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**WATER RIGHTS PUBLICATION AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Joel K. Briscoe**

Senate Sponsor: Michael K. McKell

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**LONG TITLE**

**General Description:**

This bill addresses publication of notices by the state engineer.

**Highlighted Provisions:**

This bill:

- ▶ permits the state engineer to confirm publication of a notice of application through electronic means; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**73-3-6**, as last amended by Laws of Utah 2015, Chapter 285

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

Section 1. Section **73-3-6** is amended to read:

**73-3-6 . Publication of notice of application -- Corrections or amendments of applications -- Confirmation -- Withdrawal of application.**

- (1) (a) When an application is filed in compliance with this title, the state engineer shall publish a notice of the application:
- (i) once a week for a period of two successive weeks in a newspaper of general circulation in the county in which the source of supply is located, and where the water is to be used; and
  - (ii) in accordance within Section 45-1-101 for two weeks.

- 29 (b) The notice shall:
- 30 (i) state that an application has been made; and
- 31 (ii) specify where the interested party may obtain additional information relating to
- 32 the application.
- 33 (c) Clerical errors, ambiguities, and mistakes that do not prejudice the rights of others
- 34 may be corrected by order of the state engineer either before or after the publication
- 35 of notice.
- 36 (d) The state engineer may confirm publication of a notice of application under this
- 37 Subsection (1) through electronic means.
- 38 (2) After publication of notice to water users, the state engineer may authorize amendments
- 39 or corrections that involve a change of point of diversion, place, or purpose of use of
- 40 water, only after republication of notice to water users.
- 41 (3) (a) An applicant or an applicant's successor in interest may withdraw an unperfected
- 42 application by notifying, in writing, the state engineer of the withdrawal.
- 43 (b) Upon receipt of the notice described in Subsection (3)(a), the state engineer shall
- 44 promptly update state engineer records to reflect that the application has been
- 45 withdrawn and is of no further force or effect.
- 46 (c) An individual who withdraws an unperfected application under Subsection (3)(a) is
- 47 not entitled to a refund of fees.

48 Section 2. **Effective date.**

49 This bill takes effect on May 1, 2024.