



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801)538-1029

February 23, 2026

Mr. Speaker:

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 494**, TRANSFER OF WATER INTERESTS, by Representative D. Owens, with the following amendments:

## Amendment 2

### 1 Line 68 through 75:

68 manner as real estate , whether the water right is evidenced by:  
69 (i) a decree[- ];  
70 (ii) a certificate of appropriation[- ];  
71 (iii) a [~~diligence~~ ]diligence claim to the use of surface or underground water[- ] { filed  
with the }  
72 { state engineer in accordance with Section 73-5-13 or as otherwise provided by law } ;  
73 or  
74 (iv) a water user's claim filed in general determination proceedings[-, shall be-  
75 transferred by deed in substantially the same manner as is real estate ].

### 2 Line 87 through 93:

87 57-3-109, as a submitted report of water right conveyance under Subsection (3).  
88 (2) (a) A transfer of ownership of a share of stock in a water company, as defined in  
89 Section 16-4-102, is accomplished only in accordance with Section 16-6a-606.  
90 { (i) } (b) The records of a water company, and not the records of the state engineer,  
91 determine a person's ownership of a share of stock in the water company.

Bill Number  
HB0494

Action Class  
H

Action Code  
HCRAMD

H.B. 494

February 23, 2026 - Page 2

92       ~~[(2) The right to the use of water evidenced by shares of stock in a corporation shall be~~  
93       ~~transferred in accordance with the procedures applicable to securities set forth in Title~~

Respectfully,

Rex P. Shipp  
Vice Chair

Voting: 9-0-5

*HB0494.HC2.WPD 2/23/26 8:48 AM CH5/charleyhart powen/charleyhart*