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.
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 Journal is to meet this need...

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

INTRODUCTION................................................... vii

PROFESSIONAL ARTICLES

Texas Exempt Wells: Where Does Fracking Fit?

Tiffany Dowell Lashmet

Amber Miller

Jump In Before It’s Too Late: Protecting and Increasing Streamflows in New Mexico

Sharon Wirth

Water, Agriculture, and Drought in the West Under Changing Climate and Policy Regimes

George B. Frisvold

Agricultural Preferences in Eastern Water Allocation Statutes

Jesse J. Richardson, Jr.

Improving Tribal Collaboration in California’s Integrated Regional Water Management Program

Danielle V. Dolan

Beth Rose Middleton

STUDENT ARTICLES

Water Use and Recycling in Hydraulic Fracturing: Creating a Regulatory Pilot for Smarter Water Use in the West

Xochitl Torres Small

Blue Gold: Commoditize Groundwater and Use Correlative Management to Balance City, Farm, and Frac Water Use in Texas

Gabe Collins
BOOK REVIEWS

Enduring Acequias: Wisdom of the Land, Knowledge of the Water, by Juan Estevan Arellano

Bianca Smoker 479

Water 4.0: The Past, Present, and Future of the World’s Most Vital Resource, by David Sedlak

Brian Smith 482

Water Ethics: A Values Approach to Solving the Water Crisis, by David Groenfelt

Robin James 485
Natural Resources Journal

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

Vol. 55 Spring 2015 No. 2

Editors in Chief
David Ketai & Xochitl Torres Small

Managing Editor
Curtis Vernon

Manuscript and Citations Editors
Brianna Jagelski, Doreen Jameson, Lila Jones, Ramon Maestas, Devon Moody, Victor Sanchez, Jeffrey Stradling, Hooman Hedayati

Staff
Alan Barton
John Campbell
Neil Carson
Haley Grant
Brandon Hajny
Lance Hough
Robin James
Robert Johnston
Drew Larkin
Anne Minard
Nghiem Nguyen
Brian Smith
Bianca Smoker
Mia Ulibarri
Natalie Zerwekh

Faculty Advisor
Alex Ritchie

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
THE UNIVERSITY OF NEW MEXICO

ROBERT G. FRANK
President of the University of New Mexico

REGENTS OF THE UNIVERSITY

THE HONORABLE SUSANA MARTINEZ
Governor of New Mexico, ex officio
JACK L. FORTNER
ROBERT M. DOUGHTY
SUZANNE QUILLEN
LT. GENERAL BRADLEY C. HOSMER
JAMES H. KOCH
HEIDI N. OVERTON
MARRON LEE

SCHOOL OF LAW

DAVID J. HERRING
Dean of the School of Law

MAX MINZNER
Associate Dean for Academic Affairs

APRIL LAND
Associate Dean for Clinical Affairs

NATHALIE MARTIN
Associate Dean for Faculty Development

CHRISTINE ZUNI CRUZ
Associate Dean for Indian Law Program