

# Right to Ranch in Chaffee County



## You're Living in Farming and Ranching Country:

You've chosen to live in one of the most beautiful places in Colorado. The farms and ranches that are your neighbors are a big part of what makes this a great place to live and add to its value. This brochure intends to tell you more about those farmers and ranchers and responsibilities you have to them and their responsibilities to you.

### Irrigation Ditches

If you have an irrigation ditch running through or adjacent to your property, that ditch, the water in it, and a distance on either side of the bank (typically 15 ft., however, access issues and terrain may necessitate a different width) belongs to someone else, most likely a farmer or rancher. The owner of that ditch has the right of access to the ditch at any time to maintain it. You must not place anything in that area including plants, that hinders the ditch or its maintenance. No one is allowed in the ditch for any purpose and, generally you may not divert or use the water in it. Structures, including overhangs, must

be at least 20 feet from the ditch bank. The owner of the ditch has the responsibility to maintain the ditch so that it doesn't cause damage to your property through ditch failure and consequent flooding.

### Irrigation Ditch Crossings

If you want to place anything across the ditch, above or below it, you must have the written consent of the ditch owner. The design of the crossing must meet the standards defined by the ditch owner (and County Regulations). You will be responsible for keeping the crossing free of debris so that water flow is not impeded. **You will also be liable for any damage caused should your crossing be blocked and the ditch overflows.**

### Livestock and Ag Equipment on Roads

Ranchers and farmers have the right to move livestock and agricultural equipment on the roads in the County and you must respect their right to do so. Be courteous and drive with extra caution when encountering either on the road. Don't attempt to move through a herd of livestock unless those attending the herd indicate it's OK.

### Noise, Smells, and Dust

Ranching and farming operations can generate noise, smells, and dust at any time of the day or night, as they have to run on Mother Nature's clock. You will need to be tolerant of these inconveniences. They don't like being out in the middle of the night working any more than you do but it's what they need to do to stay viable.

### Fencing Livestock Out

Colorado is an "open range" state meaning that if you live adjacent to grazing land, you must build your own fence to keep livestock off your property. It is not the responsibility of the rancher to keep livestock off your property. At

the same time you fence livestock out, you must fence your dogs in or use some other means to keep them from harassing livestock.

### Conflicts

Conflicts sometimes arise between residential property owners in rural areas and their ranching or farming neighbors. The County has a board set up to help resolve those conflicts. Participation is voluntary. Call the County Commissioners' offices for more information.

### Conclusion

Ranching and farming are important to Chaffee County in many ways and we want to keep those operations viable. You can help by respecting the rules laid out above. You're encouraged to get to know your ranching and farming neighbors. You'll most likely become great friends.



Photo by Matt Kroeschel

On March 4, 2008 the Chaffee County Commissioners adopted Ordinance 2008-02: AN ORDINANCE ADOPTING A "RIGHT TO FARM AND RANCH" POLICY AND RELATED LAND USE STANDARDS AND PENALTIES AND CREATING AN AGRICULTURAL LAND USE CONFLICT RESOLUTION PROGRAM.

The Chaffee County Board of Commissioners recognizes that agriculture contributes substantially to the health and welfare of the local tourist economy and the area's quality of life by helping to sustain the local aquifer and preserve the County's water resources and to keep ground water levels accessible, by providing desirable viewscapes, and by providing wildlife habitat; further, the citizens of Chaffee County have consistently expressed a desire to preserve the agricultural heritage of the County.

A few key highlights of the Ordinance are:

- ❖ Lawful Agricultural Operations are not a Nuisance
- ❖ Other Land Users and Visitors on Notice
- ❖ Landowners Responsibilities
- ❖ Irrigators' Right to Maintain Ditches

A *mediation panel to resolve conflicts* shall be available for hearing grievances and making recommendations for resolving agricultural land use conflicts between Chaffee County agricultural operations and other residents. The mediation panel shall have the responsibility for making recommendations to the parties and any referring entities for the resolution of those conflicts. A quorum of at least three members shall be required in order to hear a matter and to make recommendations. The recommendations of the Panel are non-binding and advisory in nature. (Section 6.02)

For resource information you may contact the following individuals:

Chaffee County  
Jon Roorda, Planning Manager  
719-530-5566

Chaffee County Ranchlands Project  
Lee Rooks  
719-395-9014

Natural Resource Conservation Service  
Bill Gardiner  
719-530-3968

Colorado State University Extension  
Office  
Kurt Jones  
719-539-6447

Chaffee County  
P.O. Box 699  
Salida, CO 81201  
719-539-2218  
[chaffeecounty.org](http://chaffeecounty.org)

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