



Rainwater Collection Information Table

May, 2020

Pursuant to legislation passed in 2016 (House Bill 16-1005), many Colorado residents are able to collect rainwater in up to two rain barrels with a combined storage capacity not to exceed 110 gallons for outdoor uses. **But did you know that residents with certain types of water wells may *also* be able to collect rainwater for the uses allowed on their well permit?** These residents may be able to have *additional* rain barrels pursuant to Senate Bill 09-080.

The table below provides examples of how different residences in Colorado may be able to collect rainwater. Additional information about rainwater collection in Colorado can be found on the Rainwater Collection page on the Division of Water Resources' (DWR) website at: Colorado.gov/water

Your water supply scenario:	Can I use rain barrels as allowed under HB16-1005*? (Limit of two rain barrels with a combined storage capacity not to exceed 110 gal.)	Can I have <i>additional</i> rain barrels in accordance with SB09-080**? (Note that a Precipitation Collection Permit is required before you start collecting water in these additional rain barrels!)
A single family house on tap water	Yes	No
2 to 4 unit multi-family building (apartments or condominiums) with tap water	Yes, 110 gallons per building	No
5 or more unit multi-family building (apartments or condominiums) with tap water	No	No
Townhome (one residence in a row of residences joined by common side walls) on tap water	Yes, 110 gallons per residence	No

Your water supply scenario (continued):	Can I use rain barrels as allowed under House Bill 16-1005*? (Limit of two rain barrels with a combined storage capacity not to exceed 110 gal.)	Can I have <i>additional</i> rain barrels in accordance with Senate Bill 09-080**? (Note that a Precipitation Collection Permit is required before you start collecting water in these additional rain barrels!)
A single family house on an exempt/small capacity domestic well that has a permit for some combination of: inside uses in up to three single-family dwellings, up to one acre of residential lawn and garden, domestic animal watering (such as horses), and livestock watering	Yes	Yes, additional rainwater may be captured for those outdoor <i>and</i> indoor uses that are allowed on the well permit.
A single family house on an exempt/small capacity household use only well	Yes	Yes, additional rain barrels are allowed to capture water for household purposes <i>inside</i> the dwelling. However, only the 110 gallons allowed under HB16-1005 may be collected for outdoor uses.
A single family house on tap water - there is an old exempt/small capacity well (drilled prior to May 8, 1972) that we still use to water the lawn	Yes	No
A single family house on a well that is operated pursuant to a Plan for Augmentation (non-exempt/large capacity well)	Yes	No
A single-family house with an unpermitted well that has been in use since prior to May 8, 1972. The well continues to be used for the house and yard.	Yes	Maybe. You will need to apply to register your well first. If DWR is able to approve a residential well permit, and you are not in a water service area, you could capture water for purposes allowed by your new well permit.
A single-family house with a residential well but the permit number or permit type is unknown	Yes	Maybe. It will depend on the well permit and other sources of water supply. You can look up your well permit through DWR's Well Permit Search Tool. If you're having trouble finding your permit please contact DWR via the information on page 4.

Rainwater Collection Information Table: Additional Information

Exempt Wells versus Non-Exempt Wells

The table on pages 1 and 2 reference “exempt/small capacity wells” and “non-exempt/large capacity wells”. *What is an exempt/small capacity well versus a non-exempt/large capacity well and which type do I have?*

- Exempt/small capacity wells are often residential wells that serve no more than three single family dwellings.
- Exempt/small capacity wells typically have a five or six digit permit number and do not have a suffix (other than “-A” in the case of replacement wells).
- Non-exempt/large capacity wells often have a “-F” and/or “-R” at the end of the permit number.

For more details on exempt/small capacity and non-exempt/large capacity wells, see the Well Permitting page on the DWR website (Colorado.gov/water).

*House Bill 16-1005: Concerning the use of rain barrels to collect precipitation from a residential rooftop for non-potable outdoor uses (effective August 10, 2016)

Who can collect water under this law? Any single family residence or multi-family residence with 4 or fewer units. Each home in a row of homes joined by common side walls, such as duplexes, triplexes, or townhomes, is considered a single family residence.

Do I need a permit through DWR before I start collecting precipitation? No permit or other approval is required for capture and use of precipitation in rain barrels with a combined storage capacity of 110 gallons in accordance with HB 16-1005.

Where can I collect the water from? From the roof of a building that is used primarily as a residence.

How much water can I collect? You can fill and refill two rain barrels with a combined storage capacity up to 110 gallons throughout the year.

What can I collect the water in? Water must be collected in rain barrels (up to 110 gallon total capacity) with sealable lids.

What can I use the water for? Outdoor uses, such as lawn and garden irrigation, on the property where the water was collected. Though the rainwater can legally be used for a variety of outdoor uses (car washing, livestock watering, hot tub filling, irrigation, etc.) rainwater users should evaluate the quality of the collected rainwater to ensure it is appropriate for the proposed outdoor use. The water cannot be used for drinking water or indoor household purposes.

Will standing water in the rain barrels create a mosquito problem? Rain barrels must have sealable lids to prevent insects or other pests from using the stored water. See the Colorado Department of Public Health and Safety's website for more information.

****Senate Bill 09-080: Concerning limited exemptions for water collected from certain residential rooftops**

Who can collect water under this law (SB 09-080)? Any residence that has, or can qualify for, an exempt/small capacity residential well permit through DWR. This law operates independently of HB16-1005.

If I do not have a well or well permit, how do I know if my property qualifies for a well permit? This will be determined by the Division of Water Resources when you apply for the required precipitation collection permit.

Do I need a permit through DWR before I start collecting precipitation? Yes, before you begin to collect precipitation in connection with an exempt/small capacity well permit, you need to obtain a rooftop precipitation collection permit. For more information, see the *Rooftop Precipitation Collection System* permit application (form GWS-78) and the Fact Sheet for *Rainwater Collection on Properties with Residential Wells*, located on the Rainwater Collection page on the DWR website at: Colorado.gov/water

Where can I collect the water from? From the roof of a building that is used primarily as a residence.

How much water can I collect? There is no limit to the amount of water you can collect, so long as you are collecting the water from the roof of a building that is used primarily as your residence.

What can I collect the water in? Rain barrels or other types of water storage structures. Be sure to still follow best practices for mosquito management.

What can I use the water for? Those residential uses that are allowed on the exempt/small capacity well permit, which may include both indoor and outdoor uses, depending on the well permit.

Other important information:

- If the residence is served by a water system (such as a water tap from a municipal provider or a shared well) that supplies more than three single family dwellings, then precipitation collection is not allowed under this law.
- Please review the above information on SB09-080 before completing and submitting an application for a Rooftop Precipitation Collection System permit (form GWS-78). If your well has not been permitted or registered, you will also need to register/permit your well before applying. See additional information on registration and permitting on the Well Permitting page on the DWR website at: Colorado.gov/water