

HB1067_L.006

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee_____
DateCommittee on Agriculture and Natural Resources.

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

HB09-1067 be amended as follows:

- 1 Amend reengrossed bill, page 3, line 27, strike "OR IMPROVE".
- 2 Strike page 4.
- 3 Page 5, strike lines 1 through 5 and substitute the following:
- 4 "A REASONABLE DEGREE.
- 5 (c) THE AMOUNT OF A CREDIT AUTHORIZED IN THIS SECTION SHALL
- 6 BE DETERMINED BY THE BOARD, SUBJECT TO THE FOLLOWING GUIDELINES:
- 7 (I) THE CREDIT SHALL BE IN AN AMOUNT EQUAL TO OR LESS THAN
- 8 ONE-HALF OF THE VALUE OF THE WATER RIGHT PROPOSED TO BE DONATED
- 9 TO THE BOARD;
- 10 (II) THE VALUE OF THE WATER RIGHT SHALL BE DETERMINED BY
- 11 THE BOARD, IN CONSULTATION WITH THE PROPOSED DONOR. IN
- 12 DETERMINING THE VALUE OF THE WATER RIGHT, THE BOARD MAY
- 13 CONSIDER, IN ADDITION TO OTHER FACTORS THE BOARD DEEMS
- 14 APPROPRIATE, THE FOLLOWING:
- 15 (A) ANY APPRAISAL OR OTHER DOCUMENTATION SUBMITTED BY
- 16 THE DONOR;
- 17 (B) THE SENIORITY, HISTORIC CONSUMPTIVE USE, AND DECREED
- 18 USE OF THE WATER RIGHT;



1 (C) THE LOCATION OF THE EXISTING POINT OF DIVERSION OF THE
2 WATER RIGHT; AND

3 (D) THE EXTENT TO WHICH AQUATIC AND RIPARIAN HABITAT
4 WOULD BE PRESERVED BY CONVERSION OF THE WATER RIGHT TO AN
5 INSTREAM FLOW."

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