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Amending 148-21-45, Colorado Revised Statutes 1963, as Amended, Concerning Exemptions from the Provisions of the "Water Right Determination and Administration Act of 1969"

Colorado General Assembly

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CHAPTER 378

WATER RIGHTS AND IRRIGATION

WATER RIGHT DETERMINATION
AND ADMINISTRATION

House Bill No. 1160. By Representatives R. Jackson, Davidson, Evetts, Schafer, Showalter, Sooter, and Younglund; also Senators Anderson and Parker.

A N A C T

AMENDING 148-21-45, COLORADO REVISED STATUTES 1963, AS AMENDED, CONCERNING EXEMPTIONS FROM THE PROVISIONS OF THE "WATER RIGHT DETERMINATION AND ADMINISTRATION ACT OF 1969".

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

Section 1. 148-21-45, Colorado Revised Statutes 1963 (1969 Supp.), is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

148-21-45. **Exemptions.** (1) (a) The provisions of this article, except for sections 148-21-8 and 148-21-9, shall not be applicable to:

(b) Designated ground water basins as defined and established by article 18 of this chapter;

(c) Wells not exceeding fifteen gallons per minute of production and used for ordinary household purposes, fire protection, the watering of poultry, domestic animals, and livestock on farms and ranches, and the irrigation of not over one acre of home gardens and lawns, but not used for more than three single-family dwellings;

(d) Wells not exceeding fifteen gallons per minute of production and used for drinking and sanitary facilities in individual commercial businesses;

(e) Wells to be used exclusively for fire-fighting purposes if said wells are capped, locked, and available for use only in fighting fires; and

(f) Wells not exceeding fifty gallons per minute which are in production as of the effective date of this section, as amended, and were and are used for ordinary household purposes for not more than three single-family dwellings, fire protection, the watering of poultry, domestic animals, and livestock on farms and ranches, and the irrigation of not over one acre of gardens and lawns.

(2) The state engineer shall issue a permit for the construction of wells specified in subsection (1) of this section without regard to the provisions of section 148-18-36 upon submission of an application which shall be accompanied by a fee of five dollars.

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

Approved: May 22, 1971