

Bill No. 37 of 1949.

A BILL TO AMEND THE EASTERN IRRIGATION
DISTRICT ACT.

NOTE.

This Bill amends *The Eastern Irrigation District Act*, being chapter 101 of the Revised Statutes of Alberta, 1942.

The Act is amended by adding a new section immediately after section 15. This new section provides that the Board of the district shall have, with respect to any of its ditches, dams, floodgates and other works, the right to the use of and the right of access to the land on which the works lie and the land adjacent thereto in so far as may be necessary for the maintenance and repair of the said works. Many of the ditches and canals run across privately owned lands and it is necessary for the Board to have the right to go on such lands for the purpose of repairing and maintaining the canals and ditches, etc.

The section further provides that no rent or other compensation shall be paid by the Board to any person for the exercise of its rights granted under this section to go on lands for the purpose of maintenance and repair of its works. If the Board had to pay for the right of going on to private lands in order to maintain its ditches and canals this would merely be an additional cost to be taken into consideration when fixing the water rates which would ultimately have to be paid by the owners of the lands. Other irrigation districts have similar powers with respect to the access to and the use of lands on which their works are located.

This Bill is made retroactive to the date on which *The Eastern Irrigation District Act* itself came into force.

KENNETH A. MCKENZIE,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 37 of 1949.

An Act to amend The Eastern Irrigation District Act.

(Assented to _____, 1949.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Eastern Irrigation District Act*, being chapter 101 of the Revised Statutes of Alberta, 1942, is hereby amended by adding immediately after section 15 the following new section:

“**15a.** (1) For the purposes of this section ‘works’ includes any dike, dam, weir, floodgate, breakwater, drain, ditch, basin, reservoir, natural or artificial lake or other body of water, canal, tunnel, bridge, culvert, crib, embankment, headwork, flume, aqueduct, pipe, pump and any contrivance for carrying or conducting water or other work in any way used in or in relation to the conduct and management of the affairs and business of the district.

“(2) Notwithstanding the provisions of any other Act the Board shall have, with respect to any works situated within the district,—

“(a) the right to the use of and access to the area occupied by the works; and

“(b) the right to the use of and access to such land adjacent or appurtenant to any of the works as may be necessary in the opinion of the Board for the deposit of soil thereon or for the use of soil therefrom, or for the supervision, maintenance and repair of the said works.

“(3) No rent or other compensation shall be paid by the Board to any person for the exercise of any right granted pursuant to this section.”.

2. This Act shall come into force on the day upon which it is assented to, and upon so coming into force shall be deemed to have been in force at all times since the twenty-third day of April, 1935.

No. 37

FIRST SESSION
ELEVENTH LEGISLATURE
13 GEORGE VI
1949

BILL

An Act to amend The Eastern
Irrigation District Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. URE.
