

Twenty Basic Water Policy Themes at the Start of the 21st Century
By Justice Greg Hobbs, Colorado Supreme Court
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1. WATER POLICY REFLECTS THE CUSTOMS AND VALUES OF PEOPLE IN COMMUNITIES ORGANIZED TO PROVIDE A SECURE, RELIABLE, AND FLEXIBLE WATER SUPPLY FOR HUMANS AND THE ENVIRONMENT.
2. OWNERSHIP OF THE SURFACE AND GROUNDWATER RESOURCE ALWAYS REMAINS IN THE PUBLIC.
3. SAFE, RELIABLE, AND AFFORDABLE DRINKING AND SANITATION WATER SUPPLY IS MADE AVAILABLE TO ALL PEOPLE.
4. WATER NECESSARY FOR INDIGENOUS COMMUNITIES IS RESERVED TO THEM.
5. WATER NEEDED TO SUSTAIN AQUATIC LIFE, WETLANDS, RIPARIAN ZONES, AND THE CARRYING CAPACITY OF WATERSHEDS IS WITHDRAWN FROM ALLOCATION TO OTHER USES.
6. THE NEEDS OF WATERSHEDS OF ORIGIN WITHIN NATIONS, AND THE NEEDS OF NATIONS UPSTREAM AND DOWNSTREAM OF EACH OTHER, ARE NEGOTIATED, DETERMINED AND HONORED.
7. THE AMOUNT OF WATER AVAILABLE FOR USE IS ALLOCATED FOR AS MANY BENEFICIAL PURPOSES AS POSSIBLE.
8. HISTORICALLY EXERCISED WATER USES CURRENTLY IN EXISTENCE ARE IDENTIFIED AND CONFIRMED.
9. NATURAL INTERACTION OF TRIBUTARY AQUIFERS AND STREAMS IS RESPECTED.
10. SURFACE WATER AND TRIBUTARY GROUNDWATER USES ARE ADMINISTERED IN TIMES OF SHORT SUPPLY IN ORDER OF THEIR HISTORICAL DATE OF ACTUAL BENEFICIAL USE.
11. WATER POLLUTION SOURCES ARE REGULATED SO THAT WATER QUALITY IS SUITABLE FOR AGRICULTURAL, DRINKING WATER, RECREATIONAL, AND AQUATIC LIFE USES.
12. WATER USE EFFICIENCY, DEMAND REDUCTION, AND CONSERVATION MEASURES ARE EMPLOYED.

13. WATER WILL BE ALLOCATED TO NEW USES ONLY IF THERE IS AN AMOUNT AVAILABLE THAT CAN BE USED WITHOUT INJURING PRE-EXISTING USES.

14. CHANGES OF WATER USES FROM EXISTING USES TO NEW USES WILL BE ALLOWED IF THEY DO NOT INJURE OTHER EXISTING USES.

15. A PROGRAM IS INSTITUTED FOR RESTORING DAMAGED AQUATIC ENVIRONMENT.

16. COOPERATIVE FORUMS FOR ADJUSTING WATER POLICY ESTABLISHED AND JUST TRIBUNALS FOR RESOLVING WATER USE CONFLICTS ARE OPERATIVE.

17. TECHNICAL ASSISTANCE GRANTS, LOANS, AND FINANCING MECHANISMS ARE AVAILABLE.

18. STREAM AND AQUIFER QUALITY AND QUANTITY DATA ARE COLLECTED, MAINTAINED, AND MADE PUBLIC.

19. DROUGHT PLANS ARE PREPARED AND READY FOR IMPLEMENTATION.

20. PUBLIC WATER EDUCATION IS FOSTERED.