ENVS 6320/7320, Water Law and Policy
Syllabus

Instructor:  Dr. Joanna Endter-Wada | Professor and Program Director

Phone 435-797-2487
Office BNR (Biology and Natural Resources) 270A, USU Main Campus
Email joanna.endter-wada@usu.edu
Web https://qcnr.usu.edu/directory/endter-wada_joanna
Mail Environment and Society Department
       Utah State University, 5215 Old Main Hill, Logan UT 84322-5215

Course Description

Overview

Course Content. This graduate readings course will give you an overview of water law and policy and an introduction to policy analysis. We will explore the influences that historical, political, economic, social, cultural, scientific, and technological factors have had on shaping the laws and institutions by which people value, allocate, distribute, use, and preserve water resources. Context matters and, as you will see, water laws and policies not only change over time, but they vary in relation to different types of water and between political jurisdictions. The main focus of this class is the western United States with emphasis on Utah. However, this more regional and local focus will be informed by an understanding of water issues in a global context.

Stress on Analytic and Communication Skills. This course is designed with a heavy reading and writing work load. Students will be expected to find, synthesize and explain information. These particular skills and competencies are important for professionals in all fields today. I believe that analytic and communicative clarity are highly interrelated, i.e. clear thinking is easy to articulate while muddled thinking is hard to elucidate. Working on expressing yourself clearly is also an avenue for refining your ability to think clearly.

Engagement and Participation. This course is designed as a graduate seminar with a high level of engagement and participation from all students expected. Complete weekly assignments and be prepared to be involved in online discussions. Please feel free to ask questions, discuss issues, and debate points of view as opportunities arise to do so.
**Organization of Course.** This course consists of three modules.

**Module I: Overview of Water Policy Issues and Dilemmas**
- Week 1: Course Introduction
- Week 2: Utah Water Policy Context
- Week 3: Utah Water Policy Context (cont.)
- Week 4: Changing Water Paradigms

**Module II: Water Policy Analysis**
- Week 5: Perspectives on Water Policy and Law
- Week 6: Water Policy Analysis
- Week 7: Policy Analysis and Deliberation

**Module III: Basics of Water Law**
- Week 8: Introduction to Module 3; Riparian System
- Week 9: Prior Appropriation System and Other Systems
- Week 10: Groundwater Law and Diffused Surface Water Law
- Week 11: Administration of Water Rights and Water Access
- Week 12: Public Rights in Water
- Week 13: Federal Water Interests
- Week 14: Environmental Protections
- Week 15: Students work to complete water policy analysis reports

**Objectives**

Upon completion of this course, students will be able to:
- understand and utilize concepts and terminology pertaining to water law
- describe the basic principles and overall structure of systems of water law
- explain changes in water policy over time
- locate and evaluate information about water law and policy issues from a variety of scientific, government, non-profit, industry and news organizations
- apply what has been learned in the course to analyze and critically evaluate a contemporary water policy issue

**Course Readings and Materials**

The following textbooks will be used in this course (available through the USU Bookstore and also from several online retailers):


Other class materials will be posted on Canvas. Students are responsible for all assigned material posted, distributed, or linked on Canvas.
Assignments and Grading

The assignments in this class consist of 13 weekly homework assignments and activities, 1 larger assignment as part of Module 2 on Water Policy Analysis, and 1 larger assignment corresponding with Module 3 designed to help you navigate the Utah water law and policy environment.

The assignments are primarily designed to assess your abilities to think critically and creatively, conduct policy-oriented research, synthesize and integrate information, substantiate viewpoints, and communicate clearly and concisely.

Weekly Homework Assignments (650 points):

For most weeks in this class, you will be given assignments that consist of combinations of discussion, written work, quizzes and other activities. The assignments each week will be worth 50 points total. The weekly assignments will be numbered to correspond to the week in which they are assigned (e.g., assignments 2.a. and 2.b. go with Week 2). These assignments are designed to track your individual work as well as to facilitate class interaction.

Please note that some of the assignments, particularly discussions, require you to post your response and then to comment on the responses of other students. In these instances, please do not wait until the last day but post your reply as soon as you can to give other students time to comment.

Water Policy Analysis Reports (200 points) - part of Module 2 with final assignment due at end of semester

For this assignment, each student will choose a topic on which to write a water policy analysis report. A student’s own report will be worth 150 points. All of these reports will be posted in order to share the information with other students in the class, so students should consider their peers to be at least one of the audiences for the report. In addition, students will be assigned to anonymously review two other students’ reports. Each review will be worth 25 points for a total of 50 points.

Navigating Utah’s WLP Environment (150 points) - part of Module 3

This assignment will consist of a larger activity that you will work on during the course of Module 2. It will be made available at the start of that module and be due at the end of that module. You will be given a master worksheet to complete that will have you explore various websites of Utah water agencies and constituent groups to learn more about water law and policy issues in Utah and how water is administered. This worksheet will allow you to do some individualized exploration for water information of interest to you. The purpose of this assignment is to familiarize you with valuable sources of information that I hope you will continue to use as water professionals. You can think of it kind of like a scavenger hunt to make it even more fun!
Grading:

<table>
<thead>
<tr>
<th>Assignments by Type</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly Homework Assignments – 13x50 points</td>
<td>650</td>
</tr>
<tr>
<td>Navigating Utah’s WLP Environment (Module 3)</td>
<td>150</td>
</tr>
<tr>
<td>Water Policy Analysis Report – student’s own report (Module 2)</td>
<td>150</td>
</tr>
<tr>
<td>Student’s peer review of two other students’ policy reports (Module 2)</td>
<td>50</td>
</tr>
<tr>
<td>Total</td>
<td>1,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assignments by Module</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Module 1 (complete by Feb. 3)</td>
<td>200</td>
</tr>
<tr>
<td>Module 2 (complete by April 30)</td>
<td>300</td>
</tr>
<tr>
<td>Module 3 (complete by April 21)</td>
<td>500</td>
</tr>
<tr>
<td>Total</td>
<td>1,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grading Scale: Point Range</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>930-1000</td>
<td>A</td>
</tr>
<tr>
<td>900-929</td>
<td>A-</td>
</tr>
<tr>
<td>870-899</td>
<td>B+</td>
</tr>
<tr>
<td>830-869</td>
<td>B</td>
</tr>
<tr>
<td>800-829</td>
<td>B-</td>
</tr>
<tr>
<td>770-799</td>
<td>C+</td>
</tr>
<tr>
<td>730-769</td>
<td>C</td>
</tr>
<tr>
<td>700-729</td>
<td>C-</td>
</tr>
<tr>
<td>670-699</td>
<td>D+</td>
</tr>
<tr>
<td>630-669</td>
<td>D</td>
</tr>
<tr>
<td>600-629</td>
<td>D-</td>
</tr>
<tr>
<td>Below 600</td>
<td>F</td>
</tr>
</tbody>
</table>

Course Policies

Responsibilities of Dr. Endter-Wada. I am generally responsible for facilitating your learning. My specific responsibilities include: designing the course, facilitating students’ progress through the course, coordinating class activities and making assignments, providing constructive feedback on your work, and evaluating your performance. I am available to help you succeed in this course. You may communicate with me in the following ways: 1) via email; 2) schedule a face-to-face meeting on the USU main campus; or, 3) schedule a phone or Skype call. Please take advantage of these opportunities.

Responsibilities of Students. The work for this class is generally assigned on a weekly basis. Weeks will run from Monday morning at 12:01 a.m. through Sunday night at 11:59 p.m. Students are responsible for keeping up with readings and materials to review and completing all assignments during the corresponding week. Students are expected to be actively engaged in learning; your active participation will make the course more interesting and rewarding.
**Professionalism:** Students will be expected to conduct themselves in a professional manner in this course. Such conduct includes exhibiting respect for other class members, contributing regularly and productively in discussions, and being responsible to fellow students in completing any group assignments. Students will be required to abide by all codes of conduct and policies pertaining to students at Utah State University (see below). Please note that since plagiarism and other blatantly unprofessional behavior violate these policies, they will be cause for failing this course and other disciplinary action.

---

**Standard University Policies & Procedures**

**Academic Freedom and Professional Responsibilities**

Academic freedom is the right to teach, study, discuss, investigate, discover, create, and publish freely. Academic freedom protects the rights of faculty members in teaching and of students in learning. Freedom in research is fundamental to the advancement of truth. Faculty members are entitled to full freedom in teaching, research, and creative activities, subject to the limitations imposed by professional responsibility. [Faculty Code Policy #403](#) further defines academic freedom and professional responsibilities.

**Academic Integrity – "The Honor System"**

Each student has the right and duty to pursue his or her academic experience free of dishonesty. To enhance the learning environment at Utah State University and to develop student academic integrity, each student agrees to the following Honor Pledge:

"I pledge, on my honor, to conduct myself with the foremost level of academic integrity."

A student who lives by the Honor Pledge is a student who does more than not cheat, falsify, or plagiarize. A student who lives by the Honor Pledge:

- Espouses academic integrity as an underlying and essential principle of the Utah State University community;
- Understands that each act of academic dishonesty devalues every degree that is awarded by this institution; and
- Is a welcomed and valued member of Utah State University.

**Academic Dishonesty**

The instructor of this course will take appropriate actions in response to Academic Dishonesty, as defined the University’s Student Code. Acts of academic dishonesty include but are not limited to:
- **Cheating**: using, attempting to use, or providing others with any unauthorized assistance in taking quizzes, tests, examinations, or in any other academic exercise or activity. Unauthorized assistance includes:
  - Working in a group when the instructor has designated that the quiz, test, examination, or any other academic exercise or activity be done “individually;”
  - Depending on the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
  - Substituting for another student, or permitting another student to substitute for oneself, in taking an examination or preparing academic work;
  - Acquiring tests or other academic material belonging to a faculty member, staff member, or another student without express permission;
  - Continuing to write after time has been called on a quiz, test, examination, or any other academic exercise or activity;
  - Submitting substantially the same work for credit in more than one class, except with prior approval of the instructor; or engaging in any form of research fraud.

- **Falsification**: altering or fabricating any information or citation in an academic exercise or activity.

- **Plagiarism**: representing, by paraphrase or direct quotation, the published or unpublished work of another person as one’s own in any academic exercise or activity without full and clear acknowledgment. It also includes using materials prepared by another person or by an agency engaged in the sale of term papers or other academic materials.

For additional information go to: [ARTICLE VI. University Regulations Regarding Academic Integrity](#)

**Sexual Harassment/Title IX**
Utah State University is committed to creating and maintaining an environment free from acts of sexual misconduct and discrimination and to fostering respect and dignity for all members of the USU community. Title IX and [USU Policy 339](#) address sexual harassment in the workplace and academic setting.

The university responds promptly upon learning of any form of possible discrimination or sexual misconduct. Any individual may contact USU’s [Affirmative Action/Equal Opportunity (AA/EO) Office](#) for available options and resources or clarification. The university has established a complaint procedure to handle all types of discrimination complaints, including sexual harassment ([USU Policy 305](#)), and has designated the AA/EO Director/Title IX Coordinator as the official responsible for receiving and investigating complaints of sexual harassment.

**Withdrawal Policy and "I" Grade Policy**
Students are required to complete all courses for which they are registered by the end of the semester. In some cases, a student may be unable to complete all of the coursework because of extenuating circumstances, but not due to poor performance or to retain financial aid. The term ‘extenuating’ circumstances includes: (1) incapacitating illness which prevents a student from attending classes for a minimum period of two weeks, (2) a death in the immediate family, (3) financial responsibilities requiring a student to alter a work schedule to secure employment, (4) change in work schedule as required by an employer, or (5) other emergencies deemed appropriate by the instructor.
Students with Disabilities
USU welcomes students with disabilities. If you have, or suspect you may have, a physical, mental health, or learning disability that may require accommodations in this course, please contact the Disability Resource Center (DRC) as early in the semester as possible (University Inn # 101, (435) 797-2444, drc@usu.edu). All disability related accommodations must be approved by the DRC. Once approved, the DRC will coordinate with faculty to provide accommodations.

Diversity Statement
Regardless of intent, careless or ill-informed remarks can be offensive and hurtful to others and detract from the learning climate. If you feel uncomfortable in a classroom due to offensive language or actions by an instructor or student(s) regarding ethnicity, gender, or sexual orientation, contact:

- Division of Student Affairs: https://studentaffairs.usu.edu, (435) 797-1712, studentservices@usu.edu, TSC 220
- Student Legal Services: https://ususa.usu.edu/student-association/student-advocacy/legal-services, (435) 797-2912, TSC 326,
- Access and Diversity: http://accesscenter.usu.edu, (435) 797-1728, access@usu.edu; TSC 315
- Multicultural Programs: http://accesscenter.usu.edu/multiculture, (435) 797-1728, TSC 315
- LGBTQA Programs: http://accesscenter.usu.edu/lgbtqa, (435) 797-1728, TSC 3145
- Provost’s Office Diversity Resources: https://www.usu.edu/provost/diversity, (435) 797-8176

You can learn about your student rights by visiting:
The Code of Policies and Procedures for Students at Utah State University: https://studentconduct.usu.edu/studentcode

Grievance Process
Students who feel they have been unfairly treated may file a grievance through the channels and procedures described in the Student Code: Article VII.

Full details for USU Academic Policies and Procedures can be found at:

- Student Conduct
- Student Code
- Academic Integrity
- USU Selected Academic Policies and Procedures
- USU Academic Policies and Procedures
- Academic Freedom and Professional Responsibility Policy

Emergency Procedures
In the case of a drill or real emergency, classes will be notified to evacuate the building by the sound of the fire/emergency alarm system or by a building representative. In the event of a disaster that may interfere with either notification, evacuate as the situation dictates (i.e., in an earthquake when shaking ceases or immediately when a fire is discovered). Turn off computers and take any personal items with you. Elevators should not be used; instead, use the closest stairs.