



Legislative Council Staff

Research Note

Version: Second Reading
Date: 2/1/2017

Bill Number

House Bill 17-1076

Sponsors

*Representative Arndt
(None)*

Short Title

*Artificial Recharge Nontributary
Aquifer Rules*

Research Analyst

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Status

The bill is currently pending before the House on second reading. This research note reflects the bill as referred by the House Agriculture, Livestock, and Natural Resources Committee on January 30, 2017.

Background

Denver Basin Groundwater Background. The Denver basin is a unique geologic formation along the Front Range reaching generally to Colorado Springs to the south, Greeley to the north, the Foothills to the west, and Limon to the east. The Denver Basin is composed of aquifers, or water bearing formations, that lie on top of each other in layers. These aquifers are known as the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers. Between the layered aquifers, there is a "confining" layer. This confining layer isolates the individual aquifers from each other. Because of the nature of the confining layers and because of the limited connection between these aquifers and surface water, the groundwater in the aquifers is not renewable.

Groundwater administration. Groundwater administration and enforcement is one of the primary responsibilities of the Division of Water Resources (division), led by the State Engineer. Under current law, every new well in the state that diverts groundwater must have a well permit. The division operates a statewide network for monitoring groundwater levels. Groundwater in the state is managed under four categories: tributary groundwater; designated groundwater; nontributary groundwater; and not nontributary groundwater. The Denver Basin contains both nontributary and not nontributary groundwater. Use of nontributary groundwater is based on legislatively defined criteria that allows for the gradual depletion of this nonrenewable resource.

Senate Bill 85-005. In 1985, the General Assembly passed Senate Bill 85-005, often referred to as Senate Bill 5, which provided a framework to guide the appropriation of nontributary

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groundwater from the aquifers in the Denver Basin. The State Engineer, within the division, adopted rules governing the withdrawal of groundwater from the Denver Basin aquifers, also known as the Denver Basin Rules.

Aquifer storage and recovery. Actively charging aquifers helps to manage water supply from the Denver Basin aquifers and restores and protects the aquifers. During wet years with above-average precipitation and runoff, surface water is stored for later use by injecting it into groundwater aquifers, a process known as aquifer recharge. Artificial aquifer recharge is defined as any engineered system designed to introduce water to, and store water in, underlying aquifers for future use. Centennial Water District is currently implementing an aquifer storage and recovery (ASR) project in the Denver Basin. The district has 23 wells permitted for injection into the Denver, Arapahoe, and Laramie-Fox Hills aquifers when surplus water is available. ASR projects are also being implemented in the Lakewood area and by Colorado Springs Utilities.

House Action

House Agriculture, Livestock, and Natural Resources Committee (January 30, 2017). At the hearing, representatives from the Division of Water Resources, South Metro Water Supply Authority, and Colorado Water Congress spoke in support of the bill. The committee referred the bill, unamended, to the House Committee of the Whole.

Senate Action

Relevant Research