



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 26, 2013

Madam Speaker:

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 123**, WATER RIGHTS - CHANGE APPLICATION AMENDMENTS, by Representative K. McIff, with 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.

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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 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 an  
equitable owner or nominal title owner to submit additional relevant information, if  
the state engineer allows adequate time and opportunity for the other party to  
respond.

Respectfully,

Michael E. Noel  
Committee Chair

Voting: 10-4-2

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