

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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