

**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 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