

1-1-2008

## Interstate Conflicts Over Shared Groudwater Basins

Paul Tigan

Follow this and additional works at: <https://digitalcommons.du.edu/wlr>

---

### Custom Citation

Paul Tigan, Conference Report, Interstate Conflicts Over Shared Groudwater Basins, 11 U. Denv. Water L. Rev. 391 (2008).

This Conference Report is brought to you for free and open access by the University of Denver Sturm College of Law at Digital Commons @ DU. It has been accepted for inclusion in Water Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact [jennifer.cox@du.edu](mailto:jennifer.cox@du.edu), [dig-commons@du.edu](mailto:dig-commons@du.edu).

issues such as increases in invasive plants. Overall, Conyngham advised that dam failures are becoming an increasing problem in the United States, with over forty dam failures occurring each year. Therefore, with this problem on our doorstep, he recommended that it is extremely important for this dialogue regarding the implications of dam removal to continue.

Julie Keil, the Director of Hydropower Licensing for Portland General Electric Co. ("PGE"), continued the discussion by providing a case study, which looked at the decommissioning of PGE's Bull Run Project. The Federal Energy Regulatory Commission ("FERC") operated the Bull Run Project, which involved three rivers in the Sandy River Basin in Oregon. Because of serious water quality issues, endangered species concerns and the interests of PGE's customers and shareholders, PGE decided not to re-license the project.

*Maria Hohn*

#### INTERSTATE CONFLICTS OVER SHARED GROUNDWATER BASINS

The second session of the morning turned its attention to interstate conflicts over shared groundwater sources. Christopher H. Meyer, of Givens Pursley LLP in Boise, Idaho, moderated the plenary session and began the discussion with an offering of eight factors of interstate water allocation, using them as a springboard for the well-versed panelists. Meyer's fourth factor, "informal agreements," seemed to fall outside of any other mentioned legal characterizations and became the center of discussion, especially whether "less is more" in the realm of interstate relations, law, and shared groundwater resources. Professor John Leshy, Washington attorney James Davenport, and Metropolitan Water District of Southern California General Manager Roger Patterson batted around the idea in their particular capacities, addressing interstate relations ("opening the kimono can improve relationships"); shared technological/scientific understanding of the groundwater resources ("collective agreements through collective understanding"); and cooperative efforts versus mandates in negotiations between states ("we did less, but it feels like more").

It would be difficult to summarize such a wide-ranging discussion succinctly, but the role of various levels of politics came up a number of times. If the theme of the discussion ended up as "less is more," then the panelists appeared to agree that more information, and less political posturing, would lead to more effectively managed interstate resources.

*Paul Tigan*