

## **COURSE REQUIREMENTS**

### **February 2018**

You are not training to be a lawyer, yet water law will likely play prominently if you intend to work on issues relating to water. This class is designed to provide an introduction to water law for non-lawyers.

Of course, an introduction to water law, like many other things, is difficult to provide in a single course, particularly in a condensed course like this one. The course will consider state and federal laws respecting water allocation, development, and conservation. More specifically, the much of the course will focus on the ways the major water allocation systems work—both in surface water and ground water—in the United States. After providing an overview of the sorts of systems used in the United States, the course will discuss California's system specifically.

This course's objective is to provide students with an introduction to the most important concepts in water law. The course will also highlight ways non-lawyers can influence legal and political outcomes relating to water law. The course covers a significant amount of material in a relatively short time. As a result, students are expected to come prepared to discuss the readings. Additionally, class participation will be factored into each student's final grade.

In addition to class participation (which counts for 10% of a student's grade), students will be graded in one of two ways. First, students may opt to take a take-home final, which will last three hours. Students will be allowed to use their course materials and any materials students have had a hand in creating in preparation for the final. However, students will not be allowed to collaborate with others on the final or to discuss the content of the final until after the semester ends.

Second, students may opt to write a paper for the course on a land use issue. Such papers must be between 10-12 pages (double-spaced). In either case, students must turn in their finals or papers no later than three days before the last day of the semester.

#### Class Sessions

The class is scheduled to be held in Bren Hall, Room 1510. We will hold class at six the following times:

Monday, February 12 at 5-7:30 pm

Tuesday, February 13 at 5-7:30 pm

Wednesday, February 14 at 5-7:30 pm

Thursday, February 15 at 5-7:30 pm  
Friday, February 16 at 9 am - 12 pm and 1-3 pm

### Readings

Most of the reading list will be distributed students before the class begins; some of the readings will not be determined until after the first day of class and will be determined based on student interests. All readings come from Getches, et al., Water Law (5<sup>th</sup> ed. 2015) or from additional materials (e.g., newspaper articles) provided to students. While we will spend most of the class discussing the rules pertaining to water allocation (classes 1-4), the final two classes will illustrate how these allocation rules overlap other legal regimes (e.g., environmental law). Since we have a wide range of topics we could draw upon for those last two periods, I will discuss with you the last day's readings and make sure that these topics meet the class's collective preferences.

Class 1: Monday, Feb. 12 - 5:00 - 7:30

Introduction to Water Law (Getches, et al., 1-14)  
Riparian Rights (Getches et al., 15-22; 32-37; 53-70)

Class 2: Tuesday, Feb. 13 - 5:00 - 7:30

Prior Appropriation Part I (Getches, et al., 71-128)

Class 3: Wednesday, Feb. 14 - 5:00 - 7:30

Prior Appropriation Part II (Getches, et al, 129-186)

Class 4: Thursday, Feb. 15 - 5:00 - 7:30

Ground Water (Getches, et al, 215-276)

Proposed Class 5: Friday, Feb. 17 - 9:00 - 12:00

Hybrid Systems (Getches, et al, 187-203)  
Water Organizations (Getches, et al, 437-473)  
Drought (No reading)

Proposed Class 6: Thursday, Feb. 18 - 1:00 - 3:00

Environmental Law and Water Law (Light Readings TBA)  
Safe Drinking Water including Flint (Light Readings TBA)