

57 state.

58 (ii) "Public land" does not mean land owned by:

59 (A) the Division of Wildlife Resources;

60 (B) the School and Institutional Trust Lands Administration; or

61 (C) the Division of Parks and Recreation.

62 ~~[(h)]~~ (i) "Public land agency" means the agency that owns or manages the public land.

63 ~~[(2) On or after May 12, 2009, a livestock watering right may only be acquired by a~~
64 ~~public land agency jointly with a beneficial user.]~~

65 (2) A public land agency may not:

66 (a) condition the issuance, renewal, amendment, or extension of any permit, approval,
67 license, allotment, easement, right-of-way, or other land use occupancy agreement regarding
68 livestock on the transfer of any water right directly to the public land agency; ~~§→~~ [or] ~~←§~~

69 (b) require any water user to apply for, or acquire a water right in the name of, the
70 public land agency as a condition for the issuance, renewal, amendment, or extension of any
71 permit, approval, license, allotment, easement, right-of-way, or other land use occupancy
72 agreement regarding livestock ~~§→~~ or

72a (c) **acquire a livestock watering right if the public land agency is not a beneficial**
72b **user ~~←§~~.**

73 (3) The state engineer may not approve a change application under Section 73-3-3 for a
74 livestock watering right without the consent of the beneficial user.

75 (4) A beneficial user may file a nonuse application under Section 73-1-4 on a livestock
76 watering right or a portion of a livestock watering right that the beneficial user puts to
77 beneficial use.

78 (5) A livestock watering right is appurtenant to the allotment on which the livestock is
79 watered.

80 (6) (a) (i) A beneficial user or a public land agency may file a request with the state
81 engineer for a livestock water use certificate.

82 (ii) The state engineer shall:

83 (A) provide the livestock water use certificate application form on the Internet; and

84 (B) allow electronic submission of the livestock water use certificate application.

85 (b) The state engineer shall grant a livestock water use certificate to ~~[(+)]~~ a beneficial
86 user if the beneficial user:

87 ~~[(A)]~~ (i) demonstrates that the beneficial user has a right to use a grazing permit for the