Reshaping the Western United States, from Ag to Urban During the Drought

IWRA Conference Scotland, May 2015 Therese Ure



OREGON • WASHINGTON

IDAHO

NEVADA

INTERNATIONAL



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Ag-Urban Transfers

- Food Production
- Cooperation
- Rotation
- Urban Reinvestment



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Western Water: Three Fundamental Principles

- 1. Beneficial Use
- 2. Diversion
- 3. Appurtenance





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First Principle: Beneficial Use

"Beneficial use is the basis, measure and limit of all rights to the use of water."





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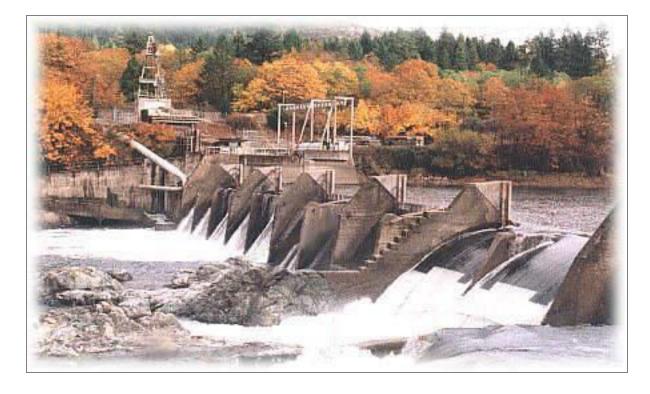
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Second Principle: Diversion

Right to use water awarded to the first to divert it from the natural course



"First in time, first in right"



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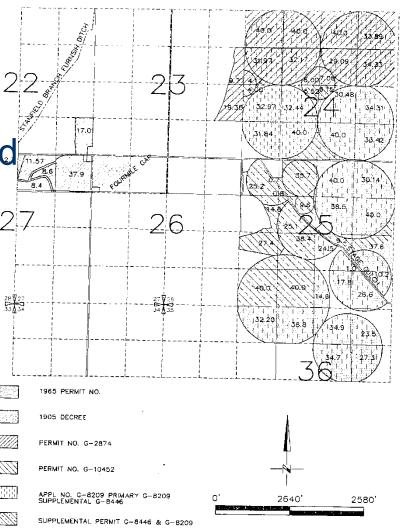
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Third Principle: Appurtenance

Water right is appurtenant to the land where perfected





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Bob Gottlieb and Peter Wiley "Selling Water, or Selling Out?" pp 28-34, *Western Water Made Simple*, High Country News, 1987



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Water Rights Characteristics Subject to Change

- Place of Use
- Point of Diversion
- Type/Manner of Use
- Season of Use
- Rate
- Duty



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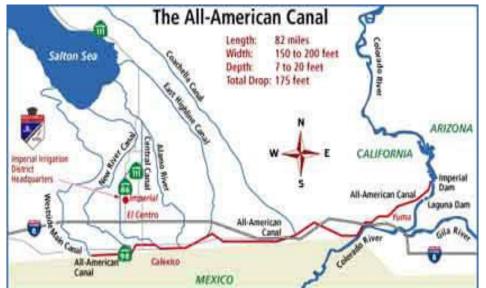
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Southern California

- Imperial Irrigation District
- Oldest water rights
- 2014:
 - 12,970 acres fallowing
 - Savings 69,000 AF







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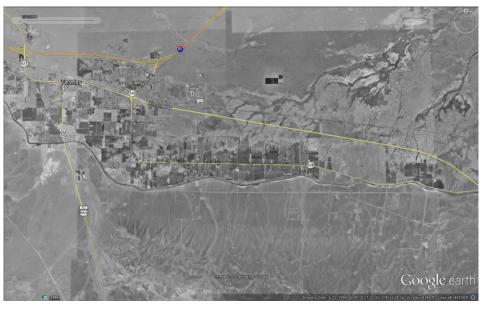
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Northern Nevada

- Truckee River
 Operating Agreement
- Settlement w/o all interested parties
- Water shortages and decades long litigation







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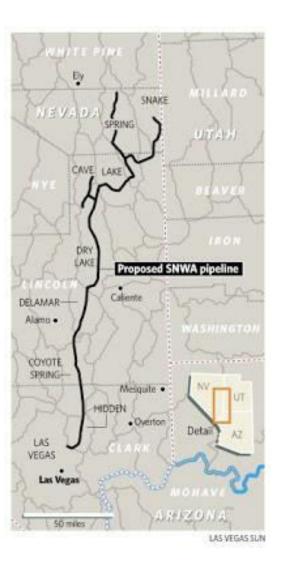
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Las Vegas

- Southern Nevada
 Water Authority
- Groundwater pipeline
- BLM approval, followed by litigation





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Ag-Urban Transfer Impacts

- Rural economies
 - Communities
- Ecology
- Food Security
- Increased Imports



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Conclusions

- Food Production
 Protection
- Cooperation
- Rotation
- Urban Reinvestment



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Thank You Therese A. Ure www.water-law.com