

Attachment H

Water Right Change

Application Guidance

2026 Utah Demand Management Pilot Program Change Application Guidance

July 14, 2025

This document provides guidance to water users who wish to develop and submit a water right change application to the Utah Division of Water Rights to facilitate their application for participation in the 2026 Utah Demand Management Pilot Program (DMPP). We encourage potential applicants to the DMPP to begin the change application process as soon as possible, change applications must be submitted and accepted for review by Division of Water Rights before the DMPP application deadline. We suggest that potential applicants invite Authority staff to attend any change application pre-consultations with Division of Water Rights, which is typically the first step in drafting a change application. Preparing, filing, and defending a water right change application is the sole responsibility of the water right holder wishing to apply to the DMPP. In providing this guidance document the Authority is not providing legal or technical advice. There is no guarantee that any change application will be approved by the Utah State Engineer. All change application questions should be directed to your Regional Engineer at the Division of Water Rights.

Change applications seeking to add an additional beneficial use of “delivery to a reservoir” to a water right, as required to apply to the DMPP, should include the following information. Review Utah Code 73-3-30(4) authorizing this type of change here: <https://le.utah.gov/xcode/Title73/Chapter3/73-3-S30.html>

1. Type of Change Application: Fixed Time (1-10 years, choice of applicant)
2. Correct any existing errors in Heretofore Points of Diversion, Place of Use, etc.
3. Add Hereafter Nature of Use: “Other”; “Delivery of water to a reservoir (Lake Powell) as per Utah Code Section 73-3-30(4). See Hereafter Explanatory.” Period of Use: Jan. 1 – Dec. 31 or as recommended by the Division of Water Rights Regional Office.
4. Add any Hereafter Points of Rediversion as necessary to deliver water to a natural stream channel for delivery to Lake Powell.
5. Add Hereafter Point of Return: “PLSS S 1200 ft E 1600 ft from W4 corner, Sec 22 T 33S R 14E SLBM” With the comment: “USGS Stream Gage - Colorado River AB Dirty Devil NR Hite, UT – 09328990.”
6. Add Hereafter Place of Use: “Place of Use for delivery of water to a reservoir (Lake Powell) is from the Point(s) of Diversion and all Point(s) of Rediversion to the Point of Return and includes Lake Powell. The legal description for Lake Powell as required by Utah Code Section 73-3-30(5)(a)(iii) includes all 40-acre tracts that encompass the ordinary boundaries of Lake Powell in the State of Utah.”



7. Add Hereafter Explanatory: "This Fixed-Time Change Application is being filed for the principal purpose of allowing the applicant to participate in water conservation programs involving temporary, voluntary, and compensated conservation activities, authorized by the State of Utah through the Colorado River Authority of Utah (Authority) or funded by the United States Bureau of Reclamation (Reclamation) in accordance with Utah Code 73-3-30(4). Participation in an authorized program constitutes a beneficial use of water pursuant to statute as per 73-3-30(7) for the stated purpose "to deliver water to a reservoir located partially or entirely within the Colorado River System in accordance with...a water conservation program authorized by the State." The Utah Demand Management Pilot Program (DMPP) is a water conservation program authorized by the State of Utah through the Authority. The Authority Board approved the creation of DMPP to implement the Drought Mitigation element of the Authority's Colorado River Management Plan. Specific program elements have been approved by the Board annually (FY 2023-FY 2026) as part of the Fiscal Year Work Plan process. DMPP has the objective to reduce water depletion through temporary, voluntary, and compensated conservation actions, and deliver subject water to a reservoir located partially or entirely within the Colorado River System for the purpose of protecting Utah's right to use water under the 1922 Colorado River Compact and subsequent agreements and congressional acts known collectively as the "Law of the River. Annually, by March 1 of each year, the applicant will notify the Division of Water Rights Regional Office of the intended uses, volume of water enrolled in DMPP, and timing of calls and releases of enrolled DMPP water in writing. Applicant will work with the River Commissioner/Distribution Engineer to ensure planned calls, releases and distribution of DMPP enrolled water does not interfere with other existing water rights."
8. Attach a Map of the project including point(s) of diversion, redirection, and return. Highlight the stream reaches where water will be distributed (shepherded) by Water Rights.
9. Attach a Letter from the Executive Director of the Colorado River Authority of Utah. Before submitting your change application to the Division of Water Rights, you'll need to include a letter from the Executive Director of the Colorado River Authority of Utah. To receive this letter, please send a final draft of your change application to Marc Stilson at mkstilson@utah.gov.

The Authority will review your final draft change application as to form and compliance with the DMPP only to ensure that it complies with Utah Code 73-3-30(4). If the draft conforms with the statutory requirements, the Authority will provide a letter from the Director confirming that your Fixed-Time Change Application conforms to the code and, subject to approval, that the water can be used consistent with the code. If the draft does not conform to the statute, the Authority, at its discretion, may discuss necessary revisions with you. The Authority may deny providing a letter to any applicant for any reason.