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EMINENT DOMAIN - COLORADO

Allen v. State

Supreme Court of Colorado - January 22, 2019 - P.3d - 2019 WL 332985 - 2019 CO 6

Former property owner filed an inverse condemnation action seeking compensation for an alleged loss of property rights.

The District Court dismissed the action based on lack of subject matter jurisdiction. Former property owner appealed.

The Supreme Court of Colorado held that the water division trial court lacked subject matter jurisdiction to consider former property owner's inverse condemnation action seeking compensation for the deprivation of his rights in shares of ditch company; the dispute involved a property interest, not any water use matter.

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