

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 17, 2017
Date

Committee on Agriculture, Livestock, & Natural Resources.

After consideration on the merits, the Committee recommends the following:

HB17-1291 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 4, after "(3)" insert "(a)".
- 2 Page 2, line 8, strike "RESERVOIR, INCLUDING AN AQUIFER" and substitute
- 3 "RESERVOIR THAT IS LOCATED ON THE SAME DITCH OR DIVERSION SYSTEM,
- 4 INCLUDING A NONTRIBUTARY AQUIFER".
- 5 Page 2, line 11, strike "(a)" and substitute "(I)".
- 6 Page 2, line 14, strike "(b)" and substitute "(II)".
- 7 Page 2, line 19, strike "(c)" and substitute "(III)".
- 8 Page 3, line 2, strike "(d)" and substitute "(IV)".
- 9 Page 3, after line 3 insert:
10 "(b) A PERSON WHO IS ENTITLED TO CLAIM INJURY TO A WATER
11 RIGHT HAS THE RIGHT TO A DE NOVO HEARING BEFORE THE WATER COURT
12 TO ARGUE THAT AN ALTERNATE PLACE OF STORAGE INJURES THE PERSON'S
13 WATER RIGHT.
14 (c) NOTHING IN THIS SUBSECTION (3) ALLOWS THE STORAGE OF
15 WATER IN AN ALTERNATE PLACE OF STORAGE IF THAT WATER WAS
16 IMPORTED FROM ANOTHER WATER DIVISION."

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