103 (2)(a) or (b) consistent with the provisions of a groundwater  
management plan described in Subsection (1)(c).

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(ii) A groundwater right held by a local district to satisfy the provisions of a groundwater management plan are not subject to the forfeiture provisions of Section 73-1-4.

(iii)(A) A local district may divest itself of a groundwater right subject to a determination that the groundwater right is not required to facilitate the groundwater management plan described in Subsection (1)(c).

(B) The ground water right described in Subsection (1)(c)(iii)(A) is subject to Section 73-1-4 beginning on the date of divestiture.

(iv) Upon a determination by the state engineer that an area is no longer a critical management area, a water right held by the local district is subject to Section 73-1-4.

Respectfully,

Dennis E. Stowell  
Committee Chair

Voting: 5-1-0

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