

FARMERS DITCH COMPANY 2014-15 MAINTENANCE PROJECT  
FREQUENTLY ASKED QUESTIONS

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**WHAT IS AN IRRIGATION DITCH?**

Irrigation ditches are man-made channels that were originally dug to divert water from natural creeks and rivers and deliver it to homes, farms, industries and other man-made purposes.

**HOW DOES THE WATER GET INTO THE DITCH?**

Farmers Ditch has diverted from a headgate on Boulder Creek just above Eben G. Fine Park since 1862. The headgate is operated manually by ditch company personnel. Ditch headgates can be closed when needed to prevent water from being diverted from the creek into the ditch.

Irrigation ditches intercept stormwater and natural drainage from the upslope areas above the ditches due to their alignment along a line perpendicular to the slope of the land. The amount of water flowing into an irrigation ditch may increase quickly during storm events.

**WHO OWNS DITCHES?**

Farmers Ditch, like most irrigation ditches, is owned, operated, and maintained by a private company. Water in ditches is allocated by shares issued by the ditch company. Those shares represent proportional amounts of water to be delivered to the shareholder's property.

**HOW DO DITCH EASEMENTS WORK?**

Although they are protected rights under State law, ditch easements are most often prescriptive in nature and are rarely recorded in public records. These prescriptive rights allow for both foot and machine access for reasonable and necessary operation and maintenance of the ditch. Such maintenance can include placement of materials, such as sediment or branches, on ditch banks within the easement. Unless other arrangements are made with the ditch company, it is the adjacent property owner's responsibility to accommodate this practice. When landscaping the easement homeowners should not plant shrubs or trees, or place any permanent structures within 15 feet of the top of the ditch bank or prevent access to the ditch from the public right of way.

**CAN I USE THE WATER IN THE DITCH?**

In Colorado, water rights are property rights, just like owning a car or a house, which can be bought or sold apart from the land through which they run. Only those people who have rights or shares in the ditch are allowed to remove water from it.

**WHO MAINTAINS THE DITCH?**

Ditch companies are responsible for keeping the ditch channel clear of debris or sediment that would obstruct the flow of water. Smaller ditches, called laterals, are used to divert water from the main ditch to shareholder properties and are maintained by the shareholders served by the lateral via prescriptive easements similar to those of the main ditch.