Federal Reserved Rights Claims for Uses on Out-of-Basin Lands [outline]

Richard B. Collins

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FEDERAL RESERVED RIGHTS CLAIMS FOR USES ON OUT-OF-BASIN LANDS

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New Sources of Water for Energy
Development and Growth: Interbasin Transfers

a short course sponsored by the
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FEDERAL RESERVED RIGHTS CLAIMS FOR USES ON
OUT-OF-BASIN LANDS

June 8, 1982	Richard B. Collins
4:00 P.M.	School of Law
University of Colorado

1. Do claims to reserved water rights for use on out-of-
   basin lands present a distinct legal issue? Are these
   claims important?
   a. Nature of the claims; comparison with riparian and
      prior appropriation state laws.
   b. Whether reserved rights must be riparian or intra-
      basin.
   c. Limits on the claims from the general limits on
      reserved rights.
   d. Federal projects.

2. Categories of out-of-basin uses, real and imagined.
   a. Interbasin within a reservation.
   b. Interbasin from a former reservation source.
   c. Interbasin from an off reservation source.
   d. Use of intrabasin water rights on out-of-basin land.

3. Cases.
   a. Arizona v. California, 373 U.S. 546 (1963); 376 U.S.
      340 (1964); Sup. Ct. No. 8 Orig.
   b. United States v. City & County of Denver, Colo.
      Sup. Ct. Nos. 79 SA 99, 100.
      w-1603-76 et seq.
   f. White Mountain Apache (Ariz.).