

ROOM TO DRINK

Water Wars Legal Update

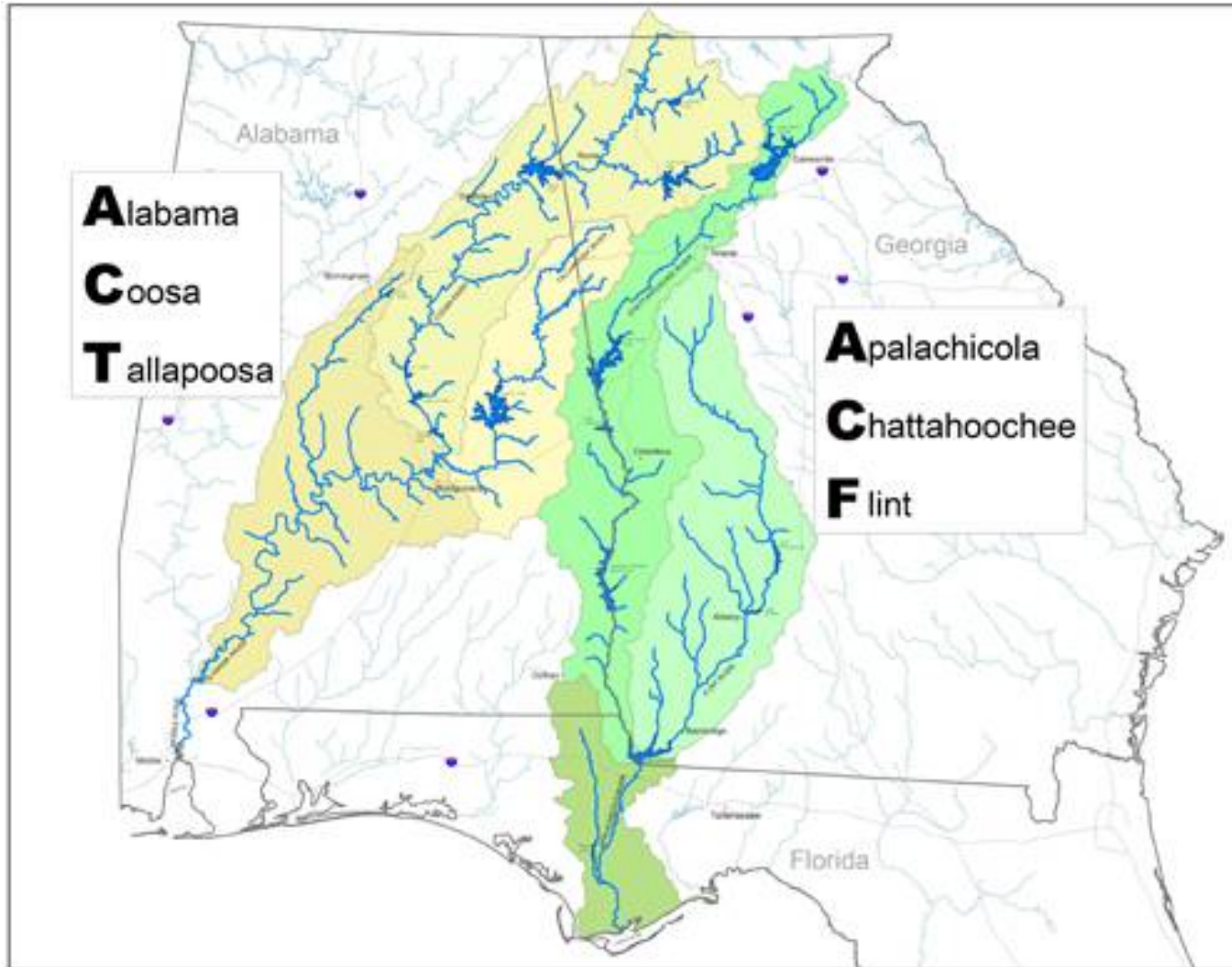
Max Zygmunt

Mowrey Meezan Coddington Cloud

max.zygmunt@m2c2law.com



Progress on Two Fronts



ACF

- Judge Magnusson: There is no faucet on Lake Lanier.
- 11th Circuit
 - ▣ There is a faucet. Corps, you think about size.
 - ▣ Premature to fight about how open the faucet is right now.
- Supreme Court: No thank you.
- Corps: The faucet on Lake Lanier could be big.
- Issues remain.

ACT

- Georgia used a key part of the 11th Circuit holding.
- Judge Bowdre: Alabama's challenges to Allatoona water supply allocations are premature.
- 9 of 10 claims dismissed (including all of the Allatoona claims).

Georgia Saved?

- Nope. Or at least not yet.

- Just room to breathe (or drink?)
 - ▣ Corps to reach Lanier and Allatoona allocation decisions
 - ▣ States to negotiate an agreement
 - ▣ Georgia to protect itself with policy