

Amendments to House Bill No. 519
1st Reading Copy

Requested by Representative Carl Glimm
For the House Natural Resources Committee

Prepared by Jason Mohr
February 20, 2015 (2:16pm)

1. Title, page 1, line 7.

Following: "WATER;"

Insert: "PROVIDING ENFORCEMENT MEASURES FOR VIOLATIONS OF LAWS
RELATED TO EXEMPT APPROPRIATIONS OF WATER;"

2. Page 8, line 8.

Following: "zone"

Insert: ", is 35 gallons a minute or less,"

Strike: ":",

3. Page 8, line 9.

Strike: "(A)"

Strike: "10"

Insert: "7.5"

4. Page 8, line 11.

Strike: "0.5"

Insert: "0.375"

Strike: "as defined in 76-4-102;"

5. Page 8.

Strike: line 12 in its entirety

6. Page 8, line 13.

Following: "as"

Insert: "the term is"

Following: "76-4-102"

Strike: "."

Insert: "; or"

7. Page 8, line 17 through line 18.

Following: "under"

Strike: remainder of line 17 through line 18 in its entirety

Insert: "subsection (3)(a)(iii):"

(i) one or more wells or developed springs that exceed the
limits provided in subsection (3)(a)(iii) require a permit;

(ii) any subsequent subdivision as defined in 76-4-102 of a
subdivision lot may not receive an additional appropriation

pursuant to this section;

(iii) an appropriation on a tract of record that is not part of a subdivision as defined in 76-4-102 may not exceed 7.5 acre-feet a year on any 20 acres; and

(iv) more than one appropriation may not be physically connected if the total volume will exceed 7.5 acre-feet a year.

(c) For an appropriation under subsection (3)(a)(iii), 0.21 acre-foot a year for each dwelling unit is exempted from the appropriation limits in this section unless the dwelling unit is served by a public sewage system, as defined in 75-6-102, that is located outside the exterior property line of the subdivision."

Renumber: subsequent subsections

8. Page 8, line 29.

Strike: "(d)"

Insert: "(e)(i)"

9. Page 9.

Following: line 6

Insert: "(ii) At the request of an appropriator, the department shall reissue a certificate of water right issued pursuant to subsection (3)(e)(i) to a volume less than the volume allowed on the original certificate of water right to accommodate a future appropriation subject to subsection (3)(a)(iii).

(iii) The department shall adopt rules to address violations of conditions provided in subsection (3)(e)(i) or any appropriation exceeding the exception provided in (3)(a)(iii). The rules must include but are not limited to:

(A) provisions for notice of violation;

(B) provisions and timelines for achieving compliance after a violation; and

(C) provisions for the termination of an appropriator's certificate of water right and a subsequent application process for an appropriation permit pursuant to 85-2-311 for continued use of a ground water well or developed spring. "

10. Page 9, line 7.

Strike: "To satisfy"

Insert: "For the purposes of satisfying"

11. Page 9, line 8.

Strike: "when" through "chapter 4"

12. Page 13, line 11.

Strike: ", assuming"

Insert: "if"

13. Page 13, line 12.

Following: "available"

Insert: "and other appropriators will not be adversely affected"

- END -