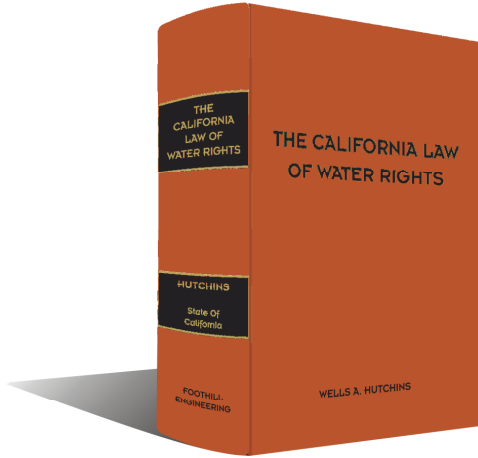


# CALIFORNIA LAW OF WATER RIGHTS

By: Wells Hutchins



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Two major strands of California water law have been rubbing each other the wrong way since statehood. As the promise of land and gold drew settlers into Alta California, the doctrine of "prior appropriation" arrived in the Sierra from the intermountain west. Under this system, which was favored by miners, the first person to claim stream flow for a "beneficial use," or in those days basically divert it from nature for human benefit, enjoyed first right. In times of shortage, the last to arrive to a watershed became the first to give up water.Â Under this, anyone owning land alongside a natural water body enjoyed the right to (beneficially) use it. In times of shortage, riparians would share the shortage equally.