

March 20, 2024

Utah Water Users Association

Division of Water Rights



Eric Jones | Assistant State Engineer
Division of Water Rights

How do I want to use my water?

Application Development, Responding to Protest & Hearing Preparation



Eric Jones | Assistant State Engineer
Division of Water Rights

Types of Applications

Common

Application to
Appropriate § 73-3-2

Change Application §§ 73-3-3
and 73-3-8

Exchange
Application § 73-3-20



Less Common

Diligence
Claim § 73-5-13

Reuse § 73-3c

Recharge § 73-3b



Nonuse § 73-1-4

When do I file a certain type of application?

Understand the area of the state you want to develop water



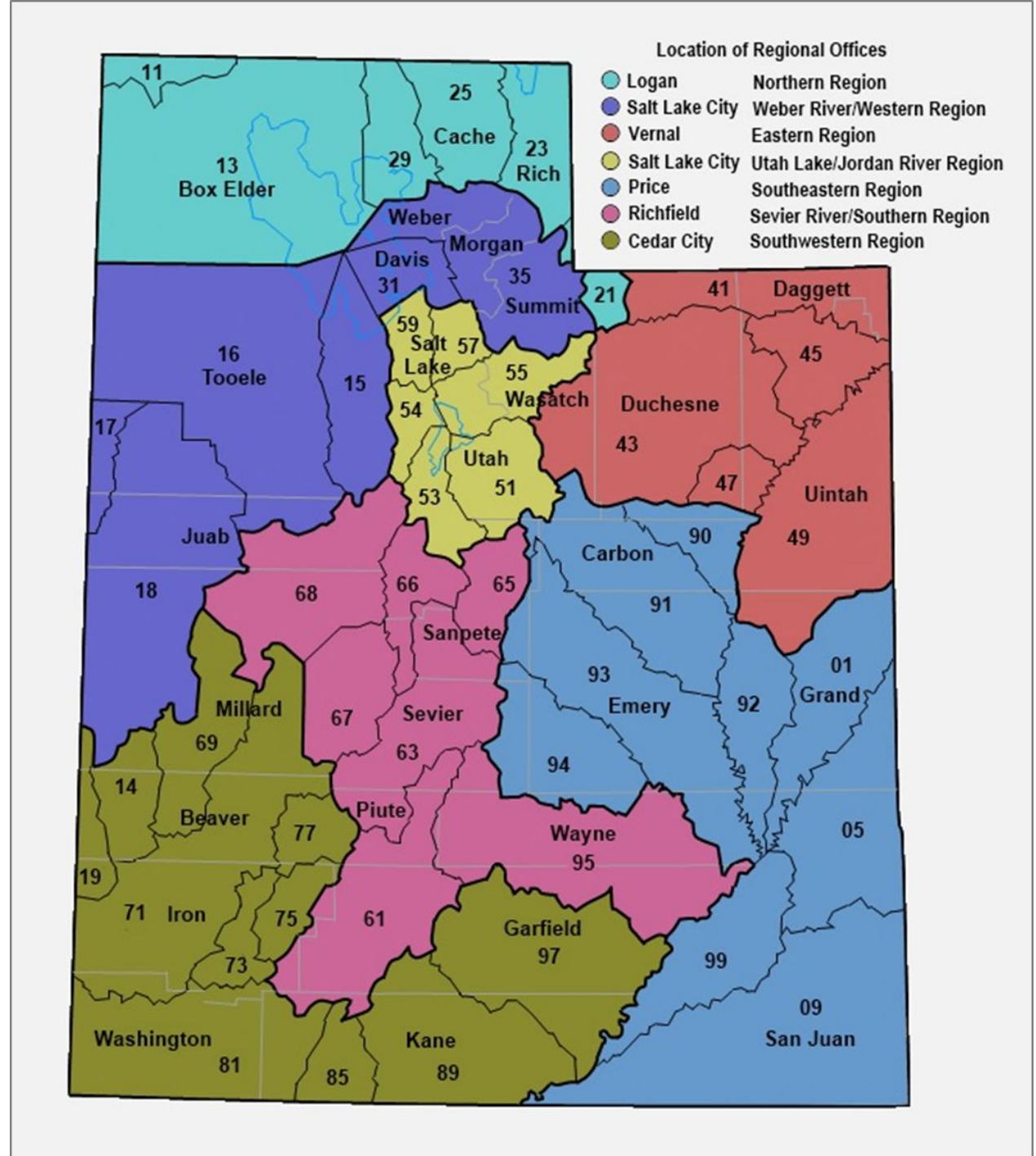
Area 15 Rush Valley?

What is the best application for your needs?

- The application you file is all dependant upon the project you want to complete.
 - Is the project going to require more than a small amount of water?



Regional Areas



Consultation Meeting

Utah Code § 73-3-3(2) A person filing an application may request consultation with the State Engineer or Regional Engineer

Nothing discussed in a consultation meeting becomes record, if the meeting is done in person, over the phone, or virtually

If documents are submitted to our office they become of record



Records Review

Make sure the data shown on the database is accurate

Warning: Water Rights makes NO claims as to the accuracy of this data.



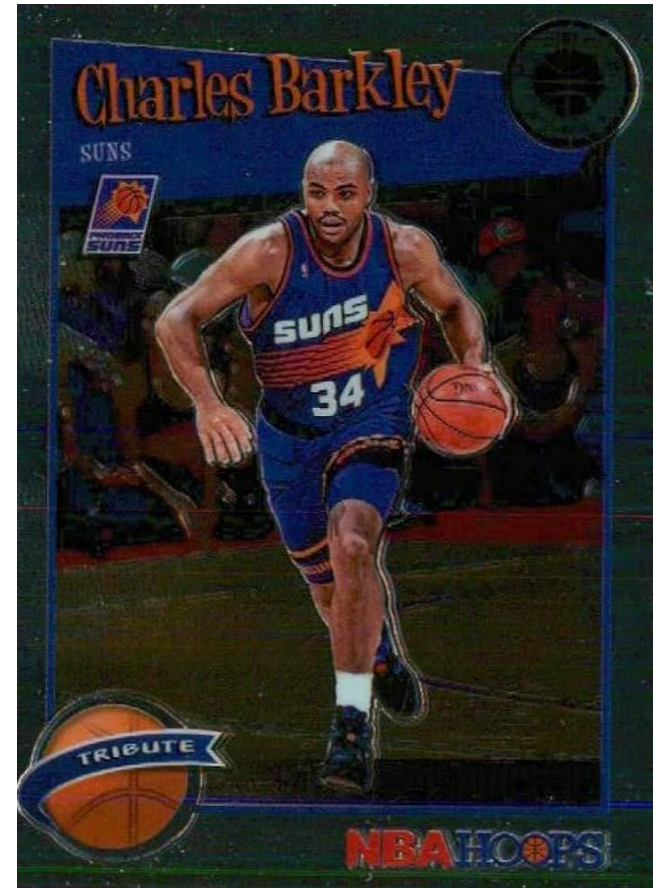
Make the Process Smooth

Utah Code § 73-3-6 The State Engineer shall publish a notice of the application once a week for a period of two successive weeks in a newspaper of general circulation in the county which the source of supply is located and where the water is to be used (14 days).

Protest period is 20 days after advertising is complete.

That's 34 days!

Uncontested applications our goal is 80 days



Where is my Application



Track the Progress

- Sign up the email notification
- Use the Change Application Tracker



Change Application Tracker Percent Complete

Change
Filed 0%

70% Hearing has
been held

5% Approved for
advertising

80% Regional office designated
application for approval/rejection

6% Out of protest, no
proof of publication

85% Application is
in central review

**100% Application
is complete**

10% Proof of publication and contested,
or application has been deferred

90% Central review complete, OSE
being processed for final review

50% Proof of publication and uncontested or
contested application with hearing scheduled

95% Application is
in final review

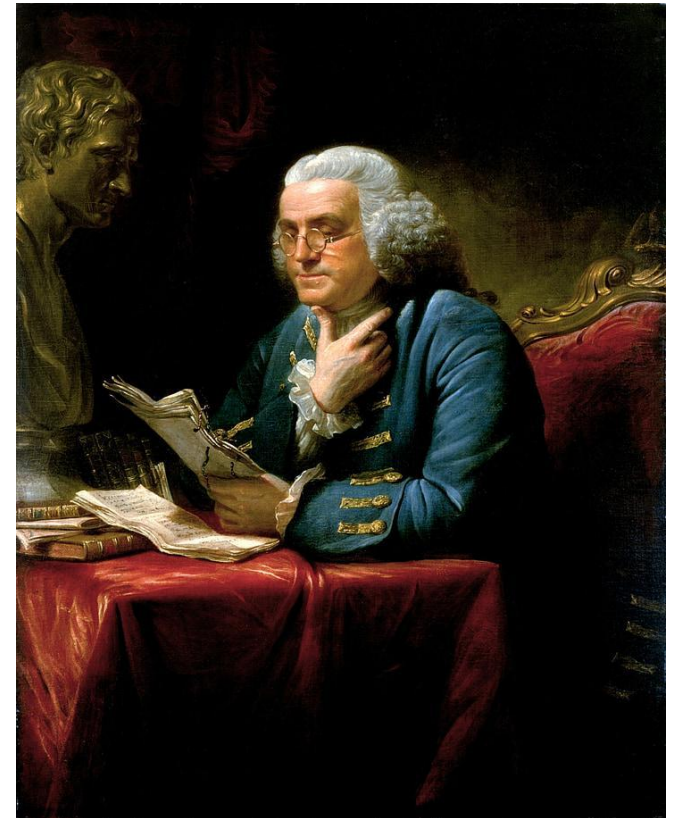
So Your Application Was Protested

- Respond to protests, we may avoid a hearing if all issues raised by the protestant are addressed quickly by the applicant
- Utah Admin. Code R655-6-7 states a hearing shall be held if it is permitted by rule and requested by a party



Respond to the Protest

- Address the items of concern brought up by the protestant
- Focus on items the State Engineer can address
- Provide evidence for a reason to believe



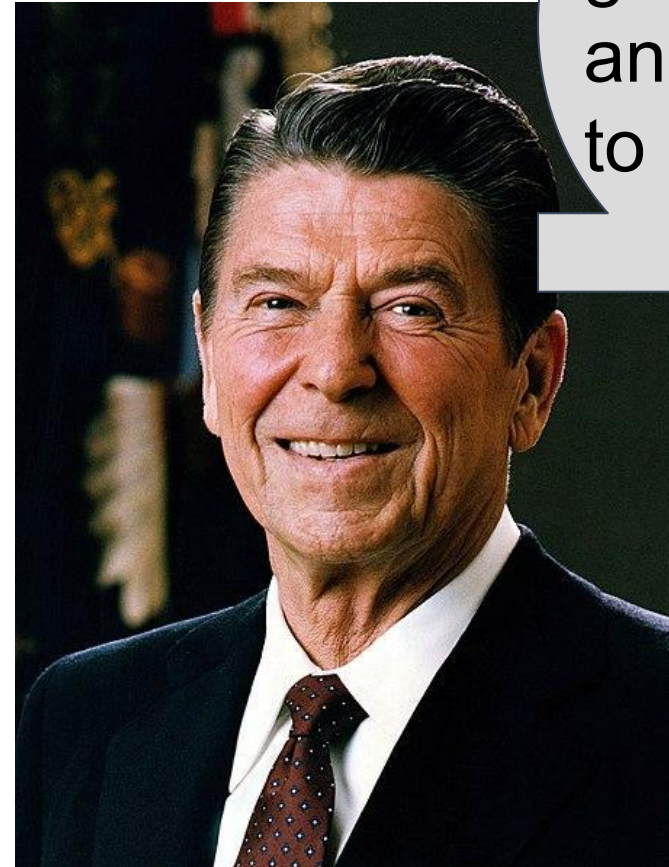
Oh Great Now There's a Hearing

- Focus on items that the State Engineer can address
- Stay calm
- Be brief and to the point
- Hearings are informal



Reach Out

- The Regional Office is always there for support
- Depending on your application we can discuss general ideas but not specifics of an application if all parties are not present



I'm from the government and I'm here to help



Questions and Discussion

