





No.

DEPARTMENT OF NATURAL RESOURCES

CONCEPT PAPER FOR SURFACE WATER AND GROUND WATER SUBCOMMITTEE

SUBJECT: Notices

April 2007

The question was brought forward as to whether a public notice of an application for a new water right or for a relocation petition should be published in a newspaper of general distribution either in the area of the water right, or in a statewide newspaper at the applicant's expense

The Department does post a listing of new applications on its website. However, we still do get phone calls from people who do not have computers asking us to notify them when someone files a certain water right, as they may want to object or request a hearing.

The statutes in several instances do require the Department to publish notice at the applicant's expense. For instance, a non-expedited transfer requires such a notice. However, there is no such requirement for new water rights, or for relocation petitions and several other types of filings. The Department's current rules require notices in several other instances. However, we have been advised by the Attorney General's office to remove these requirements in our next set of proposed rules.