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:

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

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

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