

## Notice from the Colorado Division of Water Resources

### New legislation on the requirement of notice of a change of owner of a well permit

While owners of well permits are required pursuant to Colorado Revised Statutes §37-90-143 to file an update with the State Engineer regarding any change of owner name and/or mailing address, new legislation now also requires an application for a well registration to be submitted to the State Engineer prior to or within 60 days of the closing of the sale of residential real property, to register or permit those residential wells not of record with the State Engineer

#### Changes due to HB08-1014:

On or after January 1, 2009, the BUYER in a residential real estate transaction that includes the transfer of a registered/permitted residential well, must, prior to or at closing, complete a Notice of Change of Owner Name/Address, Colorado Division of Water Resources form GWS-11.

If the subject well is **not of record** with the Colorado Division of Water Resources (that is, does not have a well permit), an application to register (Colorado Division of Water Resources form GWS-12) must be completed by the BUYER in lieu of a Notice of Change of Owner form.

Within 60 days of closing, all applicable form(s) and supporting documentation and fees necessary for evaluation must be submitted to the Colorado Division of Water Resources.

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#### For wells not of record with the Colorado Division of Water Resources

##### *Wells constructed and put to use prior to May 8, 1972*

- An application to register an existing well (form GWS-12) may be submitted for residential wells constructed and put to use prior to May 8, 1972 and continued to be used for those historical purposes established prior to May 8, 1972. A field inspection by a Colorado Division of Water Resources staff member may be required. Please contact the appropriate Division Office for the area where the well is located to request a field inspection. Contact information for the Division Offices may be found on our website at: [www.water.state.co.us](http://www.water.state.co.us)

##### *Wells constructed and put to use, or whose use changed or expanded, after May 8, 1972*

- An application to permit an existing well (form GWS-44) may be submitted for residential wells constructed after May 8, 1972 or for those wells where the use has changed or expanded after May 8, 1972. These applications must be accompanied by a completed Existing Well Information and Inspection Form (GWS-68)

#### Issuance of a well permit is not guaranteed

**Applications submitted with the statutory fee and all supporting documentation must be evaluated for compliance with all applicable statutes, rules, regulations, and policies before a well permit can be granted. Evaluation time may be up to 6 weeks.**

Filing a Notice of a Change of Owner is for contact information purposes only. This action does not convey real property.

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#### For well permit records research assistance

The Colorado Division of Water Resources Records Section is available for records research.

**In person:** The Records Section is located at 1313 Sherman St., Room 821, Denver CO 80203. Public hours are Monday – Friday, 9am – 4pm. Division offices may also be available for records research. Division office locations may be found on our website.

**By phone:** A public information line for records research is also available at 303-866-3447, Monday – Friday, 9am – 4pm.

**Via Web:** Well permits may be researched through the Colorado Division of Water Resources online mapping tool “Aquamap” found on our website under the Quick Links on the home page.

**Coming Soon:** “Find my well permit” a search request via “askDWR” email. Details will be available soon on our website.

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#### Forms

Forms may be obtained by contacting the Colorado Division of Water Resources Records Section at 303-866-3447, or the Ground Water Information Desk at 303-866-3587, or downloaded from our website at: [www.water.state.co.us](http://www.water.state.co.us)