

S.B. 09-80 Rooftop precipitation capture - when allowed - procedures.

Authorizes the collection of precipitation from the roof of a building that is primarily used as a residence and is not served by a domestic water system serving more than 3 single-family dwellings, if the water collected is used for: !

- Fire protection;
- The watering of poultry, domestic animals, and livestock on farms and ranches;
- The irrigation of not over one acre of gardens and lawns; or
- Ordinary household purposes.

Restricts use of rooftop precipitation capture systems to persons having or legally entitled to have an exempt or small capacity well. Subjects such systems to any limitations on use that are or would be contained in the small capacity or exempt well permit.

Recognizes the authority of the board of a ground water management district to impose rules further restricting the use of rooftop precipitation capture systems.

Requires a person who wishes to collect precipitation from a rooftop to file an application in the form and manner specified by the state engineer and, unless the applicant has a current well permit or is applying for a new well permit, pay a fee in an amount to be determined by the state engineer. Directs the state engineer to transmit such fees to the ground water management cash fund and specifies that the fund may be used to monitor compliance with rooftop precipitation capture laws and regulations.

Authorizes the state engineer and division engineers to issue orders to enforce rooftop precipitation capture laws. When such orders are violated, allows the state engineer, through the state attorney general, to seek an injunction or a fine of up to \$500 for each violation, from the water court district in which the violations occurred. States that any fines collected shall be transmitted to the state treasurer, who shall credit the same to the ground water management fund.

APPROVED by Governor April 22, 2009 EFFECTIVE July 1, 2009