



Mealey's Water Rights Law Report follows federal, state and local litigation involving water rights. This monthly Report also covers federal and state regulatory and legislative developments, as well as rulings by administrative agencies tasked with creating policy and writing regulations governing access to water.

Litigation Snapshot

Litigation over rights to surface water has expanded to groundwater rights due to overuse and, in some states, drought. Several states have sued neighboring states in the U.S. Supreme Court over groundwater. In California, which is experiencing a drought of historic proportions, the state government has begun issuing orders limiting even senior or legacy water rights, resulting in litigation. The United States recently published the Clean Water Rule: Definition of Waters of the United States. Several states, water utilities, industry associations and environmental groups have sued the federal government, alleging that the rule violates the Clean Water Act and the Administrative Procedure Act and could usurp state control over water.

Who Needs to Know

- » Environmental lawyers
- » Toxic tort lawyers
- » Water rights specialists
- » Corporate compliance officers
- » Regulators

Areas of Coverage

- » Clean Water Act
- » National Environmental Policy Act (NEPA)
- » Civil actions by property owners against other property owners
- » Lawsuits by and against water-using businesses
- » Litigation involving utilities and Native American tribes
- » Drought-related litigation
- » Environmental regulation effects on water rights
- » Safe Drinking Water Act (SDWA)
- » Resource Conservation and Recovery Act
- » Litigation involving water use regulation by water districts, local municipalities, regional water authorities, state government and various federal agencies

How Lexis Legal News Can Help

Mealey's Water Rights Law Report on Lexis Legal News and via email delivery features unbiased news stories, case summaries, attorney listings, and the PDF of court and agency documents and regulations. Subscribers also receive expert commentary articles and email bulletins of breaking news. This valuable insight into current news and litigation trends helps subscribers to advise clients, prepare for trial, draft pleadings and briefs, develop case strategies, formulate arguments and build compelling cases.

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Sample Newsletter and Section News

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To: Jane.Doe@Firm.com
Cc:
Subject: Mealey's Water Rights Law Report, October 2015, Volume 2, Issue 1

Lexis® Legal News

MEALEY'S WATER RIGHTS

North Carolina

North Carolina Appeals Court: Takeover Of City Water System Not Unconstitutional

RALEIGH, N.C. — North Carolina legislation that allows the takeover the City of Asheville's water system is not unconstitutional, a panel of the state Court of Appeals ruled Oct. 6 (City of Asheville v. State of North Carolina, et al., No. COA14-1255, N.C. App.).

Clean Water Rule

Corps Wants High Court To Resolve Clean Water Rule Jurisdictional Question

WASHINGTON, D.C. — The U.S. Supreme Court on Sept. 28 asked a company to respond to a petition for a writ of certiorari filed by the United States seeking a ruling on whether an Army Corps of Engineers determination that a property is part of the "waters of the United States" is a final agency action subject to judicial review (United States Army Corps of Engineers v. Hawkes Co., Inc., et al., No. 15-290, U.S. Sup.).

11th Circuit To Hear Expedited Appeal Of Clean Water Rule Court Jurisdiction

ATLANTA — The 11th Circuit U.S. Court of Appeals on Sept. 14 granted an expedited appeal but no stay for an appeal by nine states challenging the Clean Water Rule (State of Georgia, et al. v. Regina McCarthy, et al., No. 15-14035, 11th Cir.).

North Dakota Federal Judge Won't Make Clean Water Rule Injunction Nationwide

FARGO, N.D. — A North Dakota federal judge on Sept. 4 said he will limit his injunction against implementation of the Clean Water Rule to the 12 states and two state agencies that are part of the litigation before him (States of North Dakota, et al. v. U.S. Environmental Protection Agency, et al., No. 15-59, D. N.D., Southeastern Div.).

ARTICLE HEADLINE

Links to the full article, related stories, related documents and comments section.

SECTION HEADER

Links to the topical section of Lexis Legal News.

Relocatory Appeal

Re American water rights case
Cahuilla Indians v. Coachella