

37-84-101. Maintenance of embankments and tail ditch. The owners of any ditch for irrigation or other purposes shall carefully maintain the embankments thereof so that the waters of such ditch may not flood or damage the premises of others, and shall make a tail ditch so as to return the water in such ditch with as little waste as possible into the stream from which it was taken.

Source: R.S. p. 364, § 7. L. 1872: p. 144, § 1. G.L. § 1378. G.S. § 1728. R.S. 08: § 3233. C.L. § 1713. CSA: C. 90, § 111. CRS 53: § 147-7-1. C.R.S. 1963: § 148-7-1.

Cross references: For requirement of keeping ditch in repair, see § 7-42-108.

37-84-119. Ditches to be kept in repair. The owners, or persons in control, of any canal or ditch used for irrigating purposes shall maintain the same in good order and repair, ready to receive water by April 1 in each year, so far as can be accomplished by the exercise of reasonable care and diligence, and shall construct the necessary outlets in the banks of the canal or ditch for a proper delivery of the water to persons having paid-up shares or who have rights to the use of water. A multiplicity of outlets in the canal or ditch shall at all times be avoided, so far as the same shall be reasonably practicable, and the location of the same shall be under the control of and shall be at the most convenient and practicable points consistent with the protection and safety of the ditch for the distribution of water among the various claimants thereof; and such location shall be under the control of a superintendent.

Source: L. 1887: p. 305, § 2. R.S. 08: § 3255. C.L. § 1734. CSA: C. 90, § 132. CRS 53: § 147-7-20. C.R.S. 1963: § 148-7-19.