

FORTY-FIFTH LEGISLATURE  
FIRST SESSION

March 16, 2001

HOUSE FLOOR AMENDMENT number   1   to SENATE BILL 118, as amended

Amendment sponsored by Representative Debbie A. Rodella

1. Strike all senate public affairs committee and house agriculture and water resources committee amendments.
2. On page 1, line 23, strike the first "the" and insert in lieu thereof "a".
3. On page 1, line 23, strike the bracket and line through "of general".
4. On page 1, lines 23 and 24, strike "with the largest" and insert in lieu thereof "circulation that is published in each county where the water will be and, if applicable, has been put to beneficial use as reflected in the application, or if there is no such newspaper, then in some newspaper of general".
5. On page 1, line 24, strike the brackets and line through "stream system".
6. On page 1, lines 24 and 25, strike "county within which the proposed point of diversion would be located".
7. On page 2, strike Subsection B in its entirety and insert in lieu thereof the following:

"B. 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 maintained by the office of the state engineer. The office of the state engineer shall maintain the registry based upon

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name and address information provided in a written request to the office of the state engineer by an entity entitled to notice. Inclusion in the registry may be requested at any time. Ten years after the effective date of this provision and every ten years thereafter, the office of the state engineer shall by certified mail inquire of all entities included in the registry whether they intend to remain listed. Entities that do not return a written request to remain listed in the registry within sixty days of mailing or whose notice is returned to the office of the state engineer by the United States postal service shall be deleted from the registry. The applicant shall be responsible for providing notification by mail to only those entities entitled to notice that are included in the registry. "

8. On page 4, line 12, after "1978" strike the period and "Water" and insert in lieu thereof "; provided, however, that the water".

9. On page 4, line 13, after "mail" insert "shall additionally".

10. On page 6, line 14, strike the bracket and line through "a".

11. On page 6, line 14, strike "the".

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

13. On page 6, line 15, strike "with the largest" and insert in lieu thereof "circulation that is published in the county where the well will be located and in each county where the water will be and, if applicable, has been put to beneficial use as reflected in the application, or if there is no such newspaper, then in some newspaper of general".

14. 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:

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"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 maintained by the office of the state engineer. The office of the state engineer shall maintain the registry based upon name and address information provided in a written request to the office of the state engineer by an entity entitled to notice. Inclusion in the registry may be requested at any time. Ten years after the effective date of this provision and every ten years thereafter, the office of the state engineer shall by certified mail inquire of all entities included in the registry whether they intend to remain listed. Entities that do not return a written request to remain listed in the registry within sixty days of mailing or whose notice is returned to the office of the state engineer by the United States postal service shall be deleted from the registry. The applicant shall be responsible for providing notification by mail to only those entities entitled to notice that are included in the registry."

15. On page 9, line 17, strike the period and "Water" and insert in lieu thereof "; provided, however, that the water".

16. On page 9, line 18, after "mail" insert "shall additionally".

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Debbie A. Rodella

Adopted \_\_\_\_\_  
(Chief Clerk)

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

Date \_\_\_\_\_