A Bill for an Act

CONCERNING A SURVEY OF THE WATER RESOURCES OF THE
STATE AND PERTAINING TO TEMPORARY REGULATION OF
THE INITIATION AND THE ADJUDICATION OF WATER RIGHTS,
AND MAKING AN APPROPRIATION TO THE COLORADO WATER
CONSERVATION BOARD.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Short title. This act shall be known as the "State Water
Resources Inventory Act".

Section 2. Purpose of act. The purpose of this act is to preserve the
integrity of Colorado in fulfilling its obligations for delivery of water to
other states under federally approved and ratified interstate compacts,
and to determine the water resources of the state, and the capacity of each
major river drainage basin to meet existing interstate compact obligations.

Section 3. Colorado water conservation board to initiate study and
inventory. (1) Upon the effective date of this act, the Colorado water
conservation board is directed to organize and commence a survey and
inventory of water resources in each of the major river drainage basins of
the state. Such inventory shall include the determination of: (a) virgin
stream flow; (b) existing consumptive uses, both in-basin and out-of-basin

Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.
of origin; (c) whether consumptive uses have depleted stream flow below
that necessary to fulfill the river drainage basin's proportionate share of
water for delivery to other states under existing interstate compact ob-
ligations; (d) virgin flow, if any, in excess of the total of consumptive
uses together with the river drainage basin's proportionate share of the
obligation to deliver water to other states under existing interstate com-
pacts; (e) known potential in-basin consumptive use requirements.

(2) On completion of the survey provided for in subsection (1) of
this section, the Colorado water conservation board shall certify such
completion of the survey to each of the state courts having jurisdiction
as set out in section 4 of this act.

Section 4. Courts to abate or hold in abeyance actions concerning
diversion of water outside the basin of origin—proposed diversions—effect.

(1) On the effective date of this act, all state courts having jurisdiction
in the appropriation of water and adjudication of water rights shall tem-
porarily abate any action or filing for or proposing the diversion of stream
flows outside of any major river drainage basin of origin. Such moratorium
or temporary abatement shall remain in force for a period of two years
from the effective date of this act, or until certification of completion of
the survey by the Colorado water conservation board, as provided in sub-
section (2) of section 3 of this act, whichever first occurs.

(2) On the effective date of this act, all state courts having jurisdic-
tion in appropriation of water and adjudication of water rights shall
temporarily hold in abeyance and stay any action pending before them
proposing to divert stream flows outside of any major river drainage

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basin of origin. Such moratorium or temporary stay or abeyance shall
remain in force for a period of two years from the effective date of this
act, or until certification of completion of the survey by the Colorado
water conservation board, as provided in subsection (2) of section 3 of
this act, whichever first occurs.

(3) No rule or doctrine of law shall operate to give proposed diversions
from such major basin or basins initiated during the period of said
moratorium preference over any uses or appropriations within such basin
or basins initiated during the same period of time.

Section 5. Appropriation. There is hereby appropriated out of any
moneys in the state treasury not otherwise appropriated, to the Colorado
water conservation board, for the fiscal year 1963-1964, the sum of forty
thousand dollars ($40,000.00), or so much thereof as may be necessary,
for the purposes of administering this act.

Section 6. Effective date. This act shall take effect on July 1, 1963.

Section 7. Safety clause. The general assembly hereby finds, deter-
mines, and declares that this act is necessary for the immediate preserva-
tion of the public peace, health, and safety.