

Colorado Legislative Council Staff Fiscal Note
REVISED NO FISCAL IMPACT

(replaces fiscal note dated February 13, 2013)

Drafting Number: LLS 13-0309
Prime Sponsor(s): Sen. Schwartz
 Rep. Fischer

Date: March 12, 2013
Bill Status: Senate Appropriations
Fiscal Analyst: Kirk Mlinek (303-866-2756)

TITLE: CONCERNING THE PROMOTION OF WATER CONSERVATION MEASURES.

Summary of Legislation

The bill, as amended by the Senate Agriculture, Natural Resources, and Energy Committee, restricts a water judge from determining a water user's historical consumptive use in Water Divisions 4, 5, or 6 based on water use reductions resulting from:

- enrollment in a federal land conservation program;
- participation in certain water conservation programs;
- participation in an approved land fallowing program or to provide water for compact compliance; or
- participation in a water banking program.

The Water Right Determination and Administration Act of 1969 created seven water divisions based on the geography of river basins in Colorado. This bill applies to the basins listed below:

- Water Division 4 — Gunnison River Basin;
- Water Division 5 — Colorado River Basin; and
- Water Division 6 — White River Basin.

Assessment

The bill will not affect the revenue or expenditures of any state agency or the Judicial Branch. As amended, the bill is not expected to result in an increase in the number of water rights change cases filed with the court. The bill limits the scope of factors that a water judge may consider when determining historical consumptive use, which is not expected to materially impact the amount of time spent on change cases.

Departments Contacted

Judicial
 Natural Resources
 Municipalities

Agriculture
 Law
 Special Districts

Local Affairs
 Counties