

WATER RIGHTS INVENTORY REQUIREMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Phil Lyman

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses an entity submitting an inventory of water rights related information.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the submission of a comprehensive inventory;
- ▶ makes the comprehensive inventory a public record;
- ▶ provides that the comprehensive inventory is not an official verification or approval of the information in the comprehensive inventory;
- ▶ authorizes rulemaking regarding the comprehensive inventory; and
- ▶ directs the Division of Water Rights to publish a comprehensive inventory on a public website.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

73-5-8.5, Utah Code Annotated 1953



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **73-5-8.5** is enacted to read:

30 **73-5-8.5. Water rights inventory.**

31 (1) As used in this section:

32 (a) "Comprehensive inventory" means the information required to be submitted under
33 Subsection (2).

34 (b) "Division" means the Division of Water Rights.

35 (2) A public water provider required to file an annual water use report with the
36 Division of Water Rights under Section **73-5-8** shall include with the annual water use data
37 report a comprehensive inventory that includes, at a minimum, a list of:

38 (a) water rights that the public water provider claims to own and the amount in
39 acre-feet of water that the water rights represent, including:

40 (i) a certificated water right;

41 (ii) an approved water right; or

42 (iii) a water right to supply water for municipal, industrial, commercial, livestock,
43 irrigation, or other uses;

44 (b) water contracts that the person claims to have executed that are in effect at the time
45 of filing and the amount in acre-feet of water that the water contracts represent;

46 (c) water shares that the person claims to own and the amount in acre-feet of water that
47 the shares represent;

48 (d) water rights described in Subsection (2)(a) for which a nonuse application has been
49 filed under Section **73-1-4** and the amount in acre-feet of water that the water rights represent;

50 (e) a list of the unapproved applications to appropriate water filed by the person and
51 the amount in acre-feet of water that the unapproved applications represent; and

52 (f) a break down of inventory by surface water and underground water.

53 (3) The person filing the information required under Subsection (2) shall report the
54 information in the maximum amount of acre-feet for each item listed in Subsection (2).

55 (4) The comprehensive inventory provided to the division under this section is a public
56 record.

57 (5) Submission of the comprehensive inventory in acre-feet with the division does not
58 constitute official verification or approval of a claim made in the comprehensive inventory.

- 59 (6) The state engineer may by rule, made in accordance with Title 63G, Chapter 3,
60 Utah Administrative Rulemaking Act, require additional information related to the
61 comprehensive inventory including reporting:
- 62 (a) amounts in acre-feet;
 - 63 (b) depletion or usage;
 - 64 (c) comparisons of the comprehensive inventory over time;
 - 65 (d) waste;
 - 66 (e) unaccounted water or leakage by meter; or
 - 67 (f) evaporation.
- 68 (7) The division shall publish the comprehensive inventory on a public website.