

LUED speech/written statement Dec. 4, 2025

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Date: Tuesday, December 2, 2025 at 07:36 PM MST

PART 1 of 2

★ Formal Written Statement for the LUED Board (Dec. 4, 2025)

Chair Bateman, members of the Land Use & Eminent Domain Advisory Board,

This written statement concerns a systemic failure in statewide property-rights training—specifically the Office of the Property Rights Ombudsman's statutory responsibility to ensure that public agencies understand Utah's property-rights laws, including the Public Waters Access Act.

Last night, at the Boating Advisory Council meeting, the Director of the Utah Division of Outdoor Recreation, Mr. Jason Curry, stated that he has never heard of the Public Waters Access Act—Utah Code 73-29.

This is not a minor omission.
The PWAA governs:

- public access to rivers,
- incidental touching of privately owned streambeds,
- limits on exit and entry points,
- and the fundamental boundaries between public recreation and private property rights.

The PWAA is **core property-rights law**, and it directly affects:

- counties,
- law enforcement,
- DWR,
- DOR,
- State Parks,
- FFSL,

- and every agency that manages public use of waterways.

Yet the Director of the agency responsible for statewide boating access—and whose programs directly impact private landowners—has received **no PWAA training at all**.

This is not a DOR problem.
It is an OPRO problem.

Under Utah Code 13-43-202, this Board and the Office of the Property Rights Ombudsman are responsible for providing property-rights and land-use training to government bodies that need it.

When the Director of Outdoor Recreation does not know a statute that defines the legal limits of public use on private lands, it means there has been **no statewide PWAA training, no coordination, and no guidance**.

The consequences are significant:

- state-endorsed signage is directing boaters and outfitters onto private property,
- counties are misinterpreting boundaries and navigability,
- incidents of trespass are escalating,
- enforcement agencies lack statutory clarity,
- and landowners are being treated as though their rights do not exist.

This is not a theoretical problem.

It is active, ongoing harm occurring on my property in Taggart and throughout Utah.

I respectfully request—again—that PWAA training and inter-agency coordination be formally added as a LUED agenda item, because without proper education, every county and state agency is operating without the statutory foundation required to protect private property rights.

DOR's lack of PWAA knowledge demonstrates that the need is immediate, statewide, and squarely within this Board's statutory mission.

Thank you for ensuring this statement is entered into the official record.

**Respectfully,
Kent Singleton
Taggart, Utah**