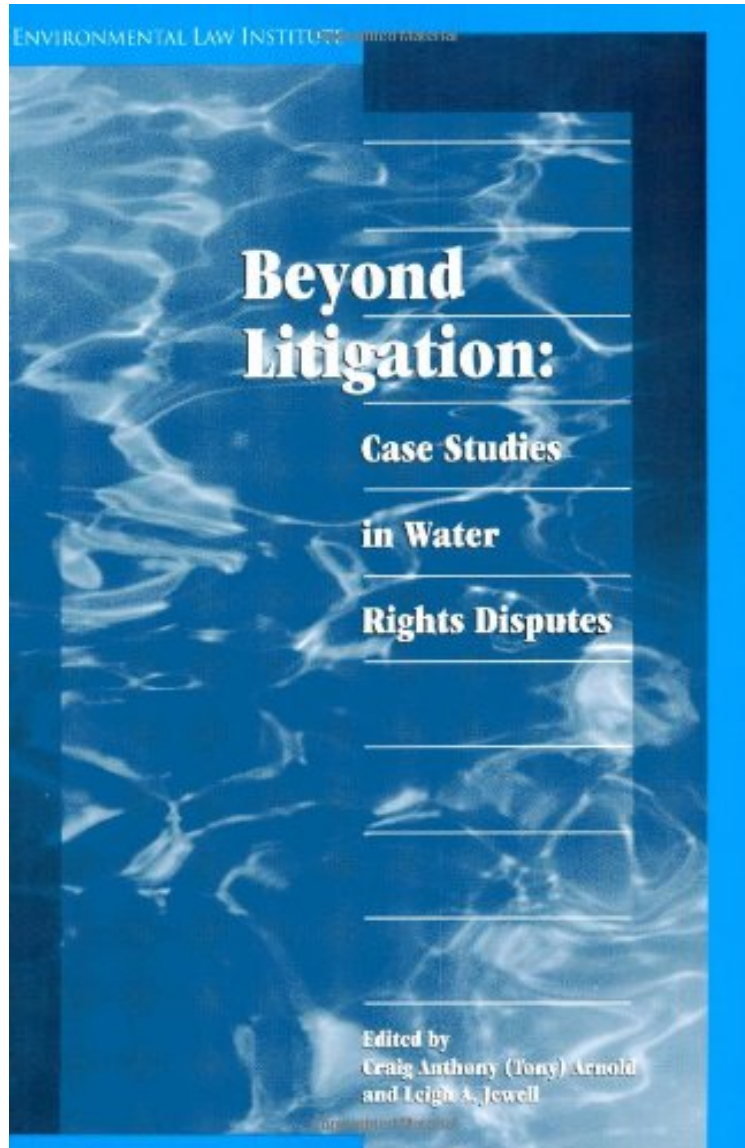


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## Beyond Litigation: Case Studies in Water Rights Disputes

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0 of 0 people found the following review helpful. Four StarsBy Elaine WillmanI bought this as a useful resource to an attorney colleague of mine. He was most apprecative.

Actual case studies teach techniques on how and how not to resolve water rights disputes, which occur frequently throughout the United States. These disputes often pit jurisdiction against jurisdiction in expensive, time-consuming litigation full of uncertainty and lengthy delays. To make matters worse, the verdicts are usually long in coming, and all too often result in no clear winner. The articles compiled in this monograph demonstrate how judicial resolution does not always resolve conflict. Each article examines a particular conflict that is the subject of a major judicial opinion on water law. The six articles covered in this book share one common observation: litigation is frequently an important but insufficient component in the process towards dispute resolution. Parties may find that ultimate resolution of their conflicts requires market transfers, negotiation, public education, lobbying and legislation, technological developments, additional litigation, or even the ability to live with contained conflict. Instead of limiting their analysis solely to legal doctrine or theories, the authors probed the history of the disputes, both before and after the judicial decision to find lessons about how water rights conflicts can be resolved. Conflicts between parties or stakeholders involve multiple, recurring subjects of tension and dispute. Furthermore, no single means of resolving these complex, interrelated, persistent mass of conflicts and problems will be effective. Instead, the parties often find that they need to pursue several different methods of conflict resolution or problem solving to reach resolution or at least an acceptable compromise.