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**Geoffrey O'Gara, What You See in Clear Water: Indians, Whites, and a Battle Over Water in the American West**

**GEOFFREY O'GARA, WHAT YOU SEE IN CLEAR WATER: INDIANS, WHITES, AND A BATTLE OVER WATER IN THE AMERICAN WEST**, Vintage Books, New York, NY (2002); 285pp; \$14.00; ISBN 0-679-73582-8, softcover.

*What You See in Clear Water* tells the story of twenty years of litigation over water in the Wind River Valley, in its regional context. O'Gara includes tidy primers on the scientific, political, and legal aspects of the issues, but illuminates them foremost by shining the light elsewhere, on the people intimately involved, who have the most particular and immediate interest.

O'Gara describes the lay of the land, physically and socially, through individual experiences, including his own. His descriptions of geography and hydrology, water law and Indian law, and history, are all twined into and animated through the lives of people in the Valley and the communities that have evolved therein. The battle for water in the Valley is basically a battle between reservation Indians and white farmers; perhaps the book's most important revelation is that, while that characterization is accurate, it fails to grasp the complexity of the situation, borne out of a living cast of characters, a diversity of motivations and concerns over real-world consequences.

Internal divisions among the Indians on the Reservation—some far older than the Reservation—create further, and perhaps more difficult, complications. Arapaho and Shoshone have been thrust together on a reservation originally promised to the Shoshone alone; the Tribes, traditional enemies, continue on in their uncomfortable, federally imposed conjugation. They have in common an almost hereditary distrust for outsiders and their institutions, which, if warranted, creates terrific obstacles even for the well intentioned. Water could be the new oil for the Tribes, but they have evolved, by necessity, into a gun-shy culture, after centuries of intrusion, indifference, and mulct.

The white farmers are a less internally fractured group. They have labored for, and wrested, spare livings in arid country, and are almost uniformly unmoved by arguments that, by their estimation, seek to assess damages against them for historic improprieties they did not commit. They are in the West largely according to an imperative of the federal government, and to correct injustices of past federal policy toward Indians at their expense would be patently unfair.

O'Gara is objective on the central issues, airing both sides—or, more accurately, all sides—with careful attention and without judgment. His revelations of the various local sensibilities and expectations quietly radiate with compassion, as he pieces together a complex mosaic of conflicts between various hopes and fears, needs and rights. If O'Gara apprehends an adequate ultimate resolution to the conflicts he writes about, it is not obvious in his depiction. After twenty years' litigation—and at the end of O'Gara's book—what anyone has gained or lost is unclear. For practical purposes, the

parties appear situated much as they were before the series of cases began, and the applicable laws remain murky and unpredictable.

Specific to its place, *What You See in Clear Water* may also serve as a general model—intended or not—of old and ongoing struggles over resources, occurring variously around the country, and particularly in the West. Each instance must involve its own geographical and social character, but each involves essentially the same fight: Indian versus non-Indian rights to resources, the former theoretically, and the latter historically, encouraged and subsidized by the federal government.

Water law and Indian law are intertwined, in the West as nowhere else. *What You See in Clear Water* is a refresher on the humanity—sometimes rendered unrecognizable in its distilled legal form—that remains author, agent, and subject of these laws.

*Owen Walker*