

CHAPTER 89

WATER AND IRRIGATION

HOUSE BILL 17-1076

BY REPRESENTATIVE(S) Arndt, Becker J., Hooton, Mitsch Bush, Pettersen, Rosenthal, Duran;
 also SENATOR(S) Coram and Fenberg, Baumgardner, Crowder, Donovan, Fields, Guzman, Jahn, Jones, Kefalas, Kerr,
 Martinez Humenik, Merrifield, Priola, Scott, Sonnenberg, Tate, Todd, Williams A.

AN ACT

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

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~~ THAT apply to the permitting and use of ~~waters~~ WATER 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

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

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.

Approved: March 30, 2017