

Rule Change 2004(15) Water Court Rules

COLORADO COURT RULES

CHAPTER 36

UNIFORM LOCAL RULES FOR ALL STATE WATER COURT DIVISIONS

WATER COURT RULES 2, 3, AND 12

Amended and Adopted by the Court, En Banc, June 24, 2004,
Effective July 1, 2004.

BY THE COURT:

Gregory J. Hobbs, Jr.
Justice

Rule 2. Filing and Service Procedure

(a) - (f) --No Change--

(g) C.R.C.P. 121, section 1-26, electronic filing, applies to water court filings made electronically.

Rule 3. Applications for Water Rights

(a) - (d) (2) --No Change--

(d) (3) Every application shall state the name and address of the owner or reputed owner of the land upon which any new diversion or storage structure or modification to any existing diversion or storage structure is or will be ~~located~~ constructed, or upon which water is or will be stored, including any modification to the existing storage pool. The applicant may rely upon the real estate records of the county assessor for the county or counties in which the land is located to determine the owner or reputed owner of potentially affected land. ~~or upon which water is or will be placed to beneficial use.~~

(d) (4) - (e) (2) --No Change--

Rule 12. Modification of Rules

The requirements of these rules may be modified with approval of the water court upon agreement of the parties, or by the court, in exceptional cases to meet emergencies or to avoid substantial injustice or great hardship. Any request for modification shall be presented to the judge before whom the case is pending and shall state in writing the grounds supporting it. The opposing party shall be given reasonable notice and an opportunity to contest the request in writing.