Spencer J. Cox

Governor

PROCLAMATION
2022-01

Suspending New Appropriations of Surplus and Unappropriated Waters in the Great Salt Lake Basin
Pursuant to Utah Code § 73-6-1

WHEREAS, recently, the Governor and Legislature have taken actions, including a significant financial investment, to address declining water levels of the Great Salt Lake as set forth in the State Water Policy, Utah Code § 73-1-21;

WHEREAS, the state has invested significant resources to investigate and determine the extent of the available supply and any surplus or unappropriated water in the Great Salt Lake Basin;

WHEREAS, the state has committed to a significant increase in conservation efforts;

WHEREAS, the State Engineer has recommended that the right of the public to appropriate surplus or unappropriated waters in the Great Salt Lake Basin be suspended; and

WHEREAS, the welfare of the State demands such suspension from the sources and to the extent hereinafter specifically set out;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, upon recommendation of the State Engineer and pursuant to and by virtue of the authority vested in me by Utah Code § 73-6-1, hereby suspend the right of the public to appropriate the surplus and unappropriated water of the following sources, both surface and underground:

Within the surveyed meander line of the Great Salt Lake; Bear River and its tributaries; Bear Lake and its tributaries; Weber River and its tributaries; Jordan River and its tributaries; Utah Lake and its tributaries; and all other sources tributary to Bear River Bay, Farmington Bay, and Gilbert Bay of the Great Salt Lake located in Box Elder County, Weber County, Davis County, and Salt Lake County.

PROVIDED, HOWEVER, that there is excepted from the effect of this proclamation:

1) applications for non-consumptive uses,
2) applications that include a mitigation plan to offset depletion, and
3) applications for small amounts of water, as defined in Utah Code § 73-3-5.6, that comply with State Engineer basin policies.

All such applications remain subject to all applicable requirements of state law.

IT IS FURTHER PROCLAIMED that:

1) Nothing in this proclamation impairs water rights or appropriations that existed prior to this proclamation.
2) No later than November 1, 2023, the State Engineer shall evaluate the circumstances leading to the State Engineer's recommendation and this proclamation and shall submit a report to the Governor, the Legislative Management Committee, the Natural Resources, Agriculture, and Environment Interim Committee, and the Legislative Water Development Commission indicating the State Engineer's opinion as to whether the proclamation should remain in effect and stating the reasons for that opinion.

THIS PROCLAMATION is effective immediately and shall remain in full force and effect until the right of public appropriation of such water is restored by proclamation of the Governor as provided by Utah Code § 73-6-2.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 3rd day of November, 2022.

Spencer J. Cox
Governor, State of Utah

ATTEST:

Deidre M. Henderson
Lieutenant Governor, State of Utah