

HB1271\_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Rural Affairs & Agriculture.

HB19-1271 be amended as follows:

1 Amend printed bill, page 4, strike lines 8 through 11 and substitute "~~shall~~  
2 MUST file a change of water right application or other application with the  
3 water court AS MAY BE REQUIRED to obtain a decreed right to use water  
4 for instream flow purposes under a contract or agreement for a lease or  
5 loan of water, water".

6 Page 4, line 12, after "The" insert "BOARD MUST FILE A WATER COURT  
7 APPLICATION WITH THE WATER COURT FOR APPROVAL OF A PLAN FOR  
8 AUGMENTATION TO AUGMENT STREAM FLOWS TO PRESERVE OR IMPROVE  
9 THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE. FOR A CHANGE  
10 OF WATER RIGHT, THE".

11 Page 5, strike lines 6 through 9 and substitute "ENVIRONMENT TO A  
12 REASONABLE DEGREE IN A STREAM REACH AND MAY USE ANY WATER  
13 RIGHT FOR WHICH THE HISTORICAL USE HAS PREVIOUSLY BEEN QUANTIFIED  
14 AND FOR WHICH A PREVIOUS CHANGE OF THE WATER RIGHT TO INCLUDE  
15 AUGMENTATION USE HAS BEEN JUDICIALLY APPROVED WITHOUT A  
16 FURTHER CHANGE OF THAT WATER RIGHT BEING REQUIRED; EXCEPT THAT  
17 ANY SUCH USE BY THE BOARD IS SUBJECT".

18 Page 5, strike lines 20 through 22 and substitute "DIVERTED WITHIN THAT  
19 STREAM REACH BY EXCHANGES, PLANS FOR SUBSTITUTION, PLANS FOR  
20 AUGMENTATION, OR OTHER MEANS THAT CAUSE A REDUCTION OF SUCH  
21 WATER IN THE STREAM, BUT IS SUBJECT TO SUCH REASONABLE TRANSIT  
22 LOSSES WITHIN THAT STREAM REACH AS MAY BE IMPOSED BY THE WATER  
23 COURT OR THE STATE OR DIVISION ENGINEER. Prior to the initiation of any  
24 such appropriation".

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