

## STATEMENT OF PURPOSE

### RS22923

The purpose of this legislation is to clarify the authority to condemn property owned by irrigation and drainage entities. This legislation: (1) prevents condemnation for the purpose of taking property that an irrigation or drainage entity owns, operates and maintains to provide water delivery or drainage to the land owners who are entitled to those services, including, but not limited to prohibiting the taking of irrigation and drainage facilities, infrastructure, appurtenances, improvements, canals, laterals, conveyance capacity, wells, drains, drainage capacity, water rights, storage rights, ditches, and any improvements and appurtenances associated with or involved in the diversion, measurement, acceptance, receipt, monitoring, transportation, delivery, conveyance and disposal of irrigation and drainage water by an irrigation or drainage entity; and (2) preserves current legal authority to condemn an irrigation or drainage entity's property for concurrent public uses such as building, operating and maintaining roads, water, sewer and utility services, providing additional water delivery or drainage services, and other public services that are not related to the irrigation or drainage entity's existing delivery or drainage operations.

The legislation also includes an emergency clause with a retroactivity provision to resolve pending condemnation litigation.

### FISCAL NOTE

This legislation has no fiscal impact.

#### Contact:

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