

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
9.28.17

BILL 10

LLS NO. 18-0219.02 Thomas Morris x4218

INTERIM COMMITTEE BILL

Water Resources Review Committee

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**BILL TOPIC:** "Study Mitigate High Water Table Near Gilcrest"

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**A BILL FOR AN ACT**

101 **CONCERNING A STUDY TO MITIGATE THE HIGH WATER TABLE NEAR**  
102 **GILCREST, COLORADO.**

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**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/>.)*

**Water Resources Review Committee.** Current law authorizes the Colorado water conservation board (board) to contract with the Colorado water institute at Colorado state university to conduct a study that included a feasibility-level evaluation of the causes of high groundwater levels in certain areas near Gilcrest, Colorado, to provide information for use in mitigating adverse impacts in areas experiencing high groundwater

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

levels.

The bill directs the board to enter into a new contract to conduct a study to analyze existing hydrologic data for the area surrounding Gilcrest to determine the current causes of rising groundwater levels in that area and propose management details of a 5-year pilot project in the area, including data collection that documents the success or failure of the pilot project, to stop or reduce the rising groundwater levels. The pilot project must begin by April 1, 2019, and terminate by June 30, 2024. The costs of the study will be paid from gifts, grants, or donations and the Colorado water conservation board construction fund. The act is repealed, effective September 1, 2025.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby:

4           (a) Finds that:

5           (I) Since January 2006, the groundwater levels in the South Platte  
6 river basin (division 1) have been rising steadily. In 2012, the Colorado  
7 water conservation board (CWCB) contracted with the Colorado Water  
8 Institute at Colorado State University to conduct a study of the rising  
9 groundwater levels. The study recommended two pilot study areas: One  
10 near Sterling, Colorado, and another near Gilcrest, Colorado.

11           (II) The division of water resources (DWR) and CWCB staffs in  
12 2012 recommended that the area between Gilcrest and LaSalle, Colorado,  
13 be studied as a pilot project. Beginning in October 2012, the division 1  
14 staff of the DWR selected and began to measure the water levels monthly  
15 in thirty-six observation wells. In addition, the Central Colorado Water  
16 Conservancy District measures another group of wells twice yearly, and  
17 the department of agriculture has eleven continuous data logger  
18 observation wells sites. The town of Gilcrest has measured eight well  
19 sites since 2008 that are within city limits. In 2015, Colorado State

1 University received a contract to drill three new monitoring wells  
2 equipped with continuous data logger equipment near the Lorenz  
3 dewatering well. In 2016 and 2017, Colorado State University constructed  
4 6 more monitoring wells and installed data loggers.

5 (III) The Brown and Caldwell Engineering firm has had two  
6 contracts to analyze hydrologic and geologic data from the Gilcrest pilot  
7 project area. In addition, the Colorado geologic survey has prepared both  
8 geologic and hydrologic maps of the pilot area.

9 (b) Determines that:

10 (I) Extensive groundwater level data is now available for this pilot  
11 project area to draw water table contour maps, draw depth-to-water table  
12 maps, and prepare individual well hydrographs. The continuous data  
13 logger data reflecting the instantaneous response due to well pumping,  
14 impact of surface irrigation, and leakage from irrigation canals is  
15 available from DWR's "Hydrobase" database as well as pumping and  
16 replacement recharge credits from DWR records for augmentation plan  
17 administration.

18 (II) The need exists for comprehensive study of the Gilcrest pilot  
19 project study area to determine the cause of the still-rising groundwater  
20 levels. Action is needed now to stop or reduce the rising groundwater  
21 levels.

22 (c) Declares that:

23 (I) A consulting engineering firm should be selected to prepare a  
24 comprehensive report that includes specific action items. That report  
25 should also propose a time frame to implement the action items and  
26 eliminate the damaging groundwater levels.

27 (II) This engineering report should be completed by August 31,

1 2018, and the CWCB should prepare and obtain the necessary contract  
2 and arrangements so that the implementation of recommended action  
3 items can be scheduled in late 2018 and begin before April 1, 2019; and

4 (III) A pilot implementation plan around Gilcrest should begin by  
5 April, 1, 2019, and last until June 30, 2024.

6 **SECTION 2.** In Colorado Revised Statutes, 37-60-115, **add**  
7 (7)(g) as follows:

8 **37-60-115. Water studies - rules - repeal. (7) South Platte**  
9 **river alluvial aquifer study - pilot project.** (g) (I) THE BOARD SHALL  
10 ENTER INTO A CONTRACT WITH A QUALIFIED ENGINEERING CONSULTANT  
11 TO CONDUCT, OVERSEE, AND COORDINATE ALL ASPECTS OF A STUDY TO  
12 ANALYZE EXISTING HYDROLOGIC DATA FOR A PILOT PROJECT IN THE AREA  
13 SURROUNDING GILCREST, COLORADO, TO DETERMINE THE CURRENT  
14 CAUSES OF RISING GROUNDWATER LEVELS IN THAT AREA. THE CONTRACT  
15 MUST SPECIFY THE SCOPE OF WORK OF THE STUDY, EXPECTED ACTION  
16 ITEMS, AND PROPOSED ORGANIZATIONAL DETAILS OF INDIVIDUAL FARMERS  
17 OR A MANAGEMENT ENTITY TO MANAGE THE FIVE-YEAR PILOT PROJECT  
18 SPECIFIED IN SUBSECTION (7)(g)(II) OF THIS SECTION.

19 (II) THE STUDY MUST RESULT IN SPECIFIC PROPOSED ACTION ITEMS  
20 THAT WILL STOP OR REDUCE THE RISING GROUNDWATER LEVELS. THE  
21 REPORT SUMMARIZING THE STUDY MUST BE COMPLETED AND DELIVERED  
22 TO THE BOARD ON OR BEFORE AUGUST 31, 2018, AND MUST CONTAIN A  
23 TIMELINE AND EXPECTED COSTS TO IMPLEMENT THE PROPOSED ACTION  
24 ITEMS. AFTER SUBMISSION OF THE REPORT, THE BOARD SHALL PROVIDE  
25 FOR THE MANAGEMENT OF THE FIVE-YEAR PILOT PROJECT, INCLUDING  
26 DATA COLLECTION THAT DOCUMENTS THE SUCCESS OR FAILURE OF THE  
27 PILOT PROJECT. THE PILOT PROJECT MUST BEGIN BY APRIL 1, 2019, AND

1 TERMINATE BY JUNE 30, 2024.

2 (III) THE BOARD MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,  
3 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF  
4 THIS SUBSECTION (7)(g). THE COSTS OF THE STUDY SHALL BE PAID FROM  
5 THE GIFTS, GRANTS, OR DONATIONS AND, TO THE EXTENT NECESSARY, THE  
6 COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND CREATED  
7 IN SECTION 37-60-121.

8 (IV) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
9 2025.

10 **SECTION 3. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.

13 <{*Does the WRRC want a specific effective date or an Act Subject to*  
14 *Petition clause?*>