



John E. Thorson

San Francisco, CA

PROFILE

For two decades, I have worked on water law and policy issues in every major river system in the American West. I have used my abilities as a judge, attorney, mediator, teacher, and scholar to resolve interjurisdictional disputes, better utilize science, and improve water management.

EXPERIENCE

Administrative Law Judge, California Public Utilities Commission (2003-present); Assistant Chief Judge (Water, ADR, Adjudications) (as of Jan. 1, 2007). Preside over contested cases, ratemaking, and rulemaking proceedings involving municipal and community water systems, energy, water, telecommunications, and transportation. Mediate cases pending before other judges. Serve as Law and Motion Judge. Recent assignment has been to enhance and coordinate alternative dispute resolution (ADR) program. Served on planning committee for recent CPUC symposia (with other state agencies) on “The Regulatory Challenge Linking Water and Energy” (Mar. 28, 2006) and “Securing Clean and Affordable Water” (Sept. 12, 2006).

Attorney and Consultant, Water Law & Policy (2000-03; 2003-present part-time). Major clients have included:

- Sacramento Superior Court. Under grant from California Judicial Council, research attorney for Superior Court Judges in three sets of coordinated cases (25 individual cases) involving complex water issues involving (*see* www.saccourt.com [select “Coordinated Cases”]):
 - San Francisco Bay-Sacramento River-San Joaquin River [JC 4118 (Candee, J.) (Bay-Delta water quality standards)];
 - Sufficiency of CALFED program EIR and record of decision [JC 4152 (Esgro, J.)]; and
 - Colorado River water for Southern California [JC 4353 (Candee, J.) (Quantification Settlement Agreement)].
- Wyoming State Engineer. Facilitated meetings of major parties to prepare final decree documents for completion of adjudication phase of Big Horn River Adjudication.
- New Mexico Legislature. Completed major report concerning New Mexico’s options on the Pecos River, *Enforcement of U.S. Supreme Court Decrees in Original Jurisdiction Actions Concerning Interstate Rivers, Texas v. New Mexico, No. 65 Orig.*

- Federal Emergency Management Agency. Appointed to panel of arbitrators to hear cases against the United States arising from the Cerro Grande fire near Los Alamos, New Mexico.
- New Mexico District Court (Dona Ana County). Conducted public orientation workshops concerning the Rio Grande Adjudication (with other team members) (1999-2002).

Special Master, Arizona General Stream Adjudication (1990-2000). Appointed by Arizona Supreme Court as principal judicial hearing officer in Gila River adjudication and Little Colorado River adjudication. These two cases comprise 80,000 water rights asserted by 27,000 parties including federal and states agencies, Indian tribes, all major cities, utilities, mines, irrigation entities, and individual users. Established office and hired staff, developed rules and case management strategies for both adjudications, conducted hearings resulting in approval of four major Indian water rights settlements (Salt River Pima-Maricopa Indian Community, Fort McDowell Indian Community, Yavapai-Prescott Indian Tribe, San Carlos Apache Tribe), issued rulings on many important aspects of Arizona water law, and conducted hearings concerning water rights to surface water and tributary groundwater.

Partner, Doney & Thorson, Helena, Montana (1986-1990). Member of law firm specializing in water and natural resource law and legislation. Represented potentially responsible parties in Superfund proceedings (CERCLA/SARA) involving the nation's largest NPL site (Butte-Silver Bow), which had significant water quality issues in the Upper Clark Fork River Basin. Practice also emphasized lobbying, administrative law, and mental health issues.

Project Director, Missouri River Management Project sponsored by the Northern Lights Institute with funding from The Ford Foundation and other sources (1988-1990). Convened and facilitated meetings of The Missouri River Assembly involving ten states, 25 Indian tribes, federal agencies, and interest groups (1989-1990).

Attorney and Natural Resource Policy Consultant living in Helena, Montana (Sep. 1984-85). Associated with Watershed West, a regional natural resource consulting firm. Consultancies on agriculture with the Montana Governor's Office; on water policy issues with the Montana Legislature, Northern Lights Institute, American Indian Lawyer Training Program, Council of State Policy and Planning Agencies, and the National Conference of State Legislatures; and on other natural resource issues with the Lincoln Institute of Land Policy.

Director of the Conference of Western Attorneys General with staff offices in San Francisco, California (1980-84). Principal staff person for regional organization of 16 western state and territorial attorneys general. Organized and staffed major policy meetings between the attorneys general and the Secretary of Interior, assistant secretaries of the Departments of Interior and Agriculture, the Solicitor General of the United States, and members of Congress.

Associate Director and Counsel of the Western Governors' Conference (predecessor of the Western Governors' Association) and the Western Legislative Conference, staffed by the Council of State Governments in San Francisco, California (1980-84).

Attorney in private practice in California and New Mexico (1973-1980). Specializing in business, real estate, bankruptcy, education law, and other civil law matters.

EDUCATION

Bachelor of arts, awarded with distinction, from the University of New Mexico (1970). Major in political science, minor in English. President of the student body.

Juris doctor degree from the University of California at Berkeley (Boalt Hall) (1973). Member and note and comment editor of the CALIFORNIA LAW REVIEW.

Doctor of Public Administration from the University of Southern California (1991). Emphasis in organizational theory, organizational behavior, public policy, and water resource policy and management.

Participant & discussion group leader, "Management Skills for Presiding Judges," National Judicial College, Reno, NV (June 2006).

Participant, Western Utility Rate School, National Association of Regulatory Utility Commissioners, San Diego, CA (May 2003).

Participant, "Rulemaking Under the California Administrative Procedure Act," Office of Administrative Law (May 2003).

Participant, Program of Instruction for Lawyers, Harvard Law School (1999). Course on mediation and other alternative dispute resolution methods.

Participant, "Managing Complex Litigation," National Judicial College, Reno, NV (1991).

Participant, New Judges' Orientation, Arizona Judicial College (1990).

Participant, Program of Instruction for Lawyers, Harvard Law School (1983). Courses on environmental law, administrative law and communications law.

TEACHING EXPERIENCE

Adjunct Professor, School of Law, University of San Francisco. Teaching courses in water law (2005-present).

Visiting Lecturer, University of Southern California, School of Planning, Policy & Development (Sacramento Center). Teaching courses in conflict resolution and ADR (2004-present).

Visiting Professor, Universidad Anahuac de Xalapa, Xalapa, Veracruz, Mexico. Taught course in negotiation and mediation in graduate MPA program (June 2006).

Instructor, "Managing Complex Water Litigation" (for judges), *Dividing the Waters*, Las Vegas, NV (Dec. 2001).

Adjunct Professor, School of Law, University of Arizona, Tucson, Arizona. Taught course in water law (1998).

Visiting Lecturer, School of Law, University of Montana, Missoula, Montana (1989). Co-taught course in environmental law and policy.

Visiting Lecturer, graduate program in public administration, Montana State University (winter 1988). Taught course in environmental law and policy.

Visiting Lecturer, graduate program in public administration, Montana State University (winter 1986). Co-taught "Water Policy at the Headwaters," a course in water law and policy for practitioners.

Visiting Lecturer, graduate program in public administration, California State College, Stanislaus (1979-80).

PUBLICATIONS

Forthcoming Article, *Western United States Water Law*, EL FORO, law review published by Barra Mexicana, Colegio de Abogados, A.C. (Mexico City bar association) (Fall 2006).

Forthcoming Article, *World Water Forum IV*, ABA WATER RESOURCES COMMITTEE NEWSLETTER (Fall 2006).

Co-author with R. Kropf, A. Gerlak & J. Crammond, *Dividing Western Waters: A Century of Adjudicating Rivers and Streams, Part II*, 9 [Univ. of Denver] WATER LAW REVIEW 298 (2006).

Co-editor with Sarah Britton and Bonnie Colby, TRIBAL WATER RIGHTS: ESSAYS IN CONTEMPORARY LAW, POLICY, AND ECONOMICS (Univ. of Arizona Press, 2006).

Co-editor with Andrea Gerlak, Symposium Issue: *River Adjudications*, JOURNAL OF CONTEMPORARY WATER RESEARCH AND EDUCATION, No. 133 (Universities Council on Water Resources, May 2006) (<http://www.ucowr.siu.edu/updates/133/index.html>).

Eficacia de la Ley para Prevenir y Controlar la Contaminación del Agua en los Estados Unidos (Efficiency of United States' Laws for the Prevention and Control of Water Contamination), EL UNIVERSAL (Mexican newspaper) (Feb. 2006).

Co-author with Bonnie Colby and Sarah Britton, NEGOTIATING TRIBAL WATER RIGHTS: FULFILLING PROMISES IN THE ARID WEST (Univ. of Arizona Press, 2005).

Co-author with R. Kropf, J. Crammond & A. Gerlak, *Dividing Western Waters: A Century of Adjudicating Western Rivers, Part I*, 8 [Univ. of Denver] WATER LAW REVIEW 355 (2005) (two-part article).

A Vision of Sustainable Interstate Water Management Agreements, Keynote Presentation to Conference on Interstate Waters sponsored by UNM Utton Center, Snowbird, UT (Oct. 2002), published in 43 NATURAL RESOURCES JOURNAL 347 (2003).

The U.S. Supreme Court in an Original Jurisdiction Action, WATER RESOURCES OF THE LOWER PECOS REGION: SCIENCE, POLICY, AND A LOOK TO THE FUTURE, N.M. Bureau of Geology and Mineral Resources (Sept. 2003).

Co-author with A. Dan Tarlock, "Coordinating Land and Water Use in the San Pedro River Basin," in David L. Markell & John H. Knox (eds.), GREENING NAFTA: THE NORTH AMERICAN COMMISSION FOR ENVIRONMENTAL COOPERATION, Stanford Univ. Press (2003).

Voyage of Rediscovery: Lessons from Lewis & Clark for Missouri River Managers, 6 GREAT PLAINS NATURAL RESOURCES JOURNAL 121 (2002).

Proposal for a Missouri River Corridor Trust, First Price Winner (\$20,000), Exploring Innovations on the Upper Missouri River, competition sponsored by Foundation for Research on Economics and the Environment & Gallatin Writers (August 2001), republished as 23 PUBLIC LAND LAW REVIEW 77 (2002).

Review of Gray Brechin's IMPERIAL SAN FRANCISCO: URBAN POWER, EARTHLY RUIN, ABA WATER RESOURCES COMMITTEE NEWSLETTER (Dec. 2000).

Co-author with Robert Jerome Glennon, *Federal Environmental Restoration Initiatives: An Analysis of Agency Performance and the Capacity for Change*, 42 ARIZONA LAW REVIEW 483 (2000).

Review of Robert Kelley Schneider's UNRULY RIVER: TWO CENTURIES OF CHANGE ALONG THE MISSOURI, 10 GREAT PLAINS RESEARCH 232 (2000).

Build It and They Will Come, 2 GREAT PLAINS NATURAL RESOURCES JOURNAL 29 (Spring 1997).

State Watershed Adjudications: Approaches and Alternatives, 42 ROCKY MOUNTAIN MINERAL LAW INSTITUTE 22-1 (1996).

RIVER OF PROMISE, RIVER OF PERIL? THE POLITICS OF MANAGING THE MISSOURI RIVER, University Press of Kansas (1994).

Member, Board of Editors, NORTHERN LIGHTS (Quarterly publication of the Northern Lights Institute, 1988-2001).

Co-editor, "Water Resources" in *Natural Resources, Energy, and Environmental Law; The Year in Review* (Annual publication of the American Bar Ass'n, 1989-1993).

Proceedings of the Symposium on Settlement of Indian Water Rights Claims, 22 ENVIRONMENTAL LAW 1009 (1992).

"Legal Aspects of Water Planning" and "A Brief Annotated History of Water Planning," chapters in book on water planning edited by Dr. Margot Garcia (Westview Press).

General Editor, BOUNDARIES CARVED IN WATER: MISSOURI RIVER ISSUE SERIES (series of 16 monographs on Missouri River water management issues, 1988-91).

Water Marketing in Big Sky Country: An Interim Assessment, 29 NATURAL RESOURCES JOURNAL 479 (1989).

Public Rights at the Headwaters, 78 AMERICAN WATER WORKS ASS'N JOURNAL 72 (Oct. 1986).

Co-author with M. O'Keefe & D. Snow, BOUNDARIES CARVED IN WATER: AN ANALYSIS OF RIVER AND WATER MANAGEMENT IN THE UPPER MISSOURI BASIN (Northern Lights Institute, Oct. 1986).

Co-editor w/ L. McKinsey, MONTANA WATER POLICY AND RESOURCES BIBLIOGRAPHY (Mar. 1986).

Consultant, *Troubled Waters*, one-hour television documentary on Colorado River produced and broadcast regionally by KUED-TV, Univ. of Utah (1986).

Co-author with G. Weatherford and T. Miller, THE SALTY COLORADO (John Muir Institute/Conservation Foundation, 1986).

Resolving Conflicts Through Intergovernmental Agreements: The Pros and Cons of Negotiated Settlements, in C. Miklas & S. Shupe, INDIAN WATER 1985: COLLECTED ESSAYS (American Indian Lawyer Training Program, 1986).

Project manager & editor, THE FINANCIAL INTEREST OF WESTERN STATES IN NON-TAX REVENUES FROM THE FEDERAL PUBLIC LANDS (Prepared for the Western Legislative Conference (1984-85)(Published as Fairfax *et al.*, FEDERAL LANDS, by Island Press, 1986).

Co-author with D. Snow & M. O'Keefe, *The Wet and Wide Missouri*, 1 NORTHERN LIGHTS 7 (Nov./Dec. 1985).

"None of the Old Rules Apply Anymore:" *Economics and Public Rights in the Allocation and Movement of Montana's Water*, WESTERN NATURAL RESOURCE LITIGATION DIGEST (Fall 1985).

Co-author with Margery Brown and Brenda Desmond, *Forging Public Rights in Montana's Waters*, 6 PUBLIC LAND LAW REVIEW 1 (1985).

Co-editor, WESTERN NATURAL RESOURCE LITIGATION DIGEST (WNRL), a quarterly monitor of significant natural resource litigation published by the Conference of Western Attorneys General (1982-1984).

Project manager & editor, ENERGY USE AND WESTERN AGRICULTURE: BALANCING RESOURCES (Prepared for the Western Governors' Ass'n, 1984).

Project manager & editor, SOIL CONSERVATION AND FARMLAND PROTECTION: THE WESTERN PERSPECTIVE (Prepared for the Western Governors' Ass'n, 1984).

Editor & author of *The Clean Air Guide*, a special issue of STATE GOVERNMENT NEWS (April 1981); author of series of subsequent articles on the Clean Air Act for STATE GOVERNMENT NEWS: *Acid Rain Threatens Lakes, Options Given for Nonattainment Areas, Vehicle Pollution Control up to EPA* (1981).

Wilderness Without End, WESTERN NATURAL RESOURCE LITIGATION DIGEST COMMENTARY (1983).

Dismissal of Probationary Teachers, 61 CALIFORNIA LAW REVIEW 302 (1973).

PUBLIC POLICY & RESEARCH PROJECTS

Member, Committee on Water Resources Management, Instream Flows, and Salmon Survival in the Columbia River, National Research Council/National Academies of Science (2003-2004). Final report, MANAGING THE COLUMBIA RIVER: INSTREAM FLOW, WATER WITHDRAWALS, AND SALMON SURVIVAL, published March 2004.

WATER RESEARCH AND WATER RESOURCES EDUCATION (with Howard Johnson & Lauren McKinsey), a study of (a) the structure and research programs of America's water resources research centers, and (2) graduate water resource management programs in America's colleges and universities prepared for the Montana Environmental Quality Council (1990).

MONTANA AND THE MISSOURI (with Dan Tarlock, Gary Weatherford & Adolph Koven), a major study of Missouri River water issues completed for the Montana Dep't of Natural Resources & Conservation (1988).

Principal staff author, REPORT OF THE SELECT WATER MARKETING COMMITTEE TO THE 49TH MONTANA LEGISLATURE (1985). Resulted in major legislative change to the Montana Water Code.

PUBLISHED CONFERENCE PAPERS

Perpetual Discord: Why Missouri River Conflict-Resolution Efforts Have Failed (Paper presented to CLE International's Law of the Missouri River: Rights, Management and Policy, Omaha, NE, Oct. 14-15, 2004).

The Historic Missouri River: A Frustrating Case of Regional Decisionmaking (Paper presented to ABA Eastern Water Resources: Law, Policy and Technology, Hollywood, FL, May 6-7, 2004).

The Perpetual Motion Machine: A Candid Appraisal of Our Efforts to Resolve Water Disputes (Paper presented to water law conference of the Washington State Bar, Seattle, WA, Nov. 2002).

A Vision of Sustainable Interstate Water Management Agreements (Keynote paper presented to Conference on Interstate Waters sponsored by the UNM Utton Center, Snowbird, UT, Oct. 2002).

Clarifying State Water Rights and Adjudications (Paper presented to conference titled "Two Decades of Water Law and Policy Reform: A Retrospective and Agenda for the Future," sponsored by Natural Resources Law Center, School of Law, Univ. of Colorado, June 13-15, 2001).

Voyage of Rediscovery: Lessons from Lewis and Clark for Today's River Managers, paper accepted for presentation, *The Law of the Missouri River*, Omaha, NE (March 2, 2001).

What Future for the Missouri River?, WATERSHED MANAGEMENT TO PROTECT DECLINING SPECIES, proceedings of the American Water Resources Ass'n (1999).

The Status of General Stream Adjudications in Arizona and Other Western States (Paper presented to seminar on new developments in Arizona water law sponsored by the State Bar of Arizona, Phoenix, AZ, April 22, 1994).

Protecting Groundwater as Res Publica (Keynote presentation to 19th Biennial Groundwater Conference sponsored by the University of California Water Resources Center, Sacramento, CA, Sept. 13, 1993).

The Determination of Surface Water Rights Through the General Stream Adjudications (with Ramsey Kropf) (Paper presented to conference on "Essential Issues in Natural Resources and Environmental Law for Laypeople and Lawyers" sponsored by the Environmental and Natural Resource Law Section, State Bar of Arizona, Flagstaff, AZ, May 21, 1993).

Adjudicating Arizona's Water: An Ephemeral or Perennial Stream? (Paper presented to Environmental and Natural Resource Law Section, State Bar of Arizona, Phoenix, AZ, May 28, 1992).

Negotiated Approaches to Managing Water and Related Resources: The Institutional Spectrum (Paper presented to section of annual meeting of Society of Professionals in Dispute Resolutions, San Diego, CA, Oct. 18, 1991).

The Prior Appropriation Doctrine: 19th Century Doctrine Meets the Iconoclastic West (Keynote presentation to annual meeting of the University Council on Water Resources, Albuquerque, NM, July 30, 1991).

An Overview of Federal and State Hazardous Waste Legislation (Paper presented to and compiled in proceedings of Natural Resources Seminar, State Bar of Montana, Billings, MT, Sept. 1989).

The Use of "Nonnavigable" Water for Public Purposes, WATER AS A PUBLIC RESOURCE: EMERGING RIGHTS AND OBLIGATIONS (Paper prepared for and delivered to conference presented by the Natural Resources Law Center, Univ. of Colo., Jun. 1987).

State Innovations in Protecting Public Rights in Water (Paper prepared for and delivered to annual symposium of Water Resources Committee, American Bar Ass'n, San Diego, CA, Feb. 1987).

Portraits of the Missouri: Past, Present & Future (Nat'l Conf. of State Legislatures, Dec. 1986).

Water Management in the Missouri River Basin, in L. McKenney, BOUNDARY WATERS (Proceedings of conference of the 49th Parallel Institute, Helena, MT, Nov. 1986).

Co-author with S. Bond, *The Prior Appropriation Doctrine Under Stress: The Montana Case Study* (Juried paper prepared for and presented to National Symposium on Water Resource Law, sponsored by Society for Engineering in Agriculture, Chicago, IL, Nov. 15, 1986).

Co-author with D. Schmidt, *Public Rights in Montana's Waters: Legislative Response to Judicial Activism* (Proceedings of 3d Annual Western States Water Council Water Management Symposium, Los Angeles, CA, Sep. 1986).

Co-author w/ L. McKinsey, *Montana: Policy at the Headwaters* (Proceedings of the 26th Annual Meeting of Western Social Science Ass'n, Reno, NV, Apr. 23-26, 1986).

Co-editor w/ L. McKinsey, *Montana Water Policy and Resources Bibliography* (Mar. 1986).

ADDITIONAL PRESENTATIONS

Panelist, "Legal Education in the Area of Water," World Water Forum IV (Mar. 20, 2006, Mexico City) (served as representative of ABA Section of Environment, Energy & Resources to this program).

Keynote speaker (along with Ramsey Kropf), "Development of General Stream Adjudications," Annual Conference of N.M. Water Law Judges (Nov. 7, 2005, Albuquerque, NM).

Panelist, "California Public Utility Commission's ADR Program," California Conference of Public Utility Counsel (Sept. 16, 2005, San Francisco, CA).

Panelist and session organizer, "Use of Models and Other Scientific Evidence in Civil Trials," California Judicial Conference (Sept. 8, 2005, San Diego, CA).

Speaker, "Missouri River Conflict Resolution," Model Water Compact Project, Utton Transboundary Resources Center, (Mar. 8-11, 2005, Bishop's Lodge, NM).

Speaker, "Urbanization and Agriculture: Tribal Water Right Settlements," University of Arizona's Agribusiness Forum (Feb. 22, 2005, Mesa, AZ).

Moderator, "Endangered Species and the Missouri River," Eastern Water Law Conf., American Bar Assoc. (May 2004, Hollywood, FL).

Moderator, "Legal and Judicial Ethics in Complex Water Litigation," 2004 Annual Water Law Conf., American Bar Assoc. (Feb. 2004, San Diego, CA).

Moderator, "Federal Reserved Water Rights" DIVIDING THE WATERS VIII (Oct. 2003, Sacramento, CA).

Moderator, "Missouri River Legal Developments," ABA Section of Environment, Energy & Resources CLE Teleconference (Sept. 2003).

Speaker, *Missouri River Festival & Symposium: Before, During, and After Lewis & Clark*, Bismarck-Mandan Lewis & Clark Bicentennial Committee (Sept. 18-21, 2003).

Speaker, "Indian Water Right Settlements," DIVIDING THE WATERS VII (April 2002, San Antonio, TX).

Speaker, "Missouri River Corridor Trust," Public Land & Resources Law Review/Center for the Rocky Mountain West Conference (April 12, 2002, Missoula, MT).

Speaker, "Missouri River Management Issues," Committee on Missouri River Ecosystem Science, National Research Council/National Academy of Science (Feb. 16, 2001, Irvine, CA).

Speaker, "*Kansas v. Colorado*: Litigation Before the U.S. Supreme Court," session in honor of Arthur L. Littleworth, Association of California Water Agencies (Nov. 9, 2000, Anaheim, CA).

Panelist, "Current Issues Concerning State, Tribal and Federal Jurisdiction," DIVIDING THE WATERS VI (Oct. 7, 2000, Vail, CO).

Speaker, "Water, Litigation and the Future of the American West," California Administrative Office of the Courts Forum (August 28, 2000, San Francisco).

Panelist, "Technology and the Courts," opening plenary session of the Arizona Judicial Conference (June 1999, Phoenix, AZ).

Keynote Speaker, "Coming Home to the River," 16th Annual Red River Basin Land & Water International Summit Conference (Fargo, ND, Jan. 13, 1999).

Planning committee and speaker ("Congressional Apportionment and the Colorado River"), *Competing for the Mighty Columbia River – Past, Present and Future: The Role of Interstate Allocation*, American Bar Association and 16 cosponsors (April 30-May 1, 1998, Boise, ID).

"A Century of Adjudicating Western Rivers and Streams," speaker (with Ramsey L. Kropf) at closing session at *Dividing the Waters IV* (Oct. 4, 1997, Big Sky, MT).

Program organizer and moderator, "Adjudicating War Crimes: Fifty Years from Nuremberg to Yugoslavia," Arizona Judicial Conference (June 1996, Tucson, AZ).

Luncheon & closing speaker, "The Mighty Missouri: Past and Present," 25th Nebraska Water Conference (Mar. 11-13, 1996, Omaha, NE).

Moderator, *Emerging Issues on the Columbia River*, panel at the 13th Annual ABA Water Law Conference (Feb. 2-3, 1995, San Diego, CA).

Conference convenor and panel moderator, *Dividing the Waters I* (Scottsdale, AZ, Oct. 20-22, 1993).

Planning committee member and panel moderator, "Southwestern Judges' Conference on Environmental Law," sponsored by the UNM Institute of Public Law with funding from the State Justice Institute (Albuquerque, NM, July 29-30, 1993).

Member, panel on "Water Management in Indian Country," Symposium on Settlement of Indian Reserved Water Rights Claims sponsored by the Native American Rights Fund and the Western States Water Council (Albuquerque, NM, Sept. 1-3, 1992).

"The Missouri River," keynote presentation to annual meeting of American Water Resources Association (New Orleans, LA, Sept. 8, 1991).

Conference convenor and moderator, "Preemption Tension: Federal-State Water Quantity and Quality Issues," sponsored by the ABA Water Resources Committee (Seattle, WA, Oct. 30-31, 1991).

Presentation on Arizona's general stream adjudications to annual meeting of Arizona Water Resources Association (Tucson, AZ, Sept. 1991).

Speaker, second meeting of Missouri River Assembly (Bismarck, ND, June 1990).

Speaker, "Water Provisions of 1772 Constitution," Constitutional Symposium '89, sponsored by the Montana Law Review (Missoula, MT, Nov. 16-18, 1989).

Dinner speaker, "The Essential Character of Montana's Water," 1989 Annual Meeting, Americal Water Resources Association, Montana Chapter (Billings, MT, Oct. 1989).

Keynote presentation, "A Futuristic View of Montana's Waters," 1989 Annual Convention, Montana Water Resources Association (Billings, MT, Sept. 1989).

Panelist, "Indian Water Rights Case Studies," Symposium on Indian Water Rights and Water Resources Management sponsored by the American Water Resources Ass'n (Missoula, MT, June 27-29, 1989).

Speaker, "The Missouri River: River of Promise; River of Peril?," conference titled "Boundaries and Water: Allocation and Use of a Shared Resource" sponsored by Natural Resources Law Center, Univ. of Colorado School of Law (Boulder, CO, June 5-7, 1989).

Speaker, "Legal and Historical Aspects of Water Planning," conference titled "Putting Water Planning into Planning" sponsored by the School of Architecture, Arizona State Univ. (Tempe, AZ, May 16-18, 1989).

Speaker, "Pick-Sloan and the Tribes," Indian Tribes & Water Resources in the Missouri Basin: A Look to the Future (Billings, MT, Mar. 9, 1989).

Speaker, "Water Issues Facing Montana," Great Falls Conservation Committee (Great Falls, MT, December 8, 1988).

Speaker, "State Leadership in Drought Response," Water Forum 1988, sponsored by the Montana Water Resources Research Center, Legislative Water Policy Committee, Montana Department of Natural Resources & Conservation, and the Montana Extension Service (Helena, MT, December 1, 1988).

Speaker, "The Drought: Its Impacts on Our Region," Third Annual Northern Rockies Rendezvous (Missoula, MT, October 20, 1988).

Panelist, "1988 Montana Drought," Meeting of the Water Policy Committee of the Montana Legislature (Helena, MT, October 7, 1988).

Speaker, Symposium on the Future of the Missouri River presented by the Northern Lights Institute (Billings, MT, May 1988).

Convenor and speaker, Symposium on General Stream Adjudications presented by the American Bar Association and the Western States Water Council (Boise, ID, April 1988).

Panelist, Annual Water Management Symposium sponsored by the Western States Water Council (Whitefish, MT, September 1988).

Speaker, Symposium on Missouri River presented by the Nat'l Conf. of State Legislatures (Denver, CO, May 1987).

Speaker, Conference presented by the Environmental Studies Institute, Univ. of Washington (Seattle, WA, Oct. 1986).

Moderator, Water Marketing Conference presented by Watershed West/Univ. of Denver (Denver, CO, Oct. 1986).

Panelist, "Boundaries Carved in Water" (Conference presented by the Northern Lights Institute (Billings, MT, Oct. 1986).

Speaker, Conference presented by the American Indian Lawyer Training Program (Denver, CO, Sep. 1985).

Moderator, Conference presented by Public Land Law Review, Univ. of Montana, (Missoula, MT, Apr. 1985).

Planning committee member and panelist, Conference on National Parks presented by Institute of American West (Sun Valley, ID, Aug. 1984).

Co-convenor, "Fiscal Federalism and the Patchwork Quilt of Natural Resource Revenues" (Conference presented by the Public Land Law Review/Council of State Governments, Missoula, MT, May 1984).

Speaker, "Federal Lands Workshop" (Sponsored by the Western Interstate Energy Board, Apr. 16 & 17, 1984, Santa Barbara, CA).

Workshop Reporter, "Colorado River Working Symposium" (Symposium sponsored by the John Muir Inst., Santa Fe, NM, May 1983).

Speaker, "Water Rights and Forestry Issues" (Training program for U.S. Forest Service personnel sponsored by Washington State Univ., Spokane, WA, Apr. 1983).

PROFESSIONAL ACTIVITIES & ASSOCIATIONS

Founder & Cosponsor (with Judge Daniel Hurlbutt, Jr. (retired), Idaho, Supreme Court Justice Gregory Hobbs, Colorado), and California Court of Appeal Justice Ron Robie of *Dividing the*

Waters: A Dialog for Judges, Master & Referees [involved in general stream adjudications and other complex water-related litigation], a project supported by The Ford Foundation, William & Flora Hewlett Foundation, and other foundations (\$600,000 raised to date) to conduct conferences (nine to date) and other educational activities (including two ADR training workshops, one complex litigation workshop, and three science for judges workshops) for 100 judges, masters (including U.S. Supreme Court Special Masters) and referees involved in complex water litigation (1993-present).

Member of the California State Bar, Montana State Bar, State Bar of Arizona (inactive), the New Mexico State Bar (inactive), the U.S. Supreme Court Bar, the Bars of the Ninth and Tenth Circuit Courts of Appeals, and the bars of the federal district courts of Arizona, California and New Mexico. Previously, member, editorial board of MONTANA LAWYER. Previously member of the Free-Press and Fair Trial, Prepaid Legal Services, and Legislation Committees of the New Mexico Bar Association.

Member, Board of Directors, California Water Education Foundation (2005-present).

Publications Officer (2000-2003) and Council member (1997-2003), Section of Environment, Energy & Resource Law, a 11,000-member division of the American Bar Association 1998-present); in this capacity, served as chair of Publications Service Group, publisher of *NR&E* magazine, *Trends*, newsletters of 26 committees, *Year in Review*, an extensive book program, and *The Environmental Lawyer* (in conjunction with George Washington Univ. Law School); member of the 2001 annual meeting planning committee. Current member of Publications Services Group. Former member of Education Services Group. Principal author of policy statement supporting Indian water right settlements, passed by the ABA House of Delegates (Aug. 2002).

Chair of the Water Resources Committee of the American Bar Association (1993-1995); vice-chair (1985-93); senior advisor (1995-present).

Member, Judicial Division, American Bar Association.

Judicial Member, Lorna Lockwood Inn of Court (1992-2000).

Reviewer of drafts reports of Committee on Missouri River Ecosystem Science and the Committee on Scientific Bases of Colorado River Basin Water Management, Water Science Technology Board, National Research Council/National Academy of Science.

Occasional book and article reviewer, AMERICAN INDIAN CULTURE AND RESEARCH JOURNAL, UCLA.

Coeditor and principal developer of *Wendell: The Arizona Judicial Reference Site*, an electronic bench book available on the judicial intranet for all Arizona state judges. The first such electronic resource in America, *Wendell* contains a large collection of official and unofficial material for the daily use of judges (1998-99).

Member, Center advisory committee, Model Compact Project advisory committee, and *Winters* Centennial committee, Utton Transboundary Resources Center, School of Law, University of New Mexico (1999-present).

Principal facilitator, Red River Leaders Summit, workshop sponsored by the International Coalition and USEPA to develop water management policy for the Red River of the North (Feb. 1996, Grand Forks, ND).

Member, Steering Committee, Western Water Policy Project, School of Law, University of Colorado (funded by The Ford Foundation); project resulted in publication of series of working paper and S.F. BATES *et al.*, SEARCHING OUT THE HEADWATERS: CHANGE AND REDISCOVERY IN WESTERN WATER POLICY (1993).

Member, National Water Policy Priorities (Longs Peak Working Group), meeting sponsored by Natural Resource Law Center, Univ. of Colorado, to make recommendations to incoming Clinton administration (Estes Park, CO, Dec. 6-8, 1992).

Participant, Park City workshops on water policy sponsored by Western Governors' Association and Western States Water Council (1991-91).

Member, advisory committee, study of prolonged drought in Colorado River basin conducted by University of Arizona in cooperation with other institutions (1991).

Member, Montana Drought Advisory Task Force (1987-90).

Member, Technical Committees on Instream Flow Issue and Water Use Efficiency, Montana State Water Plan (1988).

Previously affiliated with Sector Group, providing government relations services in 50 states.

PUBLIC SERVICE ACTIVITIES

Member, University of New Mexico Alumni Association (2005-present).

President and Board Member, Northern Lights Institute, Missoula, MT (1992-2001).

Member of the planning committee and speaker, *Environmental Restoration: Challenges for the New Millennium*, major conference sponsored by the School of Law, University of Arizona (Nov. 11-13, 1999, Tucson, AZ).

Member, Advisory Committee, *Westrends*, Project of Western Office, Council of State Governments (1985-1995).

Member, Constitutional Connections Committee, Montana Centennial Commission.

Member, Advisory Committee for the Joint Federal/State Prison Project of the American Justice Institute (1983-84).

Past President and Treasurer, Board of Directors, Richmond Art Center (California).

Past Vice-President and Treasurer, Board of Trustees, Contra Costa County Legal Services Foundation (California).

Past Chairman, Bernalillo County Labor Relations Board (New Mexico).

Former Member, Board of Directors, Albuquerque Community Council.

Former Public Policy Director for the Montana Mental Health Association.

OTHER

Regional Finalist for a White House Fellowship (1983).

Who's Who of Emerging Leaders in America; Who's Who in American Law.

Honorable discharge (SSG, E-6), USAR (Jul. 28, 1975).

Spanish (intermediate conversational).

Private pilot, single-engine, land; cross-country and down-hill skiing; camping & hiking; aerobics; travel; stained glass and wood construction.