

CHAPTER 86

WATER AND IRRIGATION

SENATE BILL 10-027

BY SENATOR(S) Sandoval, Brophy, Hodge, Romer, Whitehead;
also REPRESENTATIVE(S) Roberts, Baumgardner, Curry, Gerou, Loooper, Massey, Priola, Stephens, Vigil.

AN ACT

CONCERNING A FINE FOR THE UNAUTHORIZED DIVERSION OF SURFACE WATER.

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

SECTION 1. 37-92-503 (6) (a), Colorado Revised Statutes, is amended to read:

37-92-503. Enforcement - injunction. (6) (a) (I) Any person who diverts ~~ground water~~ GROUNDWATER contrary to a valid order of the state engineer or a division engineer issued pursuant to section 37-92-502, in violation of a plan approved pursuant to rules ~~and regulations~~ adopted by the state engineer, or otherwise in violation of rules ~~and regulations~~ adopted by the state engineer to regulate or measure diversions of ~~ground water~~ GROUNDWATER shall forfeit and pay a sum not to exceed five hundred dollars for each day such violation continues.

(II) ANY PERSON WHO DIVERTS SURFACE WATER CONTRARY TO A VALID ORDER OF THE STATE ENGINEER OR A DIVISION ENGINEER ISSUED PURSUANT TO SECTION 37-92-502 SHALL FORFEIT AND PAY A SUM NOT TO EXCEED FIVE HUNDRED DOLLARS FOR EACH DAY SUCH VIOLATION CONTINUES.

SECTION 2. Applicability. The provisions of this act shall apply to conduct occurring on or after the effective date of this act.

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

Approved: April 14, 2010

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