HOUSE BILL 17-1076

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov/.)

Currently, the state engineer must promulgate rules for the permitting and use of waters artificially recharged into 4 named aquifers. The bill adds the requirement that the state engineer also promulgate rules for the permitting and use of waters artificially recharged into nontributary groundwater aquifers. The rules must be promulgated on or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.
before July 1, 2018.

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 apply to the permitting and use of waters 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 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.