

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0220.01 Thomas Morris x4218

SENATE BILL 15-084

SENATE SPONSORSHIP

Hodge,

HOUSE SPONSORSHIP

(None),

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 CONCERNING A PROHIBITION ON REDUCING THE QUANTIFICATION OF
102 A WATER RIGHT'S ACTUAL HISTORICAL USE IN A CHANGE OF
103 WATER RIGHT.

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://www.leg.state.co.us/bills summaries>.)

A water right may be used on one or more parcels of land and may be changed with regard to only some of the parcels. When a water judge decrees a change of a previously unchanged portion of a water right, the bill prohibits the water judge from reducing the actual historical consumptive use of that portion of the water right based on previously

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

decreed changes of use involving another portion of the same water right used on other parcels of land.

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

2 **SECTION 1.** In Colorado Revised Statutes, 37-92-305, **add** (3)
3 (d) as follows:

4 **37-92-305. Standards with respect to rulings of the referee and**
5 **decisions of the water judge.** (3) (d) FOR A PROPOSED CHANGE OF A
6 PREVIOUSLY UNCHANGED PORTION OF A WATER RIGHT INVOLVING
7 HISTORICAL USE ON ONE OR MORE PARCELS OF LAND FOR WHICH
8 HISTORICAL USE HAS NOT BEEN QUANTIFIED IN A PRIOR CHANGE OF USE
9 PROCEEDING, THE WATER JUDGE SHALL NOT REDUCE THE HISTORICAL
10 CONSUMPTIVE USE OF THE PORTION OF THE RIGHT BEING CHANGED, NOR
11 SHALL FUTURE DELIVERIES BE LIMITED, BASED UPON PREVIOUSLY
12 DECREED CHANGES OF USE INVOLVING ANOTHER PORTION OF THE SAME
13 WATER RIGHT USED ON OTHER PARCELS OF LAND.

14 **SECTION 2. Applicability.** This act applies to conduct occurring
15 on or after the effective date of this act.

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