

Final #110

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ELECTIONS / LICENSING  
SECRETARY OF STATE

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**BALLOT PROPOSAL**

Be it enacted by the People of the State of Colorado:

**SECTION 1.** Article 35.7 of title 38, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**38-35.7-103. Water supply for new residential growth – legislative declaration.** (1) The people of the state of Colorado hereby find and declare that it is in the public interest that the builders and sellers of residential real property, including, but not limited to, houses, town homes, apartments, or condominiums, inform the purchaser thereof as to the source of the water supplied to such residence for domestic purposes and to guarantee that such water source constitutes an adequate supply of water fit for human consumption.

(2) The original seller of residential real property, the construction of which commenced on or after January 1, 2007, shall append to the contract for the purchase and sale of the residential real property a warranty of water supply, in a form substantially as provided herein:

**THE WATER SUPPLY FOR THIS RESIDENCE IS:**

A DOMESTIC WATER WELL (PERMIT # \_\_\_\_\_) COMPLETED ON (DATE) IN THE (AQUIFER NAME) FORMATION AT A DEPTH INTERVAL OF \_\_\_\_\_ FEET TO \_\_\_\_\_ FEET, WITH AN INITIAL YIELD OF \_\_\_\_\_ GALLONS PER MINUTE.

**THIS WELL HAS AN ADJUDICATED WATER RIGHT: ( ) YES; ( ) NO. (IF YES, A COPY OF THE WATER COURT DECREE SHALL BE ATTACHED TO THIS WARRANTY OF WATER SUPPLY.)**

A WATER UTILITY, ( ) COOPERATIVE ASSOCIATION, ( ) SPECIAL DISTRICT, OR OTHER ( ) WATER PROVIDER, WHOSE NAME, ADDRESS AND PHONE NUMBER ARE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE UNDERSIGNED SELLER HEREBY REPRESENTS AND WARRANTS THAT THE INDICATED WATER SUPPLY IS OF A QUALITY THAT MEETS THE STANDARDS OF THE STATE OF COLORADO FOR HUMAN CONSUMPTION, AND THAT THE SOURCE OF THE WATER IS ADEQUATE TO SUPPLY A MINIMUM OF \_\_\_\_\_ GALLONS PER DAY TO THE RESIDENCE FOR \_\_\_\_\_ YEARS.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (NAME) \_\_\_\_\_ (ADDRESS)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (TITLE) \_\_\_\_\_ (ADDRESS)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (COMPANY) \_\_\_\_\_ (PHONE)

\_\_\_\_\_/s/

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on January 1, 2007.

HOGAN & HARTSON L.L.P.

The Hon. Gigi Dennis  
May 5, 2006  
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