

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

BILL 5

LLS NO. 17-0122.01 Thomas Morris x4218

INTERIM COMMITTEE BILL

Water Resources Review Committee

A BILL FOR AN ACT

101 **CONCERNING AN EXPANSION OF THE BOUNDARIES OF THE REPUBLICAN**
102 **RIVER WATER CONSERVATION DISTRICT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)

Water Resources Review Committee. The boundaries of the Republican river water conservation district are currently established by statute as certain counties and portions of counties that are within the Republican river basin. The bill expands the boundaries by including in the district areas where groundwater pumping depletes the flow of the Republican river. The composition of the district's board of directors is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

adjusted accordingly.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 37-50-103, **amend**
3 (1) as follows:

4 **37-50-103. Creation and name of district.** (1) There is hereby
5 created a water conservation district to be known and designated as the
6 "Republican river water conservation district". The district is hereby
7 declared to be a body corporate under the laws of Colorado. The district
8 ~~shall comprise~~ CONSISTS OF the following area and territory of the state of
9 Colorado:

- 10 (a) Phillips and Yuma counties; and
11 (b) Those portions of CHEYENNE, ELBERT, Kit Carson, Lincoln,
12 Logan, Sedgwick, and Washington counties within the ~~Republican river~~
13 ~~basin~~ MODEL DOMAIN OF THE REPUBLICAN RIVER COMPACT
14 ADMINISTRATION GROUNDWATER MODEL WITHIN THE STATE OF
15 COLORADO AS THAT DOMAIN IS DEFINED IN APPENDIX B TO THE FINAL
16 REPORT OF THE SPECIAL MASTER WITH CERTIFICATE OF ADOPTION OF
17 RRCA GROUNDWATER MODEL, *KANSAS V. NEBRASKA AND COLORADO*,
18 UNITED STATES SUPREME COURT, NO. 126, ORIGINAL, DATED SEPTEMBER
19 17, 2003.

20 **SECTION 2.** In Colorado Revised Statutes, 37-50-104, **amend**
21 (1); and **add** (3)(a)(IV) as follows:

22 **37-50-104. Board of directors.** (1) (a) The district shall be
23 managed and controlled by a board of ~~fifteen~~ SEVENTEEN directors. The
24 members of the board shall hold their offices for terms of three years and
25 until their successors are appointed and qualified. A director may serve

1 one or more terms. The boards of county commissioners of the counties
2 of Yuma, Phillips, Kit Carson, Washington, Sedgwick, Lincoln,
3 CHEYENNE, and Logan shall each appoint one director, who ~~shall~~ MUST
4 be a resident of the respective county. One member of the board shall be
5 appointed by each of the boards of the EAST CHEYENNE, Marks Butte,
6 Frenchman, W-Y, Sand Hills, Central Yuma, Arikaree, and Plains ground
7 water management districts. One member of the board shall be appointed
8 by the Colorado ground water commission and ~~shall~~ MUST be a member
9 of the Colorado ground water commission.

10 (b) Each director ~~shall~~ MUST be, at the time of the director's
11 appointment, a resident and owner of real property within the county or
12 ground water management district from which he or she is appointed or,
13 if only a part of the county or ground water management district is
14 included within the boundaries of the district, a resident and owner of real
15 property within such included part. The director appointed by the
16 Colorado ground water commission ~~shall~~ MUST, at the time of
17 appointment, reside within the district. Each director shall be appointed
18 by either the board of county commissioners of the county in which the
19 director resides or by the ground water management district in which the
20 director resides. The director may be a member of the board of county
21 commissioners of such county or the board of directors of such ground
22 water management district. ~~Such~~ THE appointments shall be made at the
23 first meeting of the board of county commissioners, ground water
24 management district, or Colorado ground water commission after the
25 establishment of the district; EXCEPT THAT THE DIRECTORS APPOINTED BY
26 THE CHEYENNE COUNTY BOARD OF COUNTY COMMISSIONERS AND THE
27 EAST CHEYENNE GROUND WATER MANAGEMENT DISTRICT SHALL BE

1 APPOINTED AT THE FIRST MEETING OF THE BOARD OF COUNTY
2 COMMISSIONERS OR GROUND WATER MANAGEMENT DISTRICT, AS
3 APPLICABLE, AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1)(b) AS
4 AMENDED.

5 (c) The members of the board shall annually select one of their
6 number to act as president and one of their number to act as
7 vice-president, each to hold office for one year or until a successor is duly
8 selected.

9 (3) (a) Upon creation of the district, the directors shall be
10 appointed by the respective boards of county commissioners or ground
11 water management districts as provided in this section for the following
12 terms of office:

13 (IV) THE DIRECTOR FROM THE COUNTY OF CHEYENNE HAS AN
14 INITIAL TERM ENDING ON THE DATE OF THE REGULAR QUARTERLY MEETING
15 OF THE BOARD OF COUNTY COMMISSIONERS TO BE HELD IN OCTOBER 2020.
16 THE DIRECTOR FROM THE EAST CHEYENNE GROUND WATER MANAGEMENT
17 DISTRICT HAS AN INITIAL TERM ENDING ON THE DATE OF THE REGULAR
18 QUARTERLY MEETING OF THE DISTRICT'S BOARD TO BE HELD IN OCTOBER
19 2019.

20 **SECTION 3. Act subject to petition - effective date -**
21 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
22 the expiration of the ninety-day period after final adjournment of the
23 general assembly (August 9, 2017, if adjournment sine die is on May 10,
24 2017); except that, if a referendum petition is filed pursuant to section 1
25 (3) of article V of the state constitution against this act or an item, section,
26 or part of this act within such period, then the act, item, section, or part
27 will not take effect unless approved by the people at the general election

1 to be held in November 2018 and, in such case, will take effect on the
2 date of the official declaration of the vote thereon by the governor.

3 (2) This act applies to conduct occurring on or after the applicable
4 effective date of this act.