

59 (e) "Water supply entity" means an entity that supplies water as a utility service or for
60 irrigation purposes and is also:

61 (i) a municipality, water conservancy district, metropolitan water district, irrigation
62 district, or other public agency;

63 (ii) a water company regulated by the Public Service Commission; or

64 (iii) any other owner of a community water system.

65 (2) (a) ~~[When]~~ Except as provided in Subsection (2)(b) or (e), when an appropriator or
66 the appropriator's successor in interest abandons or ceases to use all or a portion of a water
67 right for a period of seven years, the water right or the unused portion of that water right is
68 subject to forfeiture in accordance with Subsection (2)(c) ~~[, unless the appropriator or the~~
69 ~~appropriator's successor in interest files a nonuse application with the state engineer].~~

70 (b) (i) An appropriator or the appropriator's successor in interest may file an
71 application for nonuse with the state engineer.

72 (ii) ~~§→~~ [Beginning on May 5, 2008, if] ~~If ←§~~ a person described in Subsection (2)(b)(i) files
72a and
73 receives approval on a nonuse application, nonuse of the water right subject to the application
74 is not counted toward a seven-year period described in Subsection (2)(a) during the period of
75 time beginning on the day on which the person files the application and ending on the day on
76 which the application expires without being renewed.

77 (iii) ~~§→~~ [Beginning on May 5, 2008, if] ~~If ←§~~ if a person described in Subsection (2)(b)(i) files
77a and
78 receives approval on successive, overlapping nonuse applications, nonuse of the water right
79 subject to the applications is not counted toward a seven-year period described in Subsection
80 (2)(a) during the period of time beginning on the day on which the person files the first
81 application and ending on the day on which the last application expires without being renewed.

82 (iv) Approval of a nonuse application does not protect a water right that is already
83 subject to forfeiture under Subsection (2)(a) for full or partial nonuse of the water right.

84 ~~[(b)(i)]~~ (v) A nonuse application may be filed on all or a portion of the water right,
85 including water rights held by a water company.

86 ~~[(i)]~~ (vi) After giving written notice to the water company, a shareholder may file a
87 nonuse application with the state engineer on the water represented by the stock.

88 (c) (i) A water right or a portion of the water right may not be forfeited unless a judicial
89 action to declare the right forfeited is commenced within 15 years from the end of the latest