

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0493.01 Pierce Lively x2059

HOUSE BILL 19-1082

HOUSE SPONSORSHIP

Catlin and Valdez D.,

SENATE SPONSORSHIP

Coram,

House Committees
Rural Affairs & Agriculture

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE RIGHTS OF A WATER RIGHTS EASEMENT HOLDER.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill clarifies that water rights easement holders may maintain, repair, and improve their easement.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 37-86-102 as

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 follows:

2 **37-86-102. Right-of-way through other lands.** ~~Any~~ A person
3 owning a water right or conditional water right ~~shall be~~ IS entitled to a
4 right-of-way FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, AND
5 IMPROVEMENT, INCLUDING LINING OR PIPING, OF A DITCH, through the
6 lands ~~which~~ THAT lie between the point of diversion and point of use or
7 proposed use for the purpose of transporting water for THE DECREED
8 beneficial use in accordance with ~~said~~ THE water right or conditional
9 water right.

10 **SECTION 2. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2020 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.