

Winter 2011

Winter 2011 Utton Center Newsletter

Utton Center, University of New Mexico - School of Law

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The Utton Center

The University of New Mexico School of Law

Note from the Director

New Mexico presents an array of environmental and natural resources challenges, and the University of New Mexico School of Law is deeply immersed in these issues. This issue highlights our Natural Resources and Environmental faculty, students, and some of the work of the Utton Center. We hope that this newsletter will keep the many people who have been touched by the law school's programs and activities aware of our activities and serve as an invitation to stay involved in the future.



Professor Denise Fort
Director,
Utton Center

Students at the Utton Center



Over the Summer of 2011, two UNM students, Zack Carpenter and Gregory Chakalian, joined Darcy S Bushnell working for the Stoll Water Ombudsman Program. Their project involved developing a water rights handbook directed to small water systems in New Mexico. Zack and Gregory interviewed individuals who work with small water systems, conducted research and produced a first draft of the handbook. The project was funded in part by the McCune Foundation.



Trampas Lake - photo courtesy Tracy Hughes



River Restoration Conference

The Utton Center and the US Bureau of Reclamation hosted a conference attended by approximately 120 people in September. The purpose was to assess

Reclamation's large scale river restoration activities and to provide a venue for the exchange of ideas about how to improve the implementation of these programs.

The focus of this conference was on social and institutional aspects of restoration (governance) as opposed to scientific and engineering aspects - that is, looking for opportunities to improve practices and to overcome obstacles associated with law, policy, finance, assessment, and organization. The goal was to connect contemporary scholarship and Reclamation's on-the-ground experience regarding institutions that govern river restoration programs; provide opportunities for peer-to-peer learning to improve Reclamation's efforts; synthesize what is known about the effect of various organizational arrangements on success in restoration projects; and develop recommendations for the Bureau of Reclamation and other agencies.

[full story here](#)



Professor Reed Benson Immersed in Water Law

by Nancy Harbert

From providing a briefing to New Mexico lawmakers on water law to taking a fresh look at the Prior Appropriation Doctrine in an upcoming article, Professor Reed Benson is immersed in the world of western water issues.

In mid-September, Benson participated in a two-day conference in which the Utton Center joined with the U.S. Bureau of Reclamation to assess the bureau's large-scale river restoration activities. The title of the Albuquerque conference was, "River Restoration: Exploring Institutional Challenges and Opportunities."

[full story here](#)



Professor Gauna Pursues Environmental Justice

by Nancy Harbert

Professor Eileen Gauna contributes an expertise in

environmental justice to the University of New Mexico School of Law. Beyond the classroom, she is regularly invited to share her expertise around the country.

Some of her recent activities have included participating in a panel discussion titled, "CERCLA, Brownfields and Distributive Equity," at a Southwestern Law School symposium on Nov. 11. The symposium title was, CERCLA and the Future of Liability-Based Environmental Regulation. Speakers explored the impact of CERCLA, on the current state of contaminated property during the past 30 years and the future of liability-based environmental regulation.

[see full story](#)

2011 Natural Resources Speaker Series

The State Bar of New Mexico Natural Resources, Energy and Environmental Law Section (NREEL) provided funding this year for a series of speakers at the School of Law on topics relevant to the missions of NREEL, the School of Law's Natural Resources Program and the Utton Center. Attorneys attending the talks were able to gain General CLE credits, as well as to hear knowledgeable presenters.

[full story here](#)



Joe M Stell Water Ombudsman Program

by Darcy Bushnell

Darcy Bushnell (Law School '89) serves the Utton Center as the Director of the Joe M Stell Water Ombudsman Program. The Water Ombudsman Program provides water adjudication information and process guidance to pro se claimants involved in New Mexico water right adjudications. The Program also participates in public outreach for American Indian water right settlements. In support of these missions, the Ombudsman Program provides telephone, web, print and public meeting support. The Program is most active in the adjudications involving the San Juan River, the Nambe-Tesuque-Pojoaque River and Lower Rio Grande River Systems.

Darcy is working on two new proposals: a map-based

Water Portal which will be designed to provide New Mexicans access to water information currently available on the web and an e-repository for American Indian water settlement documents and research.

Professor Fort Joins Water Experts for Stanford Workshop

by Nancy Harbert

Professor Denise Fort, director of the Utton Transboundary Resources Center, was invited to make two presentations at a mid-October gathering of water experts from the United States and Australia. The workshop took place at Stanford University.

Three institutions: the United States Studies Center at the University of Sydney, the Woods Institute for the Environment at Stanford University and the Bill Land Center for the American West at Stanford organized the gathering. The purpose was to have discussions among this select group of people about how different U.S. states and national governments manage the effect of groundwater withdrawals on surface water and groundwater dependent ecosystems.

[full story here](#)

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Utton Center Newsletter

Thank you for your interest and participation in the Utton Center's activities and efforts to improve the status of water resources in the State of New Mexico. For further information, please see our website <http://uttoncenter.unm.edu>. If you have ideas, requests or suggestions for our next newsletter, please contact Kendall at the information listed above. You are a valued resource to the center and our community. Thank you!