

57 Section 57-13a-102 may, in accordance with this section, abandon all or part of the easement.

58 (2) (a) A holder of a prescriptive easement for a water conveyance established under
59 Section 57-13a-102 who seeks to abandon the easement or part of the easement shall, in each
60 county where the easement or part of the easement is located, file in the office of the county
61 recorder a notice of intent to abandon the prescriptive easement that describes the easement or
62 part of the easement to be abandoned.

63 (b) A county recorder who receives a notice of intent to abandon a prescriptive
64 easement shall:

65 (i) publish copies of the notice for the area generally served by the water conveyance
66 that utilizes the easement, as a class A notice under Section 63G-30-102, for at least 45 days;
67 and

68 (ii) mail a copy of the notice of intent to abandon the prescriptive easement to:

69 (A) each [municipal and] county government, municipal government, and, if
70 applicable, ~~H~~→ **each special district, special service district, and** ←~~H~~ metropolitan planning
70a organization where the easement or part of the easement is
71 located [-]; and

72 (B) the Department of Transportation.

73 (3) After meeting the requirements of Subsection (2)(a) and at least 45 days after the
74 last day on which the county recorder posts the notice of intent to abandon the prescriptive
75 easement in accordance with Subsection (2)(b), the holder of the prescriptive easement shall
76 file in the office of the county recorder for each county where the easement or part of the
77 easement is located a notice of abandonment that contains the same description required by
78 Subsection (2)(a).

79 (4) (a) Upon completion of the requirements described in Subsection (2):

80 (i) all interest to the easement or part of the easement abandoned by the holder of the
81 easement is extinguished; and

82 (ii) subject to each legal right that exists as described in Subsection (4)(b), the owner of
83 a servient estate whose land was encumbered by the easement or part of the easement
84 abandoned may reclaim the land area occupied by the former easement or part of the easement
85 and resume full utilization of the land without liability to the former holder of the easement.

86 (b) Abandonment of a prescriptive easement under this section does not affect a legal
87 right to have water delivered or discharged through the water conveyance and easement

88 established by a person other than the holder of the easement who abandons an easement as
89 provided in this section.

90 (5) A county recorder may bill the holder of the prescriptive easement for the cost of
91 preparing, printing, and publishing the notice required under Subsection (2)(b).

92 Section 3. Section **72-1-218** is enacted to read:

93 **72-1-218. Canal trails.**

94 (1) As used in this section, "political subdivision" means a municipality, city, town,
95 county, ~~H→~~ [or] ~~←H~~ metro township ~~H→~~ [as defined in Section 10-2a-403] , special
96a district, or special service district ~~←H~~ .

96 (2) The department, in coordination with the Department of Agriculture and Food and
97 the Department of Natural Resources, shall:

98 (a) develop a toolkit for a political subdivision to develop and maintain a canal trail,
99 including:

100 (i) sample license agreements;

101 (ii) available resources that can assist the political subdivision in funding a canal trail;

102 and

103 (iii) best methods, modes, and practices in developing and maintaining a canal trail;

104 (b) make the toolkit described in Subsection (2)(a) publicly available on the

105 department's website;

106 (c) receive the list of canals described in Section 79-2-409 from the Department of
107 Natural Resources created in Section 79-2-201;

108 (d) identify each canal on the list described in Subsection (2)(c) that the department
109 considers to be a high priority corridor as described in Section 72-5-403; and

110 (e) create an inventory of each canal the department identifies as a high priority
111 corridor as described in Subsection (2)(d) that includes:

112 (i) the type of land ownership held by each owner of a canal or portion of a canal;

113 (ii) whether an easement exists pertaining to the canal and the type of easement;

114 (iii) feasibility and cost estimates to acquire rights for an active transportation trail;

115 (iv) whether the owner of a canal or owner of a portion of a canal is willing to allow
116 pipng of the canal or allow construction of a trail on or along the canal; and

117 (v) the maximum operating flow rate of the canal.

118 (3) As the department develops the active transportation plan as required in Subsection