

**First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0741.01 Thomas Morris x4218

**HOUSE BILL 15-1167**

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**HOUSE SPONSORSHIP**

**Brown,**

**SENATE SPONSORSHIP**

**Sonnenberg,**

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**House Committees**

Agriculture, Livestock, & Natural Resources  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A STUDY REGARDING THE CREATION OF ADDITIONAL**  
102 **WATER SUPPLIES IN THE SOUTH PLATTE RIVER BASIN.**

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**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/billsummaries>.)*

The bill directs the Colorado water conservation board to study the feasibility of supplementing water supplies in the South Platte river basin through the construction of a new reservoir on the mainstem of the South Platte river between Greeley and Julesburg and the importation of water into Colorado from the Missouri river basin. The study must also estimate the volume of water that has been delivered to Nebraska above the

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.

amounts required to be delivered by the South Platte river compact and that could otherwise have been stored in the lower South Platte river basin for each of the previous 20 years. The board must provide the water resources review committee and the governor's office with an update concerning the study by October 31, 2015, include the findings from the study in the Colorado water plan, complete the study by December 31, 2015, and provide a summary report on the study to the general assembly and the governor's office by February 15, 2016.

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

2 **SECTION 1.** In Colorado Revised Statutes, 37-60-115, **add** (10)  
3 as follows:

4 **37-60-115. Water studies - rules - repeal.** (10) **South Platte**  
5 **river basin storage study.** (a) THE BOARD, USING INFORMATION  
6 ALREADY COMPILED BY THE DRAFT COLORADO WATER PLAN AND THE  
7 SOUTH PLATTE BASIN ROUNDTABLE CREATED IN SECTION 37-75-104 (3)  
8 (b) (I), AND DIRECTLY COMMUNICATING WITH THAT BASIN ROUNDTABLE,  
9 SHALL MAKE, OR CAUSE TO BE MADE, A STUDY OF THE FEASIBILITY OF  
10 SUPPLEMENTING WATER SUPPLIES IN THE SOUTH PLATTE RIVER BASIN  
11 THROUGH THE CONSTRUCTION OF ONE OR MORE NEW RESERVOIRS IN THE  
12 SOUTH PLATTE RIVER BASIN AND THE IMPORTATION OF WATER INTO  
13 COLORADO FROM THE MISSOURI RIVER BASIN. THE GOALS OF THE STUDY  
14 ARE TO:

15 (I) ASSESS THE SUITABILITY OF STORAGE SITES IN THE SOUTH  
16 PLATTE RIVER BASIN, REGARDLESS OF WHETHER THEY MAY PREVIOUSLY  
17 HAVE BEEN STUDIED, INCLUDING THE MAINSTEM, TRIBUTARIES,  
18 OFF-STREAM STORAGE, UNDERGROUND STORAGE, ENLARGEMENT OF  
19 EXISTING RESERVOIRS, AND DREDGING OF EXISTING RESERVOIRS, TAKING  
20 INTO CONSIDERATION THAT THE STORED WATER WOULD BE USED:

21 (A) FOR COMPLIANCE WITH THE SOUTH PLATTE RIVER COMPACT,

1 ARTICLE 65 OF THIS TITLE;

2 (B) TO AUGMENT MUNICIPAL SUPPLIES, INCLUDING BY EXCHANGE;

3 (C) AS A SOURCE OF AUGMENTATION SUPPLY FOR JUNIOR

4 GROUNDWATER DIVERTERS, INCLUDING FOR AGRICULTURAL PURPOSES;

5 (D) CONJUNCTIVELY WITH GROUNDWATER SUPPLIES, INCLUDING

6 BY STORING WATER IN THE ALLUVIAL AQUIFER; AND

7 (E) TO REDUCE THE NEED FOR THE IMPORTATION OF WATER INTO

8 THE SOUTH PLATTE RIVER BASIN FROM OTHER BASINS IN COLORADO,

9 INCLUDING, SPECIFICALLY, THE COLORADO RIVER BASIN;

10 (II) ESTIMATE, FOR EACH OF THE PREVIOUS TWENTY YEARS, THE

11 VOLUME OF WATER THAT HAS BEEN DELIVERED TO NEBRASKA IN EXCESS

12 OF THE AMOUNTS REQUIRED TO BE DELIVERED BY THE SOUTH PLATTE

13 RIVER COMPACT, ARTICLE 65 OF THIS TITLE, AND THAT COULD OTHERWISE

14 HAVE BEEN STORED IN THE LOWER SOUTH PLATTE RIVER BASIN;

15 (III) ASSESS THE FEASIBILITY OF CONSTRUCTING A NEW

16 RESERVOIR AT ONE OR MORE OF THE STORAGE SITES STUDIED PURSUANT

17 TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), INCLUDING

18 CONSIDERATION OF ENVIRONMENTAL, PERMITTING, WATER AVAILABILITY,

19 FINANCIAL, AND LEGAL CONSTRAINTS, INCLUDING THOSE IMPOSED BY THE

20 SOUTH PLATTE RIVER COMPACT AND THE "COOPERATIVE AGREEMENT FOR

21 PLATTE RIVER RESEARCH AND OTHER EFFORTS RELATING TO

22 ENDANGERED SPECIES HABITATS ALONG THE CENTRAL PLATTE RIVER,

23 NEBRASKA";

24 (IV) ASSESS EXISTING STUDIES CONDUCTED IN COLORADO OR

25 OTHER STATES IN THE MISSOURI RIVER BASIN ON THE CONSTRUCTION OF

26 A PIPELINE TO IMPORT WATER INTO COLORADO FROM THE MISSOURI RIVER

27 BASIN; AND

1 (V) ESTIMATE THE COSTS AND BENEFITS OF INCREASING STORAGE  
2 IN THE SOUTH PLATTE RIVER BASIN BY DREDGING ONE OR MORE EXISTING  
3 RESERVOIRS IN THE BASIN TO INCREASE THE AFFECTED RESERVOIRS'  
4 AVAILABLE STORAGE CAPACITY.

5 (b) THE BOARD SHALL:

6 (I) PROVIDE THE WATER RESOURCES REVIEW COMMITTEE CREATED  
7 IN SECTION 37-98-102, THE GOVERNOR'S OFFICE, THE EXECUTIVE  
8 DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, AND THE  
9 GENERAL ASSEMBLY'S COMMITTEES OF REFERENCE WITH JURISDICTION  
10 OVER NATURAL RESOURCES WITH AN UPDATE CONCERNING THE STUDY BY  
11 OCTOBER 31, 2015;

12 (II) INCLUDE THE FINDINGS FROM THE STUDY IN THE COLORADO  
13 WATER PLAN;

14 (III) COMPLETE THE STUDY AS EXPEDITIOUSLY AS PRACTICABLE,  
15 BUT IN NO EVENT LATER THAN DECEMBER 31, 2015; AND

16 (IV) PROVIDE A REPORT SUMMARIZING THE STUDY TO THE  
17 GOVERNOR'S OFFICE AND THE GENERAL ASSEMBLY'S COMMITTEES OF  
18 REFERENCE WITH JURISDICTION OVER NATURAL RESOURCES BY FEBRUARY  
19 15, 2016.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.