

Water and Irrigation Amendments (SB30)

Supported by the Executive Water Task Force and the Utah Water Coalition.

- Changes one of the state engineer's mandatory rulemaking requirements to permissive, and consolidates other references regarding state engineer rulemaking to a single section. Waste water reuse. Procedures have been codified so mandatory rulemaking is no longer considered necessary.
- Requires wholesale electrical cooperatives to provide information when applying for extensions of time beyond the 50-year time period consistent with requirements in the same circumstances for public water suppliers. Representative of the wholesale electrical cooperatives reviewed the proposal and concurred with the change.
- Removes the requirement that an engineer or land surveyor verify by oath certain information in a proof or claim to surface or underground water. They are already required to use their professional stamp and signature and there isn't a need to have their signature verified.
- Amends emergency authority of the state engineer to consult with the Emergency Management Administration Council (Current name in statute is inconsistent with the council's name in its enabling section).
- Allows assertions of forfeiture for water right nonuse which occurs after publishing of a proposed determination (PD) of water rights but prior to the issuance of a final decree to proceed in courts. The statute as currently written forecloses assertions of forfeiture for nonuse periods which occur between the filing of the PD and final decree in a general adjudication.

—Published December 4, 2012