

152 (viii) a supplemental water right during a period of time when another water right  
 153 available to the appropriator or the appropriator's successor in interest provides sufficient water  
 154 so as to not require beneficial use of the supplemental water right; [~~or~~]

155 (ix) a period of nonuse of a water right during the time the water right is subject to an  
 156 approved change application where the applicant is diligently pursuing certification[-]; or

157 (x) a water right to store water in a surface reservoir if:

158 (A) storage is limited by a safety, regulatory, or engineering restraint that the  
 159 appropriator or the appropriator's successor in interest cannot reasonably correct; and

160 (B) not longer than seven years have elapsed since the limitation described in  
 161 Subsection (2)(e)(x)(A) is imposed.

162 (f) (i) The reasonable future water requirement of the public is the amount of water  
 163 needed in the next 40 years by:

164 (A) the persons within the public water supplier's reasonably anticipated service area  
 165 based on reasonably anticipated population growth; or

166 (B) other water use demand.

167 (ii) For purposes of Subsection (2)(f)(i), a community water system's reasonably  
 168 anticipated service area:

169 (A) is the area served by the community water system's distribution facilities; and

170 (B) expands as the community water system expands the distribution facilities in  
 171 accordance with Title 19, Chapter 4, Safe Drinking Water Act.

172 (iii) The state engineer shall by rule made in accordance with Subsection 73-2-1(4)  
 173 establish standards for a written plan that may be presented as evidence in conformance with  
 174 this Subsection (2)(f) ~~H→~~, except that before a rule establishing standards for a written plan  
 174a under this Subsection (2)(f) takes effect, in addition to complying with Title 63G, Chapter 3,  
 174b Utah Administrative Rulemaking Act, the state engineer shall present the rule to:

174c (A) if the Legislature is not in session, the Natural Resources, Agriculture, and  
 174d Environment Interim Committee; or

174e (B) if the Legislature is in session, the House of Representatives and Senate Natural  
 174f Resources, Agriculture, and Environment standing committees ←H .

175 (g) For a water right acquired by a public water supplier on or after May 5, 2008,  
 176 Subsection (2)(e)(vii) applies if:

177 (i) the public water supplier submits a change application under Section 73-3-3; and

178 (ii) the state engineer approves the change application.

179 (3) (a) The state engineer shall furnish a nonuse application form requiring the  
 180 following information:

181 (i) the name and address of the applicant;

182 (ii) a description of the water right or a portion of the water right, including the point of