



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 25, 2010

Mr. Speaker:

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 171**, WATER RIGHTS REVISIONS, by Representative K. Gibson, with the following amendments:

1. *Page 2, Lines 47 through 50:*

- 47 (ii) In making a determination under Subsection (2)(c)(i), the state engineer shall {
48 ~~consider water to have been reasonably applied to beneficial use if the lack of use is~~
~~protected~~
49 ~~from abandonment or forfeiture by Section 73-1-4 or otherwise excused by~~
~~law.}~~ ∴
(A) presume that the water right has been used to its full extent;
(B) consider the water right to have been used to its full extent if beneficial use is not
required by Section 73-1-4 or otherwise excused by law; and
(C) not consider any unapproved quantity of water in connection with the change
application proceeding to be forfeited or abandoned.
(iii) Any quantity of water not approved in connection with a change application
proceeding remains valid for use in accordance with the previously approved water
right.
50 (3) A person entitled to use water shall change a point of diversion, place of use, or

Respectfully,

Roger E. Barrus
Committee Chair

Voting: 8-2-4

3 HB0171.HC1.WPD 2/25/10 10:03 am ballred/JBA CRP/RCN

Bill Number



HB0171

Action Class



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Action Code



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