



Summer 2007

Symposium on New Mexico's Rio Grande Reservoirs: An Introduction

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Recommended Citation

Susan Kelly, *Symposium on New Mexico's Rio Grande Reservoirs: An Introduction*, 47 NAT. RES. J. 511 (2007).

Available at: <https://digitalrepository.unm.edu/nrj/vol47/iss3/2>

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Symposium on New Mexico's Rio Grande Reservoirs: An Introduction

This issue of the *Natural Resources Journal* is devoted to the laws and policies of the Rio Grande reservoirs in New Mexico. The issue represents a continuation of the scholarship inspired by Professor Albert Utton, long-time editor-in-chief of the *Journal*. Several of the articles in this issue were presented at the "Rio Grande Reservoir Symposium" held at the University of New Mexico School of Law in April 2006.¹ The Symposium was co-sponsored by the Utton Transboundary Resources Center and the *Natural Resources Journal*. This issue also includes an extensive update of Professor Utton's 1979 "Legislative History of the Rio Grande Reservoirs."

When Em Hall asked me to write an introduction for this issue, I reviewed the 1999 *Journal* edition devoted solely to water law, "Coping with Scarcity in the Rio Grande/Rio Bravo Drainage Basin: Lessons to Be Learned from the Drought of 1993–1996."² That is a wonderful edition with a wide variety of contributors—Eluid Martinez, Bill Hume, John Hernandez, Maria O'Brien, Carlos Rincón, Garry Rowe, Steve Mumme, and others. Professor Utton died during the year prior to the publication and the issue begins with essays written about him by his colleagues. Those essays are still great reading; for those who didn't know Al Utton, there is a rich overview of his career and of the legacy he left for the law school, the State of New Mexico, and professionals working in the field of water law and policy. For those who did know Al, the essays are enjoyable reading and serve as reminders of why he was loved and admired.

I won't recount here the details of Al's amazing career but only touch upon the range of his professional relationships and his impact on state water policy. He graduated from the University of New Mexico with a degree in geology and was a lifelong friend of our esteemed geologist/hydrogeologist colleagues Drs. John Hawley and John Shomaker. He was a brilliant and nationally known international law expert with connections all over the world and was particularly loved by his colleagues in Mexico. He was a mentor to hundreds of natural resource law professionals. His passion for interdisciplinary studies inspired the thinking of people such as Lee Brown, Chris Nunn Garcia, Ruth Kovnat, Michele Minnis, and other

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1. Many people contributed to the Symposium. In addition to the authors in this edition, I would like to particularly acknowledge Darrell Riekenberg (former counsel to Albuquerque District, U.S. Army Corps of Engineers), Garry Rowe (long-time Area Manager Bureau of Reclamation, who passed away in 2007), Chris Gorbach, Adrian Oglesby, Dick Kreiner, Andrew Lieuwen, April Sanders, Everett Chavez, Norm Gaume, Herman Settemeyer, Josh Mann, Torild Kristiansen, Em Hall, Susan Tackman, and Jessica Leary.

2. 39 NAT. RESOURCES J. 1 (1999).

founders of the UNM Water Resources Program. Colleagues at the law school revered him, including Suede Kelly (now a member of the Federal Energy Regulatory Commission), Chuck DuMars (faculty emeritus UNM School of Law), and Antoinette Sedillo Lopez (Associate Dean for Clinical Affairs). Al was respected on both sides of the political fence: for example, Republican Senator Pete Domenici helped obtain federal funding to continue the transboundary resources center in Professor Utton's name; and, active in Democratic politics, Al was manager of Bobby Kennedy's New Mexico campaign for the presidency in 1968. Al was chairman of the New Mexico Interstate Stream Commission for 20 years.

Although Al Utton's influence on New Mexico water matters was profound, what I enjoyed most in reading the 1999 essays were the life lessons. Helen Ingram best described what he taught her. First, never pass up an opportunity to perform an act of generosity no matter how busy you become; next, there should be no separation between fun and work or between pleasure and productivity; and finally, intelligence is as much a matter of values as it is of brains.

Today natural resources professionals wrestle with many of the same issues that were in play 20 years ago – limited water supplies and how to secure sustainable supplies for the future among competing interests and across jurisdictional boundaries while still protecting the environment. There are new contexts for the debates – the growth of urban and rural areas and increased stress on groundwater supplies; how to deal with water shortages in the midst of long-term drought, particularly given the uncertainties of water rights; the challenges of protecting endangered species; and the looming prospects of climate change. Many of these matters will be at stake in the long-term management of the reservoirs on the Rio Grande and are subjects covered in the articles in this edition of the *Journal*. At the very least, the articles demonstrate how varied but interconnected are our human efforts to both utilize and conserve the river's waters.

Professor Utton manifestly understood the Rio Grande to be a complex resource. Ten years after his death it is appropriate to pause and appreciate his legacy. Perhaps it can help us with the current challenges: "He was respected worldwide for his ability to devise solutions to disputes spanning national borders....He simply was not confrontational and he had the ability to diffuse those who were."³

The Utton Center, through the able leadership of retired director Marilyn O'Leary and the guidance of new director Sanford Gaines, continues the work of Professor Utton to promote equitable and sustainable management and utilization of transboundary resources.

Map on the facing page was created by Jerold Widdison for the Utton Transboundary Resources Center (2007)

3. From the essays of Professors Bill Ellis and Fred Hart, NAT. RESOURCES J., *supra* note 2.