

# Overview of Conservation Easements and Water

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# Conservation Easements

- **Conservation easement**
  - Restrict use of land for specific purpose(s)
  - Economic Importance
  - Tool to protect natural resources
  - Nonuse – do not lose land right
- **Water Rights**
  - Water Right – lose if not used
  - Identify water sources and rights





# Conservation Easements (*continued*)

## 1. Water Rights for conservation purpose(s)

- o Inventory all water sources and uses
- o Identify those rights needed for conservation purpose(s)
- o Determine actual historical use
- o Water rights add value



# Conservation Easements (*continued*)

## 2. Ensuring water remains with the land

- o List all water rights on easement
- o Restrict use of water
- o Use and maintain water rights
- o Prevent legal separation of water from land



# Conservation Easements (*continued*)

## 3. Water provisions not enforced

- o Loss of conservation purpose(s)
- o Abandonment or forfeiture of water rights

