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EDITOR'S NOTE

Volume 20, Issue II of the *University of Denver Water Law Review* opens with a very special tribute to Professor Federico Cheever written by Justice Gregory Hobbs. In Professor Cheever, the *Review*, the Sturm College of Law, and the entire environmental and natural resources community lost one of its most beloved advocates and friends. Professor Cheever championed the *Review* from its earliest days, and he impacted the lives of all current, former, and future students in so many ways. Professor Cheever was instrumental in the journal's success every year. I have no doubt that those who had the privilege of knowing him and learning from him will carry on his legacy.

In the beginning of the 2016-2017 academic year, the members of the *Review* set out to establish a more robust institutional knowledge so that its members – old and new – would better understand what makes the *Review* such a special publication. In that spirit, the *Review* asked its first Editor-in-Chief, Dr. Vicki Spencer, to write a brief piece discussing her efforts and the efforts of the many stakeholders who made their vision for the *Review* a reality 20 years ago. Please enjoy her piece entitled, *The Beginning of a Legacy*. The Volume 20 staff and editorial board thoroughly enjoyed the glimpse it provides into the effort that went into making the *Review* a reality.

Our lead article is the final component of the collaborative piece that first appeared in Volume 20, Issue I entitled, *Fifty Years of Evolving Water Law and Management in the U.S.* The first three articles in Issue I provided retrospectives on the development of water law in the states of Delaware, Kansas, and Montana. The fourth article, *Interstate Water Litigation in the West: A Fifty-Year Retrospective*, was written by Professor Burke Griggs from the Washburn University School of Law. His article provides a comprehensive and thorough discussion of the development of interstate litigation in the United States. In addition to discussing much of the history of interstate litigation in the U.S., Professor Griggs addresses the most recent developments in ongoing disputes in the Southeastern U.S.

We are thrilled to bring you the second article entitled, *Regulating the Packaged Water Industry in Africa: Challenges and Recommendations*. The article was written by Ms. Jessica Vapnek and Ms. Ashley Williams, and brings a unique perspective to the *Review*. Namely, the article utilizes policy and science to advocate for changes in African environmental law, health law, and water law. The article's appendices describe case studies and analyze scientific outcomes that warrant the changes advocated by Ms. Vapnek and Ms. Williams.

The next piece, *Deference, Due Process, and the Definition of Water: Dredging the Clean Water Act*, was written by Hunter Higgins. Mr. Higgins recently graduated from the Pepperdine University School of Law. His article discusses some of the historical background and current controversy surrounding the courts' and the Environmental Protection Agency's definition of "navigable waters" particularly in light of the recently promulgated definition of "Waters of the United States."

As part of the *Review's* 20th Anniversary, the editorial board reached out to several authors of articles that previously appeared in the journal and inquired about their willingness to update those articles. A few of those authors agreed to participate, and their article updates comprise the next section of Volume 20, Issue II. It is our hope that the *Review* will be able to continue publishing this section in many issues to come, as the evolving nature of water law makes these updates particularly interesting and helpful for our readers.

The first article update, written by Mr. Casey Funk, Ms. Amy M. Cavanaugh, and Mr. James M. Wittler is entitled, *Water Exchanges 201*, and provides an update to Mr. Funk's 1998

article, *Basic Exchange 101*. There have been substantial developments in the water exchanges context in the many years since the *Review* published *Basic Exchange 101*, and these authors capture those changes in the update. These changes are especially prevalent in judicial opinions, of which there were very few at the time of the original publication. Much like *Basic Exchange 101*, the article update contains several helpful diagrams.

The second article update is entitled, *Update to A Survey of State Instream Flow Programs in the Western United States*. This article update was authored by Cynthia Covell, Ms. Whitney Phillips, and Ms. Alyson Scott. Ms. Covell's original survey of instream flow programs in the West appeared in the very first issue of the *Review*. As one can imagine, there have been substantial changes to instream flow programs during the time since the article's original publication.

Mr. Zach Smith, staff attorney for the Colorado Water Trust, authored the third article update entitled, *Making Colorado's Rivers a (Senior) Priority*. The changes that have occurred for Colorado's instream flow program since Ms. Covell's original article in 1998 are so extensive that the authors agreed that the changes warranted an article specific to Colorado. Mr. Smith kindly agreed to provide that comprehensive overview, which describes the state's unique approach to ensuring that its rivers continue to flow.

The final article update is Justice Gregory Hobbs' *Eleventh Update to Colorado Water Law*. In this update, Justice Hobbs provides a synopsis of recent water-related statutes and case law in Colorado. Specifically, Justice Hobbs provides readers with excerpts from some of the most important recent cases in Colorado water law, including, among others, the *Grand Valley Water Users Ass'n v. Busk-Ivanhoe, Inc.*

I am excited to bring you our student-written content for Volume 20, Issue II. As always, our student members work hard to bring you thorough, accurate analysis of the trending issues in water law. In addition to our usual court reports, we also have a book note, a legislative report, and a case note in this issue. Furthermore, this issue provides brief overviews of each panel that occurred at the *Review's* Symposium in April. We also had several students attend and write about conferences in Portland and Los Angeles. As always, we hope you find our student coverage of these recent water cases, books, and conferences useful in your practice and research.

Finally, I would like to thank you, the readers, for your continued support of the *Review*. Whether it is reading the content, attending the symposium, or participating on the advisory board, your willingness to engage with the *Review* provides the foundation for its success. In the Volume 21 editorial board, the *Review* is left with highly capable students and leaders, and I look forward to the *Review's* continued success for many years to come.

Blaine Bengtson
Editor-in-Chief