

## Water Law In A Nutshell Nutshells

First published in 2011, *Water Law in India* is the only book to offer a comprehensive survey of the legal instruments concerning water. It presents a variety of national and state-level instruments that make up the complex and diverse field of water law and policy. This book fills a gap in the study of water law, providing a rich reference point for the entire gamut of legal mechanisms available in India. This edition has been extensively revised to include new instruments on water regulation, such as the draft National Water Framework Bill, 2016, and the Model Groundwater (Sustainable Management) Act, 2016; new water-related instruments in such varied fields as criminal law, land acquisition, employment legislation; and a chapter on international legal instruments. Chapters on drinking water supply, environmental dimensions of water conservation, water infrastructure for irrigation and flood control, groundwater regulation, and institutions catering to water have been updated for a complete coverage of water law.

This book, which was first published in 1992 and then updated in 2007, provides a tool for dealing with the legal and institutional aspects of water resources management within national contexts and at the level of transboundary water resources. Like its two previous editions, it sets out the aspects that need to be known in order to attain good water governance, but it provides updates concerning developments since 2007. The book deals with a wide range of issues, from the local to the global, and from the traditional to the new, including the following: - the "greening" of water law, which calls for the progressive integration of environmental law principles into domestic and international water law; - the adoption, by the International Law Commission in 2008, of the Draft Articles on the Law of Transboundary Waters and subsequent developments; - the emergence of the right to water as a self-standing human right; - the adoption of domestic water law principles of integrated water resources management (IWRM) and enhanced public participation in planning and decision making; - the integration in water law of tools facilitating adaptive water management as a response to climate variability and change; - progress in the implementation of EU and other international agreements and judicial decisions; - efforts of regional organizations other than the EU to steer cooperation in the management of transboundary water resources and the harmonization of national laws; - institutional mechanisms for the management of transboundary water resources (surface and underground). Unique in its scope and nature, the book identifies the legal and institutional issues arising in connection with water resources management and provides guidelines for possible solutions in a manner accessible to a wide range of readers. Thus, it is an essential reference for lawyers and non-lawyers — engineers, hydrologists, hydrogeologists, economists, sociologists — dealing with water resources. It is also a reference for government institutions, river basin commissions, international organizations, financing institutions and academic institutions, among others, and also for students of disciplines related to water resources.

"Wonderfully written...Mr. Owen writes about water, but in these polarized times the lessons he shares spill into other arenas. The work he does on the and wrongs along the Colorado River offers hope for other problems." —Wall Street Journal An eye-opening account of where our water goes and where it all goes. The Colorado River is an essential resource for a surprisingly large part of the United States, and every gallon that flows through it is owned or claimed by someone. David Owen traces all that water from the Colorado's headwaters to its parched terminus, once a verdant valley now a million-acre desert. He takes readers on an adventure downriver, along a labyrinth of waterways, reservoirs, power plants, farms, ghost towns, and RV parks, to the spot near the U.S.–Mexico border where the river runs dry. Water problems in the western United States are tantalizingly easy to solve: just turn off the fountains at the Bellagio, stop selling hay to China, ban golf, cut down the almond trees, and so on, say the lawyers. But a closer look reveals a vast man-made ecosystem that is far more complex and more interesting than the headlines let on. Owen tells in *Where the Water Goes* is crucial to our future: how a patchwork of engineering marvels, byzantine legal agreements, aging infrastructure, and neighborly cooperation enables life to flourish in the desert—and the disastrous consequences we face when any part of this tenuous system fails. He is the first author to fully explain how water use permits will play out in a variety of circumstances that may arise in the future, and the interrelationship between the State Water Code and the common law on water rights, which few people understand or are aware of."

An Introduction to Legal Instruments

National and International, 3rd Edition

The Origins of California Water Law in the Gold Rush

Water Law

American Indian Water Rights and the Limits of Law

Modern Water Law

*Cases and Materials on Water Law*, steeped in water history, honors its distinguished author lineage by maintaining the book's long-standing tradition of focused instruction on property rights in water, covering appropriative and riparian principles, groundwater, interstate allocation, and federal-state relations. The Tenth Edition integrates these principles into today's regulatory framework, addressing the need for sustainable management and increased protection of the environment and public rights. The new edition is reorganized to prioritize student learning, with fewer and more focused notes and several new principal cases.

Water Law in a Nutshell West Academic Publishing

Written by Professor Roger A. McEowen, the Kansas Farm Bureau Professor of Agricultural Law and Taxation at Washburn University School of Law, and drawn from his leading, cutting-edge textbook on agricultural law and taxation which is presently in its 40th release (January 2017). This Nutshell is specifically developed to meet the needs of the students, instructors, lawyers and farmers, ranchers, rural landowners agri-businesses and lawyers as a handy summary of key areas of the law impacting agriculture. Material covered includes an introduction to agricultural law, contracts, agricultural financing, bankruptcy, real property, cooperatives, civil liabilities, water law, environmental law, and regulatory law. The Nutshell covers the general principles of law in a way that is easy of class discussion and provides a balance of textual explanation with case citations.

Water plays a key role in addressing the most pressing global challenges of our time, including climate change adaptation, food security, energy security, environmental sustainability and the promotion of peace and stability. This comprehensive handbook explores the pivotal place of law and policy in efforts to ensure that water enables positive responses to these challenges and provides a sound governance. The book reveals that significant progress has been made in recent decades to strengthen the governance of water resource management at different scales, including helping to address international and sub-national conflicts over transboundary water resources. It demonstrates that 'effective' laws and policies are fundamental drivers for the safe, equitable and sustainable utilization of water. However, it is also shown that what might constitute an effective law or policy related to water resource management is still hotly debated. As such, the handbook provides an important and definitive reference text for all studying water governance and management.

The Right to Keep Water Instream

Cases and Materials

The Colorado Doctrine

A Lawyer's Guide

Water Law in a Nutshell, 5th

National and International 2nd edition, revised and updated by Marcella Nanni

The new edition adds dozens of recent decisions and key statutory changes. Virtually every principal case in the leading casebooks is cited or discussed, making it an excellent aid for students in any water law course. The revised book deals with changes in evolving areas like groundwater-surface water conflicts, public recreational uses, instream flow protection, federal water development, takings claims, and public interest concerns.

The world's freshwater supplies are increasingly threatened by rapidly increasing demand and the impacts of global climate change, but current approaches to transboundary water management are unsustainable and may threaten future global stability and international security. The absence of law in attempts to address this issue highlights the necessity for further understanding from the legal perspective. This book provides a fresh conceptualisation of water security, developing an operational methodology for identifying the four core elements of water security which must be addressed by international law: availability; access; adaptability; and ambit. The analysis of the legal framework of transboundary freshwater management based on this contemporary understanding of water security reveals the challenges and shortcomings of the current legal regime. In order to address these shortcomings, the present mindset of prevailing rigidity and state-centrism is challenged by examining how international legal instruments could be crafted to advance a more flexible and common approach towards transboundary water interaction. The concept of considering water security as a matter of 'regional common concern' is introduced to help international law play a more prominent role in addressing the challenges of global water insecurity. Ways for implementing such an approach are proposed and analysed by looking at international hydropolitics in Himalayan Asia. The book analyses transboundary water interaction as a 'case study' for advancing public international law in order to fulfil its responsibility of promoting international peace and security.

Governance of global water resources presents one of the most confounding challenges in contemporary natural resource governance. With considerable government, citizen and financial donor attention devoted to a range of international, transnational and domestic laws and policies aimed at protecting, managing and sustainably using fresh and coastal marine water resources, this book proposes that sustainable water outcomes require a 'trans-jurisdictional' approach to water governance. Focusing on the concept of trans-jurisdictional water governance the book diagnoses barriers and identifies pathways to coherent and coordinated institutional arrangements between and across different bodies of laws at local, national, regional and international levels. It includes case studies from the European Union, Australia, New Zealand, South Africa, the United States and Southeast Asia. Leading specialists offer insights into the pretence and the promise of trans-jurisdictional water governance and provide readers, including students, practitioners, policy-makers and academics, with a basis for better analysing, articulating and synthesising standards of good trans-jurisdictional water governance both in theory and in practice.

This book provides the first comprehensive assessment of the various issues faced by countries in the European Union, where progressing climate change and urbanization pose significant cooperative challenges in a large number of river basins. Conducting a thorough analysis of the intricate web of EU water governance, it reveals that the hydropolitical stability of the European Union is already at risk. Further, given the structural nature of the shortcomings in EU water policy—e.g. the rigidity of the EU's founding treaties or the institutional complacency of the European Commission—the book argues that these risks are likely to turn into sources of prolonged conflict, unless EU decision-making bodies take steps to address the new hydrological realities early on.

An Introduction

Texas Water Law

Law of Water Rights and Resources

Drought, Water Law, and the Origins of California's Central Valley Project

Water Policy in Chile

A History of Water Rights at Common Law

Provides a clearly presented overview of the law's provisions and pertinent regulation and enforcement issues.

Exploring the little-known history behind the legal doctrine of prior appropriation—"first in time is first in right"—used to apportion water resources in the western United States, this book focuses on the important case of *Wyoming v. Colorado* (1922). U.S. Supreme Court Associate Justice Willis Van Devanter, a former Chief Justice of Wyoming, ruled in that state's favor, finding that prior appropriation applied

across state lines--a controversial opinion influenced by cronyism. The dicta in the case, that the U.S. Government has no interest in state water allocation law, drove the balkanization of interstate water systems and resulted in the Colorado River Interstate Compact between Wyoming, Colorado, Utah, New Mexico, Arizona, Nevada and California. The exhaustive research that has gone into this book has uncovered the secret that Associate Justice Van Devanter had waited eleven years to publish his opinion in this important, but politically self-serving, case, at last finding a moment when his senior colleagues were sufficiently absent or incapacitated to either concur or dissent. Without the knowledge of his "brethren," save his "loyal friend" Taft, and without recusal, Van Devanter unilaterally delivered his sole opinion to the Clerk for publication on the last day of the Supreme Court's October 1921 Term.

This book is an account of how water rights were designed as a key part of the state's largest public water system, the Central Valley Project. Along sixty miles of the San Joaquin River, from Gustine to Mendota, four corporate entities called "exchange contractors" retain paramount water rights to the river. Their rights descend from the days of the Miller & Lux Cattle Company, which amassed an empire of land and water from the 1850s through the 1920s and protected these assets through business deals and prolific litigation. Miller & Lux's dominance of the river relied on what many in the San Joaquin Valley regarded as wasteful irrigation practices and unreasonable water usage. Economic and political power in California's present water system was born of this monopoly on water control. Strohane tells how drought and legal conflict shaped statewide economic development and how the grand bargain of a San Joaquin River water exchange was struck from this monopoly legacy, setting the stage for future water wars. His analysis will appeal to readers interested in environmental studies and public policy.

The series presents an interdisciplinary approach to the use and misuse of resources in the American West. This volume comprises essays written between 1982 and 1994, and previously published in journals such as *Western Historical Quarterly*, *J. of American History*, and *Environmental History Review*). Pisani, one of the nation's leading environmental and Western historians, highlights the central role played by land, water, and timber allocation in the American West, and shows how efforts to achieve justice and efficiency were compromised by the region's obsession with achieving rapid economic growth. Annotation copyright by Book News, Inc., Portland, OR

Principles of Water Law and Administration

Agricultural Law in a Nutshell

Colorado Water Law for Non-Lawyers

European Water Law and Hydropolitics

Water Law in India

Energy Law in a Nutshell

***Reveals the diverse ways people are using the law to restore rivers in the western United States and around the world.***

***Water law is very important in Texas because of the lack of water in the majority of the state and the prospect of greater shortages in an era of warming climate. It is certain that conflicts and litigation over the rights to and usage of water are going to increase in the coming years. This guide introduces researchers to the basic concepts and resources (both print and online) needed to research water law issues in Texas; explains the identity, function and publications of the various government bodies involved with water law issues in Texas; and provides researchers starting points when conducting historical research on Texas water law.--Publisher. Reliable source on water law contains updated court decisions from hundreds of case and statutory changes in several states. There is an added discussion on surface use of waters in light of the increased importance of public recreational water uses. Throughout the edition, where appropriate, analysis expands on the subjects of instream flow protection, water quality, and public-interest concerns in water use and water collection.***

***"While state law almost exclusively governs the allocation of surface waters in the United States, there are also reserved rights, an important class of water rights created by federal law. This book discusses the impact of federal environmental law on the use of water resources... [This] book begins by looking at the rights to use water based on both state and federal law, as well as the issues involved in waters that cross state boundaries and in the shared control of water between the U.S. and Mexico and Canada. Further exploring the extent of federal environmental law impacts on water rights, the book discusses the federal agencies with major water use impacts, including the U.S. Bureau of Reclamation, the U.S. Army Corps of Engineers, and other agencies whose actions, particularly projects they operate or lands that they manage and regulate, have a considerable impact on state law water rights and the execution of water projects. Central to any discussion of the federal impact on water rights are the major environmental laws. Individual chapters cover: Endangered Species Act; the Migratory Bird Treaty***

*Act; the Clean Water Act; the Wilderness Act designations and the wild and scenic rivers designations; and the National Environmental Policy Act. Finally, the book concludes by considering cases where water rights have been taken by governmental action without compensation.*"--

*A Legal Research Guide*

*Water, Land, and Law in the West*

*Reforming Water Law and Governance*

*An Inquiry into the Resilience of Transboundary Water Governance in the European Union*

*Water Law and Policy Governance Without Frontiers*

*The Limits of Public Policy, 1850-1920*

**Why do people fight about water rights? Who decides how much water can be used by a city or irrigator? Does the federal government get involved in state water issues? Why is water in Colorado so controversial? These questions, and others like them, are addressed in Colorado Water Law for Non-Lawyers. This concise and understandable treatment of the complex web of Colorado water laws is the first book of its kind. Legal issues related to water rights in Colorado first surfaced during the gold mining era in the 1800s and continue to be contentious today with the explosive population growth of the twenty-first century. Drawing on geography and history, the authors explore the flashpoints and water wars that have shaped Colorado's present system of water allocation and management. They also address how this system, developed in the mid-1800s, is standing up to current tests—including the drought of the past decade and the competing interests for scarce water resources—and predict how it will stand up to new demands in the future. This book will appeal to at students, non-lawyers involved with water issues, and general readers interested in Colorado's complex water rights law.**

**A Vital Explanation of Water Law and Policy Because demand for and access to quality water far exceeds the current supply, it is increasingly critical to understand the state and federal laws and policies that govern water rights. From farming, fishing, and biology to manufacturing, mine operation, and public water supply, water regulation affects all strata of society. Determining U.S. Water Rights: Different Systems for Different Needs United States Water Law: An Introduction is a concise overview of law and policy related to U.S. water rights and regulation of water quantity and quality. This wide-ranging book reviews the two major systems used to determine rights in the western and eastern states. It explores these different systems, which are based on the divergent factors affecting the two regions - the immense amount of government-owned property and arid conditions in the west, and ownership of riparian land in the east. The author also covers western states that adhere to the "hybrid" system, which recognizes early riparian rights predating adoption of later appropriation systems, and he explains that most states recognize at least some riparian rights to the use of surface water. Special sections detail regulatory considerations such as Native American rights, environmental regulation, nuisance and tort law, and social theory. Tools to Aid Further Research To elucidate basic principles and differences in water law, this book contains Internet links to state water codes and contact information for regulatory agencies that handle applications. It presents key federal case law and statutes and other features to reinforce the material. For law practitioners and environmentalists to property/business owners acquiring or retaining water rights, this is the ideal primer on water law, with numerous tools to aid in further research.**

**A multidisciplinary text, considering both general issues and principles of water law and administration at national and international level, dealing with current legal and institutional aspects of water resources management. New information has been added in this latest edition, including the situation in countries previously a part of the former Soviet Union. Added emphasis is given to areas of growing topical importance, such as stakeholders' influence on decisions, the need to maintain a minimum flow in water bodies and the necessity for legislation in support of water resource monitoring. There is new material on the European Union Water Framework Directive which is referenced heavily in the work. The book is aimed at those who carry out functions in water resources administration and those who deal with legal issues raised by water management. The book will be particularly useful to academics and graduate students of law, engineering, hydrology, hydrogeology, sanitary engineering and planners, as well as national and international water resources managers. Nature and Protection of Oil and Gas Rights; The Formation and Production of Oil and Gas; Ownership of Oil and Gas Rights; Kinds of Oil and Gas Interests; Protection of Oil and Gas Rights; Conveying Oil and Gas Rights; Creation and Transfer of Oil and Gas Interests; Joint Ownership of Oil and Gas Rights; Interpretive Problems in Oil and Gas Conveyancing; Oil and Gas Leasing; Essential Clauses of Modern Oil and Gas Leases; Oil and Gas Lease Savings Clauses; Lease Royalty, Clause; Implied Covenants in Oil and Gas Leases; Lease Transfers; Tax**

**and Business Matters; Oil and Gas Contracts.  
Private Property, Public Rights, and Environmental Protections  
Competition, Collaboration and Water Governance  
Water and the Law in Hawai'i  
Water Law in a Nutshell  
From Stagnation to Innovation in Australia  
Land Use in a Nutshell**

Water resources were central to England's precocious economic development in the thirteenth and sixteenth centuries, and then again in the industrial, transport, and urban revolutions of the late eighteenth and early nineteenth centuries. Each of these periods saw a great deal of legal conflict over water rights, often between domestic, agricultural, and manufacturing interests competing for access to flowing water. From 1750 the common-law courts developed a large but unstable body of legal doctrine, specifying strong property rights in flowing water attached to riparian possession, and also limited rights to surface and underground waters. The new water doctrines were built from older concepts of common goods and the natural rights of ownership, deriving from Roman and Civilian law, together with the English sources of Bracton and Blackstone. Water law is one of the most Romanesque parts of English law, demonstrating the extent to which Common and Civilian law have commingled. Water law stands as a refutation of the still-common belief that English and European law parted ways irreversibly in the twelfth century. Getzler also describes the economic as well as the legal history of water use from early times, and examines the classical problem of the relationship between law and economic development. He suggests that water law was shaped both by the impact of technological innovations and by economic ideology, but above all by legalism. This title addresses the component parts of the energy fuel cycle, as well as the market and government policies that oversee it. This Nutshell describe in detail the country's traditional energy policy and also discusses the current challenges that confront it. Chapters cover the individual natural resources used to produce energy and the book concludes with the development of a clean energy policy for the future.

This book identifies the most effective water policy tools and innovations, and the circumstances that foster their successful implementation by taking a comparative look at a world-leading 'laboratory' of water law and governance: Australia. In particular, the book analyses Australia's 20-year experience implementing a hybrid governance system of markets, hierarchical regulation, and collaborative integrated water planning. Australia is acknowledged as a world leader in water governance reform, and an examination of its relatively mature water law and governance system has great significance for many international academics and jurisdictions. This book synthesises practical lessons and theoretical insights from Australia, as well as recommendations from comparative analysis with countries such as the United States to provide useful guidance for policymakers and scholars seeking to apply water instruments in a wide range of policy contexts. The book also advances our understanding of water and broader environmental governance theory and is a valuable reference for scholars, researchers and students working in law, regulation and governance studies - especially in the field of water and environmental law. Chapter "Lessons from Australian water reforms: Indigenous and environmental values in market-based water regulation" is available open access under a Creative Commons Attribution 4.0 International License via [link.springer.com](http://link.springer.com).

In 2017 four rivers in Aotearoa New Zealand, India, and Colombia were given the status of legal persons, and there was a recent attempt to extend these rights to the Colorado River in the USA. Understanding the implications of creating legal rights for rivers is an urgent challenge for both water resource management and environmental law. Giving rivers legal rights means the law can see rivers as legal persons, thus creating new legal rights which can then be enforced. When rivers are legally people, does that encourage collaboration and partnership between humans and rivers, or establish rivers as another competitor for scarce resources? To assess what it means to give rivers legal rights and legal personality, this book examines the form and function of environmental water managers (EWMs). These organisations have legal personality, and have been active in water resource management for over two decades. EWMs operate by acquiring water rights from irrigators in rivers where there is insufficient water to maintain ecological health. EWMs can compete with farmers for access to water, but they can also strengthen collaboration between traditionally divergent users of the aquatic environment, such as environmentalists, recreational fishers, hunters, farmers, and hydropower. This book explores how EWMs use the opportunities created by giving nature legal rights, such as the ability to participate in markets, enter contracts, hold property, and enforce those rights in court. However, examination of the EWMs unearths a crucial and unexpected paradox: giving legal rights to nature may increase its legal power, but in doing so it can weaken community support for protecting the environment in the first place. The book develops a new conceptual framework to identify the multiple constructions of the environment in law, and how these constructions can interact to generate these unexpected outcomes. It explores EWMs in the USA and Australia as examples, and assesses the implications of creating legal rights for rivers for water governance. Lessons from the EWMs, as well as early lessons from the new 'river persons,' show how to use the law to improve river protection and how to begin to mitigate the problems of the paradox.

Western Water Rights and the U.S. Supreme Court

Legal Control of Water Resources

California Water, 3rd Edition

Water Rights and Environmental Regulation

Life and Death Along the Colorado River

International Water Law and the Quest for Common Security

Intended for a general audience, Water Law: Concepts & Insights provides both a general overview of basic water law doctrines and an exploration of how water law-the law and policies governing allocation of water-fit into broader ecological and environmental law issues. The book provides an overview of important hydrological principles before discussing the two state-law systems governing use of surface water in the United States and the five doctrines governing use of groundwater. It then explores the federal government's interests in the fresh waters of the United States, ranging from protection of navigability to federal water projects to federal water rights. Putting the law governing water use into a broader context, Water Law: Concepts & Insights then explores the intersections of state water law with energy policy and production, water quality protections, endangered species protections, and broader watershed management. It ends by returning to the concept of water rights as protected private property rights and the complexities of constitutional

"takings" litigation when environmental protections interfere with those rights.

Water Law and Policy examines water management in Europe, and the difficulties and policy dilemmas involved in creating integrated water management institutions. This is the only overall assessment of the development and evolution of European Water Law and Policy. The book is unique in that it concentrates on institutional development, norms and guiding principles, implementation strategies, and public participation mechanisms at the local level, EU level, and globally. Water is one of the most mismanaged natural resources. Failed water management policies and fragmented water management institutions can have catastrophic results, including both flooding and water scarcity. Dr. Elli Louka's book provides insights that can guide water development policies across national borders. It is a must-read for policymakers, water managers, and students who need to understand national and transnational water management.

Modern Water Law provides a comprehensive text to study the range of legal issues and doctrines that affect water resources. This is a national book that uses many recent cases, bringing a fresh perspective to the field. The authors begin with private water use rights, including common law doctrines for riparian reasonable use and prior appropriation, as well as groundwater rights and the statutory schemes for administering water use rights. The book explores the range of public rights in water, including navigation, the public trust doctrine, federal reserved rights, and interstate water management. The book also introduces modern challenges and environmental protection goals, focusing on the energy-water nexus, water pollution, and endangered species conflicts. The final chapters combine these concepts in the context of complex watershed restoration challenges and water rights takings litigation. Burton dissects the irreconcilable conflict of interest within the Interior Department (between the Bureau of Reclamation and the Bureau of Indian Affairs). He also examines the methods of managing disputes in contemporary cases and offers original policy recommendations that include establishing an Indian Water Rights Commission to help with the paradoxical task now facing the federal government--restoring to tribes the water resources it earlier helped give away.

Trans-jurisdictional Water Law and Governance

Cases and Materials on Water Law

Riverflow

Oil and Gas Law in a Nutshell

Routledge Handbook of Water Law and Policy

Montana Water Law

**Legal Control of Water Resources** highlights the cutting edge issues of water law, while providing a comprehensive survey of the field. The book has been thoroughly updated major water marketing developments. There is extended coverage of ongoing efforts to settle Indian water rights claims. Finally, the new edition will include revised introductory materials on topics such as climate change and desalination developments. to reflect major new court decisions and legislation. The Fourth Edition deals with cutting-edge issues such as interstate water disputes on the Great Lakes, the Rio Grande, and in the Southeastern United States. New material has been added on water and urban growth management, environment/property rights conflicts, and

This book offers a detailed examination of the main sources of Chile's water, its principle consumers, the gap between supply and demand, hydrological droughts, and future projected impacts of climate change. It describes, analyzes and evaluates the performance of water policies, laws and institutions, identifies the main challenges that Chile needs to face and derives lessons learnt from Chile's reform experience. Expert contributors discuss such topics as Chile's water policy, and the reasoning which explains its policy reform. The book presents and evaluates the performance of the legal and institutional framework of water resources. It also describes efforts to meet actual demands for water by augmenting supplies with groundwater management, waste water re-use and desalination and improve the state of water ecosystems. The last chapter presents the editor's assessment and conclusions. The case of Chile is illustrative of a transition from command and control to market based management policies, where economic incentives play a significant role in water management.

The new edition adds dozens of recent decisions and key statutory changes. Virtually every principal case in the leading casebooks is cited or discussed, making this book an excellent aid for students in any water law course. The revised edition deals with changes in evolving areas like groundwater-surface water conflicts, public recreational uses, instream flow protection, federal water development, takings claims, and water access and equity.

Water supply is an extremely contentious resource issue in California and the West. The framework currently used to resolve these issues, however, is based on the legal system that arose in response to the 1849 Gold Rush, and on which California and other Western states modeled their laws. In "Golden Rules: The Origins of California Water Law in the Gold Rush," Mark Kanazawa mines a vast cache of previously untapped historical sources both to tell the story of California's water laws and to shed light on how institutions and economies develop in relation to each other. The Gold Rush was a massive shock to the California economy and provides a unique opportunity in which to observe largely unfettered economic and cultural forces giving rise to rapid and dramatic changes in laws. Kanazawa draws on the latest scholarship in law and economics, property law, and new institutional economics, in combination with a great deal of evidence, to describe and interpret the water law doctrine that emerged from 1850s California. Seen through the lens of water development and property law, "Golden Rules" provides a coherent framework within which to understand much of what is observed in terms of institutional developments, and the activities governed by those, during the Gold Rush."

Where the Water Goes

United States Water Law

Golden Rules

The Clean Water Act Handbook

Legal Rights for Rivers

**DIV** Making extensive use of archival and other primary sources, David Schorr demonstrates that the development of the "appropriation doctrine," a system of private rights in water, was part of a radical attack on monopoly and corporate power in the arid West. Schorr describes how Colorado miners, irrigators, lawmakers, and judges forged a system of private property in water based on a desire to spread property and its benefits as widely as possible among independent citizens. He demonstrates that ownership was not dictated by concerns for economic efficiency, but by a regard for social justice. /div