AGENDA: Innovation in Western Water Law and Management

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INNOVATION IN WESTERN WATER LAW AND MANAGEMENT, June 5-7, 1991

WEDNESDAY, JUNE 5, 1991

8:00  Registration and coffee

8:45  Welcome, James N. Corbridge, Jr., Chancellor, University of Colorado at Boulder

A.M.  SESSION TOPIC: WATER PLANNING

8:50  Overview: David Getches

9:05  Panel presentations:

Preparation and Implementation of the State Water Plan in Kansas
Stephen A. Hurst, Director, Kansas Water Office, Topeka
Kansas has followed an annual planning process for seven years. The State Water Plan addresses policy issues and problems unique to 12 river basins. An annual plan is cooperatively prepared by nine agencies for implementing SWP recommendations.

Developing the 1990 Texas Water Plan, a Coordinated Circus
Tommy Knowles, Director of Planning, Texas Water Development Board
A cast of over 4,500 units of Texas government provide water service to its citizens. The development of plans to meet the needs of a population expected to double within 50 years meant walking a tightrope while juggling competing demands.

Designing Dispute Resolution Systems for Water Policy & Management
Karen L. Barclay and Matthew J. McKinney, Montana Department of Natural Resources & Conservation
The Montana state water planning process is a collaborative, consensus building forum for resolving the disputes that characterize water policy and management. While the process has improved relationships among diverse interests and resulted in some innovative policies, it might be fine-tuned in a variety of ways.

Water Planning: the Oregon Approach
William Young, Oregon Water Resources Department
The most controversial policy adopted by the Oregon Water Resources Commission thus far is a policy on conservation, asserting that there is a public judgment to be made about efficient water use. Implicit is the idea that a current non-wasteful use of water may not need the rate and duty of water allowed in court decrees or permits.

10:30  Break

10:50  Discussion panel
David Getches, Moderator
Hamlet J. Barry, III, Denver Water Department
Norman K. Johnson, Western States Water Council
Dan Luecke, Environmental Defense Fund

12:00  Lunch talk: Let's Give the Public Lands to the People
Bruce Babbitt, former Governor of Arizona
WEDNESDAY P.M. SESSION TOPIC: SPECIAL WATER MANAGEMENT AREAS

1:45  Overview: Larry MacDonnell
2:00  Panel presentations
   High Plains Underground Water Conservation District
   Wayne Wyatt, General Manager, Lubbock
Irrigators, researchers, and industry have applied irrigation management techniques in this Southern High Plains Texas water district so that the net depletion of the Ogallala Aquifer has been cut in half.

The Eccentric Arizona Active Management Areas
Michael F. McNulty, Brown & Bain, Tucson
Arizona’s AMAs are defined by the boundaries of watersheds, and are charged with balancing supply and demand. The tools they are invested with, however, are so idiosyncratic and maladapted that their ultimate success is very problematic.

Kansas Intensive Groundwater Use Control Areas
David L. Pope, Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture
Kansas has statutory authority to respond to water problems, of either quantity or quality, through the establishment of corrective control provisions in specially designated areas. This talk will emphasize the Equus Beds Aquifer where groundwater contamination has been caused by past oil and gas activities.

3:30  Break
3:50  Discussion panel
   Larry MacDonnell, moderator
   Jean A. Bowman, Illinois State Water Survey
   Ron Milner, Upper Republican Natural Resources District
   Ben Saunders, Holyoke, Colorado
5:00  End of day
6:15  Cookout on Flagstaff Mountain (busses load at hotels at 5:45)
THURSDAY, JUNE 6, 1991

A.M. SESSION TOPIC: NEGOTIATED SETTLEMENTS OF TRIBAL WATER RIGHTS

8:45 Overview: Richard B. Collins
9:00 Panel presentations

The Federal Trust Responsibility, Indian Self-Determination and Water Rights Settlements
John S. Bushman, Office of the Assistant Secretary for Indian Affairs, Washington, DC
The Fort Hall Indian Water Rights Settlement Act of 1990 will provide a case study to examine the federal trust responsibility as Indian tribes assert their authority to manage and control their natural resources.

Pyramid Lake Negotiated Settlement: Overview and Perspectives
Joe Ely, Stetson Engineers, Inc.
The waters of the Truckee River and Pyramid Lake have been in dispute for nearly a century. This talk will discuss the history of this dispute and actions taken toward its resolution.

Negotiating an Indian Water Rights Settlement: The Colorado Ute Experience
Lois G. Witte, Deputy Regional Attorney, U.S. Dept of Agriculture
The Colorado Ute Indian Water Rights Final Settlement Agreement of 1986 culminated two years of negotiations among state, tribal, and federal officials. Today, endangered species concerns threaten the foundation of the settlement.

The Big Horn River Experience - The 2nd Generation - Post Decree Administration
Gordon W. (Jeff) Fassett, Wyoming State Engineer
Implementation of the Big Horn decree awarding reserved water rights involves conversion of use of reserved rights, and post decree administration issues of monitoring, joint study and distribution of water. This talk will also consider the status of litigation.

10:30 Break

10:50 Discussion panel
Richard Collins, moderator
Ethel Abeita, Native American Rights Fund
Daniel McCool, College of Social and Behavioral Science, University of Utah
Patricia Zell, Select Committee on Indian Affairs

12:00 Lunch (on your own)
THURS. P.M. SESSION TOPIC: CONJUNCTIVE USE OF GROUND AND SURFACE WATER

1:30 Overview: Larry MacDonnell

1:45 Panel presentations

Water Management in Santa Clara County
Jeannette L. Micko, Supervising Engineer, Santa Clara Valley Water District
Over half of the water used in Santa Clara Valley is naturally or artificially recharged groundwater. Local reservoir water is now augmented from both the California State Water Project and the Federal Central Valley Project. As the county has changed from agriculture to urban, the water delivery system has also grown.

Coordinated Water Management in New Mexico: Different Approaches on the Rio Grande and Pecos Rivers
Eluid L. Martinez, New Mexico State Engineer
How does New Mexico coordinate the administration of water rights where groundwater is hydrologically interrelated to streams governed by Interstate Compacts? The differences in administrative policies for the Rio Grande and Pecos River may result in different impacts on stream flows.

Can Conjunctive Use and the Priority System Co-Exist?
Jcris A. Daniclsin, Colorado State Engineer
This paper will address the concept of conjunctive use of surface and ground water in Colorado and analyze some of the benefits and some of the detriments of applying that concept.

3:45 Break

4:05 Panel discussion

Larry MacDonnell, moderator
Bill Lord, University of Arizona
Clyde Martz, Davis, Graham & Stubbs

5:05 End of Day, reception on University Memorial Center patio
FRIDAY, JUNE 7, 1991

A.M.  SESSION TOPIC: PUBLIC VALUES IN WATER DECISION MAKING

8:45  Overview: David Getches

9:00  Panel presentations

Public Interest – A Matter of Discretion?
R. Keith Higginson, Director, Idaho Department of Water Resources
Statutory and case law in many states now requires water administrators to protect public interest in the trust resource. The procedure for new water rights or transfers of existing rights requires formal party status by all participants. If the public interest is to be considered, there must be a means to assure that the hearing includes information on public values.

Washington Instream Flow Protection in Transition
Hedia Adelsman, Washington Department of Ecology, Water Resources
Washington’s instream flow protection program, seen as a model of incorporating public values into water decision making, is in transition. Current issues of the program will be discussed, along with new approaches to protect, enhance, and restore instream values and resources.

Regulation of Groundwater in Salt Lake Valley
Bob Morgan, Utah State Engineer
The Salt Lake Valley groundwater aquifer supplies potable water to approximately 40% of Utah’s population. Regulation of this water has been based on whether it interfered with existing water rights. However, present concerns are that groundwater quality, rather than the potential safe yield of the aquifer, will limit the annual withdrawal.

The Public Trust Doctrine in California: Including Public Values in Water
Harrison C. Dunning, Univ. of California at Davis School of Law
The public trust doctrine has been extended to the water rights field in California. As a result, state courts and state agencies are authorized, and perhaps required, to consider public values in water rights decisions.

Federal Regulatory Interests in Water
Patricia Port, Regional Environmental Affairs Officer, US Department of Interior, San Francisco
Various federal laws and programs require federal involvement in water use decisions, often involving protection of environmental and other public values.

10:30  Break

10:50  Panel presentations continued

11:45  Lunch talk: LaJuana S. Wilcher, Assistant Administrator, Office of Water, U.S. EPA, Washington, DC
1:15 Discussion panel
David Getches moderator
Lori Potter, Sierra Club Legal Defense Fund, Denver
Stuart L. Somach, McDonough, Holland & Allen, Sacramento
Dan Tarlock, Chicago-Kent College of Law, Chicago

3:00 End of program
CONFERENCE ORGANIZERS

LAWRENCE J. MACDONNELL (B.A. '66, Univ. of Michigan; J.D. '72, Univ. of Denver, Ph.D. '74 Colorado School of Mines) is Director of the Natural Resources Law Center and an adjoint professor at the Univ. of Colorado School of Law. He has taught at the Colorado School of Mines and the Univ. of Denver and has been a research economist at the Denver Research Institute. Among his recent publications are: Controlling Water Use: The Unfinished Business of Water Quality Protection (co-author, 1991); "Approaches to Groundwater Quality Protection in the Western United States," 27 Water Resources Research 259 (1991); "Transferring the Uses of Water in the West," 43 Okla. L. Rev. 119 (1991); and "Federal Interests in Western Water Resources: Conflict and Accommodation," 29 Natural Res. J. 389 (1989).

DAVID H. GETCHES (A.B. Occidental College, '64; J.D. Univ. of Southern California Law School, '67) is Professor of Law at the Univ. of Colorado School of Law. From August 1983-January 1987 he was on leave from the School of Law to serve as Executive Director of the Colorado Department of Natural Resources. Previously he practiced law in Boulder and San Diego, and for several years was an attorney for the Native American Rights Fund, of which he was the Founding Director. Publications include Water Resources Management (with Meyers, Tarlock and Corbridge); Cases and Materials on Federal Indian Law (with Wilkinson); Water Law in a Nutshell, and several articles on water law.

CHARLES F. WILKINSON (B.A. Denison Univ.; LL.B. Stanford Univ.) is the Moses Lasky Professor of Law at the Univ. of Colorado and has been named both the Law School's Teacher of the Year and the Univ. of Colorado's Outstanding Professor. Previously he was Professor of Law at the Oregon Law School and has been Visiting Professor at the Michigan and Minnesota Law Schools. His books include American Indians, Time and the Law - Native Societies in a Modern Constitutional Democracy (1987); The American West - a Narrative Bibliography and a Study in Regionalism (1989) and The Eagle Bird -- Searching for an Ethic of Place, to be published in 1992.
HEDIA R. ADELSMAN (B.S. Engineering, Univ. of Tunis, Tunisia; M.S. Agricultural Economics, Univ. of Minn.; MBA, College of St. Thomas) has been Manager of the Water Resources Program, Washington State Dept. of Ecology since 1987. Previously she worked for the Minnesota Dept. of Natural Resources in water appropriations, and with the Dept. of Agriculture in Tunisia as a Projects Analyst and Budget Supervisor. She has prepared and translated technical proposals into French and is also fluent in Arabic.

BRUCE BABBITT (B.A. Geology, '60, Univ. of Notre Dame; M.S. Univ. of Newcastle, England '63; L.L.B. Harvard Law '65) served as Governor of Arizona from 1978-1987. He has been Attorney General of Arizona ('75-78); and an attorney with Brown, Vlassis & Bain in Phoenix ('67-75). Presently he is an attorney with Steptoe & Johnson, Phoenix. He is a founding member of the Democratic Leadership Council and of the Grand Canyon Trust. He chaired the National Groundwater Policy Forum in 1985. He wrote "Future of the Colorado River," in New Courses for the Colorado River.

KAREN L. BARCLAY (B.A. Carroll College) has been Director of the Montana Dept. of Natural Resources and Conservation since 1989, involved in the development of a state water plan, and in regional, national and international negotiations on water & energy development uses. Previously she was Vice President of MSE, Inc. in Butte, an engineering and environmental consulting firm (1987-89). She is Montana's representative to the Missouri Basin States Association and a member of the Governor's Natural Gas Task Force.

HAMLET J. (CHIPS) BARRY, III, Manager of the Denver Water Department, was formerly Executive Director of the Colorado Dept of Natural Resources. His degrees are from Yale and from Columbia Law School. He has lived and practiced law in Alaska, Micronesia and Colorado, and counts among his ancestors a Colorado Supreme Court justice, who was one of the first persons in Colorado to fill a wetland for sub-division development and then sue the Denver Water Co. to get water service to that area, now known as the Montclair neighborhood of East Denver.
JEAN A BOWMAN (B.A. Journalism, Univ. of Colorado; M.S. Geography, Rutgers Univ.) was an environmental reporter before she became an hydrologist at the Illinois State Water Survey in Champaign, working in groundwater planning and management, especially the use of special groundwater management areas to regulate withdrawals. Published papers in hydrologic journals include: "Transitions in Midwestern Ground Water Law," (Water Resources Bulletin, and "Ground-Water Management Areas in United States," Journal of Water Resources Planning & Management.

JOHN S. BUSHMAN (B.S. & J.D.,'79, Univ. of Santa Clara) serves as staff authority to the Assistant Secretary for Indian Affairs on matters involving Indian water rights. During his 12 years of federal service he has been a Staff Assistant to the Director of the Office of Trust Responsibilities and has served as the Chief of Water Resources for the Bureau of Indian Affairs for six years in Washington, DC. He served on the U.S./Canada Pacific Salmon Interception Treaty and has served as Chair of numerous Dept of Interior Indian water rights settlement efforts.

JERIS A. DANIELSON (B.S., M.S., and Ph.D. Civil Engineering, Colorado State Univ.) has been Colorado State Engineer and Director of the Colorado Div. of Water Resources since 1979. He serves as Executive Director of the Colorado Ground Water Commission, as a member of the Colorado Water Conservation Board, and as Colorado's representative on five interstate compacts. He has been President of the Association of State Dam Safety Officials and of the Association of Western State Engineers. He is a retired Colonel, U.S. Army Reserves.

HARRISON C. DUNNING (B.A. Dartmouth, '60; J.D. Harvard Law, '64) is Professor of Law at the University of California at Davis, teaching water law and other natural resources law courses. He took leave from UC Davis in 1977-78 to serve as Staff Director of the Governor's Commission to Review California Water Rights Law. In 1981-82 he served on the California Water Commission, and since 1984 has chaired the Board of Directors of the Bay Institute of San Francisco. He has published numerous articles on western water law.
JOHN E. ECHOHAWK, a Pawnee, is Executive Director of the Native American Rights Fund. He was the first graduate of the Univ. of New Mexico's special program to train Indian lawyers. He has been with NARF since its inception. He serves on the Boards of the American Indian Resources Institute, the Association on American Indian Affairs, the Natural Resources Defense Council, and the National Center for American Indian Enterprise Development. He has received numerous service awards and recognition for his leadership in Indian law.

JOE ELY has recently joined Stetson Engineers Inc. as project coordinator for planning and economic development of Indian lands and resources. He is a former chairman of the Inter-Tribal Council of Nevada, and former Tribal Chairman of the Pyramid Lake Paiute Tribe. He participated extensively in the Pyramid Lake water settlement. He is a member of the Dept of Education's National Committee for Indian Nations at Risk, the HUD Steering Committee, the Nevada Governor's Drought Committee, and the Phoenix Area Indian Health Service Steering Committee. He has also worked on drafting a Paiute language glossary.

GORDON W. (JEFF) FASSETT, Wyoming State Engineer since 1987, represents Wyoming on the Colorado River Basin Salinity Control Forum, and on the Bear River, the Upper Colorado River, and the Yellowstone River Compact Commissions, among other interstate water associations. He has a B.S. in Civil Engineering from the Univ. of Wyoming and has continued graduate studies there. Before moving to Wyoming he was a Principal and Vice-President of Leonard Rice Consulting Water Engineers in Denver, and was a Water Resource Engineer with the Denver Water Department.

R. KEITH HIGGINSON has been Director of the Idaho Dept. of Water Resources since 1987, having held the same position from 1966-77. From 1981-87 he was a principal in Higginson-Barnett Consultants, a water resources firm in Bountiful, Utah; and from 1977-81 he was appointed Commissioner of the U.S. Bureau of Reclamation by President Carter. He has served on the Water Science and Technology Board of the National Academy of Sciences and on an advisory committee to the Environmental Protection Agency. He is a graduate of Boise State Univ. and Utah State University.
STEPHEN A. HURST (B.S. and J.D., Univ. of Missouri at Kansas City; M.P.A., Univ. of Kansas) will become Director of the Kansas Water Office effective June 18, 1991, replacing Joseph Harkins, who will head the Univ. of Kansas Capitol Complex Program. Hurst has been an attorney and water resource policy planner with the Kansas Water Office since 1983, and a Special Assistant Attorney General for water issues since 1986. He has worked with the Kansas-Lower Republican Basin Advisory Committee, and served as legal support on water marketing contracts for the Kansas River Water Assurance District.

NORMAN K. JOHNSON (B.A., J.D. Univ. of Utah) has been Legal Counsel for the Western States Water Council since 1982, where, among other duties, he represents the position of 18 western states on water/legal issues to various groups, including the U.S. Congress. Publications include: "State Water Laws and Federal Water Uses: The History of Conflict, the Prospects for Accommodation," 21 Envt'1 L. 1 (1991); and "A survey of the Evolution of Western Water Law in Response to Changing Economic & Public Interest Demands," 29 Nat. Resources J. ('89).

TOMMY RAY KNOWLES (B.S. Agricultural Engineering '70; M.S. Civil Engineering. '71; Ph.D. Water Resources '72, Texas Tech Univ.) has served with the Texas Water Development Board and the Texas Dept. of Water Resources in various capacities since 1973. As an engineer, he has been Director of the Ground Water Div., Chief of Data Collection and Evaluation, Director for Data and Engineering Services, and Chief of the Water Availability Data and Studies Section. Since 1988 he has served as Director of Planning.

WILLIAM B. LORD (Ph.D. Natural Resource Economics, Univ. of Michigan) is Professor of Agricultural Economics and of Hydrology and Water Resources at the Univ. of Arizona. He has taught at the Univ. of Wisconsin, and worked in the U.S. Forest Service and the Office of the Secretary of the Army, as well as private sector positions in both research and consulting. Current research focuses on evaluating alternative water management institutions, including coping with severe sustained drought and resolving Indian water rights conflicts.

ELUID L. MARTINEZ became State Engineer of New Mexico in 1990. His education is from New Mexico State Univ. and the Univ. of New Mexico. He was inducted into New Mexico State's Engineering College's "Sociedad de Ingenieros" as an "Ingeniero Eminente" in 1990. He has served as President of the Santa Fe Board of Education (1979-85) and on the City of Santa Fe Community Development Commission. Widely recognized as an artist for his sculptures of Santos, his work is in the Smithsonian, the Museum of American Folk Art, the Denver Art Museum, among others.

CLYDE O. MARTZ (A.B. Univ. of Nebraska; LLB, Harvard) has practiced law with Davis, Graham & Stubbs in Denver since 1962, with emphasis on natural resources and public lands. He has also been on the faculty of the Univ. of Colorado School of Law from 1947-58, 1960-62, and 1988-present. He held the Raphael Moses chair at the Law School in 1988. He was Executive Director of the Colorado Dept. of Natural Resources in 1987, Solicitor with the U.S. Dept. of Interior (1980-81), and Assistant Attorney General of the United States (1967-69).

DANIEL C. McCOOD (B.A. Purdue; M.A. and Ph.D. Univ. of Arizona, Political Science) has been Associate Dean of the College of Social & Behavioral Science, and a Professor of Political Science at the Univ. of Utah, since 1980. His publications include Command of the Water: Iron Triangles, Federal Water Development, and Indian Water, 1987; "Precedent for the Winters Doctrine," Journal of the Southwest ('87); and "The Watering of the Reservation: Native Americans and their Water," Environmental Politics and Policy in the West (under contract Texas A&M Press).
MICHAEL F. McNULTY (B.A. Yale; J.D. Univ. of Ariz.) served as Counsel to the U.S. House Committee on Interior & Insular Affairs (1977-81); as political liaison with the Office of Technology Assessment, U.S. Congress; and as Administrative Asst. to Rep. Morris K. Udall. He was the first Director of the Tucson Active Management Area of the Ariz. Dept. of Water Resources (1981-84). Since 1984 he has been in private law practice, and is Of Counsel to the law firm Brown & Bain in Tucson. He also serves as General Counsel to Space Biospheres Venture, near Oracle, Arizona.

JENNIE MICKO (B.S. Engineering, San Francisco State; M.S. in Water Resources, San Jose State Univ.) is a supervising engineer at the Santa Clara Valley Water District. In her eleven years there, she has worked on both water supply and flood control projects. The last four years she has supervised a division and directed water supply planning projects, including a system simulation computer model, a computer groundwater model, groundwater balances, water rate analyses and a water demand model.

RON MILNER was born and raised in Chase County, Nebraska. He served two years in the U.S. Army, one year in Germany. He has been the Manager of the Upper Republican Natural Resources District since 1972, and is a member of the Methodist Church, Masons, Rotary Club, Lions Club, Past Commander of the VFW, Commander of the American Legion, City Park board member, and a Veteran of the Farm Agriculture Class for four years.

ROBERT L. (BOB) MORGAN (B.S. Civil Engineering, Univ. of Utah) has been Utah State Engineer since 1985, responsible for the administration, appropriation, adjudication, and distribution of the waters of the state. From 1977-85 he was Directing Engineer for Dam Safety and Water Rights, and managed the National Dam Safety Program. From 1974-77 he was an Area Engineer for Water Rights, and from 1970-74, hydrologic engineer in planning, design and construction with the Utah Division of Water Resources.
DAVID L. POPE (B.S. '70 and M.S. '71, Agricultural Engineering, Oklahoma State Univ.) has been Chief Engineer and Director of the Division of Water Resources, Kansas State Board of Agriculture since 1983, and Assistant Chief Engineer, 1978-83. Prior to that he was Manager of the Southwest Kansas Groundwater Management District, No. 3 ('76-78), and an Extension Irrigation Engineer for Kansas State Univ. ('71-76). He is a member of the Missouri Basin States Association and of four River Compact Administrations.

PATRICIA SANDERSON PORT has been the Regional Environmental Officer for the U.S. Dept of Interior since 1977. Previously she worked four years at the U.S. EPA Region IX in the Air Quality, and then the EIS office. She began her federal career as a Transportation Management Intern with the U.S. Dept of Transportation in Washington, DC. Since 1985 she has been involved with the Glen Canyon Environmental Studies, the Executive Review Committee, the NAS Committee to Review the Glen Canyon Environmental Studies, and the WAPA SLC/IP Electric Power Marketing EIS.

LORI POTTER (B.A., M.A., Univ. of Illinois; J.D. Harvard Law, '80) has been Regional Director of the Sierra Club Legal Defense Fund since 1985, and Staff Attorney, 1983-85. She was clerk to Colorado Supreme Court Justice Jean Dubofsky (1982-83) and worked for Texas Rural Legal Aid (1980-82). She has done numerous continuing legal education talks, including on Environmental Inequality (Harvard Law, April 1991); and Wild River Designation: Legislative Drafting & Strategy (Nov. 1990). Recent publication: "Nevada v. Morros: Instream Flow Rights for Nevada," Rivers, '90.

BEN SAUNDERS is manager of four water districts in eastern Colorado: Frenchman Ground Water Management District and Marks Butte Ground Water Management District, out of Holyoke, Colorado; and Sandhills Ground Water Management District and Central Yuma County Ground Water Management District, out of Wray. He has a B.S. in Business Administration and Computer Science (1969) from Colorado State Univ. and at one time served as a Colorado Water Commissioner out of Greeley.
STUART L. SOMACH is an Attorney-Shareholder with McDonough, Holland & Allen in Sacramento. He is a former Honors Program Attorney, U.S. Dept. of Interior, and served as Assistant U.S. Attorney with the U.S. Dept. of Justice. He entered private practice in 1984, and specializes in water rights and water quality law, natural resource and environmental law, as well as litigation in federal and state courts. He is an Adjunct Professor of Law at the University of the Pacific McGeorge School of Law. He is Chair of the ABA's Committee on Water Resources Law.

A. DAN TARLOCK (A.B. and LL.B. Stanford Univ.) is Professor of Law at the IIT Chicago-Kent College of Law. He was a delegate to the Natural Resources Law Center's Sino-American Conference on Environmental Law in Beijing. He has served on the Water Science and Technology Board of the National Academy of Sciences, and as Vice-Chairman of the ABA Water Resources Committee. Publications include Water Resources and Management 3d (with Meyers, Corbridge & Getches); Law of Water Rights and Resources; and "New Commons in Western Waters," in Water and the American West.

LaJUANA S. WILCHER was appointed by Pres. Bush as EPA's Assistant Administrator for Water in October 1989, responsible for planning, policy and national program management of EPA's water programs, including surface waters, drinking water, wetlands, and groundwater. Previously she was a partner in the Washington law firm Bishop, Cook, Purcell & Reynolds. Prior to that she was Special Asst. to the General Counsel and Asst. to the Deputy Administrator at EPA. Her B.S. in biology is from Western Kentucky Univ., and J.D. from Salmon P. Chase College of Law, Northern Kentucky Univ. ('80).

A. WAYNE WYATT is a 34-year professional groundwater conservationist, serving 10 years with the Texas Water Development Board and 23 years with the High Plains Underground Water Conservation Dist. No. 1. He has been President of the Texas Water Conservation Association. He was named "Outstanding Water Conservationist," by the Groundwater Management Districts Association, among numerous other awards. He has authored over 50 technical and semi-technical reports on water conservation and Texas groundwater resources.

WILLIAM H. YOUNG has served as Director of Oregon's Water Resources Dept. since 1983. For seven years before that he was Director of Oregon's Dept. of Environmental Quality, responsible for water, air and noise pollution, sewage, and hazardous wastes. He has also been head of the Intergovernmental Relations Div. of the State Executive Dept. He has been Mayor of Beaverton, Oregon, and President of the League of Oregon Cities. His B.A is from Pacific Univ., and he attended graduate school at Portland State Univ. and Lewis & Clark Northwestern School of Law.

PATRICIA M. ZELL has been with the U.S. Senate Select Committee on Indian Affairs since 1978 first as a Professional Staff Member, then Staff Attorney (1982), then Chief Counsel (1986), and Staff Director since 1990. From 1981-82 she served as a staff attorney with the American Indian Resources Institute in California. She is a member of the Native American Advisory Council of the American Red Cross, and a member of the Budget Committee for the National Museum of the American Indian, Smithsonian Institution. Her J.D. is from Georgetown University.

RICHARD B. COLLINS (B.A. Chemistry, Yale '60; LL.B. Harvard Law '66) has taught at the Univ. of Colorado School of Law since 1978, as Associate Professor since 1982. From 1975-82 he was a staff attorney with the Native American Rights Fund in Boulder. From 1971-75 he was Director of Litigation for DNA Legal Services in Window Rock, Arizona, and from 1967-71 served as staff attorney and Deputy Director, California Rural Legal Services and California Indian Legal Services in Santa Rosa and Berkeley. Recent publications include "Indian Consent to American Government," 31 Ariz. Law Review 365 (1990).