

**House Sponsor-Representative Looper**  
**Senate Sponsor-Senator Gordon**  
**Title-Small Capacity, Residential Well Ownership Tracking**  
**HB 08-1014**



**Purpose:**

The purpose of this bill is to address the accuracy of well permit records, protect buyers from unscrupulous sellers who may try to claim the well at a later time, and add enforcement to an existing law without burdening the taxpayer.

C.R.S. 37-90-143(enacted in 1995), requires any new well owner to updated the Division of Water Resources. This law enacted 18 years ago is out of compliance a majority of the time. A majority of the well ownership records at the Division of Water Resources are inaccurate and out of date or not available.

The passage of this bill will provide the Division of Water Resources timely and accurate data to:

1. Ensure wells are properly constructed and maintained.
2. Notify well owners of any health, safety, water right or stewardship issues pertaining to their ground water well within a timely and efficient manner.
3. Carry out its statutory duties.

**Contents:**

On or after January 1, 2009, when a buyer of residential real estate enters into a transaction that results in the transfer of ownership of **domestic small capacity or domestic exempt wells**, the buyer shall prior to, or at closing complete the necessary form to register the well into their name.

It shall be the responsibility of the *buyer* to provide the completed transfer of ownership form to the closing company. The closing companies providing the settlement services will have 60 days to forward the completed form to the Division of Water Resources.

**Supporters:**

Colorado State Ground Water Commission  
Colorado Water Congress  
Douglas County Water Authority  
Pikes Peak Water Authority

Colorado Environmental Coalition  
El Paso County Protect Our Wells

Thank you,

Rep. Marsha Looper