

CHAPTER 6

WATER AND IRRIGATION

SENATE BILL 09-015

BY SENATOR(S) Tochtrop, Brophy, Isgar, Hodge, Schwartz, White;
also REPRESENTATIVE(S) Gardner C., Curry, McKinley, Baumgardner, Kerr J., Nikkel, Priola, Sonnenberg.

AN ACT

CONCERNING REMOVAL OF THE WHITE RIVER DRAINAGE BASIN FROM THE JURISDICTION OF WATER DIVISION 5 TO WATER DIVISION 6.

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

SECTION 1. 37-92-201 (1) (e) and (1) (f), Colorado Revised Statutes, are amended to read:

37-92-201. Water divisions. (1) For the purposes of this article, the following water divisions are hereby established:

(e) Division 5: Division 5 consists of all lands in the state of Colorado in the drainage basins of the Colorado river and all of its tributaries arising within Colorado, with the exception of the Gunnison river. ~~but for the purposes of sections 37-92-203 and 37-92-204, the White river drainage basin shall be deemed a part of division 5.~~

(f) Division 6: ~~Except as limited by paragraph (c) of this subsection (1);~~ Division 6 consists of all lands in the state of Colorado in the drainage basins of the White river, the Yampa or Bear river, the Green river, the North Platte river, and all of their tributaries.

SECTION 2. Act subject to petition - effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 4, 2009, if adjournment sine die is on May 6, 2009); except

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

that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to matters filed in water divisions 5 and 6 on or after the applicable effective date of this act.

Approved: March 2, 2009

Editor's note: The August 4 date specified in the effective date section of this act reflects the ninetieth day, therefore the act takes effect at 12:01 a.m. on August 5, 2009.