

BRIGHAM-KANNER PROPERTY RIGHTS CONFERENCE JOURNAL

VOLUME 7

AUGUST 2018

THE FUTURE OF REGULATORY TAKINGS OCTOBER 12–13, 2017

FOURTEENTH ANNUAL BRIGHAM-KANNER PRIZE PRESENTATION
DINNER AWARD RECIPIENT SPEECH

David L. Callies 1

PANEL 1: THE FUTURE OF LAND USE REGULATION: A TRIBUTE TO CALLIES

OPENING REMARKS: THE FUTURE OF LAND USE REGULATION

David L. Callies 11

RUMINATIONS ON TAKINGS LAW IN HONOR OF DAVID CALLIES

Michael M. Berger 17

DAVID CALLIES AND THE FUTURE OF LAND USE REGULATIONS

James W. Ely Jr. 63

EXACTIONS AND IMPACT FEES

Shelley Ross Saxer 77

BACK TO THE FUTURE OF LAND USE REGULATION

Robert H. Thomas 109

A BRIEF REBUTTAL FROM CALLIES

David L. Callies 127

PANEL 3: PROPERTY RIGHTS IN WATER

WATER AND PROPERTY RIGHTS IN AN ERA OF HYDROCLIMATE
INSTABILITY

Robert Haskell Abrams 129

MUDDYING THE WATERS: SIXTY-ONE YEARS OF DOCTRINAL
UNCERTAINTY IN MONTANA WATER LAW

Eric Alston
John Stafford 155

**PANEL 4: THE DENOMINATOR PROBLEM AND OTHER EMERGING
ISSUES IN THE REGULATORY TAKINGS FIELD**

MURR AND MERGER

Stuart Banner 185

PROPERTY RIGHTS AND TAKINGS BURDENS

Steven J. Eagle 199