

1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:  
2 ARTICLE XVIII OF THE CONSTITUTION OF THE STATE OF COLORADO IS AMENDED BY THE  
3 ADDITION OF A NEW SECTION TO READ:  
4

5 **SECTION 15. COLORADO WATER CONSERVATION ACT**  
6

7 (1) COUNTY ELECTORS MAY ELECT TO LIMIT THE ANNUAL GROWTH IN THE AMOUNT OF  
8 WATER AVAILABLE FOR NEW PRIVATELY OWNED RESIDENTIAL HOUSING UNITS UNIFORMLY  
9 IN EVERY CITY, TOWN, CITY AND COUNTY, AND COUNTY, AND ANY PART OF SUCH,  
10 WHETHER STATUTORY OR HOME RULE, WITHIN SUCH COUNTY AND IN ANY CITY AND  
11 COUNTY BY INITIATIVE AND REFERENDUM.  
12

13 (2) THE ANNUAL AMOUNT OF WATER ALLOTTED FOR NEWLY CONSTRUCTED PRIVATELY  
14 OWNED RESIDENTIAL HOUSING UNITS IN THE COUNTIES OR CITY AND COUNTIES OF ADAMS,  
15 ARAPAHOE, BOULDER, BROOMFIELD, DENVER, DOUGLAS, EL PASO, JEFFERSON, LARIMER  
16 AND WELD OR ANY CITY AND COUNTY CREATED THEREIN SHALL NOT EXCEED ONE  
17 PERCENT OF THE TOTAL AMOUNT USED BY PRIVATELY OWNED RESIDENTIAL HOUSING  
18 UNITS WITHIN SUCH ENTITIES IN THE PREVIOUS YEAR FOR EACH OF THE YEARS 2009, 2010,  
19 2011, AND 2012. IN SAID COUNTIES EACH LOCAL GOVERNMENT AND ANY PART OF SUCH,  
20 WHETHER STATUTORY OR HOME RULE, AND ANY CITY AND COUNTY SHALL ALLOT WATER  
21 TAPS AND WELL PERMITS TO COMPLY WITH THIS MANDATE BASED ON THE WATER USED  
22 AND THE AVERAGE ANNUAL USE PER HOUSING UNIT IN THE PREVIOUS YEAR IN SUCH LOCAL  
23 GOVERNMENT. BETWEEN NOVEMBER 4, 2008, AND JANUARY 1, 2009, NO PERMITS TO  
24 BUILD NEW PRIVATELY OWNED RESIDENTIAL HOUSING UNITS SHALL BE ISSUED WITHIN  
25 SAID COUNTIES OR CITY AND COUNTIES. WATER SHALL NOT BE BANKED FROM DIFFERENT  
26 YEARS OR BARROWED, BOUGHT OR TRADED BETWEEN LOCAL GOVERNMENTS. THIS  
27 SECTION SHALL BE CALLED FOR THE 2012 NOVEMBER GENERAL ELECTION FOR  
28 COUNTYWIDE ELECTORS IN EACH OF THE SAID COUNTIES AND CITY AND COUNTIES TO  
29 ENACT OR REPEAL BEGINNING IN 2013.  
30

31 (3) WATER ALLOCATED FOR FARM AND RANCH USE SHALL NOT BE SOLD OR TRANSFERRED  
32 FOR ANY OTHER PURPOSE OR DEFERRED TO ANOTHER USE WITHOUT DEED OR  
33 ADJUDICATION OF RECORD MADE BEFORE JANUARY 1, 2009 WITHOUT APPROVAL ON AN  
34 INDIVIDUAL BASIS BY BOTH THE GENERAL ASSEMBLY AND SIGNED BY THE GOVERNOR.  
35

36 (4) PUBLICLY FUNDED WATER PROJECTS IN THEIR ENTIRETY AS COMPLETED INCLUDING  
37 BUT NOT LIMITED TO STORAGE, DIVERSION, TRANSPORTATION AND PURIFICATION OF  
38 WATER ESTIMATED TO COST MORE THAN FIVE MILLION DOLLARS IN A LOCAL GOVERNMENT  
39 OR TWENTY-FIVE MILLION DOLLARS AT THE STATE LEVEL SHALL REQUIRE APPROVAL BY  
40 VOTERS OF SUCH LOCAL GOVERNMENT OR STATE-WIDE RESPECTIVELY AT A GENERAL  
41 ELECTION. COST ESTIMATES OF SUCH PROJECTS SHALL BE OPEN FOR PUBLIC INSPECTION  
42 AND TOTAL PROJECT EXPENDITURES SHALL BE LIMITED TO THAT APPROVED BY VOTERS.  
43

44 (5) ALL NEW LAWNS AND GREENWAYS PLANTED ON STATE AND LOCAL GOVERNMENT  
45 PROPERTY AND ALL PRIVATE PROPERTY SHALL BE DRY LAND OR WATER CONSERVING  
46 GRASS VARIETIES OR LANDSCAPING TECHNIQUES THAT USE LITTLE OR NO FILTERED,  
47 TREATED AND POTABLE WATER SUPPLIES. ALL LAWNS, PARKS AND GREENWAYS OWNED  
48 BY STATE OR LOCAL GOVERNMENTS NOT CONFORMING WITH THIS SECTION SHALL BE  
49 REPLACED OR MODIFIED TO CONFORM WITHIN FIVE YEARS. WATER DISTRICTS ARE  
50 AUTHORIZED AND ENCOURAGED TO OFFER CREDITS OR REDUCED WATER CHARGES TO  
51 RESIDENTS CONFORMING WITH SUCH CHANGES.  
52

53 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:  
54 (A) "ANNUAL GROWTH" MEANS THAT WHICH OCCURS IN A PARTICULAR CALENDAR YEAR  
55 ABOVE THAT FOR THE PREVIOUS YEAR.  
56

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

(B) "FARMS AND RANCHES" MEANS FACILITIES USED FOR CULTIVATION, FEEDING AND RAISING FOOD PRODUCTS, AND INCLUDE NEEDED BUILDINGS AND HOUSING LOCATED ON A PARTICULAR COMMONLY OWNED AGRICULTURAL LAND PARCEL OR PARCELS.

(C) "LOCAL GOVERNMENT" MEANS A CITY, TOWN, CITY AND COUNTY, OR COUNTY, WHETHER STATUTORY OR HOME RULE.

(D) "PRIVATELY OWNED RESIDENTIAL HOUSING" MEANS A SUMMATION OF DWELLING UNITS WHICH ARE RESIDENTIALLY ZONED OR OTHERWISE INTENDED FOR PRIVATE RESIDENTIAL USE. THOSE OWNED BY A FEDERAL, STATE OR LOCAL GOVERNMENT ENTITY, OR AN EDUCATIONAL OR MEDICAL FACILITY ARE EXCLUDED.

(E) "RESIDENTIAL DWELLING UNIT" MEANS A BUILDING OR ANY PORTION OF SUCH DESIGNED FOR OCCUPANCY AS COMPLETE, INDEPENDENT LIVING QUARTERS FOR ONE OR MORE PERSONS, HAVING DIRECT ACCESS FROM THE OUTSIDE OF THE BUILDING OR THROUGH A COMMON HALL AND HAVING LIVING, SLEEPING, KITCHEN AND SANITARY FACILITIES FOR THE EXCLUSIVE USE OF THE OCCUPANTS.

PROPOSERS:  
DANIEL HAYES  
15409 HWY 72 ARVADA CO. 80007  
303 424 4455  
[WATERACT@YAHOO.COM](mailto:WATERACT@YAHOO.COM)

DR. GREGORY DILORENZO  
4300 HARLEN STREET  
WHEAT RIDGE CO. 80033  
303 424 6019