

## **Hard Times on the Colorado River Speakers**

### **Scott Balcomb, Upper Colorado River Commissioner**

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Scott Balcomb is an attorney with Balcomb and Green, PC in Glenwood Springs, Colorado. He was appointed by Gov. Bill Owens as the Upper Colorado River Commissioner and Seven States Representative.

From 1972 to 1982, Mr. Balcomb was heavily involved in interstate water issues while working with/for his father, Kenneth Balcomb, as general counsel of the Colorado River Water Conservation District. He participated in hundreds of Colorado water court proceedings for every type of water use.

He graduated from the University of Colorado School of Law in 1972.

### **Dr. James Booker, Director, Environmental Studies Program**

Associate Professor of Economics  
Siena College  
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Jim Booker is an economist who has worked for nearly two decades on addressing the water demands of disparate water users in the American West. A faculty member at Siena College, he has been a visiting professor and scholar at the University of Wyoming, Kalamazoo College, and the University of Colorado.

His modeling of the hydrology, law, and economics of water use in the Colorado and other major river basins has pointed to the need for intrastate and interstate flexibility in water use to reasonably address growing demands for consumptive and non-consumptive water uses. His most recent publication in *Water Resources Research* is focused on the interplay of ground and surface water use and drought for the Upper Rio Grande Basin.

### **Kay Brothers, Deputy General Manager**

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Kay Brothers was appointed deputy general manager of Southern Nevada Water Authority Engineering and Operations in 2002. Previously, she served as director of SNWA's Resources Department, where she managed planning activities to protect existing water resources and to acquire future resources.

Brothers graduated in 1977 from the New Mexico Institute of Mining and Technology with a Bachelor of Science degree in environmental engineering. She began her career in the petroleum and mining industry focusing on environmental compliance, water treatment design and groundwater monitoring and mitigation facility design.

She joined the Las Vegas Valley Water District in 1986 as a hydrologist and helped develop the district's artificial recharge program to store treated Colorado River water in the Las Vegas Valley's groundwater aquifers for future use. She served as director of SNWA Resources from 1995 until 2002, when she was promoted to deputy general manager.

Brothers is active in regional and national water issues. She currently serves on the Board of Directors for the Water Education Foundation and Water for the West Foundation and is a member of the Colorado River Basin Salinity Control Forum.

**Rick Brown**

Colorado Water Conservation Board

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Rick has been with the Colorado Water Conservation Board for 5 years. He was initially hired to work on Platte River issues for the Board, especially the three state cooperative agreements for Platte River Research and other efforts relating to endangered species habitats along the central Platte River in Nebraska. Rick was asked to manage the Statewide Water Supply Initiative in February of 2003. In May 2005, Rick was appointed Acting Deputy Director for the CWCB and is expected to remain in that role for 1 year at which time Dan McAuliffe will return from active Army duty with the Judge Advocate General's Office.

Prior to joining the Board, Rick worked for 10 years in the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment (CDPHE). His work at CDPHE focused on investigation and remediation of contaminated sites under the federal CERCLA or Superfund program. Rick also has experience at the local government level having worked for Boulder County Health Department.

Rick is a native of Colorado and obtained his Bachelors Degree from the University of Colorado.

**Michael J. Cohen, Senior Research Associate**

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Michael J. Cohen is a Senior Research Associate with the Pacific Institute. His research focuses on water use in the lower Colorado River basin and delta region. He is the lead author of the Pacific Institute's 1999 report entitled "[Haven or Hazard: The Ecology and Future of the Salton Sea](#)", and of the Institute's 2001 report entitled "[Missing Water: The Uses and Flows of Water in the Colorado River Delta Region](#)." He is also the co-author of several journal articles on water and the environment in the border region.

Mr. Cohen developed a "partial" restoration plan for the [Salton Sea](#), recognizing the infeasibility of restoring the Sea as a whole, and drafted an alternative, environmentally benign set of interim surplus criteria for the lower Colorado River.

Mr. Cohen is a member of the International Boundary and Water Commission's Colorado River Delta Advisory Committee, and also sits on the California Resources Agency's [Salton Sea Advisory Committee](#).

Mr. Cohen has a Master's degree in Geography, with a concentration in Resources and Environmental Quality, from San Diego State University and received a B.A. in Government from Cornell University.

**Larry Dozier, Deputy General Manager, Operations, Planning & Engineering**

Central Arizona Water Conservation District  
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Larry has served as Deputy General Manager for the Central Arizona Project since September 1995 and is responsible for three major areas: operations, engineering, and planning and resources. He has the primary responsibility for Colorado River issues, water deliveries and contracts, engineering support for Central Arizona Project programs, recharge programs, the Central Arizona Groundwater Replenishment District, environmental compliance, water planning and power resources. He began his career with the Central Arizona Project as the Assistant General Manager for Operations in June 1985.

Larry began his career in water resources as an engineer with the Bureau of Reclamation in 1969 in Great Falls, Montana. He worked 16 years for Reclamation in various locations throughout the West and Washington, DC. His final assignment was in Boulder City, Nevada where he was Operations Manager for the Colorado River and worked closely with many Arizona interests to

develop the operation and maintenance plan for the Central Arizona Project, the Central Arizona Project water allocations, and the Central Arizona Project water delivery contracts.

Larry earned a Bachelor of Science in Agriculture Engineering from the University of Illinois in 1969. He has been married to Marti since 1970. They have three children and four grandchildren.

**Terry Fulp**

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Terry Fulp spent 10 years in the oil industry before realizing the value of water, particularly in the Western United States. Since 1989 he has been employed by the U.S. Department of the Interior, Bureau of Reclamation. His formal education includes degrees from the University of Tulsa, Stanford University, the University of Colorado, and a Ph.D. from the Colorado School of Mines

Terry's experience with Reclamation includes the assessment of the economic benefits of integrated power pooling of hydroelectric resources in the lower Colorado River system and research and development of decision support systems for watershed and river systems management. He currently is the Area Manager of the Boulder Canyon Operations Office, overseeing water operations, water and power contract administration, and water conservation and accounting from Lake Mead to Mexico.

**Russell George, Executive Director**

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Russ has served as Executive Director for the Colorado Department of Natural Resources (DNR). Appointed by Governor Bill Owens on January 9, 2004, Russ is charged with protecting and enhancing Colorado's natural resources. Specifically, he oversees the operations of the DNR's nine agencies.

Prior to his current position, Russ served as Director of the Colorado Division of Wildlife since September 18, 2000. Prior to becoming Director, he was elected by his peers in 1999 to be Speaker of the Colorado House of Representatives. Russ was first elected to the House of Representatives in 1992. As a House member, he served on the Judiciary Committee, Agriculture and Natural Resources Committee, the Local Government Committee and the

Capital Development Committee. He was named Legislator of the Year in 1994 and 1996 by the Associated Press' capitol reporter.

Russ is a graduate of Colorado State University, where he was a Boettcher Scholar, and Harvard University Law School. He has served as a VISTA volunteer at the Crow tribe reservation in Montana, a municipal judge in Rifle, General Counsel for the Rio Blanco and West Divide Water Conservancy Districts and as a Director for the Silt Water Conservancy District.

**Michael A. Gheleta, Attorney**

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Michael Gheleta is a Trial Attorney with the United States Department of Justice, Environment and Natural Resources Division, Natural Resources Section, in its Denver field office. His practice focuses on litigation of water rights, public lands, and environmental issues in federal and state courts throughout the western United States. He has handled a number of cases involving the Department of the Interior's responsibilities concerning the Colorado River, including lawsuits brought by municipalities, irrigation districts, environmental groups and Indian tribes.

He received a B.A. in Political Science from the University of California, Berkeley in 1982, a J.D. from the University of Colorado School of Law in 1988, and an M.A. in Political Science with an emphasis in environmental policy from Colorado State University in 1988.

After graduating from law school, he began his career in 1988 as an associate in the Water and Power Section of the Sacramento, California law firm of McDonough, Holland and Allen, before joining the Justice Department in 1990. Between 1995 and 1996, he served as Associate Director of the Natural Resources Law Center at the University of Colorado School of Law, and he was the Center's El Paso Energy Law Fellow in 2002. In his spare time, he is an avid whitewater river rafting guide, having spent almost three decades guiding rivers throughout the West, including the Grand Canyon and many other stretches of the Colorado River and its tributaries.

**Herbert “Herb” Guenther, Director**

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Former Senator Herb Guenther, of Tacna, was confirmed by the Arizona State Senate as the eighth Director of the Arizona Department of Water Resources in February 2003. The Director, who serves at the pleasure of the Governor, resigned from the State Senate to accept the post.

The Director has an extensive background in water issues. Before his appointment, he served 22 years with the Wellton-Mohawk Irrigation and Drainage District in southwestern Arizona. He has served as an Arizona director of the Colorado River Water Users Association (CRWUA) for 10 years. Herb also served as President of CRWUA in 1997 and 1998.

He is a graduate of Washington High School in Phoenix, Glendale Community College and Arizona State University. Herb is a Veteran of the U.S. Air Force, and also spent 10 years with the U.S. Bureau of Reclamation.

The Director served in both the Arizona House of Representatives and Arizona State Senate. In 2000, the American Ground Water Trust presented him with its Legislator of the Year Award.

**Gregory J. Hobbs, Jr., Justice**

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Gregory J. Hobbs Jr. is a Colorado Supreme Court justice, a post he has held since 1996. He has practiced law for 25 years, with emphasis on water, environment, land use, and transportation. Other affiliations include former senior partner, Hobbs, Trout & Raley P.C.; Partner, Davis, Graham & Stubbs; First Assistant Attorney General, Natural Resources Section, State of Colorado; Enforcement Attorney, U.S. Environmental Protection Agency; and Law Clerk for Judge William E. Doyle, U.S. Tenth Circuit Court of Appeals. Justice Hobbs has classroom experience, ranging from teaching sixth grade in New York City to being an adjunct professor in the Master's Program in Environmental Policy and Management, University of Denver.

He has a History degree from the University of Notre Dame, and a J.D. from the University of California at Berkeley (Boalt Hall).

**Chuck Howe**

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Chuck Howe is Professor Emeritus of Economics and a senior member of the professional staff, Environment and Behavior Program, Institute of Behavioral Science, University of Colorado-Boulder—a program he directed for 12 years. His undergraduate training was at Rice University (1952) and he completed his Ph.D. in Economics at Stanford in 1959 after serving in the Navy in Korea. Before moving to Colorado, he was Associate Professor of Economics at Purdue University, Director of the Water Resources Program at Resources for the Future and on the field staff of the Rockefeller Foundation in Nairobi, Kenya, 1964-65. In 1981-82, he again worked with Rockefeller, teaching at Gadjah Mada University in Indonesia and advising the Ministry of Agriculture.

He has served as consultant on interstate river compacts for the States of New Mexico and Texas and on water planning in Africa, Central and Latin America and Southeast Asia. He is a Fellow of the American Geophysical Union, recipient of the American Water Resources Association Icko Iben Award and the Warren Hall medal from the Universities' Council on Water Resources.

His books include *Benefit-Cost Analysis for Water System Planning* (AGU, 1971), *Natural Resource Economics* (John Wiley, 1979) and *Management of Water Projects* (OECD, 1985). Recent articles include "Water Transfers & their Impacts: Lessons from Three Colorado Water Markets" (with Christopher Goemans, *Journal of the American Water Resources Association*, 2003), "Water Transfers and Their Impacts" (*Journal of the American Water Resources Association*), and "Protecting Public Values in a Water Market Setting..." (*University of Denver Water Law Review*, 2000)

**Carly Jerla**

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Carly Jerla is a new employee with the Lower Colorado Region of the Bureau of Reclamation. She has recently completed the requirements for a MS degree from the University of Colorado in Civil Engineering with an emphasis in water resources. During her years as a graduate student she worked as a research assistant at CADSWES. Carly developed CRSS-Lite as part of her MS thesis. Carly received a B.S. in Civil Engineering and a B.S. in Engineering and Public Policy from Carnegie Mellon University in 1998.

**Robert W. Johnson, Regional Director**

Bureau of Reclamation  
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Robert W. (Bob) Johnson is the Regional Director of the Bureau of Reclamation's Lower Colorado Region, serving in that position since 1995.

Headquartered in Boulder City, Nevada, the Region encompasses southern Nevada, southern California, most of Arizona, and small portions of Utah and New Mexico. The Region's programs include management of the last 700 miles of the Colorado River, extending from Lee's Ferry in northern Arizona to the Mexican border. The Region performs the operation and management of Hoover, Davis and Parker Dams and oversees numerous other facilities originally constructed by and still under Reclamation ownership. The Region also serves as Water Master of the Lower Colorado River on behalf of the Secretary of the Interior. Under Johnson's direction, Regional programs are administered by offices located in Phoenix and Yuma, Arizona; Boulder City, Nevada; at Hoover Dam; and in Temecula, California.

A Reclamation employee since 1975, Johnson has held several managerial positions, including Deputy Regional Director and Chief of the Water, Land and Power Operations Division in the Lower Colorado Region. He also served in a management position in the Office of the Commissioner in Washington D.C. He began his Reclamation career at Reclamation's Mid-Pacific Regional Office in Sacramento, California.

Johnson has received numerous awards during his career, including the President's Meritorious Executive Award for superior accomplishment and management of Federal programs. The Award recognized Johnson's long term contributions in the management of water supplies for a multi-state and international region served by the lower Colorado River.

Johnson is a graduate of the University of Nevada-Reno, with a Master of Science degree in agriculture and resource economics. A native Nevadan, Johnson is married and has two grown children.

**Rodney Lewis, General Counsel**

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Mr. Lewis is General Counsel to the Gila River Indian Community, of which he is also an enrolled member. He is a graduate of the University of California at Los Angeles (UCLA) Law

School. Rod is the first Native American to have been admitted, in that same year, to the Arizona State Bar Association. He also holds distinction of having been the first Native American to argue a case before the United States Supreme Court.

In 2000 Rod, along with Janet Napolitano, was honored by the State Bar of Arizona as one of 100 Most Distinguished Women and Minority Attorneys.

Rod achieved the rank of First Lieutenant in the United States Army.

### **James Lochhead**

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Mr. Lochhead is Senior Counsel to the Denver law firm of Brownstein Hyatt & Farber PC, with his office in Glenwood Springs, Colorado. His practice emphasizes water rights, land use, real estate, municipal and special district, federal administrative and permitting, and legislative law. In addition to his practice, he has qualified as an expert witness for water and natural resources cases before the U.S. Supreme Court (*Kansas v. Colorado*), the U.S. Federal District Court for the District of Idaho, and others.

Jim has represented the state of Colorado for fifteen years concerning interstate Colorado River matters. From 1994 to 1998, Jim was executive director of the Colorado Department of Natural Resources. Jim was responsible for the Colorado Water Conservation Board, Soil Conservation Board, Oil and Gas Conservation Commission, and State Land Board Minerals, as well as the Divisions of Geology, Water Resources, Parks and Outdoor Recreation, and Wildlife.

From 1998 to 1999, Jim was Colorado's lead representative on interstate Colorado River issues, including water allocation among the seven basin states, reservoir and water facility operations, and endangered species programs in the Upper and Lower Basins. He is currently a Special Assistant Attorney General for Colorado on interstate Colorado River matters. He works on groundwater issues in both Idaho and New Mexico.

Jim has held several appointed and board and commission positions, including: the Board of Directors of the Colorado Conservation Trust, the Board of Trustees of the Colorado Water Trust, the Board of Trustees of the Legal Aid Foundation of Colorado, the Board of Trustees of The Nature Conservancy Colorado Program, the Board of Directors of Colorado Open Lands, the Board of Great Outdoors Colorado, the External Advisory Board of the Environmental and Natural Resources Policy Institute at Colorado State University, Chair of the Advisory Board of the Natural Resources Law Center, and the University of Colorado School of Law Alumni Board of Directors.

**Estevan R. López, P.E., Director**

New Mexico Interstate Stream Commission  
Deputy State Engineer  
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Estevan López was appointed as the Director of the Interstate Stream Commission by Governor Bill Richardson in January 2003. He also serves as the Deputy State Engineer

Lopez is a registered professional engineer in New Mexico. He served as County Manager for Santa Fe County from 2001 to 2002. He was the Land Use and Utility Director for Santa Fe County from 1997 to 2000.

A native New Mexican, he has a Bachelor of Science degree in chemistry and a Bachelor of Science degree in petroleum engineering from New Mexico Tech, in Socorro.

The New Mexico Interstate Stream Commission (Commission), created by Chapter 25 of the 1935 legislative session laws, has broad powers to investigate, protect, conserve and develop New Mexico's waters including both interstate and intrastate stream systems. The Commission has eight unsalaried members appointed by the Governor. The ninth member is the State Engineer, who under state law is the secretary of the Commission.

**Malissa Hathaway McKeith, Partner**

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**AREAS OF PRACTICE**

Ms. McKeith has 20 years of experience in the areas of land development, water and energy law. She handles the following types of matters:

- Land use entitlements for retail, residential and industrial developments.
- Zoning changes, annexations, subdivision map act compliance.
- All aspects of NEPA/CEQA compliance (prosecution and defense).
- Endangered Species Act compliance including Streambed Alteration Agreements, Clean Water Act Section 401 and 404 permits.
- Protection of water rights with emphasis on representing agricultural entities.
- Defense of enforcement actions before the Environmental Protection Agency and Regional Water Quality Control Boards.
- Negotiation of power purchase agreements.

- All aspects of permitting for renewable, LNG or conventional power plants including appearances before the Public Utilities Commission and California Energy Commission.

## ASSOCIATIONS

- Board, Colorado River Board of California (1997-2002)
- Board, California Women Lawyers (1999-2003)
- Board, State Bar of California (1994-1997)
- Governor's Appointee, Flood Plain Task Force (1998)
- Executive Committee, State Bar Real Property Section (1999-2003)
- President, Citizens United for Resources & Environment ("CURE") (1997–present)
- Chair, Los Angeles County Bar Judicial Appointments Committee (1994-1999)
- Association of California Water Agencies
- Governor's Blue Ribbon Task Force on Environmental Regulations
- Governor's Task Force on Military Base Closure

### **Bart Miller, Program Director**

Western Resource Advocates  
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Bart Miller is Water Program Director at Western Resource Advocates (WRA), a non-profit environmental law and policy organization dedicated to restoring and protecting the natural environment of the Interior American West. At WRA he directs projects throughout the region to improve urban water use efficiency, minimize the water-related impacts of energy development, and protect and restore water flows and other habitat in many river basins. He represents other conservation organizations as clients in civil litigation, lobbies for legislation, and develops and promotes environmental policy.

Mr. Miller has written and spoken on many environmental topics, including of water development, federal reserved water rights, the Endangered Species Act, and the interface between water and energy use. Prior to joining WRA in 2000, he spent 4 ½ years as an attorney-advisor in the Solicitors Office in Washington, DC, on the legal staff that advises the many agencies within the United States Department of the Interior.

Mr. Miller graduated *cum laude* from Dartmouth College in 1988 and received his J.D. from the University of Colorado School of Law in 1995. He is admitted to the bar in Colorado.

**Don Ostler, Executive Director**

Upper Colorado River Commission  
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Don is the Executive Director and Secretary for the Upper Colorado River Commission which was created by Federal Compact to represent the states of Colorado, New Mexico, Utah and Wyoming. The Commission is responsible to administer appropriate Federal laws respecting the uses and deliveries of the water of the Upper Basin of the Colorado River.

Don served for 18 years in a gubernatorial appointed position as the Director of the Utah Division of Water Quality and Executive Secretary to the Utah Water Quality Board. In this capacity he was responsible for protection of the quality of all surface water and ground water within the state of Utah. He was involved with the legislative branch of government in passing needed water legislation. Under his leadership the first programs to protect ground water quality in Utah were developed. Don worked to improve coordination of water quality and quantity issues on a watershed basis.

Don worked as an engineer within the Utah Division of Water Quality and as an engineer for the Bureau of Reclamation and the U.S. Forest Service in Colorado, Utah and Idaho. He has B.S. and Masters Degrees in Civil Engineering from the University of Utah. He is a licensed professional engineer in the state of Utah.

**Patrick H. Tyrrell, Wyoming State Engineer**

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Mr. Tyrrell is a Wyoming native who grew up in Cheyenne but has also lived in Casper, Gillette and Laramie, Wyoming. His experience was entirely within the private sector until taking the appointment as State Engineer in January of 2001. In his role as State Engineer, Pat serves as Wyoming's Commissioner to the Upper Colorado River and the Yellowstone River Commissions, and he represents Wyoming on the North Platte Decree Committee, the Colorado River Basin Salinity Control Forum, and the Western States Water Council, among other groups. He is past board member and past President of the Wyoming Water Association.

EXPERIENCE

2001-current Wyoming State Engineer  
1995-2000 States West Water Resources Corporation - Cheyenne, WY  
Engineering Manager

1991-1995 Thunder Basin Coal Company - Wright, WY  
Regulatory Affairs Supervisor  
1989-1991 Wenck Associates, Inc. - Maple Plain, MN  
Project Manager  
1981-1989 Western Water Consultants, Inc. - Laramie, WY  
Engineering Coordinator

## EDUCATION

1979 University of Wyoming - Laramie, WY  
BS, Mechanical Engineering  
1982 University of Wyoming - Laramie, WY  
MS, Civil Engineering - Emphasis in hydrology & hydraulics

### **Brad Udall, Director**

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Brad Udall is Director of the Western Water Assessment, a NOAA-funded program at the Cooperative Institute for Research in Environment Sciences at the University of Colorado. The role of the WWA is to help scientists and decision makers in the Intermountain West to better understand the nexus of water management and climate change/variability, allowing science to better inform and contribute to water policy and management.

From being a Grand Canyon river guide in college to being a water engineer for ten years, water has always been an important theme in Brad's life. He was educated at Stanford (B.S. Environmental Engineering) and at Colorado State (MBA). Out of college in the 1980s, he worked in the computer industry writing software. He later became a principal at Hydrosphere Resource Consultants where he was able to combine his engineering background and computer skills to solve water problems in the West. He worked in the Rio Grande, Gunnison, Colorado, Platte, Snake, and North Platte basins during his ten years at the firm for local, state, and federal clients. His specialty was building water rights allocation models. In the late 1990s he took a break from the world of water and moved to Vail to run the Eagle Valley Land Trust. In 2003 he was hired to manage the Western Water Assessment.

One little known fun fact about Brad: he is great-great grandson of John D. Lee, the colorful founder of Lee's Ferry and nowadays the all-important dividing line between the Upper and Lower basins of the Colorado River.

**Joe Vanderhorst, Senior Deputy General Counsel**

Metropolitan Water District of Southern California

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Joe Vanderhorst is Senior Deputy General Counsel at Metropolitan Water District of Southern California, where he worked from 1992 to 1998 and returned in 2000. He was in private practice from 1998 to 2000. His expertise includes real property, environmental, water law and resources matters. He also worked as an attorney for the California Department of Transportation.

His assignments in the past year have included working on the Lower California River Multi-species Conservation Plan. He worked on the Palo Verde Irrigation District Water Transfer, the QSA team and deals with other Colorado River District matters.

Joe did his undergraduate work at UCLA and received his law degree from Loyola Law School in Los Angeles.

**Gerald R. Zimmerman, Executive Director**

Colorado River Board of California

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Jerry Zimmerman attended the University of Wyoming where he received a Bachelor of Science Degree in Agricultural Engineering in 1968 and a Masters Degree in Water Resource Engineering in 1970.

Upon graduation, he began employment with the Wyoming Water Planning Program which was a State agency under the Wyoming State Engineer's Office. After three years, he moved to Omaha, Nebraska where he worked for the Missouri River Basin Commission in various capacities including the Director of Special Studies. The Missouri River Basin Commission was a State/Federal planning organization created under the Water Resources Planning Act of 1968 with ten states and ten federal agencies represented on the Commission.

After eight years with the Missouri River Basin Commission, he moved to Salt Lake City, Utah to become the Assistant to the Executive Director of Upper Colorado River Commission. He was named the Executive Director of the Commission in 1983 and served in that capacity until April of 1990.

In April of 1990, Jerry moved from the Upper Colorado River Basin to the Lower Basin to accept an appointment as Executive Director of the Colorado River Board of California. The Colorado River Board is the State agency in California that protects California's rights and

interests in the water and power resources provided by the Colorado River. The Board is composed of 10 members, one member from each of the six major public agencies with rights to use Colorado River water, the Director of the Department of Fish and Game, the Director of the Department of Water Resources, and two at large public members.

Jerry is the past chairman and a California member on the Colorado River Basin Salinity Control Forum as well as the Advisory Council dealing with implementation of the salinity control program for the Colorado River; is the chairman of the Lower Colorado River Multi-Species Conservation Program Steering Committee, a cooperative federal/state/non-governmental endangered species conservation effort; is California's representative on the Colorado River Management Work Group addressing Federal/State matters dealing with the management and operation of the Colorado River System reservoirs; is California's representative on the Glen Canyon Adaptive Management Work Group, a federal advisory committee dealing with the operation of Glen Canyon Dam consistent with the Grand Canyon Protection Act; and is one of California's representatives in the ongoing discussions and negotiations among the seven Colorado River Basin states dealing with long-term issues on the Colorado River.

Jerry Zimmerman attended the University of Wyoming where he received a Bachelor of Science Degree in Agricultural Engineering in 1968 and a Masters Degree in Water Resource Engineering in 1970.

Upon graduation, he began employment with the Wyoming Water Planning Program which was a State agency under the Wyoming State Engineer's Office. After three years, he moved to Omaha, Nebraska where he worked for the Missouri River Basin Commission in various capacities including the Director of Special Studies. The Missouri River Basin Commission was a State/Federal planning organization created under the Water Resources Planning Act of 1968 with ten states and ten federal agencies represented on the Commission.

After eight years with the Missouri River Basin Commission, he moved to Salt Lake City, Utah to become the Assistant to the Executive Director of Upper Colorado River Commission. He was named the Executive Director of the Commission in 1983 and served in that capacity until April of 1990.

In April of 1990, Jerry moved from the Upper Colorado River Basin to the Lower Basin to accept an appointment as Executive Director of the Colorado River Board of California. The Colorado River Board is the State agency in California that protects California's rights and interests in the water and power resources provided by the Colorado River. The Board is composed of 10 members, one member from each of the six major public agencies with rights to use Colorado River water, the Director of the Department of Fish and Game, the Director of the Department of Water Resources, and two at large public members.

Jerry is the past chairman and a California member on the Colorado River Basin Salinity Control Forum as well as the Advisory Council dealing with implementation of the salinity control program for the Colorado River; is the chairman of the Lower Colorado River Multi-Species Conservation Program Steering Committee, a cooperative federal/state/non-

governmental endangered species conservation effort; is California's representative on the Colorado River Management Work Group addressing Federal/State matters dealing with the management and operation of the Colorado River System reservoirs; is California's representative on the Glen Canyon Adaptive Management Work Group, a federal advisory committee dealing with the operation of Glen Canyon Dam consistent with the Grand Canyon Protection Act; and is one of California's representatives in the ongoing discussions and negotiations among the seven Colorado River Basin states dealing with long-term issues on the Colorado River.

## **Hard Times on the Colorado River Moderators**

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David Getches became the fourteenth Dean of the University of the Colorado School of Law in July 2003. He is also the Raphael J. Moses Professor of Natural Resources Law and has taught and written in water law, public land law, environmental law, and Indian law for many years. Dean Getches has published several books including: *Water Resource Management*, with Tarlock and Corbridge (2002); *Water Law in a Nutshell* (1997); *Searching Out the Headwaters; Change and Rediscovery in Western Water Law and Policy*, with Bates, MacDonnell and Wilkinson (1993); *Controlling Water Use: The Unfinished Business of Water Quality Control*, with MacDonnell and Rice (1991); and *Federal Indian Law*, with Wilkinson and Williams (2005). He has written articles and book chapters, including several on Colorado River issues. From 1983-1987, Dean Getches served as Executive Director of the Colorado Department of Natural Resources under Governor Richard D. Lamm. He also was the founding Director of the Native American Rights Fund (NARF). Dean Getches has consulted widely concerning indigenous peoples with governmental agencies and non-governmental organizations throughout the United States and in several foreign countries.

He received an AB from Occidental College in 1964 and J.D. from University of Southern California Law School in 1967.

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Doug Kenney is the Conference Coordinator and a Senior Research Associate with the Natural Resources Law Center and a Management Team member of the Western Water Assessment, University of Colorado. His research and publications are highly interdisciplinary, focused primarily on issues of western water, public lands, and natural resources governance. He has a Bachelor's degree in Biology from the University of Colorado, a Master's degree in Natural Resources Policy and Administration from the University of Michigan, and a Ph.D. in Renewable Natural Resource Studies from the University of Arizona.

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Larry McDonnell practices primarily water law at Porzak Browning & Bushong LLP in Boulder, CO. He was the first director of the Natural Resources Law Center, from 1983 to 1994. He is the author or co-author of several papers on the Colorado River, including a chapter in the treatise WATERS AND WATER RIGHTS written with Dean David Getches.

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Guy Martin is a partner in the DC office of Perkins Coie, and co-Chair of the firm's Environment and Natural Resources Practice Group. He maintains a diverse national practice in natural resources law and policy including public lands, water resources, conservation laws, Indian law, and energy resources. Among other responsibilities, he serves as national counsel to the Western Urban Water Coalition, which includes the largest municipal water agencies in the West, and as counsel to the Bay-Delta Urban Coalition, which includes urban water agencies in California interested in resolving management issues in the Bay-Delta region.

During his public service career, Guy has served as Congressional staff, Director of the DC Office for the Governor of Alaska, Commissioner of Natural Resources for the State of Alaska, and as Assistant Secretary of the Interior for Land and Water Resources. Guy was a member of the founding board of advisors for the Natural Resources Law Center, and has returned for another current term on the board. A Colorado native, Guy is a graduate of the University of Colorado as well as the School of Law. Guy is married, with two daughters and resides on Capitol Hill in Washington, DC.

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Peter Nichols practices with Trout, Raley, Montano, Witwer & Freeman, P.C. (Denver) in the areas of water, environmental, and related law. He drafted the *amicus curiae* briefs filed by Colorado, New Mexico, Idaho and other western states and by a coalition of western water users, including the National Water Resources Association, with the U.S. Supreme Court in *Miccossukee*. This was an appeal of an Eleventh Circuit holding that the federal Clean Water Act requires a point source discharge permit to divert and deliver water from one watershed to another. Nichols also drafted *amicus* effort for the western states in the Second Circuit Court of Appeals in *Catskill Mountains Chapter of Trout Unlimited v. N.Y.C.*, which addresses the same issue.

Recent scholarship includes “*Miccossukee* aftermath: Clean Water Act discharge permits for water transfers?” in *The Colorado Lawyer*. Nichols was the principle author of "Water and Growth in Colorado – a Review of Legal and Policy Issues," published by the Natural Resources Law Center of the University of Colorado School of Law in 2001. Other recent scholarship includes “Watering Growth in Colorado: Swept Along by the Current or Choosing a Better Line?” published last spring by the University of Denver Water Law Review.

Nichols is also a leader in adapting legal mechanisms, such as conservation easements, to protect water for agricultural and conservation purposes. A current member of the board of the Colorado Water Trust, he was the organization’s inaugural executive director. He has also served on numerous governmental panels, including the Colorado Water Quality Control Commission (Chair), the Garfield County (Colorado) Planning and Zoning Commission, and Colorado Governor Romer's "Smart Growth" and "Environment 2000" projects. Nichols is Past President of the Colorado Water Congress. He earned a JD from the University of Colorado Law School, an MPA also from CU, and a BA from Colorado College.