

## Colorado Revised Statutes 2021

**37-60-123.7. Acquisitions of water for instream flows.** (1) In addition to any other moneys appropriated from the Colorado water conservation board construction fund, up to one million dollars in the fund are continuously appropriated to the board annually to pay for the costs of acquiring water, water rights, and interests in water for instream flow use. The total amount of the continuous appropriation that is unencumbered in any fiscal year must not exceed one million dollars. The primary priority for expenditures of these revenues is the costs of water acquisitions for existing or new instream flow water rights to preserve and improve the natural environment to a reasonable degree. These revenues also may be used, in limited circumstances, for the costs of water acquisitions to:

(a) Preserve and improve the natural environment of species that have been listed as threatened or endangered under state or federal law, are candidate species, or are likely to become candidate species;

(b) Support wild and scenic alternative management plans; or

(c) Provide federal regulatory certainty.

(1.5) Repealed.

(2) Prior to any expenditure of funds under this section, the board shall adopt criteria and guidelines regarding its implementation of this spending authority. The board shall approve any expenditure of funds pursuant to this section. Within three months after the end of any fiscal year during which the spending authority created pursuant to this section is exercised, the board shall report to the general assembly regarding how such spending authority was exercised.

**Source: L. 2008:** Entire section added, p. 1574, § 28, effective May 29. **L. 2009:** (1.5) added, (SB 09-235), ch. 388, p. 2101, § 9, effective July 1, 2010. **L. 2012:** (1.5) amended, (HB 12-1317), ch. 248, p. 1239, § 104, effective June 4. **L. 2013:** (1) amended, (SB 13-181), ch. 209, p. 868, § 15, effective May 13; (1.5) repealed, (SB 13-175), ch. 243, p. 1176, § 4, effective May 18.