

*Colorado Legislative Council Staff Fiscal Note***FINAL  
FISCAL NOTE**

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<b>Drafting Number:</b> LLS 15-0221	<b>Date:</b> July 8, 2015
<b>Prime Sponsor(s):</b> Sen. Hodge Rep. Arndt; Becker J.	<b>Bill Status:</b> Signed into Law
	<b>Fiscal Analyst:</b> Clare Pramuk (303-866-2677)

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**BILL TOPIC:** RETURN OF WATER FROM TAIL DITCH**Summary of Legislation**

This bill allows a person using an irrigation ditch system to use a tailwater ditch to return water to a stream in variable amounts to facilitate efficient operation of the ditch and delivery of water to persons served by the ditch system. The state engineer shall not require the delivery of any minimum amount of water unless required by a court decree. The bill does not limit the state engineer's authority to administer water rights to prevent waste.

**Background**

Tailwater ditches are used to collect and conserve excess surface water draining from an irrigated field. Current law requires the installation of tailwater ditches by ditch owners to return water with as little waste as possible back to the stream from which the water was taken.

**Assessment**

The Division of Water Resources (DWR) in the Department of Natural Resources administers Colorado water law. This bill clarifies the administration of water in tailwater ditches but is not expected to affect the workload or expenditures of the DWR or any state agency, so this bill is assessed as having no fiscal impact.

**Effective Date**

The bill was signed into law by the Governor on March 26, 2015 and takes effect August 5, 2015, if no referendum petition is filed.

**State and Local Government Contacts**

Judicial Department

Law

Natural Resources