

State of Colorado

Colorado Ground Water Commission

Duties

<http://water.state.co.us/cgwc/Duties.htm>

The Ground Water Commission is authorized to establish Designated Ground Water Basins pursuant to Section 37-90-106, [Colorado Revised Statutes](#). "Designated Ground Water" is defined as ground water that is not adjacent to continuously flowing natural streams or would not be available or required for the fulfillment of decreed surface rights. Additionally, the Ground Water Commission has the authority to create Ground Water Management Districts within predetermined designated ground water basins. Currently the Ground Water Commission has established eight [designated basins](#) and 13 [Ground Water Management Districts](#) within such basins.

The Ground Water Management Act gives the Ground Water Commission authority to issue large capacity well permits, changes in water rights and replacement wells, and to adopt rules and policies. Additionally, the Ground Water Commission has the authority to enforce permit conditions and priorities, and to issue summary orders prohibiting or limiting withdrawal of ground water. Currently the Ground Water Commission has adopted [rules](#) and several [policies](#) to assist in the administration of designated ground water. The Ground Water Commission has delegated many functions to the State Engineer which include:

- Issuance of new conditional large capacity well permits
- Determination of rights to ground water in the Denver Basin aquifers within the designated basins
- Issuance of replacement well permits for large capacity wells
- Granting change of water rights for large capacity wells or Determinations of Water Right
- Issuance of final permits for large capacity wells
- Provide technical and administrative support to the Ground Water

Commission and the Ground Water Management Districts.

The only functions that the Ground Water Commission has not delegated to the State Engineer are the determination of designated ground water basins, the creation of ground water management districts, the creation and adoption of rules and policy, and the review of variance requests to such rules and policy.

The Ground Water Commission has the authority to conduct adjudicatory hearings and these decisions are subject to judicial review. Currently the Ground Water Commission has delegated to its hearing officer the review of facts, conclusions of law and initial decisions of the Ground Water Commission concerning designated ground water. This delegation relieves the Ground Water Commission from initial hearing procedures and decisions. The Ground Water Commission may hear or review protests to the hearing officer's decisions and acts as final administrative authority. If a contesting party is still unsatisfied, this party may appeal the Ground Water Commission decision to district court in the county where the water right is located.