**WATER RESOURCES LAW**  
**FALL SEMESTER 2008**  
Professor Karin Sheldon  
T/TH 4:30-5:45 PM  
Room 205

Required Texts:  
SAX ET AL., LEGAL CONTROL OF WATER RESOURCES, 4TH ED.  

Recommended Text:  
GETCHES, WATER LAW IN A NUTSHELL, 3D ED.

Suggested Other Readings:  
REISNER, CADILLAC DESERT  
CHILDLS, THE SECRET LANGUAGE OF WATER  

> Eventually, all things merge into one  
and a river runs through it.  
The river was cut by the world’s great flood  
and runs over rocks from the basement of time.  
On some of the rocks are timeless raindrops.  
Under the rocks are the words,  
And some of the words are theirs.  
I am haunted by waters.*

August 26  
Whiskey’s for Drinkin’, Water’s for Fighting Over  
Chapter 1, Pages 1-26

August 28  
Riparianism: Water as an Aspect of Property Ownership  
Basic Tenets/Reasonable Use Doctrine  
Chapter 2, Pages 27-52, 57-61

September 2  
Reasonable Use/Municipal Water Supply  
Chapter 2, Pages 61–97

September 4  
Riparianism Present and Future/Law of Drainage  
Chapter 2, Pages 101-123

  
Prior Appropriation: Water Law for an Arid Region  
Chapter 3, Pages 124-139

September 9  
Evolution of Western Water Law  
Chapter 4, Pages 325-340  
Citizens’ Guide to Colorado Water Law, Pages 4 & 5

*NORMAN MACLEAN, A RIVER RUNS THROUGH IT (1976).
Mixed System States/Federalism Issues  
Chapter 4, Pages 340-354

September 11  
Elements of the Prior Appropriation Doctrine  
Unappropriated Water/Natural Stream/ Diversion/Beneficial Use  
Chapter 3, Pages 139-165  
Citizens Guide to Colorado Water Law, Pages 6-9

September 16  
Waste/Unreasonable Use  
Chapter 3, Pages 165-168  
Regulating Waste/Reuse  
Chapter 3, Pages 173-176, 183-197

September 18  
Recapture/Reuse/Selling Sewage  
Chapter 3, Pages 197-215

September 23  
Water Allocation Regimes  
Colorado  
Citizens Guide, Pages 12-21  
Permit Systems  
Chapter 3, Pages 215-220  
Public Interest Standard  
Chapter 3, Pages 220-223, 227-234

September 25  
Area of Origin Protection  
Chapter 3, Pages 234-243  
Managing Growth by Water Availability  
Chapter 3, Pages 243-247  
New Colorado water law materials-- to be provided

September 30  
Loss of Water Rights  
Chapter 3, Pages 247-264  
Water Transfers  
Chapter 3, Pages 264-276

October 2  
Water Transfers, contd.  
Chapter 3, Pages 276-298  
Alternatives to Conventional Rights  
Chapter 3, Pages 301-310

October 7  
Groundwater  
Hydrogeology  
Chapter 5, Pages 393-411  
Principal Doctrines of Groundwater Law  
Chapter 5, Pages 411-421, 423-433
<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Chapter Range</th>
<th>Page Ranges</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 9</td>
<td>Groundwater Doctrines contd.</td>
<td>Chapter 5</td>
<td>439-443</td>
</tr>
<tr>
<td></td>
<td>Groundwater Management Disputes and Crises</td>
<td></td>
<td>443-454</td>
</tr>
<tr>
<td></td>
<td>Groundwater-Surface Water Interconnections</td>
<td></td>
<td>454-478</td>
</tr>
<tr>
<td>October 14</td>
<td>Groundwater Mining/ Groundwater Storage</td>
<td>Chapter 5</td>
<td>478-490</td>
</tr>
<tr>
<td></td>
<td>Recharge Rights</td>
<td></td>
<td>491-506, 518-520</td>
</tr>
<tr>
<td>October 16</td>
<td>Public Rights in Water</td>
<td>Chapter 6</td>
<td>521-540</td>
</tr>
<tr>
<td></td>
<td>Navigability for Title</td>
<td></td>
<td>540-546</td>
</tr>
<tr>
<td></td>
<td>Federal Navigation Servitude</td>
<td></td>
<td></td>
</tr>
<tr>
<td>October 21</td>
<td>Recreational Access and Use</td>
<td>Chapter 6</td>
<td>546-561, 576-590</td>
</tr>
<tr>
<td>October 23</td>
<td>Public Trust</td>
<td>Chapter 6</td>
<td>590-621</td>
</tr>
<tr>
<td>October 28</td>
<td>Water Organizations</td>
<td>Chapter 7</td>
<td>681-688</td>
</tr>
<tr>
<td></td>
<td>The Federal Reclamation Program</td>
<td></td>
<td>746-762</td>
</tr>
<tr>
<td></td>
<td>Reforming the Reclamation Program</td>
<td></td>
<td>771-778, 788-796</td>
</tr>
<tr>
<td>October 30</td>
<td>Water as a Regional and Shared resource</td>
<td>Chapter 8</td>
<td>799-835</td>
</tr>
<tr>
<td></td>
<td>The Colorado River</td>
<td></td>
<td></td>
</tr>
<tr>
<td>November 4</td>
<td>Interstate Allocation of Water</td>
<td>Chapter 8</td>
<td>835-853</td>
</tr>
<tr>
<td></td>
<td>Equitable Apportionment</td>
<td></td>
<td>858-874</td>
</tr>
<tr>
<td>November 6</td>
<td>Private Interstate Water Litigation</td>
<td>Chapter 8</td>
<td>874-891</td>
</tr>
<tr>
<td></td>
<td>International Waters</td>
<td></td>
<td>891-902</td>
</tr>
</tbody>
</table>
November 11  Federal and Indian Water Rights
Federal Reserved Water Rights
Chapter 9, Pages 903-928

November 13  Non-Indian Reserved Rights
Chapter 9, Pages 928-957

November 18  Guest Speaker

November 20  Indian Reserved Rights
Chapter 9, Pages 957-996

December 2  Beyond Reserved Rights
Chapter 9, Pages 996-1008

December 4  Review

December 18  Exam @1:15 PM
Exam is 3 hours in class/closed book essay and short answer questions
10% of grade will be based on class participation

OTHER IMPORTANT INFORMATION
Professor Sheldon:
ksheldon@westernresources.org
Western Resource Advocates
2260 Baseline Road, Boulder 80302
Telephone: 303-444-1188, ext. 214
Office hours by appointment