

SF0068SS001

1 Page 1-line 2 After "conveyances;" insert "providing
2 requirements for the width and use of a
3 prescriptive easement as specified;".
4

5 Page 2-line 23 After "law." insert:
6
7 "Maintenance, as used in this section, shall include the right of
8 the holder of the prescriptive easement to temporarily remove
9 infrastructure in or spanning the water conveyance system provided
10 that:
11

12 (A) Before the temporary removal for maintenance
13 purposes of infrastructure that a landowner uses for ingress or
14 egress, the holder of the prescriptive easement shall provide
15 reasonable written notice given the extent and estimated time for
16 maintenance but in no case shall notice be provided less than
17 forty-eight (48) hours before any temporary removal;
18

19 (B) Any temporary removal of a landowner's
20 infrastructure for the purpose of water conveyance system
21 maintenance shall be reasonable and minimize any burden on the
22 landowner."
23

24 Page 3-after line 10 insert:
25

26 "(e) The width of a prescriptive easement for a water
27 conveyance shall be based on the size and volume of water in the
28 conveyance system and shall:
29

30 (i) Be of a reasonable width sufficient to utilize
31 equipment suitable for the operation and maintenance of the water
32 conveyance;
33

34 (ii) Be from the center line of the conveyance system
35 but may vary from each side of the center line to reasonably
36 facilitate the size of equipment, placement of dredge material and
37 the topography that the conveyance system traverses."
38

39 Page 3-line 12 Delete "(e)" and insert "(f)"; delete
40 "maintain and". STEINMETZ, CHAIRMAN
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