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COLORADO DIVISION OF WATER RESOURCES

Water Administration Fees Program An Overview

Senate Bill 03-278 requires owners of absolute water rights adjudicated for direct flow of at least one cfs or storage of at least 100 acre feet to pay an annual water administration fee.

This bill authorizes the State Engineer to collect those fees.

Fee Schedule

Fees are assessed per decreed water right and are billed to the owner of record. Fee amounts are based on the decree of record.

Direct flow (1+ cfs)	Storage (100+ acre-feet)
\$10 – agricultural irrigation, recharge, stock watering only	\$25 – agricultural irrigation, recharge, stock watering only
\$250 – decrees including any other beneficial use	\$100 – decrees including any other beneficial use

If the decree includes uses from both sets of fee categories, it is assessed the **higher** fee.

An owner may submit an affidavit to the Denver office stating that the current use does not include domestic.

This fee program has been necessitated by an ever-tightening state budget. Revenues collected by the program will be utilized only for Water Admin. The February 2004 invoices cover the year ending 10/31/03. On or after 11/01/04, invoices will be mailed to cover the year ending 10/31/04.

Disputes must be made in writing and may be delivered to your division office. Please fax those disputes to Scott Richrath at 303-866-2223 using the attached form as a cover sheet.

Measures for correcting or disputing ownership of a water right and associated fees are provided with the owner's statement.

Water owners must dispute in writing, stating their name, WDID number, basis for dispute, and names and addresses of parties that may clarify the dispute. The division may attach any information that may help us render a decision.

Dear Water User:

On April 7, Governor Owens signed into law House Bill 04-1402, repealing the Water Administration Fee Program. The repeal requires the Division of Water Resources to cease collection of Water Administration Fees and refund those fees already collected by no later than June 30, 2004.

The repeal of this program was developed with two primary considerations:

1. The legislative economic forecast indicates that the amount of revenue received from the water administration fees would be equal to the amount refunded by TABOR in fiscal year 2004-2005.
2. The general concept that water resources are a life-sustaining necessity and of comprehensive value to all of Colorado's citizens is a benchmark that pre-dates statehood – therefore, it is appropriate to fund water administration through general funds.

We thank the water users and the general public for the input and patience they have provided during this time.

Persons who have paid their Water Administration Fees will receive either a refund of the payment, a return of your voided check, or a return of your credit card information. Every attempt was made to provide a refund to the appropriate party based on check information, change of address information, and appeal documentation. Endorsement of a state refund check acknowledges that the endorsee will distribute funds to the appropriate parties. Please contact our office at 877-866-9237 Option #3 if you have any questions or concerns regarding this process.