THE UNIVERSITY OF NEW MEXICO
SCHOOL OF LAW

ACCREDITATION

The School has met the standards of the American Bar Association and of the Association of American Law Schools. The School has been fully accredited since 1948.

AIMS AND METHODS

Lawyers who function in their profession, whether as private practitioners or public servants, are an integral part of the system by which a democratic society governs itself. If they are to properly discharge the responsibilities of this role, their education for the profession must be broad and intensive. In its breadth, that education must encompass a full understanding of and belief in the democratic respect for individual personality and the democratic processes designed to allow individuals to develop and participate in a free, self-governing society. In its intensification it must impart a high degree of competence in the craftsmanship of the law—in those skills and insights essential to an adequate performance of the lawyer’s function as advocate, judge, legislator, teacher, administrator, or civic leader.

Such education neither begins nor ends in the law school, and the School of Law is continually concerned not only with its own curriculum but also with the quality of pre-legal education and with the continuing self-education that should be pursued by all members of the profession. Consequently, students are urged to enter the School with as broad a cultural and educational background as possible. Accordingly, the basic requirement for admission is now a baccalaureate degree from an approved college or university.

The student will spend the equivalent of six semesters of study in the School of Law in courses designed to bring the teachings of history, philosophy, and the social sciences to bear upon the solution of legal problems and to develop the skills and insights essential to research, analysis, synthesis, criticism, and exposition. Due to the low ratio of students to teachers (fewer than 15 to 1), substantially more individual and small group work is possible in the School than in most law schools.

For application materials and further information, write to UNM School of Law, MSC11 6070, 1 University of New Mexico, Albuquerque, New Mexico 87131-0001 or go to http://lawschool.unm.edu.
Copyright © 2011 by the Natural Resources Journal.
Fiftieth anniversary cover design by Ashley Baca.

Natural Resources Journal (ISSN #280739) is published two times a year in the spring and fall by UNM School of Law, 1117 Stanford Dr. NE, Albuquerque, NM 87131.
POSTMASTER: Send address changes to Natural Resources Journal, UNM School of Law, 1117 Stanford NE, MSC11 6080, 1 University of New Mexico, Albuquerque, NM 87131-0001.

Spring, Vol. 51, No. 1
Library of Congress Catalog Number 64-63319
Subscription Price Per Year: $40.00 in the United States, $45.00 outside the United States. Per Number: $15.00

FOR SUBSCRIPTIONS & CHANGE OF ADDRESS NOTIFICATION: See order form at the back of this issue, e-mail nrjsubscriptions@law.unm.edu, or write to Natural Resources Journal, UNM School of Law, MSC11 6080, 1 University of New Mexico, Albuquerque, New Mexico 87131-0001. The subscription period is for the calendar year. Unless notice to the contrary is received at the editorial office, it is assumed that a renewal of the subscription to the Natural Resources Journal is desired. Cancellations must be received in writing and are for the calendar year only. No pro-rated refunds will be given.

FOR CLAIMS: Subscriber claims for undelivered issues must be received within ninety (90) days of mailing date of issue claimed. Submit claims via e-mail to nrjclaims@law.unm.edu, or write us at the address above, indicating “NRJ CLAIMS” in the subject field and/or the address.

Visit us on the Internet at http://lawschool.unm.edu/nrj

PERMISSIONS & DUPLICATION/REPRINT INFORMATION: Except as otherwise expressly provided, permission is hereby granted to copy materials from this publication for classroom use, provided that (1) copies are distributed at or below cost, and (2) author and journal are properly identified. Please contact us by mail, e-mail, or fax regarding all other requests for permission to duplicate or reprint.

Printed by Joe Christensen, Inc.
This text stock is 30% pcw and acid free.
The isolation of scholars in various fields concerned with resources problems continues to be a principal impediment to progress. . . . Resources problems are so complex that traditional lines of approach prove inadequate... Rarely do we find the work of the lawyer and the non-lawyer appearing side by side. . . . The primary function of the [new] Journal is to meet this need. . . .

—from the Foreword of Vol. 1, No. 1, 1961

INTRODUCTION

PROFESSIONAL ARTICLES

Beyond Trust Species: The Conservation Potential of the National Wildlife Refuge System in the Wake of Climate Change

Robert L. Fischman & Robert S. Adamcik 1

The Public Trust Navigates California’s Bay Delta

Paul Stanton Kibel 35

The Convergence of Water Rights, Structural Change, Technology, and Hydrology: A Case Study of New Mexico’s Lower Rio Grande

Rhonda Skaggs, Zohrab Samani, A. Salim Bawazir & Max Bleiweiss 95

Showdown at Catron: Cows, Wolves, and the Ecology of Public Lands Policies

Raymond B. Wrabley, Jr. 119

STUDENT ARTICLE

Methane as a Greenhouse Gas: Why the EPA Should Regulate Emissions from Animal Feeding Operations and Concentrated Animal Feeding Operations Under the Clean Air Act

John Verheul 163
Natural Resources Journal

Published two times per year by the University of New Mexico School of Law

Vol. 51 Spring 2011 No. 1

Co-Editors-in-Chief
Maggie Lane & Ashleigh Morris

Managing Editor
Jennifer Salazar

Citations Editors
Lacy Daniel, Sarah Parks, Dominique Work

Manuscript Editors
Tony Burchell, Kristina Caffrey, Genevieve Graham,
Dayan Hochman, Stephen Marshall, John Verheul

Staff
Dan Akenhead Monica Moya
Matthew Beck Nicholas L. Pino
Jesse Benoit Sarah Plazola
Elisa Dimas Danielle Rodgers
Anne Illanes Meyers Mia Rubin
Owen Johnson

Faculty Advisor
Reed D. Benson

Publications Managing Editor Business Manager
Lynne Arany Marquita Harnett

It is the purpose of this JOURNAL to publish articles of value to members of the legal profession and to individuals active in the resources field. Publication does not indicate adoption by the JOURNAL, its editors, or the advisory council of the views expressed.

Member of the National Conference of Law Reviews