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## Vol. 13, no. 2: Editor's Note

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## EDITOR'S NOTE

Water weaves through time sustaining life, creating conflict, uniting civilizations, and providing hope. In this issue of the *Water Law Review*, we explore some of the various roles of water in our lives.

In "A Bright Idea from the Black Canyon: Federal Judicial Review of Reserved Water Right Settlements," Reed Benson examines the history of the reserved rights doctrine and its role in the context of state adjudications. Professor Benson looks at the controversy surrounding the Black Canyon of the Gunnison National Park in Colorado and the issues of federal judicial review.

Casey Funk and Daniel Arnold explore municipal water right appropriations in "Pagosa – The Great and Growing Cities Doctrine Imperiled: An Objective Look from a Biased Perspective." They discuss the tension between the anti-speculation doctrine and the great and growing cities doctrine by reviewing the decisions in *Pagosa I* and *Pagosa II*.

Arlene Kwasniak's article, "Water Scarcity and Aquatic Sustainability: Moving beyond Policy Limitations," examines water management approaches to enhance instream flow. Professor Kwasniak proposes a set of interventions that North American prior appropriation and prior allocation jurisdictions might explore to better address instream needs.

In "The Guarani Aquifer & International Groundwater Law: Advancing towards a Legal Framework for the Management of a Transboundary Aquifer," Brian Green discusses the challenges and threats of transboundary groundwater systems by focusing on the Guarani Aquifer in South America. Noting that growing populations and decreasing surface water sources are ever present, Mr. Green looks at ways to preserve and protect the aquifer.

On April 9, 2010, the *Water Law Review* held its third annual symposium. This year's symposium, *Water Law and Climate Change – Planning for an Uncertain Future*, was a huge success. The Water Law Review hosted approximately 100 attendees, alumni, students, and faculty.

The Water Law Review would like to thank the attendees; we hope that you join us again next year. We would also like to thank this year's speakers, who generously donated their time to help us put on this event. The Conference Notes section of this

issue provides a summary of each of their presentations. Again, thank you to our speakers:

- Justice Gregory Hobbs, Colorado Supreme Court – *Colorado Water Courts Update*
- Professor Dan Tarlock, Chicago-Kent School of Law, Illinois Institute of Technology - *Water Law and Climate Change, Strategies for Adaptation and Mitigation*
- Doug Kemper, Executive Director, Colorado Water Congress – *Colorado Legislative Update of Water Issues*
- Brad Udall, Director of CU- NOAA, Western Water Assessment - *Projected Climate Change Impacts on our Water Resources*
- Professor Christine A. Klein, University of Florida, Levine College of Law - *The Dormant Commerce Clause and Water Export: Open for Business or Suckers Beware?*
- Bart Miller, Water Program Director, Western Resource Advocates – *Oil Shale Water in Colorado: The Energy and Water Connection*
- Melinda Kassen, Director of Trout Unlimited, Western Water Project - *The SECURE Water Act: First Year Programs & Implementation*
- Casey Funk, Attorney, Denver Water Department - *Quality of Life Decision Making; Planning Uncertainties; and Legal Obstacles - Perspectives from Denver Water*
- Marc Waage, Planner, Denver Water Department - *Quality of Life Decision Making; Planning Uncertainties; and Legal Obstacles - Perspectives from Denver Water*
- Amy Beatie, Director, Colorado Water Trust – *Ethical Issues in the Water Practice: Appeals*
- George “Rock” Pring, Professor of Law, University of Denver Sturm College of Law – *Overview and Introduction to the Relationship between Climate Change and Water Law*

We invite you, reader, to sit down, put your feet up, weave your way through this issue, and be reminded of the ways water touches us all.

*Danielle Sexton*