

State of Utah DEPARTMENT OF NATURAL RESOURCES POLICIES AND PROCEDURES	REF. NR-09-A-15	PAGE 1 of 4
	EFFECTIVE DATE: 07-29-09	
	REVISION DATE:	
SUBJECT: Returned Mail Policy		
Michael R. Styler, Executive Director		

I. BACKGROUND

The Department of Natural Resources mails hundreds of thousands of documents. It is understood that at times there are problems with the delivery of many of the items mailed due to errors in addresses, change of residency and other factors prohibiting successful delivery. The department has created this policy to handle returned mail.

II. GENERAL PROCEDURES

- A. All divisions within the department shall make a reasonable attempt to send mail to a person's last known address.
- B. Customers may change their respective address by making a request in writing, or by providing proof of address change to the office or division with whom they do business.
- C. Each office and division shall conduct a review of all forms that require a physical address and amend said forms to include a mailing address when the current supply of forms is depleted.
- D. In the event the offices and divisions of the department receive returned mail with a forwarding address provided by the US Postal Service, the office or division shall correct the address and re-send the mail to the addressee with notification that the mail piece was returned. The correct address shall be updated in the office's or division's database.
- E. All divisions within the department shall follow the provisions of the Division of Finance Accounting Policy, FIACCT 05-24.10, with regard to returned mail that contain warrants of any type.

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- F. All offices and divisions of the department shall, in cases where returned mail does not contain a warrant, keep returned mail for a period of three months in anticipation of delivery, except as provided in III and IV below. All divisions may destroy returned mail after the applicable retention schedules have lapsed.
- G. Any mail sent as promotional mail on a bulk basis but returned to the department as "not deliverable" may be destroyed immediately.

III. DIVISION OF WATER RIGHTS PROCEDURES

- A. The Division of Water Rights has responsibility to maintain water right records and process water right applications, providing notice to applicants and opposing parties. All applications utilized by the division require that the applicant furnish a written **mailing address** to which correspondence is sent. Utah Code section 73-3-5(5) states: "The State Engineer may send the necessary notices and address all correspondence relating to each application to the owner thereof as shown by the state engineer's records, or to his attorney in fact provided a written power of attorney is filed in the state engineer's office."
 - 1. Correspondence sent by the division routinely includes the following sentence in bold as a part of the text: **It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership.**

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2. Forms sent by the division requesting water user response always include a section to update the mailing address. The division processes such updates immediately if any are received.
 3. The division provides an online tool for the public to update their current mailing address. Any address updates received through this tool are noticed by mail to the old address of record with the request to notify the division immediately if the mailing address update was not authorized.
- B. A recent Utah Supreme Court decision indicated the Division of Water Rights is responsible to provide notice if the address is known to the agency even though it may not be contained in the record for a specific action. Based on this directive, the division now searches its water right owner record database for other known addresses if returned mail is received and forwards correspondence to any alternate address identified.
1. The division places all return mail correspondence in the relevant water right file. All water right records are scanned and available online as public records so water users following actions electronically can access relevant records and become aware of returned mail issues.
 2. The division has an open door policy regarding errors in providing required notice. If a water right party provides reason to believe the State Engineer has failed to provide notice as required by statute the State Engineer special orders new notice and rescinds actions which were the result of improper notice.

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IV. DIVISION OF WILDLIFE RESOURCES PROCEDURES

A. Division of Wildlife Resources Licensing/Permitting Documents.

1. In the event the Division of Wildlife Resources, Licensing Section, receives returned mail **without** a forwarding address provided by the US Postal Service, the office shall make reasonable effort to contact the addressee at last known phone numbers and email addresses. A record of attempts to contact the addressee will be entered into the Customer Database Application.
2. Mail containing documents with expirations, including, but not limited to hunting and fishing licenses, permits or certificates of registration, will be retained until the full term of the license or permit has ended. After the document has expired, the document will be destroyed.
3. Mail containing documents without expirations, including, but not limited to courtesy letters, letters of appreciation and general advertisement or reminders will be retained only for the duration necessary to make reasonable efforts to contact addressee. After attempts to contact are completed and the addressee is not found, the mail will be destroyed. Discretion for documenting attempts to contact addressee is given to the division based on the content or type of the returned mail.

V. RENEWAL OF POLICY

This policy shall be renewed on July 1, 2014.