

H.B. 360

WATER AND IRRIGATION REVISIONS

SENATE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 13, 2013 12:02 PM

Senator **Todd Weiler** proposes the following amendments:

1. *Page 3, Lines 70 through 83:*

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 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** a person described in Subsection (2)(b)(i) files 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.