

S.B. 20
LOCAL DISTRICT AMENDMENTS

Senator **Dennis E. Stowell** proposes 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).

(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.