

WATER COMPANIES AND WATER RIGHT CHANGE REQUESTS

Senator **John L. Valentine** proposes the following amendments:

1. Page 5, Lines 143 through 146:

143 (d) The water company shall approve the change request ~~{ unless the water company~~
144 ~~reasonably believes that potential damage, liability, or impairment to the water company or its~~
145 ~~shareholders will occur and that the potential damage, liability, or impairment cannot be~~
146 ~~reasonably mitigated without cost to the water company.}~~ , including a change that if made would
result in changing the place of use to a location outside of the historic service area of the water company,
unless the water company reasonably believes that:
(i) the proposed use:
(A) would be contrary to a restriction in an exchange or other contractual agreement between the water
company and:
(I) another water company; or
(II) a political subdivision of the state; or
(B) could adversely affect the status of a water company as a public water supplier, as defined in Section
73-1-4; and
(ii) any potential damage, liability, or impairment to the water company or its shareholders cannot be
mitigated:
(A) by the imposition of reasonable conditions on the approval of the change request; and
(B) without cost to the water company.

2. Page 6, Lines 163 through 175:

163 ~~{ (f) A water company may not deny a change request because the change, if made,~~
164 ~~would result in changing the place of use of the water to a location outside the historic service~~
165 ~~area of the water company, unless:~~
166 ~~—— (i) the proposed use:~~
167 ~~—— (A) would be contrary to a restriction in an exchange or other contractual agreement~~
168 ~~between the water company and:~~
169 ~~—— (I) another water company; or~~
170 ~~—— (II) a political subdivision of the state; or~~
171 ~~—— (B) could adversely affect the status of a water company as a public water supplier, as~~
172 ~~defined in Section 73-1-4; and~~
173 ~~—— (ii) any potential damage, liability, or impairment to the water company or its~~
174 ~~shareholders cannot be mitigated by the imposition of reasonable conditions on the approval of~~

175 ~~the change request.~~}