

LLS NO. 13-0112_AMENDMENT # 1
 INTERIM COMMITTEE AMENDMENT
 Committee on Water Resources Review.

BY SENATOR BROPHY

LLS No. 13-0112 be amended as follows:

1 Amend LLS No. 13-0112, strike everything below the enacting clause
 2 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 37-90-108, amend
 4 (5) as follows:

5 **37-90-108. Final permit - evidence of well construction and**
 6 **beneficial use - limitations.** (5) (a) All final permits ~~shall~~ MUST set forth
 7 the following information as a minimum:

8 (a) (I) The priority date;

9 (b) (II) The name of the claimant;

10 (c) (III) The quarter-quarter in which the well is located;

11 (d) (IV) The maximum annual volume of the appropriation in
 12 acre-feet per year;

13 (e) (V) The maximum pumping rate in gallons per minute; and

14 (f) (VI) The maximum number of acres ~~which~~ THAT have been
 15 irrigated, if used for irrigation.

16 (b) NOTWITHSTANDING ANY RULE OF LAW TO THE CONTRARY,
 17 ONCE THE STATE ENGINEER ISSUES A FINAL PERMIT FOR THE WITHDRAWAL
 18 OF DESIGNATED GROUND WATER PURSUANT TO THIS SECTION, A
 19 REDUCTION IN THE AMOUNT OF WATER USED PURSUANT TO THE PERMIT
 20 DUE TO THE CONSERVATION OF WATER IS NOT GROUNDS TO REDUCE:

21 (I) THE MAXIMUM ANNUAL VOLUME OF THE APPROPRIATION IN
 22 ACRE-FEET PER YEAR;

23 (II) THE MAXIMUM PUMPING RATE IN GALLONS PER MINUTE; OR

24 (III) THE MAXIMUM NUMBER OF ACRES THAT HAVE BEEN
 25 IRRIGATED, IF USED FOR IRRIGATION.

26 **SECTION 2. Act subject to petition - effective date -**
 27 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
 28 the expiration of the ninety-day period after final adjournment of the
 29 general assembly (August 7, 2013, if adjournment sine die is on May 8,
 30 2013); except that, if a referendum petition is filed pursuant to section 1
 31 (3) of article V of the state constitution against this act or an item, section,
 32 or part of this act within such period, then the act, item, section, or part
 33 will not take effect unless approved by the people at the general election
 34 to be held in November 2014 and, in such case, will take effect on the
 35 date of the official declaration of the vote thereon by the governor.



1 (2) The provisions of this act apply to determinations of water
2 volume, water rate, and acreage occurring on or after the applicable
3 effective date of this act."

4 Page 1, line 101, strike "PROTECT THE REDUCTION OF".

5 Page 1, strike lines 102 to 104 and substitute "PREVENT THE
6 MODIFICATION OF A FINAL DESIGNATED GROUND WATER PERMIT BASED
7 ON REDUCTIONS IN THE USE OF DESIGNATED GROUND WATER."

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