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## Vol. 6, no. 2: Editor's Note

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## EDITOR'S NOTE

What a difference a year can make! This time last year, water users—residential, commercial and agricultural alike—knew the value of water due to its little supply. Fire season came early, kayak season never arrived, and water users dipped heavily into their storage reserves. Drought became a household word. In the fall, preparing for the worst, litigation ensued. *And then the snow came.* After snow, cool temperatures and rain followed. High country reservoirs continue to reclaim their storage water and rivers flow with abundance. Mother Nature has staved off catastrophe once again.

California continues to grapple with reining in unfettered groundwater use. In our lead article, Professor Joseph Sax explains California's internal clash of determining the best way to regulate its groundwater by looking into its history of establishing groundwater regulation and related caselaw. While the state battles over the doctrine of groundwater, in their article, Ellen Hanak and Caitlin Dyckman explain how California counties took the law in their own hands and passed groundwater exportation controls.

Traditionally, the *Water Law Review* has provided accounts of the numerous Colorado Interstate Compacts, cataloging this important part of Colorado Water Law History. This issue is no exception. Ken Knox provides an account of the events leading up to the Costilla Creek Compact formation. James Lochhead has provided an in-depth look into the Colorado Compact formation from an Upper Basin perspective in Volume 4, Issue 2. The *Water Law Review* is pleased to present Mr. Lochhead's Part II to this article. He focuses on the past ten years of negotiations, and breakdown thereof, between all of the Basin States in an attempt to encourage and require California to live within its 4.4 million acre-feet basic apportionment.

The combination of drought, environmental concerns, and growing number of water users puts incredible strain on Colorado's water law system as a whole. In their article, Peter Nichols and Doug Kenney investigate the Front Range growth and drought issue and its effect on Colorado's water law system and frame solutions within the confines of established water law doctrine. Sarah Klahn provides a primer to drought issues in Colorado. In response to the numerous issues exacerbated by the drought, the 2003 Colorado Legislative Session witnessed numerous bills. Michael Shimmin provides a summary of both Senate Bill 73 and *Simpson v. Bijou Irrigation Dist.* addressing Colorado State Engineer authority.

Finally, the Staff and Editorial Board took this opportunity to dedicate Volume 6, Issue 2 to an incredible figurehead of water law in Colorado, Chips Barry. Chips contributed a bit of humor to the Review in his portrayal of one of our great Presidents, Teddy Roosevelt. Sit back and enjoy as you read Chips' impression of President Roosevelt's thoughts on Western Water Law in his presentation to the Southwestern Water Conservancy District.

This has been an exciting year for water law in the West. Colorado Supreme Court decisions such as *Golden v. Simpson* and *Simpson v. Bijou Irrigation Dist.*, and the Tenth Circuit's *Rio Grande Silvery Minnow v. Keys* to name just a few. Growth and drought consistently challenge water users; however, combining creative solutions within the confines of Western Water Law and a little help from Mother Nature, water lawyers and water users continue to forge workable results. Let us see what next year has in store for us.

Holly Kirsner  
*Editor-in-Chief*