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**BRINE AMENDMENTS**  
2024 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Bridger Bolinder**  
Senate Sponsor: Derrin R. Owens

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**LONG TITLE**

**General Description:**

This bill addresses the mining of brine.

**Highlighted Provisions:**

This bill:

- defines terms;
- grants rulemaking authority;
- provides for the designation of multiple mineral development areas;
- addresses the powers of the Board of Oil, Gas, and Mining;
- requires a study related to brine mining operations and a report of the study; and
- permits the selection of a consultant.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**40-8-24**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **40-8-24** is enacted to read:

**40-8-24 . Brine mining.**

(1) As used in this section:

- (a) "Brine" means subterranean saltwater and all of the saltwater's constituent parts and dissolved minerals contained in the saltwater, including:

- 28            (i) bromine;  
29            (ii) magnesium;  
30            (iii) potassium;  
31            (iv) lithium;  
32            (v) boron;  
33            (vi) chlorine;  
34            (vii) iodine;  
35            (viii) calcium;  
36            (ix) strontium;  
37            (x) sodium;  
38            (xi) sulfur;  
39            (xii) barium; or  
40            (xiii) another chemical substance produced with or separated from the saltwater.
- 41        (b) (i) "Brine mining operation" means, through the use of a production well not  
42            involving operations on the Great Salt Lake, the exploration for, development of,  
43            or production of brine.  
44            (ii) "Brine mining operation" does not include the solution mining of salt for the  
45            primary purpose of creating subterranean cavern space for the storage of liquids or  
46            gases.
- 47        (c) "Multiple mineral development area" means an area designated by the board  
48            involving the management and development of various concurrent surface and  
49            sub-surface resource extraction operations, including exploratory activities, for the  
50            purpose of efficient and effective development of resources in the area without  
51            unreasonable interference.
- 52        (2) The board, by rule made in accordance with Title 63G, Chapter 3, Utah Administrative  
53            Rulemaking Act, may designate an area within the state as a multiple mineral  
54            development area for purposes of brine mining operations.
- 55        (3) The board may:  
56            (a) adjudicate and determine multiple mineral development conflicts among brine  
57            mining operations if there:  
58            (i) is potential injury to other mineral deposits on the land effected; or  
59            (ii) are simultaneous or concurrent operations conducted by other mineral owners or  
60            lessees affecting the lands effected; and  
61        (b) enter an order with respect to a conflict described in Subsection (3)(a).

- 62 (4) (a) The division shall study brine mining operations within the state to evaluate  
63 current and potential regulation of brine mining operations, including:
- 64 (i) determining which state agencies have jurisdiction over some or all of the  
65 activities related to brine mining operations;
  - 66 (ii) identifying necessary safety measures;
  - 67 (iii) addressing spacing of brine mining wells;
  - 68 (iv) addressing multiple mineral development; and
  - 69 (v) any other issue the division considers relevant to the regulation of brine mining  
70 operations.
- 71 (b) In conducting the study required by this Subsection (4), the division:
- 72 (i) shall seek input from other state agencies, including:
    - 73 (A) the Division of Forestry, Fire, and State Lands;
    - 74 (B) the Division of Water Rights;
    - 75 (C) the Department of Environmental Quality; and
    - 76 (D) the School and Institutional Trust Lands Administration; and
  - 77 (ii) may select a consultant in accordance with Title 63G, Chapter 6a, Utah  
78 Procurement Code, to assist in the evaluation of current and potential regulation of  
79 brine mining operations.
- 80 (c) The division shall report the results of the study, including any recommendations for  
81 legislation, to the Natural Resources, Agriculture, and Environment Interim  
82 Committee on or before the committee's 2024 October interim committee meeting.

83 Section 2. **Effective date.**

84 This bill takes effect on May 1, 2024.