

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 17-1076

BY REPRESENTATIVE(S) Arndt, Becker J., Hooton, Mitsch Bush, Pettersen, Rosenthal, Duran;
also SENATOR(S) Coram and Fenberg, Baumgardner, Crowder, Donovan, Fields, Guzman, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Scott, Sonnenberg, Tate, Todd, Williams A.

CONCERNING RULE-MAKING BY THE STATE ENGINEER REGARDING PERMITS
FOR THE USE OF WATER ARTIFICIALLY RECHARGED INTO
NONTRIBUTARY GROUNDWATER AQUIFERS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 37-90-137, **amend** (9)(d) as follows:

37-90-137. Permits to construct wells outside designated basins - fees - permit no groundwater right - evidence - time limitation - well permits - rules. (9) (d) On or before July 1, 1995, the state engineer shall promulgate reasonable rules ~~which shall~~ THAT apply to the permitting and use of ~~waters~~ WATER artificially recharged into the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers. ON OR BEFORE JULY 1, 2018, THE STATE ENGINEER SHALL PROMULGATE RULES THAT APPLY TO THE PERMITTING AND USE OF WATER ARTIFICIALLY RECHARGED INTO A

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

NONTRIBUTARY GROUNDWATER AQUIFER. The rules ~~shall~~ PROMULGATED PURSUANT TO THIS SUBSECTION (9)(d) MUST effectuate the maximum utilization of ~~these~~ aquifers through the conjunctive use of surface and groundwater resources.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018

and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO