

Water

Water-related bills considered during the 2005 session dealt with a variety of issues such as water rights, including loans of private water rights to the Colorado Water Conservation Board, an exception to the definition of abandonment of a water right; notification requirements for the determination of a water right; recreational water rights; the negotiation of interbasin water compacts; legislative approval of Water Pollution Control Revolving Fund and Drinking Water Revolving Fund projects; funding for Colorado Water Conservation Board projects; and allowing certain water districts to provide park and recreation services in connection with a reservoir.

Interbasin compacts. HB 05-1177 creates a two-part process for negotiating interbasin water use agreements. The first part of the process involves nine separate round tables that develop water use plans for each of the state's eight river basins and the Denver metropolitan area. The basin round tables and the Governor then appoint members to another committee that is charged with negotiating interbasin water compacts to allocate the remaining portion of Colorado's rivers that are available for new uses. Such agreements would be similar to the interstate water compacts that allocate Colorado's river between Colorado water users and downstream states.

Limits on water transfers outside of areas of origin. HB 05-1296 would have limited transfers of water outside of certain water districts and counties that are not covered by enforceable mitigation agreements or have court-imposed protections for affected water users. It would also have required affected districts or counties to allow for public comment on proposed mitigation agreements. The bill was lost in the House.

Recreational water rights. SB 05-062 would have limited the volume of new water rights for recreational purposes and prohibited owners from using their water right during water shortages if they could not control the stream flow they were demanding. Ownership of a recreational water right would have been limited to counties, municipalities, and certain water districts only. Recreational water rights would also have been limited to certain water-based activities, including kayaking and rafting. The bill was lost in the House.

South Metro Water Conservation District. Three bills sought to create a water conservation district in the southern Denver Metropolitan area — HB 05-1298 (postponed indefinitely), SB 05-085 (lost in the House), and SB 05-242 (postponed indefinitely). This area includes some of the fastest growing communities in Colorado. These communities are currently reliant on an expensive and nonrenewable ground water resource called the Denver Basin Aquifer. The South Metro Water Conservation District would have provided a financing mechanism to acquire a renewable water supply, and build a water distribution system.