

## 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 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.