

H.B. 171

WATER RIGHTS REVISIONS

Representative **Patrick Painter** proposes 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 an actual lack of use is protected from
abandonment or forfeiture 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