

**R655. Natural Resources, Water Rights.**

**R655-17. Water Use Data Reporting and Verification.**

**R655-17-1. Scope and Purpose.**

These rules are issued pursuant to Utah Code Section 73-2-1(5)(b), 73-5-4, and 73-5-8 which provides that the Division of Water Rights shall adopt rules that specify what water use data a person shall report and how the Division of Water Rights shall validate data submitted.

**R655-17-2. Definitions.**

"Certified Operator" means a person who operates, repairs, maintains, and is directly employed by or an appointed volunteer for a public drinking water system that is certified under Rule R309-300.

"Professional Engineer" is a professional engineer, licensed in Utah, retained to operate, repair, and maintain a public drinking water system.

"Public Water Supplier" is a system that meets the criteria under section 19-4-102(7) of the Utah Code.

"Telemetry" is an automated communications process by which measurements or data are collected at one location and transmitted electronically to receiving equipment for monitoring.

"Water Use Data Form" is the title of the report sent to water users annually requesting water use data.

"Water User" is an individual or group using water from any river system or water source in the State.

**R655-17-3. Annual Water Use Report Collection.**

3.1 Annually the Utah Division of Water Rights may request a Public Water Supplier or a Water User report to the Division:

3.1.1 the nature of any water use;

3.1.2 the area on which water was used;

3.1.3 the quantity of water diverted;

3.1.4 the quantity of water used;

3.1.5 the number of connections to which water is provided;

3.1.6 all water sources including water purchased from other systems;

3.1.7 the quantity of water wholesaled; and

3.1.8 water elevations on wells or tunnels.

3.2 The Utah Division of Water Rights shall send a request (Utah Water Use Data Form) for data the following calendar year of the water use either by mail or electronically.

3.3 The Water User shall return the Utah Water Use Data Form to the State within the timeframe stated upon the request, which shall not be less than 30 days.

3.4 If the Water User is a Public Water Supplier then the Certified Operator or Professional Engineer shall sign and provide

their certification or license number attesting to the accuracy of the data reported on the Utah Water Use Data Form.

**R655-17-4. Annual Water Use Report Validation.**

4.1 The Utah Division of Water Rights may validate the data reported on the Utah Water Use Data Form by making further inquiries or conducting a site visit.

4.2 Utah Division of Water Rights staff may require systems to make the controlling works, measuring devices, points of diversions, and distribution facilities accessible for inspection.

4.3 If a Public Water Supplier does not return the Water Use Data Form or knowingly reports inaccurate data the system will be reported to the Division of Drinking Water.

**R655-17-5. Other Data Requests.**

5.1 Every person using water from any river system or water source, when requested by the Utah Division of Water Rights at any time, shall within 30 days after such request report to the state engineer in writing:

5.1.1 the nature of any water use;

5.1.2 the area on which water is being used;

5.1.3 the source and quantity of all water diverted; and

5.1.4 water elevations on wells or tunnels.

5.2 To facilitate the collection of water use data, the state engineer may require a water user install telemetry equipment on any measurement required under 73-5-4 in circumstances where conflicts among water users has been demonstrated.

5.3 The State Engineer shall approve:

5.3.1 the design of the telemetry equipment; and

5.3.2 the method for reporting the data to the State Engineer.

5.4 If a water user refuses or neglects to install or maintain telemetry equipment or refuses or neglects to report the measurements or data to the State Engineer, the State Engineer may:

5.4.1 forbid the use of water until the user complies with the State Engineer's requirements; and

5.4.2 commence enforcement proceedings authorized by Section 73-2-25.

**KEY: water use, reporting, verification**

**Date of Enactment or Last Substantive Amendment: October 12, 2016**

**Authorizing, and Implemented or Interpreted Law: 73-2-1(5)(b); 73-5-4; 73-5-8**