



HOUSE JOINT RESOLUTION 03-1019

BY REPRESENTATIVES Spradley, Berry, Borodkin, Boyd, Briggs, Brophy, Butcher, Clapp, Cloer, Coleman, Crane, Decker, Frangas, Carroll, Harvey, Hefley, Jahn, Johnson R., Larson, Lundberg, Madden, May M., McCluskey, Merrifield, Paccione, Plant, Pommer, Ragsdale, Rhodes, Rippy, Romanoff, Rose, Salazar, Sanchez, Schultheis, Smith, Spence, Stafford, Stengel, Veiga, Weddig, Wiens, Williams S., and Williams T.;

also SENATORS Kester, Entz, Fitz-Gerald, Groff, Grossman, Hagedorn, Hillman, Keller, Linkhart, Phillips, Sandoval, Tapia, Teck, Tupa, and Windels.

CONCERNING THE GENERAL ASSEMBLY'S ENDORSEMENT OF THE COLORADO 64 WATER PRINCIPLES.

WHEREAS, Drought is a naturally recurring part of Colorado's climatic cycle, and the past 4 years of drought, culminating in the record-setting parched conditions of 2002, have touched every region of the State of Colorado; and

WHEREAS, Water shortages throughout Colorado have reached crisis proportions, but every crisis offers opportunity—opportunity for cooperation, opportunity for understanding, and opportunity to unify diverse positions, and our current drought provides opportunity for all 3; and

WHEREAS, Colorado law recognizes the right to move water from where it flows to where it is needed and to change the historical use of water from one beneficial use to another; and

WHEREAS, In the 130 years since adoption of our constitution, Colorado has grown significantly, both in population and in expanded uses for water; and

WHEREAS, The volume of undeveloped water in Colorado has shrunk tremendously, and as our quest for solutions considers transferring water from one part of Colorado for new or different uses in other parts of the state, we must address the impacts such measures have on the people and economies where these waters originate; and

WHEREAS, We recognize that in the free exercise of private property rights, some water will continue to be transferred from willing sellers to willing buyers, and will continue to move away from traditional uses to new uses, and the goal of all parties should be to ultimately advance the economic, environmental, cultural, and recreational health of all Colorado communities; and

WHEREAS, The following principles are offered by "Colorado 64"—a coalition representing communities, water providers, and business interests across Colorado—to frame the debate about preparing for Colorado's water future; and

WHEREAS, These principles are intended to inform and assist decision makers and water managers in crafting fair and mutually beneficial water projects, as well as balanced water-related policy and legislation to address Colorado's water challenges; and

WHEREAS, The following principles begin our earnest efforts to find water supply answers that benefit all Coloradans, for this and future generations, and, in this spirit, these principles are intended to be a working document, and all parties in Colorado 64 have committed to remain at the table where these principals may be amended or expanded as times and conditions change; and

WHEREAS, The General Assembly desires to endorse these principles; now, therefore,

Be It Resolved by the House of Representatives of the Sixty-fourth General Assembly of the State of Colorado, the Senate concurring herein:

(1) All Colorado water users must share in solving Colorado's water resource problems.

(2) The State of Colorado should provide assistance, when requested, for local water supply planning and assist in the implementation of consensus-based water resource solutions that respect local authorities, private property, and water rights.

(3) During the process of planning to meet future needs, water suppliers and utilities should give preference to development of economically viable local water sources and demand management as they consider other options, including development of new water transfers.

(4) Additional water storage should be pursued through the improvement and rehabilitation of existing structures and the development of new structures. These activities should be accomplished with local consensus.

(5) The right of water rights owners to market their water rights must be protected in the following ways:

(a) Colorado must fully explore flexible, market-based approaches to water supply management, including interruptible water contracts, water banking, in-state water leasing, and groundwater recharge management.

(b) Those seeking to transfer agricultural water to another use should consider leasing or other temporary arrangements for transfer of water, rather than relying exclusively on the purchase of water rights. Leasing or other such temporary arrangements could allow for reversion of the water to agricultural purposes under certain conditions.

(c) In the event that agricultural water is transferred, the transaction must adequately address the need for maintaining the existing tax base, protecting the remaining water rights in the area, and maintaining the proper stewardship of the land, including revegetation and weed control.

(6) Appropriate recognition should be given to preservation of flows necessary to support recreational, hydroelectric, and environmental needs concurrent with development of water for beneficial consumptive uses.

(7) Adverse economic, environmental, and social impacts of future water projects and water transfers should be minimized; unavoidable adverse impacts must be reasonably mitigated; all communities involved should commit themselves to identifying and implementing reasonable mitigation measures as an integral part of future water projects or transfers.

(8) Future water supply solutions must benefit both the area of origin and the area of use.

(9) Water conservation measures that do not injure other water rights should be aggressively pursued.

(10) There must be an ongoing, concerted effort to educate all Coloradans on the importance of water, and the need to conserve, manage, and plan for the needs of this and future generations.

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SPEAKER OF THE HOUSE
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