



MESSAGE FROM MARSHA

LET IT RAIN...

March 2, 2009

This week we begin the second round of battles regarding the ownership of raindrops and snowflakes. Many bureaucrats believe the rain and water only belong to senior water right holders and to a certain extent there is some truth to that position. The use of water in Colorado is governed by the "Prior Appropriations System", a type of system that controls who uses the water, how much water can be used, the types of uses allowed and when the water can be used. This is often referred to as "first in time, first in right".

According to the Colorado Division of Water Resources, the first person to take water from a stream or underground aquifer and put the water to beneficial use has the first right to the use of that water within a particular stream system. This first person (after a court decree verifying the priority status) becomes the senior water right holder on the stream system. This system of "Prior Appropriations" is very complex with some priorities as old as 1850 in the San Luis Valley.

I am sponsoring a bill that will allow citizens to collect rainwater from their residential rooftops in rural and unincorporated areas of the state. Senator Isgar(D) and I hope to persuade a majority of the members in the General Assembly to allow property owners to harvest the rain and snow falling on their property, assuming there is no injury to a stream system.

SB080 establishes an application process through the State Engineer's office to allow individuals to install rain barrels and collection systems (rainwater collection) to capture those precious raindrops and snowflakes. The following uses are allowed in SB080:

- Ordinary Household Purposes;
- Fire Protection
- Providing water for poultry, domestic animals, and livestock and farms and ranches; or
- Irrigation of not more than once acre of water for gardens and lawns.

For communities such as Calhan, Peyton, Ellicott, Falcon, Security, Widefield, Monument, Elbert and Elizabeth that rely heavily on groundwater wells, this conservation technique will provide relief from the stress of continued pumping and **extend the life of our underground aquifers.** Extending the life of our surface and underground water is the primary intent for this bill!

As debate continues on this bill, your support is appreciated and needed in order to allow Colorado to move forward with this very important conservation technique. I invited you to contact your state legislators and encourage them to support SB09-080.

Respectfully,

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