A BILL FOR AN ACT

Concerning a requirement that the Colorado Water Conservation Board prioritize water storage in the South Platte River basin in choosing projects to finance with money from the Colorado Water Conservation Board Construction Fund.

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://leg.colorado.gov.)

The Colorado water conservation board (board) finances water projects throughout the state. Current law requires the board to prioritize
projects that will increase the beneficial consumptive use of Colorado’s undeveloped compact-entitled waters. The bill includes within this priority a specific priority for projects that increase or improve water storage in the South Platte river basin as a means of increasing the beneficial consumptive use of undeveloped water entitled under the South Platte river compact and in a manner that reduces reliance on transmountain diversions.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:
   (a) It is of the utmost importance for Colorado to increase the beneficial consumptive use of the undeveloped waters of the state that are subject to compact compliance obligations;
   (b) By storing undeveloped waters of the state, Colorado can allocate more water for the state's increasing water demands in a manner that reduces reliance on transmountain diversions;
   (c) The storage of undeveloped waters of the state would be especially beneficial in the South Platte river basin, where stored water would help the state respond efficiently to increasing water demands for agricultural, municipal, and industrial beneficial uses in the basin; and
   (d) Therefore, when financing water projects through the Colorado water conservation board, Colorado should prioritize projects that increase or improve water storage in the South Platte river basin.

SECTION 2. In Colorado Revised Statutes, 37-60-121, amend (1)(a), (1)(b) introductory portion, and (1)(b)(I) as follows:

37-60-121. Colorado water conservation board construction fund - creation - nature of fund - funds for investigations - contributions - use for augmenting the general fund - funds created - repeal. (1) (a) There is hereby created a fund to be known as the
Colorado water conservation board construction fund, which shall consist
CONSISTS of all moneys which MONEY THAT THE GENERAL ASSEMBLY may
be appropriated thereto by the general assembly APPROPRIATE TO THE
FUND OR WHICH THAT may be otherwise made available to it by the general
assembly and such charges that may become a part thereof BE CREDITED
TO THE FUND under the terms of section 37-60-119. All interest earned
from the investment of moneys MONEY in the fund shall be credited to the
fund and become a part thereof. Such OF THE fund. THE FUND shall be a
continuing fund, TO AND MONEY IN THE FUND MAY be expended in the
manner specified in section 37-60-122 and shall DOES not revert to the
general fund of the state at the end of any fiscal year.

(b) In the consideration of making expenditures from the fund, the
board shall be guided by MAKE ITS DETERMINATIONS BASED ON the
following criteria:

   (I) The first priority of the moneys MONEY available to the fund
shall be devoted to projects which THAT will increase the beneficial
consumptive use of Colorado's undeveloped compact-entitled waters,
INCLUDING A PRIORITY FOR PROJECTS THAT INCREASE OR IMPROVE WATER
STORAGE IN THE SOUTH PLATTE RIVER BASIN:

   (A) AS A MEANS OF INCREASING THE BENEFICIAL CONSUMPTIVE
use of COLORADO'S UNDEVELOPED WATERS TO WHICH COLORADO IS
ENTITLED UNDER THE SOUTH PLATTE RIVER COMPACT, ENTERED INTO
PURSUANT TO ARTICLE 65 OF THIS TITLE 37; AND

   (B) IN A MANNER THAT REDUCES RELIANCE ON TRANSMOUNTAIN
diversions;

SECTION 3. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, or safety.