

HB1167\_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT  
Committee on Agriculture, Livestock, & Natural Resources.

HB15-1167 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 37-60-115, add (10)  
4 as follows:

5 **37-60-115. Water studies - rules - repeal. (10) South Platte**  
6 **river basin storage study.** (a) THE BOARD SHALL MAKE, OR CAUSE TO BE  
7 MADE, A STUDY OF THE FEASIBILITY OF SUPPLEMENTING WATER SUPPLIES  
8 IN THE SOUTH PLATTE RIVER BASIN THROUGH THE CONSTRUCTION OF ONE  
9 OR MORE NEW RESERVOIRS IN THE SOUTH PLATTE RIVER BASIN AND THE  
10 IMPORTATION OF WATER INTO COLORADO FROM THE MISSOURI RIVER  
11 BASIN. THE GOALS OF THE STUDY ARE TO:

12 (I) ASSESS THE SUITABILITY OF STORAGE SITES IN THE SOUTH  
13 PLATTE RIVER BASIN, REGARDLESS OF WHETHER THEY MAY PREVIOUSLY  
14 HAVE BEEN STUDIED, INCLUDING TAMARACK RANCH STATE WILDLIFE  
15 AREA AND THE NARROWS PROJECT NEAR FORT MORGAN AS REFERENCED  
16 IN PUB.L. 91-389, TAKING INTO CONSIDERATION THAT THE STORED WATER  
17 WOULD BE USED:

18 (A) FOR COMPLIANCE WITH THE SOUTH PLATTE RIVER COMPACT,  
19 ARTICLE 65 OF THIS TITLE;

20 (B) TO AUGMENT MUNICIPAL SUPPLIES, INCLUDING BY EXCHANGE;

21 (C) AS A SOURCE OF AUGMENTATION SUPPLY FOR JUNIOR  
22 GROUNDWATER DIVERTERS, INCLUDING FOR AGRICULTURAL PURPOSES;

23 (D) CONJUNCTIVELY WITH GROUNDWATER SUPPLIES, INCLUDING  
24 BY STORING WATER IN THE ALLUVIAL AQUIFER; AND

25 (E) TO REDUCE THE NEED FOR THE IMPORTATION OF WATER INTO  
26 THE SOUTH PLATTE RIVER BASIN FROM OTHER BASINS IN COLORADO,  
27 INCLUDING, SPECIFICALLY, THE COLORADO RIVER BASIN;

28 (II) ESTIMATE, FOR EACH OF THE PREVIOUS TWENTY YEARS, THE  
29 VOLUME OF WATER THAT HAS BEEN DELIVERED TO NEBRASKA IN EXCESS  
30 OF THE AMOUNTS REQUIRED TO BE DELIVERED BY THE SOUTH PLATTE  
31 RIVER COMPACT, ARTICLE 65 OF THIS TITLE, AND THAT COULD OTHERWISE  
32 HAVE BEEN STORED IN THE LOWER SOUTH PLATTE RIVER BASIN;

33 (III) ASSESS THE FEASIBILITY OF CONSTRUCTING A NEW RESERVOIR  
34 AT ONE OR MORE OF THE STORAGE SITES STUDIED PURSUANT TO  
35 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), INCLUDING CONSIDERATION  
36 OF ENVIRONMENTAL, PERMITTING, WATER AVAILABILITY, FINANCIAL, AND  
37 LEGAL CONSTRAINTS, INCLUDING THOSE IMPOSED BY THE SOUTH PLATTE

1 RIVER COMPACT AND THE "COOPERATIVE AGREEMENT FOR PLATTE RIVER  
2 RESEARCH AND OTHER EFFORTS RELATING TO ENDANGERED SPECIES  
3 HABITATS ALONG THE CENTRAL PLATTE RIVER, NEBRASKA"; AND  
4 (IV) ASSESS, USING EXISTING DATA AND RESEARCH FROM STUDIES  
5 PREVIOUSLY CONDUCTED OR BEING CONDUCTED IN COLORADO OR OTHER  
6 STATES IN THE MISSOURI RIVER BASIN, THE FEASIBILITY OF CONSTRUCTING  
7 A PIPELINE TO IMPORT WATER INTO COLORADO FROM THE MISSOURI RIVER  
8 BASIN, INCLUDING AN ANALYSIS OF WATER AVAILABILITY; CONSIDERATION  
9 OF ENVIRONMENTAL, PERMITTING, WATER AVAILABILITY, FINANCIAL, AND  
10 LEGAL CONSTRAINTS; AND AN ANALYSIS OF POTENTIAL POINTS OF  
11 DIVERSION, PIPELINE ROUTES, PLACES AND TYPES OF USE WITHIN  
12 COLORADO, AND PLACES OF STORAGE WITHIN COLORADO, INCLUDING THE  
13 SITES EVALUATED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH  
14 (a).  
15 (b) THE BOARD SHALL:  
16 (I) PROVIDE THE WATER RESOURCES REVIEW COMMITTEE CREATED  
17 IN SECTION 37-98-102, THE GOVERNOR'S OFFICE, THE EXECUTIVE  
18 DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, AND THE  
19 GENERAL ASSEMBLY'S COMMITTEES OF REFERENCE WITH JURISDICTION  
20 OVER NATURAL RESOURCES WITH AN UPDATE CONCERNING THE STUDY BY  
21 OCTOBER 31, 2015;  
22 (II) INCLUDE THE FINDINGS FROM THE STUDY IN THE COLORADO  
23 WATER PLAN;  
24 (III) COMPLETE THE STUDY AS EXPEDITIOUSLY AS PRACTICABLE,  
25 BUT IN NO EVENT LATER THAN DECEMBER 31, 2015; AND  
26 (IV) PROVIDE A REPORT SUMMARIZING THE STUDY TO THE  
27 GOVERNOR'S OFFICE AND THE GENERAL ASSEMBLY'S COMMITTEES OF  
28 REFERENCE WITH JURISDICTION OVER NATURAL RESOURCES BY FEBRUARY  
29 15, 2016.  
30 **SECTION 2. Safety clause.** The general assembly hereby finds,  
31 determines, and declares that this act is necessary for the immediate  
32 preservation of the public peace, health, and safety."

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