

UTAH STATE OFFICIAL RECORD

Conveyance of Water Rights

This form must accompany any Bill of Sale, Quit Claim Deed, Warranty Deed or other instrument intended to transfer a Utah Water Right from one owner to another, including water rights appurtenant to the sale of land under Utah State Code 73-1-10 and 73-1-11.

Once filled out and completed, this form must be recorded along with the other forms of conveyance in the County Recorders Office of the county in which the water right is located and also recorded with the Office of the State Engineer at: 1594 West North Temple, Ste.220 P.O. Box 146300 Salt Lake City Utah 84114-6300.

Tax parcel Number:

- NO WATER RIGHTS ARE BEING CONVEYED WITH THIS PARCEL
- WATER RIGHTS ARE BEING CONVEYED WITH THIS PARCEL

The following water rights are hereby included with the conveyance of the referenced property and are to be conveyed without warranty:

1. Type of Water Right:

Unapproved Application Water Right # _____ Quantity _____ acre ft.

Approved Application Water Right # _____ Quantity _____ acre ft.

Water Users Claim Water Right # _____ Quantity _____ acre ft.

Certificated Water Right Water Right # _____ Quantity _____ acre ft.

Municipal water in _____ City

County Water in the _____ County Water Conservancy District

Special Service Dist. Water in the _____ Special Service Dist.

_____ Shares in the _____ Water Company

Stock Watering _____ ELU'S

Industrial _____ Acre ft.

Grantor:
Address:

Signature:

Date:

Grantee:
Address:

Signature:

Date:

*** Notice to Grantee: Water Rights require specific responsibilities and actions be taken in order to maintain your rights. The laws and regulations are complex and numerous**

Many citizens loose their water rights each year due to noncompliance. A summary of the process is outlined on the back of this form. Read it and become familiar with it.

Summary of Common Responsibilities and Actions Necessary to Maintain Water Rights

1. Citizens can file an application to appropriate water in a water district open to appropriation. They may not begin to appropriate the water until it is approved by the State Engineer. Districts closed to appropriation require citizens to purchase an existing approved water application or proven (certificated water right) before using a water resource. The transaction must be recorded in the County in which the water resides and also at the State Engineers Office. (Cite statute)
2. An application for appropriation if approved by the State Engineer then requires a citizen to diligently place the water right to beneficial use within a 3 year time period unless a reasonable cause for delay can be proven by the applicant and a request for extension of time to submit proof of beneficial use is made within the allotted time and granted by the State Engineer. Water Users will not be allowed more than 14 years to request extensions with out a new request and public notice to allow others to protest the application. (Cite statute)
3. A Change application must be filed within ____ days when water is diverted to a different place of use or taken from a different point of diversion than authorized under the original approved application. (Cite statute)
4. Failure to use all or part of a water source under an approved application will result in only that amount of water actually put to beneficial use when submitting proof for a certificate of Beneficial Use. (Cite statute)
5. Failure to use all or part of a water source for 7 years that is under a certificate of Beneficial Use (proven water right) will result in cancellation of the unused portion of the water right if such lack of use is brought to the attention of the State Engineer through a complaint filed by a citizen. (Cite statute)
6. Cancellation of a proven water right for failure to use for 7 years can be avoided by filing a Non Use form with the State Engineer's Office and receiving approval for non use prior to the greater of 5years of continuous non use or the filing of a complaint by a citizen. (Cite statute)
7. Failure to notify the Division of Water Rights of address changes and all transfers of property can result in loss of water rights due to miscommunication.

NOTICE!

These Responsibilities and actions are only a summary of some of the more common challenges facing water users and owners of water rights. For more complete information contact the Division of Water Rights at 1594 West North Temple, Ste.220 P.O. Box 146300, Salt Lake City,Utah Zip Code 84118-6300 or call (801) 538-7240