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Extent and Limits of Federal Power [outline]

George A. Gould

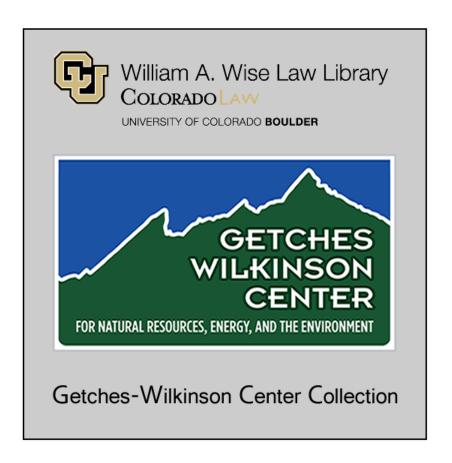
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EXTENT AND LIMITS OF FEDERAL POWER George A. Gould Associate Professor University of Wyoming College of Law

- I. Introduction: Federal Involvement in Water
 - The United States as a builder of projects.
 - The United States as a regulator of water activities.
 - The United States as a user of water. public lands
- Federalism: The Nature of Federal Power II.
 - United States as a government of enumerated powers.
 - B. Conflicts with the States: The Supremacy Clause.
 - C. Actions by federal agencies: The delegation question.
- Specific Sources of Federal Power Relating to Water and III. Water Development
 - Navigation Power. 1871 Daniel Ball Case defin navigable
 1940-Expansion, of defin clean Water act 1974 z Amend.
 - В. Commerce Clause.
 - c. Property Clause.
 - D. General Welfare Clause.
 - E. War Power.
 - F. Treaty Power.
 - G. Power to Spend.
 - The Compact Clause. H.
 - IV. Federal - State Conflicts and Accomodation
 - Conflicts: Federal Power and the Supremacy Clause in Action.
 - Accomodation: The Reclamation Act of 1902.

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 - A. The United States as a builder of projects.
 - B. The United States as a regulator of water activities.
 - C. The United States as a user of water.
- II. Federalism: The Nature of Federal Power
 - A. United States as a government of enumerated powers.
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- III. Specific Sources of Federal Power Relating to Water and Water Development
 - A. Navigation Power.
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 - H. The Compact Clause.

- Federal State Conflicts and Accomodation
 - Conflicts: Federal Power and the Supremacy Clause in Action.
 - Accomodation: The Reclamation Act of 1902.

Selected Issues

- The Ownership Issue: Who "Owns" Western Water?
- B. Federal Taking of State Created Private Property Interests in Water.
- Federal Reserved Rights.
- Federal Non-Reserved Rights. 479 Knowlity Opinion
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- E.
- F. Compacts and Interstate Decrees.