



Colorado Legislative Council Staff
NO FISCAL IMPACT

Drafting Number: LLS 04-0221**Date:** January 5, 2004**Prime Sponsor(s):** Rep. Salazar
Sen. Taylor**Bill Status:** House Agriculture**Fiscal Analyst:** Steve Tammus (303-866-2756)

TITLE: CONCERNING THE REQUIREMENT TO MITIGATE THE EFFECTS ON THE WATER BASIN OF ORIGIN OF A DIVERSION OF WATER FROM A WATER BASIN.

Summary of Assessment

This bill requires that a water judge include, in each decree for a water right that diverts water from one water division into another, conditions to ensure that the present appropriation of water and prospective beneficial uses of water within the water division from which the water is exported will not be impaired or increased in cost at the expense of the water users in that division.

The bill requires the applicant for the decree to show that such exportation is needed after the preparation of an integrated water supply and demand plan and after an analysis of reasonable alternatives to such export. The bill specifies that these requirements do not apply if the applicant has reached an enforceable mitigation agreement with a water conservation or conservancy district from within whose boundaries the waters are proposed for diversion. The bill will become effective upon signature of the Governor.

This bill is not anticipated to affect state or local government revenue or expenditures, and is assessed as having no fiscal impact.

Departments Contacted

Natural Resources

Judicial