

Utah Water Rights

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Issue Primer

This primer explains the basic legal structure of Utah water rights and how water use is administered.

What Are Utah Water Rights?

A water right is a legally protected entitlement to use public water within the limits of Utah law. It is not ownership of the water itself.

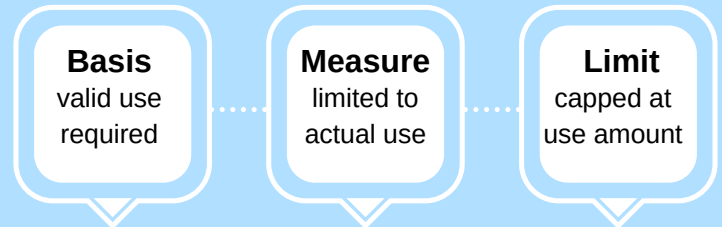
Utah law declares that all waters in the state, whether above or underground, are public property, subject to existing rights to use that water. Although individuals, farms, cities, businesses, water companies, and public agencies may hold legal rights to use water, the water itself remains a public resource.

Water Right Types

Utah's water-rights system is built on two core principles: **beneficial use** and **prior appropriation**. Together, they give existing users certainty while also shaping how the state responds to growing pressure on its water resources.

Beneficial Use

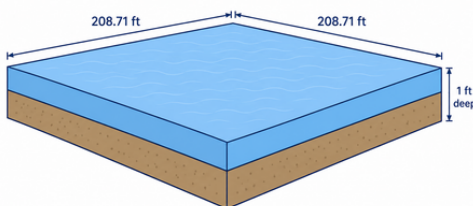
The water right is being put to a recognized, legitimate purpose.



- Uses include irrigation, municipal drinking water, livestock watering, domestic use, and certain environmental or instream-flow purposes
- **Utah law creates pressure to keep a right in active use unless a legal protection applies.** If all or part of a water right is not beneficially used for seven years, the unused portion may be vulnerable to forfeiture
- A nonuse application can protect a water right during an approved period including nonuse connected to conservation or efficiency practices

Proof of Beneficial Use

After an approved application, the water must be put to use, and proof must be filed by the deadline showing how the water is being used. Proof is generally prepared by a licensed engineer or surveyor. If the State Engineer accepts the proof, a Certificate of Beneficial Use is issued; missing the deadline can cause the application to lapse.

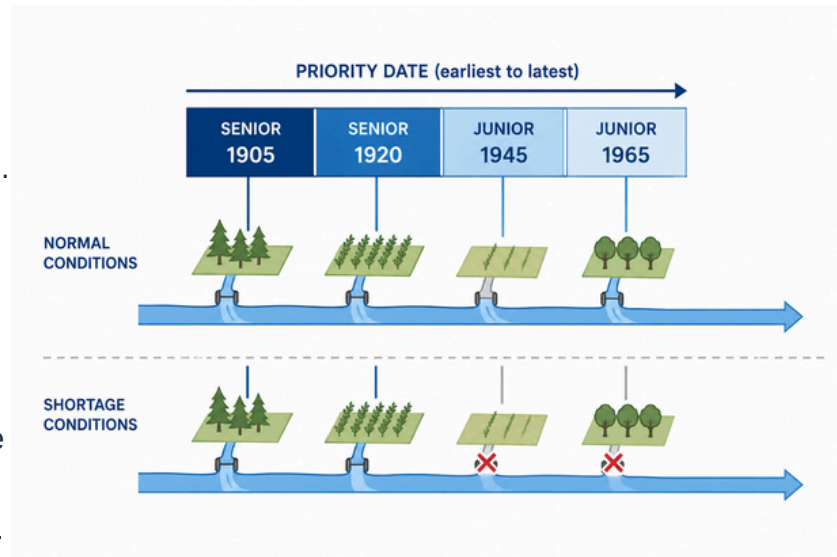


Water rights are measured by both flow and volume. The standard unit of flow is one cubic foot per second, or cfs. The standard unit of volume is the acre-foot, equal to 43,560 cubic feet (325,851 gallons), or enough water to cover one acre of land one foot deep.

Prior Appropriation

The water right is ranked by the date it was established.

- A senior right does not guarantee water – only what is physically available in the source. And even the oldest right is still bound by beneficial use: quantity is always capped at actual need.
- Utah's title guidance explains that each right is limited by source, amount, use, and period of use, and that during scarcity, rights may be cut off or reduced based on seniority alone, regardless of the type of use. For example, in 2025, low flows in Hobbie Creek led to a priority-based cutoff for rights later than 1853.



Administration of Water Rights

The Utah State Engineer administers the state's water-rights system through the Utah Division of Water Rights, part of the Department of Natural Resources. Utah law gives the State Engineer general administrative supervision over the state's waters, including their measurement, appropriation, and distribution. The office reviews water-right applications, evaluates proposed changes, maintains official records, and helps make sure water is distributed according to legal priorities.

New Water Rights

To acquire unappropriated public water in Utah, a person generally must file an application with the State Engineer and show the proposed use is useful and beneficial, but because many areas of the state are closed to new appropriations, new projects often require acquiring an existing right instead.

Existing Water Rights

Water rights can be changed only through a formal change application, which may cover the point of diversion, place of use, type of use, period of use, or source-related details. The State Engineer must approve the change, and it generally cannot impair existing water rights. Temporary changes may be approved for up to one year, but they don't create a permanent new right.

Buying & Selling Water Rights

Buying land in Utah doesn't always mean buying the water rights tied to it. Rights may be attached to the land, separately deeded, reserved by a previous owner, tied to irrigation company shares, or changed away from the property entirely. Buyers should verify county records, water-right numbers, ownership, recent use, priority date, source reliability, and whether a change application would be needed before relying on the right.

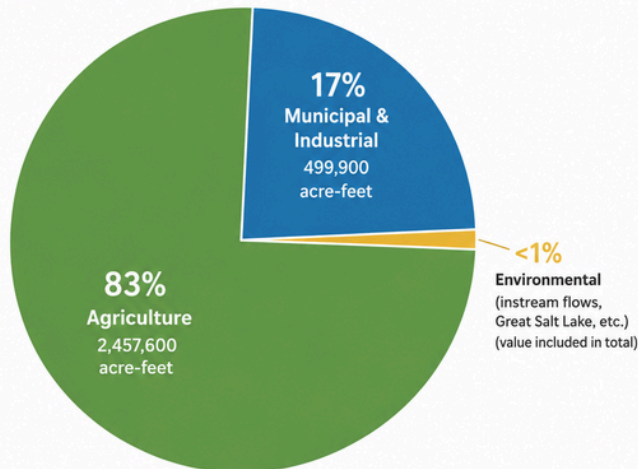
Water Use in Utah

Utah's water use is shaped by the state's economy, geography, and climate. Agriculture is the largest water-use sector, while municipal and industrial demand is concentrated in Utah's growing population centers along the Wasatch Front. Water use also varies significantly by region, reflecting differences in agricultural activity, population, and available water supplies.

WHERE UTAH'S WATER GOES

Share of Total Water Depletions in Utah (2021)

Depletions are the amount of water that is consumed, evapotranspired, incorporated into products, or otherwise removed from the water source.



Total Depletions in Utah (2021): 2,957,500 acre-feet

Agriculture: 83% | Municipal & Industrial: 17% | Environmental: <1%

Source: Utah Division of Water Resources

2021 State Water Plan – Appendix D, Water Budget (Table D-1)

<https://water.utah.gov/wp-content/uploads/2024/10/WRP-Appendix-D.pdf>

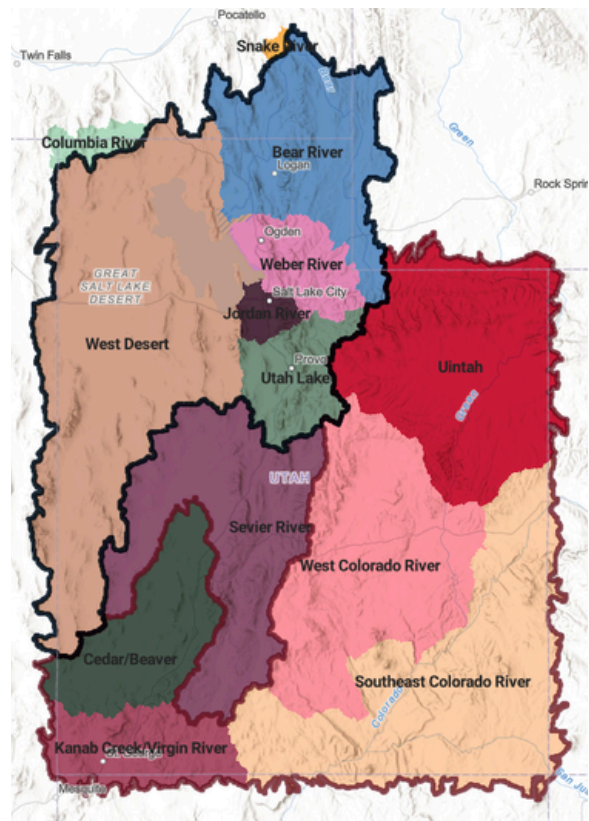
Water Sources & Infrastructure

- Snowpack is the primary source. **About 95% of Utah's water originates as mountain snowpack**, with spring snowmelt feeding streams, reservoirs, and groundwater that sustain the state through dry summers and droughts.
- Infrastructure bridges timing and location gaps. Because water doesn't arrive when or where it's needed, Utah relies on reservoirs.
- The Colorado River adds a critical second layer. **One-third of Utahns depend on it for drinking water**, particularly in growing communities across southern and eastern Utah within the Colorado River Basin.

Utah farms consume nearly **five times** as much water as cities and industry combined.

Much of this demand comes from irrigated farmland, where more than 80% of acreage is used to grow forage crops such as alfalfa, hay, and pasture, which support Utah's livestock and dairy industries.

Municipal and industrial demand is concentrated along the Jordan River, Weber River, and Utah Lake basins, while the largest agricultural diversions occur in the Bear River, Sevier River, and Uintah basins. This geographic divide reflects the difference between Utah's population centers and its rural farming regions.



Source: Utah Geospatial Resource Center

<https://www.usu.edu/ilwa/metrics/water>

Sources & Further Readings

Recommended for further reading:

- Utah Water Rights Basics
<https://www.waterrights.utah.gov/wrinfo/default.asp>
- Utah Water Right Application Process
<https://waterrights.utah.gov/wrinfo/Brochures/Application-Process-2024.pdf>
- Buying, Selling & Transferring Water Rights in Utah
<https://www.waterrights.utah.gov/wrinfo/Brochures/Buying-Selling-Water-Rights-2024.pdf>
- Utah Water Budget
<https://water.utah.gov/wp-content/uploads/2025/12/Utah-Water-Budget-Handout.pdf>
- Colorado River Information
<https://water.utah.gov/interstate-streams/colorado-river/>
- Utah Water Banking Act
<https://water.utah.gov/water-marketing/water-banking-act/>

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Colorado River Authority of Utah. Why the Colorado River matters. <https://cra.utah.gov/>

Governor's Office of Planning and Budget. (2022). Utah's coordinated action plan for water. State of Utah. https://gopb.utah.gov/wp-content/uploads/2022/11/2022_11-Plan-for-Coordinated-Water-Action-FINAL.pdf

Natural Resources Conservation Service. Utah Snow Survey Program. U.S. Department of Agriculture. <https://www.nrcs.usda.gov/utah/snow-survey>

U.S. Geological Survey. Water science glossary. <https://www.usgs.gov/water-science-school/science/water-science-glossary> Utah Code Ann. tit. 73, §§ 73-1-1 to -4, 73-2-1, 73-3-1, 73-3-3, 73-3-8, 73-3-30. Water and Irrigation. Utah State Legislature. <https://le.utah.gov/xcode/Title73/73.html>

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The Utah Water Budget. Utah Department of Natural Resources. <https://water.utah.gov/wp-content/uploads/2025/12/Utah-Water-Budget-Handout.pdf>

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Utah Division of Water Resources. Water reports. Utah Department of Natural Resources. <https://water.utah.gov/water-reports/>

Utah Division of Water Resources. Water use reporting. Utah Department of Natural Resources. <https://water.utah.gov/water-data/water-use-reporting/>

Utah Division of Water Rights. (2010). Basic concepts in water rights: Water right priority, "first in time, first in right." Utah Department of Natural Resources. <https://www.waterrights.utah.gov/basics/020910.asp>

Utah Division of Water Rights. (2024). Buying, selling & transferring water rights in Utah. Utah Department of Natural Resources. <https://www.waterrights.utah.gov/wrinfo/Brochures/Buying-Selling-Water-Rights-2024.pdf>

Citations:

Utah Division of Water Rights. (2024). Water Rights 101: Fast facts about water rights, filings & applications. Utah Department of Natural Resources. <https://www.waterrights.utah.gov/wrinfo/Brochures/Water-Rights-101-2024.pdf>

Utah Division of Water Rights. Application for nonuse of water. Utah Department of Natural Resources. <https://waterrights.utah.gov/forms/nonuseform.asp>

Utah Division of Water Rights. Appropriation policy and rules. Utah Department of Natural Resources. <https://www.waterrights.utah.gov/wrinfo/policy/topic.asp>

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Utah Division of Water Rights. Water right title information. Utah Department of Natural Resources. <https://www.waterrights.utah.gov/titleInfo/default.asp>