Water Rights Litigation

Our water attorneys have represented individuals, ditch companies, state and municipal governments, special districts, lenders, and developers in water rights evaluation, acquisition, protection, and transfer.

Acquiring and Protecting Water Rights. We handle cases in water courts throughout the state involving applications for the following:

- New conditional and absolute water rights
- Changes of existing water rights
- Exchanges of water rights
- Approval of plans for augmentation
- Determinations of abandonment

We also help clients protect their water rights by filing statements of opposition to water court applications filed by others.

Purchase and Sale of Water Rights. We assist clients in evaluating water rights for purchase, and in negotiating and effecting water transactions.

Permitting and Other Administrative Proceedings. We assist clients in obtaining well permits and other administrative matters before the Colorado State Engineer's Office.

Related Litigation. We also handle litigation related to water rights, such as disputes over ditch and reservoir easements, governance of ditch companies, and negotiation of ditch and well sharing agreements.

Water Quality Protection. Our attorneys represent clients in rulemaking proceedings before the Water Quality Control Commission, involving stream water quality standards and § 208 wastewater management.

We help clients obtain § 404 permits for “dredge and fill” activities, sometimes called wetlands permits, and advise concerning regulatory requirements under these permits.

We assist clients in obtaining and appealing § 402 National Pollution Discharge Elimination System (NPDES) permits and their Colorado equivalents, Colorado Discharge Permit System (DDPS) permits. We regularly advise on compliance with effluent limitations and storm water management requirements.

We defend clients in enforcement actions brought by the government for alleged violations of the Clean Water Act and discharge permits. Our attorneys regularly teach, write, and speak publicly on water rights and water quality issues.