

FORTY-FIFTH LEGISLATURE  
FIRST SESSION, 2001

HB 156/a

March 4, 2001

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 156, as amended

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. Strike House Judiciary Committee Amendment 2.
2. On page 1, line 22, after "form" insert "and in a newspaper".
3. On page 1, line 23, strike the brackets and line through "some", strike the first "the" and after "newspaper" insert "that is published and distributed in each county affected by the diversion and in each county where the water will be or has been put to beneficial use, or if there is no such newspaper, then in some newspaper".
4. On page 1, line 23, strike the brackets and line through "of general".
5. On page 1, lines 23 and 24, strike "with the largest".
6. On page 1, lines 24 and 25, strike the bracket and line through "stream system" and strike "county within which the proposed point of diversion would be located,".
7. On page 6, line 14, strike the brackets and line through "a" and strike "the".

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8. On page 6, line 14, after "newspaper" insert "that is published and distributed in the county where the well will be located and in each county where the water will be or has been put to beneficial use or where other water rights may be affected, or if there is no such newspaper, then in some newspaper".

9. On page 6, lines 14 and 15, strike the brackets and line through "of general".

10. On page 6, line 15, strike "with the largest".

11. On page 7, strike lines 8 through 13 and strike the underscored language, including the period, on line 14 and insert in lieu thereof the following:

"E. The applicant shall be presumed to have complied with this section if the applicant mails the notices required by this section to the chairman, or in the absence of the chairman, the chief administrator, of each of the entities entitled to notice as reflected in a registry developed and maintained by the office of the state engineer. The office of the state engineer shall develop the initial registry based upon the most current name and address information reasonably available in the records of the office of the state engineer. Following the initial development of the registry, the office of the state engineer shall subsequently maintain the registry based upon name and address information provided to the office of the state engineer by the entities entitled to notice, including any entities not contained in the initial registry. The applicant shall be responsible for providing notification by mail to only those entities entitled to notice that are included in the registry. "

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Respectfully submitted,

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Michael S. Sanchez, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 1 Against  
Yes: 5  
No: Ingle  
Excused: Feldman, Gorham, Komadina, Payne  
Absent: None

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