



OFFICIAL NOTICE OF PUBLIC RULEMAKING HEARING

**RULES AND REGULATIONS APPLYING TO WELL PERMITS TO WITHDRAW
GROUNDWATER PURSUANT TO SECTION 37-90-137(4), C.R.S.
(2 CCR 402-7)**

On Wednesday January 20, 2021, at 10:00 a.m., the Division of Water Resources will hold a public rulemaking hearing, pursuant to section 24-4-103(4)(a), C.R.S., before the Hearing Officer for the State Engineer (“Hearing Officer”) via Zoom conferencing. At the hearing, the Hearing Officer will afford interested parties an opportunity to submit and present written or oral data, views, or arguments for consideration by the Hearing Officer. This Notice contains information on how to attend the hearing virtually and how to request party status.

Rulemaking Hearing Information

Topic: Nontributary Groundwater Rulemaking
Date: Wednesday, January 20, 2021
Start Time: 10:00 am Mountain Time (Parties may join at 9:45 am)
Location: Zoom Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/83226691440?pwd=RGFXTTlrYzUxdGxLeEsrdmZBYnJOQT09>

Meeting ID: 832 2669 1440

Passcode: ZMsX3J

One tap mobile

+12532158782,,83226691440#,,,,,0#,,926500# US (Tacoma)

+13462487799,,83226691440#,,,,,0#,,926500# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

Meeting ID: 832 2669 1440

Passcode: 926500

Find your local number: <https://us02web.zoom.us/u/kcQntXkk39>



To Apply for Party Status

- Party status applications must include the name, U.S. mail address, telephone number, and email address of the Person, Persons, or Agency seeking Party Status
- The application shall also indicate the interest of the Person(s) or Agency in the proposed rules and a description of the general nature of the evidence to be presented by the proposed Party in the course of the proceedings.
- Party status applications must be submitted via email as a .pdf to the Hearing Officer, jody.grantham@state.co.us by December 10, 2020.
- If you submit a complete Application for Party Status by the above the deadline, you will be granted party status.
- If you do not submit an Application for Party Status by the above noticed deadline, you may still be given an opportunity to provide comments during the hearing as an interested person, but you may not be granted party status, and the time to present your comments may be limited.

Prehearing Conference

- The prehearing conference will be conducted via teleconference on December 18, 2020 at 10:00 a.m.
- Dial 303-866-3581 ext. 7610 to join the teleconference.
- Prehearing Statement are **due no later than December 16, 2020** and are to be filed via email in .pdf format with jody.grantham@state.co.us
- The Prehearing Statement shall include:
 - a. A specific statement of the factual and legal claims it asserts;
 - b. Copies of all exhibits it will introduce at the hearing;
 - c. A list of witnesses to be called and a brief summary of their testimony;
 - d. Specific language proposed for the rule, where appropriate, and a proposed basis and purpose for the rule; and
 - e. All written testimony that will be offered into evidence at the hearing.

To Provide Written Testimony or Comments

- Submit email to Joseph (Jody) Grantham at: jody.grantham@state.co.us
- Written testimony or comments must be received by end of business on **January 8, 2021** to be provided to the Hearing Officer for consideration and to be included as part of the public record.

Order Governing Participation in the Rulemaking Hearing

- Following the prehearing conference the hearing officer will issue an order governing participation in the hearing.
- The Order will be distributed to the [Nontributary Groundwater Rules - Rulemaking 2020 Notification List](#) and all parties who applied for party status, and posted on the DWR Website.
- The Order will allot specific times for party testimony on each specific proposed rule.
- Length of testimony allotted is reserved entirely to the discretion of the Hearing Officer.

General Rulemaking Information

Colorado Department of Regulatory Agencies (DORA)

Rulemaking Information Page

- <https://www.colorado.gov/pacific/dora-oprrr/coprrr-rule-making>

Sign up to Receive DORA Regulatory Notices

- http://www.dora.state.co.us/pls/real/sb121_web.signup_form
- Check box for Department of Natural Resources
 - o Colorado Division of Water Resources

Colorado Secretary of State

Colorado Register: Official publication of proposed rules

- <https://www.sos.state.co.us/CCR/RegisterHome.do>

Colorado Division of Water Resources (DWR)

DWR Webpage

- <https://dwr.colorado.gov/>

Sign up for “Nontributary Groundwater Rules - Rulemaking 2020” Stakeholder Listserv

- <https://dwr.state.co.us/Portal/DWR/NotificationLists>