

SUPREME COURT OF COLORADO
OFFICE OF THE CHIEF JUSTICE

ORDER

**Concerning the Establishment of the Water Court Committee
of the Colorado Supreme Court**

I hereby constitute a Water Court Committee of the Colorado Supreme Court. Its charge is to review the water court process; identify possible ways through rule and/or statutory change to achieve efficiencies in water court cases, while still protecting quality of outcomes; and ensure the highest level of competence in water court case participants. The purpose of the committee shall not include altering or impairing the existing water use rights of any public agency or private person. The committee shall report to the Chief Justice by August 1, 2008, in a written report that the Chief Justice will make available to the General Assembly and the Governor.

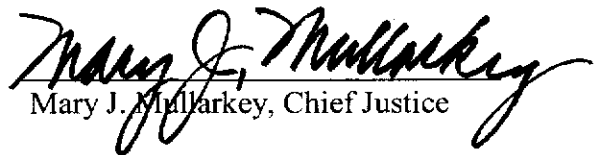
Issues for the committee to consider and address in its report may include, but not be limited to:

- (1) Assignment of senior judges to assist in settlement conferences and/or trials of water cases in any water division;
- (2) Water court rules to allow for the appointment of special masters upon agreement of the parties and/or by order of the water court or the supreme court;
- (3) Water court rules and/or statutes pertaining to water referee qualifications, powers, and timelines;
- (4) Water court rules and/or statutes to impose additional or revised time deadlines and informational content, commencing with the filing of the water court application;
- (5) Water court rules and/or statutes pertaining to re-referral of matters to the water judge;
- (6) Water court rules pertaining to experts and expert testimony before the referee and water judge;
- (7) Professional training requirements on water judges, water referees, and practitioners in the water courts;
- (8) Emergency procedure for review of water court applications;
- (9) Resource needs of the water courts and the supreme court to assist in the expeditious management of water cases; and
- (10) Methods for reducing the expense and burden of the water court process on small users.

The committee shall establish an agenda and process that allows persons who have an agricultural, municipal, commercial, recreational, environmental, or any other interest pertaining to the water court, to provide additional issues, information and proposals to the committee.

I appoint Justice Greg Hobbs to chair the committee. Additional members of the committee will consist of an active water judge, a water referee, another justice of the supreme court, the state court administrator or designee, a retired water judge, the attorney general or designee, the deputy for water of the department of natural resources, the state engineer, a division engineer, the director of the water conservation board, two persons who own and use water rights, two practicing water engineers, and six attorneys who have substantial experience in the water courts of the State of Colorado. The members of the committee shall be appointed by the Chief Justice.

Done at Denver, Colorado this 17th day of December, 2007.


Mary J. Mullarkey, Chief Justice