

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

January 28, 2019
Date

Committee on Rural Affairs & Agriculture.

After consideration on the merits, the Committee recommends the following:

HB19-1082 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 1, strike line 2.

2 Page 2, strike lines 1 through 9 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, **amend** 37-86-103
4 as follows:

5 **37-86-103. Extent of right-of-way.** Such right-of-way shall
6 extend only to a ditch, dike, cutting, pipeline, or other structure sufficient
7 for the purpose required. UNLESS EXPRESSLY INCONSISTENT WITH THE
8 TERMS UPON WHICH THE RIGHT-OF-WAY WAS CREATED, A DITCH
9 RIGHT-OF-WAY INCLUDES THE RIGHT TO CONSTRUCT, OPERATE, CLEAN,
10 MAINTAIN, REPAIR, AND REPLACE THE DITCH, TO IMPROVE THE EFFICIENCY
11 OF THE DITCH, INCLUDING BY LINING OR PIPING THE DITCH, AND TO ENTER
12 ONTO THE BURDENED PROPERTY FOR SUCH PURPOSES, WITH ACCESS TO
13 THE DITCH BANKS, AS THE EXIGENCIES THEN EXISTING MAY REQUIRE, FOR
14 ALL REASONABLE AND NECESSARY PURPOSES RELATED TO THE DITCH."

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