

Interdisciplinary Water Resources Seminar GRAD592

Fall 2018 Theme:

Topics in Colorado Water Law

Monday, November 12, 2018 4:00 – 5:30 PM,
Wagar Room 132

Case Study: High Plains A&M v. Southeastern Colorado Water Conservancy District Management (Change of Use, Anti-Speculation)

Lee Miller, Southeastern Colorado Water Conservancy District

Biography:

Lee E. Miller serves as the General Counsel of the Southeastern Colorado Water Conservancy District (SECWCD), a position that he has held since 2011. Prior to taking the in-house position at SECWCD, Miller was in private water law practice. From 1996 to 1999, he was a First Assistant Attorney General, serving as the Colorado Attorney General's representative to the Colorado Water Conservation Board (CWCB), and acted as the chief advisor to state agencies, boards, and commissions on water matters. Before coming to Colorado from Washington, D.C., Miller served as a legislative advisor to U.S. Senator from Colorado Hank Brown. In addition, he served as an attorney for the U.S. Department of the Interior where he provided legal advice to the Secretary and other departmental agencies on issues concerning various states' water rights laws, federal reclamation laws, environmental laws, and Indian law. Miller received his J.D. and B.A. from the University of Wyoming.



Abstract:

High Plains A&M LLC. filed two almost identical applications for changes of water rights in 2002-2003 to approve changes to its water rights from irrigation in the Lower Arkansas River Valley to any beneficial use, including over 50 identified potential uses, in any location within 28 Colorado counties. High Plains' applications did not identify any end users of the water besides the current farmer users. In *High Plains A&M, LLC v. Southeastern Colorado Water Conservancy District*, 120 P.3d 710 (Colo. 2005), Southeastern successfully argued that High Plains' applications for a change of water right was properly dismissed because the applications did not state with specificity the use or location of the changed water rights, thus violating Colorado's anti-speculation doctrine.



Colorado State University



All interested faculty, students, and off-campus guests are encouraged to attend.
For more information, contact Reagan Waskom at reagan.waskom@colostate.edu or visit watercenter.colostate.edu.

