

H.B. 123

WATER RIGHTS - CHANGE APPLICATION AMENDMENTS

Representative **Kay L. McIff** proposes the following amendments:

1. *Page 9, Lines 247 through 255:*

247 (1) For purposes of this section:

248 (a) (i) "Change applicant" means any of the following who seek to make a permanent or
249 temporary change under Subsection (2)(a):

250 ~~{(i)}~~ (A) the record title owner of a water right;

251 ~~{(ii)}~~ (B) the holder of an approved but unperfected application to appropriate water;

252 ~~{(iii)}~~ (C) a person, including a shareholder in a water company, who is the equitable owner
253 and beneficial user of a water right, even if nominal legal title is held by another person; or

254 ~~{(iv)}~~ (D) a person who has written authorization from a person described in Subsection

255 (1)(a)(i) (A) , ~~{(ii)}~~ (B) , or ~~{(iii)}~~ (C) to file a change application on that person's behalf.

(ii) "Change applicant" does not include a person who holds only a contract or leasehold interest in a water right.

2. *Page 17, Lines 501 through 502:*

501 (b) Nothing in this section ~~{shall limit}~~ limits the authority of the state engineer in evaluating

502 and processing a change application ~~{-}~~ , including the authority to allow a shareholder or water
company to submit additional relevant information, if the state engineer allows an adequate time and
opportunity for the other party to respond.

3. *Page 23, Lines 697 through 698:*

697 (8) Nothing in this section ~~{shall limit}~~ limits the authority of the state engineer in evaluating

698 and processing a change application ~~{-}~~ , including the authority to allow a shareholder or water
company to submit additional relevant information, if the state engineer allows an adequate time and
opportunity for the other party to respond.